

bring those responsible for crimes against humanity before the International Criminal Court. And, most importantly, we must continue pressing for a strong, international military engagement with a robust mandate to protect civilians in Darfur.

All across America, millions of Americans are demanding that we take action. I urge my colleagues to support this bill and I urge the administration to do all it can to end this genocide.

Mrs. LOWEY. Mr. Speaker, I rise in support of H.R. 3127, the Darfur Peace and Accountability Act. Passage of this bill, which is long overdue, will help fulfill the U.S.'s role in ending the genocide in Sudan.

More than a year and a half ago, Congress voted unanimously to condemn the genocide in Darfur. Then-Secretary of State Colin Powell declared the atrocities in Darfur to be genocide, a statement that was hailed as significant and meaningful coming from the highest echelons of the U.S. government. Despite these clear pronouncements, however, more people die every day and the slow genocide in Darfur persists unabated.

It is beyond imagination that the collective might and concerted will of the nations of the world cannot find a way to end this daily toll of human misery. I hope and pray that Sudan will allow the proposed UN peacekeeping mission to move forward so that we can end this devastation. While we wait, however, we must find ways to make the African Union Mission in Sudan (AMIS) stronger, and to bolster these efforts with a NATO support.

We must also send the message to those who perpetrate genocide that there will be consequences. The Darfur Peace and Accountability Act would impose harsh sanctions against those who are complicit in or responsible for acts of genocide, freezing their assets and restricting their ability to travel, and would block the Government of Sudan's access to the oil revenues used to fund the ongoing genocide.

The bill also properly recognizes that ending the genocide in Darfur is not a challenge to be solved by the United States alone. It provides clear support for efforts to establish a U.N. peacekeeping presence in Darfur and other multilateral initiatives to pressure the Sudanese government to end the genocide.

My colleagues, "Never Again" is a phrase we have all heard before. We have all said it before. It is one of the most powerful expressions of the natural human inclination to stop suffering, to end the death and destruction that stems from senseless hatred and indifference to human life.

Never Again will we let 6,000,000 Jews perish under the noses of the civilized world. Never Again will we let Rwandans be rounded up and indiscriminately killed because of their tribal affiliation. Never Again will we allow ethnic cleansing in the Balkans.

The problem with the phrase "Never Again," however, is that it is usually uttered after the violence is over, as a rallying cry against history repeating itself. We have seen, time and time again, that history does repeat itself, and it is simply not enough to say that we will prevent it next time. We must end the genocide in Darfur now.

The Darfur genocide is not a Sudanese problem or an African problem. It is a human tragedy, and it is ours to solve. If we are serious about "Never Again," let passage of the

Darfur Peace and Accountability Act today be just one step along this long and arduous road.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3127, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. 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 question will be postponed.

#### GENERAL LEAVE

Mr. SMITH of New Jersey. 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 H.R. 3127.

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

There was no objection.

#### CONCERNING THE GOVERNMENT OF ROMANIA'S BAN ON INTERCOUNTRY ADOPTIONS AND THE WELFARE OF ORPHANED OR ABANDONED CHILDREN IN ROMANIA

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 578) concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

The Clerk read as follows:

##### H. RES. 578

Whereas following the execution of Romanian President Nicolae Ceausescu in 1989, it was discovered that more than 100,000 underfed, neglected children throughout Romania were living in hundreds of squalid and inhumane institutions;

Whereas United States citizens responded to the dire situation of these children with an outpouring of compassion and assistance to improve conditions in those institutions and to provide for the needs of abandoned children in Romania;

Whereas, between 1990 and 2004, United States citizens adopted more than 8,200 Romanian children, with a similar response from Western Europe;

Whereas the United Nations Children's Fund (UNICEF) reported in March 2005 that more than 9,000 children a year are abandoned in Romania's maternity wards or pediatric hospitals and that child abandonment in Romania in "2003 and 2004 was no different from that occurring 10, 20, or 30 years ago";

Whereas there are approximately 37,000 orphaned or abandoned children in Romania

today living in state institutions, an additional 49,000 living in temporary arrangements, such as foster care, and an unknown number of children living on the streets and in maternity and pediatric hospitals;

