

□ 1630

PASS H.R. 1343, THE HATE CRIMES PREVENTION ACT OF 2001

The SPEAKER pro tempore (Mr. PENCE). Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, as an original cosponsor of H.R. 1343, the Hate Crimes Prevention Act, I am committed to seeing this legislation enacted into law. It is really important. I also want to thank the gentlewoman from California (Ms. WOOLSEY), my friend and colleague, for her leadership on this issue.

Mr. Speaker, last year hate crimes legislation passed the Senate in a bipartisan 57 to 42 vote on June 20. We had over 190 bipartisan cosponsors in the House, regrettably not enough to gain House passage. Many fear that this legislation would create a new area of law, and this is simply not true.

H.R. 1343, which currently has 199 bipartisan cosponsors, will enhance the ability of Federal law enforcement to provide assistance to State and local prosecution of hate crimes and, in certain limited cases, ease the ability of Federal law enforcement to prosecute racial, religious, ethnic and gender-based violence.

The FBI has reported approximately 50,000 hate crimes have been committed in the past 5 years, with nearly 8,000 reported last year alone. And although these statistics are alarming, even more disturbing is the fact that groups monitoring such crimes report that the FBI's data collection method has routinely missed tens of thousands of cases, and the number of hate crimes is probably closer to 50,000 a year.

Why the discrepancy? Because participation in the FBI's annual hate crimes statistics report is voluntary, and several States do not fully participate. The FBI collects the data from local jurisdictions under the 1990 Hate Crime Statistics Act; and, unfortunately, little money has been allocated to train police officers to determine whether a crime was fueled by hate.

Mr. Speaker, now more than ever we need to provide law enforcement the tools and the resources they need to both report and fight against these senseless acts of hate and violence. These crimes are uniquely destructive and divisive. Their perpetrators seek not only to harm the immediate victim but to make a statement to an entire community.

Hate crimes are a disturbing barometer of the state of a nation. Notably, antiblack hate crimes accounted for 35.6 percent of all racial bias; anti-semitism accounted for 75 percent of all religious incidents; and people with substantial disabilities, approximately 15 percent of the population, suffer from violent and other major crimes at rates

many times higher than that for the general population. Research shows that this population is over four times as likely to be victims of crime than are people without disabilities.

Hate crimes based on sexual orientation also continue to rise and currently make up the third highest category after race and religion. Additionally, in the wake of the September 11 terrorist attacks, the Arab-American Anti-discrimination Committee has investigated, documented and referred to Federal authorities over 450 incidents of hate-related crime. Moreover, the Council on American-Islamic Relations has compiled over 1,200 complaints of hate attacks directed against American Muslims.

State and local authorities currently prosecute the overwhelming majority of hate crimes, and they will continue to do so with enhanced support of the Federal Government under the Hate Crimes Prevention Act.

Mr. Speaker, hate crimes represent an attack on the American ideal that we can forge one Nation out of many different people and requires a determined response from law enforcement. The Hate Crimes Prevention Act is a constructive and measured response to a problem that continues to plague our Nation: violence motivated by prejudice. Let us pass H.R. 1343. It is long overdue.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monohan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10. An Act to provide for pension reform, and for other purposes.

PREVENTION OF TERRORISM ORDINANCE

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

Mr. PALLONE. Mr. Speaker, I am concerned about recent statements made by one of my colleagues, the gentleman from Indiana (Mr. BURTON), with regard to India. We will soon be voting on the Foreign Operations appropriations bill which will be providing very limited aid to India, the world's largest democracy and our strong friend in the politically unstable Southeast Asia region.

The gentleman from Indiana (Mr. BURTON) recently made critical statements to the press about India in an effort to persuade Members to not provide aid to India or to resume sanctions against India. He specifically referenced the Prevention of Terrorism Ordinance, or POTO, and stated that it was the most repressive law that India has ever considered.

Mr. Speaker, for the past 50 years, India has been forced to deal with severe cross-border terrorism in Kashmir and an upsurge of terrorist attacks throughout their nation. Since the September 11 attacks here in the U.S., India has experienced heightened terrorism in Kashmir; and, quite frankly, I have been reading about murders of innocent Kashmiris by Islamic militants on nearly a daily basis.

Just this morning I read about two new incidents that occurred yesterday. Suspected terrorists shot and killed a judge in Kashmir, along with his friend and two guards. This is the first attack on the judiciary of Jammu and Kashmir State.

The other incident was a suicide squad of a Pakistani-based guerilla group that killed at least five people at an Indian Army camp in Kashmir. This latest suicide attack is to be added to a long series of suicide attacks that have killed many innocent Kashmiris.

Mr. Speaker, as a result of violent terrorist attacks against India, the Indian President has issued the Prevention of Terrorism Ordinance, POTO. POTO would make provisions for Indian law enforcement officials to prevent and deal with terrorist activities. The current criminal justice system in India is not sufficient in prosecuting terrorists and, with passage of POTO, India will be provided the necessary law enforcement tools to prevent and effectively deal with terrorism.

I am not suggesting, Mr. Speaker, that the gentleman from Indiana (Mr. BURTON) or anyone else should not be able to speak out against POTO if they desire. We know that India is a vibrant democracy with an open political system. Its free press and democratic nature allows all voices and opinions to be heard. But I think the criticism is undeserved at this time.

I would like to draw an analogy between what is happening with POTO in India and what is happening with the Provide Appropriate Tools Required to Intercept and Obstruct a Terrorism Act, or PATRIOT Act, in the United States. This analogy was conveniently overlooked by the gentleman from Indiana.

In October of this year, the U.S. Congress passed the PATRIOT Act, which gave law enforcement officials more tools to detect, apprehend, and prosecute terrorists. In the aftermath of September 11, Congress was required to act quickly to pass measures to address the immediate and long-term security, recovery, and financial needs of the country.

There was controversy and there still remains criticism of the PATRIOT bill from both the right and the left. Members protested that it would grant the government too much power and endanger civil liberties. However, the administration called for immediate action and, while moving the bill through