

PUTTING POLITICS ASIDE

Mr. KIRK. Madam President, I rise for the honor of speaking on the floor of this Senate Chamber for the last time. With the swearing-in of Senator-elect SCOTT BROWN of Massachusetts scheduled for later this afternoon, my time as a Senator is nearing its close.

I repeat for the record, my most sincere congratulations to SCOTT BROWN on his impressive victory. We have worked together to assure that he and the people of Massachusetts were well served during the transition, and I wish him all the very best in his service to the Senate.

Under the saddest of circumstances—the loss of our colleague and our close friend Senator Ted Kennedy—my appointment to this office has allowed me to serve my Commonwealth and country in ways I could not have imagined a few months ago. It has enabled me to work closely with many old and new Senate friends—women and men who have been sent by their constituents to work together to make our Nation a better place.

These months have helped me to understand even more personally why Senator Ted Kennedy devoted his public life to the work of the Senate, why he took such pride in its history and its accomplishments, why he reached across the aisle to find common cause with allies who shared his hopes, and why, from time to time, he called upon this body to reach beyond the politics of the moment to achieve a greater good for the country's future. The lessons of his legacy will live on in this Chamber and in the institute devoted to the study of the Senate that will bear Ted Kennedy's name.

I discovered when just a boy how emotionally difficult it was to say goodbye. So I learned to use two other words that come much easier at times such as this. Those two words are "thank you."

I was not elected to this post, but I am deeply grateful to the people of Massachusetts who, through their elected representatives, gave me the opportunity to serve them. Particular thanks are owed to senate president Therese Murray and house speaker Bob DeLeo for their leadership in enabling Gov. Deval Patrick to appoint an interim Senator. I will always be grateful to Governor Patrick for his confidence in me.

It was my special gift to have had Senator Kennedy's trust and friendship since signing on as a member of his Senate staff some 40 years ago. But following his death, to be encouraged by his family—his devoted wife Vicki, his daughter Kara, his son Ted, Jr., and his son PATRICK—to consider an appointment to succeed the man whom they so loved and who achieved so much in this body is an honor for which no words of thanks are adequate.

I will forever be grateful to my friends and colleagues JOHN KERRY, CHRIS DODD, and so many others, for their warm and generous welcome to

the Senate. We shared a bond of sorrow with every other Senator at the realization that, after 47 years of legendary service, Ted Kennedy would no longer be occupying this desk. It was a time of emotional stirring, to be sure. But I found resolve in the certainty that Senator Kennedy himself would be the first to urge us to persevere, and that attention to Senate duties was the most obvious way I could honor his memory.

In undertaking those duties, I thank the majority leader HARRY REID and his entire leadership team for their encouragement, support, and wise counsel. I thank the assistant majority leader, DICK DURBIN of Illinois, for his very generous remarks about me on the floor earlier today.

I thank my Senate freshman colleagues who have been a source of strength to me and I predict will be a source of strength and leadership in this great body in the years to come; to all my colleagues on both sides of the aisle; to the officials of the Senate, the Secretary, the Parliamentarians, the clerks and reporters; to the Sergeant at Arms, the doorkeepers; to the secretaries for the majority and minority and their able staffs; to the Chaplain; and, of course, to the pages. Each and all of you have been extraordinarily thoughtful to me, patient with your tutelage and generous with your kindness and courtesies, and I will remember each of you with affection and appreciation.

Finally, I wish to thank the Kennedy-Kirk staff. The Kennedy staff has enjoyed a reputation of professional excellence through the years. Why? Because they strove to match their boss's unmatched work ethic and his tireless quest for excellence in the Senate. They shared Senator Kennedy's commitment to do all within one's ability to make America a better and more just society and to make a positive difference in the lives of its people.

I am grateful that many Kennedy staffers were willing to stay on as Kirk staffers. It has been my pleasure to share a special bond with them and with the capable young recruits who joined our ranks to begin their public service with this short-term freshman Senator.

