

House of Representatives

THURSDAY, AUGUST 11, 1988

SWEARING IN OF THE HONORABLE JERRY F. COSTELLO OF ILLINOIS AS A MEMBER OF THE HOUSE

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois, Mr. JERRY F. COSTELLO, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. COSTELLO appeared at the bar of the House and took the oath of office.

The SPEAKER. The gentleman from Illinois [Mr. COSTELLO] is now a Member of the U.S. House of Representatives.

RECOGNITION OF HON. JERRY F. COSTELLO AS A MEMBER OF THE HOUSE OF REPRESENTATIVES

Mr. YATES. Mr. Speaker, upon the death of our former beloved colleague, Mel Price, who served in this body so ably for 44 years, I became the dean of the Illinois delegation, and in that capacity it is my proud honor to present to this body the successor to the office of Member of Congress from the district so ably represented by Mel Price—our new colleague, JERRY COSTELLO, who has just been sworn in.

Mr. COSTELLO. Mr. Speaker, Members of the Illinois delegation, and Members of the House of Representatives, it is truly an honor to stand before you as a Member of this House today. I take that honor and that distinction, and I will go forward and try to serve the people of the 21st Congressional District of Illinois and the people of this Nation in the same tradition that they have been served so ably by Congressman Mel Price for the past 43 years.

In December of last year, I made a commitment to the people of the 21st District of Illinois and to the people of Illinois that I would work very hard and that I would try to accomplish the goals that Mel Price set out to accomplish and carry on the tradition of service to the people of the district and the people of this Nation. I take that pledge very seriously, and I renew that pledge to the Members of this House today.

I stand ready to go to work to fulfill that pledge. Thank you very much.

PROVIDING FOR CONSIDERATION OF H.R. 1580, ANTI-APARTHEID ACT AMENDMENTS OF 1988

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 519 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 519

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1480) to prohibit investments in, and certain other activities with respect to, South Africa, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text of the bill H.R. 5175 as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered as having been read, and all points of order against said substitute for failure to comply with the provision of clause 5(a) of rule XXI are hereby waived. No amendment to said substitute shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution, said amendments may only be offered by the Member designated, or his designee, and shall be considered as having been read. Each of said amendments shall be debated for the time specified in the report of the Committee on Rules, equally divided and controlled by the proponent and a Member opposed thereto. Each of said amendments shall not be subject to amendment except as specified in the report of the Committee on Rules or to a demand for a division of the question in the House or in the Committee of the Whole, and all points of order against the amendments are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto

to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. BROWN of California). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] for purposes of debate only, pending which I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, House Resolution 519 is a modified open rule providing for the consideration of H.R. 1580, the Anti-Apartheid Act Amendments of 1988.

The rule provides for 2 hours of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs.

The rule makes in order an amendment in the nature of a substitute consisting of the text of the bill H.R. 5175 as an original bill for the purpose of amendment under the 5-minute rule. The substitute is considered as having been read.

All points of order against the substitute for failure to comply with the provisions of clause 5(a) of rule XXI are hereby waived. This is the rule which prohibits appropriations in a legislative bill.

No amendment to the substitute is in order except for the amendments printed in the report of the Rules Committee accompanying this resolution. The amendments may be offered by the Member designated, or his designee, and shall be considered as having been read.

Each of the amendments shall be debatable for the time specified in the report, equally divided and controlled by the proponent and a Member opposed thereto. The report designated 30 minutes of debate time each for the amendments of the gentleman from Indiana [Mr. BURTON] and of the gentleman from Michigan [Mr. BROOMFIELD]. The report also provides 15 minutes of debate time for the amendment of the gentleman from Arizona [Mr. KYL].

Each of the amendments made in order by the rule shall not be subject to amendment except as specified in the report, or to a demand for a divi-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

sion of the question in the House or in the Committee of the Whole. Further, all points of order are waived against the amendments.

Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, the Anti-Apartheid Act amendments are a response to the human rights violations of the South African Government. The 1986 law, which this legislation amends, banned only new investments in South Africa. In view of the failure of the South African Government to make significant changes in the apartheid system, it is necessary to increase the economic pressure on that government. Therefore, this legislation requires the divestiture or withdrawal of current United States investments in South Africa and imposes a comprehensive ban on United States trade with that country.

In addition, this anti-apartheid measure requires the President to work for multilateral sanctions against South Africa. To put teeth in the multilateral approach, the legislation directs the President to take action against foreign companies that seek to take commercial advantage of United States sanctions against South Africa.

There is also an earmarking of foreign assistance funds for South Africans disadvantaged by apartheid.

The steps provided in this legislation against the South African Government are tough and strict. There are those who will endure hardships both in South Africa and in the United States as a result of these measures. Nevertheless, it is important for the United States to make it clear to the South African Government that its system of apartheid can no longer be tolerated by the nations of the world that profess to respect basic human rights and civil rights.

It is further essential that the people of South Africa who are the victims of apartheid understand that the people of the United States are in solidarity with them in their suffering and in their struggle.

Mr. Speaker, I would urge my colleagues to adopt this rule so that the House can move on to the consideration of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, I think we all share the goal of ending the policy of apartheid in South Africa. However, it is not so easy to agree on the specific provisions of legislation which will achieve that goal.

There are those who very much want to move toward equality in South Africa who do not favor the provisions of this bill. For example, the administration contends that this bill will impede rather than advance the goal of promoting further change

in South Africa. They point out that if the measures called for in H.R. 1580 are enacted, they would lead to increased unemployment of black South Africans and have a significant impact on the United States economy and American jobs without hastening the end of apartheid. It is argued that this proposed legislation would: First, cut off United States exports to South Africa worth \$1.13 billion in 1987; second, force American businesses to sell their nearly \$1 billion of direct investment in South Africa at fire-sale prices; and third, cost the United States industry about \$250 million.

Mr. Speaker, these are major changes in American foreign policy which we are being asked to enact here today. If we are going to make such an important policy change, then Members of this House should be able to consider a wide range of alternatives. This rule before us now falls short of that goal. Only three amendments are allowed to the bill. In the Rules Committee, I tried to amend the rule so as to allow at least a few additional amendments to be considered, but my efforts were turned down by those on the other side of the aisle.

Mr. Speaker, there are a number of serious well-thought-out proposals which this House will never have the opportunity to consider under this rule. It is a mistake to deny this body the opportunity to at least consider a reasonable number of alternatives.

Mr. Speaker, I cannot support a rule which provides such restrictions on the rights of the individual Members of this House.

Mr. Speaker, a number of Members from our side of the aisle are now in New Orleans. During the Rules Committee meeting I made a point at the suggestion of the gentleman from Illinois [Mr. HYDE] that this bill should be held over until after the recess so that all of our troops could be here, but that was denied. It seems to be a rush, rush, rush proposition, and when we get into that situation, nothing worthwhile ever results.

Mr. Speaker, we know that sanctions are not going to cure the ills of South Africa and the problems within the borders of that country. It has been proven that South Africans have not solved the problems as a result of the sanctions imposed. Recently great harm has come about and nothing has been achieved, and I predict that that is what will happen under the provisions of this measure.

Mr. Speaker, I urge the rule be defeated.

Mr. Speaker, I yield 7 minutes to the gentleman from Michigan [Mr. BROOMFIELD].

(Mr. BROOMFIELD asked and was given permission to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, here we go again. The political campaign is on. The Democrats don't have a foreign policy platform and they are trying to construct the Dukakis-Jack-

son platform right here on the House floor—plank by plank—but the lumber is rotten.

It is a shame that the timing and consideration of such an important foreign policy issue is fraught with such political overtones. Many of us have to wonder if the principal motivation to act on this bill is concern for the plight of black South Africans or an attempt to be responsive to the Dukakis-Jackson foreign policy.

Let there be no misunderstanding. Republicans find the racist system of apartheid an affront to human dignity. It is a policy that stands in direct contrast to the democratic values and human rights principles cherished by all Americans.

The U.S. Government must continue to clearly and categorically oppose apartheid and do all it can to encourage the elimination of this abhorrent system.

With that said, Mr. Speaker, I oppose this closed rule which prevents the House from having a full debate on this important issue.

People ought to know that the Delums economic warfare bill mandates complete and total United States disinvestment—further diminishing United States influence in South Africa.

People ought to know that if the bill is enacted, foreign interests—including the Japanese, Europeans, and even white South Africans—will reap an economic bonanza, because of our own stupidity.

The rule providing for consideration of this measure is highly restrictive, preventing many of our colleagues from offering important amendments to the bill, and continues a trend in this House to restrict fair and open debate of controversial issues.

We may disagree on the method the United States should use to fight racism in South Africa, but we should not support a rule that prevents Members from offering competing ideas.

But more than anything it is the matter of timing that calls for defeat of this rule.

In recent days, the administration has gotten to the edge of a major diplomatic breakthrough. Cuba, Angola, and South Africa—negotiating under the auspices of the United States—have announced agreement on principles governing South African withdrawal from Namibia and the departure of Cuban troops from Angola.

The Angolan-Namibian peace plan would represent a major foreign policy success for the United States. Namibia would be decolonized and its 1½ million residents freed from apartheid. Soviet and Cuban adventurism would be further restrained.

But the Democrat leadership of the House pay no heed to these crucial and sensitive developments.

Instead, it would prefer to snatch defeat from the jaws of victory in southern Africa and spoil a major for-

foreign policy triumph for the administration.

All over the world, in recent months the Reagan-Bush administration has scored one major success after another in foreign policy—in Afghanistan, the Iran-Iraq war, and Cambodia as well as southern Africa. Only in Central America, due to congressional interference, has there not been a major turn around.

It is obvious that the Democrat leadership will do anything to prevent another major success for the Reagan-Bush administration and that is the real reason we are debating this rule at the 11th hour before our Republican Convention.

I urge rejection of the rule to allow the House to debate this issue fully in September.

□ 1245

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to my fellow colleague on the Rules Committee, the gentleman from Missouri [Mr. WHEAT].

Mr. WHEAT. Mr. Speaker, I rise in support of the rule and H.R. 5175, the Anti-Apartheid Amendments Act of 1988.

Mr. Speaker, for over a decade the citizens of this country have attempted to appeal to the moral conscience of South Africa's Government officials to urge them to discontinue the racist and oppressive practice of apartheid. Our appeals have been ignored. Basic civil and human freedoms have been denied. Freedom for the majority of South Africans is nonexistent. Instead, Mr. Botha and his cohorts have become more firmly entrenched in their resistance to human rights.

Two years ago, the Members of this body took a bold and unprecedented stand to end so-called constructive engagement, the modern-day version of appeasement. We voted to override the President's veto and impose economic sanctions against South Africa. We recognized that we could no longer support a government that was aggressively waging war against 72 percent of its citizenry, and so we began our economic counteroffensive for freedom.

Two years have passed, Mr. Speaker, and Botha has not relented. Apartheid is still the order of the day in South Africa.

But, Mr. Speaker, another thing has not changed. We too are steadfast, and as we have always been in our commitment to oppose oppression, whatever its name, whether we call it slavery, communism, or apartheid. America will not stand idly by and watch human rights in South Africa erode further. America will not watch from afar as the majority of the South Africans are prohibited from participating in their government. America will not idly watch as a terrorist nation oppresses its citizenry.

This rule gives us the opportunity to face this test of our leadership of the free world by making it crystal clear

that the United States Government will not stand with the racist regime in South Africa. There is no compromise on this matter, Mr. Speaker. We either rise to the moral challenge of supporting the rule and the bill in its present form, or sink to the position of a disinterested, silent observer of a terrorist, oppressive system.

Mr. QUILLEN. Mr. Speaker, I yield 6 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, we know what this rule is about and what this bill is about. It is not about finding the best way to fight apartheid, because if we seriously wanted to devise an effective policy for fighting apartheid, we would not be spending a piddling 30 minutes debating a substitute bill which we have worked on for over a year. We would not be ramming this through the last day before the Republican Convention, and a lot of our Members, I might add, have already left to go to that convention and will not be able to be here to vote on this very important piece of legislation. We would not be limiting the debate to three amendments.

Now we know, if there ever was a doubt, that this is not really about fighting apartheid, but about domestic politics.

We all know this is politics. But as vice chairman of the Africa Subcommittee, I am amazed at how little this bill has to do with fighting apartheid.

If we are really interested in fighting apartheid, we would be helping South African blacks build their economic power, not putting them out of work.

In the Rules Committee yesterday a senior Member testified in favor of the bill, saying this is as close to economic warfare as we can get. It is economic warfare, all right, but against whom? Not the Afrikaners, most of whom work for the Government and can well protect themselves from further sanctions. Not the big white corporations that are just waiting to buy out U.S. subsidiaries at fire sale prices. Not the big South African mining houses which produce 70 percent of South Africa's export income and are not even covered by this bill.

It is economic warfare on South African blacks who will have to pay the price for our political games with their livelihoods and maybe their lives.

I have reluctantly come to the conclusion that the proponents of further sanctions really could care less about the actual impact of this bill on South African blacks. How can anyone in good conscience work to put 2 million blacks out of work and 10 million black people to bed hungry in South Africa?

Creating unemployment is not just wrong, it will actually prolong the life of apartheid.

On June 6 this year a million South African blacks went out on a 3-day strike to protest new restrictions on

anti-apartheid groups. How can blacks strike if they are out of work?

Even if this is politics, does not anyone care about putting blacks out of work against their will? Does not anyone care that poll after poll shows that the overwhelming majority of South African blacks are against further sanctions and disinvestment? Does not anyone care that Bishop Lekganyane, the leader of the largest black church in South Africa with 5 million members is against further sanctions?

I wrote to Bishop Lekganyane and sent him a copy of the Dellums bill and our substitute and I asked for his opinions and advice. This is what a black South African who can get 2 million people out to a rally says and thinks, and I think we ought to listen to him. Here is what he wrote:

You state in your letter that proponents of [further U.S. sanctions] contend that they have the support of the majority of South African blacks. They do not have such support and if they honestly believe they do, they have been misled. They never had such support and I cannot foresee that they will have it.

The bishop's letter continues:

Only economic development, more jobs, social upliftment, improved housing, better education for all, increased and equal opportunities will help us destroy apartheid. Just as the stroke of a pen abolished slavery but failed to destroy racism, the stroke of a pen would help in ending apartheid, but will not destroy it. We ourselves are the only ones who can eradicate it. You can certainly help if you associate yourselves, by visibly and tangibly extending your assistance, know-how, by creating jobs, by expanding the capacity of the economy to offer prosperity. Sanctions have done just the opposite.

Your proposals, the Burton substitute, the Bishop continued, constitute a real and meaningful support for blacks in South Africa. It preserves our faith in your intentions and strengthens our hope in the future.

I really don't think we have the right, as Members of Congress, sitting in a comfortable Chamber in Washington, to say to this man: We're going to make your people suffer, but not to worry, its for your own good.

I keep hearing that we impose sanctions on Libya and Nicaragua and so on and nobody talks about jobs or suffering, so why not South Africa?

Libyans and Nicaraguans can't use their economic power to gain political rights. They can't walk out of work by the millions to make their voice heard in Nicaragua.

The black empowerment strategy was created—not in Washington—but in South Africa's black townships. A black assembly line inspector in South Africa told the Washington Post:

The sooner we blacks realize the strength of our labor and our pocketbooks, the closer we will be to liberation.

The sooner we in the U.S. Congress realize that blacks want economic power, the sooner we can begin to really help fight apartheid rather than scoring domestic political points

like you are trying to do here today. I urge a "no" vote on the rule and an aye vote on the Burton substitute, which helps South African blacks fight apartheid by working to build black economic power, not by putting blacks out of work and black children to bed hungry at night.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I would hope the Members would vote against this rule and ultimately against the bill unless it is substantially modified. This is a gag rule. It is designed to choke off opposition, not to allow opposition.

I am somewhat shocked and somewhat troubled that we are proceeding under this kind of process. I am somewhat surprised even that the gentleman whose name appears at the top of this bill who has often said in this House that we ought to have full debate on these issues would be in favor of a process like this one which is aimed at really undermining the ability for opposition to have their say.

This bill and this process is a complete break of faith with those of us who 2 years ago attempted to reach out and build a working coalition toward a bipartisan policy to bring out activism against apartheid in South Africa. I will tell the Members of this body that there is no one action I have taken in Congress that has caused me more problems with my base political constituency than my attempts a couple of years ago to work with the people here to come up with a policy that conservatives and liberals could support against apartheid. We tried to help build, and in all honesty, even during that process we were frustrated. But we stuck with you, and in the final analysis many conservatives voted for that anti-apartheid action.

What did we get for it? Were we consulted about this bill this time? No. No, there was no consultation with us. We were out of the process.

Did our attempts 2 years ago to try to build a bipartisan policy toward something to really help the people in South Africa mean anything? Obviously not. This bill, in fact, moves us away from that which conservatives were trying to achieve 2 years ago. It moves us away from an activist policy within South Africa to end apartheid and substitutes instead a policy of washing our hands of the situation and walking out on South Africa.

The gentleman from Missouri a couple of moments ago said America will not watch from afar. Pass the Dellums bill and we will watch from afar. We will not have any more involvement in South Africa. We will be out. We will have to watch the process from afar and the tragedy that comes after it.

We are not talking now about policy here. As some of the Members have

said before me, we are talking about politics.

I am sad to say that I have learned the hard way that there are politicians in America more interested in pursuing domestic political agenda than in really helping oppressed people.

I intend to vote for the substitute offered here so that we can really begin to work toward helping oppressed people again. I intend to reject the idea that America should have no voice at all in the future of South African blacks. I think that the question that will be raised if we pass the Dellums bill is whether America has not washed its hands, like Pontius Pilate of the plight of the people who deserve much better.

Mr. HALL of Ohio. Mr. Speaker, I yield 7 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Speaker, I thank my distinguished colleague for yielding time to me.

Mr. Speaker, we will debate the merits of this issue in a few moments. But I would like to in the time that I have available to me address several comments that have been made, prefacing my remarks by making this comment to all of my colleagues here: In 1986, 2 years ago, this body passed a bill similar to the so-called Dellums bill. I brought this bill 2 years ago in the nature of a substitute, challenging the regular order of things, going against the grain. But to my shock and to the shock and surprise of many people in this body and around the country, we passed the Dellums bill 2 years ago.

So this notion about the Dellums bill being some incredible monster is absurd. We did it 2 years ago with the acquiescence of both sides of this aisle, Democrat and Republican.

Mr. Speaker, to the question of political motivation, I rarely, if ever, rise to challenge anyone here on a personal level, because I know that when we walk into these Chambers we cease to be individuals but must lift ourselves much larger than that and become responsible Representatives of the people's will. So to the gentleman from Michigan [Mr. BROOMFIELD] I choose not to challenge him personally; to the gentleman from Indiana [Mr. BURTON] I choose not to challenge him personally; to my distinguished colleague, the gentleman from Pennsylvania [Mr. WALKER], I choose not to challenge him personally, and I assume that they do not challenge me personally when they talk about political motivation.

This black American human being brought the first sanction bill in the history of this country in 1971. I have been in this body nearly 18 years. This has been no quick fix.

A great part of my adult life has been spent struggling to see America championing the cause of freedom and dignity and equal rights for human beings. I know what it means to be black in a society racist, and I under-

stand what it means to be black in a world that cannot deal with human beings because of the color of their skin.

I challenge any of my colleagues to challenge me on a personal level, as if in some way we have reduced ourselves to petty, mundane, earthbound and pedestrian notions of political motivation. I am here because I believe as a human being that my responsibility is not only to be a citizen of California, a citizen of the United States, but to be a citizen of the world and to see to it, Mr. Speaker, that we speak to the highest and the best that we can.

□ 1300

To the question of this being a Dellums warfare bill, that is absurd. I came here 18 years ago to raise my voice in the name of peace. So this opportunity may be the last opportunity, Mr. Speaker, to move away from bloodshed that may be the undeniable future of South Africa unless we are prepared to act.

One of my colleagues said that we sit here in the comfort of the Chambers of the Congress of the United States and bring discomfort on human beings in South Africa. Two responses: Sanctions hurt, Mr. BURTON, but apartheid kills, Mr. BURTON.

I would also say that there have been Members sitting in the comfort of this Chamber who sent our young people to fight and die in Vietnam. They sat in the comfort of these Chambers and allowed 57,000 American people to be returned to America in body bags, ostensibly fighting for freedom and dignity in the Democratic way.

Well, I am not asking you to declare war on South Africa. I am a voice of peace. I am simply saying in a nonviolent way, let us try to preclude that death and destruction.

Mr. BROOMFIELD, with respect to timing, the gentleman said this bill comes up at the wrong time. Let me say to you on the record in the public, we are not here bringing this bill to attempt to embarrass the Republicans. That is absurd. We are here to try to free South Africa. The fact of the matter is, as you know it, we are talking about getting out of here October 5 because Members' self-interests join on October 5. That is to get out of here to go get their jobs back.

So we are talking about coming back after Labor Day with less than 30 days' opportunity to get the other body to move, to get to a conference, to get a bill to the President who may veto it and then come back with a veto override. So we asked the leadership to put this bill on before the break because we knew that time was running out.

Second point on timing: Mr. Speaker, you suggest the issue, maybe, in Angola that is being worked out by the Assistant Secretary, Mr. Crocker.

I met with Secretary Crocker and the National Security Adviser, Mr. Colin Powell yesterday at 4 p.m. They said to us, "Go forward and debate the issue. Vote on the amendment. Hold final vote until after the break. If you would hold off on the vote until after the break so we can tie the knot on the package." Mr. BROOMFIELD, the gentleman, know what our response was? We said, "We are reasonable people. You have not raised political considerations, we will not. You choose to achieve a foreign policy objective, so do we. So we are prepared to be reasonable. We will hold final vote on this sanction bill until after the break if you are prepared to come to the table, equally prepared to bargain." They said, "What is your offer?" I said, "Get the President to agree not to veto the bill and if the President agrees that he will not veto—I am not asking him to sign it, just do not veto it, otherwise you are asking us to kill our effort and we refuse to do that." They said they could not deliver. So we are here going forward because that is our responsibility.

Now with respect to Members leaving here.

Our responsibility, we are being paid to be here. We are being paid to take off 3 days early to a convention or 3 days early to a weekend; we are being paid to stand on the floor of Congress, Mr. Speaker, with all due respect, until hell freezes over, for us to do our jobs. Our responsibility is to be here to vote. So do not give me that flimsy argument.

Finally, Mr. Speaker, this notion of convenience, the gentleman, Mr. BURTON could have argued that during slavery. "You are going to cause black people to lose their jobs." That did not make any sense during slavery and it does not make any sense in 1988.

Mr. Speaker, I would yield to my distinguished colleague for a moment to speak and then let me respond.

Mr. BURTON of Indiana. I just want to ask one question of my learned colleague and that is: He is very concerned about the plight of the blacks in South Africa.

Mr. DELLUMS. More than I can ever tell you, brother.

Mr. BURTON of Indiana. I think that is very good. But why is it I never hear the gentleman make any comment about the 1½ million people being starved to death by the black Communist Government of Ethiopia just north of there?

Mr. DELLUMS. Let me tell you, I have spoken on this floor on numerous occasions. I think that is a cheap shot because this gentleman has said, perhaps more often than any other person on this floor, that the struggle for human rights should take us beyond the narrow confines of our ideological position or our relative party. A commitment to human rights should not be a commitment simply to the left challenging right wing govern-

ments or the right challenging left wing governments. We ought to have a human rights commitment, a standard of human rights that we can apply to all nations in the world. I have said that publicly on this floor. Challenge me to it and then you and I go forward, both, in the 101st Congress to see to it that we put that together. If you mean what you say, I mean what I say.

Mr. QUILLEN. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan [Mr. BROOMFIELD].

(Mr. BROOMFIELD asked and was given permission to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, I would like to make this observation: I have always had the highest respect for the gentleman from California [Mr. DELLUMS]. We spoke before the callup of this bill and I told him I was going to hit it hard and there are a lot of reasons for it. We both share the same feeling about apartheid. I do not think there is a Member in this House who is not opposed to the racism that goes on in South Africa.

The real question here is how do we approach it? The other thing that really bothered me in the timing. You have to admit your Presidential candidate has already come out in opposition. He is for full and complete disinvestment, just as the gentleman is advocating right here. So that was quite an ironic thing, considering the fact that the platform adopted at your convention was quite vague. I think I have a legitimate reason to point that out here on the floor.

One final comment: I think you will have to admit that the alternative that will offer today is a serious effort to improve the bill. It is a different approach than the one the gentleman is offering. It brings into play our allies who have been benefitting from the act that we passed 2 years ago.

I have to let you know this: I resent the way in which this was handled in the Committee on Rules. The Rules Committee has given me a total of 15 minutes on my side to explain my important amendment, and that is the reason for the tone of the speeches I have been giving.

Mr. DELLUMS. Mr. Speaker, will the gentleman yield?

Mr. BROOMFIELD. You had better believe it, I do yield to the gentleman.

Mr. DELLUMS. I thank the gentleman for yielding.

First of all, I appreciate the sentiment of that. I have no control over the Rules Committee. Look, I have been struggling against the grain in this body for 18 years and you know that. I have not ascended to the lofty levels of the leadership of this body. Maybe some day, maybe we can talk about how that changes if you guys want to support me for Speaker. At any rate, let me just say to you that I appreciate the sentiment of your comment. But rest assured I will say to my friend that my desire to bring this bill

to the floor and many other Members had nothing to do with Presidential politics here. If the Presidential election were not going forward, I would continue to be coming forward because my objective here is not simply to pass a bill. I want to end apartheid, I want to see Nelson Mandela free and I will not stop until I do.

Mr. QUILLEN. Mr. Speaker, I yield 30 additional seconds to the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. I really believe the gentleman from California is in a position to negotiate and he recognizes the importance of this matter.

Why will you not go along with me and put off consideration of this matter until we come back in September? At that time, all the Members will be here to participate in this debate. I will do everything to expedite consideration of the bill at that time and work with the gentleman on that matter.

Mr. DELLUMS. Get the President to agree not to veto this bill and you and I have a deal and we can shake hands right now.

Mr. BROOMFIELD. Well, will you get Mr. Dukakis to back off on his position on South Africa?

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho [Mr. CRAIG].

Mr. CRAIG. Mr. Speaker, I rise in strong opposition to this gag rule and the South Africa sanctions bill.

To believe that the United States can end apartheid in South Africa by invoking sanctions is naive at best and deadly for black South Africans and Americans at worst.

Apartheid is wrong. But, to worsen the economic condition of black South Africans while weakening the economic condition of the United States, which this bill does, is dangerous and foolhardy for both South Africa and the United States.

As the vice chairman of the Mining and Natural Resources Subcommittee of the Interior and Insular Committee I wish to point out two sections of this bill that are particularly dangerous domestic policy.

Section 9 of H.R. 1580 deals with strategic minerals. If an embargo were placed on these materials, the industrial sector of the United States would be dangerously weakened. Many of the metals that our industries depend upon can come from only two sources, South Africa and the Soviet Union. If an embargo were invoked, the Bureau of Mines estimates that in 3 years the direct and indirect losses to our gross national product, resulting from the unavailability of only one metal (rhodium), would be \$61 billion. There would be a corresponding loss of 1,000,000 U.S. jobs. These losses all result from impacts on the automobile industry, as rhodium is used in catalytic converters. There are no known substitutes for rhodium. There are many other critical minerals that come from

South Africa, and the loss of these materials to our Nation would multiple the impacts on our economy many fold.

Another section of this bill would forbid the Secretary of Interior from issuing any Federal energy leases to any company that has any relationship with South Africa. This plain and simply is holding this country's energy capabilities hostage. This is a dangerous road that we must not walk down.

If you can go home and explain to your constituents why you have weakened this country's energy and industrial strength, while increasing energy costs, automobile costs, and the cost of numerous other industrial products while at the same time worsened the cause of black South Africans, then you should vote for this bill. If you do not want to weaken this nation and at the same time wipe out the economic strides that black South Africans have made, then you should vote to defeat this sanctions bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma [Mr. McCURDY].

(Mr. McCURDY asked and was given permission to revise and extend his remarks.)

Mr. McCURDY. Mr. Speaker, I rise in support of H.R. 1580, the Anti-Apartheid Act Amendments Act of 1988. I commend the principal author of this legislation, the gentleman from California [Mr. DELLUMS] for his tireless work and eloquent advocacy in bringing this legislation to the floor of the House. However, while I agree completely with the moral statement this bill makes to the Government of South Africa, I offer my support with certain reservations.

There can be little doubt that a majority of this country finds repugnant the racist policies that blacks in South Africa have endured for decades. Apartheid has deprived black South Africans of their basic human and political rights, kept them in a state of poverty, and left their country in turmoil. This body, on a number of occasions, has made clear its vehement opposition to the domestic policies pursued by the South African Government. The most recent case was in 1986 when we passed the punitive economic sanctions against South Africa that are presently in force. These sanctions sent a message to the South African Government that it could not expect normal economic and political relations with the United States as long as it refused to negotiate political reforms with responsible black South Africans.

Several cosmetic reforms have since been introduced by the South African Government, but the fact is that the aspirations of the black majority in South Africa have not been realized. Apartheid remains at the core of South Africa's social, political, and economic systems. It is clear that merely encouraging reform through limited sanctions or through the ad-

ministration's policy of "constructive engagement" is not enough.

My concern with this legislation is that it will be seen as a substitute for a coherent policy toward southern Africa as a whole. If the United States is to play a productive role in regional politics and in the process of reform in South Africa, we must do more than pack our bags and leave. Sanctions can play an effective part in a regional policy, but alone they will have little impact. We have seen this most recently in Panama.

Now is the time for us to lay the ground work for cooperation between the legislative and executive branches to develop a new and broader approach toward South Africa. We should establish realistic objectives that can be achieved in a reasonable period of time, and that reflect the values and expectations inherent in our foreign policy.

We should focus on ways to enhance the power of responsible blacks in South Africa so that they may challenge the state more effectively. For too long, our policy has concentrated on efforts to wring concessions from whites in South Africa. By supporting trade unions, church organizations, and other democratic forces within South Africa, we can reinforce internal pressures for meaningful change.

At the same time, we must ensure that the opposition groups we support pay more than lip service to idea of bringing democracy to South Africa. There are a number of organizations that would merely replace one form of tyranny with another.

By following this approach we can emphasize the fact that the main battle against apartheid must occur inside South Africa, not on the floor of the House of Representatives. As Nelson Mandela said in 1962, "it would be fatal to create the illusion that external pressures render it unnecessary for us to tackle the enemy from within. The center and cornerstone of the struggle for freedom and democracy in South Africa lies inside South Africa itself."

Mr. Speaker, H.R. 1580 can represent an important component in a responsible foreign policy toward South Africa. This policy must convey to the South African Government that continued intransigence is not in its interest if it wishes to prevent a bloody civil war; that a resolution to the conflict in South Africa must be broadly acceptable to all South Africans, regardless of their race.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina [Mr. RAVENEL].

Mr. RAVENEL. Mr. Speaker, when I was a member of my State's senate, I voted to memorialize Congress to pass the Anti-Apartheid Act of 1986. Some of us thought it would do some good, others were not too sure; but then, why not? With our State's population being a third black, it was good politics, and so we passed the measure.

As a result of congressional action in 1986 and the U.N.-sponsored arms embargo imposed 9 years before, it's timely now to examine what has occurred.

Have the South African Armed Forces been weakened by the denial of foreign arms? Absolutely not. They are stronger than ever, being supplied with superb equipment domestically produced by an arms industry that is now the world's tenth largest and growing and South Africa's largest exporter of manufactured goods. Do they have atomic weapons? There are reasons to believe they do.

Have our 1986 sanctions caused South Africa to move to dismantle apartheid? Not at all. Unhappily the opposite has occurred. All positive progress toward ending apartheid has ceased. As Americans and American companies leave, so do our windows for encouraging progress.

Have the sanctions damaged the South African economy? Definitely not. Business there is booming. The American firms being sold are being bought for fractions of their values by delighted South Africans convinced that America has lost its mind. Everything denied they immediately begin producing, profitably exporting the surplus.

How has all this helped the black population of South Africa? It has not. It has hurt them grievously, costing them jobs by the thousands, the job security and enlightened working conditions of American firms, as well as the positive influences we once had with the white South African people, business community, and government.

The sanctions we have imposed against South Africa have set back the end of apartheid for the foreseeable future.

How wrong can a nation be? As wrong as these United States, in thinking that it can cause a modern, militarily and industrially secure country, possessing most of the free world's precious metals and critical minerals, to change its government by imposing unilateral economic sanctions against it. Then why do we do it? Why do we injure and retard so our black brethren of South Africa? The answer is as simple as it is tragic. We do it because there are votes to be harvested by some here at home by voting to impose these nonproductive sanctions against South Africa and yelling about it to the skies.

Count me out of this cruelty. When the vote is taken to sacrifice the blacks of South Africa on the altar of American politics, my vote will be "no."

□ 1315

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. GRAY].

(Mr. GRAY of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. GRAY of Pennsylvania. Mr. Speaker, we come once again to the question of South Africa. In 1985 this body passed the Anti-Apartheid Act which has a limited set of sanctions which I helped to offer, along with some others.

In 1986, after the 1985 act was stalled in the other body, we once again came forward with a set of limited sanctions. That passed this body. In fact, it was substituted with the bill we are now considering, and as a result of that substitution, what was finally passed was the override of a Presidential veto that had no new investment, a prohibition against bank loans and Krugerrand sales, along with several other sanctions which were a part of the original bill which I, along with others, offered in 1986.

I want to remind all of my colleagues that that bill had certain words in it, because I remember it was overwhelmingly and bipartisanly approved by Democrats and Republicans in the House and the Senate historically overriding the Presidential veto. It said this:

It shall be the policy of the United States to legislate additional measures against the Government of South Africa if substantial progress has not been made within 12 months of the date of enactment and ending the system of apartheid and establishing a multiracial society.

In other words, when we overrode the President's veto in 1986, we made a commitment. The commitment was that if apartheid was not dismantled within 12 months, we would be back in this body to deliberate and to apply additional sanctions.

I say to my friends, if they voted in 1986 to override the President's veto, then they are also obligated to continue the effort. And the effort is to do what? Not bringing down the Botha government. No one in this body believes that something we do is going to end overnight miraculously the apartheid system. No, as one of the authors, I never thought the 1986 bill would do that. We never used that as the criteria for effective sanctions, because if we did, we would have to remove the sanctions in Iran, we would have to remove the sanctions on Libya, and we would have to remove the sanctions that we had on Poland. We would have to remove the sanctions on 15 countries around the world, because many of those governments are still there. Yet we keep the sanctions there, not because Qadhafi has been brought down but because those sanctions make two important statements: No. 1, that we will not provide economic fuel for oppression; and, second, that we want to disassociate ourselves from the odious behavior of governments. That is why we have sanctions.

So if we want to measure where the sanctions are effective, we should ask ourselves, have we disassociated ourselves from the apartheid government as a result of our actions in 1986? And the answer around the world is, yes.

Has it led to a decline in the economic fuel for apartheid and the P.W. Botha regime? The answer is "Yes."

A GAO study has been submitted to Congress that says that it has cost them almost half a billion dollars. So when Members say that sanctions do not work, what criteria are they using? Are they prepared to use that same criteria on Cuba, Nicaragua, Iran, and Libya? Of course not.

Most of the Members here who argue that sanctions do not work and some of whom who would even argue that they are the cause of the problem would never think of using that same argument when it comes to Cuba, Nicaragua, Libya, or Iran. Why? Because we know that sanctions are designed to cut the economic fuel of oppression, and second, sanctions are also designed for us to withdraw ourselves from odious behavior, as we have done in Iran, Libya, and in over 15 other nations of the world.

They talk about the loss of jobs in the United States. Well, I find it interesting that the UAW supports the Delums bill. I find it interesting that the Mineworkers who would supposedly lose so many jobs have endorsed this legislation.

Who is this going to hurt? Let me tell the Members who it will hurt primarily. It will hurt the standard of living of the racist minority government that continues to oppress the majority.

Then we hear the same argument we heard in 1986 and 1985: "You would hurt the black majority if you impose sanctions." Well, we have heard that before. And what does Desmond Tutu say? What do the labor unions say?

The SPEAKER pro tempore (Mr. GIBBONS). The time of the gentleman from Pennsylvania [Mr. GRAY] has expired.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 additional minute to the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY of Pennsylvania. Mr. Speaker, I would ask, what does the black majority in South Africa say? Overwhelmingly, the vast majority of credible leaders have said that they want continued pressure.

Some have said, "Well, we applied sanctions, and no other nation has joined us." There is a simple answer for that. It is because we have not had a President who followed the law. The law we passed in 1986 said that the President of the United States of America would try to get other Western nations to join us. This President and this Secretary of State have not asked other Western nations to join us in applying sanctions, even limited sanctions.

We must decide here today, what will America's position be toward State-sponsored terrorism and institutional racism? I say to my friends that that is our decision, not dependent on what England does, not on what

France does, not on what West Germany, or not on what Japan does.

Mr. Speaker, I hope we will stand up for what we preach: Freedom and democracy. Let us cut off the economic fuel for an odious political system.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BARTLETT].

(Mr. BARTLETT asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT. Mr. Speaker, I rise in opposition to this rule.

No matter what we think about the main bill that will be coming later, the vote now before us is not a vote on the bill; it is a vote on the rule, and I urge the House to oppose this rule and turn it down. No matter what our position may be on South African sanctions or the Anti-Apartheid Act itself, this rule is unfair. It does not allow for even a limited debate of the major issues in this bill before this body. It does not permit those amendments that were adopted by committees of jurisdiction to be made in order or even to be considered on this House floor.

The Anti-Apartheid Act, H.R. 5175, was referred jointly and marked up by several standing committees of this House. One committee in particular, the Banking Committee, after some considerable and extensive debate and consideration, adopted on a rollcall vote the McCollum amendment, which would make these sanctions effective to raw materials coming from South Africa. That amendment was adopted by the Banking Committee on a rollcall vote, and the rule before us does not even permit that amendment to be made in order, and it first strips from the bill the McCollum amendment.

The McCollum amendment would make the sanctions effective. It says that if we are going to have sanctions—and many of us oppose those sanctions—we should make sure that those sanctions apply to raw materials that are produced in South Africa, transshipped to other third countries, and then made into manufactured products to be sold in the United States.

The McCollum amendment, purely and simply, which is not in this bill and which is not permitted to be considered on this floor, would say that if the raw materials are coming from South Africa, then a third country could not use those raw materials and make them into manufactured goods and sell them in United States markets. It would prohibit the importation of products manufactured in countries other than South Africa whose components and constituent parts were made in South Africa.

Mr. Speaker, I urge a "no" vote on the rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. WOLFE].

(Mr. WOLPE asked and was given permission to revise and extend his remarks.)

Mr. WOLPE. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I want to respond just very briefly to the concerns that have been raised by my distinguished colleague and friend, the gentleman from Michigan [Mr. BROOMFIELD], and others with respect to the timing of the legislation today and also with respect to the amount of time permitted for general debate.

I want to be the first to say that I wish there were more time. I think this is an issue that deserves the longest possible debate so that we can understand clearly the issues that are at stake here. I think some vital American national interests are involved, and some vital issues are at stake in terms of developments in South Africa itself.

But the gentleman knows that this issue did not just surface today. We began to move this legislation many, many weeks ago. There was a jurisdictional problem, and there were no less than seven committees in this Congress that had a piece of the jurisdiction. In those committees at least there was substantial, significant debate along the way. The fact of the matter is that we come to the stage now, having gone through the elaborate committee process, where to delay this debate any further is simply to kill the legislation.

While the gentleman has concerns about the time running out on our debate here, I happen to have even more deep concerns about the time running out on South Africa. I happen to believe that the dangers of the struggle that is taking place are escalating every day, and the failure of the United States and the Western World to comprehend fully what is at stake in that struggle is compounding the risks to American and Western interests substantially every day.

So I hope that this rule be adopted and that this body, on a bipartisan basis, will recognize the urgency of the enactment of this legislation today as a means both of advancing the process of change inside South Africa and as a means of protecting American national interests not only in South Africa but throughout the African Continent.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. WOLPE. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I just want to say to the gentleman that I am sure there are lot of problems in terms of legislative scheduling, and those may be beyond the gentleman's control in some instances. But I will tell the gentleman that we are somewhat disturbed about the fact that you have picked one day when the Republican Party was certain to be substantially

weakened because our people were at our convention. That may not have been the gentleman's choice, but it was certainly the choice of his leadership to pick that one day when we were going to be short 20 or 30 votes on the House floor. I think that is something that suggests a reasonable complaint on our side.

Mr. WOLPE. Mr. Speaker, if I may reclaim my time, I would simply make two observations: One is that every Member of this body has known long in advance, for the first time in many years, I might say, precisely what days votes were scheduled to occur on.

□ 1330

The Republican Convention does not begin today or tomorrow. It begins next week.

Second, I would make the further observation that there are Members on my side of the aisle, as well as those on the gentleman's side of the aisle, that are equally discomforted, and there will be absences on both sides of the aisle as the consequence of the lateness of this debate.

The SPEAKER pro tempore (Mr. GIBBONS). The time of the gentleman from Ohio [Mr. HALL] has expired.

The gentleman from Tennessee [Mr. QUILLEN] has 4 minutes remaining.

Mr. QUILLEN. Mr. Speaker, I urge defeat of the rule. I think that bringing it up today, in a rushed atmosphere accomplishes nothing. I think we all should be concerned about the pain and suffering of the people in South Africa. In a calmer atmosphere we should try to resolve some of the problems and hammer out legislation. That would solve the problem. This will not solve the problem.

Mr. Speaker, we should definitely defeat this rule and then come back after the recess with a clear mind to do whatever is necessary to be helpful to the black populace of South Africa.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I am happy to yield to the gentleman from Texas.

Mr. BARTLETT. Mr. Speaker, I thank the gentleman from Tennessee [Mr. QUILLEN] for yielding to me.

In response to the previous speaker on the other side, the difficulty, as the gentleman knows, with this rule is that the committees of jurisdiction had the opportunity to have a committee markup, but then their work was disregarded either by this bill or by amendments that are allowed to be offered to this bill.

So, if we are going to have committees of jurisdiction to have a part of the process, they have no part in the process, and their work was disregarded.

Mr. BROOMFIELD. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Speaker, I would like to make one final appeal to

the Democrats and particularly to the Democratic leadership.

Mr. Speaker, I think this has been a useful discussion of the problem. We all have the same thing in mind. It is a matter of different approaches. I agree with my colleagues that this is a major foreign policy issue. I ask them to consider what is developing in southern Africa right now as a result of discussions concerning the future of Angola and Namibia. Why should we do anything that might jeopardize that? Could not my colleagues have consideration for the scheduling of our convention and the fact that we have got probably 35 or 40 Members away?

Mr. Speaker, the Democrats are going to win. They have got the majority. In fact, they have had the majority for the 32 years I have been here. They have never had to worry because, if they are all together, they can pass anything. Why can they not give us a chance, give the negotiations a chance by voting against this rule and bringing the bill up right after we come back in September?

Mr. Speaker, in September they are going to have my cooperation in moving this legislation forward. I am pleading with them to vote that way.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time and yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. HALL] has 3 minutes remaining.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. LEVIN].

(Mr. LEVIN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. LEVIN of Michigan. Mr. Speaker, I came here to talk about the substance, but I want to say just a word or two about the procedure here.

There is no more urgent issue, and among those who have been working on this, many, many of us, this was not scheduled in timing with any convention. The gentleman from Michigan [Mr. BROOMFIELD], my distinguished colleague, says we on this side are going to win away, so I do not see why the charge that we are scheduling it because people are away. It does not hold water.

Mr. Speaker, this is an issue for which time cannot wait. People are losing their lives. It is right to take it up and to take it up today.

And I want to get back to the substance that the gentleman from Tennessee [Mr. QUILLEN] was discussing, whether this sanction bill will work. I support the sanctions bill for the same reason that the racist Government of South Africa hates it, and that is that sanctions can work.

Evidence of the impact of sanctions comes from white South Africans themselves. The managing director of the Trust Bank of Africa, Ltd., said in a speech reported by the Wall Street

Journal that "we cannot ignore what sanctions and disinvestment have done." As the Wall Street Journal put it, that gentleman then "flouted the taboo of talking about the costs of sanctions and added them up." By 1990 capital outflows through disinvestment and debt repayment will amount to about \$10.4 billion. The accumulated loss of export earnings through trade sanctions will exceed \$4 billion. The South African economy will grow little more than 2 percent a year rather than the 5 percent that could have been achieved without them.

Mr. Speaker, facing this prospect, South Africa's business establishment has renewed its pressure on the white government for major reforms. This pressure for change from within South Africa is a direct consequence of United States sanctions. Economic sanctions can work. We have a provision in this bill that covers the possibility that other countries will step into the gap, into the opening, that might be created by our sanctions.

Opponents of the bill keep telling us that sanctions cannot work because they never have worked anywhere. They are wrong about that, too. United States sanctions against the Governments of Poland, Afghanistan, and other Soviet dominated countries have had their intended effect.

In the case of South Africa, as was in the case of Ian Smith's Rhodesia, sanctions do not lead away from diplomacy; they reinforce it. What is lacking now in South Africa's white regime is the willingness to negotiate. Economic sanctions can work, and the more, the better in this case, if what we seek is a nonviolent road to freedom for all South Africa.

