

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 105-27

Mr. JEFFORDS. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on September 18, 1997, by the President of the United States:

Treaty with Australia on Mutual Assistance in Criminal Matters—Treaty document No. 105-27.

I further ask that the treaty be considered as having been read the first time; that it be referred with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of Australia on Mutual Assistance in Criminal Matters, signed at Washington on April 30, 1997, and a related exchange of diplomatic notes signed the same date. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of crimes, including drug trafficking offenses, terrorism and other violent crime, money laundering and other "white-collar" crime. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: taking testimony or statements of persons; providing documents, records, and other articles of evidence; serving documents; locating or identifying persons; transferring persons in custody for testimony or other purposes; executing requests for searches and seizures and for restitution; immobilizing instrumentalities and proceeds of crime; assisting in proceedings related to forfeiture or confiscation; and rendering any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and related exchange of notes, and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 18, 1997.

APPOINTMENT OF ADDITIONAL CONFEREES—H.R. 2378

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Senator STE-

VENS and Senator BYRD be added as conferees to H.R. 2378, the Treasury-Postal appropriations bill.

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

RELIGIOUS WORKERS ACT OF 1997

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Senate proceed to the consideration of S. 1198, introduced earlier today by Senator ABRAHAM.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1198) to amend the Immigration and Nationality Act to provide permanent authority for entry into the United States of certain religious workers.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ABRAHAM. Mr. President, I rise today to introduce legislation to provide permanent authority for 5,000 visas per year for religious groups to use to sponsor for permanent residency people who come to this country to do God's work.

Mr. President, the Immigration Act of 1990 took a significant step in recognizing the needs of America's religious institutions by creating these religious worker visas. At that time the Act only provided temporary authority for this program in order to see how it would work. I think we have now had enough experience with it to know that it works very well. The time has come to place religious institutions on an equal footing with businesses and universities with regards to sponsoring needed workers by giving these visas the same status as all our other immigrant visas.

Prior to 1990, churches, synagogues, mosques, and their affiliated organizations experienced significant difficulties in trying to gain admission for a much needed minister or other individual necessary to provide religious services to their communities. The 1990 Act changed that. It set aside 10,000 visas per year for "special immigrants." Up to 5,000 of these visas annually can be used for ministers of a religious denomination.

In addition, a related provision of the law provides 5,000 visas per year to individuals working for religious organizations in "a religious vocation or occupation" or in a "professional capacity in a religious vocation or occupation." This has allowed nuns, brothers, cantors, lay preachers, religious instructors, religious counselors, missionaries, and other persons to work at their vocations or occupations for religious organizations or their affiliates. The sponsoring organization must be a bona fide religious organization or an affiliate of one, and must be certified or eligible to be certified under Section 501(c)(3) of the Internal Revenue Code.

Religious workers must have two years work experience to qualify for an immigrant visa. The authority for these visas is what expires this year.

Mr. President, we often hear the charge that immigrants are somehow taking from our communities, when, as I heard at a recent subcommittee hearing on this subject, the opposite is much more often the case. As Bishop John Cummins of Oakland has written: "Religious workers provide a very important pastoral function to the American communities in which they work and live, performing activities in furtherance of a vocation or religious occupation often possessing characteristics unique from those found in the general labor market. Historically, religious workers have staffed hospitals, orphanages, senior care homes and other charitable institutions that provide benefits to society without public funding."

Bishop Cummins notes that "The steady decline in native-born Americans entering religious vocations and occupations, coupled with the dramatically increasing need for charitable services in impoverished communities makes the extension of this special immigrant provision a necessity for numerous religious denominations in the United States."

Mr. President, I and I am sure most Americans share Bishop Cummins' views. Indeed the special immigrant program has won universal praise in religious communities across the nation. Our office has received letters from religious orders and organizations throughout the nation. A recent letter signed jointly by Jewish, Catholic, Baptist, Lutheran and Evangelical organizations states: "Failure to extend the [special immigrant visa categories] would substantially undermine the services that religious denominations and organizations in the United States provide to their members, parishioners, and communities."