My special thanks go to Senator Kennedy's and my chief of staff, Eric Mogilnicki, who managed our collective efforts with calm and competence during months of distraction and heartache; to Barbara Souliotis, director of our Massachusetts office who served Senator Kennedy and the constituents of Massachusetts with devotion and distinction from his very first campaign in 1962 until this very day; and to Carey Parker, with whom I began my own Senate service over 40 years ago. Carey was the loyal and wise legislative assistant constantly at Senator Kennedy's side helping to craft and guide a legislative legacy that shall remain a standard of excellence for the ages.

Madam President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD at the conclusion of my remarks a list of my staff.

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

(See exhibit 1.)

Mr. KIRK. Madam President, these are outstanding public servants who have my heartfelt appreciation and every best wish for the future.

Over 3 months ago, in my maiden speech from this desk, I chose to speak about Senator Kennedy's top legislative priority—to make quality health care affordable and accessible to all Americans. Since then, much has been accomplished in both Houses of Congress to bring us closer to that long awaited goal.

Following the election results in Massachusetts over 2 weeks ago, it was suggested that we let the dust settle before deciding what our next steps should be on health care reform. But we must not let so much dust settle that it buries all the sensible and necessary ideas that have been suggested. Comprehensive health care reform must remain an urgent priority of the 111th Congress.

But before we move forward on the path to health care reform and the many other critical issues that demand our attention, I respectfully submit that the Senate—and by that I mean each individual Senator—must pause to answer this question: Will the majority and minority walk that path together and work together on the business of the people we represent or will the people we represent watch the Senate that belongs to them revert to the calculated, politically polarizing standoff that has alienated the country during these past few months?

With the results from Massachusetts, much has been made of the fact that the numbers have changed in the Senate, and that is true. The numbers have changed. But the American people are asking a more important question: Will anything else change? Will the Democratic majority, despite its still solid numerical advantage, be forced to cling to a 60-vote strategy as the only path to forward progress on matters small and large, procedural as well as substantive? Will the Republican minority misread the Massachusetts results as vindication of a strategy to just say no to any measure proposed by a Democratic President of the United States or by their colleagues on this side of the aisle?

In my first speech from this desk as the 100th Member and the most junior Member and the 60th Democratic vote, I said I was hopeful that a newcomer's perspective would be received as a constructive contribution to the debate and that the debate should not be about one party reaching 60 votes; it should be about 100 Senators reaching out to each other to reform a system that better reflects the true values and character of our Nation.

Now some 4 months later, I feel obliged to repeat this observation to

my colleagues, Democrats as well as Republicans.

Bipartisan comity and collaboration must replace the polarization that threatens to poison the atmosphere and impede the work of this body. The Senate is in need of its own form of climate change, and only Senators of good will and of good faith and of both parties can bring that about.

The American people are filled with anxiety, anger, and impatience. They are facing issues of job security, health security, retirement security, home security, tuition security, and the list goes on. Their crises should not be dividing their Senate; it should be uniting it.

When the American families we are honored to represent are imperiled by economic hardship and uncertainty, they expect Democrats, Republicans, and Independents to work together in their common interest. And they deserve no less.

Lest anyone be misled by the message of the Massachusetts election, they should examine the exit polls. Voters were asked if the Senator-elect should join his Republican colleagues and try to block the President and congressional Democrats or should he work with them in a bipartisan manner. Among all voters, cooperation won by more than 3 to 1, 76 percent to 21 percent. And among those voters who supported the Senator-elect, bipartisan cooperation was preferred to obstruction by almost 2 to 1—61 percent to 36 percent.

I spent a part of my career as national chairman of one of our two major political parties. It was my job to be partisan. It was my job to weigh each decision, asking whether or how it might give us a political advantage in the short run or in the next election. That is what party chairmen are expected to do. That is not what Senators are expected to do.

