

military pay] . . . another 30% . . . goes towards training . . . so you are left with very little in terms of procurement.—Chief of Staff, Army, Gen Dennis Reimer, March 13, 1996.

Mr. COATS. Second, Mr. President, let me state that there are a number of programs in the past that the Department of Defense has not requested, which this Congress has determined are important to be added to the Department of Defense budget. And we have done so. Looking back, in hindsight it is a good thing that we did. Strategic sealift: Now the Department of Defense comes and says it is one of their top priorities. They did not require it, nor request it before, maybe because the administration said do not do it. They are darned glad that we did not abide by their request. Some of the C-17's, the V-22, countermine efforts—we find that we were seriously underfunded and underprepared in the past in terms of dealing with countermine activity. This Congress made a decision to go forward and fund some of that. We are darned glad they did, and the Defense Department is darned glad that they did.

So let us be realistic on this. I urge my colleagues to vote against the Wellstone amendment for the reasons stated. It is simply a misstatement of what the request is from the Department of Defense. It is more a statement of what the administration would like out of defense, which is to cut it, to cut it, and cut it so that they can take the money and fund their favorite programs and not provide for adequate security for this country.

Mr. President, how much time is left?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COATS. I regret that because I am just getting warmed up. I will cease and desist.

Thank you, Mr. President.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Mr. President, I notice that the negotiations are still going on. I am prepared to stop talking as soon as they are prepared to go forward. In the meantime, rather than dead air, I thought I would say one more thing about the Wellstone amendment.

I have had the opportunity in the last few years as a member of the Senate Armed Services Committee and chairman of the Personnel Subcommittee to examine our military housing that we provide for soldiers, sailors, airmen, and marines, both married personnel and their families, as well as single personnel.

It is a shocking statistic to note that more than 60 percent of current mili-

tary housing, family and single housing, is substandard by military standards. Military standards are generally lower than civilian standards. The houses that you and I live in, the apartments that the single individuals live in, are built to a far higher quality and standard than what the military enjoys.

It is part of the nature of the military that they salute and serve and do not complain. But it is virtually a disgrace to note the condition of some of this housing: Deteriorating ceilings, leaking pipes, asbestos-lined pipes in the ceilings, falling plaster, crumbling stairways, inadequate space for families and for children.

I commend the Secretary of Defense and the Department of Defense for recognizing this problem and taking some initiative to deal with it. But we are a long way from solving this problem. In fact, if we stayed at the current pace of renovation, it would take 30 years to bring military housing up to the standard level. Of course, by that time all housing that is standard today would be substandard.

So it is a never-ending cycle. We need to accelerate that process, and we hope we will accelerate that process. But to suggest that defense is overfunded when we are asking our service families to live in substandard housing and when we are asking our service members to live in substandard barracks and are asking them to live in the conditions that they live I think it is misunderstanding the situation as it currently exists in the United States military.

Just recently I was touring some barracks and housing facilities in Georgia. I was informed by the commander of a number of units that the soldiers were on their off time on Saturdays and Sundays and weekends going out to Home Depot to purchase materials and voluntarily giving up of their time to repair some of their facilities just so that they can take showers and live in some kind of decent housing situation.

So I think it is important to recognize that this continual 12-year decline in real terms in defense spending is not only affecting our ability to fight future wars, to have the technology, research and modernization necessary but it is eroding the quality of life of our service personnel which is going to affect our ability to attract the kind of people we want to serve in the military.

I hope my colleagues will take that into consideration in considering the vote on the Wellstone amendment.

Mr. President, I yield the floor.

UNANIMOUS-CONSENT AGREEMENT

Mr. NUNN. Mr. President, I ask unanimous consent that the church burning provision of the previous unanimous-consent request made by the Senator from South Carolina alone be renewed. So I am asking unanimous consent that that portion of the overall

request propounded by the Senator from South Carolina which was objected to, the church burning part of that, alone be renewed.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

CHURCH ARSON PREVENTION ACT OF 1996

The PRESIDING OFFICER. Under the previous order, the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3525) to amend title 18, United States Code, to clarify the Federal jurisdiction over offenses relating to damage to religious property.

The Senate proceeded to consider the bill.

AMENDMENT NO. 4341

(Purpose: To propose a substitute)

Mr. FAIRCLOTH. Mr. President, under the unanimous-consent agreement, I send an amendment to the desk on behalf of myself and Senators KENNEDY, HATCH, BIDEN, KOHL, SARBANES, and NUNN, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. FAIRCLOTH], for himself, Mr. KENNEDY, Mr. HATCH, Mr. BIDEN, Mr. KOHL, Mr. SARBANES, and Mr. NUNN proposes an amendment numbered 4341.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Church Arson Prevention Act of 1996".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The incidence of arson or other destruction or vandalism of places of religious worship, and the incidence of violent interference with an individual's lawful exercise or attempted exercise of the right of religious freedom at a place of religious worship pose a serious national problem.

(2) The incidence of arson of places of religious worship has recently increased, especially in the context of places of religious worship that serve predominantly African-American congregations.

(3) Changes in Federal law are necessary to deal properly with this problem.

(4) Although local jurisdictions have attempted to respond to the challenges posed by such acts of destruction or damage to religious property, the problem is sufficiently serious, widespread, and interstate in scope to warrant Federal intervention to assist State and local jurisdictions.

(5) Congress has authority, pursuant to the Commerce Clause of the Constitution, to make acts of destruction or damage to religious property a violation of Federal law.

(6) Congress has authority, pursuant to section 2 of the 13th amendment to the Constitution, to make actions of private citizens motivated by race, color, or ethnicity that interfere with the ability of citizens to hold or use religious property without fear of attack, violations of Federal criminal law.

SEC. 3. PROHIBITION OF VIOLENT INTERFERENCE WITH RELIGIOUS WORSHIP.

Section 247 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "subsection (c) of this section" and inserting "subsection (d)";

(2) by redesignating subsections (c), (d), and (e), as subsections (d), (e), and (f), respectively;

(3) by striking subsection (b) and inserting the following:

"(b) The circumstances referred to in subsection (a) are that the offense is in or affects interstate or foreign commerce.

"(c) Whoever intentionally defaces, damages, or destroys any religious real property because of the race, color, or ethnic characteristics of any individual associated with that religious property, or attempts to do so, shall be punished as provided in subsection (d).";

(4) in subsection (d), as redesignated—

(A) in paragraph (2)—

(i) by inserting "to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this section," after "bodily injury"; and

(ii) by striking "ten years" and inserting "20 years";

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(C) by inserting after paragraph (1) the following:

"(2) if bodily injury results to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this section, and the violation is by means of fire or an explosive, a fine under this title or imprisonment for not more than 40 years, or both;";

(5) in subsection (f), as redesignated—

(A) by striking "religious property" and inserting "religious real property" both places it appears; and

(B) by inserting ", including fixtures or religious objects contained within a place of religious worship" before the period; and

(6) by adding at the end the following new subsection:

"(g) No person shall be prosecuted, tried, or punished for any noncapital offense under this section unless the indictment is found or the information is instituted not later than 7 years after the date on which the offense was committed."

