

In 1989, my department offered a promotion to a white female, the highest ranking candidate. She declined, and my superiors denied my request to re-advertise the position, to broaden the pool of candidates. When I then offered the position to the second-highest ranked candidate, a white male, I was suspended without pay for five days for alleged "gross insubordination" in not hiring a minority and not supporting the so-called affirmative action plan. After a hearing, the charge was reduced to mere "insubordination," but WSSC did not change any of its discriminatory policies.

In 1990, I attempted to fill another opening, determining that the three most-qualified candidates were white males. Because I failed to recommend a minority or female, I was demoted. WSSC took away my office, secretary, company car and all supervisory responsibilities. I was moved to a specially created staff position, banished to the equivalent of corporate Siberia, solely because I refused to discriminate by using race and sex as the primary selection criteria.

In 1993, I filed a civil rights suit against WSSC, represented *pro bono* by the Institute for Justice and a private attorney, Douglas Herbert. I will always be profoundly grateful to Chip Mellor, the institute's president, to Clint Bolick, its litigation director, and to Douglas Herbert for the magnificent job done in representing my case, not only in Federal court, but also in the court of public opinion. The lawsuit alleges that WSSC's retaliation against me violated the Civil Rights Act of 1964 and infringed upon my first amendment free speech rights. It seeks an end to WSSC's quota system as well as reinstatement and damages. The suit is believed to be the first challenge to Government actions that punish opposition to quotas. The case was tried in September 1995; sixteen months later, a verdict is still pending.

Tonight we gather to honor an individual who has worked tirelessly to dismantle the machinery spawned by the false premise that we should use discrimination to cure discrimination—a man who knows that spoils systems based on race and sex imply that those favored are inferior and thus stigmatize competent people as incompetent. Ward Connerly knows that affirmative action doesn't work, that it is morally wrong, and that it must be abolished. He stands on the ledge of allegiance to "liberty and justice for all," and on the principle of the Declaration of Independence, that "all men are created equal." Because of his vision, heroic courage and leadership on proposition 209, he has endured and persevered against vicious *ad hominem* attacks. I am inspired and greatly honored to offer tribute to Ward Connerly tonight.

#### REMARKS BY LOU ANN MULLEN

Good evening. I want to share the story of our family because it shows how wrong it is when the government uses race to classify individuals.

My family is a so-called multi-racial family. We are often described that way, but I don't think of us that way. To me, we are just my family. It's government that highlights racial differences to keep families like mine apart. That is wrong.

In 1992 we are blessed with our little boy Matthew. When he was nine days old, the Department of Protective and Regulatory Services put him in our foster care, and each day we grew to love him more.

Matthew was, as they say, something else. He would look out the window and smile so big at his beautiful world, as if it were there for him alone to view. He made all our lives matter a little more than they had before. We told the social worker from the depart-

ment that we wanted Matthew in our lives forever, but she quickly said: "No, don't even think about it. He is black and he will go to a black home." The words still echo in my mind.

For the two years we had Matthew, the social worker and the department searched for a black home. At that time, Matthew's brother, Joseph, was in another foster home. In 1994 the state finally found a black home for both boys, a family that seemed to come from nowhere.

I'll never forget the day that Matthew had to leave. He took the world we had come to love with him that day, except for one treasured memory: His soft little handprint, which had graced his window so many times when he'd look out at his world from our home, the world he had come to know. That little handprint was all I had to hold on to, and I wouldn't let anyone wash it away.

Our family tried to return to our old life, but it wasn't the same without Matthew. After two and one-half months of grieving and wondering what he must be going through, our phone rang. It was the department, calling to say that Matthew's and Joseph's adoptive placement had broken up. The family didn't want Matthew and Joseph anymore, so the department put them back in foster care—but not with us!

We asked once more, "Please! Let us adopt! Let us have Joseph, too!" We were told: "No, it would be in the best interest of the children to have a same-race home." If a same-race home weren't found, they said, they'd put Matthew and Joseph in a group home.

My pain was greater than any I had ever experienced in my life. I prayed and asked God to please make it stop. God answered, and led us to the Institute for Justice, which helped us stand up to the Department and made them consider us as an adoptive family. The department said they had to quote-review-unquote for application, but hopes grew really dim when we saw the boys on TV and in a newspaper ad stating "Brothers need a loving home." The department advertised even though they knew we could give Matthew and Joseph a loving home.

The foster family fell apart. The department needed a place to put the boys, and they called us . . . but they said they would place Matthew and Joseph only as a foster placement, not an adoptive one. We were happy to have the boys, but we knew that department was looking again for a same-race family. We held on to each day with the boys, fearing each would be the last. It was such a harsh punishment for simply wanting to be a family.

In April 1995, the Institute for Justice filed suit. Only then—finally—did the department agree to let us adopt.