Mr. President, our nation was founded by people who came to these shores in search of a place where they and their children could worship freely. It is only fitting that our country welcome those who wish to help our religious organizations provide pastoral and other relief to people in need.

That is why I am introducing "The Religious Workers Act of 1997." This bill will eliminate the sunset provisions and extend permanently the religious workers provisions of the Immigration and Nationality Act. I believe religious organizations' ability to sponsor individuals who provide service to their local communities should be a permanent fixture of our immigration law, just as it is for those petitioning for close family members and skilled workers. No longer should religious institutions have to worry about whether Congress will act in time to renew the religious workers provisions. I am pleased that the entire leadership of the Senate Judiciary Committee and its Immigration Subcommittee—Senators KENNEDY, HATCH, LEAHY and I—

are cosponsoring this legislation, along with a large number of other colleagues.

Finally, Mr. President, I would like to close with a letter that was sent to me recently. It's a letter that helped convince me that we should move without further delay toward permanent extension of the religious workers provisions of the Immigration and Nationality Act. The letter reads as follows:

Dear Senator Abraham:

I am writing to ask you to help us in solving a very urgent problem. My Sisters in New York have told me that the law which allows the Sisters to apply for permanent residence in the United States expires on September 30, 1997. Please, will you do all that you can to have that law extended so that all Religious will continue to have the opportunity to be permanent residents and serve the people of your great country.

It means so much to our poor people to have Sisters who understand them and their culture. It takes a long time for a Sister to understand the people and a culture, so now our Society wants to keep our Sisters in their mission countries on a more long term basis. Please help us and our poor by extending this law.

I am praying for you and the people of Michigan. My Sisters serve the poor in Detroit where we have a soup kitchen and night shelter for women. Let us all thank God for this chance to serve His poor.

Signed: Mother Teresa.

My office received this letter, a copy of which I ask unanimous consent to have printed in the RECORD, only a few weeks before Mother Teresa's death.

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

(See exhibit 1.)

Mr. ABRAHAM. I believe that all of us who have been inspired by Mother Teresa's life have asked ourselves what we might do to honor her memory. For me, at least, moving this legislation forward is something I would like to do to remember her great and noble works in the name of God and on behalf of humanity.

I urge my colleagues to support the crucial faith-based institutions that have so enriched all our lives by supporting this legislation.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

I yield the floor.

#### EXHIBIT 1

MISSIONARIES OF CHARITY,  
*Calcutta, India, July 20, 1997.*

Hon. SPENCER ABRAHAM,  
*U.S. Senate,*  
*Washington, DC.*

DEAR SENATOR ABRAHAM: This brings you my prayers, greetings and gratitude for all that you have done to help my Sisters and all Religious serve the poor in the United States.

I am writing to ask you to help us in solving a very urgent problem. My Sisters in New York have told me that the law which allows the Sisters to apply for permanent residence in the United States expires on September 30, 1997. Please, will you do all that you can to have that law extended so that all Religious will continue to have the opportunity to be permanent residents and serve the people of your great country.

It means so much to our poor people to have Sisters who understand them and their

culture. It takes a long time for a Sister to understand the people and a culture, so now our Society wants to keep our Sisters in their mission countries on a more long term basis. Please help us and our poor by extending this law.

I am praying for you and the people of Michigan. My Sisters serve the poor in Detroit where we have a soup kitchen and night shelter for women. Let us all thank God for this chance to serve His poor.

God bless you.

M. TERESA, MC.

Mr. KENNEDY. Mr. President, I am honored to join with Senator ABRAHAM, Senator HATCH, Senator LEAHY and my other colleagues in sponsoring legislation to reauthorize provisions of our laws permitting immigrants to come to this country to serve communities in churches and other religious institutions across the United States.

