

colleagues in talking about our dear and great friend, TOM DASCHLE, with whom I had the privilege to serve for the last 6 years, and to be led by for the last 6 years. I have never known a better human being or a better public servant than TOM DASCHLE. He is a good, honest, decent, and honorable man. The Senate will miss him. The country has benefited from his long and extraordinary service to this country.

FAREWELL

Mr. EDWARDS. Mr. President, life has a great way of handing us moments that are bittersweet. I am sad today to rise for the final time to represent the State of North Carolina as their Senator, but I am also filled with a great deal of joy because I will be heading home to the place and the people and the family I love so much. I also want to thank everyone who is listening and all Members of the Senate and the staff who have been so extraordinary about my wife Elizabeth for their prayers and their support.

Elizabeth and I and our family draw so much strength from all of you. We are comforted by your words and your prayers.

We are grateful to the more than 50,000 people who have sent e-mails and letters to Elizabeth. As Elizabeth's brother said when he was asked about it, he would not want to be cancer inside of Elizabeth's body, and I agree with that.

She is the love of my life and a woman of great strength. I am sure she will be successful in this fight. Both of us hope and pray that by talking about it in the way that Elizabeth has, and with the grace and courage that she has shown, it will help other women who are faced with the same kind of struggle so they can avoid the same kind of struggle.

Sometimes when hardship comes, one feels alone, but thanks to all of you and our family in the Senate, we know that we are not alone. We are blessed to have the love, affection, and support of our friends and our family, our great staff in Washington, DC, in the Senate office and back in North Carolina and our Senate offices there, and also the staff in the Senate.

Those who serve on the floor of the Senate who have been wonderful friends and so much help and support for all of us, we thank all of them. To Marty and to Lula, whom Elizabeth and I adore, who have been wonderful friends to us and have advised us and shown us our way around here, we appreciate both of them. To the people in the cloakroom who have helped us and taken care of us for the last 6 years, and to the men and women—and I hope they will hear my voice—who take us up and down the elevators, whom we see as we go in and out of these office buildings and the Capitol, who serve all of us and who are wonderful, extraordinary people, I have to say, since I

have come back from the campaign trail, to a person they have spoken their support and affection for Elizabeth and for our family and what we are going through. I just want them all to know how much they mean not only to us but to all of us who serve in the Senate.

And, of course, to all the men and women I have had the privilege to serve with here in the Senate. To those who think the men and women who serve in this institution do not work hard, I wish they could spend one day here and see how hard it is and how devoted everyone who serves in the Senate is, and how much they want to do good things for the country—whatever our disagreements are. We have many and they are strong. The truth is, everyone here serves because they love their country and they want to do good things for their country.

All of you, you keep us strong. You keep us going. You remind us, in good times and in bad, when we work together, everything is still possible here in America. It is the North Carolina way. That is the way I like to look at it. I have never loved my home State or my country more than I do today. We have had some triumphs, we have had some tragedies over the last 6 years. But one thing is clear: I will never stop representing the people of North Carolina, the values they represent and the values that I grew up with there and the values I believe in. The truth is, it is who I am.

It is what I learned in Robbins, NC growing up, watching my father and the men and women who worked alongside him in the mill for all those years. It is what I learned from going to church, from going to our schools, and from going to all 100 counties in North Carolina, which I am proud to have done, and listening to the people of North Carolina. It is what I learned when I shook the hands of the people who came on Tarheel Thursday, which we had on Thursday when we were here in the Senate. I will never forget you.

I will never forget the first struggle we had in the wake of Hurricane Floyd, hard-working people like Bobby Carraway. He owned a restaurant in Kinston near the Neuse River. It sat under 3 feet of water for days. He lost everything. He and so many like him didn't want a Government handout, they wanted a hand up and a chance to do what they were capable of doing and a chance to go back to work, which is all he and his family had ever known their entire lives. What we did then for so many, and this year, too, in the western part of our State, which has been hit by hurricanes and flooding, is we worked together, we picked ourselves up, we dusted away the disappointment, and we got back to work to make North Carolina stronger.

