

len and the Valley, you would have the opportunity to see one of the many international bridges in the area and view the pulse of traffic and commerce that is a feature of our daily life down in this part of the U.S.

Life in this border region is similar to the life of twins—one knows what the other is sensing and what the other needs. We need to continue efforts at building a legal and regulatory framework that allows for the development of more cooperation, more understanding, and increased mutual projects and efforts.

Thank you again, Madam Chairman and Commissioners, for giving me this opportunity to voice my belief in perpetual U.S. and Mexican friendship.

STAN EVANS LOOKS ASKANCE AT SALT II DECISION

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. COURTER. Mr. Speaker, the recent Presidential decision to extend U.S. compliance with the unratified and expired SALT II Treaty is emblematic of the many national security and foreign policy cross-currents that pull the Reagan administration in opposite directions. As the following article by M. Stanton Evans in *Human Events* illustrates, it is difficult to fathom what motivates the President "to take a hard line toward the lesser terrorist in Tripoli while seeking accommodation with the greater one in Moscow."

The answer, of course, is that various factions in the administration's national security apparatus jockey for ascendancy on each pressing issue, alternately standing firm or making strategic concessions, as each situation warrants. Unfortunately, the appearance is that of a Reagan administration "deeply divided against itself. The net result is incoherence—which cannot lead, and which no one can follow." I urge my colleagues to consider the full text of Stan Evans' thought-provoking piece.

The article follows:

[From *Human Events*, May 3, 1986]

SALT II DECISION SIGNALS INCOHERENCE

(By M. Stanton Evans)

Just when it seems the Reagan Administration has got its act together and charted a sensible course in defense and foreign policy, it invariably reverses itself once more and heads off in the opposite direction.

The latest case of apparent resolve diffused into a blur of indecision is the tough line staked out by Mr. Reagan in striking back at Libya's Qaddafi. Whatever else might be said about this episode, it was a clear example of decisive leadership in action. And, despite the protests of the Third World and the Europeans, there is evidence that this leadership has had beneficial impact on the alliance we are supposed to head.

Comes now, however, the inevitable reversal—a determination by the Reagan planners to continue abiding by the unratified SALT II agreement. The reason for this is to go yet another "extra mile" in trying to persuade the Soviets of our *bona fides* in the realm of arms control. The ironies involved in this endeavor—and the negative signals imparted in terms of leadership—are almost too numerous to mention. Among the more obvious:

Continued attempts to seek detente with Moscow go directly contrary to the tough line on Qaddafi. The Soviets and the East bloc generally are his foremost backers. Libya is stuffed with Soviet weapons and advisors. The head of its secret police is an East German. The Soviets are also behind such terrorist as Syria, Cuba, Nicaragua and the African National Congress, shot down an unarmed passenger liner, are savaging Afghanistan, etc. What sense does it make to take a hard line toward the lesser terrorist in Tripoli while seeking accommodation with the greater one in Moscow?

Quite apart from the terrorism question, the SALT decision is irrational on the face of it. The treaty was rejected by the U.S. Senate in 1979 and has never been ratified. If it had been ratified, it would have by now expired. President Reagan said in 1980 that it was "fatally flawed," and shouldn't be adopted. His Administration now says the Soviets are violating it, along with numerous other arms accords. Why, in view of all of this, should we abide by it?

In the matter of Soviet violations, the Reagan regime has recently issued a report detailing the numerous transgressions of the Soviets and asserting that "for one side (the United States) to adhere and for the other side (the Soviet Union) not to adhere does not constitute real arms control at all. Rather, it constitutes a dangerous form of bilateral disarmament in the guise of bilateral arms control." Exactly so. But if the Reagan Administration keeps adhering to SALT II despite the Soviets' violations, what incentive do they have to change?

The Administration has talked at length about the need to refurbish our defenses, and about the shortage of necessary funds to get the job done. Yet in order to abide by the SALT II limits, we have already dismantled one Poseidon submarine and are now scheduled to dismantle two more. These subs cost hundreds of millions of dollars to build, and still more millions to destroy. If our defenses are really in such disrepair, can we afford to be dismantling perfectly usable weapons in this fashion?

Reagan spokesmen and numerous people in Congress have lamented the vulnerability of our land-based missiles, leading to endless wrangles over the MX-Peacekeeper program and a "basing mode" that would protect it from Soviet first strike. It is generally agreed that our submarine-borne missiles are more "survivable" than our land-based ones, since they are harder to find. Why should we be taking such missiles out of service even as we bewail the growing problem of vulnerability?

The centerpiece of the Reagan doctrine in matters pertaining to nuclear deterrence is the Strategic Defense Initiative, which would protect us from a Soviet missile attack and repudiate the folly of "mutual assured destruction." But if SDI is ever to become reality, the United States will have to get out of the ABM treaty of 1972, which forbids the deployment of missile defenses. Our unwillingness to abandon SALT II, which has never been ratified, makes it most unlikely that we would have the fortitude to break out of an accord that is still extant and binding.