One of the most significant achievements of the Immigration Act of 1990, which I sponsored in the Senate, was the creation of this important visa category. Religious institutions perform extraordinary services for families and communities. In doing so, they often find it worthwhile to bring in religious workers from other lands as immigrants, to help them carry out their activities in the United States.

One of the best known supporters of this practice was Mother Teresa. Missionaries in her Order come to the United States frequently to work with the poor in our country. She and the members of her Order have directly touched the lives of millions of Americans. Much of the recent work by her Missionaries of Charity in this country would not have been possible without this important provision in our immigration laws.

Unfortunately, this visa category expires on September 30, just two weeks from today. We cannot allow this to happen.

As His Eminence Cardinal Maida of Detroit testified before the Immigration Subcommittee last week, "Should the program be permitted to expire, the impact would be far reaching. Not only would religious organizations and denominations lose access to the much needed contributions of these religious workers, but so, too, would the many communities in which these individuals work."

The legislation we are sponsoring would make this visa a permanent part of our immigration laws. Renewal of this visa would be a small, but enduring memorial to Mother Teresa and her work in America. It will enable the members of her Order to continue their charitable and compassionate work in this country long into the future.

I have been honored to see her good work in America and around the world. I recall meeting her when I visited India in 1971 and viewed firsthand the extraordinary compassion of this remarkable woman. And I was impressed also by the tremendous difference that she and her Missionaries of Charity made in the lives of hundreds of thousands of starving families during the

famine in Ethiopia and Sudan in 1984 and 1985. My family and I visited the area during the Christmas season in 1984, and was deeply moved by Mother Teresa's extraordinary healing presence amid that great tragedy.

Since this visa category was established in 1990, over 20,000 religious workers have entered the United States to serve in our communities. These men and women have brought their skills and compassion to churches, synagogues, mosques, and other places of worship across America. They teach in our parochial schools. They serve as health care workers, cantors, and catechists. They provide religious training to youths and after-school programs that keep young people off the streets and give them hope for a better future.

I have been deeply moved by the ways in which this special visa has benefited Massachusetts. Maria Alvarez came to Boston at the invitation of the African Mission Fathers, and has devoted her life to helping city youth deal with gang violence, depression, and other problems that plague inner cities. She has also extended her helping hand to refugees in the Boston area, helping them build new lives in our state.

Sister Vitolia came to Lawrence, Massachusetts on a religious worker visa through the Society of Mary. She works with unemployed and homeless Spanish speakers there. She helps them find jobs and helps keep their families together.

Once again, I commend Senator ABRAHAM for his leadership on this issue, and I urge my colleagues to support this important legislation.

#### AMENDMENT NO. 1247

(Purpose: To provide for waiver of fees for nonimmigrants engaged in certain charitable activities)

Mr. JEFFORDS. Mr. President, Senator HATCH has an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. JEFFORDS] for Mr. HATCH, for himself and Mr. KENNEDY, proposes an amendment numbered 1247.

The amendment is as follows:

#### At the end of the bill, add the following: **SECTION 3. WAIVER OF NONIMMIGRANT VISA FEES FOR CERTAIN CHARITABLE PURPOSES.**

Section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) is amended by adding at the end the following new sentence: "Subject to such criteria as the Secretary of State may prescribe, including the duration of stay of the alien and the financial burden upon the charitable organization, the Secretary of State shall waive or reduce the fee for application and issuance of a nonimmigrant visa for any alien coming to the United States primarily for, or in activities related to, a charitable purpose involving health or nursing care, the provision of food or housing, job training, or any other similar direct service or assistance to poor or otherwise needy individuals in the United States."

Mr. KENNEDY. Mr. President, I am pleased to join with Senator HATCH in sponsoring legislation requested by Mother Teresa to waive visa application fees for religious workers coming to the United States to perform charitable work for temporary periods.

