

Day to the list of days upon which the American flag should especially be displayed. Currently, title 4 of the U.S. Code provides that the flag should be displayed on all days, but specifically mentions 10 permanent Federal holidays on which the flag should be displayed. This bill would amend title 4 to include July 27, the National Korean War Armistice Day.

Nearly 1.8 million American soldiers fought bravely in harsh weather and foreign terrain over the course of 3 years to defend democratic South Korea from an offensive invasion launched by communist North Korea when its armed forces crossed the 38th parallel. On July 27, 1953, an armistice was signed and North Korea withdrew to its side allowing South Korea to remain an independent democratic nation. At the war's conclusion, over 103,000 American soldiers had been wounded, and 36,577 were killed.

The 10 permanent Federal holidays that are currently listed in law serve to recognize the people and events that have shaped the character of our Nation. By adding this day to this list, the bill will ensure that those who fought and died so bravely in the Korean War are recognized for their contribution to our Nation. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is certainly appropriate in the backdrop of the Operation Iraqi Freedom when our young men and women are facing danger in supporting and uplifting the values of this Nation to be able to expand our recognition of all of those who have offered themselves on behalf of the values of this Nation.

I rise to support the Korean War Veterans Recognition Act of 2003, H.R. 292, and I urge my colleagues to support it. The legislation was reported unanimously by the Committee on the Judiciary and deserves support. The bill is very straightforward. It would add the commemoration of the Korean War Armistice designated by Congress as National Korean War Veterans Armistice Day to the list of important occasions on which the flag is specially displayed. These holidays now include the birthdays of Reverend Dr. Martin Luther King, Presidents Washington and Lincoln, Memorial Day, and July 4, among others.

Clearly in the backdrop of the 50th anniversary or commemoration of the Korean war and our tribute over the past year of the United States to the Korean war veterans, it is certainly appropriate to be able to acknowledge and to rephrase the terminology "the forgotten war." Sometimes the Korean war is called the forgotten war. The courageous service and sacrifice of our Korean war veterans must never be forgotten, and I emphasize that. It deserves to be commemorated and honored.

This commemoration deserves to be among those days upon which the flag is especially flown in honor of that service. Again, to all of our service men and women serving now and our veterans, it is certainly our responsibility and challenge to continue to respect you and admire the work and service you have given and to commit to you again as veterans that we will never allow any undermining of our commitment to you for lifetime care. This particular recognition acknowledges the veterans of a war that will not be forgotten. I urge the adoption of this bill.

Mr. Speaker, I rise in support of the Korean War Veterans Recognition Act and urge my colleagues to support it. This legislation was reported unanimously by the Judiciary Committee and deserves every member's support.

This bill is very straightforward. It would add the commemoration of the Korean War Armistice, designated by Congress as "National Korean War Veterans' Armistice Day," to the list of important occasions on which the flag is specially displayed. These holidays include the birthdays of the Rev. Dr. Martin Luther King, Presidents Washington and Lincoln, Memorial Day, and July 4th, among others.

Although sometimes called the "forgotten war," the courageous service and sacrifice of our Korean war veterans must never be forgotten. It deserves to be commemorated and honored. This commemoration deserves to be among those days on which the flag is specially flown in honor of that service.

I urge the adoption of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, the bill before the House today makes certain that the heroes of America's forgotten war are not forgotten. It is important because if we look at the Korean War Veterans Memorial here in Washington, D.C., we will see the words "Freedom is not free." We need to remind ourselves that over 36,000 Americans lost their lives in a war that has been essentially simply forgotten by many, many people.

Flying the flag on this day makes a difference because people will look at it, young people will look at it, and they will say why is the flag flying especially today. The flag is flying because it is a reminder and a recognition of the Korean War Veterans Armistice Day. It is a day when we all should stop and remember a tremendously difficult hard-fought war. We had an armistice there, and 1.8 million members of the United States Armed Forces fought bravely to preserve freedom and democracy in Korea; and we need to take time out to honor them.

Mr. Speaker, I would like to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for his leadership and his assistance in bringing this measure to the floor this morning, and I urge all Members to support H.R. 292.

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Ms. JACKSON-LEE of Texas. Mr. Speaker, I urge my colleagues to support this bill.

Mr. SAM JOHNSON of Texas. Mr. Speaker, our Korean war commemoration, which began on June 25, 2000, on the 50th anniversary of the invasion of South Korea, continues through Veteran's Day this year.

