

whereabouts and the charges against them. Human Rights Watch urged the international community to press the Azerbaijani government to launch an independent commission, with international participation, to investigate election fraud.

Almost immediately after the polls closed on October 15, violence erupted between opposition supporters and the police. Later that evening, Azerbaijani security forces attacked peaceful opposition supporters gathered outside the headquarters of the main opposition party, Musavat ("Equality"), injuring at least 50 protesters.

Most of the arrests have occurred since October 16, when attempts by the security forces to prevent a march organized by the opposition turned violent. For details, please see Human Rights Watch press release "Azerbaijan: Post-Election Clashes Turn Deadly."

Human Rights Watch has been able to confirm at least 190 arrests of opposition leaders and supporters, although the actual number of detainees is much higher. For example, the Minister of Interior stated on October 17 that 190 persons had been detained during the October 16 violence alone. Many of those arrested were beaten while being taken into custody.

The charges, if any, against those detained are unknown, as in many cases they have not had access to counsel.

Several national leaders of the opposition have been among those arrested, including Sardar Jalalov, secretary-general of the Azerbaijan Democratic Party (ADP), taken from his home on October 18 by armed masked men; Iqbal Agazadeh, chair of the Umid ("Hope") Party, arrested on October 17; Panah Huseinov, chair of the Khalq ("Nation") Party, and a former prime minister of Azerbaijan, arrested on October 19; and Vagif Hajibeili, chair of the Ahrar party, arrested on October 17.

Most of the national leaders are being held at the Organized Crime Unit of the Ministry of Interior, a department that routinely uses torture and other physical abuse against detainees, according to Human Rights Watch research. For details, please see Human Rights Watch briefing paper "Azerbaijan: Presidential Elections 2003."

The main opposition leader and presidential contender Isa Gambar, chair of the Musavat party, is under house arrest, and his bodyguards have been detained. Several Musavat deputy chiefs have been arrested, including Sulheddin Akper, deputy chief for international affairs; Ibrahim Ibrahimli, deputy chief for humanitarian affairs; Arif Hajiev, deputy chief for organizational affairs; and Mirbaba Babaev, a member of the Musavat supreme council.

The campaign of arrest has also focused on members of the "Our Azerbaijan" bloc, including many civil society leaders, who supported the candidacy of Musavat leader Isa Gambar. Mehti Mehtiev, director of the Human Rights Resource Center, was arrested at his home on October 18. Itimar Asadov, chair of the Karabakh Invalids Association, was arrested on October 17. The security forces also attempted to arrest Ilgar Ibrahimoglu, a major religious leader and the head of the Center for the Protection of Conscience and Religious Freedom; he received refuge in the Norwegian Embassy after two of his associates, Azad Nazimanoglu and Najaf Allahverdiyev, were arrested on October 17.

The authorities have also detained local opposition activists in villages and towns throughout Azerbaijan. For example, on October 17, police in the town of Saatli arrested Agarza Miriev, the local Musavat chief; Beibala Akperov, his deputy; Mikhail Humbatov, chair of the local ADP branch;

Chingiz Umudov, the local chief of the Liberal Party; and Fakhreddin Abdiev, the local chief of the Azerbaijan Popular Front Party (APFP).

Among other local leaders whose arrest Human Rights Watch has been able to confirm are: the chairs or deputy chairs of the Musavat party branches of Ali Bairamli, Gazakh, Gabala, Ismaili, and Jalilabad, Sumgait; the head of the ADP branches in Ali Bairamli, Imishli, and Zagatla; the chairs of the Azerbaijani National Independence Party (ANIP) branches in Ganja, Quba, and Shamkir; and the chairs of the APFP branches in Jalilabad and Siazan. Human Rights Watch also confirmed the arrest of the head of the Umid party in Ali Bairamli. All of their names are on file with Human Rights Watch.

In addition, the Azerbaijani authorities have arrested dozens of opposition members who served as observers and polling-station officials during the October 15 election because they refused to sign vote tallies from their polling stations that they believed were fraudulent. The tallies, known as protocols, require the signatures of polling-station officials. In the town of Ganja alone, Human Rights Watch has obtained the names of 32 opposition polling-station officials who are currently being detained for their refusal to sign fraudulent vote tallies.

International monitors from the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe and the National Institute for Democracy (NDI) have confirmed widespread fraud on election day. According to many reports, the families of opposition election officials who refused to sign forged protocols have also come under pressure and been victims of intimidation from government officials, and in some cases have themselves been arrested.