SEC. 4. LOAN GUARANTEE RECOVERY FUND.

(a) IN GENERAL.—

(1) IN GENERAL.—Using amounts described in paragraph (2), the Secretary of Housing and Urban Development (referred to as the "Secretary") shall make guaranteed loans to financial institutions in connection with loans made by such institutions to assist organizations described in section 501(c)(3) of the Internal Revenue Code of 1986 that have been damaged as a result of acts of arson or terrorism in accordance with such procedures as the Secretary shall establish by regulation.

(2) USE OF CREDIT SUBSIDY.—Notwithstanding any other provision of law, for the cost of loan guarantees under this section, the Secretary may use not more than \$5,000,000 of the amounts made available for fiscal year 1996 for the credit subsidy provided under the General Insurance Fund and the Special Risk Insurance Fund.

(b) TREATMENT OF COSTS.—The costs of guaranteed loans under this section, including the cost of modifying loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

(c) LIMIT ON LOAN PRINCIPAL.—Funds made available under this section shall be available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$10,000,000.

(d) TERMS AND CONDITIONS.—The Secretary shall—

(1) establish such terms and conditions as the Secretary considers to be appropriate to provide loan guarantees under this section, consistent with section 503 of the Credit Reform Act; and

(2) include in the terms and conditions a requirement that the decision to provide a loan guarantee to a financial institution and the amount of the guarantee does not in any way depend on the purpose, function, or identity of the organization to which the financial institution has made, or intends to make, a loan.

SEC. 5. COMPENSATION OF VICTIMS; REQUIREMENT OF INCLUSION IN LIST OF CRIMES ELIGIBLE FOR COMPENSATION.

Section 1403(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10602(d)(3)) is amended by inserting "crimes, whose victims suffer death or personal injury, that are described in section 247 of title 18, United States Code," after "includes".

SEC. 6. AUTHORIZATION FOR ADDITIONAL PERSONNEL TO ASSIST STATE AND LOCAL LAW ENFORCEMENT.

There are authorized to be appropriated to the Department of the Treasury and the Department of Justice, including the Community Relations Service, in fiscal years 1996 and 1997 such sums as are necessary to increase the number of personnel, investigators, and technical support personnel to investigate, prevent, and respond to potential violations of sections 247 and 844 of title 18, United States Code.

SEC. 7. REAUTHORIZATION OF HATE CRIMES STATISTICS ACT.

The first section of the Hate Crimes Statistics Act (28 U.S.C. 534 note) is amended—

(1) in subsection (b), by striking "for the calendar year 1990 and each of the succeeding 4 calendar years" and inserting "for each calendar year"; and

(2) in subsection (c), by striking "1994" and inserting "2002".

SEC. 8. SENSE OF THE CONGRESS.

The Congress—

(1) commends those individuals and entities that have responded with funds to assist in the rebuilding of places of worship that have been victimized by arson; and

(2) encourages the private sector to continue these efforts so that places of worship that are victimized by arson, and their affected communities, can continue the rebuilding process with maximum financial support from private individuals, businesses, charitable organizations, and other non-profit entities.

The PRESIDING OFFICER. The Senator from North Carolina has 10 minutes.

Mr. FAIRCLOTH. Mr. President, the Church Arson Prevention Act of 1996 is designed to meet two goals: One goal is to prosecute criminals who would sink so low as to burn churches to begin with.

Second, we want to send a clear message that people of faith will not stand for this type of violence.

Senator KENNEDY and I have worked together on this legislation, and it is bipartisan legislation, in order to demonstrate that America's commitment to protect houses of worship across philosophical and geographical boundaries; that we are united in this effort. As I said last week, if we in Congress cannot agree that church burning is a despicable crime, what in the world can we agree upon?

Several North Carolina churches burned down in the past year and a

half. Some of these fires were accidents while others were clearly intentional. The criminals who set fires on purpose, whatever their reasoning, should be prosecuted and punished to the fullest extent of the law.

In most of these cases, State and local law enforcement is more than capable of handling arson investigations. There is nothing in this bill to imply that we do not think local law enforcement is capable of doing their job. But there may be special circumstances such as criminals moving State to State setting fires where Federal assistance and a Federal statute is needed to adequately resolve the problem and to correct the situation.

The Faircloth-Kennedy bill gives prosecutors the tools they need to fully punish guilty parties. It raises the penalties for church arson from 10 to 20 years. It extends the statute of limitations for church arson from 5 to 7 years. Both of these changes make the penalties consistent with other Federal arson crimes.

Additionally, this bill authorizes funding for the Treasury and the Justice Department to train local law enforcement investigating church arson, and in many cases this is needed.

The legislation does not provide any new funding. This will be determined by the Appropriations Committee.

Also, the legislation allows the HUD Secretary to take money that has already been appropriated to use as loan guarantees for the rebuilding of these churches. I really do not believe that such funding will be needed. I believe the American people through their own charitable good will will put forth the funds to rebuild these churches. In fact, in the bill I inserted a sense-of-the-Senate commending those that have and will bring forth the funding. I urge other private individuals and companies to continue to join in these efforts to rebuild these sanctuaries without calling upon the Federal Government.

Growing up and living in the rural South, I understand how the church serves as the center of the family and the community. Burning these churches is an assault on everyone's family and community. The violence must end now, and this bill will bring it to a halt.

Mr. President, I believe the Senate realizes that this bill is not about liberals and conservatives. It is not about blacks or whites. It is about something much larger and encompasses all of us—the power of justice, the importance of faith, and the ability to distinguish between right and wrong. This is a joint effort on the part of Senator KENNEDY and many others in this Senate to clearly make the distinction between right and wrong.

Mr. President, I yield the remainder of my time.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, today Senator FAIRCLOTH and I come before

the Senate in a spirit of bipartisanship to address the festering problem of church arson. This horrifying epidemic, which was originally confined to the South, has recently spread to elsewhere in the United States. The wave of arsons primarily directed at African-American churches is a reminder of some of the darkest moments in our history—when African-Americans were mired in a quicksand of racial injustice. The American people are growing sick and tired of waking up seemingly every morning only to learn of another church arson.

This is not a regional problem. It is a national problem. It is vitally important for the American people to recognize that all Americans—Democrats and Republicans, whites and non-whites, Catholics, Protestants, Jews, and Muslims—must speak with a united voice in condemning and combating these outrageous acts. We must send the strongest possible signal that Congress intends to act swiftly and effectively to address this festering crisis.

It is in this spirit of unity that Senator FAIRCLOTH and I have worked together to develop a bipartisan bill to deal with the issue. I commend Senator FAIRCLOTH for his leadership on this legislation. I also commend Senators HATCH and BIDEN for their leadership and assistance in crafting this bill. I also applaud my colleagues in the House, HENRY HYDE and JOHN CONYERS, who crafted a bipartisan House bill that passed swiftly and unanimously.

