

greatest prize—not the elections, but the sunset of the assault weapons ban.

Ten years after that great victory we are facing the extinction of an important public safety law that was an unusual piece of bipartisan lawmaking. In 1994 I had the support of two men whom I would rarely call my allies, Republican icons Ronald Reagan and Rudy Giuliani. As a result, Congress was able to put public safety ahead of special-interest politics.

What's going on these days, by contrast, is typical political doublespeak. The president speaks publicly in support of the assault weapons ban but refuses to lobby actively for it. The House majority leader, Tom DeLay of Texas, says the president never told him personally that he wants the assault weapons ban renewed, so DeLay isn't going to pass it.

There you have it. The president says he supports the assault weapons ban but refuses to lift a finger for it. And the powerful House majority leader—who does not support the ban—is pretending that all it would take to pass it is a word from the president.

This is a tragic development for many reasons, not the least of which is that the public wants this legislation. A new study, "Unconventional Wisdom," by the Consumer Federation of America and the Educational Fund to Stop Gun Violence, found that a substantial majority of likely voters in 10 states support renewing and strengthening the federal assault weapons ban, as do most gun owners and National Rifle Association supporters. The survey found that:

Voters in Midwestern states supported renewing the assault weapons ban slightly more than those in Southwestern states. Midwestern states (Ohio, Wisconsin, Michigan and Missouri) averaged 72 percent support for renewal. Southwestern states (Arizona and New Mexico) averaged 67 percent. In Florida, 81 percent of likely voters support renewing the ban.

Rural states, traditionally seen as very conservative on gun issues, strongly favored renewing the ban. Sixty-eight percent of voters in South Dakota and West Virginia support renewal.

Majorities of gun owners in all but two states favored renewing the ban. Even in those two states, Missouri and Ohio, only slightly less than 50 percent of gun owners and NRA supporters favored renewing the ban.

In nine of 10 states surveyed, union households supported renewing the ban by at least 60 percent. In Pennsylvania, 80 percent of union households supported renewing the ban and 73 percent supported strengthening it.

At least 60 percent of current and former military members and military families supported renewing the ban in all states surveyed. In Wisconsin, more than three-fourths, 77 percent, of current and former military members and military families support renewing the ban.

In March the Senate passed a renewed ban as an amendment to a gun industry immunity bill, which was the NRA's top legislative priority. President Bush issued a statement of administration policy calling the assault weapons ban amendment "unacceptable." The amendment passed on a bipartisan vote, 52 to 47, but the underlying bill was defeated. It was a stunning loss for the gun lobby. The NRA opposes even a straight renewal of the ban. It maintains that most Americans don't want the ban renewed, let alone strengthened, and that Congress should let the ban expire. Not true.

The gun industry is licking its chops waiting for the ban to expire. In an upcoming report from the Consumer Federation of America, "Back in Business," one assault weapon manufacturer's sales and marketing director

told us, "When the AWB sunsets, which I fully expect it to do, we will be manufacturing pre-ban style weapons and shipping them to the general public through distribution systems and dealers the very next day without doubt. . . . We look forward to Sept. 14th with great enthusiasm."

After 19 years in the Senate, I understand differences of opinions, ideologies and constituencies. What I cannot understand is why congressional leaders and the administration think that the American public won't notice that the ban expired. We'll notice, and they'll be sorry.

Reauthorizing the assault weapons ban is supported by:

Fraternal Order of Police
International Association of Chiefs of Police
Major City Chiefs
National Association of Police Organizations
National Organization of Black Police Officials
International Brotherhood of Police Officers
Hispanic American Police Command Officers Association
American Probation and Parole Association
National League of Cities
US Conference of Mayors
National Association of Counties
US Conference of Catholic Bishops
National Education Association
American Bar Association
NAACP
Americans for Gun Safety
Brady Campaign to Prevent Gun Violence
United with the Million Mom March
Church Women United
Episcopal Church, USA
American Academy of Family Physicians
American Public Health Association
Family Violence Prevention Fund
National Coalition Against Domestic Violence
National Network to End Domestic Violence
National Association of Public Hospitals and Health Systems
National Association of Social Workers
Physicians for a Violence Free Society
American Association of Suicidology
Mothers Against Violence in America
Child Welfare League of America
Alliance for Justice

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On August 12, 2002, Stephanie (Wilbur) Thomas, age 19, was driving her friend Ukea (Deon) Davis, age 18, home in southeast Washington, DC. The two young transgendered women were members of Transgender Health Empowerment, an African-American transgender support group. A car drove up beside them, and a gunman fired shots from an automatic weapon. The gunfire killed Ukea Davis and critically wounded Stephanie Thomas. The gunman then got out of the car and fired additional shots into Thomas'

car. Though police have not determined if they will file this as a hate crime, the additional shots fired at Thomas after the initial shooting seem to indicate an overkill factor common in many murders of transgendered people in the U.S.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, I regret that the President and the Republican leadership in the Senate continue to choose division over cooperation and confrontation over consensus on the Presidents' most controversial judicial nominees. Senators can work together, Republicans and Democrats. The conflict we are experiencing on the Senate floor, which has the collateral consequence of disrupting important and unfinished work of the Senate, is by Republican partisan design. It is bad for the Senate and the country.

