

public with educational tools and programs aimed at reducing underage drinking.

Mr. Speaker, I am pleased to join more than 30 governors from across the nation who have recognized the efforts of The Century Council in declaring May and June Prom and Graduation Safety Months.

REGARDING CO-SPONSORSHIP OF  
H.R. 4061

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 17, 2004*

Ms. LEE. Mr. Speaker, I rise today in regards to H.R. 4061, the Assistance for Orphans and Vulnerable Children Act of 2004, which passed the House International Relations Committee by unanimous consent on March 31st.

Last week the International Relations Committee filed House Report 108-479.

Because House rules prohibit the addition of additional co-sponsors to a bill once the committee report has been filed, I am not able to formally add another Member of Congress as a co-sponsor of this legislation.

I ask that the record show that Ms. Granger of Texas is in support of my bill and should be considered by this body as a co-sponsor of H.R. 4061.

CONGRATULATIONS TO BETHESDA-CHEVY CHASE HIGH SCHOOL

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 17, 2004*

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate Bethesda-Chevy Chase High School BCC in my district for being named a GRAMMY Signature School by the GRAMMY Foundation. BCC is only one of 41 public high schools in the country to receive this prestigious award. The GRAMMY Foundation recognizes outstanding public high schools across the U.S. that demonstrate a commitment to music education.

I am proud that, even in the midst of budget cuts, faculty and staff at BCC have managed to maintain and develop its arts and music program. BCC has successfully used the arts to captivate and engage students in the process of learning. The arts help children develop discipline as well as problem solving and critical thinking skills which are invaluable for future endeavors.

I applaud BCC for its commitment to music education and for making a positive difference in the lives of young people.

PERSONAL EXPLANATION

**HON. GEORGE R. NETHERCUTT, JR.**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 17, 2004*

Mr. NETHERCUTT. Mr. Speaker, on Thursday, May 13, I was unavoidably detained due to a prior obligation. Had I been present, I

would have voted "no" on the following: Rollcall vote No. 172 on agreeing to the Kind substitute amendment to H.R. 4281, the Small Business Health Fairness Act of 2004; and rollcall vote No. 173 on the motion to recommit H.R. 4281, the Small Business Health Fairness Act of 2004.

I would have voted "yes" on the following: Rollcall vote No. 174 on passage of H.R. 4281, the Small Business Health Fairness Act of 2004; Rollcall vote No. 175 on the motion to suspend the rules and pass H.J. Res. 91, Recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944; and Rollcall vote No. 176 on agreeing to H. Con. Res. 414, Expressing the sense of Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown.

50TH ANNIVERSARY OF BROWN V.  
BOARD OF EDUCATION

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 17, 2004*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in honor of the 50th Anniversary of Brown v. Board of Education decision, which declared segregation of public schools illegal. The case was sparked by Linda Brown, a black girl denied admission into a white elementary public school in Topeka, Kansas. The NAACP took up her case, along with similar ones in Kansas, South Carolina, Virginia, and Delaware. All five cases were argued together in December, 1952 by Thurgood Marshall.

I am proud to stand here today in honor of one of our country's pioneers in the history of civil rights. Before serving 24 years as the first African-American on the United States Supreme Court, Thurgood Marshall served as legal director of the NAACP. Marshall was once asked for a definition of "equal" by Justice Frankfurter. He responded, "Equal means getting the same thing, at the same time, at the same place."

I am grateful to have contributed to the legacy of such a great American. As immediate past chair of the Congressional Black Caucus, I am pleased that the seed planted under my administration has now blossomed into a fruitful initiative.

Mr. Speaker, I would also like to thank all of my colleagues here in Washington, around this nation and Topeka, Kansas for commemorating this significant event, so fundamental to our societal growth. I am here today because I believe that education must be our number one national priority. In my almost thirty years as a legislator, I have fought to ensure that education is at the forefront of the legislative agenda.

The President has promised to "leave no child behind", unfortunately, the current administration is not getting the message. The President's budget falls \$9.4 billion short of the funding commitment made in No Child Left Behind to K-12 education for Fiscal Year 2005. In my home State of Texas, the President's budget will impact math and reading programs for 205,157 children.

How can we ask educators to meet high standards at the same time we hand them a budget that forces class size increases, cuts in academic programs, and teacher layoffs? Demanding more but paying less does not work.

Other programs barely survive the budget chopping block—resources for teacher training, educational technology, after-school programs, and safe and drug-free schools are frozen; while for the second year in a row he allocates no money for school modernization.

Education is not a luxury item that can be trimmed when more enticing budget items beckon. It is an essential element that should be our highest national priority. Now is the time to increase education spending.

