

Of course, Captain Williams came over, and he, with the medic, tried to extract him and said, "Take the morphine. You have done enough for America. We're sending you back." He said, "No, my job isn't done yet." He got out of the tank and got in another tank, hobbling over with some help, with one leg, got on the turret and went out into the clearing. The Germans surrounded them from the north. They had our tank battalion completely pinned down where they could not penetrate. Ruben Rivers, in order to find out where they were, drew fire from them. He drove this tank out into the opening. All of them fired, and we were able to go in with our artillery and wipe out the German tank battalion. Of course, Ruben Rivers was dead.

Right after that Capt. David Williams went to the Army and put him up for the Congressional Medal of Honor. I will not go into detail as to what some of the responses were, but they kind of laughed. They said, "Well, I don't think that's going to happen." In fact, the paperwork mysteriously disappeared, not once, but twice, so that nobody had the record on record of Ruben Rivers.

Capt. David Williams, as I mentioned, is getting quite elderly. He said, "I'm going to live long enough to see that Ruben Rivers is posthumously awarded the Congressional Medal of Honor."

Back in 1990, I introduced a bill in the House of Representatives and told the same story I am telling today, except in perhaps a little more detail, to waive the statute of limitations past 1952 so the President could make that award. The medal has to come from the President of the United States. Then-President George Bush said he would do it, after he had read about the case. But I was unable to get it passed.

I tried it again in 1991, 1992; and until finally in 1995 the Army said, "If you don't introduce any more, we'll go ahead and conduct a study of blacks in the military in World War II to see if any of them had been deserving of the Congressional Medal of Honor who had not received it only because they were black."

That report, I am very happy to say, has come out just a few days ago. They have nominated seven blacks—one is still living today—to receive the Congressional Medal of Honor. The President of the United States, Bill Clinton, had said whoever they recommend, he would go ahead and allow them to receive that medal—their families to receive it. So that is exactly what is going to happen. So, I am very happy to say—we hear a lot of negative things that are going on—that something wonderful has happened. A great Oklahoman from Tecumseh, OK, will be awarded posthumously the highest honor to be given for valor in battle, the Congressional Medal of Honor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator wish to withhold?

Mr. INHOFE. Yes, I withhold my request.

Mr. BENNETT. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business for no more than 10 minutes.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

#### THE ECONOMY AND WHAT PEOPLE WANT

Mr. BENNETT. Mr. President, we have a lot of conversation going on around the country these days about the economy and what it is people want to have happen and what it is people are searching for in terms of the Federal approach to the economy.

I will suggest several guideposts that I think we need to follow when we talk about the economy. If I may, Mr. President, I want to put them in terms of the individual lives and the individual economies of each American.

I think the American people want to do three things with their economy. No. 1, they want to earn more. That is a fairly natural thing. I think we all identify with that. We want to earn more. Then we want to keep more, hang on to more of what it is we do earn by the sweat of our brow. Then we do that, earn more, keep more so that we can do more, not just to pile up the money somewhere, but to use it to do things with.

Let me give you some examples on these ideas, Mr. President. First, earning more. That comes as a function in our economy of the growth of the economy. We want to earn more because the economy is growing, not because we are taking it away from somebody else—I earn more because you earn less; we don't want that kind of approach—but growth, more jobs, more economic activity is the way we earn more.

In my home State of Utah, we are currently enjoying a tremendous economic boom. More growth is occurring, and, as a result, perhaps the sweetest result for most people's ears, is that now in Utah jobs are plentiful. People can find work in Utah, whereas as recently as a dozen years ago, it was very tough to find a job. But as the economy grows, jobs are available and everyone can earn more, keeping more.

I will talk again about my own experience in Utah. In our company, which was an S corporation—I know a lot of people turn off because this sounds technical—but an S corporation is simply, for tax purposes, a corporation where the earnings are allowed to flow through to the tax returns of the owners. So the corporation does not pay any tax. The whole earnings of the corporation are added on to the individual tax returns of the owners. The owners pay the taxes.