Mr. MARLENEE. Mr. Speaker, today we will be voting on punitive, comprehensive sanctions against South Africa. I strongly oppose this legislation, I believe that we should have the opportunity to insure that sanctions do not overreach or violate U.S. law. I believe that in an effort to totally ostracize South Africa, other important United States policy goals have been overlooked.

For example, I am concerned about the need for platinum metal groups for automobile catalytic converters. I am also alarmed at the extent this legislation would impose extraterritorial constraints on our friends and allies in an effort to punish South Africa.

I also have serious concerns about the impact of section 3 of this bill on my district, regarding oil and gas leases. Montana will lose over 100 oil jobs to sanctions, and the oil company which produces six times as much as the nearest competitor in Montana—Shell Western—will be forced to end operations. It's stupid to penalize Shell and British Petroleum operations in the United States when they do so much good work to help blacks inside South Africa.

In addition, I attempted to introduce a common sense amendment to preserve wildlife conservation efforts in South Africa. Unfortunately, it was defeated yesterday in the Rules Committee.

South Africa has a unique wildlife conservation policy, which utilizes the private sector and public national parks. Over 10,000 private landowners have opened 18.7 million acres—4 percent of land in South Africa—to sport hunters, using the hunting fees for conservation efforts.

H.R. 5175 would prohibit all products "grown, produced, extracted, or manufactured in South Africa," which includes imports of sport hunted trophies and wildlife imported for breeding purposes.

In 1987, 85 percent of the sport hunters came from the United States. The sanctions bill would prevent sport hunters from bringing back their game trophies. As a result, they will not go to South Africa to hunt, and the profit motive for this unique wildlife conservation effort will evaporate.

Also, several zoos have found it impossible to import endangered species from South Africa under the last round of sanctions, which decreases the chances for survival of that species. Zoos are finding it difficult to vary the gene pool among several important endangered species. In fact, for certain animals, like a subspecies of the black rhino, the only source is South Africa. It is a good bet that the black rhino may become extinct if sanctions are enacted.

Support wildlife conservation in southern Africa by defeating the rule.

The SPEAKER pro tempore. All time has expired.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BROOMFIELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 246, nays 159, not voting 26, as follows:

[Roll No. 282]

YEAS—246

Ackerman	Brennan	de la Garza
Akaka	Brooks	DeFazio
Alexander	Brown (CA)	Dellums
Anderson	Bruce	Derrick
Andrews	Bryant	Dicks
Annunzio	Bustamante	Dingell
Anthony	Byron	Dixon
Applegate	Campbell	Donnelly
Atkins	Cardin	Dorgan (ND)
AuCoin	Carper	Downey
Barnard	Carr	Durbin
Bates	Chapman	Dwyer
Beilenson	Chappell	Dymally
Bennett	Clarke	Dyson
Berman	Clay	Early
Bevill	Clement	Eckart
Bilbray	Coelho	Edwards (CA)
Boggs	Coleman (TX)	English
Boland	Collins	Erdreich
Bonior	Conyers	Espy
Bonker	Cooper	Evans
Borski	Costello	Fascell
Bosco	Coyne	Fazio
Boucher	Crockett	Feighan
Boxer	Darden	Flake

Flippo	Lipinski	Rostenkowski
Florio	Lloyd	Rowland (GA)
Foglietta	Lowry (WA)	Roybal
Foley	Lukens, Thomas	Russo
Ford (MI)	Manton	Sabo
Ford (TN)	Markey	Saiki
Frank	Martinez	Sawyer
Garcia	Matsui	Scheuer
Gaydos	Mavroules	Schroeder
Gejdenson	Mazzoli	Schuette
Gephardt	McCloskey	Schumer
Gibbons	McCurdy	Sharp
Gilman	McHugh	Shays
Glickman	McMillen (MD)	Sikorski
Gonzalez	Mfume	Sisisky
Gordon	Miller (CA)	Skaggs
Grant	Moakley	Slattery
Gray (IL)	Mollohan	Slaughter (NY)
Gray (PA)	Montgomery	Smith (FL)
Guarini	Moody	Smith (IA)
Hall (OH)	Morella	Smith (NJ)
Hamilton	Morrison (CT)	Solarz
Harris	Mrazek	Spratt
Hawkins	Murphy	St Germain
Hayes (IL)	Murtha	Staggers
Hayes (LA)	Nagle	Stallings
Hefner	Natcher	Stark
Hertel	Neal	Stokes
Hochbrueckner	Nelson	Stratton
Horton	Nowak	Studds
Hoyer	Oakar	Swift
Hubbard	Oberstar	Synar
Huckaby	Obey	Tallon
Hughes	Olin	Tauzin
Hutto	Ortiz	Thomas (GA)
Jacobs	Owens (NY)	Torres
Jenkins	Owens (UT)	Torricelli
Johnson (SD)	Panetta	Towns
Jones (NC)	Patterson	Traficant
Jontz	Payne	Traxler
Kanjorski	Pease	Udall
Kastenmeier	Pelosi	Valentine
Kennedy	Penny	Vento
Kennelly	Pepper	Visclosky
Kildee	Perkins	Volkmer
Kleczka	Pickett	Walgren
Kostmayer	Pickle	Watkins
LaFalce	Price	Waxman
Lancaster	Rahall	Weiss
Lantos	Rangel	Wheat
Leach (IA)	Ray	Whitten
Lehman (CA)	Richardson	Wilson
Lehman (FL)	Rinaldo	Wise
Leland	Robinson	Wolpe
Levin (MI)	Rodino	Wyden
Levine (CA)	Roe	Yates
Lewis (GA)	Rose	Yatron

NAYS—159

Archer	Emerson	Lent
Arney	Fawell	Lewis (FL)
Baker	Fields	Lightfoot
Ballenger	Fish	Lott
Bartlett	Frenzel	Lowery (CA)
Barton	Gallely	Lujan
Bateman	Gallo	Lukens, Donald
Bentley	Gekas	Lungren
Bereuter	Gingrich	Madigan
Bilirakis	Goodling	Marlenee
Billey	Gradison	Martin (IL)
Boehlert	Grandy	Martin (NY)
Broomfield	Green	McCandless
Brown (CO)	Gregg	McCrery
Buechner	Gunderson	McDade
Bunning	Hall (TX)	McEwen
Burton	Hammerschmidt	McMillan (NC)
Callahan	Hansen	Miller (OH)
Chandler	Hastert	Miller (WA)
Cheney	Hefley	Moorhead
Clinger	Henry	Morrison (WA)
Coats	Herger	Myers
Coble	Hiler	Nielson
Coleman (MO)	Holloway	Oxley
Combest	Hopkins	Packard
Coughlin	Houghton	Parris
Courter	Hunter	Pashayan
Craig	Hyde	Petri
Crane	Inhofe	Porter
Dannemeyer	Ireland	Pursell
Daub	Jeffords	Quillen
Davis (IL)	Johnson (CT)	Ravenel
Davis (MI)	Kasich	Regula
DeLay	Kemp	Rhodes
DeWine	Kolbe	Ridge
Dickinson	Konnyu	Ritter
DioGuardi	Kyl	Roberts
Dornan (CA)	Lagomarsino	Rogers
Dreier	Latta	Roth
Edwards (OK)	Leath (TX)	Roukema

Rowland (CT)	Smith, Robert (NH)	Thomas (CA)
Saxton	Smith, Robert (OR)	Upton
Schaefer	Snowe	Vander Jagt
Schneider	Solomon	Vucanovich
Schulze	Stangeland	Walker
Sensenbrenner	Stenholm	Weber
Shaw	Stump	Weldon
Shumway	Sundquist	Whittaker
Shuster	Sweeney	Wolf
Skeen	Swindall	Wortley
Slaughter (VA)	Tauke	Wyllie
Smith (NE)	Taylor	Young (AK)
Smith (TX)		Young (FL)
Smith, Denny (OR)		

NOT VOTING—26

Aspin	Kolter	Michel
Badham	Lewis (CA)	Mineta
Boulter	Livingston	Molinar
Conte	Mack	Nichols
Dowdy	MacKay	Savage
Frost	McCollum	Skelton
Hatcher	McGrath	Spence
Jones (TN)	Meyers	Williams
Kaptur	Mica	

□ 1356

The Clerk announced the following pair:

On this note:

Mr. Conte for, with Mr. Boulter against.

Mrs. ROUKEMA, Mrs. JOHNSON of Connecticut, and Mr. COURTER changed their vote from "yea" to "nay."

Messrs. LEHMAN of Florida, UDALL, and SCHUETTE changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5141. An act to delay temporarily certain regulations relating to sea turtle conservation.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 1889) entitled "An Act to amend the Geothermal Steam Act of 1970 to provide for lease extensions, and for other purposes," with an amendment.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1294. An act to promote the development of technologies which will enable fuel cells to use alternate fuel sources;

S. 1295. An act to develop a national policy for the utilization of fuel cell technology;

S. 2215. An act to amend the Office of Federal Procurement Policy Act to authorize appropriations for an additional four years, and for other purposes;

S. 2350. An act to clarify the investigatory powers of the U.S. Congress;

S. 2353. An act to amend the Federal Laboratory Animal Welfare Act to prohibit the selling of stolen dogs and cats, and for other purposes; and

S. 2393. An act to amend the Protection and Advocacy for Mentally Ill Individuals Act of 1986 to reauthorize such act, and for other purposes.

PERMISSION FOR SUBCOMMITTEE ON CRIMINAL JUSTICE OF COMMITTEE ON THE JUDICIARY TO MEET TODAY DURING 5-MINUTE RULE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Criminal Justice of the Committee on the Judiciary be permitted to meet while the House is reading today under the 5-minute rule.

The SPEAKER pro tempore (Mr. BROWN of California). Is there objection to the request of the gentleman from Michigan?

Mr. LOTT. Reserving the right to object, Mr. Speaker, I really did not hear the gentleman's request, and second, to make the usual inquiry, I would ask, Is our ranking member familiar with this and in agreement with this request?

Mr. CONYERS. Mr. Speaker, if the gentleman will yield, yes; first of all, the ranking member, the gentleman from Pennsylvania [Mr. GEKAS], has indicated he may not be able to attend the subcommittee, but he is aware of it. The ranking member of the full committee, the gentleman from New York [Mr. FISH], is aware of it and will be present.

Mr. LOTT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan.

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4417, NATIONAL BUREAU OF STANDARDS AUTHORIZATION ACT FOR FISCAL YEAR 1989

Mr. HALL of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 100-865) on the resolution (H. Res. 522) providing for the consideration of the bill (H.R. 4417) to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1989, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4986, STUDENT DEFAULT INITIATIVE ACT OF 1988

Mr. HALL of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 100-866) on the resolution (H. Res. 523) providing for the consideration of the bill (H.R. 4986) to amend the Higher Education Act of 1965 to reduce the default rate on student loans under that act, and for other purposes which was referred

to the House Calendar and ordered to be printed.

REQUEST TO CONSIDER ON TODAY CONFERENCE REPORT AND MOTIONS TO DISPOSE OF AMENDMENTS IN DISAGREEMENT TO H.R. 4867, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1989

Mr. YATES. Mr. Speaker, I ask unanimous consent that it shall be in order at any time today to consider the conference report and motions to dispose of amendments in disagreement to the bill (H.R. 4867) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1989, and for other purposes, and that the conference report and amendments in disagreement be considered as read when called up, and that clause 2(d)(6) of rule XI and section 302(f) of Public Law 93-344 (as amended) be waived against consideration of the conference report and motions to dispose of amendments in disagreement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. WALKER. Reserving the right to object, Mr. Speaker, the Public Law section to which the gentleman referred, section 302(L), is in fact a Budget Act waiver which is technically needed for the bill. Is that correct?

Mr. YATES. Mr. Speaker, if the gentleman will yield, that is correct.

Mr. WALKER. On that basis, Mr. Speaker, I object.

Mr. YATES. Mr. Speaker, I hope the gentleman will defer for just a moment.

Mr. WALKER. Mr. Speaker, I withdraw my objection, and reserving the right to object, I yield to the gentleman from Illinois?

Mr. YATES. Mr. Speaker, I would hope the gentleman would not object to consideration of the conference report. If the gentleman objects, of course, we will have no alternative except to wait until the House returns after its vacation. There will be only 17 or 18 legislative days left at that time and we are trying desperately to avoid getting in a CR situation again.

The reason the Appropriations Committee has not met to consider the so-called violation of the 302 provision is that we are in constant conferences on each of the appropriation bills.

The chairman has not been able to really call a meeting of the Appropriations Committee. The conferences are still taking place. We have completed ours. We do not want to be caught in a last-minute situation following the vacation.

Incidentally, in this bill we are below our level for outlays. We are below our level for budget authority.

Atkins	Ford (TN)	Markey	Skaggs	Stenholm	Visclosky
AuCoin	Frenzel	Marlenee	Skeen	Stokes	Volkmer
Baker	Gallegly	Martin (IL)	Slatery	Stratton	Vucanovich
Balenger	Gallo	Martin (NY)	Slaughter (NY)	Studds	Walgren
Barnard	Gaydos	Martinez	Slaughter (VA)	Stump	Walker
Bartlett	Gejdenson	Matsui	Smith (FL)	Sundquist	Walkins
Barton	Gekas	Mavroules	Smith (IA)	Sweeney	Waxman
Bateman	Gephardt	Mazzoli	Smith (NE)	Swift	Weber
Bates	Gibbons	McCandless	Smith (NJ)	Swindall	Weiss
Benjamin	Gillman	McCloskey	Smith (TX)	Synar	Weldon
Bentley	Gingrich	McCrery	Smith, Denny	Tallon	Wheat
Bereuter	Glickman	McCurdy	(OR)	Tauzin	Whittaker
Bilbray	Gonzalez	McEwen	Smith, Robert	Taylor	Whitten
Bilirakis	Goodling	McHugh	(NH)	Thomas (CA)	Wilson
Biley	Gordon	McMillan (NC)	Smith, Robert	Thomas (GA)	Wise
Boehlert	Gradison	McMillen (MD)	(OR)	Torres	Wolf
Boggs	Grandy	Mfume	Snowe	Torricelli	Wolpe
Boland	Grant	Miller (CA)	Solarz	Towns	Wortley
Bonker	Gray (IL)	Miller (OH)	Solomon	Trafficant	Wyden
Borski	Gray (PA)	Miller (WA)	Spratt	Traxler	Wyllie
Bosco	Green	Moakley	St Germain	Upton	Yates
Boucher	Gregg	Mollohan	Staggers	Valentine	Yatron
Boxer	Guarini	Montgomery	Stallings	Vander Jagt	Young (FL)
Brennan	Gunderson	Moody	Stark	Vento	
Brooks	Hall (OH)	Moorhead			
Broomfield	Hall (TX)	Morella			
Brown (CA)	Hamilton	Morrison (CT)			
Brown (CO)	Hammerschmidt	Morrison (WA)			
Bruce	Hansen	Murtha			
Bryant	Harris	Myers			
Burton	Hastert	Nagle			
Bustamante	Hawkins	Natcher			
Byron	Hayes (IL)	Neal			
Callahan	Hayes (LA)	Nielson			
Campbell	Hefley	Oakar			
Cardin	Hefner	Oberstar			
Carper	Henry	Obey			
Carr	Herger	Olin			
Chandler	Hertel	Ortiz			
Chapman	Hiler	Owens (NY)			
Clarke	Hochbrueckner	Owens (UT)			
Clay	Holloway	Oxley			
Clement	Hopkins	Packard			
Clinger	Horton	Panetta			
Coats	Houghton	Parris			
Coble	Hoyer	Pashayan			
Coelho	Hubbard	Patterson			
Coleman (MO)	Huckaby	Payne			
Coleman (TX)	Hughes	Pease			
Collins	Hunter	Pelosi			
Combest	Hutto	Penny			
Conyers	Hyde	Pepper			
Cooper	Inhofe	Perkins			
Costello	Ireland	Petri			
Coughlin	Jacobs	Pickett			
Courter	Jeffords	Pickle			
Coyne	Jenkins	Porter			
Crane	Johnson (CT)	Price			
Crockett	Johnson (SD)	Pursell			
Dannemeyer	Johnson (NC)	Quillen			
Darden	Jontz	Rahall			
DeLoach	Kanjorski	Ravenel			
Davis (IL)	Kaptur	Ray			
Davis (MI)	Kasich	Regula			
de la Garza	Kastenmeier	Rhodes			
DeFazio	Kennedy	Richardson			
Dellums	Kennelly	Ridge			
Derrick	Kildee	Rinaldo			
DeWine	Kleczka	Ritter			
Dicks	Kolbe	Roberts			
Dingell	Kostmayer	Robinson			
DioGuardi	Kyl	Rodino			
Dixon	LaFalce	Roe			
Donnelly	Lagomarsino	Rogers			
Dornan (CA)	Lancaster	Rose			
Downey	Lantos	Rostenkowski			
Durbin	Latta	Roth			
Dwyer	Leach (IA)	Roukema			
Dymally	Leath (TX)	Rowland (CT)			
Dyson	Lehman (CA)	Rowland (GA)			
Early	Lehman (FL)	Russo			
Eckart	Leland	Sabo			
Edwards (CA)	Lent	Saiki			
Edwards (OK)	Levin (MI)	Sawyer			
Emerson	Levine (CA)	Saxton			
Erdreich	Lewis (FL)	Schaefer			
Espy	Lewis (GA)	Scheuer			
Evans	Lightfoot	Schneider			
Fascell	Lipinski	Schroeder			
Fawell	Lloyd	Schuette			
Fazio	Lott	Schulze			
Feighan	Lowery (CA)	Schumer			
Felds	Lowry (WA)	Sensenbrenner			
Fish	Lujan	Shaw			
Flake	Lukens, Thomas	Shays			
Florio	Lukens, Donald	Shumway			
Foglietta	Lungren	Sikorski			
Foley	Madigan	Sisisky			
Ford (MI)	Manton				

□ 1635

The CHAIRMAN. Three hundred seventy-four Members have answered to their name, a quorum is present, and the Committee will resume its business.

LEGISLATIVE PROGRAM

(Mr. FOLEY asked and was given permission to address the House for 1 minute.)

Mr. FOLEY. Mr. Chairman, in accordance with my previous statement to the House and in conversation and discussion with the distinguished Republican whip, I said that I would announce at 4:30 whether we would proceed with the Coast Guard authorization rule and bill or conference report, and it is my intention to move that bill, that conference report, to schedule following our return in September to minimize the burden of today's schedule.

But in doing so I would like to advise the Members that there is still a possibility of the consideration of the urgent supplemental bill, which is now being worked out between members of the other body and Members on our side, and, in order to accommodate that without having business intervene, I would like to have recess authority so that we would be able to recess rather than continue legislation.

Mr. LOTT. Mr. Chairman, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Mississippi.

Mr. LOTT. So we can make sure that we understand it, the gentleman from Washington [Mr. FOLEY] is dropping the Coast Guard conference report. At the proper time he is going to ask for recess authority so that we can await, I guess, the adjournment resolution for one thing, and we have not gotten that back, on the assumption that there might be a possibility for a bipartisan agreement on this dire supplemental.

Mr. FOLEY. The gentleman from Mississippi is correct.

Mr. LOTT. Now I guess the question that all the Members have in mind would be: would that mean that there

could be after a recess then later on tonight the possibility of a vote on that dire supplemental?

Mr. FOLEY. Well, we would anticipate no votes, and the expectation would be that the agreement on the supplemental would be bipartisan.

The problem I have, very frankly we have an aside, and I am not anxious to fill in a schedule with the rule and consideration of the conference report on Coast Guard. I want to take that off the calendar so we do not have Members on your side required to be here for missing votes. But in order to do that I have to have some recess authority or we have to continue business.

Mr. LOTT. Let me try to help the gentleman to this extent.

First, I do think we need to clear up whether it is your intent to proceed with this bill that we have been considering to its completion. Is that correct?

Mr. FOLEY. The gentleman is correct.

Mr. LOTT. And the recess authority which you asked for would strictly be so that the Members would not have to stay or so we would fill in and that your only intent would be to, in case there was a possibility, we could bring up the dire supplemental under such set of circumstances where there would not be a recorded vote. If it should look like that cannot be worked out, cannot have an agreement or there is going to be a recorded vote, then it would not be brought up.

Is that my understanding? Is that correct?

Mr. FOLEY. I cannot tell the gentleman from Mississippi [Mr. LOTT] that we would not require someone to object. I am not saying that, if we have notice that there would be objection, we would not bring it up. We intend to bring it up by unanimous consent.

Mr. LOTT. But I would like for us to have the opportunity, if the gentleman from Washington [Mr. FOLEY] will yield further, to try to work it out, if they did work it out where nobody would object.

Mr. FOLEY. That is the intent.

Mr. LOTT. And then with that source of understanding, then I think the gentleman's request for a recess with that understanding is a legitimate request.

Mr. LEACH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Iowa.

Mr. LEACH of Iowa. Mr. Chairman, there is an aspect of the dire emergency supplemental that this House has not looked at, and in the other body some very tricky language was introduced on what are called net worth certificates for thrifts that could cost literally \$11 billion.

Mr. FOLEY. Mr. Chairman, it is my understanding we are working to eliminate that language.

Mr. LEACH of Iowa. If that is eliminated, I think there would be less objection on this side.

Mr. FOLEY. I think the gentleman need have no concern.

Mr. Chairman, I cannot ask for unanimous recess authority in the committee, but I will when we return to the House.

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, I cannot hear the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. I was just stating to the Chair that, since I am not able to request recess authority in the Committee, I will defer until the House resumes its sitting to make such a request. I hope it will be granted because again the decision on legislation, not to proceed with the Coast Guard legislation, is dependent on the granting of recess authority.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. CONYERS].

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, when Frederick Douglass and Abraham Lincoln called for the abolition of slavery, they were told to wait, and that they were moving too fast. When Susan B. Anthony called for women's suffrage, she was told to wait, and that we were moving too fast. When Martin Luther King marched in Selma and Birmingham for the end of racial segregation, he was told to wait and that he was moving too fast.

Now black South Africans, who have no political rights or economic power to speak of, are being told to wait, and that they are moving too fast. Instead of using sanctions to pressure the apartheid regime in Pretoria to negotiate with the black majority, to bring true democracy to that oppressive country, to allow freedom of the press, and to end racial segregation in all public facilities, we are being told to wait. But what is there to wait for?

Please stop telling us that sanctions are ineffective. The Members who are saying that sanctions don't work are the same people who supported sanctions against Nicaragua, Poland, Cuba, Vietnam, Libya, and other countries. None of these countries have anything on South Africa when it comes to imprisoning dissenters, censoring the press, or denying the masses of their citizens the right to have a choice in their government. So if sanctions are appropriate in those cases, they are more than appropriate here.

Please stop telling us that sanctions will only hurt South Africans, and that constructive engagement will empower black South Africans. United States firms employ less than 1 percent—70,000 out of 26 million—of the entire black South Africa population. And the way South African companies have broken strikes, particularly the strike led by the predominantly black Coalition of South African Trade Unions, shows that constructive engagement has done nothing to empower black South Africans. In fact, constructive engagement has done little more than enrich South Africans while black South Africans continue to work and live in subhuman conditions.

Please stop telling us that black South Africans don't want the U.S. to impose sanctions. We all know that all the major black leaders in that country—except one—have been calling for sanctions, despite the threats of prison and violent reprisal. And instead of constantly citing polls about what black South Africans really want, the South African Government should finally give everyone in that country the right to vote, so that they can truly express their views.

Please stop saying that the 1986 sanctions bill entrenched white South African resistance. The truth is that the bulk of Afrikaners are desperate to hold onto their power, fearing that they will not have control of the country in a true democracy.

The apartheid regime had been tightening its grip on free speech, freedom of the press and the majority of its citizens even before 1986.

And please stop saying that sanctions will leave America with no influence in South Africa. What has been done with all this influence that we have over the South African Government? Do black South Africans have the right to vote? Don't black South Africans still earn only a fraction of what their white counterparts earn for the same work? Have the Afrikaners ever offered any arrangement that would give the majority of South Africans a true voice in their Government? Since American influence has yielded little more than token concessions over the past four decades of apartheid, why should we continue on that path?

Let's stop stalling. I urge all of my colleagues to vote in favor of H.R. 1580 today.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. HAYES].

Mr. HAYES of Illinois. Mr. Chairman, I rise in strong support of H.R. 1580, the Anti-Apartheid Act Amendments of 1988.

While there is obviously a difference of opinion as to whether additional sanctions will be helpful or harmful to the black majority of South Africa, there should be no discrepancy over the tragic effect that the racist system of apartheid has had. Apartheid not only dehumanizes its victims through destruction of their families, through forced labor at little or no pay, through incarceration without charge or trial, it also kills. In the 40 years of the Pretoria apartheid regime, almost 75 percent of the population in South Africa has been denied basic human rights and freedoms. Untold thousands of them have lost their lives, and continue to lose their lives as we speak, simply because they want the freedom to live like human beings.

While opponents argue that sanctions will hurt the black majority more than the white minority, the facts do not support that argument. Opponents also argue that the limited sanctions enacted in October 1986 are sufficient and negate the need for additional sanctions. Again, the facts do not support that argument. The fact is that from the perspective of its victims, it is apartheid, not sanctions, that is the major cause of black suffering in South Africa.

Of the 24 million black and mixed race majority population of South Africa, less than 1 percent are employed by American corporations. Today, more than 3.3 million black workers are listed as officially unemployed, and that figure does not include unemployment in the so-called homelands, where countless thousands are without work. The loss of citizenship by over 7 million people, forced removals, separated families, infant mortality rates that exceed those in many poorer African states, and a totalitarian police state, are not manifested by sanctions—they are the direct results of apartheid.

For those who argue against the imposition of additional sanctions against the racist Pretoria apartheid regime, I ask, why are they acceptable against countries such as Cuba, Poland, Panama, Nicaragua, Uganda, Libya, Vietnam, and others—but not against South Africa?

Opponents say that the key to helping black South Africans is to help them economically. With that I agree. H.R. 1580 calls for economic assistance for victims of apartheid. However, economic assistance is not enough. What black South Africans need most is political empowerment to enable them to take control of their destiny and move toward freedom and independence.

How will sanctions help them achieve that goal? Let me quote from Winnie Mandela, "The multinational companies, as far as we are concerned, are political criminals in this country. One doesn't dream for one minute that sanctions alone would bring the government down or disinvestment alone. But it is part of a tool one can use and in fact, tools of this nature which are instruments of liberation would lessen the bloodbath we are headed for." * * *

Mr. Chairman, I believe the comprehensive sanctions contained in H.R. 1580, are a tool to be used for the long term, to amplify internal pressures from the majority for a negotiated end to apartheid.

The essence of the problem for the black majority population in South Africa is that they do not have any political rights. What are they supposed to do—buy political rights from the Botha regime? The fact is that they have never benefited from a South African economy that has been bolstered by years of United States investment and trade. During periods of strong economic growth in South Africa, in the early 1960's and 1970's, blacks suffered some of the worst repression in South African and Namibian history.

Apartheid does not need to be reformed, nor does it need to be fine tuned. Apartheid needs to be abolished. Sanctions will foster apartheid's demise by denying the very lifeblood which sustains it—massive infusions of U.S. currency.

Mr. Chairman, I urge my colleagues to support passage of H.R. 1580 and

send the message to the Botha apartheid regime and the black majority in South Africa, that we in the U.S. Congress, will not longer tolerate the deliberate, sustained repression of human rights and basic freedoms that are taking place in that country.

Sanctions can be effective—if they are used in a consistent and forceful manner. H.R. 1580 provides the mechanism for such implementation and it should be overwhelmingly accepted.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. Espy].

(Mr. ESPY asked and was given permission to revise and extend his remarks.)

Mr. ESPY. Mr. Chairman, I appreciate the opportunity to rise and express my strong support for H.R. 1580, the Anti-Apartheid Act Amendments. The apartheid form of government is much akin to slavery and is repulsive in the light of true democratic ideals. There are indeed serious economic, political, social, and moral concerns that will reverberate from this bill; just as there is human degradation in an apartheid society. As an American, enjoying the hopes and dreams of a free society, I am further dedicated to justice and human rights for all the people of this world, and I stand on this firmly in support of H.R. 1580. I support this bill after having weighed the strategic concerns of this Nation, after having discussed the economic repercussions for black South Africa, and after having given deep thought to past United States policies affecting South Africa that have failed miserably, I know it is just and proper that the United States Congress pass H.R. 1580, and that it become law.

Mr. Chairman, on July 12 of this year I spoke to an audience at the annual dinner of the Americans Against Apartheid at Howard University. I would like to enter into the RECORD at this point a copy of the remarks I made that evening:

AMERICANS AGAINST APARTHEID ANNUAL DINNER, JULY 12, 1988, HOWARD UNIVERSITY

Not that long ago, race relations in the United States were in a violent turmoil. Local sheriffs and police officers jailed and beat black people who only wanted to have a voice in government through their votes. Many blacks died because they believed they had a right to eat in the same restaurants, shop in the same stores, live in the same neighborhoods, and work in the same companies as white people.

Blacks picketed the streets of not just small towns in the Deep South, like Yazoo City, Mississippi, my hometown, but in large cities across this country demanding equal protection, equal rights under the law. They boycotted businesses, protested separate but equal, and organized themselves into powerful, important community groups.

Black mothers and fathers fed and clothed their families on little more than a hope and a prayer from that week's meager wages, and they educated their children as well as they could, given the limited resources they had. Their houses were not warm in the winter or cool in the summer, but they somehow made a home for their families with love, struggle, perseverance, and struggle.

And, it was through struggle, perseverance, and love that these same people convinced a nation that hearts needed to be

opened, long-held beliefs needed to be challenged, and laws needed to be passed. During the past 25 years, civil rights laws, fair housing laws, equal education laws, and wage protection laws have been passed. Hearts have been opened, and long-held beliefs have been challenged, even in states like Mississippi, where at one time no one would have ever thought a black man like myself would be elected to the U.S. Congress.

It happened. It happened because we live in a country, that despite its many weaknesses and failings, is based in the belief that all men and women have rights: life, liberty, and the pursuit of happiness. Though this country's leaders tried for decades to justify the denial of these rights to black people, they have to finally give it up, because you, your parents, my parents, our grandparents said no more.

Though certainly our struggle here at home is not over, we now face an even greater battle with our brothers and sisters in southern Africa. The racial strife I just described in this country is only an echo of the pain and suffering in southern Africa which has been part of the history of those countries for centuries.

For more than a hundred years, black South Africans have been repressed by the racist government of South Africa. Twenty-five million blacks, Asians, and mixed races are under the control of only 4 million whites. They can not move about as whites do; they are banished to poverty-stricken areas; they can not vote; and they are beaten, tortured, and jailed. This sounds all too familiar.

But, just like blacks in this country, these methods of terror have not been enough to keep blacks down in South Africa. They have stood up to protest apartheid. Blacks and whites in this country had stood up as well to protest apartheid. In 1986 Congress passed legislation requiring South Africa to end its system of apartheid. But, none of the conditions outlined in the legislation have been met, and the Administration ignores the law and threatens to veto the new sanctions bill. We know that weak economic sanctions can be circumvented and have been circumvented.

We must give full support to the sanctions bill being considered by Congress because it represents a means to dismantle the South African apartheid system. Clearly, the Administration's policy of constructive engagement has failed because the South African government has not met any of the criteria for significant progress toward ending apartheid. In fact, the situation has worsened.

South Africa has increased its destabilization of the entire area with its illegal occupation of Namibia, its support for insurgencies in Mozambique, Zimbabwe, and Angola, and its raids into Botswana, Swaziland, and Zambia. The U.S. government can no longer cast a passing glance at South Africa while its government continues its systematic suppression of blacks and minorities. We must prove that America's opposition to South Africa's racism is not superficial, but real. Passage of H.R. 1580 is a beginning.

Recently, I participated in a press conference here in Washington, D.C. to denounce a decision to give Angolan rebel leader, Jonas Savimbi, a humanitarian award in the name of Medgar Evers, the slain civil rights leader of Mississippi. As you may know, Savimbi visited three cities in Mississippi, two in my District. I am happy, but not surprised, to report that he did not accomplish much while he was there.

Savimbi was met with more protesters than supporters at every stop. The people of Mississippi can not be duped into believing

that UNITA, with the help of the South African government, has not planted land mines along roads and farmlands in Angola in a direct effort to cause suffering and permanent disfigurement to the people of Angola. UNITA is creating a country of amputees who will have to be supported and treated with the meager resources of Angola. More than 20,000 Angolans have lost limbs as a result of UNITA mines.

We can not be duped into believing the people of Angola are not dying from malnutrition as a result of the destruction caused by UNITA. More than 100,000 people died because of malnutrition between 1980 and 1985 in areas once described as the "breadbasket of southern Africa."

Angolans live in constant fear of attacks as they try to farm and mine. They are separated from their families. They know they are not safe anywhere, given that rebels are willing to kill even hospital patients.

And, I can not understand why the children are always the ones to suffer the most. The children of Angola, South Africa, and Mozambique are dying at rates higher than in any other country. Angola now has the highest mortality rates for children under five in the world. This is a direct result of the destabilization and atrocities of the South African-backed resistance groups. UNICEF reports that a small child dies every 4 minutes in Mozambique and Angola as a result of the war.

In South Africa, thousands of children have been caught in the web of mass arrests under Pretoria's so-called martial law justice system. Nearly one third of the total number of blacks detained by the police during the 3-year-old state of emergency were children. The number of children arbitrarily jailed remains outrageously high.

We have been appalled by the violence, by the extension of the state of emergency which has hidden much of the brutality, but we have been most appalled by the treatment of the children: of 30,000 people detained since 1985 alone, more than 8,000 are children.

In an effort to show solidarity with the children of South Africa and to show solidarity with courageous people of all races in South Africa, Congressman Charles Hayes of Illinois recently introduced a resolution declaring June 16, 1988, as "Seweto Remembrance Day" to call on American citizens to participate in local activities designed to commemorate the martyrs of Soweto and to work toward ending support for the system of apartheid.

I co-sponsored this resolution, along with many other Members of Congress, so we will not forget the day in 1976 when more than 1,000 children were brutally murdered by the South African police in the township of Soweto. These children committed no crime. They simply wanted to be educated in their native language in their native land.

Twelve years later, South African parents continue to agonize over the problems of raising children in a deeply divided and violent racist society. According to the Rev. Frank Chikane, general secretary of the South African Council of Churches, "They find themselves either confronting the system or running away from tear gas and bullets. For these children, violence has become a lifestyle, leaving still undetermined emotional scars."

This is no way to live. Clearly, the aim of the rebels and the government of South Africa is to create a weakened and dispirited people in all of southern Africa. South Africa must do away with any threats from its neighbors, so they export their terrorism into the countries of southern Africa.

We know about the horrors of these wars. It is sad and frustrating to me that campaigns to garner support for UNITA are underway in the black community in my state. Blacks in Mississippi oppose apartheid, and they oppose Savimbi.

The apartheid system and its continued denial of basic human rights and freedoms to the 25 million black majority population of South Africa offends the sensibilities of freedom loving people everywhere. It is repugnant to the ideals which our Nation's founders embraced in our Declaration of Independence, Constitution, and Bill of Rights. If we in this country embrace such treatment of other citizens, we as well should be condemned.

It is imperative that stronger measures from the Administration and the next Administration are undertaken to show to the world that the racist actions of South Africa will not be tolerated by what is the strongest democracy in the world.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. RODINO].

(Mr. RODINO asked and was given permission to revise and extend his remarks.)

Mr. RODINO. Mr. Chairman, I rise as an original cosponsor of H.R. 1580, the Anti-Apartheid Act Amendments of 1988, to express my deeply felt belief in the necessity of this legislation and the urgency with which we must act upon it.

I am dismayed that we must once again confront this issue. But the fact is that the limited sanctions currently in place have not been effectively enforced and American investment in South Africa continues because of exemptions and inexact wording. Although the experience of the past 2 years has demonstrated that even limited sanctions have had an economic impact on South Africa, we cannot expect dramatic results until we impose the strong comprehensive sanctions contained in H.R. 1580 that will stop all trade and investment in South Africa.

By approving this important legislation, the Congress will send a clear and strong message: That America will no longer subsidize apartheid and that we are prepared to do whatever is necessary to encourage the negotiations that will lead to the establishment of a just system by peaceful means. We must act before it is too late—as Bishop Desmond Tutu has said, “there is no guarantee that sanctions will topple apartheid, but it is the last nonviolent option left, and it is a risk with a chance.”

Mr. Chairman, our Government is founded upon an enduring principle guaranteed by the Constitution—that everyone is equal before the law. With brutal force and repression, this principle is subverted every day in South Africa in order to preserve the system of apartheid. As Americans, we have a special responsibility to reaffirm our commitment to this principle by working to end the inequality and injustice in South Africa. As human beings, we have a moral obligation to proclaim—both in words and in deeds—our vehement opposition to the brutality inflicted upon blacks in South Africa apartheid. Now is the time to act. I urge the passage of H.R. 1580.

Mr. WOLPE. Mr. Chairman, I have only one speaker to conclude the debate, and so I reserve the balance of my time.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. DONALD E. “BUZ” LUKENS).

(Mr. DONALD E. “BUZ” LUKENS asked and was given permission to revise and extend his remarks.)

Mr. DONALD E. “BUZ” LUKENS. Mr. Chairman, I appreciate the gentleman from Michigan [Mr. BROOMFIELD] yielding me this time.

Let me say very briefly that I rise to oppose the bill strenuously. There are many aspects to South Africa. The problem of apartheid personally repels me, and no one objects to it more than I do. There is a political aspect, a military aspect and an economic aspect. This bill unfortunately addresses an emotional issue rather than the heart of it.

Mr. Chairman, what we have done is drive South Africa into a military arms sales stance. Five years ago it was seventeenth in the world, hardly a factor. Today it is No. 5. Because of our short-sighted policies of noninvolvement economically we have allowed them to become a military giant and a regional superpower on the continent of Africa. Politically speaking, what really turns South Africans on black and white is the economy.

Mr. Chairman, it deeply concerns me to see us addressing a further deterioration of the United States-South African relations when the answer really lies in helping those black underprivileged and economically and politically deprived citizens of South Africa to achieve a full voting status by economic means, and it is absolutely doable.

What we have heard about South Africa that is bad is probably all true. But what we have also heard about South Africa that is good is also all true. The bad part is political, and the good part, by and large, is economic.

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Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. PARRIS].

(Mr. PARRIS asked and was given permission to revise and extend his remarks.)

Mr. PARRIS. Mr. Chairman, I would hope that all Members of this body can agree that all of us abhor the practice of apartheid and oppose discrimination wherever it may exist.

While I also hope that every Member in this Chamber is well informed about the issue which we are considering today, I would like to offer an explanation of the repercussions which this bill, if enacted would have on the U.S. economy.

This bill calls for the unilateral divestment of all United States holdings in South Africa and the unilateral forfeit of all United States trade with South Africa. The experience of the last 2 years has shown conclusively that everything United States investors are forced to sell at a loss will be bought by a foreigner at a profit, and every product that the United States stops exporting to South Africa will be replaced by a Japanese, German or British product.

The sponsors of this bill recently sent a letter to all Members boldly proclaiming that the benefits of sanctions outweigh the economic costs. I wonder if these Members have really taken a look at what this bill means to the U.S. economy?

If enacted this bill would force, through threat of criminal penalties, the divestment of millions of dollars of retirement funds, pension plans, and individual investments.

The number of jobs that this action would cost the U.S. economy is conservatively estimated at 50,000. Who in this Chamber can support the sacrifice of 50,000 American jobs for any reason.

The result of economic sanctions against a developed country such as South Africa are exemplified by the situation in the coal and steel industries. After United States sanctions on South African coal and steel the South Africans simply knocked a few cents off the price and put their product on the world market. They found ready buyers in Turkey, the Netherlands, Japan, and Thailand among others.

The United States steel industry found itself suddenly competing against new, lower priced world producers and the United States coal industry lost \$250 million in exports because of South African price cuts. In the end the South Africans lost a few cents on the ton of coal, and the United States lost 3,000 to 7,000 jobs—directly related to the sanctions. I hope that this is understood in the vast coal producing regions of the United States. I assure you it is in these areas of Virginia.

An incomplete survey of the immediate economic impact of this bill on the U.S. economy shows that we will be sacrificing \$1.2 billion in exports, \$1.2 billion in gold mine investments, and \$35 to \$100 million in oil lease revenues. Add this to the already accumulated losses of the U.S. coal and uranium industries—\$500 million—and you come up with at least \$3 billion in U.S. losses within a year of this bill's enactment.

In sum, the United States stands to lose a bare minimum of 50,000 jobs and \$3 billion due to this bill, while other nations have shown an eagerness to replace our market position. Some Members have indeed stated that the benefits of sanctions outweigh the costs. I wonder if the retirees who suffered great losses in their pension funds, the steel producers who are rapidly losing markets, and the unemployed coal miners would agree.

This legislation, however well intentioned, is simply contrary to the best interests of the United States. I hope it will be rejected.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I rise in support of H.R. 1580 and I am proud to be a cosponsor of the pending Anti-Apartheid Act. I support the pending legislation and will vote against the amendments that will be offered by the gentleman from Indiana [Mr. BURTON] and the gentleman from Michigan [Mr. BROOMFIELD].

Mr. Chairman, I supported the 1986 sanctions bill and voted for it, overriding the Presi-

dent's veto. It is time to send a clear message, once again, because evidently the message that was sent in the earlier bill has not been received by the South African Government.

Among the first indications that the message was not received was the crack-down on dissent within South Africa. It is inconceivable that the Government there can be interested in dialog when vigorous but peaceful advocates of change are silenced.

Mr. Chairman, the message that the South African Government should understand that we are conveying is that the time has come for the end of apartheid in South Africa. The American people stand with the majority of the people of South Africa who want self-rule; the current system is morally repugnant, and the American people will have nothing to do with it.

We need strong, mandatory sanctions at the earliest possible moment. As it has been said: "sanctions hurt * * * apartheid kills." Accordingly, I urge support of H.R. 1580.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, when we deal with the repressive, totalitarian regime in the Soviet Union, we are told it is important to maintain the dialog, even if we abhor their policies.

When we deal with the repressive, totalitarian, Communist regime in Mozambique, we are told that it is important to maintain the dialog, even if we abhor their policies.

When we deal with the repressive, totalitarian regime of Communist Cuba, we are told that we should open a dialog, even if we abhor their policies.

Today we are told that the best policy is to close the dialog with South Africa, take ourselves out of the solution to the problems of that country, leave black South Africans to fend for themselves, close off avenues of opportunity to that violence is the only solution.

What we are being told today may be good politics for some, but it is bad policy for us all.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. RITTER].

(Mr. RITTER asked and was given permission to revise and extend his remarks.)

Mr. RITTER. Mr. Chairman, today others will discuss the foreign policy implications of this legislation and whether sanctions are the most effective way to promote changes in South Africa. I, however, will focus my remarks on the impact this legislation could have on U.S. jobs and industry—particularly manufacturing-based jobs—and our national security. Specifically, I will discuss the effects of the proposed embargo of critical mineral imports from South Africa.

The field of strategic minerals is close to my heart. Before coming to Congress, I was an industry consultant in the field of materials in manufacturing, and have been a faculty member in the field of metallurgy. I hold master's and doctorate degrees in physical metal-

lurgy from the Massachusetts Institute of Technology.

As we consider how to bring about the end of apartheid in South Africa, we must also consider our own needs. It would be irresponsible to proceed with this legislation without considering the potential consequences to our own economy. If passed, this bill would prohibit the United States from purchasing products or materials from South Africa. Yet, South Africa is our major supplier of many critical minerals that are largely unavailable anywhere else except the Soviet Union.

This bill's supporters recognized this, and added language which allows the President to certify that we can't get these materials elsewhere. Then we can resume buying them from South Africa.

First, there is a great danger that our next President, especially if that President turns out to be a liberal Democrat, might not waive this restriction on strategic minerals and allow us to purchase what we need from South Africa.

Second, in the event that the "reliable alternative" is viewed as the Soviet Union, I do not think it appropriate or more morally correct to rely on them rather than South Africa for our critical mineral needs. Nor do the Soviets have the production capacity to meet our needs.

Third, we may antagonize the South Africans into deciding, in the face of disinvestment and a trade embargo, not to sell us the very materials we need most.

And, fourth, those minerals could well end up in imported finished products, made outside the United States.

In sum, this bill leads down the path of dependency to the Soviet Union and could greatly hurt United States industry by denying us the minerals we need to produce our products.

I would like to support my arguments in greater detail. Before doing so, I will discuss the uses and sources of the minerals affected by this legislation.

Platinum is essential for reducing automotive exhaust emissions, refining petroleum, and producing nitric acid for fertilizers, explosives, and other chemicals. It is also used in electrical and electronic equipment for contacts and electrodes.

Chromium is essential to stainless steel and superalloy production, and to processes in the defense, aerospace, chemical, power generation, and transportation industries where oxidation and corrosion-resistant materials are needed. It is one of the most important engineering materials.

Manganese is necessary for steel and cast iron production primarily because of its desulfurizing, deoxidizing and alloying functions.

Vanadium is used principally as an alloying element in steelmaking. Vanadium-aluminum master alloy is a vital component of titanium alloys used in aircraft to provide increased strength and workability. Vanadium compounds are also used as catalysts in the chemical industry.

Cobalt is necessary in critical, so-called super alloys, particularly in jet aircraft engines, tools, mining and drilling equipment, wear-resistant alloys, magnets, and catalysts.

