COMPREHENSIVE SANCTIONS PASSED BY THE FOREIGN AFFAIRS COMMITTEE:
HR 1580 WILL GO TO THE HOUSE FLOOR
WITH STRENGTHENING AMENDMENTS

On April 20, 1988, the House Africa Subcommittee and the House International Economic Policy and Trade Subcommittee (IEPT) held a joint session to "mark-up" HR 1580, the comprehensive sanctions bill introduced by Congressman Ron Dellums of California. "Mark-up" is when a Congressional committee considers a bill, makes amendments, and then votes whether to send it to the next stage of the legislative process -- either to another committee or to the floor for a vote. The Africa and IEPT Subcommittees approved several strengthening amendments to HR 1580. On May 3, the Foreign Affairs Committee marked-up HR 1580 with four additional amendments, and voted 27-14 to send the bill to the floor. The full House of Representatives may vote on HR 1580 before Memorial Day, or in early to mid-June.

The amended version of HR 1580 includes the following important provisions:

1. **Mandatory disinvestment** of all U.S. companies and assets in South Africa.
2. **Prohibition on all imports from and exports to South Africa**, with the exception of strategic minerals. Strategic minerals can only be exempted if the President certifies that they are "essential for the economy or defense of the United States", and "are not available from alternative reliable suppliers".
3. **Ban on all loans, extensions of credit, and short-term trade financing**.
4. **Multinational companies** that invest in South Africa or export petroleum products to South Africa will not be allowed U.S. federal oil, coal, and natural gas leases or permits. (This provision is based on HR 3317, introduced by Congressman Rob Wise of West Virginia). Furthermore, petroleum products may not be transported to South Africa on U.S. registered ships.
5. **Prohibition on all military and intelligence cooperation with South Africa**. Under this provision, the President is directed to close South African military attaché offices in the U.S. and to withdraw U.S. military attaches from South Africa. (This provision is based on HR 2443, introduced by Congressman Bill Gray of Pennsylvania).
6. The President is directed to work with our allies and trading partners to impose **multilateral sanctions** against South Africa, and to impose penalties against foreign companies that take significant commercial advantage of our sanctions.
7. **Establishment of the position of Coordinator of South Africa Sanctions** within the Department of State. This amendment addresses one of the weaknesses of the current sanctions law -- that there is no one person or agency responsible for its implementation.
8. One of the conditions for lifting sanctions will be the withdrawal of South African troops from illegally-occupied Namibia, and the implementation of UN Resolution 435 for the independence of Namibia.
9. There are three non-binding "sense of the Congress" provisions included in the bill. The first calls on the President to investigate whether the DeBeers diamond cartel violates U.S. anti-trust laws, and whether it would be feasible to identify diamonds by their country of origin when they enter the U.S. The second calls for a study of measures to reduce South Africa's foreign exchange earnings from gold. The third calls on the President to close two of the U.S. consulates in South Africa, to close the South African honorary consulate offices in the United States, and to prevent the South Africans from expanding their embassy staff.
10. The Secretary of State is directed to do a **study of South Africa's involvement in international terrorism**. This could be an important first step toward having South Africa added to the list of countries that sponsor international terrorism.

**Weaknesses:**
Several weakening amendments to the bill were proposed, but most were rejected and HR 1580 remains very strong. At subcommittee mark-up, an objectionable provision was passed, concerning aid for "disadvantaged South Africans". Under this section, Congress is authorized to spend up to $40 million on "economic support" programs such as scholarships, "assistance to promote the participation of disadvantaged South Africans in trade unions and private enterprise, alternative education and community development..." $4 million of this money was set aside for South African and Namibian refugees. **Most anti-apartheid groups in South Africa are opposed to U.S. aid inside South Africa because of the possibility that it will be used to "soften" apartheid instead of ending it completely.** It would be better to use U.S. aid money to support existing UN programs for South African and Namibian refugees, or to assist the Frontline states.

At the full Foreign Affairs Committee mark-up, three weakening amendments were added. The first, offered by Rep. Doug Bereuter (R-NE), exempts U.S. agricultural exports from the trade ban. Historically, the U.S. only sells about $150 million worth of agricultural goods to South Africa per year, and generally only in times of drought. However, the Bereuter amendment is potentially a very large loophole in the trade embargo. The second amendment, offered by Reps. Jim Leach (R-Iowa) and John Miller (R-WA), exempts imports from wholly-owned black South African businesses. Such businesses could potentially be used as fronts for sanctions-busting operations.

One of the most objectionable amendments was offered by Rep. Gerald Solomon (R-NY). **The Solomon amendment will prevent any of the $4 million set aside for South African and Namibian refugee assistance from being used in ANC or SWAPO controlled or administered areas (such as refugee camps), or from being channeled through the ANC, SWAPO, or "any group or individual affiliated with the ANC or SWAPO".** This is an unreasonable, sweeping attack on the liberation movements. The ANC and SWAPO provide educational and medical services to South Africans and Namibians who have fled the oppressive situation in their countries. U.S. refusal to work with the liberation movements in refugee assistance will greatly hinder the usefulness of this aid.

**Status:**
HR 1580 with the amendments listed above was approved 27-14 by Foreign Affairs Committee. All Democrats present voted yes. Four Republicans voted yes: Benjamin Gilman (R-NY), Jim Leach (R-Iowa), Chris Smith (R-NJ) and John Miller (R-WA).

The Washington Office on Africa strongly supports the amended version of HR 1580. Despite the weakening amendments, HR 1580 is the strongest anti-apartheid measure to ever come from our Congress. We will work to defeat the most serious of the objectionable amendments when the bill reaches the floor. **Members of Congress should be urged to vote for the bill, and to oppose any further weakening amendments. They should also be encouraged to support moves to delete the existing weakening amendments, especially the Solomon amendment, on the House floor.**