

military service, particularly in the context of recent times, dealing with the repeated deployments, the disruptions, the movement, the constant concern about the welfare of the loved one. And it is quite appropriate and long overdue that we actually designate this year, 2009, as the year of the military families. I strongly support this resolution.

Mr. LAMBORN. Mr. Speaker, I thank the chairman for offering this resolution.

I yield back the balance of my time.

Mr. SKELTON. Most of us Members of Congress have had the opportunity to witness military units as they are ready to deploy. We have also seen military units as they have returned, or individual members of our service returning, and watch their families greet them with happiness and with tears. It is difficult to put ourselves in their places, but the best we can do is to show our appreciation, and that our thoughts and our prayers are with them as well as their loved ones who are serving. Mr. Speaker, I urge all of my colleagues to support this resolution.

Mrs. DAVIS of California. Mr. Speaker, I rise in support of urging the President to designate 2009 as the "Year of the Military Family."

Our military's ability to perform its mission abroad is directly related to the strength of our families at home.

Without families willing to sign up for military life alongside their soldier, sailor, airman or marine, we would not have the tremendous all-volunteer force we have today.

Our military has been at war for nearly eight years against persistent and determined enemies thousands of miles away. And in many ways, so have our military families.

With loved ones deployed to theatres of combat, our families have lived with the enormous uncertainty brought by every ring of the phone and every knock on the door.

For far too many, that unexpected phone call or visitor announced the tragic loss of a spouse or parent.

For thousands more, injuries sustained in battle require a spouse or child to take on the responsibility of caretaker.

I am continually amazed at their resilience and ability to continue with their lives under such difficult circumstances.

Every family signed up knowing the requirements of duty.

However, regular assignments to theatres of war will challenge even the strongest families.

Like many of my colleagues, I hear the frustration and sense the pain that frequent, dangerous and unpredictable deployments are having on military communities.

We know that these deployments are often measured not by weeks or months, but by anniversaries, birthdays and important life moments.

Describing the length of her husband's deployment, one of my constituents told me how her husband "missed his older son's graduation from college, and his youngest son's graduation from High School." Her frustration was clear.

As Chairman SKELTON mentioned earlier, over a million children have not had a mom or dad or both home for life's important events.

We have tried to take steps to lessen the strain on our families, but high operational tempo and policies like stop-loss still have a significant impact.

As a Navy wife recently told me, "We are resigned to the necessity of deployment."

Mr. Speaker, our first commander in chief, President Washington, said, "The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive veterans of early wars were treated and appreciated by our nation."

Today, President Washington's statement should probably read, "The willingness with which our 'families are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive families of early wars were treated and appreciated by our nation.'"

That is why the Military Personnel Subcommittee will hold a hearing later this year focusing on military families and topics that are unique to military life.

... But it will take more than a series of hearings to address the very real concerns felt by families and men and women in uniform.

Just as we must ensure that service members have the equipment they need in the field, so too must we guarantee that families have the support they need at home.

I urge President Obama to honor the commitment of those who "serve" behind our men and women in uniform and designate 2009 the Year of the Military Family.

I hope all my colleagues will support this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Con. Res. 64, "Urging the President to designate 2009 as the 'Year of the Military Family.'" I want to thank my colleague Congressman IKE SKELTON of Missouri for introducing this resolution.

No group of Americans has stood stronger and braver for our nation than those who have served in the Armed Forces. From the bitter cold winter at Valley Forge to the boiling hot Iraqi terrain, our soldiers have courageously answered when called upon, gone where ordered, and defended our nation with honor. Their noble service reminds us of our mission as a nation—to build a future worthy of their courage and your sacrifice. We celebrate, honor and remember these courageous and faithful men and women.

While the nation's attention has been wholly focused on the economic crisis, Americans continue to die in wars across the globe, from Iraq to Afghanistan and beyond. The war in Iraq no longer makes headlines, but for military families it remains a daily reality, and I urge my colleagues to recognize the challenges that the families of these brave soldiers face and support this resolution in their honor.

When American troops are the ones fighting abroad, it is our military families who must also suffer. They wait every day and night hoping to hear from their loved ones, praying that they are not put in harm's way, that they may come home soon. Too many families have not been so lucky, finding out the news of a loved one's death is not only emotionally traumatizing it can have long term effects for the family that may never be repaired.

We must all stand as champions for our men and women fighting abroad. These soldiers who bravely reported for duty, they are our sons and our daughters, they are our fa-

thers and mothers, they are our husbands and wives, they are our fellow Americans.

There are over 26,550,000 veterans in the United States. In the 18th Congressional district of Texas alone there are more than 38,000 veterans and they make up almost ten percent of this district's civilian population over the age of 18.

We remember and honor the sacrifices of our forces and their families. And we renew our national promise to fulfill our sacred obligations to those who have worn this nation's uniform. Our veterans and their families ask for nothing more. Let us fight the good fight.

Mr. SKELTON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. SKELTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 64.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SKELTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CALLING FOR RETURN OF SEAN GOLDMAN

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 125) calling on the central authority of Brazil to immediately discharge all its duties under the Hague Convention by facilitating and supporting Federal judicial proceedings as a matter of extreme urgency to obtain the return of Sean Goldman to his father, David Goldman, for immediate return to the United States, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 125

Whereas David Goldman has been trying unsuccessfully since June 17, 2004, to secure the return of his son Sean to the United States where Sean maintained his habitual residence until his mother, Bruna Bianchi Ribeiro Goldman, removed Sean to Brazil;

Whereas on August 26, 2004, the Superior Court of New Jersey awarded custody to Mr. Goldman, ordered Mrs. Goldman and her parents to immediately return Sean to the United States, and indicated to Mrs. Goldman and her parents that their continued behavior constituted parental kidnapping under United States law;

Whereas on September 3, 2004, Mr. Goldman filed an application for the immediate return of Sean to the United States under the 1980 Hague Convention on the Civil Aspects of International Child Abduction (the "Hague Convention") to which both the United States and Brazil are party and which entered into force between Brazil and the United States on December 1, 2003;

Whereas on August 22, 2008, Mrs. Goldman passed away in Brazil leaving Sean without a

mother and separated from his biological father in the United States;

Whereas Mr. João Paulo Lins e Silva, whom Mrs. Goldman married in Brazil, has petitioned the Brazilian courts for custody rights over Sean Goldman and to replace Mr. Goldman's name with his own name on a new birth certificate to be issued to Sean, despite the fact that Mr. Goldman, not Mr. Lins e Silva, is Sean's biological father;

Whereas furthermore, the United States and Brazil have expressed their desire, through the Hague Convention, "to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence";

Whereas according to the Department of State, there are 51 cases involving 65 children who were habitual residents of the United States and who were removed to Brazil by a parent and have not been returned to the United States as required under the Hague Convention;

Whereas according to the Department of State's April 2008 Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction, "parental child abduction jeopardizes the child and has substantial long-term consequences for both the child and the left-behind parent";

Whereas the Department of State's Office of Children's Issues, while not always notified of international child abductions, is currently handling approximately 1,900 open cases of parental abduction to other countries involving more than 2,800 children abducted from the United States;

Whereas in fiscal year 2007, the United States Central Authority responded to cases involving 821 children abducted from the United States to countries with which the United States partners under the Hague Convention, but during that same time period only 217 children were returned from Hague Convention partner countries to the United States;

Whereas according to the Department of State, Honduras has not acted in compliance with the terms it agreed to as a party to the Hague Convention, and Brazil, Bulgaria, Chile, Ecuador, Germany, Greece, Mexico, Poland, and Venezuela have demonstrated patterns of noncompliance based on their Central Authority performance, judicial performance, or law enforcement performance of the obligations of the Hague Convention;

Whereas according to the Department of State, in fiscal year 2008, the United States Central Authority counted 306 cases of parental abductions involving 455 children taken from the United States to other countries that are not partners with the United States under the Hague Convention, currently including 101 children in Japan, 67 children in India, and 37 children in Russia;

Whereas three-year-old Melissa Braden is among the children who have been wrongfully abducted to Japan, a United States ally which does not recognize intra-familial child abduction as a crime, and though its family laws do not discriminate by nationality, Japanese courts give no recognition to the parental rights of the non-Japanese parent, fail to enforce United States court orders relating to child custody or visitation, and place no effective obligation on the Japanese parent to allow parental visits for their child;

Whereas Melissa was taken from Los Angeles, California to Japan on March 16, 2006, when she was 11-months-old, despite a California court's prior order forbidding Melissa's removal to Japan and granting joint custody to her father Patrick Braden;

Whereas despite his extensive efforts, Mr. Braden and his daughter have not seen each other since her abduction;

Whereas according to the Department of State, abducted children are at risk of serious emotional and psychological problems and have been found to experience anxiety, eating problems, nightmares, mood swings, sleep disturbances, aggressive behavior, resentment, guilt and fearfulness, and as adults may struggle with identity issues, their own personal relationships and parenting; and

Whereas left-behind parents may encounter substantial psychological, emotional, and financial problems and many may not have the financial resources to pursue civil or criminal remedies for the return of their children in foreign courts or political systems: Now, therefore, be it:

Resolved, That—

(1) the House of Representatives—

(A) calls on Brazil to, in accordance with its obligations under the Hague Convention and with extreme urgency, bring about the return of Sean Goldman to his father, David Goldman, in the United States;

