

by killing Jews." What kind of message was he sending? A message of hatred.

One year ago yesterday, in Laramie, Wyoming, a young man named Matthew Shepard was killed. The reason? Because he was gay.

In Jasper, Texas, a man was murdered and dragged through the streets because he was an African-American.

All of these incidents are hate crimes. They do not just affect the group that was killed, they affect each and every one of us.

This is especially troubling to me because of the rash of anti-immigrant billboards and posters in my district of late which falsely blame immigrants for all of society's problems. Having spent my entire life in Queens County in New York, I recognize the problems faced on a daily basis by minorities who strive to eliminate any form of discrimination still present in our society. Unfortunately, the billboards of late only tell that discrimination is alive and well.

I believe the Hate Crimes Prevention Act of 1999 is a constructive and measured response to a problem that continues to plague our Nation. Violence motivated by prejudice. This legislation is also needed because many States lack comprehensive hate crime laws.

I understand there are some people who believe that hate should not be an issue when prosecuting a crime. They say our laws already punish the criminal act and that our laws are strong enough as is. I answer with the most recent figures from 1997, when 8,049 hate crimes were reported in the United States, 8,049 crimes, because of hate. According to the FBI, hate crimes are underreported. So the actual figure is much, much higher.

I say to my colleagues, penalties for committing a murder are increased if the murder happens during the commission of a crime. Murdering a police officer is considered first degree murder, even if there was no premeditation. Committing armed robbery carries a higher punishment than petty larceny. There are degrees to crimes. Local governments and State governments and the Federal Government recognize that. And committing a crime against someone because of their race, color, sex, sexual orientation, religion, ethnicity or other group should warrant a different penalty. These crimes are designed to send a message, "We don't like your kind and here is what we're going to do about it." So why can we not punish crimes motivated by hate differently than other crimes?

Mr. Speaker, this legislation does not punish free speech as some have contended. Nowhere does it say you cannot hold a certain political belief or view or a particular philosophy. What it does say is that if you commit a violent act because of those beliefs, you will be punished and punished differently.

Hate crime laws are also constitutional. The U.S. Supreme Court's rul-

ing in *Wisconsin v. Mitchell* unanimously upheld a Wisconsin statute which gave enhanced sentences to a defendant who intentionally selects a victim because of the person's race, religion, color, disability, sexual orientation, sex or nation of origin.

I believe we ought to stand up as a Congress and as a country to pass the Hate Crimes Prevention Act to make our laws tougher for the people who carry out these heinous crimes.

The Senate has already included it as part of the fiscal year 2000 Commerce-Justice-State appropriations bill. I would urge the House conferees to recede to the Senate on this section. At the very least, H.R. 1082 should be brought to the House floor for consideration. We must end the hate that is permeating our society.

PERIODIC REPORT ON TELECOMMUNICATIONS PAYMENTS PURSUANT TO TREASURY DEPARTMENT SPECIFIC LICENSES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

As required by section 1705(e)(6) of the Cuban Democracy Act of 1992, 22 U.S.C. 6004(e)(6), as amended by section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, Public Law 104-114, 110 Stat. 785, I transmit herewith a semiannual report "detailing payments made to Cuba . . . as a result of the provision of telecommunications services" pursuant to Department of the Treasury specific licenses.

WILLIAM J. CLINTON.
THE WHITE HOUSE, October 13, 1999.

IN SUPPORT OF HATE CRIMES LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, under the Violent Crime Control and Law Enforcement Act of 1994, Congress has defined a hate crime as "any act of violence against a person or property based on the victim's race, color, gender, national origin, religion, sexual orientation or disability."

I am here today, Mr. Speaker, to talk about the victims of hate crimes that provide a real-life definition.

James Byrd, Jr., an African-American male victim, chained to the back of a pickup truck and dragged along a dirt road, murdered by supporters of a white supremacist organization.

