

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

RECOGNIZING BROWN v. BOARD OF EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Delaware (Mr. CASTLE) is recognized for 60 minutes as the designee of the majority leader.

Mr. CASTLE. Mr. Speaker, I am very pleased to be able to be here to share some thoughts and share my time with the gentleman from Nebraska (Mr. OSBORNE) concerning Brown v. Board of Education, what it has meant to us as a country, what it has led to, and where we are today. And then I would like to take some time and tie it in with No Child Left Behind, which I think perhaps is the most significant measure we have taken since Brown v. Board of Education to truly educate all of the young people in the world today.

I think most of us recognize by now because of all of the news and publicity that Brown v. Board of Education was decided 50 years ago. A lot of people may not know all of the States involved, but one of them happened to be my State, Delaware. Kansas is most often cited, but it was a decision made in the State of Delaware that first said separate but equal, Plessy v. Ferguson should no longer be the law of the land, but indeed we had to have integration in our schools, not just separate but equal facilities; and quite frankly, most of the facilities were not equal anyhow.

From that went the Supreme Court decision argued by Thurgood Marshall and others in which the case of Brown v. Board of Education actually found that the doctrine of separate but equal was unconstitutional in the sense it did not give everyone equal opportunity, and came forward with the new policy of full integration for everybody.

At the time it caused, frankly, some upheaval. Some were disturbed about it. Others embraced it as a solution to a lot of societal and educational problems in the United States of America. But the bottom line was that it was the law of the land. The law of the land, however, does not necessarily mean that it was carried out in that way, because even though that was the way it was stated, there were only a minimal number of students that came forward, often with a lot of publicity, police sometimes accompanying them as they went into their schools. And, indeed, some took advantage of it, but many did not.

In Delaware, other things happened later in terms of desegregation suits, bussing issues, and eventually we got to the point of full integration in Delaware, so we became at one point the second most integrated State in the United States of America. Others struggled for a longer time.

There are pockets in this country where integration took place on a sound basis in terms of bringing our schools together, but it was soon realized that all of the goodwill from Brown v. Board of Education would not be realized in full, at least any time soon, so we struggled continuously in terms of educating our young people.

But something else happened which was very interesting. It was Brown v. Board of Education, decided 50 years ago, which really paved the way for a number of other acts which are of extraordinary importance to Americans today. One is the Civil Rights Act of 1964, and then shortly thereafter the Voting Rights Act of 1965, and the Fair Housing Act of 1968. These in combination with Brown v. Board of Education have helped to integrate America to a degree America had not been previously integrated. They are certainly landmark laws and have helped turn the tide of racism which existed in our country prior to that time.

The Supreme Court revisited the ruling in 1955 to resolve some of the difficulties that were involved. As we look back at that segment of what we have done and what we are doing in the year 2004, there is recognition of a couple of things. One is in the Brown v. Board of Education suit, we were dealing primarily with African Americans. In America today, we are dealing with a greater number of minorities than we were before, as well as a greater percentage of minorities, but particularly Hispanic Americans, some Asian Americans, and a whole variety of other minorities who become actual larger numbers in our school districts. So we deal with broader issues as we deal with the questions that were raised by Brown v. Board of Education.

I think there is also a greater realization, decade by decade, maybe not year by year, of the significance of education. As I go through my communities in Delaware, as other Members go through their communities, I think there is an understanding that you can tie education into economic opportunity in America. If we do that, the issue of race, the issues of gender and geographical location, poor income, backgrounds, the various things that have been a problem before seem to melt away if we can educate all of our young people.

I would say, in 2004, there is greater emphasis on educating each and every young person in our community than there has ever been before. So Brown v. Board of Education has not been perhaps the great success that everyone would have liked it to be. We recognize this anniversary; we do not really celebrate it because a celebration would involve pure integration and no problems, and there are still some problems, but it is of overwhelming importance in the history of the United States of America. It has been extremely positive in many ways, and all of us have a responsibility to try to continue it forward.

