

I know all my colleagues join me today in congratulating the Malvern Federal Savings Bank as it celebrates its 120th Anniversary and continues its proud tradition of community involvement, business excellence, and superior customer service.

A PROCLAMATION HONORING THE  
550TH ANNIVERSARY OF THE MORAVIAN  
CHURCH IN  
GNADENHUTTEN, OHIO

**HON. ZACHARY T. SPACE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 17, 2007*

Mr. SPACE. Madam Speaker:

Whereas, the dedicated people of the Moravian Church of Gnadenhutten, Ohio celebrates the 550th anniversary of the Moravian Church with great joy; and

Whereas, this occasion is a time to look back at the origins of our great state with the founding of the first settlement in Ohio by missionary David Zeisberger amongst the Le Nape Indians in 1772; and

Whereas, the Moravian Church continues as the oldest Protestant denomination in existence; and

Whereas, the Moravian Church have demonstrated excellence in its calling as a church, and we are proud to have it in the great state of Ohio and our Nation; be it

*Resolved*, That along with the residents of the 18th Congressional District, I commend the congregation for their unwavering commitment, recognizing that all great achievements come from great dedication. With great appreciation and respect, we recognize the tremendous impact this congregation has had in the community and in the lives of those people they have touched.

COMMENDING NASA LANGLEY RESEARCH CENTER ON ITS 90TH ANNIVERSARY

SPEECH OF

**HON. ROBERT C. "BOBBY" SCOTT**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 16, 2007*

Mr. SCOTT of Virginia. Mr. Speaker, I rise today in strong support of House Concurrent Resolution 222, which honors the NASA Langley Research Center on its 90th Anniversary. Started in 1917 as the nation's first aeronautical research laboratory, NASA Langley has become a world leader in aeronautics research and has led the charge in developing technology to improve the field of aeronautics. NASA Langley has worked to improve aircraft landing systems, the shape of aircraft wings, and the safety of hypersonic flight. NASA Langley also tests the configuration of many commercial and military aircraft models in its unique wind tunnel system. Finally, the Center is conducting work to enable pilots to better land in bad weather through the use of satellite and global positioning information. These improvements have led and will continue to lead to critical advances in both commercial and military aircraft. The increased safety resulting from these advances benefits us all.

NASA Langley has also played a key role in furthering space exploration. From the first manned space exploration mission to sending landers and rovers to Mars, NASA Langley has made significant contributions to make these journeys possible. NASA Langley trained the original seven astronauts who flew with the Mercury 7 mission—the first national manned space flight. The Center also led the Viking mission to Mars—the first successful U.S. to that planet. After the Columbia shuttle tragedy in 2003, NASA Langley performed critical work to determine how to return shuttles safely to space, including conducting research in aero-thermodynamics and structures and materials used in space shuttle technology. These missions have helped to keep the U.S. at the forefront of space exploration.

NASA Langley is also doing its part to get the next generation prepared and excited about working for NASA. Through its education programs, NASA reaches out to students to get them involved and excited about the fields of Science, Technology, Engineering, and Math (or STEM).

I would like to thank NASA for its continued recognition of NASA Langley as a viable, thriving part of the NASA community. I would also like to thank the individuals who have worked and who are currently working at NASA Langley for their sustained efforts in making the Center a world leader in the aeronautics and space exploration fields. Finally, I would like to recognize the leadership of my former colleague, the late Representative Jo Ann Davis, on this resolution. Congresswoman Davis was a tireless champion for NASA Langley and will certainly be missed. It is my hope that the Virginia delegation can continue this strong support for NASA Langley and look forward to more anniversaries to come.

SUPPLEMENTARY DOCUMENTS ON  
TRANSGENDER ISSUES

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 17, 2007*

Mr. FRANK of Massachusetts. Mr. Speaker, on October 9 I delivered a speech in the House regarding, among other things, my involvement in advocating for civil rights protections for transgender individuals. Following those remarks, I inadvertently failed to submit for the RECORD several documents to which I had made reference during the speech, specifically excerpts from testimony I gave before an Education and Labor Committee subcommittee last month in support of including full transgender protection in the Employment Non-Discrimination Act, and from two other speeches addressing transgender issues that I offered during previous debates on the House floor. In order to give a fuller picture of my views on these important topics, I ask that the documents be printed here.

EXCERPT FROM TESTIMONY OF U.S. REP. BARNEY FRANK, SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR AND PENSIONS, "THE EMPLOYMENT NON-DISCRIMINATION ACT, H.R. 2015," SEPTEMBER 5, 2007

Mr. FRANK of Massachusetts. . . . And then we have the issue that my colleague so ably discussed of the transgender—and I understand that this is a new issue for people. There are people who were born with the

physical characteristics of one sex who strongly identify with the other. Some of them have a physical change, some of them don't. Let me make a plea to all of my colleagues—these are people—think what it must be like to be born with that set of feelings. Think what it must be like, think what stress—what agony you go through—to defy society's conventions to the extent where you make that kind of a statement. This is something people are driven to do. Is there any reason why any of us should make the lives of those people more difficult than they already are?

