

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.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 minutes.

Mr. WELLSTONE. How much?

The PRESIDING OFFICER. Two minutes.

Mr. WELLSTONE. Mr. President, this amendment, which I offer with Senator HARKIN, Senator DORGAN, Senator BUMPERS, and Senator FEINGOLD, simply says, look, we now have an authorization, roughly speaking, \$13 billion above and beyond what the Pentagon has requested, what the President has requested, and what the military leadership has requested. Too much of it is add-on projects. There is a question of whether or not these weapons systems are needed.

We voted 100 to zero for the Lieberman amendment which is an important amendment dealing with force structure, dealing with modernization. Let us go through with that study but let us not start adding on projects. This is an amendment that really goes after some of the pork and add-ons. We should not be doing this.

It is a deficit reduction amendment. It says this is a place where we can take \$13 billion and put it into deficit reduction. That is what we should do.

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 4266 offered by the Senator from Minnesota.

Mr. THURMOND. 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. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. BUMPERS] is necessarily absent.

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

The result was announced—yeas 34, nays 65, as follows:

[Rollcall Vote No. 172 Leg.]

YEAS—34

Baucus	Graham	Moseley-Braun
Biden	Grassley	Murray
Bingaman	Harkin	Pell
Boxer	Hatfield	Pryor
Bradley	Jeffords	Reid
Brown	Kennedy	Rockefeller
Bryan	Kerry	Sarbanes
Conrad	Kohl	Simon
Daschle	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Feingold	Levin	
Glenn	Mikulski	

NAYS—65

Abraham	Coats	Faircloth
Akaka	Cochran	Feinstein
Ashcroft	Cohen	Ford
Bennett	Coverdell	Frahm
Bond	Craig	Frist
Breaux	D'Amato	Gorton
Burns	DeWine	Gramm
Byrd	Dodd	Grams
Campbell	Domenici	Gregg
Chafee	Exon	Hatch

Heflin	Lott	Santorum
Helms	Lugar	Shelby
Hollings	Mack	Simpson
Hutchison	McCain	Smith
Inhofe	McConnell	Snowe
Inouye	Moynihan	Specter
Johnston	Murkowski	Stevens
Kassebaum	Nickles	Thomas
Kempthorne	Nunn	Thompson
Kerrey	Pressler	Thurmond
Kyl	Robb	Warner
Lieberman	Roth	

NOT VOTING—1

Bumpers

The amendment (No. 4266) was rejected.

Mr. WARNER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER (Ms. SNOWE). The majority leader.

UNANIMOUS-CONSENT AGREEMENTS

Mr. LOTT. Madam President, I ask unanimous consent that the agreement entered yesterday be modified to reflect that summaries of amendments must be submitted to the two leaders no later than 3 p.m. today; and further, that the two leaders now have until the hour of 4 p.m. today to void this agreement, with all other provisions of the consent agreement still in order.

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

Mr. LOTT. Madam President, I ask unanimous consent, with regard to the pending legislation, that the pending amendments be set aside and that Senator EXON be recognized to offer an amendment with respect to funding; that there be 90 minutes for debate with the time equally divided and controlled in the usual form, with no amendments in order to the amendments or any language which may be stricken; that upon the use or yielding back of time, the amendment be laid aside and that Senator THURMOND be recognized to offer an amendment for himself and Senator NUNN; that there be 20 minutes for debate with the time equally divided and controlled in the usual form, with no second-degree amendments in order, nor to the language which may be stricken; that upon the use or yielding back of time, the amendment be laid aside and Senator WELLSTONE be recognized to offer an amendment with respect to funding; with 90 minutes for debate equally divided in the usual form, with no second-degree amendments in order, nor to any language which may be stricken; that upon the use or yielding back of time, the amendment be laid aside and the Senate then vote on or in relation to the amendments in the order in which they were debated, with 2 minutes equally divided for debate on each amendment prior to the vote, with no other intervening action in order.

I finally ask unanimous consent that upon disposition of the above amendment, the Senate then resume consideration of the Kyl amendment regard-

ing underground nuclear testing; that there be 90 minutes for debate prior to a motion to table, with the time equally divided and controlled between Senators KYL and EXON; and that upon the use or yielding back of time, without intervening action, Senator HATFIELD be recognized to move to table the Kyl amendment.

