

difficult decisions every day of the year, because a system of justice based upon avoiding difficult decisions would provide no justice at all.

In 1990, I led the fight against an amendment that would have changed the Federal death penalty statute to permit the execution of the mentally retarded. During the floor debate, I implored my colleagues, "Let us show that our support for the death penalty is bonded by humanity." I asked my colleagues to remember that to be mentally retarded is to be denied the ability to develop the full human faculties that the rest of us take for granted. "We do not execute children," I noted. "Let us not execute people who never get beyond that stage in their life through absolutely no fault of their own."

I am proud that a majority of this body agreed with me and rejected the amendment. And I am proud that by our action, we, in our own small way, helped galvanize our brothers and sisters in State legislatures to such an extent that, 12 years later, the Supreme Court can state that a national consensus has emerged against executing the mentally retarded. As a supporter of the death penalty, I know that this ultimate sanction is justifiable only if it is administered in a way that comports with American values. Last week, the Supreme Court agreed, and we are a stronger nation for it.

#### 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 September 17, 2001 in Evanston, IL. Mustapha Zemkour, a Chicago taxi driver and student, was injured when two men—including a Cook County corrections officer—chased him on motorcycles, then hit him in the face and yelled, "This is what you get, you mass murderer!" The perpetrators "apparently assumed he was of Arab descent" police said. The two men were charged with aggravated battery and a hate crime in the attack.

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 and changing current law, we can change hearts and minds as well.

#### AWARD OF THE DISTINGUISHED FLYING CROSS TO FORMER SEN- ATOR WILLIAM D. HATHAWAY

Ms. SNOWE. Madam President, I rise to salute a soldier, public servant, and son of Maine who Monday afternoon was honored for his heroic service 58 years ago today. This recognition is all the more special for me, for our Nation also honors a colleague, former Senator William D. Hathaway of Maine.

On Monday, the United States Air Force recognized a distinguished World War II veteran for his heroic service 58 years ago. As a young airman serving with the Fifteenth Air Force high over the Ploesti oil fields in Romania, Second Lieutenant Bill Hathaway and his crew mates showed their courage, and in the process helped turn the tide of the Battle of Ploesti toward the Allied cause.

As Major General N.F. Twining, Commanding General of the Fifteenth Air Force, wrote in a letter to Lieutenant Hathaway after the battle, "Your return marked the culmination of an outstanding campaign in the annals of American military history. The German war machine's disintegration on all fronts is being caused, to a large extent, by their lack of oil oil that you took away from them."

On the morning of June 24, 1944, while stationed near San Pancrazio, Italy, Lieutenant Hathaway and other members of the 514th Flying Squadron were deployed to Romania, where a battle for control of the Ploesti oil fields was raging with the Germans. Early that morning, Lieutenant Hathaway's squadron took off from their air station, located near the heel of Italy's boot, and crossed the Adriatic toward Bucharest, and the nearby oil fields. Future Senator Bill Hathaway was situated as a navigator as his B-17 aircraft droned toward its target.

By 10:00 a.m., the squadron had arrived over Ploesti, but they encountered heavy enemy fire from the time they crossed the Rhine River nearby. As many as 200 German fighters challenged the American flyers, who encountered heavy flak. Upon arriving over the oil fields, though, the American mission was thwarted by a heavy German smoke screen that shielded the oil fields and other targets on the ground from sight.

Undaunted, Lieutenant Hathaway and the crew plotted another alternative, as the squadron's commanding officer ordered the crew to turn around, circle back, and try the bombing run again. Dodging nearby anti-aircraft fire and enemy fighters, the team proceeded over the oil fields again, and this time they found their target. The 514th dropped its bombs on target and headed away from Ploesti.

