

DISPENSING WITH CALENDAR
WEDNESDAY BUSINESS ON
WEDNESDAY NEXT

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

SENSE OF CONGRESS ON HAGUE
CONVENTION ON CIVIL ASPECTS
OF INTERNATIONAL CHILD AB-
DUCTION

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the concurrent resolution (H. Con. Res. 69) expressing the sense of the Congress on the Hague Convention on the Civil Aspects of International Child Abduction and urging all contracting states to the Convention to recommend the production of practice guides, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 69

Whereas 20 years ago, the Hague Convention on the Civil Aspects of International Child Abduction was a bold step forward to provide a uniform process for resolving international child abduction cases;

Whereas over the past 2 decades, the Convention has had increasingly important and positive effects and has grown in terms of the number of Contracting States and the level of interest of other nations;

Whereas there has been an increase of multinational marriages and a corresponding increase of international abductions of children by parents;

Whereas as travel becomes faster and easier, and as multinational marriages become more common, the Convention is more significant than ever;

Whereas on 2 occasions, the International Centre for Missing and Exploited Children and the National Center for Missing and Exploited Children have convened professionals and experts in international child abduction to examine their experiences with the Convention;

Whereas on both occasions, the participants affirmed their overwhelming commitment to the Convention, but were also unified in the conclusion that there are serious shortcomings in its implementation;

Whereas the shortcomings include—

(1) a lack of awareness by policy makers and the general public of the Convention and of the problem of international child abduction, making the successful resolution of cases more difficult;

(2) the fact that, in too many instances, the process for resolving an international child abduction is too slow;

(3) a lack of uniformity in the interpretation of the Convention from nation to nation;

(4) the fact that key exceptions provided in the Convention to ensure reason and common sense have in some cases ceased to be viewed as exceptions, have instead become the rule, and are frequently used as justifications for not returning abducted children;

(5) the increasing difficulty of enforcing access rights for parents under Article 21 of the Convention;

(6) the need of parents for significant personal financial resources to obtain legal representation and proceed under the Convention and, in many places, the lack of assistance for parents who do not have such resources;

(7) a serious lack of training, knowledge, and experience for judges in international child abduction cases, because there are too many courts hearing these cases and in most instances few such cases for each court; and

(8) in many instances, the lack of enforcement of court orders for the return of children; and

Whereas the International Centre for Missing and Exploited Children has promised to support an effort to produce practice guides to provide a framework for applying the Convention; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) it is the sense of the Congress that—

(A) the original intent of the Hague Convention on the Civil Aspects of International Child Abduction—to provide a uniform process for resolving international child abduction cases—is more important than ever;

(B) practice guides should be developed for the Convention that build on recognized best practices under the Convention and provide a framework for applying the Convention;

(C) the Convention itself need not be modified;

(D) the practices identified and included in the practice guides should not be legally binding on Contracting States to the Convention and should be based on research and the advice of experts to help ensure the most effective process possible;

(E) the practice guides should be developed in 3 stages: comparative research and consultations, meetings of expert committees to develop drafts, and consideration of the drafts by a future Special Commission; and

(F) the Permanent Bureau of The Hague should organize the process of developing the practice guides; and

(2) the Congress urges all Contracting States to the Convention to adopt a resolution recommending that—

(A) the Permanent Bureau of The Hague produce and promote practice guides to assist in the implementation and operation of the Convention; and

(B) such a proposal to produce practice guides be adopted by the Fourth Special Commission at The Hague in March 2001.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. CHABOT) is recognized for 1 hour.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the distinguished chairman of the Committee on International Relations, the gentleman from Illinois (Mr. HYDE), for making it possible for the House to consider this resolution on the eve of the Fourth Special Commission on the Hague Convention on the Civil Aspects of International Child Abduction.

I want to commend the author of the resolution, the gentleman from Texas (Mr. LAMPSON), with whom I have worked very closely on this issue. He has been a real leader, working on be-

half of stolen American children and their left-behind parents.

Mr. Speaker, I am proud to be a principal Republican cosponsor on this important bipartisan legislation, and I look forward to traveling to The Hague next week to present this resolution to the 60 member countries represented at the Commission.

H. Con. Res. 69 expresses the sense of the Congress on the Hague Convention on the civil aspects of international child abduction and urges all contracting states to the convention to recommend the production of practice guides.

The resolution stresses that providing a uniform process for resolving international child abduction cases is more important than ever, and urges that practice guides be developed for the convention that build on recognized best practices under the convention. Adoption of this resolution today, I believe, will send a strong message to representatives of those Hague Convention signatories who will be meeting over the next several days that the United States Government is serious about insisting that all contracting parties to the Hague Convention comply fully with both the letter and the spirit of their international obligations under the convention. By adopting the practice guides suggested in the resolution, Hague countries can create a better environment for the eventual safe return of abducted children to their custodial parent. The Hague Convention provides for a child that has been abducted to or retained in a country other than his or her country of habitual residence to be speedily returned to the country of habitual residence.

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Sadly, the process has not always worked well. The State Department reports that there are at any given time more than 1,000 open cases of American children either abducted or wrongfully retained in a foreign country. Thousands more are thought to go unreported. The National Center for Missing and Exploited Children estimates that there are 165,000 parental kidnapping cases each year and that approximately 10 percent involve a parent who has taken a child abroad without permission.

Mr. Speaker, the production and promotion of practice guides as proposed in this thoughtful resolution can provide great assistance in the implementation and operation of The Hague Convention. Last year this House adopted a resolution that I authored with the gentleman from Texas (Mr. LAMPSON) that urged noncomplying countries to take the necessary measures to bring themselves into compliance with The Hague Convention. Let us take another step today to help these stolen children and their left-behind parents. Let us adopt this resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. LAMPSON). I also want to

again thank him for his leadership in this very important area of the law.