Mr. Speaker, I would like to close by asking my colleagues in the House of Representatives to join me in extending my appreciation to the legacy of Justice Thurgood Marshall, the Brown family, and all of the unsung heroes who worked so tirelessly for equality and justice in America's public institutions of learning.

RECOGNIZING THE 50TH ANNIVERSARY OF BROWN V. THE BOARD OF EDUCATION

**HON. KENDRICK B. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 17, 2004*

Mr. MEEK of Florida. Mr. Speaker, today marks the 50th anniversary of the landmark civil rights ruling of Brown vs. The Board of Education. The plaintiffs in this case, led by Thurgood Marshall, argued that states did not have a valid reason to impose segregation, that racial segregation caused psychological damage, and that restrictions based on race or color violated the equal protection clause of the Fourteenth amendment. On May 17, 1954, the Supreme Court unanimously agreed.

Fifty years later, we must ask ourselves if the vision of equality sought by the plaintiffs in Brown has been realized. While today the legal battle against segregation is largely over, the struggle for equal opportunity continues. Gaps in academic achievement and outcomes separate white and minority students, and little has been done to address them. New data from the Urban Institute and the Harvard Civil Rights Project indicates that only about one-half of black and Hispanic students graduate from high school nationwide. The study also found that black students are over represented in special education programs and under represented in honors education programs.

Meaningful change in our public schools is needed, but the No Child Left Behind Act passed by Congress in 2001 is not the answer. Showcasing achievement gaps will only further erode support for our public schools and drive more students to private schools. A national mass exodus from our public schools, which has already occurred in some urban communities, would turn our public schools into classrooms of last resort and little hope.

The dream codified by Brown is alive, but we must continue to push for full equity and quality in education for all Americans. Today is an occasion to celebrate the progress made in the last 50 years, reflect on our progress thus far and recommit ourselves to the goal of equality that is the promise of our Constitution.

COMMEMORATING THE 50TH ANNIVERSARY OF BROWN V. THE BOARD OF EDUCATION

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS  
IN THE HOUSE OF REPRESENTATIVES

*Monday, May 17, 2004*

Mr. MARKEY. Mr. Speaker, 50 years ago today, in the landmark *Brown v. the Board of Education*, Chief Justice Warren declared, unanimously, that "in the field of public education, the doctrine of 'separate but equal' has no place." Separate educational facilities are inherently unequal. The *Brown* decision promised that every child, regardless of the color of his or her skin, would have unequivocal access to quality education and an equal opportunity to pursue his/her dreams. Since that moment, our society has evolved to the point where the idea of intentionally separating students on the basis of the color of their skin in the United States of America is appalling. However, while we should certainly celebrate the demise of overt official racism, we must also critically examine where we are at this historical moment, recognize the many challenges ahead and reaffirm our commitment to making *Brown v. Board* a reality.

In Massachusetts we tend to think about segregation and racial disparity as a southern phenomenon, alien to our abolitionist New England roots. But a recent study released by the Civil Rights Project at Harvard University found that the Metro-Boston area still remains a widely segregated society. In fact, 70 percent of white students attend suburban schools that are over 90 percent white, while more than 75 percent of black and Latino students attend schools in the inner city or in one of the urbanized satellite cities. The segregated schools of today are arguably no more equal than the segregated schools of the past. Students who attend high minority and high poverty schools are far less likely to graduate on time, be taught by a "highly qualified teacher" and apply to college, and are far more likely to drop out of school, score poorly on the SATs, and fail the MCAS.

I am proud of what has happened in my hometown, where Mayor Howard seized an opportunity to modernize the entire school system so that everybody in this diverse working-class community feels that people care about the education of Malden's children, regardless of race or income. Unfortunately, this is the exception, not the rule. Efforts at the national level to support such initiatives have been very uneven. The No Child Left Behind NCLB Act set lofty goals but is failing to provide the funding and the assistance needed to achieve those goals. President Bush's budget for next year failed to provide \$9.4 billion of promised money to K-12 education, \$7.2 billion of which was intended to help schools educate our country's most impoverished children. In order for our schools to make "adequate yearly progress," the President needs to provide "adequate yearly funding." Almost every day, I get calls from constituents, and communicate with teachers about the many problems with implementing standards without financial support.

Our work is clearly not done and there is too much at stake to leave the work unfinished. Education is not only a ladder of opportunity, but it is also an investment in our fu-

ture. Our nation's security, economy, and place on the world stage depends on the success our educational system. Although children are only 24 percent of the population, they're 100 percent of our future and we cannot afford to provide any child with a sub-standard education.