Whereas, on December 28, 1994, Romania ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption which recognizes that "intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin";

Whereas intercountry adoption offers the hope of a permanent family for children who are orphaned or abandoned by their biological parents;

Whereas UNICEF's official position on intercountry adoption, in pertinent part, states: "For children who cannot be raised by their own families, an appropriate alternative family environment should be sought in preference to institutional care, which should be used only as a last resort and as a temporary measure. Intercountry adoption is one of a range of care options which may be open to children, and for individual children who cannot be placed in a permanent family setting in their countries of origin, it may indeed be the best solution. In each case, the best interests of the individual child must be the guiding principle in making a decision regarding adoption.";

Whereas unsubstantiated allegations have been made about the fate of children adopted from Romania and the qualifications and motives of those who adopt internationally;

Whereas in June 2001, the Romanian Adoption Committee imposed a moratorium on intercountry adoption, but continued to accept new intercountry adoption applications and allowed many such applications to be processed under an exception for extraordinary circumstances;

Whereas on June 21, 2004, the Parliament of Romania enacted Law 272/2004 on "the protection and promotion of the rights of the child," which creates new requirements for declaring a child legally available for adoption;

Whereas on June 21, 2004, the Parliament of Romania enacted Law 273/2004 on adoption, which prohibits intercountry adoption except by a child's biological grandparent or grandparents;

Whereas there is no European Union law or regulation restricting intercountry adoptions to biological grandparents or requiring that restrictive laws be passed as a prerequisite for accession to the European Union;

Whereas the number of Romanian children adopted domestically is far less than the number abandoned and has declined further since enactment of Law 272/2004 and 273/2004 due to new, overly burdensome requirements for adoption;

Whereas prior to enactment of Law 273/2004, 211 intercountry adoption cases were pending with the Government of Romania in which children had been matched with adoptive parents in the United States, and approximately 1,500 cases were pending in which children had been matched with prospective parents in Western Europe; and

Whereas Romanian children, and all children, deserve to be raised in permanent families: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the desire of the Government of Romania to improve the standard of care and well-being of children in Romania;

(2) urges the Government of Romania to complete the processing of the intercountry adoption cases which were pending when Law 273/2004 was enacted;

(3) urges the Government of Romania to amend its child welfare and adoption laws to decrease barriers to adoption, both domestically and intercountry, including by allowing intercountry adoption by persons other than biological grandparents;

(4) urges the Secretary of State and the Administrator of the United States Agency for International Development to work collaboratively with the Government of Romania to achieve these ends; and

(5) requests that the European Union and its member States not impede the Government of Romania's efforts to place orphaned or abandoned children in permanent homes in a manner that is consistent with Romania's obligations under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

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

The Chair recognizes the gentleman from New Jersey.

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

Mr. Speaker, H. Res. 578 expresses deep disappointment that the Romanian government has instituted a virtual ban on intercountry adoptions with serious implications for the well-being of orphaned and abandoned children in Romania.

Immediately after the December 1989 revolution, Mr. Speaker, which ousted the much-hated dictator Nicolae Ceausescu, the world learned that tens of thousands of underfed, neglected children were living in institutions, called orphanages, throughout Romania. A month after the fall of Ceausescu, Dorothy Taft, who is our deputy chief of staff at the Commission on Security and Cooperation in Europe, and I traveled to Bucharest and visited those orphanages. We also met with government officials and spoke about the hope for democracy in that country. But one of the most lasting impressions that I have from that trip is being in an orphanage in Bucharest, where dozens of children were lined up with no one to turn them, to change their diapers and, in some cases, even to feed them with the frequency that their little bodies required. It left a lasting impression upon me.

Sadly, all these years later, Mr. Speaker, Romania's child abandonment rate that we witnessed firsthand on that trip has not changed significantly over those years. As of December 2005, 76,509 children are currently in the child protection system.

While the Romanian government deserves at least some credit for reducing the number of children living in institutions from 100,000 to 28,000, this is only part of the picture. The government statistics do not include the abandoned infants living for years in maternity and pediatric hospitals, where donations from charities and individuals keep the children alive; and more than 40,000 of the children moved out of the institutions are living in nonpermanent settings or foster care,

or with maternal assistance, paid by the government or with a distant relative who do not intend to adopt them, but do accept them for a stipend.