I will also never forget the men and women who worked at Pillowtex. They did everything right. They took care of their families. They went to work every day, some of them for days and

years, some of them for decades. They still couldn't stop their jobs from moving overseas.

I met one woman whose question I hear over and over—I heard it over and over again as I traveled around the country. She looked at me and said: What am I supposed to do now? Have I not done what is right in America? I worked hard, I raised my family, I was responsible. Now my job is gone and what am I supposed to do?

Together we fought to help her pay for health care and get training for a new job but, most importantly, we fought to keep North Carolina jobs in North Carolina where we need them so badly. We stood up against tax breaks that shipped our jobs overseas. We fought for fair trade that gave our workers and businesses a chance to compete, and represented the values we believe in.

I will also never forget Dr. Clay Ballantine. He works at Mission St. Joseph's Hospital in Asheville, NC. Every day he sees kids and adults and seniors who come in with respiratory problems, problems with asthma. He told his story as we fought the battle to protect the quality of our air for our children and for our seniors.

I will never forget the farmers and the men and women who live in our small towns, our rural areas where I grew up. That is who I am. The truth is, you are the heart and soul of North Carolina. When our farmers were struggling, especially our tobacco farmers, I am proud in the end we were able to do something, to do something to help them, because they deserve it. They have done so much for their towns and their communities and for my State. They deserve something, finally, to be done to help them and support them. All of us together were able to do that.

It also matters, it matters to good, hard-working people like Blythe and Gwendolyn Casey. They have had a family farm for decades. They did their part and they never dreamed they would be close to retiring, mired in debt, debt they can never recover from. Together we helped them and we maintained family farms across our State of North Carolina.

I will never forget the mothers and the fathers, the husbands and the wives, the brothers and the sisters who wanted nothing but to make sure their loved one got the care they needed in their darkest hour. Together with Senator JOHN MCCAIN and Senator KENNEDY, my friends and my colleagues, two men for whom I have enormous respect and affection, we went to work on something that matters—making sure you and your doctors could make your own health care decisions, especially when they were important to you and your family. It wasn't easy. There were lobbyists all over this place from every drug company, HMO, and big insurance company. They prowled these halls, but we did it and we got the Patients' Bill of Rights passed in the Senate. I have absolute faith that

the Senate will do it again and the President will sign the Patients' Bill of Rights into law for all Americans.

I will also never forget the brave soldiers I met in Afghanistan on a dark night. They are so proud—they were so proud and still are—of serving their country, going after terrorists and Osama bin Laden. I will never forget the thousands of men and women from Fort Bragg, Camp Lejeune, Cherry Point, Seymour Johnson, and Pope Air Force bases, who were serving this country abroad and who were serving the country at home, and whose families were there to support them. I represented them and represented their families and it was an extraordinary honor for me to be able to represent them.

It is simple for me. If you take care of us, if you serve our country to protect the freedoms and ideals we cherish, we should be there for you. Your country should be there for you. That means health care and housing, it means relief on your student loans, and help covering your child care cost when your spouse has to go to work.

The men and women who wear the uniform of the United States of America, they are who we think of and pray for when we look at our flag. The Stars and Stripes wave for them. The word "hero" was made for them. They are the best and the bravest, and we will always stand with you when you are standing in harm's way. This is what we have fought for together. It is something of which we should all be proud.

We built on North Carolina's model to improve our schools, to strengthen standards, to expand afterschool, and to pay teachers more. We fought to strengthen security at our ports and our borders, chemical and nuclear plants, and to give our police and firefighters the support they needed to keep this country safe. We fought to make Washington live within its budget, to make sure Washington did what most families in America do every single day, to live within their means, and to restore fiscal responsibility. And we fought to reward work—not just wealth, work—and to ensure that the American dream stays alive and available to every single American, no matter where they live or who their family is or what the color of their skin. This is the America we believe in. This is the America we fought for.

All my life I have fought for those who do not have a voice. I did it before I came to the Senate. I have done it here in the Senate. I will do it for the rest of my life. It is what my life has been about: Fighting for people who need someone to fight for them.

I thank Senator BYRD for all of his guidance and for showing me the ropes during the time I have been here in the Senate.

