

water bill, which will give local communities more flexibility to solve their water problems. I quote:

When courting small business and voters frustrated by government, the Clinton administration decries "regulatory overkill," yet whenever anyone proposes actually loosening any particular Federal dictate, the Administration balks. Thus, the rewrite of the Clean Water Act passed 240 to 185 by the House of Representatives, with votes from 45 Democrats. It has inspired the President's most demagogic rhetoric in weeks.

Mr. Speaker, I agree with the Santa Maria Times editorial, which continues to point out that groups such as the National Governors Association, which the President once headed, the National League of Cities, the U.S. Conference of Mayors, and the Association of Metropolitan Sewer Agencies, all endorse this legislation. Let us finish with the hard rhetoric and continue with clean water for our local communities.

Mr. Speaker, I include for the RECORD the article of June 1, 1995, in the Santa Maria Times:

[From the Santa Maria Times, June 1, 1995]
DIRTY FIGHT, CLEAN WATER

When courting small business and voters frustrated by government, the Clinton administration decries "regulatory overkill." Its touted blueprint for "reinventing government" prescribes a periodic weeding out of cumulative, obsolete, inconsistent and unnecessary regulations.

Yet whenever anyone proposes actually loosening any particular federal diktat, the administration balks. Thus, the rewrite of the Clean Water Act passed 240-185 by the House of Representatives recently (with votes from 45 Democrats) has inspired the president's most demagogic rhetoric in weeks.

At a propaganda event staged in Washington, D.C.'s Rock Creek Park, Bill Clinton caricatured the bill as written by "the lobbyists who represent the polluters." The bill's effect, he said, would be to put "poisons" in the water our children drink.

It is hard—make that impossible—to believe that the National Governors Association (which Clinton once headed), the National League of Cities, the U.S. Conference of Mayors and the Association of Metropolitan Sewerage Agencies all would knowingly endorse legislation so blatantly contrary to the public good. The bill the president vows to veto must have flaws but it cannot be the piece of unconscionable recklessness that the president so irresponsibly described.

Who are these polluters, for example? They are city dwellers, mall shoppers, users of roads and parking lots, and farmers. The major outstanding water issue is known as "nonpoint" pollution, the dirt that ends up in sewers and streams not because some profit-hungry corporation dumps it there but because rain water washes it off fields and parking lots and city streets.

Those striving to provide citizens safe drinking water and fishable and swimmable rivers and lakes are local governments. These are the same counties and municipalities that are stretched thin meeting increased demands for neglected children's services and economic development, road and bridge repair, police, courts and prisons. Nothing is gained by pretending that resources are infinite for any of these priorities, even clean water.

Admirably, the House bill nearly doubles the federal revolving loan fund to help local

authorities pay for sewage treatment. Its major thrust is to give states more flexibility in regulating storm water and other runoff from the landscape. It does not alter standards for the purity of water people drink.

Whether this bill has found the optimal definition for wetlands we are not prepared to say. That and the other issues will be tackled anew by the Senate. They will be tackled it appears, without constructive input from a president busy with scare tactics as his re-election campaign nears.

H.R. 1561: NO MORE BUSINESS AS USUAL IN FOREIGN POLICY

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, one of the most important bills to come before this Congress is the American Overseas Interests Act of 1995, H.R. 1561.

For the first time in nearly half a century, it will provide focus on American foreign policy instead of the fragmentation which is provided by a separate United States Agency for International Development, the United States Information Service—including cultural affairs, and the United States Agency for Arms Control and Disarmament. At last, these agencies will clearly be directly responsible to the Secretary of State of the United States, the President's first Cabinet officer, the person who needs to advise the President on various aspects of foreign affairs.

This legislation will save over \$3 billion in the next 2 years. It will provide focus not only in organization. It will eliminate 23 assistant secretaries. It will provide less money and more direction. This legislation is long overdue and much-needed.

Vote for the American Overseas Interests Act.

