

In contrast, President Bush's nominees, with only a couple of early exceptions, as I noted, enjoy the full support of both home State senators. We should hold hearings and votes on those without delay. Let me mention one in particular that means a great deal to me: Michael McConnell, a nominee for the Tenth Circuit Court of Appeals.

Professor McConnell is a consensus pick not only between his home State Senators but also among many others who know his scholarship, his temperament, and his commitment to the rule of law. His nomination has been applauded by legal scholars and lawyers from across the political spectrum. Professors Laurence Tribe, Charles Fried, Cass Sunstein, Akhil Amar, Larry Lessig, Sanford Levinson, Douglas Laycock, and Dean John Sexton are among those who have praised McConnell's integrity, ability, and fairminded approach to legal issues. He enjoys broad support among the bar and the academy in his home State of Utah.

On a broader level, McConnell is regarded as fairminded and nonpartisan. He publicly opposed the impeachment of President Clinton, and wrote in support of the position taken by Justices Souter and Breyer in *Bush v. Gore*. He was part of the volunteer legal team that successfully defended Chicago Mayor Harold Washington, the city's first African American mayor, in a dispute with the Board of Aldermen. McConnell wrote an article in the *Wall Street Journal* suggesting the nomination of Stephen Breyer to the Supreme Court, and supported a number of Clinton judicial nominations. These facts are among the reasons that McConnell's appointment has been praised by a number of former Clinton administration officials, including Acting Solicitor General Walter Dellinger, Deputy White House Counsel William Marshall, Domestic Policy Advisors Bill Galston and Elena Kagan, and Associate Attorney General John Schmidt.

Professor McConnell is best known in academic circles for his scholarship in the area of Free Exercise. He has generally sided with the "liberal" wing of the Supreme Court on this issue, arguing for a vigorous protection for the rights of religious minorities. In one opinion, Supreme Court Justice Antonin Scalia described McConnell as "the most prominent scholarly critic" of Scalia's more limited view of Free Exercise rights. In the related area of Establishment of Religion, McConnell has argued that religious perspectives should be given equal—but not favored—treatment in the public sphere. Thus, he has testified against a School Prayer amendment, while supporting the rights of religious citizens and groups to receive access to public resources on an equal basis. This record indicates a thoughtful and principled approach that is worthy of great respect from all sides. Professor McConnell will be a careful, thoughtful and unquestionably fair judge when he is confirmed to the Tenth Circuit. We

should have voted to confirm him last summer. There is certainly no reason to put off his hearing any further.

As I said at the beginning of my remarks, I am optimistic that the committee will continue the good start we have made in the past 2 weeks. There is no reason not to. We have plenty of work ahead of us. For those who look to the past for guidance, note that in 1994, the second year of President Clinton's first term, the Senate confirmed 100 judicial nominees. I am confident that Republicans and Democrats can work together to achieve, or even hopefully exceed, 100 confirmations in 2002—President Bush's second year in office. I look forward to working together with Chairman LEAHY and my colleagues on both sides of the aisle to accomplish this goal.

#### THE DISASTER IN NIGERIA

Mr. FEINGOLD. Madam President, I rise to express my concern regarding recent events in Nigeria. On January 27, an armory of the Nigerian military located within the massive city of Lagos erupted in a series of explosions, prompting desperate residents to flee the area. Reports indicate that more than 1,000 Nigerians were killed that night, many trampled to death or drowned in nearby canals as they tried to escape the disaster. Many of those who escaped with their lives lost their possessions and remain displaced. Disturbingly, reports quickly surfaced suggesting that child traffickers attempted to take advantage of the tragedy, raising questions about the fate of the missing. The entire episode, is horrifying, and my deepest sympathies go out to the families of the area.

But, I fear that this incident, whatever its precise cause, is only one more in a series of horrors visited on the Nigerian people. My colleagues have undoubtedly read about soaring levels of communal violence in this critically important African state. Such violence now grips parts of Lagos, adding to the sense of insecurity and fear in a city that just suffered such a terrible series of blasts. Yet sadly, reports of fighting in Lagos sound all too familiar, given recent history in Jos, in Kano, in Nasarawa, in Bauchi, and in the delta region.

In some cases, the government failed to act. For example, Human Rights Watch recently released a report indicating that the Nigerian authorities could have done more to prevent the massacres in Jos in September, where as many as a thousand Nigerians may have been killed in one week.

