

To make matters worse, in 1999, after the Blakes attempted to kidnap Dylan from kindergarten, Ethel Blake was arrested in Virginia for physically striking John Benwell while he was holding his then 2-month-old daughter. Mrs. Benwell also told police that both of her parents have been patients in psychiatric institutions. After the abduction, when the Winthrop Harbor Police searched the hotel where the Blakes had been staying, they found several prescription drugs in the Blakes' room that are used to treat psychiatric and emotional disorders such as schizophrenia, depression, and anxiety.

For all of these reasons, I am deeply concerned about Dylan Benwell's safety and well-being. It is imperative that we return Dylan back to the care of his loving parents. I have been working with the State Department, which is very concerned, and has noted that this is a particularly worrisome case. The State Department believes that the Blakes took the case in their own hands and are now forum shopping, which completely goes against Hague Convention agreements.

It is essential that we in the House of Representatives urge the government of Ireland to recognize the decision of the Virginia juvenile district court. Above all, the Blakes should return Dylan promptly to his parents.

In passing this resolution today, the House of Representatives is making an important statement. Perhaps we are also giving some greater hope to a family in need of some hope. They have been through so much.

Mr. Speaker, it is for all of these reasons that I introduced House Resolution 821. I am committed to ensuring we return Dylan Benwell to the United States and to his family. So I urge my colleagues to vote in favor of this important resolution.

I would like to thank the gentleman from Illinois (Speaker HASTERT), the gentleman from Texas (Majority Leader DeLay), and the gentleman from Illinois (Chairman HYDE) for supporting my efforts to help Dylan and the Benwells. I want to also thank all of the Members who cosponsored this resolution, as well as the staff that helped bring this urgent resolution to the House Floor so expeditiously.

My deepest prayers and sympathy are for Dylan, his mother, Serena Benwell, and their family, as they go through these trying times.

Mr. HYDE. Mr. Speaker, one of the most heart-wrenching issues we will ever contemplate is the problem of child abductions. As a parent of four children and four grandchildren, I cannot think of a more terrifying nightmare than one in which one of my children or grandchildren were abducted or killed. The sheer panic, fear, and helplessness one must feel has to be paralyzing. I believe in a government that stands up for the rights of all people, including the most helpless ones—children.

While far too many crimes are committed against children by strangers, amazingly enough, some of the perpetrators of the worst

types of crimes against children are parents or relatives. In the case before us, young Dylan Benwell was kidnapped from his parents by his maternal grandparents, Timothy and Ethel Blake, and taken to Ireland.

Dylan's mother and the Blakes had suffered an estranged relationship as a result of a previous attempt by the Blakes to kidnap Dylan. Dylan's mother finally relented and allowed her son to visit his grandparents because she was told that her father, Mr. Blake, was dying of cancer. Dylan's mother took her parents' passports as a precaution so that Dylan could not be kidnapped to Ireland. Shockingly, the Blakes had planned the kidnapping to such a degree that they already had duplicate passports issued, and once Dylan was in their possession, they immediately left with him for Ireland.

Dylan is not alone in his victimization. According to the State Department, more than 16,000 cases of international child abductions were reported in the past two decades.

The Hague Convention on the Civil Aspects of International Child Abduction serves as an important diplomatic tool in achieving the return of abducted children. Both the United States and the Republic of Ireland are contracting parties to the Hague convention, which establishes reciprocal duties to expedite the return of abducted children to their habitual residence. In Dylan's case, arrest warrants for aggravated kidnapping have been issued by the State of Illinois for the Blakes, and a Hague Convention petition has been filed on behalf of Dylan's parents for his return. Dylan's family now sits helplessly awaiting the Hague Convention process to bring him home to them.

Unfortunately, many countries have failed to take their obligations seriously in making certain that these children are sent home. Yet, in the instant case, I am confident that Ireland will follow the Hague Convention process scrupulously, as it has been an excellent treaty partner in the past. Considering the unusual facts of this case, however, it is my hope that Ireland expeditiously resolves this matter and finds that Dylan must be sent home.

In the meantime, it is imperative that our government continues to press all nations to take seriously their international treaty obligations under The Hague Convention, and to bring home our children.

I'd like to commend both the State Department for its efforts in bringing Dylan home and the efforts of my dear friend, Congressman PHIL CRANE. I know that he is doing everything possible to reunite Dylan with his parents.

I hope all Members will join me in supporting H. Res. 821. We wish for a speedy return home for Dylan and for all other children who have been similarly victimized.

