

EVERGREEN MEMORY GARDENS CEREMONY

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

Mr. COBEY. Mr. Speaker, recently, I had the privilege and honor to represent the U.S. Congress at a dedication service in Reidsville, NC.

At Evergreen Memory Gardens, a bronze memorial to the Manila American Cemetery and Memorial from World War II, plus a bronze memorial to the eight World War I American military cemeteries on foreign soil, were officially dedicated.

This was the 14th and last dedication ceremony held at Evergreen Memory Gardens. Now, all of our military dead on foreign soil have been honored there.

These dedications of bronze memorials were the result of the dedicated work of a true patriot, Mr. Les Daly.

We are extremely fortunate to live in a country that can produce men of Mr. Daly's stature.

The bronze plaques at Evergreen Memory Gardens will be a constant reminder of those Americans who made the supreme sacrifice for freedom.

ELECTION OF MEMBER TO COMMITTEE ON THE JUDICIARY

Mr. GEPHARDT. Mr. Speaker, as chairman of the Democratic Caucus and by direction of the caucus, I offer a privileged resolution (H. Res. 185) designating membership on a standing committee of the House, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 185

Resolved, That John Bryant, Texas, be, and he is hereby, elected to the Committee on the Judiciary.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE SANDINISTAS ARE COMMUNISTS

(Mr. SILJANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SILJANDER. Mr. Speaker, it is interesting in this debate on Nicaragua that on one hand we have Yasser Arafat and his group, Ayatollah Khomeini, we have Muammar Qadhafi of Libya, the Russians, the Cubans, Bulgarians, North Koreans, all supplying millions of dollars to the Government of Nicaragua, and the answer is, "they are not Communists." The Sandinista government is, in fact, Communist. They are supported by radicals. They are, in fact, Marxist-Leninists, clearly and simply.

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

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

Mr. WALKER. I thank the gentleman for yielding, because I think the gentleman makes a very valid point.

The point that this gentleman made earlier in the well is the fact that there is no doubt that we are dealing with Nicaraguan Communists. The question is whether or not, in providing the humanitarian aid that we all want, we provide it to freedom fighters who are on our side, or whether we provide it to the Communists.

I do not think that we want to be in a position on the House floor of suggesting that the way in which you should approach the problem in Nicaragua is to provide U.S. taxpayers' money to the Communists in Nicaragua; rather, I think we ought to go the direction that the minority leader suggests: that what we ought to be doing is supplying some money to the freedom fighters, the people who are on our side in Nicaragua.

Far better that we do that. Far better that we do that than move in the direction that seems to be suggested here, that the Communist government of Nicaragua is where we ought to place our help.

No, I do not think the American taxpayers want to see their tax dollars going to Nicaraguan Communists. They want to see them going to the democratic opposition within that country.

Mr. DORGAN of North Dakota. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Michigan [Mr. SILJANDER] has expired.

□ 1230

ANTI-APARTHEID ACT OF 1985

The SPEAKER. Pursuant to House Resolution 174 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1460.

□ 1232

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1460) to express the opposition of the United States to the system of apartheid in South Africa, and for other purposes, with Mr. DE LA GARZA in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, June 4, 1985, pending was an amendment in the nature of a substitute offered by the gentleman from Michigan [Mr. SILJANDER]. The gentleman from Michigan [Mr. SILJANDER] had 30 minutes of debate remaining and the gentleman from Michigan [Mr. WOLPE] had 30 minutes of debate remaining.

The Chair recognizes the gentleman from Michigan [Mr. SILJANDER].

Mr. SILJANDER. Mr. Chairman, I yield myself such amount of time as I may consume.

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

Mr. SILJANDER. I thank the Chair for the opportunity to share with the Members my views about the Siljander substitute dealing with the apartheid issue in South Africa.

No. 1, the conditions in South Africa are appalling. Three hundred-plus blacks have been killed in riots, blacks have been killing blacks—Azapo versus UDF—violence. Over 88 blacks have been killed by one another in political violence. White police have been mowing down protesters inadvertently. Over 250 blacks have been killed by white police. They pass laws, the homeland policy, influx control, detention laws, prohibition of full black participation in the political system—they still exist. They have not changed at all.

But I think it would be interesting to look at specifically why the protests are now taking place in South Africa. From my recent visit in South Africa, I have found that the riots are not for disinvestment or banning new business; the riots are not for banning bank loans, Krugerrands, or computer sales to the Government. The protests do not take the form of general strikes by blacks to shut down their own economy to put pressure on the Government. Black people in South Africa have not been willing to sacrifice their jobs for pressure. The riots and the protests are to create an equality in justice and in social, economic, and political life. That is what the riots are all about.

Many black South Africans are rioting because of unemployment. Rioting is not a problem in Soweto, the scene of the 1976 unrest, that shocked the world. Instead, the rioting and killings are occurring in the Port Elizabeth area where unemployment is a serious fact of life. The riots are taking shape because of demands and concerns about jobs, housing, and food on the table.

Recognizing some of these realities, the key question is, how should U.S. policy respond to the current situation in the South African Government and the black community in South Africa? How can we best help in influencing and securing the hopes and dreams of the black majority that is so utterly oppressed in that society? I would like to read a quote by Dr. Martin Luther King. He said:

The ultimate measure of a man is not where he stands in moments of comfort or convenience but where he stands in times of challenge and controversy. The true neighbor will risk his position, his prestige, and even his life for the welfare of others. In dangerous valleys and hazardous pathways, he will lift some bruised and beaten brother to a higher and more noble life.

I think the quote of the late Dr. Martin Luther King is quite clear.

While conditions have not changed in South Africa there is an important organic, dynamic change happening in another area, especially when one places this change in the context of South Africa itself. There is, in fact a change of attitude amongst the white ruling minority. The rhetoric of the last 6 months, by the President and other leaders is a 180-degree shift from just 6 months ago. To hear President Botha suggest that blacks should be involved fully in the political process is in itself a remarkable admission that conditions in that country need to be changed.

The radical rightwing white Afrikaner fringe element that ruled for 29 years, is no longer in power. There is a reality that has hit the white ruling minority. There is an obvious economic reality that seems to be surfacing. That reality is—apartheid must die.

Three-quarters of the work force is black. One-half of the skilled work force is black. Trade and labor union influence is growing substantially. Apartheid is an expensive system to maintain by the Government from a very practical, pragmatic dollars-and-cents point of view. In 1985, for example, to keep up the homelands and control of Namibia, the Government budget increased 27 percent. They realize that they cannot continue this policy, at least economically. Industrialization, coupled with growing international and internal domestic pressure, has forced this change of attitude.

Whites cannot exist in South Africa alone. That is just reality. Colin Eglin, who is a P.F.P. member of the South African Parliament and who is on record as a strong opponent of the apartheid system, says this:

It is these forces that are helping create economic muscle for black South Africans, so that blacks are in a stronger position to bargain for their rights and fight for their liberation. It is these forces that promote peaceful forces from within South Africa that must be strengthened and must be encouraged.

Is it not interesting that the Government of South Africa is in the process of repealing the Mixed Marriages and Morality Acts? In themselves they are small steps, and they are meaningless in terms of changing the conditions of blacks in South Africa. And I agree to that.

□ 1240

I agree to that, but they are significant in the attitude of the white leaders, who by virtue of their support of the elimination of Mixed Marriages Act and Immorality Act, are saying that yes, apartheid is immoral. They are saying that the process of apartheid is wrong and needs to be changed. On the table, for the first time in the history of the country, the President has put the Group Area Act, influx control and detention laws.

Now, they are on the table, but they have not changed yet. So our policy needs to be directed at how can we

help accelerate the attitude and translate that into practical changes.

Job reservation laws have been repealed. The temporary work force status of blacks to permanents have been changed. These things cannot be ignored in terms of the attitude of the Government of South Africa.

I want to repeat, because the last time I presented this argument, it did not seem to sink in. I do not suggest that these in themselves are significant changes in the condition of blacks. I do not think so and never suggested they would be; however, they are significant in the admittance of the white South African leadership that what they are doing is absolutely, unequivocally wrong.

Colin Eglin also said:

A greater sharing in social benefits, economic opportunities, even political power, are consistently taking place. I share with my fellow South Africans the frustration, however, at the slowness and the unevenness of the pace at which these changes are taking place.

I agree with him. It is too slow, too little, and too late.

So the question really ought to be in our policy, how do we accelerate and help effectively change the attitude into practical changes in the conditions?

Adlai Stevenson once said:

When some people see darkness, they curse. Others will light a candle.

The whites dominate blacks and some answer that to, more cursing will change this horrid darkness. Our choice is either to raise up blacks or reduce both blacks and whites to rubble heaps.

My vision is to build a cathedral for the blacks to match the cathedral of the whites in that country. That is my hope and my vision, not to reduce the total society to equal rubble heaps, as in the neighboring country of Mozambique, but rather to build up, to encourage and bring blacks and whites up to equal levels, not down to respective lower levels.

Dr. Martin Luther King said:

We will never have peace in the world until men everywhere recognize the ends are not cut off from the means, because the means represent the ideal in the making of the end process. Ultimately, you can't reach goods ends through evil means, because the means represent the seed and the end represents the tree.

I would submit to the Members that by opposing the Siljander substitute, what we are really saying is that we do not want American business in South Africa to continue, to pursue equal racial policies.

At least the substitute of the gentleman from California [Mr. DELLUMS] is intellectually honest. He is not saying that we should encourage business that is in South Africa to pursue equal racial policies. What he is saying is that we should not have any business in South Africa. We should sever ourselves completely from a racist system.

While I disagree with the gentleman, my good friend from California,

I must say to the rest of the membership that versus another substitute, his is intellectually honest and up front with what he wants to do.

The Gray bill does nothing in terms of existing business in South Africa. What does it do to existing business to help contribute to change?

My substitute puts a sanction on existing business, where Gray does nothing.

The Siljander substitute says that a business cannot exist in South Africa unless it signs the Sullivan principles in full, the newest version of the principles; and lobby, promote, spend, and encourage change for the blacks in that society.

Existing business is not let off scot-free either. They must subscribe to the Sullivan principles also.

Leon Sullivan said in a recent op ed in the Washington Post that by these principles, the Sullivan principles, along with other forces, must be pushed more than ever before to help speed up the far too gradual movement toward fundamental reform, and this is why I am proposing immediately that present business in South Africa, U.S. business, should conform to the Sullivan principles.

Some will respond, well, we are for the Sullivan principles, but later on at another date we will introduce a bill making Sullivan mandatory for new and existing business.

Gray now and Sullivan later are not compatible, because if we ban new business initially, that prohibits present business from retooling, from modernizing, and expanding; essentially putting them under a state of siege. It will mean that they will not be able to effectively compete in the international markets.

Do you think that those signatories to the Sullivan principles who have contributed over \$100 million since 1977 and tens of thousands of corporate hours for employees to learn, to educate, to train for upward mobility and management, do you really think that with the economic pressures that banning new business, they could continue to comply the Sullivan principles?

There would be an avalanche of those that were signatories that would become former signatories as they drop their compliance.

Congressman WOLPE was concerned that present businesses in South Africa, U.S. businesses who had signed Sullivan are not fully conforming. That is a legitimate concern.

I advocate, however, with H.R. 1460 now and mandatory Sullivan later, no one will become a signatory. They will all simply choose to leave.

I think it is quite obvious that the proponents of the Gray approach, some of them, should admit what they are really up to and be honest like the Dellums bill is honest.

What we are suggesting with Gray now and mandatory Sullivan later is

total disinvestment from beginning to end. It is a disinvestment scenario, not only of new business, but of existing business as well. It puts them in an untenable position.

Besides the 125,000 employees of U.S. firms that are Sullivan signatories, 77,000 of which Mr. GRAY mentioned were blacks, Sullivan himself estimates that nearly 1 million, mostly blacks, work in South Africa for South African firms; that because of U.S. business leadership have signed the Sullivan principles themselves; if we wash our hands, cut and run, what will become of those 1 million mostly black workers that are now under desegregation of the workplace and upward mobility?

We should use the economic might of the United States to literally declare war on apartheid, not to cut and run. We should stay and fight for the fortunes of all blacks in South Africa.

Now, how do we deal with new business? Well, the Gray bill simply bans all new business. It is a sanction.

We also ban new business, unless new business is willing to conform to the Sullivan principles; and unless new business is willing to contribute to positive change for blacks in that country.

What are the ideas embodying H.R. 1460 that help build a visionary cathedral for blacks? What positive influence is in H.R. 1460, by any remote stretch of the imagination?