But as with so many battles, the 514th's celebration was fleeting. Soon after dropping its bombs, Lieutenant Hathaway's aircraft was hit by flak from the dogfight over the oilfields. One of the B-17's engines was disabled, and three crew were injured: Lieuten-

ant Hathaway was hit in the shoulder, nose gunner George Deputy in the head; and bombardier Richard McDowell in the leg. Demonstrating the tenacity and courage that has characterized Bill Hathaway throughout his career, Lieutenant Hathaway gave his pilot a course to Turkey, and, while medics dressed the wounds of the other two airmen, he assumed Deputy's position in the nose turret, and fired at the German fighters that continued to buzz his aircraft.

Despite his valiant effort, the plane was crippled and continued to lose altitude. After German fighters took out a second engine, the pilot gave the order to bail out. Lieutenant Hathaway, and other members of the crew, donned their parachutes and jumped. Two crew, copilot David Kistler and waist gunner Ben Matthews, were killed when their parachutes failed to open. Lieutenant Hathaway and two others were taken prisoner upon landing, later being reunited with the remainder of the B-17 crew. Ultimately, these American heroes were imprisoned in Bucharest by German forces, where they remained until Romania was liberated by Russian allied soldiers in August, 1944.

For his extraordinary heroism and bravery, the Air Force this week honored Senator Hathaway, and fellow crew members Herman Hucke and Richard McDowell, with the Distinguished Flying Cross. The ceremony at the Officer's Club at Bolling Air Force Base Monday afternoon provided yet another distinguished recognition for Senator Bill Hathaway, who represented Maine for 13 years in Congress. Since leaving Congress, he has remained active and engaged in public service, including time as a commissioner and chairman of the Federal Maritime Commission.

In reviewing the courageous actions of Lieutenant Hathaway and his crew today, I am reminded of the words of President John F. Kennedy, who said, "In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger." Well, how fortunate we are that those few generations were blessed with men like Bill Hathaway, Herman Hucke, Richard McDowell, and other members of the crew, seemingly ordinary Americans from small towns and big cities all across our Nation who performed extraordinary deeds in service to their country.

So I am proud to join with the Air Force, the President, and the people of Maine and a grateful Nation in honoring Senator Hathaway, and his fellow crew, for their outstanding service. This recognition is well-deserved and, certainly, long overdue.

#### THE ANNOUNCEMENT OF GOV- ERNOR JESSE VENTURA NOT TO SEEK A SECOND TERM IN OF- FICE

Mr. MCCAIN. Mr. President, I rise to talk about one of most colorful, to put

it mildly, elected officials in contemporary American politics. Recently, Minnesota Governor Jesse Ventura announced he would not seek a second term in the Land of 10,000 Lakes. Governor Ventura took an unusual career path to arrive at his current position. After high school, Jesse Ventura volunteered for one of our Nation's toughest military assignments, the SEALs. He served 4 years in the Navy before eventually taking center stage in the wrestling ring and then as mayor of Brooklyn Park, MN for five years. Jesse continued his unconventional ways by challenging the political system and, against all odds, winning his gubernatorial race in 1998 against two well-established opponents. Now, he is exiting the political arena. As I look back, there were many comments made by the Governor that I disagreed with, as I did with some of his public policies. But Jesse Ventura's run 4 years ago was about more than who would run the State of Minnesota. As my hero, Theodore Roosevelt, said nearly a century ago, "It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena."

#### ADDITIONAL STATEMENTS

##### DEFEAT THE HEAT

• Mr. FRIST. Madam President, as a Member of the U.S. Senate and as a physician, I would like to take the opportunity to alert my colleagues to the Defeat the Heat campaign for America's children.

Defeat the Heat is a new public safety campaign created by the National SAFE KIDS Campaign, the National Athletic Trainers' Association (NATA) and Gatorade. The campaign's purpose is to educate parents and kids about the dangers and the prevention of dehydration and heat illness. The goal is to teach parents to think of fluids as essential equipment for playing sports, just as they would regard a helmet or shin guards to be protective gear.

A survey commissioned by the National SAFE KIDS Campaign reveals that more than three in four parents of active 8-14 year olds do not know how much fluid their kids need to replace what is lost through perspiration, and many do not know how to prevent dehydration. A child can lose up to a quart of sweat during a 2-hour sports game.