During the course of the past week, House and Senate Republicans and Democrats have worked together to resolve the differences between the House and Senate bills, and to craft a comprehensive bill to respond to the church arson problem. The substitute that we are offering today is the product of this bipartisan cooperation between the Senate and the House. I fully expect that by the end of this week, the Senate and the House of Representatives will be on record 535 to 0 with a strong statement of Federal resolve to combat the church arson epidemic.

Let me briefly outline the basic components of the bill that have been worked out by House and Senate leaders. First, it provides needed additional tools for Federal prosecutors to address violence against places of worship. The bill amends the primary Federal statute dealing with destruction of places of worship to make it easier to prosecute these cases. Current law contains onerous and unnecessary jurisdictional obstacles that have made this provision largely ineffective.

In fact, despite the large number of incidents of destruction or desecration of places of religious worship in recent years, only one prosecution has been brought under this statute since its passage in 1988. Our bill will breathe new life into this statute by removing these unnecessary obstacles.

In addition, our bill strengthens the penalty for church arson by conforming it with the penalties under the gen-

eral Federal arson statute. By conforming the penalty provisions of these two statutes, the maximum potential penalty for church arson will double from 10 to 20 years. Our bill also extends the statute of limitations from 5 to 7 years, giving investigators needed additional time to solve these difficult crimes.

Giving prosecutors additional tools will enable to address this crisis more effectively. However, we must also deal with the aftermath of the arsons that have left some needy communities without a place of worship. The bill contains an important provision granting the Department of Housing and Urban Development the authority to make loan guarantees to lenders who provide loans to places of worship that have been victimized by arson.

This provision does not require an additional appropriation of funds to HUD. It simply gives HUD authority to use funds it already has. Although the private sector will assume the primary responsibility for rebuilding, these loan guarantees will serve an indispensable function to help expedite the rebuilding process and the healing process.

Some of the churches have been insured. Some belong to congregations that are representative of a broader national scope but many of them are small community churches. I think all of us are enormously encouraged by the outpouring of support from all parts of the country to help local communities rebuild those churches. We want to make sure that those that may have difficulty in gathering the funds are not going to be left out or left behind, and this very modest program of loans can provide help and assistance to those very small communities that might not otherwise have it.

The bill also contains a provision that ensures that anyone who is injured as a result of these cowardly acts will be eligible to apply for assistance under the Victims of Crime Act.

These arsons have placed an enormous burden on State and local law enforcement, who also must investigate the crimes and address the tense aftermath within their communities.

This bill contains two measures to assist State and local law enforcement and local communities in responding to these vicious crimes. The Department of Treasury is authorized to hire additional ATF agents to assist in these investigations, and to train State and local law enforcement officers in arson investigations.

There is very sophisticated new technology and understanding about the nature of arson, and that new kind of technology available to local communities is something that we should do so they, local communities can use it to help resolve these crimes.

The bill authorizes the Department of Justice to provide additional funds to the Community Relations Service, a small but vital mediation arm established by the Civil Rights Act of 1964.

The mission of the community Relations Service is to go into a community and reduce racial unrest through mediation and conciliation. It earned the respect of law enforcement officials and community leaders nationwide.

Unfortunately, its budget was recently cut in half, forcing it to contemplate layoffs at a time when its services are in greatest demand. The bill authorizes restoration of funds to the Community Relations Service.

Finally, the bill reauthorizes the Hate Crimes Statistics Act for 6 years. Reauthorizing the Hate Crimes Statistics Act is essential, and law enforcement groups, religious leaders and civil rights leaders throughout the Nation strongly support it.

This again, is bipartisan legislation. Senator HATCH, Senator SIMPSON, and other Members who have long been in the lead in hate crime legislation support it.

It is not simply a political imperative for the Senate to act. It is a moral imperative. Civil rights remains the unfinished business in America. Just as Congress spoke in a swift and bipartisan fashion during the civil rights struggles of the 1960's, we must again do so today.

Out of these tragic events, we have already witnessed countless acts of courage by people of all races and religious backgrounds.

The courage and faith demonstrated by parishioners and clergy of the burned churches is an inspiration to the entire Nation. For example, tomorrow in the Judiciary Committee we will hear from a pastor of a church in rural Alabama that has been burned down not once but twice. While the bricks and mortar, bibles and pews may have been burned, his faith endures—stronger than ever. He is truly a profile in courage.

The outpourings of generosity from the private sector have been enormous. Every day, we learn of a new offer of financial or technical support from various private sector sources across the political and religious spectrum. This generosity, as Martin Luther King once said, "will enable us as a nation to hew out of the mountain of despair a stone of hope."

America is being tested, and scores of courageous and generous Americans have met the challenge. It is time for Congress to meet this challenge.

I urge my colleagues to join me in expediting action on this urgent legislation.

Ms. MOSELEY-BRAUN. Mr. President, the perpetrators of the rash of hate crimes and church burnings in this country are no more than cowardly domestic terrorists. They work under cover of darkness and anonymity in an attempt to intimidate some and encourage others precisely because they have neither the will nor the courage to be associated with the evil they seek to unleash on our land. I strongly condemn these actions and urge my fellow Americans to combat

the atmosphere of hatred that allowed them to happen. These fires must be stopped—now.

H.R. 3525, the Church Arson Protection Act of 1996, will give the Federal Government additional tools to help ensure that it is stopped, that those who perpetrate this violence are caught and punished, and that the damage they have caused our communities is mitigated. I am a proud co-sponsor of the bill because it is a concrete demonstration that the American Congress, as the representatives of the American people, are committed to bringing this violence against our communities to an end.

As we enter the 21st century, America is anxious to put the ugly legacy of racial division behind us. Unlike a century ago, the masses of people who make up our national community cannot be seduced by the messages of hate and conflict which consumed us in the past. Those messages lost their power with the moral victory of the civil rights movement, and our country has matured in ways which cannot be undone by racist terrorism. We are not intimidated, Mr. President, but embarrassed, and challenged by these criminals and their destruction.

Most Americans are appalled and outraged. Our Nation as a whole, without regard to color or religion, is shamed by this horror. Since January 1995 there have been 75 fires in churches nationwide. Thirty-six fires have occurred in predominantly African-American churches in the Southeast United States. From the President of the United States to the neighbors in areas which have witnessed these crimes, the leadership taken by individual citizens to affirm a climate of respect and community gives truth to the fact that our Nation will not fall prey to the forces of fear.

Make no mistake but that the perpetrators of these fires are criminals. The act of arson is a crime, when directed at a church it is a crime of unspeakable dimension. But that is precisely why we are called upon, each of us, to speak and act in ways which will demonstrate our collective intolerance of such hate crimes. Our community, as a whole, must dedicate itself to the rebuilding of the churches. We must engage our Government and law enforcement apparatus to investigate and uncover the perpetrators of this terrorism. No stone should be left unturned in our search for the truth. Federal, State, and local law enforcement must approach these hate crimes with the same vigor and sophistication as would be given the most heinous foreign threat.