Andalusite is important in making high-quality refractories used in critical areas of the iron and steel industries, including blast furnace stoves. The United States imported 100 percent of its consumption from South Africa in 1984-85.

Where do we get these materials? You have often heard that the United States is seriously dependent upon imports for many of these minerals. A closer look at the world picture conveys a real sense of dependency.

Ninety percent of the world's present platinum group metals mine capacity is in South Africa, 64 percent and the Soviet bloc, 26 percent. Virtually all new U.S. supplies of platinum-group metals—platinum, palladium, rhodium, and iridium—come from imports. Last year South Africa supplied over half of our imports.

Sixty-seven percent of the world's present chromium mine capacity is in South Africa, 36 percent, and the Soviet bloc, 31 percent. All new U.S. supplies of manganese come from imports. Last year South Africa supplied just about half of these imports.

Fifty-five percent of the world's present manganese mine capacity is in South Africa, 25 percent, and the Soviet bloc, 30 percent. All new U.S. supplies of manganese come from imports. Last year South Africa supplied over one-fourth of our imports.

Fifty-eight percent of the world's present vanadium mine capacity is in South Africa, 36 percent, and the Soviet bloc, 22 percent. Almost half of United States new supplies of vanadium come from imports. Last year South Africa supplied about half of our imports.

Seventy-two percent of the world's cobalt mine capacity is in Zaire, 45 percent, Zambia, 14 percent, and the Soviet bloc, 13 percent. All new U.S. cobalt supplies are imported. Zaire and Zambia account for about one-half of our imports.

Disturbances to the South African transportation infrastructure would adversely affect cobalt shipments. Despite the assertions made by supporters of this legislation that mineral production from Zimbabwe, Zaire, and Zambia could be transported through non-South African routes and shipped from non-South African ports, or "simply flown out as it has been in the past," this is simply not true.

The promise of adequate rail service through non-South African countries is long standing, but over the last 25 years there has been little progress. Portions of the cobalt production have been flown out of Zaire, but it would be folly to think the vanadium tonnage required by the United States could be airlifted out of Zaire or Zambia at a competitive cost when a sale could be made to a third-party nation for reshipment under a new nationality to the United States. It will be some time before adequate alternative rail and port facilities will be available to replace existing South African facilities.

To minimize the potential for disruption to our economy due to the embargo of imports, an exemption for strategic minerals was included in this legislation. However, for this exemption to go into effect, the President must certify that "the quantities of such minerals which are essential for the economy or the defense of the United States are not available from alternative reliable suppliers."

In a highly charged, politicized atmosphere over South Africa, I take issue with the effectiveness of this exemption to provide for our needs. This language is subjective; it is open to interpretation based on politics. Then there is the question of deciding which "quantities" are "essential." Just what constitutes "essential," or "reliable?" It is reasonable to assume

that a Michael Dukakis administration would be far less likely to allow purchases from South Africa than a George Bush administration.

We are dealing with a situation which could place a massive economic burden on the United States. According to a U.S. Bureau of Mines technical report, a fully effective embargo, whether self-imposed or as a result of an action by South Africa, would have a direct cost of \$1.85 billion per year.

The indirect impacts, of which we are intimately aware, include impacts on industrial production, GNP, and employment. The Bureau of Mines, in response to a request by Congressman JOHN DINGELL, has in a "draft" report analyzed these impacts and determined that estimated GNP losses resulting from expected declines in automobile production—due to the inability to conform to the Clean Air Act because of a lack of catalytic conversion material—would be \$34 billion in the second year of the embargo, and \$27 billion during the third year of the embargo. Estimated U.S. employment losses associated with the GNP losses would be approximately 572,000 jobs in the second year of the embargo and 458,000 in the third year—in motor vehicle manufacturing, 16 percent, other manufacturing industries, 24 percent, and in other sectors, primarily transportation and retailing, 60 percent. I personally believe that such figures overstate the case, but nevertheless call attention to the importance of these materials to our economy and jobs. We haven't even begun to analyze the impact of our largest employer, the electronics industry.

Allow me to include for the RECORD two tables contained in testimony of Robert Dale Wilson, then Director of the National Critical Material Council, before the Committee on Interior and Insular Affairs on December 10, 1987. The tables show the tremendous increase in imports of these minerals from the Soviet Union and East bloc since the sanctions bill went into effect.

Even in this much touted era of glasnost, are we ready to turn to the Soviet Union for our vital material needs? Should we allow the Soviet Union control over the price and availability of these materials, essential for the production of nuclear submarines, fighter aircraft, and other defense products—not to mention domestic critical economic uses? I would hope not.

Supporters of this bill have stated that "At higher prices, additional supplies could be obtained domestically and from Canada." I question whether we could obtain additional supplies from Canada. Let's take the case of platinum from Canada. Canada recently announced its plan to mint 450,000 ounces of platinum coins per year, and further announced that it will purchase approximately 200,000 ounces of platinum on the open market to satisfy its requirements.

Also, I want to point out that this bill does not prohibit the importation of goods manufactured using South African minerals. Because of this, United States industries, particularly the steel industry and the manufacturing goods industry, will pay with higher costs for raw materials than our competitors, such as the Japanese, when the South Africans reduce prices to maintain market shares. There will always be customers and South African minerals will get to the world market.

Only we'll purchase them indirectly at higher prices.

A proponent of this bill has further suggested that the United States could depend on its strategic stockpiles if critical minerals were embargoed. This is fallacious reasoning based on a total misunderstanding of the purposes and management of these stockpiles. The Stockpiling Act (50 U.S.C. 98 et seq.) clearly states that the stockpile is intended to " * * * Retain stocks * * * of strategic and critical materials * * * to decrease and to preclude * * * a dangerous and costly dependence by the United States upon foreign sources * * * in times of national emergency." The act goes on to specify that the term national emergency means one " * * * with respect to the national defense * * *." Further, the act also clearly states that "the purpose of the stockpile is to serve the interest of national defense only and is not to be used for economic * * * purposes."

Then there's the response of South Africa to our actions. Already members of the anti-reform opposition in South Africa are calling for a ban on mineral sales from South Africa to the United States. Is it possible that this bill could provoke the South African Government into negotiating a critical minerals cartel? Let us not forget DeBeers which already has a defacto diamond cartel with the Soviets.

As a member of the Helsinki Commission, I find it ironic that this bill has the potential to transfer U.S. mineral purchases from South Africa—a country whose Government denies blacks many civil rights and many freedoms—to the Soviet Union—a country that denies its people at least those rights and freedoms. I don't see that it is more morally correct to trade with the Soviet Union than it is to trade with South Africa.

In closing, I do not support this legislation. Aside from the problems it poses for national security and U.S. industry, I do not believe we can force the end of all apartheid and racism in South Africa by withdrawing our presence. I would strongly advocate increasing the American presence in South Africa. A look at the success of sanctions since 1986 shows that our sanctions have made things worse and hurt the people we are trying to help. It created over a hundred new white South African millionaires. It's a backward policy. It's pointedly counterproductive. This bill will not only fail to achieve its stated purpose, but it will hurt us. It will hurt us as well. It is a sad chapter in our history.

TABLE 1.—MINERAL ENDOWMENTS OF SOUTH AFRICA AND THE SOVIET UNION FOR KEY CRITICAL MATERIALS

(Percent of total estimated for 1986)

ELEMENTS	Republic of South Africa			Soviet Union		
	World reserve base	World production	U.S. imports	World reserve base	World production	U.S. imports
PGM ¹	90	49	60	9	46	12
Mn	71	15	30	21	41	0
Cr	84	34	70	2	30	4(7)
V	47	46	31	25	35	0
Co ²	32	68	56	3	9	0

¹ Direct South African imports are 43 percent, an additional 17 percent are indirect.

² Includes imports from Zimbabwe of about 11 percent shipped through South Africa.

³ Albania produces an additional 10 percent of world chromium.

⁴ Some imports from Yugoslavia originate in the Soviet Union.

⁵ Cobalt from Zaire and Zambia is transhipped through South Africa to the United States.

Source: U.S. Department of the Interior, Bureau of Mines, and the National Critical Materials Council, Executive Office of the President. Import percentages are based on an average 1982-85.

TABLE 2.—CHANGES IN IMPORTS OF SELECTED METALS FROM COUNCIL FOR MUTUAL ECONOMIC ASSISTANCE COUNTRIES FOLLOWING THE ANTIAPARTHEID ACT

Commodity units	Base period (1981-85)	12-month period	Percent increase
Antimony (pound).....	1,281	62,551	4,783
Chromium ore (refrac.) (gross ton)...	1,252	3,220	157
Industrial diamonds (carat).....	2	100	4,900
Ferrosilicon (gross pound, U.S.S.R.).....	692,970	3,302,975	377
Platinum bars (Troy ounce).....	491	2,066	321
Rhodium (Troy ounce).....	620	3,012	386
Platinum sponge (Troy ounce).....	874	1,510	73

¹ October 1986 to September 1987.

Source: Bureau of Census and Office of Strategic Resources, U.S. Department of Commerce.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. RAVENEL].

(Mr. RAVENEL asked and was given permission to revise and extend his remarks.)

Mr. RAVENEL. Mr. Chairman, sanctions already imposed against South Africa have set back the end of apartheid for the foreseeable future.

How wrong can a nation be? As wrong as these United States in thinking that it can cause a modern military and industrially secure country, possessing most of the free world's precious metals and critical minerals, to change its government by imposing unilateral economic sanctions against it.

Then why do we do it? Why do we injure and retard our black brethren in South Africa? The answer is as simple as it is tragic. We do it because there are votes to be harvested by some here at home by voting to impose these nonproductive sanctions against South Africa and yelling about it to the skies.

Count me out of this cruelty. When the vote is taken to sacrifice the blacks of South Africa on the altar of American politics, my vote will be no.

Mr. BROOMFIELD. Mr. Chairman, I yield the balance of my time, which is 2 minutes, to the gentleman from Arizona [Mr. KYL], who was allocated only 7½ minutes to consider his amendment by the Committee on Rules.

(Mr. KYL asked and was given permission to revise and extend his remarks.)

Mr. KYL. Mr. Chairman, I thank the ranking member of the committee for yielding this time to me.

We are going to begin consideration in just a moment of three separate amendments to this bill. My amendment will be the second amendment considered, and as the gentleman from Michigan [Mr. BROOMFIELD] pointed out, we only have 7½ minutes to present our side.

My amendment was adopted by the House Armed Services Committee. It is one of two provisions that were adopted by committees, but were stripped from the bill. Therefore, I

wanted to take this 2 minutes to at least explain to my colleagues why I believe they should support this amendment.

It does not deal with the sanctions section of the bill, but rather the intelligence provisions. It has nothing to do with apartheid.

Our U.S. Government, our military, our intelligence, provide absolutely no assistance, military or intelligence assistance, to South Africa.

As a matter of fact, existing law provides that we cannot cooperate directly or indirectly with the armed services of South Africa, except to gather intelligence.

Mr. Chairman, this bill as presented to the floor wiped out that exception. We would even be prohibited from gathering intelligence through any means of cooperation with the armed services of South Africa.

Now, as I said in the Armed Services Committee, an amendment that essentially restored that exception was adopted, but it has been taken out of the bill.

My amendment in slightly different language simply says that we could cooperate with the armed services of South Africa, but only if the President of the United States certified to the U.S. Congress that it was in the best interest of the United States, not South Africa.

Mr. Chairman, my amendment only would allow cooperation with their armed forces if the President certifies to the Congress that it is in our best interests. Now, what possible harm could that do? What is wrong with that? How could it foster apartheid?

We are only interested here in protecting the intelligence and the interests of the United States, and my amendment will insure that we do not have to be blind and deaf. We do not have to be blind to intelligence that is in our best interests.

Without my amendment, South Africa will be the only country in the world in which we would be totally prohibited from any cooperation whatsoever, and cooperation obviously means permission to be there. It means conversation back and forth.

Every Communist country in the world has a system that we object to, and yet we talk to them, even to their armed services. As a matter of fact, we are talking to armed services people in Vietnam. Our Secretary of Defense was just in the Soviet Union talking to their armed services personnel.

I believe that mine is an amendment that can be supported even if you like everything else in the bill, and I urge you to support the armed services version of this bill, which includes the amendment that I will be proposing in a few minutes.

Mr. JEFFORDS. Mr. Chairman. I regret very much that we find ourselves here today, faced with a worsening situation in South Africa and with few ways in which to productively influence the situation. Many of us hoped in 1986 that passage of limited sanctions would send

the message to South Africa that America had lost tolerance with the slow pace of reform in that country, and that apartheid must go—immediately.

Unfortunately, South Africa has continued to isolate itself from much of the world and ignore international calls for an end to apartheid. The level of violence in South Africa has escalated and blacks are crying out for support in their struggle against racism. While there is some division within the black community over the effects and nature of sanctions, the majority of blacks believe that broad, internationally supported sanctions will aid them in their fight to force the Botha government to reverse a century of history and allow majority rule.

I am frustrated over the lack of tools Congress has at its disposal to affect either the situation in South Africa or United States policy. In theory, I do not find unilateral sanctions to be an effective policy. Sanctions can accomplish their goal only when supported by our major trading allies and when buttressed by other tools of policy—including diplomatic, economic, and military policy. Unfortunately, that does not seem to be the case here. We have little support from our allies for sanctions against South Africa. There is little enthusiasm in the administration for bringing greater diplomatic pressures to bear on South Africa. And we are currently providing military support to one of South Africa's most notorious military allies—UNITA's Jonas Savimbi. Without a coherent, multinational, multipronged policy, no single policy angle is likely to succeed.

Today, Congress is able to effect only one aspect of U.S. policy, and that is sanctions. We should not miss this opportunity to strengthen our stand against apartheid. Yet we must not then sit back and claim that this legislation is the perfect solution; that sanctions will end apartheid.

Today's bill comes to the House floor following thorough review by eight committees of the House. Several of my concerns have been addressed by these changes. For example, this bill allows the President to exempt certain strategic minerals from the import ban providing that they are critical to U.S. national security or the economy and cannot be obtained from another source. This important flexibility was not contained in the original bill. In addition, today's legislation would allow a 6-month extension for companies that are making progress at divestment and have good cause for requesting an extension. This is a reasonable allowance for businesses acting in good faith to comply with divestment. Today's bill also exempts businesses wholly owned by blacks and nonwhite South Africans from the investment and import ban. This provision was not contained in the original legislation, but is supported by the bill's sponsors. Very few South African businesses are owned and controlled by South African blacks. We should be helping them fight against apartheid, not sanctioning them.

I am pleased that this bill now contains requirements that the President consult with our trading partners and work to develop multilateral sanctions similar to those in this legislation. The bill also requires the United States to seek United Nations Security Council support for South African sanctions measures—similar to the Security Council resolution vetoed by the United States in 1987. If this bill becomes law, I urge the administration to make strenu-

ous efforts to gain international support for sanctions. Going it alone will hurt United States industry and diminish the effect of sanctions upon South Africa.

I wish that I could say in good conscience that adherence to the Sullivan principles and commitment to doing some social good were sufficient requirements for United States companies to continue operating in South Africa. Five or ten years ago, such a commitment to push for change might have yielded fruit in South Africa. Today, the situation in that country has moved beyond slow, constructive pressures. Black South Africans need a strong statement of our support. The Botha government must be shown that we are unwilling to drag on indefinitely our involvement in the current situation. Time is running out. Too much violence has occurred already, and further polarization of the situation will only result in greater distress, chaos, and loss of life. It is high time for South Africans of all colors and races to sit down together and decide the future course of their country. I cast my vote in the hope that our actions today will encourage such an event.

Mr. DAVIS of Illinois. Mr. Chairman, I would like to take this opportunity to remark upon H.R. 1580, the current legislation for sanctions against South Africa. These sanctions are a glaring example of election year politics gone awry. The continuance of apartheid is at odds with democracy; it is at odds with human rights; it is at odds with the broader ideas of justice. The foundation for the U.S. Constitution is built with those famous words that "All men are created equal." * * * Yet, we have seen these words challenged in the United States as well as in other places. I think that we have done a good job in trying to meet those challenges. South Africa has not. Our goal in whatever action we may take on South Africa is clear: South Africa must take steps to equalize the treatment of its black majority with the ruling white minority. It is an issue of human rights.

The goal made clear, the issue becomes one of means. How best can we lead South Africa to become a country of greater equality? Enter politics stage left. Those who favor H.R. 1580 argue that it is a moral imperative. But what will further sanctions really achieve? Present sanctions have been less than successful. How does more of a failed strategy become a productive strategy? I'm afraid the mathematical rule of two negatives adding up to a positive doesn't hold water in the realm of diplomacy.

What does carry weight is how good it all sounds. It sounds good to say that we are going to hold our head up high and turn away all trade with South Africa except for what is absolutely necessary, to say that we are going to revoke all intelligence sharing except in matters of internal Communist rumblings in South Africa, to say that we are going to require complete disinvestment. Ah, but all that glitters is not gold. What I question is what will really be achieved by all this pomp and circumstance. The traditional Liberal failure is that of being overly Kantian, looking so closely at the rectitude of the means that one loses touch with the ends. I argue that what is happening with H.R. 1580 is a disinvestment in the real goal of ending apartheid inflicted by too much attention to a flashy approach and its voter appeal.

What is in order is a more practical approach toward ending apartheid. A little shot of realism can be a good thing. It is especially a good thing in the case of South Africa where millions of lives depend upon action, and not upon utopian statements of moral indignation.

H.R. 1580 will cost black workers 2 million jobs by the year 2000; it will cost U.S. investors more than \$1 billion just this year; it will cost an uncalculable amount of jobs in the U.S. oil and oil-related industries—a portion of U.S. industry that has already been hit very hard; it will reduce customs receipts this year by \$5 million. I could go on. Why, I ask, are we initiating this expense, causing hardship for our own economy and our own workers, only to worsen the conditions for blacks in South Africa? The only answer I can find is politics.

Mr. FORD of Michigan. Mr. Chairman, I rise in strong support of H.R. 1580, the Anti-Apartheid Act Amendments of 1988.

This bill imposes a complete ban on investment in and imports from South Africa. It also provides \$40 million in foreign assistance funds to be used for scholarships, promotion of trade unions, alternative education, and community development programs.

Mr. Speaker, from the perspective of its victims, it is apartheid, and not current or future sanctions, which by far produces the greatest human suffering in South Africa. As the leaders of the two largest South African trade unions, COSATU and NACTU, antiapartheid political organizations in South Africa, and the South African Council of Churches have repeatedly stated, the costs of comprehensive sanctions will be far less than the costs—in terms of economic hardship and loss of lives—of the increasingly violent struggle for freedom there.

My colleagues on the other side of the aisle state that U.S. investors will be harmed by the proposed legislation. I have seen no evidence that disinvestment will significantly harm U.S. investors. But in any event, we should be more concerned with ending South Africa's violent and inhuman system of legalized racism. In addition, political factors have already decreased the value of United States holdings in South Africa and will continue to do so regardless of whether new sanctions are imposed.

In contrast to the passive approach exemplified by the proponents of economic growth for South Africa, the comprehensive sanctions included in H.R. 1580 would represent an active policy. The mild selective sanctions enacted in 1986 have increased slightly the costs of maintaining apartheid. Adoption of H.R. 1580, plus vigorous Presidential leadership which is currently lacking, would encourage other industrial democracies to forge a common policy and impose significant strains on the South African economy. These strains, in addition to the resistance of apartheid in the black communities, would generate the best opportunity for a democratic system based on political, social, and economic justice.

Mr. Chairman, we have the opportunity to restore integrity and credibility to United States foreign policy in Africa, and there could not be a more important issue to stand strong and hard for—the inevitable abolition of apartheid. If rhetoric and nonaction could change the situation, South Africa's white government would have long since folded, and there would

be no apartheid today. Unfortunately, that has not happened. I urge my colleagues to vote for H.R. 1580.

Mr. CONTE. Mr. Chairman, it has been 29 years since I traveled to South Africa and witnessed with my own eyes the utter horror of apartheid. I saw racism at its worst: An institutionalized economic and political supremacy of white Afrikaners over blacks and "coloreds" and Indians. The Afrikaners were patronizing, and they rationalized the existence of apartheid as something for the good of the blacks in South Africa. I became outraged at such blatant disregard for the lives of their fellow human beings, and the anger that I felt then has not diminished over the years.

I am angry today. I am angry because South Africa has not changed. I am angry because the nations of the West have not made a concerted effort to pressure South Africa to end apartheid. I am angry because South Africa has met our overtures of concern with outright rejection, and has circled the wagons in response to our small actions to pressure them to change. I am angry because South Africa has not listened to the voices of its own people, the cry of distress, the cry of anguish, the cry for justice, the cry for freedom.

We must not allow ourselves to turn a deaf ear on the cries. We listen to them even while South Africa ignores them. We respond, as we did 2 years ago, with economic sanctions, only this time, the sanctions are going to be more than a minor irritation to South Africa. They are doing to sting.

South Africa will not be able to ignore the sting. The sanctions require complete disinvestment from South Africa. They are tough, uncompromising measures that are meant to have an impact. And believe me, they will. Economic pressure is the best, most legitimate lever we have to move South Africa. It is a long lever, and I hope it will be long enough. The bill mandates that the President seek multilateral economic action against apartheid, and I know that a unified, international front to isolate South Africa will ensure that the lever is long enough.

I am proud to be an original cosponsor of the bill, and I want to recognize the prime author, RON DELLUMS. I know and understand his impassioned, tireless crusade for equality and freedom, and I commend him for it. When I spoke in support of his amendment on the antiapartheid bill 2 years ago, I said it was time to get to the jugular vein. Well, 2 years ago we hit a nerve, but missed the vein. Today we can hit the vein, and everything our country stands for requires that we do so. I urge all my colleagues to cast their votes for this bill.

Mr. ST GERMAIN. Mr. Chairman, the Committee on Banking, Finance and Urban Affairs has long been involved in legislation concerning apartheid. In 1986, the committee held hearings on legislation which ultimately was enacted as the "Comprehensive Anti-Apartheid Act of 1986."

In June 1988, the committee held hearings on "The Anti-Apartheid Act Amendments of 1988." The committee amended the bill and the legislation as reported by the committee was basically in accord with that we consider today.

H.R. 1580 enacts six new sanctions against South Africa, two of which are of particular concern to the Banking Committee: the ban of

all United States investment in South Africa, and the ban on most imports.

The existing law bans all loans to the South African Government or to any organization owned or controlled by the government. The bill before us today would extend this prohibition to a business enterprise located in South Africa or one owned or controlled by South Africa nationals. The existing law prohibits United States citizens or entities from making any new investment in South Africa, while the amendments prohibit these groups from making or holding any investment in South Africa. These investments must be divested. Two exceptions are granted: loans to and investments in black and other non-white-owned businesses are permitted and South African expatriates who are now United States citizens may continue to own investments that are subject to exchange controls regulations of the Government of South Africa.

The consensus bill also redefines loan to include letters of credit or similar short-term trade financing, sales on open account, and rescheduling of existing loans.

While the importation of Krugerrands was prohibited by the 1986 law, the consensus bill expands the prohibition to cover all other imports except for strategic minerals, publications, and imports from black or nonwhite businesses. H.R. 1580 retains the provision in the 1986 law requiring the Export-Import Bank to encourage the use of its facilities by non-white-owned businesses in South Africa.

Mr. Chairman, the Anti-Apartheid Act amendments are a necessary step to strengthen the existing economic and political sanctions imposed under the Comprehensive Anti-Apartheid Act of 1986.

Mr. VENTO. Mr. Chairman, I rise in support of H.R. 1580, the Anti-Apartheid Act Amendments of 1988. I want to congratulate the gentleman from California [Mr. DELLUMS] whose efforts have produced the legislation which is before the House today. Without his good work and that of the chairmen and members of the seven committees which considered this bill, we would not be considering this measure on the floor today.

Two years ago, this House overwhelmingly passed legislation which provided for the implementation of limited economic sanctions against the Government of South Africa. It was our hope that this significant action would convince the South African Government to move expeditiously to abolish apartheid and to implement truly meaningful democratic political reforms which would recognize the rights of that nation's black majority population. Unfortunately, before we were able to convince the South African Government of our resolve, we first had to convince the Reagan administration. My colleagues will recall that the President, against the best advice of many Members of his own party, chose to veto that measure. Both the House and Senate promptly overrode that unjustified and unwise veto by President Reagan.

Now we are at a crossroads in our policy. We can either ignore the stubborn intransigence of the South African authorities or we can send an even stronger message. I hope today that we opt for sending the stronger message; it is necessary.

H.R. 1580 would prohibit all United States investment in South Africa and would require those holding investments to divest their hold-

ings. This investment ban would not apply to any business that is 90 percent or more owned by South African blacks. The President is given flexibility to permit any person or company a waiver of up to 180 days if there is good cause for not complying with the divestiture requirement in the bill.

This legislation also prohibits all imports into the United States from South Africa with three exceptions: First, strategic minerals certified by the President as essential for our economy, public health, or defense needs; second, publications; and third, imports from businesses wholly owned by black and other nonwhite South Africans.

H.R. 1580 also prohibits any United States Government agency from cooperating directly or indirectly with the South African military and intelligence agencies, with the exception of the activities of Cuban troops operating in southern Africa.

American companies are prohibited, directly or indirectly, from transporting or refining crude oil destined for South Africa. The bill retains a provision which prohibits the Interior Department from issuing any new mineral leases for exploration or extraction of oil, coal, or gas on Federal lands or offshore sites to any United States subsidiary of a foreign company if that company holds investments in South Africa, or exports petroleum products to South Africa.

H.R. 1580 authorizes \$40 million in foreign assistance funds for fiscal year 1989 and in years after for South Africans who have been disadvantaged by apartheid. The bill also directs the President to seek the adoption of multilateral sanctions in the U.N. Security Council.

Finally, the bill contains a mechanism for the termination of economic sanctions when the South African Government takes certain specified steps, such as freeing Nelson Mandela, repealing the continuing state of emergency, and releasing all prisoners detained under the state of emergency decree.

Mr. Chairman, my constituents in Minnesota have recently and vividly learned about the cruelty and inhumanity of apartheid. The city of St. Paul is a "sister city" to the town of Lawaaiikamp in South Africa. Recently, the 2,000 remaining residents of Lawaaiikamp were ordered by the government to leave their homes and resettle in another town. The government planned to raze their homes and build new housing for white South Africans. The government has already evicted several thousand residents of Lawaaiikamp and is planning to remove the remaining citizens as soon as possible. I, along with members of the Minnesota congressional delegation, wrote to South African Ambassador Koornhof to express our outrage about the Lawaaiikamp evictions. Those evictions have been postponed, but it is my understanding that it is the government's strategy to eventually evict all of the remaining black residents of Lawaaiikamp individually rather than through well-publicized mass evictions.

The uprooting of an entire established community in Lawaaiikamp is a striking example of the nature of apartheid. None of us would permit our Government to arbitrarily evict us from our homes because we were of a particular racial or ethnic background. Yet there are some here today who suggest that what is needed is more time and patience for South Africa's political leadership. Mr. Chairman,

what is needed today is action. The passage of H.R. 1580 will give hope to the majority of South Africa that the United States will not sit by complacently while the South African Government searches for still more excuses to delay political reform and the abolishment of apartheid.

Today, the United States, a nation with one of the world's largest black populations, must lead the fight to abolish apartheid and to send an unmistakably clear message that we will not continue to do business as usual with a regime which routinely imprisons, tortures, and murders its citizens with impunity. I urge my colleagues to join me in voting for the passage of H.R. 1580 to stop apartheid now.

Mr. CONYERS. Mr. Chairman, when Frederick Douglass and Abraham Lincoln called for the abolition of slavery, they were told to wait, and that they were moving too fast. When Susna B. Anthony called for women's suffrage, she was told to wait, and that we were moving too fast. When Martin Luther King marched in Selma and Birmingham for the end of racial segregation, he was told to wait and that he was moving too fast.

Now black South Africans, who have no political rights or economic power to speak of, are being told to wait, and that they are moving too fast. Instead of using sanctions to pressure the apartheid regime in Pretoria to negotiate with the black majority, to bring true democracy to that oppressive country, to allow freedom of the press, and to end racial segregation in all public facilities, we are being told to wait. But what is there to wait for?

Please stop telling us that sanctions are ineffective. The members who are saying that sanctions don't work are the same people who supported sanctions against Nicaragua, Poland, Cuba, Vietnam, Libya, and other countries. None of these countries have anything on South Africa when it comes to imprisoning dissenters, censoring the press, or denying the masses of their citizens the right to have a voice in their government. So if sanctions are appropriate in those cases, they are more than appropriate here.

Please stop telling us that sanctions will only hurt black South Africans, and that constructive engagement will empower black South Africans. U.S. firms employ less than 1 percent (70,000 out of 26 million) of the entire black South Africa population. And the way South African companies have broken strikes, particularly the strike led by the predominantly black Coalition of South African Trade Unions, shows that constructive engagement has done nothing to empower black South Africans. In fact, constructive engagement has done little more than enrich white South Africans while black South Africans continue to work and live in subhuman conditions.

Please stop telling us that black South Africans don't want the United States to impose sanctions. We all know that all the major black leaders in that country—except one—have been calling for sanctions, despite the threats of prison and violent reprisal. And instead of constantly citing polls about what black South Africans really want, the South African Government should finally give everyone in that country the right to vote, so that they can truly express their views.

Please stop saying that the 1986 sanctions bill entrenched white South African resistance. The truth is that the bulk of Afrikaaners are desperate to hold onto their power, fearing

that they will not have control of the country in a true democracy. The apartheid regime had been tightening its grip on free speech, freedom of the press and the majority of its citizens even before 1986.

And please stop saying that sanctions will leave America with no influence in South Africa. What has been done with all this influence that we have over the South African Government? Do black South Africans have the right to vote? Don't black South Africans still earn only a fraction of what their white counterparts earn for the same work? Have the Afrikaaners ever offered any arrangement that would give the majority of South Africans a true voice in their Government? Since American influence has yielded little more than token concessions over the past four decades of apartheid, why should we continue on that path?

Let's stop stalling. I urge all of my colleagues to vote in favor of H.R. 1580 today.

Mr. LEVINE of California. Mr. Chairman, I am pleased that we will have the opportunity today to vote for tough new sanctions against the abhorrent apartheid regime in South Africa. The continued deterioration of human rights conditions there, the renewed state of emergency and the press ban make our speedy approval of this legislation ever more urgent and appropriate.

It has been nearly 2 years since Congress last addressed this issue. In 1986 we approved—over a Presidential veto—very limited sanctions in an effort to make clear to the white minority regime in South Africa that the American people would no longer underwrite the repugnant policy of apartheid. For decades, the South African regime had tried to characterize itself as being among the family of Western democratic nations. The racist leaders in South Africa tried to make the world believe they shared our goals and our values, that they were our allies. In passing the Anti-Apartheid Act of 1986, the United States repudiated that view. In doing so, we simultaneously rejected a United States administration policy that insisted quiet diplomacy was the best means of effecting change in South Africa.

The 1986 law was our first significant step in the right direction; it was the first strong indication that we were committed to aiding the majority of South Africans in their struggle for the most basic of human freedoms. But those limited sanctions, and the Reagan administration's less-than-rigorous enforcement of those sanctions, hardly represents an adequate response to the grotesque human rights violations in South Africa.

Moreover, the situation has only become worse. No notable progress has been made in dismantling apartheid. Thousands of political prisoners continue to be detained without charge—many of them only children. The terrorist South African regime continues to seek to undermine neighboring states and murder its opponents abroad. Meanwhile, tight press restrictions keep events in South Africa off the nightly news and out of the world's papers.

The Anti-Apartheid Act Amendments of 1988 being considered today will take the next logical steps to isolate the racist government in Pretoria. We must not let inaction or a weak response on our part lead that regime to believe we are unwilling to enact the tough

sanctions—the sanctions that will be felt in Pretoria.

Unfortunately, I cannot say that even the toughest possible United States sanctions will bring justice and freedom to black South Africans. Only South Africans themselves can determine the future of their country. Their struggle is bound to be long and difficult, no matter what we in the United States may do. But we have a moral obligation to do all we can to assist those fighting for freedom in that country. We have a duty to deny their oppressors the legitimacy they gain from being a regular business and trading partner of the United States. We have an imperative to uphold our own Nation's values of freedom and democracy by expressing our abhorrence of apartheid in the firmest possible fashion.

Frankly, Mr. Speaker, I find it astonishing that we have taken so long to act decisively on this matter. The Reagan administration hasn't shrunk from using sanctions to express United States displeasure with governments in Nicaragua, Poland, Afghanistan, Libya, Cuba, or Panama. But somehow the administration has found it reasonable to argue that the routine and statutory, fundamental human rights violations that are official government policy in South Africa do not constitute a sufficient cause for the application of U.S. sanctions.

Passage of this legislation will help remedy this deplorable double standard in U.S. foreign policy. I strongly urge my colleagues to support this bill today without amendment.

Mr. TRAFICANT. Mr. Chairman, as a co-sponsor of H.R. 1580, the Anti-Apartheid Act Amendments of 1988, I rise in strong support of this important piece of legislation.

H.R. 1580 requires United States companies, institutions, and individuals to withdraw all their investments in South Africa and imposes a comprehensive ban on United States trade with South Africa. The bill also prohibits cooperation between the United States and South Africa on intelligence or military matters—except those involving Cuban troop movements in Angola.

Mr. Chairman, this legislation is a morally correct and urgently needed response to the South Africa Government's blatant refusal to move to dismantle the ugly and repugnant system of apartheid.

Since coming to Congress I have strongly supported stiff economic sanctions against the Government of South Africa. The policy of constructive engagement used by the Reagan administration in past years has been a dismal failure in changing the attitude of South Africa's white minority government.

In 1986, Congress passed a package of stiff economic sanctions against the South African Government. This measure was vetoed by the President, but both the House and Senate overrode the President's veto. I strongly supported this sanctions bill and was pleased to see it enacted into law. Under that bill, the President has certified that the South African Government has made no progress toward eliminating apartheid and providing basic freedoms to all South Africans.

The ongoing violence and civil strife in South Africa deeply saddens and alarms me. The root cause of this tragic violence is apartheid. The sooner apartheid is dismantled and a truly democratic form of government is installed, the sooner South Africa can begin to embark on a new and constructive course.

The arguments against this legislation that it would hurt black South Africans and hurt some United States companies do not hold up. We have upheld, time and time again, sanctions and embargoes against countries such as Libya, Vietnam, Nicaragua, North Korea and Chile. The United States stands for something and I believe that we can never equivocate our principles. Apartheid is morally wrong and all Americans should condemn its continuance in South Africa. As a nation dedicated to the principles of freedom and civil rights we can no longer afford to associate with the South African Government.

H.R. 1580 is the only way to show the South African Government and the world that the United States has waited long enough for the South African Government to end apartheid. This bill also instructs the President to work with our allies to get them to also impose similar sanctions on South Africa. The United States should be the leader in this moral effort to free South African blacks from the shackles of apartheid.

I urge all of my colleagues to strongly support H.R. 1580—let us once again stand for freedom and justice in the world.

Mr. ACKERMAN. Mr. Chairman, I rise in strong support of H.R. 1580, the Anti-Apartheid Act Amendments of 1988. In all of the debate over this legislation, I believe a central argument in favor of sanctions has been overlooked.

Our colleagues on the other side of the aisle contend that the best way to help black South Africans is to reform the economy and assist them in gaining economic power and financial equality. These Members support U.S. initiatives that provide education, training, and private enterprise assistance for the black population. While these sort of programs are well intentioned, they ignore the primary evil of apartheid: there are 26 million blacks and nonwhites in South Africa that have no political power. They have no say in their future. Their lives are run by a tiny white minority.

Even if the United States was able to provide economic opportunity in South Africa, the essential political nature of apartheid would not change and blacks would still remain in their unacceptable state of political powerlessness. Until there is a one-person, one-vote democracy in South Africa, the black majority of that nation will not have freedom, justice or equality. Apartheid cannot be reformed. Apartheid cannot be diluted. Apartheid cannot be masked to disguise its inherent evil. Apartheid must be abolished.

By way of example, let's look at the dismal failure of the Reagan administration's reform efforts over the last 8 years. After nearly a decade of constructive engagement and corporate training programs, black South Africans still own less than 1 percent of the nation's wealth and earn an average of one-third of whites' salaries. Structural unemployment before sanctions was already between 25 and 30 percent. These figures demonstrate that even during periods of economic growth in South Africa, the fruits of the economy do not trickle down to the black majority. The reason is clear: Until blacks have real and meaningful political power, they cannot have economic equality. Once again it is clear that apartheid cannot be reformed; it must be abolished.

The question is, How can we help the black population obtain the political involvement they so rightfully deserve? Of course, we

cannot dictate the internal policies of South Africa by demanding the removal of apartheid. We must instead take the strongest actions possible to demonstrate our distaste for the abhorrent regime in Pretoria. Our most powerful action would be to withdraw our economic support and involvement—that is why I support comprehensive sanctions.

These sanctions will send a clear message that the American people demand a new political order in South Africa. We will not tinker with the economic system as the Republicans propose, but we will take the most comprehensive step possible to help the black majority obtain meaningful political power.

When the history of the South African struggle is written, will we be viewed as passive accomplices of the apartheid regime because we did not take the strongest possible action when we had the chance, because we tried to reform apartheid rather than abolish it? If your answer is no, vote for H.R. 1580, the Anti-Apartheid Act of 1988.

Mr. FAZIO. Mr. Chairman, I rise in strong support of H.R. 1580, the Anti-Apartheid Act Amendments of 1988. This is a good bill and I urge my colleagues to support its passage.

Mr. Chairman, this bill calls for comprehensive, multilateral, and well-monitored sanctions against the white minority South African Government. Only through the imposition of such sanctions can we help dismantle the inhumane and racist system of apartheid. As Bishop Tutu has warned, we must act now to avert a tragic descent into all-out violence in South Africa.

Contrary to the arguments of some here today, the South African Government's escalating repression is not the result of the partial sanctions that have been applied by the United States and the international community. The truth is that the Government's resistance to change and the brutal repression of blacks in South Africa has occurred for more than four decades, long before even limited sanctions were imposed.

The escalation of repression in South Africa has resulted in the detention of some 30,000 people without charge, including 10,000 children. Black workers and black trade unions have faced efforts by the state and employers to crush their efforts for decent working conditions and economic justice. The black majority population of South Africa is suffering more than ever under the oppression of apartheid.

While I understand the concerns of the opponents of this measure, it is my firm belief that economic sanctions, combined with the other actions called for in this bill, can help bring about change in South Africa over time.

According to the most comprehensive academic study of economic sanctions conducted by the Institute for International Economics, economic sanctions have helped achieve policy successes. For example, sanctions were effective in speeding the end to white-minority rule in Rhodesia. And, even the limited sanctions enacted 2 years ago, along with other international pressures, have prodded the Government of South Africa to make positive changes including the abolishment of the pass system that made blacks virtual foreigners in their own country.

The bill not only imposes new, stronger sanctions against the racist regime in South Africa, but also provides for retaliation against countries that take advantage of United

States sanctions. This legislation asserts United States leadership in the effort to pull South Africa away from the destructive course of apartheid; it does not, as some would argue, wait for other countries to act before the United States does what morality and national self-interest dictate.

Furthermore, despite claims to the contrary, while there will be short-term economic costs from the imposition of these sanctions, such costs will be far outweighed by the long-term benefits to the repressed black majority of South Africa. Moreover, it is clear that a majority of the blacks in South Africa support the imposition of sanctions. In fact, Bishop Tutu, among other black leaders, has repeatedly appealed to Western nations to impose sanctions and has stated that more than 70 percent of the blacks in South Africa support such sanctions.

Finally, the black majority cannot be "empowered" through economic incentives or assistance as long as the current system of apartheid remains in place. The South African Government controls the resources—black-owned businesses account for only 1 percent of the gross domestic product, and blacks own less than 2 percent of the capital stock. The South African Government controls where blacks work and live, and it has already started taking away the limited union gains blacks have made. The major black trade unions are urging more economic sanctions, not opposing them.

The sanctions bill before us today amends the Anti-Apartheid Act of 1986, which banned most forms of new American investment in South Africa and American importation of certain South African agricultural and industrial materials. The bill goes well beyond those sanctions and takes the following steps:

Ends most American exports to South Africa within 1 year. Exceptions are made for agricultural commodities, publications, humanitarian donations, equipment for American media and U.S. aid programs for nonwhite South Africans.

Ends virtually all South African exports to the United States within 1 year. Exceptions are made for strategic minerals that the president certifies are not available from other "reliable suppliers." The Soviet Union and South Africa are in some cases the primary sources of such minerals. Exports by businesses 90 percent owned by nonwhite South Africans are also exempted.

Ends virtually all American investment in South Africa within 1 year. Exceptions are made for businesses 90 percent owned by nonwhite South Africans.

Bans new United States energy leases to foreign-owned companies continuing to invest in or export oil to South Africa.

Bans transportation of oil to South Africa on American-owned, controlled or registered ships.

Bans most military and intelligence cooperation with South Africa. Existing law bars United States military and intelligence cooperation with South Africa, except for activities to "facilitate the collection of necessary intelligence." This bill would bar cooperation by United States personnel with all entities of the South African Government, except for exchanges of intelligence on Cuban or Soviet military activities and equipment.

In addition, the bill mandates that the president pursue multilateral sanctions against

South Africa, and permits the president to retaliate against foreign firms which take "significant" advantage of commercial opportunities created by the American sanctions, by restricting their exports to the United States and their access to U.S. Government contracts. Finally, it permits the use of \$40 million in foreign aid annually for scholarships, community development and other programs for nonwhite South Africans.

It is time for us to reassert the importance of integrity and credibility in American foreign policy. Comprehensive sanctions are a strong step, but the extreme and violent actions of the South African government have shown us that such action is needed. We must enact comprehensive sanctions now, in time to avoid the violent outbreak of civil war in South Africa and protect United States national interests in the region.

Mr. OBERSTAR. Mr. Chairman, I rise in strong support of H.R. 1580, the Anti-Apartheid Act Amendments Act of 1988.

I want to commend the distinguished gentleman from California [Mr. DELLUMS] for his courageous and inspiring leadership in developing an effective, workable legislative package that will signal to South Africa and to the international community America's opposition to the immoral system of apartheid.

The oppression South Africa's black majority suffers under apartheid is a matter of critical concern for the American people. The racist South African Government's unrelenting commitment to its exploitative system of apartheid is reflected in the deteriorating human rights situation in that country and in the escalating violence between the Government and peaceful protestors. During the past 2 years, thousands of protestors, including many children, and key antiapartheid leaders have been arrested and held without charge or opportunity to post bond. Strict press censorship and a sweeping state of emergency have prompted Members of this House to question the effectiveness of the Reagan administration's policy in South Africa.

The United States cannot dictate South Africa's internal laws, but we do have an obligation to reshape our policies toward the South African Government so as to affirm in a formal and official manner our opposition to apartheid. I have long believed that Congress must act decisively to change United States policy toward South Africa, and thereby push that Government to dismantle its oppressive apartheid system.

The 1986 sanctions have not been effective. The problem, however, is less with the sanctions themselves than with the lack of enforcement by the Reagan administration.

The Lawyers Committee for Civil Rights Under Law has issued an extensive study focusing on the failure of this administration to implement and enforce the provisions contained in the 1986 South Africa sanctions bill. The study found that the administration had failed to stop an estimated \$61 million of new private sector investment in South Africa, and that the Department of the Treasury and the Nuclear Regulatory Commission had allowed the importation of significant quantities of South African and Namibian uranium despite the congressional embargo.

If sanctions are to be effective, we need an administration that will vigorously implement the law. Section 401 of 1986 law expressed the "sense of Congress" that the administra-

tion seek multilateral sanctions against South Africa. Not only has the administration refused to seek a coordinated strategy with other industrialized countries with respect to sanctions, but the United States also vetoed a U.N. Security Council resolution that would have imposed sanctions modeled on the provisions of the 1986 sanctions law.

Economic sanctions have been an effective tool in the implementation of U.S. foreign policy, and the Reagan administration has not hesitated to use them elsewhere in the past. In the past two decades, the United States has imposed sanctions against Rhodesia, Uganda, Cuba, Iran, Vietnam, North Korea, Cambodia, Libya, the U.S.S.R., Poland, Afghanistan, Nicaragua, and most recently, the regime of General Noriega in Panama. Economic sanctions have worked in the past, and they will be effective against South Africa only when the sanctions are vigorously enforced and there is multilateral cooperation. The present legislation permits the President to retaliate against foreign firms who take "significant" advantage of commercial opportunities created by the American sanctions, by restricting their exports to the United States and their access to U.S. Government contracts.

A large number of the leading opposition groups have called for sanctions. These include the two major democratic labor unions with a total membership of over 1.2 million, COSATU and NACTU; the United Democratic Front which is the largest political organization in South Africa; the African National Congress; the Pan-African Congress; and the South African Council of Churches, the largest religious organization in that nation.

South African Bishop Desmond Tutu stated eloquently the case for sanctions when he remarked,

Our children are dying. Our land is burning and bleeding, and so I call on the international community to apply punitive sanctions against this Government to help us establish a new South Africa—nonracial, democratic, participatory, and just.

Today we must continue the process of building that "new South Africa" and I strongly urge my colleagues to vote for the Anti-Apartheid Act Amendments of 1988.