Mr. LAMPSON. Mr. Speaker, I thank the gentleman from Ohio not only for his work on this, which was a yeoman's effort to bring up, but all the work that he has done on behalf of missing and exploited children. The Congressional Caucus is very proud to have him as one of its members; and many other Members, about 147 of us, have worked diligently to bring this issue to the absolute forefront of the American people. We are making progress.

As the gentleman said, he and I will be attending the Fourth Special Commission on The Hague Convention on Civil Aspects of International Child Abduction. It is imperative that we demonstrate a level of commitment by the United States House of Representatives on this issue. Should this resolution pass, the gentleman from Ohio and I will present it to the 60 member countries represented at The Hague and urge their delegations to support a best-practices guide.

This resolution urges that all contracting states to The Hague Convention adopt a resolution drafted by the International Centre for Missing and Exploited Children as well as the National Center for Missing and Exploited Children that would recommend that the Permanent Bureau of The Hague produce and promote practice guides to assist in the implementation and operation of the Convention.

As travel becomes faster and easier and as multinational marriages become more frequent, The Hague Convention is more significant today than ever before. The International Centre for Missing and Exploited Children and the National Center have convened professionals and experts in international child abduction to examine their experiences with The Hague Convention.

Participants in both of these forums affirmed their overwhelming commitment to the Convention but were also unified in the conclusion that there are serious shortcomings in its implementation, including the lack of awareness of the Convention and the problem of international child abduction by policymakers and the general public. In too many instances, the processes are too slow; there is a lack of uniformity from country to country; there is growing concern that key exceptions provided within the treaty to ensure reason and common sense have in some cases ceased to be viewed as exceptions and instead have become the rule; there is great concern about the growing difficulty involved with enforcing access rights for parents; and in many instances, even where courts order returns, the enforcement of those orders is lacking or nonexistent.

We do not believe that the treaty itself should be modified, but practice guides would build upon recognized best practices under the Convention and provide a framework for applying the Convention. The practices identified and included in the guides would

not be legally binding upon signatory countries but would serve as guidance to countries based upon research and the advice of experts in order to help ensure the most effective process possible.

Mr. Speaker, I urge the Members of the House of Representatives to vote for H. Con. Res. 69.

I want to also recognize and thank so very much those Members who signed on to this resolution as a cosponsor when we needed them. I introduced the bill on Tuesday with the hope that my colleagues would recognize the importance of this statement and rush it to the floor by the end of the week. My colleagues stepped up to the plate.

I want to especially recognize those Members of Congress and staff who worked to move this along. After the gentleman from Ohio (Mr. CHABOT) obviously, it is the gentleman from Missouri (Mr. GEPHARDT), the gentleman from Texas (Mr. DELAY), the gentleman from California (Mr. LANTOS), the gentleman from Illinois (Mr. HYDE), the gentleman from Texas (Mr. ARMEY), Tom Mooney, David Abramowitz, Dan Turton, Tim Friedman, Kirk Boyle, Nisha Desai and Hillel Weinberg.

I know it was not easy, but I sincerely appreciate the efforts put forth by Members and staff on both sides of the aisle to bring this to the floor. It is indeed a nonpartisan issue and one that we can all embrace.

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

AMENDMENT OFFERED BY MR. CHABOT

Mr. CHABOT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CHABOT:

In the text after the resolving clause, in paragraph (1)(F) and paragraph (2)(A), insert "Conference on Private International Law" after "The Hague".

The SPEAKER pro tempore (Mr. FERGUSON). The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the concurrent resolution, as amended.

The concurrent resolution, as amended, was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. CHABOT

Mr. CHABOT. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mr. CHABOT:

In the preamble, at the end of paragraph (8) of the seventh clause, strike "and" and insert after such clause the following new clause:

Whereas the Permanent Bureau of The Hague Conference on Private International Law has made significant contributions to the implementation of the Convention but recognizes that more needs to be done; and

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentleman from Ohio (Mr. CHABOT).

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ON THE ARMY'S DECISION REGARDING ISSUANCE OF BLACK BERETS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, last week the Pentagon announced that an agreement had been reached regarding the Army Chief of Staff's decision to issue black berets for all Army personnel. After months of discord caused by what can only be called a gross error in judgment, it was decided that the Rangers would change from the honored black beret which they had been wearing since 1951 to a tan beret and the regular Army personnel would now wear the black beret.

Once again the Rangers, among the most elite soldiers that the Army has to offer, took a back seat to political correctness and social engineering within, and I quote, "the Army of one."

Mr. Speaker, I want to read for Members some of the letters that I have received from citizens regarding this issue.

This letter is from Mr. Harold Westerholm, a World War II Ranger from Oxford, North Carolina:

The Rangers fought hard to gain the respect and to be bestowed the honor of wearing a black beret. Merely giving the ordinary soldier the privilege of wearing a black beret will not improve his morale. Morale is gained through respect, respect which is earned through deed.

Let me also quote a letter from Mr. James Roe:

I strongly disagree with the United States Army ignoring the Made in America Act for the purchase of the black berets. It is unbelievable to me that you would allow our military to purchase the new headgear from China. North Carolina is a major textile-producing State, which has been devastated by low-cost Chinese imports. How did you let this happen? How can our brave men and women be forced to wear Chinese-manufactured berets?

My answer to Mr. Roe and to the millions of other Americans who have asked that question is that it happened because the Congress was not consulted