

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. McCARTHY) is recognized for 5 minutes.

(Mrs. McCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### STATE CONTROL OF PUBLIC EDUCATION

Ms. FOXX. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Texas (Mr. POE).

The SPEAKER pro tempore. Without objection, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

There was no objection.

Ms. FOXX. Mr. Speaker, I am a very, very proud cosponsor of H.R. 3499. I served for 12 years on a school board in Wataugwa County in North Carolina and often felt very oppressed by Federal rules and regulations. When I was on the school board, and even after that, I have checked and double-checked and about 7 percent of the money that North Carolina schools get comes from the Federal Government, but about 99 percent of the rules and regulations that come into the school system come from the Federal Government.

I think passing H.R. 3499 would be one of the best things this Congress or any Congress could do. It would force State legislatures and thereby force school boards and county commissioners to make a decision as to whether or not they want to take the Federal money and the rules and regulations that go along with it.

□ 1530

It would take us out of the business of saying that they have to do this. I think that it is high time that we change the way we do business between the Federal Government and the State governments.

I want to just remind us, and my colleague has paraphrased the words of the Constitution, but I do not think that we can repeat the Constitution too often. I know there are a lot of young people in the audience and some not so young people in the gallery today. I hope you will take the time to read your Constitution at least once a year, and probably more often than that.

I want to read the preamble because my colleague from Texas keeps mentioning the first three words, "we the people." That is extremely important.

I am so proud that my grandson recently has memorized this. He is only in the third grade, but I am so pleased that his teacher has encouraged that.

This is what the preamble says: "We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Now there are lots of important words. Every word in this Constitution is important. Every single word is important, and the Framers were extremely careful about how they wrote the Constitution. But the important words to me in terms of the 10th amendment are "provide for the common defense." That is the number one goal and the number one role of the Federal Government.

That is what we are here for, to provide for the common defense. It is our job to make sure that this country stays free. If we do that, everything else will fall into place.

Now, what the 10th amendment says is the powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people.

Now I am not reading anything in between and I am not reading afterwards, but you will not find that the Constitution gave any power to the Federal Government for education. There is no role for the Federal Government in education except as has been alluded to, to make sure that we take care of persons who are disabled, and some people might even argue with that issue.

But I think it is extremely important that we return to the way it used to be in this country and that is localities were very much in charge and in power regarding what happens with education.

I am a person who came up through the public education system, as poor as any person you can imagine, but I got an excellent education. There was not unlimited dollars there when I came through school, but I got a good education.

It is my contention that part of the problem with our educational system is we have too much Federal Government intervention. We need extremely high-quality education in this country if we are going to compete with the rest of the world, and we are competing with the rest of the world. And I believe we can do a great deal to restore high-quality education at the local level if we get the Federal Government out of education at the Federal level, or we insist that the States and the localities make not just conscious decisions to take the Federal money but very deliberate decisions to take Federal money.

I applaud the gentleman from Texas (Mr. CULBERSON) for introducing this bill and for allowing me to sign on as a cosponsor and say we need to pass H.R. 3499.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PRICE of Georgia). Members are reminded to refrain from references to occupants of the gallery and to address their comments to the Chair.

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

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### CONGRESSIONAL CAUCUS CONSTITUTION

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

Mr. GARRETT of New Jersey. Mr. Speaker, I come to the floor tonight and I begin by commanding the gentleman from Utah for his efforts every week as we take part in the process of bringing back to the American people the importance of the U.S. Constitution as part of the Constitution Caucus.

At this point I would like to yield to the gentleman from Texas to make a point with regard to his very important legislation that he was referring to, H.R. 3499.

Mr. CULBERSON. Mr. Speaker, I rise only to make the point, because I ran out of time earlier, that the legislation that we have coauthored together would give the decision to the locally elected State representatives to enter a contract with Federal elected representatives so that the only control the Federal Government would have over State public education would be the control that the State locally elected officials agree to. It would be a contract between the State legislature and the Federal legislature; and other than what they agree to, there is no Federal control over public education, as the Founders intended.

Mr. Jefferson always said if you apply core Republican principles, the knot will always untie itself. That is true here, and it would continue to be true if we would just remember it.

Mr. GARRETT of New Jersey. Mr. Speaker, I will try to remember that expression of Mr. Jefferson. Mr. Jefferson addressed the issue of education. One of the points of the Constitutional Caucus is to take a look at what does the Constitution actually say as to what the role of the Federal Government is.

As we discuss education, we should ask: Is the role of the Federal Government in the area of education? I would hazard a guess it is not. Thomas Jefferson was asked that question as a Founding Father of this country. He was asked the question: Why is it the Federal Government is not involved in education?

