

**SERGEANT ANDREW TAHMOORESSI:  
OUR MARINE IN MEXICAN CUSTODY**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON  
THE WESTERN HEMISPHERE  
OF THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED THIRTEENTH CONGRESS  
SECOND SESSION

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OCTOBER 1, 2014  
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**SERGEANT ANDREW TAHMOORESSI:  
OUR MARINE IN MEXICAN CUSTODY**

**WEDNESDAY, OCTOBER 1, 2014**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON THE WESTERN HEMISPHERE,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 10:06 a.m., in room 2171, Rayburn House Office Building, Hon. Matt Salmon (chairman of the subcommittee) presiding.

Mr. SALMON. A quorum being present, this subcommittee will come to order.

We are going to limit the opening statements to myself, the ranking member and the chairman of the full committee; members will then be given ample time to ask questions, and if we have time for a second round of questions, then we will do so.

I would like to start by recognizing myself and present my opening statement.

Without objection, the members of the subcommittee can submit their opening remarks for the record. And now I yield myself as much time as I may consume to present my opening remarks.

Welcome everyone to this very, very important hearing on Major—excuse me, Marine Sergeant Andrew Tahmooressi, our Marine in custody in Mexico.

I want to thank Chairman Royce and all my colleagues who have come back to Washington to take place in this hearing. This is a busy time, when members are campaigning in their districts, the election just a few short weeks away, and the fact that so many members have come back for this hearing attests to the fact that this is an extremely important issue that we want to resolve as quickly as possible.

And I want to thank our witnesses, particularly Mrs. Tahmooressi, who has been steadfast and strong in her advocating for her son.

Montel Williams and Pete Hegseth, your work on behalf of veterans is noble and important, and it is a pleasure to have you speaking on behalf of Andrew.

And finally, Retired Marine Sergeant Robert Buchanan, who served with Andrew in Afghanistan, from the bottom of our hearts, we appreciate your great service and we appreciate the fact that you are here appearing on behalf of your good friend, and I would like to thank you personally for your wonderful service to our Nation.

Not long after the VA scandal story broke in my home town of Phoenix exposing widespread mismanagement of veteran care on the part of the Veteran Affairs, I first traveled down to Tijuana to visit Sergeant Tahmooressi in prison. I had been following his story, how he had served with distinction in the U.S. Marine Corps on the battlefields of Afghanistan; returning home to the United States with physical and the psychological scars of war, he made his way to southern California, where he was diagnosed with PTSD, living mostly out of his truck, where he carried all of his belongings, including his three registered guns; and how he got turned around and found himself at the Mexican border, where it is illegal to carry guns.

By the time I had visited Andrew back in late May and again in June with Chairman Royce, he had been through a lot, attempted to escape and take his own life, haunted by the hypervigilance that is the hallmark of his PTSD. Even so, he was polite, he was soft-spoken, a brave American who had defended this country and now needed our help to return home.

Here is an interesting anecdote. On my way back from visiting Andrew the first time, just as I was crossing the border back into the United States, I heard on the news the Obama administration had negotiated with the Taliban for the release of Army Sergeant Bergdahl.

Sergeant Tahmooressi's circumstances are obviously very different than Sergeant Bergdahl's, but it still struck me then, as it does now, that Sergeant Tahmooressi had served his country with honor twice in Afghanistan, and now he finds himself in a Mexican prison after getting turned around and crossing the border. I am mystified that President Obama couldn't find time between negotiating with terrorists to call our ally, the Mexican President, to appeal to him on behalf of our Marine.

If we in Congress don't do everything in our power to try to get Sergeant Tahmooressi, an injured war hero, back to the States for treatment, then what are we doing here? Making sure that our combat veterans are taken care of when they return is one of our most honored and sacred obligations.

As chairman of this subcommittee, I have been consistently supportive of our bilateral relationship with Mexico, committed to our security partnership and to helping Mexico reform and improve its justice system. Our commercial relationship with Mexico is strong and is vital.

Today I feel the same way. I am optimistic about Mexico's energy reforms, the growth of its middle class, and the increasingly close trade and diplomatic relationship that we share, but our significant and growing bilateral cooperation must also come with the ability to resolve important issues, particularly along our shared border.

I firmly believe that Sergeant Tahmooressi meant no harm or willfully violated Mexican law when he crossed the border. And when I talked on several occasions with the Ambassador from Mexico, who by the way has been the Attorney General of Mexico in the past, he echoed to me the same thing, that he didn't believe that Sergeant Tahmooressi had any evil intentions with those weapons in his car.

Now, he has spent over 6 months in prison for what amounts to a wrong turn. I am disappointed that more could not be done to address this situation in a far more timely manner. The fact is that Mexican citizens violate U.S. law on a regular and continuing basis, illegally crossing our southern border. Mexican officials respond by asking the U.S. for compassion and amnesty for their citizens to remain in the U.S., but frankly, compassion goes both ways. Mexico does not have the ability to provide Sergeant Tahmooressi with the care that he needs. Our war hero needs to come home.

Last week I spoke with the Mexican Attorney General, who explained that while Sergeant Tahmooressi had broken Mexican law by approaching the border with weapons, his combat-related PTSD could not be adequately treated in Mexico. The good news is the Attorney General explained to me and, I understand, Chairman Royce separately that he has the authority within Mexican law to dismiss Sergeant Tahmooressi's case on humanitarian grounds once he has expert testimony that verifies his combat-specific PTSD diagnosis.

Chairman Royce and I obtained the appropriate expert medical reports and forwarded them to the Mexican Attorney General's desk this past Friday. In addition, at the court hearing yesterday, a Mexican psychologist submitted his official diagnosis confirming Andrew's PTSD.

Now, with all the information available to him, I am confident, I am hopeful that Attorney General Murillo Karam will do the right thing and very soon order the release of Andrew so he can begin his treatment and move forward with his life back home with his family and his friends.

Once again, we are asking our men and our women in uniform to embark on the mission of fighting on behalf of our Nation in our war against the terrorist organization ISIS. Making sure that Sergeant Tahmooressi is brought home and provided the treatment that he so desperately needs will send a message and demonstrate to our military men and women, who are in harm's way, that America stands up for our soldiers and our Marines. That is how it should be.

I look forward to hearing from all the witnesses, and I thank you for being here.

And I now yield to Ms. Gabbard, the ranking member.

Ms. GABBARD. Thank you very much, Mr. Chairman, for holding this important hearing.

And most importantly, thank you to our witnesses today for taking your time to come and allow us the opportunity to hear directly from you and to allow us the opportunity to elevate your story and Sergeant Tahmooressi's challenges to the American people.

Mrs. Tahmooressi, your story, what you and your family have gone through, and more importantly what your son is going through is incredibly heartbreaking. I have never met you before, I have never met your son, but hearing your story, hearing the story from those of you who have served with him, he is our brother, he is part of our family, part of the family of those who have worn the uniform from whatever branch of service and who have gone through that fight together, and to see what he is facing now, one of our own, is unimaginable upon coming home.

When we serve overseas, the one bright light that we have is the fact that we can come home and that we come home to our loved ones and we come home to some sense of normalcy. And to see now what he is going through, to not have that bright light, is despicable and unimaginable.

There is no question that our Government needs to do whatever it takes to support Sergeant Tahmooressi as he seeks justice and freedom in Mexico, and there is no question that the State Department must make this a priority. While we hope that the Mexican court and the Mexican Government will do the right thing and recognize that this case must be dismissed as soon as possible, the reason why we are here is because we know and understand that we cannot let up, that action is necessary, and we have to continue to apply that pressure to force that action and to bring him home.

I want to thank each of you for coming today, for your championing Sergeant Tahmooressi and his freedom, and continuing to push for this action and being his voice in his absence.

I thank you all for being here and look forward to hearing from you.

Thank you.

Mr. SALMON. I thank the gentlewoman.

The Chair now recognizes the chairman of the full committee, Mr. Royce.

Mr. ROYCE. Well, thank you Subcommittee Chairman Matt Salmon for your work on this issue, for holding this hearing.

Matt Salmon and I had an opportunity to go down and talk to Sergeant Andrew Tahmooressi in his cell. And I do want to share, Jill, I want to share with the Sergeant's mother an observation that I think that Sergeant Buchanan was absolutely right when he said this was one of the most impressive young men he had served with. He is a very, very fine young man. And he has been through a lot.

I think this committee has played a role historically in trying to make certain that in foreign policy, we look after the interests of those men and women who have served this country, and in this particular case, a young man who made a wrong turn and has now found himself 6 months, 6 months after his diagnosis, in this situation.

Now, Matt and I had approached the Government of Mexico on several occasions, and one of the things you had us do was to try to get him moved from the prison in Tijuana, and he is now in Tecate, and in a much better place, I must say, and he expressed that.

And we are respectful of our relationship with Mexico, but it has been 6 months. And I now feel in our discussions, which we have had in the past with the Ambassador, with the Foreign Minister, but now over the phone last Thursday, I had a long discussion with the Attorney General, and with the case, with the argument that I think we are making and making here today, the argument that he cannot get PTSD treatment, but less than 10 days before he was taken into custody, he was diagnosed with just that diagnosis.

And as the Attorney General has shared with us, it is within his ability to make a decision based on humanitarian grounds if the diagnosis shows that this in fact was the case. And we sent him that



diagnosis, and we have sent him subsequently the diagnosis also that we have now from the doctor in Mexico.

I think that, as Matt has raised this point, it is important to consider, since we have raised this with the State Department, our Government took steps to have one soldier released in exchange for five senior Taliban leaders, five senior Taliban leaders who had all committed serious offenses, war crimes. All five would be hauled up in front of the Hague for crimes against humanity based upon the terror that they visited on Afghan and U.S. forces. All five were determined to be a serious danger to the United States, and yet at the end of the day, those five, with close ties to Osama Bin Laden and to Mullah Omar and to the Haqqani terrorist network, have all found their way out of custody.

The question is, what steps has the Government taken in order to ensure the release of this young Marine?

And that brings us to why we are having the hearing today. And as Members of Congress, we must see to it that U.S. servicemen and servicewomen, who are put in harm's way to defend our country, are properly cared for when they return back here to the United States, when they are injured, as Andrew was injured, by a grenade.

Mrs. Tahmooressi, I am pleased, I must say, that you are with us today. And I am equally pleased that we have with us a brave Marine who served two tours, combat tours, in Afghanistan, your son did this, Jill, and we talked a little bit with him about his service, but during his time when he was deployed in Helmand Province with the 2nd Battalion, 6th Marine regiment, he received a combat meritorious promotion, a battlefield promotion under meritorious conditions. Now, this speaks to his valor and to his love of country.

And to discuss his service, it is an honor to have Robert Buchanan with us today. I met Robert at my office back some months ago when he came to talk to me about his comrade and about the effort he was undertaking, along with you, Jill, in order to secure his release. And he served with your son and said, as I indicated to you, that not only was he a fine young man, he also told me he was one of the bravest young men he had served with.

And I must admit here too that Robert has been very brave himself and earned the Purple Heart after sustaining injuries himself from an IED explosion. And we want to thank him and others for traveling all the way here to Washington.

And, as many of you know, these physical injuries as a result of that IED attack that Andrew sustained lead at times to psychological difficulties that we call PTSD, and the fact that the San Diego Veterans Affairs Hospital diagnosed him less than 10 days prior to this event on the border and the fact that it results in hypervigilance and memory and cognition lapses and depression, the fact that he will not be able to receive treatment in Mexico, and so this has been—the treatment has been prolonged by 6 months.

It is because of this that I, together with Congressman Salmon, have pressed this case with the Attorney General of Mexico. And last week, after our conversation, I must say that I am confident that a humanitarian release of Andrew will occur very soon so he can start getting better and get the treatment he needs.

And I believe the case that is being made here is a compelling one that will result in the right decision, the correct decision, the humane decision from the Attorney General.

Thank you very much.

Mr. SALMON. Thank you, Mr. Chairman.

Pursuant to Committee Rule 7, the members of the subcommittee will be permitted to submit written statements to be included in the official hearing record. Without objection, the hearing record will remain open for 7 days to allow statements, questions and extraneous materials for the record subject to the length limitation in the rules.

Ms. GABBARD. Mr. Chairman?

Mr. SALMON. Yes.

Ms. GABBARD. I request unanimous consent to recognize one of our colleagues, Congresswoman Debbie Wasserman Schultz, who actually represents the home district of Mrs. Tahmooressi in Westin, Florida, to join us here on the committee today. She has been actively advocating on this issue, working closely with Jill, with the Obama administration and the Mexican Government to try to secure Andrew's release.

Mr. SALMON. Without objection, so ordered.

Ms. GABBARD. Thank you.

Mr. SALMON. First I would like to introduce our panel. And again, thank you so much for traveling across the country. I know you all have very busy schedules.

Mrs. Tahmooressi is a resident of Florida and is the mother of Marine Corps Sergeant Andrew Paul Tahmooressi, an inactive reservist. Mrs. Tahmooressi is a licensed registered nurse in the State of Florida. She has been serving at Miami Children's Hospital since 1980, and from everything that I have seen and in my conversations with her, one heck of a mom. Glad to have you here, Mrs. Tahmooressi.

Lieutenant Commander Williams is founder of the Montel Williams MS Foundation. Together with researchers and the U.S. Army, Mr. Williams is working on ways to improve the treatment for soldiers who have experienced blast-related traumatic brain injuries. It is so great to have you here and see you again. Lieutenant Commander Williams began his professional career in the U.S. Marine Corps. He holds a bachelor's degree in engineering and a minor in international security affairs from the U.S. Naval Academy.

Sergeant Buchanan is a U.S. Marine Corps veteran and a Purple Heart recipient, who was honorably discharged after 6 years of service. Thank you. Mr. Buchanan was a machine gun squad leader during the work-up training for his deployment with the 2/6 battalion, and helped train Andrew Tahmooressi as a machine gunner. While on deployment in Afghanistan, he fought side by side with Andrew. In August 2010, Sergeant Buchanan's all terrain vehicle ran over a 1201 IED, BIED, resulting in him earning his Purple Heart award. Since his exit of the Marine Corps, Mr. Buchanan has been active in his school's veteran club, in his community's veterans organizations, and is actively attending American Legion Post 862. He is currently working on his business degree.

And Mr. Hegseth is the CEO for Concerned Veterans for America. The mission of CVA is to advance policies that will preserve the freedom and prosperity that veterans and their families so proudly fought and sacrificed to defend. An infantry captain in the Army National Guard, Mr. Hegseth served in Afghanistan in 2012, where he was the senior counterinsurgency instructor at the Counterinsurgency Training Center in Kabul. Previously, he served in Iraq with the 3rd Brigade of the 101st airborne division for their 2005–2006 deployment. He earned two Bronze Stars and a combat infantryman’s badge for his time in Iraq and Afghanistan. Mr. Hegseth graduated from Princeton University, completed a master’s in public policy at Harvard University’s John F. Kennedy School of Government in 2013.

So the lighting system. And, Jill, even though I am going to enforce it on everybody else, I am never going to mess with somebody’s mother. The way it works is, you are each given 5 minutes for your testimony. After 4 minutes, the amber light goes on. When you start speaking, it will be green. When the amber light shows up, it means you have got 1 minute to wrap it up. The red light means stop for everybody but Mrs. Tahmooressi.

And, Mrs. Tahmooressi, you are recognized.

