

software, or system functional specifications;

"(B) the design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;

"(C) the design, documentation, testing, creation, or modification of computer programs related to machine operating systems; or

"(D) a combination of duties described in subparagraph (A), (B), and (C) the performance of which requires the same level of skills, and

who, in the case of an employee who is compensated on an hourly basis, is compensated at a rate of not less than \$27.63 an hour."

SEC. 3. USE OF AN EMPLOYER-OWNER VEHICLE.

(a) IN GENERAL.—Section 4 of the Portal-to-Portal Act of 1947 (29 U.S.C. 254) is amended by inserting at the end the following:

"(e) For purposes of subsection (a), the use by an employee of an employer-owned vehicle to initially travel to the actual place of performance of the principal activity which such employee is employed to perform at the start of the workday and to ultimately travel to the home of the employee from the actual place of performance of the principal activity which such employee is employed to perform at the end of the workday shall not be considered an activity for which the employer is required to pay the minimum wage or overtime compensation if—

"(1) such employee has chosen to drive such vehicle pursuant to a knowing and voluntary agreement between such employer and such employee or the representative of such employee and such agreement is not a condition of employment;

"(2) such employee incurs no costs for driving, parking, or otherwise maintaining the vehicle of such employer;

"(3) the worksites to which such employee is commuting to or from are within the normal commuting area of the establishment of such employer; and

"(4) such vehicle is of a type that does not impose substantially greater difficulties to drive than the type of vehicle that is normally used by individuals for commuting."

(b) EFFECTIVE DATE.—The amendment made by subsection (c) shall take effect on the date of enactment of this Act and shall apply in determining the application of section 4 of the Portal-to-Portal Act of 1947 (29 U.S.C. 254) to an employee in any civil section brought before such date of enactment but pending on such date.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce that a full committee hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place Wednesday, July 17, 1996, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 1920, a bill to amend the Alaska National Interest Lands Conservation Act, and for other purposes.

Those who wish to testify or to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC, 20510. Presentation of oral testi-

mony is by committee invitation. For further information, please contact Jo Meuse or Brian Malnak at (202) 224-6730.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Monday, July 8, 1996, at 6 p.m., to hold a closed briefing on intelligence matters.

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

ADDITIONAL STATEMENTS

CHURCH ARSON PREVENTION ACT OF 1996

• Mr. FRIST. Mr. President, I rise today to comment on the Church Arson Prevention Act of 1996 which passed this body on June 26, 1996. I applaud the efforts of my colleagues, Senators FAIRCLOTH and KENNEDY, in proposing a quick course of action which will take us one step closer to putting an end to these terrible acts on our Nation's places of worship.

Mr. President, since January 1995, there have been 75 fires in churches nationwide. Thirty-six fires have occurred in predominantly African-American churches in the Southeast United States. Over the past year and a half, there have been several church burnings in my home State of Tennessee, a total of six this year alone. Some of these fires may turn out to be accidents but others were clearly set intentionally. It is my belief that the individuals who set these fires must be prosecuted and punished to the fullest extent possible.

The people of Tennessee have joined together to help heal the deep wounds from the loss of these local churches. Like the people of Tennessee, the people of America demanded that we pass this legislation. H.R. 3525 demonstrates America's commitment to protecting houses of worship across philosophical and geographical boundaries, but more important, it demonstrates that we are united in this effort.

Mr. President, I truly believe that the local authorities are the best resource to investigate and solve these types of crimes. This bill does not undermine, or in any way suggest, that the local authorities are not capable of solving these crimes. Rather, the bill helps to deal with special difficulties involved when criminals move from State to State and where Federal assistance and a Federal statute is needed to adequately resolve the problem.

This bipartisan bill is a tremendous resource to help to rebuild the churches and help law enforcement officials investigate and prosecute those responsible. It has four main components.

First, it amends the Federal Criminal Code to make it easier to prosecute cases of destruction of religious property. Currently, in cases of destruction of religious property, there is a requirement that the damage exceed \$10,000. Moreover, there is a stringent interstate commerce requirement. This bill eliminates the monetary requirement and replaces the interstate commerce requirement with a more sensible scheme that will expand the scope of a prosecutor's ability to prosecute church arsons and other acts of religious desecration.

The bill also conforms the penalty for church arson and the statute of limitations to that of the Federal arson statute, thus raising the maximum potential penalty for church arson from 10 to 20 years and the statute of limitations from 5 to 7 years.

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

Mr. President, I applaud the efforts of private corporations and local charitable organizations in their efforts to provide the vital funds necessary to help rebuild many of these churches. I would urge that the people of this great country continue to dig deep into their own pockets, and continue playing a critical role in helping their neighbors to rebuild their local church.

