section 24(a) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1614(a)).

(b) CONSTRUCTION.—For purposes of construing and applying chapter 67 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, the following categories of judicial officers shall be deemed to be judges of the United States under section 24(a) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1614(a)).

I suggest the absence of a quorum.

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

IRAQ

Mr. REID. Madam President, the White House has just telling America that Democrats are doing the wrong thing by calling for a change of course in Iraq. They say holding the Iraqi Government accountable is wrong. They say finding a political solution in Iraq is wrong. They say redeploying troops out of a civil war is wrong. They have said even debating a strategy for changing course is dangerous, and many Senate Republicans have backed that up by blocking several of our attempts to debate this issue here on the Senate Floor.

The American people want us to debate the war, and they want us to change the course. Listen to what the President’s own Secretary of Defense Robert Gates said in the last few hours, and I quote:

‘‘The debate in Congress has been helpful in demonstrating to the Iraqis that American patience is limited. The strong feelings expressed in the Congress about the timetable probably has had a positive impact in terms of communicating to the Iraqis that this is not an open-ended commitment.’’

The President and some of my Republican colleagues have also attempted to create a false crisis by claiming that Democrats are putting the troops in danger by not sending the supplemental bill immediately. But today, the Pentagon acknowledged that it can pay for the Iraq war at least through June with the funds that have already been provided.

The supplemental bill we passed with bipartisan support offers that. It includes a reasonable and attainable timeline to reduce combat missions and refocus our efforts on the real threats to our country’s security. It offers a new path, a new direction forward. If we put politics aside, I believe we can find a way to make America safer and stronger.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

GONZALES V. CARHART

Mr. HATCH. Madam President, yesterday was a good day for democracy. It was a great day for American constitutionalism. I have said it before, I will continue to say it. All too often, we see judicial decisions on America’s most important social issues made without any constitutional warrant.

Too difficult to convince your community that it should not pray before football games? No problem. Just find a judge to say that the practice is unconstitutional.

Too discouraged by the slow pace of the march toward same-sex marriage? Find a judge to declare that the State constitution has allowed it all along. A constitutional right to same-sex marriage—‘‘presto change.’’

Americans of all political stripes understand that this highjacking of social policy from the people’s representation to the judges is deeply wrong. A good number of law professors, law students, judges, and politicians still continue to inject the judicial branch
into social controversies. Yet, in attempting to smooth out the rough edges of democracy, activist judges have time and again undermined democracy and increased bitterness in our political debates.

Yesterday's decision in Gonzales v. Carhart marks a step toward righting that dangerous trend. It was a step toward restoring the people's liberties and the vitality of our democracy.

Let me explain.

In 2003, Congress passed, and the President signed, the Partial-Birth Abortion Ban Act. This was well-considered legislation. It was broadly supported by the public. Senators of both parties, including my colleague from Vermont, the chairman of the Judiciary Committee, supported the bill. And after years of trying, it finally became law.

It was a modest bill, born of an existential abhorrence of a procedure that callously snuffed out human life. Nonetheless, an outpouring of the usual proponents of judicial legislating attempted to undo this law.

Fortunately, the Supreme Court disagreed and upheld this legislation. It was a reasonable decision. And it showed reverence not to the people and their representatives—deference that one would expect in a democracy.

The public first became aware of partial-birth abortion in 1992, when Dr. Martin Haskell gave a presentation describing the procedure. A nurse who assisted him in a partial-birth abortion on a 26½ week fetus testified before the Senate Judiciary Committee of her experience with this procedure. It was shocking testimony. I am glad that Justice Kennedy included it in his majority opinion. I will not repeat it here. It was graphic. It was horrific. And it will stay with me forever.

A 6-month-old fetus was treated worse than any animal—and disposed of like garbage. The American people were rightly appalled.

It very well might be that there is some give in the seams of our Constitution. The meaning of every term and principle is not entirely clear. But if you are going to be making up constitutional rights without textual warrant, the American people understand what many law professors, radicals—I mean, progressive—activists, and judges did not.

It is revered our constitutional traditions to argue that a document committed to life, liberty, and the dignity of the human person would prohibit public condemnation and legal regulation of such barbarity. And the Court agreed.

This was a reasonable and a limited decision. The Court rejected a facial challenge to the law. Relying on its precedent in Casey v. Planned Parenthood, the Court held that the law was not constitutionally vague and did not impose an undue burden on a woman's right to abortion.

This was a reasonable decision, one rooted in a deep respect for the role of the people's representatives in Congress. And what is the response of the hard left? Hysteria.

I know many of my colleagues in this body are familiar with the blog, Daily Kos. It is the online meeting room for the political left.

The complaints of its members recently led a number of Democratic candidates for President to withdraw from a Fox News-sponsored debate. They were immediately involved in the debate in the House over how best to cut off funding for our troops. This is what one of these citizen agitators posted about the decision:

'The 5 Catholics on the court have ruled!! Why don't we just outsource the Supreme Court to the Vatican. Save some money!!

There was a time when this anti-Catholic venom had no place in our political discourse. Unfortunately, liberal groups are becoming more and more radical, s less and less liberal in their thinking.

This is what Nancy Keenan, of the radical abortion-rights lobby NARAL, had to say:

'An anti-choice Congress and an anti-choice president pushed this ban all the way to the Supreme Court.


The radicals criticizing this decision are seriously unmoored from the American people and our legal traditions. The radicals who support abortion on demand reject the choices of the American people. They reject the informed choice that the people's representatives made about this gruesome procedure. They are "Johnny and Jane one-notes"—abortion now, abortion always, abortion forever.

The American people deserve better. We have been told by the new majority that America is done with partisanship. America needs results.

Well, we got results with the Partial-Birth Abortion Ban Act. This was a bipartisan achievement that brought together Republicans and Democrats, conservatives and liberals. It is unfortunate, then, to see certain Democratic candidates bemoaning this decision in the same old terms.

It is not too surprising to see the New York Times editorial page hyperventilating over this decision. But we deserve more from our party leaders and Presidential candidates. I understand their predication. When you have to answer to uncompromising abortion-rights activists, you sometimes get tossed by the waves.

When President Clinton was in the White House, he abandoned almost every liberal group imaginable in his quest for triangulation. But there was one group he would never cross—the abortion-rights lobby.

And given the knee-jerk reactions about this decision from the leftwing blogosphere and Democratic candidates, I have no doubt that this commitment will not change. I think that is sad. But if they want to have a fight, the centerpiece of which is judicial administration of a judiciously created right to abort your baby at any time during pregnancy, I am more than happy to stand and defend the Constitution and the rule of law.

TRIBUTE TO BRIGADIER GENERAL DARRELL S. CRAMER

Mr. HATCH. Madam President, I wish to pay special tribute to an extraordinary man, a loving husband, father