

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* was 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, a coalition 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 a proper deference 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, radical—I mean, progressive—activists, and judges did not.

It perverts 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 unconstitutionally 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 intimately 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, and 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.

An anti-choice Congress? Is she kidding? Is the Democratic chairman of the Appropriations Committee anti-choice? Is the Democratic chairman of the Judiciary Committee anti-choice? Is the Democratic chairman of the Budget Committee anti-choice?

Give me a break.

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 predicament. When you have to answer to uncompromising abortion-rights groups, logic sometimes gets tossed by the wayside.

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 that 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 judicially created right to abort your baby at any time during pregnancy, I am sure many will gladly meet them in the ring.

I think that these overheated comments are particularly interesting in light of the legislation that we considered earlier today. I was an original co-sponsor of the court security bill.

Obviously, our judges need to be protected from violent criminals. They are public servants. And all too often they are threatened with, or subjected to, physical violence. This is unacceptable. And so I joined with many of my Judiciary Committee colleagues in supporting this bill.

But I want to distance myself from some of the remarks made by my Democratic colleagues yesterday. The suggestion that strong and vigorous criticism of judicial decisionmaking is somehow inappropriate or collaterally responsible for violence against judges is absurd. Violence against judges is not caused by criticism of judicial activism. And it is not caused by overheated rhetoric.

I find it particularly ironic that on the same day that liberal pundits and interest groups are bemoaning a moderate and limited Supreme Court decision as the catalyst for making women second-class citizens, Democrats took to the floor to brand serious and vigorous criticism of judges as irresponsible.

In the end, I think Justice Scalia was right in his *Casey* concurrence. So long as the Court went about doing what lawyers and judges are supposed to do—interpret the law—nobody gave the Supreme Court a second thought. But when the Court decided that it should be a super legislature that second guesses the judgments of the American people and their representatives, the Court invited criticism.

You act like legislators, you get treated like legislators.

If my colleagues would like to see less criticism of judges, maybe they should stop advocating an undemocratic and constitutionally ungrounded judicial activism.

The people can criticize the courts. And their representatives can criticize the courts. If Lincoln did it, and FDR did it, I think we are on solid ground.

But I am not going to criticize yesterday's decision. I would like to close by again applauding it. It was not just a victory for the unborn child. It was a victory for moderation 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

and grandfather; a valiant soldier; and a true patriot in every sense of the word—BG Darrell S. Cramer.

Darrell recently passed away, leaving a tremendous void in the lives of all who knew him. Yet his legacy of service, courage, and dedication will serve as an example for many generations to come.

Darrell was born in Ogden, UT, to Olvie and Loretta Stuart Cramer and was the oldest in a family of five. He enjoyed his childhood immensely and excelled in athletics and academics. As a young child he developed a strong interest in aviation which would guide his future life. His dream of flying became a reality shortly after enrolling in a civilian pilot training course at Weber College.

On December 7, 1941, Darrell was listening to the radio at home when he heard the news bulletin that stunned the Nation—Pearl Harbor had been attacked, and the United States was now joining the war. The very next day, he drove to Salt Lake City and visited the recruiting offices of both the Army and the Navy to try to enlist in the Aviation Cadet programs. At that time a recruit was to be at least 20 years old and have 2 years of college, so he was turned away.

Just over a month later the rules were changed, and Darrell, eager to serve his country, immediately enlisted in the Army. He quickly became an excellent fighter pilot candidate and excelled in the training. Thus began a storied and exemplary military career.

The highlights of his military service included many tours of duty beginning in November 1942, when Darrell was sent to the South Pacific area as a P-38 pilot assigned to the 339th Fighter Squadron of the 13th Air Force. The young airman flew in the campaigns of Guadalcanal, New Guinea, and North Solomons and completed his tour of duty with credit for the destruction of a Japanese Zero fighter and Betty bomber aircraft.

In December 1943, he returned to the United States and was assigned to a P-47 combat training school in Abilene, TX. In June 1944, General Cramer was assigned to the European Theater of Operations and flew a P-51 aircraft with the 55th Fighter Group. He finished this tour of duty as a squadron commander with a total of 300 flying hours in 60 missions and credited for the destruction of 11 German aircraft. As such, he joined an exclusive fraternity of fighter ace.

At the end of World War II, Darrell returned home, and shortly after, he left active duty to go into business with his father forming the Cramer and Son Coal Company. He went on to pursue additional business opportunities but couldn't put his love of flying behind him and once again joined the Utah Air National Guard. When the Berlin Airlift began in 1948, he was again called to active duty for Operation Vittles.