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

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Colorado (Mr. TANCREDO) that the House suspend the rules and agree to the resolution, H. Res. 821.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CALLING ON THE UNITED NATIONS SECURITY COUNCIL TO IMMEDIATELY CONSIDER AND TAKE APPROPRIATE ACTION TO RESPOND TO THE GROWING THREAT THAT THE RULING STATE PEACE AND DEVELOPMENT COUNCIL IN BURMA POSES TO THE SOUTHEAST ASIA REGION AND TO THE PEOPLE OF BURMA

Mr. TANCREDO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 768) calling on the United Nations Security Council to immediately consider and take appropriate action to respond to the growing threat that the ruling State Peace and Development Council in Burma poses to the Southeast Asia region and to the people of Burma.

The Clerk read as follows:

H. RES. 768

Whereas the ruling State Peace and Development Council in Burma, formerly known as the State Law and Order Restoration Council, continues to refuse to uphold the 1990 election results in which the National League for Democracy, led by Aung San Suu Kyi, won 392 of the 485 contested parliamentary seats;

Whereas the ruling State Peace and Development Council in Burma has imprisoned or placed under house arrest Aung San Suu Kyi on a nearly continuous basis since 1995, most recently since May 2003 when she and National League for Democracy supporters were violently assaulted by government-affiliated forces;

Whereas according to the Department of State's 2003 Country Reports on Human Rights Practices, security forces of the ruling State Peace and Development Council in Burma continue to commit extrajudicial killings, rape, engage in torture, forcibly relocate persons, use forced labor, and conscript child soldiers;

Whereas in December of 2003 the United Nations General Assembly adopted a resolution expressing grave concern about the ongoing systematic violations of human rights abuses occurring against the people of Burma; and

Whereas the situation in Burma poses a threat to regional stability because of the continuous cross border flow of illegal narcotics, trafficked persons, and the unchecked spread of HIV/AIDS; because of the State Peace and Development Council's reported efforts to acquire military hardware from the People's Republic of China, the Russian Federation, and North Korea; and because of the destabilizing effects of the flight of over 200,000 refugees to Thailand and Bangladesh in an attempt to escape systematic terrorizing by the Burmese military: Now, therefore, be it—

Resolved, That it is the sense of the House of Representatives that the United Nations Security Council should immediately consider and take appropriate action to respond to the growing threat that the ruling State Peace and Development Council in Burma poses to the Southeast Asia region and to the people of Burma.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TANCREDO) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

GENERAL LEAVE

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which 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 Colorado?

There was no objection.

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

Mr. Speaker, today Burma is ruled by one of the world's most brutal military dictatorships. The State Peace and Development Council, the SPDC, rules through an insidious system of extrajudicial killings, rape, torture, conscription of child soldiers, and the use of modern day slavery. To date, approximately 2 million Burmese have been forcibly displaced because of the horrific policy of this regime.

Further, Mr. Speaker, the SPDC has arrested approximately 1,300 individuals for merely expressing critical opinions of the existing regime, including the leader of the National League For Democracy, Aung San Suu Kyi. Suu Kyi was awarded the Nobel Peace Prize and the U.S. Presidential Medal of Freedom. My colleagues will also recall that her party, the National League for Democracy, continues to be rebuffed from claiming the right to govern, despite having won 392 of the 485 contested parliamentary seats in 1990.

Mr. Speaker, H. Res. 768 will put Congress on record that the United Nations Security Council must take immediate action with regard to the ruling regime in Burma. This regime poses a serious threat to the regional stability of Southeast Asia. They have allowed the continuous cross-border flow of illegal narcotics, trafficked persons, and the unchecked spread of HIV/AIDS.

In addition, the SPDC has attempted to acquire military hardware from the People's Republic of China, the Russian Federation, and North Korea.

Finally, the repressive nature of the Burmese regime has led to the flight of over 200,000 refugees into Thailand and Bangladesh which, in turn, has led to severe problems in those nations.

It is time for the United Nations Security Council to take action to respond to the growing threat of Southeast Asia and the people of Burma. With the United Kingdom and the United States chairing the United Nations Security Council respectively in October and November, we should use this opportunity to press for action by the Security Council on Burma.

This resolution has strong bipartisan support, has 27 cosponsors, including the gentleman from Virginia (Mr. WOLF), the chairman of the Human Rights Caucus; and the gentleman from California (Mr. LANTOS), the Ranking Member of the Committee on International Relations.

Mr. Speaker, I urge my colleagues to support this important measure, and I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I strongly support this resolution, and I yield myself such time as I may consume.

Mr. Speaker, the Burmese government is one of the worst violators of internationally-recognized human rights. Democratic leader Aung San Suu Kyi, Nobel Peace Prize winner, was thrown into prison after her 1990 electoral win and remains under tight house arrest.

About 5 years ago I was privileged to travel to Burma with a then colleague Tom Campbell, a member from California, and we were able to persuade the Burmese government to allow us to visit with Aung San Suu Kyi, and we had a meeting with her and our U.S. embassy. She was very defiant. She said she would remain under house arrest until the government of Burma would recognize the election of 1990.

