

## YOUTH IN ACTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Washington (Mr. METCALF) is recognized during morning hour debates for 5 minutes.

Mr. METCALF. Mr. Speaker, over the recess I had opportunity to visit Youth in Action in Mount Vernon, Washington, which is a city in my district. Youth in Action was created in Washington State to encourage school age children living in multifamily housing to participate in afterschool programs.

While most parents would like to spend more time with their children, many parents are unable to do so because of their demanding jobs. The Youth in Action program provides adult supervision and engages children in activities while parents are at work.

More importantly, these adults serve as positive role models to children whose parents are not able to be present. Our children are not the sole beneficiaries. Our communities also benefit with lower crime rates, decreased vandalism, and reduction in property damage. Programs such as Youth in Action help encourage children to excel and be active in positive situations at an early age.

Mr. Speaker, it is during these formative years that we can have the most influence on these children by instilling values and building positive character traits.

Mr. Speaker, I would like to commend Youth in Action for providing this essential service to children of our community, children who may need inspiration.

## E-RATE IS TAX ON AMERICANS' PHONE BILLS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida (Mr. SCARBOROUGH) is recognized during morning hour debates for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, earlier this hour a friend of mine came to the floor and was talking about his support for the E-Rate system, the E-Rate tax. He was also talking about confusion surrounding that program.

While I certainly respect the gentleman's opinions and understand his viewpoints, I have got to tell my colleagues there should not be a whole lot of confusion surrounding the E-Rate tax, or the Gore tax as it is more commonly called. If there is, it is because there was a backroom deal between Vice President GORE and a bureaucrat for the FCC.

Mr. Speaker, there should not be confusion, but there may be because of the tax increase on the phone bill of all Americans which was passed on to them secretly by the Vice President and bureaucrats and not by elected officials in this Chamber.

It certainly violates all notions of fair play and constitutional limits that are passed on the Federal Government. There may be confusion because the FCC used heavy-handed tactics to try and stop phone companies from telling their consumers that a 5 percent tax had been passed on to every one of their phone bills secretly. Certainly, that does add confusion.

Now, what the Gore tax does is through the telecommunications bill it misinterprets, or interprets very loosely, a provision that they believe allows the FCC to demand that telecommunication companies increase taxes on phone bills by 5 percent and then passes that money on to a new Federal bureaucracy program.

We have heard, and we will hear throughout this debate, that this tax is about the children. That it is about helping the children. And since I have been in Washington, D.C., I have found that there is not much that we pass on this floor that somebody does not say is about helping the children. Children, children, children. That is all we hear about.

Well, I say if this tax increase on every American's phone bill is so important for the children, then why do we not invite the Vice President and our tax-and-spend friends on the left to come down to this Chamber and debate, fairly and openly for all Americans to see, the issues involved here?

America is not about passing tax increases on to all Americans through a bureaucracy, or for an administration official to decide that, gee, this is a really good program, let us tax all Americans and not tell them about it.

What America is supposed to be about, what this Chamber, the People's House, is supposed to be about, the epicenter of freedom and democracy across the world, it is supposed to be about a fair and free, open debate.

Over 200 years ago, Thomas Jefferson was talking about the promise and the dream of America and what would make the American Republic. What Thomas Jefferson talked about was the fair marketplace of ideas and the free marketplace of ideas where Americans from all sides of an issue could come together and debate the issues that affected Americans.

Mr. Speaker, regrettably, this tax increase on the phone bill of all Americans has not been done openly in this Chamber, but rather has been done in the backrooms of the White House and in bureaucracies across Washington, D.C. When the telephone companies went to the bureaucrats and said we are going to start telling our consumers about this 5 percent tax that has been passed on to them, they met resistance. The bureaucrats said, "You cannot do that." And so now they are debating that issue back and forth.

Because of this reason, because of the backroom deals, today I have introduced a bill called the "E-Rate Tax Moratorium Act of 1998." It is going to do a few simple things. The first thing

it is going to do is it is going to stop the bureaucrats at the FCC from demanding that phone companies tax Americans.

The second thing it is going to do is it is going to stop the FCC from demanding that the telecommunications companies participate in the future in paying more money into this new bureaucracy. It does not destroy this bureaucracy that supposedly is supposed to help children. It does not stop the head of this new bureaucracy from talking \$200,000 a year, not that that is something that we would not necessarily like to do away with.