Yet in other cases, security forces have turned on civilians, as is alleged to have happened in Benue in October. Consistent and reliable reports indicated that many unarmed civilians were killed and a great deal of private property destroyed when members of the armed forces sought revenge for the murder of their fellow soldiers by a local militia group. The facts sur-

rounding this incident are still in dispute, but coming in the wake of the 1999 incident in Odi, where the Nigerian military massacred hundreds of civilians, this incident calls into question the wisdom of continued engagement with the Nigerian military. If that force is truly committed to reform, those responsible for killing civilians in Benue must be held accountable for their actions.

In addition, the manner in which sharia, or Islamic law, is being implemented in parts of northern Nigeria calls into question the country's commitment to fundamental and universal human rights. The case, recently highlighted by the *New York Times*, of a woman sentenced to be stoned to death after having been found guilty of adultery, raises a number of important questions. In her case, her pregnancy was evidence of her guilt in the eyes of the court, although the alleged father of the baby was set free after the same court concluded it lacked sufficient evidence to prosecute him. The relationship between the court's decision, the sentence, and the protections contained in Nigeria's constitution is utterly unclear. The Nigerian government's silence on these pressing issues is baffling.

It is not my intention to encourage pessimism about Africa in this body. And no one wants Nigeria's democracy to succeed more than I do. But all is not well in Nigeria, and we do our Nigerian partners no favors when we pretend that the situation is better than it is. The Nigerian people want what all people want—a chance to improve their lives and the lives of their children. It is no surprise that many are dissatisfied, as it is hard to seize opportunities in a context of violence and corruption. Elections were an important first step in Nigeria's transition from the dark days of military rule. But for too many Nigerians, the days are still quite dark.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in March 1996 in La Verne, CA. The president of a gay students' organization was attacked by two men. The assailants, Eric Britton, 20, and David Riffle, 19, were each charged with battery and civil rights violations in connection with the incident.

I believe that 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 of 2001 is now a symbol that can become substance. I believe

that by passing this legislation, we can change hearts and minds as well.

**NATIONAL FARMERS UNION  
PRESIDENT LEE SWENSON**

Mr. JOHNSON. Madam President, I rise today to honor an individual for his extraordinary leadership for family farmers and ranchers in South Dakota and across the entire country. Mr. Leland Swenson has been the president of the National Farmers Union (NFU) for the past fourteen years, and the president of the South Dakota Farmers Union (SDFU) for 7 years prior to that. For the past 20 years, Lee has been the leading voice for family farm agriculture in the country. During his tenure in these positions, Lee has provided immeasurable service, support, and leadership for family farmers and ranchers in efforts to maintain prosperity of rural communities.

A native of Minnesota, Lee was recruited to begin his career with South Dakota Farmers Union in 1971 as the Secretary/Treasurer. Lee was a very successful organizer, resulting in an increase in membership for 6 out of his 8 years at this post. Because of his talent, initiative, and ingenuity, Lee joined the National Farmers Union headquarters in Denver, CO as Field Services Coordinator. Lee's dedication to building a membership base and maintaining that base is something to be admired. Returning to South Dakota, Lee was elected the president of SDFU in 1981. During his swearing in ceremony, Mr. Swenson pledged to "preserve, protect and defend the family farm system of agriculture." Lee has fulfilled that promise time and time again.

While farm prices were dropping and interest rates were rising in the 1980's, Lee rose to the challenge of preserving the family farm in his role as president. In response to a veto of an emergency credit bill by President Reagan in 1985, Lee organized over 8,000 farmers and ranchers to gather for a "Farm Alliance Rally" in Pierre, SD. This was the second largest farm rally ever to be held at the state capital. Two other organizations were involved in gathering attendants, resulting in 25 Jackrabbit Line busses bringing the farmers and ranchers to South Dakota's capital city. The overwhelming number of constituents rallying could not be ignored by the state legislators, therefore the state legislature appropriated funds to send the 105 member body plus the governor to Washington, DC to lobby Congress for the restructuring of farm and ranch debt at serviceable interest rates. This first rally served as a stepping stone for Lee to organize another rural rally 15 years later in Washington. In 2000, bus loads of farmers, ranchers, church leaders, labor organizations, and rural community leaders gathered at the nation's capital to rally for the sustainability of rural America. Without the experience, dedication, or conviction of Lee Swenson

this rally would not have been a success.

