

(b) CLERICAL AMENDMENT.—The table of sections in section 2 of the Reclamation Projects Authorization and Adjustment Act of 1992 is amended by inserting after the item relating to section 1635 the following: "1636. Irvine basin groundwater and surface water improvement projects."

50TH ANNIVERSARY OF THE BROWN v. BOARD OF EDUCATION DECISION

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H. Con. Res. 414 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 414) expressing the sense of the 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.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 414) was agreed to.

The preamble was agreed to.

Mr. DURBIN. Mr. President, I rise today to mark a bittersweet anniversary in our Nation's history. Fifty years ago today, the U.S. Supreme Court handed down the most important Court decision of the 20th century and perhaps of all time: Brown v. Board of Education.

Fifty years ago today, on May 17, 1954, the Supreme Court unanimously ruled 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 struck down laws that permitted racially segregated schools in 17 states and the District of Columbia. The Supreme Court said that such laws violate the fourteenth amendment of the U.S. Constitution—the amendment that was passed after the Civil War to guarantee "equal protection of the laws."

The day after Brown was handed down, the Chicago Daily Tribune wrote that the idea of educational equality "may appear dangerously novel to some citizens, but the Supreme Court didn't invent it. Indeed, they can be said to have borrowed it from a distinguished Virginian named Thomas Jefferson."

A May 19, 1954 editorial in the New York Times stated: "The Supreme Court's historic decision in the school desegregation cases brings the United States back into the mainstream of its own best traditions. Segregation is a hangover of slavery, and its ugliest manifestation has been in the schools."

The Brown decision was a victory for equality and a victory for America. But many African Americans had a muted reaction to the decision because it was so long overdue. As Richard Kluger wrote in the classic book *Simple Justice*:

Too many proclamations of white America's good intentions had reached African Americans' ears in the past to permit premature celebration now. There was added hesitation, no doubt in expressing open glee lest it be taken as a sign of gratitude and thereby provide whites the emotional satisfaction over a deed well done. For, upon analysis, all the Supreme Court had truly and at long last granted to the black man was simple justice.

The impact of the Brown decision occurred mainly in the South, but the Chicago Daily Sun-Times offered a prescient observation. In a May 19, 1954 editorial the Sun-Times wrote: "We of the North would do well to apply ourselves with equal diligence and sincerity to our own unsolved problems of racial discrimination and prejudice."

Indeed, there were segregated schools in my home State of Illinois in 1954—the Land of Lincoln. My State had a law that banned racial segregation in our public schools, but there was inadequate enforcement.

Although we have made great strides over the past century in Illinois and in our Nation, we continue to have severe racial disparities in our public school systems—50 years after Brown v. Board of Education.

For that reason, the 50th anniversary is bittersweet. In 2004, we see that the racism has not been alleviated. Equal opportunity has not been assured.

Our schools are not fully integrated. In Illinois, 92 percent of white children attend majority white schools, and 68 percent of Black children attend majority Black schools. School segregation for our rapidly growing Latino population is on the rise.

And our schools are not equal. In Illinois a Black child is about 40 times more likely to attend a school that has failed to meet State standards for 4 consecutive years, a so-called "academic watch list" school. A Latino student is 20 times more likely. But less than 1 percent of the White children in Illinois are enrolled at a school on the academic watch list.

The Supreme Court in Brown v. Board of Education stated that equal access to education is a civil right of every citizen. And what a promise that was. We believed racial disparities in education would eventually be erased.

In 2001, we realized that this promise had not been realized. We enacted No Child Left Behind to try and tackle the enduring problem of racial inequality in our public schools. No Child Left Be-

hind requires schools to break out test scores by racial and economic categories to show that each segment of a school's population is succeeding.

Many of us worked in concert with the more conservative champions of the effort because we believed the law would provide more resources and more opportunities for minority children in public schools.

Today schools are struggling to implement the law without the promised resources. We have not lived up to the promise of No Child Left Behind. And we have not lived up to the promise of Brown v. Board of Education.

Many of our schools today are separate and unequal. This commemoration is bittersweet, but we have the means to make it less bitter and more sweet.

We can live up to the promise of the Brown decision by investing in our public schools rather than giving up on them. Giving vouchers to a handful of lucky families only leaves the have-nots in an increasingly hopeless situation.

We can live up to the promise of Brown by adopting the Student's Bill of Rights—requiring an equitable apportionment of funds and qualified teachers and small class sizes.

We can live up to the promise of Brown by fully funding the Individuals with Disabilities Education Act, ensuring that students with disabilities can exercise their right to a public education.

We can live up to the promise of Brown by funding No Child Left Behind as promised, making it possible for struggling schools to improve the quality of education for all its students.

Let us honor the legacy of the Supreme Court's historic decision in Brown v. Board of Education by making the appropriate investments in public education and working to ensure equality of opportunity.

TAX ADMINISTRATION GOOD GOVERNMENT ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 498, S. 882.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 882) to amend the Internal Revenue Code of 1986 to provide improvements in tax administration and taxpayer safe-guards, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance with an amendment to strike all after enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 882

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,