**STATEMENT OF MRS. JILL TAHMOORESSI (MOTHER OF  
SERGEANT ANDREW TAHMOORESSI)**

Mrs. TAHMOORESSI. Mr. Chairman, Ranking Member, Members of the committee and Congress, thank you for the invitation to testify today.

I am grateful for the committee’s interest regarding Sergeant Tahmooressi, my son, and his ongoing incarceration in Mexico.

As the mother of a high achieving young man, there are a few horrific memorable quotes I recall and wish to share with you regarding my son. I believe these quotes will not only frame the character of my son, yet will also highlight the current predicament my son is in.

In 2006, at the age of 17, he said, “Mom, I’m scheduled for my solo flight today. I’ll be getting checked off on my private pilot license.”

At age 18, after having graduated from public school, Westin Florida, and having been afforded the Florida Bright Scholarship, he said, “Mom, I’m not ready for college yet. I’m going to head out to Alaska. I would like to be a commercial fisherman.” One of his favorite shows at the time was “The Deadliest Catch,” if anyone remembers that.

In 2008, “Mom, God just nudged me to join the military. I’m going to enlist in the Marines.”

In 2010 he would phone home when he could with the battle stories. I am a brave mom. I am a mom of a Marine. And so in 2010, “Mom, we just hit an I.E.D.”

In 2012, “Mom, I blacked out when I fell from atop an M-Rap, hit my head on one part and I blacked out. They found me.”

In 2013, “Mom, I’m dropping out of Embry Riddle Aeronautical University [where I was enrolled in a bachelor’s degree for the commercial pilot degree] because I can’t concentrate on the academic work.”

March 14th—or March 31st, sorry, 11:25 this year, “Mom, I got lost. I made a wrong turn. I’m at the Mexican border. You need to know this, because I have been surrounded by military. In case anything happens to me, I need you to know where I am.”

The following morning, April 1st, 2014, “Mom, I’ve been arrested. Please secure me an attorney.”

April 5th, “Mom, I am not going to make it through the night. Whatever you do, do not come down here to investigate, do not come down here to ask questions. You will be killed as well. I need you to go underground. I need you to cancel your bank accounts. Let the Broward sheriff’s office know, but, Mom, I am not going to make it through the night. Don’t come down to investigate.”

April 14th, “Mom, I tried to kill myself because the guards and the inmates were going to rape, torture and execute me for personal information. I needed to protect you.”

May 1st, “Mom, it has been 25 days. I have been in four-point chain restraint spread eagle on a cot in the infirmary.”

These quotes, horrific in varying degrees for a mother, pale in comparison to Andrew’s statement that, my time in Mexico has been far worse than my two combat tours to Afghanistan.

Andrew is under contract with the U.S. Marine Corps. He is still a Marine, will always be a Marine, but he is an inactive reservist until August 24th, 2016. He was discharged active duty October 2012, serving unselfishly in Operation Enduring Freedom, multiple combat tours, being meritoriously promoted on the battlefield.

Andrew felt privileged to serve the war on terror. He fought in an infantry battalion as a section lead and a 50-caliber gunner. He volunteered and was willing to lose his life for freedom, liberty and the elimination of oppression. He fought not for one political party, yet he fought for the world at large, including Mexico, who does not send their military to foreign combats.

Suffering symptoms suggestive of combat-related post-traumatic stress disorder throughout 2013 while attending university, Andrew packed up his Ford F-150, the same truck that he drove to Alaska the 6,000 miles. He packed up his whole entire truck with all of his possessions, including his three U.S. legally purchased firearms. His first purchase, by the way, was in 2007 on his way to Kodiak, Alaska. That was the shotgun for his protection.

He arrived at San Diego at the invite of a friend, who has got a Purple Heart, 100 percent disability, who said, Andrew, come out here. We have got the best VA system in the country. So he did that.

And on March 12th, he received his crisis intake positive screen for post-traumatic stress disorder. At the time, he was ordered the cognitive therapy, the veteran group therapy. He attended on March 20th. And indeed there is a third medical record in his Veteran’s Administration record from the morning, March 31st, that famous day when, at 10:30, he pulled out of a parking lot on the California side, San Ysidro, very confusing area, lots of construction going on. He had just come off that on ramp earlier in the day, so as he pulled out left, made a sharp left back onto that on ramp, thinking it headed north to San Diego, but in just a few hundred feet, a blind curve into a barricaded Mexican customs lane. There

was no way to turn around at that time. In fact, there was no signage at the border at that time.

With no visible sign indicating how to turn around and with no U.S. presence at the border, Andrew purposefully stops at the first Mexican official he sees and explains, I got lost, made a wrong turn, and ended up here by mistake. I have all of my possessions in my truck, including three U.S. legally purchased firearms. Can you show me how to get back to the border? He thought that that Mexican customs agent was going to flag him an escort vehicle, but over time, the military came onboard. That is when he dialed 911 for help. No one was able to help him, including the 911 operator. These facts are recorded and is evidentiary statement in the Federal Court of Tijuana, Mexico.

Arrested on weapons and ammunition possession, now incarcerated in a Mexican prison, Andrew is despondent and desperate to return to the United States. His PTSD treatment plan has been aborted. It was aborted on April 1st, as Mexico does not have the ability to provide combat-related PTSD expressive group therapy as recognized here.

He phones home every day. He is very complimentary and appreciative for the actions of the Congress, the actions of the White House in responding to the [wethepeople.gov](http://wethepeople.gov) petition that was responded to on August 28th. At that time, the White House responded that they would ask for urgency, but today the urgency to influence expedition, in my opinion, is ineffective. It is 6 months, and we are still connecting dots. We still do not have the authenticated 911 call in the record. It is supposedly held up in a department in Mexico.

Today, though, there is new signage at the border for wayward passenger—for wayward drivers that make that error that Andrew made, and I am sure there may be hundreds each day that do that, there is now a new sign that says, Return to the USA, erected in May, and the graffiti-laden sign that was on the on ramp, that also has been changed. So should any motorist make that mistake now, they do have way to come home.

Mr. Chairman, I urge attention and collaborative action among the United States and Mexico for an expedient resolution of Andrew's Mexican judicial process, expecting wholeheartedly that release to the U.S.A. is justified. My son is despondent, without treatment, and he needs to be home.

Thank you very much, and I look forward to your questions.

Mr. SALMON. Thank you, Mrs. Tahmooressi.

[The prepared statement of Mrs. Tahmooressi follows:]

Jill Marie Tahmooressi  
Mother of United States Marine Corps. Sergeant Andrew Paul Tahmooressi  
Open Hearing Committee on Foreign Affairs,  
held by Subcommittee Western Hemisphere

Wednesday, October 1, 2014

“Subject Sergeant Tahmooressi: Our Marine in Mexican Custody”

Mr. Chairman, Ranking Member, and Members of the Committee: Thank you for the invitation to testify today. I am grateful for the committee’s interest regarding Sergeant Tahmooressi and his ongoing incarceration in Mexico.

As a mother of a high achieving young man, there are a few horrific memorable quotes I recall and wish to share with you regarding my son. I believe these quotes will not only frame the character of my son Andrew yet will also highlight the current predicament my son is in:

- 2006- “Mom. I’m scheduled for my solo flight for my private pilot license” (Age 17).
- 2007- “Mom. I’m going to hold off on my Florida Bright College Scholarship as I wish to first experience commercial fishing in Kodiak Alaska” (Age 18).
- 2008- “Mom. God just nudged me to join the military. I’ll be enlisting as a Marine” (Age 19).
- 2010- “Mom. We just hit an I.F.D.”
- 2012- “Mom. I blacked out when I fell from atop an M-Rap”.
- 2013- “Mom. I’m dropping out of my Professional Pilot Bachelor Degree at Embry Riddle Aeronautical University because I can’t concentrate on the course work”.
- 2014- March 31, 11:25pm “Mom. I got lost and made a wrong turn. I’m at the Mexican border surrounded by military. I need you to know in case anything happens to me”.
- 2014- April 1, 9:30am “Mom. I’ve been arrested. Please secure an attorney for me”.
- 2014- April 5- “Mom. I am not going to make it through the night. There are hit men in the cell with me and they told me they are going to kill me. Whatever you do, do not come down to ask questions or investigate because they are going to kill you to. Change your bank accounts and go underground. Your life is in danger”.
- 2014- April 14- “Mom. I tried to kill myself because the guards and the inmates were going to rape, torture and eventually execute me for information”.
- 2014- May 1- “Mom. I have been chained by 4 points, strapped spread eagle to the bed in the infirmary for 25 days”.

These quotes, horrific in varying degrees for a mother pale in comparison to Andrew’s statement that, “his time in Mexico imprisonment has been by far worse than the two combat tours in Afghanistan”. Andrew is under contract with the U.S.M.C. Individual Ready Reserve as an In-active Reservist until August 24, 2016 having been honorably discharged active duty 10/2012. Serving unselfishly in Operation Enduring Freedom, multiple combat tours 2010-2012, being meritoriously promoted on the

battlefield in Feb. 2012, Andrew felt “privileged to serve the war on terror”. He fought in an infantry battalion, as a section lead and 50 caliber gunner. He volunteered and was willing to lose his life for freedom, liberty and elimination of oppression. He fought not for one political party, yet for the world at large, including Mexico who does not send their military to foreign combat.

Suffering symptoms suggestive of combat related Post Traumatic Stress Disorder (PTSD) throughout 2013 while attending University, Andrew headed out from Florida to California to seek evaluation and treatment at the San Diego Veteran’s Administration. This decision was made when a Marine brother who served with Andrew in the 2010 deployment to the Helmand province of Afghanistan, a purple heart veteran who himself was receiving care at the San Diego Veterans Administration suggested Andrew get treatment in San Diego. Andrew packed up most all of his possessions and moved to San Diego receiving a documented positive PTSD screen in the San Diego, La Jolla Village V.A. Hospital March 12, 2014. A treatment plan was prescribed which included a March 20<sup>th</sup> orientation program that Andrew attended as documented in his VA medical record as well as an additional note on March 31.

At 10:30pm, on March 31, 2014 Andrew pulls out of a parking lot in the San Ysidro California border town, a stone throw away from the Mexican border, with his possessions piled high in the back seat of the four- door truck having not yet secured permanent housing and makes one wrong turn. That one wrong turn nearly cost his life and certainly his freedom. The highway on ramp he believed led north to San Diego, a sign off to the side of the ramp laden with graffiti suddenly and unknowingly blind swept in a curve to the south and straight into a barricaded Mexico entry lane. With no visible sign indicating how to turn around and with no USA presence at the border, Andrew purposefully stops at the first Mexican official he sees and explains, “I got lost, made a wrong turn and ended up here by mistake. I have all my possessions in the truck including three USA legally purchased and registered firearms. Can you show me how to get back to the border”? In addition he calls 9-1-1 for help. The Mexican Custom agent as well as the California 9-1-1 operator could not or would not assist Andrew back to the USA side of border. These facts are recorded in his evidentiary statement in the Federal Court in Tijuana Mexico.

Arrested on weapon and ammunition possession and now incarcerated in a Mexican prison, Andrew is despondent and desperate to be released back to the USA. His PTSD treatment plan has been aborted as Mexico does not have the ability to provide combat related PTSD expressive group therapy, recognized as standard rehabilitation in the USA. As often as possible, Andrew phones home via a collect call to seek hope that he will soon be freed. The White House.gov, We The People petition garnered the necessary 100,000 signatures within the thirty day allotment of time on May 30<sup>th</sup>, the threshold requiring a response from the White House yet it wasn’t until August 28<sup>th</sup>, almost 90 days later that a response was emailed to me; the same response that the other 134,000+ signers received. The White House expressed their interest in urging Mexico to expedite the judicial process. To date, the urgency of the executive branch to influence expediency, in my opinion is ineffective.

I respectfully request the Chair and members of this committee to seek cooperation with Mexico for an escalated and expeditious judicial process since as today, October 1, 2014 six months have passed and the presiding Judge has yet to receive

critical evidence to support Andrew's unintentional border crossing which includes, 1) the 9-1-1 call- transcript authenticated through the USA-Mexico Chain of Custody, 2) the prosecutors expert testimony of Andrew's PTSD and, 3) forensic scene documentation at the border 3/31 at 10:30pm noting the conditions which led to the navigational error and entrapment. Today, there is new signage at both points of vulnerability protecting wayward drivers including, a prominent and visible sign which states, "RETURN TO THE USA <<<<<<" erected in May and the graffiti laden sign has been replaced. Should Andrew or any motorist for that matter make the same navigational error that Andrew made at night on 3/31, a way back home to the USA is now afforded via the signage, "RETURN TO THE USA <<<<<<"; clearly, not the case on 3/31/2014.

Mr. Chairman. I urge attention and collaborative action among the United States and Mexico for an expedient resolution of Andrew's Mexican judicial process expecting whole-heartedly that release to the U.S.A. is justified. My son is despondent and has been without treatment since his navigational error on 3/31/2014, mere days from his March 12, 2014 diagnosed Post Traumatic Stress Disorder (PTSD) at the San Diego Veterans Administration Hospital.

Thank you. I look forward to your questions.

*Just Johnson*



Mr. SALMON. Lieutenant Commander Williams.

**STATEMENT OF LIEUTENANT COMMANDER MONTEL B.  
WILLIAMS, USN, RETIRED (VETERANS ADVOCATE)**

Lt. Commander WILLIAMS. Thank you, Chairman Salmon, Ranking Member Sires, and Chairman Royce, members of the subcommittee and full committee.

It is very critical, extremely critical that we are holding this hearing today, and I can't thank you enough for doing so.

I also want to say thank you to all the members who made it a point to come back for this hearing today, but you have to understand that your peers must recognize the fact that veterans are watching today, and for those of them who did not come back, this will be remembered.

While the scope of this hearing is limited to the case of Sergeant Andrew Tahmooressi, I would be remiss to remind this committee that Andrew's case is merely a symptom of a greater policy failure in how we address the needs of all of our returning soldiers. The failure is unfortunately even more pronounced when it comes to PTSD. And we throw this term around very lightly, but what we have to recognize is that 30,000 new cases of traumatic brain injury occur every year in our services, and it doesn't matter whether or not soldiers go into a combat situation or not. The majority are from training exercises. We currently have over 600,000 veterans suffering from residual symptoms from traumatic brain injury right now in the VA system.

And I will tell you, no ifs, and or buts, our veterans from Iraq and Afghanistan often feel absolutely abandoned by our Government, and I believe that they have a reason to feel so.

Before I begin, my testimony is definitely longer than 5 minutes, so I am going to synopsise and make sure I yield to others, but there are some points that I think really clearly have to be made.

As we have addressed it over and over again, Andrew made a wrong turn. And we have thrown out a couple of terms related to PTSD with that by saying, hypervigilance, but we have got to slow down for just a second and take a minute and understand what that means. Though Jill can't say it and others won't say it, we know for a fact that Sergeant Tahmooressi's time in this prison has been worse than his time in both combat situations. He is going to come back to the United States and have to be treated for his combat PTSD, but also his incarceration PTSD. And to me, this is an abomination.

Six months. He didn't hesitate to say, aye, aye, sir, to go off and serve. How dare we, how dare we as a Nation hesitate to get that young man back. We sit here in this city and discuss sending more young people off to die. I have a son who is 21 years old who has asked me over and over again, dad, should I serve? And right now I am telling him no. That is coming from a guy who did 22 years in the service, but, no, because our Government doesn't respect you enough. And how dare they treat him the way they do and the way they will.

