

The celebration will begin with a tribute to Veterans that will include a special salute fly-over by F-16's from the 457th Fighter Squadron. The Mabank Band will present a patriotic concert and other Mabank Independent School District students will perform dances representative of various periods during the last century. There also will be a skit depicting the history of Mabank. Area churches will come together one evening for singing, and several groups, including the contemporary Christian band "Forty Days" will close the evening's events.

A carnival will run through the remainder of the week, and there will be an authentic representation of the Wild, Wild West, among other special events. Friday night the Mabank Panthers football team will take on their traditional rival, the Kemp Yellow Jackets. On Saturday, a parade commemorating the history of Mabank will begin at Mabank High School. The three acres adjacent to the new Pavilion and Rodeo Arena will be bustling with the carnival, a chili cook-off, classic and antique car show and an arts and crafts festival. Other activities include a quilting show and a domino tournament. Centennial week events will culminate with a concert starring Mark Chesnutt and Woody Lee as featured entertainers.

Mr. Speaker, centennial celebrations are important footnotes to our nation's history. We have much to be thankful for in our great nation, and I join the citizens of Mabank in celebrating the rich history of their hometown during their Centennial Celebration this year. I would have a difficult time in discussing Mabank and not remembering a great part of the bedrock of this city, county, state and nation—the late Andrew Gibbs. Space and time prevent me from listing his many contributions, and acts of kindness and friendship, but suffice it to say that he is missed by all who knew him. So as we adjourn today, let us do so by paying tribute to the Centennial Anniversary of Mabank, Texas, and to one of its most distinguished citizens, the late Andrew Gibbs.

JUSTICE FOR VICTIMS OF TERRORISM

SPEECH OF

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2000

Mr. McCOLLUM. Mr. Speaker, I rise in support of H.R. 3485, the Justice of Victims of Terrorism Act, which I introduced and which has strong bipartisan support in Congress. This bill amends law first passed in 1996 to allow justice for the victims of state sponsored terrorism and to hold terrorist states accountable for their conduct. Under current law, these victims are entitled to compensation out of frozen assets in the United States of the guilty terrorist state once the victim obtains a federal court judgment. Sadly, however, the Administration is denying these victims, such as Stephen Flatow, the Brothers to the Rescue families, Terry Anderson and the other victims of terrorism in Lebanon, the justice they deserve.

In response to the President's urging, Congress passed in April 1996 a provision in the

Anti-Terrorism and Effective Death Penalty Act [28 U.S.C. 1605(a)(7) and 1610(a)(7)] which gave victims of terrorist acts the ability to sue the state sponsors of those acts in federal court. This is one of seven exceptions to the jurisdictional immunity of a foreign state. The 1996 Anti-Terrorism Act also made an exception to U.S. sovereign immunity in order for such victims who are awarded judgments to proceed against the frozen, or blocked, commercial assets of that terrorist state that are held in trust by the United States government. The Act gave victims the ability to proceed against terrorist-owned assets regardless of whether those assets were involved in the terrorist act itself.

In October 1998, Congress passed Section 117 of the Fiscal Year 1999 Treasury Department Appropriations Act to clarify the assets of terrorist states available to victims of terrorism for attachment and execution of judgments. At the insistence of the Administration, however, that legislation gave the President a waiver to block the attachment of certain assets, if he deemed it to be in the interest of national security. Instead, the President exercised that waiver to essentially nullify the law and deny compensation out of frozen assets in every case to date.

H.R. 3485 remedies the Administration's failure to enforce the law in two ways. First, the bill amends the definition of "agency or instrumentality of a foreign state" to allow victims to proceed against assets that are majority owned by terrorist states. This gives victims a practical remedy in collection upon terrorist assets. Second, the bill narrows and clarifies the President's national security waiver to explicitly allow the President to protect diplomatic property, but not commercial assets.

I am concerned that the President has exercised what was intended to be a narrow national security waiver too broadly and contrary to the clear intention of Congress both in the 1996 Anti-Terrorism Act and particularly, in the FY99 Treasury Department Appropriations bill. In Section 117 of the FY 99 Appropriations bill, Congress intended a narrow waiver as interpreted in the case of *Alejandro v. Republic of Cuba*. Let me make it absolutely clear on top of any reading of past statements or reading of the Committee Report in relation to H.R. 3485 that the waiver is a narrow one, and this bill replaces that waiver with language that limits the President's power to protect only diplomatic property as defined under the Vienna Convention.

I am also concerned about the difficulty that victims of terrorism have had in executing against the blocked assets of terrorism sponsoring states because of the lack of information available from the foreign state. H.R. 3485 is intended to make it easier for victims to execute against these assets by clarifying that the victims are not required to meet additional hurdles of proof, including the alter-ego test or a showing of a daily control as has been applied based on the Supreme Court's 1983 decision in *Bancec*. Again, let me make it clear that H.R. 3485 eliminates any of these additional hurdles not intended to be imposed under Section 117, and instead allows for a showing of majority ownership by terrorist states.

The President and Administration officials encouraged victims to take terror states to

court under the 1996 Anti-Terrorism Act. Yet now, in contradiction to the President's words, the Administration refuses to allow compensation out of the frozen assets of terrorist states against whom judgment have been rendered. As a consequence, those who have committed acts of terror resulting in the death of American citizens are effectively going unpunished.

In addition to the Brothers to the Rescue families who suffer from Cuba's 1996 shutdown of civilian aircraft, this legislation assists two well-known victims of Iranian-sponsored terrorism. In a tragic case, the family of Alisa Flatow won a judgment against the government of Iran for its involvement in a bus bombing in Israel in April 1995 that took her life. Months after Stephen Flatow received his judgment in federal court, the President exercised the national security waiver to prevent the Flatow family from attaching Iranian assets in the United States. Another example is the horrific story of Terry Anderson, who as we all recall, was barbarically held in Beirut by terrorists sponsored by Iran for over seven years. Several months ago, Terry Anderson won a judgment against Iran and he now joins other former Iranian hostage sin seeking compensation and justice. Recently, the Eisenfeld and Duke families own a judgment for the murder in a bus bombing in Israel of their son and daughter, who were engaged to be married at the time. Also, Robin Higgins whose husband, U.S. Marine colonel, was brutally murdered by terrorists sponsored by Iran in Lebanon is currently in the process of seeking her judgment.

The Administration has used a variety of evolving arguments to deny these victims the justice they deserve. These arguments were presented before a Committee hearing in the other body, discussed in a hearing I chaired in the Subcommittee on Immigration and Claims, and enumerated in responses to questions I submitted to Treasury Deputy Secretary Stuart Eizenstat. I have considered the Administration's arguments and have determined, along with other colleagues of mine, they do not hold up.

I hope my colleagues on both sides of the aisle will support this important and necessary legislation to finally bring justice to the victims of terrorism and to deter terrorist acts against U.S. citizens by making those state sponsors of terrorism pay.

INTRODUCTION OF THE "VIOLENCE AGAINST WOMEN CIVIL RIGHTS RESTORATION ACT OF 2000"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2000

Mr. CONYERS. Mr. Speaker, I am proud and honored today to be joined by Ms. BALDWIN, Ms. MALONEY and 40 other co-sponsors to introduce the "Violence Against Women Civil Rights Restoration Act of 2000."

The Violence Against Women Act of 1994, or "VAWA," was historic legislation that contained a broad array of laws and programs to address domestic violence and sexual assault in our country.

In addition to funding numerous programs such as law enforcement and prosecution