In order to help State and local authorities investigate the crimes, H.R. 3525 authorizes funding for the Treasury and the Justice Department to help train local law enforcement officials investigating church arson.

Mr. President, growing up and raising my family in the South, I understand the role that the local church plays in the lives of the community and in the lives of the people of Tennessee. The burnings in question serve as an attack on one of our Nation's most sacred institutions. We must act now to put an end to these crimes and to bring those responsible to justice.

I applaud my colleagues who joined me in supporting H.R. 3525. Together we are sending a clear statement that this type of crime is unacceptable and those responsible will be severely punished. •

BUDGET SCOREKEEPING REPORT

• Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1996.

This report shows the effects of congressional action on the budget through June 28, 1996. The estimates of

budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the 1996 concurrent resolution on the budget, House Concurrent Resolution 67, show that current level spending is above the budget resolution by \$15.5 billion in budget authority and by \$14.3 billion in outlays. Current level is \$79 million below the revenue floor in 1996 and \$5.5 billion above the revenue floor over the 5 years 1996–2000. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$260.1 billion, \$14.4 billion above the maximum deficit amount for 1996 of \$245.7 billion.

Since my last report, dated June 4, 1996, there has been no action to change the current level of budget authority, outlays, or revenues.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 8, 1996.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report for fiscal year 1996 shows the effects of Congressional action on the 1996 budget and is current through June 28, 1996. The estimates of budget authority, outlays and revenues are consistent with the technical and economic assumptions of the 1996 Concurrent Resolution on the Budget (H. Con. Res. 67). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended.

Since my last report, dated June 3, 1996, there has been no action to change the current level of budget authority, outlays or revenues.

Sincerely,

JAMES L. BLUM
(for June E. O'Neill, Director).

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1996, 104TH CONGRESS, 2D SESSION, AS OF CLOSE OF BUSINESS JUNE 28, 1996

(In billions of dollars)

	Budget resolution H. Con. Res. 67	Current level	Current level over/under resolution
ON-BUDGET			
Budget authority ¹	1,285.5	1,301.1	15.5
Outlays ¹	1,288.2	1,302.5	14.3
Revenues:			
1996	1,042.5	1,042.4	–0.1
1996–2000	5,691.5	5,697.0	5.5
Deficit	245.7	260.1	14.4
Debt subject to limit	5,210.7	5,073.4	–137.3
OFF-BUDGET			
Social Security outlays:			
1996	299.4	299.4	0.0
1996–2000	1,626.5	1,626.5	0.0
Social Security revenues:			
1996	374.7	374.7	0.0
1996–2000	2,061.0	2,061.0	0.0

Note.—Current level numbers are the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

¹ The discretionary spending limits for budget authority and outlays for the Budget Resolution have been revised pursuant to Section 103(c) of P.L. 104–121, the Contract with America Advancement Act.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 2D SESSION—SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996 AS OF CLOSE OF BUSINESS JUNE 28, 1996

(In millions of dollars)