When we had a corporation like that in Utah, we were paying a top tax rate of 28 percent during the 1980's. Today, that tax rate, as a result of the tax in-

creases that have occurred, is 42 percent, a 50 percent increase, Mr. President, that occurred over a period of just 3 years. So even though we may have been earning more, we were not able to keep even as much as we had been earning. We were not able to keep that which was coming in to our company, and our activity, with the taxes going up, as I say, from 28 percent to 42 percent.

Why is it important if we are earning more to keep more? Back in the days when we could keep all but 28 percent of that, we could do more. We were able to create jobs. The particular company that I was involved with, when I became involved, had just four employees. We were creating jobs for four people. I was the fifth one hired and put on the payroll.

Today that company employs close to 3,000 people. We earned more because we were in a growth industry. We were able to keep more because the tax rate was at 28 percent. We were able to do more with the money that we kept in the form of creating job security and a better lifestyle for nearly 3,000 people, new jobs created that did not exist before.

One point I think we need to understand very clearly as we talk about the jobs that were created during the Reagan years—President Clinton talks about the jobs that have been created during his administration—we must understand that the Federal Government does not create a single job. No government does. The only government jobs that are there are those jobs that are created to be paid for with somebody else's taxes. All of the new jobs that represent earning more and growth come out of the private sector.

All the Federal Government can do is create an atmosphere in which that growth can take place. It cannot, by passing a law, create a job, unless, as I said, it takes somebody's tax money to create a job. Your salary, Mr. President, my salary, the salary of everyone here comes out of somebody else's taxes. All Government jobs do.

So the Government should focus on creating an environment, an atmosphere, where the entrepreneurial energy of private Americans can create growth. Then the Government should say, "Let's look at our own expenditures to hold down the spending on the Government side so that those who are creating the jobs, allowing people to earn more, are allowed to keep more of that which they create." If we do that, we know from experience they will then do more with the money they are allowed to keep that will benefit the economy and all Americans as a whole.

But what it really comes down to, Mr. President, is this. It is a question of trust. Does the Government trust its citizens to go out in the economy and take care of their own problems? Does the Government trust its citizens to hang on to the money that they earn and make their own decisions with it? Does the Government trust its citizens

to take the kinds of actions that will cause the economy as a whole to grow and create prosperity for all of us?

I am one who does trust the American people. I am one who thinks we need to roll back the tax increases that have occurred, allow people to keep more of their hard-earned money. I believe when we do that we will see the threefold result I have been talking about here, Mr. President. People will be able to earn more—if they are allowed to keep more, they can then do more.

I call upon all of us to support policies that move in that direction. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GORTON). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. SNOWE). Without objection, it is so ordered.

#### IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

The Senate continued with the consideration of the bill.

##### AMENDMENT NO. 3759

Mr. GRAHAM. Madam President, I see my friend and colleague, the Senator from Ohio, is on the floor. I assume, for purposes of offering his amendment. Before he commences I would like to take a few moments to comment on some statements that have been made about the amendment which I offered earlier and which will be the first amendment that will be voted on at 2:40 this afternoon. This amendment is about unfunded mandates.

It is about the reality that the legislation before us represents a staggering transfer of administrative costs and cost shift of programs from the Federal Government to the States and local communities in which legal aliens are resident.

The National Conference of State Legislatures, in examining just 10 of the literally scores of programs that will be covered by this act, has found that the cost to the States in those 10 programs is \$744 million per year. The total cost could be into the billions.

The amendment that I have offered is a modest attempt to deal with that. It basically says, first, that if a Federal agency, State, or local government can make a determination that the cost savings of following the procedures of S. 1664 are less than the costs to administer the program, it would not be necessary to implement the program. We have done exactly this in a very analogous program called the SAVE Program, which is an employer verification program in which there is the capacity to waive out of the SAVE Program if it can be demonstrated that

the benefits do not equal the costs of the program.

