

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Carol H. Rasco to Stephen C. Warnath re: Bilingual (1 page)	06/10/1996	P5

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Stephen Warnath (Civil Rights)
OA/Box Number: 9589

FOLDER TITLE:

Church Burnings [3]

ds48

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

DRAFT - JUNE 17, 1996, 6:00 p.m.
(reflects comments from
Hale, Patrick, Johnson)

**PRESIDENTIAL MEETING WITH GOVERNORS
CONCERNING CHURCH FIRES
WEDNESDAY, JUNE 19, 1996
1:30 P.M. TO 2:45 P.M.**

PROPOSED AGENDA

[POOL SPRAY AT TOP; NO REMARKS]

- I. Welcoming Remarks by the President [This would be the point at which the President could discuss or at least preview the private sector piece. The President can also challenge and exhort the states to develop a process parallel to federal efforts on prevention and rebuilding.]
- II. Welcoming Remarks by the Vice President [Marcia Hale is coordinating with OVP regarding participation by VPOTUS.]
- III. Presentations from the Responsible Agencies [Total time for this portion = 40 min] [Kitty Higgins is inviting the AG and the Secretaries; DOJ and Treasury have identified sub-Cabinet briefers.]

[Agencies should prepare appropriate charts and visual aids.]

- A. Enforcement Issues -- Department of Justice (Deval Patrick)
 1. National Task Force
 2. Local Task Forces and role of local law enforcement
 3. Status report

[Question: Are the states already represented on the Task Force at some level? If not, can we announce that states will be invited to send law enforcement representatives?]

Question: Can we announce that we are going to give states access to the federal data base on church fires?]

- B. Security/Prevention Issues -- Department of the Treasury (James Johnson) -- program resources available to assist states in security and prevention efforts
 - 1. education program -- written materials available to help churches identify risks
 - 2. risk assessment -- local police and U.S. Marshals
 - 3. issues raised by church leaders
 - C. Rebuilding
 - 1. HUD -- loan guarantee program (Secretary Cisneros)
- IV. Legislation
- A. Kennedy-Faircloth-Hyde-Conyers legislation -- we will sign as soon as it is presented
 - B. Additional resources for enforcement
 - 1. Treasury supplemental
 - 2. DOJ reallocation
 - C. HUD Authorization to provide loan guarantees for church rebuilding
- V. The President embraces private sector rebuilding efforts
- The arsonists cannot win; we will rebuild every church
- VI. Open Discussion with Governors
- VII. Concluding Remarks by the President
- [Mike McCurry will brief press in press room, then Governors go to stake out.]



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

TELEFACSIMILE COVER SHEET

DATE: 6/10/96 TIME: _____

TO: Steve Wornath
White House

PHONE: _____

FAX: 456-7028

FROM: Juanita C. Hernández
COUNSEL TO THE ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION
FAX NUMBER: 202-307-2839
PHONE: 202-514-3653

COMMENTS:
You may want to get a copy of the Radio Address the President gave on this

NUMBER OF PAGES TRANSMITTED (INCLUDING THIS SHEET) 27 (max. 30 pages)

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS PROPERTY OF THE UNITED STATES AND IS ATTORNEY-CLIENT PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY CALLING 202-514-2151.



Department of Justice

STATEMENT
OF
DEVAL PATRICK
ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION

BEFORE THE

SUBCOMMITTEE ON THE CONSTITUTION
COMMITTEE ON THE JUDICIARY
U. S. HOUSE OF REPRESENTATIVES

CONCERNING
CHURCH FIRES IN THE SOUTHEAST

PRESENTED ON
MAY 21, 1996

Mr. Chairman and Members of the Subcommittee,

I appreciate the opportunity to appear today to discuss the efforts of the Department of Justice to prosecute those individuals responsible for the deplorable act of setting fires to houses of worship and intimidating their parishioners.

Let me assure you all, first and foremost, that the Department of Justice considers investigation of church fires and prosecution of those persons responsible for attempting to destroy houses of worship to be among our most important investigative and prosecutorial priorities. Houses of worship have a special place in our society. They are, of course, the center of a community's spiritual life. In many communities, the church is the center of its social life as well. As we have seen in communities that are the subject of today's hearing, destruction of a church can have devastating effects.

When the fire is accompanied by an explicit or implied threat of violence directed at church members because of their race, these devastating effects are multiplied. In our society, arson of a church attended predominantly by African Americans carries a unique and menacing threat -- that those individuals are physically vulnerable because of their race. These threats are intolerable; no one in our society should have to endure them. The Department of Justice is committed to insuring that those who make such threats will be prosecuted and will serve sentences commensurate with the cowardly and despicable nature of their actions.

Tron Brekke, Section Chief of the Corruption/Civil Rights Section of the Federal Bureau of Investigation, and John W. Magaw, Director of the Bureau of Alcohol, Tobacco and Firearms, will discuss the investigative operations of those agencies. I will provide a more general overview of federal prosecutorial activities.

Federal jurisdiction. There are a number of statutes that provide federal jurisdiction over arsons at churches. 18 U.S.C. 241 makes it a crime for two or more persons to "injure, threaten or intimidate any person in any State, Territory, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States." Section 241 makes a felony even those fires that do not result in anyone's death, with sentences of up to ten years. Were death to result from a fire, the death penalty could be imposed. We normally argue that, when an African American church is burned by a person intending to intimidate African Americans, the denial of the right or privilege implicated is the guarantee, set forth in 42 U.S.C. 1982, to all citizens of "the same right in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold and convey real and personal property."

We also have jurisdiction under 18 U.S.C. 247 and 248. Under 18 U.S.C. 247, anyone who "intentionally defaces, damages, or destroys any religious real property, because of the religious character of that property, or attempts to do so," through use of fire, has committed a felony. Subsection (b) of the statute

states that the defendant must have traveled in interstate or foreign commerce, or used a "facility or instrumentality of interstate or foreign commerce in interstate or foreign commerce" in committing the crime, and caused more than \$10,000 damage.

Section 844(h) of Title 18 applies when fire or an explosive is used to commit another crime, and section 844(i) of Title 18 prohibits the use of fire when destroying a building used in interstate or foreign commerce. Section 248(a)(3) of Title 18 makes it a crime to "intentionally damage[] or destroy[] the property of a place of religious worship." As we discuss later, however, our ability to use 248 may be limited.

Successful prosecutions. Investigation of church fires is extremely challenging. Fire often destroys all of the relevant evidence. In addition to examining the evidence at the scene of the fire, many witnesses must be interviewed in order to get a lead, as there are seldom witnesses to an arson at a church, particularly churches located in rural areas, as many of these churches are. There are currently over 200 federal agents from the ATF and FBI assigned to the various fires we are investigating.

We have had successful federal prosecutions, and have secured sentences commensurate with the seriousness of these crimes. Two recent cases demonstrate the type of investigations and prosecutions that vindicate federal rights.

Maury County, Tennessee. In January of 1995, two African American churches and an African American-owned tavern

were burned. Local law enforcement investigated, and arrested three suspects, all of whom said the fires were the result of actions they took while intoxicated, and were intended only as a joke. The FBI also investigated, and determined that all three defendants spent a Sunday watching the Super Bowl, drinking, and discussing their hatred of African Americans. The discussion later turned specifically to "burning nigger churches." After gathering various supplies, the defendants first drove to an adjoining county and tried to set fire to the tavern by throwing a molotov cocktail through the window. It failed to ignite. They also burned a cross on the tavern property. They then crossed back into Maury County and went to the Friendship Missionary Baptist Church, an African American church, and threw a railroad tie and molotov cocktail through the window. The fire ignited and caused heavy damage to the church. They also attached a small cross to the church sign and ignited it. They then drove to another African American church, the Canaan African Methodist Episcopal Church, again throwing a molotov cocktail into the church and causing damage, and again leaving a cross on church property.

The FBI obtained inculpatory statements and physical evidence, and identified other persons who later testified before the grand jury concerning the defendants' intent to burn African American churches. Attorneys from the United States Attorney's Office for the Middle District of Tennessee, as well as from the Criminal Section of the Civil Rights Division, participated in

the federal prosecution of these three defendants. They also met often with local church officials, not only to keep them apprised of the developments in the federal prosecution, but also to discuss with them the impact of this attack on the members of the church.

The defendants were arrested in August of 1995 on federal charges of violating 18 U.S.C. 241 by conspiring to set fire to the two African American churches and the tavern. They pled guilty to the federal charges in October of 1995. Two of the defendants were sentenced to 33 months in federal prison, and the third to 57 months, for this hate crime.

One reason we decided to proceed with a federal prosecution was that because the tavern firebombing occurred in another county, trial in state court would have required separate state indictments and resulted in the juries in each case seeing only part of the overall crime. The federal conspiracy charge permitted the full scope and nature of the crime to be presented in one prosecution, and provided certain evidentiary advantages, such as the admissibility of co-conspirator statements. In addition, the sentences these defendants would have received under local law were much less than federal law would permit. The federal sentencing guidelines permitted the court to tailor sentences which reflected the culpability and subsequent cooperation and acceptance of responsibility by the defendants. The government was able successfully to argue at sentencing that the leader of three defendants deserved an enhanced sentence.

6

The federal investigation also revealed that the local firefighters who responded to the first church burning were placed at a substantial risk of death or serious bodily injury by the fire, which also persuaded the court to impose an enhanced sentence. The decision to proceed against these defendants in federal court and on federal charges resulted in sentences that fit the contemptible nature of their actions and the effect of those actions on the members of the churches they attempted to destroy.

Pike County, Mississippi. On April 5, 1993, on the 25th anniversary of the death of Rev. Martin Luther King, Jr., two African American churches in rural southern Mississippi burned to the ground. The FBI, with some cooperation by the local sheriff's department, took the lead in the investigation and identified three suspects, one adult and two juveniles. The Bureau contacted the father of one suspect, and met with the suspect, his father and his attorney. Later, the Bureau agent and a lawyer from the Criminal Section of the Civil Rights Division met with another suspect and the suspect's parents. The suspects admitted setting fire to the churches. The churches were chosen because they were African American churches, and the suspects admitted making racially derogatory remarks, such as "Burn Nigger Burn" and "that will teach you Niggers" when setting the fires.

These fires were set in an area of Mississippi with a disturbing and violent racial past. This prosecution sent a

strong message that this sort of violence will not be tolerated. A thorough six month investigation was done, followed by grand jury testimony. On October 1, 1993, all three participants pled guilty to violating 18 U.S.C. 241. Two defendants were sentenced to 37 months in federal prison and one to 45 months.

These are two instances of successful federal investigation and prosecution of hate crimes involving the burning of African American churches. Other fires have been investigated jointly with state and local authorities. Some of these have resulted in state convictions and lengthy sentences.

Increase in reports of church fires. We have found a disturbing increase in the number of fires at churches reported to the Justice Department over the past two years. As of May 1, 1996 -- only four months into the year -- we had received reports of fires at 24 churches, seventeen of which occurred at churches in which the membership is predominantly African American. During 1995, we received reports of fires at 13 churches, and reports of acts of vandalism at three churches that did not involve fires. Eleven of the fires that occurred in 1995 were at African American churches. From 1990 through 1994, we received and investigated reports of fires at only 7 houses of worship, 6 of which were at African American churches, and acts of vandalism at 5 synagogues.

This pattern of church fires has not been limited to one region of the country. The reports of church fires occurring in 1996 have come from Alabama, Georgia, Louisiana, Mississippi,

67 17
13 11

37 28
5

42 21

8

Tennessee, Virginia, South Carolina, and Texas in the southern United States, and also from Arizona, Maryland, and New Jersey. In 1995, we investigated church fires that occurred in Alabama, North and South Carolina, and Tennessee, and also one that occurred at an African American church in Washington state.

Nearly one-quarter of the cases reported to us in 1995 and 1996 have been resolved. Of the 24 fires reported to us as of May 1 of this year, arrests have been made in two cases, and one has been determined to have been accidental. The rest remain under active federal investigation, and we are hopeful that we can bring some to conclusion soon. Of the 13 fires and 3 incidents of vandalism occurring in 1995, 10 remain under active federal investigation. Two investigations have been closed after successful federal prosecution, and one fire was determined to be accidental. Arrests have been made in two of the incidents still under active investigation. The three incidents of vandalism at churches in Alabama were resolved through local prosecution.

We have taken a number of steps to encourage local law enforcement personnel throughout the country and others to contact the FBI and ATF whenever a fire appears suspicious. We have also spoken to church and civil rights leaders in many areas to encourage them to get the word out to their parishioners and members that fires and acts of vandalism at houses of worship are of serious federal concern, and that they should quickly report these incidents to both local and federal officials.

I recently went to Boligee, Alabama, to visit the sites of recent church arsons and to meet with local law enforcement officials as well as officials of the damaged churches. I spoke both of the high priority these cases have in the Department of Justice, and of our need for a close relationship with local law enforcement and local citizens regarding these kinds of actions. I was heartened by the reception I was given by local church officials, and I hope they, and other church members and other citizens around the country fully understand the Department's commitment. I know that Assistant Secretary James Johnson from the Department of the Treasury has also made a number of visits to churches around the country victimized by suspicious fires, and has explained the manner in which the federal government is responding to these fires.

I am sure that local church and community members are as frustrated as we are by those instances in which church fires are not yet solved. I certainly hope that those same officials and citizens understand that we are actively investigating these fires, and doing whatever we can to determine what happened and to make arrests where criminal activity occurred. It is important to remember that arsons are among the most difficult crimes to solve. Fire often destroys important evidence. Some of these fires were set at churches located in rural, isolated areas, and for that reason the fires at some were extensive. In some instances, churches burned to the ground. It is not yet clear whether the increase in the number of fires reported to us

10

reflects an increase in the number of fires that have occurred, or reflects an increase in reporting. As I stated earlier, we have actively encouraged local citizens and law enforcement officials to report all fires at houses of worship to federal officials, and recent publicity about some church fires may have encouraged the reporting of others.

It is clear, however, from some of the cases that have been solved, that some of the people who have set fires at houses of worship are motivated by hate. Most of the other cases are still under investigation. As you know, I cannot discuss specifics of any open case. I can say, however, that during our investigation we focus not only on the circumstances of the specific fire before us, but also on whether, if we identify an individual or individuals responsible for the fire, there is any evidence that these individuals have any ties to fires that have occurred elsewhere in the country. Because these investigations are ongoing, it is premature to draw conclusions one way or the other as to whether the fires we are seeing are part of an organized hate movement.

Local cooperation. Cooperation between state and local fire and police officials and federal investigators and attorneys is key to solving suspicious fires. We have had excellent cooperative relationships with state and local police and fire officials in many communities in which the federal agents have been investigating suspicious fires.

11

In many situations, task forces of state and local police and fire officials and agents from the FBI and ATF have been working jointly to investigate suspicious fires. In Tennessee, a task force of several dozen state, local, FBI and ATF agents has been set up to investigate fires that occurred in 1995 at the Macedonia Missionary Baptist Church in Fruitvale, the Johnson Grove Baptist Church in Madison County, the Mt. Calvary Baptist Church in Hardeman County, and the Salem Baptist Church in Fruitland. Similar task forces have been set up in Alabama to investigate suspicious fires at the Mount Zion Baptist Church, Little Zion Baptist Church and Mount Zoar Baptist Church in Boligee, and at the New Liberty Baptist Church in Tyler. Indeed, the work of the task force in Tyler resulted in local charges being filed against a local volunteer fire fighter. A task force consisting of over 20 state, local and federal agents was established in South Carolina to investigate fires that occurred in June of 1995 at the Mt. Zion A.M.E. Church in Greeleyville and at the Macedonia Baptist Church in Clarendon City. Two arrests have been made in that case, and those individuals are now in federal custody. Similar task forces have been set up to investigate a fire occurring in February of 1996 at the First Southern Baptist Church in Tucson, Arizona, one that occurred in March of this year at the Gays Hill Baptist Church in Jenkins County, Georgia, and fires that occurred on February 1, 1996, at the Cypress Grove Baptist Church, St. Paul's Free Baptist Church, Sweet Home Baptist Church, and Thomas Chapel Benevolent Society,

12

four churches located within a six mile radius of each other in Zachary and East Baton Rouge, Louisiana. A task force of 70 local, state and federal officers has been investigating the January 8, 1996, fire at the Inner City Church in Knoxville, Tennessee. Other task forces are investigating church fires in Satartia and Smithville, Mississippi, in Barnwell County, South Carolina, and Richmond, Virginia.

In addition to the federal successes I have described, there have also been local investigatory and prosecutorial successes in cases where we and local officials have been involved. There are instances in which, after there has been a joint federal and state effort to investigate a case, local prosecution is the better vehicle. For example, three African-American churches, Bucks Chapel Church, Oak Grove Missionary Baptist Church, and Pine Top Baptist Church in Coatopa, Alabama, were vandalized between February 4 and 5, 1995, causing extensive damage. We agreed to monitor the local prosecution, rather than bring our own charges, because the evidence may not have resulted in an enhanced sentence under federal sentencing guidelines, the state charges carried the same penalty as federal charges, and the defendants had confessed to each element of the state charges. That prosecution resulted in guilty pleas by two of three defendants, ages 22 and 19, who were sentenced to 4 1/2 years in prison, with all but 6 months stayed, and ordered to pay restitution.

In a more recent case, the New Liberty Baptist Church in Tyler, Alabama, an African-American church, was burned on February 28, 1996. A joint federal-state investigation followed, and a volunteer fire fighter has been charged with felony arson by local officials. While the investigation into that fire is continuing, state prosecution in that case may also be the most appropriate action, taking into account the factors I have already mentioned. Local charges have also been filed in a fire in Satartia, Mississippi, after investigation by a task force consisting of state, local and federal investigators.

Difficulties with federal jurisdiction. While I mentioned the federal statutes that give us jurisdiction over some fires and acts of vandalism at houses of worship, using those statutes does present some difficulties.

18 U.S.C. 241 applies when we have two or more defendants acting in a conspiracy. While we can get significant jail sentences under Section 241, we can use Section 241 only when we have a conspiracy of two or more persons. When we do not have two or more individuals involved in the fire, Section 241 is not available.

When we are left with only one suspect, our jurisdiction is provided by 18 U.S.C. Sections 247 or 248. Prosecutions under Section 247 are complicated significantly by the fact that subsection (b) of the statute states that the defendant must have traveled in interstate or foreign commerce, or used a "facility or instrumentality of interstate or foreign commerce in

interstate or foreign commerce" in committing the crime, and caused more than \$10,000 damage. These provisions make this statute nearly impossible to use. The \$10,000 requirement means that when the damage from the fire is minimal, or when hate is expressed, not through fire but through desecration or defacement of houses of worship, 18 U.S.C. 247 is not an available source of jurisdiction. In those cases, the message of hate is just as clear, and the effect on the victims often just as palpable and disturbing, but an important law enforcement tool is not available.

18 U.S.C. 248(a)(3) also provides federal jurisdiction in church arsons. While that Section could be a useful tool to address this problem, we believe that the Supreme Court's recent decision in United States v. Lopez, 115 S.Ct. 1624 (1995), may make use of that provision more difficult.

Section 844(h) of Title 18 applies when fire or an explosive is used to commit another crime, and section 844(i) of Title 18 prohibits the use of fire when destroying a building used in interstate or foreign commerce. Their utility is limited, however, where no other crime is present, or the interstate commerce nexus is not met.

Conclusion. The Clinton Administration is determined to address this problem using all the law enforcement and investigative tools available, working cooperatively with our federal as well as state and local law enforcement. Solving these crimes, and punishing those responsible, remains a high

15

priority for this Administration.

FEDERAL INVESTIGATIONS OF FIRES AND ACTS
OF DESECRATION AT HOUSES OF WORSHIP
(as of May 21, 1996)

- o Investigation of fires and incidents of desecration at houses of worship are a top priority of the Justice Department.
- o Since 1990, we have actively investigated fires and incidents of desecration at 57 different houses of worship located in 15 states across the country. In most instances, the investigations have been handled cooperatively by ATF, FBI, state and local authorities.
- o In a number of cases, task forces have been established of federal, state and local authorities. Well over 200 federal, state and local investigators are actively assigned to these investigations.
- o Of the 57 incidents listed, 20 have been solved:
 - o 8 have resulted in successful federal prosecutions and have been closed.
 - o 5 incidents have resulted in successful prosecutions by local officials and the cases are closed.
 - o Local charges have been filed in 5 other incidents.
 - o Two investigations were closed after it was discovered that the fires were accidental.
- o The majority of the unresolved incidents occurred in 1995 and 1996.
- o A total of 24 incidents have been reported thus far in 1996. One has been closed and arrests have been made in two others. The remainder are under active investigation.
- o A total of 16 incidents were reported in 1995. Of them, 6 have been closed, three through local prosecution, two through federal prosecution, and one was determined to be accidental. Ten remain open and under active investigation.
- o The Civil Rights Division prosecutes church arsons or desecrations of houses of worship primarily under 18 U.S.C. 241, 18 U.S.C. 247, 18 U.S.C. 248(a)(2), and 18 U.S.C. 844.