There is always the possibility that my closing remarks will be dismissed by some as idealistic or unrealistic or partisan or as just a perspective of a short term who doesn't understand how the process works.

To them, I respectfully suggest that they listen as well to the words of the last Republican Senator elected from Massachusetts. This is what Senator Edward W. Brooke, an elder statesman of the Republican Party, said when he received Congress's highest civilian honor, the Congressional Gold Medal, less than 3 months ago:

I'm here to tell you that politics is not an evil thing. It's a good thing. And when used properly, it does good things. I think of the awesome responsibilities of the House of Representatives and the United States Senate in these years of crisis. . . . Not only this country, but this world looks to you.

Then, turning away from his audience to directly address the majority and minority leadership of both Houses of Congress, Senator Brooke said this:

When Republicans and Democrats get together, they can do anything. And the coun-

try is waiting for you to do anything. They just want relief. You have the responsibility, you have the authority, you are the people on Earth that are going to save this country and save the world. Think about that. We've got to get together. We have no alternative. There's nothing left. It's time for politics to be put aside on the back burner.

Madam President, I submit Senator Brooke is correct. We have no alternative. The Republican and Democratic Members of the Senate have no alternative but to work together in a bipartisan spirit with a level of civility and cooperation that is equal to the dignity of this institution and to the magnitude of what is at stake for American families.

The Senate is at its best and is rewarded fairly by the electorate when it reflects a spirit of teamwork and collaboration that brings results for the people it is meant to serve. We have seen it throughout history. We have seen it in statesmen such as Ted Kennedy and Ed Brooke. We have seen it in so many others who have served in this Chamber with distinction. I know—I know—there are Senators of good will of both parties who long for that spirit today.

We are among the very few who are privileged to serve in this historic body. As I complete my own duties here, I could not leave with a clear conscience without urging all my colleagues to seize this opportunity and this mutual obligation to take the long view, to put partisan politics aside, to come together in good faith and good will to better serve the institution we revere, the people we represent, and the Nation we love.

Madam President, with gratitude for the privilege of serving the people of Massachusetts in the Senate, for the last time, I yield the floor.

EXHIBIT 1

STAFF OF U.S. SENATOR PAUL G. KIRK, JR.
(Jan. 25, 2010)

Larry E. Bageant, Bethany Bassett, Eileen M. Brogan, Ronny A. Carlton, Aubre Marie Carreon Aguilar, Thomas D. Crohan, Shawn M. Daugherty, Daniel G. Doherty, John E. Dutton, Jorie Feldman, Michael George, Stephen Gregory, Lauren P. Janes, Royal F. Kastens, Kathleen C. Kruse, Ashley Lerner, Keith Maley, Sean M. Malone, Meagen L. Manning, James M. McCarthy, Eric J. Mogilnicki, Terrence J. Mullan, Carey W. Parker, Patrick N. Rodenbush, Alejandro R. Rodriguez, Julie M. Ryder, Graham D. Shalgian, Donna Smerlas, Barbara A. Souliotis, Tristan D. Takos, Ella M. Tibbs, Thomas B. Walsh, Colleen Wider, Emily A. Winterson.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I wish to thank my colleague, PAUL KIRK, for his eloquent and important comments to the Senate. He said a moment ago he hoped a newcomer's perspective would be a constructive contribution to the debate. I think all my colleagues would agree that whether in the caucus or in his maiden speech before the Senate or in his comments just now, PAUL KIRK has made an important contribution to the Senate.

Shortly after his oath of office last September, I said PAUL was smart, modest, polite, civil, and willing to share credit, and despite all that, I still thought he would be a terrific Senator. I think all of us would agree he has been a terrific Senator in a short span of time.

At a time of enormous upheaval in Massachusetts, a time of mourning, there was no one who was more suited for the moment than PAUL KIRK, and there was no one who understood the meaning of the moment better than PAUL KIRK—Ted Kennedy's friend of 40 years.

