If this idea becomes law, besides granting amnesty to 12 million to 20 million illegals in the United States, it will treat those illegals better than U.S. citizens and legal immigrants when it comes to college costs. The idea is to grant all illegals a status so they can attend State universities as an in-State tuition even though they illegally entered the United States.

Some States already allow illegals to attend State universities and pay in-State tuition. Unfortunately, my State of Texas was one of the first, along with California.

Currently there are about a dozen States that allow this absurd policy of preference. Some States are considering opposite laws that require illegals to pay out-of-State tuition. No matter what the people want or the States want, a proposal in this new immigration policy plan will require all States that allow illegals to attend State universities to pay only in-State tuition, not out-of-State tuition.

So, what's the difference in cost? Well, if you are an in-State resident in Texas and attend the University of Texas, you pay about $1,500 for 12 semester hours. If you are an out-of-State student, say a student from Tennessee, you pay over $4,000 for 12 semester hours. So this proposal will discriminate against American citizens and legal immigrants, and favor and prefer illegals.

An example. If you are from New York and you want to get admitted to the University of Texas, you have to pay out-of-State tuition because, simply, you are not from Texas. Or, as we say, ''You're not from around here.'' But if you are an illegal and get admitted to the University of Texas, you will get to pay in-State tuition.

If the Senate plan passes, this preference policy will be law and apply to every State, whether they like it or not. This is blatant discrimination against Americans and legal residents. So American students and parents, get your checkbooks out, because you are going to pay more for college than people who illegally enter the United States. You will be discriminated against by your own government. So, if you want to attend a State college somewhere in America other than your own State, and you don't have the money to pay the extra tuition, well, it's just too bad.

Mr. Speaker, this is just another reason this so-called new immigration reform proposal is a bad idea for America. It is nothing more than a preference policy for people illegally in the United States.

And that's just the way it is.

HONORING THE LIFE OF RABBI ROLAND B. GITTELSOHN AND HIS STIRRING EULOGY ON IWO JIMA

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

Mr. BRALEY of Iowa. Mr. Speaker, I rise today during Jewish American Heritage Month to honor the life and memory of Rabbi Roland B. Gittelsohn, who was the first Jewish chaplain ever appointed by the Marine Corps.

Most Americans don't recognize the name of Rabbi Gittelsohn, but they should. Rabbi Gittelsohn delivered a stirring eulogy to the war dead on Iwo Jima that is second only to the Gettysburg Address of President Lincoln as a stirring ode to the principles of democracy that are the bedrock of this country and the young men and women who paid the ultimate price for our freedom.

During World War II, Rabbi Gittelsohn was assigned as a Jewish divisional chaplain of the 5th Marine Division. During the Battle of Iwo Jima, Rabbi Gittelsohn was right in the heart in the action, ministering to the needs of Marines of all faith, with the knowledge that his life was in grave danger.

After the fighting was over, Rabbi Gittelsohn was asked to give a sermon at an ecumenical memorial service dedicating the 5th Marine Division cemetery on Iwo Jima, but due to prejudice he only gave remarks at a small Jewish service. Here are his words.

''Here before us lie the bodies of comrades and friends, men who until yesterday or last week laughed with us, joked with us, trained with us, men who fought with us and feared with us. Somewhere in this plot of ground there may lie the man who could have discovered the cure for cancer. Under one of these Christian crosses or beneath a Jewish Star of David, there may now rest a man who was destined to be a great prophet, to find the way perhaps for all to live in plenty, with poverty and hardship for none. Now they lie here silently in this sacred soil, and we gather to consecrate the earth in their memory.

''It is not easy to do so. Some of us have buried our closest friends here. To speak in memory of such men as these is not easy. No, our poor power of speech can add nothing to what these men have already done. All that we can even hope to do is to follow their example, to show the same selfless courage in peace that they did in war; to swear that by the grace of God and the stubborn strength and power of the human will, their sons and ours will never suffer these pains again. These men have done their job well. They have paid the ghastly price of freedom.

''We dedicate ourselves, first, to live together in peace the way they fought and are buried in this war. Here lie officers and men, Negroes and whites, rich men and poor, together. Here, no man prefers another because of his faith or despises him because of his color. Here, there are no quotas of how many from each group are admitted or allowed. Among these men there is no discrimination, no prejudices, no hatred. Theirs is the highest and purest democracy.

''Any man among the living who fails to understand that will thereby betray those who lie here dead. Whoever of us lifts up his hand in hate against a brother or thinks himself superior to those who happen to be in the minority makes of this ceremony and the bloody sacrifice it commemorates an empty, hollow mockery. To this, then, as our solemn, sacred duty, do we the living now dedicate ourselves to the rights of Protestants, Catholics, and Jews, of white men and Negroes alike, to enjoy the democracy for which all of them have paid the price.

''When the last shot has been fired, there will be those whose eyes are turned backward, not forward, who will be satisfied with wide extremes of poverty and wealth in which the seeds of another war can breed. We promise you, our departed comrades, this too we will not permit. This war has been fought by the common man. Its fruits of peace must be enjoyed by the common man. We promise, by all that is sacred and holy, that your sons, the sons of miners and millers, the sons of farmers and workers, the right to a living that is decent and secure.

''When the final cross has been placed in the last cemetery, once again there will be those to whom profit will be more important than peace. To those who sleep here silent, we give our promise: We will not listen. We will not forget that some of you paid the ultimate price for men who profit at your expense. We will remember you as you looked when we placed you reverently, lovingly, in the ground.

Thus do we memorialize those who, having ceased living with us, now live within us again. Thus do we consecrate ourselves to the living to carry on the struggle they began. Too much blood has gone into this soil for us to let it lie barren. Too much pain and heartache have fertilized the earth on which we stand. We here solemnly swear, this shall not be in vain. Out of this, and from the suffering and sorrow of those who mourn this, will come, we promise, the birth of a new freedom for the sons of men everywhere.''

My father served in the 5th Marine Division on Iwo Jima, and it is to his memory and the memory of Rabbi Gittelsohn that I offer these poignant words.

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

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

□ 1930

THE CONSTITUTION CAUCUS

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

Ms. FOXX. Mr. Speaker, I am a member of the Constitution Caucus, and we take it as an important responsibility

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 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