were the only terms I insisted on. We met several times to discuss each of the matters. But for whatever reason, he felt he could not accept these terms, which appear now to be trifling when compared with the court's punishment.

Third, I recognize that Mr. MCDERMOTT has every right to appeal the court's judgment and I would not suggest that appeal would be improper. But when the court's order for payment is final, he should pay it in full and at once. It's worth noting that this entire matter started with an ethics charge against the former Speaker, Newt Gingrich, which was resolved by fining him $300,000. To end that matter once and for all—both for himself and the House—Speaker Gingrich paid the fine in full. The House deserves the same kind of finality here.

[From the Seattle Times]

MCDERMOTT GETS $600,000 TAB IN LEAK OF ILLEGAL PHONE TAPE

(By Alex Fryer)

A federal judge in Washington, D.C., has ordered Congressman Jim McDermott to pay $60,000 plus attorney fees that could total more than $545,000 to a Republican congressman who sued McDermott for leaking his cellphone conversations to news reporters.

In a harshly worded decision received by attorneys this week, U.S. District Court Judge Thomas Hogan said McDermott's ''willful and knowing misconduct rises to the level of malice in this case.''

It is unclear how McDermott, a Seattle Democrat, will pay for the award if he decides not to appeal it further. He turned down an offer to settle the case for $10,000 last summer.

McDermott's lawyers were reviewing the court's decision, said his press secretary, Mike DeCesare.

A popular liberal lawmaker in a safe Democratic district, McDermott is expected to win re-election easily and has only $45,000 in his campaign account.

McDermott's legal-defense fund, formed in the late 1990s to fight the lawsuit, has about $10, according to his office.

Rep. John Boehner, R-Ohio, filed a civil suit against McDermott in 1998. The case began with Boehner's cellphone conversation in the parking lot of a Waffle House restaurant in northern Florida.

During a conference call with Republican leaders, Boehner talked about the pending Ethics Committee probe of then-House Speaker Newt Gingrich over the way Gingrich funded a college course he taught via satellite through a tax-deductible political-action committee.

A Florida couple intercepted and taped the call and gave it to McDermott on Jan. 8, 1997.

At the time, McDermott was the highest-ranking Democrat on the Ethics Committee, which handles complaints against members of Congress.

McDermott then leaked the tape to The New York Times and Atlanta Journal-Constitution. The New York Times published a front-page story Jan. 10, 1997, with the headline: ''Gingrich is Heard Urging Tactics in Ethics Case.''

Three days later, McDermott resigned from the Ethics Committee after the Florida couple identified him as the recipient of the tape.

Gingrich later was fined $300,000 and reprimanded by the House. He resigned his seat in November 1998.

The couple who gave the tape to McDermott later pleaded guilty to unlawfully intercepting the call and were fined $500 each. The Justice Department has never pressed charges against McDermott.

Boehner sued McDermott, charging the eight-term lawmaker violated state and federal wiretapping laws.

McDermott won the first legal round when a federal judge ruled his actions were protected by the First Amendment. The case went up to the U.S. Supreme Court, which bounced it back down to lower courts.

In August, Judge Hogan determined McDermott ''participated in an illegal transaction'' when he accepted the tape from the Florida couple, and his actions weren't protected by the First Amendment.

Prior to the August ruling, Boehner said he was approached by a lawmaker on McDermott's behalf to broker a settlement.

In an interview during the Republican National Convention last August, Boehner said he set three conditions for McDermott: a $10,000 donation to charity, an admission of guilt, and a letter of apology to the Speaker of House. Discussions broke down, and Hogan submitted his decision Oct. 22.

''The Court finds that (McDermott's) conduct was malicious in that he intentionally disclosed the tape to the national media in an attempt to politically harm the participants through an invasion of their privacy,'' Hogan wrote.

''(McDermott's) argument that he was acting in the public interest by exposing official misconduct is unsupported by the evidence.''

Boehner's office said a settlement now was out of the question.

''This is full vindication of our view in this case,'' said Boehner's chief of staff, Mike Sommers. ''We're looking forward to getting this case behind us.''

Sommers said Boehner spent about $545,000 in legal fees, paid from his campaign accounts.

''It's all been referred to legal council,'' said DeCesare, McDermott's press secretary. ''It's a legal decision, and it needs to be analyzed.''

McDermott's legal-defense account has paid about $350,000 in attorney's fees since the case began, and now owes $21,600 in legal bills, DeCesare said.

Asked if McDermott would embark on a fund-raising campaign to pay the legal bills, DeCesare replied: ''The only next step is to let the legal team review the judge's decision and make a recommendation. It doesn't make sense to speculate on anything else.''

PAYING TRIBUTE TO JIM AND DEE PRELESNIK

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 2004

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to Jim and Dee Prelesnik, two patriotic Americans from Pueblo, Colorado. The couple are ardent supporters of our troops, and country, and I would like to join my colleagues here today in recognizing their tremendous display of patriotism before this body of Congress and this Nation.

After September 11, 2001, the American people rallied to support their fellow citizens by hanging American flags outside their homes and on their vehicles, writing letters to the troops, and wearing red, white and blue. While driving through Pueblo, I noticed one house in particular: The house of Jim and Dee Prelesnik. I was awed by their impressive display of flags and was at once struck by their unwavering patriotism and support of our troops.

Mr. Speaker, it is a privilege to recognize Jim and Dee for their exemplary display of love of country. They stood with their heads held high in one of our nations darkest hours, and support our troops at home and abroad. It is with great pleasure that I recognize them today before this body of Congress and this Nation. Thank you both. I will always remember your displays and words of support and optimism.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 2004

Mrs. MCCARTHY of New York. Mr. Speaker, I missed rollcall vote No. 536 due to surgery. Rollcall vote 536 was on final passage of S. 2986, raising the federal debt limit.

Had I been present I would have voted ''no'' on rollcall vote 536.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE FOR H.R. 3283

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 2004

Mr. POMBO. Mr. Speaker, I request that the attached cost estimate for H.R. 3283, the Federal Lands Recreation Enhancement Act, be submitted for the RECORD.

CONGRESSIONAL BUDGET OFFICE,
U.S. Congress,
Washington, DC, November 19, 2004.

HON. RICHARD W. POMBO,
Chairman, Committee on Resources,
House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3283, the Federal Lands Recreation Enhancement Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226–2860.

Sincerely,

DOUGLAS HOLTZ-EAKIN.

H.R. 3283—Federal Lands Recreational Enhancement Act

Summary: CBO estimates that enacting H.R. 3283 would increase direct spending by about $700 million over the 2006–2014 period. The bill would establish a new recreation fee program for the U.S. Forest Service and for land management agencies of the Department of the Interior. It would authorize the National Park Service (NPS) to establish, charge, and modify admission fees at units of the National Park System. The bill also would authorize other agencies—such as the Forest Service, the Bureau of Land Management (BLM), and the U.S. Fish and Wildlife Service (USFWS) to establish similar charges called standard amenity fees at certain sites under their jurisdictions. For all agencies, the use of specialized facilities or services (such as developed campgrounds or boat launches) would be covered by expanded amenity fees. In addition, the bill would authorize interagency annual passes, which would replace current passes such as Golden