

H.R. 4939 that would block the Dubai Port World deal); and yes on H.R. 4944 (To amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes).

HONORING WESLEY JON NYKAMP
UPON HIS RETIREMENT FROM
THE 20TH CIRCUIT COURT OF
MICHIGAN

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

Mr. HOEKSTRA. Mr. Speaker, I rise today to honor Judge Wesley J. Nykamp upon his retirement from the 20th Circuit Court of Michigan.

The Honorable Wesley J. Nykamp is worthy of recognition for his many years of dedicated public service to the people of Ottawa County as a judge and county prosecutor.

Judge Nykamp was awarded the Scholarship Key of the Delta Theta Phi Law Fraternity for Excellence in Scholarship in 1967 while attaining his law degree from Wayne State University Law School.

He joined the Ottawa County Prosecutor's Office as Chief Assistant Prosecutor on January 1, 1975, and was elected to serve as judge in 1990. He oversaw the remodeling of the circuit court and the establishment of the Family Court during his tenure, and as Chief Judge of the Circuit Court he designated himself to serve as one of the Family Court judges.

Judge Nykamp is well-respected and held in the highest regard among those in the Michigan court system. His interest in the people of Ottawa County and in upholding justice in the legal system is a trait to be admired. He will be missed in the courtroom.

Mr. Speaker, please let it be known that on this 16th day of March in 2006, that the U.S. House of Representatives acknowledges the contributions and achievements of Judge Nykamp and wishes him well upon his retirement.

PAYING TRIBUTE TO JO SIMPSON

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Jo Simpson for 30 years of public service, who will retire on March 31 after 9 years in Nevada.

Jo began working for the Federal Government in 1976, as a public affairs specialist in the Washington headquarters public affairs offices for the U.S. Marshals Service and the U.S. Army Corps of Engineers. In 1994, she moved to the Bureau of Land Management, first working as public affairs officer for the California Desert District. There she distinguished herself as a dedicated public servant and exceptional citizen. In August of 1997, Jo served as the BLM's Chief for the Office of Communications in Nevada. In this role, Jo not only assured that key information was

made readily available to the public regarding their public lands but more importantly, she served as the catalyst for assuring that public land stakeholders had a voice in how their public lands were managed.

Jo has been instrumental in directing the work of the BLM's three Resource Advisory Councils in Nevada. These councils are made up of 45 individuals representing the diverse interest of public land stakeholders from throughout the state. This amount of citizen involvement set the tone for improved working relationship between Federal land management agencies and all Nevadans. She appeared numerous times before local county commissions and the State of Nevada's legislative Council on Public Lands to apprise them of public land proposals and to solicit their vital input. This is extremely important in a state where 87 percent of the land base is managed by the Federal Government.

Jo and her staff helped members of the Nevada Congressional Delegation and local governments during the development of precedent-setting land bills and her assistance proved extremely beneficial in gaining the support of key officials within the Department of the Interior for legislative initiatives affecting public lands in Nevada.

In the course of performing her duties, Jo earned the respect of countless people, for her integrity and sincerity. Her deeds represent what is good, righteous, and admirable in public service. For that, the state of Nevada is grateful for her exemplary service.

Mr. Speaker, I am honored to recognize Jo Simpson on the floor of the House today. I thank her for her service and wish her well in retirement.

PERSONAL EXPLANATION

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

Mrs. DAVIS of California. Mr. Speaker, during roll call Vote No. 44 on H.R. 4944, I was on a leave of absence due to illness. Had I been present, I would have voted "yea."

A TRIBUTE TO AUDREY MARIE
BAKER JACKSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Audrey Marie Baker Jackson, a distinguished member of the Brooklyn community. I am honored to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Audrey Marie Baker Jackson was born and raised in Brooklyn, New York, as one of twin daughters of Marie and Henry Baker. Ms. Baker Jackson is a distinguished product of the New York City public school system. Upon graduation from Eastern District High School, Ms. Baker Jackson won a National Defense Foreign Language Fellowship in Chinese to study at Columbia University. Proving her vast

knowledge of foreign languages, Ms. Baker Jackson graduated with a Bachelors of Arts in linguistics and a minor in Chinese from Queens College (CUNY). She also earned a Masters in Science in Educational Administration and Supervision from Pace University. While at Pace, Ms. Baker Jackson was recommended and accepted to Phi Delta Kappa.

Upon graduation, Ms. Baker Jackson became a Special Education teacher and worked in various administration capacities in District 75 (Special Education). In 1999, she joined District 8, located in the Bronx, as Director of Pupil Personnel. Ultimately, Ms. Baker Jackson was named principal of the School for Theater, Arts, and Research (STAR) Academy in Hunts Point.

