

We owe a debt of gratitude to those who died in service to our country on August 7, 1998. And we are compelled to express our profound sorrow for those whose lives were taken or were forever altered as a result of these dastardly attacks.

As we solemnly commemorate the 10th anniversary of the bombings in Kenya and Tanzania and the seventh anniversary of the September 11 attacks on our Nation, we seek to reaffirm our resolve to defend our Nation, to defend our interests from radical Islamic terrorists who seek to destroy the United States and our citizens.

I want to thank my colleague, Mr. SCOTT, for introducing this important measure, and I urge unanimous support for its passage.

With that, I reserve the balance of my time.

Mr. SCOTT of Georgia. Madam Speaker, it is with both sorrow and gratitude that we indeed recognize this 10th anniversary of the terrorist bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, and in memorializing the citizens and families of the United States, the Republic of Kenya, and the United Republic of Tanzania whose lives were lost and injured as a result of these horrible terrorist attacks.

Mr. JACKSON-LEE of Texas. Madam Speaker, I rise in strong support of H. Res. 1461, "Recognizing the Tenth Anniversary of the terrorist bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Kenya and Tanzania who lives were lost or whose were injured as a result of these attacks which is introduced by my distinguished colleague Representative SCOTT. This legislation is important to ensure that we remember those who lost their lives and those lives were affected by these tragic and horrendous bombings.

#### GENERAL

On August 7, 1998, approximately 4,000 people were injured in the Nairobi bombing and 85 injured in Dar es Salaam. These attacks which killed hundreds of people, first brought international attention to Osama Bin Laden and his al Qaeda terrorist network, and stand out as one of the worst anti-American terrorist attacks preceding September 11, 2001.

This legislation will recognize all the citizens whose lives were lost in these bombings. In addition to recognizing the 10th anniversary of the al Qaeda bombings, this resolution will recognize all the families and friends of victims lost in the attack and mourn those who lost their lives in these tragic and senseless attacks. This resolution will also express gratitude for the people of Kenya and Tanzania for their gracious contributions and assistance following these attacks in striving for future opportunity, democracy, and prosperity, and reaffirm its resolve to defeat al Qaeda and other terrorist organizations.

It is a national tragedy that lives have been victim to reckless acts of terrorism, and the least we can do as a Congress, as a Nation is to recognize those involved in this tragedy and the counties who came to our aid. We cannot withhold this honor from those victims that perished in the tragedy. As honored Mem-

bers of Congress, we have the honor to have the opportunity to recognize this anniversary and ensure the proper recognition is given to those involved in the terrorist bombings of 1998. Anything else would be giving in to the power of the terrorist, to which America will not yield.

I firmly believe that we must pass this legislation in order to demonstrate our support of those people who lost their lives and those people who lost their loved ones, and I urge my colleagues to do the same. Though this was a horrible tragedy, we can recognize the Tenth Anniversary and bring honor to those who were victims of al Qaeda.

Mr. SCOTT of Georgia. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 1461, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### SUPPORTING RESTITUTION FOR PROPERTY CONFISCATED BY NAZI AND COMMUNIST REGIMES

Mr. SCOTT of Georgia. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 371) strongly supporting an immediate and just restitution of, or compensation for, property illegally confiscated during the last century by Nazi and Communist regimes, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

#### H. CON. RES. 371

Whereas the United States strongly supports an immediate and just restitution or compensation of property illegally confiscated during the last century by Nazi and Communist regimes;

Whereas the wrongful and illegal confiscation of property perpetrated by Nazi and Communist regimes was often an integral part of the persecution of innocent people due to their religion, nationality, or social origin, or the expression of a view that differed from that of the ruling regime;

Whereas the protection of and respect for property rights is a basic principle tenet for all democratic governments that operate according to the rule of law;

Whereas the participating countries of the Organization for Security and Cooperation in

Europe (OSCE) have agreed to achieve or maintain full recognition and protection of all types of property, including private property, and the right to prompt, just, and effective compensation in the event private property is taken for public use;

Whereas the Paris Declaration of the OSCE Parliamentary Assembly (OSCE Assembly) in July 2001 noted that the process of restitution, compensation, and material reparation of victims of Nazi persecution has not been pursued with the same degree of comprehensiveness by all of the OSCE participating countries;

Whereas the OSCE Assembly passed a resolution during the 10th session that urged the OSCE participating countries to ensure that they implement appropriate legislation to secure the restitution of, or compensation for, both property loss by victims of Nazi persecution and property loss by communal organizations and institutions or their successors during the Nazi era, irrespective of the current citizenship or place of residence of victims or their heirs, or the relevant successor to communal property;

Whereas the Government of the United States has, since 1947, with the passing of Military Law 59 in the occupied American Zone of Germany, supported the return of property looted during the National Socialist era to the rightful owners, or the heirs, of such property;