50TH ANNIVERSARY OF BROWN V. BOARD OF EDUCATION

**HON. TOM LANTOS**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

*Monday, May 17, 2004*

Mr. LANTOS. Mr. Speaker, today we mark the 50th anniversary of the Supreme Court's historic ruling in *Brown v. Board of Education*. This monumental decision effectively overturned the egregious standard of "separate but equal" and truly opened the schoolhouse doors for all children in America.

The decision was a watershed event in U.S. history. It represents the moment in time when the U.S. government no longer sanctioned discrimination against a person solely based on the color of their skin. Most importantly, the decision established the fundamental right of access, granting everyone the ability to gain an education and excel in America.

Mr. Speaker, even though this nation officially banished slavery and attempted to fully integrate the former slaves into society with the 13th, 14th and 15th amendments to the Constitution, equality did not come immediately. States enacted laws to circumvent the intention of these post-Civil War amendments. Then in 1896 the Supreme Court codified the usurpation of rights in the decision that allowed for "separate but equal" facilities for African Americans, in essence endorsing an official government policy of segregating black and white citizens.

Shortly after that shameful decision, the National Association for the Advancement of Colored People (NAACP) was founded and soon began its legacy of fighting legal battles that address social injustice. One of the most prominent lawyers from the NAACP legal team was a young man named Thurgood Marshall, who graduated first in his class from Howard University School of Law in 1933, and joined Julian Dugas, Charles Houston and Oliver White Hill to advocate for the NAACP in the nation's courtrooms. After a series of legal successes, Thurgood Marshall scored one of the greatest legal victories when he and Charles Houston successfully argued *Brown v. Board of Education* before the Supreme Court in 1954.

The success of this case was enhanced by the Court's unanimous decision. This was largely thanks to Chief Justice Earl Warren, who recognized that proponents of segregation might see a divided decision as vulnerable to being revisited in later years. Furthermore the Chief Justice wisely recognized that failing to get the support of all the Justices would carry less weight with the Eisenhower Administration and the general public.

Mr. Speaker, despite the lofty promises of desegregating schools with all deliberate speed that the Supreme Court offered when it decided *Brown v. Board of Education*, some communities still suffer from de facto segregation.

Even more troubling are the disputes that still exist. Part of the problem stems from schools being largely based on housing patterns and funded by local property taxes. A school with a majority African American or Latino population, especially in large cities, is less likely to have proper textbooks, experienced and prepared teachers, and adequate classrooms of manageable size as a result of these funding imbalances. Unfortunately, this means these schools are often rated the worst and produce unprepared students, along with having high drop-out rates.

Students at these schools have limits placed on their access to a quality education. Mr. Speaker, we are all aware that students who go to impoverished schools are less likely to take college preparatory or advanced placement classes, and in the hyper-competitive world of college admissions the classes are mandatory to gain entrance. A quality education has the power to break the cycle of poverty that has plagued minority communities. We are the richest country in the history of the world, and it is unconscionable that schools are failing their students.

Mr. Speaker, as we stand in the shadow of this extraordinary decision half a century after it was made, we in Congress should recommit ourselves to the doctrine of *Brown v. Board*, which Chief Justice Warren stated so eloquently 50 years ago when he said, "We conclude that, in the field of public education, the doctrine of 'separate but equal' has no place."

IN HONOR OF MARK TOGNAZZINI

**HON. SAM FARR**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

*Monday, May 17, 2004*

Mr. FARR. Mr. Speaker, I rise today to honor a public servant, Mark Tognazzini, of the highest caliber on his retirement from the posts of Agricultural Commissioner and Sealer of Weights and Measures for San Benito County, California. I wish to express my gratitude for his good work, and wish him well for the future.

Mark is a native of San Benito County, born and raised in Hollister. After attending local schools, he started working with the Agricultural Commissioner's office in 1963, and over time worked his way up through the ranks to become Commissioner in 1984. While in that position, Mark has worked on a local and regional level to promote good dialogue and relationships with the agricultural industry. His work continued State-wide as well and he was active in the California Agricultural Commissioners and Sealers Association, serving as both the Vice President and President of that group. His local work includes eight years as the Chairperson of the Agriculture/Horticulture Division of the San Benito County Fair and work with other county fairs in the area.

Mr. Speaker, Mark Tognazzini's career has spanned four decades and huge changes in the way California farmers operate and the government regulates. Throughout this time he has maintained good relationships with growers and residents, and has served the people of San Benito County and the State of California well. I am sure I join many others in wishing him all of the best for the future in his retirement.