In the context of Romania's ascension to the European Union, unsubstantiated allegations have been made about the qualifications and motives for those who adopt internationally and the fate of those adopted children.

Intercountry adoption, Mr. Speaker, was falsely equated with child trafficking, and Romania faced relentless pressure to prohibit intercountry adoptions. Sadly, rather than focusing on the best interest of the children, Romanian policymakers acquiesced to the European Union's pressure, especially its rapporteur, Lady Emma Nicholson, by enacting a law in 2004 that banned intercountry adoption, except by biological grandparents. By foreclosing foreign adoptions, the laws codified the misguided proposition that a foster family, or even an institution, is preferable to an adoptive family outside of the child's country of birth.

Between 1990 and 2004, I would note, more than 8,000 Romanian children found permanent families in the United States and thousands more joined families in Western Europe and elsewhere. This possibility is now gone. Some Romanians and Europeans argue that this law, this misguided law, is somehow consistent with Hague Convention on the Intercountry Adoptions and the Rights of the Child Convention. They also allege that "there is little scope, if any, for international adoptions in Romania because there are so few children who are legally adoptable."

Mr. Speaker, the low numbers declared "legally adoptable" is not something to be proud of. It is a contrivance. Indeed, it is a denunciation of the child welfare system, which now places such an unrealistic priority on unification with blood relatives that it is nearly impossible to determine any child is adoptable, no matter how old and how long they have been in state care without contact with the blood relatives.

If more children were made available for adoption, there would be a great need for intercountry adoption. Barely a thousand children have ever been domestically adopted in Romania in any given year. As a result of the new laws, only 333 children were entrusted for domestic adoption last year.

For thousands of children abandoned annually in Romania, domestic or intercountry adoption offered the hope of a life outside of foster care or an institution. That hope has now been dashed and destroyed.

Last September, Mr. Speaker, I chaired a hearing of the Commission on Security and Cooperation in Europe at which Maura Harty, the Deputy Under Secretary of State, rebutted the argument that the adoption ban is somehow consistent with Romania's intercountry international treaty obligations. Likewise, our witnesses, including Dr. Dana Johnson, Director of the

International Adoption Clinic and Neonatology Division at the University of Minnesota's Children's Hospital, testified that Romania's concentration on reunification of an abandoned child with his or her biological family is only superficially consistent with the U.N. Convention on the Rights of the Child.

He also talked about the deleterious effect of such waiting, being held in foster care and especially in institutions, has on a child's mental, as well as their physical health.

When Romania enacted its intercountry adoption ban, there were 211 pending cases in which children have been matched with adoptive parents in the United States. Approximately a thousand more have been matched with parents in Western Europe, Israel and Australia. In the past few weeks there have been unofficial reports that pending applications are being rejected across the board and the dossiers returned to the adoptive parents.

A document from the Romanian Office for Adoption acknowledged that fewer than 300 of these children have been placed in permanent situations, either returned to biological parents or adopted within Romania. The vast majority remain in limbo. This cannot be the last word of what we often call "the pipeline cases."

The Romanian government repeatedly promised to analyze each pending case thoroughly, but the review that has supposedly been done was not transparent, was not done on a case-by-case basis, and was not conducted according to clear and valid criteria that is in the best interest of each individual child. These cases involve prospective families who have proven their good faith, by waiting for years for these children. Many cases involve children who will not be domestically adopted due to their special needs, medical or societal prejudices.

In at least three cases, Mr. Speaker, children are already living in the United States with their prospective adoptive parents while receiving life-saving medical treatment, including a child with spina bifida. These children were legally adoptable until Romania's new law took effect.

Let me say that when I introduced this resolution in November, I asked the question, who in the European Union will stand with Members of our Congress, to protect these defenseless children?

