

3913. A letter from the General Counsel, Department of Treasury, transmitting a draft of proposed legislation to amend section 304 of the Tariff Act of 1930 concerning the country of origin marking of certain imported articles and containers of a NAFTA country, and for other purposes; to the Committee on Ways and Means.

3914. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule—Work Incentive (WIN) Programs for AFDC Recipients; Removal of Obsolete Work Program Regulations (RIN: 1205-AB12) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3915. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Regulations Under Section 1502 of the Internal Revenue Code of 1986; Limitations on Net Operating Loss Carryforwards and Certain Built-in Losses and Credits Following an Ownership Change of a Consolidated Group (RIN: 1545-AU36) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3916. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Consolidated Returns—Limitations on the use of certain losses and deductions (RIN: 1545-AU35) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3917. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Modifications of Debt Instruments (RIN 1545-AR04) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3918. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Part III Administrative, Procedural, and Miscellaneous (Revenue Procedure 96-37) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3919. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Regulations Under Section 382 of the Internal Revenue Code of 1986; Application of Section 382 in Short Taxable Years and With Respect to Controlled Groups (RIN 1545-AU37) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3920. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Extensions of Time to Make Elections (RIN: 1545-AU41) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3921. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Part IV—Items of General Interest—Processing of Returns Filed by Exempt Organizations to be Centralized in the Ogden Service Center (Announcement 96-63, 1996-29 I.R.B.) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3922. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's fiscal year [FY] 1997 budget request; jointly, to the Committees on Commerce and Appropriations.

3923. A letter from the Secretary of Health and Human Services, transmitting the Department's report on the development of relative value units for the full range of pediatric physicians' services, pursuant to Public Law 103-432, section 124(b)(2) (108 Stat. 4413); jointly, to the Committees on Ways and Means and Commerce.

3924. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's March 1996 "Treasury Bulletin," pursuant to 26 U.S.C. 9602, 26 U.S.C. 9602(a), 26 U.S.C. 9505, 42 U.S.C. 10222(e)(1), 16 U.S.C. 1606a(c)(1), 31 U.S.C. 331(b), 42 U.S.C. 2297(g), and section 9633(b)(1) of CERCLA; jointly, to the Committees on Ways and Means, Transportation and Infrastructure, Economic and Educational Opportunities, Commerce, Agriculture, and Resources.

#### §82.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 2437. An Act to provide for the exchange of certain lands in Gilpin County, Colorado.

H. Con. Res. 102. Concurrent resolution concerning the emancipation of the Iranian Baha'i community.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3517. An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes.

H.R. 3525. An Act to amend title 18, United States Code, to clarify the Federal jurisdiction over offenses relating to damage to religious property.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3517) "An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon and appoints Mr. BURNS, Mr. STEVENS, Mr. GREGG, Mr. CAMPBELL, Mr. HATFIELD, Mr. REID, Mr. INOUE, Mr. KOHL, and Mr. BYRD, to be the conferees on the part of the Senate.

#### §82.5 CHURCH ARSON PREVENTION

On motion of Mr. HYDE, by unanimous consent, the bill (H.R. 3525) to amend title 18, United States Code, to clarify the Federal jurisdiction over offenses relating to damage to religious property; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

##### SECTION 1. SHORT TITLE.

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

##### SEC. 2. FINDINGS.

The Congress finds the following:

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

(2) The incidence of arson of places of religious worship has recently increased, espe-

cially in the context of places of religious worship that serve predominantly African-American congregations.

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

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

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

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

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

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

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

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

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

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

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

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

(A) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

#### SEC. 4. LOAN GUARANTEE RECOVERY FUND.

(a) IN GENERAL.—

(1) IN GENERAL.—Using amounts described in paragraph (2), the Secretary of Housing and Urban Development (referred to as the "Secretary") shall make guaranteed loans to financial institutions in connection with

loans made by such institutions to assist organizations described in section 501(c)(3) of the Internal Revenue Code of 1986 that have been damaged as a result of acts of arson or terrorism in accordance with such procedures as the Secretary shall establish by regulation.

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

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

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

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

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

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

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

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

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

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

**SEC. 7. REAUTHORIZATION OF HATE CRIMES STATISTICS ACT.**

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

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

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

**SEC. 8. SENSE OF THE CONGRESS.**

The Congress—

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

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

On motion of Mr. HYDE, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

**182.6 DISTRICT OF COLUMBIA REORGANIZATION**

On motion of Mr. DAVIS, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 3663) to amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the Council of the District of Columbia to authorize the issuance of revenue bonds with respect to water and sewer facilities, and for other purposes.

When said bill was considered and read twice.

Mr. DAVIS submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "District of Columbia Water and Sewer Authority Act of 1996".

