

charges. Some of them are charged as felonies and very routinely reduced to misdemeanors. Two misdemeanor drug convictions won't bar you from being protected under this act and being able to have a guaranteed path to citizenship.

Those who commit document fraud or who lie to immigration authorities will be eligible for the bill's amnesty as well. This is particularly troubling as it contains a potential loophole for high-risk individuals placed on the pathway to citizenship. One of the warning signs we missed prior to 9/11 was the fraudulent visa applications submitted by the 9/11 hijackers. This bill would likely make it more difficult to combat immigration fraud from the dangerous regions of the Middle East where we have had an unfortunate history of abuse.

This DREAM Act even contains a safe harbor provision—very significant—that would prevent many applicants from being removed as long as their application is pending. If they have a serious criminal record, they would normally be subjected to deportation. This provision could dramatically hinder Federal authorities and will undoubtedly unleash a torrent of costly litigation that will suck up untold hours of our law enforcement personnel's time and ability and resources that ought to be focused on the border.

If somebody who has been apprehended for illegally being in the country or committing a serious crime can come into court and assert they have filed a petition under the DREAM Act, they can not be deported. This is really a problem because if a facility does not have enough bed space, what are we supposed to do? Are we now going to have investigators drop what they are doing and go out and try to prove that someone was here before the age of 16? Did they really have a GED or is that a forged document? How many criminal convictions do they have? This all has to be investigated now. It could take weeks or even months. So what happens? Are we going to keep those individuals in jail instead of deporting them? How much cost is involved in that? All of that is not counted in this process.

I just want to say that my experience in law enforcement is that there are not enough people to do those investigations and we are going to have millions of applications. How do we prove somebody came here at age 15 instead of age 18? How do we prove they have been here 5 years? How do we prove they came here 5 years ago and came at age 17 or 15 or 14? Who is going to investigate that and dispute it, if they submit a statement and say they have been here for 5 years? We have to take the time now to investigate all of that?

This is not what we need to be doing right now. We have more serious challenges to end the illegal flow. And for people who have been here a long time and who have otherwise been good citizens and have worked hard, we can fig-

ure out some way to deal with their future. But I do not believe this is the right step. It is not the right step.

In short, I believe the bill will be a disaster. Yet our Democratic leadership remains committed in their push for this amnesty provision. They are again defying the public will and sending the world a message that our Nation is not serious about the integrity of our borders and our laws.

American citizenship is the envy of the world, but central to our Nation's greatness is our respect for the rule of law. None of us that I am aware of in this Senate is proposing to in any significant way reduce the number of people who come to our country lawfully. Indeed, there are many provisions to increase the number who come lawfully. But the American people are rightly saying: We have to do something about the illegality. By eroding the respect for law through reckless and irresponsible amnesty provisions, we would do a disservice not only to the 300 million Americans who call this Nation their home but to all those future citizens who are applying and waiting in line to enter our country lawfully.

I feel strongly about this. Hopefully, this matter will not be proceeded with. We need to wrestle with how to bring our immigration system under control. We can do that. I have studied it for some time. I truly believe it can be done.

Senator MCCAIN from Arizona, who has been to the border a great deal, has said that within a year or two we can end this massive illegality. I have been saying that for a number of years. I truly believe it. But we need to focus on that, not focus on rewards for those who have entered illegally. That is why this legislation should not pass.

I thank the Chair. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIU XIAOBO

Mr. DORGAN. Mr. President, in China, as I speak, there is a man in a small prison cell lit by one single lightbulb. He has been in prison for 11 years in the country of China. On Friday of this week, in Oslo, Norway, he will be awarded the Nobel Peace Prize. His name is Liu Xiaobo. His wife has written me asking me to come to the Nobel Peace Prize presentation in Oslo, Norway, this Friday in honor of her husband. I am not able to go to Oslo this Friday. The Senate is going to be in session the rest of the week. I regret I can't be in Oslo for the awarding of

the Nobel Peace Prize, but I did want to take a moment to remember what is happening this week.