I applaud the strong message that is being sent to the arsonists. With well over 200 FBI and ATF investigators working together with State and local authorities, we are letting the arsonists know that solving these crimes and putting those responsible behind bars is a top priority.

I agree with the President when he said,

We must rise up as a national community to safeguard the right of every citizen to worship in safety. That is what America stands for.

The President has launched several efforts to demonstrate his determination to apprehend and prosecute those responsible for the fires, as well as rebuild what has been destroyed.

The President has established a toll free tip-line that is available for citizens to provide any information they have on these fires. That number is now available 24 hours a day, 7 days a week. If anyone has any information about the fires they can call 1-888-ATF-FIRE.

Other initiatives, the President promoted include, having ATF inform churches of steps they can take to protect themselves from arsonists. Churches throughout the South will be visited by ATF special agents to answer any questions church leaders and parishioners may have. Furthermore, during the meeting the President had with several Governors last week, he urged them to support neighborhood watch programs and increase local patrols around where the threat exists.

The President has also asked Congress to consider a request for a fiscal year 1996 supplemental appropriation to increase the ability of the Department of Treasury's Bureau of Alcohol, Tobacco and Firearms to investigate and solve these acts of arson.

While the outpouring of support and comfort for the victims of terrorism has been consistent and multiracial there is much more we can do. Our President has stood up to be counted. We all need to stand up and be counted. We can stop these vicious crimes.

This bipartisan bill does a lot to help rebuild the churches and help law enforcement investigate and prosecute those responsible. It has five main components. First, it amends the Federal Criminal Code to make it easier to prosecute cases of destruction of religious property. Currently in cases of destruction of religious property, there is a requirement that the damage exceed \$10,000. Moreover there is a very high interstate commerce requirement. This bill eliminates the monetary requirement and replaces the interstate commerce requirement with a more sensible scheme that will expand the scope of a prosecutor's ability to prosecute church arsons and other acts of religious desecration. The bill also conforms the penalty of church arson and the statute of limitations to that of the Federal arson statute, thus raising the maximum potential penalty for church arson from 10 years to 20 years and the statute of limitations from 5 to 7 years.

The bill also contains a provision that HUD will have the authority to use up to \$5 million from an existing fund to extend loan guarantees to financial institutions who make loans to 501(c)(3) organizations that have been damaged as a result of terrorism or arson. These loan guarantees will help

the rebuilding effort. While this provision will help restore the ability of people to practice their first amendment right, it does not violate the establishment clause of the Constitution because it targets all organizations that have been damaged as a result of terrorism or arson.

In order to help State and local authorities investigate the crimes, H.R. 3525 provides authorization language for ATF to hire more investigators and technical support personnel. The bill also authorizes the Department of Justice to provide additional funding for the Community Relations Service, a small mediation arm of the DOJ that goes into communities and quells racial unrest through mediation and conciliation.

Last, the bill provides for permanent reauthorization of the Hate Crimes Statistics Act, so we can get a better understanding of the magnitude of hate crimes nationwide.

Mr. President, this is one of those historic moments for America, when the path of our future will be chosen. In our collective repudiation of domestic terrorism, in our aggressive prosecution of its perpetrators, in our vigilance against hate and in the vitality of our response to it, we will build the New Jerusalem of a stronger, more moral and more inclusive country. The bill sends an important message that crimes against houses of worship will not be tolerated. It deserves the Senate's unanimous support.

Mr. KOHL. Mr. President, I rise today in support of the church arson prevention measure.

Since the beginning of this year, a series of fires have swept our country. More than 30 predominantly African American churches in the Southeast have been burned. Some of these fires were set by people with obvious race hatred. Two people with ties to the Ku Klux Klan were arrested for fires in South Carolina. But in other cases, the fires were set by teenagers who had no obvious racist motive but who were so infected by an undertow of racism that they thought black churches would make a worthy target for their vandalism.

In some ways, this disorganized brand of racism is more frightening than any organized conspiracy. When hate groups spread their message we know how to answer them. But attacking the subtle racism that has infected so many children is a much more daunting task.

Today, this Senate must come together and speak with one voice against racism of any kind—the vicious and organized racism of hate groups, and the silent racism that lurks beneath the surface. This legislation, sponsored by more than 30 of our colleagues and drafted by Senators as ideologically diverse as TED KENNEDY and LAUCH FAIRCLOTH, shows that we can sometimes put aside our partisan differences to do what is clearly right.

Mr. President, no State or Senator is immune from the effects of these fires

in the South. A fire in Tennessee has been felt in Wisconsin. My friend Reggie White's church in Knoxville, TN was burned. That fire impacted and saddened all of us in my home State. And the people of Wisconsin have responded. Children from Wisconsin emptied their piggy banks to rebuild the church of their Green Bay Packer hero.

Mr. President, for too long in our history, we did not do enough to defend and protect the two great pillars of our Constitution: Religious liberty and equal rights. But that is no longer the case. Today, with this piece of legislation, we will assure that the Federal Government can prosecute church burners to the fullest extent of the law. Our legislation is simple. The current law requires that prosecutors prove a series of connections between a church burning and interstate commerce. Proving all of those connections is not constitutionally mandated, so with this legislation we eliminate them. In addition, we eliminate the requirement that damage be in excess of \$10,000. Once this measure becomes law, it will be easier to prosecute the people who have set these fires.

Mr. President, let us pass this legislation quickly.

Mr. DODD. Mr. President, I rise today to voice my strong support for the Faircloth-Kennedy Church Arson Prevention Act.

As I come to the floor today, it is difficult for me to imagine a more outrageous and disgraceful act of violence than the destruction of a house of worship.

Our religious institutions, be they churches, synagogues or mosques are more than just bricks and mortar. They are the cultural, spiritual, and physical lifeblood of our communities and our society.

To attack a church is to attack more than a building; it is to strike at the heart of our faith as a Nation and as a people.

A recent article in the New York Times, in my view, accurately describes church burnings for what they are: "an act of a singular profanity."

This article goes on to say of these church burnings:

Its violence lies in the attempt to disrupt a community of believers, desecrate their altars and smash the spiritual rhythm of their lives. The arsonist attacks not just planks and shingles but the space where life's most important transitions are marked, where babies are baptized, marriages celebrated and the dead eulogized.

What may be most tragic about these events is that they were aimed primarily at African-American churches.

To attack a black church is to attack an institution that throughout our history has been at the forefront of our Nation's struggle on behalf of civil rights for all Americans.

One would hope that with all the progress we've made as a Nation, church burnings would be a distant memory, relegated to our history

books and not the front pages of our newspapers.