Obviously these are people who are coping and things are getting better. Things are better in many ways. When I was younger, a lot of things were difficult that are less difficult today. But what we say here is if someone has these feelings—if someone is born with one set of characteristics and strongly identifies the other way—should you fire him? You deny him a promotion? You say no matter how good your job is, that makes me uneasy so out you go. That we say in here you can make rules that those people have to abide by. That they dress in a gender consistent way. . . .

There is another issue we . . . have to talk about. What happens when they're all in the shower together—you know you can segregate bathrooms, but in showers it's a little difficult. This says no, people don't have the right to go into open places where people are unclothed in a way that's to embarrass people. That we talk about an accommodation, again people will say, "well you didn't do that well enough." There's room for some fine-tuning there, but on a fundamental principle—particularly for those people who are themselves made the most uneasy by the transgender issue—and I must say having worked with a lot of transgender people, I would tell my friends you get over it pretty quickly. Because what you find out is you're dealing with human beings like all the rest of us—normal human beings who have the same emotions and needs and strengths and weaknesses all of us have. But for those who are not yet at the point of comfort with them, do we really feel driven to make life harder for these people?

By the way, I just want to deal with this choice issue. No one I believe in the history of the world has said, "you know what, life's too easy. I think although I was born a woman I'm going to act like a man. I think that would be a real lark. I think I'll just go through life that way and invite physical abuse and invite all kinds of ridicule." So that's all we're saying. And let me say here—a final appeal—if there's any institution that ought to understand this it's here. Let me tell you what I know. This institution—we as Members—are very well served by a large number of gay and lesbian employees. And many of my colleagues on the Republican side know that and have, to their credit, employed them.

I wouldn't have said this a couple of years ago, but after the recent incident it's now public. For years the Clerk of this House was a gay man, a Republican named Jeff Trandahl, whose orientation became public because he behaved in a very honorable and admired way in the issue of our former colleague, Mr. Foley. And the Ethics Committee saluted Mr. Trandahl. You know, Jeff Trandahl is an example and I know Jeff well and he's a friend whom I respect and admire and given the role he played, how much easier it would have been—maybe some troubles could have been avoided if there were legal protections that he and others would have had so they would not be subject to prejudice.

I'll acknowledge—yes—as Mike Carney's example will show and my own example will show—people say "well you know some

of these gay people are misbehaving." Yeah, living a life that you were trying to hide from others is not a prescription for model behavior. And you do dumb things in the closet sometimes. It's not an excuse. It's your fault when you do them. But it's in society's interest to diminish that pressure. And you can do that today. Thank you.

APPOINTMENT OF CONFEREES ON H.R. 4200, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005—House of Representatives—September 28, 2004—Excerpt From Debate on Hate Crimes Legislation

Mr. FRANK of Massachusetts. This bill criminalizes actions that consist of violence against individuals. It allows the Attorney General to enter under certain limited circumstances, if it is a Federal crime of violence under the Federal U.S. Code. It allows certain other things if there is an act of bodily injury or an attempt to cause bodily injury. Nothing in here criminalizes speech. In fact, when people start talking about Sweden, it is a pretty good indication that they do not have anything to talk about with regard to the law that we are voting on in America. By the way, America, unlike Sweden, has a first amendment, and the Supreme Court would have banned that if anybody tried to.

Finally, to refute that argument, which is without any merit whatsoever; I mean, sometimes we get close questions here. That one has no merit. There is nothing remotely in this bill that threatens anybody's speech. But here is the proof of it, and it also is a sign of the gross inconsistency of those on the other side. We are not starting down any path today, except the path of their illogic. What we are doing is adding a category to existing Federal categories. There are already on the books laws that create hate crimes. It is not the case that every crime is treated equally.

By the way, there was one category of people, and violence against them is much more seriously treated than violence against anybody else. If you are so offended by that, where is your motion to amend the law and take away the statute that says it is a super Federal crime to assault one of us. If a Member of Congress and a private citizen are walking down the street and they are both assaulted, it is a much more serious crime against the Member of Congress. Where is your consistency? If you mean what you say, why have you not gone after that, or is it okay if you are protected, Madam Speaker?

And then we have race on the books, and we have religion. Has anybody ever found a case where they say, well, once you do this, someone's free speech will be impugned? Are you telling me there are no racists in America? Are you telling me that no one makes racially offensive remarks? People do. And none of them, none of them have ever been prosecuted for hate speech.

So, in fact, you deny the reality, Madam Speaker, when people say this, that there are already on the books certain categories that are treated as hate crimes. None of them have led to there being any impugning of people's free speech.

Then the question is, why do we want to do this? In the first place, no one is saying that if you were violently assaulted, you will not be protected by the law. Why do we add an additional element if it is a hate crime? And here is the reason: When people are going out and singling out people because of their race or their color; and, by the way, if people who are white are being assaulted by people of another race because of their race, that is a hate crime, and it ought to be treated as

such. I do not share the view that that is a bad thing. It is wrong for thugs to tyrannize people because of that, and it is worse than another crime for this reason.

