March 30, 1989

CURRENT AND PENDING SOUTHERN AFRICA LEGISLATION


This legislation was originally introduced on January 3rd in the House with over 45 co-sponsors. The measure now has over 100. The essence of this legislation is the same as H.R. 1580 as introduced in the 100th Congress. One notable change is the inclusion of the language originally introduced by Congressman Robert Wise (D-WV), which prohibits U.S. oil companies who sell to South Africa from bidding on any federal oil leases. Among other provisions, the Dellums bill contains a provision mandating the total disinvestment of all U.S. corporations from South Africa. It also contains a near total ban on all trade with South Africa.

H.R. 21 has been referred jointly to the Committees on Foreign Affairs, Armed Services, Banking, Finance and Urban Affairs, Energy and Commerce, Permanent Select Committee on Intelligence, Interior and Insular Affairs, Ways and Means and Rules. Note: H.R. 1580 was also referred to these Committees in the last Congress.

Presently, there is no date set for Hearings. The key aide in Congressman Dellums' office working on this legislation is Bob Brauer.

S. 507 was introduced in the Senate by Senator Paul Simon (D-IL) on March 3, 1989. The measure has been co-sponsored by Senators Cranston (D-CA), Kennedy (D-MA), Gore (D-TN), and Leahy (D-VT). The language is the same as H.R. 21 in the House.

Presently, there is no date set for hearings in the Senate Foreign Relations Committee, Africa Sub-Committee. Senator Simon is the Chairman of that Committee. However, the Senate will be holding confirmation hearings for the Bush Administration's nominee for Assistant Secretary of State

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for Africa, Henry (Hank) Cohen by the end of April. During those hearings, the questioning will include a review of the Bush Administration's proposed southern Africa policy, including official statements of the Administration's opposition to sanctions.

The key aide in Senator Simon's office working on S. 507 is Lenora Odeku.

**H.R. 636, the Leland bill to limit the influence and control of South Africans in United States business enterprises.**

This legislation was introduced on January 24, 1989. It is intended to prevent South African entities from owning controlling stock in any U.S. gold company. This legislation seeks to prevent South Africans from having control over any U.S. corporation or industry. In reality, it could affect Minorco (an Oppenheimer company) specifically if, as a result of this legislation, they are prevented from owning controlling interest in the U.S. gold mining business.

Presently, there is an important financial struggle around a hostile take-over bid from Minorco directed towards Consolidated Gold Mines, which owns 49% of Newmont Mining, the largest U.S. gold mining company. The Leland bill has a direct bearing on this complex issue. If a U.S. law limiting South African control in U.S. businesses is passed, Consolidated (due to its substantial stock in Newmont) may be able to avoid Minorco's take-over bid. However, it is important to note, that while Newmont has been trying to sell its operation in Namibia, it has raped and exploited that occupied territory for decades. In addition, Consolidated owns 38% of Gold Fields of South Africa, Ltd. So in actuality, both Minorco and Consolidated, have substantial roots in the apartheid gold mines. Recently the U.S. courts blocked Minorco's take-over bid.

Similar language from Congressman Leland was introduced in Fall, 1987 when financial magnate T. Boone Pickens was also making bids for Consolidated Gold Fields, Inc. Hearings were held at that time. However, the bill died in the 100th Congress without being attached to the Dellums sanctions package or voted out of Committee.

H.R. 636 has been referred to the House Committee on Energy
and Commerce. The measure has nine co-sponsors including Mr. Dellums, Chair of the Congressional Black Caucus.

No hearings have yet been scheduled. The principle staff person in Congressman Leland's office working on this measure is Leo Olivares.

**House Resolution 48**, introduced by Congressman Charles Rangel (D-NY), seeks to urge the government of South Africa to indicate its willingness to engage in meaningful political negotiations with that country's Black majority.

This legislation, introduced on January 5th by Congressman Rangel (D-NY), seeks to secure a sense of the House that the white government in Pretoria should begin talks with the Black majority. The Resolution calls for the South African government to begin negotiating.

H.Res. 48 has several co-sponsors, whose names were unavailable at the time this document was written. It has been referred to the Committee on Foreign Affairs and no hearings have yet been scheduled.

George Dalley is the Congressman's staff member working on this Resolution.

**House Concurrent Resolution 67**, introduced by Congressman Major Owens (D-NY) calls upon the President to grant asylum to those individuals who seek asylum in the U.S. rather than serve in the South African armed forces in support of apartheid.

This legislation, introduced on March 1st, addresses white South Africans who are refusing to serve in the apartheid army. In South Africa, conscription is mandatory for all young men. Each must serve two consecutive years, and can be called up for military "camps" (duty in the townships, Namibia/Southern Angola, or along the northern borders) for service as needed. The End Conscription Campaign (ECC), now under heavy banning restrictions, has led the charge of young an increasing minority of white South African draft resisters. Many of those deciding against military conscription are leaving South Africa to avoid service. Since they are convicted of draft dodging in their absence,
they become felons and could be possibly subject to extradition back to South Africa.

The measure has no co-sponsors at this time. It has been referred to the Committee on the Judiciary.