I believe that the Siljander substitute goes much further than H.R. 1460. It deals with existing business. It also deals with new business. It applies sanctions unless there is positive change, rather than purely being punitive.

Leon Sullivan says that Congress should make the newly toughened principles mandatory, and that is exactly what I am trying to do.

If you look up the word sanctions in Webster's Dictionary, it means using force to influence change. I think Sullivan compliance is a direct attack on the South African Government. It is a direct sanction against the institution of apartheid.

I think we should use our influence to advance the black cause and not to destroy it.

I think an important question should be how do we keep up the pressure? How do we accelerate the pressure toward change in South Africa? I have been advocating a Marshall plan for South Africa. The Siljander substitute creates a human rights fund to help black human rights causes.

□ 1250

The National Endowment for Democracy, is given \$1.5 million to assist democratic development, and \$15 million for black scholarships. We also allow black joint ventures with American firms to recover assistance through OPIC. In fact, I have been criticized by some of my colleagues on

my side of the aisle because this is too liberal an approach. Some believe that we are spending too much money on a foreign country.

We helped Europe in the same way, and we should consider this Marshall plan to be minor, in terms of a trillion-dollar budget, to help blacks in South Africa.

No. 2, it gives a reasonable timeframe, 3 years for the foundational elements of apartheid, the pass-through, influx control, detention laws, group area acts and other acts to be dismantled and to allow full political participation by blacks in that system. A U.S. commission is created that must report each and every 6 months to Congress on the progress of change of these major elements of apartheid.

This commission is independent from the White House, independent from Congress. It is a commission without influence one way or the other.

If no progress is made after 3 years, which is a reasonable timeframe, even Sullivan suggests we should give at least 2 years for these major significant building blocks to change, then my amendment clearly suggests that embargoes, sanctions, the Dellums approach should be considered. It does not automatically trigger it in, but it should be considered.

So the major actions we are suggesting are to make Sullivan mandatory for new and existing businesses. A Marshall plan to help catapult South Africa into the 20th century. This is a sanction against the Government because every penny we put in helps blacks in challenging the apartheid system.

We consult, review, and call for change. If there is moral indignation at all against South Africa, in the Gray bill, the Dellums bill, or the substitute offered by the gentleman from Wisconsin [Mr. GUNDERSON], we clearly outline as much moral indignation as any.

Action taken after a reasonable timeframe is what we call for, assuming that elements of apartheid have not changed.

So I would say that both of our bills deal with economic sanctions. One is punitive and one is positive.

Economic growth will be the backbone of the fight against apartheid. Growth makes racial discrimination more expensive. Our civil rights history proves that growth can destroy racism.

It is important to be concerned, and we debated this yesterday for nearly a half an hour, just how do the blacks feel about what we are trying to do on their behalf in South Africa. Past results of polls of blacks have been rejected and a new poll has been rejected. We asked for a referendum which was defeated in Congress. Somehow, somewhere, we need an alternative to consider the concerns of the blacks themselves in South Africa. After all,

the leader of the largest black group in South Africa, Chief Buthelezi, says:

For me, the first question that must always be asked in the disinvestment debate is what the people of South Africa themselves say about it. I have yet to meet a black South African worker who favors disinvestment. Disinvestment would strip us bare. So I must conclude that those who have advocated disinvestment do so in complete disregard of what black people themselves think.

Whether we agree with Chief Buthelezi specifically or not, we ought to be concerned with how blacks would respond to our activities.

The CHAIRMAN. If the gentleman would kindly suspend, the Chair would like to advise the gentleman from Michigan that he has consumed 21 minutes of this 30 minutes.

The gentleman may proceed.

Mr. SILJANDER. I thank the Chairman for his point.

You may not want to vote for the Siljander substitute, and that is fair enough. But we should be concerned about the impact it would have. You may not be interested to know exactly how to tap in on the concerns of the black community in South Africa. I am not advocating that there is a way, and I do not now if there is a way to accurately discern the true public opinion among South African black people.

But please, respectfully consider the following figures:

The gentleman from Pennsylvania [Mr. GRAY] stated that of the 125,000 employed by U.S. firms, only 77,000 are nonwhites. That is true. I have no disagreement. However, it is clear, based on the South African Chamber of Mines and other groups, that each one black employee feeds 6.6 to 10 other black mouths. So the 77,000 begins affecting significantly more than the 77,000, but 500,000 to 770,000 people.

The Krugerrand ban could affect 550,000 black workers in the mines of South Africa. That is another 3½ to 5½ million people. The 1 million blacks employed under South African firms that have signed the Sullivan principles equal 6.6 to 10 million more mouths.

The figures are incredibly awesome and the human suffering of these individuals needs to be considered.

In closing, Mr. Chairman, just why do we oppose apartheid? It is degrading to the human spirit. It causes human suffering, and that is the bottom line. Apartheid causes human suffering emotionally, socially, politically, economically, in every way. It is immoral and it is wrong because the bottom line is people suffer.

If we are the compassionate people we claim to be, we should do all we can to destroy a system that causes such deep human suffering.

But I would advocate that when the gentleman from Pennsylvania [Mr. GRAY] and others are presenting disinvestment, that only aggravates human

suffering, that this is an illogical response to the very definition of why we find it morally repugnant.

In the Jewish Torah it says that those in government authority and its leaders have a job to bring justice to the nations. The issue is indeed a moral one.

Is it moral, then, to ask others to further suffer because we in our self-righteousness feel it is in their best interests to change? Is it honest or moral in our secure environment with full bellies and \$75,000 a year salaries and upper middle class homes to ask others to give up their salaries, their homes, and go hungry because somehow this action we think will help them topple their Government or cause an end to apartheid?

The answer in my opinion is to help create an environment of hope, an environment of vision, and a dream for blacks. We can do that by offering opportunity, not the lack of opportunity. The elimination of poverty must be predominant in our mind, and the way to eliminate apartheid is to eliminate poverty, not to expand it.

If our goal is really to make a strong moral statement against apartheid we have done that. But let us make it unequivocally clear. The gentleman from Texas, Congressman MICKEY LELAND, told me just yesterday what we need to do is "make this statement effectively, constructively, and positively."

The Siljander substitute fills each and every criteria that the gentleman from Texas [Mr. LELAND] sets out. The Gray bill is negative, is not effective; it is punitive and is not a constructive approach to help the suffering and the poor in South Africa.

I would like to end by quoting an editorial from the Washington Post, which I do not often quote from, but in this particular instance I think it is appropriate. It says the following concerning the Gray bill:

In short, the best thing about the bill is that its effect will be largely symbolic. But that does not make it wise public policy.

The legislation is widely seen by Democrats as a rebuke to the Reagan administration policy of "constructive engagement." That it would be. But it would be a poorly aimed rebuke. The type of engagement that widens blacks' economic advantages and openings is the good kind. What deserves to be criticized in the administration's policy but is not attacked by this bill is the kind that lets too many South Africans ask whether the United States is serious about apartheid. The kind that has American diplomats seen more often to be apologizing for apartheid than demanding its abolition.

□ 1300

I want to thank the gentleman from California for his honest approach. At least he makes clear his position and makes unequivocal his attitude toward the Government. I stand here supporting him from my approach which I feel is a positive one rather than a punitive one.

Mr. MICHEL. Mr. Chairman, will the gentleman yield to me?

Mr. SILJANDER. I yield to the gentleman from Illinois, our minority leader.

Mr. MICHEL. I thank the gentleman for yielding to me.

Mr. Chairman, I had a unanimous consent request earlier in the day to include with my remarks several letters, one received from the Secretary of State, Mr. George Shultz, which reads:

THE SECRETARY OF STATE,
Washington, DC, June 1, 1985.

HON. ROBERT H. MICHEL,
House of Representatives.

DEAR BOB: I am writing you to discuss House consideration of H.R. 1460, the Anti-Apartheid Act of 1985, which I understand is scheduled for Tuesday, June 4. As you know, the Administration strongly opposes this bill, and I hope you will feel free to share my views with as many of your colleagues as you deem appropriate.

The issue of apartheid is one on which there is no doubt that all Americans speak with one voice. It is morally wrong, repugnant to our social values, and is a system which must be ended as quickly as possible. The President, our Ambassador to South Africa, State Department officials and I have often stated this position publicly and have vigorously maintained it in our private exchanges with the South African Government. The real question before the House is how best to use U.S. influence to bring about the end of apartheid. The Administration believes the Gray bill would send precisely the wrong signal at the wrong time. We cannot simply walk away from South Africa or throw our hands up in an act of moral indignation. Rather we must enhance policies that increase the ability of the United States to help accelerate the pace and channel the direction of the inevitable change in South Africa.

A ban on new investment and other measures included in H.R. 1460 would remove one of the levers available to our country which has been most effective. These measures will not be an effective tool in bringing about change. They hurt U.S. companies, which have clearly been in the forefront of change in the workplace in South Africa. Legislation designed to reduce the American economic presence in South Africa, if implemented, will affect the employment of about 55,000 blacks now working for U.S. firms, whose jobs are at risk if their companies are forced by the onerous provisions of this legislation, to reconsider their South African operations.

As the House debates H.R. 1460, I sincerely hope you and your colleagues will bear these points in mind, and will also consider the negative effect that such legislation will have on our regional policies in southern Africa. I urge you to vote against H.R. 1460.

Thank you very much for your attention to this matter.

Sincerely yours,

GEORGE P. SHULTZ.

Mr. Chairman, I also have received a letter from the Secretary of the Treasury, Jim Baker, which says:

THE SECRETARY OF THE TREASURY,
Washington, DC, June 3, 1985.

HON. ROBERT H. MICHEL,
House of Representatives,
Washington, DC.

DEAR BOB: The Administration strongly opposes the repugnant apartheid policies of South Africa. At the same time, U.S. Government policies to encourage the elimination of apartheid should be carefully formulated to be effective and consistent with other policy objectives.

We do not believe that economic sanctions, such as those in H.R. 1460, would be effective in eliminating the South African Government's apartheid policies. Indeed, economic sanctions may be counterproductive since they may harm rather than benefit the black population in South Africa.

Other than national security exceptions, we have consistently maintained that leading decisions should be based on market rather than political considerations. The proposed restrictions would undermine the Administration's policy that international capital markets should remain free of government interference. The proposed ban on bank loans to the South African public sector could set a dangerous precedent for imposing politically motivated restrictions on lending to other countries. Moreover, a ban on U.S. bank lending would not be effective if other countries' banks replace our banks as lending sources. Also, since much U.S. bank lending finances U.S. exports, such lending restrictions may harm U.S. production and employment.

The proposed ban on new investment would remove a major catalyst for reform in South Africa. Many U.S.-owned companies there provide equal pay, unsegregated facilities and training and job advancement opportunities for all workers. Finally, the proposed ban on Krugerrand imports may raise serious concerns about our GATT obligations.

For these reasons, I urge you to work to defeat H.R. 1460. We believe the Administration's policy is a more effective way to work against apartheid.

Sincerely,

JAMES A. BAKER III.

Mr. Chairman, I also received a letter from the Secretary of Commerce, Mr. "Mac" Baldrige which reads as follows:

THE SECRETARY OF COMMERCE,
Washington, DC.

HON. ROBERT H. MICHEL,
House of Representatives
Washington, DC.

DEAR BOB: I am writing to ask you to vote against H.R. 1460, the Anti-Apartheid Act of 1985, which imposes punitive sanctions on U.S. firms engaging in trade and investment in South Africa.

While opposed to this legislation, I assure you of my opposition to South Africa's apartheid system and my support for the need for positive change. Indeed, I believe that U.S. firms operating in South Africa have been at the forefront of promoting change in South Africa, especially those firms which have signed or follow the fair employment code advocated by Rev. Leon Sullivan. These companies have spent millions of dollars on training programs and community development projects to assist their non-white workers.

H.R. 1460, however, proposes to ban new U.S. investment in South Africa. It also imposes trade embargoes and places constraints on capital flows between the United States and South Africa. This legislation would, I believe, lead to a decline in the U.S. presence there. This decline would only serve to transfer ownership from American companies, and the new owners could not reasonably be expected to continue the enlightened practices of the U.S. firms. If this occurs, the positive changes made by U.S. companies would be lost. Black workers and their families would suffer and the goal of promoting positive changes in South Africa would be set back.

If there are specifics in the bill which you want to discuss, please call me, or have your staff contact Gerald J. McKiernan, Deputy

Assistant Secretary for Congressional Affairs, (377-1583) whom I have designated as the Department of Commerce representative on this issue.