(B) urges all countries determined by the Department of State to have issues of non-compliance with the Hague Convention to fulfill their obligation under international law to take all appropriate measures to secure within their respective territories the implementation of the Hague Convention and to use the most expeditious procedures available; and

(C) calls on all other nations to join the Hague Convention and to establish procedures to promptly and equitably address the tragedy of child abductions, given the increase of transnational marriages and births, the number of international child abduction cases and the serious consequences to children of not expeditiously resolving these cases; and

(2) it is the sense of the House of Representatives that the United States should—

(A) review its diplomatic procedures and the operations available to United States citizens through its central authority under the Hague Convention to ensure that effective assistance is provided to Mr. Goldman and other United States citizens in obtaining the expeditious return of their children from Brazil and other countries that have entered into the reciprocal obligations with the United States under the Hague Convention;

(B) take other appropriate measures to ensure that Hague Convention partners return abducted children to the United States in compliance with the Hague Convention's provisions;

(C) diplomatically urge other nations to become parties to the Hague Convention and establish systems to effectively discharge their reciprocal responsibilities under the Convention; and

(D) continue to work aggressively for the return of children abducted from the United States to other nations and for visitation rights for their left-behind parents when return is not yet achieved.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. I rise in support of the resolution, and yield myself such time as I may consume.

Mr. Speaker, the 1980 Hague Convention on the civil aspects of international child abduction is the principal international framework for tackling an increasingly difficult problem. The resolution before us urges all countries that the State Department determines are noncompliant with the Hague Convention to fulfill their obligations and faithfully implement the treaty. It also calls on other nations who have not yet joined the Hague Convention to do so.

The resolution highlights two emblematic cases and specifically calls for their prompt resolution. One is in a country that is a party to the Hague Convention, Brazil; the other in a country that is not, Japan. The facts of each case are equally heartbreaking.

David Goldman has been trying, since 2004, to get his son, Sean, back to the United States from Brazil. When Sean's mother took Sean to Brazil, the Superior Court of New Jersey awarded custody to Mr. Goldman, ordered Mrs. Goldman and her parents to immediately return Sean to the United States, and said that their continued behavior constituted parental kidnapping under United States law. Mrs. Goldman subsequently passed away in Brazil, leaving Sean without a mother and separated from his biological father in the United States. Mrs. Goldman's husband in Brazil petitioned for custody over Sean, and the issue has now been tied up in Brazilian courts for years.

The resolution also mentions a case with Japan, a United States ally which does not recognize intrafamilial child abduction as a crime.

Melissa Braden was taken from Los Angeles, California to Japan, in 2006, when she was just 11 months old, despite a 2006 restraining order that forbade Melissa's removal to Japan and an order granting joint custody to her father, Patrick Braden.

Despite his efforts, Mr. Braden and his daughter have not seen each other since her abduction. As in other cases, Japanese courts have not recognized his U.S. custody order and have not helped him gain visitation with his daughter.

While many American parents never see their children again when they are taken to Japan, I am hopeful that the Japanese government will take steps to respond to these cases by joining the Hague Convention. It is encouraging that the Japanese Ministry of Foreign Affairs is examining the Hague Convention, and I urge them to join as a party as soon as possible so that children like Melissa Braden can grow up knowing both of their parents.

The problem is, of course, much more widespread than these two cases. In 2008, the United States responded to cases involving 1,159 children abducted from the United States to countries

with which the United States partners under the Hague Convention. In 2008, the United States saw 306 cases involving 455 children taken from the United States to other countries that are not Hague Convention partners.

I support this resolution because it shines a spotlight on a problem that needs immediate attention, a problem that will likely get worse in coming years in light of the growing number of transnational births and marriages. I urge my colleagues to support the resolution offered by the gentleman from New Jersey (Mr. SMITH) and the gentleman from New Jersey (Mr. HOLT).

I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, imagine that you are a child of only 4 years old, and your best friend, your father, is your primary caregiver. You live with your parents by a lake in a quiet neighborhood in New Jersey, and your days are filled with boating, swimming, sports, and other fun with your dad. Then suddenly, one day your mother takes you on a jet; you move to a foreign country; and for 4½ years you live with the confusion, pain, and anxiety of not understanding why your dad is not there with or for you. The little contact you have with Dad are a few phone calls, routinely interrupted when the phone is taken from you and abruptly ended while your father is trying to tell you how much he loves and misses you.

That is what happened to Sean Goldman, an American citizen born and living in the United States for the first four years of his life, until June 2004, when his mother took him to her native country of Brazil. Almost as soon as she arrived in Rio de Janeiro, she advised Sean's father, David Goldman, that she was permanently staying in Brazil, the marriage was over, and that she was not going to allow Sean to return home to New Jersey; and Sean has not seen his real home since.

