

services. Chaplains will not be required to offer a prayer, if doing so would be in variance with the tenets or practices of their faith group."

Chaplains provide prayer within worship services governed by the tenets of their faith. Chaplains also provide prayer in public ceremonies which are patriotic/military (sometimes called secular). The former are completely voluntary; the latter are often required functions at which all manner of people are present. It is at these non-worship ceremonies that the Chaplains must consider their obligations to assist every Soldier to pray.

There is no Army regulatory guidance prohibiting an individual from praying or directing an individual to pray in any specific manner. AR 165-1 is intended to strike a balance between a Chaplain's right to freely express his or her own personal religious beliefs and the Chaplain's duty to ensure that every Soldier is afforded his or her "free exercise" rights under the Constitution.

Pluralism and religious accommodation are trained throughout the Chaplain life cycle with the bulk of the subject matter conveyed in the foundation courses at the Chaplain Officer Basic Course. AR 165-1 is the reference for this training.

The Army Chief of Chaplains sees no reason to provide additional guidelines concerning Chaplains and public prayer since AR 165-1 is sufficient.

The Army Chief of Chaplains will not dictate how an Army Chaplain performs his or her prayer. Chaplains are trained and expected to use good judgment when addressing pluralistic audiences at public, non-worship ceremonies.

U.S. AIR FORCE

REVISED INTERIM GUIDELINES CONCERNING FREE EXERCISE OF RELIGION IN THE AIR FORCE

We are sworn to support and defend the Constitution of the United States. In taking our oath we pledge our personal commitment to the Constitution's protections for free exercise of religion and its prohibition against government establishment of religion.

We will remain officially neutral regarding religious beliefs, neither officially endorsing nor disapproving any faith belief or absence of belief. We will accommodate free exercise of religion and other personal beliefs, as well as freedom of expression, except as must be limited by compelling military necessity (with such limitations being imposed in the least restrictive manner feasible). Commanders should ensure that requests for religious accommodation are welcomed and dealt with as fairly and consistently as practicable throughout their commands. They should be approved unless approval would have a real, not hypothetical, adverse impact on military readiness, unit cohesion, standards, or discipline. Avoidance of schedule conflicts between official activities and religious observances can enhance unit effectiveness and demonstrate mutual respect.

Chaplain service programs are the responsibility of commanders. Chaplains impartially advise commanders in regard to free exercise of religion, and implement programs of religious support and pastoral care to help commanders care for all their people, including opportunities for free exercise of individual beliefs. We will respect the rights of chaplains to adhere to the tenets of their religious faiths and they will not be required to participate in religious activities, including public prayer, inconsistent with their faiths.

Leaders at every level bear a special responsibility to ensure their words and actions cannot reasonably be construed to be officially endorsing nor disapproving any

faith belief or absence of belief. In official circumstances or when superior/subordinate relationships are involved, superiors need to be sensitive to the potential that personal expressions may appear to be official, or have undue influence on their subordinates. Subject to these sensitivities, superiors enjoy the same free exercise rights as all other airmen.

Voluntary participation in worship, prayer, study, and discussion is integral to the free exercise of religion. Nothing in this guidance should be understood to limit the substance of voluntary discussions of religion, or the exercise of free speech, where it is reasonably clear that the discussions are personal, not official, and they can be reasonably free of the potential for, or appearance of, coercion.

Public prayer should not imply Government endorsement of religion and should not usually be a part of routine official business. Mutual respect and common sense should always be applied, including consideration of unusual circumstances and the needs of the command. Further, non-denominational, inclusive prayer or a moment of silence may be appropriate for military ceremonies or events of special importance when its primary purpose is not the advancement of religious beliefs. Military chaplains are trained in these matters.

General rules regarding use of Government computers apply to personal religious matters as they do for other personal matters. Chaplain programs will receive communications support as would comparable staff activities.

These guidelines are consistent with the responsibility of commanders to maintain good order and discipline, and are consistent with the core values of the Air Force: integrity first; service before self; and excellence in all we do.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On March 8, 2006, in Savannah, GA, David Bennett was attacked by five men outside a local gay bar. According to police, Sidney Swift, one of the alleged attackers, made several antigay remarks towards Bennett while in police custody. Swift's motivation for attacking Bennett was based solely on his sexual orientation.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

TRIBUTE TO BEN CHATER

Mr. LEAHY. Mr. President, in my 32 years as a U.S. Senator, I have met

many extraordinary people. They have included Presidents, Kings and Nobel laureates, artists, soldiers, nurses, activists, and ordinary Americans who are doing any number of wonderful, selfless, and courageous things for their families, their communities, and their country. Some of these people chose careers in public service. Others were leading normal, uneventful lives when they were unexpectedly confronted with circumstances that caused them to become leaders. Many have simply lived inconspicuous lives caring for others. And then there are those who have struggled to overcome unfair and seemingly impossible hurdles and in doing so have shown a force of character and spirit that breaks barriers and inspires awe among everyone they meet.

Ben Chater, a Vermonter who interned in my office several years ago during the summer after his sophomore year at the University of California at Berkeley, is in the latter category. Born with cerebral palsy, Ben has faced obstacles from birth that the rest of us could not even imagine, much less overcome. He has done so with amazing grace, courage, and good humor, and his accomplishments are nothing short of awe inspiring. Ben's refusal to let his disability prevent him from taking on practically any challenge has been an example for me and my wife Marcelle, for my staff, and for virtually everyone who has come into contact with him.

I have little doubt that Ben will continue to set ambitious goals and in reaching them he will demonstrate even further the incredible capacity of the human spirit to overcome adversity. He will also continue to erase the stereotypes and misconceptions about the potential of people with disabilities.

Ben was recently the subject of an article in the Vermont Sunday Magazine by Tom Slayton, who is also the editor of Vermont Life, and I ask unanimous consent that it be printed in the RECORD so others can be inspired by Ben's life and accomplishments.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Vermont Sunday Magazine, September 10, 2006].

"IN AWE OF BEN"—BEN CHATER, 23, WITH CEREBRAL PALSY, FINISHES BERKELEY, PREPARES FOR LIFE'S NEXT CHALLENGE

(By Tom Slayton)

This is the story of a fine mind living in a body that won't cooperate.

Ben Chater, 23, of Montpelier has had cerebral palsy since birth. Due to a difficult birth, Ben's brain was deprived of oxygen for a few moments. As a result, he has a major disability—he has limited control over movements of his limbs, or the rest of his body.

He requires assistance with everyday living—getting dressed in the morning, eating a meal, taking a shower. He speaks with some difficulty and requires a motorized wheelchair to get around.

However, Ben's mind is complete and undamaged. In fact, he is extremely bright.