

(Washington, DC) – Rep. Rush Holt (NJ-12) today wrote Speaker Nancy Pelosi, House Majority Leader Steny Hoyer, and other Congressional leaders, urging them to bring to the floor for expedited consideration legislation addressing international parental child abduction and to block for consideration any legislation that would benefit countries like Brazil that are not complying with the Hague Convention. Holt represents Tinton Falls resident David Goldman who is fighting for custody of his 9-year-old son Sean. Holt has pushed the return of Sean Goldman with the State Department, including directly with Secretary Clinton, and Brazilian authorities. He also introduced the International Parental Child Abduction Deterrence Act (H.R. 3487), which would empower the Secretary of State to freeze the assets of international parental kidnapers and the assets of anyone assisting them in illegally retaining a parentally-kidnapped child outside the United States.

Holt's letter is below:

Dear Madame Speaker and Mr. Majority Leader,

I am asking that as soon as the House reconvenes you bring to the floor for expedited consideration all legislation currently pending before the House dealing with the issue of international parental child abduction. Further, the House should not take up any legislation that would benefit countries like Brazil that are assessed by the State Department to be exhibiting a pattern of noncompliance with the Hague Convention.

As you may know, my constituent, David Goldman, has been attempting for more than five years to retrieve his son, Sean, from Brazil. Sean was the victim of international parental kidnapping by his late mother in June 2004. Prior to her death last year, Ms. Goldman divorced Mr. Goldman in the Brazilian courts and subsequently married Jao Paulo Lins e Silva, a prominent lawyer from a wealthy and politically powerful family in Brazil. Despite the fact that Mr. Lins e Silva has no biological or legal connection to Sean under U.S. or international law, for the last several years he has waged relentless legal warfare to keep Sean in Brazil.

Mr. Goldman has struggled to get the Brazilian courts to fulfill their obligations under the Hague Convention on the Civil Aspects of International Parental Child Abduction (to which Brazil and the United States are parties) and return Sean to the United States, thus far without success. Even the Brazilian Central Authority—the Brazilian entity responsible for ensuring that country's

compliance with the Hague Convention—has filed petitions in Brazilian courts on Mr. Goldman's behalf, urging that Sean immediately be returned to the United States per the requirements of the treaty. Amazingly, the Brazilian Supreme Court has even gone so far as to entertain motions questioning the legality of Brazil's accession to the treaty brought by a political party in Brazil that is reportedly connected to the Lins e Silva family. Just yesterday, the Brazilian Supreme Court issued a stay on an appeals court order returning Sean to David in order to potentially compel the child to appear before the Supreme Court and state his preference in the case—a ruling that is a clear violation of the Hague Convention and completely outrageous in light of the intense and well-documented psychological pressure the Lins e Silva family has placed on Sean.

Since the beginning of this decade, more than 5000 American-born children have been removed illegally from this country. Mr. Goldman is just one of several dozen parents whose children are being held in Brazil in violation of the Hague Convention, and there is clearly more President Lula and the Brazilian legislature could do to expedite the resolution of these cases. Unfortunately, neither President Lula nor the Brazilian legislature has taken action to bring Brazil into compliance with the Convention. The same is true of Japan, Austria, and other countries who are either not in compliance with the Hague Convention or have declined to become signatories. As too many of our international neighbors do not take this issue seriously, it is past time for our government to show that we do.

While Mr. Goldman represents thousands of families torn apart by such abductions, my concern also extends to the families whose children have been abducted to countries that are not signatories to the Hague Convention. On December 2, the Tom Lantos Human Rights Commission heard testimony from affected parents, legal experts, and advocacy organizations who offered some excellent suggestions for changes in law that would help resolve these child kidnapping cases more expeditiously. Congress should act now on those recommendations.

First, the House should not take up any legislation that would benefit countries like Brazil that are assessed by the State Department to be exhibiting a pattern of noncompliance with the Hague Convention. Second, the Congress should act on pending legislation that would help the parents who have been victimized by international parental kidnapping. At present, there are three bills pending before the House that relate to this issue: H.R. 3487, the International Parental Child Abduction Deterrence Act; H.R. 3240, International Child Abduction Prevention Act of 2009; and H.R. 2702, the Suspend Brazil GSP Act. Accordingly, I ask that you work with the relevant committee chairman to merge the best features of these bills into a single bill that also incorporates the suggestions offered at the December 2 Lantos Commission hearing, and that the consolidated bill be passed as quickly as possible. Congress must act on behalf of America's families on this important, heart-breaking issue. Let us take swift action that will help reunite these families.

Sincerely,

RUSH HOLT

Member of Congress

Cc: Rep. Howard Berman

Rep. Frank Wolf

Rep. Jim McGovern

Rep. John Conyers