**SEC. 2. PERMITTING ISSUANCE OF REVENUE BONDS FOR WASTEWATER TREATMENT ACTIVITIES.**

(a) **AUTHORITY TO ISSUE BONDS.**—

(1) **IN GENERAL.**—The first sentence of section 490(a)(1) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47-334(a)(1), D.C. Code) is amended—

(A) by striking "and industrial" and inserting "industrial"; and

(B) by striking the period at the end and inserting the following: ", and water and sewer facilities (as defined in paragraph (5)).";

(2) **WATER AND SEWER FACILITIES DEFINED.**—Section 490(a) of such Act (sec. 47-334(a), D.C. Code) is amended by adding at the end the following new paragraph:

"(5) In paragraph (1), the term 'water and sewer facilities' means facilities for the obtaining, treatment, storage, and distribution of water, the collection, storage, treatment, and transportation of wastewater, storm drainage, and the disposal of liquids and solids resulting from treatment.".

(b) **USE OF REVENUES TO MAKE PAYMENTS ON BONDS.**—The second sentence of section 490(a)(3) of such Act (sec. 47-334(a)(3), D.C. Code) is amended by inserting after "property" each place it appears in subparagraphs (A) and (B) the following: "(including water and sewer enterprise fund revenues, assets, or other property in the case of bonds, notes, or obligations issued with respect to water and sewer facilities)".

(c) **PERMITTING DELEGATION OF AUTHORITY TO ISSUE REVENUE BONDS TO WATER AND SEWER AUTHORITY.**—

(1) **IN GENERAL.**—Section 490 of such Act (sec. 47-334, D.C. Code) is amended by adding at the end the following new subsection:

"(h)(1) The Council may delegate to the District of Columbia Water and Sewer Authority established pursuant to the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996 the authority of the Council under subsection (a) to issue revenue bonds, notes, and other obligations to borrow money to finance or assist in the financing or refinancing of undertakings in the area of utilities facilities, pollution control facili-

ties, and water and sewer facilities (as defined in subsection (a)(5)). The Authority may exercise authority delegated to it by the Council as described in the first sentence of this paragraph (whether such delegation is made before or after the date of the enactment of this subsection) only in accordance with this subsection.

"(2) Revenue bonds, notes, and other obligations issued by the District of Columbia Water and Sewer Authority under a delegation of authority described in paragraph (1) shall be issued by resolution of the Authority, and any such resolution shall not be considered to be an act of the Council.

"(3) The fourth sentence of section 446 shall not apply to—

"(A) any amount (including the amount of any accrued interest or premium) obligated or expended from the proceeds of the sale of any revenue bond, note, or other obligation issued pursuant to this subsection;

"(B) any amount obligated or expended for the payment of the principal of, interest on, or any premium for any revenue bond, note, or other obligation issued pursuant to this subsection;

"(C) any amount obligated or expended to secure any revenue bond, note, or other obligation issued pursuant to this subsection; or

"(D) any amount obligated or expended for repair, maintenance, and capital improvements to facilities financed pursuant to this subsection."

(2) **CONFORMING AMENDMENT.**—The fourth sentence of section 446 of such Act (sec. 47-304, D.C. Code) is amended by striking "(f) and (g)(3)" and inserting "(f), (g)(3), and (h)(3)".

**SEC. 3. TREATMENT OF REVENUES AND OBLIGATIONS.**

(a) **EXCLUSION OF REVENUES FOR PURPOSES OF CAP ON AGGREGATE DISTRICT DEBT.**—Paragraphs (1) and (3)(A) of section 603(b) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47-313(b), D.C. Code) are each amended by inserting after "revenue bonds," the following: "any revenues, charges, or fees dedicated for the purposes of water and sewer facilities described in section 490(a) (including fees or revenues directed to servicing or securing revenue bonds issued for such purposes)".

(b) **EXCLUSION OF OBLIGATIONS RELATING TO DEBT SERVICING PAYMENTS ON CERTAIN GENERAL OBLIGATION BONDS.**—

(1) **IN GENERAL.**—Section 603(b)(2) of such Act (sec. 47-313(b)(2), D.C. Code) is amended—

(A) by striking "and obligations" and inserting "obligations"; and

(B) by inserting after "establishment," the following: "and obligations incurred pursuant to general obligation bonds of the District of Columbia issued prior to October 1, 1996, for the financing of Department of Public Works, Water and Sewer Utility Administration capital projects".

(2) **CONFORMING AMENDMENT.**—Section 603(b)(3)(B) of such Act (sec. 47-313(b)(3)(B), D.C. Code) is amended by inserting after "bonds" the following: "(less the allocable portion of principal and interest to be paid during the year on general obligation bonds of the District of Columbia issued prior to October 1, 1996, for the financing of Department of Public Works, Water and Sewer Utility Administration capital projects)".

**SEC. 4. TREATMENT OF BUDGET OF WATER AND SEWER AUTHORITY.**

(a) **PREPARATION OF INDEPENDENT BUDGET.**—Subpart 1 of part D of title IV of the District of Columbia Self-Government and Governmental Reorganization Act is amended by inserting after section 445 the following new section:

"WATER AND SEWER AUTHORITY BUDGET

"SEC. 445A. The District of Columbia Water and Sewer Authority established pur-