Mr. Speaker, I am going to yield to the gentleman from Nebraska (Mr. OSBORNE), but before I do that, I am going to come back and talk about No Child Left Behind because I am firmly convinced that the only act which has really made the kind of impact difference or can at least make an impact difference similar to what we had in Brown v. Board of Education is No Child Left Behind, and they are very closely tied together.

But I would like to yield to the gentleman from Nebraska (Mr. OSBORNE) who obviously, through his coaching career, has dealt with many, many young people in terms of their educational concerns, as well as being a distinguished member of the Committee on Education and the Workforce and the vice chairman of my Subcommittee on Education Reform where we deal with kindergarten through 12th grade education, and is someone who knows as much about education and as much about young people in this country as anyone I know.

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Mr. OSBORNE. I certainly appreciate the gentleman's leadership on the subcommittee and in the area of education in general. As he mentioned, in the late 1800s, Plessy v. Ferguson set forth the separate but equal doctrine which really codified and legitimized segregation in the schools, and we ended up living with that for about 60 or 70 years. Of course, that was devastating to not only African Americans but all minority groups. The gentleman has done a good job of explaining Brown v. Board of Education in 1954, overturning the separate but equal ruling. Of course, this was a landmark decision that formally ended segregation in the schools.

Yet as the gentleman has also pointed out, inequities in education still remain over this last 50 years, and I guess we are today celebrating the 50th year anniversary of Brown v. Board of Education. Some groups in our schools are still achieving at much higher rates than others. Statistics indicate that in the fourth grade, Caucasian students are performing on achievement tests about 30 percent higher than African American and Hispanic students. This gap obviously is unacceptable. Some of these differences, I believe, are due to socioeconomic factors, but many are differences simply due to inequities and differences in the schooling and the schools that they are attending.

Since 1954, over 300 billion Federal dollars have been spent on education. With that type of expenditure, we would expect to see that achievement gap narrowing rather dramatically and probably disappearing. Yet the academic achievement gap is still persisting. Until just the last couple of years actually in many cases it has widened. Another inequity that I have noticed through my personal experience, the gentleman mentioned that I used to work on a college campus and

I traveled throughout the country. I visited each year annually probably 60 or 70 high schools. Over 36 years in the coaching profession, I probably evaluated hundreds of transcripts. One of the disconcerting things that I ran into was that occasionally I would run across a transcript that by all measures and all standards looked pretty good. The young person graduated from high school, had the right courses, had reasonably good grades; and then you discover that that young person could not read or could not do basic math. Of course, this has become a major problem in terms of the well-being of our country.

Another problem that we ran into quite frequently was simply comparison with other nations. Within the last couple of years, I believe we have had some international tests. The United States ranks 19th out of 21 nations in advanced math and science. Of course, when you attempt to compete on the international scale, it is almost impossible to do well ranking in those areas. Alan Greenspan recently indicated in a hearing before the Committee on Education and the Workforce that we are not producing enough high school and college graduates with technical skills to fill the jobs that we have in this culture. As a result, we are having to import a fairly high number of people to fill these jobs.

All of these things, I think, have made, as the gentleman mentioned, the 2001 No Child Left Behind Act particularly important. Oftentimes we hear this referred to as the President's bill or a Republican bill. I would like to point out that this was a bipartisan bill. I believe that it passed the House with about 90 percent of the Members voting for the bill, and in the Senate it was just about the same way. This was certainly authored by both sides of the aisle.

As my colleague knows, a couple of the major provisions of the act that I think address some of the previously mentioned failings of our educational system are, first of all, accountability on the part of the students. Obviously, the testing in math and science, grades 3 through 8, is critical. It provides some standards, some evaluation because so often we found that students were simply being passed along because they were a certain age or had attended the grade before and had not really mastered the fundamentals. I guess again as a former coach, I knew that if you did not master the basics, the fundamentals, you were not going to go any higher. You were pretty limited in what you could account for.

Then also, of course, the parents many times were deceived because the child would simply be passed along. They would not realize really where that young person ranked in terms of his understanding of basic math and science. These schools also now, of course, are being held accountable. This has caused a great deal of anxiety and discomfort, as I am sure my colleague has heard and run into.