Today I am happy to say, members of the European Parliament are challenging the anti-adoption monopoly over this issue and that is encouraging. On December 15, the European Parliament urged Romania to act in the pending cases with the goal of allowing intercountry adoptions to take place where justified and appropriate. In March, the European Parliament's rapporteur for Romania's EU accession, Mr. Pierre Moscovici, reported that he notably differs on the issue of international adoption of Romanian

children from the previous rapporteur, Baroness Emma Nicholson, whose virulent anti-adoption views that hurt the children of Romania are now very, very well known.

I applaud the European Parliament and I am glad that our parliament, this Congress, is poised to go on record very strongly in trying to resolve these pipeline cases.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, it is remarkable that more than 15 years after the fall of the Berlin Wall we are still dealing with the vestiges of failed experiments in totalitarian social engineering.

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One of these cases is the shocking situation of children in Romania in orphanages. For many years, the dictator of Romania, Nicolae Ceausescu, had a policy of encouraging population growth to enhance the country's international importance. He encouraged parents to have large numbers of children, but the economic and social conditions in Romania made it impossible to support large families. As a result, many parents were forced to abandon their children to state-run institutions that were grossly underfunded and understaffed.

My wife, Annette, and I visited a large number of these Romanian orphanages, and what we saw was worse than pathetic. Many children spent long periods of time in miserable conditions that stunted their development and left them detached from the society at large.

Upon the discovery of the large number of Romanian orphans, people from around the world, particularly in the United States, opened up their hearts and proceeded to try to adopt Romanian orphans. In 1990, 121 Romanian children were adopted by American parents. A decade later, the number had increased tenfold.

Because of a new Romanian law, Mr. Speaker, last year this number shrank to zero, and the hundreds of U.S. couples who had already been approved for international adoption were caught up in the change of law that did not allow those adoptions already in the pipeline to go forward. Their dream of having children and creating a family has been devastated.

No one doubts that there have been serious problems regarding the international adoption situation in Romania since the earlier 1990s. Exorbitant fees and false medical information, in some cases, have blazed across the media, and the Romanian moratorium on international adoptions that was instituted in 2001 may well have been a wise move, although children in mid-process were caused needless suffering.

Rather than creating a pause and developing a new system, Romania has

instituted a new law that virtually prohibits international adoptions. Clearly, we all support children remaining in their home countries, being integrated into their own societies. However, where there are not enough willing parents, international adoption is one way to address the best needs of the orphan child.

I am very pleased, Mr. Speaker, that our Department of State has taken a strong interest in this matter and that they are pushing the Romanians, at a minimum, to deal with American citizens whose petitions were in mid-process. I also support their efforts to clarify the European Union's role in this new law, since the Romanian government has suggested that the new approach is based on accession talks with the European Union.

Mr. Speaker, let me say that in the next year the United States will become a party to The Hague Convention on Inter-Country Adoptions. This will work to ensure that all countries avoid the abuses that led Romania to close their adoptions in the first place.

I urge all of my colleagues to support our carefully crafted resolution.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Hampshire (Mr. BRADLEY), who has several cases in his own district that he has been advocating for.

Mr. BRADLEY of New Hampshire. Mr. Speaker, I would like to first start out by congratulating my friend, the gentleman from New Jersey (Mr. SMITH), as well as the bipartisan support from Mr. LANTOS on this effort, and certainly their leadership in trying to resolve this issue. While it only affects a couple of hundred American families right now, for those families that it does affect, it is a profound issue in their lives.

As I think Mr. LANTOS has very eloquently summarized, as has Mr. SMITH, the large implications of the cases, I would like to bring it down to what it means to an individual family, that family in New Hampshire being Allison and Mike Schaaf of Stratham.

They have adopted a Romanian child. They have provided that child with a loving home, a home that would not have been possible for that young man, Hunter, to have been able to have had in Romania, where there were some 100,000 orphans living in orphanages, and the Schaafs and a number of other people in my district have done that.

As a result of the success that they had and the ability to be able to bring this child to the United States and provide him a loving home, they wanted to have a second Romanian baby that they adopted, and in the course of going through the paperwork and getting the final approval, all of which were in place, the Romanian government changed their laws, which is understandable given the fact that they wanted to become a member of the European Union.