Mr. SHUMWAY. Mr. Chairman, I rise in strong opposition to the sadly misguided policy we are considering here today not because of the stated goal of promoting democratic reform in South Africa but because of the unintended consequences referred to by Helen Suzman, a member of the Progressive Federal Party who serves in the South African Parliament and is an outspoken critic of apartheid:

Isolation and a wrecked economy may give moral satisfaction to some of those who oppose apartheid, but this course of action should surely be weighed against the unintended consequences that are likely to result.

I agree with James Ngcoya, president of the 100,000-member South African Black Taxi Association that we must carefully weigh the consequences of our actions here today on the people of South Africa:

I've heard people say that if sanctions make black people suffer more, that does not matter because they're suffering already and won't mind suffering some more. I've even heard them say that whether sanctions will help to bring down apartheid

doesn't matter because imposing sanctions puts America on the right side of history. Does that mean you really do not care what the black people of South Africa want? You really do not care about what will help us? I ask you to listen to our voices before you decide what is good for us, before you decide that black children must go hungry so you can be on the right side of history.

I oppose sanctions against South Africa because of the unintended consequences—the rising unemployment, the loss of economic opportunities and economic power as an impetus for reforms, and the loss of United States influence and programs sponsored by United States corporations.

Economic sanctions will not bring equality, respect, and democracy to black South Africans. They will bring unemployment and hunger. In the words of Chief Mangosuthu Buthelezi, the leader of the 6 million-strong Zulu tribe, South Africa's largest:

When you try to destroy an economy that has achieved a vibrancy that has not been achieved anywhere else in Africa, you are sentencing us to starvation.

Existing sanctions have already resulted in thousands of layoffs. Sanctions deprive South Africa of any hope of achieving a real growth of 5 to 6 percent per year needed to create jobs for the 35,000 new workers entering the labor force every year; 90 percent of now-unemployed workers are black South Africans who will continue to be hit hardest by sanctions as population growth continues to outstrip economic growth.

Sanctions threaten to reverse the rise in new skilled job opportunities for blacks and undermine black economic power as an important vehicle for peaceful democratic reform. Black workers have successfully challenged racial barriers as they moved to the cities to fill the need for new skilled workers created by South Africa's growing economy. The pass laws restricting the movement of blacks and the job reservation law reserving skilled jobs for whites have been repealed. Today, there are independent black trade unions in South Africa which can provide a powerful engine for political and economic change.

To quote Helen Suzman again,

It is surely senseless to blunt the only weapon with which blacks can improve their position at the work place, and beyond the work place, through their economic muscle, mobilized in trade union structures, and through their consumer power in the market.

So far disinvestment has resulted in a decline in the housing, health care, education, training and employment opportunities sponsored by U.S. corporations. Fortune magazine estimates that about 140 South African business people have become millionaires by buying United States companies at greatly undervalued prices. These white-owned South African companies are not required to follow the United States Code of Conduct inspired by Reverend Sullivan or to continue to fund the social programs in which United States companies have invested over \$200 million over the past decade.

Proponents of this bill continue to refer to South African clergy like Bishop Tutu and Reverend Boesak who say that black South Africans want sanctions and are prepared to suffer for them.

Yet they ignore the American clergyman, Reverend Sullivan, who has had such a positive impact in South Africa, and I am certain that he will continue to do so. He has announced that he is retiring and moving to Arizona. He plans to spend his time building schools in South Africa to educate the black underclass.

In my view, this is a much better step and so clearly calculated to do what should be done morally, politically, diplomatically or by any standard of measurement that it should set the tone for United States policy in South Africa.

I am convinced that the way to help is to not cancel out the American presence in South Africa. This American presence is not the seed of the problem—owning businesses which do not discriminate in hiring or promotions, buying and selling materials which provide job opportunities. Why then do we focus our punitive measures on our presence there? The U.S. companies that applied the Sullivan principles indeed threatened the status quo and provided important business and leadership training and a model for change.

Ms. SNOWE. Mr. Chairman, I rise in opposition to H.R. 1580, a bill to impose unilateral United States sanctions against South Africa which would not succeed in ending apartheid.

Opposition to apartheid is not the issue here today. I am strongly and unequivocally opposed to the policy of apartheid in South Africa, and I believe that virtually every other Member of this House joins me in my abhorrence of the institutionalized racial discrimination which apartheid entails.

I also join with many other Members in condemning the minority Government of South Africa, which is a cynical and repressive regime that has repeatedly violated the most basic political and human rights of its citizens.

As such, the South African Government is anathema to everything we stand for as representatives of the American people, and I am committed to United States policies that will effectively pressure the Botha Government into making fundamental political and legal reforms in South Africa.

Furthermore, I supported the 1986 Comprehensive Anti-Apartheid Act because I believed that it would take a first step in applying United States pressure against South Africa's Government, and I joined in the vote to override the President's veto.

I also recognize that repression in South Africa has worsened since 1986, and I am willing to support further steps to restrict United States trade and banking with South Africa, including even total disinvestment, if such measures would bring us realistically closer to our goal of ending apartheid.

I don't believe that any Member of this House wants to vote against a bill that would really bring about further change in South Africa. The question is how best to go about that objective, in the recognition that the 1986 sanctions law hasn't proved sufficient, and how best to bring the full force of American leadership into play to bring about a more rapid end to apartheid.

I didn't reach the decision to oppose H.R. 1580 lightly, but I have made a careful analysis of this bill. I have decided, as its own authors acknowledge, that unilateral American action would not, in and of itself, accomplish its objective. Multilateral action against South Africa is essential if real economic pressure is

to be brought to bear against the South African Government.

I am concerned that the sweeping measures in this bill would have little effect on the South African Government unless they are supported by South Africa's other major trading partners among the industrial democracies, whose trade and investments in South Africa are far more extensive than America's.

On this point, the chief sponsor of this bill, the gentleman from California [Mr. DELLUMS], has stated it well: "The historical record on sanctions indicates that they are most effective when applied multilaterally and comprehensively." Not only the historical record, but current news bears out this point.

According to a recent article in the Washington Post based on a new Commonwealth report, "Japan and five other nations have dramatically increased their purchases of South African products during the past 2 years, effectively undermining the economic sanctions imposed by the United States and other countries."

Last year, while United States imports from South Africa declined by \$1.2 billion, Japan increased its imports from South Africa by \$748 million—a 44-percent rise—and Japan replaced the United States as South Africa's leading trade partner.

Other figures indicate that while the total merchandise trade of the United States with South Africa decreased by \$895 million in 1987, Japan's total merchandise trade increased \$777 million, Germany's increased \$455 million, Britain's increased \$46 million, Israel's increased \$36 million and the Netherlands' increased \$32 million.

Although the President is required by H.R. 1580 to confer with the industrialized democracies and the U.N. Security Council to negotiate multilateral sanctions, there is no guarantee whatsoever that these discussions would bear fruit.

To address this major deficiency in the bill, I offered an amendment in the Foreign Affairs Committee to suspend comprehensive new U.S. sanctions until the United States has at least reached agreements with the other major Western nations not to undercut new American sanctions by taking commercial advantage of them.

My amendment was defeated in the committee, however, because the majority decided that there would be no room for compromise.

H.R. 1580 itself recognizes the danger of American actions being undercut by other nations. But its only remedy is wholly ineffective, requiring the President to retaliate against any foreign companies that take advantage of U.S. sanctions.

Do any of my colleagues seriously think that the United States would ever retaliate in such a manner against companies from Japan, Great Britain, France, Germany, or Israel, to mention only a few of South Africa's other major trading partners?

In closing, I believe it is the solemn responsibility of every Member of this House to assess the real impact of our actions on the majority of oppressed South Africans we are seeking, ultimately, to help, rather than engaging in self-satisfying symbolism that amounts to "sending a message" to a country whose government is illiterate in the language of human rights.

We must instead examine what actions the United States can take that are responsible and effective. And no one has yet answered the question of what America should do next, once it disengages itself completely from South Africa in a headlong rush toward the mystical "moral highground" that will leave apartheid in place.

If this bill will not alone end apartheid, as its sponsors acknowledge, is it worth the uncertain consequences for black South Africans of complete and unilateral U.S. disengagement?

Each Member must weigh this question and decide for him- or herself, but I have decided that this bill is not worth the potential cost, and I prefer to take effective joint action.

I'm prepared to accept U.S. losses and hardship to put an end to apartheid, but I am not prepared just to act for the sake of taking action as an exercise in "feeling good".

I do hope, however, that I will soon have the opportunity to join with my colleagues in passing other legislation to fight apartheid in South Africa.

Mr. CROCKETT. Mr. Chairman, I rise today in strong opposition to the Burton substitute because I believe that it is a "red herring." Let's look at what the substitute provides.

First, it would strike all of the new sanctions proposed in the committee's bill but retain the sanctions in existing law: the same sanctions that were so strenuously opposed by the gentleman from Indiana 2 years ago.

Why would one who fought so tenaciously against the current sanctions bill now want to retain its provisions? Has there been a genuine conversion; a real recognition that sanctions do and can work if conscientiously applied as mandated by present law?

Second, the Burton substitute would exempt black-majority-owned firms from import restrictions. This is a meaningless sop since such firms account for only 1 percent of the country's wealth.

Mr. Chairman, I think that we ought to give black South Africans what they say they want; not the selected sops that the Burton substitute assumes they want.

The president of the 350,000-member National Council of Trade Unions, in a hearing before our Africa Subcommittee last fall, told the Congress, and I quote, "Full comprehensive sanctions are what we want from the United States." The president of the 750,000-member South African Miners Union fully agreed with that position.

Indeed, almost all those whom black South Africans have indicated they regard as representative political leaders—from Archbishop Tutu of the South African Council of Churches and Rev. Alan Boesak of the United Democratic Front, to the two major trade union federations, the Congress of South African Trade Unions and the National Council of Trade Unions—have repeatedly and consistently called for well-monitored, comprehensive economic sanctions, like those contained in H.R. 1580.

The Burton substitute proposes that we help black South Africans get better housing, establish a program to fight AIDS more effectively and underwrite black private enterprise ventures—all of which is most commendable. But black South Africans don't just want a better house and better health programs. They don't just want economic advances for the few. They want what they are now denied under the apartheid system: the freedom to

vote, to live and work where they choose, to move freely, and to purchase land in any area within their means.

What the Burton substitute ignores is that the core features of apartheid—the denial of the rights of citizenship to Africans and their forcible removal from their homes to the 10 barren bantustans—remain unchanged. The South African Government controls the resources and black-owned businesses account for only 1 percent of the country's wealth.

Black South Africans are fighting for an end to apartheid because they want what you and I want. They want one person, one vote. They want the fundamental rights that most Americans take for granted—freedom of speech and assembly, equal protection under law, freedom of association, and due process of law.

Yes, we all want "black empowerment," both politically and economically, in South Africa, but true black empowerment will be possible only when apartheid in all its deadly forms has been abolished.

Mr. Chairman, I urge my colleagues to vote "no" on the Burton amendment.

Mr. BROWN of California. Mr. Chairman, I rise in strong support of H.R. 1580, the Anti-Apartheid Act Amendments Act of 1988. By approving this legislation, we seek to reinforce the efforts, begun with the Comprehensive Anti-Apartheid Act of 1986, to promote a process of reform in South Africa. That we must extend the sanctions initiated against South Africa in 1986 is not an admission of defeat, but a logical continuation of the commitment we hold as a nation to actively oppose the apartheid system in South Africa.

Approving this legislation will make it clear to the white minority in South Africa that the American people, and their representatives in Congress, remain unrelenting in their demand that apartheid be dismantled. The Government of South Africa must know that our opposition to apartheid cannot be deflected or outwitted. They must know that banning opposition movements, closing newspapers, and censoring the international media will lead not to complacency, but to a renewed resolve to act against the injustice of apartheid. South Africa must know, quite simply, that apartheid must go.

The Comprehensive Anti-Apartheid Act of 1986 was an important beginning to our Nation's official efforts, to promote reform in South Africa. It was only a beginning, however—a modest first step in the right direction. The 1986 legislation banned new public and private loans and investment in South Africa, prohibited the import of specific South African products, and banned United States exports of crude oil, petroleum products, and munitions. Current United States and Western sanctions are relatively weak and uncoordinated, and cover only 8 percent of imports from South Africa. Unfortunately, these limitations have been strengthened by the Reagan administration's continued preference for the failed policy of constructive engagement as a means of promoting reform in South Africa. The Administration has not, as urged in the 1986 sanctions bill, sought multilateral sanctions against the South African Government, and in February 1987 went so far as to veto a United Nations Security Council resolution that would have imposed sanctions modeled on the provisions of the 1986 United States sanctions law. Thus, if the 1986 sanctions have

been less effective than expected, then the Reagan administration is partly to blame.

It would, indeed, be difficult to conclude that the 1986 sanctions bill has succeeded in spawning a sincere reform process in South Africa. On the contrary, the South African Government is more repressive than ever, and remains committed to the preservation of apartheid—in form, if not in name. Over the past 18 months the government has arrested and jailed an estimated 30,000 people without charge, including up to 10,000 children. Physical abuse and torture while in detention is alleged to be virtually routine. The government has extended the state of emergency for a third year, and has banned nearly all nonviolent political organizations and imposed a near-total press blackout on reporting of opposition political activity.

Moreover, despite its alleged commitment to reform, South Africa has retained the basic structures of apartheid: The displacement of nearly 8 million blacks to remote and desolate "homelands," migratory labor and the resulting separation of over 1 million families, segregated housing and education, and forced removals. Active South African destabilization of its neighboring black-ruled states in southern Africa has also proceeded apace. Colin Eglin, leader of the Progressive Federal Party has pointed out that the reforms implemented thus far by the government have "avoided the cardinal issue of our politics: the participation of blacks in the sovereign central parliament in South Africa."

The Reagan administration has not been oblivious to the deteriorating situation in South Africa. In his October 1987 report to Congress, the President acknowledged that the South African Government had not made significant progress toward achieving any of the goals set forth in the 1986 sanctions bill. The President's own Advisory Committee on South Africa recommended in January 1987 that if the South African Government remained intransigent and committed to apartheid, "the international community would have to address the adoption of additional diplomatic and economic steps—including a comprehensive multilateral trade embargo." This recommendation is consistent with the 1986 sanctions bill, which declared that if substantial progress had not been made within a year toward dismantling apartheid—including repealing the state of emergency, releasing political prisoners, negotiating with the black majority, and ending military and political activities against neighboring states—United States policy would be to impose additional sanctions on South Africa.

There can be little doubt, therefore, that the continued oppressiveness of the South African Government, combined with the limitations of the 1986 sanctions bill—and the Reagan administration's refusal to adequately enforce it—cry out for a broader set of sanctions against South Africa. H.R. 1580 provides the added "teeth" needed to pressure the South African Government to sincerely pursue reform. The bill imposes six new economic and military sanctions against South Africa: ban on all United States investments in South Africa, requiring United States firms with investments in South Africa to divest their holdings; a ban on all South African imports, except strategic minerals and publications; a prohibition on all United States exports to

South Africa except for agricultural goods, publications, and United States public and private aid; a prohibition on the Interior Department from issuing new Federal coal, gas, and oil leases to United States subsidiaries of foreign firms that hold investments in South Africa or export oil to South Africa; a ban on United States-owned, controlled, or registered ships transporting oil to South Africa; and a ban on United States intelligence and military cooperation with South Africa. The bill also earmarks \$40 million a year in aid for South Africans disadvantaged by apartheid. Finally, the bill requires the President to reach agreements with other nations on multilateral measures to end apartheid and to seek the adoption of multilateral sanctions against South Africa in the United Nations Security Council. The President would also be directed to take retaliatory measures against foreign companies that take commercial advantages of United States sanctions.

This is a strong and, in many ways, extreme policy. It is only commensurate, however, with the magnitude of the repression and injustice taking place under apartheid. And while it may be extreme, it is also well balanced. No fewer than eight different committees in the House of Representatives have reviewed the bill and contributed to its provisions. If implemented in good faith, this legislation has the potential to make a significant impact on the thinking of white South Africans who might otherwise remain confident of their nation's ability to retain apartheid without serious political and economic retribution from the international community. The white minority in South Africa must realize that this retribution will entail costs which will ultimately threaten their social stability and economic prosperity. Once this message is driven home, it will become apparent that building a just and humane political system in South Africa is in the interests of all South Africans, including the white minority. The sanctions we are debating today will send this message, and will weaken the political foundation upon which apartheid rests.

Despite the clear need for more concerted action against South Africa, the Reagan administration and its allies remain opposed to implementing more comprehensive sanctions. Some of the arguments made against sanctions stem from a lack of information on the situation in South Africa. Others represent a disturbing double standard in the conservative approach to world affairs. The Reagan administration has been an enthusiastic supporter of armed resistance against what it has viewed as repression and injustice abroad. In South Africa, however, where the repression is brutal, the injustice institutionalized, and regional terrorism unquestioned, what policy has this administration pursued? Not a policy supporting freedom fighters, but constructive engagement with a racist government intent upon repressing and exploiting 85 percent of the population for the benefit of a minority of less than 15 percent. It is difficult to conceive of any other situation of comparable repression and regional aggression where this administration would not act forcibly. Indeed, if the racial equation in South Africa were reversed, or if the issue involved communist repression, the administration would have most likely funded armed opposition to the government. Instead, the United States stands naked before the court of world opinion, shamed by

the ineffective and morally reprehensible policy of constructive engagement.

Despite the administration's intransigence, however, the 1986 sanctions have not been a total failure. A General Accounting Office study found that in the first three quarters of 1987, South Africa suffered a trade reduction in goods under sanctions of \$624 million. The managing director of a major South African bank recently predicted that by 1990 capital outflows through disinvestment and debt repayment will amount to \$10.4 billion and the accumulated loss of export earnings through trade sanctions will reach \$4.4 billion. Unemployment would increase by 200,000 people a year, he predicted, and the average South African would be 5 to 10 percent poorer by 1990. In a rare acknowledgement of the threat sanctions pose to South Africa's economic viability, Gerhard de Kock, Governor of the South African Reserve Bank, said on September 11, 1987 that:

The basic underlying problems that threaten to isolate us from the rest of the world have not yet been solved. The outflow of capital, the emigration of skilled people, the large discount on the financial rand, and the decline in fixed and inventory investment, are all sending us messages that we should heed. They are telling us that . . . we must first and foremost convince both the outside world and ourselves that we are continuing on the road of peaceful and constitutional reform.

Reflecting upon these gloomy statistics, the bank director commented that "we can't ignore what sanctions and disinvestment have done." And, indeed, the South African business community has not ignored the impact sanctions could have on the South African economy. Henri de Villiers, chairman of South Africa's Standard Bank Investment Corp., said recently that "countries that turn away from the world have remained economic backwaters. South Africa needs the world. It needs skills, it needs technology and above all it needs capital." South African businesses are beginning to pressure the government to move more swiftly toward social and political reform. This pressure is coming from a broader coalition of chief executives that are, according to the Wall Street Journal, "smitten by a strong dose of future shock, which, they hope, will also shake Pretoria from its bunker." This is an encouraging development, and is precisely the type of impact sanctions are designed to have. But it is unrealistic to expect sanctions to produce concrete results less than 2 years after their implementation. Approving comprehensive sanctions will promote more introspection among white South Africans, and will increase their motivation to press for change.

Another argument often heard against sanctions is that they are not supported by the black community in South Africa. To prove this point, opponents of sanctions have desperately sought polls which allegedly show black opposition to sanctions. An equal number of polls can be found, however, which show black support for comprehensive sanctions. In fact, virtually all individuals regarded as representative political leaders in the black community support sanctions. These include Archbishop Desmond Tutu and Reverend Allen Boesak, as well as the South African Council of Churches, the South African Catholic Bishops Conference, the United Democratic Front, and South Africa's two largest

trade unions, the Congress of South African Trade Unions [COSATU] and the National Council of Trade Unions [NACTU]. Together, these organizations represent well over half of South Africa's 24 million blacks, and show clear support among South African blacks for comprehensive sanctions.

Some opponents of sanctions also persist in believing that the positive influence of United States companies in South Africa outweighs the impact that their withdrawal would have on the South African Government. These individuals point to the \$13 billion which U.S. corporations spend each year on black advancement, and the progressive policies followed by these corporations toward their black workers. Whatever positive impact United States corporations may have in South Africa, however, is far outweighed by the financial support they provide for the apartheid regime. This support includes \$200 million a year in taxes, 15 times what the corporations spend on social programs for their black workers. Finally, Leon Sullivan, author of the widely respected "Sullivan Principles," a code of conduct for United States businesses in South Africa, admitted in June 1987 that United States businesses had failed to bring about meaningful change in the apartheid system, and called for disinvestment and a trade embargo. Since 1983, 160—or nearly half—of the United States businesses in South Africa have left. Thus, the disinvestment provisions of H.R. 1580 would merely expedite a process which is already well under way, while placing the United States firmly on the side of justice and equality.

The final, and most notorious, argument against sanctions is that they merely hurt the black majority in South Africa. Rather than causing economic hardship for blacks, it is argued, the United States should work for black empowerment through economic development within the black community. Proponents of this view contend that enhancing the economic power of blacks in South Africa will somehow translate into political power, and that the United States should adopt such a strategy.

Opposing sanctions because they will hurt the black majority represents the most disturbing double standard in the debate over South Africa. The United States has imposed sanctions over 75 times since World War II. Not once during this time have we heard a conservative outcry against the hardships that sanctions would cause for the people of Poland, Uganda, or Libya. Most recently, United States sanctions against Panama have devastated that nation's economy, and inflicted immense hardships on the Panamanian people. However, the Reagan administration has expressed little concern over this unfortunate side effect, due in part to the importance it attaches to removing from power an embarrassing, drug-dealing military dictator with whom it had intimate relations for many years. It seems fair to expect a similar level of concern for removing a system of racial oppression against 24 million blacks in South Africa.

The black majority in South Africa is already suffering and is willing to accept additional, short-term hardships to be free from the oppression of apartheid. Indeed, it is apartheid, and not sanctions, which is the primary cause of suffering among South African blacks. Unemployment among blacks was as high as 30

percent before sanctions. Child mortality rates in some of the homelands is reported to have risen to almost 50 percent, and 78 percent of the people living in rural villages face chronic malnutrition. Millions of blacks have been forcibly removed from their homes, tens of thousands have been detained without charge or trial, and thousands have died at the hands of security forces during the past decade. The black majority in South Africa is, quite simply, already suffering horribly. The concern of conservatives here in the United States would be more appropriately focused on this suffering—and how to alleviate it—rather than on the marginal hardships which comprehensive sanctions would cause.

Finally, it is worth noting that the withdrawal of United States businesses from South Africa would directly affect less than 1 percent of the black labor force. It is inconceivable that our Nation's foreign policy would be influenced by considerations for 1 percent of the population of any nation, whether it be South Africa, the Soviet Union, or Nicaragua.

Discussions of black empowerment through economic advancement are meaningless unless in the context of dismantling apartheid and guaranteeing the legitimate political rights of all South Africans. Political and economic power are two separate issues, and one does not automatically lead to the other. Enjoying economic affluence does not automatically translate into political rights. In addition, significantly raising the living standard of South Africa's blacks would take decades, during which time violent revolution will become more inevitable as the repression of Apartheid continues. Finally, to eschew sanctions in favor of a strategy of black empowerment would ally the United States with the South African Government, which hopes to placate the black majority with limited economic gains, as opposed to the legitimate political rights which the black majority demands. Those who advocate black economic development as opposed to sanctions would do well to ponder the statement of Archbishop Desmond Tutu that "we don't want apartheid made comfortable and acceptable. We don't want apartheid reformed. We want to be rid of apartheid."

In conclusion, it is in the moral, political, and economic interests of the United States to impose comprehensive sanctions against South Africa. Doing so would asset United States leadership in the effort to pull South Africa away from the destructive course of apartheid. Despite the blindness of the Reagan administration, the moral issue is clear: South Africa is the only nation on Earth which maintains a social and political system organized along racial lines. It is the clearest example of brutal and pervasive repression of a majority by a minority which has monopolized political and economic power. Our Nation's economic interests in adopting comprehensive sanction are perhaps less obvious, but no less compelling. The important economic interests we have in South Africa will be destroyed if that nation is engulfed by a violent civil war. Each day that the status quo of apartheid is maintained, and each day that our complacency supports the Afrikaner fantasy of sustaining apartheid, such a violent conflict becomes more inevitable.

Our political interests in comprehensive sanctions are also compelling, and center on a basic fact which virtually all observers of South African affairs accept: The black majori-

ty will eventually play its legitimate role in the governing of South Africa. This may come sooner, through peaceful reform, or later, through a more violent and destructive process. The longer the United States remains detached from this process, however, the more we will alienate ourselves from the black majority in South Africa. The course preferred by the Reagan administration will simply render the United States irrelevant to the struggle in South Africa. If we do not stake out the moral high ground and ally ourselves with the black majority, then the black community will turn elsewhere for help, to sources whose involvement in South Africa may not be in our interest. Those who fear Communist encroachments in South Africa would do well to consider whether sanctions are more of a threat in this regard than the complete radicalization of the black majority, which the continuation of apartheid could cause.

Thus, morality and self-interest dictate that the United States take the lead in an international effort to end the destructive course of apartheid. It is disturbing that the Reagan administration refuses to translate its belief in a strong and self-righteous foreign policy into support for the black majority in South Africa. An active United States role in coordinating and monitoring comprehensive sanctions can play a vital role in ending apartheid and promoting reform in South Africa. If President Reagan will not adopt this role, then it is incumbent upon Congress to take the lead in this important cause. I therefore urge my colleagues to support H.R. 1580, and place our Nation on the side of justice and equality in South Africa.

Mrs. KENNELLY. Mr. Chairman, I stand before you today, as I stood before you 2 years ago, to urge my colleagues to join me in opposing apartheid. I told you then that apartheid is an affront to human dignity. This is still true. I told you it permit the Government of South Africa to deny its citizens the fundamental rights of social justice that Americans so cherish. This is still true. I told you it deprives black men and women the right to speak and write freely, to make a living and to live where they choose. Such a government is the enemy of not only those it oppresses, but of freedom-loving people everywhere. Well, Mr. Chairman, here I stand 2 years later. These things are all still true, and apartheid is still a stark reality for the people of South Africa.

In 1986 we passed limited sanctions, thinking we had the answer. We didn't. These sanctions are not working. And every day we allow an ineffective policy to govern our actions in South Africa, millions of black South Africans continue to live under oppression. Violence is increasing. More and more people are suffering. Some people argue that as long as the United States invests in South Africa business, we can provide jobs to black South Africans; with jobs they can gain economic power and ultimately, freedom. However, the cold, hard truth remains that as long as a white minority controls the majority, this minority will always allow only limited freedom. In real terms, this is not much.

And, Mr. Chairman, not much is not enough for me. Not much should not be enough for the people of the United States—people who know and appreciate real freedom. Real freedom is not merely a token job; real freedom is the ability to work under decent conditions,

earning a reasonable wage. Real freedom is not merely freedom from physical violence. But rather, freedom from economic violence and political suppression. We must strengthen our South African policy in hopes that someday soon these South Africans will come to know real freedom. Economic and political pressure by the United States is vital to forcing the South African regime to dismantle apartheid.

We as a nation have made the decision to disassociate ourselves from the South African Government's racial policies. We have allied ourselves with the struggle for racial and civil equality in South Africa. We have made black South African's struggle for justice our struggle. No one ever claimed that standing up for basic human rights was painless or easy. We must increase the pressure. We must pass H.R. 1580.

Mrs. LLOYD. Mr. Chairman, I rise today in support of H.R. 1580, the Anti-Apartheid Amendments Act of 1988. This legislation would implement comprehensive economic and political sanctions against the repressive and repugnant apartheid regime of South Africa.

After 2 years of limited United States pressure, through limited United States sanctions, the Government of South Africa has failed to make substantive progress toward the creation of a nonracial democracy in South Africa. Since 1986 Pretoria has extended South Africa's state of emergency legislation, tightened censorship, curtailed political activity by the Black Labor Federation, and detained an estimated 30,000 people without charge, including 10,000 children. The obstinate and morally unjustifiable position of the South African Government demands that the United States move beyond limited pressure and limited sanctions, and impose the comprehensive sanctions against South Africa called for in H.R. 1580.

Limited sanctions and weak executive implementation of these sanctions have encouraged the South African Government to believe that it can hold onto its monopoly of power indefinitely, free of economic costs and deepening international isolation. The South African Government must be convinced that it cannot continue its abhorrent, racist policies without cost. The Government must come to understand that the future of South Africa as a prosperous member of the international community depends upon the establishment within that country of a nonracial democracy which respects and upholds the economic and political rights of the minority and the majority.

Mr. Chairman, I am not suggesting that sanctions alone are a quick-fix solution to the problem of apartheid; however strong sanctions are a critical part of the long-term process of removing the existing layers of strategic economic and political support which the international community continues to provide to the apartheid regime.

Mr. MILLER of California. Mr. Chairman, House bill H.R. 1580, the Anti-Apartheid Act Amendments of 1988, is more than just a good bill—it is a bill whose passage is necessary to display to South Africa and the rest of the world that the United States is serious about demanding substantive structural changes to democratize the South African Government. This Congress, and the American people, will not tolerate the glaring atroc-

ities continually committed by the apartheid regime.

The sanctions mandated by H.R. 1580 will apply severe pressure, both economic and political, on South Africa to dismantle the apartheid system and include the dispossessed black majority in the political process.

The Congress initiated limited economic sanctions against South Africa in 1986, despite the President's attempt to veto the legislation. Those sanctions were designed to bring economic pressure to compel the South African Government to end its racist apartheid policy. The sanctions banned all new public and private investments by United States' firms, and placed export and import embargoes on South Africa. The 1986 law also urged the President to work with the Western European nations and Japan to impose multilateral sanctions on South Africa.

Further, the law declared that unless substantial progress toward dismantling the apartheid regime was made within 1 year, U.S. policy would be to impose additional sanctions.

Clearly, we have seen no such progress on the part of the South African Government. It continues to crack down on the domestic anti-apartheid movement, and has banned the activities of groups such as Bishop Desmond Tutu's Committee for the Defence of Democracy; it has clamped down on domestic and foreign press coverage of dissent and protest activities in South Africa, imposing press blackouts and censorship. On March 3, 1988, the Government closed the antiapartheid journal, *New Nation*, and jailed its editor. On July 28, 1988, South African forces raided a home in Gabarone, Botswana, and killed four people—an act which Botswana President Masire described as a "dastardly attack and murder of innocent people in Botswana."

Since 1986 there have been an estimated 1,700 anti-apartheid-related deaths and over 32,000 detentions, including large numbers of children and teenagers. At the end of 1987 over 2,000 people remained in detention, many of them never having had a trial. In addition, the Government has proposed legislation that would subject millions of blacks to eviction from their homes in areas designated for "whites only."

This listing could easily be expanded to include hundreds of examples of racist, undemocratic activity sponsored or sanctioned by the South African Government. In no form does it constitute the "substantial progress" toward eliminating apartheid which Congress mandated in 1986. These inhumane policies and activities, as well as the 1986 law, demand a clear and strong response from the United States and its allies.

H.R. 1580 provides such a response. Its provisions are tougher than our last law: ban all United States investment in South Africa (except in businesses that are 90 percent owned or controlled by blacks or other non-white South Africans) and require United States firms to divest from South Africa; bar all South African imports, except strategic minerals and publications; prohibit all United States exports to South Africa, except agricultural goods, publications, and United States aid to the victims of apartheid; cease issuance of new United States coal, gas, and oil leases to foreign companies and United States subsidiaries of foreign companies which fail to divest or that export oil to South Africa; and

prohibit United States intelligence and military cooperation with South Africa, except for that relating to Cuban troops in Southern Africa.

These additional sanctions will bring great economic and political pressure on the South African Government to dismantle the apartheid regime. In addition, the bill earmarks a badly-needed \$40 million in assistance funds for the victims of apartheid in South Africa.

The pressures placed on the South African economy by the bill's provisions will be reinforced by the bill's requirement that President Reagan seek the adoption of multilateral sanctions against South Africa in the United Nations Security Council, something he has refused to do despite his own Advisory Committee on South Africa's recommendation in January 1987, that if South Africa retained the apartheid regime, "the international community would have to address the adoption of additional diplomatic and economic steps [including] a comprehensive multilateral trade embargo." Japan and our Western allies have indicated a full willingness to follow the United States' lead in implementing stiffer sanctions to prompt the dismantling of the apartheid regime; they are merely awaiting an initiative from Washington such as H.R. 1580.

Despite the charges of this bill's critics, H.R. 1580 does not neglect United States economic interests. In fact, the bill directs the President to take retaliatory measures against foreign firms that take significant advantage of the United States sanctions.

Of course, no policy effort taken by the United States to end apartheid in South Africa, including imposing economic sanctions, will comprise the perfect or only answer. But with the administration's unwillingness to confront the racist South African Government, congressionally mandated sanctions are the most effective weapon we have to combat the South African apartheid regime.

Through H.R. 1580, the Congress will align United States policy with the appeals for multilateral economic sanctions called for by the Congress of South African Trade Unions, the largest Black Labor Federation in South Africa's history, and with the leadership of South Africa's religious and democratic political leaders.

South Africa and its apartheid system are an anachronism in 1988, and are repugnant to the political traditions of this Nation. It is incumbent upon this Congress, and the administration, to act decisively however we can to hasten the dismantling of apartheid and the dawning of a new day of democracy for all the people of South Africa.

Mr. EMERSON. Mr. Chairman, Yogi Berra was right—its *deja vu* all over again. Just 2 years ago this body debated sanctions against South Africa, and now we are hearing the same old arguments in favor of yet another sanctions bill.

I am still trying to understand the purpose of this exercise. It is pretty obvious that the 1986 sanctions have not had the intended results. We were told then that sanctions would hasten the end of apartheid. If that's true, why are we here now? If the old sanctions didn't work, what makes us think these sanctions will?

Last time we were told that Congress must pass sanctions now in order to prevent a bloody revolution later. If anything, however, we have just made things worse. Sanctions have polarized the political community in

South Africa and only strengthened those who either want violent revolution or forceful repression. If a little of this medicine has made South Africa sick, I fail to see how a lot of it is going to make it well.

The simple truth is that the Ultimate beneficiaries of sanctions are those who are quite willing to destroy South Africa so they can rule over the ruins. It makes no difference to the Communists in the African National Congress if black workers would be most hurt by sanctions. The communist International is quite accustomed to exploiting workers in its pursuit of power. As bad as life is for blacks in South Africa (and I have no doubt that apartheid is terrible) you should see what life under communism is like in Ethiopia or Angola.

I agree with those who say it is in America's interest to see apartheid abolished in South Africa. I only maintain that the way we promote this goal will affect what replaces apartheid. It is not in the interest of the United States to replace one form of repression with an even worse kind. With our economy already heavily dependent on imported strategic minerals, we should not pursue a course of action that places South Africa in the hands of the Soviet Union.

Finally, Mr. Chairman, I would urge my colleagues to consider the effect this legislation could have on the delicate state of United States diplomacy in southern Africa. One of the demands of this legislation is that South Africa relinquish its occupation of Namibia. Assistant Secretary of State Chester Crocker is currently in the middle of sensitive negotiations that would achieve this goal plus the withdrawal of Cuban troops from Angola. If this House adopts this resolution, we could very well scuttle those negotiations. Unless you want to keep Cuban troops in Angola and bring revolution in South Africa, adoption of this bill is a bad idea.

I urge my colleagues to vote against the resolution.

Mr. BLAZ. Mr. Chairman, let me say at the outset that I find apartheid and racism repulsive. I have been a victim of it myself. Let me also state that there are few Members of this body whom I admire more than the author of this bill—the distinguished gentleman from California, Mr. DELLUMS. He is a friend and has been most helpful to me and my constituents as my chairman in the Military Installations and Facilities Subcommittee of the House Armed Services Committee. The primary reason I respect him so much is because he fights so tenaciously for his beliefs. For that reason, I am certain that he will understand why I am standing here today for my belief.

That belief is predicated on my experience during a 2-week stay in South Africa last year. As a member of the Africa Subcommittee of the Foreign Affairs Committee, I took advantage of the opportunity to visit South Africa. At the time I was absolutely convinced that economic sanction was the only way to force that country to solve its problems. I had a big chip on my shoulder and was there essentially to find justification for my position.

After visiting throughout the country and speaking with dozens of citizens, most of whom were black, I came back firmly persuaded that with our sanctions, we are perpetrating upon that nation, willingly or otherwise, economic destruction rather than economic devel-

opment. To my utter amazement, it was the black leadership there who was most critical of economic sanctions—because of its devastating impact on the working poor.

Mr. Chairman, if I may digress, the United States was terribly disappointed in 1961 when a military junta took control of the Republic of Korea. Some said it was the end of the beginning of democracy in that nation. But in 1961, Korea had only two political pressure groups. Students and soldiers.

But look at Korea today. What has made Korea's transition to a democracy possible? I would call it an "economic revolution." Korea now has a strong middle class. It's people have an interest and a future in their government.

In those countries that do not have a tradition of democracy, there will never be political freedom until after they have gotten economic freedom. The economic revolution comes from economic opportunity. As the private sector prospers, so do the people.

It would be very naive to think that a country like South Africa will or could keep apartheid alive under economic prosperity. There are less than 5 million white Afrikaners in a total population of almost 29 million people. The ratio is almost 6 to 1 and increasing.

I urge my colleagues to consider seriously before voting, the long-term impact further economic sanctions would have on those we are intending to help—the black people of South Africa. If we really want to help the majority in that country, if we want to speed up full political participation for all, we should be talking about American investments, not disinvestments.

Instead of reducing that country to ashes on the mistaken belief that we can build a better one upon the rubble, we should instead look seriously at positive, constructive, responsible alternatives aimed specifically on empowering and uplifting the black majority in South Africa.

Mr. MACKAY. Mr. Chairman, I rise today in support of H.R. 1580, the Anti-Apartheid Act Amendments of 1988 which I have cosponsored. This legislation sends a clear message to the Government of South Africa and the rest of the free world that the United States will not do business with a racist state. We must go beyond rhetoric and take decisive action to puncture the ruling white minority's fantasy that it can hold onto its monopoly of power indefinitely.

This legislation is necessary because the executive branch has carried out a failed policy of "constructive engagement" and the South African Government has continued oppression. Rather than moving toward improved human rights, the South African Government has detained an estimated 30,000 people without charge, including up to 10,000 children, in conditions where physical assault and torture are routine. We must do everything in our power to force the South African Government to release all persons detained unduly without trial and immediately free Nelson Mandela.

This legislation strengthens existing economic and political sanctions by invoking a comprehensive ban on trade with South Africa. Additionally, the bill enlists Presidential leadership for an international campaign to end apartheid and funds programs for disadvantaged South Africans.

I believe we may be nearing the last chance to avoid a tragic descent into all-out violence

in South Africa. The United States and other Western countries must use all of their influence now to try to prevent this eventuality. Passage of this legislation today will mark a new milestone in our effort to end discrimination around the world.

Mrs. BOXER. Mr. Chairman, supporting tougher sanctions against a country that is undemocratic, cruel, and inhumane is morally right.

We have seen inhumanity and cruelty many times in our history and if there's one thing we learned—it is to stand up to tyranny—to bigotry, to terrorism.

I strongly support the toughest possible economic sanctions for South Africa in order to bring them to their senses and in order to stand up for America. I support a yes vote on this legislation without weakening amendments.

Mr. NEAL. Mr. Chairman, the Comprehensive Anti-Apartheid Act of 1986 prohibits new loans to South African entities. It does not prohibit the rescheduling of existing loans so long as no new funds or credits are thereby provided. H.R. 1580 is considerably more restrictive. It would prohibit rescheduling of existing loans and prohibit loans to be outstanding except on terms provided for by an agreement entered into before April 20, 1988. Thus, no further changes in the terms of outstanding credit to South African entities could be agreed to.

It is not the intent of the foregoing provisions to take away or alter preexisting contract rights. These include rights which were obtained by United States creditors under the present rescheduling arrangements with South Africa—the so-called second interim arrangements. Therefore, during the remaining life of these arrangements, U.S. creditors can exercise any of the repayment options provided for in those arrangements in order to assure that commitments are in place for full repayment of the debt.

Mr. BILBRAY. Mr. Chairman, I rise in support of H.R. 1580, a measure to strengthen existing economic and political sanctions against South Africa.

I would initially like to recognize the work of the chairman of my subcommittee, HOWARD WOLPE, for his hard work and diligence in putting together this piece of legislation.

I would especially like to commend Representative DELLUMS for his diligent work on this issue and his legislation, H.R. 1580.

While not being a Member of Congress in the 99th Congress, I believe that Congress took a dramatic and positive step in approving the Comprehensive Anti-Apartheid Act. By expressing its firm opposition to the system of apartheid, the sanctions legislation of 1986 was a commendable step forward.

Mr. Chairman, in October of last year, the Subcommittee on Africa held a hearing on the President's report to Congress on the Anti-Apartheid Act. The report concluded that there was no sign of significant progress toward ending apartheid in South Africa and the President refused to recommend the imposition of additional economic sanctions.

What greatly concerned me about the President's report was the conclusion that a "period of active and creative diplomacy" is needed. To me this sounds like going back to the administration's policy of "constructive engagement" which has done nothing to ease the plight of South Africa's 22 million blacks.

Just as Congress did nothing in the 1930's while Nazi Germany began its campaign to exterminate what they considered inferior human beings, will the citizens of the United States in the 21st century look at Members of Congress of the 1980's as legislators who preferred the status quo instead of action.

To let the South African Government, the people of South Africa and the world know that we will not stand by again as we did in the 1930's, and that this Congress' motto is "never again."

Mr. Chairman, we are at a crossroads today. We have the opportunity to take a positive step that will demonstrate the seriousness of our Nation's commitment to help end the South African system of apartheid.

I urge the Members to support H.R. 1580.

Mr. BOULTER. Mr. Chairman, I support the Burton "South African black empowerment" substitute to the punitive Dellums/Wolpe South African divestment bill. The Burton substitute would assist black private enterprises and the efforts of blacks to overcome apartheid. It is interesting to note that the idea of black empowerment did not originate in the United States, but in South Africa's black townships. Why not listen to the blacks we want to help in South Africa and support black empowerment?

On the contrary, the Dellums/Wolpe sanctions against South Africa will create a tumultuous "get-out-of-South Africa" economic environment where American businesses sell their factories and assets at fire-sale prices to the benefit of the white South Africans who the bill is meant to punish. Mr. DELLUMS has said more than once that his disinvestment bill will hurt the blacks. Why not help the blacks and retain American interests through the Burton substitute?

South Africa's population is estimated to be between 26 and 30 million people. I did not take lightly a letter from Bishop Mzilikazi Masiya last year when he wrote to Congress and asked us to repeal the "Comprehensive Anti-Apartheid Act of 1986" because of the deleterious affect it has had on the black people it was intended to help. Bishop Masiya was writing on behalf of the more than 2 million Black South Africans, and stated the following:

It seems to me and other Black South Africans that some Senators and Congressmen do not care at all for the millions of black people when they vote for laws that affect us. It seems that some of the honorable members, even though they are aware that sanctions and divestment might hurt blacks more, vote for sanctions in order to appease the African National Congress lobbyists and to cultivate the votes of black Americans. This is not a very moral policy for America to follow.

I, as a black South African, believe that our government under P.W. Botha has done a great deal in moving away from apartheid and making preparations for a truly non-racial, democratic South Africa.

*** it is our earnest prayer to God, in view of the fact that sanctions and disinvestment cause mass unemployment and poverty especially amongst Black people, that you will . . . reject with contempt any suggestions for future sanctions that would deepen the suffering of my people.

Mongasutho Buthelezi, the Zulu leader of over 5 million blacks, has time and time again concluded that sanctions will undermine the

growth of black economic and political power. Neither the nonwhites in South Africa nor United States' citizens have anything to gain from disinvestment and further sanctions. We do have a good deal to lose, though, when disinvestment inflicts the radical damage which is inherent in the Dellums/Wolpe disinvestment bill.

The many constituents who have written and called me have outlined the deleterious effects on their investments in South Africa and oppose the sanctions for those, as well as other, reasons. Members of the Banking, Finance, and Urban Affairs Committee have estimated that \$3 billion in South African securities is owned by more than 150,000 individual United States investors. Not only will the nonwhite South Africans suffer, but United States' citizens will also suffer the casualties of H.R. 1580, which has aptly been called a "declaration of economic war" against South Africa.

Mr. Speaker, why doesn't the United States Congress hold out a helping hand to the nonwhites of South Africa with the Burton substitute? Or, are we going to give them the back of our hand through disinvestment? Further, what assurances do we have that the South African Government will not retaliate by withholding strategic materials even if the President would certify those minerals as essential for the economy or defense of the United States?

In conclusion, disinvestment will hurt the nonwhites in South Africa and United States' citizens while dealing a damaging blow to the President's ability to conduct foreign policy affairs with South Africa. The Burton black empowerment substitute would have a positive influence in the dismantling of apartheid in South Africa, and it will give the nonwhite South Africans economic and political power to empower them to fight apartheid with strength through peaceful methods.

Mr. DORGAN of North Dakota. Mr. Chairman, I rise in support of the Anti-Apartheid Act Amendments of 1988.

Our Government needs to make a clear, aggressive, and unequivocal statement about the deteriorating situation in South Africa. The comprehensive sanctions contained in this legislation make clear our position not only to the American people, but also to the people of South Africa and the rest of the world. If the United States is to stand for freedom and democratic principles abroad, we cannot stand for business as usual with the Government of a country that for more than 40 years has denied 75 percent of the population freedom, equal opportunity, and political self-determination.