Assume, Madam President, that the issue were reversed. Would we affirmatively vote to say to a State, to a local community, that you must administer this federally mandated program even if the cost of administration can be shown to exceed the savings or the benefits of the program itself? I think not. And so our amendment would create such an opportunity.

I might just add one final point. We are requiring exactly the same administrative structure in a community such as Topeka, KS, as we are in Tampa, FL, although the number of legal aliens in Tampa, FL, probably substantially exceeds those in Topeka, KS. There should be some capability to adjust the level of burden to the reality of the circumstance in that particular community.

Second is the provision that if the Federal Government thinks this is such a good idea, then the Federal Government ought to pay for it. I thought that was the fundamental premise behind the unfunded mandate program that we passed as S. 1, as one of the first acts of the 104th Congress. I used the phrase "deadbeat dad" to describe what the Federal Government is about to do here. The Federal Government is about to say: "We are going to put all of our reliance on the sponsor, but incidentally, if, in fact, the sponsor does not come through with the health care financing or the other sources of financing that will be necessary to maintain this legal alien, we, the Federal Government, are off the hook. It is now going to be up to the local community to pay those hospital costs for that legal alien or to pay the cost of prenatal care for the pregnant legal alien, poor woman."

I think the phrase "deadbeat dad" properly describes what the Federal Government is trying to do: to shift an obligation to States and communities. If we think this is such a good idea and if we are faithful to our constitutional responsibility as the only level of Government that has jurisdiction over immigration, we ought to pay those costs, not ask the local government to do so.

Finally, in this amendment we recognize the fact that there are unusual emergency circumstances. We had one of those in my State in late August 1992 with Hurricane Andrew. I was there. I saw what happened as the emergency and disaster preparedness and response teams attempted to deal with an enormous natural disaster. The very idea of having to subject people who had seen their homes, their documents, their jobs, their lives wrecked by this hurricane, to then have to go through a tedious verification process to determine what their status was and what the income of a sponsor who may well have just been subjected to the same thing that they were, puts the public health at risk. If you cannot vaccinate people against a potential outbreak of typhoid after a natural disaster

until you have gone through the bureaucratic steps of verification, just pure common sense tells you there has to be some capability to waive these in an emergency situation. This amendment provides that opportunity.

I believe this is a prudent amendment. Members of this Congress, Members of this Senate, who wish to deal effectively with the issue of illegal immigration should not have that tide of passion and emotion erase our basic sense of common sense and fairness and rational justice to preclude a community from making a judgment as to the cost-benefit analysis of implementing these programs to avoid the Federal Government assuming its responsibility to pay as well as it imposes new responsibilities and to be able to respond to unexpected emergency situations. That is the essence of the amendment which is before us, Madam President. I urge my colleagues at 2:40 to support it.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. May I inquire as to the pending business?

The PRESIDING OFFICER. The pending question is amendment 3759 offered by the Senator from Florida.

Mr. DEWINE. I ask unanimous consent to set aside for a moment the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### AMENDMENT NO. 3835 TO AMENDMENT NO. 3745

(Purpose: To make persecution for resistance to coercive population control policies a basis for the granting of asylum)

Mr. DEWINE. Madam President, I call up my amendment numbered 3835.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. DEWINE], for himself and Mr. ABRAHAM, proposes an amendment numbered 3835 to amendment No. 3745.

Mr. DEWINE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment to the instructions to the motion to recommit, insert the following new section:

The language on page 177, between lines 8 and 9, is deemed to have the following insertion:

##### "SEC. 197. PERSECUTION FOR RESISTANCE TO COERCIVE POPULATION CONTROL METHODS.

"Section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)) is amended by adding at the end the following: 'For purposes of determinations under this Act, a person who has been forced to abort a pregnancy, or to undergo such a procedure, or for other resistance to a coercive population control program, shall be deemed to have been persecuted on account of political opinion, and a person who has a well founded fear that he or she will be forced to undergo such a procedure or subjected to persecution for such failure, refusal, or resistance shall be deemed to have a well founded fear of persecution on account of political opinion.'"