

segregating them, depriving them of their citizenship and livelihoods, and interning them in concentration camps;

Whereas the fierceness of the persecution in Austria became the model for the future persecution of Jews in other Nazi-conquered territories;

Whereas the Nazis initially assumed a policy of coerced expulsion, with the goal of eventually removing all Jewish persons from Europe;

Whereas most other foreign consulates, although besieged by desperate Jews, offered no help;

Whereas a young Chinese diplomat in Vienna, Dr. Feng Shan Ho, refused to stand by and witness the destruction of innocent human beings, and authorized the issuance of visas for all Jews who asked;

Whereas word spread quickly and Jewish persons formed long lines in front of the Chinese Consulate to obtain the lifesaving visas;

Whereas the Chinese ambassador in Berlin ordered Dr. Ho to stop authorizing visas for Jews, but Dr. Ho nevertheless continued, at risk to his career, to prepare the visas;

Whereas in 1939, the Nazis confiscated the Chinese Consulate building, on the grounds that it was a Jewish-owned building;

Whereas, when the Chinese government refused funds to relocate the Consulate, Dr. Ho reopened the Consulate in another building and personally paid all the expenses;

Whereas in May 1940, Dr. Ho left Vienna, having authorized visas for thousands of Austrian Jews;

Whereas after 4 decades in diplomatic service to China, in 1973, Dr. Ho moved to the United States to join his children;

Whereas Dr. Ho became a United States citizen and lived in San Francisco until September 28, 1997, when he passed away at the age of 96;

Whereas the world only knows of Dr. Ho's courageous actions because of a chance discovery among his diplomatic papers after his death, and the full extent of Dr. Ho's heroism is still being uncovered; and

Whereas in 2000, the State of Israel posthumously made Dr. Ho an honorary citizen of Israel and granted him one of Israel's highest honors, the title of Righteous Among the Nations, "for his humanitarian courage in issuing Chinese visas to Jews in Vienna in spite of orders from his superior to the contrary": Now, therefore, be it

Resolved, That the Senate—

(1) honors and salutes the great courage and humanity of Dr. Feng Shan Ho for acting at great personal risk to issue Chinese visas to Jews in Vienna between 1938 and 1940; and

(2) recognizes his heroic deeds in saving the lives of thousands of Jewish persons by allowing them to escape the Holocaust.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4976. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table.

SA 4977. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 3036, supra; which was ordered to lie on the table.

SA 4978. Mr. REID (for Mr. BIDEN (for himself, Mr. LUGAR, Mr. MENENDEZ, and Mr. HAGEL)) submitted an amendment intended to be proposed to amendment SA 4825 proposed by Mrs. BOXER (for herself, Mr. WARNER, and Mr. LIEBERMAN) to the bill S. 3036, supra; which was ordered to lie on the table.

SA 4979. Mr. NELSON, of Florida (for himself, Mr. HAGEL, Mr. SESSIONS, and Mrs. MUR-

RAY) submitted an amendment intended to be proposed by him to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4976. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table; as follows:

Insert at the appropriate place the following:

TITLE PROHIBITION ON EARMARKS SEC. 01. PROHIBITION ON EARMARKS.

(a) IN GENERAL.—It shall not be in order to consider a bill, resolution, amendment, or conference report that proposes an earmark of funds provided or made available by this Act.

(b) DEFINITION.—In this section, the term "earmark" means a provision or report language included primarily at the request of a Senator or a Member of the House of Representatives providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality, or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn. An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) PROHIBITION ON EXTRA LEGISLATIVE EARMARKS.—None of the funds provided or made available by this Act shall be committed, obligated, or expended at the request of Members of Congress or their staff through oral or written communication for projects, programs, or grants to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

SA 4977. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table; as follows:

Insert at the appropriate place the following:

TITLE PROHIBITION ON EARMARKS SEC. 01. PROHIBITION ON EARMARKS.

(a) IN GENERAL.—It shall not be in order to consider a bill, resolution, amendment, or conference report that proposes an earmark of funds provided or made available by this Act.

(b) DEFINITION.—In this section, the term "earmark" means a provision or report language included primarily at the request of a Senator or a Member of the House of Representatives providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality, or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn. An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 4978. Mr. REID (for Mr. BIDEN (for himself, Mr. LUGAR, Mr. MENENDEZ, and Mr. HAGEL)) submitted an amendment intended to be proposed to amendment SA 4825 proposed by Mrs. BOXER (for herself, Mr. WARNER, and Mr. LIEBERMAN) to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table; as follows:

On page 44, line 10, strike "and" and insert a semicolon.

On page 44, line 11, strike the period at the end and insert "and".

On page 44, between lines 11 and 12, insert the following:

(vi) the Committee on Financial Services. On page 44, line 14, strike "subsection (c)(1)" and insert "subsection (d)(1)".

On page 44, strike lines 18 through 20 and insert the following:

(A) is eligible to receive official development assistance according to the guidelines of the Development Assistance Committee of the Organization for Economic Cooperation and Development; and

On page 45, between lines 8 and 9, insert the following:

(4) FUND.—The term "Fund" means the International Clean Energy Deployment Fund established under subsection (c)(1).

On page 45, line 9, strike "(4)" and insert "(5)".