I believe that economic sanctions, in conjunction with similar concerted efforts by our allies, can make a difference and be effective in bringing about change in South Africa. Sanctions are the strongest peaceful support foreign countries can offer to the antiapartheid movement.

One may ask why we need additional sanctions? Congress did mandate economic sanctions against South Africa in 1986. Congress banned all new public and private sector loans and investments, prohibited the importation of products such as uranium and steel, and banned all United States exports of crude oil, petroleum products and munitions to South Africa.

Unfortunately, the Comprehensive Anti-Apartheid Act of 1986 has been poorly enforced. In fact, last year the General Accounting Office issued a report criticizing the administration's enforcement record. While the President has stated that South Africa has not made any progress toward dismantling apartheid he has yet to recommend any additional sanctions.

At this point I would like to address a few of the most commonly heard arguments against comprehensive sanctions. First, it is argued that additional sanctions will only hurt blacks by causing many to lose their jobs. Yet, black trade unions in South Africa have repeatedly stated their willingness to suffer for long-term gain and have urged more economic sanctions. Moreover, South African churches, antiapartheid leaders and organizations all view sanctions as part of the larger struggle for freedom. In addition, the effect of a total U.S. divestment would directly affect less than 1 percent of the black labor force.

Second, opponents contend that sanctions will jeopardize our military defense capability since it will deny the United States access to strategic mineral resources. This legislation exempts from the ban strategic minerals the President certifies are essential to our economy or defense. It does not seem likely that the South African Government would restrict such exports, particularly in an environment where sanctions already constrain foreign exchange earnings. The South African Government relies heavily on the payments from mineral production and any embargo would have a disastrous effect on South Africa's economy.

Furthermore, we already have sufficient stockpiles of chromium, manganese and platinum in this country to offset any countersanctions by South Africa. By adapting new technologies and processes and developing other sources we could ensure that we are not dependent on any one country. In this regard, I point out that in the Anti-Apartheid Act amendments legislation, the President is required to come up with a program to reduce dependence on South African minerals. This language was mandated in the 1986 act, yet over a year and a half later there has been no firm date for the completion of this program.

I recognize that sanctions by our country alone will only have a limited impact and we need all of South Africa's trading partners working together. U.S. sanctions by themselves will never bring about an end to apartheid. Historically, sanctions are only effective when applied multilaterally and comprehensively. Our Government needs to take the lead on this initiative. Contingent on this first step, the Anti-Apartheid Act amendments require the President pursue international agreements to coordinate multilateral sanctions against Pretoria.

In closing, comprehensive sanctions can have a significant impact upon the South African Government and economy, if forcefully implemented. While sanctions may not produce immediate results they will send a message to blacks in South Africa, the Government of South Africa and the world that we are determined to do our part in hastening the end of apartheid in a nonviolent context.

Mr. FEIGHAN. Mr. Chairman, I want to urge my colleagues in the House to support H.R. 1580, the Anti-Apartheid Act of 1988,

which would impose full sanctions against South Africa until it ends apartheid.

In a recent interview, Desmond Tutu, the Archbishop of Cape Town who was awarded the Nobel Peace Prize in 1984, posed an important question. He asked those who claim that life is getting better for blacks in South Africa if they would like to change places with them for 24 hours. The answer to the Archbishop's question is painfully obvious: no one would want to change places, even for a day.

In the past year, the South African Government has imprisoned 30,000 people without pressing charges. One-third of those imprisoned have been children. Torture is almost routine. Over 3 million blacks have been removed by force to the "homelands." Migratory labor policies have separated over 1 million families. Nearly one-third of all black South Africans are unemployed. Thousands of black South Africans have died violent deaths.

Most black South African leaders agree that blacks will be hurt by sanctions. But they argue that blacks will be hurt even more if apartheid is not ended and revolution comes to South Africa. According to most nongovernmental polls, the majority of urban blacks—those people who would lose the most from sanctions—overwhelmingly support economic sanctions. Archbishop Tutu himself called for full economic sanctions against South Africa when he said: "I have no hope of change from this Government unless they are forced. We face a catastrophe in the land and only the action of the international community . . . can save us. Our children are dying. Our land is burning and bleeding, and so I call on the international community to apply punitive sanctions against this government to help us establish a new South Africa—nonracial, democratic, participatory and just."

Two years ago, the Congress passed limited sanctions against South Africa. It's now time for the Congress to approve stronger sanctions, ending all trade with and investments in South Africa. The United States stands for certain principles throughout the world—principles such as justice, democracy, and freedom. It's crucial that the United States shows that we value human rights in South Africa. That we oppose South Africa's white supremacist system of apartheid. That we oppose its imprisonment and torture of children. That we oppose its totalitarianism. And that until the South African Government brings an end to apartheid, we will in no way support that wretched system.

Mr. RAHALL. Mr. Chairman, I wish to speak for a few moments on H.R. 1580, the Anti-Apartheid Act Amendments of 1988, strong and forceful legislation aimed at undermining the abhorrent system of apartheid in South Africa by strengthening existing economic sanctions.

The plight of black South African mine workers is not lost on this Member from the southern West Virginia coalfields, or the people I represent. In my congressional district, we have had experiences similar to those now being experienced by South African miners.

In the early part of this century, the oppressive conditions mine workers faced led to efforts by the United Mine Workers of America to organize West Virginia's southern coalfields. "No matter what the punishment, stick

to your principles," Mary Mother Jones had admonished.

And those principles cost dearly during labor disturbances at places with names like Paint Creek, Cabin Creek, Matewan, and the battle of Blair Mountain, where over 10,000 miners faced off with Baldwin Felts agents and Federal troops sent in by President Harding.

The similarities between our past and South Africa's present are quite evident to us in southern West Virginia, and this is one of the reasons why there is a great deal of support in my congressional district not only for the existing sanctions, but for the stronger measures against South Africa as embodied in this comprehensive legislation.

Because of these parallels, I would like to particularly take note of section 304(b) of H.R. 1580, which states that if affected multinational oil companies do not divest or continue to export petroleum products to South Africa after a specified period, they would be prohibited from bidding on Federal mineral leases located mainly in the western States and on the Outer Continental Shelf.

However, I will hasten to emphasize that these sanctions proposed by this legislation would not affect these companies' operations on private lands.

Because of South Africa's dependency on imported oil, this provision would strike at the apartheid regime's jugular vein and would provide a very strong incentive for the Botha government to come to the bargaining table to seek a peaceful end to the system of apartheid and establish a true democracy for all South Africans.

Affected multinational oil companies would have to determine whether they want to continue to be eligible for new Federal oil and gas leases on the Outer Continental Shelf as well as Federal mineral leases on public lands in the western States, or continue their operations in South Africa.

One of the potentially affected multinational's overall investment in the United States is around \$25 billion while in South Africa this figure is only about \$400 million. Common business sense would indicate that this company would divest its smaller holdings in South Africa in order to preserve its ability to develop western United States public mineral lands and Federal offshore waters.

In my view, the question posed by this section is whether it is a right and just policy to use federally owned mineral resources as a vehicle to achieve social goals.

I am inclined to answer that question in the affirmative. These are, after all, the peoples' coal, oil and natural gas. These resources are in the public domain, and as such, it is appropriate for policies which govern their disposition to take into account the public interest and the socioeconomic goals of this society.

Racism is certainly not a goal of our society, and it is certainly not something we as a people promote at home or abroad. This legislation, then, says that it is wrong to award public resources to companies which through their investments or trading practices wittingly or unwittingly aid and abet a governmental system grounded in apartheid.

Mr. McCANDLESS. Mr. Chairman, the issue before us is not apartheid. I would suggest that every Member of Congress finds apartheid abhorrent and would vote to abolish it this instant, if it were within our power. But

such a vote is not within our power, so we must find an alternative which will eradicate apartheid. The legislation before us, H.R. 1580, will not put an end to apartheid, but it will increase the suffering of the very people we are trying to help. Therefore, I must oppose H.R. 1580, legislation to impose more stringent trade sanctions against South Africa, not because its intentions are wrong, but because its effects are not in the best interests of the people—of all races—of South Africa and the United States.

The legislation would prohibit all imports from South Africa with the exception of strategic materials. It would prohibit all exports to South Africa except publications, certain "humanitarian" items designed to relieve human suffering, sales of agricultural commodities, and economic assistance for blacks.

It would ban all loans, all other types of investments, and those multinational companies that invest in South Africa would not be allowed to have U.S. Federal oil, coal, and natural gas leases or permits. The bill would also ban all U.S. intelligence and military cooperation with South Africa.

The proponents of strict economic sanctions are misguided in their efforts to end the strategic apartheid laws. Economic sanctions hurt the black population of South Africa. If we want to help those people, we should do everything possible to help build up their economic status.

The American firms that have been doing business in South Africa in the past have helped greatly by applying equal employment opportunity principles and by helping black employees with job-related education.

Unfortunately, under the sanctions already imposed, thousands of black workers have lost their jobs. The fresh fruit growers have laid off at least 12,000 seasonal workers. Some small textile firms that sold only to the U.S. market have laid off several thousand black employees. The iron and steel industry has had approximately 1,300 layoffs. The coal industry has announced that 3,000 workers had to be let go because of sanctions.

In all these industries, almost 90 percent of those who lost their jobs were black workers.

Mr. Chairman, the best way to encourage South Africa to end apartheid is to build up the economic power of the black population. Taking away jobs is not the answer.

Let me quote a short passage from an article in the July 18, 1988 issue of *Fortune* magazine entitled "What the U.S. Must Do in South Africa," by Marshall Loeb:

Listen to James Ngcoya, President of the 100,000-member South African black taxi association: "I've heard people say that if sanctions make black people suffer more, that does not matter because they're suffering already and won't mind suffering some more. I've even heard them say that whether more sanctions will help to bring down apartheid doesn't matter because imposing sanctions puts Americans on the right side of history. Does that mean you really do not care what the black people of South Africa want? You really do not care about what will help us? I ask you to listen to our voices before you decide what is good for us, before you decide that black children must go hungry so you can be on the right of history."

Mr. Chairman, the Burton substitute would give us a way to promote economic advancement and better living conditions for blacks in

South Africa. Building up black economic strength is the best way to end apartheid. I urge my colleagues to support the Burton substitute and, if it fails, to vote no on H.R. 1580.

Mr. DOWNEY of New York. Mr. Chairman, I rise in the strong support of H.R. 1580, the Anti-Apartheid Act Amendments of 1988.

Seldom does this House have before it an issue that is so clearly defined. We have before us today a bill that is good and a regime that is bad. It really is that simple. And those who will try endlessly to cloud this debate with arguments of constructive engagement and the like will have missed the essential point in all of this, and their arguments will fail. The American people do not want to do business with a government that systematically and continuously oppresses an entire people, and we, the Members of "the People's House," are now given the opportunity to ensure that we carry out the will of the American people. So you see, in a very real way, this bill is as much a promise to the American people as it is a promise to the blacks of South Africa.

Mr. Speaker, it seems to me that the House can and should do nothing but support this measure for comprehensive and enforceable sanctions against the Government of South Africa. It is time that this Nation exercised its considerable might as a force for good and positive change in South Africa. It is time that America said, once and for all, that any deal with the racist regime of P.W. Botha is no deal at all. It is time to make a change. We have seen the past and it has not taken us in freedom's direction. Now we have a decision to make about the future. I urge my colleagues to make the right decision, and to support this bill.

Mr. COUGHLIN. Mr. Chairman, I rise today to voice my opposition to the bill pending before the House today.

Mr. Chairman, in 1985 I supported legislation, later forestalled by the President's Executive Order, to impose economic sanctions against South Africa. In 1986, I cosponsored legislation that was more far-reaching than the 1985 package. At that time I also wrote to the President urging him not to veto the sanctions package agreed to by the Congress, and in fact voted to override the President's veto of the measure.

And today, when I cast my vote on this measure, let no one think that I consider the current racist regime in South Africa to be anything but utterly reprehensible, wicked, and repugnant.

There have been some changes in the South African Government's treatment of its disenfranchised citizens in recent years. These changes have been wholly inadequate. The Population Registration Act, the Group Areas Act, the Land Acts, the contemptible and unjustifiable state of emergency—all remain in effect.

I am voting against this measure, however, for two reasons. First, it will not put additional pressure on the government of South Africa. American businesses will be forced to sell out and their interests will be bought by white South Africans, the people we seek to punish, at fire sale prices. U.S. firms—and United States citizens who are investors in those firms, including many of our senior Americans—will bear the brunt of this requirement. It seems to me that we will only be shooting

ourselves in the foot, especially since the majority of South Africa's exports to the United States will be exempt from sanctions under the strategic minerals provisions of the bill.

In addition, and even more important, I am simply not convinced that it will bring anything but further travail to those it purports to help. It will jeopardize the jobs of some 50,000 non-whites now working for U.S. subsidiaries. It will eliminate such positive influence as U.S. firms have had in helping to eliminate apartheid. Blacks will feel the pain of a constricting economy in South Africa long before whites will.

In fact, I would be willing to support a bill that would more exactly punish the racist apartheid regime or one that would target white economic interests more carefully. But the measure before us uses a shotgun approach that destroys everything in proximity. The measures we have taken against Iran and Nicaragua are not as stringent as those we are contemplating today.

Mr. Chairman, I hope that United States policy towards South Africa brings about a dramatic positive change in that country in the soonest possible time. But I do not believe this measure is the answer to the grievous plight of South Africa's disenfranchised.

Mr. LEHMAN of California. Mr. Chairman. I join my colleagues in strong support of H.R. 1580, the Anti-Apartheid Act Amendments of 1988.

The purpose of this bill is one we all agree on—it is to end the official system of apartheid in South Africa, a horrible system of political and economic discrimination against the blacks of that region in the name of white supremacy. This system is anathema to our American principles of equality and justice for all regardless of one's heritage or skin color. Thus, as one of the most powerful nations in the world, we cannot stand by and let apartheid continue.

Our policy of limited engagement of the past 8 years has failed to weaken the South African Government's resolve to continue apartheid. And while the 1986 Comprehensive Anti-Apartheid Act was an important step toward increasing the cost of maintaining apartheid, its provisions are limited and circumventable. This is why, in the face of South Africa's increasing repression of its black majority, the United States must impose total sanctions. We can use our position of economic leverage to lead and work with other nations to end racial segregation, denial of voting rights, and unfair labor practices.

Apartheid is not a minor violation of human rights—it is the most vicious institutionalization of racism in the world. Our vote in favor of comprehensive sanctions will send a message to South Africa as well as our allies that we will not tolerate apartheid, and that we do believe in democracy everywhere.

Mr. Chairman, official business in my district will force me to miss the remainder of today's proceedings, and it is with regret that I am unable to join my colleagues and cast a vote on the amendments to H.R. 1580 and on final passage of this important legislation. Nonetheless, I strongly support H.R. 1580 and urge its approval.

Mr. BORSKI. Mr. Chairman, I rise in favor of H.R. 1580, the Anti-Apartheid Act. In 1986, we in Congress mandated a new policy by enacting economic sanctions against South Africa. The 1986 law set a 1 year limit within

which substantial progress had to be made toward dismantling apartheid or our policy would be to impose additional sanctions on the South African Government.

Since that time South Africa has not repealed the state of emergency, released political prisoners, negotiated with the black majority or ended political and military activities against neighboring states.

So it seems that instead of discouraging the Pretoria government from promoting its unjust apartheid practices, the relatively limited U.S. sanctions covering no more than a third of imports, few exports and no current investment, have only prompted the Pretoria government to inaction.

The new economic and military sanctions included in H.R. 1580 are not immediate cure-alls but are a far reaching, medium-to-long-term approach to end apartheid by democratic means.

The bill enacts six new economic and military provisions: bans all United States investments in South Africa; bars all South African imports and all U.S. exports, with few exceptions; prohibits the Interior Department from issuance of energy leases to United States subsidiaries of foreign firms that hold investments in South Africa or export oil to South Africa; bars United States-owned, controlled, or registered ships from transporting oil to South Africa; and, bans United States intelligence and military cooperation with South Africa, except for intelligence relating to Cuban troops in southern Africa or any other Communist country assisting Cuban troops.

There are some Americans who are concerned that sanctions harden the Botha regime.

I submit that the Pretoria regime had hardened their hearts against removing the yoke of apartheid long before we instituted the much needed sanctions.

Since 1984, we have seen the "Pass Laws" removed and replaced by even tighter "squatter laws". We have seen the Mixed Marriages Act removed and replaced with the more rigidly enforced residential segregation. It has also been verified that more prisoners now reside on death row than ever. And the more violent and brutal the police become in repressing union activity, the more widespread the strikes become.

There are many more of us Americans, however, who believe that the administration's "constructive engagement"—which means quiet diplomatic steps to encourage change—response to South Africa's racist apartheid and aggression against its neighbors, is not enough and that the new economic and military sanctions provided in H.R. 1580 can and will work.

Mr. WOLPE. Mr. Chairman, for purposes of closing the debate, I yield the balance of our time to the principal author of the legislation before us, the distinguished gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, it is with a great deal of pride and sense of privilege and honor that I have the opportunity to close this debate. Two decades ago people said, "Take your anger, your frustration, your pain, your hopes, and your dreams and your aspirations,

inside the political process. Come inside off the street of protest and demonstration, challenge people in the Halls of Congress, legitimate the ideas you choose to espouse."

Well, in that process, Mr. Chairman, you folks taught me humility. I am an activist, but you taught me patience. I am a fighter, but you taught me discipline, because it was nearly 18 years ago, Mr. Chairman, that this gentleman and the distinguished gentleman from Michigan [Mr. CONYERS], we embarked upon this long journey to bring us to this moment, because it was at that time that we brought the first effort to bring sanctions against South Africa, not only because we saw ourselves as citizens of the United States, black human beings as well, but also citizens of the world.

Second, I would point out to my colleagues, Mr. Chairman, to challenge the cruelty and the oppression of apartheid in South Africa is not a liberal issue. It is not a conservative issue. It is not a moderate issue. It is not a democratic issue. It is not a Republican issue. It is an American issue, as American as apple pie, because we are ostensibly a Nation committed to democratic principles, the rule of law and constitutional government. We would be living in a world of contradiction, Mr. Chairman, if we did not stand and oppose this.

Mr. Chairman, someone said in the early part of the general debate that this approach is a little heavy. Let me tell you, Mr. Chairman, what heavy is. Beating, torture, rape, murder by South African security forces and prison officials is more than a little heavy.

What is heavy is detainment without trial of thousands of human beings, 40 percent of them children, many of them 8 to 10 years of age. That is heavy.

Repression of the press is heavy. Banning opposition groups, even non-violent antiapartheid groups in South Africa, is heavy.

Denial to a majority population of any political rights or power on the insane and absurd notion of racial supremacy, I would say to my colleagues, is what is heavy.

Denying the opportunity of people to live a life where we embrace the principle that all human beings, black, brown, red, yellow, and white, are equal human beings, that all human beings have control of their destiny, that is heavy if we are not prepared to deal with it.

We are a great Nation, Mr. Chairman, a great Nation. You and I at this moment must rise above our petty differences, irrespective of where we stand in the political spectrum, Democrat or Republican. Some of my colleagues even said to me in the back of the aisle, "I have been with you, but I'm down on this rule so bad, I'm so upset with the leadership that I can't vote with you."

Let me tell you something. Do not underestimate the power of this issue. Each of us will have to go home and talk about it.

Yes, South Africa is over there, but this issue is as much about the United States as it is about South Africa. Every single one of your constituents, if they see you are not prepared to challenge this madness and they say, "What happens when it comes to me? If you are not prepared to stand up for black people and people of color in South Africa in this great bastion of democracy, what will happen when they come for me?"

So let us rise above this difference. Whatever the rule was, I did not create it, but I came here to fight to see that this world is a dignified world. I want to turn over to my children and my children's children a world without racism and terrorism, violence, death, and destruction.

I place my body, my life, and my energy on the line. I have come here struggling. You made me learn discipline. You made me struggle for 18 years, but it is time for the world to wake up. We cannot continue to harm and kill and maim and torture people because their skin happens to be black. There is something wrong with that.

Mr. Chairman, let me tell you in a few brief moments a little story. On Wednesday at the convention I met a delightful, marvelous, thin, almost fragile young South African. I met him a couple nights before. He was very pleased to meet me because of my efforts on the part of South Africa. I was not to know that the second time I would meet him, I would feel great pain, because he sought me out in the lobby of the Hilton Hotel in Atlanta. I saw in his face that he was quite troubled.

He said, "I want to help you pass this bill."

I said, "What is wrong?"

He said, "I just received a call from my mother in Johannesburg. There had been a bombing. My two brothers have been killed."

He struggled to fight back the tears, and I reached out to him because he was young enough to be my son. He looked me in the eyes, a look that I will never forget, and he said, "There must be a better way. I have lost my wife and my child and now my two brothers," and he fell into my arms.

I will say to you, Mr. Chairman, he and I hugged and embraced in brotherhood and camaraderie and a sense of compassion and we cried unabashed and unashamed.

I decided that I would renew my effort, come hell or high water, and we will continue to struggle until South Africa is free, and he is right. There must be a better way.

□ 1700

Mr. Chairman, I listened to all the debates here that it is going to hurt blacks, it is going to hurt corporations,

it might jeopardize the national security. Some of those things are maybes, but I tell the Members what is an inevitable fact and that is that human beings who languish in repression will struggle for their freedom, in peace if they can, in violence if they must.

That pales every single argument that they have raised because the technology of death in 1988, the Members and I know, means that thousands of human beings will die beyond any human beings' ability to comprehend. Those of the Members who think imposing sanctions will bring violence, I come to a different conclusion. It works for those people in power. They are not going to change until we make it not work. Do not live in such an absurd, mundane, pedestrian, and naive world. This is reality here.

I do not wish to see violence and bloodshed. Let us rise above these differences here, rise above all of these different rules and concerns.

I am now asking the Members, as a black American, as a black Earth-bound citizen, we must end the madness of apartheid. Let us turn over to our children a world without this insanity, without this cruelty, and, yes, sanctions hurt, and I have said a thousand times, and I will say it again, that sanctions hurt, but apartheid kills and it kills violently, whether it kills officially from the Government or whether it kills by denying hope from people so that they feel so desperately that they must engage in violence that ends up in the death of human beings. That is violence.

I came here not a warlike person. I came here to channel my anger and to channel my energy. I am an advocate of peace and I am struggling hard to be a peaceful person, and that is not always easy in these Chambers. Members know that; Members know that.

Mr. Chairman, Members of this body, we must get beyond this. We must become civilized human beings. America says it is committed to freedom and dignity.

Mr. Chairman, I ask the Chair and Members of this body to rise above all of our petty differences. This is an American issue, and as Americans let us rise up and join those people in South Africa struggling for their freedom and dignity.

It will be a great moment in American history. I thank all of the Members.

The CHAIRMAN. All time has expired.

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of H.R. 5175 is considered as an original bill for the purpose of amendment under the 5-minute rule in lieu of the committee amendments now printed in the reported bill and shall be considered as having been read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5175

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Anti-Apartheid Act Amendments of 1988".

(b) REFERENCES.—References in this Act to "the Act" are to the Comprehensive Anti-Apartheid Act of 1986.

(c) TABLE OF CONTENTS.—

TITLE I—SANCTIONS AGAINST INVESTMENT IN, AND EXPORTS TO, SOUTH AFRICA AND OTHER MEASURES (EXCEPT IMPORT RESTRICTIONS) TO END APARTHEID

Sec. 101. Prohibitions on investment in, and exports to, South Africa.

Sec. 102. Prohibition regarding involvement in the South African energy sector.

Sec. 103. Prohibition on nuclear assistance to South Africa.

Sec. 104. Prohibition on United States intelligence and military cooperation with South Africa.

Sec. 105. Coordinator of South Africa sanctions; inter-agency coordinating committee on South Africa.

Sec. 106. Independence of Namibia.

Sec. 107. Penalties.

Sec. 108. Assistance for disadvantaged South Africans.

Sec. 109. Sense of Congress regarding anti-trust investigation of South African diamond cartel, study of diamond origins, and enforcement of prohibition on importation of South African diamonds into the United States.

Sec. 110. Study of measures to reduce South Africa's foreign exchange earnings from gold.

Sec. 111. Sense of Congress regarding South African consulates and approval of visas.

Sec. 112. Report on South Africa's involvement in international terrorism.

Sec. 113. Technical and conforming amendments.

TITLE II—SANCTIONS AGAINST SOUTH AFRICAN IMPORTS INTO THE UNITED STATES

Sec. 201. Prohibitions on imports from South Africa.

Sec. 202. Multilateral measures, including import restrictions, to dismantle apartheid.

Sec. 203. Referral in the House of joint resolutions pertaining to import restrictions.

Sec. 204. Reports on United States imports from member states of the Council for Mutual Economic Assistance.

Sec. 205. Program to reduce dependence upon importation of strategic minerals from South Africa.

Sec. 206. Preventing circumvention of United States import restrictions.

TITLE III—GENERAL PROVISIONS

Sec. 301. Effective date.

TITLE I—SANCTIONS AGAINST INVESTMENT IN, AND EXPORTS TO, SOUTH AFRICA AND OTHER MEASURES (EXCEPT IMPORT RESTRICTIONS) TO END APARTHEID

SEC. 101. PROHIBITIONS ON INVESTMENT IN, AND EXPORTS TO, SOUTH AFRICA.

(a) PROHIBITIONS ON INVESTMENT.—Effective 180 days after the date of the enact-

ment of this Act, section 301 of the Comprehensive Anti-Apartheid Act of 1986 (hereafter in this Act referred to as the "Act") is amended to read as follows:

"PROHIBITION ON INVESTMENT IN SOUTH AFRICA

"SEC. 301. (a) Subject to subsections (b) and (c), a United States person may not purchase, acquire, own, or hold any investment in South Africa.

"(b) The prohibition under subsection (a) shall not apply to any investment in a business enterprise owned and controlled by South Africans economically and politically disadvantaged by apartheid where after the investment such business enterprise is not less than 90 percent owned by, and is under the control of, South Africans economically and politically disadvantaged by apartheid.

"(c)(1) Notwithstanding subsection (a), any individual described in paragraph (2), may continue to own and hold investments in South Africa during any period and to the extent that such investments are considered South African emigrant non-resident assets and subject to restrictions on their transfer or disposition under the exchange control regulations of the Government of South Africa (promulgated pursuant to the Currency and Exchange Act of 1933 and as in effect on June 2, 1988) which limit the ability of such an individual to comply with such prohibitions under subsection (a).

"(2) An individual, for purposes of paragraph (1), is an individual who, on the date of the enactment of the Anti-Apartheid Act Amendments of 1988, is—

"(A) a former citizen or resident of South Africa; and

"(B)(i) a citizen of the United States; or
 "(ii) an alien lawfully admitted for permanent residence in the United States."

(b) **PROHIBITION ON EXPORTS TO SOUTH AFRICA.**—Effective 180 days after the date of the enactment of this Act, section 303 of the Act is amended to read as follows:

"PROHIBITION OF EXPORTS TO SOUTH AFRICA FROM THE UNITED STATES

"SEC. 303. (a) No goods or technology subject to the jurisdiction of the United States may be exported, or re-exported, to South Africa. No goods or technology may be exported, or re-exported, to South Africa by any person subject to the jurisdiction of the United States.

"(b) The prohibitions under subsection (a) shall not apply to—

"(1) publications, including books, newspapers, magazines, films, television programming, phonograph records, video and audio tape recordings, photographs, microfilm, microfiche, posters, and similar materials;

"(2) donations of articles intended to relieve human suffering, such as food, clothing, and medicine and medical supplies intended strictly for medical purposes;

"(3) commercial sales of agricultural commodities and products; and

"(4) goods and technology for use in the gathering or dissemination of information by news media organizations subject to the jurisdiction of the United States which provide an assurance to the Secretary of State that such goods and technology will not be used, leased, sold, or transferred to any South African entity.

"(c) The prohibitions under subsection (a) shall not apply to any goods that are the direct product of technology of United States origin under a written agreement entered into on or before April 20, 1988, and that are exported prior to the date which is one year after the date of the enactment of the Anti-Apartheid Act Amendments of 1988.

"(d) The prohibitions under subsection (a) shall not apply to—

"(1) economic assistance or human rights programs for disadvantaged South Africans, South African blacks or other nonwhite South Africans, or victims of apartheid in South Africa pursuant to the Foreign Assistance Act of 1961, the Export-Import Bank Act of 1945, or any other provision of law authorizing economic or human rights assistance programs; and

"(2) contributions to charitable organizations engaged in social welfare, public health, religious, educational, and emergency relief activities in South Africa."

(c) **WAIVER.**—A person affected by the prohibition under section 301 of the Comprehensive Anti-Apartheid Act of 1986 (as amended by subsection (a)) may apply to the President for a one-time waiver of the prohibition. With respect to any applicant, the President may waive the application of section 301 for not more than 180 days after such section takes effect. Such waiver may be granted only for good cause. During any period of waiver under this subparagraph, the provisions of the Comprehensive Anti-Apartheid Act of 1986 as in effect before the date of the enactment of the Anti-Apartheid Act Amendments of 1988 shall apply and the President may not waive any such provision.

(d) **REPEAL OF CERTAIN PROVISIONS OF THE ACT.**—Effective 180 days after the date of the enactment of this Act, the Comprehensive Anti-Apartheid Act of 1986 is amended by striking sections 212, 304, 309, 310, 317, 318, 319, 320, 321, and 323.

(e) **DEFINITIONS.**—

(1) Paragraphs (3) and (4) of section 3 of the Act are amended to read as follows:

"(3) the term 'investment in South Africa' means—

"(A) a commitment of funds or other assets (in order to earn a financial return) to a South African entity, including—

"(i) a loan or other extension of credit made to a South African entity, or security given for the debts of an entity;

"(ii) the beneficial ownership or control of a share or interest in a South African entity, or of a bond or other debt instrument issued by such an entity; or

"(iii) capital contributions in money or other assets to a South African entity; or

"(B) the control of a South African entity in cases in which subparagraph (A) does not apply;

"(4) the term 'loan'—

"(A) means any transfer or extension of funds or credit on the basis of an obligation to repay, or any assumption or guarantee of the obligation of another to repay an extension of funds or credit, including—

"(i) overdrafts;

"(ii) currency swaps;

"(iii) the purchase of debt or equity securities issued by the Government of South Africa or a South African entity on or after the date of enactment of this Act;

"(iv) the purchase of a loan made by another person;

"(v) the sale of financial assets subject to an agreement to repurchase;

"(vi) a renewal or refinancing whereby funds or credits are transferred or extended to the Government of South Africa or a South African entity;

"(vii) short-term trade financing, as by letters of credit or similar trade credits;

"(viii) sales on open account in cases where such sales are normal business practice; and

"(ix) rescheduling of existing loans; and

"(B) does not include, a loan for which an agreement was entered into before April 20, 1988, so long as such a loan is maintained under the terms in effect on such date;"

(2) Section 3 of the Act is further amended by—

(A) striking "and" after the semicolon in paragraph (8)(B);

(B) striking the period at the end of paragraph (9) and inserting a semicolon; and

(C) adding at the end of such section the following:

"(10) the terms 'United States person' and 'person subject to the jurisdiction of the United States' mean—

"(A) any person, wherever located, who is a citizen or resident of the United States;

"(B) any person actually within the United States;

"(C) any corporation organized under the laws of the United States or of any State, territory, possession, or district of the United States; and

"(D) any partnership, association, corporation, or other organization, wherever organized or doing business, that is owned or controlled by persons specified in subparagraphs (A), (B), or (C) of this paragraph;

"(11) the terms 'goods' and 'technology' have the meanings given such terms by section 16 of the Export Administration Act of 1979;

"(12) the term 'goods subject to the jurisdiction of the United States' includes goods that are the direct product of technology of United States origin; and

"(13) the term 'foreign person'—

"(A) means any person who is not a United States person or subject to the jurisdiction of the United States; and

"(B) does not include any government or any agency or other entity or instrumentality thereof (including a government-sponsored agency) unless any such agency, entity, or instrumentality is a business enterprise."

(3) The amendments made by this subsection shall take effect 180 days after the date of the enactment of this Act.

(f) **NEGOTIATIONS WITH EMPLOYEE ORGANIZATIONS REGARDING TERMINATION OF INVESTMENT.**—A controlled South African entity, subject to the investment prohibition under section 301 of the Comprehensive Anti-Apartheid Act of 1986 (as amended by subsection (a)), that employs more than 24 South Africans—

(1) shall notify all South African employees and their employee organizations of such termination of investment not less than 90 days prior to such termination; and

(2) shall enter into good faith negotiations with representative trade unions, particularly those representing disadvantaged South Africans, (or with other representative worker organizations if there are no such unions) regarding the terms of a termination.

Negotiations shall include discussions and agreements concerning pension benefits; relocation of employees; continuation of existing union recognition agreements; severance pay; and acquisition of the terminated business or the business assets by representative trade unions, union-sponsored workers' trusts, other representative worker organizations, or employees.

SEC. 102. PROHIBITION REGARDING INVOLVEMENT IN THE SOUTH AFRICAN ENERGY SECTOR.

(a) **RESTRICTIONS REGARDING INVOLVEMENT IN THE SOUTH AFRICAN ENERGY SECTOR.**—The Act is amended by adding after section 303 (as amended by section 101 of this Act) the following new section 304:

"RESTRICTIONS REGARDING INVOLVEMENT IN THE SOUTH AFRICAN ENERGY SECTOR

"SEC. 304. (a) A United States person may not, directly or through an affiliate, provide transport to South Africa of a commercial quantity of crude oil or refined petroleum products. The prohibition under this subsec-

tion includes transport on a vessel of United States registry and transport on a vessel owned, directly or indirectly, by a United States person.

"(b)(1) Effective 180 days after the date of the enactment of this subsection, the Secretary of the Interior may not issue any lease pursuant to the Mineral Leasing Act of 1920, the Mineral Leasing Act for Acquired Lands, the Outer Continental Shelf Lands Act, or the Geothermal Steam Act of 1970 to any national of the United States which is controlled by, or under common control with, any foreign person who—

"(A) purchases, acquires, owns, or holds any investment in South Africa; or

"(B) exports to South Africa, directly or indirectly, any crude oil or refined petroleum products.

"(2) Prior to issuing any lease referred to in paragraph (1), the Secretary of the Interior shall require an applicant for such a lease to certify that the applicant is not subject to the provisions of paragraph (1)."

(b) **WAIVER OF PROHIBITION ON ISSUANCE OF LEASES.**—A person affected by the prohibition under section 304(b) of the Comprehensive Anti-Apartheid Act of 1986 (as amended by subsection (a)) may apply to the President for a one-time waiver of the prohibition. With respect to any applicant, the President may waive the application of section 304(b) for not more than 180 days after such subsection takes effect. Such waiver may be granted only for good cause.

SEC. 103. PROHIBITION ON NUCLEAR ASSISTANCE TO SOUTH AFRICA.

Section 307 of the Act is amended to read as follows:

"PROHIBITION ON NUCLEAR ASSISTANCE TO SOUTH AFRICA

"Sec. 307. Notwithstanding any other provision of law, the Secretary of Energy shall not, under section 57 b. (2) of the Atomic Energy Act of 1954, authorize any person to engage, directly or indirectly, in the production of special nuclear material in South Africa."

SEC. 104. PROHIBITION ON UNITED STATES INTELLIGENCE AND MILITARY COOPERATION WITH SOUTH AFRICA.

(a) **AMENDMENT TO COMPREHENSIVE ANTI-APARTHEID ACT OF 1986.**—The Act is amended by striking section 322 and adding after section 308 the following new section:

"PROHIBITION ON UNITED STATES INTELLIGENCE AND MILITARY COOPERATION WITH SOUTH AFRICA

"Sec. 309. (a)(1) No agency or entity of the United States involved in intelligence activities may engage in any form of cooperation, direct or indirect, with the Government of South Africa (specifically including the authorities administering Namibia so long as Namibia is illegally occupied).

"(2) The prohibition under paragraph (1) may not be construed to affect the collection of intelligence under any circumstances which do not involve any form of cooperation, direct or indirect, with the Government of South Africa.

"(b) No agency or entity of the United States may engage in any form of cooperation, direct or indirect, with the armed forces of the Government of South Africa.

"(c) The prohibitions of this section shall not apply to the conduct of diplomatic activities or to intelligence information concerning the military activities or equipment in southern Africa of Cuban military forces or of another Communist country acting in concert with Cuban military forces.

"(d) Funds authorized to be appropriated or otherwise made available by the Congress (including funds specified in a classified schedule of authorizations or appropriations) may not be obligated or expended by

any agency or entity of the United States for any expenses related to any cooperation prohibited by this section.

"(e) Consistent with the objectives of this section it is the sense of the Congress that the President should not—

"(1) assign or detail any member of the United States Armed Forces to serve as, or otherwise perform the functions of, a defense (or military) attache in South Africa; or

"(2) accredit any individual to serve as, or otherwise perform the functions of, a defense (or military) attache at a South African diplomatic mission in the United States."

(b) **AMENDMENT TO INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1987.**—Section 107 of the Intelligence Authorization Act for Fiscal Year 1987 (Public Law 99-569) is hereby repealed.

SEC. 105. COORDINATOR OF SOUTH AFRICA SANCTIONS: INTERAGENCY COORDINATING COMMITTEE ON SOUTH AFRICA.

The Act is amended by adding after section 606 the following new sections:

"COORDINATOR OF SOUTH AFRICA SANCTIONS

"Sec. 607. (a) There is established within the Department of State a coordinator of South Africa sanctions who shall be responsible to the Secretary of State for matters pertaining to the implementation of sanctions against South Africa, in accordance with the provisions of this subsection.

"(b) The Secretary of State, through the coordinator of South Africa sanctions, shall—

"(1) lead and coordinate all executive agency activities concerning monitoring of compliance with, and enforcement of, this Act;

"(2) lead and coordinate monitoring by appropriate executive agencies of other countries' trade and financial flows with South Africa (including economic relations which may undermine the effects of United States sanctions);

"(3) assist the Department of Commerce, the Department of the Treasury, and appropriate intelligence and other agencies in carrying out the functions of such agencies under paragraphs (1) and (2); and

"(4) annually prepare and submit, on February 1 of each year after 1989, a comprehensive report to the Congress which—

"(A) describes specific actions taken during the preceding year by each affected executive agency to monitor compliance with, and enforce, the provisions of this Act;

"(B) describes the trade and financial flows (by commodity, activity, total volume, and value) during the preceding year between South Africa and each of its trading and financial partners, including economic relations which may be subject to penalties under section 402;

"(C) includes the information required under section 402(b)(3);

"(D) describes the resources utilized by the coordinator, the Department of State, and other executive agencies in carrying out their functions under this Act in the preceding year, including an evaluation of whether such resources were adequate; and

"(E) provides any recommendations of the Secretary of State for improving the effectiveness of the coordinator.

"(c) In carrying out the functions under subsection (b), the coordinator shall place particular emphasis on activities related to strategically important trade in oil, coal, computers, specialized machinery and arms, and to financial credits.

"INTERAGENCY COORDINATING COMMITTEE ON SOUTH AFRICA

"Sec. 608. (a) There is established an Interagency Coordinating Committee on

South Africa. The Committee shall coordinate and monitor implementation of this Act.

"(b) The committee shall be composed of—

"(1) the Secretary of State,
 "(2) the Secretary of the Treasury,
 "(3) the Secretary of Defense,
 "(4) the Secretary of Commerce,
 "(5) the Secretary of Agriculture,
 "(6) the Attorney General,
 "(7) the United States Trade Representative, and

"(8) such other heads of executive agencies with functions under this Act as the President considers appropriate.

The Secretary of State shall be the chairperson of the Committee."

SEC. 106. INDEPENDENCE OF NAMIBIA.

(a) **ADDITIONAL MEASURE FOR TERMINATION OF CERTAIN PROVISIONS OF THE ACT.**—Section 311 of the Act is amended—

(1) in subsection (a)—

(A) by inserting "402(a)," before "501(c)" in the matter preceding paragraph (1),

(B) in paragraph (4) by striking "and" after the semicolon,

(C) in paragraph (5) by striking the period and inserting "; and", and

(D) by adding after paragraph (5) the following new paragraph:

"(6) ends the illegal occupation of Namibia and implements United Nations Resolution 435 which calls for the independence of Namibia."; and

(2) in subsection (b)—

(A) by inserting "402(a)," before "501(c)", and

(B) by amending paragraph (2) to read as follows:

"(2) taken four of the five actions listed in paragraphs (2) through (6) of subsection (a), and";

(b) **POLICY TOWARD THE GOVERNMENT OF SOUTH AFRICA.**—Section 101(b) is amended—

(1) in paragraph (5) by striking "and" after the semicolon;

(2) by striking the period at the end of paragraph (6) and inserting "; and"; and

(3) by adding after paragraph (6) the following new paragraph (7):

"(7) end South Africa's illegal occupation of Namibia and implement United Nations Resolution 435 which calls for the establishment of an independent Namibia."

SEC. 107. PENALTIES.

Effective 180 days after the date of the enactment of this Act, section 603(b) of the Act is amended—

(1) in paragraph (2)—

(A) by inserting "(A)" after "(2)";

(B) by adding at the end of subparagraph (A) (as so designated by subparagraph (A) of this paragraph) "and"; and

(C) by adding at the end the following new subparagraph:

"(B) any person, other than an individual that knowingly violates the provisions of this Act, or any regulation, license, or order issued to carry out this Act shall be fined not more than \$500,000; and"; and

(2) in paragraph (3)—

(A) by inserting "(A)" after "(3)"; and

(B) by adding at the end the following new subparagraph:

"(B) any individual who knowingly violates the provisions of this Act, or any regulation, license, or order issued to carry out this Act shall be fined not more than \$250,000, or imprisoned not more than 5 years, or both."

SEC. 108. ASSISTANCE FOR DISADVANTAGED SOUTH AFRICANS.

(a) **AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961.**—Section 535(a) of the Foreign Assistance Act of 1961 is amended—

(1) by amending paragraph (1) to read as follows:

"SEC. 535. ECONOMIC SUPPORT FOR DISADVANTAGED SOUTH AFRICANS.—(a)(1) Up to \$40,000,000 of the funds authorized to be appropriated to carry out this chapter and any other economic development assistance activities under the Foreign Assistance Act of 1961, for the fiscal year 1989 and each fiscal year thereafter, shall be available for assistance for disadvantaged South Africans. Assistance under this section shall be provided for activities that are consistent with the objective of a majority of South Africans for an end to the apartheid system and the establishment of a society based on nonracial principles. Such activities may include scholarships (including scholarships for study in the health care professions and the health sciences), assistance to promote the participation of disadvantaged South Africans in trade unions and private enterprise, alternative education and community development programs, and training and other assistance (including legal aid in challenging government media restrictions) for South African journalists."

(2) in paragraph (2) by striking "programs for South Africa's trade unionists," and inserting "and other support programs (including legal assistance) for trade unions in South Africa and Namibia, including COSATU (Congress of South African Trade Unions), NACTU (National Council of Trade Unions), and NUNW (National Union of Namibian Workers), their affiliates, and other viable unions in order to develop a balanced assistance program which is representative of the trade union movement."; and

(3) by adding after paragraph (2) the following new paragraph:

"(3)(A) Not less than \$4,000,000 of the amounts provided for each fiscal year pursuant to this subsection shall be available for programs of refugee education and assistance for South Africans and Namibians.

"(B)(i) Except as provided in clause (ii), funds provided pursuant to this paragraph—

"(I) may not be used for assistance to individuals who are residing in areas under the control of or administered by the South West Africa People's Organization (hereinafter referred to as 'SWAPO') or the African National Congress (hereinafter referred to as 'ANC'); and

"(II) may not be administered through SWAPO, the ANC, or any other group or individual affiliated with SWAPO or the ANC.

"(ii) The President may waive any limitation concerning the African National Congress (ANC) under clause (i) if the President determines that the ANC has provided assurances that it does not support any form of violence against individuals who are not members of the South African military or security services actually engaged in military or paramilitary operations against the ANC or other resistance organizations or if the President determines that it is in the national security interests of the United States."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect October 1, 1988.

SEC. 109. SENSE OF CONGRESS REGARDING ANTI-TRUST INVESTIGATION OF SOUTH AFRICAN DIAMOND CARTEL, STUDY OF DIAMOND ORIGINS, AND ENFORCEMENT OF PROHIBITION ON IMPORTATION OF SOUTH AFRICAN DIAMONDS INTO THE UNITED STATES.

It is the sense of the Congress that—

(1) the President should direct the Attorney General of the United States to conduct an investigation of the South African-controlled international diamond cartel in

order to ascertain if any enforcement action is appropriate under the antitrust laws of the United States;

(2) the President should direct the Secretary of Commerce and the Commissioner of Customs to conduct a study to determine the feasibility of identifying at port of entry, without harm to producers and processors of diamonds outside of South Africa, the national origin of diamonds entering the United States; and

(3) the President should—

(A) ensure effective and rigorous enforcement of a prohibition on the importation into the United States of uncut diamonds of South African origin by—

(i) applying direct pressure on the Central Selling Organization in London to identify and segregate diamonds by country of origin and encouraging other nations (including diamond-producing nations) to take appropriate measures to achieve that result; and

(ii) entering into negotiations for agreements with the principal exporting nations of uncut diamonds to the United States (particularly the United Kingdom and Switzerland) to ensure that uncut South African diamonds will not be exported to the United States;

(B) pursue effective enforcement and undertake appropriate actions to obtain the identification and segregation of uncut diamonds of South African origin, provided such enforcement and other actions do not interfere with the ability of United States importers to import uncut diamonds of other countries of origin despite any unknown importation of unidentified uncut South African diamonds which may occur; and

(C) direct the Secretary of the Treasury to submit a report on the status of the effort to identify and segregate uncut South African diamonds to the Speaker of the House of Representatives and the President of the Senate 180 days after the date of the enactment of this Act and every 180 days thereafter.