Countless other leaders in the opposition National League for Democracy remain behind bars. Many of the elders who we met with were defiant and were also considered enemies of the government.

High-level representatives from the United Nations and other nations have tried for several years to encourage the Burmese government, the Burmese junta to enter into a true national reconciliation with the opposition. Sadly, the Burmese government has repeatedly rebuffed these important diplomatic efforts. They simply seem to have no interest.

As a result, the United States recently renewed import sanctions against Burma for another year and has continued to ratchet up diplomatic and economic pressure on the government of Burma on this terrible regime.

□ 0300

But, Mr. Speaker, pressure from the United States on Burma to move toward freedom and democracy will only bear fruit if our allies join us in imposing sanctions.

The resolution before the House urges the United Nations Security Council to consider and take appropriate action to respond to the growing threat that the Burmese government poses to the Southeast Asia region. Consideration by the Security Council of the situation in Burma is long overdue, and I hope that this important resolution will further encourage Security Council members to move forward with the concrete multi-lateral strategy to promote democracy and freedom in Burma.

It is another opportunity that the People's Republic of China who is benefiting so much from normal trade relations with the United States, previously called the special trade relations but now normal trade relations, most favored nation status, that they had before and still have, could use its influence and power in Burma since they are a growing power in that area. The same way that we would urge the Chinese to use its influence in the Security Council and its influence with

Sudan to urge that government to change its ways. And so this is an opportunity for the People's Republic of China to show that it is moving into the 21st century, into the new millennium with a new responsibility if it, indeed, is going to continue to benefit from the tremendous relations that it has with the United States.

Mr. LEACH. Mr. Speaker, I rise today in support of H. Res. 768, a measure symbolizing the deep concern of the House of Representatives with the deplorable situation in Burma.

Burma presents one of the most complicated and vexing foreign policy challenges in Asia for the United States and the world community. Numerous political prisoners remain in detention, including one of the most remarkable and courageous leaders of our time, Aung San Suu Kyi. The issue is how the U.S. can best secure their release and help start a meaningful political dialogue in Burma, while also endeavoring to advance a panoply of other priorities, including stable democratic governance, human rights, counternarcotics, regional stability, combating the HIV/AIDS pandemic, as well as economic and human development.

As we all understand, in response to repeated efforts by the ruling military to thwart the democratic aspirations of the Burmese people as well as to ongoing serious human rights violations, the U.S. has been compelled to utilize sanctions and coercive diplomacy as the centerpiece of our policy. Those sanctions were renewed earlier this year.

In this context, it should be self-evident that the U.S. is confronted by multiple dilemmas in pursuing our objectives in Burma. For illustrative purposes, I would note just a few: the strongly nationalistic, self-centered outlook of the ruling regime; the reliance by the military elite on an illicit, underground economy for power and survival; the inability of major industrial countries to agree on comprehensive sanctions as the basis for a common strategy; competition for geopolitical influence in Burma between China and India; and the ongoing humanitarian crisis for the people of Burma—including for many ethnic minority groups along the country's borders—that calls out for a more robust and humane international response.

In this regard, as we look at analogies in human history, one that appears credible and reasonable from an American perspective in South Africa. As we examine the South African analogy of Nelson Mandela and the African National Congress to Aung San Suu Kyi and the National League for Democracy, it is important to note that when we considered sanctions in the United States it was a very serious debate, and Congress weighted heavily the fact that Mandela and the ANC were supportive of sanctions.

The second aspect of the South African analogy, and here is where the analogy begins to break down, the United States was supported by a number of countries in Western Europe. In fact, if anything, our traditional western European allies were stronger supporters of sanctions than the United States. Although America became the linchpin country, several European countries that had long-term relations with South Africa were more forward-leaning than the United States and very supportive of sanctions.

In this regard, from a leadership perspective, there is some discomfort that the rest of the world is not following the American lead on Burma, not only in Asia and most particularly ASEAN, but also Western Europe.

As a general proposition in international affairs, and we are seeing this most clearly in the Middle East and Southwest Asia, Europe is looking at American leadership as being too inclined to draw "lines in the sand" and not sufficiently attuned to nuance distinctions in foreign affairs. There may be some truth in this critique, but I think Burma is the one circumstance where they are most clearly wrong, that this is a "line in the sand" place, and this is a situation in which we should be expecting far more from Europe.

The good news is that the EU has begun to put a bit more pressure on the SPDC by demanding, for example, that ASEAN downgrade Burma's first-ever representation at the Asia-Europe Meeting (ASEM) in Hanoi in October. The forum, begun in 1996, brings together the European Union and 10 Asian nations, including China, Japan, and South Korea. This year marks the group's formal enlargement, adding the 10 new EU members who joined in May along with Burma, Cambodia and Laos. The summit formally opens on October 8, 2004.