Ms. Baker Jackson retired in 2003, but has remained an advocate for the education of children and assists parents in obtaining resources and services for their children. Since retirement, Ms. Baker Jackson has worked as an adjunct professor at City College (CUNY) teaching an introductory Special Education graduate course. She is also creating a consulting company that will assist educational publishing companies in their evaluation of education software and Web-based learning materials.

Audrey Baker Jackson has been a loyal and devoted patron of our community. She has worked diligently to improve special education resources. Her passionate and sensitive character deserves our thanks and for that I ask that we applaud Ms. Baker Jackson's outstanding achievements in our community.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Audrey Baker Jackson, as she offers her talents and community services for the good of our local communities.

Mr. Speaker, Audrey Baker Jackson's selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

Mr. Speaker, please join our community in honoring Audrey Baker Jackson for her dedication and outstanding service to our community.

PROTECTING IMPACT AID FOR
NORTH SUBURBAN SCHOOLS

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

Mr. KIRK. Mr. Speaker, today I am introducing a bill to ensure the federal government fulfills an important obligation to the families of servicemen and women in my district. In 1950, Congress established the Impact Aid program to assist school districts and communities that lose their property tax base because of the presence of the federal government. Though the program was fully-funded between 1950 and 1969, funding levels in more recent years have not kept pace with the amount required. I am happy that my Illinois Senators are introducing a companion bill to the same effect.

Due to a unique housing situation for the Great Lakes Naval Training Facility, Impact Aid funding should be higher in five of my school districts. This Naval base is located in North Chicago, one of the poorest school districts in my state. However, some service

members and their families live in housing the Navy obtained when Ft. Sheridan and Naval Air Station Glenview, located well away from North Chicago, were closed in the 1990's. These former bases are located within the boundaries of other school districts—districts that bear the economic cost of educating children from a base, but receive none of the economic benefits a base provides. Thus, it is vitally important that we both ensure North Chicago continues to receive heavily impacted payments for the benefit of students living there, and that the surrounding communities are more fairly compensated for their loss of property taxes.

Mr. Speaker, we cannot abdicate our responsibility towards our military families. I have already introduced a bill this Congress, H.R. 390, the Government Reservation Accelerated Development for Education Act (GRADE-A), to fully fund the Impact Aid program. However, the situation in my district warrants special attention. In order to ensure that our students most in need continue to receive necessary resources, I have introduced a new bill to help North Chicago remain qualified for heavily impacted payments, and Glenview and Highland Park receive fair compensation.

By passing this bill, the federal government will be fulfilling its responsibility to these communities, and giving our military families the support they deserve. I urge the local communities to continue to work to come to an agreement that most importantly, takes care of our students.

TRIBUTE TO MINNESOTA NATIONAL GUARD'S 1ST BRIGADE COMBAT TEAM

HON. MARK R. KENNEDY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

Mr. KENNEDY of Minnesota. Mr. Speaker, I express today my strong support and appreciation for the 2,600 soldiers of the Minnesota National Guard's 1st Brigade Combat team as they prepare to depart Camp Shelby, Mississippi for Iraq.

As the 1st Brigade heads overseas for their 12 month deployment, we will remember not just their service and sacrifice, but also that each and every one of these soldiers has a family who is also sacrificing for their country's security in the War on Terror.

Today these soldiers and their families are showing us their commitment to their Nation's security and safety.

Let us make sure we show them ours by giving them the tools and support they need to do their jobs and return home quickly and safely.

As these brave soldiers depart over St. Patrick's day, may all our prayers and the luck of the Irish be with them. May they come home safely.

HONORING MS. KATHY ALJOE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

Mr. BURGESS. Mr. Speaker, I rise today to honor the service and commitment of Ms. Kathy Aljoe of Flower Mound, Texas. Ms. Aljoe's zealous and passionate spirit towards community service warrants recognition. Recently, she retired as the town's longest-tenured employee after 31 years of service.

Kathy Aljoe started working for the City of Flower Mound on July 16, 1975 as an administrative assistant to the town manager. When Ms. Aljoe started working for Flower Mound, she was one of only seven town employees—Flower Mound only had 1,600 residents. The town now has grown to 62,000 residents, and Kathy has had her hand in many parts of the development throughout her career, in particular with the planning services division. Ms. Aljoe's work has been so influential, that the Town of Flower Mound has announced February 24th as Kathy Aljoe Day.