There are more such paradoxes that could be cited, but none of these, as important as they are, is as significant as the central message of SALT II adherence by this Administration. The Reagan regime, in terms of policy and personnel, is deeply divided against itself. The net result is incoherence—which cannot lead, and which no one can follow.

NEW YORK LAW PROHIBITS CONTRACTS WITH FIRMS EN- FORCING APARTHEID

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. OWENS. Mr. Speaker, New York City is having a problem with the U.S. Department of Transportation. The Department of Transportation insists that Federal highway funds be conserved by awarding contracts to the lowest responsible bidder. New York City, however, insists upon applying local law 19 which prohibits contracts between New York City and firms which supply South African agencies which enforce apartheid and firms which use products from South Africa.

The Department of Transportation, in an April 22, 1986, letter signed by Jim J. Marquez, general counsel, counters that this is merely a problem of preemption when there is a conflict between local and Federal law. The letter notes,

Indeed, as a matter of the policy of this administration, President Reagan has issued two Executive orders to limit dealings with South Africa, saying that apartheid "is wrong and we condemn it."

However, when we are discussing the bottom line, the administration's policy is to preach virtue and practice sin.

This body must come to grips with the difficult problems which flow from a condemnation of apartheid. I have not heard any of our colleagues get up on this floor and proclaim the virtues of apartheid. There is universal disgust with this appalling system. Yet, one finds hesitation when it comes down to deciding on what actions can be taken. Apartheid is an evil force. It must end. Its supporters do not merit any support from the American Government, State and local government, or our private sector. There may be costs to this position—we may be asked to put some money on the line. However, that is little compared to what the oppressed majority in South Africa is being asked to bear. No one is coming after us with guns, tear gas, or metal whips. We are not being summarily arrested and subjected to the most horrendous physical and mental abuse. We are not being asked to bleed. We are being asked to accept minimal financial costs to support the fight against the evil of apartheid.

The administration may take any position that it wishes. It can condemn apartheid in any forum that it chooses, including through Executive orders. However, condemnation, stinging though it may be, is simply a series of words strung together which may not be worth the breath taken to utter them or the paper to write them down. Apartheid is a monumental evil which can only be defeated by the concerted efforts of men and women of good will who as individuals and whole societies take the necessary action to cut off its lifeblood.

New York City has taken a stand similar to that of other localities and States. That stand incurs costs. New York accepts those costs even though they bring a certain amount of pain. Why, if this administration is opposed to apartheid does it resist putting its money where its mouth is and begin to accept the costs of standing up for principle? Talk is

cheap. Principles cost money, time, and effort. I am opposed to apartheid and I am appalled that my tax dollars, and that is what we are talking about, are being used to support that evil. That the Department of Transportation would dare to cite the administration's opposition to apartheid while ordering that Federal funds be used to support it is almost beyond belief. It is for that reason that I have appended the letter from Mr. Marquez so that all of my colleagues will be fully aware of its despicable contents.

The letter follows:

U.S. DEPARTMENT OF TRANSPORTATION,
Washington, DC, April 22, 1986.

HON. EDWARD I. KOCH,
Mayor of New York City,
New York City, NY.

DEAR MAYOR KOCH: Secretary Dole has asked me to respond to your recent correspondence and telephone conversation requesting our review of a decision by the Director of the Office of Highway Operations, Federal Highway Administration (FHWA), concerning the inclusion by New York City of anti-apartheid provisions in Federal-aid contracts.

FHWA has determined that these special anti-apartheid contract provisions required by New York City Local Law 19 could result in situations where City contracts using Federal-aid funds are awarded to other than the lowest responsible bidder. In these circumstances, such awards would violate provisions of Title 23, United States Code, and implementing regulations thereto in Title 23, Code of Federal Regulations. As you are aware, Federal contracting procedures are designed to assure maximum competition, except where Congress has explicitly directed otherwise. Congress has not provided any exception to this general rule based on a company's doing business with South Africa.

Please be assured that we are sympathetic to the City's concerns with South African apartheid policies and its efforts to ensure that public monies do not further such policies. Indeed, as a matter of the policy of this Administration, President Reagan has issued two Executive Orders to limit dealings with South Africa, saying that apartheid "is wrong and we condemn it." However, the issue we are faced with here is not the Administration's position on the City's anti-apartheid policies, but rather the conflict between current local and Federal laws. It is also important to point out that the issue here concerning a conflict between Federal and local laws is not unique. The Department, in recent years, has also addressed conflicts between Federal requirements and local ordinances that limit competition by restricting awards to local contractors or imposing residency requirements.

As you know, members of my staff recently met with City officials and have had numerous additional conversations on this issue. We have given serious consideration to your views and the possible impact to scheduled Federal-aid highway projects in the City, although I remain concerned about the legality of these special provisions for use in Federal-aid contracts. Despite your assurances that these anti-apartheid provisions may not deter potential bidders from submitting bids on City contracts, they do appear to conflict with requirements for competitive bidding as set forth in 23 U.S.C. § 112 and 23 CFR §§ 635.108(a) and 635.111.