This past July 27th held special significance because it marked the 50th anniversary of the Korean war armistice.

Began only 5 years after the end of World War II, the Korean war was, in many ways, the first reminder that America must remain the world's leading force for peace, prosperity and freedom—a responsibility we still hold today.

Called to fight back the brutal forces of communism, 1.8 million Americans courageously participated in the Korean war. The United States suffered over 36,000 dead and over 100,000 wounded in some of the most horrific conditions in the history of warfare. And even today there are still over 8,000 unaccounted for.

The service and sacrifices of our Korean war veterans 50 years ago saved a nation from Communist enslavement and gave South Korea the opportunity to develop and flourish under freedom and democracy.

Sadly, the Korean war is sometimes referred to as the "forgotten war."

Perhaps it was the mood of a nation wanting to return to peace after the Second World War. But for the U.S. men and women who served, and for the families and friends of those who paid the ultimate price, the Korean war can never be forgotten.

By adding the Korean war veterans Armistice Day, July 27, to the list of days on which the United States Flag should be displayed, this Congress is sending a message, loud and clear, that "we will never forget."

All Americans must know, as the words etched on the Korean War Memorial reminds us, that "freedom is not free." It cannot be taken for granted.

Should this great country wish to preserve its freedom, we must pay tribute to those who paid the price for it.

Korean war veterans, I salute you.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 292.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXTENDING SPECIAL IMMIGRANT RELIGIOUS WORKER PROGRAM

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2152) to amend the Immigration and Nationality Act to

extend for an additional 5 years the special immigrant religious worker program.

The Clerk read as follows:

H.R. 2152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF SPECIAL IMMIGRANT RELIGIOUS WORKER PROGRAM.

(a) IN GENERAL.—Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended by striking “2003,” each place it appears and inserting “2008.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2152, the bill currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have a rather lengthy statement on this bill which in the interest of saving time and allowing the Members to leave Washington before the hurricane shuts everything down, I will not read extensively. I will insert it into the RECORD pursuant to the leave just granted.

However, I will say that this bill extends an immigrant visa program for religious workers that is set to expire. The current visa program allows American religious denominations to sponsor and bring in religious workers from overseas for both ministers and non-ministers. The program is highly restricted and many religious denominations have taken advantage of this program in the years past basically to provide additional personnel to do not only their religious work but some of their charitable work as well. It is a program that has not been abused. It is a program that has been found extremely useful and necessary by many of the religious denominations. It is set to expire on September 30. The passage of this bill will extend the authority for this program an additional 5 years. I urge its adoption.

Mr. Speaker, the immigrant visa program for religious workers allows American religious denominations to benefit from the assistance of both ministers and non-minister religious workers from overseas. However, the two visa categories authorized under program for non-minister religious workers are set to expire at the end of this fiscal year and must be extended for these benefits to continue.

Under the immigrant visa program, an alien (along with spouse and children) can qualify for a special immigrant visa if they are a member of a religious denomination closely associated with a bona fide nonprofit, religious organization in the United States.

To be eligible, they must seek to enter the United States to serve either as a minister or in a religious vocation or occupation at the request of the associated organization. Additionally, they are required to have been carrying out such work continuously for at least the preceding two years.

The two non-minister religious worker categories were added by the 1990 immigration act. Because of the fear of fraudulent or excessive use of these categories, a maximum of 5,000 visas a year was allowed for the two categories. However, the number has stayed well below the cap as 1,413 religious workers (and 1,714 spouses and children) received these visas in fiscal year 2002.

The non-minister religious worker categories were originally set to expire in 1994. After two extensions, the categories now will lapse on October 1st of this year. H.R. 2152, introduced by Representative BARNEY FRANK, would extend the special immigrant visas for religious workers until October 1, 2008.

The Judiciary Committee has received a letter signed by organizations representing many religious denominations supporting an extension of these visas. The letter provided a number of examples of how various religious denominations rely on the religious worker visas. For example, “Catholic dioceses rely heavily upon religious sisters, brothers, and lay missionaries from abroad. . . . Some fill a growing need in the Catholic Church for those called to religious vocations. Others provide critical services to local communities in areas including religious education, and care for vulnerable populations such as elderly, immigrants, refugees, abused and neglected children, adolescents and families at risk.”

