

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

World Trade Center responders are sick today and receiving treatment; nearly 53,000 responders are enrolled in medical monitoring and 71,000 responders are enrolled in the World Trade Center Health Registry, indicating they were exposed to these toxins.

These men and women are from all over this country, from every State in the Union. In fact, approximately 10,000 individuals came from outside the New York area, including every State in this country, to save lives and to clean up after the devastation that struck New York. Their illnesses range from respiratory, gastrointestinal, and mental health conditions caused by the inhalation of pulverized cement, glass, lead and asbestos and other fatal toxins that were caused by the destruction of those buildings on 9/11.

The James Zadroga 9/11 Health and Compensation Act provides the proper congressional authorization and statutory structure to the 9/11 health programs that have received \$326 million through annual appropriations since 2003. Our bill would establish the World Trade Center health program within the National Institute for Occupational Safety and Health to provide permanent ongoing medical monitoring and treatment for related conditions to the World Trade Center responders and community members.

The program administrator will establish a nationwide network of providers so the eligible individuals who live outside of New York can reasonably access monitoring and treatment benefits near where they live. These eligible individuals are included in the caps on the numbers of participants in the responder and community programs.

I wish to emphasize one important aspect of this bill that typically gets overlooked. Our legislation will provide a level of accountability and transparency for the disbursement of funds that has not been seen up until this point with the current programs. It terminates all of the existing six billing programs that were hastily put together in the chaotic aftermath of September 11, and establishes one third-party administrator who will set reasonable rates, track expenditures, and enforce eligibility requirements. It will be 100 percent transparent and accountable.

Further, our bill limits the health program to 10 years and caps the number of people who can receive treatment at approximately 109,000 and limits the treatment to respiratory, gastrointestinal or mental health diseases that have already been medically certified to have been associated with breathing the toxins and other hazards at ground zero.

Under this bill, the government is the payer of last resort. Individual health insurance or funds from workers compensation claims will all pay for treatment first. The Federal Government will only cover those after those first two payers pay. The city of New

York is required to contribute 10 percent matching cost shares of the community health program.

The legislation will also formally reopen the September 11 Victims Compensation Fund to provide compensation for economic damages and loss for individuals who did not file or did not become ill before the original cutoff date of December 22, 2003. The payments will be limited to \$4.2 billion over 10 years.

Our bill would strictly enforce limits to attorney payments to 10 percent of the payments from the fund, and it would provide liability protections for the World Trade Center contractors and the City of New York, limiting liability of defendants for claims previously resolved, currently pending or filed through December 22 of 2031.

Last, I wish to emphasize this bill is entirely pay-go compliant. That means the bill is paid for. It will not add to our debt or our deficit. It is capped, mandatory funding that is offset completely by a pay-for that closes a loophole that foreign companies use to avoid paying their fair share of U.S. taxes, which fundamentally makes our companies have to play on an unlevel playing field. We want to help American businesses and that is what this pay-for does.

In closing, I wish to make it crystal clear what this bill is about. This bill is about our first responders. This bill is about our heroes, and their families. This bill is about the victims who lived at ground zero. This bill is about the children who are currently suffering from asthma, the most vulnerable in our communities who could not tolerate these toxins in their bodies.

I am going to tell you about three individuals whose stories are particularly moving. At a time when most people were running away from lower Manhattan, Joseph Picurro rushed to the World Trade Center site to volunteer his expertise as an ironworker for these rescue efforts. For 28 days Joe helped cut steel beams on the pile to find survivors and to clear debris, often sleeping on the floor of a nearby office building, rather than returning to his home and his family in New Jersey at night.

In the years following his dedicated work at Ground Zero, Joe was diagnosed with sarcoidosis, a reactive airway dysfunction syndrome and severe acid reflux. He suffered from constant joint pain, seizures, blackouts, and relied on dozens of different medications.