His response to that question was: as soon as the Constitution is amended to include language giving us that power, we will be involved in education. Of course, the Constitution has never been amended to allow the Federal Government to involve itself in education. Neither the word "education" nor "school" is anywhere in the U.S. Constitution.

With that being said, no one here, not the gentleman from Utah, the gentleman from Texas, nor the gentleman from North Carolina would ever make the statement that education is not important. We all agree about the importance of quality education in all 50 States. We just believe there is a better way, and that is return control of education to the local authorities, local school boards, and to the parents.

One of the problems when we look at the issues out there, people put a test of importance on the issue. Just because an issue is important, does that mean that the Federal Government should become involved? Again, I would look back to what the Founders said. There was never a test of importance by the Founding Fathers as far as the Constitution is concerned. They did not say if something is important, therefore the Federal Government should become involved. Rather, is it constitutional?

Each night here, when we pull out our card to vote, we should ask ourselves: Is it in the Constitution? Is it constitutional?

In the area of education, it is not. We have lost control of education from the State level to the Federal level. Lest anyone think that we are doing a better job of this, I refer them back to the 1960s when the ESEA, Elementary Secondary Education Act, was first put into place, when education standards in this country were some of the highest. Since that time, the Federal Government's role has increased dramatically, and we have seen where that has brought us. The level of education in this country, unfortunately, has gone down.

That is why I am a proud supporter of H.R. 3499. It will return control to the people who are in the best position to exercise that authority: parents, local school boards, localities, and the States. I know also when you talk to those people who are on the front line, they will tell us of all of their frustration they have dealing with Federal mandates and with all of the Federal strings and controls.

In New Jersey, I asked exactly how much money are you getting from the Federal Government. In our State, I don't know how it is in other States, we get around three cents on the dollar from the Federal Government. In return for those three pennies, the Federal Government is basically exercising all of this control, all of this regulation that the local school board must comply with or else. And that is why H.R. 3499 is so important. H.R. 3499 will return that authority back to the local school board.

They will be in the position to say do we have to comply with these Federal regulations or not. I would hazard to guess in many instances local school boards will tell their legislators, we do not want to have to comply with all these Federal regulations. We do not want the legislation to go in that direction.

I conclude by reminding this House and the Federal Government that we should look to the U.S. Constitution for direction, is it constitutional in the area of education, and leave it to the appropriate parties. I again commend the gentleman from Texas for his excellent work in moving in that direction.

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

(Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. VAN HOLLEN) is recognized for 5 minutes.

(Mr. VAN HOLLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 4, 2006.

Hon. J. DENNIS HASTERT,  
*The Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Ms. Marjorie C. Kelaher, Deputy Clerk, and Mr. Jorge E. Sorensen, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

These designations shall remain in effect for the 109th Congress or until modified by me.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS,  
*Clerk of the House.*

#### VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore. Without objection, the order of the House pro-

viding the gentleman from North Carolina (Mr. MCHENRY) a 5-minute Special Order speech is vacated.

There was no objection.

#### ISSUES FACING CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCHENRY. Mr. Speaker, tonight I think it is important that we reflect on what is happening here in Washington, D.C. Here in this House we have enormous issues that are facing us as a legislative body.

Mr. Speaker, I believe as American people and their representatives, we are still wrestling with those issues that every American is wrestling with. There are a lot of challenges. We want to keep our economy moving, and I think there is agreement here in Washington, D.C. as the people's representatives that we want to make sure that we have governmental policies that aid in that, not hinder that.

Mr. Speaker, we also have an enormous debate about energy and the rising cost of energy facing every American. I drive my automobile just like everyone else drives their automobile, and I still pay at the pumps. I guess some Americans would laugh and think I guess these highfalutin Members of Congress do not even pump their own gasoline, but we do. I do.

I face the same burden that all Americans are facing with the high price of gasoline, the high price of electrical energy, the high price of natural gas. And it has a ripple effect on the economy in terms of jobs and job creation. It has a ripple effect on what the American people think about the direction of our country based on what we pay at the pumps, what we pay for energy. And we here in this Congress are wrestling with that issue, as well as how to get energy prices down for the American people.

There are a lot of other issues we are wrestling with, but there is a clear difference between the philosophies of those on my side of the aisle, the Republican side of the aisle, the majority in the House, and the philosophy that governs those on the other side of the aisle, the liberals, the Democrats, those in the minority.

We have a clear difference of opinion on how to tackle these tough issues, and so let us first begin with economic policy.

President Bush came to office and during the late stages of 2000, the economy turned down. We had a recession. We had a recession in late 2000 through early 2001. As President Bush came to office, the economy was in recession and the President made a bold statement, a commitment to the American people, that he would cut taxes to reinvigorate the economy. He did just that.

President Bush's tax cuts of 2001 and again in 2003 after the devastating attacks of 9/11, these two tax cuts were