In addition, “Jewish congregations, particularly in remote areas with small Jewish communities, rely on rabbis, cantors, kosher butchers, Hebrew school teachers, and other religious workers who come from abroad through the religious worker program. Without them, many Jewish communities would be unable to sustain the institutions and practices that are essential to Jewish religious and communal life.”

And, “[o]ther religious denominations, such as the Baptist Church, the Church of Christ Scientist, the Church of Jesus Christ of Latter Day Saints, the Lutheran Church, and the Seventh Day Adventist Church, also rely on the visas to bring in non-minister religious workers, who . . . work in areas as diverse as teaching in church schools, producing religious publications, sustaining prison ministries, training health care professionals to provide religiously appropriate health care, and performing other work related to a traditional religious function.”

These visas serve a valuable role and contribute to Americas’ vibrant religious life. I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. I yield myself such time as I may consume.

Mr. Speaker, this is a very fine example of the Committee on the Judiciary working together in a bipartisan effort

on immigration policies. Let me thank the chairman of the full committee, the gentleman from Wisconsin, and the gentleman from Michigan, the ranking member, because most often we have found an opportunity to try and cure problems and to work on legislation as relates to immigration in a bipartisan way. Let me also thank the gentleman from Massachusetts for his persistence. Representing a very diverse district, he was very much an advocate, a proponent of this legislation and an author of this legislation to extend the opportunities for these very special immigrant religious workers. We acknowledged him as he is presiding over a hearing, but I do want to indicate to this body that he introduced this important legislation and we thank him for doing so.

This bill is extremely relevant to many of our religious institutions and communities. It clearly is an act that has shown the effectiveness of using immigrant workers where there is no abuse. It allows religious organizations to sponsor both ministers and non-minister religious workers from abroad to perform services in the United States. The non-minister religious workers category includes a variety of occupations, such as nuns, religious brothers, cantors, pastoral service workers, missionary and religious broadcasters.

The real aspect of this bill that should be heard is that these religious workers provide a very important spiritual function in the American community in which they work and live, in addition to performing activities in furtherance of a vocation or religious occupation often possessing characteristics unique from those found in the general labor force. This is not a sidebar step to intrude immigrant workers into issues and positions that are not tied to the spiritual impact. Historically, religious workers have staffed hospitals, orphanages, senior care homes and other charitable institutions that provide benefits to society without public funding.

As the new Department of Homeland Security has come in place, they have made sure that religious workers do not include janitors, maintenance workers, clerks, fund-raisers, solicitors of donations or similar occupations. This is truly a spiritual work. I believe that the extension of this legislation will be particularly important.

The Catholic Church in the United States has heavily utilized this program to serve the increasing diversity of its membership which includes parishioners from countries throughout the world. Religious workers from abroad assist the church here in a variety of ways. They come as religious brothers and nuns, counseling members of ethnic communities. I think that they have a very important role as relates to the existing immigrant community and their responsibilities there have been very much utilized by communities to help with the refugee community and the immigrant community.

As I indicated and in closing, Mr. Speaker, we have been able to work together on many issues that deal with immigration policies in the Committee on the Judiciary. Let me also hope as we move toward this whole issue of dealing with Patriot Act II that we will likewise have the opportunity to respond to the needs and concerns of Americans and assess the fact that we must balance our civil liberties as we move forward to protect this Nation. This is a very fair legislative initiative. I again thank the gentleman from Massachusetts.

Mr. Speaker, thank you for considering this bill, H.R. 2152, To Amend the Immigration and Nationality Act to Extend for an Additional 5 Years the Special Immigrant Religious Worker Program, and thank you to Mr. FRANK for having introduced this important legislation. As the Ranking Member of the Judiciary Committee's Subcommittee on Immigration and Claims this bill has much relevance to my ongoing immigration initiatives on a national and constituent-based scale.

The special immigrant classification of the Immigration and Nationality Act (INA) allows religious organizations to sponsor both ministers and non-minister religious workers from abroad to perform services in the United States. The non-minister religious workers category includes a variety of occupations, such as nuns, religious brothers, catechists, cantors, pastoral service workers, missionaries, and religious broadcasters.

We consider today legislation that would amend the INA to extend the Special Immigrant provisions which otherwise are set to expire on October 1, 2003. This bill, H.R. 2152, which I cosponsor and support, would extend the special immigrant religious worker program for an additional 5 years.