What we are advocating and what this resolution would help us do is, once again, remind the Romanian government that for those cases that were previously approved and for everything, except actually releasing the orphans to their American parents when this law changed, that in fact the Romanian government should follow through on that commitment for those 200 or so American families that have gotten all of their paperwork approved and the cases all but resolved except for this law.

It is my hope that the European Union and the leaders of the European Union are going to recognize the legitimacy of the claims of the 200 or so American families and perhaps as many as 2,000 other European families and resolve these cases that have been previously approved for the benefit of families in this country, like Allison and Mike Schaaf, who provided such loving, kind and warm homes.

I once again thank the bipartisan sponsors, Mr. LANTOS and Mr. SMITH, for their continued advocacy on this and look forward to continuing to work with you to try to resolve this situation, and I thank you again.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman very much and his work on behalf of his constituents.

GENERAL LEAVE

Mr. SMITH of New Jersey. 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 (Mr. HAYES). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

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

In closing, I want again to thank Chairman HYDE and Ranking Member LANTOS for their tremendous support for this resolution and the underlying issue of trying to encourage inter-country adoption in a country, Romania, that has now, in a misguided fashion, turned their back on those children who could find loving, durable homes with the adoption option.

Let me also thank so many other people who were a part of this, but especially Maureen Walsh, who is our General Counsel for the Commission on Security and Cooperation in Europe, for her extraordinary expertise and work on the issue and this resolution. We have had an ongoing process, contacting the highest levels of the government of Romania, from the President on down. It has been ongoing. It has been frequent.

Our hearing that BEN CARDIN and I put on last year I think brought all of these issues to the fore in a way that were very persuasive on the part of the pipeline families, as well as the issue itself. The intercountry adoption is a

loving, compassionate option, and certainly is far better than languishing in an orphanage somewhere where the child is warehoused.

Mr. Speaker, so we call upon the Romanian government again to reverse its position, to cease its mucking under Lady Nicholson's pressure, which is now going into reverse. The European Union, as I said before, is showing clear signs that it concludes it has made a profound mistake.

I want to thank Mr. CARDIN, who is our ranking member on the Commission on Security and Cooperation in Europe, who has been working on these issues side by side.

Mr. MORAN of Virginia. Mr. Speaker, I rise today in strong support of H. Res. 578 encouraging the nation of Romania to complete the processing of intercountry adoption cases that have already begun, and to amend its laws to decrease this and other barriers to adoption.

The statistics regarding abandoned children in Romania are shocking: 9,000 children are abandoned by Romania's maternity wards and pediatric hospitals every year; 37,000 remain in adoption institutions; and 49,000 more live in foster care or with their extended families. These children deserve every possible opportunity to be raised in loving, permanent families, and many such opportunities are available outside of their home nation. Romania's current laws are detrimental not only to these children, but to the American families that are ready and willing to welcome them into their homes.

Since June 2004, one of these children, Otilia Rotaru, has lived in Falls Church, Virginia with Scott and Lisa Lampman, two of my constituents. Otilia was born with a form of cerebral palsy known as Spastic Diplegia, preventing her from walking independently and causing her significant visual impairment in her right eye. She was abandoned by her biological parents soon after her birth in 1996, and was placed with a foster family who abandoned her in 2003.

Otilia received permission to come to the United States in 2004 for medical treatment, and after surgery and rehabilitation, she can now walk with the assistance of a walker. The Lampmans continue to provide love, physical care and financial support for Otilia, who attends 3rd grade at the local elementary school, has joined the local Brownie Troop, and is taking swimming lessons at the local pool.

Despite living in a loving, well adjusted home, the Lampmans' petition to adopt Otilia was rejected by the Romanian Government because their petition was filed after the appropriate deadline for international adoption. If returned to Romania, Otilia would be returned to an institution, with no family and no access to the medical treatment that will one day allow her to walk independently for the first time.

Mr. Speaker, we must give Otilia and the thousands of children like her the opportunity to grow up in a loving, caring, stable home, whether that home is in Romania or here in the United States. I strongly encourage my colleagues to support H. Res. 578 and ask the Romanian Government to open their adoption laws and provide such opportunities to these children.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today in support of the thousands of

children currently overflowing Romania's orphanages and hospitals, hopefully awaiting the chance to find a permanent home. Today there are over 1,000 pending adoption cases that have been left in limbo as a result of Romania's ban on inter-country adoptions. Right now, parents in the U.S. and EU are separated from their children, left wondering if they will ever be able to bring them home.