Whereas during the last decade, Congress has passed resolutions that endorsed, reiterated, and emphasized the longstanding support of the United States for the restitution and compensation for property illegally confiscated during the Nazi and Communist regimes;

Whereas some post-Communist countries in Europe have taken steps toward compensating victims whose property was seized and confiscated by the Nazis during World War II or subsequently seized by Communist governments after World War II;

Whereas the legislation addressing the return of or compensation for such confiscated property enacted by post-Communist countries in Europe has, in various instances, not been implemented in an effective, transparent, and timely manner;

Whereas private properties were seized and confiscated by the Nazis in occupied Poland during the Nazi era and by the Communist Polish government after World War II;

Whereas Poland, virtually alone among post-Communist countries, has failed to enact any legislation that provides for a process for the restitution of, or compensation for, private property seized and confiscated by the Nazi and Communist regimes;

Whereas Jewish communal properties were seized and confiscated by the Nazis in Lithuania during the Nazi era and by the Communist Lithuanian government after World War II; and

Whereas Lithuania, virtually alone among post-Communist countries, has failed to implement legislation that provides for the restitution of, or compensation for, Jewish communal property seized and confiscated by the Nazi and Communist regimes: Now, therefore, be it

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

(1) praises the efforts by those countries in Central and Eastern Europe that have enacted legislation for the restitution of, or compensation for, private and communal religious property improperly confiscated during the Nazi and Communist eras and urges each of those countries to ensure that the legislation is effectively and justly implemented;

(2) urges the countries in Central and Eastern Europe which have not already done so to return looted and confiscated properties

to their rightful owners or, where restitution is not possible, pay equitable compensation, in accordance with principles of justice and in an expeditious manner that is just, transparent, and fair;

(3) calls on the Government of Poland to—

(A) immediately enact fair, comprehensive, and just legislation so that persons (or the heirs of such persons) who had their private property seized and confiscated by the Nazis during World War II or subsequently seized by the Communist Polish government after the war are able to obtain either restitution of their property or, where restitution is not possible, fair compensation should be paid; and

(B) ensure that such restitution and compensation legislation establishes an unbureaucratic, simple, transparent, and timely process, so that it results in a real benefit to those many persons who suffered from the unjust such confiscation of their property, many of whom are well into their 80s or older;

(4) calls on the Government of Lithuania to immediately implement, fair, comprehensive, and just legislation so communities that had communal and religious property seized and confiscated by the Nazis during World War II or subsequently seized by the Communist Lithuanian government after World War II (or the relevant successors to the communal and religious property or the relevant foundation) are able to obtain either restitution of their property or, where restitution is not possible, fair compensation;

(5) calls on the President and the Secretary of State to continue to engage in an open dialogue with the Governments of Poland and Lithuania supporting the adoption of legislation requiring, in Poland, the fair, comprehensive, and nondiscriminatory restitution of, or compensation for, private property that was seized and confiscated during the Nazi and Communist eras and, in Lithuania, the fair, comprehensive, and just restitution of Jewish communal and religious property that was seized and confiscated during the Nazi and Communist eras; and

(6) calls on the Secretary of State to deliver a report to Congress, every six months, regarding the implementation of this concurrent resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

#### GENERAL LEAVE

Mr. SCOTT of Georgia. Madam 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. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SCOTT of Georgia. Madam Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

First I would like to thank the gentleman from Florida and the chairman of the Europe Subcommittee, Mr. WEXLER, for introducing this important resolution calling for immediate and just restitution of illegally seized property from the Nazi era. Among the

many atrocities perpetrated by the Nazis during World War II was the illegal confiscation of private homes, of businesses, of art work, and communal property. Many of these stolen assets were retained by the Communist governments after the war.

While the vast majority of Central and Eastern European countries should be praised for passing property restitution laws in order to right historical wrongs, others have failed to enact necessary legislation, or they have thrown legal roadblocks in the way of individuals or religious and communal organizations who are seeking to reclaim property rightfully belonging to them.

Though it had the largest pre-war Jewish community in Europe, Poland has, for over half a century, resisted efforts to return private property—be it homes or businesses—stolen by the Nazi and Communist governments to its original owners.

I am very heartened now to learn that Polish Prime Minister Donald Tusk is currently finalizing a draft restitution bill, and I hope the Polish Parliament approves this long overdue legislation.

My concern is that we have been down this road before with previous Polish governments, all of whom have failed to deliver on their promises. The Lithuanian Government has been similarly disappointing in its failure to implement fair and comprehensive restitution legislation.

While it should be commended for enacting laws that provide restitution for individual property owners, attempts to pass legislation paving the way for the return of nonreligious communal Jewish property taken by the Nazis, such as schools and hospitals, have stalled.

