

Mr. Speaker, history has already recorded that the President of these United States of America, George W. Bush, revealed his true feelings about equal opportunity for all of America's children when, in fact, on January 15, Martin Luther King's birthday, 2003, the President of the United States, using divisive language claiming the Michigan program was a quota program, announced his support for the lawsuit against the University of Michigan, opposing the most reasonable affirmative action program ever implemented in this country.

Mr. Speaker, the President of the United States, who claims an education policy of leave no child behind, a President who claims to have a program of outreach to minorities, a President claiming to want to attract African Americans to the Republican Party, is actually a President who wants to have it both ways. I say this to the President this evening, using his own words as he described the United States' allies, in his preemptive strike against Iraq, he said to the allies, "You're either with us or you're against us." Mr. President, I say to you this evening, You're either with us or you're against us. And, Mr. President, you cannot be with us as you destroy our chances to access education and better our lives, the lives of our children and the lives of our families and our communities.

Mr. Speaker, I will close by just sharing this with you. The Supreme Court unanimously agreed that segregation of children in public schools solely on the basis of race did, in fact, deprive minority children of equal education opportunities. Their answer was the right answer, the only moral answer, the answer that has driven the progress of the civil rights movement for the last 50 years. As we recognize and commemorate this important milestone in the civil rights movement, we must remain forever vigilant to ensure that we will continue our progress towards equal educational opportunities and not allow conservative zealots to return us to the days of separate but equal.

COMMEMORATING 49TH ANNIVERSARY OF BROWN V. BOARD OF EDUCATION DECISION

The SPEAKER pro tempore (Mr. CHOCOLA). Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, I rise to commemorate the 49th anniversary of the historic Brown v. Board of Education decision. On May 17, 1954, the Supreme Court unanimously declared that separate educational facilities are inherently unequal and as such violate the 14th amendment to the United States Constitution which guarantees all citizens equal protection of the law.

This is one of the most important legal decisions for human rights in

American history. This battle, however, did not occur overnight. The struggle for equality for African Americans began over three centuries prior to Brown v. Board of Education. In the United States from the early 1600s to the 1860s, peoples of African descent sought the most fundamental of rights, individual freedom. Despite the 1863 Emancipation Proclamation and gains made by the 13th amendment, which outlawed slavery, African Americans remained in economic and social bondage enforced by segregation. Even the passage of the 14th amendment, which guaranteed equal protection under the law, and the 15th amendment, which afforded African Americans voting rights, did little to abridge de facto segregation policies.

In 1849, the father of 5-year-old Sarah Roberts initiated the legal battles for equality in education. Sarah would walk past five white elementary schools to Smith Grammar School, a segregated school in Boston. Smith was badly run down, so Sarah's father unsuccessfully tried to enroll her in one of the white schools. He selected African-American attorney Robert Morris, who was joined by noted abolitionist Charles Sumner, to represent his case, Roberts v. City of Boston. Similar cases occurred throughout the United States involving American children of African, Asian, Hispanic and Native descent in the wake of Roberts v. City of Boston.

Not until 12:52 p.m. on May 17, 1954, did a court decide in favor of the plaintiff in any of these cases. On this day, the Supreme Court rejected the 1896 Plessy v. Ferguson decision ruling, stating, "We conclude that in the field of public education, the doctrine of separate but equal has no place. Separate educational facilities are inherently unequal." Segregation and Jim Crow were legally dead.

Yet as we celebrate this victory, we must acknowledge that we are still making strides to attain equal opportunity in education. As de jure segregation faded, pre-Jim Crow economic conditions remained which perpetuated de facto segregation that continues in many cities to this day. These conditions continue to negatively affect the educational opportunities of many of our Nation's African-American children. We cannot deny that Brown v. Board of Education afforded African Americans a better chance to receive a quality education. We cannot deny the rising statistics of African Americans going to college and obtaining postgraduate degrees. We also cannot deny the ever-increasing median income of African Americans or the rise of African-American business owners and professionals, all of which are directly related to educational opportunities. However, we also cannot deny that the gap between white and African-American achievement remains substantial. Black people continue to graduate from college at half the rate of white people.

It is unfortunate that after all these years, we are still in an uphill battle over full inclusion in our Nation's society. This is why we must do more than commemorate this decision. We are obliged to be forever proactive in ensuring that the last vestiges of Jim Crow are extinguished and do not return.

Mr. Speaker, on April 1, 2003, over 50,000 people, including 10,000 from Michigan alone, rallied in front of the U.S. Supreme Court in favor of the University of Michigan's affirmative action policy.

Mr. Speaker, we hope that we are on the brink of a new day when it comes to quality education.

Affirmative Action in higher education was put in place to not only encourage diversity, but to be a minor step in the direction of justice after hundreds of years of institutional and social discrimination against women and people of color in the United States. Similar to the 1954 case, the justices recognized in the 1978 Bakke case that the most effective way to cure society of exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does.

Mr. Speaker, as we reflect on the half century mark of Brown v. the Board of Education, I encourage all of my colleagues to take note of the fact that this court victory was not just a victory for African-American and other minorities. It was a victory for all Americans. Fifty years later we must remain mindful of these hard-won freedoms and vigilant in our protection of these hard-won gains.

COMMEMORATING 49TH ANNIVERSARY OF BROWN V. BOARD OF EDUCATION DECISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PAYNE) is recognized for 5 minutes.

Mr. PAYNE. Mr. Speaker, I, too, rise today to commemorate the 49th anniversary of Brown v. Board of Education, which struck down the separate but equal doctrine of Plessy v. Ferguson of 1896.

A young girl by the name of Linda Brown attended the fifth grade at public school in Topeka, Kansas. After being denied admission to a white elementary school, 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, who headed the NAACP Legal Defense Fund at that time. Mr. MARSHALL, born in Maryland, educated at Douglass High School, went on to Lincoln University, a small black college in Oxford, Pennsylvania, and then graduated with honors and applied to the white University of Maryland law school. He was denied admission. Howard University accepted him, and he graduated at the top of his class, passing the bar exam, taking up private practice and specializing in civil rights cases.

At 26, he was hired by the Baltimore branch of the NAACP, and one of his