

RELEASE IN FULL

From: Kelly, Craig A <KellyC@state.gov>
Sent: Saturday, December 19, 2009 5:01 PM
To: H; Hormats, Robert D
Cc: Sullivan, Jacob J
Subject: Re: Call with Sen. Lautenberg

Madam Secretary:

I have spoken with Carlos Ceglia, the Brazilian charge' here, as well as Lisa Kubiske, our charge' in Brasilia.

Carlos met with Sen. Lautenberg yesterday and took him through the case. He explained that there could be a Supreme Court ruling on the stay this weekend or Monday. In the meantime, however, there is no mechanism for the son to be reunited with Mr. Goldman while the Supreme Court deliberates. I think there are two possible sources for confusion on this point:

--Carlos did tell the Senator that the Brazilian family had floated the idea of allowing the son to spend Christmas with his father in Brazil. (I told Carlos that Hanukkah would have been quicker and more appropriate.)

--If the Supreme Court rules in favor of the Goldmans, the possibility arises that father and son could return to the United States even while the Brazilian family pursues further appeals in Brazilian courts.

Carlos reiterated that the Brazilian government is on our side on this, and regreted the GPS-related hold. I said we appreciated the efforts of the executive branch, and understood the separation of powers, but the interests of the child are undermined by constant delays. Carlos promised updates.

Best regards,

ck

----- Original Message -----

From: H <HDR22@clintonemail.com>
To: Hormats, Robert D; Kelly, Craig A
Cc: Sullivan, Jacob J
Sent: Sat Dec 19 15:52:57 2009
Subject: Call with Sen. Lautenberg

I spoke w the Senator who is not ready to lift his hold yet. He spoke w the Charge in the Brazilian Embassy who told him there was a procedure in the Brazilian courts that could be used to give Mr. Goldman custody now and during the remaining time of the court proceedings.

Craig, can you find out what the Brazilians meant by that and if their govt is pursuing it?

Bob, can you and USTR contact your Brazilian counterparts to explain how important the Goldman case is to the Senator who can't understand how the father wins every case but never gets his son back and he has run out of patience and is willing to hold this critical bill.

Let me know what you find out. Thanks.