The following resolution has been entered in the House of Representatives by Congressman Charles Rangel of New York. It is HR 606:

'Whereas section 502B of the Foreign Assistance Act of 1961 specifically prohibits the issuance of licenses for the export of crime control equipment to any country whose government engages in a consistent pattern of gross violations of internationally recognized human rights unless the President certifies in writing to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee that extraordinary circumstances exist warranting the issuance of such licenses;

'Whereas South African has been internationally condemned as a systematic violator of fundamental human rights; and

'Whereas in April 1982 the Secretary of Commerce granted a license for the export of 2,500 shock batons to South Africa without notifying either the Speaker of the House or the Chairman of the Senate Foreign Relations Committee; Now, therefore, be it

'Resolved, That the House of Representatives condemns the Department of Commerce for its clear contravention of the letter and the spirit of the law, and expresses its horror that a license was approved for the export of shock batons to South Africa.'

This is an excellent time to press for support of this House action - while your Congresspersons and their opponents are campaigning for the November elections.

Stress not only passage of this bill, but for sterner and repeated legislation that would limit and reverse the ever growing closeness and cooperation between the USA and South Africa which the Reagan administration is actively engaged in.

See your Representatives personally - attend all campaign debates - make incumbent and hopeful alike declare themselves on the issue of South Africa.

Write your Representatives at their home offices, or at -

House of Representatives, Washington, DC 20515
Policy Clash Develops on Shock Batons

By Richard M. Weintraub
Washington Post Staff Writer

A heated policy clash has developed between the State and Commerce departments over the foreign-policy implications of trade issues. The dispute was sparked by questions over the government’s approval of the sale of electric-shock police batons to South Korea and South Africa.

The South Korean government has canceled its order for 500 of the batons, but a high-level review of this country’s export approval procedures is under way, fueled by the revelation that the Commerce Department approved the sale of 2,500 batons to South Africa in April without consulting the State Department.

The issue highlights one of those gray areas of government policy making where different agencies can have different goals. The Commerce Department is supposed to encourage sales abroad and, under the Export Control Act of 1979, it has the authority to grant licenses for the sale of certain items. In cases where there are foreign-policy implications to a proposed sale, however, Commerce is supposed to consult the State Department.

Commerce has the final authority to approve export licenses, but these cases have prompted Congress to set hearings to review the process.

The batons are about the same size as a police nightstick, and give a non-lethal but painful shock. Human rights advocates say they often are used for torture or indiscriminately in crowd-control situations. Similar devices are used as cattle prods.

In the South Korean case, Commerce had sought the views of State. Although State objected, citing continuing questionable human rights practices by the South Korean government, Commerce approved it.

When protests developed, the license was put on hold. On Monday the South Koreans canceled the sale.

However, in the South African case, Commerce did not consult State. Paula Kuzmich of State’s Human Rights Bureau said that, if State had been consulted, “We would have recommended denial. Through administrative inadvertence, the State Department was not asked for a recommendation.”

Officials familiar with the case say a lower-level Commerce Department employee simply approved the sale without recognizing the foreign-policy implications and that it was not caught at the policy-review level.

Revelation of the sale comes at an embarrassing time for the administration, when it is trying to get the support of black African states for a settlement of the Namibian issue, the centerpiece of U.S. Africa policy under President Reagan.

“This will only feed growing perceptions throughout Africa and the world of the willingness of the United States to enter into a new accommodation with South Africa,” Rep. Howard Wolpe (D-Mich.), chairman of the House Foreign Affairs subcommittee on Africa, said of the sale.

The State Department has embarked on what it calls a policy of constructive engagement toward the South African government, but the department’s latest human rights report on South Africa makes it clear that that nation’s apartheid policies continue to deprive blacks of basic human rights.

Wolpe wrote Commerce Secretary Malcolm Baldrige Monday, asking for a full explanation of the sale to South Africa, and is in the process of scheduling hearings, which very likely could cover broader issues of export administration policy.

The Korean sale also prompted a protest from Congress in the form of a letter signed by 19 members of the House criticizing the granting of the license as “clearly proscribed by . . . the Foreign Assistance Act.”

“... Our security can hardly be aided by an act which increases anti-American attitudes of the people of Korea who struggle for democratic reform,” the letter said.

Commerce Department officials have cited an earlier State Department approval of a sale of shock batons to South Korea in September, 1981, as a precedent for their decision, but it remains unclear why State’s foreign-policy objections were rejected in the latest case.