I think one thing that I would like to point out is that the bill does not label schools as failing. It simply says that those schools that are not performing in an adequate way will be given extra resources; and after 3 years of underperforming, a student may transfer from one school to another so they will not be trapped in an underperforming school. The State where I operate most of the time, out in a rural area with small towns, there really are not very many choices. You either are going to go to the local school or no other school at all. We find that most of those schools do a great job.

I would like to mention just three or four other things, and then I will turn it back over to the gentleman from Delaware. I think one element of No Child Left Behind that really addresses some of the issues in *Brown v. Board of Education* has to do with the disaggregation of statistics. We found that many schools on the face of it were doing quite well; and yet when you began to break it down, you began to realize that some of the subgroups, maybe those students who were disabled in some way, or maybe those students from different ethnic minorities, were really not making any progress, but there were enough students in the school that were scoring well to indicate that that school was doing well.

Under No Child Left Behind, the subgroups are required to make adequate progress as well. We think that this will really do some significant things in narrowing those achievement gaps.

Another misconception that I often run into as I travel my district regarding No Child Left Behind is that somehow the Federal Government is not doing an adequate job of funding. There is some debate in terms of the testing and all that type of thing as to whether it is adequately funded. The General Accounting Office indicates that it is. But still I think it is important that we point out that over the last 2 years since No Child Left Behind, the Federal funding has increased by \$9.7 billion, which is a 35 percent increase. When you figure the cost of inflation is maybe 5 or 6 percent over that 2-year period, this is one of the largest bumps in education spending that we have seen in any 2-year period. We feel that certainly the funding has been very adequate.

I think one reason why so many people feel that the Federal Government is not holding their end up on this is that the States have lost so much funding and they have had to cut their spending on education; and even though the Federal Government is increasing, sometimes our increase is not as fast as the States are cutting. Greater flexibility, I think, is an important part of this bill.

Again, I will just address some rural issues which my colleague may not run into as much. We often find in small rural schools that they do not have grant writers, and whatever pots of money they access from the Federal

Government are so small that they are hardly worth going after. In the No Child Left Behind Act, we are able to pool those moneys and use them in useful ways. That has been very helpful. We have also done some things where any school district with less than 600 students is able to qualify for an extra \$20,000 to \$40,000, which really has made a huge difference in those schools.

Then one thing that has been very important to me is the issue of mentoring, because we have seen so much more dysfunction over the years with our young people. When I first started coaching in 1962, I would say that maybe one out of every 10 young people was from a dysfunctional situation. When I ended up my coaching career in 1997, I would say that was pretty close to 50 percent. Roughly one-half of our young people grow up without both biological parents. As a result, many times schools are dealing with problems that parents at one time dealt with. If a child comes to school with a lot of unmet emotional needs, maybe he is being abused at home, maybe he is hungry, whatever, that child is not going to learn very well. We have found that it is very important that you provide a caring adult in that child's life. We have in No Child Left Behind provided some pretty significant resources for mentoring, including children of prisoners. Often a child of a prisoner, his main goal is to do hard time. That cycle has to be broken.

I guess the last comment that I would make is simply something that I think my colleague probably will flesh out a little bit in greater detail, simply that we are beginning to see the achievement gap narrowing a little bit, at least in some areas. That is in a relatively short period of time. That is encouraging. I think, as the gentleman has pointed out, there is definitely a link between the *Brown v. Board of Education* ruling 50 years ago and No Child Left Behind, which was passed in 2001. I think a lot of people may not make that link, but I think, as the gentleman said, that the No Child Left Behind legislation may be the most significant thing in terms of equality in our country since that ruling of *Brown v. Board of Education*.

I appreciate the gentleman having this Special Order tonight, and I thank him for giving me the opportunity to make a couple of comments.

Mr. CASTLE. Mr. Speaker, the gentleman's insight into this is as helpful as anybody I know in the entire Congress. His comments are highly appreciated. His continuing concern about the young people, the mentoring, the things that he cares so much about I think makes a huge difference in this country. We thank him for all his service.

