

The need for Presidential leadership has never been greater. We know we have the votes for renewing the assault weapons ban in the Senate because we passed such an amendment in March by a bipartisan vote of 52 to 47. The Republican leadership in the Senate, however, refuses to bring the ban back for another vote, and the House Republican leadership refuses to act at all.

In the 2000 campaign, President Bush specifically pledged to renew the ban, but now as the ban is about to expire, the silence from the White House is deafening. It is long past time for President Bush to live up to his commitment.

President Bush has shown that when he wants something from this Republican Congress, he gets it. When he wanted tax breaks for the wealthy, he got it. When he wanted another round of tax breaks, he got them, too. We need that same commitment from President Bush when it comes to protecting our families and securing our communities from deadly assault weapons.

President Bush, the time to act is now. Congress awaits your call.

#### IRAQ

Mr. KENNEDY. Mr. President, 16 months after President Bush declared "mission accomplished" aboard the USS *Abraham Lincoln*, the fighting in Iraq continues and casualties continue to mount.

Yesterday we reached a mournful milestone that we never thought possible: 1,000 brave Americans have lost their lives in Iraq. Nearly 7,000 more have been injured. The youngest of America's fallen soldiers was just 18 years old. The oldest was 59. More than half had not even celebrated their 30th birthday. They hailed from nearly every State in the Nation. They are the best of America, and we are proud of each one. Although I disagree with the President about Iraq, I honor the service and sacrifice and dedication of each of these brave men and women.

It was wrong for the President to rush to war for such a deeply questionable cause. We all know Saddam Hussein was a brutal dictator, but he did not pose the kind of immediate threat to our national security to justify a unilateral and preventive war.

Despite the President's claim that Iraq is central to the global war on terror, there was no persuasive pattern of ties or operational links between Iraq and al-Qaida. There were no nuclear weapons.

President Bush has stated that the war in Iraq was a catastrophic success. He is right in one sense. The war has been a catastrophe. The war has been a catastrophe for our fallen soldiers, far too many of whom were sent to war with no plan to win the peace. The war has been a catastrophe for their loved ones. The war has been a catastrophe for our Nation's standing in the world and for the war on terror, for it dis-

tracted us from the real threat of al-Qaida in Afghanistan. It has made the war on terrorism far harder to win and it has made America more hated in the world than at any other time in our history.

We need honest solutions that will end the terror of Osama bin Laden and destroy al-Qaida. We need honest solutions that will bring the war in Iraq to a noble end and bring our troops home with honor. This administration has had its chance and it failed the basic test of competence. It failed to deploy enough troops in Iraq to win the peace. It failed at Abu Ghraib. It failed in issuing sweetheart deals to Halliburton. It has failed the basic test of Presidential leadership.

We need a new administration that will be honest with the American people on national security and propose real solutions to make us safer and stronger.

How much time remains for the Democrats?

The ACTING PRESIDENT pro tempore. There is 8½ minutes.

Mr. KENNEDY. Whatever time remains I yield to the Senator from New York, Mr. SCHUMER.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mrs. FEINSTEIN. Before the Senator from New York begins, I do wish to use my remaining 4 minutes.

The ACTING PRESIDENT pro tempore. There is 8 minutes 7 seconds remaining.

#### ASSAULT WEAPONS BAN

Mr. SCHUMER. Mr. President, I believe I have 4 minutes, which I very much appreciate and I want to thank my colleague from California for yielding the time and for her tremendous and unstinting leadership on this very important issue.

If nothing happens, AK-47s, Uzis, and TEC-9s are going to be back on the streets next week. That is a giant step backward. It is hard to believe that with all the progress we have made in the fight on crime, with the reduction in crime, with the reduction in the number in law enforcement who are hurt and killed in the line of duty, with the new war on terrorism upon us, that we are going to make it easy for anybody to get an AK-47, provided they have not been convicted of a felony. Someone on a terrorist watch list will be able to walk into a store and get an AK-47.

What is going on in America? This should not be a contest. This bill should have been renewed without a debate. Everyone who studied it has agreed it has been broadly successful. This President and the previous four, from Ronald Reagan and Gerald Ford to Bill Clinton and Jimmy Carter, are on record as being for this, and because of a small band of people who are ideologues, who are extreme, we are not going to see this happen.