As many of those individuals awaiting restitution are in their waning years, it is imperative that the United States continue to encourage the governments of Poland, Lithuania, and others to adopt meaningful legislation ensuring the prompt return of or compensation for property seized during the Nazi and Communist eras.

I strongly support this resolution, Madam Speaker, and I encourage my colleagues to join me in doing the same.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

I also rise in strong support of House Concurrent Resolution 371 which states the support of the Congress for just restitution or compensation for property illegally confiscated during the last century in certain countries of Eastern Europe.

The tragedy of the Holocaust, in which millions of innocent people were murdered by the Nazis and their property illegally confiscated, was followed by oppression and continued confiscation under Communist regimes. The fresh air of freedom that entered with

the collapse of the Communist bloc in Eastern Europe moved some post-Communist governments in the region to support justice for the victims of such property confiscation.

Regrettably, as this resolution points out, the government of Poland has not enacted legislation that would provide for a process for the restitution of, and the compensation for, private property that had been seized, that had been confiscated illegally by those regimes.

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Similarly, Lithuania has not implemented legislation that would provide for the restitution or compensation for communal property confiscated by the Nazi and Communist regimes.

This resolution calls on the Polish government to enact such legislation. It calls on the Lithuanian government to implement legislation so that communal or religious properties can be returned to their rightful owners or can provide them or their heirs with fair compensation.

Madam Speaker, the resolution also calls on our President and our Secretary of State to engage the governments of Poland and Lithuania on these important issues.

I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. SCOTT of Georgia. Madam Speaker, it is my distinct pleasure to extend 3 minutes to the distinguished congresswoman from Nevada, Ms. SHELLEY BERKLEY.

Ms. BERKLEY. I thank the gentleman for yielding and for his leadership on this issue. Madam Speaker, I rise as a strong cosponsor of this legislation.

While the Holocaust may have ended over 60 years ago, its effects are still very much felt today, and it is essential that we do not allow the victims of those horrific crimes to continue to be victimized by the circumstances that surround this issue today.

Many survivors of the Holocaust have still not received proper restitution for their looted property, and the time is long past due to say “enough.” And let us take action on behalf of these survivors and the victims of the Holocaust.

I would like to share with my colleagues a story of a constituent of mine, Dina Babbitt, who I have been working with for the last 10 years to get her property back, her rightful property back. Dina was a 20-year-old young lady when she and her mother were interned in Auschwitz. Now Dina had a talent. Dina was an artist. Even at the age of 20 her talent was obvious.

Joseph Mengele saw her work on one of the walls of the children's barracks where she had drawn a picture of Snow White and the Seven Dwarfs to cheer up the children that were in the children's barracks in Auschwitz. He singled her out, and what he started doing is, he would point out people that were interned at Auschwitz, the prisoners

that were interned, and he would direct her to draw their pictures. And she would draw the picture. He didn't want to take a photograph because he couldn't get the color of the skin right, and she would draw the picture. After she drew the picture he would kill the inmate. Now Dina says she learned to draw very slowly at that time.

She was liberated, and she and her mother fled Auschwitz. She eventually came to the United States of America where she worked at Disney Studios for well over 30 years of her life.

She received a telephone call 25 years ago from the Polish Government. They said they had found artwork that they believe she had created and would she come to Poland to authenticate it. She became so thrilled that she could have something to give to her children and her grandchildren so that they would have a piece of her.

She is convinced, and I believe this, too, that the artwork is the only thing that saved her and her mother. She was a Czechoslovakian Jew; 3,600 Czechoslovakian Jews were interned in Auschwitz, only 22 survived. Dina and her mother were two of the 22 Czechoslovakian Jews that survived their time in Auschwitz.

She went to Poland. She authenticated that those are my pictures, and they refused to give them to her. To this day, the Polish Government has not negotiated with Dina Babbitt one bit so she could get one or two or three of her pictures. There are seven that currently exist.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SCOTT of Georgia. I yield the gentlelady 1 additional minute.

Ms. BERKLEY. I thank the gentleman very much.

I tell you this with all the passion that I could muster, that this woman should be able to get her property, her rightful property. This isn't even a purchase that she made that has been stolen from her. This came from her own hands, and I think it is time. That is why I so strongly support this resolution that people like Dina Babbitt, it is time, the time is long since past for Dina Babbitt and so many others to receive their just compensation.

I urge support for this resolution. I look forward to the time that the Polish government and the Lithuanian government actually take positive steps to restore the treasure and the possessions of these people who have suffered so much.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, if the gentleman also has no further requests for time.

