

report had been published at the time of his death on July 7, 1998.

A memorial library which will contain many of Red's books and papers will be established in Altamont, New York, at the home of a long time friend.

SENSE OF THE HOUSE REGARDING  
MURDER OF MATTHEW SHEPARD

SPEECH OF

**HON. SHEILA JACKSON-LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 15, 1998*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am here today to say that this Nation and the United States Congress cannot tolerate intolerance. Earlier this week, on October 15, Matthew Shepard, a gay University of Wyoming student who was pistol-whipped and lashed to a fence post in a vicious attack, died from his injuries without regaining consciousness. I want to express my condolences to Matthew's parents, Judy and Dennis, and to the entire Shepard family. This is another example of a hate crime.

This brutal attack against Mr. Shepard is not an uncharacteristic, once-in-a-lifetime manifestation of bitter hatred. Hopefully, we can see it for what it really is—merely the tip of the iceberg. This gruesome attack illustrates the prejudice and hatred that still exists in our society today. Just when you think America may be beginning to change its long-standing intolerant ways, a volcanic eruption of hatred and prejudice spews forth, and a man like Matthew Shepard is brutally attacked because of his sexual orientation.

The public outrage surrounding this brutal attack has motivated Representative CUBIN to introduce the Matthew Shepard Resolution. Although I agree that we as Members of Congress should express our outrage at the barbaric act of violence against Matthew Shepard, I hope that we can enact additional legislation which really focuses on the issue of hate crimes including those against gays and lesbians in our communities. I hope that this painful and devastating incident will motivate the Congress to pass H.R. 3081, the "Hate Crimes Prevention Act," which would expand Federal jurisdiction to reach serious and violent hate crimes. Under the bill, hate crimes that cause death or bodily injury because of prejudice can be investigated federally, regardless of whether the victim was exercising a federally protected right. This hate crime mirrors the hate crime that took place this summer in Jasper, Texas; the murder of James Byrd.

In fact, with each passing year we must endure hearing horrible tales of hate-related crimes. Working under the Hate Crime Statistics Act (HCSA), the FBI revealed that 8,759 hate crime incidents were reported to local authorities in 1996.

Over 1000 incidents of hate crimes were directed at gays and lesbians during 1996. From 1991 through 1996, the percentage of hate crimes related to sexual orientation increased from 8–11%. Hate crimes committed in recent years include intimidation, simple assault, aggravated assault, murder, and forcible rape.

Unfortunately, the FBI's statistics actually underestimate the sheer magnitude of the

hate crime crisis. Their figures are misleading because less than half of law enforcement agencies report hate crimes and only 1,150 record incidents. Moreover, organizations such as the Anti-Defamation League (ADL) note that law enforcement agencies covering more than 40% of the American population are not included in the FBI's statistics.

It would be unjust, however, to reduce the horrific reality of these attacks to mere numbers. Of the 8,579 hate crimes reported, each one represents an appalling and disturbing story such as the murder of Matthew Shepard.

In my own city of Houston, Texas, I listened in sorrow as I was told about the death of a gay man, Mr. Fred Mangione, who was stabbed 35 times by members of a neo-Nazi organization in January of 1996. Currently, there are Hate Crime Laws including sexual orientation on only 21 states and the District of Columbia. My home state of Texas seems unclear about these laws, and how to prosecute them, and there are 8 states where Hate Crime Legislation, whether racially or anti-homosexually motivated does not even exist.

Current law (18 U.S.C. 245) permits Federal prosecution of a hate crime only if the crime was motivated by bias based on race, religion, national origin, or color, and the assailant intended to prevent the victim from exercising a federally protected right. The Hate Crime Prevention Act which was introduced by Rep. SCHUMER and Rep. MCCOLLUM must be adopted by this Congress. This bill would amend current Federal law to include real or perceived sexual orientation, gender and disability so that the FBI would be able to investigate and prosecute violent hate crimes against gays, lesbians, and bisexuals. Current law already allows investigation and prosecution on the basis of race, religion, national origin and color.

Each year, we endure hearing that 6 out of every 10 persons are physically attacked because of their race, bias against blacks accounting for 38% of the total. Gays and Lesbians of all ethnicities must also face the risk of attack and prejudice. We simply cannot tolerate the status quo; we cannot accept that our current situation is "the best that we can do." We rail against foreign nations such as China and deride them for their inhumane practices. Yet, how can we criticize them when similar acts occur on our own soil?

This Congress must send a clear message to the American people that we will not tolerate hate crimes anymore. In the year 1998, it is truly absurd that we must warn people of color, and you have a different sexual preference that is different from our own, to walk in groups because, in our society, it simply is far too dangerous to walk alone. We have endured far too many atrocities, and we have feared for our lives for long enough. We must work together and take a stand.

Congress has an opportunity to pass the Hate Crimes Prevention Act on suspension before we leave this Congress, without a committee vote. I call on the Republican leadership to act swiftly and decisively to end the bitter hatred that is rooted in our society. We cannot tolerate intolerance!