Mr. Speaker, it is with great honor that I stand here today to recognize Ms. Kathy Aljoe, who has dedicated her career to her community. Ms. Aljoe's admirable commitment to the Town of Flower Mound is greatly appreciated. I am honored to represent her in Congress, and I hope that others will follow in her steps of service to their community.

TENNESSEE CONGRESSIONAL DELEGATION LETTERS TO ATTORNEY GENERAL ALBERTO GONZALES

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

Mr. COOPER. Mr. Speaker, I would like to insert into the RECORD letters that the entire Tennessee Congressional Delegation recently sent to Alberto Gonzales, Attorney General of the United States and Michael O. Leavitt, Secretary of the Department of Health and Human Services. These letters discuss the case of *Cookeville v. Thompson* and Section 5002 of the Deficit Reduction Act of 2005. The U.S. District Court decision in this case awarded 15 Tennessee hospitals up to \$100 million in Medicare Disproportionate Share Hospital payments.

CONGRESS OF THE UNITED STATES,

Washington, DC, March 10, 2006.

Hon. ALBERTO GONZALES,
Department of Justice,
Washington, DC.

DEAR ATTORNEY GENERAL GONZALES: We are writing to express our deep concern regarding the recent Motion filed by the Department of Health and Human Services (HHS) to alter the judgment in the case of *Cookeville v. Thompson* based on Section 5002 of the Deficit Reduction Act of 2005 (DRA). As you will recall, the U.S. District Court decision in this case awarded 15 Tennessee hospitals up to \$100 million in Medicare Disproportionate Share Hospital (DSH) payments.

The U.S. District Court's ruling, which is now being challenged, was based on its rejection of the Centers for Medicare and Med-

icaid Services (CMS) DSH policy as a violation of the Medicare statute. In CMS' 2000 policy statement announcing the inclusion of certain expansion population individuals in the DSH formula, CMS stated that these individuals would only be included in the DSH calculation prospectively. Hospitals challenged the prospective nature of the policy and were awarded compensation for patients treated prior to 2000.

At the recommendation of CMS, Congress included a provision in the DRA ratifying the 2000 policy and its prospective application. Tennessee hospitals expressed concern that court decisions directing CMS to pay retroactively could be appealed with the new law. During the reconciliation process, however, CMS continually assured Congressional staff verbally, and by electronic communication, that hospitals which had been successful in litigation would still receive payment. CMS asserted that the new provision would not affect decided cases and would only be applied prospectively.

In its Motion, however, HHS cites the DRA as support for the reversal of the *Cookeville* decision. There is no mention that the regulation should only apply prospectively. In fact, HHS' position suggests that recalculation of the DSH formula should not have been required. Congress intended that this provision would only be used prospectively. Thus, hospitals that had been successful in litigation prior to passage of the DRA would still receive payment. Considering the argument made by HHS rests upon the DRA, and that it was our understanding that this provision would not be used to appeal decided cases, we request further explanation of what we believe to be a serious miscommunication by CMS.

Thank you for your time and attention. We look forward to your prompt response.

Sincerely,

William H. Frist, M.D., Majority Leader,
United States Senate, Zach Wamp,
John Duncan, Jr., Jim Cooper, Marsha
Blackburn, Harold Ford, Lamar Alexander,
William L. Jenkins, Lincoln Davis,
Bart Gordon, John Tanner, *Members of Congress.*

CONGRESS OF THE UNITED STATES,

Washington, DC, March 10, 2006.

Hon. MICHAEL O. LEAVITT,
Secretary, U.S. Department of Health and
Human Services, Washington, DC.

DEAR SECRETARY LEAVITT: We are writing to express our deep concern regarding the recent Motion filed by the Department of Health and Human Services (HHS) to alter the judgment in the case of *Cookeville v. Thompson* based on Section 5002 of the Deficit Reduction Act of 2005 (DRA). As you will recall, the U.S. District Court decision in this case awarded 15 Tennessee hospitals up to \$100 million in Medicare Disproportionate Share Hospital (DSH) payments.

The U.S. District Court's ruling, which is now being challenged, was based on its rejection of the Centers for Medicare and Medicaid Services (CMS) DSH policy as a violation of the Medicare statute. In CMS' 2000 policy statement announcing the inclusion of certain expansion population individuals in the DSH formula, CMS stated that these individuals would only be included in the DSH calculation prospectively. Hospitals challenged the prospective nature of the policy and were awarded compensation for patients treated prior to 2000.

At the recommendation of CMS, Congress included a provision in the DRA ratifying the 2000 policy and its prospective application. Tennessee hospitals expressed concern that court decisions directing CMS to pay retroactively could be appealed with the new law. During the reconciliation process, however, CMS continually assured Congressional