YEAR BY YEAR CHURCH AND SYNAGOGUE FIRES AND DESECRATIONS
(as of May 21, 1996)

	Total	1996 Open	Closed
Alabama	3	3 (1 arrest)	0
Arizona	1	1	0
Georgia	1	1	0
Kentucky	1	1	0
Louisiana	5	5	0
Maryland	2	2	0
Mississippi	4	3 (1 arrest)	1
New Jersey	1	1	0
New York	1	0	0
North Carolina	1	0	0
South Carolina	4	4 (1 arrest)	0
Tennessee	1	1	0
Texas	4	4	0
Virginia	<u>1</u>	<u>1</u>	<u>0</u>
	30	29	1
		1995	
Alabama	5	1	4
North Carolina	1	1	0
South Carolina	3	3 (2 arrests)	0
Tennessee	6	4	2
Washington	<u>1</u>	<u>1</u>	<u>0</u>
	16	10	6
		1994	
Georgia	2	0	2
Massachusetts	2	0	2
Mississippi	1	1	0
Tennessee	<u>1</u>	<u>1</u>	<u>0</u>
	6	2	4
		1993	
Mississippi	2	0	2
		1992	
Illinois	1	0	1
		1991	
Washington	1	1	0
		1990	
Tennessee	1	0	1

SUMMARY OF SUCCESSFUL INVESTIGATIONS

FEDERAL SUCCESSES

1. Springhill Baptist Church
2. Rocky Point Missionary Baptist Church, Mississippi -- Three defendants pled guilty to federal conspiracy charges arising from the arson of two black churches in April of 1993 on the anniversary of the assassination of Dr. Martin Luther King. The defendants were sentenced to 46 months and 37 months in prison. These cases are closed.
3. Friendship Missionary Baptist Church
4. Canaan African Methodist Episcopal Church, Tennessee -- Three defendants pled guilty in October of 1995 in federal court to conspiring to firebomb and either burn or erect crosses at these two African-American churches in February, 1995. In March 1996, one defendant was sentenced to 57 months in prison while the two other defendants were sentenced to 46 months in prison. These cases are closed.
5. West End Synagogue, Tennessee -- Three defendants, including the Grand Dragon of the Tennessee Ku Klux Klan, a Klan and Aryan Nation associate and a juvenile Skinhead member, were charged federally with conspiring to interfere with the rights of Jewish people by firing shots into a synagogue that caused significant property damage in June, 1990. Two of the defendants pled guilty and the third was convicted at trial. Two of the defendants were sentenced to 27 months and 42 months in prison while the juvenile defendant received probation. This case is closed.
6. Temple Am Echod, Illinois -- One defendant pled guilty to federal charges of conspiring to interfere with the rights of black and Jewish citizens stemming from the June 1992 bombing of a roller rink frequented by black patrons and the vandalism of a synagogue where swastikas and other anti-Semitic symbols were spray painted. The defendant was sentenced to 110 months in prison. This case is closed.
7. Temple Beth Emunah
8. Temple Young Israel, Massachusetts -- In June 1994, four defendants, members of a racist Skinhead group, The New Dawn Hammerskins, were charged in federal court with conspiring to interfere with the rights of African-American and Jewish individuals. One defendant later pled guilty and the three juveniles were convicted in connection with the desecration of two synagogues. In addition, the car of a teacher of the Holocaust was vandalized and the defendants used baseball bats and other weapons to harass and intimidate African-Americans on the streets and at a shopping mall. The four defendants were sentenced to terms of incarceration ranging from 4 to 46 months. These cases are closed.

LOCAL SUCCESSES

1. Bucks Chapel Church
2. Oak Grove Missionary Baptist Church
3. Pine Top Baptist Church, Alabama -- Between February 4 and 5, 1995, these three churches were vandalized causing an estimated \$10,000 in damage. A local prosecution resulted in guilty pleas by two of three defendants, ages 22, 19 and 17. The two were sentenced to 4 1/2 years in prison. The third defendant committed suicide. These cases are closed.
4. Springfield Baptist Church
5. Elam Baptist Church, Georgia -- On July 20, 1994, the Springfield church was completely destroyed by arson and the Elam church was also set afire. The criminal investigations of these matters were conducted by officials of the Georgia Bureau of Investigation, the Morgan County Sheriff's Department and the Georgia State Fire Marshal resulting in convictions of four males on state felony charges of burglary and arson. The defendants were sentenced to 20 years in prison. These cases are closed.
6. Mt. Zion A.M.E. Church
7. Macedonia Baptist Church, South Carolina -- On June 20 and 21, 1995, respectively, these two African-American churches burned. Two subjects have been arrested. A task force utilizing 21 officials including 4 FBI Agents, 8 ATF Agents, 3 Clarendon County Sheriff's Office officials, 2 SLED officials, 2 Clarendon County Fire Department officials and 2 federal prosecutors has been working on this investigation. Federal investigation is pending.
8. New Liberty Baptist Church, Alabama (Tyler) -- On February 28, 1996, this African-American church was completely destroyed by fire. A volunteer fire fighter was charged with felony arson at the state level and that prosecution is pending. A Task Force which has used 22 participants including 4 FBI Agents, 15 ATF Agents, 2 officials from the Alabama State Fire Marshal's Office and one Dallas County Sheriff's Department deputy, has been working on this arson.
9. Elbethel M.B. Church, Mississippi (Satartia) -- On March 30, 1996, an African-American church under construction was set afire resulting in minor damage. A task force consisting of 7 federal, state and local officials is investigating. Local charges have been filed.

SUMMARY OF INCIDENTS
(as of May 21, 1996)

Alabama

1. Mount Zion Baptist Church
2. Little Zion Baptist Church
3. Mount Zoar Baptist Church (Boligee) -- Between December 22, 1995, and January 12, 1996, three African-American Baptist churches were destroyed by fire. A task force consisting of 17 federal and local officials is investigating.
4. New Liberty Baptist Church (Tyler) -- This African-American church was completely destroyed by fire on February 28, 1996. A federal-state task force of over 20 agents has worked on this arson. State charges have been filed.
5. Jerusalem Baptist Church (Boligee) -- This church was damaged by fire on December 22, 1995. The fire was caused by a furnace fire and the investigation was closed.
6. Bucks Chapel Church
7. Oak Grove Missionary Baptist Church
8. Pine Top Baptist Church (Coatopa) -- Between February 4 and 5, 1995, these three African-American churches were vandalized causing an estimated \$10,000 in damage. A local prosecution resulted in guilty pleas by two of three defendants, ages 22, 19 and 17. The two were sentenced to 4 1/2 years in prison. The third defendant committed suicide. The investigation is closed.

Arizona

9. First Southern Baptist Church (Tucson) -- On February 9, 1996, a fire at this racially mixed church caused \$1,000,000 in damage. A task force including FBI, ATF and local authorities is investigating.

Georgia

10. Springfield Baptist Church
11. Elam Baptist Church (Madison) -- On July 20, 1994, the Springfield church (African-American) was completely destroyed by arson and the Elam church (predominantly white) was also set afire. These matters were investigated by state and local officials, and four males were convicted of burglary and arson and sentenced to 20 years.
12. Gays Hill Baptist Church (Jenkins County) -- On March 27, 1996, this African-American church located in a rural area of Jenkins County was totally destroyed by fire. A task force consisting of federal and local officials is investigating.

Illinois

13. Temple Am Echod (Waukegan) -- One defendant was sentenced to 110 months in prison for conspiring to interfere with the rights of black and Jewish citizens stemming from the June 1992, bombing of a roller rink frequented by black patrons and the vandalism of a synagogue. This case is closed.

Kentucky

14. Cash Creek Baptist Church (Henderson) -- On April 10, 1996, this predominantly white church was totally destroyed by fire resulting in total damage of \$262,000. The FBI and Kentucky State Police are conducting a joint investigation into this fire.

Louisiana

15. Cypress Grove Baptist Church

16. St. Paul's Free Baptist Church

17. Sweet Home Baptist Church

18. Thomas Chapel Benevolent Society (Zachary and East Baton Rouge) -- On February 1, 1996, these four African-American churches, located within a six mile radius of each other, were burned, resulting in partial destruction to Cypress Grove and minimal damage to the other three churches. A task force consisting of 12 federal and local officials is investigating.

19. St. Charles Baptist Church (Paincourtville) - A fire occurred at an African-American church on April 11, 1996. The FBI, ATF and local investigators are investigating jointly.

Maryland

20. Fruitland First Baptist Church (Fruitland) -- On January 30, 1996, this predominantly white church with a predominantly white congregation burned, causing an estimated \$150,000 in damage. An FBI investigation is underway.

21. William Watters Meeting House of the Society for Friends (Quakers) (Bel Air) -- On March 21, 1996, this Quaker church burned. An investigation consisting of federal and local officials is underway.

Massachusetts

22. Temple Beth Emunah (Brookton)

23. Temple Young Israel (Randolph) -- In June 1994, four defendants, members of a racist Skinhead group were charged in federal court with conspiring to interfere with the rights of African-American and Jewish individuals. One defendant later pled guilty and the three juveniles were convicted in connection with

the desecration of two synagogues and other acts of harassment. The four defendants were sentenced to terms of incarceration ranging from 4 to 46 months. These cases are closed.

Mississippi

24. Springhill Baptist Church

25. Rocky Point Missionary Baptist Church (Amite County and Pike County) -- Three defendants pled guilty to federal conspiracy charges arising from the arson of two African-American churches in April of 1993 on the anniversary of the assassination of Dr. Martin Luther King. The defendants were sentenced to 46 months and 37 months in prison.

26. Elbethel M.B. Church (Satartia) -- On March 30, 1996, an African-American church under construction was set afire resulting in minor damage. A task force consisting of 7 federal, state and local officials is investigating. Local charges have been filed.

27. St. Paul's Christian Methodist Episcopal Church (Smithville) -
- A fire causing nominal damage to an African-American church occurred on March 5, 1996. A federal and local task force is investigating.

28. Cistern Hill Church (Como) -- On August 9, 1994, the Cistern Hill Church, a semi-rural church with a predominantly African-American congregation, was completely destroyed by fire. The fire was previously investigated by the local Sheriff's Department but was never solved. The FBI and ATF have opened a joint investigation.

29. St. Paul Primitive Baptist Church (Meridan) -- On April 7, 1996, this African-American church was totally destroyed by fire. Investigators determined the fire was caused by a cigarette and have ruled the fire accidental. This investigation is closed.

30. Mount Zion Baptist Church (Ruleville) -- On March 20, 1996, a fire inside this African-American church resulted in the burning of two church pews and extensive smoke damage. The FBI and ATF are investigating the fire.

New Jersey

31. Voice Center Baptist Church (Tinton Falls) -- On February 13, 1996, the interior of this predominantly African-American church was completely destroyed by fire. The FBI and the Monmouth County Prosecutor's Office are conducting a joint investigation.

New York

32. River View Missionary (Kingston) -- On April 19, 1996, this African-American church was burned.

North Carolina

33. Mount Moriah Baptist Church (Efland) -- On December 25, 1995, this African-American church burned. Both local and federal officials are investigating.

34. Hebron United Methodist (Vail) -- On April 26, 1996, this white church was burned.

South Carolina

35. Mt. Zion A.M.E. Church (Greeleyville)

36. Macedonia Baptist Church (Clarendon City) -- African-American churches burned on June 20 and 21, 1995. Two subjects have been arrested by local officials. A task force consisting of 21 federal and local officials is investigating. A federal investigation is pending.

37. Mount Olivet Baptist Church

38. Allen's Chapel

39. Rosemary Baptist Church (Barnwell County) -- Fires occurred at two predominantly white churches and one African-American church (Rosemary Baptist) on April 13, 1996. The pulpit at the predominantly African-American Rosemary Baptist church, was completely destroyed. A federal and local task force is investigating.

40. St. Paul Baptist Church (Dixiana) -- In August 1995, this church was completely destroyed by fire. A juvenile and two adults, age 18 and 19, were charged with state arson charges. The FBI is investigating.

41. Effingham Baptist Church (Effingham) -- On April 26, 1996, this 114 year-old African-American church was set afire. As a result, the sanctuary was completely destroyed and the meeting hall was partially damaged. The FBI and ATF have opened a joint investigation.

Tennessee

A task force consisting of several dozen federal and state officials is investigating incidents 42, 43, 44, and 45.

42. Macedonia Missionary Baptist Church (Fruitvale)

43. Johnson Grove Baptist Church (Madison County) -- On January 13, 1995, during the Dr. Martin Luther King, Jr., holiday weekend, both African-American churches were totally destroyed by fire.

44. Mt. Calvary Baptist Church (Hardeman County) -- On January 31, 1995, this African-American church burned and was partially destroyed by fire.

45. Salem Baptist Church (Fruitland) -- On December 30, 1995, fire partially destroyed this church.

46. New Wright's Chapel Missionary Baptist Church (Shelby County) -- On September 6, 1994, a fire burned this African-American church. The FBI and local fire officials are investigating.

47. Inner City Church (Knoxville) -- On January 8, 1996, the sanctuary of this African-American church was destroyed by fire, and racial slurs were spray painted on the doors and walls. A task force consisting of 70 federal and local investigators is investigating.

48. Mt. Pleasant Baptist Church (Tigrett) -- on May 14, 1996, this African-American church was burned.

49. Friendship Missionary Baptist Church

50. Canaan African Methodist Episcopal Church (Maury County) -- Three defendants pled guilty in October of 1995 in federal court to conspiring to firebomb and either burn or erect crosses at these two African-American churches in February 1995. One defendant was sentenced to 57 months in prison while the two other defendants were sentenced to 46 months in prison. These cases are closed.

51. West End Synagogue (Nashville) -- Three defendants, including the Grand Dragon of the Tennessee Ku Klux Klan, a Klan and Aryan Nation associate and a juvenile Skinhead member, were charged federally with conspiring to interfere with the rights of Jewish people by firing shots into a synagogue that caused significant property damage in June 1990. Two of the defendants pled guilty and the third was convicted at trial. Two of the defendants were sentenced to 27 months and 42 months in prison while the juvenile defendant received probation. This case is closed.

Texas

52. Cypress Trails United Methodist Church

53. Resurrection Lutheran Church (Spring) -- On January 27, 1996, these two predominantly white churches, located approximately five miles apart, burned. The FBI and the Harris County Fire Department are conducting a joint investigation into these fires.

54. Kingdom of God in Christ (Dallas) -- On February 10, 1996, a hole was punched into the back of this racially mixed church. Silverware and furniture were stolen, obscenities, racial epithets, and references to KKK were written on the walls.

Virginia

55. Glorious Church of God in Christ (Richmond) -- On February 21, 1996, this African-American church was destroyed by fire resulting in damage in excess of \$250,000. A federal-local task force of 12

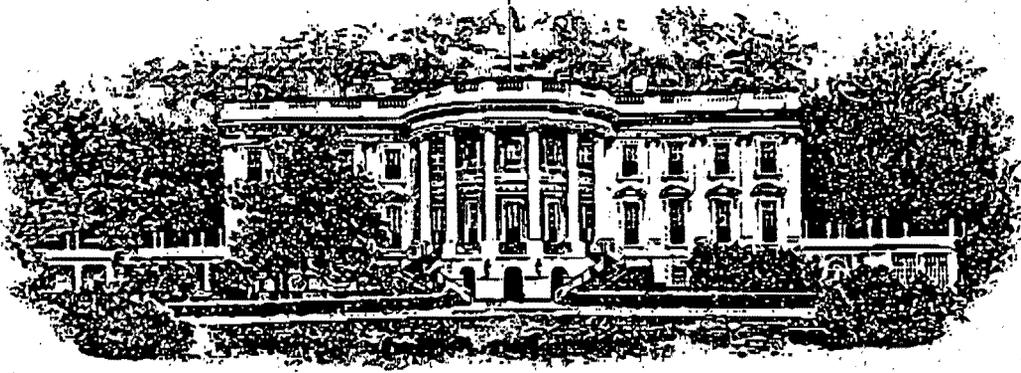
investigators is continuing its investigation.

Washington

56. **Full Gospel Pentecostal Church** -- On July 28, 1995, a racially mixed church located in a predominantly African-American area was destroyed by fire. The FBI and local fire department are investigating.

57. **Ebenezer African Methodist Church (Seattle)** -- In November 1991, a racially mixed church located in a predominantly African-American area was significantly damaged by fire. The FBI and local fire department are investigating.

Steve FRI



**THE WHITE HOUSE
OFFICE OF CABINET AFFAIRS**

**Room 160 OEOB
Washington, D.C. 20500
Telephone: (202) 456-2572
Facsimile: (202) 456-6704**

FAX COVER SHEET

DATE: _____

TO: Chiefs of Staff

PHONE: _____

FAX: _____

FROM: David S. Beaubaire

NO. OF PAGES: _____
(Including Cover Sheet)

PRIORITY: Y N

MESSAGE:
For Your Information.

THE WHITE HOUSE

**Office of the Press Secretary
(Greeleyville, South Carolina)**

For Immediate Release

June 12, 1996

**REMARKS BY THE PRESIDENT
AT THE DEDICATION OF MT. ZION AME CHURCH**

**Mt. Zion AME Church
Greeleyville, South Carolina**

9:40 A.M. EDT

THE PRESIDENT: Thank you very much Bishop and Reverend Mackey. Let me begin by thanking you all for being here and making us all feel so welcome. And before I -- and thank you for that -- (laughter) -- before I go into my remarks, I want to present the Reverend Mackey a little placque I brought that is dedicated to the congregation of this church, Mt. Zion AME. It says, "We must come together as one America to rebuild our churches, restore hope and show the forces of hatred they cannot win." I hope you will put this up in your church, Reverend Mackey, and remember this day always. I'm honored to be here with you. (Applause.)

You know, first of all, let me say I'm honored to be here with so many distinguished Americans. I thank Senator Hollings, and Congressman Clyburn for coming down here with me today. I thank Congressman Inglis for being here. And our good friend, John Conyers, from Michigan, is either here or on his way here. Congressman Conyers, I thank him. I want to thank all the dignitaries who have come to join us -- Reverend Jesse Jackson for coming back home to South Carolina, and thank you for being here. And I want to thank Reverend Joseph Lowry, the very first person who wrote me to say that our national government needed to do more about these church burnings. Thank you, Reverend Lowry, for doing that. And I thank my old friend, Bishop James, for coming back here; and Reverend Joan Campbell, Mayor Riley, Mayor Koble, Mayor Kellahan, and others who are here.

And, of course, I want to thank the Mayor of Greeleyville, who met me at the airport and rode in with me and talked to me about this little community and its challenges and its promise. I thank the Attorney General and the Secretary of the Treasury for coming down with me here today to demonstrate just how important we think it is to get to the bottom of these church burnings, and all of us are going to be working together on that. I thank my good friend, Millard Fuller, from Habitat for Humanity, for being here; and Randall Osborne, the

SCLC administrator. Reverend Mack Jones, the NCCC; Reverend Ed Johnson; R.A. Leonard (ph.); Reverend Patricia Lohman (ph.).

And I'd like to make a special recognition and ask him to raise his hand, the Reverend Larry Hill, of the Matthews Murkland Presbyterian Church in Charlotte, North Carolina, which burned just last week. Reverend Hill, would you raise your hand? Where are you, sir? Here he is. Let's give him a hand. Good to see you again, sir. Thank you. (Applause.)

First of all, I think it's important to note that we're celebrating a little something today. When the Pastor came here, he told me this church had 42 members, and now it has 200 members. (Applause.) This church is like Shadrach, Meshac and Aded'nego. They can burn the building down, but they couldn't burn the faith out. And so we celebrate the triumph of the faith of the members of this church. We celebrate those who have walked from the fire unharmed, girded by God's faith.

We see in the rebuilding of this church that the false idols of hatred and division did not win. The church that burned here, just down the road, was built a long time ago. And when I was driving down that little country road to look at that site, I told Reverend Mackey it was like going down memory lane for me. There's a little road like that off a little highway in southwest Arkansas where my great grandparents are buried in a country churchyard next to a church that is about exactly the same size that little church was. And I went down there just a few years ago to kind of revisit my past, and I felt like I was doing it all over again today.

Then when we came out here and I saw where this church is, I thought, you know, in just a few weeks this will be one of the few churches in America where everybody can have a fresh ear of corn on the way in or out of church -- (laughter) -- sort of strengthen their bodies as well as their faith as they go along.

You think about what happened 90 years ago when the other church was built, people might have expected things like a church bombing. That was time of Jim Crow, and there were evening lynchings in the South. It was a time of abject poverty, worse than anything we call poverty today. It was, 90 years ago, an expression of faith and courage for people to get together and build a church.

But it was the church that saved the people until the Civil Rights revolution came along. And it is, therefore, I think, doubly troubling to people -- some of whom are over here on this platform today who spent their entire lives working for equal opportunity among our people, working for an end to the hatred that divided us for too long -- to see our native South engulfed in a rash of church burnings over the last year and a half. We have to say to all of you who have been afflicted by this, we know that we're not going back to those dark days, but we are now reminded that our job is not done. Dr. King once said, "What self-centered men have torn down, other centered men can build up." (Applause.)

The men and women of Mt. Zion have shown us the meaning of these words by refusing

to be defeated and by building up this new church. Others have come together with you. The Pastor told me he got contributions from all over the world to help to rebuild this church. In just a few days we'll have a joyful noise coming out of this church. But today, just as you have come together, I want to ask the people of America to come together. I want to ask every citizen as we stand on this hallowed ground together, to help to rebuild our churches, to restore hope, to show the forces of hatred they cannot win.

I want to ask every citizen in America to say we are not going back, we are not slipping back to those dark days. Every time you hear somebody use race or religion as an instrument of division and hatred, speak up against it. Every time you hear somebody do that. (Applause.) If you have any inclination, any evidence of anything you have seen or heard that somebody else might be planning to do something like this, tell the local authorities and let's stop this before it gets started. If you know anything about any of the unsolved cases, come help us solve them. This is wrong.