The PRESIDING OFFICER. Is there an objection?

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Reserving the right to object, I should like to inform the majority leader that I have asked Senator EXON if he would be willing to defer for 10 minutes, or so, for a morning business statement on my part, if it is agreeable with the majority leader, before further debate.

Mr. EXON. Madam President, I simply say to the majority leader, in order to accommodate my friend and colleague, I will delay for 10 minutes.

Mr. LOTT. Madam President, I modify the unanimous-consent request to provide for 10 minutes for Senator GORTON before we go to the lineup that I have described here.

The PRESIDING OFFICER. Is there objection?

Mr. NUNN. Reserving the right to object, and I hope not to object, I understand there is further wording on the unanimous-consent request at the end of everything that the majority leader enumerated that would add these words:

Provided further that Senator HATFIELD is permitted to move to table prior to the expiration or use of all time on the motion to table.

Mr. LOTT. Madam President, I amend the unanimous-consent request to include that additional sentence, whereby Senator HATFIELD would be permitted to move to table prior to the expiration or use of all time on the motion to table.

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

Mr. LOTT. I do want to say, I appreciate the cooperation of all the Senators on this—the chairman, the Senator from Virginia, the Senator from Georgia, Senator EXON and Senator KYL. A lot of give and take was involved here. This helps move major portions, for needed action on this bill, forward. So I commend the Members. Now I hope we can get on these amendments and stay with them until we get them completed.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, we commend the distinguished majority leader. He has been on this floor since early this morning endeavoring to help the managers, and this is clear evidence of the success he has had. This will get this bill passed by tomorrow night. My understanding is this is your goal, and it is our goal. I thank the leader.

The PRESIDING OFFICER. The Senator from Washington.

#### WISDOM OF RENEWING MFN

Mr. GORTON. Madam President, tomorrow the House of Representatives will debate the renewal of most-favored-nation trading status for China. It is about to vote, as the President wishes, in favor of renewing MFN.

Knowing that MFN was to be at issue this summer, earlier in the spring I wrote to nearly 350 of my constituents, mostly business people and academics particularly interested in trade with China. In my letter, I explained my frustration with China's consistently autarkic market practices, and told them that I had serious concerns about the wisdom of renewing MFN for China. China has established an egregious prohibition on Washington State wheat, while market access for our apples has been blocked by arbitrary quotas and tariffs. Moreover, China continues to bleed our software industry with its state-sponsored pirating of United States intellectual property. With this in mind, I asked my constituents to share their views with me, and I now believe it appropriate to share my own with my colleagues and constituents, as it seems unlikely that this issue will come formally before the Senate.

To the 341 letters I sent, I received 195 responses, and of those responses 12 were against renewal.

From Pacific Northwest wheat growers, who are denied access to the Chinese market on totally specious grounds, I heard this: "Despite the fact that Washington producers are still unable to participate in the wheat export to China, [we] are in full support of granting China MFN for another year."

From Washington State's apple, pear, and cherry growers, who face tremendously unfair barriers in gaining access to Chinese markets: "We are in an industry that lives on exports . . . this business requires as normal a trading regime as possible between our country and potential markets."

From the software industry, which continues to hemorrhage because of Chinese piracy: "The flagrant violation of U.S. intellectual property rights is of primary concern to [us] . . . we are concerned [however] that failure to renew MFN at this time will constitute too big a blow to the remaining threads of the U.S. relationship with China."

The Boeing Company certainly benefits from trade with China, as well—it predicts that Asia will be the largest market for airplanes in the next 50 years. In Washington State, Boeing has close to 300 subcontractors that provide it with goods and services. And those small companies, like Bumstead Manufacturing in Auburn, Stoddard-Hamilton in Arlington, and Dowty Aerospace in Yakima, all depend on Boeing selling its airplanes for their own well-being.

Even the Port of Longview has an interest in American trading with China.

Archer-Daniels Midland Corporation intends to build a state-of-the-art facility for the export of Midwest corn to Pacific rim markets in that community. China certainly figures into that equation.

Madam President, many of the people who wrote to me believe that engaging in trade with China will lead to better trade and economic conditions in both China and America. One person argued that:

Maintaining a healthy trade partnership with China will ensure that our influence in areas such as human rights and fair trade practices survives; curtailing that partnership as a punitive measure will only lead China to lose the incentive to cooperate.

It is certainly clear, that—at least in the short-term—American companies that trade with China would be hurt if MFN were not renewed. My constituents, in their letters, made that point eloquently.

Because of my deep respect for these constituents, I would vote to extend MFN this year if the Senate were to vote on the subject, and I commend such a vote to my Washington State colleagues in the House.

But, Madam President, in casting that affirmative vote I would be wrong. I do acknowledge the importance of trade with China to the people of my State, but I want to explain why the President is wrong, and why I would be wrong, as well, to support him.

I would be wrong because the chances of China changing its dismal trading practices, or stopping its violations of United States intellectual property rights, or acceding to a freer, more open market as a result of MFN renewal are about as close to zero as you can get.

China is an unrepentant free trade rejectionist. China is one of the world's most corrupt nations. China steals our software and CD's. China arbitrarily closes its market to United States goods. And China, aside from eleventh-hour propaganda tricks, does nothing to clean up its act. For years the United States has pinned its hopes for a more cooperative, law-abiding China on MFN. MFN advocates talk about "engagement." If we only "engage" in trade with China, they argue, the Chinese will change their ways, they will come around to the idea of free trade and open markets and all that goes with them.

Many of my colleagues here in the Senate, Madam President, have been making the engagement argument for years. Back in July of 1991, for example, my distinguished friend from Rhode Island, Senator CHAFEE, said that "we want China to move toward the implementation of a market-based economy," implying that MFN was the way to do it. Senator CHAFEE also argued that "[t]o withdraw MNF would virtually destroy \* \* \* business leaders and entrepreneurs [in the more economically liberalized southern part of China. \* \* \* They will go down the drain because they will not have access

to the U.S. markets to sell their goods."

My friend from Montana, Senator BAUCUS, said, also in 1991, that:

Rather than isolating China from the world by cutting off economic ties, we should seek to engage China—to bring China into the 20th century.

Trade is the link that allows us to engage China. It is the bridge that allows western values into China.

If we are truly interested in reform in China, if we are truly interested in improving the lives of Chinese citizens—we should seek to expand economic ties, not to cut them off.

These words sound persuasive, do they not, Madam President? But keep in mind they were uttered 5 years ago. Five years ago our trade deficit with China was a little under \$13 billion. Now it is almost \$34 billion. We have been engaged with China that whole time, and where has it gotten us? Another \$20 billion in the hole. Will we never learn? Are we destined forever to demonstrate the triumph of hope over experience? What has the engagement of the past 5 years accomplished to cause us to parrot today the very arguments that have so signally failed in the past?

This engagement argument, Madam President, can be refuted by a cursory glance at China's wretched record on trade with America. Indeed, our trade relationship with China totally belies the assertions of those who consider MFN a tool for making China more cooperative.

Madam President, over the years, especially in the years since Tiananmen Square and the fall of the Soviet Union, many issues besides trade have been injected into the MFN debate. Human rights, nuclear proliferation and relations with Taiwan are three of the most prominent of those issues. I have chosen to stick solely to the matter of trade, but I do understand that these other concerns are at the front of many people's minds.

I say this, Madam President, by way of addressing what I consider to be a glaring error in the arguments of many MFN advocates. They argue, rightly, that the MFN debate is not the place for a discussion on China's human rights record or its practice of selling nuclear components to countries unfriendly to America. I agree with that argument. The Chinese Government gets an "F" on how it treats its citizens, and it should be severely dealt with for its shameless sales of nuclear technology to the villains of the world. But MFN is trade policy, and we should stick to trade in our arguments on its extension, be they pro or con.

That is all well and good, Madam President, but I am struck by how often MFN advocates violate their own ground rules. In an attempt to make MFN renewal more savory, the spice up their arguments with the theory that trade with China will bring democracy to China. If we keep renewing MFN, the argument goes, we will help usher in an era of freedom and democracy to