

*The full text of Senator Barbara Mikulski's (D-Md.) statement, as prepared for delivery at the May 26, 2010 Health, Education, Labor and Pensions (HELP) Committee mark-up addressing S. 2781, aka "Rosa's Law," follows:*

"I'm glad that we have the opportunity today to consider Rosa's Law. This bill takes 'mentally retarded' out of the federal law books and replaces it with 'intellectual disability,' a change that will have a positive effect on more than 6 million Americans.

"I want to thank Chairman Harkin and Ranking Member Enzi, both original cosponsors of Rosa's Law, for helping me champion this bill. Their support, and the support of many members of this committee from both sides of the aisle, shows that this is an issue where we can tip our hats to boys and girls with intellectual disabilities by checking our party hats at the door.

"Let me tell you about the family that was the inspiration for this bill. Last year, a mother of four named Nina Marcellino found out her youngest daughter, Rosa, a child with Down syndrome, had been labeled retarded at school. Nina didn't allow the R-word in her house, and none of her children described their sister that way.

"The Marcellinos worked with their state representative to craft a bill that took 'retarded' out of the state law books. Before they brought the bill up for consideration in Annapolis, they held a hearing on the implications of changing the term. One of the witnesses was Rosa's brother, Nick. He told the legislature, "what you call people is how you treat them."

"Last year, I had the opportunity to meet Rosa's mom, Nina, at a roundtable I hosted in Maryland to talk about special education. She told me about *Rosa's Law* and how they planned to bring it for consideration before the Maryland General Assembly.

"I thought it was a terrific idea. I promised Nina if it passed the Assembly, I'd take it to the Senate floor. Two weeks later, *Rosa's Law* swept through the General Assembly with unanimous approval and was signed by Governor O'Malley last April.

"My bill is simple and straightforward. It substitutes 'intellectual disability' for 'mental retardation' and 'individual with an intellectual disability' for 'mentally retarded.' This bill will not diminish services, rights, or educational opportunities.

"The change would make federal health, education, and labor law consistent with language used by the CDC, the World Health Organization, and the White House, which changed the name of its Committee on Mental Retardation through Executive Order to the Committee for People with Intellectual Disabilities. It also follows the actions taken by many states to eliminate the r-word, including Virginia, Alaska, Massachusetts, New Hampshire, Tennessee, and Wyoming. It is a change advocated by the American Psychiatric Association, the group of physicians who wrote the definition for mental retardation.

"When I introduced the bill in November, I invited the Marcellinos to come down to Washington to see their bill get introduced and watch my floor speech. Before I went to the floor we had a chance to visit and I got to speak with the whole family – the parents, and their four kids, including Rosa. They told me about the steps they took in Maryland to get the state law passed. One of their ways to rally support was by giving people buttons that say 'I support Rosa's Law!' It has Rosa's face on it – she's eight years old.

"They gave me one of those buttons and I look at it every day before I go to work. It reminds me of why I came to the Senate – to be a voice for Marylanders and to bring the best ideas of the people to Washington.

"This bill is driven by a passion for social justice and a compassion for the human condition. At its core, it comes down to what Nick said – that what you call people is how you treat them. The Marcellinos story is a perfect example of effective citizen advocacy. They pulled together to pull us all to another way of thinking. They fought for the respect and dignity of a loved one. The more than 6 million people with intellectual disabilities in America deserve that same respect and dignity.

"That's why I introduced Rosa's Law. I thank the chair and ranking member for their consideration of this bill and urge other members to vote to report this bill for consideration on the Senate Calendar."

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