Vote Prohibits Investment In South Africa

In a joint session between the Subcommittee on Africa and the Subcommittee on International Economic Policy and Trade on June 10 an unprecedented event occurred regarding U.S. policy toward South Africa. In separate votes the subcommittees voted to support two resolutions calling for greater restrictions on trade with South Africa including one bill prohibiting any new U.S. investments there. In the words of one Congressional aide, "It was a first. Never before has there been a vote coming out of the Subcommittees restricting U.S. corporate activity in South Africa."

The first resolution was H.R. 3597 introduced by William Gray (D-PA). Defining new investments as including any "loan or extension of credit" but not "an investment which consists of earnings derived from an existing enterprise in South Africa," Gray's bill prohibits new investments, calls for the establishment of mechanisms to monitor compliance, and outlines a series of civil and criminal penalties for violation of the law. The bill would go into effect within ninety days after its enactment into law.

The second resolution was introduced by Stephen Solarz (D-NY): H.R. 3008. While not as restrictive of corporate activity Solarz' bill addresses other aspects of the U.S.-South African connection. There are three major areas of focus: (1) The bill would require any U.S. individual or corporation conducting business or controlling enterprises in South Africa to abide by certain fair employment principles. Unlike the Sullivan Principles (fair employment and workplace codes for U.S. firms operating in South Africa put forth by Leon Sullivan in 1977) the proposed codes would be mandatory, enforced, and more explicit in their attempt to desegregate the workplace and provide equal opportunities and benefits for non-white workers. (2) H.R. 3008 also prohibits "any new loans by United States financial or lending institutions to the South African Government or to South African corporations" directly or through foreign subsidiaries. (3) Lastly, it prohibits the importation into the U.S. of kruggerrands or any other gold coin minted in South Africa. The krugerrand is a gold coin containing an ounce of pure gold. Through the commercial sale of these coins in the U.S. alone the South African Government has made billions of dollars in just the past for years.

In a separate action the same day the Subcommittee on International Economic Policy and Trade approved H.R. 6393, Jonathan Bingham's bill which reimposes 1981 export controls of U.S. goods sold to the South African military and police. (See LU 20 and 21 for an explanation of export controls.)

Conclusions: June 10 was a rare and hopeful day with these three very significant victories for anti-apartheid work. What follows in the words of Bill Gray is an "uphill fight." The next stop for these three resolutions is the House Foreign Affairs Committee; the date has not yet been determined. We strongly urge your support for and action on H.R. 3597, H.R. 3008, and H.R. 6393—the HFAC will be very difficult. These resolutions can mark a very positive and historical shift in U.S. policy toward South Africa.

Michel Blocks House Action On El Salvador

A great deal has happened in Congress over the last month regarding U.S. policy towards El Salvador which indicates that the honeymoon is over for the administration's policy since the March 28 elections. The most recent battle is the battle over the President's July 28 certification and whether or not there will be a second determination on the investigations into the murders of the six U.S. citizens murdered in El Salvador.

On June 22nd, the House Foreign Affairs Committee unanimously passed H.J.Res. 494, a bill introduced by Cong. Studds (D-MA) and Gilman (R-NY) which states that "The second certification required . . . may be made only if it includes a determination by the President that the Government of El Salvador (1) has made good faith efforts since the first such certification was made to investigate the murders of those six United States citizens and to bring to justice those responsible for those murders, and (2) has taken all reasonable steps to institute the disappearance of journalist John Sullivan in El Salvador in January 1981."

The resolution, which has strong bi-partisan support was expected to go immediately to the House floor and pass easily by voice vote before the House went into recess. However, as time was running out for action before recess, supporters of the bill decided to bring it to the floor, asking for "unanimous consent to suspend the rules." This is a fairly standard practice, used particularly with urgent or non-controversial bills, in order to cut down the time involved with being put on the calendar for Rules Committee action, defending the bill in front of the Rules Committee, getting a rule, being put on the floor calendar and then
waiting to come up on the floor of the House. No one expected any problems with H.J.Res. 494, including Gilman (R-NY), ranking minority of the House Subcommittee on Inter-American Affairs, Broomfield (R-MI), ranking minority of the House Foreign Affairs Committee or Roukema (R-NJ), who represents the congressional district in which John Sullivan resided. So what happened on June 23rd was a shock to everyone.

Cong. Barnes, Chairman of the Inter-American Affairs Subcommittee, was recognized on the House floor and asked for unanimous consent for the immediate consideration of H.J.Res. 494 in the House. It only takes one member of the House to object to scuttle any further talk or discussion: Rep. Michel (R-TL), Minority Leader of the House, objected. In anger and shock, Barnes and Roukema tried to convince Michel to change his mind to no avail. As the supporters of 494 tried to regroup and recover from Michel's maneuver and insult, other Republicans could be seen to surround Michel and try to convince him to change his mind. Many Republicans did not want to go home for recess carrying the impression that their party doesn't care about the investigations into the murdered Americans, that it was deliberately trying to block action on the cases.

Evidently, supporters of 494 thought they had brought the minority leadership around, because later the same afternoon, Zablocki (D-WI), Chairman of the House Foreign Affairs Committee, rose to ask unanimous consent once again. This time, Rep. Hartnett (R-SC) objected. The case was then closed for the day and the next afternoon, the House went into recess until July 12th. On July 12th, supporters of 494 will again try for unanimous consent to suspend the rules. If the Republican leadership again block this process, 494 will be forced to go through the whole process.

Speculation from supporters of 494 in both parties indicate that Michel would not have acted as he did without the consent and/or urging of the administration. Both the House and the Senate must pass H.J.Res. 494 and send it to the President to be signed into law between July 12 and July 27 for it to have any effect on the July 28th certification. Since time is the crucial element, Michel's maneuver might just have crippled the effort. However, if publicized enough, it might also politically backfire on the Republicans.

Other Happenings on the Hill: On May 26th, the House Subcommittee on Foreign Operations rejected the administration's request for $301.5 million for FY 82 Supplemental Foreign Military Aid (appropriations). This request included $35 million for El Salvador and $17 million for Honduras. Special leadership on this action goes to McNug (D-NY), Obey (D-WI), Long (D-MD). Conte (R-MA) also spoke out against further military aid to El Salvador. When the full House Appropriations Committee meets after the recess, it will be marking up all supplemental FY 82 appropriations bills. At that time, someone is bound to ask the full committee to overturn the subcommittee's decision. Swing votes on the full committee are: Alexander (D-AR), Addabbo (D-NY), Boggs (D-LA), Boland (D-MA), Chappell (D-FL), Dicks (D-WA), Hightower (D-TX), Murtha (D-PA), Campbell (R-SC), Coughlin (R-PA), Edwards (R-OK), Green (R-NY), Loeffler (R-TX), McDade (R-PA), Purcell (R-MI), Robinson (R-VA) and O'Brien (R-LT). Message: In a year of budget cuts, more foreign military aid is fiscally irresponsible. [Furthermore, we do not want to approve any more military aid to El Salvador and Honduras.] Uphold the subcommittee's decision to reject the administration's request for supplemental foreign military aid for FY 82.

Timeline for Action

July 2 - July 12: Senate in recess. Senators in home states.

July 19th:
Anniversary of the Nicaraguan revolution. For more information contact: National Nicaragua Network (202-223-2328).

July 28:
Second certification by President Reagan on human rights and reforms in El Salvador. Plan protests of this certification and demand an immediate response from elected officials.

August/early Sept.:
Six regional training workshops for organizers on "Creating a Presence on Central America" in the 1982 fall campaign will be held on weekends. While places, local hosts and dates were not all confirmed at the time of this printing, call the Coalition after July 1 for more information. (Tentative decisions look like Philadelphia, Boston, Raleigh, NC, Chicago, San Francisco, and one in the Pacific Northwest and one in the Southwest).

[We apologize for how late this LEGISLATIVE UPDATE is. We held up production when it looked like there might be a floor vote in mid-June on the foreign aid authorizations bill.]

The Coalition believes that U.S. foreign policy should be built upon the foundation of non-intervention, peaceful resolution of conflict and respect for the right of self-determination. We have launched the Campaign Against U.S. Intervention to help mobilize public opinion against the use of military force, actual or threatened, as a tool of our nation's foreign policy.