The American people are the most religious church-going people of any great democracy. We cannot let someone come into our democratic home, the home of our faith, and start torching our houses of worship. It doesn't matter whether it's this Christian church or the mosque that was burned in South Carolina. People have a right to worship God any way they please. That's what the First Amendment of the Constitution is about. We cannot ever let this happen in our country again. (Applause.)

Long before President Lincoln said it, the Lord spoke to us in the Scripture and said, "A house divided against itself cannot stand." It was always true. What a price we paid down here when we forgot it. What a benefit we have gained down here when we let it go. We cannot go back to those days.

But if you look all over the world you see how easy it is for people slowly, step by step, to fall into the patterns of blaming other people who are different from them for the difficulties of the moment. Now we know as we see these fires of racial and ethnic hatred sweeping the world, as we see Africans from different tribes slaughter each other, as we see the ethnic hatred that consumed Bosnia, as we see it place after place all over the globe, we know how easy it is for the heart of human beings to be hardened against one another just because of superficial differences.

I pledge to you I will do everything I can to prosecute those responsible for the rash of church burnings -- (applause) -- to prevent future incidents, to help communities to rebuild. (Applause.) But Americans must lead the way, for this is first and foremost an affair of the heart. And our heart must be purged of any temptation to go back to the kinds of divisions that cost us so dearly, especially here in the southern part of our country.

For months, more than 200 federal agents have been working on these church burnings. There are now 33 active cases. We've closed 10 cases already through investigations, arrests and prosecutions. Let me say, again, how profoundly grateful I am for the work done by the

Attorney General and the Secretary of the Treasury and all those people who work with them. We will continue to probe these crimes. We will continue to use our top law enforcement officers. We will continue to see that these investigations meet a strict code of professional and personal conduct. I expect to get a report on this every week until the job is done. And I want you to help us finish the job. (Applause.)

I also want to say that we must keep this out of politics. This is about America. This is about what it means to be American. I want to say a special word of thanks to a Republican Congressman from Illinois, Henry Hyde; and a Democratic Congressman from Michigan John Conyers, who have together sponsored legislation that will make it easier for us to punish those who burn houses of worship. And I hope Congress will pass the legislation very, very quickly. (Applause.)

We also must work together to rebuild all these churches. We will work with Congress to give HUD the resources they need to guarantee loans by private lending institutions. And I want to applaud the business and community leaders who provide money and folks to assist in rebuilding these churches all across our country.

Already these burnings have sparked an outpouring of concern. The Alabama association of Habitat for Humanity is recruiting volunteers to rebuild several of the churches in Alabama. Today, Habitat for Humanity International has made a commitment to help all the communities that have lost churches in these arson attacks to rebuild. And I want to thank the founder of Habitat, Millard Fuller, who's here, for what his commitment is today. Thank you, sir. Thank you. (Applause.)

I applaud the National Council of Churches -- and I thank Reverend Campbell for being here -- for their financial commitment to rebuilding. I thank Nations Bank for stepping up to the challenge and issuing a \$500,000 reward for the arrest of those responsible for church burnings. (Applause.)

But in the end, let me say again, we must recognize that this is everybody's problem. Every citizen, every minister and religious leader in this country should be speaking out against this violence. Every house of worship in America must be a sacred place -- not just Christian churches for those of us who are Christian, but our synagogues and our mosques. Any place where people gather to worship according to the dictates of their conscience should be protected from violence.

Reverend Billy Graham wanted to be here today and sent me these words for all of us to reflect on. He said, the problem between various ethnic groups is worldwide; it is a problem of the heart. It seems that much of the world is affected by this terrible disease, which should be called by its right name -- sin. (Applause.)

So I ask you today, my fellow Americans, to celebrate the triumph of the rebuilding of this church, to express gratitude for the fact that the huge vast majority of our people of all races

deplore what has been done and revere the right of every American to worship God in his or her own way. But I ask you to reaffirm our responsibility to keep working, working together, not to ever let America fall back into those patterns of hatred and division, which can so easily consume any civilized people.

We have to sing a song full of the faith that the dark past has brought us, full of the hope that the present has brought us. Let's face the rising sun of this new day begun. But let us remember we have to march on until victory is won. (Applause.)

Thank you, and God bless you all. Thank you. (Applause.)

END

9:54 A.M. EDT

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001**

LRM NO: 4805

FILE NO: 2422

6/19/96

LEGISLATIVE REFERRAL MEMORANDUMTotal Page(s): 12

TO: Legislative Liaison Officer - See Distribution below:
FROM: James JUKES *JJ* (for) Assistant Director for Legislative Reference
OMB CONTACT: Ronald JONES *RJ* 395-3386 Legislative Assistant's Line: 395-3454
C=US, A=TELEMAIL, P=GOV+EOP, O=OMB, OU1=LRD, S=JONES, G=RONALD, I=E
jones_re@a1.eop.gov

SUBJECT: OMB Request for Views on Senate substitute amendment for Church Arson Prevention Act

DEADLINE: 4:00 PM Wednesday, June 19,1996

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: Attached is what DOJ believes to be the most current version of the Faircloth-Kennedy substitute for the Church Arson Prevention Act. DOJ expects the bill to be introduced today with a possible vote tomorrow. We may be expected to produce a SAP on very short notice.

(*)

LEGISLATIVE REFERRAL MEMORANDUM
Distribution List

LRM NO: 4805

FILE NO: 2422

SUBJECT: OMB Request for Views on Senate substitute amendment for Church Arson Prevention Act

AGENCIES:

54-HUD - Vacant - 2027081793
61-JUSTICE - Andrew Fois - 2025142141
118-TREASURY - Richard S. Carro - 2026221146

EOP:

Dawn Chirwa
Steve Neuwirth
Tracey Thornton
Peter Jacoby
Paul Weinstein
Steve Warnath
Rahm Emanuel
Bob Damus
Roz Rettman
Chuck Konigsberg
Alice Shuffield
Joe Minarik
Karen Kizer
Jim Murr
Alan Rhinesmith
Harry Meyers
Mark Schwartz
Steve Redburn
Joseph Firschein
Ken Schwartz
David haun
Joe Lackey
Kathy Wallman
Kim Burke
Art Stigle
Stephanie
Kaufman

**RESPONSE TO
LEGISLATIVE REFERRAL MEMORANDUM**

LRM NO: 4805

FILE NO: 2422

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet.
If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

- (1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or
- (2) sending us a memo or letter.

Please include the LRM number shown above, and the subject shown below.

TO: Ronald JONES 395-3386
 Office of Management and Budget
 Fax Number: 395-3109
 Branch-Wide Line (to reach legislative assistant): 395-3454

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

SUBJECT: OMB Request for Views on Senate substitute amendment for Church Arson Prevention Act

The following is the response of our agency to your request for views on the above-captioned subject:

- _____ Concur
- _____ No Objection
- _____ No Comment
- _____ See proposed edits on pages _____
- _____ Other: _____
- _____ FAX RETURN of _____ pages, attached to this response sheet

O.WENJEN95.307

DISCUSSION DRAFT

S.L.C.

104TH CONGRESS
2D SESSION**S.** _____

IN THE SENATE OF THE UNITED STATES

Mr. FAIRCLOTH (for himself and Mr. KENNEDY) introduced the following bill;
which was read twice and referred to the Committee on _____

A BILL

To increase Federal protection against arson and other
destruction of places of religious worship.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Church Arson Preven-
5 tion Act of 1996".

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The incidence of arson or other destruction
9 or vandalism of places of religious worship, and the
10 incidence of violent interference with an individual's
11 lawful exercise or attempted exercise of the right of

O:\JEN\JEN96.307

DISCUSSION DRAFT

S.L.C.

2

1 religious freedom at a place of religious worship pose
2 a serious national problem.

3 (2) The incidence of arson of places of religious
4 worship is particularly acute in the context of places
5 of religious worship that serve predominantly Afri-
6 can-American congregations.

7 (3) Damage to religious property based on the
8 religious, racial, or ethnic character of that prop-
9 erty—

10 (A) hinders interstate commerce by imped-
11 ing the movement of members of targeted
12 groups in areas of our Nation and preventing
13 them from engaging in commerce in those areas
14 on account of their race, color, religion, or na-
15 tional origin;

16 (B) impedes individuals in moving inter-
17 state because of their race, color, religion, or
18 national origin;

19 (C) is often committed by individuals with
20 ties to groups that operate nationwide; and

21 (D) disrupts the tranquility and safety of
22 communities and is deeply divisive.

23 (4) Changes in Federal law are necessary to
24 deal properly with this problem.

O:WENWEN96.807

DISCUSSION DRAFT

S.L.C.

3

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

7 (6) Congress has authority pursuant to the
8 Commerce clause of the Constitution to make acts of
9 destruction or damage to religious property a viola-
10 tion of Federal law.

11 (7) Congress has authority pursuant to section
12 2 of the 18th amendment to make actions of private
13 citizens motivated by race, color, or ethnicity that
14 interfere with the ability of citizens to hold or use
15 religious property without fear of attack, violations
16 of Federal criminal law.

17 (8) Congress has authority pursuant to section
18 2 of the 18th amendment to make the commission
19 of an arson or other bias motivated destruction or
20 vandalism of a place of religious worship violations
21 of Federal criminal law.

22 (9) Congress has the authority pursuant to sec-
23 tion 5 of the 14th amendment to make violent inter-
24 ference with a citizen's free exercise of the right of

O:\JEN\JEN96.307

DISCUSSION DRAFT

S.L.C.

4

1 religious worship through damage to religious prop-
2 erty a violation of Federal law.

3 SEC. 8. PROHIBITION OF VIOLENT INTERFERENCE WITH
4 RELIGIOUS WORSHIP.

5 Section 247 of title 18 of the United States Code is
6 amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1) by inserting “, racial,
9 or ethnic” after “of the religious”; and

10 (B) by striking “subsection (c)” and in-
11 serting “subsection (d)”;

12 (2) by striking subsection (b) and inserting the
13 following:

14 “(b) The circumstances referred to in subsection (a)
15 are that—

16 “(1) the offense is in or affects interstate or
17 foreign commerce; or

18 “(2) in committing, planning, or preparing to
19 commit an offense, the defendant—

20 “(A) travels in interstate or foreign com-
21 merce; or

22 “(B) uses the mail or any facility or in-
23 strumentality of interstate or foreign com-
24 merce.”;

O:\JEN\JEN96.307

DISCUSSION DRAFT

S.L.C.

5

1 (3) by redesignating subsections (c), (d), and
2 (e), as subsections (d), (e), and (f), respectively, and
3 adding the following subsection:

4 "(c) Whoever intentionally defaces, damages, or de-
5 stroys any religious real property because of the race,
6 color, religious characteristics or ethnic characteristics of
7 any individual associated with that religious property, or
8 attempts to do so, shall be punished as provided in sub-
9 section (d) of this section.";

10 (4) in subsection (d)(2), as redesignated, by
11 striking "a fine in accordance with this title and im-
12 prisonment for not more than ten years, or both"
13 and inserting the following: "in accordance with the
14 penalties provided in section 844(i) of this title";

15 (5) in subsection (f), as redesignated, by insert-
16 ing ", including fixtures or religious objects con-
17 tained within a place of religious worship" after
18 "other religious property"; and

19 (6) by inserting the following new subsection:

20 "(g) No person shall be prosecuted, tried, or punished
21 for any noncapital offense under this section unless the
22 indictment is found or the information is instituted within
23 7 years after the date on which the offense was commit-
24 ted."

O:\JEN\JEN96.307

DISCUSSION DRAFT

S.I.C.

6

1 **SEC. 4. LOAN GUARANTEE RECOVERY FUND.**

2 (a) **IN GENERAL.**—Notwithstanding any other provi-
3 sion of law, for the cost of loans guaranteed (referred to
4 as “guaranteed loans”) by the Secretary of Housing and
5 Urban Development (the “Secretary”), the Secretary may
6 use up to \$5,000,000 from the Department of Housing
7 and Urban Development “Annual Contributions for As-
8 sisted Housing” account (referred to as the “account”).
9 Guaranteed loans shall be extended to financial institu-
10 tions in connection with loans made by such institutions
11 to assist organizations described in section 501(c)(3) of
12 the Internal Revenue Code of 1986 that have been dam-
13 aged as a result of acts of arson or terrorism, as certified
14 pursuant to procedures to be established by the Secretary.

15 (b) **TRANSFER OF BALANCES.**—Amounts for guaran-
16 tees may be derived from the transfer of unobligated bal-
17 ances in the account (including recaptures of previously
18 obligated amounts notwithstanding section 8(bb) of the
19 United States Housing Act of 1937).

20 (c) **TREATMENT OF COSTS.**—The costs of guaranteed
21 loans, including the cost of modifying loans, shall be as
22 defined in section 502 of the Congressional Budget Act
23 of 1974.

24 (d) **LIMIT ON LOAN PRINCIPAL.**—Funds made avail-
25 able by this section shall be available to subsidize total

O:WENWEN95.307

DISCUSSION DRAFT

S.L.C.

7

1 loan principal, any part of which is to be guaranteed, not
2 to exceed \$10,000,000.

3 (e) TERMS AND CONDITIONS.—The Secretary shall—

4 (1) establish such terms and conditions as the
5 Secretary considers appropriate to provide guaran-
6 tees under this section; and

7 (2) include in the terms and conditions a re-
8 quirement that the decision to provide a guarantee
9 to a financial institution and the amount of the
10 guarantee does not in any way depend on the pur-
11 pose, function, or identity of the organization to
12 which the financial institution has made, or intends
13 to make, a loan.

14 **SEC. 5. AUTHORIZATION FOR ADDITIONAL PERSONNEL TO**
15 **ASSIST STATE AND LOCAL LAW ENFORCE-**
16 **MENT.**

17 There are authorized to be appropriated to the De-
18 partment of the Treasury and the Department of Justice,
19 including the Community Relations Service, in fiscal years
20 1996 and 1997 such sums as are necessary to increase
21 the number of personnel, investigators, and technical sup-
22 port personnel to investigate, prevent, and respond to po-
23 tential violations of sections 247 and 844 of title 18, Unit-
24 ed States Code, and section 5861 of the Internal Revenue
25 Code of 1986 directed toward religious real property.

O:\JEN\JEN86.307

DISCUSSION DRAFT

S.L.C.

8

1 These additional investigators, technical support person-
2 nel, and other personnel shall primarily participate in the
3 investigation, response to, and prevention of possible viola-
4 tions of the Federal laws referred to in the preceding sen-
5 tence and train and empower State and local law enforce-
6 ment in the investigation and prevention of suspicious
7 fires.

8 **SEC. 6. REAUTHORIZATION OF HATE CRIMES STATISTICS**
9 **ACT.**

10 The first section of the Hate Crimes Statistics Act
11 (28 U.S.C. 534 note) is amended—

12 (1) in subsection (b), by striking "for the cal-
13 endar year 1990 and each of the succeeding 4 cal-
14 endar years" and inserting "for each calendar year";
15 and

16 (2) in subsection (c), by striking "through fiscal
17 year 1994".

18 **SEC. 7. SENSE OF THE SENATE.**

19 The Senate—

20 (1) commends those individuals and entities
21 that have responded with funds to assist in the re-
22 building of places of worship that have been victim-
23 ized by arson; and

24 (2) encourages the private sector to continue
25 these efforts so that places of worship that are vic-

1 timized by arson, and their affected communities,
2 can continue the rebuilding process with maximum
3 financial support from private individuals, busi-
4 nesses, charitable organizations, and other non-profit
5 entities.

6 **SEC. 8. SEVERABILITY.**

7 If any provision of this Act, an amendment made by
8 this Act, or the application of such provision or amend-
9 ment to any person or circumstance is held to be unconsti-
10 tutional, the remainder of this Act, the amendments made
11 by this Act, and the application of the provisions of such
12 to any other person or circumstance shall not be affected
13 thereby.

The New York Times

DATE: 6-11-96

PAGE: B-1

President Calls for Action Against Church Burnings

By ALISON MITCHELL

SAN DIEGO, June 10 — Jettisoning a planned announcement of an anti-drug effort, President Clinton turned instead today to the wave of arson that has destroyed black churches across the South, and called on the nation to "show the forces of hatred they cannot win."

Mr. Clinton issued his call in a speech outside San Diego Police Headquarters, with uniformed Federal and local law-enforcement officers arrayed behind, the second time in three days that he had condemned the arson attacks and used the platform of the Presidency to call for racial tolerance.

The President's appearance in San Diego was intended to answer an attack that Senator Bob Dole mounted against the Administration's drug-fighting and immigration-control policies in a recent visit here. But as Mr. Clinton closed his address, he shifted from speaking of illegal immigration to reminding an invited audience of several hundred people about the nation's diversity.

"We really fall into a dangerous

*A reminder of the
country's diversity
and an appeal for
racial tolerance.*

trap when we start blaming our problems on other people just because they are different from us," Mr. Clinton said, returning to the theme of his weekly radio address on Saturday. "I say that because even though I'm a long way from there, my heart has been in my native South for the last several weeks as we have dealt with this incredible rash of church burnings.

"That's just another way of people finding their way trying to blame somebody else or put down somebody else in a totally dehumanizing way."

"To burn a church," the President said, "is a terrible thing."

Exploiting his bully pulpit, Mr. Clinton today added plans to visit the site of the Mount Zion African Methodist Episcopal Church in Greeleyville, S.C., on the way back from his three-day swing across the West. The church was burned a year ago, and its pastor, the Rev. Terrence Mackey, met with Mr. Clinton before Saturday's radio talk. Michael D. McCurry, the White House press secretary, said the stop would "focus on what communities can do to heal and recover."

The Saturday address in which the President began speaking out on the issue took place less than 48 hours after fire had destroyed a church in Charlotte, N.C., and coincided with the Washington arrival of representatives from the National Council of Churches trying to focus more public attention on the burnings. The Charlotte blaze was at least the 30th in a Southern black church in 18 months. One day after Mr. Clinton's radio address, another church burned, in Greenville, Tex.

In this electoral-vote-rich state where illegal immigration has been a persistent concern, Mr. Clinton today also sought to highlight Administration efforts to provide localities Federal money for community policing and to block the flow of illegal immigrants and illegal drugs across the border from Mexico.

So many law-enforcement officials were on hand to introduce Mr. Clinton and laud Federal programs that when the last warmup speaker, Richard Emerson, the Police Chief of the community of Chula Vista, began his remarks by saying, "I can talk to you for hours about community-based policing," the audience groaned loudly. Mr. Emerson plunged ahead with his speech anyway.

In his own visit here, Mr. Dole, the apparent Republican Presidential nominee, had told Californians, "When I am President, there are going to be two wars declared: a war on illegal immigration and a war on drugs."

Mr. Clinton did not mention his opponent today. But, as if in rebuttal, the President said, "For a lot of years people in public life at election time talked tough about immigration but didn't do much about it. We tried to change that. We tried to substitute words for deeds."

To bolster the point, the Administration issued a slim Justice Department progress report saying that since 1992 the rate of serious crime had dropped all along the nation's Southwest border, by 30 percent in San Diego, 5 percent in Nogales, Ariz., 20 percent in Brownsville, Tex., and 14 percent in El Paso.

Mr. Clinton also announced that he was sending 20 law-enforcement officers to California's Cleveland National Forest, where, officials say, campsites of illegal immigrants being smuggled across the border have caused a rash of wildfires.

Later in the day, the Administration issued a written statement to make the anti-drug announcement originally intended as the highlight of Mr. Clinton's speech: that in July, Gen. Barry R. McCaffrey, the Administration's anti-drug coordinator, would hold a conference in El Paso with Federal law-enforcement officials to plan a new drive against the cross-border movement of drugs.

In his 24th visit to California as President, Mr. Clinton was also raising money for the Democratic National Committee to wage the autumn election battle.

Tonight he planned to raise \$1 million at a star-studded dinner at the Beverly Hills home of the Hollywood executive Lewis Wasserman. The guest list for the \$5,000-a-head affair included the playwright Neil Simon, and an array of television and film stars, including Tom Cruise, Nicole Kidman, Geena Davis and Barbra Streisand.

Clinton to Visit Burned Church In S. Carolina

By Laurie Goodstein
Washington Post Staff Writer

In the wake of two more suspicious fires at southern black churches, the White House announced yesterday that President Clinton will travel Wednesday to the site of a charred church in South Carolina to urge racial tolerance.

The announcement came as a 13-year-old white girl was arrested on charges of torching a black church sanctuary in Charlotte, N.C., last Thursday night, and as police in Greenville, Tex., questioned two whites and one Hispanic man about a pair of blazes set at black churches there early yesterday morning.

The Texas fires are the latest in what now appears to be an epidemic of arsons targeted at black and multiracial churches. Pastors from many of those churches met with federal officials in Washington yesterday and demanded more aggressive federal investigation into what the pastors maintain is a systematic campaign by white supremacist groups to target black houses of worship.

"We come in great pain, frustration, anguish and disappointment," said the Rev. Spiver Gordon of the Southern Christian Leadership Conference in Eutaw, Ala., at a news conference. "Not enough intensive investigation has occurred in order to stop what's going on."

White House aides said that Clinton will travel to Mount Zion African Methodist Episcopal Church in Greekeyville, S.C., which was set ablaze on June 20, 1995, and is now being rebuilt. He had mentioned this church in his Saturday radio address.

"We need to come together as one America to rebuild our churches, restore hope, and show the forces of hatred that they cannot win," Clinton said yesterday in San Diego.

White House press secretary Michael McCurry said, "There has been an unprecedented federal response involving the Treasury Department, the Justice Department, [and] very strong coordination with local law enforcement."