This represents the dysfunction of American politics. When a country

cannot deal with an issue in a straightforward, forthright way, when a country that has had success takes a step back because a narrow few have some ideological notion that everyone should be entitled to have any weapon they want—some of them even believe a bazooka or a tank is okay—then something is wrong.

We need some leadership. We need the President of the United States to ask the House of Representatives to vote on the bill. We have not heard a peep out of him. We need some leadership from the leadership of the House to allow the bill to be on the floor. The crime bill of 1994, for all the "sturm und drang," was one of the great governmental successes of the last decade.

As we wrote it, our motto in that bill was tough on punishment and smart on prevention. We brought a grand coalition from the most liberal to the most conservative to deal with the scourge of crime. The only reason there is not much of a fuss on this issue, regrettably, is because we have succeeded, because crime rates are lower and the large impetus to do more has declined because of our success.

When one has success, the answer is not to undo that success. It is to continue what has been done, and we are not. It is a sign, in my judgment, of the weakness of our politics, and even of this Republic, that the Senator from California and I are on the floor today as the gates are closing, pleading with our President and our colleagues to allow a vote to occur. This is not the America of which we should be proud.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the distinguished Senator from New York. I remember my call to him 10 years ago over in the House saying, "Chuck, would you consider handling this in the House," and he did. It was not easy. After the 1994 vote, the House repealed the assault weapons legislation, under pressure from the NRA. He stood fast—we stood fast—and the law continued. I am very grateful to the Senator and I want him to know that.

Going on at this very time is a press conference of law enforcement from all over the United States. One of the people who journeyed here for this press conference is a man by the name of Lee Guelff. His brother James Guelff was a police officer working out of Northern Station in San Francisco when a call came in that there was a sniper at Pine and California Streets. Officer Guelff responded to the call. What he found was a sniper, clad from head to toe in Kevlar, with military-style semiautomatic assault weapons, as well as over 1,000 rounds of ammunition. He had his service revolver, and the shots were flying.

As he went to speed-load his weapon, he was hit in the head by a bullet of the hundreds of rounds this man fired. It took 150 police officers to bring down this man clad in Kevlar at the corner of Pine and California Streets.

These weapons are not for civilian use. These weapons all were designed for military use to kill large numbers of people in close combat. Whether it is Geneva, OH, or Pine and California Streets in San Francisco, these weapons do not belong in civilian hands.

I will show a few pictures of police officers who have been in similar status. Marion County, IN, Deputy Sheriff Jason Baker was shot with an AK-47 during a traffic pursuit. He was following directly behind the fleeing vehicle when the suspects shot him in the head with one of the rounds from the AK-47. He died that day from gunshot wounds.

Lance Corporal Dana Lyle Tate and Corporal Dyke Coursen, Beaufort County deputy sheriffs, were shot and killed with an assault rifle after responding to a domestic disturbance call. Everyone who knows law enforcement knows domestic disturbances are fraught with jeopardy. When someone has an assault weapon against a police officer entering that house, the police officers do not have a chance.

San Francisco police officer Isaac Espinoza, 29, was gunned down April 10 of this year with an AK-47. His partner was wounded as well. There were a number of bullets fired. He was shot in the back.

Los Angeles County Police Captain Michael Sparkes, just on August 10 of this year, was shot and killed while off duty in Rosewood, CA. He was taking an early morning bicycle ride when he was confronted by two alleged gang members. The two men were attempting to rob Sparkes when an exchange of gunfire occurred. Captain Sparkes was shot multiple times with an AK-47 assault rifle containing a 40-round magazine of ammunition.

Downstairs there are representatives from the Fraternal Order of Police, the International Association of Chiefs of Police, Major City Chiefs, the National Association of Police Organizations, the National Association of Black Police Officers.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mrs. FEINSTEIN. I thank you. One last statement. Virtually all of law enforcement has implored us, has requested that we reauthorize this legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

#### CONGRESSIONAL BUDGET OFFICE SEPTEMBER UPDATE

Mr. NICKLES. Mr. President, yesterday the CBO, the Congressional Budget Office, issued their September update. It just came out. I heard my colleague and counterpart on the Budget Committee allude to it on the floor of the Senate yesterday, and he did that with great talent but maybe with a little different analysis than what I might give. So I thought I might give a little different presentation.