I thank God every night for giving me the honor to be Matthew's and Joseph's mother, and for the people at the Institute for Justice. They gave a voice to our boys so that other children might one day look through their windows with a smile, secure that they have a family and love in all the colors of the world.

I am honored to be here tonight, and I am proud to honor a man who sees beyond color and who fights so that all of us can be heard as individuals. God bless you, Ward Connerly.

#### THE CHILD PASSENGER SAFETY ACT OF 1997

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 1997

Mr. HOYER. Mr. Speaker, it gives me great pleasure to rise today to introduce the Child Passenger Safety Act of 1997 with my colleague from Maryland, Mrs. MORELLA. This legislation, put simply, seeks to save the lives of thousands of children across the country. Every day, parents, grandparents, and concerned citizens take the time and responsibility to place young children in child safety seats. Unfortunately, the National Highway Traffic Safety Administration [NHTSA] estimates that nearly two-thirds of all child safety restraints are misused.

Because of this alarmingly high rate of misuse and the benefits that can be seen by the proper use of child safety seats, NHTSA commissioned a blue ribbon panel in 1995 to study this issue and make recommendations on ways to solve the problem of misuse. Impressively, safety experts, Government agencies, safety seat manufacturers, and several auto manufacturers sat down together with a common interest and concern, and explored options for communicating the issues of compatibility and proper and secure installation of child restraint systems.

Representing thousands of conscientious and responsible parents who place their children in safety seats every day, unaware of the risks and dangers that their children may face, I took great interest in this issue. I have worked closely with Congresswoman MORELLA for the past 2 years to raise awareness of the issue, encourage and support the auto manufacturers' voluntary efforts, and participate in education drives. In fact, I have attended two child safety seat check events in my district and the turnout by the public was most encouraging and impressive. I also attended the signing ceremony of a partnership between General Motors and the National Safe Kids Campaign last year which created a major, national grass roots campaign to educate parents about child passenger safety issues. General Motors, and now Chrysler, have voluntarily committed millions of dollars and considerable manpower to this cause and are to be commended for their efforts.

However, Mr. Speaker, resources are scarce and all of the concerned child safety organizations and consumer groups are stretched for dollars to sponsor safety seat check events. Therefore, this legislation would provide \$7.5 million in fiscal years 1998 and 1999 to the Secretary of Transportation for the purpose of awarding education and training program grants to agencies and associated organizations on the local, State, and national level.

Mr. Speaker, NHTSA is to be commended for their leadership on this issue. We must support their efforts as they continue to develop guidelines under which there would be a single, uniform attachment system. In the meantime, we must commit the necessary funding to ensure that we inform and educate the public on how to best protect their children.

The number of children who die each year in motor vehicle crashes is truly devastating.

However, this number is made all the more egregious because so many young children die as a result of unknown misuse of these devices.

Mr. Speaker, I strongly urge my colleagues to cosponsor this very important legislation in the days and weeks ahead. And, as Child Passenger safety awareness week, and all of the attention it has received, winds down, we must not relinquish our zeal to ensure that all parents, grandparents, and concerned adults receive any and all of the information and educational tools necessary to protect our Nation's children. Thank you.

#### INTRODUCTION OF LEGISLATION

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 1997*

Mr. LAZIO. Mr. Speaker. The aftermath of the tragic crash of TWA Flight 800 has placed an enormous burden on the resources of the people of New York. Today my colleagues GARY ACKERMAN and MIKE FORBES join me in introducing legislation directing FEMA to reimburse Suffolk County, Nassau County, the city and the State of New York for the expenses they incurred as a result of the crash. These expenses include the State and local costs for salvage operations, investigation of the crash and identification of the victims.

State officials break down the costs as follows: New York State, \$5 million; Suffolk County, \$5.8 million; Nassau County, \$325,000; and New York City, \$1.1 million, totaling over \$12.4 million. New York, especially my home county, Suffolk County, has been at the forefront of the efforts to find the answers to this catastrophe for the victims families and for the American people. State and local governments provided a strong foundation and infrastructure to enable the Federal agencies involved to operate effectively and efficiently. State and local officials provided a number of helicopters and support personnel, divers, housing for Federal officials, morgue services, mental health and crisis counseling for the victims' families. All of which placed a tremendous strain on State and local budgets. It also has taken its toll on the dedicated men and women who have devoted long hours to the salvage operation sometimes under dangerous conditions. Our legislation will ensure that these efforts do not translate into cuts in other needed State and county services.

The cause of the crash remains unknown, and since it happened over the ocean, finding out why it occurred has been extremely difficult. It is not known whether the crash is the result of terrorism—if so, the Federal Government will bear the costs, negligence—then those at fault are responsible for paying, the action of a private party, or something else. Nevertheless, simply because the cause of the crash is inconclusive, the financial burden of the recovery, investigation and identification of the victims should not fall unfairly upon the residents of the State of New York and the County of Suffolk. President Clinton recognized the unusual circumstances surrounding the crash, personally visited the site and pledged his support.

