

President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

The VICE PRESIDENT. The majority leader is recognized.

QUORUM CALL

Mr. FRIST. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of quorum having been suggested, the clerk will call the roll to ascertain the presence of a quorum.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 1, Leg.]

PRESENT—92

Akaka	Domenici	McCain
Alexander	Dorgan	McConnell
Allard	Durbin	Mikulski
Allen	Ensign	Murkowski
Baucus	Enzi	Murray
Bayh	Feingold	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Bingaman	Frist	Obama
Bond	Graham	Pryor
Boxer	Grassley	Reed (RI)
Brownback	Gregg	Reid (NV)
Bunning	Hagel	Roberts
Burr	Harkin	Salazar
Cantwell	Hatch	Santorum
Chafee	Hutchison	Sarbanes
Chambliss	Inhofe	Schumer
Clinton	Inouye	Sessions
Coburn	Isakson	Shelby
Cochran	Jeffords	Smith
Coleman	Johnson	Snowe
Collins	Kohl	Specter
Conrad	Kyl	Stabenow
Cornyn	Landrieu	Stevens
Corzine	Lautenberg	Sununu
Craig	Leahy	Talent
Crapo	Levin	Thomas
Dayton	Lieberman	Thune
DeMint	Lincoln	Vitter
DeWine	Lott	Voivovich
Dodd	Lugar	Wyden
Dole	Martinez	

ABSENT—8

Biden	Carper	Rockefeller
Burns	Kennedy	Warner
Byrd	Kerry	

The VICE PRESIDENT. A quorum is present.

The majority leader is recognized.

SERVING IN THE SENATE

Mr. FRIST. Mr. President, let me welcome everyone here and everyone watching at home to the Chamber of the U.S. Senate and to this historic first day of the 109th Congress.

When the Senate family gathers, it is always a special occasion. But this is a day when the entire Senate family comes together and celebrates this unique institution that indeed binds us as one.

So, for being here, I thank the distinguished Members of the Senate—past, present, and near future—Senate friends and our beloved families, and our loyal and hardworking Senate staff.

My colleagues, our roots as representatives of the people are not recent. They are ancient. They reach be-

yond the founding of our Republic, to our earliest days as colonies. The first legislative assembly in the New World gathered during the scorching summer months of 1619 on Jamestown Island, Virginia. Twenty-two burgesses, a governor and his council, a clerk, and a sergeant of arms met to propose and pass “just laws for the happy guiding and governing of the people . . .”

If you visit Jamestown today, you can still see the stone foundation of the church where that first assembly conducted its business. It is on those rocks that this House in which we stand today was built.

Over the course of nearly four centuries, the seeds of American democracy have swept across oceans and over mountains and through jungles and deserts, taking root in land barren of the supposed “prerequisites” for self-government. These seeds have grown into what President Reagan boldly called at the height of our war against Soviet totalitarianism “a not-at-all-fragile flower.”

As U.S. Senators, we, with our colleagues in the House and our respected President, are the stewards of this ancient and yet still living and thriving tradition. And this, my friends, is no small burden to bear.

The American people—and indeed the people of the world—look upon this Capitol and those of us who serve here for inspiration and leadership and unwavering devotion to our common cause.

So what is expected of us over the course of the next 2 years? What is our duty as the 100 Members of the world’s greatest deliberative body, the U.S. Senate?

We all take the same oath to support and defend the same sacred document. So, first and foremost, we are obligated—as individuals, as equals and, above all, as a body—to discharge our Constitutional duties.

We also have, as Senator Mike Mansfield once said, “a primary responsibility to the people whom [we] represent to face the legislative issues of the nation.”

And I would add not just the issues of today, but the issues of tomorrow. This Senate must lead today on tomorrow’s challenges.

Lastly, we have what our longest serving Member, ROBERT C. BYRD, calls “the duty beyond our duties.” It is, as he so eloquently and accurately once stated: “The duty to endeavor to inspire others and to demonstrate, through personal example, that public service of all types ought to be an honorable calling.”

Senator BYRD, I too believe public service is an honorable calling. And, my fellow Senators, you are all honorable men and women. It is a privilege both to serve with you and to serve you as majority leader. God bless you, our proceedings, the country we love, and the people we all aspire to faithfully represent.

RECOGNITION OF THE MINORITY LEADER

The VICE PRESIDENT. The Democratic leader is recognized.

PUBLIC SERVICE

Mr. REID. Mr. President, I appreciate very much the remarks of the Republican leader, and I think there is no better example of public service than BILL FRIST, a person who, if not the most prominent transplant surgeon in the country, is one of the most prominent transplant surgeons in the country, and he decided to become involved in public service and he has done it very well.

I repeat, there isn’t a better example of public service than the leader.

When I was less than a week old, my father was working in the mine in Chloride, AZ. It was a short way over the river from Searchlight. He was working in a vertical shaft. They were sinking a shaft. He was working with another man by the name of Carl Myers. They drilled holes and set the dynamite charges. In those days they did not have all the product liability protection we have today.