Sincerely,

MALCOLM BALDRIGE,
Secretary of Commerce.

Mr. Chairman, I would like to compliment the gentleman [Mr. SILJANDER] for his presentation here this afternoon. This gentleman from Illinois can certainly support his amendment as I can that of the gentleman from Wisconsin [Mr. GUNDERSON].

But I would like to take just a couple of minutes, if I may, if the gentleman would continue to yield.

Mr. SILJANDER. Mr. Chairman, may I inquire how much time is remaining?

The CHAIRMAN. The gentleman [Mr. SILJANDER] has 2 minutes remaining.

Mr. SILJANDER. Mr. Minority Leader, I would like an extra 30 seconds to yield to the gentleman from California.

Mr. MICHEL. If the gentleman wants to yield to somebody else, that is perfectly all right with me.

Mr. SILJANDER. I yield 30 seconds to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. I thank the gentleman for yielding. I simply wanted to say to my colleague that I listened very carefully to virtually all of his presentation. He and I disagree politically on this very vital and critical issue, but I believe that the gentleman is very positively motivated and I simply want to thank him for his kind and generous remarks with respect to the effort that this gentleman is attempting to make on what I perceive to be the most important debate at this moment of our time.

I thank the gentleman.

Mr. SILJANDER. I thank the gentleman for his kind comments.

Mr. Chairman, I yield back to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. I thank the gentleman for yielding.

Mr. Chairman, I want to take a few minutes to make our colleagues aware of the fine work for human dignity and racial justice being done by American companies in South Africa.

We have heard quite a bit yesterday and today about the very real problems of South Africa. And I share with all of our colleagues the conviction that apartheid is a policy which cannot be condoned and must be eventually eliminated.

But the question arises: What is the best way to bring about its elimination or, to begin its modification?

The answer to that question is: No one knows. If we knew a formula for ridding South Africa of its problems without causing damage to the majority black population, we would be for it.

But any program that cuts off the black population of South Africa from the undeniable benefits of working for American companies is worthless.

I mention this knowing these questions have been and will continue to be debated in detail by many of our colleagues. I just want to pass on to you the record of one American Company in South Africa.

The Caterpillar Tractor Co., whose international headquarters is in my hometown of Peoria, IL, has a wholly owned subsidiary in South Africa.

This subsidiary owns and operates a parts warehouse of about 82,000 square feet near Johannesburg.

That facility employs 82 people—one of whom is Asian and 47 of whom are black Africans.

Caterpillar, as a matter of stated company policy, does not agree with the concept of apartheid.

In its "code of worldwide business conduct and operating principles" the company has a policy of fair treatment of employees without racial or other discrimination.

In its South African facility, this code of business is operational. The laws of apartheid have not prevented the operation of this nondiscriminatory code.

Caterpillar in Africa has an ongoing affirmative action program involving equal pay for equal work, self-development for employees, including company sponsored education programs and upgrading of all employees capable of undertaking more responsibility.

The program also supports all organizations promoting freedom and better living standards and desegregation and demands nondiscrimination of all employees in all respects.

As early as 15 years ago, Caterpillar in South Africa was improving salary levels, fringe benefits, training and job opportunities for black employees.

Caterpillar in Africa has a single salary scale that far exceeds the minimum wage in that country. There is also a "minimum living level" for families with three or four children. All employees receive a Christmas bonus equivalent to 1 month's salary.

There is a program for merit pay raises and training programs for blacks who want to prepare themselves for supervisory responsibilities.

There are black foremen in this plant. Whites have been hired into positions formerly held by blacks and they report directly to black foremen.

None of this sounds particularly innovative or revolutionary to us when we think in American terms. But in South Africa it is revolutionary.

It is revolution of progress through jobs.

Caterpillar helps employees to better themselves by reimbursing these employees for 70 percent of the cost of school courses they take. That is only one of the many programs Caterpillar operates for the educational progress of all its employees.

Finally, the Caterpillar Tractor Co. supports the Sullivan principles and is working to make them a day-to-day reality.

This is one company. In the great scheme of things its payroll is relatively small. But each one of its black employees is being helped, not hurt, benefited, not exploited. If one American company can do this, others also can—and they are.

There is going to be revolution in South Africa. There is no doubt in my mind about that.

The question is: Is it going to be revolution of violence and bloodshed brought about by the unendurable frustration of people who have been cut off from the outside world? Or is it going to be revolution of jobs, dignity and progress.

That's the question we are faced with.

If we cut off black South Africans from the benefits of American companies, we guarantee the worst kind of revolution.

I thank the gentleman very much for yielding to me.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. SILJANDER] has expired.

The gentleman from Michigan [Mr. WOLPE] is recognized for 30 minutes.

Mr. WOLPE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Chairman, I want to pay tribute to my very good friend, the distinguished ranking minority member of the Subcommittee on Africa, Mr. SILJANDER, for the substitute which he has put before the House today. There is no question but that this proposal represents a very significant step forward in the thinking of the gentleman from Michigan about how we ought to respond to the problem of apartheid in South Africa in comparison with his approach to this problem only a year ago.

Last year when we debated this issue my friend from Michigan was opposed to the mandatory implementation of the Sullivan principles. This year he offers a substitute which would require American firms doing business in South Africa to comply with a set of fair employment principles.

Last year the gentleman from Michigan flatly and categorically opposed sanctions in any way, shape, manner, or form against the Government of South Africa. This year my friend from Michigan offers us a substitute which provides for the possibility of sanctions against South Africa if, after 3 years, the commission which his substitute would provide for, after reviewing the situation in South Africa, concludes that sanctions would be a useful way of facilitating progress toward the elimination of apartheid.

So in the sense that the gentleman from Michigan now believes there are circumstances under which sanctions may indeed be useful, I want to pay tribute to him for his willingness to change his position with respect to the potential applicability of sanctions against South Africa.

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

Mr. SOLARZ. I would be happy to yield to the gentleman if the gentleman will first permit me to finish my remarks which will not take much longer.

The problem with the gentleman's substitute is that it is in effect a legislative metaphor for what is wrong with the policy of the Government of South Africa itself with respect to apartheid. Because like the policy of the Government of South Africa with respect to apartheid, the substitute offered to us today by the gentleman from Michigan is too little and too late.

□ 1310

After 37 years of apartheid, after almost four decades of systematic discrimination, dehumanization and degradation inflicted upon the black majority in South Africa by the white minority in South Africa, we do not need another 3 years in which to consider whether or not to impose sanctions against South Africa.

The time for sanctions is not 3 years from now. It is now. We do not need another 3 years in order to determine whether apartheid is good or bad; we do not need another 3 years in which to determine whether constructive engagement is working or not working.

The verdict on constructive engagement is in. It is a flop and a failure, and the verdict on apartheid is in as well: It is politically and morally untenable.

Five months ago, 35 of our Republican colleagues in the House, including the distinguished gentleman from Michigan [Mr. SILJANDER] seemed to agree that the time to eliminate apartheid was not 3 years from now but was today. They sent a letter to the South African Ambassador to the United States which was a bold and brilliant statement about the need for action and action now to eliminate apartheid. It was a clarion call for racial justice.

They made it clear that in the absence of real progress toward the elimination of apartheid, they would favor the imposition of sanctions against South Africa.

Let me read to you what they said on that occasion. They said, and I quote:

We are looking for an immediate end to the violence in South Africa accompanied by a demonstrated sense of urgency about ending apartheid. If such actions are not forthcoming, we are prepared to recommend that the U.S. Government take the following two steps: (1) —

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOLPE. I yield an additional 3 minutes to the gentleman.

Mr. SOLARZ. First they said:

Curtail new American investment in South Africa unless certain economic and civil rights guarantees for all persons are in place; and

(2) organize international diplomatic and economic sanctions against South Africa.

In the last 6 months, since that letter was sent and signed by the gentleman from Michigan, the author of this substitute himself, 240 blacks have been killed by the security forces in South Africa, 16 of the leading members of the United Democratic Front have been arrested for high treason. One additional homeland has already, with the approval of the South African Government, set in motion plans for its independence.

Does this sound like the Government of South Africa has demonstrated progress toward the elimination of apartheid?

I call upon the gentleman from Michigan and the other 34 Republican Members of the House who signed that letter to have the courage of their conviction. If you were in favor of sanctions 6 months ago, in the absence of immediate progress toward the elimination of apartheid, how can you be opposed to the imposition of sanctions today after 240 blacks have been killed and after 16 of the leading advocates of peaceful change in South Africa have been thrown into jail on charges of high treason?

Yet the Siljander substitute walks away from the moral commitment contained in that communication. Instead of calling for sanctions now it calls for the establishment of a commission which will take 3 years to study the situation in South Africa, and perhaps at the end of 3 years, recommend sanctions.

What if they do recommend sanctions? There is no guarantee the House will enact them. There is no guarantee the President will sign them. We do not need to wait another 3 years.

You did not say in your letter, Mr. SILJANDER, that you were looking for an immediate end to the violence in 3 years. You said you were looking for an immediate end to the violence now.

If you had had any idea on the day you sent this letter, that between then and now 240 more blacks would be shot in the back by the security forces of South Africa, would you have said then than you would still be opposed to the imposition of sanctions?

I plead with you, have the courage of your convictions. What you said in December is a bold and brilliant statement; it was a clarion call for justice.

And we join you in the sentiments you expressed on that occasion. I only hope you live up to them now.

Mr. WOLPE. Mr. Chairman, I yield 3 minutes to the gentleman from the District of Columbia [Mr. FAUNTROY]. (Mr. FAUNTROY asked and was given permission to revise and extend his remarks.)

Mr. FAUNTROY. Mr. Chairman, the gentleman from Michigan, the author of the substitute, invoked the sainted memory of Dr. Martin Luther King, Jr. in an effort to justify dropping sanctions from the action we take in this House today.

In stating that Dr. King urged all of us to place our feet in the shoes of those who suffered most, let me confirm that the gentleman from Michigan is absolutely right. In fact, on December 10, 1982, at Hunter College in New York on Human Rights Day Dr. King did, in fact, place his feet in the shoes of those who suffered in South Africa; he joined Chief Albert Luthuli in calling upon all people of conscience, all over this world, to support economic sanctions against South Africa.

Indeed, in that historic speech, now 23 years ago, Dr. King said:

The shame of our Nation is that it is objectively an ally of this monstrous Government in its grim war with its own black people.

What was true 23 years ago, Mr. Chairman, is unfortunately true today, and Dr. King would say today to Mr. SILJANDER and to all America that if we place our feet in the shoes of the suffering in South Africa, we will support sanctions.

Now the gentleman suggests that instead of supporting sanctions, we should study the matter more, that indeed we should have a commission to look into this matter. He references in his own resolution the fact that a commission did study it in 1981; the Rockefeller commission. It concluded that sanctions such as we are proposing today need to be imposed.

If the gentleman questions that, let me call your attention to the first recommendation of the Rockefeller study, in 1981. It reads in part, that we should "make clear the fundamental and continuing opposition of the U.S. Government and people to the system of apartheid."

Specifically it states that: "Those U.S. corporations in South Africa should not expand their operations, and those not already there should stay out." The Siljander substitute would rob the country of the opportunity to implement a recommendation drafted by a commission that studied for 2 years the system of apartheid in South Africa and concluded 4 years ago that now is the time for us to say to our U.S. corporations: Do not expand your operations there.

If you want to call that a sanction, call it that, and when you call it that, do not invoke the name of Dr. Martin Luther King, Jr., as justification for denying us that opportunity, spoken for it.

Dr. King's address follows:

APPEAL FOR ACTION AGAINST APARTHEID

(April 4, 1984 National Armband Day against apartheid and U.S. racism in commemoration of The Reverend Dr. Martin Luther King, Jr.)

Dr. Martin Luther King, Jr. appeals for sanctions against South Africa jointly with Chief Albert J. Luthuli on Human Rights Day, 10 December 1962:

"We, therefore, ask all men of good will to take action against apartheid in the following manner:

"Hold meetings and demonstrations on December 10, Human Rights Day: "Urge your church, union, lodge, or club to observe this day as one of protest;

"Urge your Government to support economic sanctions;

"Write to your mission to the United Nations urging adoption of a resolution calling for international isolation of South Africa;

"Don't buy South Africa's products;

"Don't trade or invest in South Africa;

"Translate public opinion into public action by explaining facts to all peoples, to groups to which you belong, and to countries of which you are citizens until an effective international quarantine of apartheid is established."