If some individual is walking down the street and is randomly assaulted, he or she is traumatized. But if another individual is singled out because of her race or religion or sexual orientation or gender, then it is not simply the individual who has been assaulted but others who share that characteristic who are put in fear.

We do have a particular problem. The gentleman said, well, you are saying gender instead of sex. Yes, there are people who are transgendered in our society. They are sadly often victimized. They are often victims of violence. Yes, I think it is a good idea to come to their aid. And if the gentleman thinks it is a mistake to go to the aid of people who are transgendered who are more often than others victimized and who are put in fear for that, then we do disagree, and I welcome the chance to vote on it.

CHILDREN'S SAFETY ACT OF 2005—House of Representatives—September 14, 2005—Excerpt From Discussion of Hate Crimes Legislation

Mr. FRANK of Massachusetts. Mr. Chairman, I want to address some of the misconceptions that arise when we deal with this legislation. I and many of the strongest proponents of hate crimes legislation are also among the strongest proponents of free expression in this House, and I want to be very clear. A belief in free expression means the belief in the right of obnoxious people to say hateful things. This is not an effort to prevent people from engaging in racist or homophobic or sexist insults. I regard that to be a very unpleasant but fully constitutionally protected practice, and there have been mistaken assertions in this.

There was in fact a case in Philadelphia which lent itself to the interpretation that unpleasant speech was being prosecuted. That case was thrown out of court, and it was wrong. Nothing in this law in any way, this amendment that the gentleman from Michigan, who happens to be one of the greatest defenders of freedom of expression in the history of Congress, nothing in this amendment impinges in any way on anybody's right to say or write anything they want.

What it says is that if you commit an act which is otherwise a crime, because the predicate for this is that you have to commit a physical act which would be a crime against a person or property, but generally against a person, that it becomes an aggravating factor if it is demonstrated to be motivated, and the courts have made it clear that you have to demonstrate this is an element of the crime in some way, you must demonstrate that it was motivated by prejudice.

Now the argument is, well, why is one kind of crime worse than any other? Well, in fact, of course, our laws, State and Federal, are replete with examples where the exact same act is treated more harshly depending on the motivation. We have laws that particularly single out crimes against the elderly. We have laws that say if you desecrate one kind of property it is worse than if you desecrate another.

Here is the rationale for this. If an individual is assaulted and the individual chosen for the assault was chosen randomly, that is a very serious problem for that individual, and the crime ought to be punished and the individual protected. But where individuals are singled out for assault because of their race, because of their sexual orientation, be-

cause of their gender or identity, and transgendered people are among those who have been most recently viciously and violently attacked, it is not simply the victim of the violent assault who is assaulted. Other people in that vicinity, in that area, who share those characteristics, are also put in fear. And it is legitimate for us to say that when you have individuals being singled out because of a certain characteristic, this becomes a crime that transcends the assault against the individual. It does not mean we do not protect the individual. It means that we go beyond that.

Now there are people who say, look, if you hit anybody, it is exactly the same thing. I doubt their sincerity, Mr. Chairman. Because, as I understand it, under Federal law, if one of us were to be walking out in the street with a private citizen and we were both assaulted, the individual assaulting us has committed a greater crime than the individual assaulting a private citizen. That is, we have one category of hate crimes in that it is a more serious crime to assault a Member of Congress.

Now, by the way, it is obviously not in any way constitutionally inappropriate to denounce Members of Congress. We all know that. So anyone who thinks that when you have enhanced a sentencing by singling out an individual you have immunized him or her from criticism, just look at us. I do not know anybody who is proposing that we get rid of that.

So here is what we are dealing with. We are dealing with a law which in no way impinges on anyone's freedom of expression and says that when individuals are physically harmed in part because of who they are that others who share that characteristic are also put in fear, and that is a way to try to diminish that form of activity.

I should add, too, that we have recently seen more of an outbreak of this sort of violence against people who are transgendered, and it is important for us to come to people's aid . . .

## A PROCLAMATION HONORING THE 90TH BIRTHDAY OF THE AMERICAN RED CROSS IN HOLMES COUNTY, OHIO

**HON. ZACHARY T. SPACE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 17, 2007*

Mr. SPACE. Madam Speaker:

Whereas, the Holmes County Red Cross celebrates its 90th birthday with great joy; and

Whereas, the Holmes County Red Cross provides vital services to the residents of Holmes County; and

Whereas, services such as Health and Safety, Disaster Services, Armed Forces Emergency Services, and Blood Services are provided; and

Whereas, these services provide communication, training and education; be it

*Resolved*, That along with the residents of the 18th Congressional District, I congratulate you on your 90th Birthday. With great appreciation and respect, we recognize the tremendous impact the Holmes County Red Cross has had in the community and in the lives of those people you have touched.