HONORING LIVESTOCK MAN OF  
THE YEAR

**HON. GEORGE P. RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 16, 1998*

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate John Harris on being named "Livestock Man of the Year by the California State Chamber of Commerce. A longtime leader in the livestock and horse industry, John will be honored during "Cattlemans Day" at the fifty-fourth Grand National Rodeo, Horse and Stock Show.

John Harris is being honored for his extensive involvement in agriculture. He serves as the vice chairman of the Cattle PAC. In the past John has served as a member of the Operating Committee of the Beef Board, chairman of the California Beef Council and a board member of the California Cattlemans Association.

As a rancher John Harris heads one of the largest and most diverse farming operations in the Central Valley. Founded by his father Jack Harris in 1937, Harris Farms employs more than 1300 people. Harris Farms can feed more than 100,000 head of cattle at a time, as well as processes more than 200,000 head per year, from their well known Colinga location. Harris is also a leader in developing foreign markets for American beef. Harris Farms exports to many countries, particularly Japan.

Harris Farms is also active in breeding and racing thoroughbred horses. It has produced more than 20 stakes winners and produced four California champions.

Mr. Speaker, I rise today to pay tribute to John Harris as he is honored as Livestock Man of the Year by the California State Chamber of Commerce. John Harris has played a vital role in the business community and I ask all of my colleagues to join me in wishing him continued success in the future.

HATE CRIMES AND INDIVIDUAL  
RIGHTS

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 16, 1998*

Mr. PAUL. Mr. Speaker, I commend to my colleagues in Congress as well as citizens everywhere an article authored by Richard Sincere, Jr., President of Gays and Lesbians for Individual Liberty. Mr. Sincere aptly describes how the very essence of hate crimes undermines a pillar of a free and just society; that is, equal treatment under the law irrespective of which particular group or groups with whom an individual associates. Ours is a republic based upon the rights of the individual.

[From the Houston Chronicle, Oct. 14, 1998]  
GAY STUDENT'S MURDER IS NO REASON TO  
MAKE BAD LAW

(By Richard E. Sincere, Jr.)

The wicked murder of Matthew Shepard by two thugs, assisted by two equally contemptible accomplices, has resurrected a debate about the need for hate-crime laws.

Shepard, an openly gay University of Wyoming student who had been widely praised for his talents, ambitions and personality,

last week was beaten senseless and left for dead, tied up like a scarecrow along a fence on a little-traveled country road. Miraculously, he was found by passers-by many hours after the attack, still struggling for life when he was rushed to a hospital in Fort Collins, CO, where he died Monday while on life support.

Local law enforcement officials in Laramie, WY, where the crime took place, quickly arrested the alleged perpetrators—two men who performed the assault and two women who helped them hide their deed—and it looks like they will be punished to the full extent the law allows if they are convicted. With Shepard's death, they face a possible death sentence.

Laramie, a university community of 27,000 people, is feeling both shame and outrage, a sentiment shared by all right-minded people throughout the country, indeed around the world. News of this brutal assault has appeared everywhere in print and broadcast media.

The crime against Shepard has renewed calls for passing hate-crime legislation, both in Wyoming and nationwide. Wyoming Gov. Jim Geringer and President Bill Clinton have said that this attack shows the need for such laws.

This would be a mistake. It would be a mistake because hate-crime laws, however well intentioned, are feel-good laws whose primary result is thought control, violating our constitutional guarantees of freedom of speech and of conscience. It would be a mistake because it suggests that crimes against some people are worse than crimes against others. And it would be a mistake because it uses a personal tragedy, deeply felt by Shepard's family and friends, to advance a political agenda.

Hunter College Professor Wayne Dynes, editor of the Encyclopedia of Homosexuality, notes that hate-crime laws, if they are to be applied in a constitutional manner, must be content-neutral. He notes this example: "Countless numbers of people, aware of the unspeakable atrocities under his leadership, hated Pol Pot. This hate was surely well warranted. If one of the Pol Pot haters had killed him, would this be a hate crime? Why not?"

Dynes adds: "In seeking to exculpate the killer, we would get into the question of whether some hate is 'justified' and some is not." He concludes that hate-crime prosecutions "will be used to sanction certain belief systems—systems which the enforcer would like, in some Orwellian fashion, to make unthinkable. This is not a proper use of law."

Under our system of justice, everyone is equal before the law. Those accused of crimes are entitled to certain constitutional protection, which we must cherish, and the victims of a crime—whether a Bill Gates or the poorest street-sweeper in a slum—are entitled to the same respect. (In the Middle Ages, the law required a greater punishment for killing a rich man or noble than it did for killing a peasant or a laborer. Our law recognizes no such distinctions.)

So, too, with class- or group-based distinctions. Is it worse to kill a man because he is foreign-born than it is to kill him to steal his car? Is it worse to kill a woman because she is black than because she cut you off in traffic? Is it worse to beat up a fat sissy boy if the bullies think their victim is gay, or if they dislike him because he is fat? Crime is crime; assault is assault. All deserve punishment.

