

3132) by a vote of 223–199. Bipartisan majorities also voted in favor of hate crime legislation in the 108th and 106th Congresses.

The Hate Crimes Prevention Act has attracted the support of over 210 civil rights, education, religious, and civic organizations. Importantly, virtually every major law enforcement organization in the country has endorsed the bill—including the International Association of Chiefs of Police, the National District Attorneys Association, the National Sheriffs Association, the Police Executive Research Forum, and 31 state Attorneys General.

Bias crimes are disturbingly prevalent and pose a significant threat to the full participation of all Americans in our democratic society. The FBI has the best national data on reported hate crime, though the program is voluntary. Since 1991, the FBI has documented over 113,000 hate crimes. For the year 2005, the most current data available, the FBI compiled reports from law enforcement agencies across the country identifying 7,163 bias-motivated criminal incidents that were directed against an individual because of their personal characteristics. Law enforcement agencies identified 8,795 victims arising from 8,373 separate criminal offenses. As in the past, racially-motivated bias accounted for more than half (54.7 percent) of all incidents. Religious bias accounted for 1,227 incidents (17.1 percent) and sexual orientation bias accounted for 1,017 incidents—(14.2 percent), followed by ethnicity/national origin bias with 944 incidents—(13.7 percent). While these numbers are disturbing, it is important to note that, for a variety of reasons, hate crimes are seriously under-reported.

Despite the deep impact of hate violence on communities, current law limits federal jurisdiction over hate crimes to incidents directed against individuals on the basis of race, religion, color or national origin—but only when the victim is targeted because he/she is engaged in a federally protected activities, such as voting. Further, the statutes do not permit federal involvement in a range of cases where crimes are motivated by bias against the victim's perceived sexual orientation, gender, gender identity, or disability. The federal government must have authority to be involved in investigating and prosecuting these crimes when state authorities cannot or will not do so.

This legislation, which is identical to the version approved in the 109th Congress, will strengthen existing federal law in the same way that the Church Arson Prevention Act of 1996 helped federal prosecutors combat church arson: by addressing the unduly rigid jurisdictional requirements under federal law. The bill only applies to bias-motivated violent crimes and does not impinge public speech or writing in any way. In fact, the measure includes an explicit First Amendment free speech protection for the accused modeled on the existing Washington state hate crimes statute.

State and local authorities currently prosecute the overwhelming majority of hate crimes and will continue to do so under this legislation. The federal government will continue to defer to state and local authorities in the vast majority of cases; the Attorney General or another high ranking Justice Department official must approve any prosecutions undertaken pursuant to this law, ensuring federal restraint. However, in appropriate circumstances, the federal government will be

able to provide support for local prosecutions—an intergovernmental grant program created by this legislation will make Justice Department technical, forensic or prosecutorial assistance available. The legislation also authorizes the Attorney General to make grants to state and local law enforcement agencies that have incurred extraordinary expenses associated with the investigation and prosecution of hate crimes.

The Local Law Enforcement Hate Crimes Prevention Act of 2007 is a constructive and measured response to a problem that continues to plague our nation. Hate crime statistics do not speak for themselves. Behind each of the statistics is an individual or community targeted for violence for no other reason than race, religion, ethnicity, sexual orientation, gender, gender identity, or disability. Law enforcement authorities and civic leaders have learned that a failure to address the problem of bias crime can cause a seemingly isolated incident to fester into widespread tension that can damage the social fabric of the wider community. This problem cuts across party lines, and I am glad to be joined by so many of my colleagues on both sides of the aisle in proposing this legislation today. These are crimes that shock and shame our national conscience and should be subject to comprehensive federal law enforcement assistance and prosecution.

#### PERSONAL EXPLANATION

### HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2007*

Mrs. NAPOLITANO. Mr. Speaker, on Monday, March 19, 2007, I was absent due to illness. Had I been present, I would have voted "yea" on rollcall No. 158, agreeing to H.R. 658—Natural Resource Protection Cooperative Agreement Act.

#### COMMENDING FLOWER MOUND HIGH SCHOOL

### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2007*

Mr. BURGESS. Madam Speaker, I rise today to congratulate students of Flower Mound High School for their remarkable performance in the State Academic Decathlon competition. This is a competition that includes some of the brightest students in the State of Texas.

Academic Decathlon is a nation-wide competition which tests high school students in the following 10 academic events: speech, interview, essay, super quiz, language and literature, economics, art, music, social science, and math. The competition takes place at a regional, state, and national level. The theme for this year's categories was "China and its Influence on the World."

In Flower Mound High School's first appearance at the State competition, they finished in 10th place with 41,288 points. Juri Hur, Josh Patterson, and Jamie Choate received gold medals for their outstanding performances.

They were joined in the competition by teammates Jonathan Angel, Danielle Bevers, Melissa Bevers, Kayla Gilliard, Leah Higginson, and Heather Sneeder. The team was coached by Judy Kelmer and Julie Tipton.

I would like to recognize Principal Jack Clark and the entire Flower Mound High School faculty for their dedication to education. It is also necessary to honor the parents of these students for the active role that they have taken in their children's education. I commend all of the participants for their diligence and commitment to academic achievement. I wish them the best as they continue onward, and I am very proud and honored to be their Representative in the 26th District of Texas.

#### TRIBUTE TO GRACE NASH

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2007*

Ms. KAPTUR. Madam Speaker, the first day of Spring brought the family and friends of Grace Elizabeth Nash together in celebration of her everlasting life. Grace Nash passed from this life to be with her Savior on Friday, March 16, 2007 at the age of 52 years.

A native of Jamaica, Grace Nash graduated from the University of Findlay in 1978. She settled in Bowling Green, Ohio and dedicated her career to elder advocacy. She was the activities director for the Wood County Committee on Aging for 22 years until her retirement, when she took on the challenge as executive coordinator of the Ohio Association of Senior Centers. Grace was talented, giving, and truly invested in the lives of the older adults she served and the younger adults she mentored. Her tenure with the Wood County Committee on Aging was marked by a dynamism and professionalism which was unmatched.

Spirituality was woven into the very fibers of Grace's life, and she was the administrator of her congregation, New Life Pentecostals of Toledo Church. Her pastor described her perfectly: Grace "was passionate, she was a dreamer, she had lots of energy, and she was very spiritual. The people who knew her called her Amazing Grace." Indeed she was. With quiet dignity, a ready smile and a helping hand, Grace embodied her name.

Grace Elizabeth Nash leaves a legacy to all whose lives she touched, and many who did not have the privilege of knowing her. Among the people who were so privileged, she will be missed. We extend our heartfelt condolences to them, and especially her brother, sisters, nieces and nephews. May they find comfort in their memories and the gift of Grace's life.

#### PERSONAL EXPLORATION

### HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2007*

Mrs. NAPOLITANO. Mr. Speaker, on Monday, March 19, 2007, I was absent due to illness. Had I been present, I would have voted "yea" on roll call No. 159, agreeing to H.R.

839—Arthur V. Watkins Dam Enlargement Act.

COMMENDING MARCUS HIGH SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2007*

Mr. BURGESS. Madam Speaker, I rise today to congratulate students of Marcus High School for their remarkable performance in the state Academic Decathlon competition. This is a competition that includes some of the brightest students in the State of Texas.

Academic Decathlon is a nation-wide competition which tests high school students in the following 10 academic events: speech, interview, essay, super quiz, language and literature, economics, art, music, social science, and math. The competition takes place at a regional, state, and national level. The theme for this year's categories was "China and its Influence on the World."

The team from Marcus High School finished 3rd at the regional competition and 18th overall at the state competition. Jonathan Neal was awarded a gold medal in the language and literature category. Other contestants from Marcus were Jake Burley, Chelsea Carroll, Preston Hale, Robert Handley, Matthew Henry, Jacqueline Hurlbutt, Emily Robertson, and Tyler Stevenson. Lou Ann Kemper and Dorrie Loughborough were the coaches for the team.

I would like to recognize Principal Kevin Rogers and the entire Marcus High School faculty for their dedication to education. It is also necessary to honor the parents of these students for the active role that they have taken in their children's education. I commend all of the participants for their diligence and commitment to academic achievement. I wish them the best as they continue onward, and I am very proud and honored to be their Representative in the 26th District of Texas.

TRIBUTE TO PATRICK MCGUIRE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2007*

Ms. KAPTUR. Madam Speaker, our community of Northwest Ohio has lost a leader and academic activist whose reach was national in scope. Patrick McGuire lost his battle with cancer on March 18, 2007 and passed from this life at the age of 53 years.

A native of Malone, New York, Mr. McGuire was a Toledo, Ohio resident since accepting a teaching position with the University of Toledo in 1987. He continued teaching throughout, but took on the directorship of the university's Urban Affairs Center in 2000. His leadership oversaw an expansion of that institution and a national recognition of his and the center's efforts. His respected research of community sustainability and development, urban sprawl, the creation of a municipal electrical company, and the so called "brain drain" of young professionals was nationally known.

Equally important to his academic and community leadership, Pat McGuire was dedicated

to his personal life. His family and friends knew him to be a gourmet cook who loved fly fishing. We extend our sympathies to his life partner Linda and children Seamus and Erin, his parents, sister and brother, niece and nephew. We know their loss is profound, and hope comfort is found in the memories they share.

Perhaps the best summation of the life and work of Patrick McGuire was offered by his successor at the Urban Affairs Center: "Patrick was a person with a lot of heart, he was tenacious and righteous, and he fought absolutely for what he believed in . . ." A fine legacy indeed.

PERSONAL EXPLANATION

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2007*

Mrs. NAPOLITANO. Madam Speaker, on Monday, March 19, 2007, I was absent due to illness. Had I been present, I would have voted "yea" on rollcall No. 157, agreeing to H. Res. 138—Recognizing the importance of Hot Springs National Park on its 175th anniversary.

SENATOR SIMPSON'S WISDOM REBUTS GENERAL PACE'S PREJUDICE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2007*

Mr. FRANK of Massachusetts. Madam Speaker, on Wednesday, March 14, former Senator Alan Simpson published an eloquent and well-reasoned argument for total repeal of the restrictions that now exist on patriotic gay, lesbian, bisexual and transgendered people serving in the military. It is particularly noteworthy that Senator Simpson, like General John Shalikashvili, was an influential supporter of the current restrictive policy when it was imposed in 1993. Like General Shalikashvili, Alan Simpson with the forthrightness and intellectual honesty that marked his distinguished career in the Senate now says that it is time to end that policy, noting that there has been a substantial diminution of anti-gay and lesbian prejudice among the American people, which means that the argument that allowing those of us who are gay, lesbian, bisexual and transgendered openly to serve would somehow cause morale problems because of widespread prejudice against us.

Senator Simpson goes on to note that at a time when we are facing a shortage of people able and willing to serve in the military, it is particularly foolish to refuse to allow people who want to serve to do so based on outdated prejudices against them. And I do want to note in this context that even when he was defending a total ban on gays and lesbians in the military in 1990, then General Colin Powell acknowledged that that was not because there was any reason to conclude that gay or lesbian people would be inferior members of the military, but again, only that we were the victims of a prejudice that could be disruptive.

It is particularly disappointing to me, Madam Speaker, therefore, that just as Senator Simpson and General Shalikashvili have acknowledged the diminution of this prejudice, the Chairman of the Joint Chiefs, General Peter Pace, has tried to reinvigorate it. General Pace's comment that we who are gay, lesbian, bisexual or transgendered are "immoral" solely because of that fact, without any judgment about how we in fact interact with other human beings, is prejudice at its worst. If he were a private citizen, the fact that he felt so unfairly negative towards so many of his fellow citizens would be purely his business. But in fact he cited his condemnation of us as one of the main justifications for a public policy that excludes patriotic gay, lesbian, bisexual and transgendered people from serving in the military. He has since, of course, retracted that part of his statement, but it is clear that he did so only because he has been criticized for it, and not because there has been any change in his opinion.

Madam Speaker, it is entirely wrong for such a high position as Chairman of Joint Chiefs of Staff to be occupied by someone who is prepared to consign millions of other Americans to second class status because he disapproves of consensual, mutually respectful intimate behavior—that the Supreme Court has made clear can never be criminalized—between consenting adults. Such an effort to use public policy to enforce private views would be strongly rejected, I hope, by the President and others in the administration if it were to be aimed at any other group. I deeply regret that we have not seen a similar reaction when the victims are those of us who are gay or lesbian.

The article by Alan Simpson follows:

[From the Washington Post, Mar. 14, 2007]

BIGOTRY THAT HURTS OUR MILITARY

(By Alan K. Simpson)

As a lifelong Republican who served in the Army in Germany, I believe it is critical that we review—and overturn—the ban on gay service in the military: I voted for "don't ask, don't tell." But much has changed since 1993.

My thinking shifted when I read that the military was firing translators because they are gay. According to the Government Accountability Office, more than 300 language experts have been fired under "don't ask, don't tell," including more than 50 who are fluent in Arabic. This when even Secretary of State Condoleezza Rice recently acknowledged the nation's "foreign language deficit" and how much our government needs Farsi and Arabic speakers. Is there a "straight" way to translate Arabic? Is there a "gay" Farsi? My God, we'd better start talking sense before it is too late. We need every able-bodied, smart patriot to help us win this war.

In today's perilous global security situation, the real question is whether allowing homosexuals to serve openly would enhance or degrade our readiness. The best way to answer this is to reconsider the original points of opposition to open service.

First, America's views on homosexuals serving openly in the military have changed dramatically. The percentage of Americans in favor has grown from 57 percent in 1993 to a whopping 91 percent of 18- to 29-year-olds surveyed in a Gallup poll in 2003.

Military attitudes have also shifted. Fully three-quarters of 500 vets returning from Iraq and Afghanistan said in a December Zogby poll that they were comfortable interacting with gay people. Also last year, a