I have to admit I find it difficult to understand the rationale behind Romania's ban on inter-country adoptions. No one denies the importance and significant advantage permanency brings to a child's life. In fact, in its interpretation of the Convention on the Rights of the Child in January 2004, UNICEF clarified the importance of permanent placement for children and its support for intercountry adoption. Yet, permanency for children is precisely what the Romanian government has taken away.

I am pleased to join my colleagues in supporting this important and timely resolution. The United States stands with Romania's children. I hope our colleagues in the European Union will also assert their support for the welfare of Romanian children, and that the Romanian government will reconsider this oppressive ban and expedite the pending adoption cases.

Mr. Speaker, we do not have time to waste. These families should not have to wait any longer. I urge my colleagues to let the Romanian children know we stand with them, and pass H. Res. 578.

Mrs. NORTHUP. Mr. Speaker, I rise today in support of H. Res. 578 concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania and throughout the world. I would like to thank the Co-Chairman of the Commission on Security and Cooperation in Europe (Helsinki Commission), Representative CHRIS SMITH, for continuing to raise this issue of adoption as part of the Commission's human rights portfolio.

As the case in Romania has shown us, the barriers to adoption for children and families continue to be great. These barriers are cultural, political and often have deep roots in a community. While some of these barriers will continue to be difficult to cross, I believe others can be overcome succinctly as part of a continuing dialogue on child welfare between the United States and the European Union (EU) and nations such as Romania. In this particular case, I am saddened that one Member of the European Parliament can hold so much sway over a country on important child welfare issues and successfully play on the fears of a nation that is trying to become a participant in the enormous social and economic opportunities offered by the EU.

For signatories of the Hague Convention on Intercountry Adoption, including the United States, Romania and current Members of the EU, there is supposed to be a formal international and intergovernmental recognition of intercountry adoption. Intercountry adoption, as defined and treated by the Convention, is a means of offering the advantage of a permanent family to a child for whom a suitable family has not been found in the child's country of origin.

However, Romania turned from its obligations under the treaty when they enacted a law in 2004 effectively banning intercountry adoption and limiting any domestic adoption.

Of course, it is in Romania's authority to enact such laws. But as Members of the United States Congress, acting in the best interests of our own children and as a Nation committed to fighting for all human dignity, we shall continue to advocate for the placement of children in permanent homes. Furthermore, as long as there are thousands of families in the U.S. wishing to adopt and to give a child a loving home that would otherwise not have one, I will continue to take every opportunity to explain to our counterparts abroad why this is such an important cause—for our children and for the health of our nations. There is simply no greater gift than a home and no greater support network than a family.

Meanwhile, there are currently 37,000 children in orphanages in Romania and an estimated 49,000 living in temporary arrangements, such as foster care. These numbers are staggering. This is an entire generation of young people who will not have the support of a parent to excel in school, the comfort of a family when sick or in need, and more fundamentally, the love and care essential to the development of a child.

It is not just Americans that advocate for lowering barriers to adoption. Citizens of several European countries and Israel had a number of pipeline adoption cases that were pending when the moratorium was instilled in 2001. The U.S. is also a sender country of American orphans, something that people often forget. Last December, the European Parliament voted unanimously on an amendment to their Report on the Extent of Romania's Readiness for Accession to the European Union in favor of the completion of all the pending international adoption cases in Romania. Additionally, according to UNICEF:

For children who cannot be raised by their own families, an appropriate alternative family environment should be sought in preference to institutional care which should be used only as a last resort and as a temporary measure, until the child can return to the family environment.

I am disheartened by the actions so far of Romania in failing to complete the pipeline adoption cases which would have resulted in placing over 1,000 orphans with permanent, loving homes abroad. I hope that as we face more of these challenges and political barriers down the road which directly impact children, we will work together to get past those barriers which are artificial.

