

one teacher, and the choice came down to Taxman or Williams, whose qualifications amounted to a flat-footed tie.

What to do? By the board's own rules and past practice, ties were to be broken by a coin flip. But the board wanted to preserve racial diversity, and Williams was the department's first and only black teacher. So Taxman got the pink slip. And she sued.

Her case was seen as so important by the U.S. Justice Department that it jumped in to help, suing the school board for violating the 1964 Civil Rights Act, which prohibits racial and other discrimination.

The courts agreed. But last year the Clinton Justice Department did something extraordinary. It switched sides, defending the school board's choice of Williams as a legitimate affirmative action.

As the controversy over affirmative action has grown, the administration has scrambled to downplay its role, fearing reprisal at the polls. And well it should.

Far from helping affirmative action, approaches like Piscataway's put sensible affirmative action at risk.

Unlike affirmative action complaints about hiring and promotion—inevitably complex and arbitrary decisions—this one has a clear, identifiable victim.

Furthermore, all sides agree the school board was under no pressure to remedy any previous discrimination or to correct any imbalance in minority employment—the starting point for affirmative action. In fact, the school exceeded state goals for minority representation on its teaching staff.

Most importantly, the board could have achieved its goal without violating anyone's rights. It could have come up with a more creative redeployment of teachers to achieve the same results. Or it simply could have offered a financial inducement to Taxman. That's a common practice, and she was willing to accept.

Instead, as its first resort, it chose to lay Taxman off solely because of her race. And that is wrong, no matter what race it is.

Polls show almost no public support for such action. And the courts have upheld the rights of employers to make choices based on race alone only to remedy previous inequities.

Taxman, who spurns interviews, never intended to become a landmark test of firing as an affirmative action tool. She just wanted to teach. When Piscataway offered to reinstate her in the business education department in 1993, she gladly returned.

But the ruckus didn't need to happen. The school board's well-intentioned ends didn't justify its means.

For too many years, millions of women and minorities were denied equal opportunity and pay because of discrimination in education and in the workplace. Affirmative action has done much to remedy that.

Firing Sharon Taxman righted no wrong. It created one. That is not justice by any reasonable definition.

#### AN INSPIRING STORY: A GLORIOUS FAILURE

Mr. PELL. Mr. President, we often celebrate success on the floor of the Senate: the passage of a particularly difficult bill, the ratification of a difficult international agreement, or even the retirement of a public figure who has built a record of achievements.

This time, however, I would like to share with my colleagues the inspiring story of a glorious failure. It truly is an inspiring story for several reasons: the age of the individual involved, the

wisdom of his perspective, and the strength of his spirit.

I do not know Mark Pfetzer but, as a Rhode Islander, I have been following the news accounts of this 15-year-old high school freshman's attempt to become the youngest person to climb Mount Everest.

Mark has climbed at least 26,000 feet up the 29,028-foot Himalayan mountain, perhaps even higher, when he reportedly was forced to turn back because of rib injuries.

According to his mother, he was injured during a coughing fit brought on by the extremely dry and thin air near the summit. Those injuries reportedly led a doctor to rule Mark out of the final ascent to the summit.

I found one quote from Mark's mother, Christine Pfetzer, to be particularly telling. She said that during his preparations for the expedition he was fond of a quote by the Roman general Cassius: "In great attempts it is glorious to fail."

Mr. President, I congratulate Mark on his effort, his wisdom, and his spirit. I am confident that his glorious failure will lead him to a life of continued success.

I trust that, with his attitude, he eventually will climb the highest mountain—all the way to the top. I am sure he will go on to new conquests, if he remains willing to take the chance of failure.

We wish him well and, when he returns to Rhode Island in June, I hope his homecoming is only the beginning of a life with great promise.

I ask unanimous consent that a May 18 wire story by the Associated Press, titled "15-Year-Old Fails in Everest Summit Attempt," be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered by be printed in the RECORD, as follows:

MIDDLETOWN, R.I. (AP).—A 15-year-old high school freshman's attempt to become the youngest person to climb Mount Everest has been halted by rib injuries.

Mark Pfetzer spoke to his mother, Christine Pfetzer, by phone this morning from an Everest base camp. She said Mark was forced to give up a summit attempt because of bruised and sprained rib muscles and at least one cracked rib.

Mark was injured during a coughing fit brought on by the extremely dry air on the 29,028-foot Himalayan mountain, she said, adding that the doctor who examined her son had seen at least five similar injuries on Everest this year.

Christine Pfetzer said she did not know how high her son climbed before he turned back. He had reached 26,000 feet earlier in the expedition.

Pfetzer said recent severe weather on the mountain has cleared and at least two other climbers from Mark's expedition will attempt the summit climb. Her son, however, will not be among them.

"With the ribs, the doctor said no," Christine Pfetzer said.

"(Mark) did work really hard," she said. "I think he should have all the commendations he can get for what he accomplished at his age."

Pfetzer added that during her son's preparations for his Everest expedition he was

particularly fond of a quote by the Roman general Cassius: "In great attempts it is glorious to fail."

She said her son's rib injuries would take about a month to heal, but that he already is looking ahead.

He said, "There's next time," she said.

Since taking up climbing three years ago at a summer camp, Pfetzer has climbed once in the Himalayas, scaled Argentina's 22,834-foot Mount Aconcagua, 19,347-foot Mount Cotopaxi in Ecuador and two Peruvian peaks, 18,870-foot Mount Pisco and 22,200-foot Mount Huascaran.

Only about 400 people have reached Everest's peak since Sir Edmund Hillary of New Zealand and Tensing Norkey of Nepal first scaled it in 1953. Another 109 have died in the attempt.

A 17-year-old French boy was the youngest person ever to climb Everest, reaching the summit in 1990.

Christine Pfetzer said she expects Mark back in Rhode Island in the first week of June.

#### WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Mr. President, more than 3 years ago I began making daily reports to the Senate making a matter of record the exact Federal debt as of close of business the previous day.

As of the close of business Friday, May 19, the exact Federal debt stood at \$4,883,151,973,639.38, meaning that on a per capita basis, every man, woman, and child in America owes \$18,536.53 as his or her share of the Federal debt.

It is important to note, Mr. President, that the Senate had an opportunity to implement a balanced budget amendment to the Constitution. The Senate lost its first opportunity to control this debt by one vote. There will be another opportunity in the months ahead.

#### TRIBUTE TO COACH HAYDEN RILEY

Mr. HEFLIN. Mr. President, many in the athletic circles of Alabama were saddened last month by the death of Hayden Riley, former University of Alabama basketball and baseball coach. In 1964, 1965, and 1967, his basketball teams achieved upset victories over the University of Kentucky, truly remarkable feats. From 1971 to 1979, he served as the school's head baseball coach, winning two SEC championships.

Originally from Guin, AL, Hayden Riley attended Marion County High School, playing four sports while a student there. In 1942, he was called to active duty in the Navy. While stationed at Pensacola Naval Air Station, he played football, basketball, and baseball.

After being discharged, he attended the University of Alabama, where he lettered in basketball and baseball from 1947 to 1949. In 1948, he graduated with a degree in physical education and went on to receive his masters in 1953 in physical education and school administration.