

will not fly. We, therefore, conserve spending. That is good for us, but not the economy. We strongly support the development of alternatives to oil. We strongly oppose the development of our own oil resources. We wish to consume as much foreign oil as feasible first. We have moved to improving our green choices. We strongly, strongly, strongly oppose taxing the gasoline companies. Rather, we would offer them large subsidies, tax breaks, etc. to become energy companies, developing alternatives to oil. We saw the Brazil story and their path to energy independence. We can do it also. We also saw that the U.S. car companies are ready for bio/electric fuel. Let us go. Assist industry and the people who work, give industry incentives.

Thank you,

RAY and RHEDA.

#### LONG-TERM CARE

Mr. WYDEN. Since my days of working with the Gray Panthers in Oregon, I have been aware of the special obligation that we have to both our younger and older citizens who are in need of long-term care services. The Omnibus Budget Reconciliation Act of 1987 was a watershed in efforts to make life safer and more dignified for individuals living in long-term care institutions.

Since 1987, the long-term care industry has continued to evolve in ways that require another look at the state of long-term care. In a constantly changing for-profit and nonprofit industry, Federal and State governments need better information about the organizations and staff who provide care to residents of long-term care. Individuals, families, and service providers also need good information about long-term care to make informed decisions about their options.

Chairman KOHL, I laud you and your colleagues who have thoughtfully identified current or emerging problems in long-term care. The Nursing Home Transparency and Improvement Act of 2008, S. 2641, makes important strides in helping us to get more substantive information about nursing home ownership and staffing. It strengthens the Nursing Home Compare Web site and provides additional information for the general public. I am therefore pleased to become a cosponsor of this legislation.

Mr. KOHL. Thank you, Senator WYDEN. Given your long commitment to aging and health issues, your support is especially important and meaningful.

Mr. WYDEN. While I am pleased to support the legislation, I do have some concerns about the bill as it is written and hope that we can work together to make some changes to the bill. It has been helpful for me to talk about the bill with the many fine people who operate nursing homes in Oregon and others. And these folks have identified what I think are legitimate concerns with the bill.

Mr. KOHL. I would appreciate hearing of those concerns, Senator.

Mr. WYDEN. There are two issues of particular concern where I hope we

may be able to get agreement on modifications. First, the bill calls for increased civil monetary penalties and requires that they be placed in escrow in advance of adjudication of an alleged violation. This provision could be especially burdensome to smaller nursing homes that already operate close to the margin. I think it would be useful to review the size of the proposed fines but especially the escrow provision. Tying up thousands of dollars in escrow would be particularly difficult for small nursing homes and especially unfair for homes whose alleged violations were later found to be without merit. I also believe it raises due process concerns in terms of imposing penalties before a matter has been finally settled.

Mr. KOHL. We will certainly review those provisions in light of your concerns.

Mr. WYDEN. The other issue of concern in the legislation concerns the requirement that every nursing home that is part of a group of nursing homes with common ownership and annual revenues of \$50 million or more be subject to annual audits. Many of the nursing homes in Oregon are family-run businesses. A few of our Oregon owners operate groups of nursing homes that would meet the criterion for annual audits of each of their nursing homes. I am concerned that the cost of annual audits would be financially burdensome for them and for small nursing home chain owners in other parts of the country.

Mr. KOHL. I appreciate the care with which you have reviewed the Nursing Home Transparency Act. I will take under serious consideration the issues that you have raised. Again, your cosponsorship of this legislation is important in view of the many efforts you have made and continue to make to improve the lives of America's older citizens.

#### ADDITIONAL STATEMENTS

##### RETIREMENT OF JAN REINICKE

• Mr. HARKIN. Mr. President, at the end of August, Jan Reinicke will retire after 10 years of distinguished service as executive director of the Iowa State Education Association. Jan began her career in the classroom, serving as a speech and English teacher in the Iowa towns of Cincinnati, Coon Rapids, and Fort Dodge, earning the love of her students. Nearly four decades later, she concludes her career as one of the most respected educator-leaders in my State of Iowa.