I would like to just go back a little bit, Mr. Speaker, if I may. I was in State government for a long time, being a State legislator and then a lieutenant governor and a Governor. I always found it was very hard to

change education. Although I felt we really needed to change education, we needed to be more challenging in education, but there are those who felt that the status quo was the way to go. It was hard to get done. It was not Republican or Democrat. It was just very hard to deal with the subject matter of education.

I was invited in December of 2000 to go to Austin, Texas, to meet with the President-elect, who at that point had been declared the President-elect. I sat at a table with him. There were, I guess, four tables in the room and about 40 Members of the House and Senate or Members-to-be of the House and Senate. I remember that the gentleman from California (Mr. GEORGE MILLER) was there sitting right next to the President and others were there. During the election, I heard the promises about education, but I did not pay a lot of attention because it is an election, after all, on all sides. But when I sat there, I realized that here is an individual who really does care a lot about education and that maybe I better start listening to exactly and precisely what he was saying.

He started talking about No Child Left Behind. I cannot recall if it was called No Child Left Behind then, but he talked about lifting every student. My recollection from being in State government was that we could never lift every student. We could always prepare the students for the Ivy League schools, we could help some other students, but we never really helped those students who needed help the most. I always felt that we needed to do that in terms of early education, day care, Head Start. Now we have an Early Reading First program. You name it. Parents had to be more involved. A whole lot had to happen in early education. We needed full-day mandatory kindergarten if we could get it. We needed to give those kids that opportunity.

Frankly, it just simply was not happening, and it was a matter of great consternation to me. For the first time in a long time a light went off. I realized that what he is saying really makes some sense. We can really truly challenge in terms of what is happening in education. We had spent \$300 billion on K-12 education since 1965. Yet there was just no really significant academic improvement in the achievement gaps between minorities, particularly African Americans and our Caucasian students and disadvantaged students and the affluent students in general just was not where it should be. We really had to do something about it. We had, frankly, in this country a two-tiered education system, and it is just simply not acceptable.

In fact, according to the most recent national data, by the time African American students reach eighth grade, only 12 percent can read proficiently and only 7 percent are proficient in math. Nationally, the achievement gap between Hispanic and Caucasian fourth

graders is 29 percentage points. Those are deplorable statistics. They simply are unacceptable.

And No Child Left Behind came along. As the gentleman from Nebraska said, there are a lot of things in there that make a difference, but one of them is this, that is, that each individual would be put into a subgroup of one kind or another. If you have a subgroup of, in Delaware's case, 40; I think it is 35 in other States, individuals in that subgroup, be they low-income, African American, Hispanic American, learning disabilities, whatever it may be, that group is going to be rated on its testing. That school is indeed going to be rated as to making adequate yearly progress on the basis of each of those subgroups, and then the school district is going to be rated on all of the schools in that particular district.

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So, as a result, you had a circumstance in which literally everybody was going to be looked at in terms of their educational process. It is obviously much more complicated than that, but that was the basic thesis behind this particular piece of legislation. Indeed, we passed it, as was indicated, by about 90 percent of the House and the Senate, Republicans and Democrats, because we all felt education had to be better.

Well, it has been in place now for a couple of academic years, and indeed there are those who probably were opposed to it to begin with who are still raising questions about, are we spending our money correctly, is there enough money here, is this too demanding on the students, can they take these tests, because it does demand standards and assessments, and that involves testing in grades 3 through 8 and once again after 8th grade, or is this more than these kids can handle, is this really working or not.

But every time I read one of these stories of criticism, Mr. Speaker, I also read about what the various schools are doing to give those kids a better opportunity, and I see hope in that. I see for the first time in many, many generations of educating in America, that we are paying as much attention to the lower income, neediest academic students as we are to everybody else, and we are making special exceptions, and we are looking at various ways in order to really help these children improve from an academic point of view.

So, for that reason, I believe this disaggregation of statistics, breaking it down into subgroups, has made a tremendous difference as far as education is concerned. Yes, there are skeptics, and, yes, it is not easy, and, yes, there are those who would like to overturn it, but the bottom line is, in the lives of some people, it is making a tremendous difference.