Last September, I asked the President to reimburse New York for the costs it incurred

from the disaster. Further, Governor Pataki and other New York Republicans have formally requested the Federal assistance. Our legislation will ensure that the people of New York will receive the financial relief they deserve, and I ask all members of this chamber to support this important bill.

#### IN RECOGNITION OF THE CENTER FOR AIDS

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 1997*

Mr. BENTSEN. Mr. Speaker, I rise to congratulate the Center for AIDS upon the dedication of its new location in Houston on Friday, February 14, 1997. This larger, better-equipped center will ensure that HIV/AIDS patients and physicians have comprehensive and up-to-date information about AIDS treatment and research. I wish to thank and congratulate the founders of the center, L. Joel Martinez, Chris Kerr, and Michael Peranteau, for their life-saving leadership.

With tremendous medical advances such as protease inhibitors, AIDS is becoming more and more a treatable and survivable disease. But successful treatment depends on obtaining the right medical information as quickly as possible. That is what the Center for AIDS is all about.

This new center will provide critical sources of information, including a publicly accessible computer to search the Internet free-of-charge; a collection of medical and scientific journals specifically targeting HIV/AIDS; and a daily bulletin board on HIV/AIDS treatment options that patients can review. Through the work of its founders, the Center for AIDS created a newsletter called Research Initiative Treatment Action [RITA] to distribute to patients and advocates on a weekly basis. Each week, advocates, patients, and medical professionals receive the latest information about world-wide research and treatment options.

The center also provides free literature from AIDS organizations and pharmaceutical companies about various treatment options. With this information, patients and their doctors can make better decisions about their health and be better consumers of health care services. This will save lives and reduce treatment costs.

The center will also serve as a gathering place for community forums and monthly treatment meetings. With more space, the center will be able to serve more clients and help more people.

The Center for AIDS was founded in 1995 by three dedicated individuals, L. Joel Martinez, Chris Kerr, and Michael Peranteau. Both Michael and Joel are HIV positive. These individuals recognized that there was a need for accurate, up-to-date information about HIV and AIDS treatment. The center was created to fill this void. The center currently has a budget of \$238,000 all of which is privately funded.

Mr. L. Joel Martinez, a founder of the center, serves as the scientific and medical expert who analyzes and gathers relevant medical information about HIV/AIDS. Mr. Martinez also works with local medical professionals to ensure that HIV/AIDS patients are included in research protocols at the Texas Medical Center.

I commend the founders, staff, and volunteers of the Center for AIDS for their life-saving work. They are a vital link in our increasingly successful fight against AIDS.

#### MAKING CHANGES TO THE COASTAL BARRIER RESOURCES ACT

HON. MARSHALL "MARK" SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 1997*

Mr. SANFORD. Mr. Speaker, I strongly support the intent of the Coastal Barrier Resources Act [CBRA] to remove Federal incentives for new construction on undeveloped coastal barriers. However, we should not deny Federal flood insurance to individuals who purchased property in developed communities. One example is Huntington Marsh, SC, which was erroneously included in the 1990 Coastal Barrier Improvement Act. For this reason, I am introducing a bill to make technical corrections to maps relating to the Coastal Barrier Resources System.

In 1988, the Department of Interior issued a report to Congress recommending coastal property for inclusion in the Coastal Barrier Resources System. In a letter I received from Noreen Clough with the Fish and Wildlife Service [FWS], she stated: "The service [FWS] did not recommend inclusion of Huntington Marsh area into the CBRS (report to Congress in 1988)." There is no information indicating why Huntington Marsh or the surrounding area known as SC-03 was included in the final map approved by Congress.

According to her letter, "Neither the Department nor the service contacted individual landowners that were potentially affected." Had this community been allowed the opportunity to voice objection, they would not have been included in the act because the property qualified as a developed rather than an undeveloped area. Under the description of the bill, developed communities are exempt from inclusion in the act. A community is considered undeveloped if it contains less than one structure per 5 acres. In 1990, more than 10 homes were built on the 20 acres located in the Huntington Marsh subdivision and many other property owners had plans for construction of homes on their property. This illustrates that the community would have been considered developed under the law.

Adding or removing areas from a CBRA unit requires an act of Congress. This bill does not amend the CBRA, it merely redraws the boundary to omit the 20 acres of Huntington Marsh from the restrictions under the act. This change will only affect property on the southwestern edge of SC-03 along Highway 17 that was erroneously included in the first place. I urge your support for this legislation.

#### BLACK HISTORY MONTH

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 1997*

Mr. McNULTY. Mr. Speaker, because I was unable to participate in Tuesday's Special Order commemorating Black History Month, I