Human Rights Watch calls on the Azerbaijani authorities to immediately end the crackdown against members of the opposition. Human Rights Watch further urged the Azerbaijani government to carry out a prompt, independent and impartial investigation into the violence plaguing the country prior and subsequent to the election, and to investigate and prosecute security officials and others implicated in abuses. Urgent international action is needed to prevent a further decline in human rights conditions in Azerbaijan, Human Rights Watch stressed.

Human Rights Watch also urges the Council of Europe and the OSCE, together with the United States and the European Union, to press the Azerbaijani government to form an independent commission to investigate election fraud. Election experts from the Council of Europe and OSCE should be part of this commission.

"Azerbaijan is going through its most serious human rights crisis of the past decade," said Bouckaert. "If this crackdown continues, there won't be an opposition left in Azerbaijan by the end of the month."

STATUS OF ENERGY BILL CONFERENCE COMMITTEE NEGOTIATIONS

Mr. JOHNSON. Mr. President, yesterday, in a joint statement, Senator DOMENICI and Representative TAUZIN indicated that because of continued disagreements over energy tax provisions that additional conference meetings on comprehensive energy legislation will not occur this week. At the same time, Representative TAUZIN and Senator DOMENICI announced that final agreements had been reached on eth-

anol and electricity. I learned about these developments, as did my other Democratic colleagues who serve on the conference committee to the energy bill, not from meeting with the chairman of the conference, but through third-hand news accounts.

The exclusion of Democrats from the conference committee process is well known. Yesterday, Senator BINGAMAN, the ranking democrat on the Senate Energy Committee and one of the Senate's foremost experts on energy matters, raised these same points on the Senate floor. By choosing not to release to the public Republican-bargained agreements on ethanol and electricity, the Congress runs a substantial risk of harming South Dakota farmers and consumers, while failing to produce the long-term energy policy our country requires.

Implementing an aggressive renewable fuels standard that grows demand for ethanol is vitally important to the ethanol industry, American farmers, and our long-term energy security. South Dakota is at the forefront of expanding ethanol production with 1 of every 3 rows of corn in South Dakota devoted to ethanol production. Nearly 8,000 South Dakota farm families are connected to my State's nine ethanol facilities. Implementing a Renewable Fuels Standard, RFS, that significantly benefits this growing industry is more important than slapping together an agreement cut by a few Senators in order to grease the wheels for passage of a broader energy bill.

As I look at the list of Republican conferees serving on the energy conference, I am very concerned that by excluding Democrats, such as Senators DORGAN, DASCHLE, and BAUCUS, that the ethanol agreement constructed will not produce the long-term benefits South Dakota's member-owned ethanol facilities and farmers expect from this bill. This concern is not only shared by Senate Democrats, but many Republican Senators who want to grow ethanol production. Last Friday, 29 Senators wrote to Senator DOMENICI and Representative TAUZIN reiterating that the conference accept the Senate's ethanol agreement that passed on a bipartisan vote of 68 to 28. Unfortunately, opponents of renewable fuels appear to be prevailing within the conference. Therefore, I have great concerns with the decision by Senator DOMENICI not to release the ethanol and electricity agreements to the public so that it could be reviewed by all conferees.

By refusing to release the ethanol and electricity agreements, South Dakotans are deprived of the opportunity to understand how this bill will impact their pocketbook and livelihood. Notwithstanding a vague agreement to allow conferees to review the language 24 hours before a final vote, this closed process could ultimately produce a bill that hurts my constituents. The electricity provisions in this bill have a significant impact on the thousands of customers in my State served by rural

electric cooperatives, yet this complicated section that could easily comprise over 100 pages of text will be released only one day before a final vote. My concerns go far beyond procedural fairness but speak directly to what type of electricity market Congress envisions taking shape in the next decade, and how to ensure that markets do not disadvantage consumers. Will the authority over setting rates and ensuring the reliability of the power grid be handled primarily through individual States or the Federal Government? What incentives are contained in the bill to encourage utilities to serve less populated regions of the country and maintain the infrastructure needed for reliable and dependable service? The answers to these complicated questions lie within the closely guarded deals agreed to by a handful of Senators and Congressman.

It is very important that the conferees have access to these agreements as soon as possible so that conferees can share them with our constituents. The Senate has twice passed comprehensive energy legislation in the last 2 years because of an open and deliberative process that produced compromise and solutions on ethanol and electricity, as well as other contentious provisions. That same openness is needed at this time if we are to construct an energy policy that grows domestic energy sources and secures reliable and available supplies of energy.

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.

I would like to describe a terrible crime that occurred in Washington, D.C. On August 21, 2003, Aaryn Marshall, 25, was shot and killed. Mr. MARSHALL was a transgender individual, and dressed and lived as a woman. Police have classified the second-degree murder as a hate crime. Mr. MARSHALL was one of three transgendered residents shot in the city in a six-day period in August.