Earlier this morning I was at the White House for the signing of the Law Enforcement Officers Safety Act. Senator CAMPBELL and I were the lead sponsors in the Senate on this successful effort, which we know as the "Steve Young Act" to honor an outstanding law enforcement officer.

Another example of our bipartisan cooperation is the resolution the Senate passed unanimously last night regarding with the consequences of the Supreme Court's decision in the *Blakely* case and the need to clarify Federal criminal sentencing law, S. Con. Res. 130. The Senate has now said, consistent with the record we developed at our recent Judiciary Committee hearing, that the Supreme Court should expeditiously clarify the status of the Federal Sentencing Guidelines. The Second Circuit Court of Appeals urged expedited consideration. The Department of Justice is bringing cases to the Supreme Court and should seek expedited consideration to afford the opportunity needed to obtain that necessary guidance.

There are scores of other measures on the Senate Calendar of Business on which we should be acting and could have been acting this week. We still need to enact the Satellite Home Viewer Improvement Act, S. 2013; the Ag Workers bill, S. 1645; the Dream Act, S. 1545; the judicial pay raise, S. 1023, the Anti-Atrocity Act, S. 710; the authorization for mental health courts, S. 2107; and other needed legislation on which there is so much bipartisan agreement.

With all this to do, with the 13 appropriations bills as yet unfinished, without a budget, without serious oversight of significant problems, it is incredible

to me that the Republican Senate leadership is devoting this week to divisive cloture votes on controversial nominations. Why they choose to sow division rather than make progress on matters that could improve the lives of so many Americans across the country is for others to explain.

Criticism of this "do-nothing" Congress is becoming universal. Conservative writers who are more prone to promote the Republican agenda than criticize its leadership have even joined in the chorus. Maybe that explains this misguided exercise, maybe it is reaction to all the criticism and an effort to shore up the extreme right-wing of Republican support. I do not know.

I fear more and more that some want the Senate to become a wholly-owned subsidiary of this Presidency and the Federal courts to become an arm of the Republican Party. That is wrong, that is unwise, that is unsound. The American people need to say no and preserve this great democracy.

Rather than doing the people's business, the Senate is being forced into contrived stunts for partisan political purposes. I urge the Republican leadership to use the upcoming recess to learn about the Senate and its role in our Federal Government. Maybe read Master of the Senate, the extraordinary and award winning book by Robert Caro, or the Constitution of the United States.

The American people deserve better. The Senate deserves better. Senator BYRD has spoken to this situation. Senator DASCHLE, Senator REID and all Democratic Senators have demonstrated over and over again our good faith and commitment to moving forward. Let us all, Republicans and Democrats, come back from the upcoming hiatus in our Senate proceedings with a commitment to find the common ground that Senator DASCHLE spoke about so well last month in the interests of the American people.

OUR MIDEAST POLICY

Mr. HOLLINGS. Mr. President, I recently wrote a column on Mideast Policy for the Post and Courier in Charleston, SC. I want to share it with my colleagues and ask unanimous consent the July 9 article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Now We Know: It's Our Mideast Policy
That's Creating Enemies
(By Ernest F. Hollings)

Now we know: (A) That there are no weapons of mass destruction in Iraq. (B) There was no al-Qaida in Iraq on 9/11. (C) From 1993 until we attacked in 2003—for 10 years—there was no terrorism by Saddam against the United States. (D) Saddam was not involved in the 9/11 attack on the United States. (E) Mideast people are generally of the Islam religion and tribal in culture. The Islam religion is strong—those who don't adhere are considered infidels. (F) Mideast countries don't yearn for democracy—Kuwait, liber-

ated from Saddam, didn't opt for democracy. (G) In "A World Transformed," President "Papa" Bush warned, "We should not march into Baghdad . . . turning the whole Arab world against us . . . assigning young soldiers . . . to fight in what would be an unwinnable urban guerrilla war." (H) We went into Baghdad anyway. (I) As the CIA author of "Imperial Hubris" wrote, "There is nothing that bin Laden could have hoped for more than the invasion and occupation of Iraq." (J) Now we are the infidel. Our invasion has turned Iraq into a shooting gallery and a recruitment center for al-Qaida. (K) The majority of the Iraqi people want us gone. (L) Even with Saddam out, many feel it wasn't worth the lives of 900 killed, 5,000 maimed for life and \$200 billion. (M) Now most people of the United States think the invasion of Iraq was a mistake.