□ 1315

But, instead, it puts a moratorium on it, and it says wait a second, you all passed this in a manner that the GAO said was illegal. You broke laws. You hiked taxes on every single American with a telephone without doing it in a fair and open democratic debate. Let us just put a freeze on it and take up the issue later.

Mr. Speaker, I ask my colleagues to join in a moratorium on the Gore tax.

## RECESS

The SPEAKER pro tempore (Mr. RADANOVICH). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 16 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. EWING) at 2 p.m.

## PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

Surround us, O God, with the spirit of unity as we cherish together our purposes and our aspirations. We know, gracious God, that you unite us in our common creation and give us solidarity in our shared aspirations. You have also given us individual minds with which to think, hearts with which to care, and hands with which to work. We honor the authentic disagreements we have with each other even as we honor each other in our shared objectives and purposes. Help us to hold high, O God, our noble tasks to your glory and honor. In your name, we pray. Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Oregon (Ms. FURSE) come forward and lead the House in the Pledge of Allegiance.

Ms. FURSE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

## MARGARITO DOMANTAY

The SPEAKER pro tempore. The Clerk called the bill (H.R. 375) for the relief of Margarito Domantay.

There being no objection, the Clerk read the bill, as follows:

H.R. 375

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

**SECTION 1. SATISFACTION OF CLAIM AGAINST THE UNITED STATES.**

The Secretary of the Treasury shall pay, out of any funds in the Treasury not otherwise appropriated, to Petty Officer Margarito Domantay, United States Navy (retired), of Tampa, Florida, the amount of retired pay that he would have received for the period beginning on June 8, 1979, and ending on March 12, 1985, had he been initially retired in the grade of E-5, second class (rather than the grade of E-4, third class, in which he was mistakenly retired due to administrative error).

**SEC. 2. LIMITATION ON AGENT AND ATTORNEY FEES.**

It shall be unlawful for an amount exceeding 10 percent of the amount paid pursuant to section 1 to be paid to, or received by, any agent or attorney for any service rendered in connection with the claim described in such section. Any person who violates this section shall be guilty of an infraction, and shall be subject to a fine in the amount provided in title 18, United States Code.

With the following committee amendment in the nature of a substitute:

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

**SECTION 1. PAYMENT OF CLAIM AGAINST THE UNITED STATES FOR ERRONEOUS COMPUTATION OF RETIRED PAY.**

The Secretary of the Treasury shall pay, out of any funds in the Treasury not otherwise appropriated, to Petty Officer Margarito Domantay, United States Navy (retired), of Tampa, Florida, the sum of \$6,386.30, such amount representing the amount of retired pay (with interest) that Petty Officer Domantay would have received for the period beginning on June 8, 1979, and ending on March 12, 1985, had that retired pay been properly computed based upon pay grade E-5 second class (rather than pay grade of E-4, third class, with which such retired pay was computed due to administrative error).

**SEC. 2. LIMITATION ON AGENT AND ATTORNEY FEES.**

It shall be unlawful for an amount exceeding 10 percent of the amount paid pursuant to sec-

tion 1 to be paid to, or received by, any agent or attorney for any service rendered in connection with the claim described in such section. Any person who violates this section shall be guilty of an infraction, and shall be subject to a fine in the amount provided in title 18, United States Code.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## NURATU OLAREWAJU ABEKE KADIRI

The Clerk called the bill (H.R. 1949) for the relief of Nuratu Olarewaju Abeke Kadiri.

There being no objection, the Clerk read the bill, as follows:

H.R. 1949

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

**SECTION 1. PERMANENT RESIDENT STATUS FOR NURATU OLAREWAJU ABEKE KADIRI.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Nuratu Olarewaju Abeke Kadiri shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Nuratu Olarewaju Abeke Kadiri enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Nuratu Olarewaju Abeke Kadiri, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

With the following committee amendment in the nature of a substitute:

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

**SECTION 1. PERMANENT RESIDENT STATUS FOR NURATU OLAREWAJU ABEKE KADIRI.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Nuratu Olarewaju Abeke Kadiri shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Nuratu Olarewaju Abeke Kadiri enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Nuratu Olarewaju Abeke Kadiri, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Nuratu Olarewaju Abeke Kadiri shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

## DOLLARS TO THE CLASSROOM ACT

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise today to ask Members to help our Nation's children learn and teachers teach by supporting H.R. 3248, the Dollars to the Classroom Act. This bill will send at least 95 cents of every Federal dollar for 30 K-through-12 education programs to our children's classrooms. That