Andrew's incident is clearly triggered by his PTSD. The hypervigilance, when he made that turn while in Mexico, he made

a decision to leave. When he got in his car, he was probably already triggered.

And just so some of you understand, I suffer from MS, I have scars in my brain that are synonymous with concussive brain injury, so some of the symptoms that I am talking about are symptoms that I live through on a daily basis: Emotional lability, sometimes depression, sometimes hypervigilance. I can walk in this hallway in Congress, where I am most protected, and be afraid to walk in that bathroom. This is what these young men live through, and it is sad that we have one of our own right now being held in a prison while we talk about it.

It is clear, everyone understands, he is not going to get the treatment that he is due. He has served the time, I believe, for any crime that he could have committed. So bring him home and let's treat him appropriately, but his treatment is not going to just be for combat PTSD. And remember, his treatment for his PTSD for being in prison rests on our shoulders.

Now, I want to clearly say I have the utmost respect for the Mexican Government and the Mexican people. I am not one of those who is going to join into the fray of screaming for invasions and all of those things, but what I am going to scream for is the one part of political diplomacy that has not been used yet, and Congressman Salmon, you pointed it out, it is called political compassion. Compassion is what is needed right now. Woe be it to us to let this case go by and then have to deal with the other 600,000 soldiers who are suffering who could make the same mistake.

My testimony is much longer than 5 minutes. I would please, please ask the members to read the entire thing. I have synopsisized for you, but I would like to leave you with one other little point. Every nation on this planet and all people are judged, no matter what religion you are, whatever faith you are, we are all judged by what we do for the least of us. Andrew is one of the best of us, America's treasure. If we can't treat the best better than we treat the worst, how dare you ask another gentleman to put on a uniform.

Thank you so much, sir.

Mr. SALMON. Lieutenant Commander Williams, without objection, your testimony, your full testimony and everybody's full testimony will be entered into the public record. And I appreciate your great comments.

[The prepared statement of Lt. Commander Williams follows:]

STRICTLY EMBARGOED UNTIL DELIVERY 10/1/14

**MONTEL WILLIAMS TESTIMONY BEFORE HOUSE FOREIGN  
AFFAIRS COMMITTEE, SUBCOMMITTEE ON WESTERN  
HEMISPHERE**

Mr. Chairman, thank you for inviting me to testify today, and with the Committee's permission, I would like to submit additional testimony for the record

Chairman Salmon, Ranking Member Sires, Chairman Royce, members of the subcommittee and the full committee, this is a critical hearing and I thank you for calling it. To all of you who made time to come back for this hearing, I can tell you veterans are watching and the absence of some of your colleagues has not gone unnoticed.

While the scope of this hearing is limited to the case of Sgt. Andrew Tahmooressi, I'd be remiss not to remind the Committee that Andrew's case is but merely a symptom of a greater policy failure in how we address the needs of our returning soldiers – that failure is unfortunately even more pronounced when it comes to PTSD. Mr. Chairman, Members, you need to understand that our nation's veterans - especially those who fought in Iraq and Afghanistan - often feel entirely abandoned by their Government, and unfortunately I find that sentiment hard to argue with.

**Before I begin, I'd ask you all to close your eyes for a moment – close your eyes and forget about the politics that have led to a conflation of issues with respect to Andrew's case. The harsh, indisputable reality we face here is that we lose an average of 22 veterans to PTSD-related suicide daily. Andrew has received NO treatment whatsoever in six months and is being held in complete isolation. Now as you open your eyes, consider letting that be the filter through which you think about this case. We are on the clock, and frankly we don't have much time.**

We are here to talk about a 26-year-old MARINE whose distinguished service spanned two tours in Afghanistan and earned him numerous decorations. He is without a doubt one of America's treasures. I spent 22 years in the United States Military, first as an enlisted marine and then as a special duty intelligence officer after graduating from the Naval Academy. I left the service soon after my show started, but I still wear my metaphorical uniform every day – it's never truly come

off. I sit on the board of Fisher House Foundation and I regularly visit our wounded warriors at Walter Reed as often as possible. My advocacy for active duty troops and our veterans is what keeps me going, and I'll do this until the day I die.

But this isn't about me – this is about a young Marine who served his country with distinction and came home broken, as it seems so many do. And now as the proximate result of his PTSD, he has been jailed in Mexico without treatment for six months. Let me set a few misconceptions straight – Andrew Tahmoore's vehicular entry that fateful night was indisputably not intentional, the representations made to me by the Mexican Government notwithstanding. The video tape evidence clearly indicates he received a green light at the Mexican checkpoint and, rather than drive into Mexico, he summoned officers to explain his predicament and immediately requested permission to turn around.

Andrew had in fact entered Mexico several times by foot, including the day of his arrest – there is nothing nefarious about that. I'd refer you back to his interview with CNN in which he clearly states he intended to spend the night, but as daylight waned he became uncomfortable with his surroundings decided to leave. *One of the defining features of PTSD is hyper-vigilance, or an overly-attuned sense of being in danger.* I believe he was triggered at that point and stopped thinking clearly. He returned to his vehicle still triggered, and as a result he missed some street signs that might have prevented this – yet again, classic PTSD. In fact, he was so triggered that once he entered the barricaded lanes that led to Mexico, his tunnel vision overrode even the most basic critical thinking skills needed to simply stop the car and walk back towards our border to summon the proper authorities to help him.

I hesitated to enter the fray at first, partially because I believed the Mexican system would expeditiously conclude the proceeding and send him back, and also because the politicized character this case had taken on deeply troubled me. I have nothing but respect for Mexico and the Mexican people - I know the Mexican people to share common values with us in terms of compassion, faith, and an innate desire to build a better future for our children. I regret that some on our side have allowed the serious policy issues we face us concerning the border to become infected with ignorance, bigotry and hate. For the record, I want be clear that I find the anti-Mexican tone taken by an overly-vocal few to be despicable.

It became clear to me in June that Sgt. Tahmooressi faced a serious problem – the process seemed stagnant, and by that time I had established communication with his attorney. ***I believe there is powerful evidence that the case against Sgt. Tahmooressi was poisoned from the outset.*** With the Committee's permission, I would like to submit for the record a copy of an article from El Universal which was reprinted in English by borderlandbeat.com from July 2013, which uncovered the assets belonging to Alejandro Gonzalez Guilbot (gee-bowt) - who at the time of Andrew's arrest was the head of Customs in Tijuana. The site found he owned nearly \$600,000 worth of vehicles and millions of dollars in real estate in Texas despite a salary of just \$96,000 a year. He was the lead witness as to the behavior of customs to the Court, and his representations appear to have been heavily relied upon by the Mexican Government. He was suddenly and quietly transferred two days after my first appearance on Greta Van Susteren. Those facts, combined with the video tape evidence that proves his testimony at best suspect, have led me to lose all faith in the administration of justice in this case.

I have spoken with Sgt. Tahmooressi at length. He presents all the hallmarks of one severely impacted by PTSD – he sounds dazed, triggered and is losing more of what little hope he has left every day. His affect is flat, and he expressed difficulty coping with the isolation – specifically in terms of “keeping the bad thoughts out.” **Make no mistake about it, having been in custody six months with no treatment, the urgency to bring him home so that he may get the treatment he so badly needs increases significantly by the day.**

This is an important day for all veterans and I hope it will be a turning point. Andrew's suffering has gone on far too long, and I believe there has been a massive failure of Government to appreciate the severity of his situation. Apparently the President of the United States has not raised the issue, and in the span of 10 days two Governors – one democrat and one Republican – both failed to raise the issue with President Nieto. As of the start of my testimony, only 80 some odd members of this body have co-sponsored H.Res. 620. The lone bright spots in this sea of inexcusable inaction have been the State Department and you – the members of this committee.

While I acknowledge the possibility that the President has had private conversations with President Nieto that we just don't know about, at a bare minimum someone at 1600 Pennsylvania Avenue or Foggy Bottom should have called Jill Tahmooressi. Someone could have said we know your child is important and we are working as hard as we can. I'd like to know why they

haven't. I'd also like to know why an official at the State Department told a CNN reporter on background that there were doubts as to Andrew's truthfulness. In contrast to the failures I see here in DC, I have to commend the hard work of the Consulate in Tijuana - including their consistent support of Jill through this ordeal. They have served with distinction.

Make no mistake about it - PTSD is a serious condition that often leads to tragic results when left untreated. The Mexican Government is apparently unable or unwilling to provide even the most basic treatment to Andrew. This case is not about the law and not about politics - It's about one very sick Marine who is at risk of becoming one of those 22 veterans we lose to suicide every day.

I would encourage this Committee to draw a line in the sand here today. To the Mexican Government I reiterate again that the time for political brinkmanship has passed. Whatever political problems President Nieto has internally in Mexico are entirely of his own making and have nothing to do with Sgt. Tahmooressi. I call on the Mexican Government to step up and have the courage to lead. I hold the Mexican Government SINGULARLY responsible for ensuring Sgt. Tahmooressi's safety in custody. Should any harm befall him before this "process" reaches its inevitable conclusion, I'd encourage this Committee to closely examine every dollar of foreign aid that we send to Mexico - put it under a microscope.

I'd also encourage this Committee to look hard at ways to speed up the pace of judicial reform in Mexico; reform in which we have invested heavily and seem to miss no opportunity to delay. Again - Andrew's case is a symptom of a far greater problem, and in a country with an 80% impunity rate for violent crime, we ought to pressure the Government to implement the reforms so badly needed and wanted by the Mexican People - People who need no reminder of the lack of judicial transparency in their own country.

Today's hearing is of utmost importance. A previous Congress sent Sgt. Tahmooressi to war, and what remains to be seen is if this Congress is prepared to honor the obligation it has to every veteran in this country. I firmly believe this case is part and parcel of the massive failure of public policy when it comes to addressing PTSD. As this committee presumably nears voting on formal authorization to send more of America's treasures in harm's way, you need to ask yourselves how many of those treasures will continue to answer the call if their Government misses yet another opportunity to stand behind them in their hour of need.

The time has come for us to speak with one, very firm voice to the Mexican Government – they must decide what’s really important. I’d strongly suggest to them that using this case in a sideways attempt to bolster President Nieto’s political position at home is the wrong battle. It’s time to release Andrew and let him get the treatment he needs. They need to hear that we are watching, and that the consequences of continued inaction on their part could be devastating.

I’ll leave you with this: There’s an old saying that goes, “If we can’t take care of the best of us, how will we take care of the rest of us?” Andrew and all those who serve or have served represent the best this Country has to offer. What remains to be seen is whether his Government will line up to support him as Chairmen Salmon, Royce and Ranking Member Sires have. We can do better, and we must do better - we owe it to the men and women who protect our democracy to stand beside them when they come home just as they stood for us when they went away.

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Mr. SALMON. Sergeant Buchanan.

**STATEMENT OF SERGEANT ROBERT BUCHANAN, USMC, RETIRED (SERVED WITH SERGEANT TAHMOORESSI IN AFGHANISTAN)**

Sergeant BUCHANAN. Mr. Chairman, Ranking Member, members of the committee, thank you for the invitation to testify today.

I am forever grateful for the subcommittee's interest in the overview of Sergeant Andrew Tahmooressi's dire need to get Veterans Affairs Hospital medical treatment as soon as possible.

First off, I want to say, I knew Andrew, I was a corporal when he came to our unit. And I was the guy that made sure he had a haircut on Monday and a fresh shave every day, but if you guys have any questions to who Andrew truly was, I recommend you ask Sergeant Mark Podlaski back here, his best friend, brother in arms. The two were inseparable the entire time I knew them.

You don't truly know a man until you have deployed to combat with that individual. I had the pleasure of both taking part in training and deploying to Afghanistan with Sergeant Tahmooressi. He was truly one of the best junior Marines I have ever had the pleasure of working with. You tasked something out to him, there was not a second thought. It was going to get done. He was the kind of guy that his peers looked up to. From the get-go, the first day I met his group when they came to our unit, Sergeant Podlaski and Sergeant Tahmooressi stood out amongst their peers. He had a humble attitude, never talked back, was always eager to learn and be the best Marine he could be.

This was a Marine who received a combat meritorious promotion. Let me go back. Sergeant Andrew Tahmooressi was meritoriously promoted to corporal. That alone speaks to somebody's character. To be combat meritoriously promoted in this day and age amongst our field, it is a rarity and an honor amongst our gun club, if you want to call it. This alone speaks volumes to what kind of individual Andrew is and can attest to his character.

On Andrew's last deployment, he saved the life of a fellow Marine by securing tourniquets on him after he stepped on an IED, improvised explosive device, causing him to lose both of his legs. It is in these moments that a man's true character is tested, and Andrew shined. He did not run away; he ran to help.

Congressman Matt Salmon, Ed Royce and Duncan Hunter, I want to personally thank you. You have spearheaded our cause in getting Andrew home. And from the bottom of my heart, I want to thank you personally. They have all sent out multiple letters in support to the State Department and the White House. I also had the opportunity to sit down face to face with Congressman Ed Royce, and from the get-go, we had his immediate and unflinching support toward Andrew's release.

The crime with which Andrew is being charged requires intent. Weapons trafficking is not a negligent crime, and his true intent has been proven as being an accident.

Please help us get this combat veteran home and into the VA for much needed medical care. Every day he is down there is a day longer that it is going to take for him to readjust in the civilian life. Every Marine, every military member comes back with dif-



ferent luggage from war and it takes different amounts of time to readjust in the civilian life. We all have our good days and bad, but isolation is the last thing anyone needs.

Please help us get him home and the treatment he so direly needs.

Thank you.

Mr. SALMON. Thanks, Sergeant Buchanan.

[The prepared statement of Sergeant Buchanan follows:]

Robert Buchanan

Sgt. USMC veteran, Purple Heart recipient

House Committee on Foreign Affairs

Wednesday, October 1, 2014

“Sergeant Andrew Tahmooressi: Our Marine in Mexican Custody”

Mr. Chairman, Ranking Member, and Members of the Committee: Thank you for the invitation to testify today. I am forever grateful for the Committee’s interest in the overview of Sergeant Andrew Tahmooressi’s dire need to get Veterans Affairs hospital medical treatment as soon as possible. As always I am eager to hear your advice and counsel as well.

You don’t truly know a man until you’ve deployed to combat with that individual. I had the pleasure of both taking part in training and deploying to Afghanistan with Sgt. Tahmooressi. He was truly one of the best junior marines and machine gunners I’ve ever served with. This was a Marine who received a combat meritorious promotion. This alone speaks volumes to what kind of individual Andrew is, and contests to his character. To be promoted meritoriously in combat is truly an honor amongst Marines and is not given lightly.

On Andrew’s last deployment he saved the life of a fellow marine by securing tourniquets on him after he stepped on an Improvised Explosive Device (IED) causing him to lose both of his legs. It’s in these moments that a mans true character is tested.

Congressmen Matt Salmon, Ed Royce, and Duncan Hunter have spear headed the campaign regarding Andrew’s release. They have sent out multiple letters in support to the State Department and White House. I also had the opportunity to sit down face-to-face with Congressman Ed Royce and explain Andrews story. We had his immediate and unflinching support toward our cause.