Religious workers provide a very important spiritual function in the American communities in which they work and live, in addition to performing activities in furtherance of a vocation or religious occupation often possessing characteristics unique from those found in the general labor force. Historically, religious workers have staffed hospitals, orphanages, senior care homes, and other charitable institutions that provide benefits to society without public funding.

According to the Department of Homeland Security, the term "religious worker" does not include janitors, maintenance workers, clerks, fundraisers, solicitors of donations, or similar occupations. The activity of a layperson who will be engaged in a religious occupation must relate to a traditional religious function. The activity must embody the tenets of the religion and have religious significance, relating primarily, if not exclusively, to matters of the spirit as they apply to the religion.

Prior to the enactment of the Immigration Act of 1990, non-profit religious organizations that requested the services of foreign-born, non-minister religious workers were forced to fit their needs into the business, student, or missionary visa categories. This was problematic for religious organizations, as the established visa categories were created primarily for the needs for profit-making businesses. As a result, religious organizations were frequently unable to sponsor foreign non-minister religious workers.

The Catholic Church in the United States has heavily utilized this program to serve the

increasing diversity of its membership, which includes parishioners from countries throughout the world. Religious workers from abroad assist the Church here in a variety of ways. They come as religious brothers counseling members of ethnic communities, religious sisters providing social services and care to the poor and ill, and lay persons assisting with religious education. While supporting the Church in its spiritual mission, these workers also mend the spirit of those in need in our local communities by working in schools, hospitals, homes for the aged, and homeless shelters.

I acknowledge that fraud and abuse are concerns with this program. Nevertheless, restricting the religious worker provision is not the way to resolve this problem. The provision requires non-minister special immigrant religious workers to meet stringent qualifications before they enter the country. Any attempt to impose stricter criteria could hurt religious organizations and hinder their performance of humanitarian and community service-related projects.

A failure to extend this program in a timely fashion would be a disservice not only to religious organizations but to local communities and individuals in distress who depend on the work of their members.

Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2152.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INTERNET TAX NONDISCRIMINATION ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 49) to permanently extend the moratorium enacted by the Internet Tax Freedom Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 49

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Internet Tax Nondiscrimination Act".

SEC. 2. PERMANENT EXTENSION OF INTERNET TAX FREEDOM ACT MORATORIUM.

(a) IN GENERAL.—Subsection (a) of section 1101 of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended to read as follows:

"(a) MORATORIUM.—No State or political subdivision thereof may impose any of the following taxes:

"(1) Taxes on Internet access.

"(2) Multiple or discriminatory taxes on electronic commerce."

(b) CONFORMING AMENDMENTS.—(1) Section 1101 of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking subsection (d).

(2) Section 1104(10) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking "unless" and all that follows through "1998".

(3) Section 1104(2)(B)(i) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking "except with respect to a tax (on Internet access) that was generally imposed and actually enforced prior to October 1, 1998,".

(c) CLARIFICATION.—The second sentence of section 1104(5), and the second sentence of section 1101(e)(3)(D), of the Internet Tax Freedom Act (47 U.S.C. 151 note) are each amended by inserting " , except to the extent such services are used to provide Internet access" before the period.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 49, the bill currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 49, the Internet Tax Nondiscrimination Act. Over the last several years, the Internet has revolutionized commerce, become an economic engine and is a major source of information for Americans in virtually every segment of the population. It has expanded consumer choices, enhanced competition and enabled individuals as well as brick and mortar retailers to participate in a national marketplace once reserved to a privileged few.

In 1998, Congress passed the Internet Tax Freedom Act to facilitate the commercial development of the Internet, and in 2001 this body voted to extend the moratorium through this year. This act prohibits States from imposing multiple and discriminatory taxes on electronic commerce and shields consumers from new Internet access taxes. However, it does not exempt Internet retailers from collecting and remitting sales taxes to the States.

Introduced by the gentleman from California (Mr. COX), H.R. 49 makes permanent the ban on taxes that target the Internet for discriminatory treatment as well as all taxes on Internet access by States and localities. This sound policy reflects the experience and insights gained over the last 5 years and represents the position of a wide bipartisan cosponsorship.

The Subcommittee on Commercial and Administrative Law conducted a hearing on this bill in April. On July 16, the full Judiciary Committee reported the bill favorably by voice vote with one bipartisan amendment in the nature of a substitute offered by the subcommittee's ranking member, the gentleman from North Carolina, and