The fire tally varies according to the source: The Bureau of Alcohol, Tobacco and Firearms counts 30 suspicious southern blazes since the beginning of 1995, while the Center for Democratic Renewal, a group that monitors extremists and has undertaken its own investigation, counts 48 church fires.

There have been 28 fires this year alone, according to the center's count. Since 1990, the center said, there have been 80 such fires. Neither the ATF nor the center tallies include the most recent fires.

The pastors yesterday castigated federal officials, the church community and black America for failing to respond with more urgency to what the pastors say is the most coordinated violations of black civil rights since the 1960s.

"Our communities are being terrorized, and we cannot allow it to continue," said the Rev. Reggie White, associate pastor of the Inner City Church in Knoxville, Tenn. "If we don't take care of it now, our children are going to adopt these attitudes, and when they grow up they are going to destroy America if we don't do anything about it."

Black congregations across the South fear they cannot protect their churches and want greater federal intervention, said the Rev. Mac Charles Jones, racial justice associate for the National Council of Churches (NCC). "If it means the National Guard, so be it," Jones said. "If it means declaring a state of emergency, so be it."

The NCC, which brought the pastors to Washington, is hoping to use the arsons as a rallying cry for racial solidarity reminiscent of the civil rights movement. The group has pledged to raise \$2 million from its members, coming from 33 different denominations, to help rebuild the churches, and is calling on crafts people to travel south this

summer to help with reconstruction.

In meetings Sunday with Attorney General Janet Reno and yesterday with Treasury Secretary Robert E. Rubin, the pastors complained that investigators have inappropriately scrutinized members and leaders of the churches themselves. One pastor said his daughter had been pulled out of school for questioning; another said his church's ledger books were inspected.

"About 50 percent of the pastors feel they were intimidated and that the investigation got focused on them," the Rev. Joan Brown Campbell, general secretary of the NCC, said in an interview. "The problem is that if they get questioned and looked at as suspects, they will be looked at suspiciously in their communities."

Rubin, in a lunch with Washington Post reporters, said that "the people investigating need to follow every single lead wherever it may go. On the other

hand, I think they have to do so with enormous sensitivity to the people who understandably . . . have good reason to be skeptical about an awful lot of things with respect to law enforcement."

The teenage girl arrested in Charlotte yesterday has been charged as a juvenile. "This is a very troubled 13-year-old," said Larry Snider, deputy chief of police in Charlotte-Mecklenburg. The two fires early yesterday in Greenville were the first reported in Texas. In those cases, the three men were held because their car matched descriptions supplied by witnesses.

Staff writer John F. Harris
contributed to this report.

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES OFFICE FOR CIVIL RIGHTS



OFFICE OF THE DIRECTOR

FAX TRANSMISSION COVER SHEET

TO

FROM

Name: Steve Warnath

Name: Dennis Hayashi

Address:

Office for Civil Rights
Office of the Director
Room 5400, Cohen Building
330 Independence Avenue, SW
Washington, DC 20201

Phone: (202) 619-0403

FAX: (202) 619-3437

Phone: 456-5576

of Pages Including Cover: 15

FAX #: 456-7028

MESSAGE:

FYI. I faxed attached
to Jerry this morning



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Director
Office for Civil Rights
Washington, D.C. 20201

DATE: June 7, 1996
TO : Terry Edmonds
FROM: Dennis Hayashi

DPC did call to tell me about this weekend's address. My one suggestion would be that some mention be made about the general climate of heightened intolerance creating the climate for these church burnings. For example, in a report issued in April, LA County had another annual increase in hate crimes (see attached). Other jurisdictions report similar increases.

As you may know, there was an Administration interagency work group which examined this issue. Among other things, we recommended enhancing community/government partnerships through law enforcement and education. This included more active implementation of the Hate Crime Statistics Act, developing model curricula to assist schools in "teaching tolerance," and improving national dialogue by holding appropriate community forums.

I hope this might be helpful. Call me if I can give you anything.

Attachment



U.S. Department of Justice

Civil Rights Division

456 7028

Office of the Assistant Attorney General

Washington, D.C. 20530

TO:

Steve Warrath

FROM:

Stuart Ishimaru
(202) 514-3845

Number of pages, including cover:

4



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

TELEFACSIMILE COVER SHEET

DATE: 6/12/96 TIME: _____

TO: Steve Warmath
White House

PHONE: _____

FAX: 4156-7028

FROM: **Juanita C. Hernández**
COUNSEL TO THE ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION
FAX NUMBER: 202-307-2839
PHONE: 202-514-3653

COMMENTS:

NUMBER OF PAGES TRANSMITTED (INCLUDING THIS SHEET) 4
(max. 30 pages)

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS PROPERTY OF THE UNITED STATES AND IS ATTORNEY-CLIENT PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY CALLING 202-514-2151.



Sara Manzano
Deputy General Counsel - Civil Rights & Litigation
U.S. Department of Housing and Urban Development
451 Seventh Street, S.W., Room 10216
Washington, D.C. 20410-0500
(202) 708-1240
(202) 708-3389 (Fax)

FACSIMILE TRANSMISSION COVER SHEET

Date: 6/11/96

To: Juanita Hernandez

Phone: 514-3653

Fax: 307-2839

Number of Pages (including cover): 3

Comments: Revised Legislation proposal on rebuilding Churches based
on Oklahoma model.

Person Transmitting this fax: Sara Manzano / 708-1240

PLEASE NOTE: The information contained in this facsimile message may be privileged and confidential and is intended only for the use of the individual or entity named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, or if you have questions or problems with this transmission please call the above phone number. Thank you.

6/11/96 11:15 a.m.

DRAFT

**REBUILDING THE CHURCHES
[APPROPRIATION]****COMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT GRANTS**

For an additional amount for "Community Development Grants", as authorized by title I of the Housing and Community Development Act of 1974, \$25,000,000, to remain available until expended, to assist victims and community institutions damaged due to acts of racial violence (including arson and terrorism): Provided, That in administering these funds, and any loan guarantees under section 108 of such Act, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees, except for requirements related to fair housing and nondiscrimination, the environment, and labor standards, upon a finding that such waiver is required to facilitate the use of such funds or guarantees, and would not be inconsistent with the overall purpose of the statute or regulation: Provided further, That notwithstanding any other provision of law, such funds or loan guarantees may be used for making grants, loans, or other forms of assistance available for eligible activities under section 105 of the Housing and Community Development Act of 1974, including the costs of repair, reconstruction, and replacement, on the same or another site, in connection with religious institution facilities damaged by such acts, in the same manner as private nonprofit facilities

providing public services: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

h:\gll\Rebuild.ing

Leave politics 'out': Clinton, govs take stand against fires

By Lori Sharn, Deborah Sharp and Gary Fields
USA TODAY

President Clinton and seven Southern governors Wednesday took a bipartisan stand against racism and the burning of black churches, even as near-daily fires spark fears that the arson outbreak is accelerating.

The governors, members of Congress, and top state and federal law enforcement officials discussed ways to prevent, investigate and prosecute the arsons.

But most of all, they stressed the need for unity.

Only last week, top Republicans were calling Clinton's trip to a rebuilt church in Greeleyville, S.C., a campaign stunt. South Carolina Gov. David Beasley also dubbed it a political event and did not attend, garnering him much negative publicity.

On the other side, some black leaders have criticized the Christian Coalition's efforts to help rebuild.

But Beasley was at the White House Wednesday, calling for an end to the political bickering and rhetoric. Beasley says he should have gone to Greeleyville.

"The political element needs to be out of it, should be out of it, is out of it," Beasley says. "If we can't unite against the burnings of places of worship in America, we can't unite against anything."

At least 40 suspicious fires have damaged or destroyed Southern black churches since January 1995. Fires at 29 white churches are also under investigation.

Wednesday, Clinton said he did not see a conspiracy to burn churches. "On the other hand, I do believe a lot of these instances are racially motivated, and they tend to play off of one another," he said.

Where there were 11 fires at black churches in 1995, there have been eight so far this month alone.

This does not include the latest blaze at a black church, at St. John's United Methodist Church on Maryland's Eastern shore early Wednesday. Caused by an electrical problem, it was ruled accidental.

Also Wednesday, two black men, Rodney Bullock, of Fair Bluff, N.C., and Curtis Gilbert, of Winnabow, N.C., were charged in a May 22 fire that damaged the fellowship hall of a black church, Mount Tabor Baptist in Cerro Gordo, N.C.

Don Rojas, a spokesman for the National Council of Churches, says

One way to slow the momentum: Send a louder signal about penalties, Fineman says. Fires always make the front page, but convictions and sentences get far less attention.

On Capitol Hill, conservative Sen. Lauch Faircloth, R-N.C., and liberal Ted Kennedy, D-Mass., introduced legislation that would make it easier to prosecute church arsons in federal court. A similar House bill was passed unanimously Tuesday.

Another result of the publicity is the exponential growth in donations toward rebuilding.

Eight foundations will announce grants today totaling \$2.5 million to the National Council of Churches' burned churches fund. The Christian Coalition says it will raise \$1 million. Southern Baptists pledged \$300,000 at their annual convention last week.

And Sweet Home Baptist Church in Baker, La., was announced Wednesday as the first church to be rebuilt by the Laborers' International Union of North America.

Fires this year

Federal agents are investigating suspicious fires at 29 black churches since the beginning of the year:

January	4
February	6
March	4
April	4
May	3
June (by Wednesday)	8

Source: USA TODAY research

the arrest should not make anyone "forget that the vast majority of these cases are still unsolved and in most of those cases, those arrested have been young white males."

There's no doubt attention to the fires is on the rise and some say the attention inspires copycats.

"When publicity goes up, there's always the chance someone wants to cash in on that — and then the motives become really mixed," says Huntington, Calif., psychologist Kenneth Fineman, who has studied thousands of arsonists.

"Communities are going to have to stand steadfast ... perpetrators will get the picture this is not a place where this will be tolerated," says the Rev. Dennis Lawson, whose Columbia, Tenn., Canaan AME was burned last year.

Feds, States, Communities Rallied Against Church Torchers

AP Photo WX113, WX114

By SONYA ROSS

Associated Press Writer

WASHINGTON (AP) - Seeing racial motives in the arsonists but no conspiracy, President Clinton met Wednesday with southern governors looking ways to stop the torching of black churches. Those responsible must know, declared North Carolina Gov. Jim Hunt: "We're gonna get you."

The president, the governors and Congress rallied federal, state and community pressures into the effort.

Chief executives from seven states, police, state attorneys general and members of Congress gathered at the White House to discuss prosecuting those who burn churches, rebuilding the ruins and preventing future arsons.

Officials briefing reporters said the Clinton administration promised to try and arrange a fund guaranteeing up to \$10 million in private loans to rebuild churches damaged by arson or terrorism. It also is distributing a "church threat assessment guide" to help communities protect places of worship.

Additionally, prosecutors and police were assured that federal agents would not pull rank on state and local investigations. "The commitment that came out of the meeting was that we would work together," said James Johnson, assistant treasury secretary for enforcement.

Governors emerged pledging community-based work to stop the fires, including formation of "church watch" groups to guard churches much like "neighborhood watch" patrols monitor communities.

"There will be no holding back. We've got to protect the churches," said North Carolina's Hunt, a Democrat. "The people who are committing these crimes need to understand, we're coming after you. We're gonna get you."

The White House released a tally of 43 suspicious fires at churches in Southern states since Jan. 1, 1995, with arrests in eight cases. The president said he did not believe the fires resulted from a conspiracy. But he said he assumes a number of the attacks were racially motivated, "and they tend to play off of one another."

"Just because they're not connected doesn't mean there's not a feeling there that we need to all reject together," Clinton said. "Whether they're black churches or white churches or synagogues or the mosque that was burned in South Carolina, we cannot tolerate any of it."

As the meeting took place, word came to general relief that the latest church blaze, at St. John's United Methodist Church on Maryland's Eastern shore, was caused by an electrical problem in the kitchen, not racial hatred.

That fire came a day after an attempted arson at a white church in the same Mississippi community where two black churches, only a few miles apart and a few miles away, were destroyed almost simultaneously the night before.

On Capitol Hill, legislation designed to enhance federal authority over attacks on places of worship coursed through Congress. The House voted 422-0 on Tuesday to give federal officials more authority to investigate and prosecute crimes against religious property.

The bill eliminates a \$10,000 minimum property damage threshold

64

FINTE

for initiating a federal probe and changes current law to give federal agencies more leeway to intervene on the basis of criminal acts involving interstate commerce. The measure also allows victims of church burnings to be compensated from the Crime Victims Trust Fund set up in 1994.

In the Senate, conservative Sen. Lauch Faircloth, R-N.C., and liberal Sen. Edward Kennedy, D-Mass., jointly introduced legislation Wednesday even stronger than that passed without dissent in the House.

The Faircloth-Kennedy measure would double 20 years the maximum sentence for church arson and extend the statute of limitations on prosecution from five to seven years to match current law for other federal arson crimes.

Like the House bill, it would make a federal crime damaging religious property because of its racial or ethnic character, not merely its religious character as now. It also would eliminate the \$10,000 property-damage threshold for federal intervention.

Clinton spelled out plans to increase the budget of the Bureau of Alcohol, Tobacco and Firearms by \$12 million to intensify federal efforts.

White House press secretary Mike McCurry said the administration is also asking the Justice Department to reallocate about \$9.5 million from its 1996 budget "principally to investigate each of the arson incidents."

Clinton acknowledged that the problem of burning churches has worsened in the past 18 months, despite intensified investigations and his own calls for the fires to cease. But he expressed hope for improvement.

"We just need to make our voices heard," Clinton said. "We need to do the right thing."

He appealed for racial and political unity to stop the attacks, which have persisted despite a national uproar. "There is no politics in this. We have Republicans and Democrats here. We have African-Americans, Hispanics and WASPs and Jews in this room, together," he said.

"It doesn't matter what your party is or where you are geographically," said Tennessee Gov. Don Sundquist, a Republican. "We're going to speak with one voice. Maybe for a change we'll have something that we're all united on, and we'll put an end to this thing."

Others attending the meeting were Democrats Paul Patton, Kentucky; Parris Glendening, Maryland; and Gaston Caperton, West Virginia; and Republicans George Allen, Virginia, and David Beasley, South Carolina. Florida was represented by its lieutenant governor, Democrat Buddy McKay.

The attorneys general of eight states also attended, along with Attorney General Janet Reno; Treasury Secretary Robert Rubin; Deval Patrick, assistant attorney general for civil rights.

House Increases Federal Authority Over Attacks on Churches

Eds: LEADS with 10 grafs to UPDATE with meeting opens, Clinton remarks, a attendance of eight state attorneys general; picks up 5th graf, White House ...

By JIM ABRAMS

Associated Press Writer

WASHINGTON (AP) - With legislation racing through Congress to enhance federal law-enforcement powers, President Clinton met with seven Southern governors Wednesday to outline steps for fighting an epidemic of church fires.

Clinton said the White House session would focus on prosecuting those responsible for the fires, rebuilding the burned-out churches and acting to prevent future incidents.

As he has before, Clinton said he sees no evidence of a national conspiracy in the burnings but he believes most have been "racially motivated."

"I believe this is a place where 100 percent of Americans are in accord," the president said, adding that the burning of churches represents an area "where people consistently and passionately come together."

"We cannot tolerate any of it," the president said.

"In the last 18 months it's gotten quite a lot worse," he said. "We have to focus on it, and we have to speak out."

"There is no politics in it," he added. "We have Republicans and Democrats here. ... We are all going to work together and we can do it."

Clinton spelled out plans to increase the budget of the Bureau of Alcohol, Tobacco and Firearms by \$12 million to intensify federal efforts against the fires aimed mostly at southern black churches.

The White House said governors attending the meeting were Democrat Paul Patton, Kentucky; Democrat Parris Glendening, Maryland; Republican George Allen, Virginia; Republican Don Sundquist, Tennessee; Republican David Beasley, South Carolina; Democrat Jim Hunt, North Carolina; and Democrat Gaston Caperton, West Virginia.

Representing Florida was the lieutenant governor, Democrat Buddy McKay. The attorneys general of eight states also attended.

White House press secretary Mike McCurry said the administration is also asking the Justice Department to reallocate about \$9.5 million from its 1996 budget "principally to investigate each of the arson incidents."

The House on Tuesday voted 422-0 to give federal officials more authority to investigate and prosecute crimes against religious property.

The bill eliminates a \$10,000 minimum property damage threshold for initiating a federal investigation and changes current law to broaden federal rights to intervene on the basis of criminal acts involving interstate commerce.

The measure, which Senate Majority Leader Trent Lott, R-Miss., said would be taken up soon in the Senate, also allows victims of church burnings to be compensated from the Crime Victims Trust Fund set up in 1994.

It amends current law to make it a federal crime to damage religious property because of its racial or ethnic character. Now, federal violations only apply to cases of damage because of the religious character of property. The bill applies to all religious property, not just black churches.

"We come here today because the nation is in crisis and the symptoms of that crisis have been reflected in the church burnings in mostly African-American churches," said Rep. John Conyers, D-Mich., a senior member of the Congressional Black Caucus and ranking Democrat on the Judiciary Committee.

Black Caucus members are to meet on the steps of the Lincoln Memorial today with the Laborers' International Union of North America and religious and human rights groups to launch a campaign to rebuild churches destroyed by fire. The program will provide financial aid, manpower and training.

At least 39 predominantly black churches, and a number of white churches, have been damaged by fires since the beginning of last year. In many cases arson is suspected.

Fire heavily damaged a black church on Maryland's Eastern Shore early today. But state officials said the fire at the St. John's United Methodist Church in Berlin, Md., was sparked accidentally by an electrical problem.

House Judiciary Committee Chairman Henry Hyde, R-Ill., said removal of the monetary threshold for federal intervention was crucial because "spray painted swastikas on synagogues or gunshots fired through church windows may not reflect large dollar losses, but they are nevertheless assaults on religious freedom."

The Senate on Tuesday also concurred with a similar House action last week in passing a resolution condemning the spate of church burnings across the South. "There is no way we can tolerate this type of activity. We will express our outrage," Lott said.

Despite the unanimous vote in the House, there was some concern among states-rights Republicans about using interstate commerce language to expand the federal role in investigating crimes, now largely the domain of the states. "The commerce clause of our Constitution is not infinitely elastic," said Rep. Bob Barr, R-Ga. "We have to be careful because when it breaks it will snap fairly hard."

Clinton's meeting with the Southern governors follows a trip to Greeleyville, S.C., site of one of the fire-destroyed churches, last week to stress that racial intolerance is unacceptable and the federal government will pursue and prosecute the perpetrators of the fires.

216 Attacks on Churches Investigated Since 1990

■ **Arson:** Federal report shows rise of fires and vandalism at black structures. But figures also show desecrations crossed racial, religious lines.

By ERIC HARRISON
TIMES STAFF WRITER

ATLANTA—Federal investigators have probed the burning or vandalization of more than 200 places of worship since 1990, according to figures released Wednesday by the Justice Department.

The attacks were carried out in 35 states, from California to Maine, and include desecrations of black, white and Asian churches, synagogues and mosques.

The Justice Department has launched a massive investigation into the burnings of black churches in the South. The figures show that, while the frequency of black church arsons has risen starkly in the last 18 months, there are no racial or geographic boundaries to the phenomenon.

The list was released after a summit of Southern governors, hosted by President Clinton, at which the rash of black church burnings was discussed. After the meeting, Clinton said there is no evidence of a regionwide conspiracy to destroy African American places of worship.

"I do not believe, based on the evidence I have seen, that it is a conspiracy," Clinton said, echoing the views of federal investigators. "On the other hand, I do believe a lot of these incidents are racially motivated, and they tend to play off one another."

Eighty-three of the 216 buildings included on the list are designated as African American places of worship, and six are counted as racially mixed. The report listed six mosques and 12 synagogues.

The list of black structures may be higher. Some of the churches that were defaced with racial slurs, including one belonging to the overwhelmingly black Church of God in Christ denomination, are not designated as African American. In addition, while many American followers of Islam are black, none of the vandalized mosques on the list is designated as black.

Despite the larger number of attacks on nonblack places of worship, independent monitors of racial and ethnic hate crimes say that should not distract from what they see as the clear targeting of black churches for racial reasons.

"Statistically, there are far more white churches than black churches," said Brian Levin, a professor of criminal justice at Stockton College in Pomono, N.J. Until recently, he was associate director of Klanwatch, the arm of the Southern Poverty Law Center that monitors hate groups.

While the high number of white churches that have burned suggests "there might be a level of anti-religiosity" in the arsons, Levin charged that the talk of white church burnings is "a veiled attempt by people to downplay the problem of racism."

He also was critical of law enforcement for its handling of the burnings, particularly in the South.

A number of Southern states, where high concentrations of these crimes occur, do not have hate crime laws, he said. And where the laws are on the books, they often are not enforced, he said.

"I think it's criminal that the governors of Georgia and South Carolina can show up at the White

House with a straight face and say they are doing everything they can when they don't even have a hate crime statute on the books in their states," Levin said.

"It's abysmal," he said. "The South is the most inadequate region of the country, as far as dealing with hate crimes."

Even as the governors of Kentucky, Maryland, Virginia, Tennessee, South Carolina, North Carolina and West Virginia and the lieutenant governor of Florida met with Clinton and top administration officials to discuss the burnings, the number of fires continued to climb Wednesday.

St. James United Methodist Church in Berlin, Md., burned early Wednesday. Officials determined that the cause was faulty wiring. Some members disputed the finding.