Mr. Speaker, I am including a summary of the key features of H.R. 1561, as follows:

The American Overseas Interests Act, the first Republican foreign policy bill in over 40 years, changes "business as usual" five ways:

1. *Three Major Agencies Killed.*—AID, USIA, ACDA folded into State Department, eliminating hundreds of jobs, including 23 at the level of Assistant Secretary or higher.

2. *Cuts Spending.*—Cuts nearly \$1 billion from FY95 appropriated levels in FY96, over \$2 billion in FY97. Cuts more than \$21 billion from International Affairs spending below the FY95 baseline over seven year "glide path" to balanced budget. With Brownback Amendment, bill fully meets Budget Resolution.

3. *Kills Dozens of Lower-Priority Programs.*—Housing Guarantee Program, PL-480 Title III food aid program, U.S. funding for over a dozen international agencies. Development assistance, though important, is cut by \$750 million in FY96 and \$998 million in FY97.

4. *Focuses on Vital U.S. Interests.*—Funds antiterrorism assistance, Russian disarmament-related programs, NATO expansion aid, antinarcotics assistance, aid to Israel and Egypt (Camp David Accords).

5. *Punishes Adversaries.*—Cuts off aid to countries that provide weapons to terrorist states, give aid to Cuba, or vote against us in the U.N.

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. MORELLA). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. LIPINSKI] is recognized for 5 minutes.

[Mr. LIPINSKI 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 [Mr. GOSS] is recognized for 5 minutes.

[Mr. GOSS 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 New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TERM LIMITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Madam Speaker, I would like to comment today about the Supreme Court decision limiting the powers of the States to prohibit those States from enacting term limits.

Madam Speaker, the majority opinion in U.S. Term Limits versus Thornton, as Justice Thomas points out in dissent, reflects a fundamental misunderstanding of the 10th amendment's reservation of powers to State governments and the people. While the 5 to 4 decision may be a setback for term limits, it is only a temporary one. The closeness of the vote, and the strength of the dissent's argument, means that less harm was done to the term limit movement than is generally believed.

The fundamental issue in Thornton is not term limits, but the power of States and citizens to add to the three qualifications that are spelled out in article I for Members of Congress: age, citizenry, and residence. While the majority makes a cogent and correct argument that the Constitution bars Congress from setting additional qualifications, it fails to demonstrate that the States are barred from adding qualifications. The thrust of the majority's argument is that allowing States to set additional qualifications could lead to abuses of the electoral process. The majority said the Founders would have opposed such abuses, and therefore must have meant to bar the states

from adding qualifications. But the fact, as the dissent points out, is that the Constitution is silent on the matter. And the 10th amendment could not be more clear: "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." The plain language of the Constitution says that unless the Constitution prohibits states from adding qualifications about who can represent them in Congress, they should have the ability to do so. Whether a particular qualification, such as not having served more than three terms in the U.S. House, is a good idea or not is irrelevant.

If one accepts the majority opinion, then all other state qualifications are unconstitutional. These would include requirements that Congressman must live in the district that they represent, or that they not be a convicted murderer. Justice Thomas points out the absurdity of the situation where states have the right to restrict those who can vote in an election, but not the right to say who can run when he says: "the people of each state must leave open the possibility that they will trust someone with their vote in Congress even though they do not trust him with a vote in the election for Congress."

Actually, the Arkansas law would allow Congressmen to serve more than three terms, it just would require them to be a write-in candidate. The majority ruling was that this disadvantages a class of candidates, and holds that an amendment with the purpose of handicapping a class of candidates is in violation of the Qualifications Clauses and cannot stand. As the dissent again points out, this would mean that one could argue that the current congressional campaign finance system disadvantages challengers, and thus is unconstitutional. The same arguments could be raised against any redistricting plans of the various states.

It has not been well-reported that the implications of the majority opinion could go well beyond term limits. As other related issues come before a future Supreme Court, it is possible that the U.S. Term Limits versus Thornton decision will be overturned. Of course, this would be well into the future. An interesting question is, where do we go from here?