Now, as to some of the flexibility issues, as was touched on by the gentleman from Nebraska (Mr. OSBORNE), I

would like to comment on two or three of those. In the past 6 months, the Department of Education has issued three different rulings that exhibit the inherent flexibility in No Child Left Behind, as well as the Department's willingness to respond when warranted. I would just like to go over these, and they are right here alongside of me.

The first one says under No Child Left Behind being flexible, flexibility on testing students with disabilities. This gets a little bit complicated, but we have essentially opened up the percentage of students that would be exempted from taking the tests, and it is 1 percent, or 10 percent of the students with disabilities in the school, and then the schools can apply for even more if need be, on the basis that not all these kids are in a position to handle the tests. And that has got to be found as to the right chord, so we have the right answer with respect to that, and we will continue to work on that. But the Department has shown some great flexibility.

Second, in February, the Department announced a flexibility policy with respect to how limited English proficient students are included in the school's adequate yearly progress. Really, to make a long story short, we are basically allowing those students to stay in that category for 2 years, so that even after they learn English, it would count in the second year, as well, to help with the scores in that area.

Third, in March, the Department responded to concerns on how to define a highly qualified teacher, still ensuring that every child in America is taught by a teacher who is skilled in his or her subject.

Pretty simple stuff. You want the teachers to be able to teach these subjects that they have studied to the students, and that is basically what the law says. But it also recognizes when you get to certain rural areas and other parts of the country, they may not be able to find teachers who are that specialized, so we have made some exceptions as far as that is concerned.

Then, finally, in late March, the Department issued a flexibility policy for how schools calculate student participation rates, which had to be 95 percent, when determining adequate yearly progress, again liberalizing that slightly in order to meet what we have to do.

It is also important to understand that each State has submitted a plan. I am very proud of my State of Delaware. I think they have submitted both a good plan, and they are looking at revising the plan to improve it based on 1 year's experience.

That is exactly what should be done, because we do need to get all of this in sync between the Federal Government and the State governments with respect to the planning, if we are going to be able to move ahead.

So I feel that No Child Left Behind has been a tremendous adjunct to Brown v. Board of Education for all of these reasons.

The funding issues have been raised by a number of individuals, and I need to share some of that information here, Mr. Speaker, if I may, because, and the gentleman from Nebraska (Mr. OSBORNE) said this, the funding has been well done as far as the Federal Government is concerned. The problem lies more at the State and local levels, simply because they do not have the money they need at this point. I understand that. That will probably come back.

But this shows the funding for programs under the No Child Left Behind Act has an increase of 42.5 percent in 4 years. That is over 10 percent a year. Some States vary. My State happens to have a little more than that percentage, so it does vary a great deal.

According to the U.S. Department of Education, Federal funding for these programs encompassed by No Child Left Behind has risen from \$17.4 billion in 2001 to \$24.3 billion; \$17.4 billion to \$24.3, 2001 to 2004, which represents in excess of a 40 percent increase in just 3 years.

Included in this number is funding for Title I, which is a significant part of all of this. You can see by the red lines which we have here how much Title I has gone up since No Child Left Behind passed.

That is basically, for those who do not know, the funding for disadvantaged students and schools. That was increased by more than \$650 million this year, for an increase of \$3.5 billion, and we have been increasing that on a rapid basis over the past several years, knowing that that money is needed in order to implement No Child Left Behind.

The gentleman from Nebraska (Mr. OSBORNE) also pointed out that in certain circumstances, schools can qualify for extra funding. Indeed, if schools have not made adequate yearly progress, then they have the ability to have more flexibility in their Federal funding so they can take money from various other programs, although not Title I, but other programs and move it around, up to 50 percent, in order to help them with their programs as we move forward.

We are beginning to see results. Remember, it has only been in place for 2 academic years. According to a 2004 study by the Council of Great City Schools, the achievement gap is narrowing in both reading and math between African American and Caucasian, and Hispanic and Caucasian students in our Nation's inner-city schools, and they attributed the positive change, in part, to No Child Left Behind; and just last week, Florida and Michigan reported decreases in the achievement gap between African American students and their Caucasian peers.