Thanh Mai, a Vietnamese-American victim who died from a split skull after

being taunted and called a "gook" and struck to a cement floor.

A Latino-American family victimized by arsonists who burned down their home after spray-painting racist messages on the walls.

Women in Massachusetts victimized by a sexual batterer who was found to have violated the State's hate crime law for his biased crimes against women.

Jewish children victimized by shootings at their community center by a man who had connections to an anti-Semitic organization.

And today, we remember Matthew Shepard, a 21-year-old college student who was brutally and savagely beaten, strapped to a fence like an animal and left to die, all because of his sexual orientation.

These are only a few of the human faces that fell victim to intolerance, bias and bigotry. In fact, FBI statistics reveal that in 1997, a total of 8,049 biased motivated criminal incidents were reported. Of these incidents, 4,700 were motivated by racial bias, 1,400 by religious bias, 1,100 by sexual-orientation bias, 800 by ethnicity/national origin bias, and 12 by disability bias.

□ 1830

The number of incidents reported in my home State of Maryland was 335.

As we discuss this issue, I believe that there are two questions our Nation must answer: First, why should we care?

I submit to my colleagues today that we should care because our Nation was built on a foundation of democracy and independence for all. Our Declaration of Independence states that we hold these truths to be self-evident, that all men are created equal, and they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. We all take pride in these words, Mr. Speaker, but we all have a duty as American people to recognize this principle applies to all of our Nation's citizens regardless of their race or national origin, gender, sexual orientation, religion or disability status.

As cosponsor of the Celebrating One America resolution that this House passed today by unanimous consent sponsored by my good friend from New York (Mr. RANGEL), I believe that we should reach out across our differences in ethnicity, race and religion to respect each other and to celebrate in friendship our unity and one America. We must all remember that although we are a melting pot of various cultures, ideals and physical make-ups, we are all one human race.

As one 16 year-old recently wrote:
"He prayed, it wasn't my religion;
He ate, it wasn't what I ate;
He spoke, it wasn't my language;
He dressed, it wasn't what I wore;
He took my hand, it wasn't the color of mine;

But when he laughed, it was how I laugh, and when he cried, it was how I cry."

The second question our Nation must answer is: How can we put an end to hate violence?

The American people must take action. A resolution will require a united and determined partnership of elected officials, law enforcement entities, businesses, community organizations, churches and religious organizations and schools.

Congress must also take action. Yes, statistics have shed light on the prevalence of hate crimes in our society, however hate crimes are often under reported. Although we gathered significant information as a result of the Hate Crimes Statistics Act, this act makes the reporting of hate crimes by State and local jurisdictions voluntary, leaving gaps in information from various jurisdictions.

As such, I call for immediate passage of the Hate Crime Prevention Act, and I ask that we all join together. But most significant, non action translates into silence, and as Martin Luther King stated, We will remember not the words of our enemies, but the silence of our friends.

The SPEAKER pro tempore (Mr. COOKSEY). Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HATE CRIMES PREVENTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MEEKS) is recognized for 5 minutes.

Mr. MEEKS of New York. Mr. Speaker, it is truly a sad occasion that as we are about to enter the next millennium that we do have to stand on the floor of the United States House of Representatives still asking that all people be treated fairly. I listened to the word of my colleague, the gentleman from Maryland (Mr. CUMMINGS), when he stated that this country was built upon the notion that all men are created equal. Unfortunately, I have to disagree with that because our history in this country shows that unfortunately we do not consider African Americans equal, we do not consider women equal, but we are learning, and we are moving. And it would be my hope that as we are about to enter to the next millennium, that we would understand the error of our ways, and move forward and let it be known that we understand the history, the true history, of this country, and we are going to rectify it and not allow those individuals who become victims of hate to continue to suffer. We in this House, Mr. Speaker, must send a loud and clear message that those who want to hate others because they are different than they, it will not be tolerated.