The crime with which Andrew is being charged requires intent; weapons’ trafficking is not a negligent crime and his true intent has been proven as being an accident. Please help us get this combat veteran home and getting the much-needed medical care that only the Veterans Affairs Hospital can provide.

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Mr. SALMON. Mr. Hegseth.

**STATEMENT OF MR. PETE HEGSETH, CHIEF EXECUTIVE OFFICER, CONCERNED VETERANS FOR AMERICA**

Mr. HEGSETH. Members of the Foreign Affairs Committee, thank you for the opportunity to be here today.

I want to thank Chairman Salmon, Chairman Royce, Ranking Member Gabbard, U.S. Marine Duncan Hunter, and everyone else who came back from their districts to be here for this important hearing. It is greatly appreciated. Your forward-leaning support of veterans and our military matters and is noticed.

I also want to thank my fellow witnesses, who are allowing a soldier to hang out with a bunch of Marines.

Mrs. Tahmooressi, your courageous advocacy on behalf of your son inspires us all. It really does.

Sergeant Buchanan, thank you for having the back of your fellow Marine.

And Lieutenant Commander Williams, Marine, using your platform the way you are makes a huge difference. Thank you very much.

My name is Pete Hegseth. I am the CEO of Concerned Veterans for America, and our mission is to fight for the freedom and prosperity of all Americans, but specifically for the well-being of veterans. And we represent a growing number of veterans and military families who refuse to accept the status quo in Washington. We fight like hell, aggressively and passionately, to ensure that America's veterans are no longer treated like second-class citizens in their own system and in their own government.

The ongoing situation with Sergeant Tahmooressi, who has now been held for 184 days by the Mexican Government, is yet another example of our Federal Government leaving a man behind. In the military, we leave no man behind. We are leaving an inactive reservist behind in Mexico.

Andrew Tahmooressi is a United States Marine, he is a non-commissioned officer, he is a machine gunner and infantryman, a decorated combat veteran who deployed twice to Afghanistan, meeting the enemy in fierce combat. Sergeant Tahmooressi literally saved the lives of his fellow Marines. He was so good, as everyone has said, a meritorious battlefield promotion, which is nearly unheard of.

His gunnery sergeant called him, your gunnery sergeant, called him an outstanding Marine and a stand-out guy. There is no doubt this guy is an American hero, plain and simple, but his service comes with a physical and psychological cost. And let me assure you, post-traumatic stress, or PTS, it is real. And if left untreated, especially for those who partook in the horrors of war, it can become a lifelong disorder that you manage. And it can also be deadly. As many people here know, 22 veterans in America today take their own lives. Many more struggle in silence.

As has been reported widely already, Sergeant Tahmooressi was diagnosed with PTS before he crossed that border and attempted to take his own life in a crowded Tijuana prison. The condition has only been exacerbated by his treatment there and his lack of treatment in the United States.

He doesn't face post-traumatic stress because he is weak or because he is a coward or because he is a victim. He simply faces the invisible wounds of war. And right now he faces them alone, largely alone, with a few advocates fighting for him on the outside.

Left untreated, these hidden wounds, they can lead to the bottle, they can lead to reckless behavior, they can lead to detachment and societal withdrawal. Following my tour in Iraq, I know I dealt with all three. But much worse, these scars can end in suicide, unless, of course, there is a lifeline. Seeking care for post-traumatic stress either through peer-to-peer counseling, alternative therapy, family support, or proper care at the VA saves lives.

Those who manage post-traumatic stress, they are not ticking time bombs, they are not victims. With the right treatment at the right place at the right time, most soldiers and Marines, like Sergeant Tahmooressi, come back and become the leaders and the pillars of our communities that we need so badly in America today.

My bottom line to this committee and to this Government and to the Mexican Government is this: Sergeant Tahmooressi needs and deserves immediate treatment for his post-traumatic stress, and shame on anyone at home or abroad who doesn't move heaven and earth to make that happen.

In combat, men like Sergeant Tahmooressi never have enough troops or enough ammunition, never have enough time or enough equipment, but they still get the job done. The same should be expected from the United States Government. No excuse for inaction is good enough. He should be released immediately, end of story.

Before leaving home for this testimony, I kissed my two young sons on the forehead. And I am willing as a soldier and a citizen and a father to someday lend them to the cause of freedom's fight, but in doing so, I only ask that my Government do everything possible before, during and after they serve, to stand right beside them and be there for them. Mrs. Tahmooressi expected the very same thing. Is she going to receive it? is the million-dollar question.

In closing, the contrast before this committee, this Congress and this White House could not be more stark. And it has been mentioned twice, but it is worth mentioning again. This administration negotiated with the Taliban and exchanged five terrorist killers with American blood on their hands for the release of Army Sergeant Bowe Bergdahl, a soldier who deserted his unit on the front lines 2 months into his first tour of duty.

And as everyone has heard, Sergeant Tahmooressi did two tours of duty, a highly decorated Marine. Sergeant Bergdahl cost American lives; Sergeant Tahmooressi saved lives. Does that not matter?

It is time to bring our Marine home, long overdue, and get him the care that he has earned.

Thank you for this opportunity, and I welcome your questions.

Mr. SALMON. Thank you.

[The prepared statement of Mr. Hegseth follows:]



**Statement of Peter B. Hegseth  
CEO, Concerned Veterans for America**

*before the*

**Subcommittee on Western Hemisphere,  
House Committee on Foreign Affairs**

*concerning*

**Sergeant Andrew Tahmooressi:  
Our Marine in Mexican Custody**

October 1, 2014

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Chairman Ed Royce, Chairman Matt Salmon, and Members of the Foreign Affairs Committee, thank you for the opportunity to be here today.

Chairman Royce, thank you for making Sergeant Tahmooressi a focus of the House Committee on Foreign Affairs. And Chairman Salmon, thank you for convening this subcommittee hearing and for your forward-leaning and ongoing support of veterans. Your efforts, from this august body, demonstrate how much you and your fellow committee members care about our nation's warriors.

I also want to thank my fellow witnesses. Mrs. Tahmooressi, your courageous advocacy on behalf of your son is an inspiration to us all. It's an honor to be here with you. Sergeant Buchanan, thank you for your service to this nation, and for your willingness to continue to have the back of your fellow Marine. Finally, Lieutenant Commander Williams, thank you for using your substantial platform to advocate for Sergeant Tahmooressi, and all veterans—it makes a difference, and is appreciated.

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My name is Pete Hegseth and I am the CEO for Concerned Veterans for America, an organization of veterans and military families dedicated to advocating and fighting for the well-being of our nation's veterans, specifically by pushing for reforms to the way the VA—and other governmental agencies—deliver benefits, services, and health care to our nation's heroes.

Our organization represents a growing number of veterans and military families who refuse to accept the status quo in Washington. Like so many of my generation, and like our Marine in Mexican custody, I've served multiple tours since 9/11—first at Guantanamo Bay, Cuba, second in Iraq, and most recently in Afghanistan.

Our organization has fought like hell—aggressively and professionally—to ensure that America's veterans are no longer treated like second-class citizens in their own system, and by the country we proudly serve. We have made some progress, but as evidenced by today's hearing, there is still so much work to be done.

The ongoing situation with Sergeant Tahmooressi, a decorated combat veteran now held for 184 days by the Mexican government, is yet another example of our federal government failing this nation's veterans. A core military value is "leave no man behind"—yet in his case, as is the case for so many seeking physical and mental health care from our government, he has been left behind.

Marine Sergeant Tahmooressi is a United State Marine. He is a non-commissioned officer. He is a machine gunner, an infantryman. He is a decorated combat veteran who deployed twice to Afghanistan, meeting the enemy in fierce combat. During that combat, amidst IED attacks and ambushes, Sergeant Tahmooressi literally saved the lives of fellow Marines. He was so good that he received a meritorious battlefield promotion to Sergeant, a prestigious honor in the Marine Corps. His Gunnery Sergeant calls him "an outstanding Marine and a stand out guy." By any definition, Sergeant Tahmooressi is a hero. Plain and simple.

But this service did not come without a human, and psychological, cost.

Let me assure you, Post Traumatic Stress—or PTS—is real. And, left untreated—especially for those who partook in the horrors of war—it *can* be debilitating, and *can* develop into a life-long disorder. And it can also be deadly. Twenty-two veterans each day in America take their life—and countless more struggle in silence.

As has been reported widely already, Sergeant Tahmooressi was diagnosed with PTS before he was arrested and attempted to take his own life in a crowded Tijuana prison—his condition exacerbated through improper treatment in Mexico, and a lack of treatment in the United States. He does not face PTS because he is weak. Nor because he is a coward. Nor because he is a victim. He simply faces the wounds and scars of war—and right now, he faces them alone.

Some hidden wounds heal, others do not. Left un-treated, these hidden wounds—and resulting scars—can lead to the bottle, to reckless behavior, and to societal withdrawal. Following my tour in Iraq, I can attest to all three. But much worse, these scars can end in suicide. Unless, of course, there is a lifeline.

Seeking care for PTS—either through peer-to-peer counseling, alternative therapy, family support, or proper care from the VA—literally saves lives. Those who manage PTS are not ticking-time-bombs, and certainly not victims. With the right treatment—at the right time and from the right source—most soldiers and Marines like Sergeant Tahmooressi

can, and do, move on with their lives. Once their invisible scars heal, they move on with their lives—to be the leaders, and pillars, America's communities need so desperately today.

My bottom line to this committee and the Mexican government is this: Sergeant Tahmooressi needs, and deserves, immediate treatment for his Post Traumatic Stress so that he can move on with his life. Shame on anyone, at home or abroad, who does not move heaven and earth to ensure that those who given so much, receive the care they deserve. In combat, men like Sergeant Tahmooressi never had enough troops or enough air support, enough ammunition or enough time—but they still got the job done. The same should be expected from the United States Government. No excuse for inaction, or a lack of results, is good enough. He should be released immediately. Full. Stop.

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Before leaving home for this testimony, I kissed my two young sons on the forehead. I am willing, as a soldier, citizen, and patriot, to someday lend them to the cause of freedom's fight. But in doing so, I ask only that my government do everything possible to fight for them before, during, and after their service. Mrs. Tahmooressi expected the very same thing. Will she not receive it?

The paradox before this committee, this Congress—and especially this White House—could not be more stark: this administration negotiated with the Taliban, and exchanged five terrorist killers with American blood on their hands, for the release of Army Sergeant Bowe Bergdahl—a soldier who deserted his unit on the front lines less than 2 months into his first tour of duty. Yet this administration has invested little-to-no effort negotiating the return, from a neighboring country, of a highly-decorated Marine with two combat tours? Sgt. Bergdahl cost American lives. Sgt. Tahmooressi saved them. Does this not matter? Will we not fight to bring him home?

It is time to bring our Marine home, and give him the care he has earned.

Thank you for this opportunity, and I welcome your questions.

Mr. SALMON. I am going to yield myself 5 minutes for questions, and Mrs. Tahmooressi, I would like to start with you.

Interesting enough, Mr. Hegseth, after the release of Bergdahl, there was a lot of media scrutiny about that arrangement, that trade. And the President very boldly said on national TV that as Commander in Chief, he leaves no soldier behind. That is his policy.

I just want to ask you, Mrs. Tahmooressi, has the President personally called you, has he personally contacted you about this case?

Mrs. TAHMOORESSI. No, he has not, Chairman.

Mr. SALMON. To the best of your knowledge, has the President made any kind of a phone call to the President of Mexico to intercede on Andrew's behalf?

Mrs. TAHMOORESSI. Not to my knowledge.

Mr. SALMON. I know I had a personal meeting with Vice President Biden the week before the President was to speak with the President of Mexico, and Vice President Biden assured me that they would be on top of it. And I was told after the phone call that the President did not bring it up. Very, very disappointed.

Can I ask you, Mrs. Tahmooressi, how have the Mexican authorities treated you as you have searched for information regarding your son and his location? Have they been forthcoming or have they left you in the dark during this process?

Mrs. TAHMOORESSI. Well, the judicial process is one that is done in secrecy, in a sense, because I attend all of Andrew's hearings, and supposedly it is supposed to be open to the public, yet each and every hearing I attend, the honorable presiding judge asks that I sit out in the hallway, because there is not enough space in the courtroom.

So I have not been given any information forthcoming from Mexico officials other than a fact sheet that did come out some time ago, yet I had some questions on their facts.

Mr. SALMON. I was mystified when you told me that the judge would not allow you, the mother, to come in and sit in the hearings, that you actually have to sit outside.

Mrs. TAHMOORESSI. Correct. And it is interesting, that it is always a hearing room that is selected without even a window. All of them have windows except for the one that Andrew's court proceedings are going on.

Mr. SALMON. How about our folks at the consulate there in Tijuana? Have they been pretty helpful?

Mrs. TAHMOORESSI. Well, the local department, that would be Consul General Andrew Erickson, who actually served with Andrew in Afghanistan in 2012, from a personal standpoint, like making sure Andrew has a toothbrush, making sure that I get escorted in and out safely, because there are travel warnings, in the beginning they had red alert travel warnings to Mexico, Americans were supposed to keep a low profile because of a high risk of kidnapping.

So they do help escort me in and out; however, it is the State Department local level on April 14th that translated the VA medical record that I ran to San Diego, and it is the State Department in Tijuana, Mexico, on April 14th that flew in Dr. Riegel from the U.S. Embassy in Mexico City. Dr. Riegel did a full evaluation that



day. I witnessed it. And I received the report from the State Department approximately May 1st with the diagnosis of PTSD.

It was translated and supposedly given to the judge, but it was never entered into court as evidence to substantiate PTSD. It was not considered—I don't know if it was because it wasn't considered legitimate, it was from a U.S. source, and that is why just 2 days ago, 6 months into this ordeal, a Mexican psychiatrist has come in to validate combat-related PTSD, which I just find ironic, because they don't send their military to combat.

But the Mexican psychiatrists are considered legitimate, but not Dr. Riegel, who did a full evaluation, from our U.S. Embassy in Mexico City on April 14th, but those documentations have not seemed to be effective or considered of high importance.

Mr. SALMON. Thank you.

Lieutenant Commander Williams, you mentioned in your testimony that him being in prison for 6 months is extremely counter-productive to his PTSD. Can you elaborate on that just a little bit?

Lt. Commander WILLIAMS. Yes, sir. No question. I was afforded with Jill an opportunity to speak to Andrew, what, 3 nights ago, 3 days ago, and it was my first time speaking to him, because I literally tried my best to keep this off of Montel and keep this on Andrew, and knowing that when I enter this fray, the press would maybe take it in the wrong direction.

When as I spoke to him, he said to me the other night specifically, we talked for a couple minutes just in general, how are you doing? Okay. And I said to him, it is an ignorant question for me to ask you, Andrew, but Marine to Marine, how are you doing? And he paused and he said, I have a hard time keeping the bad thoughts out. I have a hard time keeping the bad thoughts out. This is 2 days ago. I have a hard time keeping the bad thoughts out, this is a key statement from a person suffering right now, and he was sending that message, I think, clearly to let me know and let his mom know, it is not going well, but he couldn't say it in any other way.

So why am I so concerned? Again, this is not about me, but most of you know I have suffered from MS for the last 20 years, diagnosed in 1990. My MS, I have scars on my brain that are closely equivalent to a concussive blast, so these symptoms, I recognize. I am in a treatment program for them now and I am doing very well, however, I know 1 day, 2 days without treatment that I have, these things come back.