He lit the 10 fuses. One of them went off way before it was supposed to. He was hurt very badly. It blew him into the air, blew the soles off his shoes. He was in a state of shock. He knew he had to get out of there because the other holes were burning. When they were sinking the shaft, they had a 10-foot ladder they would bring down, take it out when they climbed out of the hole, and leave it at the next level. He knew he had to get out of there. He put the ladder down and it would keep falling. He did not realize a leg of the ladder had blown off and when he tried to climb out, it would fall.

On the next level was Carl Myers. He knew one of the holes went off; he knew there were nine others. He did something heroic, to say the least. He could not stop the other holes from going off because they were covered with muck at the time, covered with dirt. So Carl Myers climbed down. He was a smaller man than my dad. My dad was 6 feet tall and probably weighed 185 pounds. He carried him up to the next level and saved his life. As soon as he got up there, the holes went off.

I tell this story because the acts of one man did much. Among other things, it allowed my mother not to be a widow, allowed her to have a husband and a father for three boys. Later, another brother came into the family.

Carl Myers received a Carnegie medal for heroism for what he did to save my father’s life. Lowell Thomas wrote about this episode involving my father. He quoted Carl Myers as saying: To hell with the medal, Harry’s alive, isn’t he?

Carl Myers, from the time I was a little boy being raised in Searchlight, was a hero to me. Because of his decision our family was allowed to function.

Actions of U.S. Senators and the President of the Senate have consequences, just as Carl's actions had consequences. In the Senate we make decisions. We have a lot more time to make these decisions than Carl had deciding to go back down in the hole. The decisions we make touch the lives of Americans. People all over America are affected by what we do in the Senate.

The citizens are counting on the Senate to make sure public schools are institutions that we as Americans are proud of. The American people are counting on us to make their life better by making medical care easier for them to come by. People are counting on the Senate so a child's ability to go to college will not be determined by how much money the parents have. People are counting on Congress to make sure Social Security is a stable fund they can depend on. People are counting on Congress to make sure the environment is good, so the water we drink is pure, the air we breathe is good. Women are depending on us. They are counting on us to make sure their wages are no longer 75 cents of every dollar we make as men. There is an article in the Washington Post today discussing a problem with more unintended pregnancies than we anticipated. They are depending on us to do something about that. Citizens are depending on us to make sure our fiscal house is in order. They are depending on us to do our work in a bipartisan fashion to effect change in our country to the good.

I spoke to Senator FRIST this past week. We are working on items for when we return in late January, items we can work on, on a bipartisan basis, to show the American people that, yes, we can work together. There are issues we can work on—maybe the highway bill. We did not do it last Congress; maybe we can do it this time. There are many other issues the leader and I talked about.

There are bipartisan opportunities, and I as the new Democratic leader speak on behalf of 45 Democratic Senators. We are here with our arms open to work with the administration, the Speaker, the Republican leader, to accomplish good for this country. There is much we can do that is going to make this country a better place.

Our decisions will affect the American people. We should never as a Senate forget that what we do has an impact on everyone.

I look forward to this new Congress, that we can forget what went on in the past, only call upon that which was positive in the past and look to the future with a greater day, a nicer day, a more pleasant day ahead.

The VICE PRESIDENT. The majority leader is recognized.

INFORMING THE PRESIDENT OF THE UNITED STATES THAT A QUORUM OF EACH HOUSE IS ASSEMBLED

Mr. FRIST. I send a resolution to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 1) informing the President of the United States that a quorum of each House is assembled.

The VICE PRESIDENT. Without objection, the resolution is agreed to.

The resolution (S. Res. 1) reads as follows:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

Mr. REID. I move to reconsider that vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. Pursuant to Senate Resolution 1, the Chair appoints the Senator from Tennessee (Mr. FRIST) and the Senator from Nevada (Mr. REID) as a committee to join the committee on the part of the House of Representatives to wait upon the President of the United States and inform him that a quorum is assembled and the Congress is ready to receive any communication he may be pleased to make.

INFORMING THE HOUSE OF REPRESENTATIVES THAT A QUORUM OF THE SENATE IS ASSEMBLED

Mr. FRIST. Mr. President, I send a resolution to the desk.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 2) informing the House of Representatives that a quorum of the Senate is assembled.

The VICE PRESIDENT. Without objection, the resolution is agreed to.

The resolution (S. Res. 2) reads as follows:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

Mr. FRIST. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FIXING THE HOUR OF DAILY MEETING OF THE SENATE

Mr. FRIST. I send a resolution to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:
A resolution (S. Res. 3) fixing the hour of daily meeting of the Senate.

The VICE PRESIDENT. Without objection, the resolution is agreed to.

The resolution (S. Res. 3) reads as follows:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

Mr. FRIST. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TO PROVIDE FOR THE COUNTING OF ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. FRIST. On behalf of myself, Senator REID, Senator LOTT, and Senator DODD, I send a concurrent resolution to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 1) to provide for the counting on January 6, 2005, of the electoral votes for President and Vice President of the United States.

The VICE PRESIDENT. Without objection, the concurrent resolution is agreed to.

The concurrent resolution (S. Con. Res. 1) reads as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the sixth day of January 2005, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Mr. FRIST. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.