Like many Americans who lived through the civil rights era, I am haunted by the memory of the terrible fire bombings that often characterized that period.

In particular, it is difficult to erase from our collective memories the four young girls killed in a Baptist Church in Birmingham, AL, by a racist bombing, in 1963.

Lamentably, those incidents, of what I believed was a bygone era, are eerily similar to approximately 30 church burnings of the past 18 months.

Regrettably, the evil forces of racism continue to find shelter in our midst. To our great misfortune we cannot change the anger in the hearts of those who committed these deeds.

Indeed, I urge all Americans when they attend their houses of worship to take the opportunity to pray for the souls of those who would practice such heinous acts.

While we cannot legislate attitudes, as a Nation governed by the rule of law, we must do all we can to make clear that these acts of violence will not go unpunished.

The legislation before us today would make clear to those who would take up arms against a house of worship; you can burn down a building, but you cannot avoid the opprobrium of the American people.

The Faircloth-Kennedy bill would make it easier to prosecute those charged with desecrating a place of worship, it would provide additional resources for law enforcement agencies investigating these crimes, it would allow the Department of Housing and Urban Development to extend loan guarantees for rebuilding churches and it would reauthorize the Hate Crimes Statistics Act, of which I was a co-sponsor.

I believe it is shameful and unfortunate that the acts of a cowardly few have forced this Congress to spend its time on such legislation. We should be talking about balancing the budget, raising the minimum wage and dealing with the economic issues that affect each and every American.

But part of our role as leaders is to take action when our national values are threatened.

In fact, if there is a silver lining to be found in this whole situation, it is the outpouring of support among the American people to lend a hand in rebuilding these burned churches.

In my State of Connecticut, two congregations, the Kensington Congregational Church and Spottswood A.M.E. Zion Church came together and have pledged to raise \$10,000 on behalf of the rebuilding efforts.

Additionally, the sense of outrage, seemingly felt among all Americans is a palpable sign that the vast majority of people see these events for what they are: Blatant acts of racist hatred.

In fact, if the American people need any better indication of the strong

sense of consensus on this issue I urge them to look at the two Senators co-sponsoring this bill—Senator FAIRCLOTH and Senator KENNEDY.

These are two Senators who probably don't see eye to eye on too many issues. But, when it comes to church burnings they came together on behalf of the American people.

Their cooperation sends a strong signal to the American people that this is truly one issue that is above partisan wrangling.

Religious freedom is one of the bedrocks of our democracy, and these acts subvert all that we hold dear as a Nation. However, the spirit of religious individualism lives on.

I think Reverend Terrence Mackey, whose Mt. Zion A.M.E. Church was burned down last June said it best:

They didn't burn down the church. They burned down the building in which we hold church. The church is still inside all of us.

I urge all my colleagues to support this legislation and lend our voices in the struggle against racial and religious intolerance in our Nation.

Mr. BIDEN. Mr. President, one wouldn't have thought that 40 years after the Montgomery bus boycott, 35 years after the freedom rides, and over 30 years after this Congress passed the most sweeping civil rights legislation in history—we would be on the Senate floor discussing an epidemic of burnings of historically African-American churches in the South.

But we are here, because what is happening is an affront to all Americans—whatever their race, whatever their religions. In the 5 years between 1990 and 1995, there were 29 fires at predominantly African-American churches in the South. In the past 18 months alone, there have been at least 43 such fires.

While a handful of these have been deemed accidental, most of them were intentional acts of violence—acts of violence not just against any property, but against churches.

The burning of a church is not merely a crime against a piece of property or even against an individual, as terrible as such violence may be. An attack on a church reaches deeper; it is an attack against an entire community.

A church, like any house of worship, is sacred. The sanctuaries, the pulpit, the artwork, and the prayer books all hold special meaning for the congregants.

To witness the destruction of a house of worship, to see its walls reduced to charred remains, is a wrenching experience.

When you lose your church, your synagogue, or your mosque, you lose something that goes to the core of what it means to be human, and to the core of the most basic freedom on which our Nation was founded.

For burning a church is a challenge to the entire concept of faith itself. I ask you, how could anyone who believed in God intentionally destroy a place where God is worshiped?

On top of this layer of emotion, we must also consider the special context of these particular church burnings. For, in African-American communities, churches not only serve an important spiritual role, they also have served a predominant cultural, social, and political role throughout the past century.

During the Jim Crow era, churches were the only institutions where African-Americans could choose their own leaders, participate in governance, and be treated with genuine equality.

Not surprisingly, almost all the leaders of the civil rights movement emerged from the African-American churches and these leaders infused the movement with its spiritual, moral, and non-violent character.

For this reason, when the segregationist or the men in white robes wanted to strike a blow against the civil rights movement, when they wanted to intimidate those who were taking to the streets to protest injustice, when they wanted to slow the change that was coming to the South, they attacked the churches.

Think back to May, 1963, when over 900 children packed the 16th Street Baptist Church in Birmingham, AL. And as they filed out of the church to demonstrate against segregation, Bull Connor turned his powerful water hoses against them, and demonstrated, for all the world to see, the unmitigated ugliness of segregation.

Four months later, a powerful firebomb ripped through the 16th Street Baptist Church. Four young schoolgirls were killed. Again, the country watched in horror.

So the violence against historically African-American churches in the South is especially meaningful and especially hurtful. These arsons hearken back to a time, when, to paraphrase Dr. King, people were judged not on the content of their character, but on the color of their skin.

They remind us of a time when violence and hatred against African-Americans was the norm, and justice appeared to be reserved for only one part of society.

These arsons represent not only attacks on spiritual institutions, but direct messages of exclusion to the African-American community. The purveyors of hate that are burning these churches are trying to say: You are different, you do not belong, we reject you.

But by standing here today and voicing our opposition, it is the perpetrators of this violence who are being rejected. It is their message of hate that is being reviled by the entire country.

And when we pass legislation to address church arson, the U.S. Senate will be standing on the side of the congregants of these churches and against those narrow-minded individuals who seek division and conflict rather than unity and harmony.

Even though these church arsons have been denounced by the over-

whelming majority of Americans, and the Federal Government is conducting a full-fledged investigation into these crimes, these incidents stand as a vivid reminder that we still have a long way to go in building the type of society to which we all aspire.

We would all like to believe that we live in a color-blind society—that our country is filled exclusively with people of good faith that no longer take race into account in their daily lives.

But incidents like the Rodney King beating, or the Mark Furhman tapes, or the burning of three dozen African-American churches, hit us square in the face, like a splash of cold water, with the hard reality that, in America, race still matters.

Racism has been a cancer in the body politic since the birth of this country. We took the first step toward treating this illness after the Civil War, and we took another big step during the civil rights movement of the 1960's.

But even though the cancer has receded, it has not been eliminated root and branch. It continues to infect our society. If we pretend that we no longer need to be vigilant, if we accept the illusion that we live in a colorblind society, if we legislate or decide court cases on that basis, then racism will grow and spread—and we will see more churches burned and more manifestations of this lurking disease in years to come.