Mr. Speaker, I will conclude by respectfully requesting that this body continue to engage in a dialogue with our allies and colleagues abroad on the importance of adoption, both domestic and international, as a preferable alternative to institutional care.

Thank you.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 578.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. 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 question will be postponed.

CALLING ON VIETNAM TO IMMEDIATELY AND UNCONDITIONALLY RELEASE DR. PHAM HONG SON AND OTHER POLITICAL PRISONERS AND PRISONERS OF CONSCIENCE

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 320) calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Dr. Pham Hong Son and other political prisoners and prisoners of conscience, and for other purposes, as amended.

The Clerk read as follows:

H. CON. RES. 320

Whereas in March 2002, Dr. Pham Hong Son was arrested after he had translated an article entitled "What is Democracy?" from the Web site of the United States Embassy in Vietnam and sent it to both friends and senior party officials;

Whereas Dr. Son has written and published on the Internet articles entitled "The Promotion of Democracy: A Key Focus in a New World Order", "Sovereignty and Human Rights: The Search for Reconciliation", and "Hopeful Signs for Democracy in Viet Nam";

Whereas in none of his activities did Dr. Son advocate violence in his opposition to the Vietnamese Government or its policies;

Whereas Dr. Son has been arrested for the peaceful exercise of his fundamental rights to freedom of expression and association in violation of Article 69 of the Vietnamese Constitution which states: "The citizen shall enjoy freedom of opinion and speech, freedom of the press, the right to be informed and the right to assemble, form associations and hold demonstrations in accordance with the provisions of the law";

Whereas Dr. Son has been arrested, tried, convicted, and imprisoned in contravention of the rights enshrined in the International Covenant on Civil and Political Rights (ICCPR) to which Vietnam is a state party, specifically Article 19 (freedom of expression) and Article 22 (freedom of association);

Whereas Dr. Son did not have a trial that would be considered fair and that met even the most basic standards of internationally accepted justice, in contravention of Article 14 (right to a fair trial) of the ICCPR;

Whereas Dr. Son was sentenced in June 2003, after a half-day closed trial in Hanoi, to 13 years of imprisonment and three years of house arrest on spurious espionage charges;

Whereas such spurious charges are routinely used to suppress peaceful democracy activists, as in the notorious cases of Father Thadeus Nguyen Van Ly, his two nephews and niece, and in the cases of Pham Que Duong, Tran Khue, and Tran Dung Tien;

Whereas Dr. Son's appeal was held on August 26, 2003, in a closed trial before Vietnam's Supreme Court, from which international observers and Western journalists were barred, although diplomats from more than eight countries gathered outside the courthouse during the trial to register their concern;

Whereas, although the Vietnamese Supreme Court upheld Dr. Son's sentence, it reduced the sentence of imprisonment from 13 to five years;

Whereas Dr. Son remains imprisoned in harsh conditions, including imprisonment for more than a year in solitary confinement, which have endangered his health;

Whereas Vietnam has imprisoned, detained, placed under house arrest, or otherwise restricted numerous other peaceful democratic and religious activists for reasons related to their political or religious views, such as Do Van My, Mai Thi Dung, Nguyen Thanh Phong, Nguyen Thi Ha, Nguyen Van Dien, Nguyen Vu Binh, Phan Van Ban, To Van Manh, Vo Van Buu, Vo Van Thanh Liem (Nam Liem), Bui Thien Hue, Nguyen Lap Ma, Nguyen Nhat Thong, Nguyen Van Ly, Phan Van Loi, Thich Dong Tho, Thich Huyen Quang, Thich Nguyen Ly, Thich Nguyen Vuong, Thich Phuoc An, Thich Quang Do, Thich Tam Lien, Thich Thai Hoa, Thich Thanh Huyen, Thich Tien Hanh, Thich Tue Sy, Thich Vien Dinh, Ngo Van Ninh, Le Van Chuong, Le Van Tinh, Phuong Van Kiem, Nguyen Van Si, Tran Van Thien, Thich Thien Tam, Hoang Chinh Minh, and Do Nam Hai (Phuong Nam);

Whereas Dr. Son and other political prisoners and prisoners of conscience have been deprived of their basic human rights by being denied their ability to exercise freedom of opinion and expression;