	Budget authority	Outlays	Revenues
Enacted in Previous Sessions			
Revenues	--	--	1,042,557
Permanents and other spending	830,272	798,924	--
Legislation	--	242,052	--
Appropriation legislation	--	242,052	--
Offsetting receipts	–200,017	–200,017	--
Total previously enacted	630,254	840,958	1,042,557
Enacted in First Session			
Appropriation bills:			
1995 Rescissions and Department of Defense Emergency Supplementals Act (P.L. 104–6)	–100	–885	--
1995 Rescissions and Emergency Supplementals for Disaster Assistance Act (P.L. 104–19)	22	–3,149	--
Agriculture (P.L. 104–37)	62,602	45,620	--
Defense (P.L. 104–61)	243,301	163,223	--
Energy and Water (P.L. 104–48)	19,336	11,502	--
Legislative Branch (P.L. 105–53)	2,125	1,977	--
Military Construction (P.L. 104–32)	11,177	3,110	--
Transportation (P.L. 104–50)	12,682	11,899	--
Treasury, Postal Service (P.L. 104–52)	23,026	20,530	--
Offsetting receipts	–7,946	–7,946	--
Authorization bills:			
Self-Employed Health Insurance Act (P.L. 104–7)	–18	–18	–101
Alaska Native Claims Settlement Act (P.L. 104–42)	1	1	--
Fishermen's Protective Act Amendments of 1995 (P.L. 104–43)	--	(⁵)	--
Perishable Agricultural Commodities Act (P.L. 104–48)	1	(⁵)	1
Alaska Power Administration Sale Act (P.L. 104–58)	–20	–20	--
ICC Termination Act (P.L. 104–88)	--	--	(⁵)
Total enacted first session	366,191	245,845	–100
Enacted in Second Session			
Appropriation bills:			
Ninth Continuing Resolution (P.L. 104–99) ¹	–1,111	–1,313	--
District of Columbia (P.L. 104–122)	712	712	--
Foreign Operations (P.L. 104–107)	12,104	5,936	--
Offsetting receipts	–44	–44	--
Omnibus Rescission and Appropriations Act of 1996 (P.L. 104–134)	330,746	246,113	--
Offsetting receipts	–63,682	–55,154	--
Authorization bills:			
Gloucester Marine Fisheries Act (P.L. 104–91) ²	14,054	5,882	--
Smithsonian Institution Commemorative Coin Act (P.L. 104–96)	3	3	--
Saddleback Mountain Arizona Settlement Act (P.L. 104–102)	--	–7	--
Telecommunications Act of 1996 (P.L. 104–104) ³	--	--	--
Farm Credit System Regulatory Relief (P.L. 104–105)	–1	–1	--
National Defense Authorization Act of 1996 (P.L. 104–106)	369	367	--
Extension of Certain Expiring Authorities of the Department of Veterans Affairs (P.L. 104–110)	–5	–5	--
To award Congressional Gold Medal to Ruth and Billy Graham (P.L. 104–111)	(⁵)	(⁵)	--
An Act Providing for Tax Benefits for Armed Forces in Bosnia, Herzegovina, Croatia and Macedonia (P.L. 104–117)	--	--	–38
Contract with America Advancement Act (P.L. 104–121)	–120	–6	--
Agriculture Improvement and Reform Act (P.L. 94–127)	–325	–744	--
Federal Tea Tasters Repeal Act of 1996 (P.L. 104–128)	--	--	(⁵)
Antiterrorism and Effective Death Penalty Act (P.L. 104–132)	--	--	2
Total enacted second session	292,699	201,740	–36

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 2D SESSION—SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996 AS OF CLOSE OF BUSINESS JUNE 28, 1996—Continued

(In millions of dollars)

	Budget authority	Outlays	Revenues
Entitlements and Mandatories			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	11,913	13,951	--
Total current level ⁴	1,301,058	1,302,495	1,042,421
Total budget resolution	1,285,515	1,288,160	1,042,500
Amount remaining:			
Under budget resolution	--	--	79
Over budget resolution	15,543	14,335	--

¹ P.L. 104–99 provides funding for specific appropriated accounts until September 30, 1996.

² This bill, also referred to as the sixth continuing resolution for 1996, provides funding until September 30, 1996 for specific appropriated accounts.

³ The effects of this Act on budget authority, outlays and revenues begin in fiscal year 1997.

⁴ In accordance with the Budget Enforcement Act, the total does not include \$4,551 million in budget authority and \$2,458 million in outlays for funding of emergencies that have been designated as such by the President and the Congress.

⁵ Less than \$500,000.

Notes: Detail may not add due to rounding.

COLORADO AVALANCHE BRING STANLEY CUP TO DENVER

● Mr. BROWN. Mr. President, I rise to recognize and congratulate the Colorado Avalanche of the National Hockey League for their endeavors in bringing the Stanley Cup to Denver. In the early-morning hours of June 11, the Avalanche, in the third overtime, were able to defeat the determined Florida Panthers, a team that has worked extremely hard in their 3 years of existence to get to where they are today. The Panthers, even three games behind in the series, had every intention of bringing the Stanley Cup to the Citrus State. No doubt Miami Arena was a popular place in the late-spring Florida heat.

The Avalanche have been playing in Colorado for only 1 year, and already have become the first professional team in Denver to win a major national championship. I expect names like Joe Sakic, Peter Forsberg, and Patrick Roy, will soon join the long list of Colorado's athletic heroes, the likes of John Elway, Andres Galarraga, and Rashaan Salaam.

Coloradans and others in the Rocky Mountain region are used to the cold and identify with athletes who make their living on the ice. The crowd of nearly 450,000 fans which lined 17th Street in Denver to greet their heroes is a testimony to the immense support the Avalanche will enjoy for years to come. We are indeed honored to have our State's name inscribed on the historic Stanley Cup.

I ask that the names of the team members and coaching staff of the Avalanche be printed in the RECORD.

The names follow:

1995–96 COLORADO AVALANCHE

Rene Corbet, Adam Deadmarsh, Shephane Fiset, Adam Foote, Peter Forsberg, Alexei Gusarov, Valeri Kamensky, Mike Keane, Jon Klemm, Uwe Krupp, Sylvain Lefebvre, Claude