I want to take a moment and say a word about Senator REID, who has also been a great leader here in the Senate and who I want to wish Godspeed in the important work in front of him.

Again, my thanks to my leader, to our leader, Senator DASCHLE, for the work he has done and the leadership he has shown and the grace and strength and courage he has shown in leading in very difficult times, as others have said. He is a good and decent man and we all look up to him and respect him.

I thank Senator MCCAIN and Senator KENNEDY for including me in working on the Patients' Bill of Rights, two great leaders in this Senate, two great leaders for the country, two Americans that Americans do and should look up to and respect.

I thank my friend, my seatmate, Senator EVAN BAYH, for all the times we have spent together, working here on the floor of the Senate, running together. He and his wife and his family are great friends of ours. His friendship means the world to me.

I also thank my fellow Senate retirees Senator BREAUX and Senator HOLLINGS. One thing I guarantee you: Our accents will be missed here on the floor of the Senate. Hopefully, there will be others who will be able to speak the way we speak.

I also want to say a word about my friend Senator KERRY. I embarked a few months ago on a journey with Senator KERRY, a fight, as we traveled across the country and fought for the things in which we believe. We shared our hopes for this country together. We worked hard to make America stronger. I developed a very strong, close, personal friendship with JOHN KERRY during that time. JOHN KERRY is a good man and he is a good American. I got the chance to see him when others didn't, when there were no cameras around, when there were no crowds. This is a man of strength and conviction and courage. He loves his children. He has a beautiful family, by the way. He and his wife Teresa and their kids became very close with my family and our children.

We feel an enormous affection for them and enormous connection with them because we were engaged in what we thought was a very important cause. It still is a very important cause.

But the reality is that JOHN KERRY is somebody who has loved this country his entire life. He stood up and fought for this country his entire life. I am proud to have been able to spend the last few months fighting alongside him as he traveled throughout the country and the work that he did not just in this campaign but for all the years he served in this Senate before this campaign, and the years he will serve from here on are important. Every day he walks onto the floor of this Senate, the American people will be better for it.

He is my friend. He is my colleague. I trust him.

I believe, of course, that he would have made a great President, and I believe he has great work to do for this country in the days and years to come. It is an honor for me to be able to serve with him in this term.

I also want to thank my staff. I ask unanimous consent to have their names printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Sophie Milam, Blair B. Milligan, Joyce Mitchell, Carlos A. Monje, Kevin A. Monroe, Robert Morgan, Matthew L. Nelson, Elizabeth E. Nicholas, Ashley I. O'Bryan, Sacha M. Ostern, Joseph W. Parry-Hill, Lauren Partner, Elizabeth Pegram, Philip J. Peisch, Sarah L. Pendergraft.

Anthony Petty, Aaron S. Pickrell, Lesley Pittman, Sally Bussey Plyler, Mary Margaret Propes, Hunter L. Pruett, Jacqueline F. Ray, Karen A. Robb, David E. Roberts, Judith M. Rossabi, David A. Russell, Craig J. Saperstein, Heidi Schneble, David G. Sewell, David L. Sherlin.

Joseph L. Smalls, Julianna Smoot, Joshua H. Stein, Michael Sullivan, Johathan Sumrell, Adrian Talbott, Noelle Shelby Talley, Bradford T. Thompson, Cindy E. Townes, Brooke I. Turner, Ann S. Vaughn, Jannice T. Verne, Rebecca Walldorff, Jewell E. Wilson, Jessica F. Wintringham, Andrew A. Young, Lisa E. Zeidner.

Mr. EDWARDS. Mr. President, we couldn't do the work we do here without the support and help of all those who work so hard with us every single day. You show up every day. You show up every day, in my case as I saw it, with a simple question: What can I do to make my country better? And you did. Those of you who worked with me, I know that you did; I saw it. I saw the hard work you did, and you will continue to do it because you believe public service is an important and noble calling. I thank you personally. I thank you on behalf of the people of North Carolina and the people of this country. I have seen the hard work you have done, and it is important.

This fight goes on.