Since a number of Federal agencies provide financial assistance to New York City, this is not an issue that is limited to the Department of Transportation and its particular implementing laws and regulations. We

have, therefore, asked the Department of Justice for its views on the applicability of Local Law 19 not only to the Federal-aid highway program but to other Federal assistance programs so as to provide consistent legal interpretation of applicable Federal law. I have asked that the Justice Department expedite its review of this matter.

Pending Department of Justice review, I believe that the application of provisions of New York State Constitutional and Highway Law may also prevent Local Law 19 from applying to Federal-aid highway contracts. We have discussed in detail with your staff how these provisions might operate in the current situation. I strongly encourage you and your legal staff to explore further this issue. Should you desire to proceed immediately with pending contracts, you might discuss with the New York State Department of Transportation (NYDOT) the possibility of its administering these contracts. Since contracts administered by NYDOT are not subject to Local Law 19, this procedure could lead to expeditious processing of these contracts.

I look forward to a mutually satisfactory resolution of this issue.

Sincerely,

JIM J. MARQUEZ,
General Counsel.

WHAT AMERICA MEANS TO ME

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. BORSKI. Mr. Speaker, I rise today to share with my colleagues the award-winning themes of four students from the Philadelphia area. They recently participated in an essay contest sponsored by the Philadelphia Irish Society, entitled "What America Means to Me." In all, more than 30,000 students submitted entries in the competition. The four winners have captured a special sense of America in their compositions and I urge my colleagues to read them. With young people like these, we can feel secure in the knowledge that our future is in good hands.

WHAT AMERICA MEANS TO ME

(By Caroline Ann Johnson)

America, America, I love you
Your flag waves the colors of red, white and blue.

America is wonderful and looks great too
And all the people who live here love you.

Your mountains stand very high
They reach out and almost touch the sky.

Your trees and forests are beautiful and green
Refreshed by the water from your sparkling streams.

The people of America take pride in all they do
They love the land they live in and all their neighbors too.

And so, that is why, America, I love you!

WHAT AMERICA MEANS TO ME

(By Florentine Marie Mason)

As I was walking across the schoolyard one beautiful afternoon, I heard a voice near the flagpole. "Good afternoon, America."

"Who said that?" I yelled, looking around very frightened!

"Up here, at the top of the flagpole," said the voice.

Looking up, all I saw was the American flag.

"Yes me your flag, I salute you America!"

"I am not America, I'm Tina," I said.

"No, you are America," the flag called back.

"I can't be America," I said, "America is made up of cities and towns, big mountains and wide rivers."

"You're wrong," said the flag. "America is you and your family and friends. People like your father and grandfather who went into the service to fight for freedom. People like your mother and grandmother who helped strangers and the people in need when they were asked. People like your priests and sisters at your church and schools, who taught you that this is One Nation, Under God. It is the people that is America."

"But all countries have people," I said.

"That's true," said the flag, "but not all people in different countries are willing to die to keep their freedom like the American people have! You can go to church without any one stopping you. Is that because your country said so? No, it is because you said so 200 years ago, and continue to demand freedom even today."

I called back, "My teachers have taught us to salute and respect you, the American flag, but you are saluting me. Why?"

"Because when you salute and honor me, you are really honoring yourself and the American people because without you Tina, I am nothing by colored cloth."

With you, I am your symbol of freedom, your emblem of truth, love and hope for all peoples who look to America for strength."

Feeling very proud, I called up to our flag saying, "From now on, when I salute you, the American flag, I'll remember who I am honoring, the people of America, because America is her people."

WHAT AMERICA MEANS TO ME

(By Toni Lee Cavanagh)

The United States of America represents 210 years of the fusing of numerous diverse ancestries. Collaborating the brilliance of countless nationalities with the determination of one human race, a truly extraordinary nation was built. It is almost impossible to fathom the overwhelming sense of brotherhood our beautiful country, America, possesses and exudes.

The 1800's saw the immigration of peoples from all over the world. Among these immigrants were my ancestors, proud and brave Irishmen. Scores of hopeful men, women, and children voyaged to America from their homelands in pursuit of a happier, more productive existence in the New World. Free of religious oppression and a stifling economic environment, the Irish were able to thrive in the United States of America.

I am proud to be an American just as I am proud to be an Irishman. America is much more than just a great nation. America is a strong union of people working together in a continuous effort to improve itself. Innumerable ethnic groups played an essential role in America's success story. The intrinsic factor in America's triumphs was and is the people's willingness to work together.

For hundreds of years differences have been cast aside to allow negotiations between America and foreign countries in order to cultivate friendships. Similarly, immigrants from all over the world made an incredible effort to avoid dissension within infant America. Having the foresight to see what a grand nation was in the making, men became devoted to seeing this blueprint become a reality. Language barriers, social and political differences, and many other obstacles were overcome in order to create