I do not mean to suggest that there has been no progress—there has been. Thirty years ago, many stood in silence when the churches burned. States and localities saw Federal authorities as intruders bent on changing their way of life.

Today, the public response has been overwhelming. Everyone opposes these church burnings; everyone wants to bring the perpetrators to justice.

Over 200 Federal agents, working together with State and local law enforcement, are investigating these fires, making this the largest civil rights investigation in history. Nation's Bank has put up a \$500,000 reward for information leading to the prosecution of the arsonists. Habitat for Humanity has promised to assist all the communities that have lost churches.

Three decades ago, Southern legislators virulently opposed civil rights legislation. Today, the bill to address church burnings is being sponsored by Senator FAIRCLOTH from North Carolina and Senator KENNEDY, whose brother was President during the tensest moments of the civil rights movement.

So, we have made some progress, just not enough. As Dr. King said from the steps of the State capitol in Montgomery, AL following the historic march from Selma: "The arc of the universe is long, but it bends toward justice."

We must join together to face this violence, and through our collective efforts, bring it to an end. Let this violence serve to bring us together to

fight the prejudice that remains, to prod us to redouble our affirmative efforts to bring the races closer together.

Only through continued vigilance in our Government, in our schools, and in our homes, can we ensure that the "arc of the universe" will continue to "bend toward justice."

The legislation being introduced today, which I am cosponsoring, is a necessary response to the church arsons blotting our Nation.

First, it will make it much easier to prosecute church arsons as a Federal crime. It provides that anyone convicted of burning a house of worship based on racial, ethnic, or religious bias will be facing a potential 20-year jail sentence.

The bill also eliminates the current statutory requirement that \$10,000 worth of damage must have occurred to trigger Federal jurisdiction for prosecuting a church burning.

Under this bill, anyone who defaces religious property—whether by shooting out the windows of a church or painting a swastika on a synagogue wall—will have committed a Federal felony.

The bill also authorizes the Department of Housing and Urban Development to provide loan guarantees for reconstruction projects to churches and other nonprofit organizations that have been victims of arson, and it provides additional funding for mediation services and training for local arson investigators.

Senators KENNEDY and FAIRCLOTH are to be commended for putting together this legislation. It has my unqualified support and I urge the leadership to bring it up for consideration as quickly as possible.

Although I fully support this legislation, I want to emphasize that the best way to end these cowardly crimes is to apprehend a perpetrator, prosecute him, and lock him up.

Swift action of this sort will send the message that this conduct will not be tolerated and that anyone who desecrates religious property will be punished severely.

I am confident that the FBI and BATF are doing everything in their power to investigate these crimes and hopefully we will hear of some progress in the coming weeks.

Together, the Congress, our Federal, State, and local law enforcement officials, or communities, and each of us as individuals, can make a difference. We can force this campaign of terror to come to an end—and in doing so we will reaffirm the equality and the religious freedom of all Americans.

Mr. HATCH. Mr. President, I wish to express my appreciation to the Senate for its swift action in passing H.R. 3525, the Church Arson Prevention Act of 1996.

This bill strengthens the commitment and ability of the American people and the Federal Government to protect two of our most sacred principles—religious liberty and the equality of all Americans, regardless of race, ethnicity or religion.

America as a great haven, where individuals could openly acknowledge and freely practice their faith, whatever that faith may be, is a concept even older than the United States itself. Throughout its history, this great land, which came to be the United States of America, has been the destination of individuals from every corner of the globe seeking freedom from religious persecution. Freedom of religion is the first freedom protected in the Bill of Rights. Religious liberty and tolerance are at the heart of our being as a nation. As a result, an attack on a house of worship is more than damage or destruction to a building; it is an attack on religious liberty itself, and thus an attack on America.

Such crimes are a matter for grave concern for Americans of all religious faiths. As a member of a minority religious faith, whose leader was murdered in Illinois in 1844; whose adherents were hounded, harassed, and killed; against whom Governor Boggs of Missouri, in 1838, signed an extermination order, and who were eventually driven outside the then-existing border of the United States, I understand this well.

While the recent series of church arson has destroyed houses of worship across our Nation, serving people of different faiths and different races, the largest number of burnings have involved identifiably black churches. Many have been small churches, located in rural areas, which have existed for generations. Historically, churches have served a special role in the black community, serving not merely as places of weekly worship, but as the spiritual and cultural centers of their communities. The unique place occupied by black churches in lives of their parishioners, and in the history of the black community and of our country, generation after generation, intensifies the pain and loss felt by a community victimized by this loathsome type of crime.

I am pleased to note that this legislation will include a 6-year reauthorization of the Hate Crime Statistics Act, which I sponsored together with my good friend Senator SIMON. The collection of data on crimes, including arson, motivated by racial, religious, disability, sexual orientation, or ethnic bias can help alert local communities and their law enforcement agencies to any pattern of hate crimes in their neighborhoods, and can help alert Federal law enforcement agencies to patterns or types of hate crimes, such as attacks on houses of worship, enabling law enforcement to respond to such crimes more quickly and efficiently, before they spread like a plague across our Nation.

I am gratified by the response of the American people to these crimes; that so many private citizens and organizations are pitching in to help rebuild these churches. We live in a free and good society, and we have made progress in tolerance and in assuring protection of the rights of persons who

belong to minority racial, ethnic, and religious groups. We are, however, not yet done. Today, with this legislation, we take another step forward.

I wish to commend my distinguished colleagues, Senator FAIRCLOTH and Senator KENNEDY, for their work on this bill. The very fact that these two Senators, of different parties and such differing political beliefs on so many other issues, have worked together so effectively to pass this legislation, sends a loud and clear message to all Americans of our resolute and complete condemnation of these reprehensible crimes, and our determination that the perpetrators be brought to justice.

OUTRAGE ABOUT CHURCH BURNINGS

Mr. LAUTENBERG. Mr. President, I rise today to express my deep concern and outrage about the rash of church burnings in our Nation and to urge support of H.R. 3525.

Mr. President, the great German playwright Goethe once remarked, "There is nothing more frightening than ignorance in action." Unfortunately, we are currently witnessing the fires of ignorance and prejudice engulfing African-American churches throughout the South.

As of June 24, there were 37 suspicious fires at these churches in the last 18 months. The smoldering ruins are the tangible evidence of a smoldering racism in our country.

Mr. President, just 30 years ago, the Night Riders cut a swath of fear across the South, torching churches and homes. Hopefully, it is not the faint sound of similar hoofbeats which we again hear galloping toward us.

But unlike three decades ago, those responsible for these heinous actions do not appear to be organized groups, and those who have been apprehended have revealed various motives. Also, there are roughly an equal number of suspicious fires at white churches and those of other races which are currently being investigated by the ATF.

