

as tellers on the part of the Senate to count the electoral votes.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. LANDRIEU). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DURBIN). Without objection, it is so ordered.

#### THE SENATE

Mr. LEAHY. Mr. President, I have served with the distinguished Presiding Officer for a number of years. We served together a number of times in the Congress during his service in the other body, in fact, on conference committees on rural issues, agricultural issues, and other issues. The distinguished Presiding Officer would agree with me that yesterday was something unique as we watched the opening of the session.

I was glancing through the CONGRESSIONAL RECORD. We are blessed with the finest reporters of any parliamentary body in the world; it is very accurate, but the one thing it cannot show is some of the facial expressions and some of the other features of the session.

It was such a unique situation. The First Lady was elected Senator. Her husband, the President of the United States, and daughter were in the visitors gallery. I should note for the RECORD, while they sat in the visitors gallery, they were given front row seats, probably coincidental, probably alphabetically, but somehow it was arranged.

The usual thing that happens is a motion is made to notify the President of the United States that we have gone back into session and we have assembled with a quorum present. The majority leader, Senator DASCHLE, moved to notify the President of the United States, and I heard a voice in the back of the Chamber say: Well, he's sitting right up there; you don't have to do that.

These are the interesting things, seeing so many new Members come in, the largest number of women in the Senate. When I first came to the Senate, there were none. It shows, though, even with 13 women Senators, we have a long way to go. We should have a lot more, and I expect we will. It shows a change in the Senate.

The thing I want to reflect on is the 50-50 Senate. Certainly not in the last two centuries have we seen this. This can be a glass half full or a glass half empty. I like to think of it as a glass half full.

We have fallen on very contentious times in the Senate. We had partisanship in the Senate and the other body of the most contentious nature that I have seen in my 26 years here. Fol-

lowing the impeachment process and the lame-duck House just over 2 years ago, we have never seemed to recover fully. I think all of us were hurt in some ways, but certainly the American people were hurt.

I have said many times, I believe the Senate can be and should be the conscience of the Nation. When you think of what we have here—a nation of 280 million Americans—there are only 100 of us who get the opportunity to serve at any given time. With all of our talents, with all of our frailties, only 100 of us can represent those 280 million Americans at any given time. We have a responsibility to all of them, not just to our own State—of course, we have a major responsibility to our State—but to all of the country.

I think in this 50-50 Senate we have a unique ability to carry out that responsibility. I hope we will see Senators working to form bipartisan cooperation, finding those things that unite us rather than divide us—as some have said in campaigns—that we know we should do.

The closest friendships I have had in my life have been formed in this body, with Members on both sides of the aisle. It frustrates me to think we have to either support or reject an idea simply because of its party's origin.

That does not mean Republicans should automatically adopt whatever Democrats want or Democrats ought to automatically adopt what Republicans want. But we can do something in this body to set an example for the new President, somebody who comes in carrying some nearly unique electoral factors. He received half a million votes fewer than the man he defeated. He won by one electoral vote, after the U.S. Supreme Court stopped the recount in the State of Florida. But he will be our President on January 20, and we will all accept that.

We will feel, at least initially, some of the pain from some of the campaigns and some of the elections on both sides. But ultimately we have to look out at what is, in many ways, the most wonderful country history has ever talked about—our own—and think of what we can do to make it better.

I am not suggesting a litany of areas in which to go. But we will see what happens during the hearings on Presidential nominees during the next couple weeks and those that will continue thereafter. It is a chance for us, at least in the Senate, to try to work together. Will we always agree? No. Can we agree a lot more than we have in the past? Yes.

We have two extremely hard-working leaders in Senator DASCHLE and Senator LOTT. Both have different philosophies. Both have entirely different types of caucuses to lead. But they are two leaders who respect the fact that the Senate can do better, should do better, and I believe will do better.

So I think it will be a very interesting year. I wrote in my journal yesterday, I could not think of anywhere

on Earth I would have rather been than in this body yesterday at noon. And I think of how fortunate everybody was who was in attendance to see history being made.

With that, Mr. President, I have gone over my time—although I have not seen any wild stampede of Senators coming on the floor seeking recognition—and I yield the floor and 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. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### THE ELECTORAL COLLEGE

Mr. DURBIN. Madam President, this Saturday, January 6, there will be an extraordinary event—which occurs every 4 years—created by our Constitution. There will be the count of the vote of the electoral college, the official determination of the identity of the next President of the United States.

Probably this year more than most, we are sensitive to this matter, and we understand what led up to it—a historic election where the Democratic candidate for the President, AL GORE, outpolled the Republican candidate for President, George W. Bush, by over 400,000 votes nationwide and lost the election.

It is not the first time in American history this has occurred. If I am not mistaken, it is the fourth time we have elected a President who failed to win the popular vote.

But the rules of the game and the rules of this election were dictated by those who wrote the Constitution many years ago when they made it clear that the process would not be by a popular vote but, rather, by the vote of electors in an electoral college.

What is the electoral college?

I think we can recall from our earliest civics classes that it is a creation of the Constitution which assigns to every State an elector for each Member of Congress and for the two Senators.

In my home State of Illinois, with 20 Members of the House and 2 Senators, we have 22 electoral votes. The State of Wyoming, with one Congressman and two Senators, has three electoral votes.

So the voters who cast their votes at the polls in Arkansas, Illinois, and Wyoming on November 7 were not voting for AL GORE, George Bush, Ralph Nader, or anyone else. They were voting for electors—men and women who then came and ultimately cast their votes in State capitols a week or so ago. Those votes will be counted in the House Chamber this coming Saturday.

I, for one, believe this is a system which should be abolished.

The electoral college has been in place for over 200 years. You might