I will be home in a place I love, North Carolina, the place that made me love America to begin with. I am going to have God's gift—more time to hear the screen door slam when my young kids run through the house after school. I still have a couple of young kids, Emma Claire, who is 6, and Jack, who is 4. I will be able to spend more time with my older daughter Kate, who graduated from college and was out on the campaign trail. I am very proud of her. I will have more time to spend with my own parents and my family and more time to be there for the woman I love and have loved for a long time now, my wife Elizabeth.

It is bittersweet knowing what we have accomplished. And it is also bittersweet knowing what is left to be done. There is so much work left to be done in this country.

And in the end, I always think of North Carolina's own Thomas Wolfe. He said:

I believe that we are lost here in America, but I believe we shall be found. And this belief, which mounts now to the catharsis of knowledge and conviction, is for me—and I think for all of us—not only our own hope but, America's everlasting, living dream.

Our job is making sure that no one—no one—is lost in America; that that

dream is everlasting. And together we will continue to make it stronger and more alive for all who grace our lives.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I would like to make some comments about our friends who are departing the Senate.

I thank Senator EDWARDS for spending some time in this Chamber. When you came in, we were faced with some tough legal issues. We turned to you and you stepped up to the plate. I appreciate that. I thought you did us proud—I am not only speaking as a Democrat, I am speaking as an American—on the campaign trail with the passion for people. You are so articulate and you brought the economic issues home to everyone. I think everyone is better for it.

You are right about Senator KERRY. I think he would have made a great President. I think history will look at his campaign and be kind to him because JOHN KERRY had dignity in his campaign. He stuck to the issues. The debates were fantastic. I believe it served our President well. He had to step up to the plate as well on many of the issues.

I also want to say how much I am going to miss FRITZ HOLLINGS, an amazing man; protector of the consumers, guardian of the budget.

Senator GRAHAM is a champion on the environment and some other issues, protecting senior citizens and Social Security. We will need to hear his voice.

Senator BREAU was always out there trying to pull us together.

I have to say a word about Senator FITZGERALD because of some tough environmental votes. There he was standing with me. I remember one time he said, I have to stand with you because my son will never talk to me again. It was good to work with him as well.

I want to finish my remarks by saying TOM DASCHLE is a man of great courage and compassion and wisdom, quiet leadership. I think today as we listened to his remarks, his farewell to the Senate, we saw his goodness, we saw his intelligence, and as my senior Senator said, it is tough to imagine people wanting something different than what TOM DASCHLE offered them. But that is what it is about. It is about elections.

I say that TOM DASCHLE will go down as a great leader of this Senate, as a man who put issues ahead of his own personal gain. I think he is a role model for each and every one of us. He is a class act.

I say to him and Linda, Godspeed. I know that in future years you will be very much on the scene because you have so much to offer. You have such a sense of history and such a sense of the future. It is bittersweet. But it is an honor to have known TOM.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I want to close by associating myself with the remarks of the Senator from California and her regards and respect to the other retiring Members, particularly Senator EDWARDS who has just spoken and has distinguished himself so impressively over the last year and half in the service of our country by seeking the Vice Presidency.

I am proud of my State of Minnesota. They cast by a majority over 100,000 votes for Senator EDWARDS and Senator KERRY, reflecting the wisdom of voters in the tremendous excitement of Senator EDWARDS and Senator KERRY. But Senator EDWARDS, in my personal experience, generated tremendous courage and enthusiasm in St. Paul, MN on Labor Day and on the Iron Range in Minnesota. He has a very bright future in whatever future endeavors.

I join my colleagues in expressing to his wife Elizabeth our prayers for a speedy recovery. I think that will be the result.

I thank the Senator for his outstanding service and as leader of our party and our country.

I also want to join my colleagues in expressing my highest personal regard for Senator DASCHLE. It is, like others, a hard time for me. It was very hard in the next day after the election to hear the results in South Dakota. I have always had and will continue to have the greatest respect for the democratic process in this country. It is the ultimate and appropriate judgment of the people. I felt that way even when I disagreed with the verdicts they rendered.