Hateful thoughts may be disagreeable, but they are not crimes in themselves. The crimes that result from hateful thoughts—whether vandalism, assault or murder—are already punishable by existing statutes.

In a speech at the University of Texas last year, libertarian activist Gene Cisewski said:

"We should be anti-violence, period. Any act of violence has to be punished swiftly and severely and it shouldn't matter who the victim is. The initiation of force is wrong and it doesn't matter why—the mere fact you had a motive is enough."

Cisewski acknowledged the good intentions of those who propose hate-crime laws. He noted that "the reason for the call for (such laws) comes from bad enforcement of the laws." Police and prosecutors have been willing to look the other way when victims came from unfavored groups. Luckily, in the Shepard case, the authorities seem unwavering in their prosecution. This is, unfortunately, not always the case.

The answer, Cisewski suggested, and I agree, is that "we hold every law enforcement official and every court official who administers justice to the standard that every American is guaranteed equal protection under the law."

Hate-crime laws set up certain privileged categories of people, defined by the groups to which they belong, and offers them unequal protection under the law. This is wrong. It is sad to see a young man's personal misfortune used by various special-interest groups to advance such an agenda.

We are all shocked and dismayed by the assault on Shepard. Such brutality cannot, should not be countenanced. Let us not multiply the crimes of his attackers by writing bad law in response.

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#### RECOGNIZING CONTRIBUTORS TO THE PASSAGE OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 16, 1998*

Mr. WOLF. Mr. Speaker, on Saturday, October 10, the House of Representatives cleared for the President's signature the International Religious Freedom Act, H.R. 2431. The Senate had approved the measure by a unanimous vote of 98–0 on Friday, October 9.

During floor debate on the measure, I thanked a number of people who helped bring this legislation to fruition. I today want to pay tribute to the work of Michael Horowitz, senior fellow at the Hudson Institute; A.M. Rosenthal of the New York Times; and Anne Huiskes, senior legislative assistant on my staff.

First, I want to commend the work of Michael Horowitz. The movement against Christian persecution which has sprouted in the American Christian community in recent years can be credited, in part, to the leadership, vision and voice of Michael Horowitz.

When he first learned about the injustice taking place against Christians around the world he set about trying to foster change. His experience as a Washington insider, a former Reagan Administration official, and a veteran of the fight against anti-Semitism in the Soviet Union provided a unique insight.

In a 1995 op-ed in the Wall Street Journal titled "Between Crescent and Cross," Horowitz asked how America, and the American government, could remain silent when "the evidence of growing and large-scale persecution of evangelicals and Christian converts is overwhelming."

From there, he helped launch a crusade to raise awareness about anti-Christian persecution abroad using the campaign against Soviet

anti-Semitism as the model. He joined with many others who were calling for change, and what developed was a movement spawning greater awareness about persecution against people of all faiths. He has helped turn this issue into one of the most under-reported and obscure issues in Washington, to one of the most compelling human rights issues of the day.

Because of the work of Michael Horowitz and many others, the United States government, for the first time in history, has a comprehensive policy to deal with the issue of religious persecution overseas. His voice and vision have helped millions of Christians, Muslims, Bahai's, Tibetan Buddhists, Jews, Hindus and other people of faith seeking to live and worship in peace.

I also want to applaud the work of A.M. Rosenthal, former editor-in-chief of the New York Times and one of the most prominent figures in 20th century American journalism. I have been told that since 1994, Rosenthal has dedicated 31 of his weekly columns in the New York Times to the issue of religious persecution—asking why more is not being done, prodding policymakers to stand up for the persecuted and pricking the conscience of all those who read his eloquent words. He talked tough and spoke the truth. He did so courageously, and with authority. He has truly been the voice for the voiceless around the world.

Finally, I pay tribute to Anne Huiskes of my staff, who deserves so much credit for helping to move this measure forward. Our colleagues know that any measure of success we as Members achieve must be shared with the staff who support us and our constituents in our work in Congress. Anne's work on my staff has focused in the area of human rights, and she has poured her heart and soul into this legislation, as well as so many other human rights issues, over the years.

She has pleaded the case for persecuted religious believers around the world, bringing people and groups together toward the common goal of speaking out for those who have been silenced because of their faith. When it seemed the darkest, when it seemed there was only a flicker of hope that this legislation would survive, Anne was always there—pushing and pulling, cajoling and inspiring, never giving up. She truly believed that passage of this legislation would help save lives.

As I said in my statement on October 10, so many people are responsible for the passage of this legislation. I thank them all for their efforts. They have made a difference for people of faith around the world.

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#### DANTE B. FASCELL NORTH-SOUTH CENTER ACT OF 1991

SPEECH OF

### HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 12, 1998*

Mr. HOYER. Mr. Speaker, I enthusiastically rise to join my colleagues in praising the passage of legislation renaming the North/South Center at the University of Miami for my friend and our former colleague and Chairman of the House Foreign Affairs Committee, Dante B. Fascell. This legislation is well deserved. The North/South Center should bear his name, for he was its creator.