

Whether, in violation of the False Statements Act (18 U.S. Code 1001) and the Federal Perjury Statute (18 U.S. Code 1621) Mr. Franklin Haney, Mr. Peter Knight or Mr. James Sasser may have made false or deceptive statements or lied under oath before the Subcommittee on Oversight of the Committee on Commerce with respect to the nature of their fee arrangements on the Portals or and/or TVA leases; and

Whether Mr. Sasser may have violated 18 U.S. Code 203(a) by agreeing to and receiving compensation while a U.S. official for the representational services of another before a government agency with respect to a matter directly involving the Federal Government.

I also believe that the Department of Justice and the General Services Administration should take immediate steps to recover the \$2.5 million in fees paid by Mr. Franklin Haney to Mr. Peter Knight, Mr. James Sasser and Mr. John Wagster on the Portals as authorized by statute, and the more than \$17 million paid out to the Portals partnership for rent on a vacant building due to the fixed rent start date that Mr. Frank L. Haney and his representatives secured to facilitate his financing of the Portals.

The subcommittee's investigation into the Portals has been a difficult one, mainly due to the unprecedented lack of voluntary cooperation and the deliberate efforts at obstruction by Mr. Franklin L. Haney and his associates, virtually all of whom refused to be interviewed by committee staff or provide documents voluntarily. Mr. Franklin L. Haney's refusal to produce subpoenaed materials ultimately led to the Subcommittee on Oversight and Investigation of the Committee on Commerce and the full Committee on Commerce to hold him in contempt of Congress. A report detailing those proceedings against Mr. Franklin L. Haney recently was filed by the House by the chairman of the Committee on Commerce, the gentleman from Virginia (Mr. THOMAS BLILEY).

It is also my hope that the House will use this case to make much-needed changes to its rules governing investigations, including expediting enforcement of subpoenas and permitting subpoenas to be issued for staff depositions of witnesses who refuse to be interviewed voluntarily. These steps, among others, will permit the investigative subcommittees to do their important job in a more efficient, timely fashion in the future.

CHANGE IN ORDER OF TAKING SPECIAL ORDER

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

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent to substitute for the gentleman from Indiana (Mr. ROEMER).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CONGRESS SHOULD ALLOW EDUCATORS TO DEAL WITH PREJUDICE AND BROADEN DEFINITION OF HATE CRIMES TO INCLUDE SEXUAL ORIENTATION

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

Mr. FRANK of Massachusetts. Mr. Speaker, earlier this week, a very decent young man was brutally murdered by two savages. And I am particularly struck, Mr. Speaker, because given the reasons that those two deformed individuals, mentally and morally deformed, murdered that individual, it could have been me. Had I, alone and unarmed, confronted these two thugs, I could have been subjected to the same brutalization that Mr. Shepard was in Wyoming, because his crime was to be a gay man.

Something in the culture in which these two young men who murdered him grew up led them, without an ounce of humanity, without a scrap of decency, to set upon this young man with a weapon, beat him to death, and leave him not quite dead, but at the point of death, alone, and in a way, that added further to his torment.

Mr. Speaker, I am encouraged by the number of people who have spoken out against this savagery. I am optimistic, having spoken with leaders here on both sides in the House, that we will take an important step and add to the Federal hate crimes legislation a provision that would say that if a young man who happens to be gay, as I happen to be gay, were to be set upon by thugs in the future who are so consumed with prejudice as to lose any shred of their humanity and kill him, that in appropriate circumstances, if the Attorney General found that certain very stringent requirements were met, and if a Federal presence was necessary, the Federal presence could be there. So, I hope we will add this to the legislation.

But we need to go beyond that. I do not argue, Mr. Speaker, that those who have been critical of various proposals that gay and lesbian people have put forward are guilty of murder or even of creating the climate. But this savage murder does call us to the need to improve what we as a society do to protect other young Mr. Shepherds from this kind of brutality in the future.

In particular, we have debated on the floor of this House measures whereby Members of this House have sought to penalize schools, secondary schools, because they would set up programs to do two things. First of all, to offer protection to the 15- and 16-year-old Shepherds, to the young gay men and young lesbians who find themselves tormented and abused and sometimes physically assaulted in school.

Some of these schools would also try to teach young people in their teens that brutalizing people because they do not like their sexual orientation is not acceptable human behavior. And we have had people in this House try to stop that, try to penalize it.

I hope that one of the things that will come out of this terrible, terrible murder will be a cessation of those trying to prevent schools from trying in turn to prevent this. It is not random that the terrible murder was committed and it is shocking that a 21-year-old and a 22-year-old, that they could be so bestial in their attitude towards a fellow human being. These are people not long out of high school themselves.

Mr. Speaker, this underlies the importance of allowing educators to deal with prejudice. We talk about teaching values. But when some talk about teaching the value of tolerance, when some talk about condemning violence based on someone's basic characteristics, we are told we cannot do that. We have been told that we cannot let a school teach acceptance of the gay lifestyle.

Mr. Speaker, think about that. What does nonacceptance mean? If acceptance is interpreted to mean approval, I and others do not care. There are bigots in this world whose approval holds no charms for me. But when nonacceptance means not accepting someone's right to live, we have a serious problem.

If the two murderers who so brutally beat Mr. Shepard to death and left him in this situation to ultimately to die, if they had been in a school system where people had taught that gay men and lesbians were human beings with a right to live, maybe this would not have happened. Maybe teaching people to accept differences, not in the sense of becoming their advocates or becoming their supporters, but in refraining from this sort of assault would be a good thing.

And so we will return to this. I hope we will, in the piece of legislation that is about to wrap up, adopt the hate crimes statute. But I hope also, Mr. Speaker, and I appreciate the Chair's indulgence for 10 seconds, I hope we will no longer see in this House efforts to harass educators and penalize educators who understand the importance of trying to remove from young people's attitudes the kind of hatefulness that led to this murder.

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

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

EXCHANGE OF SPECIAL ORDER TIME

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I ask unanimous consent