I must say to the very slightest of majority, the voters of my neighboring State in South Dakota, with all due respect to them and their rightful judgment, that in my humble opinion you were wrong. You cannot fully understand the extraordinary leader, the superb public servant, and the phenomenal human being you had in TOM DASCHLE as your Senator, and as all of us in his caucus knew we had in our Democratic leader.

What makes it so hard is he has been taken away from us despite our wishes, and taken away from the country. And it is very hard. It is hard, frankly, to hear all the false praise of someone who went beyond the boundaries of comity, of bipartisanship, of deserved respect for a leader, who campaigned against TOM, who violated the boundaries of his own State and disparaged him; and, most recently, the comments of the incoming chairwoman of the Republican Senate Campaign Committee which were untrue, unwarranted, and just plain foul. TOM DASCHLE has too much decency to say so.

That was the irony in and the indecency of those remarks. They were directed after the election, after the victory against the most decent man I have ever met in politics, TOM DASCHLE. He is a gentleman in the very best sense of that word: strong in his principles, firm in his convictions,

fierce in his dedication to serving the people of South Dakota and their best interests, but a gentleman in his decency, his personal respect and the senatorial courtesies he extended to every one of his colleagues.

But TOM, being the man he is, would not want me to end on such a note. So I will not. I end by thanking him, thanking him for his leadership over the last 4 years, from the time during which I have been privileged to serve under his leadership, for mentoring me, giving me the opportunities I have had in committee assignments, to listening to me and offering his astute guidance and experience and wisdom. I thank him for showing me by his living example every day and every night in the Senate what it means to be a great Senator, what it entails, the dedication, the hard work, the hours, the travel; what it means when you can do what TOM DASCHLE has done for his State to save people's lives, to improve people's lives, create new opportunities for young and old, what he has done for his country, what he has done for people who are not his constituents who cannot even thank him and won't be able to vote for him. But that did not matter because he had the opportunity and he seized the opportunity to do things that benefited their lives.

Thank you, TOM DASCHLE. Thank you for being a superb leader. Thank you for being a great Senator. Thank you for being a phenomenal human being. I wish you well.

I yield the floor.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, we could not help but note the sadness we all experienced as our friend and leader, TOM DASCHLE, made his goodbye speech. As usual, when TOM DASCHLE spoke, it had meaning, substance. He certainly had that as he closed his chapter here—I hope not his book, just his chapter.

He talked about things he cared about and people he cared about and what it is that drove him to take this job. Everyone knows how difficult a task being a leader in the Senate is. It is not always realized outside this Chamber how hard one has to work to please so many, to sacrifice so much in terms of personal life.

TOM DASCHLE, our leader, distinguished Senator from South Dakota, outstanding leader—not just for this side of the aisle but the entire country. He lost an extremely tough, close race a couple of weeks ago.

TOM DASCHLE is the stuff of which so many of our lives in the Senate are made.

It is a sad day. It is not just a sad day for me, who treasured the friendship I had with TOM DASCHLE, listened carefully to his words and followed, for the most part, the directions he portrayed for all Members here, it is a sad day, obviously, for TOM DASCHLE's family; it is a sad day for the Senate and a sad day for everyone in this great country of ours.

I said TOM is the stuff of which so many of our lives are made. It is quite hard to see in this place of splendor the route so many Members took to get here. There is a substantial difference in age between TOM DASCHLE and me but I had a similar experience. I was the first in my family to go to college. My parents were hard-working people. They did not work on a farm but they worked in the store. They worked in the mills. My father worked in the silk mills of Patterson, NJ, a factory town.

What was the legacy they imparted? It was to work hard, to believe in America, to believe in yourself. Try to achieve a degree of respect and dignity. That is what my father did for me, even after I had enlisted in the Army and he was on his deathbed from cancer. The messages were all profound: work, study, learn.

He took me into his factory one time and said: You must never work like this, so dirty, so dusty, so noisy, so dangerous. He knew it was dangerous, that there was something in the weaving of that silk fabric where they used chemicals to keep it from growing too brittle, to keep the machinery oiled. It took my father, his brother, their father, at very young ages.

When we hear TOM DASCHLE talk about his background, how his parents worked to provide him with not the funds but the incentive to make something of his life, to give something back to America, we know TOM DASCHLE is a model for so many to follow, with that commitment to decency and honor.