And unfortunately, Andrew being involved in a concussive blast, we have just now determined he has traumatic brain—well, PTSD, but they really haven't looked at his brain yet, and there may be residual effects that are going to cause this a little bit longer to be treated. And now for him to sit in a prison, and I know we are hesitant to say it, but the rumors are that he has been beaten, he has been treated like a POW, not a person incarcerated for making a mistake.

And he said it to his mother and he said it to his peers: His treatment here is worse than being in Afghanistan. And for a person who is suffering to make that statement, he knows it. So when we get him home, this is just the beginning, but it is also an example of what we need to make sure we take care of for the other

guys and the other soldiers that are serving and suffering the same way.

Mr. SALMON. Thank you very much.

The Chair yields to the gentlewoman from Hawaii.

Ms. GABBARD. Thank you very much, Mr. Chairman, and thank you all for your very heartfelt testimony.

I wish we had more time. I know it is very difficult to capture everything that you are conveying in such a short period of time.

I understand and can appreciate everything that each of you has communicated with regards to post-traumatic stress, with regards to the treatment that Andrew needs, but I want to take a step back for many people who may be watching or listening who have not worn the uniform or who have not had a family member who has worn the uniform and who haven't had that first-hand experience that each of you has related.

And put us in the position of any one of us going there, any one of us missing that turn, any one of us not seeing a sign and ending up in a position where you are getting arrested, you are surrounded by the military after making an honest mistake, I think each of us would probably be pretty pissed off, each of us would probably not be acting in the calmest of manners, understanding the unknown that lay ahead, anyone in that situation.

And I think that on top of that, understanding the strong case of his character that you have made, the strong case of his service, his commitment, what he has done, the commitment he has had throughout his life only adds to that understanding and really goes to the point of the fact that what is occurring, there is no excuse, there is absolutely no excuse for it.

And the most unfortunate thing is it appears that bureaucracy is being allowed to be used as an excuse for his continued incarceration and is really being blamed for why no action has been taken. As many of you said, whatever it takes, whatever it takes, he should be brought home.

My question for Jill is after the September 9th hearing, it has been reported that your son's lawyer expressed confidence that a favorable ruling may be close, and I am just wondering if the assessment has changed since then and how you expect things in the near term to go from the Mexican judicial standpoint?

Mrs. TAHMOORESSI. Thank you for that question. Mr. Fernando Benitez is Andrew's current criminal defense attorney. We had had two attorneys previous to Mr. Benitez, who did great disservice to Andrew. They were not of the ethics that I had expected, especially since the first one was actually—I selected off of the Department of State reference sheet in Tijuana, Mexico.

But Mr. Benitez does state a high degree of confidence. There was a hearing on September 9th where the video surveillance was watched for 8 hours, and it definitely corroborated Andrew's truthful and forthcoming statement and it did poke holes in the statements by the Mexican officials and customs agents.

So for that reason, Mr. Benitez believes that he is very close to resting the case now and he expects a verdict—or an action of either dismissal or acquittal within the next couple of weeks, especially since the two psychiatric evaluations, one from the defense

and one from the prosecutor, have just been done and filed in the court yesterday and ratified at 5:30 in the afternoon.

So I believe we are just several weeks away. We are hopeful.

Ms. GABBARD. Thank you.

And for Mr. Williams, I know that you, as well as Jill and others, have talked about specific actions, a phone call from the President, you mentioned the petition that over 100,000 people have signed. What specific actions do you feel will actually truly be effective in gaining Andrew's release that we can advocate for and that we can push for here?

Lt. Commander WILLIAMS. Congresswoman Gabbard, first, I want to apologize for not acknowledging you as the ranking member, and I also want to say thank you for your service.

It is right now 11:05. If this hearing is going to stop in the next 10 minutes, I think the President needs to pick up the phone in 15. Make the call. Make the call today. If you are not going to call President Peña Nieto, call this woman. This woman's child, he is a father. I am a father.

I need to say something else that I didn't say earlier. The reason why I jumped out, decided to become more public—and please, believe me, it is not about me—I have a daughter right now who has been going through cancer treatments for a year. She is now in her second round. It came back. It is the worst of it the last couple days.

This woman, since June, has sent a prayer to my family every day for my daughter. So those who wonder why I am here, this is a father and a mother who have two ill children. I know a lot of us who suffer from post-traumatic stress don't like to use that term "ill." But if we use it appropriately and use it the right way, that means it can be treated. It is an illness.

And so I would beg that the President make that call. If that can't happen, then I would say that I would beg that maybe this committee, we issue a joint statement directly to President Peña Nieto and say the world is watching, it is time for you to act.

Ms. GABBARD. Thank you. Thank you all very much.

Mr. SALMON. Thank you.

Chair now recognizes the chairman of the full committee, Mr. Royce.

Mr. ROYCE. Yeah, I wanted just to go to Sergeant Buchanan.

And I think all of us are hopeful that your friend Andrew will be back here soon. But what advice, I think I would ask, would you give him and us on how best to approach his PTSD treatment? And I would also ask that question of Mr. Hegseth, since he is a veteran and works regularly with those who have gone through something of what Andrew has gone through.

Sergeant BUCHANAN. Thank you for your question, Congressman Royce.

He needs to be with his brothers, the guys that trained with him, deployed with him, know what he is going through. It doesn't matter what branch, what your job was, we all wore a uniform, and that is what we have in common. And that is something, outside of the military, when you are readjusting. That is something about Sergeant Tahmooressi, is his humble attitude. He has a servant's

heart. He always wants to help. And part of the problem with that is he will help other people before he helps himself.

He had just started the VA treatment, the process. He was just at the beginning, getting diagnosed. That is nothing. That is the first of many steps, and it is a long process, the VA system. We need to get him in there, get him with his friends, start the healing process, because, like everyone was saying, isolation is the last thing a Marine, a combat vet needs that is suffering from post-traumatic stress disorder.

Mr. ROYCE. And I will go to Mr. Hegseth. You mentioned also the trade that the United States made for five senior Taliban leaders, including former director of intelligence for the Taliban, one of their senior commanders. One was chief of staff. The chief of staff was implicated in the death of thousands of Shia. All five had been involved in coordinating attacks against American and coalition forces, and three of the five were directly linked to al-Qaeda.

Now, the United States has taken an action to get them released. And one of those five in Qatar today already told a senior Taliban official—this was reported on the news—that his next step would be to try to return to Afghanistan in order to carry out attacks against American and coalition forces there.

Let me ask you your thoughts on this and what can be done in order to secure the release of Sergeant Tahmooressi.

Mr. HEGSETH. Me and my men guarded those five detainees at Guantanamo Bay for a year. This is something that is incredibly personal for all those that have served and specifically those that have served in those combat zones.

To know what it took, to know the number of boots that were on the ground that sought those men, to lock those men up, so that we don't have to face them again, and then to know that our Government is willing to give them away. And then a Rose Garden ceremony with a family of someone who everyone knows who has looked at the case deserted his unit. And then Ms. Tahmooressi can't get a phone call.

And we hear all about a pen and a phone. Use your pen and your phone and call the President of Mexico and get this done. It is not hard. And it is not political. It is personal for people that know it.

And Sergeant Buchanan was perfect on his remarks about the VA. It is peer-to-peer counseling. It is being and talking to the men that you have served with. And oftentimes at the VA, there is also alternative therapy.

The question also, and this is not the hearing for the Department of Veterans Affairs, but, Ms. Gabbard, you talked about bureaucracy. How many people, how many Sergeant Jones and Sergeant Smiths are attempting to access mental healthcare at the VA and then they are made to wait weeks and months?

You know how many mothers I meet on the road when we do events that come up to me and said, I lost my son to suicide as he was waiting for treatment at the Department of Veterans Affairs?

That is a scandal just like this one and another instance where our Nation turns its backs, as Lieutenant Commander Williams talked about, on those who have given so much for this Nation. So trading deserters for terrorists and making veterans wait for basic care, unacceptable.

Mr. SALMON. Thank you, Mr. Chairman.

The Chair recognizes Chairman Smith, who is chairman of the Subcommittee on Human Rights and the former chairman of the Veterans' Affairs Committee.

Mr. SMITH. Thank you very much, Chairman Salmon.

And I think this hearing perhaps more than anything else that has happened so far will give additional hope to Andrew. And hopefully he knows the strong bipartisan support, the concern, the prayers that go out for him.

And I would just say to my colleagues, I am not surprised, I am not shocked that the President has until this moment—and Montel Williams, I think, made an excellent point about pick up the phone, Mr. President.

This is not calling Ruhani on behalf of Saeed Abedini, a pastor from the United States. This is a calling a friend and ally with whom we have a robust trading relationship. It is a dereliction of duty on the part of the President that he has not made this phone call. And not just one, but then put the full court press on the Mexican Government to release Andrew.

Let me just say also, and Matt Salmon mentioned I was chairman of the Veterans' Affairs Committee, I served on that committee for 26 years, including a stint as its chairman.

PTSD, as I think you know, Pete, during the Vietnam war there was denial about PTSD. That argument has long been over. And the care, even though it is often delayed, that the VA provides, they have literally written the book on how to care for veterans who are suffering from post-traumatic stress disorder. And delay is denial. One day of a delay is denial.

And I also think it needs to be pointed out that 6 months of inattention to any service-connected disability, be it physical or psychological, causes that condition to fester and to worsen.

So the ongoing appeal to the Mexican Government today is very simple and very direct: Release Andrew now, today, so that he can procure badly needed treatment for PTSD. He is a hero. He is a man that the American people and this Congress looks up to and says thank you. And yet he languishes in a Mexican prison. And we need to do more.

But, again, we write law, we fund programs, and we do oversight as Congress. It is the executive branch that has direct contact with the President of Mexico. And that phone has to be raised to his ear and he has to not get off the phone until Andrew is released.

So, again, I want to thank you. This is powerful testimony. And to hear a mother make such an articulate and strong appeal on behalf of her son and then have three very distinguished Americans do so in a way that has to be heard in Mexico City, it has to be heard at 1600 Pennsylvania Avenue. It has already been heard by Members of Congress.

And my colleagues have done yeoman's work. And, again, thank you, Matt, thank you, Chairman Royce, Duncan Hunter and others, who have done so much for so long. But the President has to do his part. Andrew has to be on a plane getting that health care that he needs. Delay is denial.

I thank my friend, and I yield back.

Mr. SALMON. I thank the gentleman.

I would like to now recognize the former chairman of the full committee and a great American, the gentlewoman from Florida, Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. Thank you to the chairman of the full committee.

Wow. Incredible witnesses. Thank you so much.

Jill, I wanted to follow up on a few things that we discussed when we met in Miami. I am aghast that you still have not heard from the White House.

Do you play golf?

Mrs. TAHMOORESSI. No.

Ms. ROS-LEHTINEN. No? Because I know that you are a nurse at Miami Children's Hospital. That is just literally blocks away from the Biltmore, a beautiful hotel in Coral Gables. They have a wonderful golf course. Should we invite the President to play a few rounds of golf with you, get his attention?

Mr. Chairman, I would like to request unanimous consent to submit a statement from a constituent of my congressional district, Olivia and Jon Hammar. Jill knows them well. They are parents of a Marine veteran, Jon Hammar, who similarly was arrested, detained for weeks and weeks and weeks in Mexico.

It is an absolute shame, it is a disgrace that we even need to be here. It says quite a lot about the priorities of this administration. It should not be up to the moms, it should not be up to the wounded warriors, to the families, to the friends—and Mr. Tahmooressi has so many friends—to wage this awareness campaign to get our Government to act, to press the administration for Andrew's release.

And I wanted to ask you about the process you have had to go through with the lawyers in Mexico. And I am recalling some of the same things that Olivia had to go through. Because it is important that we recognize the similarities between the cases. Tahmooressi took a wrong turn, ended up in the twilight zone, and we must get him back.

I know that the consulate is prohibited from providing legal advice, but it does give folks some help in finding a suitable lawyer. Both you and Olivia had to go through a number of lawyers before you could find a good and trustworthy one. Is that correct?

And could you describe the process that you went through to find your lawyers? And the consulate provided you with a list, but was it a list of vetted individuals or was it more like, okay, here is an abbreviated version of the old-fashioned Yellow Pages, select from this. And I will have you respond in a second.

And, finally, I would like to ask about Andrew's health and his injuries from Afghanistan and ask the panel for their recommendations on how we can better serve our combat veterans who return home.

As we have heard, Andrew has suffered at least two separate concussions. We heard today that he has not been evaluated for traumatic brain injury. There should be no reason why our veterans should return home, don't get the immediate attention that they deserve medically.

What do we need to do to make sure that these brave men and women aren't falling through the cracks when they return?

And as we heard from Mr. Williams and Mr. Hegseth, who testified, the alarming number of veterans who take their lives every day. We need to do more as a society, as a government to address this issue today.

So, Jill, I will start with you. If you could tell us about the process of finding a lawyer.

Mrs. TAHMOORESSI. Well, when I got that phone call on April 1, Mom, I have been arrested, get me an attorney, I did the responsible thing, I reached out to my congresswoman, Debbie Wasserman Schultz. And her staff led me to George Rivas of the Citizen Services in Washington, DC. He said, go to the Web site, there is a Web site, Tijuana, Mexico, U.S. Consulate Services, and look at the list.

And so I started down the list, and I reached this gentleman's name. I phoned him. He answered the phone. He spoke English. Tijuana is just 10 miles away from San Diego, yet there is a language barrier.

So this particular lawyer spoke English, actually U.S. trained. And he was listed as a criminal defense attorney. That experience, I thought I was getting a reputable attorney, and he was probably the most scrupulous and exploitative person I have ever met in my life.

He served in the disclosure statement before the judge as attorney and translator, and he scripted a mistruth. He scripted a mistruth. He perjured my son. He scripted a mistruth and told Andrew that, this is Mexico, forget anything you know about American law. And this is Mexico, who I believe we sent \$100 million to in the past couple of years to help them reform their judicial system.

This is the attorney that told Andrew that he must say that he just arrived in San Diego that day, he was rushing to meet a friend, he has never been to Mexico before, and he got lost.

When Andrew called me that afternoon and said, Mom, where did you get that attorney, he just lied, and he told the judge that I have never been to Mexico. Mom, I stood up twice. The prosecutor was there. The defense attorney. Andrew, he stood up twice to say, no, because he must have understood that, no, I have been to Mexico. This attorney hushed him, told him to sit down.

And when I called up this attorney that night and I said, you said what? I said, my son has been to Mexico, and my son never lies. My son has some faults, we all do, but lying has never been one. He is a man of integrity.

He said, Mrs. Tahmooressi, this is Mexico, you have to forget everything about America. We don't practice common law. We do oral arguments. They are not going to check any evidence.

I said, they are not going to pull bank accounts? Because I pulled his bank account. I see that he has been in Tijuana twice. And I got validation that he had walked into Mexico with his best buddy friend, the Purple Heart that invited him to San Diego. Within hours of arriving to San Diego they were already in Tijuana. There must be a popular place in Tijuana for the Marines to visit.

So I knew he had walked into Mexico one other time. And he had told me he had walked out of Mexico that day when he got in his truck purposefully to head back north to San Diego, because he had

stayed in a hotel the night previous, the Old Town San Diego. He was headed back because he got triggered in Tijuana. Upon night-fall, he got triggered and thought I need to get out of here and to my friends in San Diego.

