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Dolly Mathews
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99TH CONGRESS
1ST SESSION

H. R. 2567

To prohibit Smithsonian Institution loans and investments in the Republic of South Africa, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 1985

Ms. OAKAR (for herself, Mr. CLAY, Mr. FAUNTROY, and Mr. MITCHELL) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To prohibit Smithsonian Institution loans and investments in the Republic of South Africa, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION OF SMITHSONIAN INSTITUTION EX-**
4 **TENSIONS OF CREDIT AND INVESTMENTS WITH**
5 **RESPECT TO SOUTH AFRICA.**

6 (a) **IN GENERAL.**—To further the policy of the United
7 States that the system of apartheid in South Africa should be
8 eradicated, the Board of Regents of the Smithsonian Institu-
9 tion—

1 (1) shall not use any Smithsonian Institution funds
2 to make, directly or indirectly, any extension of credit
3 to the Government of South Africa;

4 (2) shall not use any Smithsonian Institution funds
5 to make, directly or indirectly, any extension of credit
6 to, or investment in, any corporation or other business
7 enterprise that is owned (in whole or in part) or con-
8 trolled by the Government of South Africa;

9 (3) shall not use any Smithsonian Institution funds
10 to make, directly or indirectly, any extension of credit
11 or investment in South Africa; and

12 (4) not later than one year after the effective date
13 of this Act, shall liquidate any extension of credit and
14 dispose of any investment referred to in paragraph (1),
15 (2) or (3) that is in existence on such date.

16 (b) **EXCEPTION FOR PRIOR CONTRACTS.**—Subsection
17 (a) shall not apply to any extension of credit or investment for
18 which a contract or other legally binding agreement is en-
19 tered into before the effective date of this Act.

20 **SEC. 2. TERMINATION OF PROHIBITION OF EXTENSIONS OF**
21 **CREDIT AND INVESTMENTS.**

22 (a) **DETERMINATION OF ABOLITION OF APART-**
23 **HEID.**—If the Board of Regents determines that the abolition
24 of apartheid has taken place in South Africa, the Board may

1 submit to the Congress a report of the determination and the
2 reasons for the determination.

3 (b) APPROVAL OF DETERMINATION.—Upon approval
4 by law of a report under subsection (a), the requirements im-
5 posed by this Act shall cease to have effect.

6 **SEC. 3. DEFINITIONS.**

7 As used in this Act, the term—

8 (1) “abolition of apartheid” means repeal of all
9 laws and regulations that discriminate on the basis of
10 race or ethnic origin and establishment of a body of
11 laws that assures full participation of all the people of
12 South Africa in the social, political, and economic life
13 in that country;

14 (2) “apartheid” means the doctrine of separation
15 in South Africa, under which the rights and obligations
16 of individuals are defined on the basis of race or ethnic
17 origin;

18 (3) “Board of Regents” means the Board of Re-
19 gents of the Smithsonian Institution;

20 (4) “business enterprise” means an organization
21 or venture that exists to make a profit or to otherwise
22 secure economic advantage;

23 (5) “extension of credit” has the meaning given
24 that term in section 201 of the Credit Control Act (12
25 U.S.C. 1901);

1 (6) “investment” means establishment of a busi-
2 ness enterprise, or (by capital outlay or contribution,
3 purchase of stock, or otherwise) providing funds or
4 assets for a business enterprise, in return for an inter-
5 est in such business enterprise;

6 (7) “Smithsonian Institution funds” means any
7 part of the original bequest of James Smithson, any
8 amount derived from such bequest, and any amount or
9 asset otherwise available to the Smithsonian Institution
10 or under the control of the Board of Regents, including
11 all appropriated and all nonappropriated amounts from
12 any source; and

13 (8) “South Africa” means the Republic of South
14 Africa, any territory under the administration, legal or
15 illegal, of the Government of South Africa, and any
16 area (whether or not denominated a homeland) in the
17 Republic of South Africa to which individuals are as-
18 signed for residence on the basis of race or ethnic
19 origin.

20 **SEC. 4. EFFECTIVE DATE.**

21 This Act shall take effect on the day after the date of
22 the enactment of this Act.

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