It is a sad day when we reflect on what happened in TOM DASCHLE's last race. He wanted to be here. We wanted him to be here. TOM has been an effective leader for us for 10 years. The Republicans threw everything they could at him, including some \$20 million in that race, including some insults in recent days. And then to not permit the man to leave with grace and hold his head high—no, called him an obstructionist.

I know when the shoe is on the other foot what happens, when the minority has to fight like the devil to keep from being rolled over by the majority. We saw it when we were in charge. How I miss those days when we were in charge. The Republican Party, the minority party, they did their filibustering. They did their obstruction. They did the things needed to protect the interests they thought served their constituents, their States, and their country.

It was ungracious when the Republican side could not find enough of their Members to sit here out of respect. I remember being here when Bob Dole left and I could not wait to sit in my chair and salute his contribution to America and to this body, because, although Bob Dole could disagree with you, he was always interested in the well-being of the country. You saw it from the result of his service to country and the military.

I do not know why, in the closing days, some element of comity, some element of grace, some element of respect for a human being could not have gotten some of our friends out of their offices to come down to the floor. You saw the applause. The applause that I paid most of the attention to was from the people who work back here, the people who saw TOM DASCHLE at work every day. They know what he meant to them personally, to this country, to this institution. That is why they stood and applauded so vigorously. You saw TOM's colleagues standing here, hating to let go, hating to let him leave the room. They did it with their applause and their hugs, their glances, and their tears.

So we are sorry that the TOM DASCHLE segment of service to this country and to this body is over. As usual, as always, there was a characteristic graciousness in his departure, in acknowledging that he had lost the race. Everyone here has some sense of how painful it could be, especially being leader of the party, especially when they threw everything in the book at him that they could pick up.

It is not going to be easy to forget TOM DASCHLE. We are going to miss him. He had wonderful service to country. He served as an intelligence officer in the Air Force for 3 years. He won his first race. Many cited the chronology of his climb to leader of the Democratic Senate. He carved out a national reputation. People knew who he was, but he never forgot his South Dakota constituents.

We heard him talk about them. He talked about traveling to each of the State's counties every year as an unscheduled driving tour, where he stopped at the local clubs, the Elks Club, the cattle auctions, the health clinics, schools, cafes, police stations, or any other place where people could gather to hear him talk about what was on his mind, and to listen to them talk about what was on their mind.

TOM has been an effective legislator. His aim: to help his constituents, help his country, help those who were less fortunate across America. He fought hard for small farmers in his State.

We did not always agree. Those of us who come from an urban environment disagreed with some of the votes he took. But he always remembered from whence he came. He fought hard for the people that he believed in, for Native Americans from his State, veterans exposed to Agent Orange. I joined him in that fight because I always believed anyone who had any remote contact, no matter how remote or how short a period of time, with Agent Orange should be treated as any other veteran or any other soldier who had a wound because we know what Agent Orange has done to so many who have served so well, so loyally in a war we could not agree on, much like what we are seeing now in our country. And we had to respect his insistence that we remember these people, the seniors, and

the people in the rural parts of the country where the economy has never really been robust.

Nature always takes its toll. But TOM insisted we fight back, that we make sure the farm community continued to exist in this country so we could produce the nutrition that is so vital—the products we all use so regularly.

And TOM is so young looking, soft spoken, self-effacing, and fundamentally decent. He was actually mistaken for a paperboy one time. But beneath that wonderful exterior, that almost placid view of things, there was a spine of steel. He could get up and fight hard and fight for the issues. His leadership for us—and, believe me, it was not easy. It is not easy on the Democratic side, it is not easy on the Republican side, I am sure, to pull everybody together because each of us has differences that come from our geography, from our State, from the culture within our States. But the fact is, TOM could get us together on the most difficult issues, not always 100 percent, not always in victory, but always with vigor and always with commitment.

TOM has devoted practically all his entire life to public service. We are going to miss his leadership, his counsel, and his friendship.