In my lifetime I have seen individuals lynched and no one called to jus-

tice. In my lifetime, and we are not talking about a long time ago, I have seen individuals spat upon because of a different sexual orientation. I wish that we did not have to be here, but in 1999, in 1998, we had incidences like James Byrd dragged to death in the back woods by three white supremacists. We had Matthew Sheppard brutally murdered by three young men who despised his sexual orientation. We had places of worship, three synagogues in Sacramento, destroyed by arson. African American churches throughout the south still burned down. Bomb threats, death threats to the Muslim community immediately following the Oklahoma bombings.

Tolerance is not in America yet.

All these situations have one thing in common. They were the results of hate crimes committed due to the ignorance and nontolerance of individuals.

This Nation has consistently prided itself on its acceptance of all people; at least, that is what we say. What we have an opportunity now to do is to put our actions behind our words, for words alone mean nothing. It is the action behind the words that give the words value.

We commend ourselves, and I can know, sitting in the House, we talk about all other countries we do not want to do business with because we say that they are human rights violations. Well, we must first make sure that we take care of our own family and make sure that we are standing on the proper moral ground to begin with because how can you condemn someone else when you are not standing strong to make sure that your own home is in the best of shape?

During the 1960's, for example, people of all colors, races and creeds came together to fight against the racial intolerance that was directed specifically that time against African Americans and other minorities, and as a result of that united effort, this body passed major legislation known as the Civil Rights Act as a statement and tried to put some teeth and power behind the words: All men; and we should say all men and women; are created equal.

It is now time for us to take an additional step in that direction by attaching the Hate Crimes Prevention Act to the Commerce, Justice and the State appropriations bill. This act will make the intent of Congress clear and will put power behind the words that we will not tolerate hate crimes.

In conclusion, Dr. King said:

Injustice anywhere is a threat to justice everywhere.

Let us make our voices loud and clear; let us put power behind our words.

ANNOUNCEMENT OF INTENTION TO OFFER A MOTION TO INSTRUCT CONFEREES ON H.R. 1501, JUVENILE JUSTICE REFORM ACT OF 1999

Ms. JACKSON-LEE of Texas. Mr. Speaker, pursuant to clause 7(c) of rule

XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 1501 tomorrow. The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two houses on the Senate amendment to bill, H.R. 1501, be instructed to insist that the committee of conference should immediately have its first substantive meeting to offer amendments and motions including gun safety amendments and motions; and 2, the committee of conference report a conference substitute by October 20, the 6-month anniversary of the tragedy at Columbine High School in Littleton, Colorado, and with sufficient opportunity for both the House and the Senate to consider gun safety legislation prior to adjournment. H.R. 1501 is the Juvenile Justice Reform act of 1999.

The SPEAKER pro tempore. The form of the motion will appear in the RECORD.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MOORE) is recognized for 5 minutes.

(Mr. MOORE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PASS THE HATE CRIMES PREVENTION ACT AS QUICKLY AS POSSIBLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Michigan (Ms. STABENOW) is recognized for 60 minutes as the designee of the minority leader.

Ms. STABENOW. Mr. Speaker, first, as we begin this evening, I want to associate myself with the comments of my colleagues this evening concerning Matthew Sheppard and all of those who have found themselves the victims of hate crimes and the great necessity to pass the Hate Crimes Prevention Act as quickly as possible.

This evening I am joining with colleagues to speak out in support of efforts to restore Medicare cuts that have been too deep and have gone on too long, and we have an opportunity in this session before we leave to fix it, and we need to do that as quickly as possible.

The Balanced Budget Act of 1997 included numerous cuts to Medicare payments, to health care providers, and the original intent was to slow the growth of the costs of Medicare by cutting approximately \$115 billion over 5 years. Recently the Congressional Budget Office has projected, however, that Medicare spending has been reduced by almost twice that amount. Clearly Congress went too far.

These are not simply numbers that we are talking about. These are people, these are families, these are doctors and nurses trying to provide care,