Unable to work for years, Joe had to fight to get his workers compensation for his illness. In October, Joe passed away at the age of 43. He left behind his wife and his daughter Allison. Joe's wife Laura recently wrote me a note of plea. She said:

Our financial situation is bad—I mean bad. For 6 years I've had to beg for help, borrow from family and I just can't do it anymore, and shouldn't have to. We need to reopen the Victim Compensation Fund.

This bill is also for people such as Frank Fraone of California. Frank was

a division chief of the Menlo Park Fire Department in California. He was thousands of miles away from New York City on 9/11 fighting wildfires. Along with thousands of other brave men and women who came from all across this country, Chief Fraone traveled to New York to aid local rescue workers at Ground Zero. He had seen his fair share of destruction during his career, but nothing had prepared him for what he saw at Ground Zero.

He worked 16-hour days with fellow rescue workers inhaling that toxic dust that later left him with lower respiratory airway disease. Living across the country, far from New York City, Chief Fraone still feels the effects of working at Ground Zero, which he said limited his ability to respond to other disasters such as Hurricane Katrina. Chief Fraone has had difficulty getting health care in California for his ailments, and says that:

Living out here in California, I cannot get confirmation or talk face-to-face with anyone affiliated with [9/11] health issues. I do not know to this date if I am going to be covered for my health concerns. What happens when this health issue disables me and I can no longer work or care for my family?

Our bill would meet the needs of this division chief and this man and this hero who came to help when he was needed.

The last story I wish to give is that of Robert Helmke. Police Officer Helmke died at the age of 43 from stage IV metastatic colorectal cancer caused by inhaling and swallowing the toxins at Ground Zero. He was 43. I am 43. Robert worked numerous hours of duty at the World Trade Center. He ate food and unknowingly inhaled the toxins while he was working. At no time while he was working at the site was he instructed ever to wear protective gear or any kind of breathing apparatus, nor was he told by our government that the air was in any way unhealthy or bad for him.

Stage IV metastatic colorectal cancer is a form of cancer that affects the upper GI tract. It is very rare in someone so young. He was told that treatment would not cure him, that it would only help him to live a little longer. I want to read to you his reaction to the diagnosis in his own words. He said:

Talk about crushing news! My wife and I sat in the car and cried as I asked her what did I ever do to deserve this. On July 11th, 2006, I had major surgery to remove two tumorous parts from my small colon and have radiation on the large tumor in my liver. Before my surgery, I had four chemotherapy treatments and was in an emergency room three times to be treated for dehydration before finally having to go on an all liquid diet and intravenous feeding. I have a wife, Greta, and two young children, Garrett and Amelia, who have seen my health worsen since participating in the World Trade Center recovery. My favorite things in life are slowly being taken away from me. My work, food, helping others and caring for my family.

Officer Helmke died on July 28, 2007. These are the stories that tell us what this bill is about—men and women who

are suffering; men and women who have died; men and women who have suffered so much because they did the right thing.

What message are we sending here from this body, this esteemed body, if we cannot help those who came to our rescue, who were there to find survivors, who were there then to find remains, and who were there to do the cleanup when our government asked them to help?

You must remember the days after 9/11. This country would have done anything to help those who had suffered so much in New York and across this country. This was the most deadly terrorist attack in the history of America. And now 9 years later this body cannot come together to do what is right? This is the clearest example of right versus wrong that I have seen in this body in my 2 short years.

We must recognize the undeniable obligation we have, a moral obligation to protect these men and women and their families because they did the right thing. It is now time for this body to do the very same.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2010—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to Calendar No. 662, S. 3991, the Public Safety Employer-Employee Cooperation Act, and I have a cloture motion at the desk I wish reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 662, S. 3991, the Public Safety Employer-Employee Cooperation Act of 2010.

Harry Reid, Patrick J. Leahy, Tom Harkin, Carl Levin, Daniel K. Inouye, Richard J. Durbin, Byron L. Dorgan, Jack Reed, Jeff Bingaman, Dianne Feinstein, Mark Begich, Robert Menendez, Daniel K. Akaka, Sherrod Brown, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Barbara Boxer.