On page 45, between lines 17 and 18, insert the following:

(c) INTERNATIONAL CLEAN ENERGY DEPLOYMENT FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the "International Clean Energy Deployment Fund".

(2) USE OF FUNDS.—All amounts in the Fund shall be made available, without further appropriation or fiscal year limitation, for purposes of this section.

On page 45, line 18, strike "(c)" and insert "(d)".

On page 46, line 23, strike "and" and insert a semicolon.

On page 47, line 2, strike the period at the end and insert a semicolon.

On page 47, between lines 2 and 3, insert the following:

(D) no single country receives more than 15 percent of the funds awarded during any 3-year period; and

(E) assistance is targeted at reducing or eliminating the increased costs associated with deploying clean technologies in place of traditional technologies.

Beginning on page 47, strike line 6 and all that follows through page 48, line 2, and insert the following:

(5) FORM OF ASSISTANCE.—

(A) IN GENERAL.—Consistent with Federal and international intellectual property law, assistance under this subsection shall be provided—

(i) as direct assistance in the form of grants, concessional loans, cooperative agreements, contracts, insurance, or loan guarantees to or with qualified entities;

(ii) as indirect assistance to such entities through—

(I) funding for international clean technology funds supported by multilateral institutions;

(II) support from development and export promotion assistance programs of the United States Government; or

(III) support from international technology programs of the Department of Energy; or

(iii) in such other forms as the Board may determine appropriate.

(B) OVERSIGHT BY THE SECRETARY OF THE TREASURY OF ASSISTANCE FOR MULTILATERAL TRUST FUNDS.—In the case of assistance provided under subparagraph (A)(ii)(I) for a clean technology fund or similar fund that is a multilateral trust fund based at the World Bank, the Secretary of the Treasury shall use the voice, vote, and influence of the United States to ensure that the assistance is used in accordance with the purposes of this section.

On page 48, beginning on line 20, strike “emissions through Federal or State engagement” and insert the following: “emissions in eligible countries.”

(C) Funding for Federal or State engagement

On page 49, beginning on line 10, strike “the date that is 30 days after the date on which the Board submits” and insert “30 days after submitting”.

On page 50, line 15, strike “(d)” and insert “(e)”.

On page 50, lines 17 and 18, strike “President” and insert “Board”.

On page 50, line 24, strike “President” and insert “Board”.

On page 51, line 6, strike “; and” and insert a semicolon.

On page 51, line 15, strike the period at the end and insert “; and”.

On page 51, between lines 15 and 16, insert the following:

(C) such information as may be necessary to provide for the evaluation, not less frequently than once every three years, of the performance of each international clean technology fund provided assistance pursuant to paragraph (5)(A)(ii)(I).

On page 51, line 16, strike “(e)” and insert “(f)”.

On page 51, line 24, strike “(f)” and insert “(g)”.

On page 52, line 3, strike “(g)” and insert “(h)”.

On page 439, line 10, strike “; and” and insert a semicolon.

On page 439, line 11, strike the period at the end and insert “; and”.

On page 439, between lines 11 and 12, insert the following:

(vi) the Committee on Financial Services. On page 439, line 14, strike “President” and insert “Board”.

On page 439, strike lines 15 through 17 and insert the following:

(A) is eligible to receive official development assistance according to the guidelines of the Development Assistance Committee of the Organization for Economic Cooperation and Development; and

On page 439, line 24, strike “President” and insert “Board”.

SA 4979. Mr. NELSON of Florida (for himself, Mr. HAGEL, Mr. SESSIONS, and

Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 642. REPEAL OF REQUIREMENT OF REDUCTION OF SBP SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e);

(ii) by striking subsection (k); and

(iii) by striking subsection (m).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking “does not apply—” and all that follows and inserting “does not apply in the case of a deduction made through administrative error.”; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking “, 1450(k)(2).”.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d) of such title is amended—

(1) in paragraph (1), by striking “Except as provided in paragraph (2)(B), the Secretary concerned” and inserting “The Secretary concerned”; and

(2) in paragraph (2)—

(A) by striking “DEPENDENT CHILDREN.—” and all that follows through “In the case of a member described in paragraph (1),” and inserting “DEPENDENT CHILDREN ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a member described in paragraph (1),”; and

(B) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section

1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) EFFECTIVE DATE.—The sections and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a field hearing has been scheduled before the Committee on Energy and Natural Resources, Subcommittee on National Parks. The hearing will be held on Monday, July 21, 2008, at 9:30 a.m., at the Destination Center at Blue Ridge Parkway, 195 Hemphill Knob Road, Asheville, North Carolina.

The purpose of the hearing is to receive testimony regarding the All Taxa Biodiversity Inventory of all species within the Great Smoky Mountains National Park. Specifically, the hearing will address: (1) How much has been learned up to this point and at what cost? (2) What is left to be done and what is the estimated time and cost to complete the inventory? (3) How has the data been used and are there other ways to use it? (4) What changes, if any, should be made in the program and (5) Should the program be expanded to include other National Parks?

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to rachel_pastenack@energy.senate.gov.

For further information, please contact Kira Finkler at (202) 224-5523 or Rachel Pastenack at (202) 224-0883.

HONORING DR. FENG SHAN HO

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Res. 588, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows: