

to come to the floor every week to talk about an issue related to the Constitution.

Tonight, we are here to talk about the Federal Government's role in education through the No Child Left Behind Act. But I question whether the premise of Federal involvement is even legitimate.

The tenth amendment to the Constitution that enumerates States' rights throws Federal involvement in education into question.

The tenth amendment tells us that 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.

No Child Left Behind has a problem. The problem is that the individual States have learned that Federal Government involvement in local education is often uninformed, inefficient and unnecessarily burdensome.

What many Americans don't know or don't remember is that No Child Left Behind is simply a reauthorization of the Elementary and Secondary Education Act, a law first passed in 1965 and signed into law by President Lyndon Johnson. It has been revised and reauthorized so many times that it barely resembles the original law.

Today the law spawned by the repeated tinkering over four decades is increasingly complicated and burdensome. It attempts to tie Federal money to disparate yardsticks that may or may not make sense for the thousands of local school districts around the country.

How can one law effectively regulate both a rural school in North Carolina and an inner-city school in L.A.? I believe it cannot. Accountability needs to be a State and local issue left to parents and teachers. It should not be delegated to Washington bureaucrats who don't even step inside the thousands of schools that are scrambling to comply with cookie-cutter regulations that often don't make sense on the local level.

According to the Congressional Research Service, the Elementary and Secondary Act of 1965 was primarily concerned with the relationship between poverty and low educational achievement. That is, indeed, a noble goal. But the law has since gone far afield. Now it infringes on States' rights to oversee school systems and strays into unconstitutional areas.

Again, the 10th amendment to the Constitution says, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved for the States respectively, or to the people."

The Constitution does not give the Federal Government the express right to dabble in local education. We need to give States back their full constitutional right to set education policy and encourage innovative solutions to the unique education issues faced by every State.

Tens of billions of Federal dollars cannot fix faulty schools. Broken schools need to be held accountable on the local level. By pushing accountability to the Federal level, we've produced a counterproductive system that is not responsive to the local needs of students, parents and teachers.

As we look towards the next reauthorization of this law, we must take States' rights into account, lest we again fail the most important people in this equation, our Nation's children.

BRING THE TROOPS HOME FOR MEMORIAL DAY

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

Ms. WOOLSEY. Mr. Speaker, the sacrifices of those who have dedicated their lives in defense of our country are an important reminder of the price of freedom. These brave heroes have served this country with distinction, and it is our absolute responsibility to honor them.

Memorial Day is an opportunity to reflect on how we must support our troops, which means honoring our responsibility to provide the best protection and support for the men and women who serve in our Nation's Armed Forces. It means honoring our promise to provide lifelong health care and benefits for our veterans when they return home, and it means doing everything we can to bring our troops home from Iraq, out of harm's way.

As we reflect on the sacrifices and the accomplishments of our veterans, it's vitally important to reaffirm our support for our troops on Memorial Day. And Memorial Day is an opportunity to commend all who have defended our country and safeguarded the values cherished by every single American. It's a chance to repeat that while we strongly disagree with this administration and its continuing occupation of Iraq, we support our troops.

This administration refuses to hear the calls of the vast majority of Americans demanding that we bring the troops home. It continues to believe that the only way forward in Iraq is to spend more money, send more troops for an open-ended debacle. This administration maintains its strategy for delay and denial, refusing to plan for an end to the Iraq occupation, a blank check and no accountability.

As the administration stubbornly refuses to accept that we cannot win an occupation, the men and women serving in Iraq are suffering the consequences of these mistakes. Nearly 20 percent of the soldiers returning from Iraq experience some symptoms of post-traumatic stress disorder, or PTSD, which puts them at significantly higher risk for suicide and drug addictions. More than 34,000 of our servicemembers have been injured in Iraq, and more than 3,400 have been killed.

Sending our soldiers back into an increasingly deadly civil war on extended tours with worn-out equipment is not supporting the troops. We cannot let this neglect for our veterans become the hallmark of the occupation. We must strengthen our commitment to our troops. We must provide them with the support they deserve.

That's why I've introduced H.R. 508, the Bring the Troops Home and Iraq Sovereignty Restoration Act, which will end the occupation within 6 months of passage and will provide for full physical and mental health care for all of our Nation's veterans. Our troops deserve no less.

Mr. Speaker, this Memorial Day is an opportunity, an opportunity to celebrate the honorable service of those who were in past wars, those who have served in between wars, and those who are serving today. And we can do that by providing our veterans with the support that they need. It's an opportunity on this Memorial Day to support the troops who are in Iraq by demanding that they come home.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. GRANGER) is recognized for 5 minutes.

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

OPENNESS IN THIS INSTITUTION

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

Mr. FLAKE. Mr. Speaker, one of the hallmarks of this institution is openness. Every minute of debate in this Chamber is captured on C-SPAN cameras. Every minute of debate and dialogue in the committee rooms are transcribed and recorded. This practice is premised on the principle that the public has a right to know what factors go into our decisions here.

I don't think the public would be very pleased to learn how much of this decisionmaking process is moving behind closed doors, particularly as it relates to earmarks.

Over the past several years it became common practice for appropriators to include earmarks in committee and conference reports, rather than the text of the bills. Frequently, a committee report containing thousands of earmarks would come to the floor only hours before the final vote on the bill. At times the committee report would be made public only after the bill had already passed.

The bottom line is that, over several years, earmarks endured very little scrutiny from this body. I think the voters have become very aware of this failing on our part. My party, the Republican Party, allowed the practice of earmarking to get out of hand. Taxpayers have paid the price. This institution has paid the price. Finally, we

Republicans paid the price at the polls this November.

When the new majority took over in January of this year, they moved to include more transparency in the earmarking process. Members of Congress would, at long last, have to put their names next to the earmarks. We Republicans had done this in the fall, but only after the appropriations season was nearly done. This was a good move by the majority party in January. As I said at the time, they had the guts to do what we hadn't when it mattered, at the beginning of the appropriation process.

There is reason now, however, to doubt the sincerity of these moves. House rules are only as good as our willingness to enforce them. And we have, as yet, not been willing to enforce these rules.

When a bill comes to the floor now, there must be a list of earmarks with Member names next to them, or a certification that the bill contains no earmarks.

When the supplemental came to the floor, there were clearly earmarks in the bill, yet there was a certification that there were no earmarks contained in the bill.

The problem is, a point of order can only lie against the bill if there is no certification. So a certification, even though it might be patently wrong, has to be accepted by the Speaker or the Parliamentarians.

The intelligence authorization bill came to the floor without a list of earmarks. The list of earmarks only came after the deadline to submit amendments to the Rules Committee; so then, again, there was no opportunity to challenge any of the earmarks in the bill. Then, despite the fact that there were more than 680 earmarks in the defense authorization bill, no amendments related to earmarks were allowed by the Rules Committee, even though some of the earmarks clearly had no relationship to defense.

Now, we hear that the Appropriations Committee plans to keep earmarks secret until the appropriation bills this year have passed the House floor. Those earmarks would later be "air-dropped" into the conference report where no amendments are possible, where no scrutiny of these amendment or, I'm sorry, of these earmarks is possible.

The vaunted sunlight that we said we were going to bring into this process is gone. We closed the drapes. We've snuffed out the candle.

Mr. Speaker, this institution deserves better than this. We can do better. We should, on a bipartisan basis, bring this sunlight back. We need to subject earmarks to the scrutiny that they should have. No spending should occur in this body without the Members' knowledge, and that's what happens when earmarks are "air-dropped" into a conference report.

Mr. Speaker, I'm convinced that in the end, the majority party will pay

the political price. I hope that we would move before that time. I hope that we can, on a bipartisan basis, simply move forward and bring sunlight back into the process. That is what I think the citizens of this country deserve. It's what the taxpayers need to have.

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SURGING GASOLINE PRICES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, surging gas prices at the pump surely tell us, just before Memorial Day, that something has gone wrong again with the rigged oil markets.

We've seen gasoline prices in our country set all-time highs. Ohio families are paying \$3.50 to \$3.93 a gallon, with no end in sight. And when President Bush took office, they were paying \$1.46 a gallon. In fact, when Vice President CHENEY was sworn in, Halliburton's stock was worth one-fourth of what it's worth today.

So we think about America's families and our consumers. They're being hurt. Car and truck sales are being hurt. Our economy is being hurt. It's all so unnecessary.

When you fuel up, the chances are 7 out of 10 that the crude oil for the gasoline came from an undemocratic foreign country, Saudi Arabia, Nigeria, Venezuela, Angola, Mexico, maybe even trafficked out of Iraq, places that do not exactly love thriving democracy.

Meanwhile, in oil-rich Iraq, this week, eight more American soldiers were killed in roadside bomb attacks near Baghdad. And this brings to nearly 3,400 U.S. service-member deaths in Iraq, plus additional Department of Defense civilian employees, and the death toll keeps mounting.

The major oil pipeline and refinery in Iraq is now being guarded by our best, the 82nd Airborne, and sundry private contractors. They're guarding oil lines and the refinery. In fact, some of that oil has been stolen and even trafficked throughout the war.

Meanwhile, a new hydrocarbon law is being pushed in Iraq, which boasts the second largest oil reserves in the world, that would privatize the majority of oil in that country to who? That's the trillion-dollar question. That's the \$23 trillion question.

How disgusting to me that our finest military have to die in an oil war. When will the American people begin to connect undemocratic oil regimes, imported oil, and the lives of our sons and daughters while our gasoline-consuming public is subjected here to the oil marketeers?

I don't think anybody would admit it is a free market in oil. It's a cartelized market. It has been for half a century.

Exxon and the other major oil companies are raking in historic profits at

the expense of our sons and daughters. We see U.S. military power fully projected in Kuwait, in Iraq, benefiting their neighbors, too, like Saudi Arabia and Bahrain, who have had to hire growing legions of private security firms to hold up their kingdoms and emirates. Saudi Aramco is the largest privately held company in the world, and Exxon Aramco the most profitable oil company in history. Are you starting to see the picture?

Let me ask a critical question: Would any of the oil profits made off the pocketbooks of Americans be going to hire more security guards in Saudi Arabia, or in Bahrain, or in Kuwait? As Will Rogers would say, "You betcha."

Our Nation's military power is now fully projected in the deserts over there, and here in Washington sits Congress and a President who say they want to break oil addiction from imported sources. But since President Bush took office, we are importing a billion more barrels a year, a billion more barrels a year every year since 2001. It is projected we will spend a trillion dollars on the war in Iraq, and it is not anywhere close to over. Yet we passed a bill out of the House a few months ago that just put a thimble full of additional resources in renewable energy. Is there any dispatch here? Is there any urgency? Is there any seriousness? Let the American people tell us. Do you see it? Do you hear it? Do you feel it in your pocketbooks?

Citizens are expressing their frustration with our inability to rein in the abuses of the oil companies. And I have got a partial solution. This week I am introducing a bill to give something back to the American people tired of being gouged by the oil companies. It is called the "Give America Something Act of 2007," the GAS Act, G-A-S. Give every American a one-time immediate \$100 gas payment refund. They can use it to pay for higher gas prices. They can use it to pay for higher transit costs. And we pay for it by imposing a windfall profits tax on oil revenue to provide the revenue to finance the program. This is long overdue.

HONORING OFFICER ROB TARGOSZ

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

Mr. FRANKS of Arizona. Mr. Speaker, in the very earliest days of this Nation, Edmund Burke said, "All that is necessary for the triumph of evil is for good men to do nothing."

That belief became the personal creed and call to action of Officer Rob Targosz. Mr. Speaker, this man was a hero and a model human being determined to utilize every ounce of his mind, soul, and body to protect the lives of thousands of his fellow Americans so that we could all live in a safer, more peaceful Nation. Rob Targosz was a second lieutenant in the 12th Airborne Special Forces. He was a member