

THE CONFIRMATION OF JUDGE  
RANDY SMITH

Mr. CRAPO. Madam President, I rise today to speak about a tremendous event that happened in the Senate, and that is that the Senate today confirmed my good friend, Randy Smith, to be a judge on the Ninth Circuit.

Madam President, today really is the conclusion of a sometimes unnecessarily long and difficult process for the confirmation of Judge Smith. Judge Smith was originally nominated by the President back on December 16, 2005, for a seat on the Ninth Circuit Court of Appeals that was vacated when Idaho Judge Stephen Trott took senior status.

Earlier this year, through negotiations with the White House, Judge Smith was renominated to a different Idaho seat on the Ninth Circuit that had been vacated when Judge Thomas Nelson took senior status.

Since 1996, Judge Smith has served as district judge for the Sixth Judicial District of Idaho. Judge Smith earned his undergraduate and law degrees from Brigham Young University. Throughout his career, both in private practice and as a judge, Judge Smith has continued to be a student and teacher of the law. He taught courses in business law and tax law at Brigham Young and later at Boise State University. Since 1993 he has served on the faculty at Idaho State University teaching legal environment and business law.

Prior to becoming a judge, Randy Smith spent more than 15 years in private practice, gaining significant experience before both State and Federal courts. He is a member of the bar of the U.S. Supreme Court, the Ninth Circuit Court of Appeals, U.S. District Court for the State of Idaho, U.S. Tax Court, the Idaho Supreme Court, and all of the other courts of the State of Idaho.

In addition to his current position as district judge in Idaho, Judge Smith also serves from time to time as pro tem justice on the Idaho Supreme Court, as a judge on the Idaho Court of Appeals, also, and as a temporary judge in district courts throughout the State of Idaho. He literally handles approximately 100 Federal and State civil cases each year.

In 2004, Judge Smith received the George C. Granata, Jr., Award presented by the Idaho State judiciary in recognition of demonstrated professionalism as an Idaho trial judge, and for motivating and inspiring his colleagues on the bench by his character and actions. In 2002, he received the Outstanding Service Award from the Idaho State Board of Commissioners. Judge Smith is also a member of the board of directors and is a past president of the Idaho State Civic Symphony.

The American Bar Association has given him its unanimous "well qualified" rating for his nomination to the Ninth Circuit.

It is my honor today to personally congratulate Judge Smith. As I said, he is a personal friend. I have known him for years and have watched him give service to the people of the State of Idaho of the highest caliber. He has shown himself to have the principles and values to be the kind of judge that America needs. He understands that we need a conservative understanding and interpretation of the U.S. Constitution, and that the role of a judge is interpretation of the law, not creation of the law. He understands the value that comes from having solid adherence to the principles of our Constitution as issues are adjudicated. He will be a tremendous new asset and addition to the Ninth Circuit Court of Appeals.

As I said at the outset, this has been a long, sometimes very unnecessarily burdensome and difficult process to get his nomination to the floor. I am sure that the strength he will bring to the Ninth Circuit was shown by the vote of confidence given to him today, a unanimous vote by the Senators present, 94 to 0, confirming him to be the next judge on the Ninth Circuit Court of Appeals.

This is a tremendous day for Randy Smith, but it is also a tremendous day for the Ninth Circuit Court of Appeals, the people who live in that circuit, and, frankly, for the people of America.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HONORING THREE MONTANA  
HEROES

Mr. BAUCUS. Madam President, Saint Luke explains in his Gospel:

The spirit of the Lord is upon me, because He hath sent me to heal.

Delivering care to the sick and injured is the Lord's work. To heal the sick at great risk to one's own safety reflects the best that we can be as the Lord's servants.

I am here to honor three healers from my home State of Montana—ambulance pilot Vince Kirol, paramedic and firefighter Paul Erikson, and registered nurse Darcy Doyle. These Montana heroes died tragically during an air rescue mission on February 6.

Their deaths are a tremendous loss to their families, to Benefits Healthcare, and to all of Montana. These dedicated individuals were en route to Bozeman from Great Falls in dangerous weather to pick up a patient who had suffered a severe head injury that required immediate surgery.

Every minute counted. The victim's injury had to be treated as quickly as possible. The longer it took to get him to the hospital, the worse his chances

were for survival. The only way to get the patient the care he needed was by air transport. So the dependable air ambulance team at Benefits Healthcare was called. Vince, Paul, and Darcy responded to the call without hesitation and without concern for their own safety.

They knew that somebody's life was hanging in the balance. This is the type of pressure-filled situation in which they have always operated.

Montana is a large State, it is a beautiful State, with rural and isolated areas, where people who are injured may need immediate rescue, may need it right away, including air ambulance transportation to a trauma center.

Unfortunately, there are not enough hospitals in Montana that can give the kind of care someone with severe injuries immediately needs.

So-called level 1 hospitals have operating rooms, surgeons, and radiologists available 24 hours a day, 7 days a week, waiting and ready for any patient with severe injuries who is brought in. There are no level 1 hospitals in Montana.

Level 2 hospitals have the right facilities, but the doctors are not in the hospital around the clock to be available immediately when a patient arrives. There are only three level 2 trauma centers in Montana.

It is very expensive to run hospitals and offer this high-level, specialized care. Only three hospitals in Montana—one in Missoula, one in Billings, and one in Great Falls—offer such services, so every patient who needs a trauma center has to go to one of these hospitals. This makes air ambulance transportation even more important, given Montana's 800-mile span and mountainous terrain.

The Benefits medevac program provides 24-hours-a-day, 7-days-a-week air ambulance transportation in Montana and the Northwest. Aircraft respond to isolated areas, accident scenes, and hospitals to bring patients to the regional emergency center as quickly as possible.

These dedicated pilots, nurses, and paramedics who operate the Benefits medevac program provide honorable and essential services to Montana. The three Benefits professionals who lost their lives last week were trying to do just that.

Darcy Dengel was a 27-year-old registered nurse. She joined Benefits in June 2001 and transferred to the emergency room in August 2003, where she also worked as a flight nurse.

Her Benefits colleagues describe her as a bright, talented, and vibrant woman who loved her work because that work gave her a unique opportunity to help people in need.

She was able to make a difficult time for a patient a little easier with her gentle care. She was to be married this spring to Rob Beal and is survived by parents Rich and Donna Dengel of Lewistown, MT.

A long-time friend of Darcy Dengel's family described Darcy this way: