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