So that was my experience with the first Mexican attorney. And that is why Andrew's original court date, I think it was August, I am not sure of the exact date, but he had to go into court and say, Judge, I request that this attorney no longer represent me, in a sense, I fire this attorney. Because we could not proceed with the lies. We could not proceed with the lies.

That was my experience with selecting an attorney. And by the grace of God, though, a great man serving California, he is a criminal defense attorney, Phil Dunn. He had heard me on a radio station or TV maybe. And he called me and said, Jill, I am sorry, but you don't know how to pick Mexican attorneys. I am going down with you and we are going to pick an attorney.

So we did. We went down there. But this time the State Department, the same State Department that referred me to the list, we met in their boardroom. And we said, please provide us a list, a short list, and as we typically rank number one as preferable, do provide us a short list.

So they did. They provided a short list within hours. We went interviewing at least four to five different firms and selected Mr. Benitez the next day.

Mr. SALMON. Thank you very much.

The Chair recognizes the gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much to all of the leaders who have provided their time and effort to make sure this hearing, which is an incredibly significant hearing, is happening.

And let me thank Mrs. Tahmooressi for sending me a tweet the other day to draw my attention to something that I didn't notice was even going to happen. And so I did redo my schedule. Thank you.

We are defining ourselves today. We define ourselves by our actions, especially in times of crisis. Andrew defined himself. At a time of war, he joined the United States Marine Corps. I come from a Marine family, and I know what that means.

And I will just say that I also know that Andrew did not do anything intentionally wrong. I went to Tijuana and I retraced his steps. I retraced his steps. And on the way back, when I drove out of that parking lot and made that turn to the left, it appeared, I can testify to everybody today, it appeared that I was going into California. And once you made that turn there was no going back until you were in Mexico. There is no doubt that this problem was not caused by any intention of Andrew to in some way not respect the law of Mexico, and that is very evident.

Today, Mexico is defining itself, however. Mexico is defining itself to us. I have a warm spot in my heart for Mexico, and I like the Mexican people. And I think that I am speaking for most of us here today. Mexico we look at as a friend. I hope the people of Mexico are listening, because if this thing isn't cleared up soon there will be hostility that they don't deserve being heaped upon them, be-



cause they will be proving themselves to us that they aren't our friend and we shouldn't treat them that way.

If they treat an American hero like that, we can no longer treat Mexico as our friend. I would hope in a very short time we can celebrate together with the people of Mexico, with you, and recement a friendship. But it will all depend on whether they do the right thing now. They will define themselves that way.

We are defining ourselves. The President is defining himself. Shame on President Obama for not making a 30-second telephone call to the President of Mexico and getting this thing settled a long time ago. He is the Commander in Chief. That means he is personally the commander of people who volunteer to fight our wars. And if they don't think that he cares enough about them to make a phone call, they going to feel they are betrayed, and they are being betrayed.

I would recommend, Mr. Chairman, I understand the President is in Washington today, that we not wait for the President and that we put a call, a conference call in to the President, or that today, within the next ½ hour, we call the White House and personally request that each and every one of us go and see him to have a meeting to talk to him about this case.

This has gone on long enough. We have a hero——

Mr. SALMON. Mr. Rohrabacher, the chairman would like to——

Mr. ROYCE. If the gentleman will yield, I will just relay that I, myself, as well as Mr. Matt Salmon, in meeting with the Vice President, relayed that request that the President do make that phone call. And I would suggest it is quite appropriate for other members here likewise to contact the White House and make that request.

Mr. ROHRBACHER. Well, I think we went to the second guy. Now it is time to go to the guy on top. And I would ask my colleagues to join us today in that telephone call.

And, finally, let's just hope and pray, and our thoughts are with you. And this is a travesty that a brave hero has been treated like this. He did his duty, it is up to us to do our duty. The President of the United States is not doing his. So let's act on this.

Thank you very much.

Mr. SALMON. Thank you.

I yield to the gentleman from Texas, Mr. Poe.

Mr. POE. Thank the chairman.

Sergeant Tahmooressi, a Marine, he exemplifies exactly what I believe it was Ronald Reagan said about the Marines: There are two groups that understand the Marines, Marines and the enemy. And I think that is a true statement.

This hearing to me is more than about the way America has handled the situation of your son, Jill. It is an example and a symptom of a bigger problem that our Marines and soldiers that have testified have talked about, the idea that the Government released five terrorists who killed Americans and are on the battlefield again doing the same thing. They are in Guantanamo. You have been to Guantanamo Bay prison. People need to see what it is like. It is no Mexican jail. It is a lot better than a Mexican jail. And we have learned about the Mexican incarceration system. As a former judge, I heard a lot about it at the courthouse.

But a prisoner, a Marine being threatened and assaulted while incarcerated, that is wrong, no matter who he is, whether he is a Mexican national or American. But yet we know that has occurred, but still, 6 months later, there he is. And during that 6 months—and this is not about the President—but he has had the opportunity to make a couple of phone calls during that 6 months. He called, on July 3, the United States men's soccer team congratulating them. June 20th, he congratulated the San Antonio Spurs' head coach for their victory. So he can make those congratulatory calls. Let's just make one more and make a statement to the Mexican President.

I have sponsored, along with the chairman, a resolution, House Resolution 620, sponsored by 81 Members of Congress, Republicans and Democrats, that calls on the Mexican Government to release our sergeant. We hope that we could get this resolution adopted at least by action before we have to take a vote on it.

And I think the comments about contacting the Mexican President, maybe that is something we ought to be doing. Whatever it takes, there is action. But that is one avenue we are going through legally to try to get something done.

You have all been excellent witnesses. You don't hedge on anything. I wonder why there is no witness here from the State Department, why they are not here testifying what they are doing or not doing about the Marine that we have been talking about.

Lieutenant Commander Williams, your comment, going back to about this is bigger, it is a symptom of other things, our veterans coming back, how they are treated, waiting in line to die at the Veterans Administration hospital. And I am not very IT savvy, but I have been getting constant tweets, I think they are called, from citizens in Texas complimenting you and demanding Congress do something about our Marine.

There have been 37 young men and women from my congressional district in Texas killed in Iraq or Afghanistan, men and women from all races, all branches of the service. Their photographs are on my wall here in Washington, as with many other Members.

We are not forgetting this Marine. We are not forgetting any of them, whether they were killed in action or whether they are wounded or whether they come back with the wounds of war, as you have talked about. The American public, I think, stands with our military, all of them, because, as it has been said, the worst casualty of war is to be forgotten. And we are not going to forget those that come back, and we are certainly not going to forget Sergeant Tahmoressi while he is in a Mexican jail. It is long past due to come back.

And I think I am out of time, so I will yield back to the chairman. I have some questions, but I will ask you later. Thank you.

Lt. Commander WILLIAMS. Mr. Chairman, could I please, sir, just make one comment. I will be brief.

Mr. SALMON. Please.

Lt. Commander WILLIAMS. Congressman Poe, I want to thank you, sir, for bringing up House Resolution 620. And as you pointed out, 81 Members of Congress, both sides, have signed on to this. But, unfortunately, we need to get this to the floor. It would send

an incredible message today to the President of the United States if the House and Congress would go ahead and at least call a vote on this.

And I should also say that what you stated, the American public knows about Sergeant Tahmooressi. But I don't understand what is going on, sir, at the political level. In the last 12 days, two governors have sat down and had conversations, one from each side, with President Peña Nieto, and neither one of them has raised this question. And we asked them both to do so.

I was in a meeting yesterday with an individual who is a grand funder of a lot of the campaigns going on across this country right now. And he sat with President Nieto 3 days ago, 4 days ago. And I was in his office yesterday. And I said, why didn't you tell me that, because I would have called you and asked you to do so.

But here is what is unfortunate that we are holding this hearing today: Most of the American public has some weird idea that he must have done something wrong, that is why you are not backing him. And one of the points that has to be made, when you talked about the fact that he made a wrong turn and you followed this, that wrong turn, what people have to understand is that submitted as evidence in the Mexican court right now is the video of Sergeant Tahmooressi pulling up to the checkpoint. And in that checkpoint, they gave him a green light. He could have entered the country, buried his guns, come back, figured out a way to get one back every week.

He put his hands up and said, hey, I made a mistake. Now, that right there is clear enough for anybody in America who has to understand this is not us trying to get—for some reason, there are some people who claim that he had to have done something wrong—this is not us trying to get a soldier who has done something wrong back. This is trying to get a soldier back.

Sorry, sir.

Mr. SALMON. Thank you.

The Chair recognizes the gentleman from Pennsylvania, Mr. Marino.

Mr. MARINO. Thank you, Chairman.

I want to thank you all for being here.

Mrs. Tahmooressi, to you and to your family, from my family, we pray for Andrew daily.

And, Chairman, I ask unanimous consent to enter into the record a letter that I wrote that I dated July 10 of 2014 to the Ambassador of Mexico to the United States of America respectfully asking for the immediate release of Sergeant Tahmooressi. Could I have this letter unanimously entered into the record?

Mr. SALMON. Without objection, so ordered.

Mr. MARINO. Thank you.

I did not receive a response.

Again, ma'am, my staff and I will assist the chairman in any way needed or any way in which he requests to continue to work on the release of your son. As Lieutenant Commander Williams said, you and your son and veterans deserve more, have a right to more. And we need to see that that is accomplished.

I apologize for how inappropriately you have been treated, and I apologize for the inappropriate level of concern by the White

House. I am truly disappointed in that. The President said on numerous occasions he has a pen and a phone, he can do what he wants.

So at this time, Mr. President, I am asking you to use your pen and your phone that you so continually tell the American people that you are going to use.

I am disappointed that you have to be here today, ma'am. I am disappointed that vets have not received the appropriate care that they should be receiving in this country. And the President needs to step up and show you the proper attention.

Our allies, the Mexican Government, also need to do what is right and need to do it immediately.

And again my respect. I yield back.

Mr. SALMON. I thank the gentleman.

The other gentleman from Texas, Mr. Stockman, is recognized.

Mr. STOCKMAN. Thank you, Mr. Chairman.

I appreciate Congressman Matt Salmon and his efforts throughout all this.

In a tangent a little bit, I have to say, if your son is a gunrunner, he is one of the worst ones I have ever seen. I mean, to openly admit and raise his hands. Furthermore, I don't think he brought enough to make any money. I mean, it is just so bizarre that this whole thing is upside down, that what is good is bad and bad is good in this nation.

He is unbelievably over there. And I actually sat with the Consul General from Mexico right after he was taken. I gave him a stack of papers on your son. And I said, look, I said, this is going to grow into something really bad for both our countries if you continue to hold our hero. I go, this isn't going to end up well for either of our nations. Please show compassion. I said, you show compassion, you are going to hit the park.

We, all the time in Texas, we have them come across our border accidentally and we turn them around. In fact, they were shooting .50-caliber machine guns at us and we let them go back in.

This lack of friendship by our ally, supposedly, is so disturbing, and I for one am puzzled by it. And I would hope this committee in future hearings reconsiders the amount of money we are sending down there. I don't think we should keep investing in friends. If we have friends like this, we really don't need enemies.

And I know we shouldn't get into bashing them, but I am really frustrated because I see the lack of compassion on their side. And I see compassion on our side. And we just want balance. That is all we ask for.

And there are some other people that haven't been announced that have come up on the Hill on your behalf. William Chatfield, who is a Marine, came up here and lobbied—I don't want to use the word "lobbied," but spoke on your son's behalf; Larry Ward from Special Operations Speaks has been up here; Sam Bushman, who is a great guy, he has been up here with his organization lobbying on your behalf. And then in my office, Printus LeBlanc, who is a Marine, has been pushing very hard, and Anna Marie Hoffman, who has been pushing.

Some of the things I want to just, I don't know, we are trying to struggle and do something, but it feels like we are pushing

against Jello sometimes. Every time we push, Congressman Ted Poe's thing, we thought that is going to be the answer and it seems to fall on deaf ears. We talk to the President's people, it falls on deaf ears. This hearing seems to be falling on deaf ears. We have nobody from the State Department here. We have nobody here that should be here.

I mean, you are here. That is great. But there should be other people here that can pull strings that should be in this hearing, hearing this powerful testimony, and they are not here. And that is disappointing to me personally, because I think in the long run this will do damage to Congress too that we haven't taken up. And it will do damage, I think, to the institution of the Presidency that there is so much silence. The silence is deafening. These are our heroes from every standpoint, and we continue to be silent, and it is very disturbing.

I guess I would just ask is there any more we can do to—besides calling the President—but is there anything we can do outside of what we are doing right now that would move the process forward?

Mrs. TAHMOORESSI. Thank you. I mean, just simply, I would like to see more than 81 signatures on the House Resolution 620. So if you could reach out to all your colleagues. Because I believe Mexico would find that profoundly intimidating, maybe, if there was more than 81 signatures on that House Resolution 620.

But thank you for all of your efforts, and thank you so much for coming in out of session to hear about Andrew's fight for freedom and the plight of our veterans in America. Thank you.

Mr. SALMON. Thank you. The Chair recognizes the former veteran and Congressman from Florida, and a dear friend, Congressman DeSantis.

Mr. DESANTIS. Mr. Chairman, thank you for holding this hearing.

Sergeant Tahmooressi is an American hero who fought for us with honor and distinction in accordance with the finest traditions of the United States Marine Corps, and yet he finds himself languishing in a Mexican prison for 6 months. His imprisonment is unjust, and the length of his detention is a national disgrace.

I think the witnesses here have been phenomenal. I am only a first-term Member, but I have sat through a lot of congressional hearings, and I really want to applaud you, because I think you all have brought tremendous insight into this issue. And I think it will help educate the American people about Andrew's plight.

But it is inexplicable to me that this is even necessary to have this. This should have been resolved long ago. And people have mentioned that we would like to see action from the White House.

It is interesting, if you look, 22 USC 1732, this is the law of the land right now, states,

“Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reason of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen. If the release so demanded is unreasonably delayed or

refused, the President shall use such means, not amounting to acts of war, not otherwise prohibited by law, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress.”

I am not aware of the President taking any action so far to bring our Marine back. And I don't think we have received any information in Congress about actions that have been taken.

So I would say, Mr. President, we have a man down. Pick up the phone and do your job on behalf of our Marine. And I think it could be solved very quickly with that.

But I do think, even though it is the President's duty, and I think that falls on him, we do need to speak in Congress, and not just in a hearing, not just in press releases, but in actual votes.

And so that means, absolutely, we call up House Resolution 620 and we vote it out of the House of Representatives. It means, I believe, to say to Mexico, we send you hundreds of millions of dollars in foreign assistance. That money stops until our Marine is brought back to the United States. We need to stop talking in this town and start acting.

So I am very glad that you called this hearing. I would like to see more action. And I think that there are a lot of other things that the President could do; obviously, pick up the phone. We have a lot of leverage we can use on Mexico to secure our Marine's release, and this needs to happen as expeditiously as possible. And I yield back.

Mr. SALMON. I would like to just say for the record that when we go back into session, if our man is not back home, we will be moving that bill. And we will be moving it out of the subcommittee, and I will have every intention to work with leadership to get it expedited on the floor as quickly as possible.

I do have a sneaking suspicion and a very optimistic view that good things are going to happen very, very soon. And, Congressman from Florida, I know we have all heard that before. But I have reason to believe that maybe some optimism might be in vogue right now.

I recognize the gentleman from Florida, Mr. Yoho.