Jan previously served as a lobbyist on the ISEA staff from 1980 to 1994, and as associate executive director from 1995 to 1998. At every stage, the key to her success has been that her roots have remained firmly planted in the classroom, and her passion has been to enhance the professionalism and stature of the teaching profession.

I have always loved what Lee Iacocca said about teachers. "In a completely rational society," he said, "the best of us would be teachers, and the rest would have to settle for something less." Fortunately, in Iowa, so many of our best—individuals of intelligence and talent like Jan Reinicke—do go into teaching. But, unfortunately, these idealistic and dedicated professionals do not always receive the support and compensation that they deserve.

That is why Jan has dedicated herself to lifting up the teaching profession in my state. Thanks to her leadership and advocacy, the Iowa Legislature passed two major salary improvements for Iowa teachers.

In addition, Jan is a passionate believer that teachers and other educators should take charge of their own profession. To that end, she has devoted herself to strengthening the Iowa State Education Association both as a union and as a professional association, more effectively advocating for teachers and other educators. Her vision led to the creation of teacher quality committees, giving teachers a larger voice in professional development and in determining the course of their schools.

A wise person once said, "Those who dare to teach must never cease to learn." Jan agrees wholeheartedly. This is why she led the charge to establish ISEA's Professional Development Academy, which provides relicensing courses for teachers, as well as the opportunity to earn graduate credit. Under Jan's leadership, the association also created the Faculty Quality Plan to ensure that every student has access to quality teachers and a rigorous curriculum.

As a teacher, as an education lobbyist, and as the top executive at ISEA, Jan Reinicke's bottom line has always been the same: ensuring a quality teacher in every classroom, and a quality public education for every child.

There is an old saying that we make a living by what we get, but we make a life by what we give. Jan Reinicke has always given generously to those around her as a teacher, mentor, and leader. She leaves a living legacy in terms of an enhanced teaching profession in Iowa and a strong, respected Iowa State Education Association.

I know that Jan Reinicke has many wonderful plans for retirement, and that she intends to give of herself generously as a volunteer. I join her colleagues and friends across Iowa in thanking her for a job superbly done, and in wishing her a long and happy retirement. •

##### HONORING GIFFORD'S ICE CREAM

• Ms. SNOWE. Mr. President, with summer in full swing, I wish to celebrate a small business from my home State of Maine that has been satisfying our sweet tooth with delicious ice cream for several decades. Gifford's Ice

Cream, a family-owned and operated firm with a long history of dairy farming in central and western Maine, provides its customers with creamy indulgences for all tastes.

A familiar sight in Maine, people come from all around to enjoy Gifford's dozens of scrumptious, mouth-watering flavors. Serving Maine for over 100 years in the dairy business, a span of five generations, Gifford's began focusing its operations on summer treats in 1980, having previously supplied milk, cream, and other dairy products. Presently, Gifford's utilizes original family recipes to create more than 100 tempting varieties of ice cream and frozen yogurts. Crafting its rich ice cream with premium ingredients, including fresh milk and cream from local dairy farmers, Gifford's consistently churns out top-quality ice cream for its customers.

While its main location is in Skowhegan, known as the heart of Maine's farm country, Gifford's has branched out to open ice cream stands in Auburn, Bangor, Farmington, and Waterville. Its ice cream is additionally available at supermarkets and other locations throughout the Northeast. Gifford's employs 25 people year-round, as well as an additional 75 during the busy summer months.

Gifford's offers a wide array of flavors to choose from, including seasonal delights and new selections each year. From the staple vanilla and chocolate, to the eclectic orange pineapple and smurf cotton candy, Gifford's covers all its bases. Furthermore, Gifford's has recently added a number of frozen yogurt flavors, such as fudge overboard and strawberry banana, as well as no fat/no sugar added options, sherbets, and sorbets. Best of all, Gifford's offers quintessential Maine-related flavors, such as Maine maple walnut, birch bark, black bear, wild blueberry, and even deer tracks and lobster tracks. And while most everyone enjoys a good ice cream on occasion, Gifford's hasn't forgotten our four-legged friends, offering them Dog Bone Sundaes, complete with a scoop of ice cream and a dog biscuit.