Here it is positive that the EU has set a deadline for this Friday—the start of the summit—for the release of Aung San Suu Kyi from house arrest and for allowing her National League for Democracy party an integral role in drafting a new constitution. My understanding is that if the deadline elapsed without progress, the EU is prepared to enact a set of "intensified sanctions" reportedly consisting of a visa ban on junta officials and a halt to international funding for Burma. Having said that, it should be understood that these enhanced sanctions are rather modest in their scope and effect, in that the EU has imposed a visa ban since 1996 and that for well over a decade Burma has been effectively barred from lending by the international financial institutions.

It is also a hopeful sign that United Nations Secretary General Kofi Annan is also taking increased interest in the situation in Burma. The United States was appreciative of the fact that on September 29 the Secretary General convened a meeting with his special envoy to Burma Ambassador Razali Ismail and concerned U.N. members to discuss the lack of progress toward democracy and national reconciliation in Burma. The Congress joins with the executive branch in urging the Secretary General to remain focused on this matter and we hope and expect that his engagement will generate more international community cooperation on this vital issue. In this context, I would urge the Burmese authorities to promptly allow Ambassador Razali to return to Burma and to conduct additional visits as he deems necessary.

All Americans remain deeply concerned by the continued detention of courageous democracy advocate and Nobel peace Prize Laureate Aung San Suu Kyi, the failure of the junta to permit the National League for Democracy (NLD) to open its offices nationwide and operate freely, the junta's refusal to release over a thousand political prisoners, the recent arrest of political activists and the sentencing of four NLD members for illegal political activities.

As noted by the Department of State, America's position is clear: "the Burmese people's

desire for a national reconciliation and the establishment of democracy must be respected." We again call upon the Burmese leadership to take tangible steps, including the immediate release of Aung San Suu Kyi and all political prisoners, the full and free participation of the National League for Democracy and representatives of the ethnic minorities in the National Convention and the initiation of a meaningful dialogue to advance national reconciliation and the establishment of democracy.

I urge support for the resolution.

Mr. WOLF. Mr. Speaker, I strongly support H. Res. 768, calling on the United Nations Security Council to immediately consider a resolution on Burma. I urge all members to support this important legislation.

Burma's military regime is one of the worst governments in the world. There is a complete lack of freedom of speech, religion, press, and basic human rights. They should be treated as a pariah in the international community.

Burma's ruling military uses forced labor, rape, torture, and imprisonment as a means to quiet opposition and suppress the Burmese people. Innocent women and children are often used as minesweepers and the government continues to commit numerous other gross human rights violations against ethnic minorities. This abuse of the innocent people of Burma must end.

Hundreds of thousands of civilians have fled into other countries to seek safety. In Thailand, border towns are packed with refugees forced to live their lives in camps or illegally as migrant workers. Conditions are rough and tensions run high.

Sadly, the situation in Burma continues to worsen. Just last week there were two reports of attacks on Karen and Karenni villages where unknown numbers of villagers were killed. Homes, schools and clinics were burned. Civilians are forced to flee into the jungle to avoid attack. Attacks are common with the typical village moving every 3 months to avoid attacks. Cut off from humanitarian aid, thousands of people are trapped in the jungle, constantly moving to avoid attacks. After attacks, it is common for the military to lay landmines throughout the villages to try to deter the villagers from ever returning.

We must not forget that while Burma continues to commit unspeakable abuses against its people, its democratically elected leader, Aung San Suu Kyi, remains under house arrest and the desire for democracy runs strong among the people of Burma. We must send a clear signal to the government of Burma that no amount of repression will legitimize their government. They must immediately release Aung San Suu Kyi, all political prisoners, cease attacking ethnic minorities, and allow true democracy and freedom to flourish in Burma.

I urge every Member to vote in support of this important legislation. We must send a strong message to the Government of Burma that the United States stands with the people of Burma and their quest for democracy.

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

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

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Colorado (Mr. TANCREDO) that the House suspend the rules and agree to the resolution, H. Res. 768.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

The SPEAKER pro tempore laid before the House the following privileged message from the Senate:

In the Senate of the United States, July 15, 2004.

Ordered, That the Secretary be directed to request the return of the papers to accompany (S. 2589) entitled "An Act to clarify the status of certain retirement plans and the organizations which maintain the plans.", in compliance with a request of the Senate for the return thereof.

Attest:

Emily Reynolds, Secretary.

The SPEAKER pro tempore. Without objection, the request of the Senate is agreed to, and S. 2589 will be returned to the Senate.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 3 minutes a.m.), the House stood in recess subject to the call of the Chair.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PUTNAM) at 8 o'clock and 7 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 10, 9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108-751) on the resolution (H. Res. 827) providing for consideration of the bill (H.R. 10) to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108-752) on the resolution (H. Res. 828) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules,