Bills

H.R. 5796
Referred to Ways and Means Committee

The bill amends section 901 of the Internal Revenue Code of 1954 to deny credit or deductions for taxes paid or accrued to South Africa:

"... no credit shall be allowed under subsection (a) for any income, war profits, or excess profits taxes paid or accrued during the taxable year to the Republic of South Africa. No deduction shall be allowed under this title with respect to any such taxes."

The bill would become effective "after the date of the enactment of this Act in taxable years ending after such date."

H.R. 9102
Introduced by Rep. Charles Rangel September 14, 1977
Referred to International Relations Committee

The bill amends Section 515 of the Foreign Assistance Act of 1961 to prohibit assignment of U.S. military personnel to South Africa:

"Members of the Armed Forces of the United States may not be assigned or detailed to the Republic of South Africa to perform functions under this section, under any other section of this Act, under the Arms Export Control Act, or under any other provision of law (including any provision of law relating to defense attaches)."

H.R. 9103
Introduced by Rep. Charles Rangel September 14, 1977
Referred to International Relations Committee

The bill would tighten the arms embargo against South Africa in several ways. (It is not yet clear whether this part of the bill goes further than the provisions of the mandatory arms embargo for which the U.S. voted in the Security Council on November 4, 1977.) The bill would also prohibit the transfer of nuclear material to South Africa.

Section 1(a) amends the Arms Export Control Act to prohibit the sale to South Africa of articles under Section 21 (Sales from Stocks) or Section 22 (Procurement for Cash Sales). Foreign Military Sales to South Africa under these sections have totalled $3,148,926 from 1963-73. But there have been no significant sales (valued at over $1500) since 1969.

Section 1(b) prohibits financing of sales under Section 23 (Credit Sales) or Section 24 (Guarantees). This would not appear to change the current situation, since all previous sales have been for cash.

Section 1(c) prohibits the issuing of licenses for commercial sales under Section 38. Available data for 1974-76 shows that commercial sales to South Africa, mostly of spare parts for aircraft and vehicles sold before the arms embargo, totalled $4,400,000.

Section 2 prohibits the export under the Export Administration Act of 1969 of any material, including technical data, to South Africa that "would be to or for the armed forces, any law enforcement or internal
security purposes." This language is directed mainly at dual-purpose goods, especially aircraft, which have been sold in the "grey areas" of the arms embargo.

Section 3 amends the Atomic Energy Act of 1954 to prohibit any license "for the export to or distribution within the Republic of South Africa of any source material, special nuclear material, by-product material, production facility, utilization facility, or Restricted Data."

H.R. 9104  
Introduced by Rep. Charles Rangel  
Referred to Ways and Means Committee  
September 14, 1977

The bill amends subpart C of part 2 of schedule 4 of the Tariff Schedules (19 U.S.C. 1202) to prohibit the importation of coal and uranium compounds, ore and metal from South Africa.

H.R. 9746  
Introduced by Rep. Andrew Maguire (D-N.J.)  
Referred to Banking, Finance and Urban Affairs Committee  
October 25, 1977

The bill amends section 2(B) of the Export-Import Bank Act of 1945 by adding:

"(7) In no event shall the Bank guarantee, insure or extend credit or participate in any extension of credit to the Republic of South Africa."

The intent of this legislation is to prohibit financing of exports to both private and public purchasers in South Africa.

H.R. 9754  
Introduced by Edward Markey (D-Mass.)  
Referred to Ways and Means Committee  
October 26, 1977

The bill amends Section 1307 of the Tariff Act of 1930 which prohibits the importation of goods made by "convict labor or/and forced labor or/and indentured labor under penal sanctions", by adding a new phrase as follows:

"or/and labor whose wages are differentiated on the basis of race."

It defines such labor as follows:

"all work or service which is exacted from any worker for which the worker is subject to a wage scale or job categorization system based in substantial part on the race of the worker."

Section 1307 as it now stands exempts goods made by forced labor, etc. if such goods cannot be produced in the United States in sufficient quantity to meet our "consumptive demands". The Markey bill substitutes the following less restrictive language:

"The above provision shall be applicable ... unless such goods ... are produced ... in such quantities in the United States as to meet the national security requirements of the United States."

Resolutions

H.J. Res. 338  
Introduced by Rep. Cardiss Collins (D-Ill.)  
March 22, 1977  
Referred to International Relations Committee  
(Also introduced as H.J. Res. 425,446, and 487, with over 25 sponsors.)

The resolution requires the President to "undertake immediately a comprehensive review" of shipments of weapons and related items to South Africa, and to take "appropriate steps to insure that such policies and
and practices are consistent with our obligations ... and are effective in preventing the shipment or transshipment ... of any weapons and related items which might contribute, directly or indirectly, to the maintenance of the system of apartheid."

It further requires the President to submit a report to Congress within sixty days on his findings, including an explanation of "extensive licensing of 'nonmilitary weapons'," and setting forth steps which will be taken to insure that the embargo on arms shipments to the Republic of South Africa is strictly and rigorously enforced.

H.J. Res. 379
Introduced by Rep. Cardiss Collins October 14, 1977
Referred to International Relations Committee

The resolution "urges the President (1) to adopt as a standard for American businesses operating in South Africa the entire code of conduct which was adopted earlier this year by the European Economic Community; and (2) to encourage the adoption of that code of conduct by the Organization of Economic Co-operation and Development."

The resolution calls attention to the fact that the six principles to which fifty-four American companies have agreed do not include "recognition of and bargaining with trade unions composed of black employees," although this principle is included in United States policy statements and in the code of conduct of the European Economic Community.

H.J. Res. 861
Referred jointly to Banking, Finance and Urban Affairs and International Relations Committees

The resolution requests the President to "(1) review those practices and policies of the United States Government which may provide encouragement for United States investment in or trade with South Africa; and (2) if the President concludes ... that the international trade and investment policies and practices of the United States Government are beneficial to the current Government of the Republic of South Africa, then he should consider what steps should be taken by the Congress and by the Executive Branch to end that support."

It calls attention to the facilitation of trade by the Export-Import Bank and the provision of information about economic conditions in South Africa by the Commerce Department and assignment of commercial attaches to South Africa.
ON NAMIBIA AND ZIMBABWE

Resolutions

H. Con. Res. 94
Referred to International Relations Committee
(also introduced as H. Con. Res. 176 with 16 co-sponsors.)

The resolution urges the United States to join the United Nations Council for Namibia, to endorse "Decree Number 1 - For the Protection of the National Resources of Namibia," and to support a finding by the Security Council that "the administration of Namibia by the Government of the Republic of South Africa is a threat to the peace under article 39 of Chapter VII of the Charter of the United Nations."

H. Con. Res. 356
Introduced by Rep. Charles Rangel September 41, 1977
Referred to International Relations Committee

The resolution expresses the sense of Congress "that the United States should support free elections in Namibia and Southern Rhodesia, such elections to be held initially under the supervision and control of the United Nations in order to insure that all residents of those countries are eligible to vote on a basis of equality and without regard to political affiliation, race or sex."

H. Con. Res. 357
Introduced by Rep. Charles Rangel September 14, 1977
Referred to International Relations Committee

The resolution expresses the support of Congress for United Nations Security Council 385, which calls for elections to be held under United Nations "supervision and control", and for South Africa to immediately release all political prisoners, remove discriminatory legislation and accept U.N. elections, among other provisions.