Stunned, shell-shocked, and utterly heartbroken, David Goldman has refused to quit or fade away. His love for his son is too strong. He has been working tirelessly every day during the last 4½ years, using every legal means available to bring Sean home.

On paper, the laws are with him. Child abduction and the retention of a kidnapped child are serious crimes. The courts of New Jersey, the place of Sean's habitual residence, granted David full custody, as Chairman BERMAN pointed out a moment ago, as far back as August 2004. On the international front, David has had every reason to believe that justice would be swift and sure because, unlike some countries, Brazil is a party to an international convention and in a bilateral partnership with the United States, which obligates Brazil to return children, even those abducted by a parent, to the place of habitual residence, in this case New Jersey.

To David Goldman's shock and dismay, however, that has not happened.

Even after Sean's mother died unexpectedly in August of 2008, the people unlawfully holding Sean in Brazil, especially a man who is not Sean's father, have refused to allow Sean's return home to New Jersey or, until last month, even to see his father.

Last month, I traveled to Brazil with David Goldman on what was his eighth trip to try to see his son and advance the legal and diplomatic process of returning Sean home to the United States. This trip was different, however, and we sincerely hope a turning point.

First and foremost, he got to visit with his son, and we met with several key Brazilian officials in President Lula's government, including Ambassador Oto Agripino Maia at the Ministry of External Affairs and others, in the judicial system Minister Ellen Gracie Northfleet, the former chief justice and current member of the Supreme Court. We were encouraged by their apparent understanding of Brazil's solemn obligation as a signatory to the Hague Convention to return Sean to the United States.

In subsequent meetings here in the U.S. with Brazilian Ambassador Antonio Patrioto and the Brazilian Ambassador to the Organization of American States, Osmar Chofi, we were again assured that the Lula government believes that Sean Goldman should be in the United States and with his father. Still, deeds, not just encouraging words, are what matter most, and Sean remains unlawfully held in Brazil.

When in Brazil last month, I had the extraordinary privilege of joining David and Sean in their first meeting in 4½ years. Now almost 9, Sean Goldman was delighted to see his dad. The love between them was strong and was obvious from the very first moment. In the first moments of their meeting, I did see the pain on Sean as he asked his father why he hadn't visited him in 4½ years. David told him that he has traveled to Rio several times to try to be with him. But in order to mitigate Sean's pain because of the abduction, David blamed only the courts, not the abductors, for the separation, a sign of class and I think a sign of David's sensitivity.

This is a picture to my left here that I took while I was in Brazil, a picture of a dad with his son after shooting baskets and playing a game of "around the world." Sean, a remarkable young man who needs to work on his set shot, was completely at ease and eager to get reacquainted with his dad. I took this picture about 1 hour after their first reunion after 4½ years. The joy on both of their faces, as I think all can see, is compelling. There were hugs and there were kisses, and you can see that there was a great bond between this dad and his son.

Mr. Speaker, the kidnapping of Sean Goldman and his continued 4½ year unlawful retention in Rio must be resolved immediately and irrevocably. A father, who deeply loves his son, wants

desperately to care for him and spend precious time with him and has had his nationally and internationally recognized parental rights, and his son has had his rights as well, violated with shocking impunity.

□ 1330

David Goldman should not be blocked from raising his own son. And a child who recently lost his mom belongs with his dad.

The Government of Brazil, Mr. Speaker, has failed to live up to its legal obligations under international law to return Sean to his biological father. The Government of Brazil has an obligation they must fulfill and without further delay. The resolution before us today expresses the House of Representatives' profound concern and calls on Brazil to, in accordance with its international obligations and with "extreme urgency" bring about the return of Sean Goldman with his dad, David Goldman, in the United States. Justice delayed, Mr. Speaker, is justice denied. And Sean's place is with his dad.

Mr. Speaker, on the bigger picture, international child abductions by parents are not rare. The U.S. Department of State reports that it is currently handling approximately 1,900 cases involving more than 2,800 children abducted from the United States to other countries. And those numbers do not include children whose parents, for whatever reason, do not report the abductions to the U.S. Department of State.

In recognition of the gravity of this problem and the traumatic consequences that child abductions can have both on the child and the parent who is left behind, the Hague Convention on the Civil Aspects of International Child Abduction was reached in 1980. The purpose of the Hague Convention is to provide an expeditious method to return an abducted child to the child's habitual residence so that custody determinations can be made in that jurisdiction. According to the terms of the Convention, such return is to take place within 6 weeks—not over 4½ years—after proceedings under the Convention are commenced.

The United States, Mr. Speaker, ratified the Hague Convention in 1988. Brazil acceded to the Hague Convention in 1999 and the Hague Convention was entered into force between Brazil and the U.S. in 2003, a year before Sean was abducted. In accordance with the Hague Convention, David Goldman on September 3, 2004, filed, in a timely fashion, an application for the immediate return of his son. Brazil, sadly, has failed to deliver.