SEC. 110. STUDY OF MEASURES TO REDUCE SOUTH AFRICA'S FOREIGN EXCHANGE EARNINGS FROM GOLD.

(a) STUDY.—In consultation with other industrialized nations and international financial institutions, the President shall conduct a study of possible actions by the United States to reduce the foreign exchange earnings of South Africa which accrue through sales of gold. The President shall consider possible international and domestic consequences of any course of action and shall evaluate mechanisms to avoid or minimize any adverse effects on the United States gold mining industry.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Congress a report of the findings of such study.

SEC. 111. SENSE OF CONGRESS REGARDING SOUTH AFRICAN CONSULATES AND APPROVAL OF VISAS.

It is the sense of the Congress that—

(1) South Africa has effectively banned 19 major anti-apartheid organizations, forbade the major trade union federation, COSATU, from engaging in political activities, and denied permission for travel to the United States to numerous South Africans;

(2) the repression by South Africa of domestic and foreign media has prevented the free flow of information essential to the advance of any national dialogue between the government and the nonwhite majority which actively opposes apartheid, and has restricted the ability of the foreign press to report developments in South Africa;

(3) the President should immediately close two of South Africa's consulates general, eliminate all honorary consuls which South

Africa has in the United States, and forbid South Africa to expand the staffing of its embassy beyond the level of January 1, 1988; and

(4) approval of temporary United States visas, especially to South African government personnel, should be granted on a case-by-case basis only after close scrutiny of the South African Government's record of allowing South African citizens, particularly those who are members of anti-apartheid organizations, to travel to the United States.

SEC. 112. REPORT ON SOUTH AFRICA'S INVOLVEMENT IN INTERNATIONAL TERRORISM.

Not less than 90 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit a detailed report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate concerning the extent to which, if at all, the Government of South Africa has been involved in or has provided support for acts of international terrorism.

SEC. 113. TECHNICAL AND CONFORMING AMENDMENTS.

(a) AMENDMENTS TO THE TABLE OF CONTENTS.—

(1) The table of contents in section 2 of the Act is amended by amending the items relating to title III to read as follows:

"TITLE III—MEASURES BY THE UNITED STATES TO UNDERMINE APARTHEID

"Sec. 301. Prohibition on investment in South Africa.

"Sec. 302. Prohibition on imports into the United States from South Africa.

"Sec. 303. Prohibition of exports to South Africa from the United States.

"Sec. 304. Restrictions regarding involvement in the South African energy sector.

"Sec. 305. Prohibitions on loans to the Government of South Africa.

"Sec. 306. Prohibition on air transportation with South Africa.

"Sec. 307. Prohibition on nuclear trade with South Africa.

"Sec. 308. Government of South Africa bank accounts.

"Sec. 309. Prohibition on United States intelligence and military cooperation with South Africa.

"Sec. 311. Termination of certain provisions.

"Sec. 312. Policy toward violence or terrorism.

"Sec. 313. Termination of tax treaty and protocol.

"Sec. 314. Prohibition of United States Government procurement from South Africa.

"Sec. 315. Prohibition on the promotion of United States tourism in South Africa.

"Sec. 316. Prohibition on United States Government assistance to, involvement in, or subsidy for trade with, South Africa."

(2) The table of contents in section 2 of the Act is further amended—

(A) by striking the item relating to section 212;

(B) by amending the items relating to sections 402 and 502, respectively, to read as follows:

"Sec. 402. Limitation on imports from and contracting with certain foreign persons.

"Sec. 502. Reports on United States imports from member states of the Council for Mutual Economic Assistance."; and

(C) by adding after the items relating to section 606 the following items:

"Sec. 607. Coordinator of South Africa sanctions.

"Sec. 608. Interagency coordinating committee on South Africa."

(b) CONFORMING AMENDMENTS TO THE ACT.—

(1) Section 602(a)(1) and 602(b)(1) of the Act are amended by striking "318(b)."

(2) Section 602(c) is amended by striking paragraph (2) and redesignating paragraphs "(3)" and "(4)" as paragraphs "(2)" and "(3)", respectively.

(3) Section 603(b) of the Act is amended by striking paragraph (4).

(4) Section 603(c) of the Act is amended by striking paragraph (2) and by redesignating paragraph "(3)" as paragraph "(2)".

(5) Section 501(c) of the Act is amended—
(A) by inserting "or other measures" after "additional measures"; and
(B)(i) by striking paragraphs (2) and (4);
(ii) by inserting "and" at the end of paragraph (1);
(iii) by striking "and" and inserting in lieu thereof a period at the end of paragraph (3); and
(iv) by redesignating paragraph (3) as paragraph "(2)".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

TITLE II—SANCTIONS AGAINST SOUTH AFRICAN IMPORTS INTO THE UNITED STATES

SEC. 201. PROHIBITIONS ON IMPORTS FROM SOUTH AFRICA.

(a) PROHIBITION ON IMPORTS.—Effective 180 days after the date of the enactment of this Act, section 302 of the Act is amended to read as follows:

"PROHIBITION ON IMPORTS INTO THE UNITED STATES FROM SOUTH AFRICA

"Sec. 302. (a) No article which is grown, produced, extracted, or manufactured in South Africa may be imported into the United States.

"(b) The prohibition of subsection (a) shall not apply to the import of—

"(1) any strategic mineral (including any ferroalloy thereof) with respect to which the President certifies to the Congress for purposes of this Act that the quantities of such mineral which are essential for the economy, public health, or defense of the United States are not available from alternative reliable suppliers; and

"(2) publications, including books, newspapers, magazines, films, television programming, phonograph records, video and audio tape recordings, photographs, microfilm, microfiche, posters, and similar materials.

"(c) The prohibition under subsection (a) shall not apply to imports from business enterprises in South Africa that are wholly owned by persons economically and politically disadvantaged by apartheid.

"(d) The prohibition under subsection (a) includes—

"(1) uranium hexafluoride that has been manufactured from South African uranium or uranium oxide; and

"(2) fish or seafood—

"(A) purchased from a ship owned by a South African or of South African registry,

"(B) purchased from a South African,

"(C) processed in whole or part by a South African ship or person, or

"(D) stored in or shipped from South Africa."

(b) CERTIFICATION.—The certification of the President with respect to any strategic mineral under section 303(a)(2) of the Comprehensive Anti-Apartheid Act of 1986 (as in

effect prior to the date of the enactment of this Act) shall be effective for purposes of section 302(b)(1) of such Act as amended by this Act, unless the President rescinds or modifies such a certification.

SEC. 202. MULTILATERAL MEASURES, INCLUDING IMPORT RESTRICTIONS, TO DISMANTLE APARTHEID.

(a) NEGOTIATING AUTHORITY.—

(1) Section 401(b) of the Act is amended to read as follows:

"(b)(1) The President, or at his direction, the Secretary of State (in consultation with the United States Trade Representative), shall, consistent with the policy under subsection (a), confer with the other industrialized democracies in order to reach cooperative agreements to impose sanctions against South Africa to bring about the complete dismantling of apartheid.

"(2) Before the 180th day after the date of the enactment of the Anti-Apartheid Act Amendments of 1988, the President shall submit a report to the Congress containing—

"(A) a description of United States efforts under paragraph (1) to implement multilateral measures to bring about the complete dismantling of apartheid;

"(B) his evaluation regarding whether the efforts described in subparagraph (A) have been successful in achieving multilateral measures to bring about the complete dismantling of apartheid; and

"(C) if the efforts described in subparagraph (A) have been successful, a detailed description of economic and other measures adopted by the other industrialized countries to bring about the complete dismantling of apartheid, including an assessment of the stringency with which such measures are enforced by those countries."

(b) UNITED NATIONS SANCTIONS.—Section 401(e) of the Act is amended by striking "It is the sense of the Congress that the President should" and inserting "The President shall".

(c) LIMITATION ON IMPORTS FROM AND CONTRACTING WITH CERTAIN FOREIGN PERSONS.—Section 402 of the Act is amended to read as follows:

"LIMITATION ON IMPORTS FROM AND CONTRACTING WITH CERTAIN FOREIGN PERSONS

"Sec. 402. (a)(1) Subject to subsection (b), effective on and after the 180th-day after the date of the enactment of the Anti-Apartheid Act Amendments of 1988 (or the 360th day after such date if the evaluation of the President under section 401(b)(2)(B) is affirmative), to the extent that a foreign person takes significant commercial advantage of any sanction or prohibition imposed by or under this Act, the President shall impose not less than one of the penalties under paragraph (2).

"(2) The President may impose one or both of the following penalties under paragraph (1):

"(A) Limit the importation into the United States of any product or service of the foreign person.

"(B) Restrict the foreign person from contracting with departments, agencies, and instrumentalities of the United States Government.

"(3) For purposes of applying this subsection—

"(A) the European Community shall be treated as being a single industrialized democracy; and

"(B) any limitation imposed under paragraph (2)(A) shall, to the extent possible, offset the value of the significant commercial advantage obtained by the foreign person.

"(b)(1) The President may waive the application of subsection (a) with respect to

foreign persons of an industrialized democracy that is party to an agreement that has entered into force with respect to the United States under section 401.

"(2) The President shall revoke, for such time and subject to such conditions as he considers appropriate, a waiver made under paragraph (1) if the President finds that the industrialized democracy that is party to the agreement in force under section 401 is not adequately enforcing the measures provided for under the agreement.

"(3) The annual report required under section 607(b)(4) shall include, with respect to the period covered by the report—

"(A) an evaluation of the extent to which the import restrictions, if any, provided for under each agreement in force under section 401 are being enforced by the industrialized democracy concerned and the effect of such enforcement; and

"(B) the reasons for each waiver and revocation made under paragraphs (1) and (2)."

SEC. 203. REFERRAL IN THE HOUSE OF JOINT RESOLUTIONS PERTAINING TO IMPORT RESTRICTIONS.

Section 602(a)(2) of the Act is amended to read as follows:

"(2)(A) A joint resolution, other than a joint resolution referred to in subparagraph (B), shall, upon introduction, be referred to the Committee on Foreign Affairs of the House of Representatives.

"(B) A joint resolution under—

"(i) section 311(b), if the joint resolution suspends or modifies any import restriction in effect under title III, section 402(a), 501(c), or 504(b);

"(ii) section 401(d), if the joint resolution approves an agreement encompassing any import restriction measure; or

"(iii) section 501(d), if the joint resolution would enact any import restriction under section 501(c);

shall, upon introduction, be jointly referred to the Committee on Foreign Affairs and the Committee on Ways and Means of the House of Representatives."

SEC. 204. REPORTS ON UNITED STATES IMPORTS FROM MEMBER STATES OF THE COUNCIL FOR MUTUAL ECONOMIC ASSISTANCE.

Section 502 of the Act is amended to read as follows:

"REPORTS ON UNITED STATES IMPORTS FROM MEMBER STATES OF THE COUNCIL FOR MUTUAL ECONOMIC ASSISTANCE

"Sec. 502. Beginning 30 days after the date of the enactment of the Anti-Apartheid Act Amendments of 1988, and every 30 days thereafter, the President, through the Secretary of Commerce, shall prepare and transmit to the Congress a report setting forth the average amounts of imports of coal or any strategic and critical material entering the United States from each member country and observer country of the Council for Mutual Economic Assistance (C.M.E.A.)."

SEC. 205. PROGRAM TO REDUCE DEPENDENCE UPON IMPORTATION OF STRATEGIC MINERALS FROM SOUTH AFRICA.

Section 504(b) of the Act is amended to read as follows:

"(b)(1) The President shall develop a program to reduce the dependence, if any, of the United States on the importation from South Africa of the materials identified in the report submitted under subsection (a). In the development of such program, the President shall determine (in consultation with knowledgeable individuals in industry, government, and academia) whether, to what extent, and in what time period, adequate quantities of such materials could reasonably be obtained from (A) alternative re-

liable domestic and foreign sources, and (B) improved and effective methods of manufacturing, substitution, conservation, recovery, and recycling. Such determination shall include consideration of the quality and cost of such materials.

"(2) Not more than 270 days after the date of the enactment of the Anti-Apartheid Act Amendments of 1988, the President shall submit a report to the Congress concerning the program under paragraph (1), particularly the respective roles in the implementation of such program of the Federal Government, users of such materials, and other affected persons. On February 1, 1990, and on February 1 of each subsequent year until the termination of sanctions under this Act, the President shall submit a report to the Congress concerning progress in implementing such program."

SEC. 206. PREVENTING CIRCUMVENTION OF UNITED STATES IMPORT RESTRICTIONS.

Within 180 days after the date of the enactment of this Act and at such times thereafter as are appropriate, the President, or the designee of the President, shall confer with the governments of the African "front-line" states regarding the content and implementation of appropriate measures to prevent the circumvention by South Africa of the import restrictions on South African products placed in effect by the United States under the authority of this Act.

TITLE III—GENERAL PROVISIONS

SEC. 301. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

The CHAIRMAN. No amendments to said substitute shall be in order except the amendments printed in House Report 100-857, which shall be considered as having been read. Said amendments are not subject to amendment or to a demand for a division of the question, and debate time shall be equally divided and controlled by the proponent and a Member opposed thereto.

AMENDMENT OFFERED BY MR. BROOMFIELD

Mr. BROOMFIELD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BROOMFIELD:

Before section 301 add the following sections (and redesignate section 301 as section 305):

SEC. 301. INTERNATIONAL EFFECTIVENESS OF SANCTIONS.

(a) FINDINGS.—The Congress finds that—

(1) since the imposition of United States economic sanctions against South Africa pursuant to the Comprehensive Anti-Apartheid Act of 1986, foreign commercial interests, particularly from the other industrialized democracies, have moved speedily to take advantage of the trade and investment opportunities prohibited for United States businesses;

(2) further economic sanctions against South Africa will not be effective unless adopted on a multilateral basis, or until the other industrialized democracies have adopted and are enforcing sanctions which are comparable to those of the United States;

(3) adoption of further economic sanctions by the United States in the absence of multilateral action could substantially harm the international economic competitiveness of

the United States, resulting in the loss of a significant number of jobs;

(4) ineffective, unilateral sanctions against South Africa by the United States could continue to have the counterproductive effect of causing South African Government policies affecting nonwhite South Africans to grow more repressive and white attitudes toward economic, social, and political reforms to harden further; and

(5) partial economic sanctions against South Africa; particularly if adopted in a nonuniform manner by its trading and investment partners, are likely to lead only to diminished overall economic growth in South Africa and the loss of opportunities and jobs there, particularly by black and other nonwhite South Africans, but not to sufficient economic pressure on the government to compel it to adopt necessary reforms.

(b) PRESIDENTIAL DETERMINATION AND WAIVER.—

(1) WAIVER.—Subject to paragraphs (2) and (3), the President may waive, in whole or in part, any of the restrictions, limitations, or prohibitions pursuant to sections 101 and 201 of this Act (relating to prohibitions on investment and trade) and section 103 of this Act (relating to prohibition regarding involvement in the South African energy sector) if the President determines that a comparable restriction, limitation, or prohibition has not been adopted by at least one of the following industrialized democracies, which are the major investment and trade partners of South Africa: The Federal Republic of Germany, Japan, the United Kingdom, France, and Italy.

(2) LIMITATION.—If the President applies a waiver under paragraph (1) any applicable restriction, limitation, or prohibition under the Comprehensive Anti-Apartheid Act of 1986, as in effect on the day before the date of the enactment of this Act, shall be effective with respect to any activity which would be permitted as a result. The President may not waive any applicable provision of such Act.

(3) CONGRESSIONAL NOTIFICATION.—A waiver under paragraph (1) shall take effect not less than 30 legislative days after the President submits a notification to the Congress of a determination and intention to apply a waiver under such paragraph. For the purposes of this paragraph the term "legislative day" means any day on which either House is in session.

(c) PRESIDENTIAL CERTIFICATION.—If the President makes the determination described in subsection (b)(1) of this section (relating to the absence of comparable action by the other industrialized democracies), the President shall certify to Congress that he has complied with section 401(b)(1) of the Comprehensive Anti-Apartheid Act of 1986, as amended by this Act (with respect to conferring with the other industrialized democracies to reach cooperative agreements to impose sanctions against South Africa to bring about the complete dismantling of apartheid) concerning the restriction, limitation, or prohibition in question.

(d) REPORTS TO CONGRESS.—

(1) MULTILATERAL ACTION TOWARD DISMANTLING APARTHEID.—Not later than 180 days after the date of enactment of this Act and every 180 days thereafter, the President shall submit to Congress the report (concerning United States efforts to negotiate multilateral measures to bring about the complete dismantling of apartheid and economic and other measures adopted by the other industrialized countries for this purpose, including the stringency of enforcement of such measures by those countries)

described in section 401(b)(2) of the Comprehensive Anti-Apartheid Act of 1986.

(2) INEFFECTIVENESS OF SANCTIONS.—If the President notifies the Congress of a determination pursuant to subsection (b)—

(A) the Secretary of State, after consultation with the Secretary of Commerce and the Secretary of the Treasury, shall submit to the Congress a comprehensive report detailing the basis of the President's determination described in subsection (b) of this section, that a comparable restriction, limitation, or prohibition had not been adopted by the other industrialized democracies; and

(B) the Secretary of Commerce and the Secretary of the Treasury shall submit to the Congress a comprehensive report concerning whether unilateral application of the restriction or limitation in question would substantially harm the international economic competitiveness of the United States, including whether a substantial number of United States jobs would be lost as a result.

SEC. 302. EXEMPTIONS FROM PROHIBITIONS ON INVESTMENT AND TRADE.

(a) FINDINGS.—The Congress finds that—

(1) one of the most potent forces for political change in South Africa is the growing participation of black and other nonwhite South Africans in the South African economy, in particular through the development of businesses which are majority owned and controlled by blacks;

(2) United States business has been and should continue to be a constructive force in South African society by providing a model for the successful incorporation of black and other nonwhite South Africans into the workforce on terms which are fair and equal to those of whites, through concrete measures to provide equitable treatment for nonwhite employees, and through programs to provide assistance to their nonwhite employees and other nonwhite South Africans to ameliorate the socioeconomic effects of apartheid;

(3) economic sanctions imposed by the United States in order to put pressure on the South African Government to dismantle apartheid should not also be applied to majority black and other nonwhite owned and controlled firms, which provide an important avenue for nonwhite South Africans to improve their social and economic status as well as their political leverage; and

(4) economic sanctions imposed by the United States against South Africa should not be applied to American businesses which follow the Code of Conduct for United States business in South Africa which, among other things, requires them to provide equal employment opportunity to all South Africans regardless of race or ethnic origin, assure that pay rates and benefits are awarded on a nonracial basis, establish a minimum wage and salary structure appropriate for local conditions, take steps to improve workers' lives outside the work environment through social welfare measures, and follow fair labor practices.

(b) INVESTMENT AND TRADE PROHIBITIONS NOT APPLICABLE IN CERTAIN CASES.—The restrictions, limitations, and prohibitions on investment and trade pursuant to the amendments to the Comprehensive Anti-Apartheid Act of 1986 in sections 101 and 201 of this Act shall not apply to the extent specified in the following paragraphs:

(1) A person subject to the jurisdiction of the United States may continue to hold investments or make new investments in South African companies which are majority-owned and controlled by nonwhite South Africans.

(2) Articles grown, produced, extracted, or manufactured by South African companies

which are majority-owned and controlled by nonwhite South Africans may continue to be imported into the United States.

(3) A person subject to the jurisdiction of the United States may continue to hold investments in South Africa or export to South Africa such articles and technology as are necessary for the conduct of a business organized or operating in South Africa on the date of enactment of this Act if the business operated by that person in South Africa—

(A) complies with the Code of Conduct for United States companies doing business in South Africa as defined in section 208(a) of the Comprehensive Anti-Apartheid Act of 1986; and

(B) devotes an amount which is not less than 15 percent of the total payroll of such business for employees in South Africa to purposes which are intended to provide assistance to its nonwhite employees or other nonwhite South Africans in overcoming the economic and social hardships and detriments resulting from Apartheid.

(4) A national of the United States which is controlled by or under common control with a foreign person shall continue to be eligible to acquire leases under the Mineral Leasing Act of 1920, the Mineral Leasing Act for Acquired Lands, the Outer Continental Shelf Lands Act, or the Geothermal Steam Act of 1970 provided that in conducting any business in South Africa the foreign person—

(A) complies with the Code of Conduct for United States companies doing business in South Africa under section 108(a) of the Comprehensive Anti-Apartheid Act of 1986; and

(B) devotes an amount which is not less than 15 percent of total payroll of such business for employees in South Africa for purposes which are intended to provide assistance to its nonwhite employees or other nonwhite South Africans in overcoming the economic and social hardships and detriments resulting from apartheid.

(C) PRIVATE FUNDS FOR ASSISTANCE TO VICTIMS OF APARTHEID.—

(1) For purposes of complying with the requirements of paragraphs (3)(B) and (4)(B) of subsection (b), any such business that employs more than 25 persons in South Africa shall establish a separate fund for assistance to blacks and other nonwhite South Africans for—

(A) college or vocations training scholarships for employees and members of their immediate families;

(B) grants to primary and secondary schools to improve teaching and resources;

(C) grants to health clinics;

(D) subsidized housing loans and counseling to assist employees in purchasing homes;

(E) assistance to businesses;

(F) development of recreational facilities; and

(G) other purposes to assist black and other nonwhite South Africans overcome the economic and social detriments imposed on them by the system of apartheid.

(2) Any fund under this subsection shall be administered by an independent board of directors including representatives of management, labor, and the community (particularly black and other nonwhite South Africans). Funds established by businesses pursuant to this subsection may be pooled and administered collectively, provided they meet the requirements of this subsection.

(d) RELATION TO COMPREHENSIVE ANTI-APARTHEID ACT OF 1986.—All applicable restrictions, limitations, or prohibitions contained in the Comprehensive Anti-Apartheid Act of 1986 as in effect on the day before the date of the enactment of this

Act, shall be effective with respect to any activity which is exempt from any prohibition, limitation, or restriction pursuant to subsection (b).

(e) RULEMAKING.—

(1) The Secretary of State, after consultation with the Secretary of the Treasury, shall promptly promulgate such rules and regulations as necessary to implement the provisions of this section.

(2) The rules issued by the Secretary pursuant to this subsection shall contain standards and procedures to define the applicability of the term "majority-owned and controlled by nonwhite South Africans" for purposes of paragraphs (1) and (2) of subsection (b), the meaning of the phrase "adhere to the Code of Conduct" in paragraph (3) of that subsection, and determination of the percentage of "the total payroll of such business for employees in South Africa" for purposes of that paragraph. The rules and regulations promulgated by the Secretary pursuant to this paragraph shall include detailed provisions to assess eligibility for the exemptions under subsection (b), including such recordkeeping and certification requirements as are necessary for that purpose.

(3) The purpose of the rules issued by the Secretary pursuant to this subsection shall be to ensure that the exemptions under subsection (b), related to South African companies which are majority-owned and controlled by nonwhite South Africans, are not used by the South African Government or white owned or controlled South African commercial interests to circumvent the prohibitions pursuant to the amendments made by sections 101 and 201 of this Act, and to ensure that United States persons who are permitted to continue doing business in South Africa as a result of the exemption under subsection (a)(3) conform to the highest standards of corporate accountability and social responsibility with respect to their treatment of their nonwhite South African employees and other nonwhite South Africans.

(f) REPORTS TO CONGRESS.—Not later than 180 days after the effective date of this Act and every 180 days thereafter, the Secretary of State shall submit to the President of the Senate and the Speaker of the House of Representatives a report concerning the extent to which the provisions contained in this section have aided nonwhite-owned and controlled private enterprise in South Africa and improved the condition of nonwhite employees of businesses in South Africa and other victims of apartheid in South Africa.

SEC. 303. ADDITIONAL ASSISTANCE FOR DISADVANTAGED SOUTH AFRICANS.

(a) FINDINGS.—The Congress finds that—

(1) improved social and economic conditions for black and other nonwhite South Africans increases their ability to challenge the institutions of apartheid through economic pressure and social activism;

(2) official United States assistance to black and other nonwhite South Africans plays an important role in demonstrating United States resolve to assist them in their struggle against apartheid, and in maintaining the influence of American values and ideals among the majority of South Africans;

(3) official United States assistance to the victims of apartheid should continue to be applied broadly through the black community and in ways which tend to provide black and other nonwhite South Africans increased ability to oppose apartheid through peaceful economic, social, and political means; and

(4) the United States must not lessen its commitment toward assisting the victims of

apartheid in South Africa and should continue to develop new programs, including those which involve the private sector, to assist black and other nonwhite South Africans in their struggle to obtain decent living standards and equal treatment under law.

(b) HOUSING ASSISTANCE TO UNDERMINE THE GROUP AREAS ACT.—

(1) HOUSING ASSISTANCE.—Title II of the Comprehensive Anti-Apartheid Act of 1986 is amended by adding at the end thereof the following new section:

"HOUSING ASSISTANCE TO UNDERMINE THE GROUP AREAS ACT

"SEC. 213. (a) The Congress makes the following findings:

"(1) There is a serious and growing housing shortage for blacks in South Africa.

"(2) The shortage has been exacerbated by discriminatory laws such as the Group Areas Act and other regulations which carry out the official policies of apartheid through housing and residence restrictions based on race or ethnic origin.

"(3) South African blacks and other nonwhite South Africans are challenging the Group Areas Act by moving into areas designated for residence by white South Africans.

"(4) There is an increasing need for access to affordable land for the purpose of establishing rights to oppose ownership.

"(b) It is the policy of the United States to provide financial and advisory assistance to those whose are challenging the Group Areas Act through financing guaranties of housing (including the acquisition of land) for disadvantaged South Africans in all areas, without regard to discriminatory race classifications.

"(c) Not later than February 1, 1989, the Secretary of State shall report to the Congress on the implementation of section 222(e) of the Foreign Assistance Act of 1961."

(2) HOUSING GUARANTY PROGRAM (HIG).—(A) Section 222 of the Foreign Assistance Act of 1961 is amended by adding at the end the following new subsection:

"(e) To carry out the policy of section 221, the President is authorized to issue guaranties under this section for programs in South Africa for South African blacks and other nonwhite South Africans. Such programs shall be carried out in all geographic areas of South Africa, without regard to discriminatory race classifications. No such guaranty may be issued for an entity controlled by the Government of South Africa. Guaranties may be issued pursuant to this subsection without regard to any requirement that the Government of South Africa also be a guarantor. The authorization provided by this subsection shall have effect only to such extent and in such amounts as are provided in advance in appropriation acts."

(3) The amendment made by paragraph (1) shall take effect October 1, 1988.

(c) ASSISTANCE TO BLACK PRIVATE ENTERPRISE.—

(1) ASSISTANCE TO BLACK PRIVATE ENTERPRISE.—Title II of the Comprehensive Anti-Apartheid Act of 1986 is amended by adding at the end the following new section:

"ASSISTANCE TO BLACK PRIVATE ENTERPRISE

"SEC. 214. (a) FINDINGS.—The Congress makes the following findings:

"(1) The Pass Laws and other discriminatory restrictions in South Africa have been rendered inoperative largely through the force of black economic and labor power.

"(2) Black trade union activities have been permitted as an inevitable result of a rapidly expanding South African economy.

"(3) Many central business districts and other areas in South Africa have been exempted from discriminatory legislation.

"(4) Blacks have demonstrated their economic power through a vastly increased percentage of total consumption in South Africa and have gained political leverage through work stoppages and consumer boycotts.

"(5) Black business groups in South Africa have achieved the adoption of nondiscriminatory policies in several sectors and continue to press for other relief.

"(b) **POLICY.**—It is the policy of the United States to support the expansion of economic opportunity for nonwhite South Africans and to assist in strengthening their ability to petition the South African Government for removal of apartheid laws by—

"(1) encouraging the establishment of business trusts to finance education, training, and small business development;

"(2) encouraging the establishment of business, trade, and other voluntary associations representing various economic sectors;

"(3) advising and training black entrepreneurs in all aspects of business creation and management;

"(4) providing legal assistance to black business groups and associations; and

"(5) identifying all organizations in South Africa that have as their primary function the provision of financial or advisory services to the black and nonwhite community.

"(c) **REPORT.**—(1) The Secretary of State shall compile a list of the organizations described in subsection (b)(5) not later than 60 days after the date of the enactment of the Anti-Apartheid Act Amendments of 1988 and shall periodically revise such list as necessary thereafter.

"(2) Not later than 180 days after the date of enactment of the Anti-Apartheid Act Amendments of 1988, the Secretary of State shall submit a report to the Congress concerning implementation of section 535 of the Foreign Assistance Act of 1961."

(2) **BUSINESS ASSISTANCE FOR DISADVANTAGED SOUTH AFRICANS.**—Section 535(a) of the Foreign Assistance Act of 1961 is amended by adding after paragraph (2) the following new paragraph:

"(3)(A) For any fiscal year beginning after the date of the enactment of this paragraph, not less than \$4,000,000 of the funds made available for the purposes of this section shall be available for—

"(i) the support and establishment of business trusts to finance education, training, and small business development;

"(ii) the support and establishment of business associations and associated institutions such as trade associations representing business in various economic sectors;

"(iii) advising and training black entrepreneurs in all aspects of business creation and management; and

"(iv) providing legal assistance to black business groups and associations;

"(B) In addition to the criteria under section 117 for priority consideration, such consideration in providing assistance under this paragraph shall be given to the Urban Foundation, Rural Foundation, Operation Hunger, NAFCOC, Law Review Project, SABTA Development Trust, Small Business Advisory Services, Job Creation, PROTEC, Foundation for Entrepreneurship Development, Leadership Education and Advancement Foundation School, Rotunda/Rotary, and Junior Achievement."

"(d) **BIPARTISAN COMMISSION ON ASSISTANCE TO DISADVANTAGED SOUTH AFRICANS.**—Title V of the Comprehensive Anti-Apartheid Act of 1986 is amended by adding at the end thereof the following new section:

"SEC. 513. BIPARTISAN COMMISSION ON ASSISTANCE TO DISADVANTAGED SOUTH AFRICANS.

"(a) The President shall appoint a commission comprised of private persons who are experienced in the establishment and management of programs, services, and institutions which have proven effective in empowering disadvantaged and disenfranchised individuals and groups to participate fully and freely in national economic and political life.

"(b) The Commission shall—

"(1) advise the President concerning the coordination of public and private assistance to disadvantaged South Africans, including—

"(A) assistance from departments and agencies of the United States Government;

"(B) assistance from United States private sector groups, such as the United States Chambers of Commerce, trade associations, and SCORE (Service Corps of Retired Executives); and

"(2) annually report to the President on the needs of disadvantaged South Africans, the progress of United States initiatives on their behalf under this Act and other acts, and how assistance to disadvantaged South Africans authorized under this Act and other Acts should be formulated and directed.

"(c) The Commission shall be comprised of seven individuals, who shall be selected as follows:

"(1) Three by the President, of whom not more than two may be of the same political party.

"(2) One each from lists of individuals nominated by the majority and minority leaders of the Senate.

"(3) One each from lists of individuals nominated by the Speaker and minority leaders of the House of Representatives.

"(d) Members of the Commission shall not be eligible to receive compensation for their services on the Commission but may be paid travel and per diem expenses, as well as other reasonable expenses. Staff and other services may be provided to the commission by the Department of State or other agencies of the United States on a nonreimbursable basis, as necessary to assist its work."

(e) **EXPORT-IMPORT BANK.**—Section 204 of the Comprehensive Anti-Apartheid Act of 1986 is amended—

(1) by inserting "(a)" after "204."; and

(2) by adding at the end the following new subsection:

"(b) **FINDINGS AND POLICY.**—(1) The Congress finds that there is a crucial need among the black business sector to access to credit and credit guarantees, bridge finance, and access to foreign capital.

"(2) It is the policy of the United States to provide a full range of normal and specialized services to support the groups listed in the report submitted pursuant to section 214 and the organizations listed in section 535(a)(3)(C) of the Foreign Assistance Act of 1961 through the Export-Import Bank.

"(c) **REPORT.**—Not later than 90 days after the date of the enactment of the Anti-Apartheid Act of 1988, the Chairman of the Board of Directors of the Export-Import Bank shall submit a report to the Congress concerning implementation of section 204 of this Act."

SEC. 304. UNITED STATES GOVERNMENT ACTIVITIES IN SOUTH AFRICA

(a) **ASSISTANCE TO VICTIMS OF APARTHEID.**—Section 316 of the Comprehensive Anti-Apartheid Act of 1986 is amended—

(1) by inserting "(a)" after 316.; and

(2) by adding at the end the following new subsection:

"(b) The prohibition under subsection (a) shall not apply to assistance authorized

under this Act or any other Act for South African blacks and other nonwhite South Africans, victims of apartheid in South Africa, or disadvantaged South Africans."

(b) **INTELLIGENCE ACTIVITIES.**—

(1) Subject to paragraph (2), the President may waive any restriction, limitation, or prohibition on intelligence activities in South Africa under the Comprehensive Anti-Apartheid Act of 1986 as amended by this Act if the President determines that such a waiver is necessary in the interests of national security. Before the effective date of any waiver under this subsection, the President shall provide notice of such determination to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) If the President waives any restriction, limitation, or prohibition on intelligence activities in South Africa under paragraph (1), any applicable provisions of section 322 of the Comprehensive Anti-Apartheid Act of 1986 and section 107 of the Intelligence Authorization Act for Fiscal Year 1987 (as such provisions were in effect on the day before the date of the enactment of this Act) shall be effective. The President may not waive any provision of such sections of such Acts.

Mr. WOLPE. Mr. Chairman, I rise in opposition to the amendment.

The **CHAIRMAN.** Under the rule, the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 15 minutes and the gentleman from Michigan [Mr. WOLPE] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman. I offer my amendment which has been made in order by the rule.

I believe my amendment is the "better way" my colleague across the aisle referred to—I employ you to read it.

The Broomfield amendment would permit Congress to go on the record with the strongest possible statement of United States policy against the apartheid policies of the South African Government.

At the same time, the amendment would give the next administration—which will inherit this problem—the flexibility needed to address it.

My amendment provides that if the other major trading partners of South Africa (Japan, England, Germany, France, and Italy) do not go along, the President may waive any of the additional economic sanctions imposed by this bill.

In addition, the amendment provides four exemptions to the sanctions in the bill. These would benefit black-owned businesses in South Africa and United States companies which adhere to the Sullivan principles and also make a major economic commitment to black welfare and empowerment.

The amendment also contains numerous provisions to strengthen United States Government assistance programs to aid black South Africans

and assist in their economic and social empowerment.

Finally, the amendment would permit the President to waive the additional restrictions on intelligence collection for national security reasons, provided current restrictions would remain in effect.

This amendment would relieve us from committing ourselves to fruitless unilateral action. Not only is such an approach ineffective in South Africa, but it is counterproductive here at home.

Why should we continue to stand by while Japan and the other countries reap huge profits from unilateral United States sanctions against South Africa?

By permitting the President to waive those sanctions which have not been agreed to by the other industrial countries, my amendment would also eliminate the possibility of severe conflict between the United States and our allies. The unenforceable provision included in the bill by the Ways and Means Committee, which requires retaliation against foreign companies which take advantage of United States sanctions, could lead to economic warfare—not between the United States and South Africa but between us and our allies in Europe and the Far East. My amendment will give the next President the authority to impose those sanctions which would be effective and appropriate.

The Broomfield amendment is also an endorsement of the black empowerment approach. Not only would it expand Government programs to aid nonwhite South Africans. It would also permit United States companies to continue to operate under high standards, and allow continued trade and investment with black-owned South African firms.

Mr. Chairman, the Broomfield amendment gives us a way out of the self-defeating urge to adopt a hasty, ill-considered and unilateral approach to the problems in Southern Africa.

I encourage my colleagues to support this reasonable alternative to the extreme provisions of the bill.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. MFUME].

(Mr. MFUME asked and was given permission to revise and extend his remarks.)

Mr. MFUME. Mr. Chairman, I rise in absolute opposition to this well-intentioned but nonetheless follow-the-leader amendment.

Mr. Chairman, I rise to vehemently oppose the Broomfield amendment. I believe that this amendment does nothing to distinguish America as the leading voice for freedom in South Africa as indeed she should be. Mr. BROOMFIELD's "follow the leader" amendment permits the President to waive provisions of the sanctions bill if Germany, France, Japan, Britain, and Italy do not adopt comparable sanctions.

We in the antiapartheid community believe that we now possess a bill that can be used as a fundamental blue-print by other Western democracies to construct their own sanctions against the racist system of apartheid. Mr. BROOMFIELD's amendment only sustains the status quo, and makes America look like a nation that can not take any independent initiatives toward dismantling apartheid.

The amendment's provision that permits investment and the importation of products from South African companies that are majority owned or controlled by nonwhites is commendable. But does not go far enough to advance the just cause of the indigenous South African people, and still gives the minority Pretoria regime the go ahead to continue its repressive practices.

In closing, I wish to state that America has never followed anyone's lead in determining her own foreign policy initiatives. Why then, on such a crucial and important international human rights issue, must we begin to do so now.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. OWENS].

(Mr. OWENS of New York asked and was given permission to revise and extend his remarks.)

Mr. OWENS of New York. Mr. Chairman, I rise today in strong support of H.R. 1580, the Anti-Apartheid Amendments Act of 1988.

This bill calls for immediate divestment and a total embargo against the Government of South Africa. A step which is in no way extreme, but a step which represents a forthright, meaningful, and nonviolent advance toward ending the nightmare of apartheid.

What this legislation says is that South Africa is an abomination on the face of the Earth, and therefore every means necessary other than forceful intervention must be taken to pressure South Africa into joining the civilized world.

What this legislation says is that as a leader and moral bastion of the Western world, the economic power of America must be utilized to end an evil which represses, enslaves, and demeans millions of our fellow human beings.

What this legislation says is as a superpower, the United States can establish a precedent of democracy for all others to follow. By enacting this legislation into law, we stand fast on American principles of human rights and civil rights congruent with human dignity and personal freedom for all, regardless of race, gender, or economic status. This legislation offers us an opportunity to strike a decisive blow for freedom without the use of guns or bombs. This legislation allows us to initiate a new kind of nonviolent warfare.

It was in the name of freedom that American troops invaded Grenada. In my opinion this was an unnecessary show of force and a clear violation of international law. It was also in the name of freedom that the present administration imposed an economic embargo on Nicaragua and continually seeks aid to support the rebels in an attempt to overthrow the Nicaraguan Government. I am firmly opposed to these threats of violent intervention under any circumstances.

Violence should be ruled obsolete as a productive means of achieving justice. This bill proposes an intensified program of nonviolence. This bill proposes to use the economic

power of America against the racist Government of South Africa. This bill proposes a show of massive nonviolent power to achieve freedom for the overwhelming majority of the people of South Africa. This bill does not represent a violation of international law or any interference in the domestic affairs of another country. This bill is directed toward other Americans and calls upon them to cease and desist actions which give aid to a government which is hostile toward the ideals of the American way of life.

Not a single shot will be fired as a result of this piece of legislation. But total divestment and embargo signals the beginning of the end for apartheid. There is no need to wait. The use of our total American moral force is long overdue. I urge all of my colleagues to vote for the Dellums bill, H.R. 1580, the Anti-Apartheid Amendments Act of 1988. This Congress must provide leadership for the rest of the free world.

Mr. WOLPE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Chairman, I have great respect and great affection for my very good friend, the gentleman from Michigan, the author of this amendment. It pains me considerably to have to take to the well of the House this afternoon in order to urge my colleagues to reject this.

The adoption of the Broomfield amendment would gut the bill, pure and simple. What the Broomfield amendment would do is to give the President of the United States the ability to waive the comprehensive sanctions imposed by this legislation, if only one of the other five major industrial democracies in the world failed to enact sanctions comparable to our own. It means, for example, that if Britain, France, Germany, and Italy all enacted exactly the same sanctions, that we hope to enact today, but Japan failed to do so the President would be entitled to waive all of the sanctions in the bill. It means that if the President were to sign this bill at 1 p.m. on October 1 after it was passed by the conference committee, and if by noon of that day four of the five other industrial democracies in the world had followed our lead, he would still be able to waive all of the sanctions at 1:05 p.m., 5 minutes after signing the bill, because one of them had not. Consequently, this amendment would gut the bill.

I fully agree with my friend, the gentleman from Michigan, that if sanctions are going to be effective they need to be multilateral rather than unilateral, but it is one thing to encourage other countries to join with us in imposing sanctions, and it is quite another to give other countries, even one country, the ability to veto American policy.

What the Broomfield amendment does, therefore, is to put before the committee the fundamental question about how we deal with the problem in South Africa. We all agree, as my

friend, the gentleman said, that apartheid is bad and that it needs to be eliminated, but we disagree over how best to go about removing it.

One approach embodied by this amendment has been characterized as constructive engagement by the administration. It is premised on the notion that if we cotton up to South Africa, if we coddle South Africa, if we sweet talk South Africa, if we continue to do business as usual with South Africa, we can then use our ensuing influence with South Africa to encourage them to abandon the apartheid system. That approach was tried for 6 years. It totally failed. It was a monument to moral myopia and to wishful thinking. It created the worst of all possible worlds. It did nothing to produce the abolition of apartheid. It created the impression that we were somehow in sympathy with it.

If the Members believe in that approach, if they want to restore the failed policies of this administration, then vote for this amendment, but there is an alternative. I call it the policy of constructive enragement. It is what the Dellums bill is all about. It is based on the notion that throughout the course of history there have been very few ruling elites or establishments that have ever been willing to voluntarily relinquish their power or prerequisites. It assumes the abolition of apartheid is not going to require sweet talk but a combination of increasing international and internal pressure.

To be sure, we cannot bring the end of apartheid by ourselves. The abolition of apartheid will primarily have to result from internal pressures within South Africa itself, but we do have a role to play together with other countries around the globe, the pressures against South Africa, in other words, to induce the Government of that country to abandon apartheid.

It is not too late to act. Now is the time and the amendment before us very starkly poses the question of how we want to go about attempting to bring about the abolition of apartheid.

I am all in favor of encouraging other countries to join with us, but I am against giving other countries the veto over American policy. And if this amendment is adopted, the Members can be sure that it will result in gutting the bill in terms of what it is attempting to do.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Montana [Mr. MARLENEE].

(Mr. MARLENEE asked and was given permission to revise and extend his remarks.)

Mr. MARLENEE. Mr. Chairman, I rise in support of the very excellent Broomfield amendment.

Mr. Chairman, we have the opportunity to avoid a monstrous blunder by supporting the sound amendment offered by my distinguished colleague from Michigan. I appreciate his leadership on this issue.

Since the implementation of the 1986 sanctions against South Africa, other nations have taken commercial advantage of our moral posturing. In the Foreign Affairs Committee report prepared by the Democrat majority, it is stated that during the last year, Hong Kong's exports to South Africa have doubled; Japanese exports have increased by 18 percent making it South Africa's No. 1 trading partner; West German banks have extended new credits to South African companies; and a number of foreign companies have made new investments in special "decentralized" areas.

In addition, Mr. Chairman, four white South African corporations currently own 83 percent of the capital on the Johannesburg Stock Exchange. If sanctions become law, United States companies operating in South Africa will be forced to divest at fire sale prices to these foreign and white South African interests.

The estimated \$200 million in taxes paid to South Africa by United States subsidiaries will still be paid to the white minority government by Japanese or white South African businessmen but the \$29 million in black empowerment will vanish. Is this what we want? Is this the strong moral stand against apartheid?

It only makes sense to make sure that if we impose comprehensive sanctions, other nations should not be able to fill the gap of a unilateral American bug out. The devastating and warlike nature of these sanctions would have little effect on the South African Government unless they are supported by South Africa's other major trading partners.

How many times do we have to relearn the lessons of history? I am often amazed at the loss of historical perspective in this August body.

President Jimmy Carter prohibited the export of wheat to the Soviet Union in response to the Soviet invasion of Afghanistan. Did this action make any impact on Soviet actions? No—in fact, they turned to our competitors and purchased wheat from Australia, Argentina, and Canada. Who bore the brunt of these sanctions? The American farmer.

Remember when President Reagan attempted to impose sanctions against our Western European allies for constructing a pipeline that would bring Siberian gas to Europe. Who was burdened with these ill-conceived sanctions? The American factory worker.

It appears that we are heading down the road of sanctions that will only make us look like fools before the rest of the world and will hurt the American worker. If the oil, gas, and coal leases provision of the sanctions bill is enforced, it is estimated that close to 37,000 workers in these industries will lose their jobs. In Montana alone, 65 full-time and 70 contract employees at Shell Western would have their jobs at risk if this bill passes.

Also, in section 402, this legislation vainly tries to solve this problem by extending our extraterritorial reach into the affairs of other sovereign nations by imposing penalties and restrictions on foreign persons who take advantage of our sanctions.

