

to a Heavenly home. I am grateful for the honor of sharing friendship and fellowship with James Cardinal Hickey, a Savior's servant and inspiration. May God bless his soul and grant him peace.

RECOGNIZING ADANTO D'AMORE
FOR HIS SERVICE TO OUR COUNTRY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 2004

Mr. MILLER of Florida. Mr. Speaker, it is a great honor for me to rise today in recognition of Adanto D'Amore, a patriot who served his country with distinction.

Born in Italy, Dr. D'Amore came to the United States in 1919 as a young child knowing no English. Realizing the importance of education, Adanto went on to graduate from Ohio State Medical School at the age of 23.

Adanto joined the U.S. Army in 1938 and shortly thereafter became the second U.S. doctor to earn his parachute wings in the First Provisional Parachute Battalion. Transferring to the Army Air Corps in 1940, he became a flight surgeon and went on to serve his country during time of war in the Philippines.

In 1942, Dr. D'Amore was taken prisoner by Japanese troops and forced to participate in the infamous Bataan Death March. Nearly 25 percent of the allied troops did not survive. Many of these soldiers that were fortunate enough to live were then forced onto death ships to Japan. A great number more of the allied troops died on these ships, some from oppressive living conditions and some from ships that sunk during the voyage.

Beaten by his captors like so many others, Dr. D'Amore was also forced to use his medical skills to treat the same captors who tormented him and his fellow prisoners-of-war. He used his skills as best as he could to obtain provisions for the other prisoners. His help no doubt helped many to survive a long and miserable time in the POW camp. Over three years later, Dr. D'Amore was liberated from a work camp near Mount Fuji at the end of World War II.

Adanto's service to the medical community continues today. He met his wife Helen, an army flight nurse, upon his return home to the United States, and together they raised three children through many military postings. In 1964, he and his family arrived at Eglin Air Force Base in Northwest Florida, where he retired several years later. Retirement from the military did not mean retirement from medical service, however. Dr. D'Amore went on to work for a county health department, run an entire county hospital system, and open up a private practice.

Today, Dr. D'Amore works with the Bridgeway Center, Inc., Crisis Stabilization Unit and the Detoxification Unit. Despite being over 70 years old, he still arrives at work seven days a week, rain or shine, to provide care to those who might not otherwise receive proper care. People who feel shunned by society can take comfort in the fact that Dr. Adanto D'Amore brings compassion to them and provides hope for their future.

Mr. Speaker, on behalf of the United States Congress, I would like to commend Dr. Adanto

D'Amore for heroically living a patriotic duty, risking his own life to help those who believed like he did in the beauty of freedom.

HONORING DR. AUTAR KRISHEN
KAW

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 2004

Mr. BILIRAKIS. Mr. Speaker, I rise to today to honor Doctor Autar Krishen Kaw for being named Florida's Professor of the Year.

Doctor Kaw, a professor at the University of South Florida near my congressional district, received the award from the Council for Advancement and Support of Education for his contributions to undergraduate instruction. Dr. Kaw has taught nine different courses during his tenure at USF, three of which he developed himself.

Doctor Kaw believes that, as he says, "great teaching is not just an art; it can also be a learned habit." He credits his success to being organized, using teaching tools effectively, being compassionate, providing rapid feedback to and having great expectations of his students, and asking questions. He has done that and more, integrating state-of-the-art research into his courses, which have ranged from classes larger than 70 to smaller than 10.

Mr. Speaker, I am proud that Doctor Kaw has been recognized for his outstanding contributions to undergraduate education and wish him the best of luck as he continues in his most noble profession.

A TRIBUTE TO MRS. TANNER
JOHNSON LIVISAY

SPEECH OF

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2004

Mr. RAHALL. Mr. Speaker, I rise today to pay tribute to a woman who had a very distinguished career as a State extension specialist in the State of West Virginia Mrs. Tanner Johnson Livisay. Mrs. Livisay was a retired State extension specialist and associate professor at West Virginia University and was a resident of Princeton, West Virginia. Mrs. Livisay graduated in 1923 from the former Douglas High School in Huntington, West Virginia and later went on to earn her Bachelor of Science degree in home economics from West Virginia State College in 1927. She then taught in Jefferson and Wyoming counties for the next 14 years. Mrs. Livisay earned her Masters degree from West Virginia University and completed further studies at Merrill Palmer Institute in Detroit, Michigan, University of Michigan, University of Cincinnati, Cornell University and Colorado State University. In 1941, Mrs. Livisay began her work as a home demonstration agent in West Virginia. Her territory included Mercer, McDowell and Cabell counties in my district. She organized home and garden clubs, 4-H clubs, and established the West Virginia State Farm Homemakers Council, under the auspices of West Virginia State College, West Virginia University and the U.S.

Department of Agriculture. She was the district home demonstration agent and became program development leader. After 27 years in the Extension Service, Mrs. Livisay retired as a specialist in child development and human relations. A personal account of the work of the West Virginia Extension Service for African-Americans is recorded in the book, "Reaching Out with Heart and Hands—The Memories of An Extension Worker," written by Mrs. Livisay in 1994.

A diamond soror and life member, Mrs. Livisay was initiated into Nu Chapter of Alpha Kappa Alpha Sorority Inc. in 1925. She was a charter member of Epsilon Delta Omega Chapter in Beckley, West Virginia and at the time of her death, she was a member of Eta Iota Omega Chapter, in Inkster, Michigan. Mrs. Livisay, was the proud mother of four children, Carolyn L. McGhee, Marilyn L. Stewart, Jackson P. Livisay, Jr. and Osborne Livisay.

Mr. Speaker, I am honored today to pay tribute to the late Mrs. Tanner Johnson Livisay, for her many accomplishments and achievements and the legacy she leaves for her family and the great State of West Virginia, and in particular, my third congressional district.

ON A MATTER BEFORE THE
HOUSE

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 2004

Mr. BOEHNER. Mr. Speaker, as many Members of the House know, I have been involved in civil litigation against another Member of the House, Mr. MCDERMOTT of Washington, for many years. That litigation has come to a conclusion of sorts, and because the litigation derives from an incident reflecting our own responsibilities towards each other as Members and, more centrally, to the institution of the People's House, I think it appropriate to report to the House why I initiated the litigation, my attempts to resolve it, and its latest developments.

I bring to your attention an article titled "McDermott Gets \$600,000 Tab in Leak of Illegal Phone Tape," from the October 29, 2004 edition of the Seattle Times. The article is generally accurate and comprehensive. Mr. MCDERMOTT has himself acknowledged leaking the illegally recorded tape to the media in the manner the article describes, and the quotations attributed to the federal district court judge hearing the case are accurate.

Mr. Speaker, I want to underscore three things. First, I filed the suit to defend the principal that no matter our political differences or our party affiliations, we each owe a duty to each other and the House to honor the laws and rules that govern the House and our Nation. Laws matter. Rules matter. Oaths, such as the oath of confidentiality that the Committee on Standards requires of each of its Members, matter.

Second, more than three years ago I tried to resolve the suit with Mr. MCDERMOTT. I had only three requirements: that he admit that what he did was wrong, that he apologize to the House, and that he make a small contribution toward a charity I would designate. These

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