I would point out on a positive note that within a week of our return home to the United States, the Brazilian courts did take what we consider to be a major step in the right direction for David and Sean. The decision was to move the case from the local courts, which were erroneously bogged down in

making a custody determination, to the Federal court capable and responsible for making decisions in accordance with obligations under the Hague Convention. Pursuant to an amended application filed under the Convention after the death of Sean's mother and in accordance with the "expeditious return" provisions of the Hague Convention, Brazil's only legitimate and legal option now, as it has been, is to effectuate Sean's return. And it must be done now.

Finally, Mr. Speaker, this weekend, Brazilian President Lula will visit the United States and visit one-on-one with President Obama. The White House meeting should include a serious discussion about Brazil's—and this is the State Department term—pattern of noncompliance with the Hague Convention and Brazil's obligation to immediately fulfill this obligation in the case of Sean Goldman and many other cases like it, including one that Mr. POE will bring up momentarily.

I'm happy to say that over 50 Members of the House, including my friend and colleague, Mr. HOLT, have cosponsored this resolution. Over 43,000 people from 154 nations have signed a petition urging Brazil to do the right thing and expeditiously return Sean to the United States. So many people, Mr. Speaker, have joined in and helped David in his fight for his son and deserve our appreciation and respect.

His extraordinarily talented legal counsel here in the United States, Patricia Apy, and in Brazil, Ricardo Zamariola, Jr., have made their case with expertise, precision, compassion and particular adherence to the rule of law. The staff at our consulates in Brazil—Consul General Marie C. Damour, Joanna Weinz and Karen Gufstafson—have all tirelessly and professionally worked this case for several years as if Sean and David were their own family. Special thanks to Ambassador Cliff Sobel. A number of journalists, including Bill Handleman of the Asbury Park Press, have written powerful columns about David's loss and his entire terrible ordeal. Meredith Vieira, Benita Noel and Lauren Sugrue of NBC's Dateline have probed, investigated and demanded answers, thus ensuring that the truth about this unlawful abduction is known to the public, including and especially to government officials both here and Brazil. In fact, it was a Dateline special on the Goldman case that caused me to call David and to get involved.

And finally, a special thanks to the countless volunteers, including Mark DeAngelis, who has done yeoman's work, including managing a Web site—Bring Sean Home—and have proved to be an invaluable support system during this most difficult and trying time for father and son.

I urge Members to support this resolution. Again I want to thank Chairman BERMAN for his leadership in bringing this resolution to the floor and to ILEANA ROS-LEHTINEN, our dis-

tinguished ranking member. This resolution I believe will make a difference not just for David and Sean but for so many others who are similarly situated.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from New Jersey (Mr. HOLT) in whose district Mr. Goldman resides.

Mr. HOLT. Mr. Speaker, I thank the distinguished Chair of the House Committee on Foreign Affairs, Mr. BERMAN, for bringing this resolution to the floor. The resolution calls on the Government of Brazil to live up to its obligations under the Hague Convention on the Civil Aspects of International Child Abduction by releasing Sean Goldman to the custody of his father, David Goldman of Tinton Falls, New Jersey, my constituent. This bill shines a bright light on the problem of international parental kidnapping, and it is an issue that deserves congressional attention.

Let me recount some of the recent background on this issue and why this resolution is before the House today. It is heartrending, as you have heard from my colleague from New Jersey.

Nearly 5 years ago in June, 2004, Mr. David Goldman began a long and painful odyssey to rescue his son from an international parental kidnapping. He had driven his wife, Bruna, and their 4-year-old son, Sean, to the Newark airport for a scheduled trip to visit her parents in Brazil. Mr. Goldman was to join them a few days later. Shortly after arriving in Brazil, Mrs. Goldman called her husband to say two things: their marriage was over, and if he ever wanted to see Sean again, he would have to sign over custody of the boy to her. To his credit, Mr. Goldman refused to be blackmailed. Instead, he began a campaign, a relentless campaign, to secure his son's release.

There is no question that Mr. Goldman has the law both here in the United States and internationally on his side. It is sad and unfortunate that this father and this little boy must have their personal lives dragged through the public forum.

For any of us who have children or grandchildren, we can imagine but not fully comprehend the pain that Mr. Goldman and similar parents have gone through when a spouse kidnaps a child and whisks them away somewhere around the world. Tragically, Sean Goldman's case is just one of over 50 reported cases involving Brazil. Many countries, including key U.S. allies such as Japan, are not even signatories to this Hague Convention. For parents of children kidnapped by a spouse and taken to one of these non-Hague signatory nations, their battle to recover kidnapped children is even more difficult. The resolution before us highlights also the plight of these parents and their children. And it should be viewed as one step toward increasing the tools available to parents to help them recover children.