1. We also know that: (A) Terrorism did not start on 9/11. Terrorism has been going on in Northern Ireland for 35 years. Terrorism now persists between India and Pakistan and between the Kurds and the Turks. (B) Terrorism is not a war but a weapon. We don't call World War II the Blitzkrieg War or the Battle of the Light Brigade the Cavalry War. (C) Terrorism against the United States is based on our policy in the Mideast. Osama bin Laden hit us because of our presence in Saudi Arabia and policy in Israel/Palestine. (D) Everyone knows that Israel is a U.S. commitment. (E) We have maintained this commitment for 37 years with an evenhanded policy between the Israelis and the Palestinians. (F) But President Bush changed the policy of negotiations, confirming Israeli settlements, and invading Iraq to secure Israel by democratizing the Mideast. (G) U.S. News & World Report and others keep parroting that terrorists hit us "because of our values" and hate us "because of who we are." Not so! It is our Mideast policy they oppose.

The way to win the "war on terrorism" is to (1) Seek out al-Qaida and the Taliban and eliminate them. (2) Secure Iraq so that democracy can work. (3) Publicly renounce pre-emptive war. (4) Rather than invasion, use capitalism to spread democracy, which is now working in China. (5) Return to the evenhanded policy of negotiations with Israel and Palestine. (6) Start rebuilding both Israel and Palestine.

Everyone laments our predicament after just one year's occupation of Iraq. Imagine 37 years' occupation of Palestine. Anyone with get up and go has gotten up and gone. Palestine is left with the hopeless and embittered. There is no leadership, hardly anything to lead. But embittered refugees from without lead with terrorism. A Palestinian state must first be built in order to be recognized. It can't be built while homes are bulldozed, settlements extended and walls are constructed. Our hypocrisy is obvious. We hail President Reagan for saying, "Mr. Gorbachev, tear down this wall," but now we say, "Mr. Sharon, put up this wall." There are 1 million Arabs in Israel's population of 6 million. For years the people of Israel and Palestine were learning to live together. The Arab soccer team just won the national championship of Israel. But the young of Israel and Palestine are now learning to kill together rather than to live together. This is creating terrorists big time, long term.

People the world around respect America for its stand for freedom and individual rights. It's time to stop this wag of people "hating us" and against us "because of our values." It's not our values or people, but our Mideast policy they oppose. We need to return to evenhandedness and active negotiations in the Mideast. Then we can begin to win the "war on terrorism" and regain our moral authority in the world.

ATTEMPTS TO OBTAIN ADMINISTRATION MEMORANDUMS

Mr. LEAHY. Mr. President, as we go out of session for the long recess at the end of this week, I am disappointed to report that Congress seems content to let the issue of foreign prisoner abuse linger without effective congressional oversight.

The House Armed Services Committee made it clear weeks ago that it believed the ongoing military investigations into the abuses were sufficient. Until today, the Senate Armed Services Committee had not held a hearing on the prisoner abuse issue in more than a month. Chairman WARNER called a hearing this morning to hear a report on one of the investigations: an assessment of Army detention operation doctrine and training, completed by the Army Inspector General.

Waiting for the administration to investigate itself is not the answer. There are at least four completed and seven ongoing military reviews into the treatment of prisoners held in detention facilities in Iraq, Afghanistan, and Guantanamo Bay. While these reviews are necessary, they fail to address critical issues: What role did White House officials, the Justice Department and other agencies play in developing the policies that allowed these abuses to occur? The military investigations may uncover what went wrong at the bottom of the chain of command, but it will take aggressive congressional oversight to discover what went wrong at the top of the chain.

We need to get to the bottom of this scandal, but we also need to get to the top of it. Only by doing that can we responsibly put it behind us and repair the damage it threatens to our security, to our credibility and to the safety of our troops.

Numerous attempts in Congress to uncover the truth have failed because Republicans have circled the wagons and refused to support oversight efforts. In the past week, Democratic members of the House introduced resolutions requiring the Secretary of State and the Attorney General to turn over all documents related to the treatment of prisoners in Iraq, Afghanistan and Guantanamo Bay. The resolutions failed on straight party-line votes, first on July 15 in the House International Relations Committee, and yesterday in the House Judiciary Committee.

Democratic members of the Senate Judiciary Committee tried to make progress as long ago as June 17, 2004, but the Committee, on a party-line vote, rejected a subpoena resolution for documents relating to the interrogation and treatment of detainees. Since that date, no action has been taken by the Senate Judiciary Committee, despite the clear need to resolve these issues.

In the June 17 Committee meeting, and in subsequent days on the Senate Floor, several Senators said that we