In addition, two black North Carolina men were arrested Wednesday and charged with arson in the burning last month of a black church, and a white teenage firefighting volunteer has confessed to another church burning in the state, officials said.

Officials said they did not know whether the arrests marked the first time blacks have been charged in the wave of nearly 40 black church burnings that have occurred in the South since January 1995.

The two North Carolina men charged with setting the fire at Mount Tarbor Baptist Church in Cerro Gordo—Rodney Bullock of Fair Bluff and Curtis Gilbert of Winnabow—were being held in a Columbus County jail, said Bureau of Alcohol, Tobacco and Firearms division spokesman Earl Woodham.

The church building in Cerro Gordo, set afire May 23, was attached to the church and used as a school.

Woodham said law officers know why the men burned the church, but they were not disclosing that reason. The men were adults, he said, but he did not know their ages. "They face a maximum state incarceration of up to 59 months imprisonment if convicted of this crime."

Officials in neighboring Robeson County said Wednesday that a volunteer firefighter arrested Tuesday had confessed to torching Pleasant Hill Baptist Church.

They said Billy Baxley, 17, who lived near the church in Orrum, N.C., that has a mainly African American congregation, would be tried as an adult.

In the meeting with the governors, officials discussed efforts to prosecute those responsible for the fires, rebuild churches and prevent new fires.

The list of attacks on places of worship that the Justice Department released is not necessarily comprehensive, as it includes only those in which federal investigators became involved.

Florida and Tennessee tied for the most attacks, with 23 each. Next came Texas, with 18. Three places of worship included on the list were in California.

In some cases where fires occurred, the cause was eventually found to be accidental.

Also, in some cases where it was a white church or synagogue that was vandalized, the attack appeared to be part of a hate campaign that also included blacks. For example, in one 1992 Illinois case, a white defendant who was convicted of vandalizing a synagogue also had bombed a roller rink frequented by African Americans. And in a case in Massachusetts, a group of skinheads who desecrated two synagogues were convicted on charges that also included harassing African Americans.

In a Kentucky case, a white church was burned by members of the Ku Klux Klan.

The Justice Department list in most cases does not offer specifics. But a review of court documents showed that a church in Bowling Green, Ky., was set afire by klan members because the pastor was a vocal critic of the klan.

"I think you have to look at the causes why the white churches are being burned," said Nelson Rivers, southeast regional director of the National Assn. for the Advancement of Colored People. He said it also is important to look at the relative severity of the attacks against black churches.

He noted that three churches were burned in one night in Barnwell County, S.C., in April—two white and one black. The black church was destroyed while the white ones had little damage.

While any church burning is a tragedy, Rivers said, he believes most of the arsons in the South, and most of the destruction, have been directed at black churches.

The Los Angeles City Council on Wednesday added its voice to the chorus of outrage over the wave of black church burnings, with eight lawmakers introducing a motion to set up a donation fund at City Hall to help the congregations rebuild.

"In many of these communities, the church has been the focal point for all civic and community activities," reads the motion, which will be considered by the 15-member council within a week. "As a result of these wanton and terrorist acts against our most sacred places, entire communities have been devastated. This extends not only to the physical destruction of property but also to the growing seeds of mistrust among neighbors who had previously worked side by side together."

Sponsored by Councilman Richard Alarcon, the motion was seconded by more than half the panel, including the three African American council members.

Times staff writer Jodi Wilgoren in Los Angeles contributed to this story.

Little evidence of racism in fires

Two blacks held in N.C. blaze

By Joyce Price
and Warren P. Strobel
THE WASHINGTON TIMES

Two black men were arrested yesterday and charged with setting a fire last month that destroyed a building undergoing renovation on the grounds of the predominantly black Mount Tabor Baptist Church in Cerro Gordo, N.C.

"The building was an old schoolhouse, 50 feet from the church that was being remodeled for use as an education facility," said Columbus County Sheriff Jimmy Ferguson in a telephone interview yesterday. "The church building was not damaged."

The sheriff declined to say why the two men burned down the building. "But this fire was not racially motivated," he said.

This was not the first time black suspects have been linked to recent arson or attempted arson of black churches in the South. "We arrested four little African-American children, aged 12 and under [Tuesday], for setting a fire in a [black] church in Florence,

S.C.," said Chief Robert Stewart of the South Carolina State Law Enforcement Division.

The good news, he said, is that the fire was discovered and extinguished before it could do any damage.

President Clinton, who entertained governors of several Southern states at the White House yesterday to discuss the church-fires problem, joined the growing chorus of those who say they do not believe a national conspiracy is at work.

"On the other hand, I do believe a lot of these instances are racially

motivated, and they tend to play off of one another," Mr. Clinton said.

Vice President Al Gore, briefing reporters on the meeting's results, said participants had discussed proposals for "catalyzing a full-fledged, nationwide, all-out response to this issue."

Mr. Gore said the Federal Emergency Management Agency, along with the Justice and Treasury departments, would develop a plan to combat church burnings that will rely on federal, state and private funds. One idea is to form "house-of-worship watch groups" similar to neighborhood watch groups.

Chief Stewart said his office has investigated 27 South Carolina church fires since January 1991. "There were 15 black churches [burned], 10 white churches, an Islamic mosque and a church with a Hispanic congregation," he said.

"We've arrested six white men, and now with these children, six African-Americans, in connection with the fires at African-American churches."

John Bankhead, spokesman for the Georgia Bureau of Investigation, said that office has investigated seven church fires in the past 18 months, and six of the seven were buildings of white congregations.

"There was a black church burned in February 1995, and it was burned by a black juvenile," Mr. Bankhead said.

Alabama Fire Marshal John Robison said a black minister was charged in one of the 15 arsons or suspected arsons of black churches that have occurred in his state since January 1991. The fire in question was deliberately set at the Antioch A.M.E. Church in Fort Deposit, Ala., in September 1994.

"The pastor was upset with the congregation about money, she felt she didn't get paid enough," said Mr. Robison.

The string of nearly 40 fires at black churches across the South in the past 1½ years had raised fears of resurgent racism. But investigators suggest that few of the blazes were sparked by racial hatred.

"Some of the fires are obviously racist crimes," said Earl Woodham, a special agent with the Bureau of Alcohol, Tobacco and Firearms' regional office in Charlotte, N.C. "Many are not."

His office has been investigating church fires in North Carolina and South Carolina.

Billy Shawn Baxley, 17, who is white, was arrested Tuesday in connection with the May 24 fire at Pleasant Hill Baptist Church in Lumberton, N.C. Mr. Baxley, a volunteer firefighter, confessed to starting the blaze and "said it wasn't racial," said Greg Rideout, spokesman for the North Carolina Bureau of Investigation.

Mr. Robison said he's investigated 38 church arsons or suspected arsons in Alabama since 1990 — eight of them this year — and he's found no evidence racial resentments were behind any of them.

"In 38 cases, we have not uncovered one piece of evidence to substantiate racism, and I don't think this state is much different from others" that have been battling church fires, Mr. Robison said in a telephone interview.

"I've talked to fire investigators in other states, as well as investigators at the federal level, and have found two things: The number of black churches and white churches burned are almost parallel, and with very few exceptions, there's not much evidence of racism."

Mr. Robison believes a lot of the current fires are the work of "copy-cats," and Chief Stewart agrees. The chief noted that one day after picking up the four black youngsters who he said tried to burn the black church in Florence, S.C., investigators charged two white children, ages 11 and 12, with trying to torch a white church in North Charleston. He said he has to believe children are being spurred by television coverage of the church fires.

So far, only one person arrested in connection with any of the church fires is known to have direct ties to the Ku Klux Klan. Chief Stewart confirmed that Timothy Adron Welsh, 23, one of two persons charged with burning two churches in South Carolina in June 1995 carried a KKK card in his wallet.

While a comparable number of black and white Southern churches have been targets of arson in this decade, Deval Patrick, assistant attorney general for civil rights at the U.S. Justice Department, said that 70 percent of the

Cont'd

church fires in the last 18 months have occurred in black churches in the Southeast.

U.S. Attorney Delk Kennedy in Nashville, Tenn., said he investigated back-to-back fires at two black churches in central Tennessee started by three white men — one of whom was seeking retribution against a black tavern owner. Mr. Kennedy said a combination of Valium and beer contributed to the men's actions.

Church Fire Accidental, but Anxiety Prevails

By Donald P. Baker
and Charles Babington
Washington Post Staff Writers

The scene on a rural road on Maryland's Eastern Shore yesterday morning looked sickeningly familiar: black churchgoers surveying their burned-out sanctuary; dozens of fire, police and federal officials combing the charred ruins; television crews jockeying for interviews.

But everyone who gathered at the site of the 114-year-old St. John's

United Methodist Church in Berlin, Md., knew there was a difference between what happened there and the suspicious fires that have destroyed dozens of southern black churches in the last 18 months.

The Berlin blaze was an accident, caused by a faulty electrical socket in the kitchen's annex.

Local fire officials had announced their finding at dawn, federal inspectors quickly confirmed it, and media organizations had broadcast the information nationwide by 8:30 a.m. But in a nation gripped by almost daily reports of fires at black churches, the news didn't stop hordes of politicians and journalists from pouring into the community near Ocean City.

Call it a sign of anxious times. Fires at black churches, whether arson or accidental, racially motivated or not, are being tallied by politicians, activists and journalists struggling to keep a barometer on the racial tension behind many of the blazes. The rush to assess the tension—and in some cases to benefit from the attention focused on the fires—has sometimes made it difficult to tell which fire is suspected of being a hate crime from which isn't.

In Richmond, for example, arson investigators and members of Glorious Church of God in Christ aren't sure why the church has been on many of the hate-crime lists being kept by media organizations, activists and federal officials.

Investigators are pursuing several tips that a Feb. 19 fire at the church was started by neighborhood teenagers, and neither they nor church officials consider the matter a hate crime.

And the church's 89-year-old pastor, the Rev. Maudel Dillard, says she can't explain how the fire came to be included on hate-crime lists. "I know it's not coming from us," she said. "I don't want to falsely accuse. I just read it in the paper."

Yesterday, just before President Clinton met with southern governors to discuss ways to stop the burnings, the idea that the church in Maryland might be added to the list of suspicious fires set off a scramble.

Dispatched to the scene by Gov. Parris N. Glendening, Maryland State Police Superintendent David B. Mitchell told the St. John's pastor that "the governor told me to convey his condolences to you." Although by then Mitchell and everyone else knew the fire had been accidental, he told the Rev. Shirley Polk that "we still like to be there in a time of need."

Meanwhile, radio stations and news wire services throughout the region reported that the fire was "the latest in a wave of suspicious blazes," even while mentioning investigators' finding that the blaze appeared to have been accidental.

Reese Cleghorn, dean of journalism at the University of Maryland and president of the American Journalism Review, said the reactions weren't surprising given the nervousness throughout the country over church burnings.

"It's inescapable that a lot of these fires were set with racist motivations," Cleghorn said, "but a lot of them have less certain derivation." Ordinarily, Cleghorn noted, yesterday's fire in Maryland would have been "a non-story" beyond the area around Berlin.

In Richmond, members of Glorious Church of God in Christ—who have been meeting in a community center since their sanctuary burned—say that despite the confusion over the fire there, the atten-

tion they've received has had its benefits.

One of the church's elders, Morris Mahoney, 41, was invited to Atlanta earlier this week to join leaders of the Christian Coalition, who promised to join with black church leaders in trying to reduce racial tension.

A tour of several of the damaged churches that followed included a stop in Richmond, where representatives of the predominantly white evangelical organization posed for pictures outside the burned-out sanctuary and pledged moral and financial support.

Outside support is especially welcome, said Mahoney, because the 60-member church does not have enough money to rebuild its 90-year-old stone-and-brick Greek Revival edifice. Mahoney said the church's insurance did not cover the estimated \$400,000 in damages, and the insurer refused to write a new policy, a condition necessary for getting a loan to rebuild.

Whether or not the blaze was actually a hate crime, Mahoney said, "it sure wasn't an act of love."

Such attention has raised eyebrows at another Richmond area church. Although the church was destroyed by a suspicious fire in April, it has not been on most lists of burned black churches being circulated by federal officials and the media.

The Rev. Wilson E. Shannon of First Baptist Church-Centralia said that fire officials ruled arson as the cause of the \$250,000 blaze that destroyed a historic building used as a sanctuary until 1962, when the 800-member congregation moved to a new church three miles away.

Shannon said that about a year ago, the letters "KKK" were painted on the side of the older building, which had been used for Bible study and special events.

He added that he pities whomever set the fire, not for "what we can do, or what the law will do, but what the Almighty will do for burning down a house of worship."

The minister also said he worries that the fires "appear to be polarizing the races at a time that we need to stand together."



DATE: 06-20-96

PAGE: 4-A

Churchgoers, pastors refuse to live in fear

By Debbie Howlett
USA TODAY

RULEVILLE, Miss. — At the end of a dirt road amid acres and acres of new cotton, the Rev. S.E. Walker says his flock is safer in the modest, clapboard church than anywhere else in town.

No matter that just a few miles away a black church was torched earlier this year, or that federal investigators still don't know who did it. Or even that the Sunflower County sheriff has stepped up patrols around churches here.

This is a refuge, Walker insists.

"Naturally you are concerned," he said before services Sunday at St. Mary's Missionary Baptist Church. "But these fires are the devil's work, and Sunday is the Lord's day. No harm will come today."

For black pastors across the South, safety is a day-by-day concern as arson fires at black churches crop up with increasing frequency. Nearly 40 suspicious fires in the past 18 months are raising questions about a possible conspiracy fueled by bigotry.

In South Carolina, the black pastors association has just begun a safety program called Church Watch, a biracial, multid denominational patrol that likely will become a model for black churches.

"I do know there is concern out there," said Rose Johnson of the Center of Democratic Renewal in Atlanta. "We sense individually churches are beginning to handle it in their own ways."

For 28 years, Betty Lee has attended New Mount Zion Missionary Baptist Church, which was burned but not destroyed in a fire three months ago. She is not sure racism is to blame. "Could have been someone sleeping in there or something," Lee, 69, a retired homemaker, said.

The church, just outside this predominantly black town of 3,200, is a quarter mile from a boat launch at the Quiver River where local kids hang out.

Some speculate the fire could have been a prank that got out of hand in this uneventful town, where black-eyed Susans are in bloom and the summer's first withering heat has slowed the pace of life to a crawl. "It's mostly just quiet here," Lee said.

There was a break-in last month at New Zion Missionary Baptist

Church, but the Rev. Joe Smith blames the theft of the public address system on vandals trying to add to a stereo collection.

"We're concerned, but we've been blessed," said Smith, the pastor at New Zion for 20 years. "We feel pretty safe around here, actually."

At St. Mary's Missionary Baptist, a mile off State Road 8 and surrounded by cotton and rice fields, the weekend brought only Friday choir practice, three Saturday baptisms and a lengthy Sunday service that had the children wiggling in the pews.

Members of the congregation of about 50 remain unworried that they might be targeted next, even though they suspect the fires are escalating. "A lot of it I think is just people hearing about the arsons and getting ideas," said member Lily Price.

Walker's sermon didn't address the arsons directly.

"We're living in a troubled world. A world where there's hate," he said to a chorus of amens from the 50 or so worshipers. "If there was ever a time we needed prayer, it's now."

Walker is not 100% sure the arson fires in these parts are racially motivated. He wonders about the influence of the new casino riverboats on the Mississippi River in Greenville, 40 miles west. Get rid of those floating dens of iniquity and all of the Delta will be better off, he said.

As for his church, he doesn't worry. "You can't be here 24 hours a day, seven days a week," Walker said. "So you have got to pray. You have got to have faith."

PG school board alters magnet schools strategy

By Susan Ferrechio
THE WASHINGTON TIMES

This fall, Valley View Elementary Principal Inez Sadler will finally get to fill the 17 empty chairs in her school's four classrooms for gifted and talented students.

At least 20 students who were on a waiting list for the Prince George's County magnet school had been kept out because they are black, and the seats were reserved

for white students under a court-ordered desegregation plan.

The school board voted 5-4 Tuesday to change that rule, easing the racial quotas on the county's popular magnet-school program despite the court order.

The move will open about 500 vacant slots in the county's 53 magnet programs to black students. With 4,100 students on waiting lists, those slots won't be hard to fill, administrators said.

"It's very good news," said Mrs. Sadler, who faced the possible loss of a teacher because of shrinking enrollment. "I'm excited at the prospect of having those positions filled by students."

But opponents said the switch threatens to land the county back in court and cost up to \$13 million in state aid for magnet schools, while avoiding larger questions of desegregation efforts in a majority-black county.

"This says that there is no way to desegregate anymore," said school board member Alvin Thornton, who is black and voted against the change. "I'm not willing to play around with that money in order to put a few black schoolchildren into a so-called better school."

The magnet program was created in 1985 to funnel extra resources to schools in predominantly black areas and to act as a voluntary integration program to lure white students to the specialized programs in majority-black schools.

The court required a racial mix in the program; previous county regulations required that at least 9 percent of the students in a high school magnet program and at least 13 percent of those in a grade school program be white. Cur-

rently, 72 percent of the district's 120,000 students are black.

But even at those levels, the county did not have enough white applicants to fill the magnet-school program. There are 25,000 students enrolled in county magnet programs.

Board members voting for the change said they are not abandoning racial quotas for the magnet program, but rather allowing black students to take slots that would otherwise go empty because of the lack of white applicants.

"How can you deny access to the more expensive programs to black students?" asked board Chairman Marcy Canavan, who is white and voted for the change. "If there are

people who believe you should cut out that money because we are letting 500 kids into that program, shame on them."

Voting with her in favor of the measure were board members Beverly K. Beander, who is black, and Suzanne M. Plogman, Catherine M. Burch and Verna Teasdale, who are white. Opponents included Mr. Thornton and board members Frederick C. Hutchinson and Kenneth E. Johnson, who are black, and Thomas R. Hendershot, who is white.

Mrs. Canavan said the change "is just a very minor modification of the total plan."

But state lawmakers — who approved an extra \$13 million in magnet-school aid for the county's desegregation efforts — may see it differently.

"If the underlying basis for the magnet schools is put into question, then I think that there's going to be some question about the need by the state to continue funding them," said state Delegate Howard P. Rawlings, Baltimore city Democrat.

"If the court order becomes moot, then the General Assembly would have to ask, is the state still obligated to continue funding the magnet schools?" asked Mr. Rawlings, chairman of the House Appropriations Committee.

But Sen. Leo E. Green Sr., Prince George's County Democrat, said the county delegation will fight to retain the funds in the 1997 session of the General Assembly. As long as the court agrees to the changes, the money will likely be appropriated, he said.

"I think the court will go along with it," Mr. Green said. "If the court says we can't do it, then they'll tell us what to do. At least we're moving."

The board's attorneys will notify the U.S. District Court in Baltimore of the changes within two weeks, school officials said. That court ordered the county's original desegregation plan in 1973 and approved the magnet program in 1985 as an alternative to the busing it had ordered earlier.

Since it was approved, the magnet school program has grown to include 16 themes, including Montessori, science and technology, language immersion and performing arts.

Students in most programs are chosen by lottery, but some programs, such as the one for gifted and talented students, require students to be tested before they are admitted. That requirement will not change under the revisions to the magnet program's racial quotas.

Church burning

Prosecutions - Garland TX

Treasury / DOS will produce weekly updates of public information of prosecutions

NYT + WSJ pieces - analysis - also W.P. Rosenberg article

armor training for prosecutors + civil rights training for AFE to be completed by agents in S.E. by August 8th

FEMA \$776,000 has been distributed, we need to get the rest of money out

Steve

\$11M raised for black churches

Replacement buildings are bigger, better

By Tamra Fitzpatrick
USA TODAY

Charitable groups have raised three times the amount of money needed to rebuild every black church damaged by arson since last year.

A USA TODAY survey found \$6.3 million in losses at the 64 black churches set afire in the South from Jan. 1, 1995, through July 1, 1996.

Insurance will cover 48% of the total loss, about \$3 million, the survey found.

Another \$3.3 million in damages is not covered by insurance. But charitable groups have raised more than \$11 million in cash, goods and services to rebuild the churches.

The outpouring of generosity has been so great that many congregations are rebuilding churches that are bigger and better than those destroyed.

The USA TODAY survey is the first comprehensive look at financial losses resulting from the sharp rise in black church arsons. The survey shows that losses have risen each year since 1993, mimicking the rise in the number of arsons.

Half the black churches struck by arson since January 1995 were a total loss. Damage was light (less than \$1,000) at 14% of the churches.

In many ways, the arsons and the publicity surrounding them have been a godsend for the churches.

Many churches were old and rundown, with congregations too poor to pay for repairs, such as fixing leaky roofs. Some churches lacked heating or indoor plumbing.

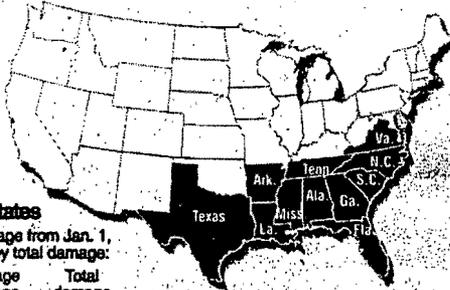
The New Liberty Baptist Church in Tyler, Ala., is building a church five times the size of the old 86-year-old church destroyed by arson Feb. 28.

The old wooden church, worth only \$20,000, did not have heat or plumbing. Electrical wiring was so old that a fuse was taken out after each service to prevent fire.

But the church's destruction

Arson damage per church: \$102,035

The amount of arson damage to black churches in the South has increased sharply since 1993, matching the rise in the number of fires, a USA TODAY survey found. The average loss per fire was \$102,035. Insurance covered 48% of the loss in the 64 fires since January 1995, USA TODAY found.



Damage in Southern states

State-by-state analysis of damage from Jan. 1, 1995, to July 1, 1996, ranked by total damage:

State	Arsons	Average damage	Total damage
Tennessee	8	\$269,375	\$2,155,000
South Carolina	10	\$116,300	\$1,163,000
Texas	11	\$76,323	\$839,550
Virginia	2	\$212,500	\$425,000
Florida	3	\$129,100	\$387,300
Alabama	7	\$87,500	\$625,000
Mississippi	7	\$56,157	\$393,100
North Carolina	8	\$40,636	\$325,090
Georgia	1	\$70,000	\$70,000
Louisiana	7	\$8,866	\$63,200
Arkansas	0	\$0	\$0

Total damage

Year	Damage
1993	\$1,403,175
1994	\$2,206,500
1995	\$2,729,050
1996*	\$3,597,090

* - first six months of year
Note: Amount of damage not available for one church in Arkansas and one in Louisiana.

Source: USA TODAY research

By Genevieve Lynn, USA TODAY

moved so many local residents that the community is raising money to rebuild a modern \$100,000 church.

The new church will be made of brick. It will have a bathroom, a paved parking lot, a wheelchair ramp, even air-conditioning to compete against the Alabama summers.

"We appreciate all that is being done for our church," says the Rev. L.C. Pettway, pastor of New Liberty Baptist Church.

By improving the church, the community considered itself as making a statement.

"We not only want to build the structure of the church back, but we want it to become a stronger church and reach out to more people in the community," says Ed Livingston, executive vice president of South Trust Bank who set up a fund at his bank for the church.

Some churches are relocating from isolated areas to main roads so they're less vulnerable to arson. Others are adding rooms for classes or daycare.

In Greenville, Texas, plans to renovate the century-old



By Marc J. Kaminski, The Montgomery Advertiser

Alabama prayer: The Rev. L.C. Pettway hugs Ed Livingston of South Trust Bank during groundbreaking for New Liberty Church.

Church of the Living God were started before a fire in June caused \$50,000 in damage.

The congregation decided to build a new \$300,000 structure with classrooms for Sunday school, a parking lot, a courtyard and a nicer sanctuary.

"We're not building a shrine," said Chris Kilmer, chairman of the building com-

mittee. "The church was in need of repair before the fire. The timing was right."

The charitable groups are supportive of the churches improving their condition.

The National Council of Churches has raised \$8.7 million, more than any other group. So far, it's distributed \$1.4 million to 14 churches.

The churches have been humble in asking for money, said Carol Fouke of National Council of Churches. Most underestimated their need.

Building codes and other regulations make building churches more expensive today. Also, the National Council wants all the churches to have central heating, indoor plumbing and parking lots.

"We're not talking extravagant. We're talking basics," Fouke says.

The National Council also wants churches to install alarm systems and, in some cases, security cameras. "We're not just rebuilding, but we're making sure they don't burn down again," Fouke said.

Insurance pays only to replace the damaged church, not to improve it.

"That's fine for them to rebuild bigger and better but insurance isn't for that," says Pat Moreland of Church Mutual Insurance Company, which insures 63,000 churches.

Private donations, helped by a few bank loans, are financing the expansions.

Dozens of groups are raising money to rebuild black churches. After winning the Olympic gold medal in basketball, the "Dream Team" donated their prize: \$15,000 each.

Some money of the surplus money will go to rebuild churches outside the South or to churches that were victims of other hate crimes.

The National Council of Churches has set aside 15% of its money for programs to improve race relations.

A USA TODAY investigation published in June found a wide variety of motives behind the fires. Most were unsolved. Only a few were clearly racial.

A white volunteer firefighter is charged with burning New Liberty Baptist. Race is not believed to be a motive.

Livingston, a white banker, started the effort to rebuild the church in part to send a message that black churches are not burned with impunity in the South anymore. The response to his fund-raising effort was generous, he says.

"It's amazing — all the bad associated with what happened and all the good that came from it," he says.

Church Fires Prompt Groundswell of Aid

By THOMAS J. LUECK

A rash of church arsons in the rural South has prompted a groundswell of relief efforts and public protest by New York City area charities, members of the clergy and civil rights groups.

Since Wednesday, the local reaction has taken many forms, including an airlift from Kennedy International Airport to Tennessee, an anti-bias campaign that brings together black, Jewish, Christian and Hispanic groups, and a rally by religious leaders.

"In a perfect world this might have happened sooner, but it has only been over the last 30 days that the attention of the nation has focused sharply on this problem," said Stephen M. Johnson, president of Americares, a charity based in New Canaan, Conn., that flies medical supplies to victims of war and natural disasters around the world. The current wave of burnings began making headlines more than six months ago.

Americares received, from two anonymous donors, \$1 million to help rebuild Southern churches. And it did so with a flourish.

The organization flew five parishioners from the burned churches to New York so they could be present at Kennedy Airport on Wednesday, when a DC-8 was loaded with three 50-by-60-foot prefabricated structures and 38 new pianos. The plane was bound for Memphis, with its cargo to be used by burned-out congregations across the South.

Outrage over the burnings appears to be strengthening local ties between Christian, Jewish and civil

An effort to help black churches has echoes of the civil rights movement.

rights groups. For instance, a campaign called Bias Watch was initiated jointly in Manhattan on Thursday by the National Council of Christians and Jews, the Anti-Defamation League, the National Urban League and the National Council of La Raza, which represents Hispanic people.

Leaders of the four groups, saying that the church fires were only a symptom of a broader problem, said they would combine resources to combat bigotry in many forms, including racist statements made on radio talk shows, segregated housing and social activities on college campuses and police brutality.

"We want Latino kids in the Bronx to see it in their interests to speak out when a synagogue is defaced in Los Angeles," said Raul Yzaguirre, president of the National Council of Raza.

Abraham H. Foxman, national director of the Anti-Defamation League, said, "The last time we came together like this was 30 years ago," referring to the civil rights crusades unleashed after three civil rights workers were killed in Mississippi.

And while the four groups offered few details about how they would carry out their campaign, they have

received financial support from one company, the Monsanto Corporation, and said they would seek contributions from others.

Monsanto, based in St. Louis, said it had contributed \$250,000, and asked its employees and suppliers to contribute \$500,000 more, with the money to be split evenly between construction work on burned churches in the South and the Bias Watch campaign.

On Friday, the Baptist Ministers Conference of Greater New York, a group of 475 clergymen, and radio station WLIB said they would work together to raise money for the burned-out congregations.

Officials of the Simon Wiesenthal Center said they would offer their Internet site and a toll-free telephone line to anyone who wanted to report evidence of a hate crime.

And the Rev. Al Sharpton organized a rally involving about 100 clergymen and church members from New York and New Jersey that was intended to pressure government officials to investigate the church burnings more aggressively, and call on state and Federal lawmakers to adopt more severe penalties for racially motivated arson.

"This is domestic terrorism," said Mr. Sharpton, who also plans a candlelight vigil tonight in Harlem to protest the church burnings. "Our concern is that by raising money to rebuild these churches people are taking the easy way out," he said. "I would rather see the money used for rewards to catch arsonists and bring them to justice."

TRIAL BY FIRE

Possible Arson Attack Doesn't Dampen Integrationist Spirit of Mostly White Georgia Church

By Melissa Fay Greene
Special to The Washington Post

PINE LAKE, Ga. It was a sweltering June night and 70 congregants began to gather in the brick fellowship hall to make sense of the events that had come crashing down around their ears. Two days earlier, at 2:45 a.m., the original sanctuary of their church, Pine Lake Baptist, 10 miles east of Atlanta, burned to the ground.

White, Republican, Southern-born, middle-class, middle-aged and older, most were flabbergasted to think they might have joined the ranks of rural black arson victims interviewed on the nightly news. Now some had had their names in the paper for the first time since birth, and those who had turned up on the local television news were gently teased about how they'd looked and sounded. They served themselves a dinner of ham, squash and coleslaw on paper plates and then found seats facing front as their interim minister, the Rev. Randy Mullis, approached the podium.

A tall, thin, jaunty man with a broad forehead, silver temples and rectangular silver eyeglasses, he had been summoned out of retirement two months earlier to serve Pine Lake. Seventy-seven years of age, he looks easily a decade

younger. He began the meeting by encouraging the congregants to pray for their pastor search committee. "The easiest way to get rid of me is to pray for this committee to get its work done," he said to general laughter, and someone shouted back, "We've

been praying for them to slow down!"

"Kathleen and I are celebrating 45 years in the ministry this month," he said, turning to the subject of the fire. "But after 45 years, never have we experienced anything to liken to this. We've

had bad storms. We've had one church, I served as a young man, to have seven deaths in five weeks. But this has been one unusual experience." The congregation listened in silence.

"I believe the Lord said: 'Reverend Mullis, get on over to Pine Lake. We're going to have something to happen.'" Then the audience laughed.

He encouraged them to recall the building now lost to them, and they took turns standing and coming to the front to tell stories, as at a wake. One woman remembered the carpet they'd been able to acquire and lay in the old building: "The Lord gave us almost-brand-new carpeting," she said, "and it was in pretty good shape and it served us for many years."

"Who else has a sweet memory of the building they'd like to share?" asked the minister.

"As some of you may or may not know," said an older woman, "my father was not a Christian when we joined this church. He wasn't saved until I was a teenager. A lot of people had been praying for my dad—he was a good man and a great man, but he hadn't been saved. It was the last night of revival, and they were singing the last song, and it was 'Why Not Tonight?' When they got to the last verse, my dad went down the aisle." She was crying now. "That sanctuary was close and dear to our heart and always will be. We must pray for whoever did this terrible thing to God's house, to our house."

Pine Lake Baptist Church, 95 percent white, does not fit the profile of the more than 40 churches recently torched in the arson epidemic; 70 percent have been Southeastern black churches. But it represents a less noticed but no less insidious aspect of the racist climate: attacks on white churches that are in the process of voluntarily desegregating.

In the 1950s and '60s, homemade bombs destroyed hundreds of targets, especially black churches, homes of black ministers, synagogues and integrated schools. The current church burnings, devastating black churches and integrated ones, seem part of a similar effort to turn back the clock to Jim Crow time: Blacks are warned to stay in their place, whites are warned not to mix.

Red-brick, white-steepled Pine Lake Baptist presides over an intersection also offering speedboats, Amoco gas, Yama-has and emission inspections. For most of its history, the church gave truth to the Rev. Martin Luther King Jr.'s scathing accusation that the most segregated hour in America was 11 o'clock Sunday morning. In the church's glossy promotional brochure ("If you're looking for a place to serve the Lord, look no further") the faces are all white. And to look at these good people—affable, slow-talking men on

whom the intense heat of the Georgia sun registers and crumpled women on whom it doesn't—is to imagine they might be the sort who would choose to worship in a mirror-image world of fellow white Baptists.

But at the June 19 fellowship meeting, black families from seats and ate dinner among the old-timers, and were warmly welcomed with handshakes, hugs and light gossip. They represent a new wave of younger church members, including a dozen Jamaican and African American families, actively recruited by Pine Lake in the last several years. That the numbers are so tiny is evidence of how halting progress can be; still, the lily-white complexion of this thousand-member Southern Baptist congregation has undeniably altered.

To try to understand this congregation is to begin to grasp how broadly the South has changed since racial terrorism last figured prominently in the national news. That the epidemic of church fires has hit even this former bastion of Southern white Christian culture suggests how marginalized white supremacists—if the arsonists prove to be white supremacists—have become, striking now at their own natural constituencies. That this type of church, once the backbone of segregationist thought, is a target suggests that much ground has shifted underfoot.

Kathleen Mullis, the pastor's wife, put it succinctly. "If what's waiting for me is a Heaven full of nothing but white Baptists, I'm just not so sure I'm interested."

The Bad Old Days

The racial history of the neighborhood of Pine Lake Baptist is about as bad as it gets in America, for the minuscule Georgia community of Pine Lake, population 850, lies next door to the town of Stone Mountain. And in the heart of Stone Mountain looms the largest granite outcropping in North America, Stone Mountain itself, site of the rebirth of the Invisible Empire, the Knights of the Ku Klux Klan.

On Thanksgiving night 1915, 16 men climbed a rocky trail to the dark, smooth summit and swore their allegiance to the Klan by the light of a burning cross. Their numbers included the self-named "Knights of Mary Phagan," participants in the lynching of Leo Frank, a Jewish pencil factory manager accused in 1913 of the murder of a Christian white child, Mary Phagan. With crowds outside the courthouse screaming "Hang the Jew!" the defendant was quickly convicted and sentenced to death. Privately convinced of Frank's innocence, Gov. John M. Slaton in June 1915 commuted the sentence to life imprisonment. Twenty-five men, including a clergyman, two former state supreme court justices and an ex-sheriff, stormed the prison farm, abducted Frank and lynched him.

Some of these men were present at the rebirth of the KKK the following Thanksgiving, and were among the signers of the Ku Klux Klan charter granted by the state of Georgia that December.

By 1925, the national membership of the Ku Klux Klan numbered 5 million. The 156,000 members in Georgia included county and city officials, law enforcement officers, a governor and a state supreme court justice. Between 1890 and 1940, Georgia frequently led the nation in lynchings, with a total of 450, mostly of African American men.

On the face of Stone Mountain, likenesses of the heroes of the Confederacy are carved: Robert E. Lee, Stonewall Jackson, Jefferson Davis. A Southern Mount Rushmore. A family named Venable once owned the mountain, grew rich paving Atlanta's streets with the granite they quarried and became the first family of Georgia's KKK. James "Jimmy" Venable served not only as mayor of the town of Stone Mountain, but also as imperial wizard of the National Knights of the Ku Klux Klan from 1963 to 1987. For half a century he hosted a Klan rally and cross-burning on or near the mountain, within walking distance of the Baptist church, every Labor Day weekend.

'People Like You and Me'

The town of Pine Lake was built in the 1930s as a resort for well-to-do white Atlantans. Its narrow blacktopped

streets all run downhill, in deep shade, toward the sunny swimming and fishing lake. The former vacation bungalows, in various peeling shades of pastel, now house families year-round whose kids coast their bikes down to the lake for lazy, secluded, buggy summer afternoons. A mile away, gridlocked American drive-thru life thrives on Rockbridge Road, where Pine Lake Baptist sits.

The mayor of Pine Lake, Mike Stuckey, is a native of Tuscaloosa and a graduate, he points out, of the same high school attended by Robert Shelton, grand dragon of the Ku Klux Klan. The mayor is a bearded, heavyset man in his early forties with salt-and-pepper hair and an Alabama drawl; he is wearing pin-striped suit pants, a business shirt and high-top black Reeboks.

Commenting on the rising numbers of African Americans, Jamaicans, Nigerians and Hispanics as well as gay men and lesbians moving into Pine Lake and Stone Mountain, he observes, "I guess they're just people like you and me."

"Race, gender and sexual preference is a non-issue in Pine Lake," he says. "It's a non-issue. We're about quality of life. We're all professional people here. We got psychologists, truck drivers and a whole slew of artists. I'm not going to hide from the white supremacist history—Pine Lake deeds used to read, 'Sell only to persons of Caucasian race.' But I've lived here 11 years and I've had no sense of it."

Stuckey is a freelance audio and video producer whose clients during the past 10 years have included the Martin Luther King Jr. Center for Nonviolent Social Change. Stuckey was chosen to be the technical producer and director for the events involving Nelson and Winnie Mandela's visit. A member of Pine Lake Baptist, he turns to the subject of church-burning: "What do I think of it? I think these people are cowards trying to be bullies. You have a right to your political beliefs, as much as I may abhor what you say, but frankly, I would consider the amoeba a superior life form to these individuals."

His feelings are confirmed by black church members. "We have met people at Pine Lake Baptist who, believe it or not, are colorblind," said Glenn Stevens, a software consultant and native of Jamaica whose family joined the church two years ago. "They'll say they weren't raised to be racist. I know that's not necessarily so, but they're sincere now. There's a core here of influential people saying, 'We're going to do the right thing,' and that core is growing."

"I think they knocked on our door three separate times," Stevens said. "We gave in and joined."

"People keep asking me, 'Do you really feel comfortable there?'" said Mirta Murdock, also from Jamaica, who moved south from New York three years ago and joined Pine Lake.

"Do they think if I didn't feel welcome here that I'd have returned for a second visit?"

"We wanted to minister to the community," said Charlotte Davenport, a trim, blond, vivacious church volunteer. "We chose to reach out to the community—that's our mission statement. We saw children with no way to come to church, so we sent buses to their apartment complexes and invited them. When you reach the children, you reach the adults." About 50 to 60 children, in kindergarten through sixth grade, participate every week in the AWANA (Approved Workmen and Not Ashamed) Program, a Bible-based play and learning time. Perhaps 60 percent of the children are black; recently they collected money for a charity in Zimbabwe.

AWANA was housed in the original, 48-year-old wooden church building. Renovated and decorated with child-size furniture, this is the structure just destroyed by fire. The newer red-brick office building, fellowship hall and sanctuary were saved by firefighters.

The majority of Pine Lake Baptist members seem to believe that outreach to black families arises, as Davenport said, from the church's mission to minister to the communi-

ty. "When a new family moves into the area, somebody goes and invites them to church," said Ronnie Peters, a friendly older congregant. "Black, white, doesn't make one bit of difference, they become part of the church family."

So, brotherhood in abundance. Good intentions all around. Much handshaking and backslapping and cheek-kissing, all interracially, all on the grounds of this Southern Baptist church in the shadow of the KKK's former stronghold.

Maybe. But the fact is that the world surrounding Pine Lake Baptist is changing. For a church, any church, to maintain the necessary number of dues-paying members requires certain hard, reality-based assessments. The portions of DeKalb County lying outside the city of Atlanta—including areas like Pine Lake and Stone Mountain—show a growth in the population of "blacks and other races," from 26 percent of the total in 1980 to nearly 47 percent in 1995, according to the Atlanta Regional Commission. Rapidly increasing numbers of African American, Hispanic and foreign-born faces appear in formerly all-white public school classrooms, upscale neighborhoods and professional workplaces. The pressing issue for the all-white churches has been: Do we stay? Do we go? And if we stay, what will we look like?

The Numbers

Not all the white churches have made decisions like Pine Lake Baptist's to remain committed to the neighborhood, to invite and graciously receive new members regardless of color. "If a congregation is 90 percent white and 10 percent black, you're fine, you're welcome, they think you're splendid people," said Glenn Stevens. "But if the numbers hit

70-30, especially if the church is attracting a lot of black teenagers, the white flight begins. I personally know of three white churches in the area on the market. Two have been purchased already by black congregations, the third is looking for a buyer."

Stevens believes that fear is the motivating factor inspiring old-time white congregations to pull up their stakes; some move to new locations, some simply fold. "What is fear?" he asked. "It's the perception that your comfort zone is going to be disturbed. If the style of worship they hold dear begins to erode, it no longer feels like their church."

The Rev. Mullis has observed the phenomenon firsthand. "When I started at Rainbow Park Baptist," he said, "I looked out over a sea of white faces with a couple of black faces here and there. I thought to myself, if I stay here, someday I'm going to look out over a sea of black faces with a couple of white faces, and that's exactly what happened. There was a very affluent community next door to the church, \$250,000 homes. Black lawyers, doctors, principals, professors, IBM executives bought the houses and joined our church. The white people moved out a few at a time.

"This one, their children were raised, they wanted a smaller home; that one, moving to a suburb north of the city. I never heard from anyone, 'I'm moving to get away from the blacks.' The church hovered for a time at 60-40 white-black before it tipped.

"Rainbow Park voted to stay there and minister to the community. Pine Lake Baptist has voted the same thing. You'll find nothing but genuineness and sincerity here."

But Pine Lake's black membership hasn't even hit 10 percent yet. Almost no one's comfort zone has been ruffled. Will the Pine Lake whites hold on if black numbers increase?

Around Atlanta, one finds a few white congregations who have hung in there, have welcomed black members without bidding farewell to white. Some successfully blended churches approach the different prayer styles and different choir styles of their members by offering a smorgasbord of choices. A more staid, more "white" style of worship will be scheduled, say, at 10 o'clock; a more participatory, more "black" style at 11. With in-house diversity, membership numbers grow and white flight is not triggered even by a 50-50 racial balance.

Pine Lake congregants have made a good start at diversity and say they are committed. "This is our church," Davenport said. "My husband and I have talked about it. Pine Lake is going to be our church until we die."

That feeling of ownership, of entitlement, of security underlay white congregants' reactions to the suspected arson. With no history of victimization by terrorists to fall back on, they regarded the possibility of willful destruction with disbelief. None seemed able to formulate the idea that they might have been attacked because of their friendliness to new black congregants. Despite the presence of agents from the FBI, the Bureau of Alcohol, Tobacco and Firearms and the Georgia Bureau of Investigation, despite the realization that around the same hour of the night vandals broke glass windows and door panels of a racially integrated church a mile down the road, the congregants proposed scenarios they found more likely than arson.

"I think they'll find it was a short-out in a little old wire," said Ira B. Melton, one of the petitioners for the church's charter in 1948. "I don't believe anybody had any malice to set this church afire."

"It's probably a random act by kids," declared Ralph Cash, another senior member.

"I don't totally agree with it being racial—I don't believe racial hostility could be the case here," Kathleen Mullis offered softly.