This is an important day, and we should all honor the anniversary of Brown v. Board of Education and those that were so instrumental in the Brown movement. I have had an opportunity

to meet many of them in the last year and to reflect with them on how far we have gone in ensuring educational access; and yet everyone says that we need to do more to ensure educational success, and that is something we do need to continue to work on.

But, indeed, the ball has started to roll. No Child Left Behind is the next step, which was absolutely essential if we are going to be able to make this work.

Now, for those who would argue that No Child Left Behind is not a step in the right direction, I would ask them to do a couple of things: One, I do not want to really argue with them. I want really for them to study No Child Left Behind, to truly understand what is in there and how they can work it to their advantage.

Secondly, to see what it can do to help a lot of children not being helped otherwise who, I think, for the first time ever, can be helped by No Child Left Behind, to study those individual schools, classrooms and school districts who have understood that and have made a difference as far as No Child Left Behind is concerned, and helping all of those kids, remember, in all those subject groups, particularly the lower-income kids; and then perhaps to look at the funding mechanisms and realize, gee, there is a heck of a lot more money going into education from the Federal Government level than we ever realized. Then they would realize that this truly is a step, is truly a giant step in the right direction, as far as education is concerned, and we must stay that course.

I think any attempts to change this system, to return to the old methodologies or the status quo, would be effectively preserving a system which has not worked as well as it should for all the young people of our country.

America today in 2004 is a true polyglot. We are indeed a country in which people have come in from a variety of other countries. They speak different languages, their color of skin can be different, their religions can be different, their educational opportunities historically in their families may be different.

But we have a responsibility to give them that opportunity in life, which has always been what we have done in America, and we needed to challenge education in order for that to happen. Indeed, I think that Brown v. Board of Education was a challenge, and a welcome challenge, but a new challenge was needed, and No Child Left Behind did that. And I believe it is in the interests of our young people, and I believe if we stay the course, if we do this properly, that we will again rise to the top, where we used to be on all educational standards in this world, and not just for those top students, but for each and every student in our schools in America.

So I urge all of us to pay a lot of attention to what we are doing on the Federal, State and local levels, and

make absolutely sure we are doing all we can to help the children of America.

CELEBRATING THE DEDICATION OF THE NATIONAL WORLD WAR II MEMORIAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, let me say what a rare privilege it is to come to the floor this evening to talk about this coming Memorial Day weekend, particularly on May 29 when we as a Nation will not only celebrate Memorial Day, but the dedication of the World War II Memorial on our Nation's Mall of Democracy.

This evening, I would like to talk a little bit about the history of that memorial, how it happened, and refer in particular to a brand new book that has just come out called "Their Last Battle," by Dr. Nicolaus Mills from Sarah Lawrence College, which so well documents the history of this memorial's construction.

When we think about the memorial, obviously it is to the most unselfish generation America has ever known. And if we think back to our own history, the location of this memorial at the center of our Mall of Democracy, between the Washington Monument, which represents the founding of our Republic and George Washington as our first President in the 18th century, and then on the other side, close to the Potomac River, the Lincoln Memorial, representing the preservation of our union in the 19th century and President Abraham Lincoln, and then this memorial, representing the most important achievement of the 20th century, the victory of liberty over tyranny in a just war.

The World War II generation is one that never asked for anything for itself. There are those that asked, well, why was a memorial not built before? It was simply because they would never ask anything for themselves. It was up to the baby-boom generation, people like myself, who were not even born during that period of time, to say, thank you, a grateful Nation remembers.

The sad part of this memorial's unveiling and formal dedication in about a week-and-a-half is that of the 16 million Americans who served, but 4 million are living. We have tried for so very long, 17 years, to make this memorial a reality, and this book describes the long legislative battle which began in this House for the memorial's construction. Indeed, the first 20 pages of "Their Last Battle" would be excellent reading for any history, civics or government class in our country, to understand how hard it is to do something so meritorious.

I would like to tell some of the true story tonight of what actually happened in achieving this great national