Mr. YOHO. Thank you, Mr. Chairman. And I want to thank you, Chairman Royce, Mr. Hunter, for going and doing what you have done, the stellar work you have done.

I want to thank you all for showing up and doing, again, I agree with everybody up here that you guys have done a great job.

And, Mrs. Tahmooressi, the story you are telling exemplifies only the love and concern a mother or a parent can have for a child. And the things that you have shared with us are great. I mean, I am reading this here, you know, it says, Mom, I did this; Mom, I scheduled my solo flight. And you went through this whole list. And the last one, I can't read because it is too disturbing.

But to hear the excitement of our kids—Mom or Dad, I did this—and then to have this turn out, to me it is just unconscionable that we have gotten to this point.

And I think of everything that we have gone through in this country with our relationship with Mexico, and it has been brought up. They get \$300 million a year in foreign aid. They are a neigh-

bor, they are a friend, they are a trading partner, they are an ally. They don't send their young to defend freedom around this globe as we do.

Again, the story you are telling, it is interesting how you brought out the paths and turns that we make in life often lead us in the wrong direction. But how many of us have made a wrong turn that have had this kind of consequence in our life? Not many of us, especially as rapidly as it has for your son and monumental for a wrong turn.

And I see a young man that went down there who made a wrong turn, realized he made a wrong turn, goes to the security guards and says, hey, listen, I made a wrong turn. I want to go back to America. And, oh, by the way, I have three guns. I am telling you what I did.

Now, as it was brought up, if you were doing that to smuggle them in there, you wouldn't say that. So obviously, it was a mistake, it was a wrong turn. They need to let him go.

And for our President not to stand up to demand his release, yet he negotiated and released—and I feel illegally—five of the all-star players on the Taliban team for one our Marines. And I am always happy to get one of our soldiers home. But if we can do that, and he can do that, he can do this and just ask for him to be returned. We don't want to make an international incident out of this. We just want our Marine home, we want your son, your comrade home. We want him home.

And I guess I just want to say, I, as a U.S. Congressman, I apologize to the President of Mexico that our Marine, one of our citizens, came into your country and made a wrong turn. And he admitted that. And I apologize he made a mistake. And I hope you find in your heart the ability to forgive him and release him so that we can put this to an end and he can get on with his life and with his treatment.

And I just want to thank all of you that have served. We are well aware of the 22 suicides that happen every day in this country. And we need to get him back and get him treated.

And I thought it was also interesting that President Obama, with Sergeant Bergdahl, stated that it was a medical emergency, it was a risk to his life, that we bring this young man home. And if that was true then, it is true now. And I urge this President to pick up the phone and use his pen and bring this man home.

And with that, I am going to yield back. We are with you. We will do whatever we can. And God bless you all.

Mr. SALMON. Thank you.

I recognize the gentleman from California, who is also a former veteran, also worked tirelessly on behalf of Sergeant Tahmooressi, a great guy and a good colleague, Duncan Hunter.

Mr. HUNTER. Thank you, Mr. Chairman. Thanks very much for holding this.

And thank you, everybody, for coming out.

Number one, we don't call it the Marine Corps, we call it America's Marine Corps. Sergeant Tahmooressi is a son of America. He is a Marine who fought for every single person. When we have Marine Generals testify, they say it is your Marine Corps, it is Amer-

ica's Marine Corps, and that is how we should be looking at this case.

Frankly, I am tired of the lip service, of the thanks for your service, while I watch the President give speeches in front of our men and women in uniform so that he can look sexy on television. Because it is just lip service. He doesn't care. Secretary Kerry does not care. And the State Department, for all the little things that they have done for you, they have not gone out of their way. In fact, the first lawyer that you got was off of their Web site that they vetted. They do not care. But people in this room care.

I would say too that when a parent gives their son or daughter up and entrusts their lives to the U.S. military, to the United States Marine Corps, you gave your son up for your country, and he did it willingly and proudly. And I look at those pictures popping up. He is a stud. He is a young killer of bad people. And that is why he joined, to go serve his country.

And to see him now and what they have reduced him to in Mexico and to read that excerpt that you said he told you where he was tied spread eagle and beaten and threatened with rape, that is appalling. This isn't Yemen, this isn't Somalia. This is supposed to be one of our number one neighbors, Mexico.

But I would advise everybody, we don't allow our Marines at Camp Pendleton, where I was stationed, we don't allow them to go to Mexico. The sailors in San Diego, not allowed to go to Mexico. Mexico is more than Rosarito, Cozumel, Ensenada. In Mexico, they make \$5 a day. That is their new minimum wage. It is not a First World country. There is a reason we don't allow our Marines and sailors to go to Mexico from San Diego. They don't get leave shifts there at Camp Pendleton. They are not allowed to do it.

Andrew does not just deserve this, and he doesn't have a right to this, to this hearing and to this attention, he has earned it, along with about 1 percent of the U.S. population who has served in the military, and an even smaller slice of that has served in combat situations. He has earned this attention here today. He has earned this Congress coming together and this committee holding this. This is what we are here for. This is why we are in Congress. This is why we run for Congress and win, is to represent people like him so we can go fight for him when people like our own President won't.

And I will tell you what. I am tired of hearing about the President making a phone call. What kind of a low bar do we have we set for this President, we ask him to make a phone call? He ought to get his tail down and play some of those Mexican golf courses and get him out of jail in person. That is a low bar to set for the Commander in Chief, a Commander in Chief that should go to hell and back for one of their men or women who has been left behind, as has been stated.

I have a question for the panel. Would you allow your Marines or soldiers to go to Mexico today?

Mr. Hegseth?

Mr. HEGSETH. No, Congressman.

Mr. HUNTER. Sergeant?

Sergeant BUCHANAN. Negative, Congressman.

Mr. HUNTER. Commander?



Lt. Commander WILLIAMS. No, sir.

Mr. HUNTER. Jill, would you allow your son or any of your friends or their kids, to go to Mexico?

Mrs. TAHMOORESSI. It is too dangerous. No, I wouldn't.

Mr. HUNTER. In 2011, when Afghanistan was raging, you had nine times more likely of a chance to be killed in Mexico than to be killed in Afghanistan—nine times. Afghanistan was safer than Mexico. This does not sound like a good neighbor. It doesn't sound like a neighbor that makes our Ford trucks and does deals with all of our big American corporations so that they can have \$5-a-day labor in Mexico.

Mexico stole Andrew's chance at a quick recovery. And I think that Montel hit that right on the head. They stole his chance at a quick recovery. By getting rid of this case and acquitting him or throwing this case out now, today, or this week, or sometime soon, they at least set him on a slow, uphill path to be being healed.

And I will tell you, Montel, you are dead on. This is much worse than Afghanistan. He would probably want to go serve two or three tours in the most horrible, dirtiest, grittiest combat place on Earth than sit in a Third World country jail.

So thank you all for what you are doing.

Thank you, Mr. Chairman, for doing this. And God help us if we can't get one of our own back out of the clutches of a not-so-great government like Mexico.

Mr. SALMON. Thank you.

I recognize the gentleman from Florida, Mr. Jolly.

Mr. JOLLY. Thank you, Mr. Chairman.

To the panelists, thank each of you for your service.

I want to associate myself with comments of my colleagues, particularly Mr. Hunter. We are elected to work, we are elected to actually get things done, as Members of Congress and the President is as well.

Every member of this panel, every Member of this body at some point has probably run against the dysfunction of Washington. And when we are elected, we don't have the luxury of resigning ourselves to that dysfunction. We have a responsibility to work. That means holding hearings like this, and that means actually putting your name on important pieces of legislation like House Resolution 620.

The issue clearly is leadership. The facts are as clear as they can be. We have established today that we have to get Andrew home, that the President has not done enough. But also, importantly, as Mr. Hegseth said, that PTS is real. We have talked about getting Andrew home, but we have also talked about a very important condition, and that is PTS.

My question for Mrs. Tahmooressi is, can you walk us through very briefly, because I will have a couple other questions, as a mom, what you noticed in Andrew as PTS began to progress with him?

Mrs. TAHMOORESSI. Thank you.

He got out of active duty October 2012 and pretty much immediately enrolled in Embry-Riddle. He was accepted in January. That probably wasn't the wisest thing to do, because it is hard to

acclimate from the battlefield into a college environment, especially when you have a difficult time relating to your peer group now.

So I think it began just having a difficult time relating to the peer group. He would see a classroom full of people his age, but they were disrespectful, they got up and left. And as a Marine, you definitely bow down to authority.

So he started getting aggravated, frustrated. He was having flashbacks, really difficult time sleeping. So he would wake up screaming. And we would hear him wake up screaming.

So a lot of restless nights, agitation. And also suspicion. As the year progressed in 2013, he did have a hypervigilance to self-defense. He still had what I call a hunter-prey syndrome. I don't know if that is really a legitimate word. But to me, he was always hypervigilant.

And 2013 is when he purchased his concealed weapon. So he had the shotgun in 2007 when he went to Alaska, but then he felt the need to have himself armed with the handgun. And being a Marine, he carried a rifle for those 4 years. And he was responsible for the biggest gun on the battlefield, a .50 caliber.

So when he made his second purchase in 2013, which was his third firearm, the rifle, that also kind of made sense to us. I mean, we knew that that was his tool of the trade, that is what kept him alive for 4 years.

Mr. JOLLY. Let me pause just a second because of time. I want to be respectful of time.

We know we have a wait list. I have had a conversation with a mother like you referred to, Mr. Hegseth, somebody awaiting treatment within the VA, and then committed suicide while on the wait list. What do we need to do more.

Mr. HEGSETH. As the Congressman said, delayed care is denied care. We hear all the time from the VA, well, it is great when you get in. If you can't get in, you don't get the treatment that you need.

We have to cut through the bureaucracy. We have to hold leaders accountable for their performance. We need to provide transparency. And we need to give a veteran a choice. If they can't be seen in a timely manner from a VA facility, why can't they go to a private facility to get that care?

Mr. JOLLY. Put a choice card in the hand of every veteran and let them control their health care. That is the answer to shattering the failure of the VA bureaucracy right now.

Mr. HEGSETH. Introduce a little competition.

Mr. JOLLY. You are right.

I have got a question, one last question. Mr. Williams, you made an extremely powerful statement in your opening statement today, that you couldn't counsel your son to put on the uniform and carry the flag of our Nation. That appears to be a failure in leadership, probably systemic, perhaps in this body as well as the administration.

My question for you is, what do you need to see change to find yourself in a position to say yes to your son, to say it is okay to put on the uniform and carry the flag?

Lt. Commander WILLIAMS. I believe this body knows that over the course of the last 4 or 5 months I have been extremely vocal,

and I am not going to let up. I gave the President and this last bill the 90 days that was requested to make a change. So I am keeping my mouth shut for about another 35 days.

But at the end of 35 days, believe me, I am not going to stop, because all the claims that were made in this bill that was passed, so far I don't believe these things are being implemented. Just the idea that the fact that our soldiers were supposed to have the right to go and visit outside hospitals and get assistance if they couldn't get it, that is not happening as quickly as we think.

And one of the things, giving a card to say go see a civilian, each one of these soldiers has said this, and they will say it over and over again: We need to be with our brothers. The simplest thing that this body could do and Congress could do is authorize our veterans to go to DoD facilities. Augment those facilities to see those troops. This is where we grew up being treated. Why should we not be treated by the same people right now? End the backlog immediately.

Mr. JOLLY. Well, the card is intended to empower the individual to stay in the VA, go to DoD, stay with their guys if they want to. But if they need immediate assistance elsewhere and they want to go there, put the individual in charge of their own health care. Let them control their own healthcare.

Thank you. I yield beck. Thank you, Mr. Chairman.

Mr. SALMON. I thank the gentleman.

This hearing has been a fantastic hearing.

Jill, I know that not so long ago, just a few short hours ago, you were actually in Mexico, sitting outside the courtroom, as ordered by the judge, to support your son. And now here you are across the country here in Washington, DC, as a tireless advocate and a wonderful example of what an American mother is all about. So thank you. God bless you.

And all of you panel members, your service is truly humbling.

And I think that the consensus of this panel discussion, which focuses on a brave soldier who gave his country his everything, it is a lot broader. It is about, do we stand for those who stand for us or not? Do we stand for them?

And, Mr. Jolly, you made reference to the Veterans Administration. So we chuck \$17 billion at them and we do this, and pat ourselves on the back like we have really done something stupendous. Well, I will tell you something, in the last 60 days the calls haven't stopped, not in any office, not with my caseworkers. And I don't see anything changing, and I don't see anything better. And I am dubious that it will get better until major changes happen, until there is a major mindset change within our country that we really do care about those that care about us, that we send into harm's way.

This is a case of a young man who served our country proudly who is suffering from PTSD, who is now languishing in a Mexican prison. I implore the President to do what a Commander in Chief should do, and that is use everything that he has got to get this young man home. I implore the Government of Mexico to do the right thing.

Laws are there for two things, to provide safety for its citizenry, but also to enact justice. We know what justice would be. Justice

in this case would be to have this young man home, being treated for PTSD. That is justice. That is compassion, but that is justice.

I thank everybody for being here at the hearing. I thank you for taking the time. I thank the members for coming across the country.

Tulsi, I think you win the award for coming the furthest, from Hawaii.

But this hearing is concluded. And God bless.

[Whereupon, at 12:06 p.m., the subcommittee was adjourned.]

# A P P E N D I X



MATERIAL SUBMITTED FOR THE RECORD

**SUBCOMMITTEE HEARING NOTICE  
COMMITTEE ON FOREIGN AFFAIRS  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-6128**

**Subcommittee on the Western Hemisphere  
Matt Salmon (R-AZ), Chairman**

September 25, 2014

**TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS**

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on the Western Hemisphere in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

**DATE:** Wednesday, October 1, 2014  
**TIME:** 10:00 a.m.  
**SUBJECT:** Sergeant Andrew Tahmooressi: Our Marine in Mexican Custody  
**WITNESSES:** Mrs. Jill Tahmooressi  
(*Mother of Sergeant Andrew Tahmooressi*)  
  
Lieutenant Commander Montel B. Williams, USN, Retired  
(*Veterans Advocate*)  
  
Sergeant Robert Buchanan, USMC, Retired  
(*Served with Sergeant Tahmooressi in Afghanistan*)  
  
Mr. Pete Hegseth  
Chief Executive Officer  
Concerned Veterans for America

**By Direction of the Chairman**

*The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.*

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON on the Western Hemisphere HEARING

Day Wednesday Date 10-01-2014 Room 2172 RHOB

Starting Time 10:06 a.m. Ending Time 12:06 p.m.

Recesses  (to to ) (to to ) (to to ) (to to ) (to to ) (to to )

Presiding Member(s)

*Chairman Matt Salmon*

Check all of the following that apply:

Open Session

Electronically Recorded (taped)

Executive (closed) Session

Stenographic Record

Televised

TITLE OF HEARING:

*"Sergeant Andrew Tahmooressi: Our Marine in Mexican Custody"*

SUBCOMMITTEE MEMBERS PRESENT:

*Chairman Matt Salmon, Rep. Chris Smith, Rep. Heena Ros-Lehtinen, Rep. Ron DeSantis, Rep. Tulsi Gabbard, and Rep. Debbie Wasserman Schultz.*

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an \* if they are not members of full committee.)