In my closing comments to him I said: We are saying kind of so long but hopefully not really goodbye. We want to hear from TOM DASCHLE. I have made a plea to him that he stays involved with the public interest. I hope he is going to do that. TOM will have many offers for commercial development and to make lots more money, but he feels an obligation down deep, as I would think most of us or all of us do here, to try to do something that counts.

I encourage him and his great wife Linda to get through this difficult, difficult period. It is not easy when you are the leader to lose a race. It is never easy, but it is particularly difficult when you have had leadership responsibilities.

So my message to TOM is: TOM, keep that spine of steel. Keep that interest that you have in the well-being of our society, in the belief that America can recover from all kinds of difficulties, some of the worst that we are facing right now. It is not just the war, as painful as that is.

I have a display in front of my office of young faces, of people, many of whom are in their teens, late teens, 18, 19. I enlisted in the Army when I was 18. I did not realize then I was such a baby. I realize now that 18 is so, so young. But I have those photographs there as reminders about what the price of this war really is. It is not just the financial side, which is enormous. It is not just the humiliation side, which is enormous, the humiliation because we failed to have the appropriate intelligence, intelligence to tell us even most recently how difficult Fallujah was going to be. We underestimated, and as a consequence the costs

are heavy. In the last week, we lost two people from New Jersey. We are now over 1,200 who have died in the course of that fight.

But again, TOM DASCHLE, and I think all of us here, have to continue to fight for what is right. We can endure our differences here. I will tell you what we cannot endure. We cannot endure the bitterness that exists across the dividing line here. We cannot endure the vitriol that is constant in this room of ours. We cannot endure the anger that exists. We have a cause that is greater than all of us.

I am not saying it all comes flowing this way, but I am saying it is unpleasant. I have now had 22 years since I arrived. It is now 22 years since I arrived in the Senate. I remember different days. I remember days when you could disagree and still be able to say hello without grimacing when you saw one of your colleagues. Lord willing, I hope TOM DASCHLE taught us some of that, with his graciousness, his characteristic willingness to listen and to understand and get back to you when a problem existed.

So, Mr. President, I am going to yield the floor, but I do want to talk about our other colleagues who are retiring in a few minutes. There are a lot of good people here on both sides of the aisle.

We are going to miss all of our friends over here, but I am going to miss DON NICKLES. I have had a lot of fights with him, but I know he always knew where he wanted to go. I respected that.

PETER FITZGERALD, newer among us, but a gentleman to be noted, and BEN NIGHTHORSE CAMPBELL comes from a State I love. I have two grandchildren there. He is a decent fellow. We are going to miss all of them. I will talk about them later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I know this is a time of recognition of our retiring Members on both the Republican and Democratic sides. If I can step in for a moment, we have cleared a variety of bills to be moved at this time. I will proceed to do that.

The PRESIDING OFFICER. The Senator is recognized for that purpose.

THE CALENDAR

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Indian Affairs bills: Calendar Nos. 697, H.R. 2912; 777, S. 2605; 795, S. 519; 710, S. 1530; 654, S. 1996; 787, S. 1438.

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

Mr. CRAIG. Mr. President, I ask unanimous consent that the amendments at the desk, where applicable, be agreed to, the committee amendments, where applicable, be agreed to, the bills be read a third time and passed, the

title amendments, where applicable, be agreed to, and the motions to reconsider be laid upon the table, en bloc, and that any statements relating to the bills be printed in the RECORD.

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

SOVEREIGN RIGHTS OF THE OSAGE TRIBE

The bill (H.R. 2912) to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government, was considered, ordered to a third reading, read the third time, and passed.

H.R. 2912

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAFFIRMATION OF CERTAIN RIGHTS OF THE OSAGE TRIBE.

(a) FINDINGS.—The Congress finds as follows:

(1) The Osage Tribe is a federally recognized tribe based in Pawhuska, Oklahoma.

(2) The Osage Allotment Act of June 28, 1906 (34 Stat. 539), states that the "legal membership" of the Osage Tribe includes the persons on the January 1, 1906 roll and their children, and that each "member" on that roll is entitled to a headright share in the distribution of funds from the Osage mineral estate and an allotment of the surface lands of the Osage Reservation.

(3) Today only Osage Indians who have a headright share in the mineral estate are "members" of the Osage Tribe.