Everyone would agree PAUL hit the ground running. He was familiar with Teddy's staff and was able to bring highly qualified people himself. He had a command of all the issues that were facing the Senate. He had a special understanding of the politics that are played in Washington. PAUL was always aware, as he said with his dry wit, that he was a short-timer, but in his months here he didn't decide to come and be satisfied to simply serve out the term. He led, just as he expressed to us he knew people expected him to.

He cast an all-important vote, obviously, in the Senate's historic passage of comprehensive health care reform. But, frankly, much more important than a decisive vote, he provided a clear and compelling voice in the Democratic caucus for important features of the health care reform bill, especially the Community Living Assistance Services and Supports Act—or the CLASS Act, as it is known. That is an act PAUL fought hard for, based on his commitment to providing much needed insurance support to Americans with disabilities, allowing them to live independently in their communities. It was a cause, I might add, that marked Ted Kennedy's life but also PAUL's.

PAUL didn't just work on health care reform. As a Member of the Senate Armed Services Committee, he asked tough and prescient questions of the Secretary of State, of the Defense Secretary, of the Chairman of the Joint Chiefs of Staff, Admiral Mullen, about the military mission in Afghanistan—the kind of questions of which I know his mentor, Ted Kennedy, would have been proud.

He also cosponsored legislation to achieve greater parity in domestic partner benefits between the Federal workforce and the private sector employees. He worked with me to extend unemployment insurance benefits that will benefit as many as 40,000 Massachusetts residents, as well as get \$80 million in Federal grants for community health care centers in Massachusetts.

In all this—and PAUL spoke about it a few minutes ago—he was served by this amazing array of staff who are assembled behind him. He was served superbly by Senate staffers he inherited from Ted Kennedy and those he brought to the Senate. These outstanding men and women deserve our

thanks, as he has given them all our thanks in the Senate and well wishes for the next chapter in public service.

In one of his early speeches in the Senate, PAUL KIRK spoke at length about his friend, Ted. He said Senator Kennedy was not one to sit idly by—he acted; he acted to help as many people as possible. Well, the same can now be said also of Senator PAUL KIRK, though obviously for a much shorter period of time. He was not one to sit idly by. In the short time he has been here, he did act, and he has helped as many people as possible.

When he was selected to replace his friend in the Senate, I was reminded then—and I think I mentioned this on the floor—of Ted Kennedy's fondness for the poet Robert Frost and a line from one of his poems. Frost wrote:

Men work together, I told him from the heart, whether they work together or apart.

Teddy and PAUL worked together for much of their lives. Even though they have been apart these past months, they have never stopped working together in the spirit and in the causes that PAUL has embraced in his time here.

As I think about the comments he just made, in talking about what we need in the Senate, I couldn't help but look across the aisle and not see a Senator there. I regret that. Senator INOUE, seated to my right, has served here much longer than most of us—and Senator LEAHY, who was just here, and Senator DODD—but I think we were all part of the Senate a number of years ago when that never would have been the case.

So it is what it is. I hope they hear his comments. I hope all our colleagues will reach for this moment Senator KIRK has asked us to and, in doing so, will keep faith not just with his service but with the service of our dearly beloved friend, Ted Kennedy.

I wish to thank PAUL KIRK for his service to the people of the country and the Commonwealth of Massachusetts and the way in which he kept faith with the spirit of the law which sent him here. I think he has served us all well, and we will miss him.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WARNER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THANKING SENATOR KIRK

Mr. KAUFMAN. Mr. President, before I speak on the issue I came to speak about, I have to take a minute to speak about PAUL KIRK and Gail Kirk and how much they have given this country for many years and what a great honor it has been for me to serve in the Senate with PAUL. He embodies all that is good about this country. He is someone who has incredible intellect, judgment, and he is a lot of fun to be around.

I want to tell you, whatever you do, PAUL and Gail, we all send you our best.

PAUL has been maybe not a long-term Senator but a great Senator.