In October, 1980, the Hague Convention on the Civil Aspects of Inter-

national Child Abduction entered into force. The United States and Brazil are both signatories. Under article 3 of the Convention, the removal of a child shall be considered wrongful if "it is in breach of rights of custody attributed to a person, an institution or any other body, either jointly or alone, under the law of the State in which the child was habitually resident immediately before the removal or retention; and at the time of removal or retention those rights were actually exercised, either jointly or alone, or would have been exercised." Well, Sean Goldman had been habitually resident in New Jersey until his mother kidnapped him and took him to Brazil.

Shortly after that, Mr. Goldman filed a Hague Convention application in Brazil's federal courts seeking the return of his son under the Convention.

Despite the clear legitimacy of Mr. Goldman's claim, the case has crawled along in Brazil's courts, bouncing back and forth and back and forth. Mr. Goldman's wife secured a divorce in Brazil and began a new relationship with a prominent lawyer. In August of last year, his former wife died during childbirth, a fact that Mr. Goldman learned only some time later and a fact that was concealed from the Brazilian courts by Mr. Lins e Silva, her then husband, and Mr. Goldman's late wife's parents.

After our individual intercession and with the help of the State Department and my colleague from New Jersey, and I particularly want to note his actions, Brazilian authorities moved to have the case once again sent to Brazil's federal courts to secure visitation rights for Mr. Goldman. Finally just last month, Mr. Goldman was able to see his son for the first time in more than 4 years. It is clear that Sean still loves his father and wants to be with him. It appears that the only thing standing in the way of that is the illegal conduct of Mr. Lins e Silva.

I applaud Secretary of State Clinton for raising this issue with Brazil's foreign minister and through other channels. If Sean is not released by the end of this week, I hope that President Obama will continue to bring the issue to the attention of Brazilian President Lula Da Silva and that Sean and his father will be united as they should be.

I thank the gentleman.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. POE), a member of the Committee on Foreign Affairs.

Mr. POE of Texas. I thank the gentleman for yielding.

I appreciate the support of Chairman BERMAN and Mr. SMITH from New Jersey. Mr. SMITH has a reputation for going and helping out his district. During the Russian incursion into the Republic of Georgia, while that was still going on, Mr. SMITH went and rescued two young people and got them back to his district while the Russians were still invading. That tells all of us a lot

about your willingness to advocate on behalf of human rights.

It is reported that there are nearly 50 cases in which children who are residents of the United States have been wrongfully abducted to Brazil and have not been returned to the United States as required under the Hague Convention. Mr. Goldman and other United States citizens, specifically Marty Pate of Crosby, Texas, in my district, are allowed under international law to obtain quick return of their children from Brazil and other countries that have entered into obligations with the United States under the Hague Convention.

It seems to me that Brazil approves of government-sanctioned kidnapping of American children and ignoring agreements with the United States. Mr. Pate's story is very similar to the one already presented here on the House floor, although this is a story about a father and a daughter. Thanks to Fox 26 News in Houston, Texas, they have brought this story to light. And it is the Marty Pate story.

It seems that in May, 2006, Marty Pate's ex-wife, Monica, told him that she wanted to temporarily go back to her home country of Brazil and take their 7-year-old daughter, Nicole, with her. Marty Pate objected, but he allowed her to take the daughter for a short visit. Both agreed under a Harris County, Texas, court order as to what travel stipulations there would be, and both signed a notarized document on what those travel restrictions would be. One of those was there would be a maximum of 21 days that the child would be allowed to leave the United States. On August 5, 2006, Monica and her daughter, Nicole, left the United States and never returned. That was the last time that Marty Pate saw his daughter. There is an outstanding arrest warrant for Monica on failure to follow a court order in the State of Texas.

Mr. Speaker, this ought not to be. It seems as though Brazil is ignoring agreements that they have made under international law with the United States and continues to do so. As a side note, the United States gives foreign assistance to Brazil. Maybe the Foreign Affairs Committee needs to re-evaluate whether we should give them assistance when they continue to kidnap or sanction kidnappings of American citizens. The United States should insist that countries like Brazil live up to their legal obligations to return to America, America's children.

And that's just the way it is.

Mr. SMITH of New Jersey. I thank Mr. POE for his leadership on behalf of the child who has been abducted and congratulate him on his work.

Mr. BERMAN. Mr. Speaker, at this point I will reserve. We have one speaker remaining.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. JONES).

□ 1345

Mr. JONES. Mr. Speaker, I want to thank Chairman BERMAN, CHRIS SMITH, Mr. HOLT and everyone else. I saw this story about this family probably a year ago, and it broke my heart, quite frankly.