(4) Adult Osage Indians without a headright interest cannot vote in Osage government elections and are not eligible to seek elective office in the Osage Tribe as a matter of Federal law.

(5) A principal goal of Federal Indian policy is to promote tribal self-sufficiency and strong tribal government.

(b) REAFFIRMATION OF CERTAIN RIGHTS OF THE OSAGE TRIBE.—

(1) MEMBERSHIP.—Congress hereby clarifies that the term "legal membership" in section 1 of the Act entitled, "An Act For the division of lands and funds of the Osage Indians in Oklahoma Territory, and for other purposes", approved June 28, 1906 (34 Stat. 539), means the persons eligible for allotments of Osage Reservation lands and a pro rata share of the Osage mineral estate as provided in that Act, not membership in the Osage Tribe for all purposes. Congress hereby reaffirms the inherent sovereign right of the Osage Tribe to determine its own membership, provided that the rights of any person to Osage mineral estate shares are not diminished thereby.

(2) GOVERNMENT.—Notwithstanding section 9 of the Act entitled, "An Act For the division of lands and funds of the Osage Indians in Oklahoma Territory, and for other purposes", approved June 28, 1906 (34 Stat. 539), Congress hereby reaffirms the inherent sovereign right of the Osage Tribe to determine its own form of government.

(3) ELECTIONS AND REFERENDA.—At the request of the Osage Tribe, the Secretary of the Interior shall assist the Osage Tribe with conducting elections and referenda to implement this section.

SNAKE RIVER WATER RIGHTS ACT OF 2004

The Senate proceeded to consider the bill (S. 2605) to direct the Secretary of

the Interior and the heads of other Federal agencies to carry out an agreement resolving major issues relating to the adjudication of water rights in the Snake River Basin, Idaho, and for other purposes, which was reported from the Committee on Indian Affairs, as follows:

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 2605

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. SHORT TITLE.

[This Act may be cited as the "Snake River Water Rights Act of 2004".

[SEC. 2. PURPOSES.

[The purposes of this Act are—

[(1) to resolve some of the largest outstanding issues with respect to the Snake River Basin Adjudication in Idaho in such a manner as to provide important benefits to the United States, the State of Idaho, the Nez Perce Tribe, the allottees, and citizens of the State;

[(2) to achieve a fair, equitable, and final settlement of all claims of the Nez Perce Tribe, its members, and allottees and the United States on behalf of the Tribe, its members, and allottees to the water of the Snake River Basin within Idaho;

[(3) to authorize, ratify, and confirm the Agreement among the parties submitted to the Snake River Basin Adjudication Court and provide all parties with the benefits of the Agreement;

[(4) to direct—

[(A) the Secretary, acting through the Bureau of Reclamation, the Bureau of Land Management, the Bureau of Indian Affairs, and other agencies; and

[(B) the heads of other Federal agencies authorized to execute and perform actions necessary to carry out the Agreement;

to perform all of their obligations under the Agreement and this Act; and

[(5) to authorize the actions and appropriations necessary for the United States to meet the obligations of the United States under the Agreement and this Act.

[SEC. 3. DEFINITIONS.

[In this Act:

[(1) AGREEMENT.—The term "Agreement" means the document titled "Mediator's Term Sheet" dated April 20, 2004, and submitted on that date to the SRBA Court in SRBA Consolidated Subcase 03-10022 and SRBA Consolidated Subcase 67-13701, with all appendices to the document.

[(2) ALLOTTEE.—The term "allottee" means a person that holds a beneficial real property interest in an Indian allotment that is—

[(A) located within the Nez Perce Reservation; and

[(B) held in trust by the United States.

[(3) CONSUMPTIVE USE RESERVED WATER RIGHT.—The term "consumptive use reserved water right" means the Federal reserved water right of 50,000 acre-feet per year, as described in the Agreement, to be decreed to the Tribe and the allottees, with a priority date of 1855.

[(4) PARTIES.—The term "parties" means the United States, the State, the Tribe, and any other entity or person that submitted, or joined in the submission, of the Agreement to the SRBA Court on April 20, 2004.