I am committed to term limits, and have directed the House Clerk to take my name off the congressional roll after six terms. I believe a majority of Americans now realize that our government is going to be better led by a citizen legislature than by career politicians. The court decision means that neither Congress nor the States can impose term limits by statute. Unless the decision is overturned, there must be a constitutional amendment to allow for term limits. While term limits supporters are often divided on the exact constitutional language for term limits, I expect them to agree on a

form which will be able to gather the necessary two-thirds vote. Despite having a majority in the House in favor of term limits, the vote was 61 short of passing a constitutional amendment in March. Should the people continue to pressure the Congress a constitutional amendment will be enacted.

Another option is the use of Article 5 to call for a constitutional convention. While it is true that all 27 constitutional amendments have come through the Congress, mounting a drive for a convention would add to the pressure on Congress to pass a term limit amendment and would keep the movement on the front burner in each of the States.

I believe strongly that the citizens of each of our 50 States have the right to choose how to govern themselves. The people of any State should be able to enact and enforce qualifications for their representatives. Term limits address the broader issue of limiting the growth of our leviathan government. As George Mason said during the general debate on the ratifying of the constitution in 1778: "Nothing so strongly impels a man to regard the interests of his constituents as the certainty of returning to the general mass of the people from whence he was taken." Congress must not become a perpetual body. It must be made up of citizen legislators who, in the words of Thomas Jefferson, "might have in idea that they were at a certain period to return into the mass of people and become the governed instead of the governors." Term limits will accomplish this and States deserve to have their 10th amendment rights be recognized.

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

[Ms. KAPTUR 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. FIELDS] is recognized for 5 minutes.

[Mr. FIELDS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

IMMIGRATION LAW ADVERSELY IMPACTED IN FOREIGN AID BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Madam Speaker, I take the floor to talk about a very serious promise that I think has been broken. Early on, we heard a lot of people talking about how wonderful it was that we were going to have open rules, open rules when we discussed issues in this Congress, and everybody said, oh, that's great, and finally we are going

to be able to discuss everything fully and so forth.

Well, next week we are going to be bringing the Armed Services Committee bill to the floor, and I know it is now called the National Security Committee, but that bill comes to the floor. I have served on that committee for 22 years, and we have always brought it to the floor under an open rule. I hear this time it is going to be closed. They are going to narrow it down and it is going to be closed.

Today we just ended the foreign affairs bill that has been on the floor. We used to call it foreign aid. Now it has got some other fancy title. It is basically foreign aid. But let me tell you, it is under a very narrow, narrow, narrow rule in which many of us are not going to be able to discuss some very critical issues in there.

The issue that I wanted to talk about, and if we do not get to discuss this with an amendment, I hope people vote against this whole bill, is the portion of what we are doing to the immigration law. I do not even think it belongs in this bill, but we are severely modifying the immigration law to apply in a whole new way. Let me tell you what we are doing.

Right now the immigration law says you cannot emigrate to the United States unless you prove that that law, the laws of the land, are being discriminated in how they are applied against you. There is a discriminatory application against you because of your beliefs, and, therefore, you are not being treated equally.

Let's take it into some neutral area that many people won't get as impassioned about. Let's talk about conscription. If a person lives in a country that has universal conscription and you are upset about conscription and do not believe in the draft, you cannot emigrate to the United States on the basis that you don't believe in the draft and you are living in a country where there is a draft, so, therefore, you have the right to come here.

You could come to the United States if you had been out leading the movement against the draft and because of that your country put you in jail or because of that your country did all sorts of other discriminatory acts toward you. Then you would be made a political refugee because you had been out exercising your political rights in your country and they had made a target of you. That is how we have enforced the law.

However, in this bill, we are changing it vis-à-vis population policy, and we are saying that if a person does not like the population policy of the country that they are in, they can then come to the United States because they feel that they are going to be discriminated against.

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Boy, is that a change. Boy, is that a major change. And I think that because we do not understand the great