studying trauma; and, third, the development of new approaches and products for trauma prevention, a national issue, that will provide scientific, intellectual and financial benefits to the Nation.

Mr. Speaker, I strongly support the effort of Children's Hospital in Pittsburgh, in collaboration with Carnegie Mellon University, to pursue in the near future a partnership with the National Highway Traffic Safety Administration to address the critically important issue of preventing bicycle accidents—especially those involving children. I am pleased that the committee favorably responded to the efforts of Children's Hospital of Pittsburgh and Carnegie Mellon University in urging the National Highway Traffic Safety Administration to collaborate with institutes that are conducting human factors research relating to bicycle safety. I believe that the pioneering research to be undertaken by Children's Hospital of Pittsburgh and Carnegie Mellon responds to the committee's recommendation and will provide significant benefits to the administration's ongoing work in bicycle safety.

ST. JOSEPH'S CHURCH OF FLORIDA, NY, CELEBRATES 101ST ANNIVERSARY

HON. BENJAMIN A. GILMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1996

Mr. GILMAN. Mr. Speaker, it gives me great pleasure to recognize St. Joseph's Roman Catholic Church in Florida, NY, for its 101st anniversary. St. Joseph's was established in 1895, and immediately became a landmark of the small village of Florida, where it has remained a focal point of the community throughout the 20th century. St. Joseph's was conceived in the Polish tradition of Catholicism, and has continued in this tradition to the present day. Father William Torowski is currently the administrator of the congregation, and has served as an inspirational leader to his congregation and community throughout his tenure.

St. Joseph's has a long history of dedicated service to its community, including an elementary school, which has consisted of lay as well as nun instructors through the years. The Felician Sisters of Connecticut and the Sisters of Charity of the Bronx, NY, are among the convents who have contributed to the excellence of this educational institution throughout its history.

St. Joseph's has also been active in missionary work since its inception over a century ago. A mission in nearby Pine Island, NY, which has since become a separate entity, and St. Andrew Bobola in nearly Pelletts Island, was founded in the 20th century. St. Joseph's Parish is simply intolerable, and has provoked a strong outcry from Americans of all races and religious backgrounds.

The President signed the bill into law on June 26, 1996, and immediately became a landmark of the community throughout the 20th century. St. Joseph's was conceived in the Polish tradition of Catholicism, and has continued in this tradition to the present day. Father William Torowski is currently the administrator of the congregation, and has served as an inspirational leader to his congregation and community throughout his tenure.

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The bill replaces subsection (b) with a new interstate commerce requirement, which broadens the definition of commerce to include the manufacture or preparation to commit the offense, the defendant either travels in interstate or foreign commerce, or uses the mail for any instrumental or of interstate commerce. The interstate commerce requirement would also be satisfied if the real property that is damaged or destroyed is used in activity that is in or affects interstate commerce. Many of the places of worship that have been destroyed serve multiple purposes in addition to their sectarian purpose. For example, a number of places of worship provide day care services, or a variety of other social services.

These are but a few of the many factual circumstances that would come within the scope of H.R. 3525's interstate commerce requirement, and it is the intent of the Congress to exercise the fullest reach of the federal commerce power.

The floor managers are aware of the Supreme Court's ruling in United States v. Lopez, 115 S.Ct. 1624 (1995), in which the Court struck down as unconstitutional legislation which would have regulated the possession of firearms in a school zone. In Lopez, the Court found that the conduct to be regulated did not have a substantial effect upon interstate commerce, and therefore was not within the federal government's reach under the interstate commerce clause of the Constitution.

Subsection (b), unlike the provision at issue in Lopez, requires the prosecution to prove an interstate commerce nexus in order to establish a constitutional violation. Moreover, H.R. 3525 as a whole, unlike the Act at issue in Lopez, does not involve Congressional intrusion upon "an area of traditional state concern," United States v. Harris, 489 U.S. 255 (1989), Kennedy, J. concurring. The federal government has a longstanding interest in ensuring that all Americans can worship freely without fear of violent retribution. The courts have held that the "fixtures--religious objects contained within a place of religious worship." There have been cases involving desecration of synagogues, churches and cemeteries, or the defacement of a tabernacle within a place of religious worship. These despicable acts strike at the heart of congregation, and this amendment will ensure that such acts can be prosecuted under section 247.


H.R. 3525 amends the penalty provisions of section 247 in cases involving the destruction of a religious work or attempt to commit a crime against a church or place of worship through the use of fire or an explosive. The purpose of this amendment is to conform the penalty provisions of section 247 with the general penalty provisions of the general federal arson statute, Title 18, United States Code, Section 844(i). Under current law, if a person burns down a place of religious worship, and is prosecuted under section 247, the maximum possible penalty is 20 years. H.R. 3525 amends section 247 to conform the penalty provisions with the penalty provisions of that provision. In addition, section 247 contains a provision expanding the statute of limitations for prosecutions under section 247 from five to seven years. When the current law, the statute of limitations of section 844(i) is seven years, while the statute of limitations under section 247 is five years. This amendment corrects this anomaly.

IV. SEVERABILITY

It is not necessary for Congress to include a specific severability clause in order to express Congressional intent that if any provision of the Act is held invalid, the remaining provisions are unaffected. As is introduced on June 16, 1996 contained a severability clause, while the original version of H.R. 3525, which was introduced in the House did not. While the final version of H.R. 3525, as passed by the Senate and the House of Representatives, does not contain a severability clause, it is the intent of Congress that if any provision of the Act is held invalid, the remaining provisions are unaffected.

INTRODUCTION OF LEGISLATION IN SUPPORT OF STATES' RIGHTS

HON. PHILIP M. CRANE
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1996

Mr. CRANE. Mr. Speaker, over the past several years, my home State of Illinois has been embroiled in litigation, Pennington versus Doherty, regarding the base period used to determine eligibility for unemployment compensation. The plaintiffs in Pennington have argued that the Federal Government, and not the individual States, should have the right to set those base periods. Their position is diametrically opposed to the common practice recognized as lawful and legitimate for decades. I believe that States should retain this right and that Federal action in this area should not preempt State law. Unfortunately, an appellate court did not agree.

While the outcome of this suit will unquestionably have a significant impact on Illinois, it may also lead to changes across the country, since more than 40 States utilize similar methods for determining eligibility for unemployment compensation. The final ruling could lead to greatly increased costs, both for individual States and the Federal Government. In fact, some have estimated that an unfavorable outcome in this case could increase costs by as much as $750 million over the next 8 years in Illinois alone, and the Congressional Budget Office has estimated that costs to the Federal Government could reach the $3 billion range over that same period. There can be little doubt that if the Pennington suit is successful, other plaintiffs in other States will be lining up to file their suits.

But perhaps even more troubling than the financial impact of this decision is the circumvention and misinterpretation of Congressional intent through judicial action. Earlier today, the Ways and Means Subcommittee on Human Resources held a hearing regarding the Pennington case. While a variety of witnesses, including representatives of the administration, expressed various opinions regarding this case, there was unanimity on the fact that Congress intended States to control their own base periods. Despite widespread agreement that this is the intent, the appeals court may now redefine the law through judicial fiat.

In order to protect congressional intent and avoid these unnecessary expenditures, I am