It doesn't seem too long ago that I heard all the liberals criticize the Reagan administration for the pipeline sanctions. Where are they now to condemn these sanctions for violating international law and the General Agreement on Tariffs and Trade?

If we really want to put the screws on South Africa, Mr. Chairman, we should wait until we

act in concert with our allies to impose multi-lateral, comprehensive sanctions. If we approve sanctions today, all we'll be doing is removing our influence for peaceful change in South Africa and leaving the Japanese, Taiwanese, West Germans, and British the opportunity to buy up American enterprises at bargain basement prices.

Mr. Chairman, that's not the way to stop apartheid. All sanctions will do is hurt the American worker and make the United States the laughing stock in boardrooms all over the world. I urge the adoption of the Broomfield perfecting amendments.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona [Mr. KOLBE].

(Mr. KOLBE asked and was given permission to revise and extend his remarks.)

Mr. KOLBE. Mr. Chairman, I rise in support of the Broomfield amendment.

Mr. Chairman, I rise in opposition to H.R. 5175 as it has been reported to the floor for our consideration.

Mr. Chairman, I was a supporter of the sanctions this body passed in 1986. I won't be the first person on this floor today to say that apartheid is wrong—it is a policy that is abhorrent to any fair-minded person. However, I believe the sanctions contained in this bill will do nothing to bring an end to apartheid. But they will harm—grievously harm—those people they are supposed to help.

The banning of all United States investments in South Africa will have unknown effects on our economy. One study suggests that the negative economic impact on the American economy will be over \$10 billion, and the loss of several thousand jobs. However, this is not the real reason to oppose this legislation. The most important factor we should be considering is the impact this legislation will have on the very people we are trying to help.

The bottom line is this: blacks in South Africa are treated best when they are employed by American corporations. Not only do they receive a fair wage, they are treated with dignity. They hold supervisory positions in many American firms doing business in South Africa. To remove these corporations will cost thousands of jobs, forcing these people back onto the apartheid driven economy. What chance have they to be treated as well working for a South African company?

Add to this the point the gentleman from Indiana is making with his substitute—that black economic power in South Africa must be nurtured—and you quickly realize that H.R. 5175 will not get the job done. As blackowned businesses and trade unions have gained strength they have become increasingly vocal. If we leave, and take their jobs with us, how quickly will these fledgling organizations fall apart?

Mr. BURTON's substitute would retain the sanctions we voted on in 1986 as well as exempting black-majority owned firms from import restrictions. It would earmark funds to be administered through the Agency for International Development to develop black private enterprises and small businesses in South Africa. This is the type of thing the United States Congress should be promoting in South Africa—helping the blacks and minori-

ties in South Africa to grow in economic strength to the point where their government must listen to their concerns.

This is the kind of program I can support—constructive help for the blacks in South Africa. Not overkill legislation—with the best of good intentions at heart—that will end up harming the very people we seek to help.

Similarly, the Broomfield amendment says that if we are going to impose these sanctions, let's not shoot ourselves in the foot by giving our competitors all our business in South Africa. At least, let's make sure they are on board, too. We shouldn't impose these sanctions unilaterally and let others fill the gap we leave behind. That won't coerce South Africa to change its repugnant policy of apartheid, but will only hurt our own struggling foreign trade at our expense.

I urge my colleagues to support the Broomfield and Burton substitutes and to vote against the reported version of H.R. 1580.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. GUNDERSON].

(Mr. GUNDERSON asked and was given permission to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Chairman, let me begin by saying that it pains me greatly to stand up here in contrasting opinions to my good friend and colleague, the gentleman from California [Mr. DELLUMS], but let me talk to the Members, my colleagues on the other side for just a second.

Mr. Chairman, I voted with the Members on the other side to override Ronald Reagan's veto of that sanctions bill 2 years ago, and I am proud to say I took the lead in securing the release of Rev. Simon Farisani from prison in South Africa a year ago.

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We joined 2 years ago because we wanted to make the moral statement that apartheid was wrong, and this country did that. But there is a serious debate here today, because the question is now where do we go.

As the gentleman from California said, we did not write the rule either. We did not write the issue either. But I will tell my colleagues there seems to be a major difference because we do not want to walk away from the problem either.

The gentleman from California has spent 18 years here in this Congress trying to deal with this issue. I am afraid we are going to have to spend some time in South Africa trying to deal with this issue, because the alternative is walking away.

We can practice the rhetoric of withdrawal. It is strong rhetoric of condemnation, it sounds good, but when all is said and done we have withdrawn from the problem and we are not there to help solve it.

What we are trying to do in the Broomfield substitute is maintain that moral commitment with the sanctions which passed 2 years ago, and second what we are trying to do is empower the black community with twice as

much economic, education, social aid as they have in the alternative.

Third, and most important, we are trying to learn the lesson that Congress has learned over the last few years: Unilateral action does not work.

I voted with the Democrats in 1981 and 1982 for a nuclear moratorium, and do my colleagues know what? We were all wrong. We found out that unilateral action in arms control does not work. And we tried it in trade and we found out that it does not work. Now my colleagues are going to try it in foreign policy, and despite the best of intentions, it is not going to work.

Mr. WOLPE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are going to try to shorten the debate as best we can to accommodate our colleagues.

Mr. Chairman, there is no question that the amendment that is before us today, offered by my distinguished colleague, the gentleman from Michigan [Mr. BROOMFIELD], is a gutting amendment. I have enormous respect for my colleague and we fight a lot of battles on the same side, but on this issue I really find the amendment that has been offered to be rather an extraordinary one. What it represents is a continuation of the kind of double standard in our approach to South Africa that has gotten us in great difficulty all around the world.

I recall, for example, the debate that took place in this body on the question of the Soviet Union's invasion of Afghanistan. I likewise recall congressional reaction to state-sponsored Libyan terrorism. I do not recall any Member of this body standing up to say that the American national policy response either to the invasion of Afghanistan or to the terrorism of the Government of Libya should be conditioned by the response of our major trading partners. Had a Member tried to suggest that we would allow other countries to exercise a veto over American national policy, he or she would have been hooted from the Halls of this Chamber, and legitimately.

We have one issue before us right now. If my colleagues think that it is in the American national interest to accommodate ourselves to apartheid and to adopt the different standard in our approach to that state terrorist regime, then support the Broomfield amendment. But if they think that does not serve American interests well, I would ask for opposition to that amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. GIBBONS] to close the debate on this side.

Mr. GIBBONS. Mr. Chairman, the Broomfield amendment is a retreat back to the status quo. There is nothing in the Broomfield amendment that cannot be done under the law today, so it adds nothing to the success of this effort to end apartheid.

An important provision in this bill will require that the United States ne-

gotiate to obtain sanctions by other countries. It will require that we take action in coordination with other nations. It will not be a unilateral shot in the foot—the type of process that has been alleged here. But it will not give to the Japanese or to the Germans or to the Taiwanese or to anybody else the power to veto an American action, as the Broomfield amendment would do. When those countries see our leadership in this matter, I have no doubt in my mind that when they compare the advantages of access to the American versus their advantages in the South African market, they are going to be here negotiating so quickly that we will run out of hotel space in this town.

Vote against the Broomfield amendment. Vote against the Burton amendment and vote for this bill on final passage.

Mr. BROOMFIELD. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Minnesota, [Mr. PENNY].

Mr. PENNY. Mr. Chairman, my vote in opposition to H.R. 1580 will be one of the toughest votes I have ever cast, because I abhor apartheid and believe we have a moral imperative to act against governments whose policies are in violation of basic human rights and the principles of justice and freedom to which we in the United States are dedicated.

I believe that the U.S. Government has a role to play in attempting to influence the Botha regime in order to bring an end to their repressive practices.

Among the reasons I oppose this legislation are that it requires the President only to negotiate with our allies toward multilateral sanctions. Therefore, it will still be the United States acting alone in imposing sanctions. Other countries, especially West Germany, Japan, and Great Britain have been quick to fill the void left in our trade with South Africa. No unilateral sanction policy can be effective, and for that reason I would support the Broomfield amendment.

But, in any event, whether we adopt Broomfield or whether we adopt this legislation, I do not think it is going to go anywhere this year. And I do not believe that even if it does pass there is any way we can pressure the Reagan administration to do more to eliminate apartheid policies in South Africa. They just won't do it. I think this is one of those issues, regardless of how one votes today, that is going to be left to the next administration. And I believe the next administration will be more willing to work with Congress in developing a bipartisan program to combat apartheid, and one that will enlist multilateral support from our allies. And that is the best approach if we really want to be serious about dismantling apartheid in South Africa.

Mr. Chairman, my vote in opposition to H.R. 1580, the South African sanctions legislation,

will be one of the toughest votes I have ever cast because I abhor apartheid and believe that we have a moral imperative to act against governments whose policies are in violation of basic human rights and the principles of freedom and justice to which we in the United States are dedicated. I believe that the United States Government has a role to play in attempting to influence the Botha regime to bring an immediate end to their repressive practices, to grant freedom to black South Africans and to the Namibian people who have been denied their independence for years.

To this end, in 1986, I voted not once, but twice, including a vote to override a Presidential veto of the legislation, to impose sanctions on the South African Government. I strongly supported the Comprehensive Anti-Apartheid Act of 1986 because it imposed meaningful sanctions and forced a recalcitrant Reagan administration to take direct action against the Botha regime.

It is obvious from our recent experience that sanctions alone do not change policy and the relative failure of the 1986 legislation points that out. The effectiveness or ineffectiveness of that legislation depended not on the will or intent of the U.S. Congress to bring about an end to apartheid but on the determination of the Reagan administration to enforce the bill's provisions.

Why then, would I object to legislation which would impose stronger sanctions and require the administration to go further in its action?

My main objection to H.R. 1580 is that the legislation is not being brought before the House in good faith. There has been no attempt to develop the kind of bipartisan support necessary to pass an effective sanctions bill such as occurred during the crafting of the 1986 bill. We cannot realistically expect this bill to become law, nor even have any impact on the Reagan administration's policies toward South Africa. In short, this bill may be good politics, but it is not necessarily good policy.

I voted for sanctions in the past because I believed they were right and necessary and I would be open to voting for them in the future as we reassess our foreign policy with the advent of a new administration. By passing stricter sanctions now we could preclude our new President from making the current legislation into a workable policy or from devising a more effective strategy of his own. In either case, those options should belong to the next President who can work with Congress to develop comprehensive legislation for enforcing those policies.

I am also opposed to H.R. 1580 because, while it requires the President to negotiate with our Allies toward multilateral sanctions, it is still the United States alone which is imposing sanctions. Other countries, especially West Germany, Japan and Great Britain, have been quick to fill the void left in our trade with South Africa. No unilateral sanction policy can be effective.

The disinvestment required by H.R. 1580 would remove the presence of the few remaining companies which routinely employ blacks or that provide leadership for social change. Our opportunity to monitor South African policies or to attempt to empower blacks through economic means would be immediately eliminated. We would also be eliminat-

ing future U.S. economic options should we see the need for further sanctions.

I don't believe there is any way we can force the Reagan administration to do more to pressure the South African Government to eliminate its apartheid policies. However, I do believe that we can work with the next administration to move toward a meaningful South African policy that can enjoy bipartisan support in Congress, and that will enlist multilateral support from our allies. It is in this manner that we stand the best chance of dismantling apartheid in South Africa.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland [Mrs. BENTLEY].

(Mrs. BENTLEY asked and was given permission to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Chairman, I rise in support of the Broomfield amendment.

Mr. Chairman, I congratulate Mr. BROOMFIELD for offering this substitute to the committee bill. I voted for sanctions when they were offered in the 99th Congress. I will not do so today.

If sanctions were effective in improving the lot of people in South Africa, I would continue my support. Unfortunately such is not the case. Since the Congress imposed sanctions the last time, the Government of South Africa has suffered not at all. Our own domestic investors and companies active in South Africa have suffered. Prohibitions against American firms has merely provided opportunities to foreign firms without any national policy of sanction.

One nation alone Japan, is reliably reported to have profited by the incredible amount of \$1 billion from business lost by our domestic firms. A policy of shooting our own interests in the foot to show our commitment to solidarity with the aspirations to freedom of other peoples makes no sense.

Existing sanctions, enacted so recently, have proved an abject failure. Can we not expect bigger sanctions will produce yet bigger failures?

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GARCIA].

(Mr. GARCIA asked and was given permission to revise and extend his remarks.)

Mr. GARCIA. Mr. Chairman, I rise in support of the Dellums bill.

Mr. Chairman, I rise today in support of the Anti-Apartheid Act of 1988. By supporting this bill I join those who have called for mandatory, comprehensive sanctions against South Africa, such as the majority of South African urban blacks who represent 60 percent of the work force. I also join LOSATU and NACTU, the two major democratic trade unions. Others in support of the action outlined in this bill include Bishop Tutu, Reverend Boesak, the ANC, the Pan-African Congress and the South African Council of Churches.

I know that there is no easy way to dismantle apartheid. Some investors could lose money while redoing their portfolios. I realize that some jobs could be put in jeopardy, but apartheid is far worse than any present or future sanctions will ever be. Sanctions are a medium to long term strategy, and if applied

on a multilateral basis could back international pressure to bring about a change. The United States as a world leader and protector of democracy should be the first to call for sanctions. It should be the first nation to publicly acknowledge that profit gained through apartheid is unethical and bad business, especially if the United States hopes to establish business connections with the future leaders of South Africa.

Blacks will become empowered through sanctions because they will be able to acquire a political base denied to them presently by their government. Presently, black businesses account for only 1 percent of the gross domestic product of South Africa. Blacks own less than 2 percent of the nation's capital stock. The unemployment rate for blacks is at 25 percent and increasing as 300,000 people enter the work force annually to fill 22,000 new jobs a year. Opponents of sanctions say that the more prosperous South Africa, the better off black laborers and their unions will be. Prosperity might trickle down in any other nation where apartheid was not in effect. But in the case of South Africa, unions don't have the same power as they do here. Strikers can't picket, if they do the Government disperses them with guns, whips, and dogs. For a black South African, economic advantage will not come without political advantage. Apartheid is not just segregation, nor separation, it is a profitable, efficient system for a minority of whites who would not so loudly support it, rename it and fight for its continuance if it weren't to their political, social, and economic advantage to do so. Economic sanctions, as part of a larger effort to destroy apartheid and leave the people of South Africa intact, will make apartheid politically more costly for the South African Government.

Finally I support this bill because I want the United States to defy racism and to defy political and economic advantage based on the color of a person's skin. I want the United States to treat South Africa as it has Libya, Cuba, Vietnam, Poland, and Nicaragua, where tough sanctions have been applied with a noted lack of controversy regarding the impact of sanctions on the population. Rev. Jesse Jackson made certain that the Democratic Party's platform included a statement about the fact that South Africa is a terrorist state. He's absolutely right. Apartheid dehumanizes, destroys families, and erodes hopes and aspirations. Plain and simple, apartheid kills. Let's do a death defying act and pass this bill.

Mr. WOLPE. Mr. Chairman, I yield back the balance of my time.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from the State of Washington, Mr. JOHN MILLER.

(Mr. MILLER of Washington asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Washington. Mr. Chairman, I rise in support of the Broomfield amendment to H.R. 1580. In 1986, I joined a bi-partisan majority in this House to pass the "Anti-Apartheid Act of 1986." It was crucial then, and it is crucial now, that the most powerful democracy in the world, support the democratic aspirations of the

South African people, and condemn, in unequivocal terms, the barbarism of apartheid.

As a result of the painstaking and effective work of my esteemed colleague from Pennsylvania, Mr. GRAY, we had an appropriate vehicle for that condemnation. The Anti-Apartheid Act was the beginning of our efforts to help the South African people join the community of democratic nations.

To make sure we continue that effort, I have applied three criteria to the legislation before us today.

First, the legislation we pass today should continue our moral stance against apartheid. By keeping in place existing sanctions, all three proposals before us do just that.

Second, the legislation should increase the pressure on the public and private sector power structure in South Africa to end apartheid. But do we increase this pressure simply by adding more sanctions? I don't think so. A plane won't fly just because you add more wings.

I believe we can increase the pressure to end apartheid by increasing the effectiveness of sanctions. And one of the ways we increase their effectiveness is to internationalize the economic sanctions.

Right now, South Africa's biggest trading partners and investors are the large industrialized democracies including West Germany, Japan, England, and France. As the United States has pulled out of South Africa, these and other nations have simply increased their activities—rendering our economic sanctions, morally correct but economically meaningless.

But it is time to progress beyond moral statements. By including strong mechanisms to "internationalize" these sanctions, the Broomfield amendment passes the effectiveness test. With its lesser emphasis on cooperative action, the Dellums bill receives a lesser grade. And with the absence of any effort to make sanctions more effective, the Burton amendment fails this test.

The third criteria I've applied is potentially the most important. The legislation we pass today, should—must—contribute to the empowerment of Black South Africans seeking democratic change. The mantle of power will pass in South Africa—of that there can be no doubt. It is morally right and strategically vital that the mantle of power be inherited by those South Africans who share our political and economic values.

There are groups in South Africa today—trade unions, business people, educators, journalists, community leaders—whose political and economic aspirations are vital to achieving a free and fair South Africa. The legislation we pass today should establish a linkage with these groups and should contribute to their empowerment.

While all three proposals before us today would contribute to this linkage and empowerment, the Burton amend-

ment makes the most comprehensive and therefore, best effort. The Broomfield alternative does almost as well but the Dellums measure is much weaker.

Applying the three criteria, moral condemnation, increased effectiveness and Black empowerment, I find that parts of the legislation before us today, are greater than whole. In a perfect world we would combine the strong moral statement of the Dellums bill and the increased effectiveness of Mr. Broomfield's proposal with the more comprehensive empowerment measures put forth by Mr. Burton.

But this is not a perfect world, so I will vote for the Broomfield amendment to perfect the Dellums proposal. The Broomfield amendment is the best overall proposal. And I will continue to work with my colleagues here and in the Senate for legislation that passes all three tests with flying colors.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. We all oppose apartheid. We are united on that. There is not anything that the gentleman from California [Mr. DELLUMS] said that I would not agree with in terms of the outrageous abrogation of all that is decent that apartheid represents.

But unilateral sanctions have failed. That is why we are proposing multilateral sanctions, pressure by all nations together.

And what is it we mean when we talk about black empowerment? Let us get real. After we passed the 1986 legislation, one of my companies went to its black employees and they voted 92 percent for Union Carbide to stay in South Africa. The president met with 200 black leaders individually and personally and they begged him to stay. As a result, Union Carbide dedicates every bit of its dividends raised in South Africa to investment in South Africa on the behalf of blacks, and those investments are determined by a board of black South Africans. They have provided scholarships, education, health clinics, black small business investment capital. They have invested \$3.5 million just in the last year.

And look what Caterpillar did just recently. The Botha Government wanted to require employers to garnish wages of blacks who participated in the rent boycott. Caterpillar went to the government, argued with them, stood up for their black employees and prevented passage of that initiative.

By being on-site we can be part of the action for change. By putting pressure on our companies, as we do in this amendment, by requiring them to invest their profits earned in South Africa on behalf of education, health, housing, economic development in black areas for black people, by forcing those investments to be driven by

black decision, we empower black South Africans and we do that in a nation that provides no other avenue for black pride, black development, and black power.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BEREUTER], a member of the Foreign Affairs Committee as well as the Committee on Banking, Finance and Urban Affairs.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Chairman, contrary to what my colleagues heard a few minutes ago, the Broomfield amendment is not a retreat. It does have black empowerment provisions in it. It helps in housing assistance to black and colored South Africans, it assists minority small businesses, it provides for Exim assistance to non-whites in South Africa and it keeps in place the existing sanctions. But without multilateral sanctions, other trading nations and nations with whom we are competing fiercely for international markets will continue to fill the gap. The message of economic and political condemnation is hollow if it is only unilateral.

The Broomfield amendment provides for waivers of additional, and I stress, it covers additional sanctions, if Japan, the United Kingdom, Germany, France, and Italy do not enact similar sanctions. It also provides for exemptions to the sanctions for United States investment in and imports from black-owned firms and for continued operation in South Africa by United States companies adhering to the Sullivan principles and conducting programs which assist blacks. Moreover, it authorizes additional United States assistance to victims of apartheid. Because of the multilateral sanctions provisions and for many other reasons, the Broomfield amendment provides for the empowerment of blacks.

If this sanction bill is unsuccessful in ending apartheid, and it will be, it makes us look weak and ineffectual before the rest of the world.

□ 1730

The President needs discretion in coordinating and fine tuning United States policy. This bill requires a negotiating pressure and a certification report back to the Congress. So we would work for multilateral sanctions with the other major trading countries of the world; we are demanding that they bring the same kind of economic sanctions to bear on South Africa.

We all want to end apartheid in South Africa because the practice is so outrageous to moral, democratic peoples; however, we must avoid the pitfall of taking action that satisfies our passions but has no effect on actually ending apartheid.

We can abandon South Africa and the blacks through the enactment of

H.R. 1580 and then try to feel self-satisfied in our act of condemnation or we can pass the Broomfield amendment and make it a truly effective lever for change in South Africa.

For these reasons, for the sanction it keeps in place, because of black empowerment provisions, because of assistance it would provide to blacks and nonwhite businesses and housing, I urge my colleagues to support the Broomfield amendment. It is a rational and responsible approach.

Mr. BROOMFIELD. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Michigan [Mr. BROOMFIELD] has one-half minute remaining.

Ms. SNOWE. Mr. Chairman, I rise in opposition to the amendment to H.R. 1580 offered by the gentleman from Michigan [Mr. BROOMFIELD].

I am reluctant to oppose this amendment, because I believe it contains many positive elements that would improve on the majority's bill.

Most importantly, the Broomfield amendment stresses the necessity of multilateral action being taken against South Africa by the governments of the Western industrialized democracies, who together account for the vast majority of South Africa's trade and foreign investment. I am convinced that without joint measures being taken by the West to impose sanctions and to require disinvestment by Western companies, on unilateral measures taken by the United States could possibly undermine the South African economy and pressure the government in Pretoria.

In making this point, the Broomfield amendment would allow the President to waive further United States sanctions against South Africa if at least one of South Africa's five other major Western trading partners had not adopted comparable actions. I also offered an amendment to this bill in the Foreign Affairs Committee, which would have suspended the implementation of new U.S. sanctions until the President had reached agreement with the other Western democracies not to undercut America's actions.

Nevertheless, the Broomfield amendment includes an exemption to the bill's trade sanctions and compulsory disinvestment for any United States company operating in South Africa that complies with the Sullivan principles, requiring nondiscriminatory business practices. At this time, 89 of the 149 United States companies with direct investment in South Africa do comply with the Sullivan principles, and the remaining American firms which do not would have 6 months after enactment of the bill to enter into compliance with these principles, and thus to avoid compulsory divestment from South Africa. This exemption would also allow further United States exports to South Africa necessary to continue the operations of these United States companies.

I believe that this exemption is inconsistent with the broader aim of the bill to impose comprehensive United States economic sanctions against South Africa. In effect, it would reduce the bill from a comprehensive anti-apartheid measure to one that merely requires United States businesses to comply with the Sullivan principles, and imposes some further

restrictions on selected South African exports to the United States.

The exemption would furthermore undermine the concept of tough and effective multilateral action by Western democracies against South Africa, since it would reduce the "comparable actions" necessary by the other Western trading partners with South Africa to merely requiring their firms in South Africa to comply with the Sullivan principles.

In such a manner, no Western pullout from South Africa would occur, the South African economy would hardly be disrupted, and no real cost or pressure whatsoever would be imposed against the South African Government, which is after all the whole purpose of this legislation.

In the interest of promoting tough and effective Western sanctions against South Africa, and accepting the possible cost to American businesses of imposing such sanctions, I must therefore oppose the Broomfield amendment.

Mr. BROOMFIELD. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in summation I wish to say that my amendment is the last chance that the House of Representatives will have to act responsibly on South Africa.

Vote for a position you will not regret next year.

The Broomfield amendment would give the next President the flexibility he will need to bring effective pressure to bear on South Africa to end apartheid.

I urge you to go beyond partisanship and support this workable approach.

The CHAIRMAN. All time has expired on the Broomfield amendment.

The question is on the amendment offered by the gentleman from Michigan [Mr. BROOMFIELD].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BROOMFIELD. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 236, not voting 40, as follows:

[Roll No. 284]

AYES—155

Applegate	Darden	Herger
Archer	Daub	Hiler
Armey	Davis (IL)	Holloway
Baker	Davis (MI)	Hopkins
Ballenger	DeLay	Houghton
Barnard	DeWine	Hunter
Bartlett	DioGuardi	Hutto
Bateman	Dornan (CA)	Hyde
Bentley	Dreier	Inhofe
Bereuter	Edwards (OK)	Ireland
Bilirakis	Emerson	Jenkins
Boehlert	Fawell	Johnson (CT)
Broomfield	Fields	Kasich
Brown (CO)	Frenzel	Kemp
Buechner	Galleghy	Kolbe
Callahan	Gallo	Konnyu
Chandler	Gekas	Lagomarsino
Chapman	Gingrich	Lancaster
Clement	Goodling	Latta
Clinger	Gradison	Leath (TX)
Coats	Grandy	Lent
Coble	Gregg	Lewis (FL)
Coleman (MO)	Gunderson	Lightfoot
Combust	Hall (TX)	Lowery (CA)
Cooper	Hammerschmidt	Lujan
Coughlin	Hansen	Lukens, Donald
Courter	Hastert	Lungren
Crane	Henry	Madigan

Marlenee
Martin (IL)
Martin (NY)
McCandless
McCrery
McDade
McEwen
McMillan (NC)
Miller (OH)
Miller (WA)
Montgomery
Moorhead
Morrison (WA)
Myers
Nielson
Oxley
Packard
Parris
Pashayan
Penny
Petri
Porter
Pursell
Ravenel
Ray

Regula
Rhodes
Ridge
Ritter
Roberts
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schaefer
Schuette
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (TX)
Smith, Denny
(OR)
Smith, Robert
(OR)

NOES—236

Ackerman
Alexander
Anderson
Andrews
Annunzio
Anthony
Aspin
Atkins
AuCoin
Barton
Bates
Bennett
Berman
Bilbray
Bliley
Boggs
Boland
Bonior
Bonker
Borski
Bosco
Boucher
Brennan
Brown (CA)
Bruce
Bryant
Burton
Bustamante
Byron
Campbell
Cardin
Carper
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conyers
Costello
Coyne
Crockett
Dannemeyer
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Flippo
Florio

Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Harris
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Hertel
Hochbrueckner
Horton
Hoyer
Hubbard
Huckaby
Hughes
Jacobs
Jeffords
Johnson (SD)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kostmayer
Kyl
LaFalce
Lantos
Leach (IA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lowry (WA)
Luken, Thomas
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McMillan (MD)

Solomon
Stangeland
Stenholm
Stump
Sundquist
Sweeney
Swindall
Taylor
Thomas (CA)
Thomas (GA)
Upton
Vander Jagt
Volkmmer
Vucanovich
Walker
Weber
Weldon
Whittaker
Wolf
Wortley
Wylie
Young (FL)

Mfume
Miller (CA)
Moakley
Mollohan
Moody
Morella
Morrison (CT)
Mrazek
Murtha
Nagle
Natcher
Neal
Nelson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Payne
Pease
Pelosi
Pepper
Perkins
Pickett
Pickle
Price
Rahall
Rangel
Richardson
Rinaldo
Robinson
Rodino
Roe
Rose
Rostenkowski
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schulze
Schumer
Sharp
Shays
Sikorski
Sisisky
Skaggs
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith, Robert
(NH)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Stratton
Studds

Swift	Traxler	Whitten
Synar	Udall	Williams
Tallon	Valentine	Wilson
Tauzin	Vento	Wise
Torres	Visclosky	Wolpe
Torricelli	Watkins	Wyden
Towns	Weiss	Yates
Traficant	Wheat	Yatron

NOT VOTING—40

Akaka	Hatcher	Mineta
Badham	Jones (TN)	Molinari
Beilenson	Kolter	Murphy
Bevill	Lehman (CA)	Nichols
Boulter	Lewis (CA)	Quillen
Boxer	Livingston	Roybal
Bunning	Lott	Skelton
Carr	Mack	Spence
Cheney	MacKay	Tauke
Conte	McCollum	Walgren
Craig	McGrath	Waxman
Dickinson	Meyers	Young (AK)
Dorgan (ND)	Mica	
Dowdy	Michel	

□ 1751

The Clerk announced the following pairs:

On this vote:

Mr. Boulter for, with Mr. Mineta against.
Mr. Quillen for, with Mr. Craig against.
Mr. Cheney for, with Mr. Conte against.

Mr. DERRICK changed his vote from "aye" to "no."

Mr. CHAPMAN changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KYL: Page 14, line 21, before the period insert the following: "unless the President certifies to the Congress that such cooperation is in the best interests of the United States".

The CHAIRMAN. Under the rule, the gentleman from Arizona [Mr. KYL] will be recognized for 7½ minutes and the gentleman from Michigan [Mr. WOLPE] will be recognized for 7½ minutes.

The Chair recognizes the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, this is an important amendment, but it is a very short one, a very small amendment, and it will only take a brief moment to explain.

This is not another substitute for the bill. As a matter of fact this amendment only deals with 19 words. It adds 19 words to the section on intelligence, and it will make the bill better without in any way detracting from the provisions of the bill which are designed to put pressure on South Africa.

As a matter of fact, Mr. Chairman, the amendment is so simple that I would like to begin by reading the existing law which deals with cooperation with the armed forces of South Africa. The existing law provides that no agency or entity of the United States may engage in any form of cooperation, direct or indirect, with the armed forces of the Government of

South Africa except for activities which are reasonably designed to facilitate the collection of necessary intelligence.

In other words, Mr. Chairman, it is only cooperation that is in our best interest, that serves our best needs, never that serves the needs of the South African Government. To that extent, we never provide information to South Africa. We will never do that under existing law.

Now, the problem with this bill is that it drops the exception that permits us to gather intelligence. I have asked the question, why would we want to drop the exception to the current law that permits us to gather intelligence? The only answer I have heard is that we do not want to do anything that would help this repressive Government of South Africa, to which I say, "Fine."

All my amendment does is to restore the opportunity for the President of the United States to certify to this body, to the Congress, to the House and the Senate, that it is in our best interest to have this cooperation, and then under those limited circumstances we would be able to cooperate with the armed services of South Africa.

My amendment only provides for cooperation, in other words, that helps us, never cooperation that would help South Africa, and only if the President certifies to the Congress that it is in our best interest.

The Committee on Armed Services approved this amendment. Members may ask, then, why is it not in the bill? The sponsors of the bill oppose this amendment, and they stripped it out, and I am able to present it here because they supported a rule which would at least permit me to offer the amendment again. But the point is that I will not have the opportunity to close debate or to respond to questions that may be posed, so I am going to have to anticipate what might be said in opposition to this amendment.

Mr. Chairman, let me cite just a couple of examples of what may occur if my amendment is not adopted. Let us suppose that a South African intelligence officer comes to the Embassy or to an American official and says, "I have it on good authority that there is a terrorist planning to drive a truckload of dynamite into one of your buildings."

At that point, Mr. Chairman, our officials cannot cooperate in any way. They would have to say, "Don't talk to us. We can't hear you. We can't listen to you. We can't cooperate with you, and we didn't hear what you just said."

That is ridiculous, but that would be the law. I do not think the sponsors of the amendment intend that to be the case, and that is why I prefer to call my amendment a perfecting amendment.

Let us suppose an intelligence officer in South Africa learns of the diversion

of weapons grade uranium to a government that is hostile to the United States. Let us suppose they wanted to present a report to that effect to us. That would be prohibited. We could not talk to them, we could not listen to them.

Mr. Chairman, again the purpose of the amendment is simply to make the bill better so that it does not hurt the United States in a way that has absolutely no effect on apartheid. My amendment does not advance the cause of apartheid one iota, and it does not inhibit our ability to oppose, through the other provisions of the bill, that situation that exists in South Africa.

The bill is inconsistent if my amendment is not adopted because it does permit us to gather intelligence in one situation, and that relates to Namibia. But we would not have the people there to do it because our military attaches would be prohibited from cooperating in any way, directly or indirectly. Presumably, they would be gone.

Mr. Chairman, the United States has military attachés in 94 countries, including every Communist country, and we cooperate with the armed services in these countries for our benefit. Our Secretary of Defense just went to the Soviet Union and cooperated with their armed services. Under this bill we could not do anything like that with the armed services of South Africa. Of course, we do not want to do that, but do want to talk to them and listen to them. Why? There is a very important reason, and that is because the Government of South Africa plays a very disproportionate role in their Government, as I am sure some of my colleagues may attest.

□ 1800

That makes it all the more important that we talk to them, that, more importantly, we listen to them and that we understand what kind of information might be important to the United States. And we cannot listen to them unless my amendment is adopted.

Now I understand one argument here is that perhaps my amendment is too broad. Again, all my amendment says, and I will quote it in full, is, "unless the President certifies to the Congress that such cooperation is in the best interest of the United States," which is pretty simple, pretty direct. But some of my colleagues say the existing language is better, and I would be happy to accede to a unanimous-consent request to change my amendment to the existing law. I offered that in the Rules Committee yesterday. So, either way we can solve the problem.

The other suggestion is that we could still gather intelligence somehow. Well, the intelligence that we need in South Africa cannot be gotten by satellite. That is not what we are

interested in. We are interested in listening to people.

South Africa is a nation which has some capability with respect to nuclear power, and we need to know what is going on in that country. If we do not need to know, then my amendment has no effect.

Again, it is only if the President certifies to the Congress that it is in our best interest to engage in this kind of activity.

Finally in conclusion, Mr. Chairman, I would reiterate that this amendment of mine absolutely in no way detracts from the provisions of the bill that are designed to end apartheid in South Africa. It does not deal with the statement that we would be making here today.

Let me summarize in the 1 minute that is remaining. It is very important for the United States try to understand what is going on in dangerous parts of the world. Everyone understands that there is information that could be very useful to the United States that we could acquire in South Africa. That is the reason for the one exception in this bill which permits us to gather intelligence in this one exception, but we are not even going to have the capability of doing that if our military attaches are not going to be in the country.

It is important, therefore, that we have the ability to gather intelligence strictly for the benefit of the United States of America, and it is for that reason that I urge my colleagues, my colleagues who may support this legislation, to think about the ability to improve this bill in one small way, in a way that does not detract from the other purposes of the bill, but which will not harm, which will permit us to gather intelligence that is strictly in our best interest.

For that reason, Mr. Chairman, I ask all of my colleagues to support this amendment regardless of their position on the passage of the final bill.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. Moody].

(Mr. MOODY asked and was given permission to revise and extend his remarks.)

Mr. MOODY. Mr. Chairman, I rise in strong support for this legislation, H.R. 1580, partly developed in the Ways and Means Committee on which I serve.

For the past 7 years, the United States Government has basically turned its back on the black majority of South Africa. It has refused to use the tools Congress provided in the 1986 sanctions law, and this administration has actually vetoed similar sanctions in the United Nations.

Despite congressional action, the Reagan policy of constructive engagement continues. This policy, unfortunately, provides economic fuel to the odious policy of apartheid.

By passing this legislation today, we can put the past 7 years behind us. We must do everything in our power to pressure the South

African Government to change its policy so that the majority race in that country can achieve its rights. Widespread violence and bloodshed in South Africa may still be avoided by a timely change in policy.

Critics of this bill have argued that it hurts the very people we seek to assist. I would make three points.

First, we must never lose sight of the fact that the systematic oppression of apartheid, with all its economic, political and social deprivation, is what hurts black South Africans—not foreign economic sanctions.

Second, blacks in South Africa have benefited only marginally from a strong South African economy. According to the Washington Office on Africa, periods of robust economic growth in South Africa coincide with periods of some of the worst economic deprivation for black South Africans. Trickle down economics doesn't work very well in this country; it would work even less under the South African system of institutionalized racism.

Third, those who argue that sanctions will have tremendous negative consequences for blacks in South Africa usually deny that they will bring significant pressure to bear on the South African regime. Both cannot be true. Former Prime Minister John Voerster repeatedly called foreign investments "the bricks and mortar on which South Africa is built."

Mr. Chairman, in a 1941 address to the U.S. Congress, President Franklin Delano Roosevelt argued that all countries around the world—not just this country—deserved to live in freedom. He called for four essential freedoms throughout the world. "The first," he said, "is freedom of speech and expression—everywhere in the world. The second is freedom of every person to worship God in his own way—everywhere in the world. The third is freedom from want * * * The fourth is freedom from fear."

These sanctions will hurt the United States somewhat; there can be no doubt about that. Still we Americans remain committed to essential freedoms for people of all nations. We will have met that obligation when black South Africans are free, including free to speak and free from want. And—above all—when they are free from fear.

We must pass this sanctions bill.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. Stokes], the distinguished chairman of the Permanent Select Committee on Intelligence.

Mr. RICHARDSON. Mr. Chairman, will the gentleman yield?

Mr. STOKES. I yield to the gentleman from New Mexico.

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Chairman, if we pass this amendment, we are sending a powerful signal to the South African Government that we are willing to hedge our opposition to apartheid in order to continue collecting intelligence—and in the long run, are we not risking the hostility of the majority government that will inevitably rule South Africa—the intelligence agencies of South Africa are deeply involved in domestic repression and in regional destabilization.

The care of the Kyl amendment, an intelligence waiver could mean the end of any stat-

utory restrictions on military intelligence cooperation. This is not the status quo—it is regression. It would permit the passing of information about South African opposition activities to the white South African Government.

Current law was adopted with the best of intentions but it has not served to reassure frontier states and black South Africans that United States intelligence activities fully opposes apartheid. The impression has been created that the United States works hand in glove with South African intelligence services, organizations responsible for the heinous murder of innocent people in Mozambique, assassination in Botswana and Zimbabwe, and repression and murders in South Africa.

Adoption of this substitute would say to the world that current law is more than adequate and that we want and will continue a cozy relationship with the agencies of apartheid, assassination, and destabilization.

Mr. MFUME. Mr. Chairman, will the gentleman yield?

Mr. STOKES. I yield to the gentleman from Maryland.

(Mr. MFUME asked and was given permission to revise and extend his remarks.)

Mr. MFUME. Mr. Chairman, I rise to urge all of my colleagues to vote against the Kyl amendment. Our distinguished colleague Mr. KYL, has introduced a measure which would permit the President to allow military and intelligence cooperation with the South African Government if he deems that such coordination is in the best interest of America. The proposal also calls for increased intelligence cooperation with Pretoria than presently exists under law.

I believe that this amendment is ludicrous. Make no mistake about it, South Africa is not a friendly ally and, thereby, does not warrant such accommodations. South Africa continues to destabilize its southern African neighbors, while using the guise of global communism to undermine regional unity and African nationalism.

America must deny South Africa the respectability that such an intimate intelligence can represent. South Africa has never wanted to live in peace with its independent neighbors and has done everything within its power to maintain its economic, political, and military stranglehold over the southern African region.

I, for one, Mr. Chairman, do not want to see my country take any part in South Africa's bloodthirsty quest to control the lives and futures of the millions of people who inhabit southern Africa. America must once and for all send a clear message to the front line states that we are not working against them in their desperate struggle to survive.

In closing, I hope that all of my colleagues will see through South Africa's veil of deceit and vote "no" to an amendment that seeks to bolster South Africa's terrorist ambitions.

Mr. STOKES. Mr. Chairman, I rise in opposition to the Kyl amendment. This amendment would permit the President to waive the bill's restriction on cooperation with the South African military and even the modest restriction in current law. Section 104 of the bill repeals existing law and imposes new, stronger limitations on intelligence cooperation with South Africa. It is important to appreciate that the

Kyl amendment also repeals existing law and gives the President the ability to waive the bill's restrictions on military cooperation. Thus, the President could remove any restriction on cooperation with South African military intelligence.

Mr. Chairman, the Kyl amendment is a step backward. It would discredit United States antiapartheid policy in southern Africa. It should be rejected.

Mr. WOLPE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Arizona [Mr. KYL].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. KYL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 169, noes 214, not voting 48, as follows:

[Roll No. 285]

AYES—169

Archer	Hefley	Ray
Aspin	Henry	Regula
Ballenger	Herger	Rhodes
Barnard	Hiller	Ridge
Bartlett	Holloway	Rinaldo
Barton	Hopkins	Ritter
Bateman	Houghton	Roberts
Bentley	Huckaby	Rogers
Bereuter	Hunter	Roth
Bilirakis	Hutto	Roukema
Boehliert	Hyde	Rowland (CT)
Broomfield	Inhofe	Rowland (GA)
Brown (CO)	Ireland	Saiki
Buechner	Jeffords	Saxton
Burton	Jenkins	Schaefer
Callahan	Johnson (CT)	Schuette
Chandler	Johnson (SD)	Schulze
Chappell	Kasich	Sensenbrenner
Clinger	Kolbe	Shaw
Coats	Konnyu	Shumway
Coble	Kyl	Shuster
Coleman (MO)	Lagomarsino	Skeen
Combest	Lancaster	Slaughter (VA)
Coughlin	Latta	Smith (NE)
Courter	Leath (TX)	Smith (NJ)
Crane	Lent	Smith (TX)
Dannemeyer	Lewis (FL)	Smith, Denny
Darden	Lightfoot	(OR)
Daub	Lloyd	Smith, Robert
Davis (IL)	Lowery (CA)	(NH)
DeLay	Lujan	Smith, Robert
Derrick	Lukens, Donald	(OR)
DeWine	Lungren	Snowe
DioGuardi	Madigan	Solomon
Dorman (CA)	Marlenee	Spratt
Dreier	Martin (IL)	Stangeland
Dyson	Martin (NY)	Stenholm
Edwards (OK)	Mazzoli	Stump
Emerson	McCrery	Sundquist
Fawell	McDade	Sweeney
Fields	McEwen	Swindall
Frenzel	McMillan (NC)	Talton
Galleghy	Miller (OH)	Taylor
Gallo	Miller (WA)	Thomas (CA)
Gilman	Montgomery	Thomas (GA)
Gingrich	Moorhead	Upton
Goodling	Morrison (WA)	Vander Jagt
Gordon	Myers	Vucanovich
Gradison	Nielson	Walker
Grandy	Oxley	Weber
Grant	Packard	Weldon
Gregg	Parris	Whittaker
Gunderson	Pashayan	Wolf
Hall (TX)	Patterson	Wortley
Hammerschmidt	Petri	Wylie
Hansen	Porter	Young (FL)
Hastert	Pursell	
Hayes (LA)	Ravenel	

NOES—214

Ackerman	Frank	Olin
Alexander	Frost	Ortiz
Anderson	Garcia	Owens (NY)
Andrews	Gaydos	Owens (UT)
Annuzio	Gejdenson	Panetta
Anthony	Gephardt	Payne
Applegate	Gibbons	Pease
Atkins	Glickman	Pelosi
AuCoin	Gonzalez	Penny
Bates	Gray (IL)	Perkins
Bennett	Gray (PA)	Pickett
Berman	Green	Pickle
Billbray	Guarini	Price
Bliley	Hall (OH)	Rahall
Boggs	Hamilton	Rangel
Boland	Harris	Richardson
Bonior	Hawkins	Robinson
Bonker	Hayes (IL)	Rodino
Borski	Hefner	Roe
Bosco	Hertel	Rose
Boucher	Hochbrueckner	Rostenkowski
Brennan	Horton	Russo
Brooks	Hoyer	Sabo
Brown (CA)	Hubbard	Savage
Bruce	Hughes	Sawyer
Bryant	Jacobs	Scheuer
Bustamante	Jones (NC)	Schneider
Byron	Jontz	Schroeder
Campbell	Kanjorski	Schumer
Cardin	Kaptur	Sharp
Carper	Kastenmeier	Shays
Chapman	Kennedy	Sikorski
Clarke	Kennelly	Sisisky
Clay	Kildee	Skaggs
Clement	Kliczka	Slattery
Coelho	Kostmayer	Slaughter (NY)
Coleman (TX)	LaFalce	Smith (FL)
Collins	Lantos	Smith (IA)
Conyers	Leach (IA)	Solarz
Cooper	Lehman (FL)	St Germain
Costello	Leland	Staggers
Coyne	Levin (MI)	Stallings
Crockett	Levine (CA)	Stark
Davis (MI)	Lewis (GA)	Stokes
de la Garza	Lowry (WA)	Stratton
DeFazio	Lukens, Thomas	Studds
DeLuamas	Manton	Swift
Dicks	Markey	Synar
Dingell	Martinez	Tauzin
Dixon	Matsui	Torres
Donnelly	Mavroules	Torricelli
Downey	McCloskey	Towns
Durbin	McCurdy	Traficant
Dwyer	McHugh	Traxler
Dymally	McMillen (MD)	Udall
Early	Mfume	Valentine
Eckart	Miller (CA)	Vento
Edwards (CA)	Moakley	Visclosky
English	Mollohan	Volkmer
Erdreich	Moody	Watkins
Espy	Morella	Weiss
Evans	Morrison (CT)	Wheat
Fascell	Mrazek	Whitten
Fazio	Murtha	Williams
Feighan	Nagle	Wilson
Fish	Natcher	Wise
Flake	Neal	Wolpe
Flippo	Nelson	Wyden
Florio	Nowak	Yates
Flogietta	Oakar	Yatron
Foley	Oberstar	
Ford (MI)	Obey	

NOT VOTING—48

Akaka	Ford (TN)	Meyers
Armey	Gekas	Mica
Badham	Hatcher	Michel
Baker	Jones (TN)	Mineta
Beilenson	Kemp	Molinari
Bevill	Kolter	Murphy
Boulter	Lehman (CA)	Nichols
Boxer	Lewis (CA)	Pepper
Bunning	Lipinski	Quillen
Carr	Livingston	Roybal
Cheney	Lott	Skelton
Conte	Mack	Spence
Craig	MacKay	Tauke
Dickinson	McCandless	Walgren
Dorgan (ND)	McCollum	Waxman
Dowdy	McGrath	Young (AK)

□ 1822

The Clerk announced the following paris:

On this vote:

Mr. Armey for, with Mr. Mineta against.

