

The 3rd Battalion served with distinction in both Kuwait and Iraq over the past year. When this unit was mobilized in 2006, it represented the largest mobilization of the Alaska National Guard since World War II. These Guard members represent 81 communities in our State, including many Alaska Native villages.

Before their deployment last October, Senator MURKOWSKI and I met with this battalion in Camp Shelby. It was an exciting day as members of the units successfully completed their predeployment training. I was impressed with their high morale and dedication to our country.

Most of the members of the Alaskan Guard left behind families and jobs in Alaska to be part of this mission. Their departure caused hardship for their families and communities, especially in their small villages. But they were steadfast in their commitment to the mission and to our country.

The dedication of the 3rd Battalion reminds us that in our Nation's darkest moments—when freedom has been on the line—our citizen soldiers have answered the call to serve. Their duties and traditions are deeply rooted in our country's history. During the Civil War and World War II, it was our citizen soldier who tipped the balance and ensured our victory.

Members of the 3rd Battalion have carried forward this proud tradition. Their dedication to serve reflects the bravery and courage of those who came before them. Many of them are descendants of those who served with COL Muktuk Marston and other Eskimo Scouts in the Tundra Army during World War II. During that war in which I served, their predecessors defended our freedom in Alaska and around the world. I remember well the heroism of the National Guardsmen I served with in World War II. They, too, and these people now, have earned also the honor of being called the "Greatest Generation."

There are few of us left who lived through the dark history of World War II, but as I reflect on their service, I appreciate their bravery, commitment, and dedication. The men and women in uniform today are truly our newest "Greatest Generation." We are comrades in the deepest sense of the word, and we should salute their service.

As citizen soldiers, they are a force not only on the battlefield but also a force in their communities. They are the link between the standing military units they serve and the people they protect. They also answer the call in national disasters.

In recent months, their mission was critical to the overall success of our operations in the Middle East and Iraq, and all Alaskans, especially those in their communities, are proud of their service.

On a day when we honor the 3rd Battalion, I believe we should also take a moment to reflect on those we have lost. Tragically, two Alaska Army

Guard soldiers were killed and two were gravely injured in a training accident near Camp Shelby last year. We still mourn their deaths and send our deepest condolences to their families and friends.

We should ask God to bless them and God to bless the brave men and women, such as the Army National Guard, who volunteer to defend our great country. The thoughts and prayers of Alaskans, and I think of a grateful Nation, are with all of them.

I yield the floor.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Florida is recognized.

#### FISA

Mr. NELSON of Florida. Mr. President, following the majority leader's comments and admonitions about the coming telecommunications surveillance intercept bill, otherwise known as the FISA bill, I think what the majority leader said was absolutely essential, that the work product that comes out of the Intelligence Committee and then the Judiciary Committee be bipartisan in nature. We do not want to repeat what happened in the first week of August, in which there was so much misinformation and mistrust on both sides of the aisle. It was very difficult to cobble together a bill, which the intelligence community told us was essential because of the increased traffic, which is otherwise defined as increased communications of some indication that there might be the planning stages of an additional attack upon the United States. In that atmosphere of warnings, we were told we had to pass a bill.

It was in that crisis atmosphere that a piece of legislation was cobbled together in the midst of mistrust and misinformation on this floor. But the safeguard was put on it that what was passed and ultimately signed into law by the President was only good for 6 months. In other words, it sunsetted or ceased to exist at the end of 6 months. Therefore, in now constructing the permanent law, we need to come together.

Now, this Senator, a member of the Intelligence Committee, has been quite firm in my insistence to both of the leaders of our committee—Senator ROCKEFELLER, the chairman, and Senator BOND, the vice chairman—that they come out with an agreed-upon, bipartisan piece of legislation to protect the rights of American citizens, their

civil liberties, their privacy and, at the same time, to be able to utilize instruments of the Government of the United States to be able to go after the people who want to do us harm. I believe that the agreement has pretty well been reached between Senator ROCKEFELLER and Senator BOND. What is potentially going to hold up an agreement is the question of what kind of immunity should be given to the telecommunications companies who had, at the request of the U.S. Government, after September 11, 2001, allowed their databases to be used for the purposes of trying to determine who the bad guys were.

Everything I am saying has all been out in the press. It is well established. The House has taken a position of not wanting to have any immunity for the telephone companies on a retroactive basis. They already have immunity on a going-forward basis as a result of what we passed in August, and that is now law. It is my hope that the two leaders of the Intelligence Committee will be able to get agreement on what that immunity should be, and that will be a large part of the discussion that is supposed to take place in the markup in the Intelligence Committee tomorrow.

As the majority leader, Senator REID, said, it is very important we get this right and that we get this done soon in order that it can then go from the Intelligence Committee to the Judiciary Committee and that it can come out of the Judiciary Committee, come to the full Senate and then a conference committee can iron out the differences between the House and the Senate versions and then get a final product to the President for him to sign into law. It is important it be done now in a timely manner, instead of waiting until the last minute, when the clock is going to strike 12 on the tolling of the time of the 6 months that the law will cease to exist. This ought to be done under the cool deliberation of making it right instead of being forced into decisions at the last moment because time is running out. It is my hope, and it is certainly going to be my intent, to try to help this process along as a member of the Intelligence Committee.

#### PRESIDENTIAL PRIMARIES

Mr. NELSON of Florida. Mr. President, I actually came here to talk about a different subject, and that is the fracas that is now engulfing the National Democratic Party with regard to the selection of its Presidential nominees. Florida is right in the middle of this because an order was set up under the rules of the Democratic National Committee that allowed four States to go before any other State, and those four States, they set out an order and said it would be first a caucus in Iowa, then a caucus in Nevada, then an election, a primary election in New Hampshire, and then a primary

election in South Carolina. Those were going to be representative of the country and all of those four had to occur before any other State could start its primary or caucus in the selection of the Presidential nominees and that the date they could start was February 5 of next year.

Over the objection of Democratic State legislators in the Florida legislature—indeed, with the Democratic leader of the Florida Senate offering an amendment to keep Florida's election from violating the Democratic National Committee rules and, therefore, to be on February 5, over his and others' objections—the Florida legislature changed the date of the Florida Presidential primary from March to January 29. The Florida legislature is basically two-thirds Republican, one-third Democrat, in both Houses of the legislature. Governor Crist, a Republican, signed the legislation, setting the Florida primary date as January 29, and signed it into law.

The Democratic National Committee took great umbrage at this and under its rules said it was going to strip Florida of half its delegates. That is what the Democratic National Committee rules provide. In the Democratic National Committee Rules Committee's deliberations, they went further. Unlike the Republican National Committee, which said they would take away half of Florida's delegates for the Presidential nominee, the DNC said: We are going to punish Florida completely by taking away all their delegates to the convention. What is more, we are going to enforce a part of the DNC rules that say, unless Florida backs up and ignores that election, makes it a "beauty contest" that has no meaning and selects their delegates sometime from February 5 or later, Florida was going to receive additional punishment, which was that no Presidential candidate could go and campaign in Florida, and campaigning was defined as speaking in Florida, interacting with voters in Florida, hiring campaign staff in Florida, opening an office in Florida, having a press conference in Florida, except—oh, by the way, you can go into Florida to raise money.

This is as violative of the constitutional right of freedom of speech as anything I have ever heard. It conjures up that you can't come to Florida so Florida Democratic voters can interact with Presidential candidates unless you pay a fee at the door in order to gain entrance because it is a fundraiser. Doesn't that remind you of something that was held unconstitutional called a poll tax?

It was because of this kind of punishment that was inflicted on the 4.25 million registered Florida Democrats that this Senator, with a heavy heart, joined with his colleague, Congressman ALCEE HASTINGS, also with a heavy heart, and filed suit in Federal District Court in Tallahassee, the seat of government of our State, against Howard

Dean, the chairman of the DNC, and the Democratic National Committee.