I do not understand how a country such as Brazil, which I have respect for, could allow this to happen. This is not what the world should be about. The world should be about trying to bring families together, and Brazil has a responsibility that they are not making and they are not keeping.

I would say to the country of Brazil that if this was reversed, I believe that this House, the leadership of Mr. BERMAN and Mr. SMITH, would be on this floor saying to the family here that was keeping the son of a father in Brazil, Let's send him back to his father.

So I hope that the country of Brazil and those who are here in Washington, D.C. representing their country or listening to this debate, I hope that they will fully understand that this is a debate of compassion. Mr. Goldman and his son Sean, they have every right to be together. So I came down here to the floor today from North Carolina with not a great deal to add to this debate but my heart. And my heart says let's get this family together. I thank very much Mr. BERMAN and Mr. SMITH, and say to the Brazilian government, please listen to the American people. Let's work together for the good of this family.

Mr. BERMAN. Would the gentleman yield?

Mr. JONES. I would be delighted to yield.

Mr. BERMAN. I thank the gentleman for yielding. Your interesting point that if the situation was reversed, we saw that situation. It was a very famous case: Elian Gonzalez. Even though he was being sent back to a country with which we have no diplomatic relations, and even though the nature of that government was one that we did not support, the rights of the father to be reunited with his son prevailed over all of the political considerations. So we saw the tables reversed, and we saw what the U.S. Government did in that situation. I concur with the gentleman's point on this issue.

Mr. JONES. I thank Chairman BERMAN, and before I yield back, I ask God to please intervene on behalf of this wonderful family and bring the father and the son back together.

Mr. BERMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the chairman for yielding me this time, and I rise in support of this resolution.

My mother once said to me shortly after I had seen the birth of my first child, "Son, there is no tragedy for any parent that is greater than the experi-

ence of witnessing your own child's death." Nothing is more precious than life, and nothing is more profound than the love of a parent for the life of that child brought to this Earth.

Mr. Speaker, according to the State Department's Office of Children's Issues, there are 306 pending cases of parental abductions involving 455 American children taken to countries that are not a party to the Hague Convention on Child Abduction. And 101 of these abducted American children currently reside in Japan. In 2006 in the midst of a custody dispute, Melissa Braden, the daughter of one of my constituents, Patrick Braden, was taken to Japan by her mother and has been there ever since. Despite a court restraining order for Melissa to remain in the United States and an arrest warrant issued by the FBI for her mother, Japanese authorities have refused to act on this case. Japanese courts give no recognition to the parental rights of the non-Japanese parent, and the Japanese government refuses to enforce U.S. court orders related to child custody or visitation.

After his daughter's abduction when Mr. Braden approached me for help and I tried to see what I could do, you can imagine my disbelief and dismay that we were unable to help secure Melissa for Mr. Braden or to even have them reunited in Japan. I approached the State Department, and I wrote to President Bush in 2007 and asked for their intervention on behalf of Mr. Braden.

The State Department has committed to raising this issue at the highest levels of dialogue with Japan, and I wish to say here publicly, thank you to Chairman BERMAN for his support of this issue and for supporting America's parents and their families.

I would like to thank two champions of human rights, the gentlemen from New Jersey, Mr. SMITH and Mr. HOLT. And I must say, Mr. Speaker, my mother was right: there is nothing worse than losing your own child, especially when your child is still alive.

I urge all of my colleagues to support this resolution to get action on behalf of all of our American families with countries that are some of our greatest partners and allies.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself the balance of my time to say very simply that our message to the Brazilian government is to bring Sean home, and to do so today.

Mr. Speaker, I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I just want to point out that in calendar year 2007, along the lines of the point made by the gentleman from North Carolina (Mr. JONES), the United States returned over 200 children to Hague Convention partners where a biological parent resided and sought the return of that child. So this resolution is consistent with our own practices, and I think with internationally recognized

fundamental human rights. I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 125, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 194) supporting the goals of International Women's Day, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 194

Whereas there are over 3,000,000,000 women in the world, representing 51 percent of the world's population;

Whereas women continue to play the prominent role in caring for families within the home as well as serving as economic earners;

Whereas women worldwide are participating in the world of diplomacy and politics, contributing to the growth of economies, and improving the quality of the lives of their families, communities, and nations;

Whereas women leaders have recently made significant strides, including the 2009 appointment of Johanna Sigurdardottir as the first female Prime Minister of Iceland, the 2007 election of Congresswoman Nancy Pelosi as the first female Speaker of the United States House of Representatives, the 2006 election of Michelle Bachelet as the first female President of Chile, the 2006 election of Ellen Johnson-Sirleaf as the President of Liberia, the first female President in Africa's history, and the 2005 election of Angela Merkel as the first female Chancellor of Germany, who also served as the second woman to chair a G8 summit in 2007;