Mr. McCandless for, with Mr. Akaka against.

Mr. Quillen for, with Mr. Roybal against. Mr. Craig for, with Mr. Ford of Tennessee against.

Mr. Boulter for, with Mr. Conte against.

Mr. MATSUI changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. BURTON of Indiana: Strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; FINDINGS; STATEMENT OF POLICY.

(a) SHORT TITLE.—This Act may be cited as the "Comprehensive Anti-Apartheid and Black Empowerment in South Africa Act of 1988".

(b) FINDINGS.—The Congress makes the following findings:

(1) The body of racially discriminatory legislation in South Africa, known as apartheid, violates all internationally recognized standards of human rights and is an affront to the American values of equality and human dignity enshrined in the United States Constitution and Bill of Rights.

(2) Since the enactment of the Comprehensive Anti-Apartheid Act of 1986 the South African government has extended the state of emergency in South Africa, has severely restricted the activities of anti-apartheid groups, continues to detain political dissidents without trial, and has increased press censorship.

(3) The Congress has demonstrated its unalterable opposition to apartheid through the passage of the Comprehensive Anti-Apartheid Act of 1986 and continues to seek effective measures to assist disenfranchised South Africans to expand democracy and freedom to all South Africans, regardless of race or ethnic origin.

(4) Black South Africans are increasingly organizing to fight apartheid by economic means, such as strikes, stayaways, and consumer boycotts.

(5) Black economic leverage against apartheid would be undermined by the withdrawal of American corporations (which have contributed \$330,000,000 to black development) or by increases in black unemployment caused by further economic sanctions.

(6) Black economic and urbanization pressures have been major factors in producing significant advances against apartheid, including repeal of the pass laws and influx controls, the establishment of black trade unions, the elimination of racially based job reservation, and the granting of home ownership rights.

(7) The economic tools that are being used by black South Africans to undermine and eliminate apartheid can be used to bring about negotiations among representatives of all South Africans to establish a truly representative, post-apartheid political order.

(8) The most effective way to help black and other disenfranchised South Africans to win their freedom and build a post-apartheid society is by contributing to the black

economic and urbanization pressures within South Africa, while maintaining the moral isolation embodied by the sanctions in existing law.

(c) **STATEMENT OF POLICY.**—It is the policy of the United States to assist South Africans disadvantaged by the system of apartheid in building their power to use economic and political leverage in order to attain full political and civil rights and in building a post-apartheid society based on democratic principles and free of racial discrimination.

SEC. 2. HOUSING ASSISTANCE TO UNDERMINE THE GROUP AREAS ACT.

(a) **HOUSING ASSISTANCE.**—Title II of the Comprehensive Anti-Apartheid Act of 1986 (hereafter in this Act referred to as "the Act") is amended by adding at the end thereof the following new section:

"HOUSING ASSISTANCE TO UNDERMINE THE GROUP AREAS ACT

"SEC. 213. (a) The Congress makes the following findings:

"(1) There is a serious and growing housing shortage for blacks in South Africa.

"(2) The shortage has been exacerbated by discriminatory laws such as the Group Areas Act and other regulations which carry out the official policies of apartheid through housing and residence restrictions based on race or ethnic origin.

"(3) South African blacks and other non-white South Africans are challenging the Group Areas Act by moving into areas designated for residence by white South Africans.

"(4) There is an increasing need for access to affordable land for the purpose of establishing rights to property ownership.

"(b) It is the policy of the United States to provide financial and advisory assistance to those who are challenging the Group Areas Act through financing guaranties of housing (including the acquisition of land) for disadvantaged South Africans in all areas, without regard to discriminatory race classifications.

"(c) Not later than February 1, 1989, the Secretary of State shall report to the Congress on the implementation of section 222(e) of the Foreign Assistance Act of 1961."

(b) **HOUSING GUARANTY PROGRAM (HIG).**—(1) Section 222 of the Foreign Assistance Act of 1961 is amended by adding at the end of the following new subsection:

"(e) To carry out the policy of section 221, the President is authorized to issue guaranties under this section, in such amounts as are provided in appropriations acts, for programs in South Africa for South African blacks and other nonwhite South Africans. Such programs shall be carried out in all geographic areas of South Africa, without regard to discriminatory race classifications. No such guaranty may be issued for an entity controlled by the Government of South Africa. Guaranties may be issued pursuant to this subsection without regard to any requirement that the Government of South Africa also be a guarantor."

(2) The amendment made by paragraph (1) shall take effect October 1, 1988.

SEC. 3. ASSISTANCE TO BLACK PRIVATE ENTERPRISE.

(a) **ASSISTANCE TO BLACK PRIVATE ENTERPRISE.**—Title II of the Act is amended by adding at the end the following new section:

"ASSISTANCE TO BLACK PRIVATE ENTERPRISE.

"(a) SEC. 214. The Congress makes the following findings:

"(1) The Pass Laws and other discriminatory restrictions in South Africa have been rendered inoperative through the force of black economic and labor power.

"(2) Black trade unions have been permitted as a result of a rapidly expanding South African economy.

"(3) Many central business districts and other areas have been exempted from discriminatory legislation.

"(4) Blacks have demonstrated their economic power through a vastly increased percentage of total consumption in South Africa and have gained political leverage through work stoppages and consumer boycotts.

"(5) Black business groups have successfully crafted nondiscriminatory legislation in a wide range of sectors and continue to press for other relief.

"(b) It is the policy of the United States to support the expansion of economic opportunity for disadvantaged South Africans and to assist in strengthening their ability to petition the South African government for removal of apartheid laws by—

"(1) encouraging the establishment of business trusts to finance education, training, and small business development;

"(2) encouraging the establishment of business, trade, and other voluntary associations representing various economic sectors;

"(3) advising and training black entrepreneurs in all aspects of business creation and management;

"(4) providing legal assistance to black business groups and association; and

"(5) identifying all organizations in South Africa that have as their primary function the provision of financial or advisory services to the black and nonwhite community.

"(c) **REPORT.**—(1) The Secretary of State shall compile, and periodically revise, a list of such organizations described in subsection (b)(5) not later than 60 days after the date of the enactment of this Act.

"(2) Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Congress concerning implementation of section 535 of the Foreign Assistance Act of 1961."

(b) **ASSISTANCE FOR DISADVANTAGED SOUTH AFRICANS.**—Section 535(a) of the Foreign Assistance Act of 1961 is amended by adding after paragraph (2) the following new paragraph:

"(3)(A) Not less than \$8,000,000 of the funds made available for the purposes of this section after October 1, 1988, shall be available for—

"(i) the support and establishment of business trusts to finance education, training, and small business development;

"(ii) the support and establishment of business associations and associated institutions such as trade associations and voluntary associations representing business in various economic sectors;

"(iii) advising and training black entrepreneurs in all aspects of business creation and management; and

"(iv) providing legal assistance to black business groups and associations.

"(B)(i) In order to qualify for assistance under this paragraph a South African entity shall ascribe to the statement of principles in clause (ii).

"(ii) **STATEMENT OF PRINCIPLES.**—

"(I) Does not discriminate on the basis of race.

"(II) Embraces and promotes democratic principles.

"(III) Opposes the use of and does not engage in violence in its efforts to dismantle apartheid.

"(IV) Is independent of and does not receive funds from the South African Government.

"(C) In addition to the criteria under section 117 for priority consideration, such consideration in providing assistance under this paragraph shall be given to the Urban

Foundation, Rural Foundation, Operation Hunger, NAFCOC, Law Review Project, SABTA Development Trust, Small Business Advisory Services, Job Creation, PROTEC, Foundation for Entrepreneurship Development, Leadership Education and Advancement Foundation School, Rotunda-Rotary, and Junior Achievement."

SEC. 4. SENSE OF CONGRESS REGARDING NATIONALS OF THE UNITED STATES IN SOUTH AFRICA.

Section 208 of the Act is amended by adding after subsection (e) the following new subsection (f):

"(f) It is the sense of the Congress that in complying with the provisions of this section nationals of the United States should in accordance with section 535(a)(B) of the Foreign Assistance Act of 1961, contribute a sum which is not less than 15 percent of total payroll costs of such entity for activities under subsections (a)(6) and (b) of this section and assistance to black private enterprise as provided under section 214 of this Act."

SAEC. 5. PRESIDENT'S ADVISORY GROUP FOR THE COORDINATION OF ASSISTANCE TO DISADVANTAGED SOUTH AFRICANS FROM THE UNITED STATES PRIVATE AND PUBLIC SECTORS.

Title V of the Act is amended by adding at the end the following new section:

"SEC. 513. PRESIDENT'S ADVISORY GROUP FOR THE COORDINATION OF ASSISTANCE TO DISADVANTAGED SOUTH AFRICANS FROM THE UNITED STATES PRIVATE AND PUBLIC SECTORS.

"(a) The President shall establish an advisory group comprised of United States officials and private persons who are experienced in the establishment and management of programs, services, and institutions which have proven effective, in the American experience, in empowering disadvantaged and disenfranchised individuals and groups to participate fully and freely in the economic and political life of the country.

(b) The advisory group shall—

"(1) advise the President concerning the coordination of public and private assistance to disadvantaged South Africans, including—

"(A) assistance from departments of the United States Government;

"(B) assistance from United States private sector groups, such as the United States Chambers of Commerce, trade associations, and SCORE (Service Corps of Retired Executives);

"(2) annually report to the President on the needs of the black business sector in South Africa and the progress of United States initiatives under this Act."

SEC. 6. EXPORT-IMPORT BANK.

(a) Section 204 of the Act is amended—

(1) inserting "(a)" after "204."; and

(2) by adding at the end the following new subsections:

"(b) **FINDINGS AND POLICY.**—

"(1) The Congress finds that there is a crucial need among the black business sector for access to credit and credit guarantees, bridge finance, and access to foreign capital.

"(2) It is the policy of the United States to provide a full range of normal and specialized services to support the groups listed in the report submitted pursuant to section 214 of the Comprehensive Anti-Apartheid Act of 1986 and the organizations listed in section 535(a)(3)(C) of the Foreign Assistance Act of 1961 through the Export-Import Bank and OPIC (Overseas Private Investment Corporation).

"(c) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Board of Directors of the

Export-Import Bank shall submit a report to the Congress concerning implementation of section 204 of the Comprehensive Anti-Apartheid Act of 1986."

SEC. 7. EXEMPTIONS FROM AND CLARIFICATION OF CERTAIN PROHIBITIONS UNDER THE COMPREHENSIVE ANTI-APARTHEID ACT OF 1986 CONCERNING SOUTH AFRICAN BLACKS OR OTHER NONWHITE SOUTH AFRICANS.

(a) **SUGAR IMPORTS.**—Section 323 of the Act is amended by adding at the end thereof the following:

"(c)(1) Notwithstanding subsections (a) and (b), the prohibitions and limitations of this section shall not apply to imports into the United States which are the export of business enterprises that are owned by South African blacks or other nonwhite South Africans.

"(2) Notwithstanding subsections (a) and (b), the United States Trade Representative may adjust the percentage allocation to the Philippines and may make an allocation to the Republic of South Africa in carrying out the provisions of paragraph (1)."

(b) **SOUTH AFRICAN AGRICULTURAL PRODUCTS AND FOOD.**—Section 319 of the Act is amended—

(1) by adding "(a)" after "319."; and
(2) by adding at the end the following new subsection:

"(b) The prohibition under subsection (a), shall not apply to imports into the United States which are the export of business enterprises that are majority-owned by South African blacks or other nonwhite South Africans."

(c) **IMPORTS OF URANIUM, COAL, AND TEXTILES.**—Section 309 of the Act is amended by adding at the end the following new subsection:

"(d) The prohibition under subsection (a), shall not apply to imports into the United States which are the export of business enterprises that are majority-owned by South African blacks or other nonwhite South Africans."

(d) **NEW INVESTMENT.**—Section 310(c) of the Act is amended by striking "owned by black South Africans" and inserting "majority-owned by black South Africans or other nonwhite South Africans".

(e) **UNITED STATES GOVERNMENT ASSISTANCE TO SOUTH AFRICA.**—Section 316 of the Comprehensive Anti-Apartheid Act of 1986 is amended—

(1) by inserting "(a)" after "316."; and
(2) by adding at the end the following new subsection:

"(b) The prohibition under subsection (a) shall not apply to assistance authorized under this act or any other Act for South African blacks and other nonwhite South Africans, victims of apartheid in South Africa, or disadvantaged South Africans."

(f) **REGULATIONS.**—Regulations shall be promulgated pursuant to the amendments made by this section to ensure that exemptions or assistance under such provisions of law are available only to bona fide business enterprises, organizations, or other entities of South African blacks and other nonwhite South Africans who are the victims of apartheid in South Africa and which are not controlled by the Government of South Africa.

SEC. 8. ADHERENCE TO STATEMENT OF PRINCIPLES.

(a) **LIMITATION.**—Notwithstanding any other provision of law, agencies and departments of the United States may not provide financial or other assistance to South African entities which do not adhere to the statement of principles under subsection (b).

(b) **STATEMENT OF PRINCIPLES.**—

(1) Does not discriminate on the basis of race.

(II) Embraces and promotes democratic principles.

(III) Opposes the use of and does not engage in violence in its efforts to dismantle apartheid.

(IV) Is independent of and does not receive funds from the Government of South Africa.

(c) **PRESIDENTIAL CERTIFICATION.**—Not more than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit a certification to the Congress that each South African entity receiving assistance from the United States Government adheres to the statement of principles under subsection (b).

SEC. 9. MICRO-ENTERPRISE DEVELOPMENT.

(a) **ASSISTANCE FOR MICRO-ENTERPRISE DEVELOPMENT.**—For any fiscal year for which funds are appropriated or otherwise made available for programs of credit and other assistance for micro-enterprises in developing countries, not less than \$2,000,000 of such funds shall be available only for carrying out such a program in South Africa.

(b) **LIMITATION OF ASSISTANCE TO CERTAIN ORGANIZATIONS.**—Assistance under this section shall be provided for activities that are consistent with the objective of a majority of South Africans for an end to the apartheid system and the establishment of a society based on non-racial principles. Assistance provided pursuant to this section shall not be used to provide support to organizations or groups which are controlled by the Government of South Africa.

The **CHAIRMAN.** Under the rule, the gentleman from Indiana [Mr. BURTON] will be recognized for 15 minutes and the gentleman from Michigan [Mr. WOLPE] will be recognized for 15 minutes in opposition.

The Chair recognizes the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it has been a long day. I will try to summarize my substitute amendment as quickly as possible, if I can have your attention. I know everybody wants to catch a plane and get home and a lot of us want to get to the Republican National Convention, so if you just bear with us for a minute.

Mr. Chairman, this substitute maintains the sanctions in existing law that were passed 2 years ago, which are already the most extensive of any major democracy.

The purpose of the substitute amendment is to move beyond what many consider a symbolic gesture in 1986 and on to a more effective policy to combat apartheid.

We started with the fact that the strategy South African blacks themselves have chosen to fight apartheid is economic.

According to the Washington Post, June 16, 1988:

South Africa's black townships are undergoing a collective metamorphosis, one that seeks to supplant the street battle against overwhelming military might with a new revolutionary strategy of denying whites the vast black majority's most valuable commodities—its labor and its enormous purchasing power.

The Dellums bill is a complete slap in the face to black economic power. First, it kicks out American corporations that have spent \$330 million toward black private enterprise, development, housing, and education.

Second, it would put 2 million blacks out of work by the year 2000, or sooner, by slowing South Africa's economic growth, according to a study commissioned by the largest black trade union in South Africa.

You cannot have it both ways. You cannot launch economic warfare and increase black economic power.

The Burton substitute would provide up to \$87 million for black empowerment, more than twice the amount in the Dellums bill. Most of the increase will be provided by United States firms in South Africa, which will increase their contributions to 15 percent of total payroll, or \$45 million per year.

We authorize the Housing Guarantee Program, which helps squatters in poor countries around the world to finance basic housing and buy land, to operate in South Africa.

There are 1½ million squatters in South Africa. These people are living in cardboard and tin shacks outside the cities. By helping them build housing, we are not only doing the right thing, we are increasing the urbanization pressure which is necessary to break down apartheid. There are already so-called white areas with a majority of blacks living in them.

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This is a process we want to promote.

Next, we earmarked \$8 million within the existing \$25 million AID Program directly toward building black private enterprise. We want to help build organizations like SABTA, the South African Black Taxi Association. They have 100,000 drivers who collectively purchase \$1 billion worth of goods each year. The last year the Government tried to put them out of business by rewriting the transportation law. Instead, SABTA forced the Government to accept a completely nonracial law that increased their rights.

That is black economic power. It does work. The street hawkers, the street vendors, the builders and other sectors of the economy want to do the same thing. Our substitute tries to help them.

Mr. Chairman, the substitute also earmarks \$2 million in microenterprise loans for South Africa, out of \$75 million appropriated worldwide. These are small loans, up to about \$200 for the poorest of the poor to start a small black business of their own. It is perfect for South Africa where there are both viable markets and poor people who need credit.

The substitute sets up a Presidential advisory committee to coordinate the public and private assistance to South Africans disadvantaged by apartheid.

The substitute also exempts firms that are majority owned by disadvantaged South Africans from the trade and investment restrictions. We make clear that the regulations are to be written to make sure that we are helping real black-owned firms rather than fronts.

I would like to ask the Members a few questions in summary. The first question is: Is it right, is it morally right to cost 2 million blacks in South Africa their jobs, to cause them to lose their livelihood and put 10 million black children to bed hungry at night? Chief Buthelezi and Bishop Lekganyane, Bishop Mokoena, who represent the vast majority of blacks in South Africa say no, there is a better way. Is it right to take away the only effective tool blacks have to bring about positive change, their ability to boycott businesses and products and to strike? In June of this year, there was a 3-day strike involving a million blacks, and it was effective. There is a better way.

Is it right to cost American auto workers and steel workers and those in related industries over a million jobs over the next 3 years if this goes into effect, if we end up with South Africa imposing an embargo of their products themselves on us on their minerals which they very well might do? They might not sell them to us. Should that take place, over a million Americans will lose their jobs. The Department of the Interior and the Bureau of Mines confirmed this, and it is confirmed by the auto industry and the steel industry as well. There is a better way.

Is it right to cause our gross national product to decrease by \$61 billion over the next 3 years should a war develop between us and South Africa as far as the minerals that we want are concerned? I am talking about a trade war. This would hurt every single American family and our entire economy. We do not want that. There is a better way. We do not want a million people out of work in this country because of this legislation. We do not want a \$61 billion deficit in our GNP because of this. It will hurt us all. There is a better way.

Is it right to make America more dependent on the Soviet Union for strategic minerals? That is what is going to happen if we do not get them from the South African Government, the South African people. The only other place to get these minerals in quantity and in large amounts is from the Soviet Union. Do we want to become dependent on them, our chief adversary in the world? I think not. There is a better way.

Is it right to cut off our intelligence gathering capability? We just voted on that, but that is what we are doing. It is wrong. What are we going to do? How are we going to track what the Cubans are doing in southern Africa, and what the Soviet Union who sent \$2 billion into Angola, \$2 billion into Mozambique, who are supporting the

Communist-backed ANC? How are we going to track what they are doing in southern Africa?

The minerals we are getting from southern Africa are vital to our economic health and to our military security. The sealanes around the southern tier of Africa are vital to us, as well, as far as oil supplies are concerned. What are we going to do if that falls into Soviet hands? How are we going to track what they are doing if we have no intelligence capability? There is a better way.

Is it right to cost United States investors in South African gold stocks \$1.2 billion by forcing them to sell their stocks? What is it going to do to a lot of retirement programs that depend on those stocks as a part of their portfolio? Senior citizens are going to be hurt, because when they disinvest or are forced to disinvest, it is going to cut down on the value of their portfolio and ultimately their retirement benefit as well.

Is it right to start a trade war with our free-world partner, a trade war that could make the 1930's Smoot-Hawley depression look like a Sunday school picnic? I think not.

There are so many problems with the Dellums-Wolpe approach that it is not funny. It could hurt our economy. It could hurt the worldwide economy. It could start a trade war that would cause a major depression. We ought to think about that, and it could cause over 1 million Americans to lose their jobs, not to mention the 2 million black South Africans who might as well lose their jobs because of this terrible, onerous bill, and to hurt our economy with a \$61 billion decrease in our GNP over a 3-year period. Think about that before the Members vote for the Dellums-Wolpe bill.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I am happy to yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, the gentleman is well aware that in Northern Ireland there are very grave economic conditions; there are bombings over there where innocent people get killed; the Catholics are persecuted and are unable to get jobs or get promoted where they do have jobs. However, this body has a solution; we have a legislative solution for religious apartheid that exists today, tonight, in Northern Ireland. Does the gentleman know what that is? It is the McBride principles, a version of the Sullivan principles, legislation that many people who sponsored this Draconian impoverishment scorched-Earth policy, that is the heart and soul of the solution here to apartheid believe in the McBride principles in Northern Ireland.

Can the gentleman tell me why the religious apartheid, persecution and bombings in Northern Ireland are to be treated with affirmative action and goals and timetables, but in Africa we

are to have scorched Earth? Could the gentleman explain that to me?

Mr. BURTON of Indiana. It is beyond my comprehension.

I thank the gentleman for his contribution.

Mr. CRANE. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I am happy to yield to the gentleman from Illinois.

Mr. CRANE. Mr. Chairman, I thank my distinguished colleague for yielding.

Mr. Chairman, this debate on black empowerment reminds me a little bit of an example of, say a town drunk in a small community, a member of the church, and the rumors circulate that he is beating his wife and his children and so they kick him out of the church. Everybody isolates him and walks away from that problem.

We would not treat friends and neighbors and relatives that way, and I think we should think twice about what we are doing to the blacks in South Africa due to this policy. There was a great article that appeared on the op-ed page of the Washington Post on June 15 written by Helen Suzman. Helen is a member of the Progressive Federal Party there, and if the gentleman would not mind, I would like to read just a few quotes from it.

She says, "In the unfounded hope of the rapid demise of the apartheid regime, it is surely senseless to blunt the only weapon with which blacks can improve their position at the workplace, and beyond the workplace, through their economic muscle, mobilized in trade union structures, and through their consumer power in the market.

"The acceptance, at long last, of the permanence of blacks in the urban areas came about because of economic forces motivated by the push factor of poverty in the black areas and the pull factor of job opportunities in the white urban areas. This irresistible force led finally to the impossibility of implementing effectively the hated pass laws and influx control which restricted the mobility of blacks, and to their repeal 2 years ago." She goes on to point out that, "In the past 8 years, United States corporations in South Africa spent more than \$210 million on education, training and housing of their black employees and their families, on health facilities and on legal aid. Withdrawal of these firms has inevitably meant reduction or even curtailment of these programs, to the detriment of future black leadership and its participation in the post-apartheid era, and once gone, the influence such firms exercised on the local scene is gone, too."

Mr. Chairman, Ben Franklin said that example is the best sermon. I think the gentleman from Indiana is to be commended for his approach to take positive action to help blacks to

take an active and involved approach to dealing with those problems rather than trying to turn our back on them and hope they will go away. That may give a lot of folks in this body a lot of moral satisfaction that we are really going after the bad guys, but the tragic and sad fact, as Mrs. Suzman brings forth, is the people who are going to suffer most are the ones we are trying to help.

Mr. BURTON of Indiana. Mr. Chairman, I reserve the balance of my time.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DYMALLY].

(Mr. DYMALLY asked and was given permission to revise and extend his remarks.)

Mr. DYMALLY. Mr. Chairman, I oppose the Burton amendment.

Mr. Chairman, I rise in opposition to the substitute offered by the gentleman from Indiana. Too often, we have been the victims of friendly fire—and while the notion of black economic and political empowerment in South Africa has a noble sound—the reality of this measure is quite to the contrary.

By passage of these provisions, we become active participants in the undermining of our own efforts to isolate entities which prop up apartheid. To allow companies to remain in South Africa, under the guise of support for black private enterprise is a cruel fraud.

The issues in South Africa are ones of life and death. Ask, if you could, the innocent children whose lives have been snuffed out as they sit in their classrooms. Ask the mothers and brothers whose loved ones leave for work, never to be seen again. The housing guaranty and assistance program that our colleague would have us adopt—cannot exist if the law of the land will not allow parent or spouse to live with their families. It is a fiction which does not entertain.

Whether through friend or foe, economic activity which supports the tax base of the Government in Pretoria serves only to extend violent conflict in southern Africa and specifically the annihilation of black Africans in that region.

The time for conciliatory gestures has passed. The will of the majority population is embodied in their commitment to support a strategy of sanctions that will isolate the Government of South Africa for the terrorist regime that it is.

As we listen to those who would search for options to sanctions, there is a distinct irony that allows us to bring fire power to peace tables around the globe—and offer insipid affirmative action programs to South Africa.

The vehicles through which the initiatives offered in the Burton substitute must pass—remain the economic institutions of the Botha regime—or in the alternative, American companies resisting the very tenets of the Anti-Apartheid Act. We cannot be both advocate and adversary.

It is ludicrous to argue for assistance for selected disadvantaged South Africans—all black South Africans are disadvantaged, for they are not free.

I ask my colleagues in this body to join me in opposing this substitute.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the

gentleman from the Virgin Islands [Mr. DE LUGO].

(Mr. DE LUGO asked and was given permission to revise and extend his remarks.)

Mr. DE LUGO. Mr. Chairman, I thank the gentleman for yielding time to me. I rise in support of the legislation of the gentleman from California and in opposition to the Burton amendment.

Mr. Chairman, I am proud to join my colleagues, and speak for the people of the Virgin Islands, in support of this legislation to put some real muscle into our opposition to apartheid.

This bill calls for strong, wide-ranging economic sanctions that will severely restrict United States companies from trading with, investing in, or lending money to South Africa. The 1986 Anti-Apartheid Act was a first step, but we have to close the loopholes in that bill, which have allowed many companies to do business as usual with South Africa. Despite the 1986 law, for instance, United States companies have continued to supply South Africa with 35 percent of its oil.

That has to stop, and this legislation will ensure that it does stop. We can no longer tolerate U.S. participation in the economic relations that support apartheid.

Mr. Chairman, I had the honor of meeting South African Archbishop Desmond Tutu when he visited Capitol Hill this spring. While the Archbishop steered clear of directly endorsing any legislation, he used all his moral authority to endorse economic sanctions as the best tool to use against apartheid.

As Archbishop Tutu has said many times: We do not want to reform apartheid. We do not want to make apartheid comfortable. We want to get rid of apartheid.

This bill is intended to do just that, to force the Government of South Africa to dismantle this deplorable system of apartheid and allow all of its people to enjoy freedom and equality.

I want to commend my colleague from California, RON DELLUMS, and the chairman of the subcommittee, Mr. WOLPE of Michigan, for their dedicated work on this legislation and for the cause of freedom for the people of South Africa. I urge all my colleagues to support this excellent bill and make clear that we are united in our determination to bring an end to apartheid.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. MFUME].

(Mr. MFUME asked and was given permission to revise and extend his remarks.)

Mr. MFUME. Mr. Chairman, I rise in opposition to the Burton amendment. I understand, I think, at least what he means by the provision to waive the existing or future sanctions which is a problem for me, and, therefore, I rise in opposition.

Mr. Chairman, on the surface, Mr. BURTON's amendment appears to have the South African majority's interests well in mind. Mr. BURTON has carefully constructed this amendment to assist the indigenous people to develop their own small businesses, schools, and communities.

Mr. BURTON's amendment gives the indigenous South Africans exactly what they have

been requesting for decades—economic aid. However, I remain suspect as to why Mr. BURTON has waited until H.R. 1580 to come to the floor and offer these concessions. Additionally, the Burton amendment waives all comprehensive sanctions and retains the existing sanctions law. In my opinion, the only thing that the Burton amendment does is to perpetuate the Reagan administration's business as usual approach.

Mr. Chairman, last spring, I had the unique opportunity to meet with several black mayors from South Africa. All of these gentlemen unanimously agreed that apartheid is a very harsh sociopolitical reality and the imposition of sanctions would only be part of their normal way of life.

These gentlemen further explained their desperate desire to have equal access to AID funds, so that they can develop their own communities, businesses, farms, and schools, and, prevent the further dependence on the central government, who in the past has only provided inferior living conditions, Bantu education, and discontent for businessmen.

Mr. Chairman, I can only wonder where Mr. BURTON and the rest of the opposition were when the cries for economic and developmental assistance were first heard from the oppressed people of South Africa.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MARKEY].

(Mr. MARKEY asked and was given permission to revise and extend his remarks.)

Mr. MARKEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of Anti-Apartheid Act Amendments of 1988 and ask unanimous consent to revise and extend my remarks.

The time has come for the United States to sever its remaining trade and economic ties with the racist apartheid government of South Africa and say our last good-byes to the failed Reagan-Bush policy of constructive engagement.

It's time for us to face facts: blacks in South Africa have gotten about as much out of constructive engagement as poor people in America have gotten out of trickle down economics.

In 1986 Congress recognized the moral bankruptcy of constructive engagement when it adopted limited sanctions. But the Reagan-Bush administration has done its best to undermine these limited sanctions and it has continued to give a wink and a nod to the apartheid regime.

The present sanctions cover no more than a third of imports, a few exports, and no current investment. Provisions in the law requiring the President to seek allied support and recommend additional sanctions haven't been followed. We have failed to do what is necessary to isolate the apartheid regime and force it to change its ways.

Former South African Prime Minister John Vorster once said that, "Every foreign investment is another brick in the wall of apartheid."

Mr. Chairman, it is time that we tore down that wall, brick by brick, until the 75 percent of people in South Africa who are black are ac-

corded the same fundamental human rights as the 25 percent who are white.

Some who oppose this legislation have been shedding crocodile tears that comprehensive sanctions will hurt black South Africans. Sanctions may indeed hurt—but apartheid kills.

Apartheid is the primary cause of unemployment and suffering among South African blacks. Apartheid has killed thousands, jailed hundreds of thousands, and displaced and dispossessed millions.

Black South Africans support sanctions. Black trade unions have called for sanctions. Bishop Desmond Tutu has called for sanctions. So let us have no crocodile tears about sanctions hurting blacks when we know that apartheid is killing and terrorizing blacks.

Some who oppose this legislation say that we shouldn't enact sanctions unless our allies enact similar sanctions.

I agree that our allies should adopt sanctions, but I find it highly peculiar that the very same people who embrace a lone-wolf, go-it-alone policy in the rest of the world suddenly become champions of multilateralism when it comes to South Africa.

It seems that when it comes to fighting dirty wars in Central America it's OK to go it alone, and when it comes to enacting sanctions on Qadhafi and the Ayatollah it's OK to go it alone, but when it comes to fighting racism and injustice in South Africa we're not supposed to do anything until the allies act.

I say let us not hide behind the avarice of Japanese and European businesses that are willing to turn their heads to the abuses of apartheid. Let's take the initiative and show some leadership. We should work with our allies to have effective global sanctions, but we should not use foot-dragging abroad to justify inaction at home.

All of us know that some day apartheid will end—that is inevitable. Regardless of how we vote today, black South Africans will not remain forever in a state of political and economic subjugation. Change will come—be it 2 years, 5 years, or 10 years from now. I hope that when that time comes, and the final chapter is written in the history of apartheid, it will be recorded that the United States was on the right side, and that we did what we could do to hasten, not delay the end of racism and injustice in South Africa.

Mr. WOLPE. Mr. Chairman, I yield myself such time as I may consume.

(Mr. WOLPE asked and was given permission to revise and extend his remarks.)

Mr. WOLPE. Mr. Chairman, I will not use my full time in responding at this point to the Burton amendment. I will be brief, because I believe that elements of the amendment actually have been debated in earlier portions of today's activities.

Mr. Chairman, this substitute should be defeated, because it would eliminate all of the new sanctions that are embraced in the legislation. It would eliminate the tightening of loopholes and existing sanctions that are part of the legislation. It would eliminate all of the expressions of outrage about heightened political repression in South Africa that are found in this bill.

If we want to send a strong signal to South Africa that its violent domestic and regional policies will incur no international cost, then I suppose one should vote for the substitute. I do not think that will serve the American national interest well.

Mr. Chairman, the gentleman from Indiana [Mr. BURTON] and those who are supporting this amendment make the seductive argument that economic empowerment of South Africa's blacks is essential to their political empowerment; the sanctions harm black economic progress, and the sanctions are, therefore, counterproductive in terms of transforming South African society. That argument is a myth. In fact, it is an ugly distortion of South African reality.

Mr. Chairman, the truth of the matter is that South African economic growth of the past three decades was accompanied by evermore forceful repression of South African blacks. Indeed, apartheid was institutionalized in South Africa in the boom years of the 1960's. Black economic empowerment in the context of apartheid is an impossibility. What it has produced is simply black-owned businesses that are responsible for no more than 1 percent of the country's gross domestic product, with ownership of less than 2 percent of the capital market, with an unemployment rate around 30 percent, along with labor unions that are impotent in winning significant concessions from the white management, no matter how forceful the protests and the boycotts.

What the economic empowerment argument does is to hold the victims of apartheid responsible for their own subjugation. The focus of the arguments is on blacks, their lack of resources, their lack of power, and the need to do nothing that could cause further economic harm to them.

The real focus should be on the white minority who oppress and exploit that black majority, who are responsible for black economic and political disenfranchisement and who perpetuate these disparities with impunity because of one stark fact. The one stark fact is that the whites have the guns and they control that country. Black economic power will not overturn apartheid because black economic empowerment cannot be achieved under apartheid.

Let us stop blaming the victim. Let us reject this Burton substitute and embrace the legislation that is before the House.

REBUTTALS TO CRITICISMS OF H.R. 1580

1. "Surveys show that a majority of blacks do not support comprehensive sanctions".

Rebuttal: While there is some conflicting poll data, the most respected and sophisticated recent polls (CASE and Markinor) report overwhelming support for broad sanctions by blacks. The director of the 1987 CASE poll has stated that while blacks are anxious about possible job losses, the overall results "illuminate the policy decisions on sanctions of the unions, the churches, and popular political tendencies.

They are calling for sanctions to be comprehensive rather than voluntary, in the hope that this way sanctions will achieve the greatest political impact, while causing unavoidable economic hardship for the shortest possible time". Virtually all non-government polls show that blacks endorse overwhelmingly the political leadership that is calling for mandatory comprehensive sanctions. The two major democratic trade union federations in South Africa, COSATU and NACTU, with more than 1.1 million paid up members, have also endorsed such sanctions.

2. "Sanctions only harden the attitude of the Government and white electorate, and promote the right-wing Conservative Party".

Rebuttal: Despite the naturally defense reaction of white South Africans to foreign pressures, there is little doubt that the recently opened dialogue between leading Afrikaners and the African National Congress, the new critical ferment in the Afrikaner Church and Broederbond secret society, and the abolition of the hated pass system would not have occurred were it not for the rapidly intensifying combination of internal and external pressures. Last September, the Central Bank Governor noted the effects of even limited sanctions on Government thinking: "The outflow of capital, the emigration of skilled people, the large discount on the financial rand, and the decline in . . . investment are all sending us messages that we should heed. They are telling us that we must first and foremost convince both the outside world and ourselves that we are continuing on the road of peaceful and constitutional reform". Privileged South Africans are vulnerable to comprehensive sanctions against the foreign oil that provides two-thirds of liquid fuel needs, the foreign trade that constitutes half of GDP, and the foreign investment that has been historically necessary for real per capita growth.

3. "Economic sanctions are almost always ineffective. Panama is but the latest example".

Rebuttal: There is no absolute certainty that sanctions will contribute to fundamental change, but the overwhelming majority of anti-apartheid groups in South Africa believe sanctions have a real potential to avoid a tragic bloodbath. According to the most comprehensive academic study of the impact of economic sanctions (by Hufbauer and Schott), sanctions imposed to effect a regime change or to address human rights abuses have, in many cases, contributed to these goals. For example, the study concluded that sanctions contributed about 50% of the time to regime change (e.g. Chile, Uganda, Nicaragua and Rhodesia). Most relevant to South Africa is the case of white-ruled Rhodesia where sanctions imposed by the U.S., Great Britain and the U.N. contributed to a transition to democratic majority rule in 1979. U.S. sanctions against South Korea, Chile and others have also helped to bring about human rights improvements.

The failure of Panamanian sanctions to achieve their goal reflects circumstances different from those concerning South Africa. The internal Panamanian opposition is not strong and U.S. sanctions against Panama are much weaker than those contained in H.R. 1580. A unilateral approach is being utilized in Panama, unlike the multilateral one envisioned in the legislation. Panamanian sanctions have been sold as a "quick fix"; but H.R. 1580 represents a short or medium-to-long-term strategy to complement growing internal pressures.

4. "Since sanctions won't be very effective unless they are multilateral, we should not

impose ours before everyone else agrees to act".

Rebuttal: This is a recipe for inaction. Historically, South Africa's major trading partners have shown they are willing to act only when the U.S., as the leader of the West, has demonstrated the political will to lead. For example, a month after President Reagan's 1985 Executive orders prohibiting the purchase of krugerrands, banning new bank loans to the Government, banning certain computer exports, and prohibiting nuclear transfers to South Africa, Japan, and the European community largely followed suit. A month after the U.S. adopted, in 1986, legislation to strengthen sanctions, the EEC banned new investment, iron and steel imports, and krugerrands. Three days later, Japan banned iron and steel imports, promotion of tourism, and air links.

5. "Economic sanctions will help prevent the black majority from building an economic base to improve their political position".

Rebuttal: History shows that in South Africa, as in Nazi Germany and the Soviet Union, economic expansion has been compatible with totalitarianism. Indeed, the Afrikaner regime institutionalized its police state during the high growth 1960s. The vision of "black empowerment" through purely economic advance is a mirage. Black-owned business, accounting for 1% of GNP, is too weak and dependent on the state bureaucracy to ever constitute an effective force against apartheid. Black trade unions cannot hold onto their economic gains while the state sponsors new anti-trade union legislation, bans all political activities by the largest trade union federation, and sends its security forces into labor disputes with guns and whips. It is precisely out of recognition of the need to acquire a political base for economic power that the major South African trade unions are appealing vehemently for comprehensive economic sanctions against the South African state. If we truly want to strengthen black muscle we will heed these pleas.

6. "Studies have shown that current sanctions have cost the U.S. coal industry \$250 million. H.R. 1580 will cost U.S. investors in South African gold mines an additional \$1.2 billion, and deprive 11,000 people in the U.S. oil industry of their jobs in the next eleven years".

Rebuttal: All economic sanctions regretably incur short-term costs in order to avoid greater long-run costs to our economic, security and humanitarian interests. However, these studies offer highly exaggerated estimates of the actual costs of sanctions—not surprising since each study was financed by a business lobbying against sanctions. For example, an editorial in the *Journal of Commerce* described the South African Chamber of Mine-sponsored WEFA study of coal industry losses as "voodoo econometrics using a methodology that lacks by a wide margin the validity required for an intelligent assessment". Another WEFA study, for the largest U.S. gold mining investment firm, arrives at an inflated estimate of investor losses from H.R. 1580 by ignoring the trendline of substantial and continuing losses from market and political developments without legislation. Finally, Shell Oil's estimates of U.S. job losses, due to H.R. 1580, are based on: 1) the extremely dubious assumption, contradicted by statements of its own executives and other oil industry sources, that its European parent company would choose to forego its lucrative oil leasing program in the U.S. rather than abandon its less significant investment in South Africa; and 2) the false assumption, contradicted by a Congressional Budget Office analysis, that if Shell with-

drew from U.S. oil leasing, it would not be replaced by other companies who could provide employment opportunities for displaced Shell workers and suppliers.

7. "Although strategic minerals are exempted from the import sanctions, South Africa could retaliate by denying the West these minerals, resulting in a dangerous dependence upon the Soviets".

Rebuttal: A South African scheme to deny strategic minerals to the West is exceedingly improbable. Minerals production alone comprises nearly a fifth of South Africa's total GDP. And, were it to embargo strategic minerals, it would also risk devastating retaliation against gold and other foreign exchange-earning commodities and complete political isolation. As the South African newspaper *Business Day* recently warned, "The U.S. will not fold meekly in the face of a South African ban on minerals sales". Furthermore, the West would hardly be driven to its knees by a strategic minerals embargo. Over the short-term, public and private stockpiles would cushion the blow. There would be problems of industrial adaptation and some added inflation. But over time, experts agree, these problems could be substantially overcome through the exploitation of domestic and non-Soviet foreign resources, and the use of existing and new technologies permitting substitution and conservation. Finally, without effective pressure against apartheid, including sanctions, escalating violence in Southern Africa, may, itself, cause interruptions in the supply of strategic minerals. Indeed, apartheid itself is the greatest threat to our access to these minerals, and our long-term access to them depends upon a relatively peaceful transition to a non-racial society.

8. "Now is not the time for new sanctions when progress seems possible in sensitive diplomatic negotiations for a South African withdrawal from Namibia in conjunction with the departure of Cuban troops from Angola".

Rebuttal: It remains to be seen whether South Africa, which has "agreed" many times to end its illegal occupation of Namibia, will actually do so. If there is any new seriousness in these decade-long negotiations on the part of South Africa, it is because of foreign pressures, mainly the movement of Cuban troops to the Namibia border and imminent House passage of sanctions legislation. A refusal to pass sanctions now would only encourage further South African procrastination. And, to "reward" South Africa for meeting only one of five conditions in H.R. 1580 for lifting sanctions—freeing Namibia—by postponing new measures, would only encourage increased domestic repression and regional aggression against neighboring countries.

SOUTH AFRICA FACING A NO-GROWTH FUTURE—TIGHTING SANCTIONS PORTEND ECONOMIC BLOODLETTING

(By Roger Thurow)

JOHANNESBURG, SOUTH AFRICA.—Since the initial blast of economic sanctions three years ago, frantic South African businessmen have been beating a path to the office of Fred Bell, the country's sanctions-busting guru. To each of them he has given this less-than-mystical advice: "You just gotta survive."

So far, so good. New technologies are emerging locally to beat international bans. Home grown products are replacing hard-to-get imports. New export markets seem to open up as fast as old ones close. Discounts are offered and premiums are paid, but the goods keep moving. A wink here, a nod there, another deal is done. South Africa and its businessmen may be bowed by the

sanctions millstone, but they are indeed surviving.

"At the moment, a lot of good is coming from this. We're becoming more innovative and independent," says Mr. Bell, the retired-chief of Armscor, the South African weapons maker that has grown to become a giant in reponse to the decades-old arms embargo against Pretoria. "We have the ability to do what it takes to survive, in the short and medium term."

But, as another round of tougher punitive measures moves through the U.S. Congress and the Europeans and Japanese continue to rattle their sanctions sabres, more and more South African businessmen are looking with horror to the long term, beyond the initial burst of benefits from a siege economy. And they are beginning to question the guru's wisdom, asking, "Survive to what?"

DIRE ASSESSMENTS

The conspiracy of bravado that has surrounded the business community's sanctions-busting efforts is being shattered by dire assessments of what lies ahead if the sanctions noose continues to tighten: little growth, steeply rising unemployment, Third World-type economic controls, escalating social unrest and political violence. The doomsayers have been warning of these consequences since international creditors first called in their loans in 1985. But most businessmen, mimicking the government's defiant go-it-alone attitude, didn't want to listen.

Now, after glimpsing a sanctions-filled future, some leading businessmen are acknowledging that merely surviving is no longer good enough. The emerging slogan in corporate boardrooms is sanction-containment, not sanction-busting.

"In this day and age there is no such thing as economic self-sufficiency and we delude ourselves if we think we are different," Henri de Villiers, chairman of the Standard Bank Investment Corp., said in a recent speech. "It is imperative that we do not adopt poses of defiance and bluster."

Instead, business is once-again cranking up its long-ineffective lobbying pressure on the apartheid government to move more swiftly toward social and political reform. This time, though, pressure isn't coming from only the usual cabal of liberal English-speaking businessmen; rather, it's a broader coalition of chief executives smitten by a strong dose of future shock, which, they hope, will also shake Pretoria from its bunker.

AVOIDING ISOLATION

The "signal" sanctions of the past three years—intended to send a message of international impatience to Pretoria—need to be heeded, the businessmen say, to prevent the imposition of "savage" sanctions that could in effect amount to an economic blockade. If more-punitive measures from the U.S. are inevitable, then efforts must be made to keep Britain and West Germany from following suit, they say. The slide into international isolation needs to be checked, they insist, and perhaps reversed.

"Those countries that turn away from the world have remained economic backwaters," Mr. de Villiers warns. "South Africa needs the world. It needs markets, it needs skills, it needs technology and above all it needs capital."

In recent weeks, there have been indications the government may be listening. Quiet pressure from top businessmen combined with British and German threats of more sanctions to convince Pretoria to soften legislation that would cut off overseas funding of opposition groups, and to in-