CALL FOR AN INTERNATIONAL BOYCOTT OF APARTHEID SOUTH AFRICA

(Statement by the late Reverend Dr. Martin Luther King, Jr. at a meeting at Hunter College, New York City, on Human Rights Day 10 December 1965.)

Africa has been depicted for more than a century as the home of black cannibals and ignorant primitives. Despite volumes of facts contravening this picture, the stereotype persists in books, motion pictures, and other media of communication.

Africa does have spectacular savages and brutes today, but they are not black. They are the sophisticated white rulers of South Africa who profess to be cultured, religious and civilized, but whose conduct and philosophy stamp them unmistakably as modern-day bargainers.

We are in an era in which the issue of human rights is the central question confronting all nations. In this complex struggle an obvious but little appreciated fact has gained attention—the large majority of the human race is non-white—yet it is that large majority which lives in hideous poverty. While millions enjoy an unexampled opulence in developed nations, ten thousand people die of hunger each and every day of the year in the undeveloped world. To assert white supremacy, to invoke white economic and military power, to maintain the *status quo* is to foster the danger of international race war . . . What does the South African Government contribute to this tense situation? These are the incendiary words of the South African philosophy spoken by its Prime Minister, Dr. Verwoerd:

"We want to keep South Africa white. Keeping it white can only mean one thing, namely, white domination, not 'leadership', not 'guidance', but control supremacy."

The South African Government to make the white supreme has had to reach into the past and revive the nightmarish ideology and practices of nazism. We are witnessing a recrudescence of the barbarism which murdered more humans than any war in history. In South Africa today, all opposition to white supremacy is condemned as communism, and in its name, due process is destroyed; a medieval segregation is organized with twentieth century efficiency and drive; a sophisticated form of slavery is imposed by a minority upon a majority which is kept in grinding poverty; the dignity of human personality is defiled; and world opinion is arrogantly defied.

Once more, we read of tortures in jails with electric devices, suicides among prisoners, forced confessions, while in the outside community ruthless persecution of editors, religious leaders, and political opponents suppress free speech and a free press.

South Africa says to the world: "We have become a powerful industrial economy; we are too strong to be defeated by paper resolutions of world tribunals; we are immune to protest and to economic reprisals. We are

invulnerable to opposition from within or without; if our evil offends you, you will have to learn to live with it."

Increasingly, in recent months this conclusion has been echoed by sober commentators of other countries who disapprove, but, nevertheless, assert that there can be no remedy against this formidable adversary of human rights.

Do we, too, acknowledge defeat? Have we tried everything and failed? In examining this question as Americans, we are immediately struck by the fact that the United States moved with strikingly different energy when it reached a dubious conclusion that our interests were threatened in the Dominican Republic. We inundated that small nation with overwhelming force, shocking the world with our zealotry and naked power. With respect to South Africa, however, our protest is so muted and peripheral it merely mildly disturbs the sensibilities of the segregationists, while our trade and investments substantially stimulate their economy to greater heights. We pat them on the wrist in permitting racially mixed receptions in our Embassy and by exhibiting films depicting Negro artists. But we give them massive support through American investments in motor and rubber industries, by extending some forty million dollars in loans through our most distinguished banking and financial institutions, by purchasing gold and other minerals mined by black slave labour, by giving them a sugar quota, by maintaining three tracking stations there, and by providing them with the prestige of a nuclear reactor built with our technical co-operation and fueled with refined uranium supplied by us.

When it is realized that Great Britain, France and other democratic Powers also prop up the economy of South Africa—and when to all of this is added the fact that the USSR has indicated its willingness to participate in a boycott—it is proper to wonder how South Africa can so confidently defy the civilized world. The conclusion is inescapable that it is less sure of its own power, but more sure than that great nations will not sacrifice trade and profit to oppose them effectively. The shame of our nation is that it is objectively an ally of this monstrous Government in its grim war with its own black people.

Our default is all the more grievous because one of the blackest pages of our history was our participation in the infamous African slave trade of the 18th century. The rape of Africa was conducted substantially for our benefit to facilitate the growth of our nation and to enhance its commerce. There are few parallels in human history of the period in which Africans were seized and branded like animals, packed into ships' holds like cargo and transported into chattel slavery. Millions suffered agonizing death in the middle passage in a holocaust reminiscent of the Nazi slaughter of Jews and Poles, and others. We have an obligation of atonement that is not cancelled by the passage of time. Indeed, the slave trade in one sense was more understandable than our contemporary policy. There was less sense of humanity in the world three hundred years ago. The slave trade was widely approved by the major Powers of the world. The economies of England, Spain, and the U.S. rested heavily on the profits derived from it. Today, in our opulent society, our reliance on trade with South Africa is infinitesimal significance. No real national interest impels us to be cautious, gentle, or a good customer of a nation that offends the world's conscience.

Have we the power to be more than peevish with South Africa, but yet refrain from acts of war? To list the extensive economic

relations of the great Powers with South Africa is to suggest a potent non-violent path. The international potential of non-violence has never been employed. Non-violence has been practised within national borders in India, the U.S. and in regions of Africa with spectacular success. The time has come to utilize non-violence fully through a massive international boycott which would involve the USSR, Great Britain, France, the United States, Germany and Japan. Millions of people can personally give expression to their abhorrence of the world's worst racism through such a far-flung boycott. No nation professing a concern for man's dignity could avoid assuming its obligations if people of all States and races were to adopt a firm stand. Nor need we confine an international boycott to South Africa. The time has come for an international alliance of peoples of all nations against racism.

For the American Negro there is a special relationship with Africa. It is the land of the origin. It was despoiled by invaders; its culture was arrested and concealed to justify white supremacy. The American Negro's ancestors were not only driven into slavery, but their links with their past were severed so that their servitude might be psychological as well as physical. In this period when the American Negro is giving moral leadership and inspiration to his own nation, he must find the resources to aid his suffering brothers in his ancestral homeland. Nor is this aid a one-way street. The civil rights movements in the United States has derived immense inspiration from the successful struggles of those Africans who have attained freedom in their own nations. The fact that black men govern States, are building democratic institutions, sit in world tribunals, and participate in global decision-making gives every Negro a needed sense of dignity.

In this effort, the American Negro will not be alone. As this meeting testifies, there are many white people who know that liberty is indivisible. Even more inspiring is the fact that in South Africa itself incredibly brave white people are risking their careers, their homes and their lives in the cause of human justice. Nor is this a plea to Negroes to fight on two fronts. The struggle for freedom forms one long front crossing oceans and mountains. The brotherhood of man is not confined within a narrow, limited circle of select people. It is felt everywhere in the world; it is an international sentiment of surpassing strength. Because this is true, when men of good will finally unite, they will be invincible.

Through recent anthropological discoveries, science has substantially established that the cradle of humanity is Africa. The earliest creatures who passed the divide between animal and man seem to have first emerged in East and South Africa. Professor Raymond Dart described this historical epoch as the moment when man "trembled on the brink of humanity". A million years later in the same place some men of South Africa are again "trembling on the brink of humanity"; but instead of advancing from pre-human to human, they are revising the process and are travelling backward in time from human to pre-human.

Civilization has come a long way; it still has far to go, and it cannot afford to be set back by resolute, wicked men. Negroes were dispersed over thousands of miles and over many continents, yet today they have found each other again. Negro and white have been separated for centuries by evil men and evil myths. But they have found each other. The powerful unity of Negro with Negro and white with Negro is stronger

than the most potent and entrenched racism. The whole human race will benefit when it ends the abomination that has diminished the stature of man for too long. This is the task to which we are called by the suffering in South Africa, and our response should be swift and unstinting. Out of this struggle will come the glorious reality of the family of man.

Mr. WOLPE. Mr. Chairman, I yield 1 minute 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 opposition to the Siljander Study Commission amendment, and in support of H.R. 1460 as reported. Mr. Chairman, I voted, together with a majority of my colleagues on the House Foreign Affairs Committee, to report H.R. 1460, introduced by the gentleman from Pennsylvania [Mr. GRAY], which the pending amendment seeks to change.

The bill as reported calls for strong action against the apartheid policy of the Government of South Africa, and provides incentives—in the form of the reduction of sanctions—to that country to terminate its oppressive policies. At the same time, the bill's provisions are designed to avoid damaging the interests of innocent blacks and other minorities living under apartheid. On the other hand, the amendment, while well-intended, simply does not provide for sufficiently strong action in the near term, and may well send the wrong signal to the South African Government.

Mr. Chairman, I believe it is important that the United States do everything in its power to move the South African Government away from its current policies. It seems inevitable that if those policies do not change, the result will be increased bloodshed in that troubled land. By adopting this bill, to the degree we are able to advance the day that apartheid is ended, we will contribute to peace and to the saving of human life.

Accordingly, Mr. Chairman, I urge the defeat of the pending Siljander substitute amendment and the passage of H.R. 1460 as originally reported.

□ 1320

Mr. WOLPE. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee [Mr. FORD].

(Mr. FORD of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. FORD of Tennessee. I thank the gentleman for yielding.

Mr. Chairman, hopefully, today the House will complete consideration of H.R. 1460, the Antiapartheid Act of 1985. I think it is essential that Members have a clear idea of how certain substitutes to the legislation might affect the message that the bill's authors had hoped to send.

Mr. Chairman, the substitute that is being offered by the gentleman from Michigan and the one that will be offered

by the gentleman from Wisconsin, although well intended, fall far short of where the House shall align itself on this particular issue. Both substitutes establish commissions to look at the apartheid dilemma. These panels would meet for 2 and 3 years respectively to study the effects of apartheid and then would make recommendations on sanctions. The sanctions which would then be available to the panel are strikingly similar to the sanctions in H.R. 1460 which would bring about immediate change both in this country and in South Africa.

As the House considers these substitutes, we ought to ask ourselves how strongly we feel about this issue. Are we too comfortable on this side of the Atlantic to remember the segregationist policies of the deep South from our not too far distant past? Have we become so contented in our own position that we can sit back and watch a repeat of our own ugly history? These substitutes, Mr. Chairman, although well meaning, are simply a continuation of the present policy of constructive engagement.

Mr. Chairman, the adoption of this substitute or the substitute offered by the gentleman from Wisconsin put us an additional 2 or 3 years behind in trying to eliminate such racist practices. It is time that this body make a statement in the strongest possible terms against apartheid. Although in my heart I believe that total divestiture would be the best way to bring about change—that is why I will support the amendment that will be offered by the gentleman from California [Mr. DELLUMS]—I am realistic to the hardship this would place on black South Africans. Bishop Tutu himself supports economic pressure on the South African Government, to be followed by total divestment if apartheid is not eliminated in 2 years.

I am afraid that further study on this matter will become an excuse for further inaction. We have spent a great deal of time in this Chamber talking about and debating this particular issue. Today the House has the opportunity to place significant hardship on South Africa without advocating total divestment. The measure would let the South African Government know that we are serious about this matter, and I urge my colleagues to join with me today in passing H.R. 1460 and also rejecting this substitute and the substitute that will be offered right afterward.

Mr. WOLPE. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BERMAN].

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

Mr. BERMAN. Mr. Chairman, first, I would like to commend the chairman of our subcommittee, his predecessor as chairman, the gentleman from New York, the gentleman who is the chief sponsor of this legislation, Mr. GRAY, as well as my other colleagues who,

long before the issues of constructive engagement and apartheid in South Africa, were on the front pages of our Nation's newspapers, were fighting on these issues persistently and relentlessly and effectively. Perhaps now we are approaching a time when the policy of constructive engagement might end and the United States may place itself firmly on the side of forceful opponents of apartheid. Perhaps at last the United States is going to do more than just simply rhetorically denounce this pernicious system.

I would also like to speak against the substitute amendment and the substitute to follow and focus primarily on one aspect, that of the legislation's prohibition on the export of computers, computer technology, software and servicing and maintenance of computers to the South African Government and to its regional and local entities.

At one point in the debate on this legislation it appeared that there might be an amendment to delete that language, and much of what I wish to say now I would have raised on the debate on that amendment. But since it appears the Senate Foreign Relations Committee legislation is going to contain somewhat different language and that this will be an issue for a conference committee to consider, I think it is important to lay a foundation for that prohibition, and I might point out that the gentleman from Michigan, in his comments in favor of his substitute, never spoke to the specific sanction of the prohibition on computer sales.

Why delay the imposition of that type of sanction or the imposition of the sanction on bank loans? I have heard no justification or logic for delaying implementation of these specific sanctions.

In South Africa, the computers make apartheid work. By the prohibition contained in this legislation, we are demonstrating that we do not want the United States and U.S. companies to profit from apartheid.