During her visits to the United States, Mother Teresa asked President Clinton to take this step to waive visa fees for her missionaries coming to work in this country. Her Missionaries of Charity come to America to help the poor in our communities and to minister to the sick and the elderly. Each time they travel here, they are required to pay a \$120 visa fee to the United States Government.

It makes no sense to require these religious workers to pay a fee to the federal government in order to come here to help our communities. The legislation we introduce today would waive the fee in these instances.

This past weekend, while attending Mother Teresa's funeral in India, the First Lady met with Sister Nirmala, Mother Teresa's successor at the Missionaries of Charity Order in Calcutta. Sister Nirmala asked once again for a waiver of the visa fee and was delighted to learn that the United States Senate would be considering legislation this week to accomplish this goal as Mother Teresa had requested.

This is an important step that Congress can take to honor the memory of Mother Theresa and the compassionate work that her Order brings to America. I urge my colleagues to support this legislation.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be considered read a third time and passed, as amended, the motion to reconsider be laid upon the table, and finally, any statements relating to the bill be placed at this point in the RECORD.

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

The amendment (No. 1247) was agreed to.

The bill (S. 1198), as amended, was considered as read the third time and passed, as follows:

*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 "Religious Workers Act of 1997".

#### SEC. 2. PERMANENT AUTHORITY FOR ENTRY INTO UNITED STATES OF CERTAIN RELIGIOUS WORKERS.

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 "before October 1, 1997," each of the two places it appears.

#### SEC. 3. WAIVER OF NONIMMIGRANT VISA FEES FOR CERTAIN CHARITABLE PURPOSES.

Section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) is amended by adding at the end the following new sentence: "Subject to such criteria as the Secretary of State may prescribe, including the duration of stay of the alien and the financial burden upon the charitable organization, the Sec-

retary of State shall waive or reduce the fee for application and issuance of a non-immigrant visa for any alien coming to the United States primarily for, or in activities related to, a charitable purpose involving health or nursing care, the provision of food or housing, job training, or any other similar direct service or assistance to poor or otherwise needy individuals in the United States."

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2248. An act to authorize the President to award a gold medal on behalf of the Congress to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contributions toward religious understanding and peace, and for other purposes.

At 7:14 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 680) to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessities to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2443. An act to designate the Federal building located at 601 Fourth Street, N.W., in the District of Columbia, as the "Federal Bureau of Investigation, Washington Field Office Memorial Building," in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisano, and Edwin R. Woodruffe.

##### ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

S. 910. An act to authorize appropriations for carrying out the Earthquake Hazards Re-

duction Act of 1977 for fiscal years 1998 and 1999, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

#### ENROLLED BILLS SIGNED

The President pro tempore (Mr. THURMOND) announced that on September 17, 1997, he had signed the following enrolled bills previously signed by the Speaker:

H.R. 63. An act to designate the reservoir created by Trinity Dam in the Central Valley project, California, as "Trinity Lake."

H.R. 2016. 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, 1998, and for other purposes.

#### MEASURE REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2443. An act to designate the Federal building located at 601 Fourth Street, N.W., in the District of Columbia, as the "Federal Bureau of Investigation, Washington Field Office Memorial Building," in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisano, and Edwin R. Woodruffe; to the Committee on Environment and Public Works.

#### MEASURE PLACED ON THE CALENDAR

The following bill was discharged from the Committee on Finance and placed on the calendar pursuant to section 1023 of P.L. 93-344:

S. 1157. A bill disapproving the cancellations transmitted by the President on August 11, 1997, regarding Public Law 105-34.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2973. A communication from the Administrator of Rural Development, Department of Agriculture, transmitting, pursuant to law, a rule entitled "Rural Telephone Bank" (RIN0572-AB32) received on September 16, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2974. A communication from the Chief of the Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of Forest Service accomplishments for fiscal year 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2975. A communication from the Administrator of the Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, a rule entitled "Tree Assistance Program" (RIN0560-AF17) received on September 15, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2976. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Marketing and Regulatory Programs, Department of