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 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.

ADDITIONAL STATEMENTS

TRIBUTE TO DANIEL W. MCGINTY

• Mr. WARNER. Mr. President, I rise today to pay tribute to Daniel W.

McGinty, upon his retirement from the Federal Government after 33 years of distinguished and dedicated service to our Nation and the Department of Defense.

Over the last 10 years, some of us in this Chamber have had dealings with Dan, as he carried out his responsibilities as the director of congressional and public affairs for the Defense Logistics Agency (DLA) and most recently with the Defense Contract Management Agency (DCMA). His frequent dealings with the staff of the Armed Services Committees of the Senate and House have been a paragon of professionalism, diplomacy, and conscientious service. With integrity and an engaging personal style, Dan consistently exercised a remarkable talent for reconciling divergent points of view, and doing so in a way that resulted in mutually acceptable outcome for all involved, be it in the arena of legislation or constituent services.

Dan's career journey began more than three decades ago. Upon his graduation from Eastern New Mexico University in 1970, he entered the Army as a counterintelligence agent at Ft. Ord, California. Following an honorable discharge in 1973, Dan began his Federal civilian career at Kirtland Air Force Base, NM, progressing through a variety of contract-management positions over the ensuing 10 years.

In the mid-1980s, Dan got his first taste of life in the Nation's Capital, serving as the strategic planning officer on the staff of the Commander, Air Force Systems Command. After 4 years in that position, he returned to Kirtland AFB to head up the resources-planning division. Then in 1989, upon the issuance of Defense Management Review Decision 916, which placed all Defense contract administration under DLA's Defense Contract Management Command, Dan returned to the Washington, DC, area to serve as the director of program and technical support for special programs at DCMC headquarters.

But all that was mere prelude to what Dan will best be remembered for—his proficiency, acumen, and credibility as the congressional affairs impresario for DLA and DCMA, two of the Defense Department's leading combat-support agencies. Since February 1994, he has been a highly effective ambassador to Capitol Hill, articulating agency programs and deftly conveying his agencies' perspective on emerging legislation.

Displaying an enviable blend of affability and sophistication, Dan established and enjoyed a marvelous rapport with Senate and House staff. Always responsive and informed, he consistently met the congressional and media demands placed on him while protecting and promoting the interests of the agencies he represented.

Whether he was contributing to the successful development of a classified weapons systems program, responding to pointed questions from reporters, or

explaining contract-management initiatives to congressional staff, Dan McGinty carried out his pressure-packed responsibilities with unwavering diligence, integrity, and competence.

On the occasion of his retirement from Federal service, I offer my congratulations and thanks to this respected resident of northern Virginia, and wish him and his wife, Sue, well in their future pursuits. •

CELEBRATING WORLD CUP SPEEDSKATING IN MARQUETTE, MICHIGAN

• Ms. STABENOW. Mr. President, I call attention to a wonderful sporting event that will be held Friday, Saturday and Sunday in the city of Marquette in Michigan's Upper Peninsula.

On those days the United States Olympic Education Center will host World Cup speedskating at the Berry Events Center at Northern Michigan University.

I am sure you recall how short track speedskating suddenly became the sport of the hour during the 2002 Winter Olympics in Salt Lake City, as we all cheered on the American speedskating phenomenon Apolo Ohno. The excitement of this high-speed sport, where a slip and a fall always seems to be just a step away, became one of the most-talked about events of the games.

When the Olympic games were finished and Apolo left with his medals, I am afraid that for most viewers speedskating slipped back into the sports shadows. It was not likely to be a sport that would bump football, golf or NASCAR from the prime Sunday afternoon viewing slot.

Despite this media eclipse, however, speedskating remains as riveting as it was during the Olympics. Highly-trained athletes still challenge both gravity and centrifugal force on the razor edge of their skates. Strategists on the track still plot their pace, waiting for the right moment to begin a sprint or challenge for the lead. And 150 of the world's best speedskaters from more than 25 countries will thrill crowds of northern Michigan residents who know their winter sports, from dog-sledding to ski-jumping.

The event also promises an economic boost to an area that has been sustained many economic blows, and it will showcase Marquette, MI, an All-American community.

I have long supported the United States Olympic Education Center at Northern Michigan University, and I praise them for their successful effort in matching this world-class event to an area that I have always considered world-class in its natural beauty—Michigan's Upper Peninsula. •

IN RECOGNITION OF MONTGOMERY COUNTY HOUSING OPPORTUNITIES COMMISSION

• Mr. SARBANES. Mr. President, I wish to recognize the work of the Hous-