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.

□ 2100

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