Whereas the arbitrary imprisonment and the violation of the human rights of citizens of Vietnam are sources of continuing, grave concern to Congress;

Whereas Vietnam continues to restrict access to Western diplomats, journalists, and humanitarian organizations to the Central Highlands and the Northwest Highlands, where there are credible reports that ethnic minorities suffer serious violations of their human and civil rights, including property rights, and ongoing restrictions on religious activities, including forced conversions;

Whereas there are continuing and well-founded concerns about forcibly repatriated Montagnard refugees, access to whom is restricted;

Whereas on December 1, 2005, the European Parliament adopted a resolution calling on the Vietnamese authorities, among other measures, to undertake political and institutional reforms leading to democracy and the rule of law, starting by allowing a multi-party system and guaranteeing the right of all currents of opinion to express their views;

Whereas the resolution further calls on Vietnamese authorities to end all forms of repression against members of the Unified Buddhist Church of Vietnam and officially recognize its existence and that of other non-recognized Churches in the country;

Whereas the resolution further calls on Vietnamese authorities to release all Vietnamese political prisoners and prisoners of conscience detained for having legitimately and peacefully exercised their rights to freedom of opinion, expression, the press, and religion;

Whereas the resolution further calls on Vietnamese authorities to guarantee full enjoyment of the fundamental rights enshrined in the Vietnamese Constitution and the International Covenant on Civil and Political Rights, in particular by allowing the creation of a genuinely free press; and

Whereas the resolution further calls on Vietnamese authorities to ensure the safe repatriation, under the Cambodia-Vietnam-UNHCR Agreement, of the Montagnards who fled Vietnam, and allow proper monitoring of the situation of the returnees by the UNHCR and international nongovernmental organizations; Now, therefore, be it

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

(1) Congress—

(A) condemns and deprecates the arbitrary detention of Dr. Pham Hong Son by the Gov-

ernment of the Socialist Republic of Vietnam and calls for his immediate and unconditional release, and for the immediate and unconditional release of all other political prisoners;

(B) condemns and deprecates the violations of freedom of speech, religion, movement, association, and the lack of due process afforded to individuals in Vietnam;

(C) strongly urges the Government of Vietnam to consider the implications of its actions for the broader relationship between the United States and Vietnam;

(D) urges the Government of Vietnam to allow unfettered access to the Central Highlands and to the Northwest Highlands by foreign diplomats, the international press, and nongovernmental organizations; and

(E) applauds the European Parliament for its resolution of December 1, 2005, regarding human rights in Vietnam, and urges the Government of Vietnam to comply with the terms of the resolution; and

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

(A) make the immediate release of Dr. Pham Hong Son a top concern;

(B) continue to urge the Government of Vietnam to comply with internationally recognized standards for basic freedoms and human rights;

(C) make clear to the Government of Vietnam that it must adhere to the rule of law and respect the freedom of the press in order to broaden its relations with the United States;

(D) make clear to the Government of Vietnam that the detention of Dr. Son and other persons and the infliction of human rights violations on these individuals are not in the interest of Vietnam because they create obstacles to improved bilateral relations and cooperation with the United States; and

(E) reiterate the deep concern of the United States regarding the continued imprisonment of Dr. Son and other persons whose human rights are being violated and discuss the legal status and immediate humanitarian needs of such individuals with the Government of Vietnam.

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

The Chair recognizes the gentleman from New Jersey.

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

Mr. Speaker, I am proud to present this bill to my colleagues today in defense of a man who has fought for democracy in Vietnam at great personal cost. There has been a tremendous amount of publicity lately about Internet dissidents in China. As a matter of fact, we had a day-long hearing on this use of the Internet to capture and to really decapitate the dissidents and religious freedom movements in China, in Vietnam and Belarus and in other countries, but we now focus on one particular man, as well as others who have suffered because of that, in the case of Dr. Pham Hong Son of Vietnam.

In March 2002, Mr. Speaker, police arrested Dr. Son. He had translated an article from the Web site of the U.S. Embassy Hanoi that was entitled, "What is democracy?" and he sent it to some of his friends and senior Vietnamese officials. In addition, he had