This is Liu Xiaobo. He is in prison in China. He has been in prison for 11 years. That is his sentence. I wish to describe why the Chinese have put Liu Xiaobo in prison. It is not the first time he has been in prison, as a matter of fact.

Let me tell my colleagues just a little about Liu Xiaobo. He was born in 1955, grew up in an industrial city in China's northeast. As a young man, he wanted to study literature, so he went to Beijing and he became a Ph.D. in comparative literature. He became a professor and dedicated his days to teaching and to writing.

By 1989, he had the good fortune to be allowed to travel abroad as a visiting scholar. He was at Columbia University in New York, in the USA, when the demonstrations began to grow in Tiananmen Square. He cut short his visit to Columbia University as a visiting scholar and returned home to China, joining students in Tiananmen Square in a hunger strike. Then, on the night of June 4, a scholar whom the students had grown to trust, persuaded a group of students to withdraw from the square to save their lives. That was Liu Xiaobo. Authorities in China labeled him a subversive and sentenced him to 18 months in prison.

Eighteen months later, upon his release, he was told he could neither teach nor publish. He described his plight then in these words:

Simply for expressing divergent political views and taking part in a peaceful and democratic movement, a teacher lost his podium, a writer lost the right to publish, and an intellectual lost a chance to speak publicly.

On his release in 1991 he continued to write and again he was placed under house arrest in 1995, then sent to a labor camp where he was detained until 1999.

In December of 2008, Liu Xiaobo called for political reform and was a supporter of something called Charter 08 in China. He was once again detained, then formally arrested, and then sent to prison for 11 years.

Let me describe what Charter 08 calls for. A group of people in China who want the expression of freedoms that are available to all of us had created Charter 08. It calls for the guarantee of human rights, an independent judiciary, the freedom to assemble, the freedom of expression, the freedom of religion, protection of private property—and so on.

So someone who advocates this and pushes for these kinds of reforms is now sitting in a small prison cell with a single light bulb.

On Friday, in Oslo, Norway, when they award the Nobel Peace Prize, there will be one empty chair on the stage for the man to whom the Nobel Peace Prize is being awarded.

There will be empty chairs in the audience because his wife is not allowed

to go. She is detained under house arrest in China. I want to describe that as well. His wife has been barred from traveling to Oslo to accept the honor, and all of Liu's family has been barred from traveling. The Nobel committee will postpone bestowing the actual medal, but the ceremony will go on on Friday. There have now been just over 100 documented incidents since October in which Chinese citizens have been harassed, interrogated, and subjected to police surveillance, detained, or placed under house arrest for their expressions of support for Liu Xiaobo. Some supporters reportedly have just disappeared.

The travel restrictions are pretty unbelievable. A violinist, Lynn Chang, an American of Chinese descent who teaches at the Boston Conservatory, and who will be playing at the Nobel Peace Prize ceremony on December 10, expressed concern about the personal and professional repercussions his family might have in China for his accepting the invitation to play at the ceremony.

Out of about 140 Chinese activists invited by Liu's wife to attend the ceremony, only one at this point has been able to say: "I will be there." More than a dozen and far more have been blocked from flying overseas since Liu won the Peace Prize in October.

This is a photograph of Liu Xiaobo and his wife. Both are courageous citizens, who, in my judgment, are owed our respect and all that we can do to say to the Chinese Government: You cannot possibly continue to do this and then insist that you believe in democracy.

Mr. President, in a recent interview with CNN, Premier Wen Jiabao of China said this:

Freedom of speech is indispensable. . . . The people's wishes for, and needs for, democracy and freedom are irresistible.

I hope the Chinese Government and Chinese officials will understand they cannot talk about these principles in that way and then continue to imprison someone such as Liu Xiaobo, whom the rest of the world will celebrate as a courageous man striving for greater human rights in China, the very things we take for granted every morning we wake up in the United States. This man is spending 11 years in prison just for writing about his aspirations for himself and the rest of the people in China to have those freedoms.