Mr. President, it is critically important that we loudly repudiate the purposeful destruction of any house of worship. This is not just a religious issue; it is an American issue, because it destroys an individual's right to worship according to his or her conscience, free from fear and violence.

Yet the destruction of small, often isolated and rural, black churches in the South is especially chilling; it is being done to promote a climate of fear and intolerance. Which is why every American, whether black, white, Christian, Jew, Muslim or atheist, must denounce these fires of hatred which are burning across the landscape of our Nation.

I hope, Mr. President, that perhaps we can salvage something good from these horrible incidents. The phoenix, the fabled mythological bird, is said to be able to rise from the ashes to a new and better life. Thirty years ago, the flames of the Night Riders helped to galvanize American opinion against

the policies of segregation and to start our Nation along what the Rev. Dr. Martin Luther King called a super-highway to freedom. Perhaps today's flames will vividly remind us how of far we must still journey down that road.

At a time when America seems to be splitting along class and racial and ethnic lines, perhaps these deplorable actions will force us to finally stop and look down the road on which we now seem headed.

Those who are setting the blazes hope they can fan the fires of prejudice and ignite a conflagration of violence. When in actuality, the flames may help illuminate the dangers of intolerance, and how it affects all of us.

Recently, the Senate adopted a resolution, Senate Resolution 265, condemning the desecration of churches. But words must be backed by action. The pending legislation, which I have cosponsored, would make it easier to investigate and prosecute these crimes and would establish tougher penalties for those convicted of setting fire to houses of worship. The bill would authorize additional resources for ATF investigations, and it would facilitate rebuilding efforts in affected communities. A provision in this legislation would also permanently reauthorize the Hate Crimes Statistics Act. This bill needs to be signed into law without delay.

Mr. President, I am confident that this legislation can make a real difference. However, by itself no law can wipe away the problem; all of us must work together to end hate crimes and the bigotry which spawns them. We need to follow the example of Reverend William Watley, pastor of St. James' African Methodist Episcopal Church in Newark, the largest AME church in New Jersey. Last week, Reverend Watley brought together over 500 people, including pastors and representatives from the burned churches, for a special service to denounce the violence. He also pledged help from New Jersey's religious community for the affected parishes.

Mr. President, I urge every American to join me in condemning these terrible acts of violence, of prejudice, of cowardliness. Because if we do not loudly condemn them, then we silently condone them.

Mr. THURMOND. Mr. President, I am pleased and proud to be a cosponsor of an amendment originally sponsored by my friends Senator FAIRCLOTH of North Carolina, and Senator KENNEDY of Massachusetts, that addresses the disturbing crime of church burnings.

It has become increasingly apparent that there has been a disturbing trend occurring throughout the United States over the past 18 months, the willful and malicious destruction of churches by arson. There is something particularly hateful in the crime of arson, for it is a crime that is usually motivated by factors other than personal gain. It takes an individual who

possesses either tremendous rage, or tremendous mental and personal problems, to set someone's property on fire for the mere purpose of watching it burn to the ground. When the target of such an individual's attack is the holy land of a place of worship, the crime becomes all the more sick, unsettling, senseless, and vile.

The amendment I have cosponsored seeks to draw a tough line against those who commit acts of arson against churches in our Nation. It establishes tough Federal penalties for those who destroy churches through fire, and it appropriates money—from existing funds—to pay for additional Federal arson investigators. Without question, this amendment will send a clear signal to those who are contemplating fire attacks against a church that there will be severe consequences to their actions, and that the people of the United States will not tolerate such hateful acts of violence against our citizens and our places of worship.

Mr. KENNEDY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes and 28 seconds.

Mr. KENNEDY. Mr. President, I yield the remaining time to my colleague and friend, who has been involved in this whole effort.

The PRESIDING OFFICER. The Senator from Massachusetts has 3½ minutes.

Mr. KERRY. Mr. President, I thank my colleague from Massachusetts. I thank him particularly for his leadership and the leadership of his family with respect to all issues of civil rights over the turbulent period of the modern history of this country. I join with Senator KENNEDY and Senator FAIRCLOTH in supporting this legislation.

I think every single one of us in America is outraged at the cowardly acts of hatred and violence which have now become much too commonplace in America. It is clear that there still is a systematic prejudice that lives on, both in those who did not learn the lessons of the turbulent period of our civil rights history, or even among the young generation who have not lived through the suffering and confrontation of that period of time in this country. Those who have set churches ablaze have really succeeded in rekindling a national desire to stamp out bigotry and prejudice throughout this country. They have rekindled our commitment and our desire to speak out loudly and clearly to achieve equality, equal rights, and justice in the face of a world that seems too willing to forget history and to repeat it.

For those of us who were involved in the civil rights movement and joined with men and women of good will, white and black, we thought somehow we had progressed beyond this. We thought the images of the 1960's, of hatred and of malice and prejudice against black Americans for no other

reason than the color of their skin—we thought somehow we had grown beyond that and were reaching at least toward an era of progress. So the church burnings in the last few weeks bring back to us, in stark and horrible terms, a period of time we would rather forget. It is sad we have had to come to this floor again, in 1996, to fight about it.

I think it is clear in this legislation that we cannot and will not let the hatred and ignorance of a few criminals tarnish what all of us want to achieve in this country. We cannot in the face of the haters and the bigots and the racists, avoid strengthening our own resolve to tear down the walls that still divide us and stand together, shoulder to shoulder, in solidarity against this kind of intolerance.

As a nation and as a people, we have to recommit in these times to our constitutional, religious and philosophical belief in equal justice under the law. I think it is important to remember the words of Martin Luther King, who said:

I have seen too much hate to want to hate, myself; and I have seen hate on the faces of too many sheriffs, too many white citizens councils, and too many klansmen of the South to want to hate, myself. And every time I see it I have to say self-hate is too great a burden to bear.

It would be appropriate to let Dr. Martin Luther King's words be our lesson as we seek out these criminals, bring them to justice, and rally together to end the hatred and intolerance of this Nation. I commend Senators KENNEDY and FAIRCLOTH for their initiative to help us make it clear to everyone that, when you burn one church in this country, you burn the Constitution; when you attack one place of worship, you attack all Americans; and none of us should stand silent in the face of that.

The PRESIDING OFFICER. The time of the Senator has expired.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. FAIRCLOTH. I yield to Senator WARNER for the remaining time I have.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I commend my distinguished colleague from Massachusetts and indeed the senior Senator from Massachusetts and the Senator from North Carolina for taking the initiative. I have spoken before on this floor about this very serious issue. I simply want to remind all Senators that the very purpose for America was religious freedom. This Nation was founded by persons who left foreign shores and sailed into the unknown to take risks that today are almost incomprehensible in magnitude. With only the very rudiments of navigation, the bare necessities of life, to plow out across largely uncharted seas to come to a land, to settle that land for one purpose—religious freedom.