A defendant was also named, Kurt Browning, the secretary of state of Florida, purely for functionary purposes since he is the one authorized under Florida law to conduct the election. As a result, that suit had been filed 2 weeks ago alleging the violations of the Constitution in the 1st, 5th, and 14th amendments, as well as violations of the Voting Rights Act of 1965.

A Federal court will ultimately determine that issue of whether the party has the right to prohibit people, in a duly called, State-run, State-sanctioned by State law election, whether that national party can take away those constitutional rights of people to see and hear and interact with the Presidential candidates, as well as taking away all of their ability to be heard at the national convention by stripping away all of the elements. That is the issue in front of the court.

It should not have come to this. For the last 6 months, I and others, like Congressman HASTINGS, have offered compromises on three different occasions, three different compromises on how we could get out of this box. It would be a win-win situation, but the DNC and its rules committee said "nyet," they are going to sanction Florida.

Why am I making this speech this day, Mr. President, when the suit was filed 2 weeks ago? Because there is a news article in this morning's papers saying that the Iowa Republican Party has announced that it is bumping up its caucus, not where it was previously prescribed—somewhere in the middle of January of next year—but instead moving it up to January 3. And South Carolina Republicans, some time ago, had a joint press conference with the secretary of state of New Hampshire, who under New Hampshire law is the sole authority to determine what date New Hampshire's primary, both Democratic and Republican, will be held, and the South Carolina Republicans announced that they were moving their primary up some 10 days earlier—it might have been 8 or 9 days, but it was earlier than the prescribed time of January 29—to which the New Hampshire secretary of state said he would move New Hampshire's primary up early.

So the question that is begged today, Wednesday, the middle of October, is, if all of these parties are jumping early and the order that the Democratic National Committee wanted to preserve is being thwarted, does the DNC intend only to punish Florida Democrats or will, in fact, they punish the Democratic parties in New Hampshire and Iowa if they, in fact, jump forward from what the DNC rules had prescribed?

So I bring to the floor of the Senate something that involves only a few States. Yet it has enormous implications for the entire country because this is the process by which we select

the Presidential candidates of the two major parties, one of which is likely to be the next President of the United States.

Because of all this fracas and I think just the news of today that indicates the Iowa parties are jumping much earlier, we will probably now see all of the others start to jump, and as a result there will be increased turmoil. It is certainly my hope that reason will prevail and the Democratic National Committee, which has taken out its frustration on Florida, will suddenly realize there is no reason to continue that frustration on Florida because, at the end of the day, if everybody else is doing it, why just try to punish Florida? And because of this fracas, this turmoil, will reason prevail that there is a better way to do this? It is regional primaries spaced out in a logical order over one in March, two in April, two in May, and one in June, that would give the candidates plenty of time to get around to these regional primaries, which order could be determined by lot, and in that primary one State from each region in the country could have an election, so no particular part of the country is favored. In the favored first status, all of this fracas should point to that goal.

Let's bring order out of this chaos in the way we select the next President of the United States in both of these great political parties that participate in American politics.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, it is none of my business, but I say to the Senator from Florida that I tend to agree with him. Maybe it is a regional thing. I wish him good luck in his effort to have Florida assume its rightful place.

#### CHILDREN'S HEALTH INSURANCE PROGRAM

Mr. LOTT. Mr. President, a lot of discussion has been going on today, this week, and over the last few weeks about a very important program; we call it SCHIP. That is Washingtonspeak for health care for children, which has a very important role for the States to administer this program. This week, the House will be voting on the President's veto of this issue. That is the way things work in Washington. It is not very pretty. I am not proud of the whole process we have gone through on this issue.

First of all, I have a message for everybody involved. Let's put low-income, poor kids first. Let's figure out how we deal with their needs. That is what caused this program to begin with.

I had the pleasure of being the majority leader in the Senate in the 1990s when this program was created. I remember the debate. It was pretty hot. Phil Gramm of Texas was saying: Wait a minute, we need to put protections in