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

Mr. BERMAN. I yield to the gentleman from Wisconsin.

Mr. GUNDERSON. I appreciate the gentleman's yielding.

Mr. Chairman, I just want to ask the gentleman a question. If he supports the banning of the computers, and you look at the fact that Japan has recently increased their sale of computers by some 400 percent since 1977 to South Africa, does the gentleman think that by our banning the sale of computers we are going to prevent the Government of South Africa from getting computers?

Mr. BERMAN. I would reclaim my time in order to answer the gentleman's very relevant question. I would put it into this context: At the present time, the United States supplies 70 percent of the computers that go to

South Africa. Those computers are used directly in the implementation and in the enforcement of apartheid policies. Those computers are utilized in the classification of people by race and the classification of people who lead protests against apartheid in South Africa. They are an instrument of enforcement of apartheid in South Africa. And U.S. computers are directly involved in that whole process.

Look back to what happened with the arms embargo on South Africa. Initially, the United States took the step alone. We then prevailed and gradually saw to it that the rest of the Western World ended up going along with our arms embargo on South Africa. We made it a much broader multilateral approach. My hope and my goal is that when this legislation passes, and these sanctions go into effect, the United States would go to the Security Council of the United Nations, to our NATO allies, to Japan and take this prohibition that the United States will have enacted unilaterally and say, "Is this not at least a minimal standard of conduct to expect of our other Western allies?" And I believe we can prevail and we can seriously affect the ability of South Africa to enforce its apartheid system through the utilization of sophisticated computer technology.

Mr. SILJANDER. Mr. Chairman, will the gentleman yield for a question?

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

Mr. SILJANDER. I would just like to know what would prohibit Japan or another country, as they have been since 1976, increasing their share of the market from simply filling the void, thereby putting absolutely no pressure on the South African Government at all.

Mr. BERMAN. What prohibits the Western European arms industry from selling arms to South Africa? The fact is that it was a series of patient and relentless efforts by the United States, after it enacted its arms embargo, to get other countries to undertake that same position.

Mr. SILJANDER. But will the gentleman answer the question regarding Japan?

The CHAIRMAN. The time of the gentleman from California [Mr. BERMAN] has expired.

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, first, I want to pay tribute to my distinguished ranking minority member, the gentleman from Michigan [Mr. SILJANDER]. Whatever differences we have on the amendment that the gentleman from Michigan has offered—and the differences are obviously rather dramatic—I believe that the letter that was sent earlier by a number of my Republican colleagues, to which he

was a signatory, made a very important contribution to the debate on South Africa and to an alteration in the political climate within this body with respect to that subject.

Moreover, while we differ on how to approach the issue of South Africa, my ranking minority member has been very cooperative in moving this legislation through to this point on the House floor, and I want to express my appreciation to him for that assistance.

□ 1330

Mr. Chairman, as we have listened to this debate on South Africa over the past few days, it has become clear that those who advocate a continuation of the policy of constructive engagement or who, in more general terms, resist the imposition of economic sanctions against South Africa, make certain assumptions that are more implicit than explicit, but, I think, need to be laid bare.

The first of those assumptions is that South Africa is very much like the United States, and that we can project onto the South Africa situation America's own experience with race and racism and our own experience, indeed, with the civil rights movement.

Mr. Chairman, that was an assumption that I used to make. In my previous life, I happened to have been a professor of African politics; I thought I knew something about the subject. It was only when I traveled to South Africa myself that I discovered how incorrect that set of assumptions really was. Because South Africa is in fact very different. There are two key differences that need to be understood in order to appreciate how destructive the policy of constructive engagement has been.

The first of those key differences is that South Africa is a totalitarian police state. Now, when Americans think about South Africa, we tend to project onto the South African experience what we know about our own history with discrimination, with segregation, with racial inequality. And when you travel to South Africa, you see that discrimination very clearly manifested in every respect, in every way. But the thing you are unprepared for is the totalitarian nature of the police state.

I still recall traveling to Soweto, the black township outside of Johannesburg, and being informed by blacks who were resident in Soweto that it was their estimate that 1 out of 10 blacks living in this township were police spies. Why? Because it turns out that many of the women and children who live in the black township of Soweto, who have come there to join their husbands that are working in the mines, are themselves there illegally, and if they do not cooperate with the police, they are immediately subject to deportation to the so-called homelands. They have got to cooperate.

You cannot imagine what it is like to have a police system that penetrates into the very fabric of the society; into the neighborhoods, into the homes. It is difficult to comprehend the sense of distrust, the sense of disorganization, the sense of paranoia that is part and parcel of the life of the black South African every day. South Africa is a totalitarian police state. Unless we comprehend that, the effort to project onto that experience our own evolutionary democratization will yield enormously tragic consequences.

There is a second difference no less significant. In the United States, whites are the majority; blacks were the minority. In South Africa, the majority-minority relationships are reversed. Whites are a minority, desperate to hold onto their privilege, their power. Denying to the majority of the population even a semblance of human dignity, even a semblance of basic political rights. Unless we understand that the reversal of the majority-minority relationships inevitably creates a different political dynamic, we are going to develop a foreign policy and continue a foreign policy that will again produce very counterproductive consequences.

There is a second assumption underlying those who would resist sanctions and would support the amendment of my distinguished colleague from Michigan. That is that somehow economic and social change lead inexorably to political liberalization and to democratization. We are told repeatedly that we need to encourage the process of industrialization and that American economic activity in South Africa will further that process and promote political reform at the end of the line.

Do we not only have to look to the experience of Nazi Germany, to the experience of Stalinist Russia, indeed, to the experience of South Africa to see that that kind of assumption is blatantly false? In all of those instances there has been progressive industrialization, economic and social change, and greater repression; not democratization; not political liberalization.

I am not saying that the American companies involved in South Africa are not making a constructive contribution to desegregated workplaces and to the process of economic change, but that what is happening in those workplaces is essentially irrelevant to the process of political change, and that the gut issue that we are facing in the struggle against apartheid is not a struggle for economic improvement; it is not a struggle even for desegregated workplaces. The struggle against apartheid is a struggle for political rights.

Blacks, the vast majority of the population in South Africa, are asking for nothing less and nothing more than the right to participate in the political decisions that affect their lives on a daily basis.

Third, there are those who are arguing against sanctions and for the approach taken by the Sijlander amendment, who insist that sanctions are going to hurt those who we are seeking to help: the black population.

Indeed, they go even further. The Washington Post editorial today suggested that those who are advocating sanctions are really not very sensitive to the prospective suffering that might be created on the part of the black population. Nothing could be further from the truth. The tragic reality is that the policy of constructive engagement, however it may have been intended, is in fact producing more suffering, more violence, and more repression. That is very simply because the message that has been heard by the Afrikaner regime is simply that they now have a much freer hand to do what they will; not only internally, I might say, inside the country of South Africa, but in the region. They know in advance, because that has been administration policy, that no matter how much repression there is, no matter how much aggression the South African Government unleashes against the neighboring states in the region, there will be no cost in terms of the American-South African relationship. They know in advance that they are free to engage in that kind of repression. What we have really signaled to them through constructive engagement is that the system of apartheid can be maintained indefinitely into the future without any real cost, without any real isolation in terms of the international community, or without any real economic costs in terms of their relationship to the United States.

So that it is current policy that is adding to the violence; it is the ambiguity of our policy. We verbally condemn apartheid on the one hand, but then we engage in business as usual. What we do at that point is to reinforce the more intransigent elements of the South African Government in the belief that they can hold on indefinitely, without any consequences, any response, from the United States.

Those of us who are advocating now the application of sanctions do so because of our profound belief that that is the only way of mitigating the violence. Only at the point at which the South African Government understands that it cannot continue the present system without real economic and political costs, do we have a possibility that the Government will countenance a political negotiation leading to a new political order and to genuine power sharing on the part of all the elements of the South African population.

It is current policy that is adding to the violence. It is the imposition of sanctions that will help us possibly avert some of that bloodshed that we can anticipate down the road if the South African Government does not

move immediately to begin the process of dismantling apartheid.

Let me say finally that I hope that the administration will listen carefully to what has happened in this body the past couple of days and what is happening in the other body. There is an emerging bipartisan consensus that understands that constructive engagement has enormously destructive consequences.

I hope the administration, rather than responding defensively and dig in its heels, will be responsive to the bipartisan consensus. Look at the margin of the votes that occurred yesterday. Look at the vote that will take place on final passage today, the bipartisan majority that will be for the placement of immediate sanctions. I hope the administration will respond to that opportunity and join with the Congress in forging a new foreign policy toward South Africa that will at one and the same time advance the process of change in South Africa and be consistent with American national interests in the region. We cannot afford to be perceived as on the side of or entering into an accommodation with apartheid. We would, at the same time, be advancing a policy that is genuinely consistent with American national values.

□ 1340

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Michigan [Mr. SILJANDER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SILJANDER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 108, noes 310, not voting 15, as follows:

[Roll No. 137]

AYES—108

Archer	Gekas	Miller (OH)
Arney	Gingrich	Monson
Badham	Goodling	Montgomery
Barnard	Grotberg	Moore
Bartlett	Gunderson	Moorhead
Barton	Hall, Ralph	Morrison (WA)
Bateman	Hammerschmidt	Myers
Bentley	Hansen	Nichols
Bilirakis	Hartnett	Nielson
Broomfield	Hendon	Oxley
Broyhill	Henry	Packard
Burton (IN)	Hillis	Parris
Campbell	Holt	Pashayan
Chandler	Hunter	Petri
Cheney	Hyde	Quillen
Cobey	Kemp	Rogers
Coble	Kindness	Roth
Combest	Kolbe	Rowland (CT)
Craig	Kramer	Schuette
Daniel	Lagomarsino	Schulze
Dannemeyer	Leath (TX)	Shaw
Daub	Livingston	Shumway
Davis	Loeffler	Shuster
DeWine	Lott	Sijlander
Dickinson	Lowery (CA)	Skeen
Dornan (CA)	Lujan	Slaughter
Dreier	Lungren	Smith (NE)
Eckert (NY)	Marienee	Smith, Denny
Fawell	McCollum	Smith, Robert
Fiedler	McEwen	Solomon
Fields	McMillan	Spence
Franklin	Michel	Stangeland

Strang-
Stump
Sundquist
Swindail

Taylor
Thomas (CA)
Vander Jagt
Vucanovich

Walker
Whitehurst
Wolf
Young (FL)

NOES—310

Ackerman
Addabbo
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnes
Bates
Bedell
Beilenson
Bennett
Bereuter
Berman
Bevill
Biaggi
Billey
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Breaux
Brooks
Brown (CA)
Brown (CO)
Bruce
Bryant
Burton (CA)
Bustamante
Callahan
Carney
Carper
Carr
Chappie
Clay
Clinger
Coats
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Crane
Crockett
Darden
Daschle
de la Garza
DeLay
Dellums
Derrick
Dicks
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Edgar
Edwards (CA)
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fazio
Feighan
Fish
Flippo
Florrio

Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Hall (OH)
Hamilton
Hatcher
Hayes
Hefner
Heftel
Hertel
Hiler
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Latta
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lloyd
Long
Lowry (WA)
Luken
Lundine
Mack
MacKay
Madigan
Manton
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCurdy
McDade
McGrath
McHugh

McKernan
McKinney
Meyers
Mica
Mikulski
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Moody
Morrison (CT)
Mrazek
Murphy
Murtha
Natcher
Neal
Nelson
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Panetta
Pease
Penny
Pepper
Perkins
Pickle
Porter
Price
Pursell
Rangel
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Robinson
Rodino
Roe
Roemer
Rose
Roukema
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Savage
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schumer
Seiberling
Sensenbrenner
Sharp
Shelby
Sikorski
Sisisky
Skelton
Smith (FL)
Smith (IA)
Smith (NH)
Smith (NJ)
Snowe
Snyder
Solarz
Spratt
St Germain
Staggers
Stark
Stenholm
Stokes
Stratton
Studds
Swift
Synar
Tallon
Tauke
Tauzin
Thomas (GA)
Torres
Torricelli

Towns	Weaver	Wortley
Traficant	Weber	Wright
Traxler	Weiss	Wyden
Udall	Wheat	Wylie
Valentine	Whitley	Yates
Vento	Whittaker	Yatron
Visclosky	Whitten	Young (AK)
Volkmer	Williams	Young (MO)
Walgren	Wirth	Zschau
Watkins	Wise	
Waxman	Wolpe	

NOT VOTING—15

Byron	Frenzel	Rostenkowski
Chappell	Hawkins	Stallery
Dingell	Markey	Stallings
Edwards (OK)	Rahall	Sweeney
Emerson	Roberts	Wilson

□ 1350

Messrs. JONES of Oklahoma, SMITH of New Hampshire, and WRIGHT changed their votes from "aye" to "no."