Mr. SCOTT of Georgia. I'd like to just add this one point in closing, that it is so important that we take this opportunity as a United States Congress to put pressure on Poland and Lithuania and other countries to adopt meaningful legislation ensuring prompt return and/or compensation for the property seized during the Nazi and Communist eras.

This is the height of injustice. We have an opportunity to right a terrible wrong, and it is important that we pass this legislation and send a very strong message to these countries to finally, finally restore the property and/or the compensation to these individuals.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 371, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### SENSE OF HOUSE REGARDING CAMPAIGN BY ORGANIZATION OF ISLAMIC CONFERENCE TO DIVERT UNITED DURBAN REVIEW CONFERENCE

Mr. BERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1361) expressing the sense of the House of Representatives that the United States should lead a high-level diplomatic effort to defeat the campaign by some members of the Organization of the Islamic Conference to divert the United Nation's Durban Review Conference from a review of problems in their own and other countries by attacking Israel, promoting anti-Semitism, and undermining the Universal Charter of Human Rights and to ensure that the Durban Review Conference serves as a forum to review commitments to combat all forms of racism, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 1361

Whereas the United Nations is undertaking preparations for a 2009 Durban Review Conference on the implementation of commitments made as part of the 2001 World Conference Against Racism held in Durban, South Africa;

Whereas the 2001 World Conference Against Racism marked an important recognition of the historic wounds caused by slavery, colonialism, and related ongoing racism and racial discrimination, including the recognition of the transatlantic slave trade as a crime against humanity, and that people of African descent, people of Asian descent, and indigenous peoples who were victims of these acts continue to face discrimination and marginalization as a direct consequence;

Whereas the 2001 World Conference Against Racism also undertook historic efforts to recognize and address ongoing racism and racial discrimination against persons of African descent and members of Jewish, Muslim, caste, indigenous, Roma and Sinti, and other communities, as well as anti-migrant xenophobia and incitement to racial and religious hatred;

Whereas the 2001 World Conference Against Racism and its achievements were overshadowed and diminished as some participants in the conference, in particular during the Non-Governmental Organization Forum, called the "NGO Forum Against Racism" (NGO Forum), misused human rights language to promote hate, anti-Semitism, incitement, and divert the focus of the conference from problems within their own countries to a focus on Israel;

Whereas the NGO Forum produced a document called the "NGO Declaration" that contained abusive language, branding Israel an "apartheid state" that is guilty of "racist crimes against humanity";

Whereas the United States withdrew its delegation from the 2001 World Conference Against Racism, a decision that Secretary of State Colin Powell explained by stating that "you do not combat racism by conferences that produce declarations containing hateful language, some of which is a throwback to the days of 'Zionism equals racism'; or supports the idea that we have made too much of the Holocaust; or suggests that apartheid exists in Israel; or that singles out only one country in the world—Israel—for censure and abuse";

Whereas the atmosphere of anti-Semitism at the NGO Forum was described as "hateful, even racist" by former High Commissioner for Human Rights Mary Robinson and as "disgraceful" by Deputy Foreign Minister Aziz Pahad, of South Africa, who also stated that parts of the 2001 World Conference Against Racism were "hijacked and used by some with an anti-Israeli agenda to turn it into an anti-Semitic event";

Whereas the United Nations High Commissioner for Human Rights, who served as Secretary General of the 2001 World Conference Against Racism, refused to accept the NGO Declaration, and some leading civil and human rights organizations and activists criticized the repugnant anti-Semitism and demonization of Israel in the NGO Forum, and the harassment of Jewish participants it engendered;

Whereas despite recognizing the Holocaust and increased anti-Semitism, the official government declaration adopted by the 2001 World Conference Against Racism, the "Durban Declaration and Program of Action", highlighted the "plight of the Palestinian people under foreign occupation", and in so doing singled out one regional conflict for discussion in a biased way, and wrongly implied that Israeli Government policies towards the Palestinians are motivated by racism;

Whereas the Human Rights Council agreed in Resolution 3/2 on December 8, 2006, that the 2009 Durban Review Conference would, like other United Nations review conferences, focus on countries' implementation of the many commitments to fight racism, racial discrimination, xenophobia and related intolerance contained in the official government Durban Declaration and Program of Action and that there will be "no renegotiation of the existing agreements contained therein";

Whereas at the first organizing session of the Durban Review Conference on August 27, 2007, in Geneva, Switzerland, Ambassador Masood Khan of Pakistan, speaking "on behalf of the OIC", described the concerns being expressed about the Durban Review Conference as a "smear campaign", and made it clear that the Organization of the Islamic Conference (OIC) intends to make so-called "contemporary" forms of racism a centerpiece of the conference agenda, urging also that "[t]he Conference should move the spotlight on the continued plight of Palestinian people and non-recognition of their inalienable right to self-determination";