There are several physiological factors that make children more vulnerable to heat-related illness than adults. Children absorb more heat from the environment because they have a greater surface-area to body-mass ration than adults—the smaller the child, the faster the heat is absorbed. Also, children are not able to dissipate as much heat as adults through perspiration. They produce more metabolic heat during

physical activity and do not have the same physiological urge to drink enough fluids to replenish sweat losses during prolonged exercise.

How can we help America's children defeat the heat? Drinking enough of the right fluids is the best defense against heat illness because dehydration is one of the first steps to more serious heat-related conditions like heat stroke and heat exhaustion. Children should be sure to drink before, during, and after activity and never wait until they feel thirsty to drink. If children feel thirsty, their body is already dehydrated.

It is with great pleasure that I join my fellow Tennessean, Coach Pat Summitt, six-time national champion NCAA Women's Basketball coach at the University of Tennessee, the National SAFE KIDS Campaign, the National Athletic Trainers' Association (NATA), Gatorade, and others in this admirable and worthwhile cause to educate parents about these health risks. As a physician, it is my hope that parents become active in this program to help their children defeat the heat.●

#### TRIBUTE TO COLONEL JOHN K. ELLSWORTH

• Mr. BOND. Mr. President, I rise today to pay tribute to an exceptional officer in the United States Air Force Reserve, an individual that a great many of us have come to know personally over the past few years, Colonel John K. Ellsworth. Colonel Ellsworth, who serves as Deputy Chief of the Air Force Senate Liaison Office, and was recently promoted to Colonel, will be leaving his position to attend the prestigious Army War College at Carlisle Barracks, PA. During his assignment here on Capitol Hill, Colonel Ellsworth personified the Air Force core values of integrity, service, and excellence in the many missions the Air Force performs in support of our national security. Many Members and staff enjoyed the opportunity to work with him on a variety of Air Force issues and traveled with him on a multitude of fact-finding trips around the world. To a person, they all recognize and deeply appreciate his character, dedication to duty, and professionalism. Today it is my privilege to recognize some of Colonel Ellsworth's many accomplishments, and to commend the superb service he provided the Air Force, the Congress, and our Nation.

Colonel Ellsworth entered the Air Force through the Reserve Officers' Training Corps program at the Citadel, SC. He served in various operational support and staff assignments including duty as a maintenance officer for many of the Air Force's aircraft. Throughout his distinguished career, Colonel Ellsworth's exceptional leadership skills were always evident to both superiors and subordinates as he repeatedly proved himself in numerous select leadership and command positions.

During his current assignment of working with the Congress, Colonel Ellsworth provided a clear and credible voice for the Air Force while representing its many programs on Capitol Hill, consistently providing accurate, concise and timely information. His integrity, professionalism and expertise enabled him to develop and maintain an exceptional rapport between the Air Force and the Congress. The key to his success, I believe, was his deep understanding of Congressional processes and priorities, and his unflinching advocacy of programs essential to the Air Force and to our Nation.

I am very pleased that Colonel Ellsworth is about to begin the next phase of his career as a senior officer in our Air Force. I offer my sincere congratulations and best wishes to him as he heads for his next assignment where he will further his knowledge of national security strategy with other warriors of our armed forces.

On behalf of the Congress and our great Nation, I thank Colonel Ellsworth and his entire family for the commitment and sacrifice they have made throughout his career. I know I speak for all of my colleagues in expressing my heartfelt appreciation to Colonel Ellsworth for a job well done. He is certainly a credit to the Air Force and the United States. We wish our friend the best of luck in his new assignment.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT ON BOSNIA AND U.S. FORCES IN NATO-LED STABILIZATION FORCE (SFOR) FOR THE PERIOD MARCH 2001 TO DECEMBER 2001—PM 98

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services:

*To the Congress of the United States:*

As required by the Levin Amendment to the 1998 Supplemental Appropriations and Rescissions Act (section 7(b) of Public Law 105-174) and section 1203(a) of the Strom Thurmond National Defense Authorization Act for