"Pine Lake recently was singled out in the papers for being a low-crime area," Davenport said. "Probably this is somebody's way of answering back."

"My heart has gone out to those churches that have been burnt," said Associate Pastor Jase Brooks, who looks like a clean-cut college kid. "It never even crossed my mind that we could be vulnerable."

"If this turns out to be an act of terrorism," said Rev. Mullis, "to try to interpret the message will make me sick at heart."

The young black congregants, meanwhile, described the attack as "heartbreaking" but not "unbelievable."

Hot Dog Soup

So the new wave of racial terror sweeps over people once safely on the sidelines. Here, in the heart of Dixie, old-fashioned white people have welcomed black people into their church communities and have started with them down a different road than they'd ever traveled before. Social change does not happen overnight. Pine Lake represents a modest beginning. If, in a decade, a thriving, well-integrated community is found here, one may then begin to speak of achievement, of profound change. In the meantime, Pine Lake's first steps toward building a racially harmonious church community seem to have been scorched by fire.

At the June 19 fellowship meeting, congregants were finishing up with their memories of the lost building. "Pop Bennington used to stay up all night Saturday night to warm the baptism water," recalled Jose Turner, an older congregant. Then he related a story from his younger days that tickled him: "One night we were having hot dogs for the young people, we had a big pot of water on top of the stove. Sometimes when you boil hot dogs, you know, the color will come out and float up to the top. Well, one young lady walked by and said, 'Oooh! What are we having?'"

"So I said, 'Hot dog soup.'"

"And she said, 'I never had any before, but it sure does look good!'"

Later Jim Davenport, Charlotte's husband, got up. "When you had 300 people crowd on a hot night into a room built for 150, you had what we used to call fellowship," he said to much laughter. "We had 30 foot-stomping minutes of music every week for 17 years. The memories we treasure are not so much about the place, though, but about the people, about each other."

Many in the audience were red-eyed by now, and his words rang true. In the ashes outside, a proud building once stood in which their late mothers and fathers and siblings

and first sweethearts and their own younger selves and their children had prayed and sung and cut up. It was a racially integrated crowd that stood at the end of the evening and held hands, for the younger black families had joined the older white to mourn the old building. They mostly sat quietly to listen to the memories of a sanctuary they'd never known.

Perhaps Pine Lake was burned—as the integrated schools were bombed in the 1950s—because it had desegregated. But the people hung on to each other, their eyes shut in prayer. It was not about a building, or about race, but about people drawing together and choosing to call themselves a family.

Melissa Fay Greene's most recent book is "The Temple Bombing," the story of white supremacist violence in the South at mid-century.



DATE: 7-1-96

PAGE: 1A

USA TODAY INVESTIGATION

BLACK CHURCH BURNINGS WHY THEY DID IT

Young, poor, uneducated describes most arsonists

By Debbie Howlett
USA TODAY

COLUMBIA, Tenn. — They got blasted that weekend, the three of them. Six cases of beer and a fistful of Vallum will do that.

The more they drank, the madder they got.

Robert Lee Johnson said he was being cheated in the back-room card game at the Sweet Peety, a black-owned juke joint. Michael Jett complained his daughter had run off to Knoxville with a black man — a pimp, he called him. Mark Jett agreed: Blacks needed to be put in their place.

With their rage at full boil on Super Bowl Sunday night in 1995, the trio decided to soak an eight-foot pine cross in kerosene and burn it in front of the Sweet Peety. One thing led to another. By the time the sun rose, two rural black

churches were charred from the Molotov cocktails the men had crafted from empty Budweiser beer bottles.

"It's a hard thing to explain," said Johnson, 33, sobered up and contrite before the federal judge about to sentence him to 37 months in prison. "I know I was in the wrong. I know that making crosses and bombs, that's a terrible thing to do. I dream bad dreams about that."

Johnson and the Jetts, who are cousins, were the first men convicted under federal civil rights law for one of the 66 suspicious fires at Southern black churches in the past 18 months.

On Friday, USA TODAY reported that there was no evidence of a national or regional conspiracy behind the arsons. Many fires are

hate crimes, but many are not. Churches burn for a variety of reasons, including teen-age vandalism, derangement and insurance fraud. In one-third of the cases where arrests have been made, the suspect has been black.

Today, USA TODAY looks at the six cases of church fires in the 1990s in which federal charges of racially motivated arson have been brought or are being considered.

The six cases involve 14 men — all white — and the burning of 11 churches dating back to 1991. Twelve of those men have been convicted under the 1968 federal civil rights law. The other two are in jail awaiting trial on state arson charges while federal prosecutors prepare civil rights charges against them.

The men have no known connections to each other. They are all white, but there is no conspiracy here. Only background, prejudice and circumstance link them. The men's stories bear striking similarities — tales of hard lives and simmering resentments, of rage and flames in the night. And in some cases, contrition and shame.

98

cont'd

Arson defendants young, white and poor

USA TODAY visited the hometowns of the convicted and accused arsonists, examined court records in every case and interviewed family members, police, prosecutors and defense lawyers. From this, a clear pattern emerges. The arson defendants were:

► **Less educated.** Only four of the 14 had graduated from high school.

► **Poor.** Half were unemployed. The others held low-paying jobs such as working in a fish market or doing unskilled construction work.

► **Young.** Ten of the 14 were 17 to 23 at the time of the church burning. Half of the 14 lived at home.

► **Rural residents.** Most lived in very rural areas, generally close to the churches they targeted.

► **Not career criminals.** None had previous felony convictions, although a few had misdemeanor arrests or run-ins with authorities as juveniles. Three cases had links to racist groups; three did not.

► **Drunk.** Most were drinking alcohol heavily on the night the churches burned. Several had been taking drugs, mostly marijuana.

"They'd been drinking, but that's no excuse," says the Rev. Alvin Anderson, pastor of the Friendship Baptist Church, one of the two churches burned by Johnson and the Jetts. "Sometimes drinking just makes us brave enough to do what we've already got in our hearts to do."

It's not easy to understand what is in each of these men's hearts. All 14 refused to be interviewed.

Twelve are still in custody. Some of them, as well as prison officials, expressed concern about possible retaliation from black inmates if their crimes became known.

"My utmost concern now is to let this all die down in order to survive in this place," Mark Jett told USA TODAY in a short, hand-written letter from federal prison in Beckley, W.Va. "I would like to 'set the record straight' but to do it now is like signing my last will and testament. Maybe you can understand?"

USA TODAY informed the U.S. Bureau of Prisons that this story would appear today. The bureau said it would take precautions to ensure the safety of the inmates.

The two men who have completed their sentences have found jobs and married since being released 13 months ago. Kenneth Coats and Perry Moore were convicted of burning three black churches near Watson, Ark., in 1991: Oak Grove Baptist, St. James Baptist and Love Rest Baptist.

"I just want to put it all behind me," said Coats, a tall man who has opened a fish market in Dumas, Ark. He declined to say more.

Still it was possible to glean insight from the men's own words in trial records and interviews with those who knew them best.

High school hate: The white supremacists

John Jason Bakenhus was a cast-off in Clarksville, Tenn.

He didn't fit in at Clarksville High School. So he and a friend, Charles Neblett, formed a supremacist group, Aryan Faction, and recruited middle school and high school students as members.

"Most of the kids that were in the group were just, you know, all a bunch of, I guess, loners. . . . I guess I was the head kid," Bakenhus said in court. "Everybody was alone and didn't have anyone to, you know, have a fun time with."

At first, Aryan Faction members spray painted graffiti on buildings. Then they escalated to assaults on black neighbors' homes, firing birdshot from a shotgun at one home and lobbing Molotov cocktails made from Jim Beam whiskey bottles at another family whose children were schoolmates of Neblett's.

On Aug. 18, 1994, they set fire to Benevolent Lodge #210, a meeting hall in nearby Adams often used for Baptist services by blacks. They spray painted "AF strikes again" and "Niggers leave or die" on the walls before dousing the place with kerosene. After torching it, they ran away, whooping and hollering.

Three days later, Bakenhus was arrested. His car reeked of kerosene, police said.

Neblett, then 18, was a lanky pitcher who was supposed to start college on a baseball scholarship the day after his arrest. He drove a truck that the men used in two attacks.

Bakenhus, then 21, had no real plans for the coming year. He was unemployed and living at home, driving a 1968 Chevy Impala. A \$700 TV was his most prized possession.

He'd been beaten repeatedly by his 6-foot-5, 300-pound father, John Francis Bakenhus, who testified that "I can throw a tantrum that scares the hell out of people."

The elder Bakenhus taught his son that using racial slurs was no big deal. He testified that calling someone a "nigger" was the same as calling him a "fathead."

The younger Bakenhus said he feared his father and retreated into drug abuse. He smoked marijuana at age 12 and tried every other drug he could put his hands on by age 16. He said he took LSD once at age 16 and chased a friend with an ax, believing

the boy was "possessed by demons." Bakenhus eventually dropped out of high school and worked sporadically at odd jobs.

Forming Aryan Faction was the biggest accomplishment in his young life. He kept the group's roster, regulations and oath in a briefcase next to his bomb-making manuals.

In court, he apologized. "I can't express the guilt that I feel and I know it's hard to believe. I really did feel guilt. I really do feel like slime."

Bakenhus and Neblett were sentenced to 33 months in federal prison and ordered to pay restitution of \$97,246.

Ku Klux Klan: At work in some arsons

Ernest Pierce claims to be an Imperial Wizard in the Ku Klux Klan. The 53-year-old farmer was convicted of ordering 21-year-old Brian Tackett to torch the Barren River Baptist Church in Bowling Green, Ky., on Dec. 8, 1991. Pierce reportedly was upset by anti-Klan comments by the pastor, Larry Craig.

Tackett stole a car in Tennessee, picked up four cans of camping fuel from his mother, Linda Tackett, picked up his girlfriend, Kim Patton, and a friend, Jerry Gann, and headed out to burn the church around 5:30 a.m. Patton and Gann testified for the prosecution and charges against them weren't pursued.

Defense lawyers and prosecutors declined to talk about the case because Pierce and Tackett are appealing their convictions.

Pierce was sentenced to 51 months in federal prison for conspiracy. Tackett was given 115 months for conspiracy, arson and auto theft.

The Klan appears to be a player in two South Carolina fires as well. There, Tim Welch and Gary Cox attended Ku Klux Klan meetings together, and prosecutors say they also burned two black churches in June.

The men are now in jail awaiting trial on state arson charges. Federal prosecutors are preparing federal civil rights charges against them.

Mount Zion African Methodist Episcopal of Greeleyville was burglarized, set ablaze and destroyed at 5 a.m. on June 20, 1992. Two nights later, the same happened to Macedonia Baptist Church in Bloomville.

Welch was carrying a Klan membership card in his wallet when Clarendon County sheriff's deputies arrested him on charges of burning two black churches.

In a double-wide trailer where Cox lived, the deputies found guns and a hooded white robe.

"Those boys felt they had the blessing of the Klan," Welch's mother, Wanda Mitchum, told *The State*

newspaper in Columbia, S.C. "They take these young country boys who don't really know a lot and have never been out in the world, and they corrupt them."

Weich was a lifelong resident of the area and an unemployed 23-year-old at the time of the fire. He lived with his mother.

Cox, then 22, had come to South Carolina from Virginia seeking construction work after Hurricane Hugo in 1989.

He lived in a trailer with a Klan buddy, Arthur Haley, and worked only rarely as a day laborer.

Cox and Weich are also charged with beating and stabbing a mentally handicapped black man they found waiting for a bus near a Wal-Mart. The victim survived the attack.

South Carolina has moved the suspects to four jails because they've been beaten by other inmates.

Martin Luther King: A time for arsons

To celebrate the 25th anniversary of the assassination of Martin Luther King Jr., three teen-agers torched two churches 20 miles apart near Summit, Miss.

Late on Sunday, April 5, 1993, after a day of drinking beer and smoking pot, Charles McGehee, Jerome Bellelo and Roy McGovern piled into

McGovern's car, picked up a 15-year-old girl and went to burglarize the Springhill Freewill Missionary Baptist Church, two miles down a dirt road near McGehee's home.

When they found nothing worth stealing in the church, they piled plastic floral arrangements and hymnals in a pew and started a fire. The church burned to the ground.

They then drove toward McGovern's house. But on the way, they stopped at Rocky Point Missionary Baptist Church and set it ablaze. They drove away shouting: "Burn, nigger, burn!"

They spent the night at McGovern's house, watching the church burn less than a mile away.

"These young boys are not racist," says Guy Rogers, lawyer for McGovern. "They got a little drunk and a little crazy. I know the types who do this sort of thing with malice in their hearts and these boys are not that type. ... It was a lark."

While McGehee graduated from high school, worked in construction and lived in a comfortable home, Bellelo and McGovern came from less fortunate circumstances.

McGovern, then an 18-year-old dropout, worked for a tree-trimming service. At the time of his arrest, he was on probation for aggravated assault of an acquaintance in a dispute over a stolen car stereo.

Bellelo, then 17 and a freshman in high school, is one of nine children and lived in Franklinton, La. He had been staying with his grandmother, Norma Bellelo, in Summit, where he had been in one minor scrape with the law for breaking into a newspaper vending machine. His grandmother turned him in to police.

After the sentencing hearing, his father, Duris Bellelo, approached the Rev. Mauttee Brown Sr. of Springhill Freewill and shook hands. He told him that he would like to help pay to rebuild the church, but that he had no money. Then he introduced Jerome to the pastor, who accepted his apology.

Although Bellelo didn't speak in open court, McGehee and McGovern turned to face church members. "I'd like to tell the members of both churches that I am sorry for what happened," McGehee said.

Said McGovern, "I'd like to apologize to the members of both churches. I'm sorry this happened."

McGehee and Bellelo were sentenced to 37 months. McGovern got 46 months because of an earlier conviction as a juvenile. The three were ordered to pay \$138,000 in restitution, perform 384 hours of community service each over the next 14

years and, on their release, submit 10-page research reports on the history of the civil rights movement.

After Arkansas fires: Trying to rebuild lives

Kenneth Coats and Perry Moore are fishmongers in the Mississippi River flood plain. It's honest but unpleasant work, wearing rubber aprons smeared with entrails while gutting and filleting catfish to sell wholesale in small shops.

But both men have found a measure of peace after serving their time for destroying three black churches in Watson, Ark., on May 17, 1992.

Some speculated that the arsons were a response to the riots three weeks earlier in South Central Los Angeles following the acquittal of the police officers who beat Rodney King. But both men have denied that.

The churches were insured, and all three have been rebuilt. Now the men want to rebuild their lives.

Moore, then 23, is a burly red-haired man who lives with his family in a trailer next to the fish market where he works. He has a second job at an auto garage in nearby Dumas.

On a humid evening last week, he glowered at a visitor and said virtually nothing. He and his mother and father sat in lawn chairs.

Coats, then 23, lives in a rough-looking, double-wide trailer with a new satellite dish in the yard. On a recent visit, Moore's older brother,

working at a fish market set up behind the trailer, chased a reporter off the property.

Married less than a month, Coats is starting his own fish market and restaurant in prosperous Dumas.

In his tidy place, just opened Wednesday, Coats, his wife and his mother sat in plastic patio chairs, smoking Winstons and railing about inaccurate media accounts regarding the new wave of arsons.

Despite his wife and mother's best efforts to cajole him into talking, Coats declined, saying he just doesn't want any more trouble.

Both men were released from prison in May 1995 after serving 32½ months of a 37-month sentence.

The Super Bowl fires: 'A purpose and a plan'

The burning rage on Super Bowl Sunday 1995 began with a burning cross and the firebombing of the Sweet Peety tavern in Columbia, Tenn. Then Robert Johnson and Michael Jett jumped into Mark Jett's pickup and did the same to Friendship Missionary Baptist Church in the next county.

They drove back to Johnson's house, switched to Johnson's 1977 Pontiac Bonneville and returned to the church to watch the fire. Members of the congregation who were fighting the fire saw the drunken white men and chased them away.

The trio then drove to Canaan African Methodist Episcopal Church and threw a Molotov cocktail through a window. The bomb broke a plastic water pipe that doused the fire. Neither church was destroyed, although fire did \$20,000 worth of damage to Friendship Missionary.

Patricia Jett, wife of Mark Jett, says the crimes were not part of any organized effort despite public per-

ceptions. "They are not the racists everyone makes them out to be," she says. "They are not bad people. They were just drunk. That's all it was. These boys just made a terrible mistake and they are paying the price."

A self-employed painter, Johnson claimed income of \$11,000 in 1994 after being fired from his job as a Kroger's grocery clerk.

"I hope God forgets what we've done," Johnson said before he was sentenced in February.

Despite their expressions of remorse, U.S. District Judge Thomas Higgins said "these men set out to ride the roads at night. They had a purpose and a plan."

"It's no accident that two African-American congregations were singled out," Higgins said.

Cont'd.

All three men were sentenced to 37 months in prison and ordered to pay restitution of \$20,087.

While tough sentences salve some of the public outrage over church burnings, those who have been harmed the most appear to be the quickest to forgive.

In McComb, the small congregation of Rocky Point Missionary Baptist Church elected not to rebuild and gave \$12,000 in donations to help Springhill rebuild instead.

The Springhill Freewill Baptist Church stands at the end of a two-mile dirt road, its tall white steeple pristine in the fading evening sun.

Deacon Carl Young says the new church is better than the old one, largely because of the generosity of spirit of both whites and blacks in Amite County who joined forces to help rebuild.

The three young men who burned the old church will be welcomed back when their time is up a few months from now.

"I'd be glad for them to come back to the community," Young says. "I don't feel hatred toward them. They're serving their time. They told us they were sorry. That's all they can do."

Contributing: Gary Fields and Deborah Sharp

IN COURT

John Bakenhus, founder of the white supremacist group Aryan Faction, speaking in court on why he burned a black church:

"The main reason, Your Honor, was (the) racial element. Your Honor, it was the main reason. But also, Your Honor, I love to see things burn. I always have. Almost burned down our garage at one point in my life. I burned down many things. Small things. I burned my toys, my G.I. Joe men, I used to try to burn them, see if I could make the plastic melt. I have always loved to see things burn. I don't know if — I do get aroused by it, and I always have, and I hope to God maybe I can get cured and I want to get to that point where I won't enjoy seeing things burn with fire.

"In religious practices speaking, you know, fire is purifying. And I always figured if something burns away and goes to ashes, then it exists too — or I figured that, you know. I don't know that. I don't know. I just think fire purifies things. I don't know what incident in my life led to that.

"And we have a wood stove at the house and I used to love to load it up and light it during the wintertime. I guess my father caught on to that, but I used to love to put wood in and light it all the time and wonder — I guess he thought I was being his son, but I was enjoying seeing the fire burn. Used to get on me because it used to get the fire alarm to go off because I would leave the fire open on the wood stove. I watched it burn for so long the smoke would come out and set the alarm off.

"I just need help, you know. I'd like to have help."

Robert Lee Johnson apologizes in court for burning two black churches:

"I hope God forgets what we've done. I didn't intend to hurt nobody ... I'm ready to accept my time. And I have learned a lot about racism, you know. It's a little bit in everybody, I reckon, and I also know if I hadn't been drinking that night and somebody mentioning something like that I would have turned around and went the other way."



Arsons symbolic of racial divide

Fires fuel concerns that history is repeating itself

By Gary Fields and Richard Price
USA TODAY

The first reported black church arson occurred in 1822 when the African Methodist Episcopal Church in Charleston, S.C., was torched when whites learned slaves were meeting to plan an insurrection.

Eight generations later, the fiery destruction of black churches remains a potent symbol of the struggle for racial equality that has long divided the United States.

To many African-Americans, burning a black church is more than an attack on a house of worship; it is an assault on the culture itself.

"It is an attempt to show absolute contempt for whatever is of greatest value or whatever has greatest meaning for black people," says C. Eric Lincoln, professor emeritus of religion at Duke University.

Today, the image of a black church in flames appears against a backdrop of events that have torn at the country's racial fabric, from the Rodney King beating to affirmative action.

"We are dealing with a pattern that grows out of racial hostility in this country," says Deval Patrick, assistant attorney general in charge of civil rights enforcement at the Justice Department.

Which is one reason it's almost instinctive to assume a racial motive lies behind every black church fire.

The reality is that both black and white churches are torched by the hundreds each year for a long list of reasons, and there's been criticism of the tendency to point at race as the central problem.

Bruce Fein, a conservative constitutional law expert, says people are behaving like "the Queen of Hearts in Alice in Wonderland: Sentence first and reach a verdict afterwards."

But to civil rights leaders and many blacks, the sight of a burning church is an image that resonates with a moral and historical significance that ties the nation to its past of slavery and segregation.

From the poetry of Alice Walker to films such as *Mississippi Burning*, artists have used the image of a burning church or cross as a symbol of racial hatred.

While white churches fall victim to arson, few are burned for racial reasons.

The black church has "been the heart of black advocacy in America," says Joseph Lowery, president of the Southern Christian Leadership Conference. "They are attacking the soul of the black community."

The central role of churches in black life goes back three centuries. Slave owners hoped the promise of glory in the afterlife would dull the hardships slaves suffered. But the church quickly became the one place where slaves could bow their heads voluntarily, in supplication to God, rather than to whites as an enforced custom.

Black ministers were among the most prominent leaders of the abolition movement. Churches were the foundation for the Underground Railroad. Slaves were secretly taught to read and write in churches.

After the Charleston church fire 174 years ago, many Southern states outlawed black churches. In the states that allowed them, restrictions were put in place to keep black churches under control.