I think there is a lot of good news in this report. It also shows we have some big challenges before us. CBO estimates for this year we are going to have a deficit of \$422 billion. That is a record in nominal terms. But it is an improvement. CBO was just predicting 6 months ago it was going to be \$470-something, so it is down \$56 billion. The deficits are moving down. That is good news. OMB projected earlier this year the deficit was going to be \$521 billion. Now they are down around the \$441 billion, so they project significant improvement. As a matter of fact, the number CBO just came up with is about \$100 billion less than what OMB, the Office of Management and Budget, had predicted at the beginning of this year. So deficits are coming down. They are coming down dramatically.

I think the good news is the budget we passed last year and the tax package we passed, the economic growth package we passed last year, is working. We should be proud of it. I have been in the Senate now for 24 years. We pass a lot of different bills sometimes to stimulate growth or try to help the economy or try to do something that will have significant economic results. The bill we passed last year, the 2003 tax bill that President Bush signed in January, the tax bill that cut the tax rate on capital gains and dividends to 15 percent, the tax bill that accelerated the 2001 tax cuts and actually made them effective—that bill worked. Most of those cuts had not actually gone into effect. Some did for lower rates, but upper incomes had not received a rate reduction. Middle-income people had not received but a 1-point reduction. We accelerated the 28 percent to a 25-percent rate, the maximum rate to 35 percent, cut cap gains to 15 percent, and cut the rate on dividends to 15 percent. And guess what. It has worked. It has worked.

Since the President signed that bill, we have 1.75 million new jobs. That is 1,750,000 new jobs created. We have had 12 months in a row where we have had new jobs created every month. We really did reverse a downward trend, a decline.

We had a real chilling event on 9/11: our economy was hit. The financial structure of the United States was hit. We had a stock market that burst, frankly, in March of the year 2000. The NASDAQ declined by about 50 percent in the year 2000. Revenues to the Federal Government had been declining dramatically. You add 9/11, to that you add the war on terrorism.

Deficits are high. This Senator has spent the majority of my career trying to rein in Federal spending and hold down deficits. These deficits are very high. The good news is the deficit is coming down. Before one can criticize, they have to understand what caused the deficits. The deficits were caused by the market crash. When Alan Greenspan mentioned this a few years ago, he called it irrational exuberance in the stock market. That crashed. As

a result, a lot of money, actually trillions of dollars of market value, was lost in the stock markets. That reduction applied to money coming into the Federal Government.

The money we received in the Federal Government, total receipts, was over \$2 trillion in the year 2000. Last year it was about \$1.78 trillion. That was not because of the tax cuts we passed. It was because of the very soft economy, and it was because of 9/11. A lot concurred at that time. President Bush realized that, this Congress realized that, and I compliment my colleagues, especially ZELL MILLER for that because he helped me cosponsor that bill we passed last year that helped make this economic recovery happen.

The other good news in this report is CBO projected real economic growth this year of 4.8 percent. That is great. They project 4.2 percent for next year. That is super. That is real economic growth over and above inflation.

So the budget has worked. The tax bill we passed last year worked. New jobs are being created, almost 2 million jobs in the last 12 months alone. So we have a lot of good news. The good news is the budget we passed last year has worked. We defeated over \$800 billion worth of additional spending, most of which was offered by my colleagues on the other side of the aisle. We defeated that. The budget worked. The good news is when we passed the Department of Defense appropriations bill before we adjourned for the August recess, we put in a budget provision that caps domestic discretionary spending. That was part of the DOD appropriations bill. So we passed that part of our budget this year. That is now the law of the land. Now we can pass our appropriations bills. We are going to take up the Homeland Security bill later this afternoon, and hopefully we will be able to pass it. We have budget rules that will work to enforce limitations on that bill and all other appropriations bills. So maybe now we can go ahead and complete our appropriations process.

I mention these things to point out that there is some good news in this report. The report is also distorted because it says you have to use present base lines. Present base lines assume that all spending will continue to grow basically with inflation. This year alone, in the year 2004, we are spending about \$115 billion in Iraq and Afghanistan in the war on terror. We did that through supplementals. We will not continue doing that year after year, not at those levels. In that period of time we have been fighting a war. We have hundreds of thousands of troops who are engaged in that effort.

I was in Iraq a couple of months ago. We are training 210,000 Iraqis to take our place. I was in Afghanistan. We are training thousands and thousands of Afghanis, and we have 20-some thousand troops in Afghanistan. They will be taking our place so we will not have