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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.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 (Ms. KLOBUCHA). Without objection, it is so ordered.

IRAQ

Mr. REID. Madam President, the White House has just told 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 what Democrats have long known—that President Bush continues to misstate the reality on the ground and in Iraq to score political points.

Like the nonpartisan Congressional Research Service, the Pentagon now acknowledges that it can pay for the Iraq war at least through June with the funds that have already been provided.

I hope the President and our Republican colleagues in Congress will put these false claims aside so we can get back to working toward a bipartisan solution.

Yesterday I met with President Bush to express the will of the American people, senior military officials, and a bipartisan majority of Congress that we must change course in Iraq. I told President Bush that, going on to 5 years, more than 3,300 American soldiers lost, tens of thousands wounded, a third of them gravely wounded, and billions and billions of dollars depleted from our Treasury, we as a country must change course in Iraq.

Conditions in Iraq got worse by the day, now we find ourselves policing another nation’s civil war. We are less secure from the many threats to our national security than we were when the war began. As long as we follow the President’s path in Iraq, the war is lost. But there is still a chance to change course and we must change course. No one wants us to succeed in the Middle East more than I do. But there must be a change of course. Our 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.
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 another 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 1992, 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, it was an example 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 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 26 1/2 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, progressives—activists, and judges did not.

It was at war 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 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, as 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.


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 predication. When you have to answer to uncompromising abortion-right lunatics, 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, then 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 radicals criticizing this decision are 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, it was 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, Democrats, second-guess 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