Mr. PASHAYAN and Mr. DICKINSON changed their votes from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

□ 1400

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GUNDERSON

Mr. GUNDERSON. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. GUNDERSON: Strike all after the exacting clause and insert in lieu thereof the following:

TITLE I—GENERAL PROVISIONS

FINDINGS AND DECLARATIONS

SECTION 1. The Congress finds and declares that—

- (a) the policy and practice of apartheid—
- (1) deliberately separates millions of South African "migrant" workers from their families;
- (2) denies meaningful, democratic participation in the political process to the majority of the South African population;
- (3) consigns the mass of South African citizenry to lives of economic and educational deprivation;
- (4) denies black citizens of South Africa the right to travel freely within their own country;
- (5) leads to the arbitrary government confiscation of the private property legally owned by black South African nationals;
- (6) tries to deprive many South African citizens of South African citizenship;
- (b) the policy and practice of apartheid is repugnant to the moral and political values of democratic and free societies, and runs counter to United States policies to promote democratic governments throughout the world and respect for human rights; and
- (c) it is the policy of the United States to promote peaceful change in South Africa through diplomatic means, but also, where necessary and appropriate, through the adoption of other measures, in conjunction with our allies, in order to reinforce United States opposition to apartheid.

DEFINITIONS

SEC. 2. As used in this Act—

- (1) the term "national of the United States" means—
- (A) a natural person who is a citizen of the United States or who owes permanent allegiance to the United States; or
- (B) a corporation, partnership, or other enterprise if—

(f) natural persons who are nationals of the United States own or control, directly or indirectly, more than 50 per centum of the outstanding voting securities;

(ii) natural persons who are nationals of the United States own or control, directly or indirectly 25 per centum or more of the voting securities, and natural persons of another nationality do not own or control as equal or larger percentage;

(iii) any natural person who is a national of the United States operates the corporation, partnership, or enterprise pursuant to the provisions of an exclusive management contract;

(iv) a majority of the members of the board of directors are also members of the comparable governing body of corporation or legal entity organized under the laws of the United States, any State or territory thereof, or the District of Columbia;

(v) natural persons who are nationals of the United States have authority to appoint the chief operating officer; and

(2) the term "South Africa" refers to the territory that constituted the Republic of South Africa on May 31, 1961.

SCHOLARSHIP FOR BLACK SOUTH AFRICANS

SEC. 3. SECTION 105(b) OF THE FOREIGN ASSISTANCE ACT OF 1961 IS AMENDED—

(1) by inserting "(1) after "(b)"; and

(2) by adding at the end thereof the following new paragraph:

"(2)(A) Beginning with the fiscal year 1986, and for each fiscal year thereafter, \$15,000,000 of assistance provided under this section by the Administrator of the agency primarily responsible for administering this part of this Act shall be used to finance scholarships for black South Africans who are attending universities, colleges, and secondary schools in South Africa and who are selected in accordance with subparagraph (B). Of the funds available under the preceding sentence to carry out this subparagraph, not less than \$5,000,000 shall be available only for assistance to full-time teachers or other educational professionals pursuing studies toward the improvement of their professional credentials.

"(B) Individuals for whom scholarships are financed under subparagraph (A) shall be selected by a national panel or by regional panels composed solely of members of the teaching profession appointed by the United States chief of diplomatic mission to South Africa. No such individual may be selected through any contract entered into with the agency primarily responsible for administering this part of this Act."

HUMAN RIGHTS FUND

SEC. 4. Section 116(e)(2)(A) of the Foreign Assistance Act of 1961 is amended—

- (1) by striking out "1984 and" and inserting in lieu thereof "1984";
- (2) by inserting after "1985" a comma and the following: "and \$1,500,000 for the fiscal year 1986, and for each fiscal year thereafter"; and
- (3) by adding at the end thereof the following: "Grants under this paragraph shall be made by the Assistant Secretary for Human Rights and Humanitarian Affairs."

EXPANDING PARTICIPATION IN THE SOUTH AFRICAN ECONOMY

SEC. 5. (a) The Congress declares—

- (1) that the denial under the apartheid laws of South Africa of the rights of South African blacks and other nonwhites to have the opportunity to participate equitably in the South African economy as managers or owners of, or professionals in, business enterprises, and
- (2) the policy of confining South African blacks and other nonwhites to the status of employees in minority-dominated businesses is an affront to the values of a free society.

(b) The Congress hereby—

(1) applauds the commitment of nationals of the United States adhering to the principles set forth in section 10 to assure that South African blacks and other nonwhites are given assistance in gaining their rightful place in the South African economy; and

(2) urges the United States Government to assist in all appropriate ways the realization by South African blacks and other nonwhites of their rightful place in the South African economy.

(c) The Secretary of State and any other head of a department or agency of the United States carrying out activities in South Africa shall, to the maximum extent practicable, in procuring goods or services, make affirmative efforts to assist business enterprises having more than 50 per centum beneficial ownership by South African blacks or other nonwhite South Africans.

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 6. Section 237(a) of the Foreign Assistance Act of 1961 is amended—

(1) by striking out "(a) Insurance" and inserting in lieu thereof "(a)(1) Except as provided in paragraph (2), insurance"; and

(2) by adding at the end thereof the following:

"(2) Insurance, reinsurance, and guaranties of loans may be issued to cover an investment made in connection with a project in South Africa, notwithstanding the absence of an agreement with the Government of South Africa, if such investment is otherwise eligible under this title, except that—

"(A) the issuance of any such insurance, reinsurance, or guaranty shall only be made to promote joint ventures between business enterprises controlled or owned by South African blacks or other nonwhite South Africans and business enterprises controlled or owned by United States nationals; and

"(B) the national of the United States holds a minority interest or agrees to relinquish its majority interest during the course of the joint venture."

EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. 7. Section 2(b)(9) of the Export-Import Bank Act of 1945 is amended—

(1) by striking out "(9) In" and inserting in lieu thereof "(9)(A) Except as provided in subparagraph (B), in"; and

(2) by adding at the end thereof the following:

"(B) The Bank shall take active steps to encourage the use of its facilities to guarantee, insure, extend credit, or participate in the extension of credit to business enterprises in South Africa that are majority owned by South African blacks or other nonwhite South Africans. The certification requirement contained in clause (C) of subparagraphs (A) shall not apply to exports to or purchases from business enterprises which are majority owned by South African blacks or other nonwhite South Africans."

LABOR PRACTICES OF THE UNITED STATES GOVERNMENT IN SOUTH AFRICA

SEC. 8. (a) It is the sense of the Congress that the labor practices used by the United States Government—

- (1) for the direct hire of South Africans,
 - (2) for the reimbursement out of official residence funds of South Africans and employees of South African organizations for their employment services on behalf of the United States Government, and I21(3) for the employment services of South Africans arranged by contract,
- should represent the best of American labor practices and should serve as a model for the labor practices of nationals of the United States in South Africa.

(b) Notwithstanding any other law, the Secretary of State and any other head of a department or agency of the United States carrying out activities in South Africa shall promptly take the necessary steps to ensure that the labor practices applied to the employment services described in paragraphs (1) through (3) of subsection (a) are governed by the principles set forth in section 19.

EMPLOYMENT PRACTICES OF UNITED STATES
NATIONALS IN SOUTH AFRICA

SEC. 9.

(a) STATEMENT OF POLICY.—It is the sense of the Congress that any national of the United States who—

(1) has a branch or office in South Africa,

or
(2) controls a business enterprise in South Africa, should implement, in the operation of such branch, office, or business enterprise, those principles relating to employment practices set forth in section 10.

(b) SANCTIONS.—

(1) APPLICABILITY.—The sanctions set forth in paragraph (2) shall apply to any national of the United States who—

(A) has a branch or office in South Africa,

or
(B) controls a business enterprise in South Africa, in which more than 20 people are employed, and who does not implement the principles set forth in section 202 in the operation of that business enterprise.

(2) SANCTIONS.—With respect to any national of the United States described in paragraph (1)—

(A) no department or agency of the United States may—

(i) enter into any contract with,
(ii) make any loan, issue any guaranty of a loan, or issue any insurance to,
(iii) provide any counseling on economic or political risks to, or
(iv) intercede with any foreign government or any national regarding the foreign investment or export marketing activities in any country of, that national; and

(B) that national may not receive any credit or deduction under the Internal Revenue Code of 1954 for any income, war profits, or excess profits paid or accrued to South Africa.

(c) No department or agency of the United States may intercede with any foreign government or any national regarding the export marketing activities in any country of any national of the United States employing more than twenty persons in South Africa that is not implementing the principles relating to employment practices in South Africa set forth in section 10. No such national may make any new investment in the Republic of South Africa. The Secretary of State shall promulgate such regulations as are necessary to implement this section.

STATEMENT OF PRINCIPLES

SEC. 10. (a) The principles referred to in sections 8 and 9 of this Act are as follows:

(1) Desegregating the races in each employment facility, including—

(A) removing all race designation signs;
(B) desegregating all eating, rest, and work facilities; and

(C) terminating all regulations which are based on racial discrimination.

(2) Providing equal employment for all employees, including—

(A) assuring that any health, accident, or death benefit plans that are established are nondiscriminatory and open to all employees, on an equitable basis; and

(B) implementing equal and nondiscriminatory terms and conditions of employment

for all employees, and abolishing job reservations, job fragmentation, apprenticeship restrictions for blacks and other nonwhites, and differential employment criteria, which discriminate on the basis of race or ethnic origin.

(3) Establishing equally pay for all employees doing equal work, including—

(A) establishing and implementing, as soon as possible, a wage and salary structure which is applied equal to all employees, regardless of race, who are engaged in equal work;

(B) reviewing the distinction between hourly and salaried job classifications, and establishing and implementing an equitable and unified system of job classifications which takes into account such review; and

(C) eliminating inequities in seniority and in-grade benefits so that all employees, regardless of race, who perform similar jobs are eligible for the same seniority and in-grade benefits.

(4) Establishing a minimum wage and salary structure based on a cost-of-living index which takes into account the needs of employees and their families.

(5) Increasing, by appropriate means, the number of blacks and other nonwhites in managerial, supervisory, administrative, clerical, and technical jobs for the purpose of significantly increasing the representation of blacks and other nonwhites in such jobs, including—

(A) developing training programs that will prepare substantial numbers of blacks and other nonwhites for such jobs as soon as possible, including—

(i) creating on-the-job training programs and facilities to assist employees to advance to higher paying jobs requiring greater skills;

(B) establishing procedures to assess, identify, and actively recruit employees with potential for further advancement;

(C) identifying blacks and other nonwhites with high management potential and enrolling them in accelerated management programs;

(D) establishing and expanding programs to enable employees to further their education and skills at recognized education facilities; and

(E) establishing timetables to carry out this paragraph.

(6) Taking reasonable steps to improve the quality of employees' lives outside the work environment with respect to housing, transportation, schooling, recreation, and health, including—

(A) providing assistance to black and other nonwhite employees for housing, health care, transportation, and recreation either through the provision of facilities or services or providing financial assistance to employees for such purposes, including the expansion or creation of in-house medical facilities or other medical programs to improve medical care for black and other nonwhite employees and their dependents; and

(B) participating in the development of programs that address the education needs of employees, their dependents, and the local community.

(7) Recognizing labor unions and implementing fair labor practices, including—

(A) recognizing the right of all employees, regardless of racial or other distinctions, to self-organization and to form, join, or assist labor organizations, freely and without penalty or reprisal, and recognizing the right to refrain from any such activity;

(B) refraining from—

(i) interfering with, restraining, or coercing employees in the exercise of their rights of self-organization under this paragraph,

(ii) dominating or interfering with the formation or administration of any labor orga-

nization or sponsoring, controlling, or contributing financial or other assistance to it.