*Chairman Ed Royce, Rep. Dana Rohrabacher, Rep. Ted Roe, Rep. Tom Marino, Rep. Steve Stockman, Rep. Ted Yoho, Rep. Duncan Hunter\*, Rep. David Jolly\*, Rep. Tulsi Gabbard, and Rep. Debbie Wasserman Schultz\*.*

HEARING WITNESSES: Same as meeting notice attached? Yes  No

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

*Rep. Ros-Lehtinen - Opening remarks.*

*Rep. Ros-Lehtinen - Statement for the record.*

*Rep. Tom Marino - Letter to the Mexican Ambassador to United States of America.*

*Rep. Juan Vargas - Statement for the record.*

TIME SCHEDULED TO RECONVENE \_\_\_\_\_

or

TIME ADJOURNED 12:06 p.m.

  
Subcommittee Staff Director

**Chairman Ros-Lehtinen**  
**Opening Remarks**  
**WHEM Hearing: Sgt. Tahmooressi**  
**Wednesday, October 1, 2014 – 10:00 a.m.; 2172 Rayburn**

It's important that we keep pressing this issue until we can safely secure Andrew's release so he can return home and get the proper medical attention he needs for the Post Traumatic Stress Disorder (PTSD) he suffers from due to his two deployments to Afghanistan.

This hearing is an effort to increase the awareness of the Tahmooressi case and to signal that Congress will not rest until we bring back our Marine.

This is first and foremost about doing the right thing for our brave men and women in uniform who served this country.

Many, like Andy, return home and find that their combat tours lead them to develop posttraumatic stress disorder, and being held in a Mexican prison without receiving the proper medical attention only makes a difficult medical problem more acute.

Constituents of my Congressional district, the Hammar family, faced a similar tragedy.

In December 2012, I was contacted by the family of a Jon Hammar, a Marine combat veteran who was also diagnosed with PTSD and was arrested and detained in a Mexican prison.

Jon's mother – Olivia – took months to reach out to my office out of fear for her son's life, but once she did, we made it our mission to get Jon home as soon as possible, and by adding that public pressure, we were able to secure Jon's release.

And because Olivia is one of the few who understands this ordeal and what Jill and Andrew are going through, I've agreed to submit her statement for the record on her behalf.

Mr. Chairman, I seek unanimous consent to submit Olivia's testimony for the record.

Olivia has been tireless in her efforts advocating for Andrew's release, and it is the strength and guidance of so many that are helping Jill and her family through these trying times so they don't have to struggle passively.

It's important that we include Olivia's story and that of her son, Jon, for the record today because there are many similarities between the two cases, and it matters because it helps us understand the conditions Andrew faces and why we need to do everything we can to get him home immediately to his family and where he can get proper treatment.



In July, I met with Jill and Olivia in Miami and I told them then, and I say it again now: the Administration needs to be doing more to ensure Andrew's immediate release.

Andrew's case should be the very first topic discussed between Administration officials and their Mexican counterparts – it should not be discussed on the periphery or just to check off an item on a list.

But we saw the Administration miss several opportunities, including the phone conversation between President Obama and President Pena Nieto in June when Obama didn't take the initiative and demand Andrew's release.

Andrew has now been languishing in a Mexican prison without proper care for 184 days and counting.

Our colleague, Judge Poe, has introduced a resolution that I know many of us have cosponsored, calling on the Administration to do more to secure his release, and many of us have privately and publicly urged it to prioritize bringing Andrew home.

Everyone in the Administration, from the President to Secretary Kerry and the mid-level career officials at the State Department, should be advocating for Andrew's release and letting Mexico know that this is a priority for us;

That Andrew is an American war hero who served his country bravely and meritoriously, who needs treatment for his PTSD and who must be brought home immediately.

Tahmooressi is the victim of an unfortunate set of circumstances and his release is a humane way to garner good will between our two nations.

It should not be up to the moms, the families and the friends to be up here in front of Congress pleading with us to press the Administration to do more to secure Andrew's release – frankly I'm disgusted it has had to get this far.

Jill and the Tahmooressi family have had to live through Andrew's combat tours, fighting for his country, and now this nightmare;

Our country cannot turn its back on Andrew – for him, for his family, and for all of his brothers and sisters in uniform;



MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE ILEANA ROS-LEHTINEN,  
A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Thank you for the opportunity to share our story. It is our hope that it will provide context as you consider your next step in advocating for Marine Combat Veteran Sgt. Andrew Tahmooressi.

Our son, Jon Hammar, also a Marine Combat Veteran, was held in Matamoros, Mexico from August 14, 2012 until December 22, 2012 on an identical weapons charge, carrying a weapon restricted for military use. Ironically, our son's weapon was a 6-decade old .410 shotgun from Sears & Roebuck. Our son and another Marine buddy had intended to embark on a surfing trip in a recently purchased 1974 Winnebago loaded with nine surfboards, a conglomeration of camping gear and the shot gun intended for hunting small birds. Jon had recently completed a 9 month inpatient treatment program for PTSD in the Napa Valley. The trip had actually been included in his discharge plan as a respite from the intensive therapy program he had just completed. Jon and his Marine buddy planned to drive straight through Mexico, stopping only for gas and ultimately ended up on the beaches of Costa Rica. Jon was keenly aware of the gun laws in Mexico, but he was also aware that Mexico permits hunters to carry shot guns into Mexico with a license. What he did not understand was that the license could not be obtained at the border check point and should have been obtained in advance through a Mexican consulate, although we have since learned that this is a common practice. It also explains why, when he consulted with the US Customs & Border Patrol at the Point of Entry in Brownsville, Texas, he was told that he could register it with them, pay a small fee and then declare it with Mexican Customs upon entry and he would be fine. In September when I, his father, flew to Mexico to visit Jon in the prison, I made the identical inquiry of US Customs & Border Patrol at the same point of entry and was given the exact response.

After presenting Mexican Customs with the US document of registration, Jon and his Marine buddy were immediately arrested. At his initial hearing Jon acknowledged that the shotgun was his and his friend was released. The prison he was held in, CDFES in Matamoros, is completely controlled by the Gulf Cartel who were in the midst of a war with the Zetas cartel. Twenty inmates had been killed in the prison in 2011. Within days we received a late night call from inmates in the prison threatening Jon with his life. They had beaten him and ultimately put him on the phone to beg for his life in an extortion attempt, insisting we wire them money via Western Union. After agreeing to the request, they told us they would call us back with account details and instructions. We immediately called the emergency number at the US Consulate in Matamoros. They reached out to James Patrick Reidy at his home and he called us directly. Reidy had been the consulate employee who had originally contacted us to inform us of Jon's arrest. Mr Reidy's first words to us were "I can not tell you what to do, but if you send them money it will never end." It became clear immediately that this was not the first time he was dealing with this issue. Throughout the night, we continued to receive calls and we made efforts to stall them while Mr. Reidy was simultaneously reaching out via telephone to senior prison officials in Mexico. After 24 hours the calls stopped, but we were not able to confirm Jon's safety for days, as consulate employees were unable to get security clearance to visit the prison. When they were finally able to visit the prison, they negotiated moving Jon out of the general population and into an isolated location. What we did not realize for weeks was that the mutually agreed upon accommodations were a storage area where he would be chained to a bed. That was his home for over four months. On June 9<sup>th</sup> of this year, another American, James Tondre, was placed in the same storage area that Jon was placed in and during a prison riot between warring factions of the cartel he was burned alive and did not survive.

During our son's incarceration we made every effort to navigate the corrupt labyrinth that is the Mexican Judicial System. We went through four different lawyers. Prior to the first evidentiary hearing,

we received a call from our first lawyer at 11:00 pm telling us that he could have our son at the bridge in an hour but he had not been able to confirm the amount we would need to pay. When we informed him that we did not understand what he was saying and questioned whether he was suggesting that he would break him out, we never heard from him again. Two other attorneys took retainers and never returned our calls or calls from the US Consulate. The day after Thanksgiving, Jon was taken by the police, unbeknownst to us, his attorney or the US Consulate, and driven to a court hearing where he was told that he no longer had an attorney and that he had no other option than to plead guilty. He was also not given a translator. We requested to view the videos from the day of Jon's arrest, which the PGR insisted showed Jon in a non-declaration line. They refused, but later admitted the cameras had not worked for years. We provided manufacturer specifications for the shotgun to dispute their measurements of the barrel. They also declined that request. We tried to subpoena the Mexican Customs agents from the day of his arrest, but the PGR informed us that they had been moved and could not be located. Ultimately, we realized that despite threats of violence, going public was our only hope.

During Jon's incarceration he was continually threatened with being beheaded, a favorite form of execution for both the Gulf and the Zetas cartels. Through third parties, we had to bribe cartel members to insure he was given one meal a day, to allow him an occasional phone call and to protect him from further torture. Ultimately, going public provided the needed protection for our son and the public pressure needed to force the Mexican government to release him or face further scrutiny of their judicial system, something they wanted to avoid. The statistics with regard to impunity rates and corruption are staggering.

My family has spent the last two years trying to come to terms with our experience. We have been contacted by family after family in similar situations. When Paul and Jill Tahmooressi originally reached out to us, we felt an instant kinship and we were also aware of our unique perspective into their situation. We were instantly compelled to help them navigate what we knew would be a frightening and treacherous journey. But we have hit a wall, as Mexico has chosen to use Andrew Tahmooressi as a political pawn and the time has come for Congress to take a sobering look at Andrew's case, as well as the Mexican Judicial System as a whole. We have been, after all, funding it's reform since 2008 through the Merida Initiative. The time has come for sober reflection, with an eye toward recognizing that if Andrew Tahmooressi were not in a prison in Mexico, he could be re-activated and on the battlefield in less than 3 months. That irony is not lost on us, his family or the thousands of people who are advocating for him and it should not be lost on the members of this committee!

Thank you for your thoughtful consideration.

Jon & Olivia Hammar

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE TOM MARINO, A  
REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA

TOM MARINO  
15th District, Pennsylvania  
COMMITTEE ON THE JUDICIARY  
COMMITTEE ON HOMELAND SECURITY  
COMMITTEE ON FOREIGN AFFAIRS  
www.congress.gov  
www.facebook.com/CongressmanMarino  
http://twitter.com/SplinterMarino



Congress of the United States  
House of Representatives  
Washington, DC 20515-3810

WASHINGTON OFFICE:  
410 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20516  
1205/225-6791  
CONSTITUENT SERVICE OFFICE:  
1020 COLLEGE PARK DRIVE, SUITE 101  
WILKESBORO, PA 17701  
(717) 322-3861  
543 EAST LAKELAND DRIVE, SUITE 101  
LAKE ARBEL, PA 17438  
(610) 689-3024  
18 SOUTH MARKET STREET, SUITE 1A  
SOUND BOND, PA 17070  
(717) 374-6489

July 10, 2014

His Excellency Eduardo Medina Mora  
Ambassador of Mexico to the United States of America  
The Embassy of Mexico  
1911 Pennsylvania Avenue, N.W.  
Washington, DC 20006

Dear Ambassador Medina Mora:

I am writing regarding the status of Andrew Tahmooressi, a U.S. Marine Corps veteran who was arrested in Mexico on March 31, 2014.

It is my understanding that yesterday, in his first court appearance after more than 100 days in detention, Mr. Tahmooressi was sent back to prison by a Mexican federal judge in a hearing closed to the public. According to news accounts, the next hearing in this case will not occur before August 4.

As a former United States Attorney, I believe in the rule of law. And as a member of the House Foreign Affairs Committee, I have the utmost respect for the right of a sovereign state to enforce its laws. However, like many other Members of Congress, I have asked that the circumstances surrounding this case be taken into account and that Tahmooressi be allowed to return home to the United States. A fair and speedy resolution to this matter is critical to the future of U.S.-Mexico cooperation.

When I visited Mexico City recently with other members of the House Judiciary Committee, we met with many Mexican government officials who pledged to nurture a productive partnership, but actions speak louder than words and current actions are no indication of that promise. As we both know well, the United States and Mexico work together as neighbors to not only fight violent crime and drug trafficking, but also to strengthen Mexican democratic institutions, combat corruption, and improve justice systems and civil organizations. The questions raised by Mr. Tahmooressi's case forces us to seriously reconsider the relative success of these efforts and investments and question our nations' partnership.

I hope that you understand the seriousness of this case and troubling questions it raises. I will look forward to your response.

Sincerely,

*Tom*  
Tom Marino  
Member of Congress

**Rep. Juan Vargas' Statement for the Record**

Subcommittee on Western Hemisphere  
House Committee on Foreign Affairs

*"Sergeant Andrew Tahmooressi: Our Marine in Mexican Custody"*

I would like to thank Committee Chairman Royce and Subcommittee Chairman Salmon for holding this hearing on this timely and important topic. As a Member of both the House Committee on Foreign Affairs and the San Diego Congressional Delegation, I have been concerned with the plight of Sergeant (Sgt.) Andrew Tahmooressi since his arrest in Mexico on March 31, 2014. We must continue to support all efforts to secure his release back to the United States where he can receive the urgent cares he desperately needs.

Sgt. Tahmooressi courageously served in the United States Marine Corp (USMC) as both a section lead and a fifty caliber gunner in an infantry battalion. He is a decorated combat veteran who was honorably discharged in October 2012 after two tours in Afghanistan. Many of his superiors and colleagues in the USMC have spoken highly of his service and character while in the line of duty. Gunnery Sgt. Gregory J. Zieba, of the 2/6 Quick Reaction Force platoon command, recently reaffirmed that "Tahmooressi has always been an outstanding Marine and a stand out guy," and that "he was holding a staff [Non Commissioned Officer] billet before he was promoted and excelled at it... he is very deserving of the rank of sergeant."

As with far too many men and women who have served our country in uniform, Sgt. Tahmooressi suffers from Post-Traumatic Stress Disorder (PTSD). A native of Ft. Lauderdale, Florida, he was in San Diego to visit the Veterans Affairs (VA) hospital in La Jolla Village. After his screening and a positive diagnosis of PTSD, Sgt. Tahmooressi moved to San Diego to receive the appropriate treatment at the VA hospital. PTSD is often a hidden scar of war and, when left untreated, the effects can be devastating with long-term implications. It is under this context that we must understand the incident that occurred on March 31 when he accidentally crossed the border into Mexico with three firearms in his truck. As the Congressman who represents California's entire US-Mexico border, I can attest to the confusion motorists often experience while driving southbound in an area with a lack of turnarounds, such as the El Chaparral border crossing. Sgt. Tahmooressi did not have the intent to traffic firearms and clearly made a mistake when he accidentally crossed the border into Mexico. On a 9-1-1 call at the border checkpoint, he stated, "I got lost, made a wrong turn and ended up here by mistake. I have all my possessions in the truck including three USA legally-purchased and registered firearms. Can you show me how to get back to the border?" Unfortunately, he was not provided the necessary assistance to return back to San Diego.

While the respective US Consulates in Mexico have both visited Sgt. Tahmooressi in prison and attended all of his court hearings, the federal government must do more to secure his safe return to his family and friends here in the United States. I would like to thank Jill Tahmooressi, his mother, who has been a tireless advocate on behalf Sgt. Tahmooressi. I would also like to recognize the various veterans' organizations who continue to put a spotlight on Sgt. Tahmooressi's condition. I will continue to work with my colleagues on this very important topic until Sgt. Tahmooressi is safely back home to receive the treatment he deserves.