Mr. REID. Mr. President, I now withdraw that motion.

The PRESIDING OFFICER. The motion is withdrawn.

EMERGENCY SENIOR CITIZENS RELIEF ACT OF 2010—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to Calendar No. 655, S. 3985, which is the Emergency Senior Citizens Relief Act, and I have a cloture motion at the desk referencing that matter.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 655, S. 3985, the Emergency Senior Citizens Relief Act of 2010.

Harry Reid, Richard J. Durbin, Bernard Sanders, Sherrod Brown, Debbie Stabenow, Sheldon Whitehouse, Patrick J. Leahy, Byron L. Dorgan, John D. Rockefeller IV, Charles E. Schumer, Al Franken, Barbara A. Mikulski, Jack Reed, Frank R. Lautenberg, Kirsten E. Gillibrand, Mark Begich, Robert P. Casey, Jr., Tom Udall.

Mr. REID. Mr. President, I now withdraw that motion.

The PRESIDING OFFICER. The motion is withdrawn.

DEVELOPMENT, RELIEF, AND EDUCATION FOR ALIEN MINORS ACT OF 2010—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I now move to proceed to Calendar No. 663, S. 3992, which is the Development, Relief, and Education for Alien Minors Act of 2010, and I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 663, S. 3992, the Development, Relief, and Education for Alien Minors Act of 2010 (DREAM Act).

Harry Reid, Richard J. Durbin, Tom Harkin, Carl Levin, Daniel K. Inouye, Dianne Feinstein, Byron L. Dorgan, Jack Reed, Jeff Bingaman, Patrick J. Leahy, Mark Begich, Blanche L. Lincoln, Robert Menendez, Daniel K. Akaka, Sherrod Brown, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Barbara Boxer.

Mr. REID. Mr. President, I now withdraw the cloture motion relating to that matter.

The PRESIDING OFFICER. The motion is withdrawn.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION ACT—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I ask unanimous consent to proceed to Calendar

No. 641, H.R. 847, the James Zadroga 9/11 Health and Compensation Act, and I have a cloture motion at the desk regarding this matter.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 641, H.R. 847, the James Zadroga 9/11 Health and Compensation Act of 2010.

Harry Reid, Kirsten E. Gillibrand, Charles E. Schumer, Robert P. Casey, Jr., Patty Murray, Al Franken, Jeff Bingaman, Benjamin L. Cardin, Joe Manchin III, Daniel K. Inouye, Michael F. Bennet, Jeanne Shaheen, Robert Menendez, Barbara Boxer, Frank R. Lautenberg, Christopher J. Dodd, Richard J. Durbin.

Mr. REID. Mr. President, regarding H.R. 847, the Zadroga legislation, have we stated that motion?

The PRESIDING OFFICER. The motion has been stated and the names have been read.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on the motion to proceed to Calendar No. 662, S. 3991, occur upon the conclusion of the impeachment proceedings and the Senate resumes legislative session; that the Senate then resume the motion to proceed to Calendar No. 662, and that the mandatory quorum, required under rule XXII, as it relates to all these matters I have filed cloture on be waived.

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

ORDER OF PROCEDURE—IMPEACHMENT AGAINST JUDGE G. THOMAS PORTEOUS

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume consideration of the Articles of Impeachment against Judge G. Thomas Porteous, Jr., of the Eastern District of Louisiana, at 10 a.m. on Tuesday, December 7, for the commencement of arguments by the House managers and counsel for Judge Porteous on motions filed by Judge Porteous with regard to the Impeachment Articles and that the Secretary be instructed to so notify the House of Representatives.

I further ask unanimous consent that each side be permitted no more than 1 hour for argument on all motions, that counsel for Judge Porteous be permitted to open and close the motions argument, and that the parties be permitted to divide their argument as they wish.

I further ask unanimous consent that then, after recessing for the weekly party caucuses, the Senate reconvene on the Articles of Impeachment at 2:30