(iii) encouraging or discouraging membership in any labor organization by discrimination in regard to hiring, tenure, promotion, or other condition of employment,

(iv) discharging or otherwise disciplining or discriminating against any employee who has exercised any rights of self-organization under this paragraph, and

(C) allowing employees to exercise rights of self-organization, including solicitation of fellow employees during nonworking hours, allowing distribution and posting of union literature by employees during nonworking hours in nonworking areas, and allowing reasonable access to labor organization representatives to communicate with employees on employer premises at reasonable times;

(D) allowing employee representatives to meet with employer representatives during working hours without loss of pay for purposes of collective bargaining, negotiation of agreements, and representation of employee grievances;

(E) regularly informing employees that it is company policy to consult and bargain collectively with organizations which are freely elected by the employees to represent them; and

(F) utilizing impartial persons mutually agreed upon by employer and employee representatives to resolve disputes concerning election of representatives, negotiation of agreements or grievances arising thereunder, or any other matters arising under this paragraph.

(b) The Secretary of State may issue guidelines and criteria to assist persons who are or may be subject to this section in complying with the principles set forth in subsection (a) of this section. The Secretary may, upon request, give an advisory opinion to any person who is or may be subject to this section as to whether that person is subject to this section or would be considered to be in compliance with the principles set forth in subsection (a).

(c) The Secretary of State may promulgate such regulations as the Secretary may deem necessary to implement the provisions of this Act. The Secretary may conduct investigations, hold hearings, administer oaths, examine witnesses, receive evidence, take dispositions, and require by subpoena the attendance and testimony of witnesses and the production of all books, papers, and documents relating to any matter under investigation. The Secretary may require all persons referred to in subsection (a) to register with the Department of State.

(d) Any person who willfully violates any rule or regulation issued under this section or who willfully, in a registration statement or report required by the Secretary, makes any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than \$1,000,000 or imprisoned not more than two years, or both.

(e) In carrying out functions under this section, the President is authorized to exercise the same powers concerning violations and enforcement which are conferred upon departments, agencies and officials by subsections (c), (d), (e), and (f) of section 11 of the Export Administration Act of 1979, and by subsections (a) and (c) of section 12 of such Act, subject to the same terms and conditions as are applicable to such powers under such Act. Nothing in this subsection shall be construed as authorizing the withholding of information from the Congress.

(f) Notwithstanding any other provision of law, the Secretary may enter into contacts with one or more private organizations or individuals to assist the Secretary on implementing this section.

POLICY ON ECONOMIC SANCTIONS

Sec. 11. (a) It shall be the policy of the United States to impose economic sanctions against the Government of South Africa if, within two years of the date of enactment of this section, significant progress has not been made toward ending the policy of apartheid.

(b) The President may waive sanctions contained in subsection (a) of this section for a period of not more than 12 months if—

(1) the President determines that one or more of the conditions as set forth in subsection (d) of this section are met,

(2) the President submits that determination to the Congress, and

(3) a joint resolution is enacted approving the President's determination.

(c) The President may waive the sanctions contained in subsection (a) of this section for an additional 6-month period if, before each such waiver—

(1) the President determines that an additional condition set forth in subsection (d) has been met since the preceding waiver under this subsection became effective,

(2) the President submits that determination to the Congress, and

(3) a joint resolution is enacted approving the President's determination.

(d) STATEMENT OF CONDITIONS.—The conditions referred to in subsections (b) and (c) are the following:

(1) FAMILY HOUSING NEAR PLACE OF EMPLOYMENT.—The Government of South Africa has eliminated the system which makes it impossible for black employees and their families to be housed in family accommodations near the place of employment.

(2) RIGHT TO SEEK EMPLOYMENT.—The Government of South Africa has eliminated all policies that restrict the rights of black people to seek employment in South Africa and to live wherever they find employment in South Africa.

(3) ELIMINATING DENATIONALIZATION.—The Government of South Africa has eliminated all policies that make distinctions between the South African nationality of blacks and whites.

(4) ELIMINATING REMOVALS.—The Government of South Africa has eliminated removals of black populations from certain geographic areas on account of race or ethnic origin.

(5) ELIMINATING RESIDENCE RESTRICTIONS.—The Government of South Africa has eliminated all residence restrictions based on race or ethnic origin.

(6) NEGOTIATIONS FOR NEW POLITICAL SYSTEM.—The Government of South Africa has entered into meaningful negotiations with truly representative leaders of the black population for a new political system providing for the full national participation of all the people of South Africa in the social, political, and economic life in that country and an end to discrimination based on race or ethnic origin.

(7) SETTLEMENT OF NAMIBIA.—An internationally recognized settlement for Namibia has been achieved.

(8) FREEING POLITICAL PRISONERS.—The Government of South Africa has freed all political prisoners.

"REPORT OF THE PRESIDENT

"Sec. 12. (a) The President shall prepare and transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate March 1, 1987 and every six months thereafter, a report on the extent to which

significant progress has been made toward ending the system of apartheid, including—

(1) a detailed assessment of the extent to which the Government of South Africa has made progress in—

(A) housing black workers with their families;

(B) abolishing the pass laws which prevent blacks from moving freely into the cities;

(C) terminating the migrant labor system;

(D) allowing unrestricted labor union rights for all; and

(E) increasing local investment in black education and training;

(2) a statement of any conclusions drawn by the Inter-Allied Working Group on South Africa;

(3) a determination by the President as to whether significant progress has been made in achieving the purposes described in clauses (A) through (E) of paragraph (1); and

(4) if the President determines under paragraph (3) that significant progress has not been made, a recommendation as to which of the following sanctions should be imposed;

(A) A ban on new commercial investment in South Africa.

(B) A ban on new bank loans to the Government of South Africa.

(C) A ban on the importation of South African Krugerrands.

(D) A ban on the sale of computers to the central Government of South Africa.

TITLE II—UNITED STATES COMMISSION ON SOUTH AFRICA

SEC. 201. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the "United States Commission on South Africa" (hereinafter in this title referred to as the "Commission").

SEC. 202. DUTIES OF COMMISSION.

(a) STUDY AND REPORT ON PROGRESS AGAINST APARTHEID.—The Commission shall conduct an ongoing study of, and shall report to the Congress on, the progress that the Government of South Africa has made—

(1) in eliminating the system of apartheid; and

(2) toward the full participation of blacks and other nonwhites in the social, political, and economic life in South Africa.

The Commission shall also study the economic and political relations between the United States and South Africa.

(b) Focus of Study.—In carrying out subsection (a), the Commission shall—

(1) with respect to the progress toward eliminating apartheid, pay particular attention to the termination of—

(A) the Group Areas Act;

(B) the Pass Laws;

(C) the Influx Control Act;

(D) the Mixed Marriages Act;

(E) the Immorality Act;

(F) the homelands policy; and

(G) the detention of persons without due process of law; and

(2) with respect to the goals referred to in subsection (a)(2), pay particular attention to the involvement of recognized representatives of the black and nonwhite population in South Africa in achieving these goals, including the convening, as soon as possible, by the Government of South Africa of a national congress, composed of all pro-democratic groups in South Africa, to establish a timetable for granting full citizenship to blacks and other nonwhites in South Africa.

(c) SCHEDULE OF STUDY AND REPORTS.—

(1) STUDY.—The Commission shall conduct the study under subsection (a) during the 2-year period beginning on the date of the enactment of this Act.

(2) REPORTS.—The Commission shall submit in interim reports to the Congress at the end of each 6-month period beginning on the date of the enactment of this Act. Not later than the end of the 2-year period beginning on the date of the enactment of this Act, the Commission shall submit a final report to the Congress. The final report shall contain—

(A) a determination by the Commission of whether the Government of South Africa has made substantial progress toward the goals set forth in paragraphs (1) and (2) of subsection (a), and

(B) if the Commission determines under subparagraph (A) that substantial progress has not been made, a recommendation as to which of the following should be imposed:

(i) A ban on new commercial investment in South Africa.

(ii) A ban on new bank loans to the Government of South Africa.

(iii) A ban of the sale of computers to the Government of South Africa.

(iv) Changes in diplomatic relations with South Africa.

SEC. 203. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 15 members, as follows:

(A) The chairman and ranking minority member of the Committee on Foreign Affairs of the House of Representatives.

(B) The chairman and ranking minority member of the Committee on Foreign Relations of the Senate.

(C) The chairman and ranking minority member of the Subcommittee on Africa of the Committee on Foreign Affairs of the House of Representatives.

(D) The chairman and ranking minority member of the Subcommittee on Africa of the Committee on Foreign Relations of the Senate.

(E) Seven members appointed by the President from among persons knowledgeable in South African affairs, as follows:

(i) One member shall be an officer of the Department of State.

(ii) One member shall be an officer of the Department of Commerce.

(iii) One member shall be an officer of the Department of the Treasury.

(iv) Four members shall be appointed from among persons who are not officers or employees of any government who are specially qualified to serve on the Commission by virtue of their education, training, or experience.

(2) DESIGNATION OF SUBSTITUTES.—If any member referred to in paragraph (1)(A) or (1)(B) is the same individual as a member referred to in paragraph (1)(C) or (1)(D), then the individual shall designate another member of the Committee on Foreign Affairs or Foreign Relations, as the case may be, to serve as a member of the Commission.

(3) FILLING OF VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(b) CONTINUATION OF MEMBERSHIP.—If any member of the Commission who was appointed to the Commission as a Member of the Congress leaves that office, or if any member of the Commission who was appointed from persons who are not officers or employees of any government becomes an officer or employee of a government, he or she may continue as a member of the Commission for not longer than the 60-day period beginning on the date he or she leaves that office or becomes such an officer or employee, as the case may be.

(c) TERMS.—Members shall be appointed for the life of the Commission.

(d) BASIC PAY.—

(1) **FOR NON-GOVERNMENT EMPLOYEES.**—Except as provided in paragraph (2), members of the Commission shall serve without pay, but shall be allowed travel or transportation expenses, including per diem in lieu of subsistence, to the same extent as employees serving intermittently in the Government Service are allowed such expenses under section 5703 of title 5, United States Code.

(2) **FOR GOVERNMENT EMPLOYEES.**—Members of the Commission who are full-time officers or employees of the United States or Members of the Congress shall receive no additional pay, allowances, or benefits by reason of their service on the Commission.

(e) **QUORUM.**—Eight members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(f) **CHAIRMAN.**—The Chairman and Vice Chairman of the Commission shall be elected by the members of the Commission.

(g) **MEETINGS.**—The Commission shall meet at the call of the Chairman or a majority of its members.

SEC. 204. STAFF OF COMMISSION; EXPERTS AND CONSULTANTS.

(a) **STAFF.**—The Commission may appoint and fix the pay of such additional personnel as it considers appropriate.

(b) **APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapters III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay payable for GS-18 of the General Schedule.

(c) **EXPERTS AND CONSULTANTS.**—The Commission may procure temporary and intermittent services under section 3209(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the minimum annual rate of basic pay payable for GS-18 of the General Schedule.

(d) **STAFF OF FEDERAL AGENCIES.**—Upon the request of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties under this Act.

SEC. 205. POWERS OF COMMISSION.

(a) **HEARINGS AND SESSIONS.**—The Commission may, for the purpose of carrying out this title, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) **OBTAINING OFFICIAL DATA.**—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon the request of the Chairman or Vice Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(d) **GIFTS.**—The Commission may accept, use, and dispose of gifts or donations of services or property.

(e) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(f) **ADMINISTRATIVE SUPPORT SERVICES.**—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(g) SUBPOENA POWER.

(1) **IN GENERAL.**—The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the Commission. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) **REFUSAL TO OBEY A SUBPOENA.**—If a person issued a subpoena under paragraph (1) refuses to obey such subpoena or is guilty of contumacy, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Commission) order such person to appear before the Commission to produce evidence or to give testimony relating to the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) **SERVING OF SUBPOENAS.**—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(4) **VENUE OF PROCESS.**—All process of any court to which application may be made under this section may be served in the judicial district in which the person required to be served resides or may be found.

(h) **IMMUNITY.**—No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to a subpoena, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture by reason of any transaction, matter, or thing concerning which such individual is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 206. TERMINATION.

The Commission shall cease to exist 90 days after submitting its final report pursuant to section 412(c).

Mr. GUNDERSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 174, the gentleman from Wisconsin [Mr. GUNDERSON] will be recognized for 30 minutes and a Member opposed will be recognized for 30 minutes.

Is the gentleman from Michigan [Mr. WOLPE] opposed to the amendment in the nature of a substitute?

Mr. WOLPE. I am, Mr. Chairman.

The CHAIRMAN. The gentleman from Michigan will be recognized for 30 minutes.

At this time the Chair recognizes the gentleman from Wisconsin [Mr. GUNDERSON] for 30 minutes.

Mr. GUNDERSON. Mr. Chairman, I yield myself 10 minutes.