A North Carolina law mandated that "five good, white men must be at any religious meeting that blacks could attend. And in South Carolina, there was a law that no meeting of black people under the cover of religion could be held after the sun went down and before sunrise."

An early wave of church burnings occurred in the 1890s, at the same time that many post-Civil War laws aimed at aiding former slaves were being overturned.

The modern civil rights movement also made black churches targets.

In 1955, Holt Street Baptist Church was one of the headquarters of the Montgomery, Ala., bus boycott. Martin Luther King Jr., then 26, was thrust to the front of the civil rights movement.

In 1964, freedom riders slept, ate and held voter registration drives in churches, usually black churches. During the historic five-day march from Selma, Ala., to Montgomery in 1965, churches were the havens.

"Churches were the only place that black folks could meet," Lincoln says. "And because everyone knew the churches were the center of the movement, they bore the brunt of hatred and were burned."

The civil rights era saw another wave of attacks on black churches. In Mississippi, 34 black churches burned in three months during the summer of 1964.

But the attack that most shook the nation was the 1963 bombing of the Sixteenth Street Baptist Church in Birmingham, Ala. Left dead were Denise McNair, 11, and three 14-year-olds: Cynthia Wesley, Carole Robertson and Addie Mae Collins.

That most of the 66 black churches burned since Jan. 1, 1995, were founded by slaves or freed slaves adds to concerns that history may be repeating itself.

The black church fires in the 1990s also come amid a series of highly publicized incidents that have strained race relations.

The Rodney King beating in 1990 was followed by the acquittal of the white police officers who clubbed him. That prompted the Los Angeles riots in 1992 that included the videotaped attack on white trucker Reginald Denny, who was pulled out of his truck and pummeled with bricks by a black man.

In the Susan Smith and Charles Stuart cases in North Carolina and Boston, respectively, whites played on the image of the black criminal to create fictional perpetrators to cover up crimes.

On Dec. 7, a black couple in Fayetteville, N.C., were shot on a city street. Police say they were killed by three racist skinheads who were soldiers from Fort Bragg.

Polls last year showed white America and black America sharply divided over the O.J. Simpson verdict — and whether the justice system is fair.

"We would all like to believe that we live in a color-blind society ... where race doesn't matter," says Sen. Joseph Biden of Delaware. "But we don't."

The Bureau of Alcohol, Tobacco and Firearms and the FBI have more than 200 agents investigating every black church arson, no matter how little the damage. Federal authorities hope the fire investigation can help restore the faith of the black community in law enforcement.

Pastors at burned churches have preached against jumping to conclusions.

In describing the fire at Salem Baptist Church in Fruitland, Tenn., the Rev. Daniel Donaldson concedes, "My heart says it's race, but reality says, 'Dan, what is that conclusion based on?' It might be race, but let's make sure it is."

Church Fires Said to Reflect Racial Tension

*Problem Deep-Rooted,
Rights Agency Asserts*

By Michael A. Fletcher
Washington Post Staff Writer

While acknowledging a range of motives behind the burning of black churches across the South, the U.S. Commission on Civil Rights yesterday said the attacks nonetheless reflect persistent and deep-rooted racial tension in the region.

A six-state study by the commission that was conducted in response to the recent church burnings found that rigid pockets of segregation and an unmistakable current of racial animosity gripped much of the South.

"Racial tensions are awful in many of these places," said Mary Frances Berry, the chairwoman of the bipartisan commission. "We heard it from blacks and from the few whites who showed up to testify. The other thing that we noticed that was stark . . . is that the old ways and the old segregated patterns" are still in place in many communities.

The study was based on town meetings the commission held over three months this summer in Louisiana, Mississippi, Alabama, North Carolina, South Carolina and Tennessee.

Some civil rights and religious leaders have pointed to the church burnings as a symptom of increasing racial hostility in the country. But the picture emerging from arrests so far is more complex.

More than one-third of the suspects charged in recent months in the arson attacks on African American churches in the South have been black, accord-

ing to federal law enforcement officials. In the past 21 months, nearly two-thirds of those arrested for burning black churches have been white and 34 percent have been African American. These figures suggest that while race may be a factor in some of the cases, other factors also have motivated the alleged arsonists.

More than 200 agents from the FBI and the Bureau of Alcohol, Tobacco and Firearms have for months been poring over the burned ruins of dozens of southern churches searching for clues. Some conservative watchdogs have suggested that civil rights interest groups are exaggerating the problem of black church arsons and the racial animosity that allegedly is causing them in order to raise money and further their liberal political agendas.

"Racism exists and racial tensions exist; nobody would question that," said Mark Tooley, a research associate with the Institute on Religion and Democracy, a conservative religious research group. But, he said, "there is no hard data showing that there has been an increase in black church arsons."

Berry, however, said federal law enforcement statistics show a disproportionate number of black church fires since January 1995. According to federal officials, of the 230 church arson investigations opened since January 1995, 41 percent involved black houses of worship although there are many fewer black churches in the South than white ones.

"White churches have burned, but not for racial reasons," Berry said. "People who try to pooh-pooh this issue and say it is not important don't realize the racial tension that is out there. . . . There clearly are underlying racial tensions, and they manifest themselves in church burnings."

Berry said she will ask local civil rights commission officials to meet with governors in the six states to begin working on plans to address racial and economic problems dividing people in the region.

The New York Times

Church Fires Signal Strains, Panel Says

DATE: 10-10-96

PAGE: A-20

WASHINGTON, Oct. 9 (AP) — The burnings of black churches in the South reflect an alarming rise in racial tensions in society, Federal civil rights officials said today. They challenged several Southern governors to meet with them on the issue.

Officials of the United States Commission on Civil Rights, which held community forums in six Southern states on the fires, said the inquiry had shown that the string of arsons reflected a deeper racial problem.

"Racial tensions are a major problem in the states in which the burnings took place," Mary Frances Berry, the commission's chairwoman, said at a news conference at which the panel released summaries of the community meetings.

The commission conducted the forums in Alabama, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee after reports that arson at black churches in the South had risen sharply. More than 100 churches with predominantly black congregations, mainly in Southern states, have been burned since January 1995.

Civil rights commission officials said they were sending letters to the governors and legislators in the six states requesting meetings to discuss race relations and to develop "strategic plans."

So far, Gov. Mike Foster of Louisiana has accepted, the officials said.

Ms. Berry asserted that public officials in most of the affected states had been "less than forthcoming," a stance she attributed to the polarizing effect of discussing racial issues.

She acknowledged the findings by law-enforcement officials that churches with mostly white congregations had also been burned, and that of the black church cases that had been solved so far, only about 20 percent appeared to have been racially motivated. But she said the fact that a disproportionate number of black churches was involved gave cause for concern.

The civil rights commission, a bipartisan, independent agency of the executive branch, said it had found that racial segregation persists at churches, banks, schools and swimming pools in Greene County, Ala. The commission also said racial animosity in Mississippi was so prevalent that black residents refused to attend the forum at a predominantly white college.

38

DRAFT

**WILLIAM J. CLINTON
RADIO ADDRESS TO THE NATION
JUNE 8, 1996**

96 JUN 7 11:30

Good morning. This morning I want to talk with you about a recent and disturbing rash of crimes that harkens back to a dark era in our nation's history. Two days ago, when the Matthews-Murkland Presbyterian Church in Charlotte, North Carolina was burned to the ground, it became the 29th African American church destroyed or damaged by suspicious fire in the rural south in the past 18 months. We have no evidence of a national conspiracy. But it is clear that racial hostility is the driving force behind a number of these incidents. This is wrong.

It is hard to think of a more depraved act of violence than the destruction of a place of worship. In Nazi Germany, destruction of synagogues was the ugly prelude to the Holocaust. In our country, during the 50s and 60s, black churches were burned to intimidate civil rights workers. We all remember the bombing of the 16th Street Baptist Church in Birmingham took the lives of four precious young children in 1963. America must never allow that to happen again. Every family has a right to expect that when they walk to church on Sunday morning they will find a house of worship, not the charred remnants of a hateful act done by cowards in the night. 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.

As your President, I am determined to do everything in my power to get to the bottom of these church burnings. No matter how long it takes, no matter where the leads go, we will devote whatever resources are necessary to solve these crimes.

Today more than 200 federal and state investigators are working on these cases, including 100 ATF agents. Fire investigators, national response teams, polygraph examiners and forensic chemists are combing through fire sites, interviewing witnesses and following leads. To date, there have been seven arrests. Two of those in custody are known members of the Ku Klux Klan. So, we are making progress, but we must do more.

That is why today, I am announcing three steps we are taking to accelerate our progress and help communities fight back. First, I am announcing a new 800 number that will be available 24-hours a day, seven-days-a-week, beginning this Monday. **If you have information about who is responsible for these church fires please call 1-888-ATF-FIRE.**

Second, I have instructed the ATF to tell churches what 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. We are also making this information available to national church organizations for distribution to their members.

And finally, I have asked our Assistant Attorney General for Civil Rights, Deval

Patrick; and our Assistant Secretary of the Treasury for Enforcement, James Johnson to chair a task force to bring together all of these investigations. FBI Director Louis Freeh and ATF Director John Magaw will also serve on this task force. I have asked them to report back to me if there is anything more that we can do to stop these crimes.

I am also pleased that the Congress is expressing bipartisan concern on this issue. I support the goals of the legislation introduced by Congressmen John Conyers and Henry Hyde which will make it easier to bring federal prosecutions against those who attack houses of worship.

But, in the end we all must accept our share of responsibility. To the extent that these crimes are racially motivated, we all must realize that they are an outgrowth of a climate of racial hostility that still holds sway in too many hearts and minds in this country. As Martin Luther King said in his eulogy for the little girls of Birmingham, these church burnings have something to say to every politician and every citizen who has fed his neighbors "the stale bread of hatred and spoiled meat of racism."

Religious freedom is one of the founding principles of our democracy and the black church has historically been the center of worship, outreach and community life for millions of families in this country. That is why it was so hard for Reverend Terrence Mackey to break the news to his daughter last June when they awoke to find an ash scarred field in the spot where only the day before stood their church home -- Mount Zion AME Church in Greeleyville, South Carolina. Rev. Mackey reassured his daughter with these words. He told her, "They didn't burn down the church. They burned down the building in which we hold church. The church is inside all of us." On June 15 Rev. Mackey, his daughter and his congregation will march from the site of the old church to a brand new building. And all Americans will march with them in spirit.

We must all do our part to end this rash of violence. America is a great country because for more than 200 years we have strived to honor religious freedom and the extraordinary diversity of our people. The only way we will succeed in the 21st century is if we unleash the full power of our diversity and refuse to let anything divide us.

Thanks for listening.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
-----------------------	---------------	------	-------------

001. memo	Carol H. Rasco to Stephen C. Warnath re: Bilingual (1 page)	06/10/1996	P5
-----------	---	------------	----

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Clinton Presidential Records
 Domestic Policy Council
 Stephen Warnath (Civil Rights)
 OA/Box Number: 9589

FOLDER TITLE:

Church Burnings [3]

ds48

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Date: 07/02/96 Time: 16:50

Clinton Asks \$6 Million to Help Police Stop Church Fires

WASHINGTON (AP) President Clinton designated \$6 million Tuesday to fight church burnings in a dozen states and pledged as much more money and manpower as needed "to make sure the struggle is won."

Clinton discussed the recent fires in a White House gathering and then again later in Chicago, continuing the attack against "racism and religious bigotry" that he has incorporated into many recent speeches and appearances.

He asked Congress to give quick approval for the money, which would be an emergency transfer of Justice Department funds.

The arrangement would be flexible enough to allow police to "patrol the back roads, to visit the churches, to keep watch for signs of trouble," Clinton said. Police also could use the money to install flood lights, hire private security guards or pay overtime to current officers.

It would go to communities in Alabama, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee and Virginia.

Clinton also said he would sign a bill, approved by Congress last week, that would double the maximum prison term for church attacks to 20 years. And he issued a proclamation declaring July a "national month of unity" during which religious leaders of all faiths should stress healing and tolerance from their pulpits.

"We need to change the atmosphere in the country," Clinton said in Chicago before the National Council of Senior Citizens. "We dare not allow this to continue without every American of conscience without regard to their race, their religion or their political party speaking up against it."

At the White House he said, "This is a struggle against racism and religious bigotry. We will escalate that struggle as necessary with enough people-power and willpower to make sure the struggle is won."

Congress is expected to consider in two weeks a bill that earmarks \$24 million for church burning investigations. The \$6 million Clinton proposed is not included in those funds.

Meanwhile, attorneys general from nine Southern states gathered with law enforcement officers at Howard University in Washington to discuss what they could do to prevent church arson.

More than 40 churches, mainly in Southern states and with predominantly black congregations, have been burned in the past 18 months. Federal officials also are looking into a number of suspicious fires that consumed other houses of worship and churches with majority white congregations during the same time span.

Investigators say they have not found a racial motive for the attacks, which touched off a wave of humanitarian outpouring to help rebuild burned-out sanctuaries.

Of 38 church fires in Alabama since 1990, 18 have occurred in white churches, said John Robison, Alabama state fire marshall. Many of the fires at black churches, he said, were set by people attempting to conceal burglaries, by wayward youth or those who have troubled relationships with church officials.

"To say that all church fires must be racially motivated I cannot accept that," Robison said. "Arson is affecting everybody. It is not black. It is not white."

However, Virginia Attorney General James Gilmore said he was sure that race played some factor in many of the fires.

''It's fair to say that people who burn churches have malice in their hearts,'' Gilmore said. ''The burning of an African-American church is a racial act. It is wrong.''

APNP-07-02-96 1655EDT

House Panel Approves Bill Making It Easier to Investigate Crimes on Churches

By JOE DAVIDSON
And MICHAEL K. FRISBY

Staff Reporters of THE WALL STREET JOURNAL
WASHINGTON — As the burning of black churches continued, the House Judiciary Committee unanimously approved legislation making it easier for federal authorities to investigate crimes against places of worship.

The increased power would allow federal law-enforcement officers to investigate all attacks on churches, not just those resulting in at least \$10,000 damage, as is now the case. The bill also would relax jurisdictional barriers that hamper federal investigations.

At the same time, officials said President Clinton plans to announce a program aimed at rebuilding the churches using federal and private money.

The Justice Department is investigating 37 attacks on African-American churches in the South that occurred since January of last year, including 30 arson cases that the Treasury Department's Bureau of Alcohol, Tobacco and Firearms also is looking into. The latest attack came early this week in Greenville, Texas, where two churches were set ablaze. There have been arrests in six cases. Three men have pleaded guilty to the January 1995 burning of two churches in Columbia, Tenn. More cases haven't been solved because the evidence often burns up in the flames, said Deval Patrick, head of the Justice Department's civil-rights division.

Approval of the bill, which was introduced last month, came as the Clinton administration focused increased attention on the rash of attacks. President Clinton is scheduled to speak today at the rebuilding site of Mt. Zion A.M.E. Church in Greeleyville, S.C., which was torched one year ago. Officials said he may announce the new rebuilding program at that time.

His appearance is one indication of the high priority he is giving the church attacks. Two weeks ago, while traveling on

Air Force One to New Orleans, he abruptly asked why the speech he was about to deliver didn't contain any mention of the church burnings. The answer was that a senior adviser had urged caution because of speculation that blacks might be setting the fires.

Many black ministers have seen inferences of such speculation in the methods of some investigators, and during recent meetings with administration officials have complained that they felt intimidated.

But once Mr. Clinton made clear he wanted to address the church attacks, his aides inserted the subject into his New Orleans speech. On Saturday, he made church burnings the topic of his weekly radio address; Mt. Zion's pastor, the Rev. Terrence Mackey, was with Mr. Clinton during the address.

Reps. John Conyers (D., Mich.) and Donald Payne (D., N.J.), members of the Congressional Black Caucus, wrote to Mr. Clinton on Friday suggesting he speak in one of the targeted communities. Mr. Clinton extended his trip to include today's visit.

Unlike the case with such issues as affirmative action, Mr. Clinton, by expressing sympathy for the victims and pushing for stronger federal action, can strengthen his support among minority voters without fearing a backlash from white voters. With the new exposure, Mr. Clinton may also bring more attention to his "racial healing" message, his proposition that he's the candidate most able to unite blacks and whites. Subtly, his administration likes to send the message that the Republicans are divisive.

Though officials say there is no evidence of an overall conspiracy linking most of the church fires, Mr. Patrick said that possibility is being investigated. While he believes racism is behind the attacks, he added that some incidents may be the work of "copy cat" criminals who imitate highly publicized crimes.

Water-Act Revisions Clear House's Commerce Panel

By a WALL STREET JOURNAL Staff Reporter
WASHINGTON — A revision of the Safe Drinking Water Act cleared the House Commerce Committee in a 42-0 vote.

The bill, which provides more than \$1 billion annually to fund drinking-water treatment, will likely be the only major environmental bill to become law this year. It now proceeds to the House floor and a House-Senate conference committee, where it will be reconciled with a version passed by the Senate last year. The bill was held up this spring by partisan disagreement over certain provisions, including one that would have re-

quired the Environmental Protection Agency to conduct cost-benefit analyses before proposing drinking-water rules. But these disagreements were worked out last week, largely in the Democrats' favor, before the measure cleared a House subcommittee and was endorsed by the Clinton administration.

The bill provides cities greater flexibility in deciding how drinking-water standards are met, and shifts spending to contaminants considered to pose the greatest risk. It also requires utilities to report to customers on the presence of contaminants in the water supply.

Senate GOP to Seek to Expand Some Tax Breaks

By CHRISTOPHER GEORGES

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — Senate Republicans will propose adding a small-business tax cut to the minimum-wage bill that is almost twice the size of a similar plan that passed the House last month.

The Senate proposal, which would cost the Treasury \$14.8 billion in revenue over 10 years, would expand on the House plan by including a one-year extension of the research and experimentation tax credit and additional tax breaks for investments in some types of individual retirement accounts, among other new provisions.

While the Senate-proposed tax cut has bipartisan support, it may fall victim to a Senate GOP effort to kill the proposed minimum-wage increase, a measure Republicans have fought all year. A number of Senate Republicans, including Sen. Don Nickles of Oklahoma, who is expected to be elected Majority Whip today, have said they would seek to kill it, even if it meant bringing down the tax cut.

But the Finance Committee today will take up only the tax-cut portion of the combined bill. The debate on the minimum-wage provision is expected to take place on the Senate floor when, and if, the

entire package is brought up, perhaps later this month.

Meanwhile, on another budget-related issue, House Republicans postponed until perhaps today their scheduled vote on a six-year balanced-budget blueprint after a coalition of GOP freshmen threatened to vote against the plan. The freshmen rebelled because Republican budget writers added an extra \$15 billion in spending to last year's budget plan, which means that the deficit would actually increase in fiscal 1997.

"There is no excuse for bringing to the floor a budget that increases the deficit," said GOP freshman Mark Neumann (R. Wis.), a leader of the revolt. "This is like saying we're going on a diet but first we're going to gain some weight."

House leaders, joined by Sen. Trent Lott (R. Miss.), who is expected to succeed Robert Dole as majority leader, worked late yesterday in an effort to quell the surprise revolt, holding an evening caucus with the freshmen. But after the meeting broke up John Kasich of Ohio, House Budget Committee chairman, said he was still uncertain about proceeding. "We don't need a lot of 'no' votes in the end to sink the bill," he said. But some freshmen said they were leaning the other way. "I think it will pass," said freshmen Florida Rep. Joe Scarborough.

Because the budget blueprint is only the first stage of a year-long budget process, defeat of the measure wouldn't cause a government shutdown, though it would certainly prove a political embarrassment to House GOP leaders. It also would set back the budget process, requiring GOP

Please Turn to Page A18, Column 2

Continued From Page A2
budget writers to revise their plan.

The Senate's small-business tax cut would, among other provisions, increase the amount that small business could deduct as expenses for new-equipment purchases and simplify and offer additional tax breaks for some pension programs.

While many provisions mirror those passed in the House tax-cut package, Delaware's William Roth, chairman of the finance committee, is seeking to push through some changes. For example, the Senate measure seeks a one-year extension of the orphan drug-tax credit and a special tax rule concerning contributions of certain types of stocks to private foundations.

The Senate proposal also would allow homemakers to increase the amount they can invest in individual retirement accounts to \$2,500 a year from the current \$250.

The plan would reinstate for one year the \$10 airline-ticket tax, which would raise about \$1.5 billion. It would also offset a large part of the cost, as does the House bill, by phasing out a tax break for pharmaceutical and other companies doing business in Puerto Rico. But the Senate phaseout would take a year longer to accomplish.

Perhaps more notable in the Senate tax measure is what it doesn't include, namely proposed reductions in capital-gains tax rates. A number of key GOP senators had lobbied to include such a provision, sensing in part that this may be one of the few remaining chances this year to raise the issue.

U.S. Reserves Declined \$241 Million in May

Dow Jones News Services

WASHINGTON — U.S. reserve assets fell \$241 million in May to \$83.469 billion from \$83.71 billion in April, the Treasury said. The May decline follows a \$502 million drop in April.

Holdings of foreign currencies fell \$425 million in May to \$46.15 billion, while the gold stock was unchanged at \$11.05 billion. The country's reserve position, its ability to draw foreign currency from the International Monetary Fund, increased \$110 million in May to \$15.227 billion, and holdings of IMF special-drawing rights were up \$74 million to \$11.04 billion.

THE WALL STREET JOURNAL
WEDNESDAY, JUNE 12, 1996