When that operation ended, Darrell once again returned to the United

States and began service as director of flying in the Advanced Flying School at Williams Air Force Base in Arizona. This was followed 2 years later with his return to Europe to assume command of the 53rd Fighter Squadron and later the 36th Fighter Bomber Wing in Germany.

This service was followed by assignments in Washington, DC, California, Turkey, Thailand, and Vietnam. In February 1971, General Cramer became the vice commander of the 17th Air Force, Ramstein Air Base in Germany. He was promoted to brigadier general in 1970 and retired from military service in June 1973.

During his many years of military service, Darrell was recognized and awarded many times for his courage and exemplary service to our Nation. His military awards and decorations included the Distinguished Service Medal, Legion of Merit with an oak leaf cluster, Distinguished Flying Cross with an oak leaf cluster, Air Medal with 21 oak leaf clusters, Joint Service Commendation Medal, Air Force Commendation Medal, Presidential Unit Citation emblem with two oak leaf clusters, and an Air Force Outstanding Unit Award Ribbon with an oak leaf cluster. In addition, he was also inducted into the Utah Aviation Hall of Fame and the Order of the Daedalians, a fraternity of pilots.

With all of these accomplishments, Darrell became a larger-than-life figure to all those who knew him. Yet his humble and unassuming spirit was demonstrated in all he did. His greatest accomplishments he always maintained was marrying the love of his life, Mildred "Mick" McPhie. They built a beautiful life together providing a loving, cherished home for friends, children, grandchildren, and great-grandchildren to enjoy.

In his later years, Darrell didn't just quietly sit and watch the days go idly by. He found happiness pursuing many hobbies and interests including golfing, skiing, and spending quality time with his brothers and sisters, grandchildren, and friends.

He also appreciated computer technology and used it to modernize his work in genealogy and family history. He spent many hours serving in the Church of Jesus Christ of Latter-day Saints' Family History Program. He shared his knowledge and helped many search for their own ancestors.

As the wonderful, strong military leader General George S. Patton once said, "It is foolish and wrong to mourn the men who died. Rather we should thank God that such men lived."

While I don't believe it is foolish for many to mourn the loss of this great man, I do believe that many do thank our Heavenly Father that BG Darrell S. Cramer lived and that he provided such a powerful example of courage, service, and love for generations to follow.

COURT SECURITY IMPROVEMENT ACT

Mr. LEAHY. Madam President, earlier today the Senate passed S. 378, the Court Security Improvement Act, with overwhelming, bipartisan support. With this legislation, we in the Senate acted for the third time in a year to better protect our Federal judges from institutional and physical threats.

For the past several years, I have introduced and sponsored legislation to extend the authority for Federal judges to redact relevant portions of their financial disclosure statements if they have been threatened. The authority to redact portions of judges' financial disclosure statements expired last year.

The redaction authority bill passed by the Senate last year would have extended the redaction authority without interruption and expanded it to judges' families. It struck the right balance by preserving congressional oversight to prevent the misuse of this redaction authority, which has been a matter of some concern.

I was disappointed that the House of Representatives failed to act on this legislation that passed the Senate last November but I am pleased that the new House of Representatives was able to pass it earlier this year. I continue to support an extension of redaction authority for threatened judges and am glad that the Senate is passing that measure, H.R. 1130 today. I trust that the President will sign it into law without delay.

U.S.-RUSSIAN ECONOMIC RELATIONSHIP

Mr. LUGAR. Madam President, I wish to congratulate Secretary of Commerce Carlos M. Gutierrez on his recent trip to Moscow, Russia. The Secretary delivered an important message to the Russian Government and Russian people: "While political issues between our nations tend to garner the most headlines, economic interests should not be ignored. U.S.-Russia commercial ties are stronger and more dynamic than ever before, providing stability to our overall relationship." I couldn't agree more with this assessment.

The United States and Russia business relationship is expanding significantly. Last year, U.S. exports to Russia increased by 20 percent to \$4.7 billion in a broad range of merchandise and service markets. The American Chamber of Commerce in Russia recently conducted a survey of American business in Russia. They made some interesting findings:

Half of the American companies surveyed report sales increases of 200 percent in Russia from 2001 to 2005.

Ninety-seven percent of U.S. companies in Russia project continued growth in sales during the next three years.

Ninety-two percent of U.S. companies in Russia believe that continued