they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HATCH:

S. 1406. A bill to combat hate crimes; to the Committee on the Judiciary.

By Mr. FRIST:

S. 1407. A bill to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 2000, 2001, and 2002, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JEFFORDS (for himself, Mr. MOYNIHAN, Mr. SCHUMER, MR. LAUTENBERG, Mr. LIEBERMAN, and Mr. LEAHY):

S. 1408. A bill to amend the Small Business Investment Act of 1958 to promote the clean-up of abandoned, idled, or underused commercial or industrial facilities, the expansion or redevelopment of which are complicated by real or perceived environmental contamination, and for other purposes; to the Committee on Small Business.

By Mr. MCCONNELL (for himself and Mr. BUNNING):

S. 1409. A bill to amend the Internal Revenue Code of 1986 to reduce from 24 months to 12 months the holding period used to determine whether horses are assets described in section 1231 of such Code; to the Committee on Finance.

By Mr. STEVENS:

S. 1410. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain air transportation; to the Committee on Finance.

S. 1411. A bill to amend the Internal Revenue Code of 1986 to extend the credit for producing electricity from certain renewable resources; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MURRAY (for herself, Mr. WARNER, Mr. HATCH, Mr. BINGAMAN, Mrs. BOXER, Mr. CHAFEE, Mr. DODD, Mr. DORGAN, Mr. EDWARDS, Mr. GORTON, Mr. GRAMS, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mr. MOYNIHAN, Mr. REID, Mr. ROBB, Mr. SARBANES, Mr. SCHUMER, Mr. SMITH of Oregon, Mr. SPECTER, Mr. TORRICELLI, and Mr. WELLSTONE):

S. Res. 158. A resolution designating October 21, 1999, as a ''Day of National Concern About Young People and Gun Violence''; to the Committee on the Judiciary.

By Mrs. HUTCHISON (for herself, Mr. BOND, Ms. COLLINS, Mr. FRIST, Mr. ALLARD, Mr. EDWARDS, Mr. COCHRAN, Mr. CLELAND, Mr. ROBERTS, and Mr. TORRICELLI):

S. Con. Res. 47. A concurrent resolution expressing the sense of Congress regarding the regulatory burdens on home health agencies; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH:

S. 1406. A bill to combat hate crimes.

COMBATING HATE CRIMES

Mr. HATCH: Mr. President, in the face of some of the hate crimes that have riveted public attention—and have unfortunately made the name Benjamin Nathaniel Smith synonymous with the recent spate of shootings in Illinois; the names James Byrd synonymous with Jasper, Texas; and the name Matthew Shepard synonymous with Laramie, Wyoming—I am committed in my view that the Senate must lead and speak against hate crimes.

During and just preceding this past generation, Congress has been the engine of progress in securing America's civil rights achievements and in driving us as a society increasingly closer to the goal of equal rights for all under the law.

Historians will conclude, I have little doubt, that many of America's greatest strides in civil rights progress took place just before this present moment on history's grand time line: Congress protected Americans from employment discrimination on the basis of race, sex, color, religion, and national origin with the passage of the Civil Rights Act of 1964; Congress protected Americans from gender-based discrimination in rates of pay for equal work with the Equal Pay Act of 1963; and from age discrimination with the passage of the Age Discrimination in Employment Act of 1967; Congress extended protections to immigration status with the Immigration Reform and Control Act in 1986, and to the disabled with the passage of the Americans With Disabilities Act in 1990. And the list continues on and on.

Yet while America's elected officials have striven mightily through the passage of such measures to stop discrimination in the workplace, or at the hands of government actors, what remains tragically unaddressed in large part is discrimination against peoples' own security—that most fundamental right to be free from physical harm.

Despite our best efforts, discrimination continues to persist in many forms in this country, but most sadly in the rudimentary and malicious form of violence against individuals because of their identities.

A fair question for this Congress is what it will do to stem this ugly form of hatred and to counter hate crime as boldly as this Congress has attempted to redress workplace bias and governmental discrimination. Will we continue to advance boldly in this latest civil rights frontier by furthering Congress' proud legacy, or will we demur on the ground that this is not now a battle for our waging?

Let me state, unequivocally, that this is America's fight. As much as we condemn all crime, hate crime can be more sinister that non-hate crime.

A crime committed not just to harm an individual, but out of the motive of sending a message of hatred to an entire community—oftentimes a community defined on the basis of immutable traits—is appropriately punished more harshly, or in a different manner, than other crimes.

This is in keeping with the longstanding principle of criminal justice—as recognized recently by the U.S. Supreme Court in a unanimous decision upholding Wisconsin's sentencing enhancement for hate crimes—that the worse a criminal defendant's motive, the worse the crime. (*Wisconsin* v. *Mitchell*, 1993)

Moreover, hate crimes are more likely to provoke retaliatory crimes; they inflict deep, lasting, and distinct injuries—some of which never heal—on victims and their family members; they incite community unrest; and, ultimately, they are downright un-American.

The melting pot of America is, worldwide, the most successful multi-ethnic, multi-racial, and multi-faith country in all recorded history. This is something to ponder as we consider the atrocities so routinely sanctioned in other countries—like Serbia so recently—committed against persons entirely on the basis of their racial, ethnic, or religious identity.

I am resolute in my view that the federal government can play a valuable role in responding to hate crime. One example here is my sponsorship of the Hate Crime Statistics Act of 1990, a law which instituted a data collection system to assess the extent of hate crime activity, and which now has thousands of voluntary law enforcement agency participants.

Another, more recent example, is the passage in 1996 of the Church Arson Protection Act, which, among other things, criminalized the destruction of any church, synagogue, mosque, or other place of religious worship because of the race, color, or ethnic characteristics of an individual associated with that property.

To be sure, however, any federal response—to be a meaningful one—must abide by the constitutional limitations imposed on Congress, and be cognizant of the limitations on Congress' enumerated powers that are routinely enforced by the courts.

This is more true today than it would have been even a mere decade ago, given the significant revival by the U.S. Supreme Court of the federalism doctrine in a string of decisions beginning in 1992. Those decisions must make us particularly vigilant in respecting the courts' restrictions on Congress' powers to legislate under section 5 of the 14th amendment, and under the commerce clause. [*City of Boerne* (invalidating Religious Freedom Restoration Act under 14th amendment); *Lopez* (invalidating Gun-Free School Zones Act under commerce clause); *Brzondala* (4th circuit decision