

I should tell you that I think 42 U.S.C. 1996a is unconstitutional for the same reason 42 U.S.C. 2000bb et seq., was found unconstitutional in *City of Boerne v. Archbishop Flores*, 521 U.S. 507 (1997).

So, I was correct about the existence of 42 U.S.C. 1996a, but whether that has any validity is a good question. It may not be constitutional, and I suspect it is unconstitutional.

The fact that it has never been challenged does say something.