Throughout its illustrious history, Gifford's has garnered numerous awards, particularly for its ice cream. Among the recognitions are first place awards from the National Ice Cream Retailers Association for its strawberry and chocolate ice creams, as well as "World's Best Vanilla" at the World Dairy Expo in Madison, WI, in 2005 and "World's Best Chocolate" at last year's expo. The Skowhegan Area Chamber of Commerce also named Gifford's Ice Cream its Large Business of the Year earlier this year.

In 2002, Gifford's began Cones for Kids, a program that rewards children 14 and younger who excel in academics, advance in scouting, or make a difference in their community. From earning an A on a reading quiz to volunteering at the neighborhood 4-H club, students can receive a free ice

cream cone by enriching their lives through a host of positive and engaging activities.

What has made Gifford's so successful both in the dairy business and at its ice cream stands is a passion for pleasing its customers. Setting out to create new flavors of ice cream every year, whether it be apple pie or peanut butter caramel cookie dough, Gifford's has transformed itself from a small dairy farm to Maine's largest statewide, independent, family-owned ice cream company. I congratulate president Roger Gifford, treasurer John Gifford, and everyone at Gifford's Ice Cream for their tremendous success, and wish them well this summer and beyond.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, 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 sundry nominations, a treaty and a withdrawal which were referred to the appropriate committees.

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

#### REPORT ON THE CONTINUATION OF EMERGENCY REGARDING EXPORT CONTROL REGULATIONS UNDER THE AUTHORITY OF EXECUTIVE ORDER 13222 DATED AUGUST 17, 2001—PM 59

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban, Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the emergency caused by the lapse of the Export Administration Act of 1979, as amended, is to continue in effect for 1 year beyond August 17, 2008.

GEORGE W. BUSH.

THE WHITE HOUSE, July 23, 2008.

#### MESSAGES FROM THE HOUSE

At 1:04 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4049. An act to amend section 5318 of title 31, United States Code, to eliminate regulatory burdens imposed on insured depository institutions and money services businesses and enhance the availability of transaction accounts at depository institutions for such business, and for other purposes.

H.R. 5235. An act to establish the Ronald Reagan Centennial Commission.

H.R. 6226. An act to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the "Stan Lundine Post Office Building".

H.R. 6493. An act to amend title 49, United States Code, to enhance aviation safety.

H.R. 6531. An act to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck.

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

H.J. Res. 93. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The message further announced that the House has passed the following bills, without amendment:

S. 2565. An act to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal, State, and local law enforcement officers.

S. 2766. An act to amend the Federal Water Pollution Control Act to address certain discharges incidental to the normal operation of a recreational vessel.

S. 3298. An act to clarify the circumstances during which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels, and to require the Administrator to conduct a study of discharges incidental to the normal operation of vessels.

The message also announced that the House insists upon its amendment to the bill (S. 294) to reauthorize Amtrak, and for other purposes, and requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following Members to be managers of the conference on the part of the House:

From the Committee on Transportation and Infrastructure, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. OBERSTAR, Ms. CORRINE BROWN of Florida, Messrs. CUMMINGS, CAPUANO, BISHOP of New York, Mrs. NAPOLITANO, Messrs. LIPINKSI, BRALEY of Iowa, ARCURI, MICA, PETRI, LATOURETTE, BROWN of South Carolina, SHUSTER, MARIO DIAZ-BALART of Florida and WESTMORELAND.

From the Committee on Science and Technology, for consideration of sections 105 and 305 of the Senate bill, and modifications committed to conference: Messrs. GORDON of Tennessee, WU, and GINGREY.

At 5:45 p.m., a message from the House of Representatives, delivered by