Thank you.

RESTRICTING FREEDOM OF EXPRESSION

Mr. KAUFMAN. Mr. President, on Tuesday night the Senate spoke with one voice expressing serious concern about ongoing attempts by China and other countries to restrict press and Internet freedom and condemning the recent cyber-attacks against Google in China.

In a bipartisan effort, a truly bipartisan effort, we unanimously passed S. Res. 405, introduced by myself and Senators BROWNBACK, CASEY, KYL, FEINGOLD, LIEBERMAN, MCCAIN, SPECTER, and WEBB—a broad spectrum of the Senate who all agree on this issue. This resolution reaffirms the centrality of freedom of expression and the press as cornerstones of U.S. foreign policy. It frames such freedoms as part of U.S. efforts to promote individual rights and voices concern over the ongoing efforts by many countries, and I mean many countries, to restrict free expression, highlighting the attempts to censor, restrict, and monitor access to the Internet.

The impetus for this resolution was a recent cyber-attack on Google's corporate infrastructure and at least 34 companies, reportedly originating in China. Google has evidence to suggest that a primary goal of this attack was to access Gmail accounts of Chinese human rights activists, journalists, and dissidents.

Even worse, this attack was only one of many recent attempts to exploit security flaws and illegally access computer networks of numerous individuals and institutions. These cyber-attacks are unconscionable violations of national security interests in addition to violations of intellectual property rights. With the passage of this resolution, countries from which such attacks originate or countries which take steps to restrict or monitor the Internet should consider themselves on notice.

The resolution calls on the Chinese Government to conduct a thorough review of the recent attacks and to make this investigation and its results transparent.

This is not just about cyber-warfare, and it is not just about China. This resolution highlights a much broader and far-reaching problem of state-sponsored efforts to restrict free and unfettered access to the Internet.

As technology continues to develop, an increasing number of governments have employed repressive tactics to monitor and control the Internet. In countries such as Iran and China, a growing effort has been made to silence the voices of their citizens and restrict the free flow of information. According to the 2009 "Freedom on the Net" report conducted by Freedom House, the

Government of China employs a sophisticated, multilayered, and wide-ranging apparatus to curtail Internet freedom. It also employs legal and economic means to coerce Internet service providers, Web hosting firms, and mobile phone companies to delete and censor online content.

Finally, it requires domestic Chinese and foreign companies with subsidiaries in China—such as Google but many others—to adjust their business practices to allow for increased filtering and supervision by the Government of China, which limits the data available on search engines.

This resolution urges companies to engage in responsible business practices in the face of such pressure from foreign governments by refusing to aid in the curtailment of free expression and welcomes the diplomatic initiative announced by Secretary Clinton in her January 21 speech on Internet freedom to support the development of technology aimed at censorship circumvention.

Finally, the resolution highlights violations of a free press in China, such as the ongoing jamming of Radio Free Asia, Voice of America, and other international broadcasters, despite the unimpeded broadcast in the United States of Chinese state-run media outlets. We allow China to broadcast to the CCTV and the Radio China outlets into the United States completely unfettered. Yet they jam all of our broadcasts by Voice of America and Radio Free Asia into their country. This is not fair, this is not reciprocity, and it is not becoming of a nation that hopes to become one of the great nations of the world.

It pays tribute to the professional and citizen journalists who persevere in their dedication to report in China despite the extremely high rate of imprisonment among journalists.

The freedoms highlighted in this resolution are not just an inherent good, they are also a practical benefit. As Secretary Clinton recently said:

... countries that restrict free access to information or violate the basic rights of Internet users risk walling themselves off from progress.

I am grateful for the widespread support and passage of S. Res. 405, and I thank the other cosponsors for their leadership. The United States must not sit back as voices in China, Iran, and around the world are silenced. It is my hope this resolution will help to promote an environment of expanded freedoms, especially when it comes to the Internet and the press.

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.

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