Whereas women account for 80 percent of the world's 70 million micro-borrowers, 75 percent of the 28,000 United States loans supporting small businesses in Afghanistan are given to women, and 12 women are chief executive officers of Fortune 500 companies;

Whereas in the United States women are graduating from high school at higher rates and are earning bachelor's degrees or higher degrees at greater rates than men with 88 percent of women between the ages of 25 and 29 having obtained a high school diploma and 31 percent of women between the ages of 25 and 29 earning a bachelor's degree or higher degree;

Whereas despite tremendous gains over the past 20 years, women still face political and economic obstacles, struggle for basic rights,

face the threat of discrimination, and are targets of violence all over the world;

Whereas worldwide women remain vastly underrepresented in national and local assemblies, accounting on average for less than 10 percent of the seats in parliament, except for in East Asia where the figure is approximately 18 to 19 percent, and women do not hold more than 8 percent of the ministerial positions in developing regions;

Whereas women work two-thirds of the world's working hours, produce half of the world's food, yet earn only 1 percent of the world's income and own less than 1 percent of the world's property;

Whereas female managers earned less than their male counterparts in the 10 industries that employed the vast majority of all female employees in the United States between 1995 and 2000;

Whereas 70 percent of the 1,300,000,000 people living in poverty around the world are women and children;

Whereas two-thirds of the 876,000,000 illiterate individuals worldwide are women, two-thirds of the 125,000,000 school-aged children who are not attending school worldwide are girls, and girls are less likely to complete school than boys according to the United States Agency for International Development;

Whereas worldwide women account for half of all cases of HIV/AIDS, (approximately 42,000,000), and in countries with high HIV prevalence, young women are at a higher risk than young men of contracting HIV;

Whereas globally, each year over 500,000 women die during childbirth and pregnancy;

Whereas domestic violence causes more deaths and disability among women between the ages of 15 and 44 than cancer, malaria, traffic accidents, and war;

Whereas worldwide, at least 1 out of every 3 women and girls has been beaten in her lifetime;

Whereas at least 1 out of every 6 women and girls in the United States has been sexually abused in her lifetime, according to the Centers for Disease Control and Prevention;

Whereas worldwide, 130,000,000 girls and young women have been subjected to female genital mutilation, and it is estimated that 10,000 girls are at risk of being subjected to this practice in the United States;

Whereas illegal trafficking in women and children for forced labor, domestic servitude, or sexual exploitation involves between 1,000,000 and 2,000,000 women and children each year, of whom 50,000 are transported into the United States, according to the Congressional Research Service and the Department of State;

Whereas between 75 and 80 percent of the world's 27,000,000 refugees are women and children;

Whereas in times and places of conflict and war, women and girls continue to be the focus of extreme violence and intimidation and face tremendous obstacles to legal recourse and justice;

Whereas March 8 has become known as International Women's Day for the last century, and is a day on which people, often divided by ethnicity, language, culture, and income, come together to celebrate a common struggle for women's equality, justice, and peace; and

Whereas the people of the United States should be encouraged to participate in International Women's Day: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of International Women's Day;

(2) recognizes and honors the women in the United States and in other countries who have fought and continue to struggle for equality in the face of adversity;

(3) reaffirms its commitment to ending discrimination and violence against women and girls, to ensuring the safety and welfare of women and girls, and to pursuing policies that guarantee the basic human rights of women and girls both in the United States and in other countries; and

(4) encourages the President to—

(A) reaffirm his commitment to pursue policies to protect fundamental human rights and civil liberties, particularly those of women and girls; and

(B) issue a proclamation calling upon the people of the United States to observe International Women's Day with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

I first want to thank Representative JAN SCHAKOWSKY and the other cosponsors of this resolution for honoring the contributions and achievements of women around the world, and the importance of promoting and protecting their rights.

Today, women all over the world are becoming leaders in science, medicine, arts, politics, and even the military. Despite this progress, it is a sad fact that women and girls continue to constitute the vast majority of the world's poor, chronically hungry, refugees, HIV-infected, uneducated, unemployed and disenfranchised. All too often, women are subject to physical violence and discrimination as a result of their gender. Women are also the targets of cruel cultural practices, including genital mutilation, forced and early marriages, humiliating and harmful widow practices, bride burnings and honor killings.

On average, women continue to receive less pay for work of equal value, and many continue to face discrimination in hiring and admission to educational institutions. It is not enough to simply declare the equality of women and condemn their mistreatment. We must, in all sectors of society, address the structural factors that prevent women and girls from enjoying the same rights and opportunities as boys and men.

We must also eliminate the criminal and cultural practices that destroy the lives and freedom and health of women. Statistics demonstrate that when women's quality of life improves, their