For the last 100 years, the primary goal of National Farmers Union has been to sustain and strengthen family farm and ranch agriculture. The key to this goal has been Farmers Union's grassroots structure in which policy positions are initiated locally. National Farmers Union believes that good opportunities in production agriculture are the foundation of strong farm and ranch families and that strong farm and ranch families are the basis for thriving rural communities. In order for these goals and values to be carried out consistently, a well-respected, talented, and dedicated leader is vital. That is exactly what Lee Swenson provided to the organization.

Lee Swenson has achieved a number of other accomplishments during his tenure with the National Farmers Union. Bringing the states of Alaska, California, and Missouri into the organization, organizing the single largest farm rally in Washington, DC and expanding the government relations, communications and education departments of the NFU.

As National Farmers Union celebrates their 100th anniversary this year, and Lee steps down from his post as president, the delegation body can look back on prior accomplishments and be nothing but proud. Proud of their organization, proud of their commitment to family farmers and ranchers, and proud of their outgoing leader.

Finally, Lee has always been dedicated to family agriculture, and I know he will continue to contribute to not only the state of South Dakota, but family agriculture across the country. Therefore, I wish him all the best and I will continue to rely upon his valuable insight on the sustainability of rural America. On behalf of the people of South Dakota, I want to thank Lee for being a true public servant who has helped improve the quality of life for thousands of rural Americans.

**ADDITIONAL STATEMENTS**

**AMERICAN ASSOCIATION ON MENTAL RETARDATION AWARD WINNERS**

• Mr. DURBIN. Madam President, I am pleased today to join the Illinois chapter of the American Association on Mental Retardation in recognizing the recipients of the 2001 Direct Service Professional Award. These individuals are being honored for their outstanding devotion to the effort to enrich the lives of people with developmental disabilities in Illinois.

These recipients have displayed a strong sense of humanity and professionalism in their work with persons with disabilities. Their efforts have inspired the lives of those whom they care for, and they are an inspiration to me as well. They have set a fine example of community service for all Americans to follow.

These honorees spend more than 50 percent of their time in direct, personal involvement with their clients. They are not primarily managers or supervisors. They are direct service workers at the forefront of America's effort to care for people with special needs. They go to work every day with little recognition, providing much needed and greatly valued care and assistance.

It is my pleasure to acknowledge the contributions of the following Illinois direct service professionals: James Adams, Louise Adams, Sue Bailey, Chequel Banks, Sharon Brand, Gwen Condon, Dawn DeLeon, John Ferro, Jenny Hoffman, Orrin Holman, Chau Le, Veronica Mayweather, Paul McPherson, Herminia Ortiz, Isabelle Ptak, Kay Quinn, Sarah Redner, Dorothy Rendleman, Robin Roux, Edward Schultz, Jenny Schwartz, Barbara Stroud, and Sandy Verschoore.

I know my fellow Senators will join me in congratulating the winners of the 2001 Direct Service Professional Award. I applaud their dedication and thank them for their service.●

**RETIREMENT OF ELEANOR S. TOWNS**

• Mr. DOMENICI. Mr. President, today I recognize the retirement of a dedicated public servant and to thank her for her contributions to our Nation. Since 1998, Eleanor S. Towns has been the Regional Forester for the U.S. Forest Service's Southwest Region located in Albuquerque, NM, and in that capacity, has been responsible for the management of 22 million acres of National Forests in the Southwest.

Eleanor Towns brought to her work a rich and diversified educational background and varied work experiences. Born in Rockford, IL, she received her undergraduate education at the University of Illinois, graduating in 1965 with an A.B. in communications. She received her master's in guidance & counseling from the University of New Mexico in 1968, and her juris doctor from the University of Denver College of Law in 1982. She worked with the Bureau of Land Management before transferring to the Forest Service in 1978 as Director of Civil Rights in the Rocky Mountain Regional Office in Denver. She held progressively more responsible positions before becoming the Rocky Mountain Region's Director of Lands, Water, Soils and Minerals in 1994. In 1995, she was admitted to the Federal Senior Executive Service and assumed the position of Forest Service Director of Lands in Washington. In April 1998, she was promoted to Regional Forester for the Southwest Region.

My office has had the pleasure of working with Eleanor Towns since her arrival at regional headquarters in Albuquerque. Despite deteriorating facilities when she first arrived, a situation that has since been rectified, she remained attentive to the multiple issues