Therefore, this issue brings about a responsibility on every single Amer-

ican, irrespective of race, color, creed, or religion to unite together, arm in arm, brothers and sisters, to fight this crime and to preserve the very reason for our forefathers coming to settle this Nation.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

Mr. FAIRCLOTH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I join with my fellow Senators today in condemning the rash of church burnings that has plagued our Nation in recent years. Since 1991, we have seen over 150 fires at houses of worship serving people of all races and faiths. In the past 18 months more than 35 African-American churches have been burned to the ground. These churches and temples are the heart and soul of the communities they serve, and their destruction represents an egregious act of hatred against these worshippers. As a nation, we cannot stand idly by and allow Americans to be denied their fundamental right to the free exercise of their religion, nor can we tolerate racial hatred and religious intolerance.

I am proud that President Clinton has spoken out so forcefully against these heinous acts and hopeful that his commitment of all possible Federal resources to the investigation and prosecution of these crimes will bring an end to this national tragedy. The President has offered both moral leadership and the full power available to him as the chief executive in the fight to bring these criminals to justice, and I commend him for his actions.

I am also heartened by the fact that the legislative effort has been a bipartisan one. Here in the Senate, my colleagues Senator KENNEDY and Senator FAIRCLOTH have jointly introduced legislation that will aid the President and Federal law enforcement officers in the investigation and prosecution of these crimes. In the House, Representatives HYDE and CONYERS have shown similar leadership. I am confident we can enact this legislation expeditiously, and I urge our Federal law enforcement officers to use these new tools to pursue the investigation of these fires with swiftness but also with respect and sensitivity for the congregations affected by the violence.

While legislative responses will help solve the crimes that have already occurred and convict the perpetrators, the prevention of further destructive acts requires the moral force of our Nation. It is only through the expression of our deep outrage at racial hatred and religious intolerance that we as a society demonstrate that such beliefs

and actions have no place in America. We must stand together to reject this attack on our fundamental principles. I am confident that we will do so and that we will continue in our progress toward a more just society.

With that, I yield the floor.

Mr. President, I ask unanimous consent that Senator EXON be added as a cosponsor to the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DASCHLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. GREGG). Without objection, it is so ordered.

Mr. LOTT. Mr. President, I rise to speak in support of the legislation that has been developed by the Senator from North Carolina, Senator FAIRCLOTH, and the Senator from Massachusetts, Senator KENNEDY. They have worked together and have produced very good legislation concerning the penalties and the Federal laws that are applicable to the burning of churches or damages to religious property.

This is truly a bipartisan effort. It is one that all Senators, I know, will support. It is one that the American people, I believe, will receive in a very positive way.

The burning of religious facilities, churches, throughout our country is a totally despicable act. It is incomprehensible that people in America would resort to that sort of conduct. While it may not be clear what the motivations are, while there may not be any definite pattern that could be used to explain this, there is no question that it is an unacceptable thing in our country, and action must be taken to deal with it severely. This legislation, I think, does that.

I think these Senators should be commended for their work. Of course, the House has already acted, I believe unanimously, on somewhat similar legislation. But I believe that this bill improves on the legislation that passed the House.

It does do that by making the burning or damaging of religious properties a Federal crime. Quite frankly, I was surprised to find out that that was not already the case, because I know there are already some strong laws on the books. But, clearly, it should be made a Federal crime.

This legislation raises the penalties up to 10 to 20 years for being involved and convicted of burning or damaging such property.

Under the current law, there is a \$10,000 limit on when the Federal activities would be involved. It has to exceed \$10,000 in damages. There should

not be some artificial cap like that. If you put it at \$7,000 or \$5,000, I mean, many small churches in America in rural communities do not cost that much. They cost less.

So it is appropriate that there not be some artificial cap on the amount of damage that has occurred. This bill would take it down to zero, which is where it clearly should be. That is one area where I believe our bill does vary from the one that passed the House. I think they reduced the threshold, but they still had a threshold above which damage had to add up to before this bill would apply.

It authorizes additional agents to investigate and determine what is happening here, to find the parties that are guilty, and to bring them to justice. It does not provide funds. There is a normal process for doing that, an appropriations process. That will be done in due course. But it does provide the necessary authorization.

It also moves the statute of limitations from 5 years to 7 years. This is good legislation. It definitely should be done. We should not wait another day to pass it through the Senate.

As I understand it, the House is prepared to take this legislation and move it immediately through so it can go to the President for his signature this very week. Mr. President, I am pleased to join in supporting this good legislation, and I urge we adopt it as soon as possible.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, I ask unanimous consent the Senate proceed to a vote on or in relation to the Wellstone amendment, which would follow the vote on H.R. 3525, the church-burning issue. After we have voted on the church-burning issue, we will go to the Wellstone amendment No. 4266 with 2 minutes of debate in the usual form, to be followed by a vote on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there further debate pursuant to the unanimous-consent request?

If not, the question is on agreeing to amendment No. 4341, offered by the Senator from North Carolina [Mr. FAIRCLOTH].

The amendment (No. 4341) was agreed to.

The PRESIDING OFFICER. Under the previous order, the bill is consid-

ered read the third time. The question is now on the passage of H.R. 3525, as amended.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. BUMPERS] and the Senator from Alabama [Mr. HEFLIN] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 171 Leg.]

YEAS—98

Abraham	Ford	Mack
Akaka	Frahm	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Mikulski
Bennett	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Bradley	Gregg	Nunn
Breaux	Harkin	Pell
Brown	Hatch	Pressler
Bryan	Hatfield	Pryor
Burns	Helms	Reid
Byrd	Hollings	Robb
Campbell	Hutchison	Rockefeller
Chafee	Inhofe	Roth
Coats	Inouye	Santorum
Cochran	Jeffords	Sarbanes
Cohen	Johnston	Shelby
Conrad	Kassebaum	Simon
Coverdell	Kempthorne	Simpsom
Craig	Kennedy	Smith
D'Amato	Kerrey	Snowe
Daschle	Kerry	Specter
DeWine	Kohl	Stevens
Dodd	Kyl	Thomas
Domenici	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Warner
Faircloth	Lieberman	Wellstone
Feingold	Lott	Wyden
Feinstein	Lugar	

NOT VOTING—2

Bumpers Heflin

The bill (H.R. 3525), as amended, was passed.

Mr. THURMOND. Mr. President, I move to reconsider the vote by which the bill, as amended, was passed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

The Senate continued with the consideration of the bill.

AMENDMENT NO. 4266

Mr. THURMOND. Mr. President, I urge the Senate to oppose the drastic cuts proposed by the Wellstone amendment. Senator NUNN and I had planned to introduce an amendment to cut the funding by \$1.7 billion to bring the bill into compliance with the budget resolution. However, the Senator from Nebraska objected.

I want to put the Senate on notice that we will introduce our amendment after Senator EXON completes his amendment.

I urge the Senate to support this amendment of the Armed Services Committee to reduce the funding level of the bill by \$1.7 billion.