As I said, I will not be in Oslo on Friday. I am enormously honored by Liu Xiaobo's wife asking me to be present. As chair of the Congressional Executive Commission on China, I have held many hearings on the issues that exist between us and China. I held a hearing within the last month about the issue of Liu Xiaobo's Nobel Peace Prize and what it means when a government says: Rather than be at a place of honor and our country celebrating your winning the Nobel Peace Prize, we will have you in a prison cell once again.

That is not what we would expect, or what anybody should expect, from the Government of China. I said previously there are things that have improved in China in recent years for some Chinese. China is a big country. It will be a significant part of our future. We are not quite sure how that is going to manifest itself.

Our country has decided affirmatively that our relationship with China ought to be a constructive relationship in which we have constructive engagement through trade and travel, and that is anticipated to move China toward greater human rights. In fact, there have been some areas of progress. But this is a disgrace. Liu Xiaobo is a hero. He ought not be a prisoner. Liu Xiaobo will be honored whether the Chinese like it or not this Friday in Oslo, Norway. The Chinese are trying to do everything they can to keep people away from that ceremony. They have been calling other embassies in Oslo saying: Do not go to that ceremony.

I think what has been happening is pretty unbelievable. I hope all of the American people this Friday understand there is someone we ought to think about who has exhibited great courage in support of freedom for the people of the country in which he lives, and that is Liu Xiaobo. On Friday, he will still be in prison, but the world can celebrate his courage and say to the Chinese in every way we know that they cannot continue to talk about freedom and then keep a Nobel Peace Prize winner in a dark prison cell in the farther reaches of China.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. GILLIBRAND. I ask unanimous consent to speak for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION ACT

Mrs. GILLIBRAND. Mr. President, 69 years ago tomorrow, one of the most deadly attacks on our Nation that we have ever seen, the horrific attacks on Pearl Harbor killed more than 2,000 U.S. troops and civilians. President Franklin D. Roosevelt said December 7 is a date which will live in infamy. No matter how long it may take us to overcome this premeditated invasion, the American people, in their righteous might, will win through to absolute victory, and we did.

In the aftermath of Pearl Harbor, America succeeded not only militarily, we succeeded morally as well. Our Na-

tion bonded together with a newfound resolve to help those who sacrificed so much for our Nation and to take care of our fellow citizens.

In the months that followed the attacks, Democrats and Republicans knew exactly what had to be done. Congress came together, not only to declare war but to pass legislation that provided health care and compensation to each and every civilian who was injured during that Pearl Harbor attack—every citizen who sacrificed for America that day. It did not take 9 years for that to be done. Congress acted bravely and swiftly, without partisanship, without gridlock, with a clear moral compass and a clear determination that we as a nation have an undeniable moral obligation to help the people who were harmed during that attack on Pearl Harbor.

Pearl Harbor was the most deadly attack on our Nation, the most deadly attack until the morning of September 11, 2001, when 3,000 innocent people perished and tens of thousands of people came to their rescue. In the days that followed the 9/11 attack, America showed the very same resolve it had shown nearly 60 years prior, and now we have seen thousands of heroes and thousands of survivors sick and dying from the toxins released at ground zero. It is a time for us to show that very same resolve again.

As President Roosevelt said: No matter how long it will take us, we will win through to absolute victory. We will provide the firefighters and police officers and the construction workers and the cleanup workers and the people and the children who go to school and live at ground zero with the health care and compensation they justly and rightly deserve.

There are few things we do in Washington that are clearly a choice between right and wrong. There is no gray area when it comes to this issue. We truly have a moral and undeniable obligation to help these men and women. For the past week on display in the Russell rotunda we have shown 29 police badges that belonged to 29 members of the New York City police force who died since September 11 because of the diseases related to those toxins that were released when the towers fell. The 30th police officer, David Mahmoud, died last month of a very rare, disfiguring form of cancer after he worked 60 hours at the site of ground zero.

Perhaps the most disturbing fact about the deaths of these 30 police officers is the fact that the average age of these men and women is 46 years old.

The badges we displayed were not just a memorial to those we lost, they are a call to action for each and every one of us who call ourselves public servants and for those of us who are here to serve on behalf of this Nation. Every single Member of the Senate should visit that memorial today to see and be reminded of those men and women who have perished. Over 13,000