

Madam Speaker, with all of the challenges that we have in our country, the wonderful reality is that we still hold these truths to be self-evident that all men are created equal and that they are all equal because they are all God's children.

In fact, Madam Speaker, the essence of America is that all people should be treated with the same respect and should be protected completely equally under the law. To break up people into different categories and say that one group is more worthy of protection than another and then to grant special protection to some groups and not to others, it fundamentally diminishes the protection of all of the other remaining groups.

Madam Speaker, a short time ago, this body voted to pass H.R. 1913, the Local Law Enforcement Hate Crimes Prevention Act of 2009, and I believe that it did just that. Regardless of whether a person is white, black, handicapped, healthy, sick, old, young, homosexual, heterosexual, rich, poor, a janitor, a Senator, a veteran, a police officer, a senior, or whatever the case is, he deserves equal protection under the law. That is the foundational premise of this Nation. The legislation that we voted on today moves us all directly away from that basic foundation in a profound and dangerous way.

This legislation would prosecute individuals not on the bases of their crimes but on their alleged motivations for committing those crimes. It requires law enforcement officials and prosecutors to gather evidence of the offender's thoughts rather than of his actions and his criminal intent. This should strike us all as inherently dangerous.

The First Amendment of our Constitution was crafted because our Founding Fathers recognized that the freedom of thought and belief is the cornerstone of every other freedom. It is the foundation of liberty, itself, because, without it, every other freedom, including the freedom of speech, becomes meaningless.

Madam Speaker, there is another insidious aspect of this legislation which, I believe, would have the most tolerant Americans up in arms if they were truly aware of it, which is, not only does this legislation require law enforcement to investigate an individual's motivations--those are the thoughts and beliefs that seemingly motivate him or her to commit a crime--but it would expand the scope of the prosecution to include individuals or members of organizations or religious groups whose ideas or words may have influenced a person's thoughts or motivations when he committed a crime.

Under such a bill, individuals who may not have even been aware of the crimes could receive the same or similar penalties as the criminal, himself, receives. It would only take some arbitrary prosecutor to construe that an individual had influenced the beliefs or thoughts of a perpetrator of a crime and, thereby, somehow caused hateful or violent acts. This raises the very real possibility that religious leaders or members of religious groups could be prosecuted criminally based on their speech, association or other activities that have been specifically protected by the First Amendment of our Constitution for the last 220 years.

Madam Speaker, this would have a devastating and chilling effect on free speech in America. Who could blame pastors, educators or any other cultural leaders if they chose to cease

expressing their beliefs for fear of being thrown in prison and charged with a Federal crime? This is not rhetorical speculation. It has already happened in the case of the Philadelphia 11 and in other cases. In the Philadelphia 11, 11 individuals were jailed, and they faced \$90,000 in fines and 47 years in prison for simply speaking the gospel openly and publicly.

One unscrupulous government entity plus this hate crimes legislation equals the perfect combination for tearing away from American citizens some of the most basic constitutional rights in our Nation's history. Advocacy groups and religious organizations will be chilled from expressing their ideas out of fear of criminal prosecution. In fact, "chilled" is probably a profound understatement. Many will be simply terrified or intimidated into complete silence.

The fundamental purpose of this body is to protect the lives and the constitutional rights of the American people regardless of who they are or what they believe. Unfortunately, the hate crimes legislation will do just the opposite by granting unequal protections based on personal beliefs and thoughts, and it will endanger the constitutional liberties of millions of Americans.