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

Mr. GUNDERSON. Mr. Chairman, let me begin by commending the chairman of the subcommittee for his commitment to change in South Africa. I think there ought to be no doubt in this House, or anywhere in the country, that all of us have the same intent. We must try to change the policy of the Government of South Africa. The problem in the debate that we are incurring this afternoon is a debate on strategy, how best might we achieve that goal.

We must ask ourselves, do we want to simply make moral statements that make us feel good or do we actually want to enact policies that can contribute to constructive change? Do we want to help the blacks in South Africa or do we simply want to punish the whites in that country?

Our goal must and ought to be to contribute to constructive change, not to conduct a litmus test on civil rights legislation here in the United States. I shudder to think that this may be simply a debate where people are voting on the title of the bill, not the substance.

I have introduced a substitute which is very, very similar to that which has been enacted by the Foreign Relations Committee in the other body with only two small differences. If you are to give my substitute a title, it would be this is not immediate sanctions, this is conditional investment. We do what Bishop Tutu, we do what the Washington Post, we do what others have called for, we encourage investment by the United States in South Africa during the short term. Business is more progressive than the Government of South Africa and American business is more progressive than South African business. Thus we see that as a tool toward constructive change.

The first difference between the Gray proposal and my substitute is that his proposal is a negative one. It simply imposes sanctions. Mine is a positive proposal. My substitute asks, how can we help bring about change? My proposal offers \$15 million in scholarships for black South Africans and \$1.5 million in grants under the AID Human Rights Fund for the black South African cause. We provide insurance, reinsurance and guarantees of loans through OPIC for blacks and other nonwhite South African business. We provide the extension of credits through the Export-Import Bank and other such institutions for blacks and other nonwhite South Africans. We try to make positive contributions to the black and nonwhite population of South Africa.

The second thing we do, which the Gray bill does not, is to require American companies involved in business in South Africa to adhere to the Sullivan principles, not just give the option. We require them to do it and we impose a penalty. We impose a major penalty of \$1 million for anyone who willfully violates the Sullivan principles. I think that is the way we want to go.

The third element of my proposal is what we call economic sanctions or conditional investment. We say that it will be the policy of the United States to impose economic sanctions on the Government of South Africa if at the end of 2 years positive substantial progress has not been made toward ending the policy of apartheid in South Africa.

How is that going to be done? At the end of 2 years if the President certifies, or in reality if the State Department certifies, that progress has not been made, then the policy of sanctions becomes the policy of the Government of the United States. The President can implement through Executive order or Congress can enact at that point in time exactly what those sanctions would be.

The next element of my particular proposal is similar to that of the gentleman from Michigan [Mr. SILJANDER] which creates a U.S. Commission on South Africa. Why do we do that? We do that because many of my colleagues on the other side of the aisle are going to be hesitant to simply allow the administration, the present State Department, the present administration to determine whether or not progress is being made in eliminating apartheid in South Africa.

What we really do is set up a commission to keep each other honest, a commission appointed bipartisan from the leadership of the House and the Senate to keep the President and the State Department honest and vice versa. That is the purpose of the commission under our particular proposal.

Now let us compare again the differences then, in reality between the Gray proposal and my particular substitute. The Gray proposal offers immediate sanctions banning new bank loans. What is that going to do? If we ban new bank loans, presently we have \$400 million of bank loans to the purchasers of U.S. products, all it does is increase our present trade deficit, something I would suggest most of the American unions would be opposed to.

Second, it simply penalizes South African firms which have no legal role in enforcing apartheid. If you will look at every chamber of commerce in South Africa, every one of those chambers of commerce, black, white, Afrikaaner, et cetera, all have statements opposed to the policy of apartheid.

The Gray substitute also calls for a ban on the sale of computers to the government. Will that have any effect on the South African Government? Of course not. Since 1977, Japanese sale

of computers to South Africa has increased some 400 percent. They are not going to stop using computers; they are only going to buy them from Japan rather than the United States. So we effectively eliminate our role and our opportunity in trying to bring about constructive change, and we do nothing in terms of bringing about that change.

□ 1410

I would like to go on and recite the remarks of Bishop Tutu.

Mr. BERMAN. Will the gentleman yield?

Mr. GUNDERSON. I would like to finish my remarks first.

I would like to go on at this point in time and refer to the remarks of Bishop Tutu, a person who I think is clearly perceived as the moral leader of the blacks in South Africa. Bishop Tutu said on February 3, when he enthroned as the head of the Anglican Church, and I would like to quote:

May I point out that I have not as yet advocated disinvestment. Up to now I have called for international pressure, diplomatic, political, but above all economic, to persuade the South African Government to go to the conference table with the authentic representatives of all sectors of our community.

Now, he goes on then and explains the kinds of economic pressure:

There is economic pressure used through things such as the different codes to seek to improve the lot of black workers—

The Sullivan principles—

Our concern is not for an amelioration of improvement of the apartheid dispensation. It is to see apartheid dismantled. Consequently I have said that we must all work together to see that goal achieved.

Now listen to this:

I have actually called for an increased foreign investment on stringent conditions—that black workers are housed as family units near the place of work of the breadwinner—no migratory labor, the unionization of the black worker, the only real reform we have had, and for which the government must be commended—thus the worker would be free to sell his labor wherever he pleases, so no influx control that applies only to blacks, massive investment in black education and training, an end to the denationalization of blacks and to forced population removals. These conditions should be implemented within 18 to 24 months. The onus is on the government. I give notice that if in 18 to 24 months from today apartheid has not been dismantled or is not being actively dismantled, then for the first time I will myself call for punitive economic sanctions.

If we were to adopt and to pass in this House a proposal under the guidelines set forth by Bishop Tutu in his speech on February 3, my substitute would be that proposal. It tells the Government of South Africa, it tells the business community of South Africa, if you want American investments in the future, my proposal meets the criteria.

I would only go on to suggest, as the gentleman from Michigan before me, take a look at today's Washington

Post. It says not immediate sanctions. It says conditional investment. It says take some action which can contribute to change.

My substitute will do just that.

Mr. LARGOMARSINO. Will the gentleman yield?

Mr. GUNDERSON. I yield to the gentleman from California.

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

Mr. LARGOMARSINO. Mr. Chairman, as we debate the important questions of whether to approve this legislation and whether disinvestment will in fact bring about the desired end to apartheid, there are several facts which all of us must face. Let me excerpt just a few of these facts from a recent editorial in the Christian Science Monitor, written by Dimitri Simes, a senior associate of the Carnegie Endowment for International Peace.

First, "the United States has neither the power nor will to assure a peaceful evolution in South Africa which would lead to multiracial harmony." Second, "is there any punishment the U.S. can inflict upon South Africa or any incentive it can offer which would persuade whites to accept black majority rule? Probably not." Simes goes on to say that "moreover, the record of black African states does not inspire any confidence that, once the whites surrender power, their minimal rights would be respected." Surely the authors and supporters of this resolution would not suggest that we end apartheid only to have it replaced by another vicious regime that refuses to respect the rights of its people.

Mr. Simes also states that:

An economic warfare against South Africa would probably have just the opposite impact (rather than encouraging responsible trends, it would encourage dangerous trends). Conservative critics of the Botha government would wrap their opposition to any concession to blacks in a banner of patriotism. And blacks, simultaneously encouraged by American support and deprived of opportunities of American companies, would become further radicalized. That is a prescription for confrontation, not accommodation.

I couldn't agree with him more. Mr. Chairman, the United States has been and should continue to be a force for positive, constructive change in South Africa—not a promoter of disinvestment, which would have the exact opposite effect of that which we seek.

It is unfortunate, but a fact nonetheless, that this legislation would have the contrary effect of reducing the U.S. corporate presence as a positive and important—not to mention visible and appreciated—force for the elimination of apartheid in that country. Today, over 150 U.S. companies, accounting for over 80 percent of the employees of all affiliates of U.S. companies in South Africa, voluntarily support the Sullivan Principles. This effort does much more than improve

the well-being of the small fraction of the total South African labor force working for U.S.-owned enterprises. The presence of these companies is in my mind an unquestionable force for progress and a strong indication of U.S. support for measures to eliminate these aspects of apartheid which we find most discriminatory and unjust. To forcefully evict these companies would be folly, and insure that the United States plays less of a role in future South African society.

I also share Mr. Simes' view that the U.S. policy of constructive engagement is not a perfect answer. I think all of us would agree with this—that there has not been as much progress in South Africa as desired. Mr. Simes continues, however, that:

There are no perfect answers in dealing with this tragic dilemma. Any leverage—short of sanctions—to persuade President Botha and his associates to expedite long overdue reforms is a political and ethical imperative. Yet nobody appointed the United States to become the moral policeman of the world. We should not be shy in communicating America's extreme disapproval of Pretoria's repugnant repression. But with all its sins, South Africa is not Nazi Germany reincarnated. If we launch an economic war against it, what are the implications for dealing with such oppressors as Zimbabwe, Iraq, or the U.S.S.R.?

Mr. Chairman, the facts before us today do not signal that either U.S. interests or the South African blacks' interests, would be justly served by approving this legislation. While the legislation may prove appealing to some on moral or ethical grounds, let us not delude ourselves into thinking that this legislation will in any measurable fashion alter apartheid. It will not. The United States should strongly make known its repugnance to apartheid, to the Pretorian regime. But to approve this legislation, and insure our inability to control the outcome, may very well be a prescription for trouble.

Let me now offer my views in support of rational and forward-looking alternatives. These are the substitute amendments offered by my good friend and colleague from Michigan, [Mr. SILJANDER] and my colleague from Wisconsin [Mr. GUNDERSON].

The amendments, Mr. Chairman, state plainly, that apartheid runs against the principles of civilized nations, debases human dignity, and is repugnant to U.S. values. They reaffirm our policy in opposition to apartheid, and states that the United States seeks to promote change in South Africa through peaceful means.

Furthermore, they recognize that U.S. objectives can best be served by directing U.S. influence toward building institutions that will enable South Africans to challenge apartheid, and declares that to that end, the United States supports an impartial judicial system, free trade unions, and full participation of all the people of South Africa in the social, political, and economic life of that country.

The Siljander amendment would also establish a United States Commission on South Africa, which would conduct a thorough study on the progress the Pretorian regime is making in: First, eliminating the system of apartheid, and second, encouraging full participation of blacks and other nonwhites in the social, political and economic life in South Africa. The Commission would report directly to the Secretary of State and the Congress on their findings, and would issue a final report after 3 years.

In addition, the amendment would require all U.S. companies and foreign business enterprises operating in South Africa employing more than 20 persons to adopt the principles embodied in the Sullivan codes. Compliance with these principles would be mandatory. It would also support trade unions, establish a human rights fund, and increase in number and type scholarships available to black South Africans.

Mr. Chairman, I believe we have an historic opportunity today to not only express our strong opposition to apartheid in South Africa, but to serve as a force for positive change in that important nation. I am certain that none of us would deny the importance of that nation to the West, nor would we deny that the Soviets would like nothing better than to continue their inroads in Southern Africa. We can insure that the United States remains a positive influence on the South African regime, and assists the legitimate aspirations of those fighting for peaceful change in that country. I strongly urge my colleagues to support the Siljander and Gunderson amendments to H.R. 1460.

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

Mr. GUNDERSON. I now yield to my friend from California.

Mr. BERMAN. I thank the gentleman for yielding.

The gentleman indicated in his comments once again, as he did when he was speaking earlier on the Siljander substitute, essentially that the ban on computer sales and export of computer sales will have no effect. I would like the gentleman to consider for a moment a few of the facts surrounding South Africa's use of U.S. computers, because it is not quite as fungible as the gentleman would make it appear to be.

A number of very sophisticated computers are now utilized by the South African Government, the Department of Statistics, local and regional Bantu Administration Boards to enforce the pass laws, to enforce the whole process of limiting where blacks in South Africa can live. They are covered by contracts that involve the providing of software, of continued maintenance, and continued service of those computers, long-term contracts.

The bill we are considering and which you seem to substitute your lan-

guage for, affects those contracts. I would suggest to the gentleman—

The CHAIRMAN. The gentleman from Wisconsin has consumed 10 minutes.

Mr. GUNDERSON. Mr. Chairman, I yield myself 1 additional minute for the purposes of a response.

I appreciate the gentleman's remarks. I would like to simply respond with one thing. We are not going to eliminate the use of computers if we pass the Gray bill and impose a sanction prohibiting the sale of computers to South Africa.

First of all, many computers that are there will stay there. Anyone who is a specialist in computer software and technology understands the whole system.

Second, what is going to happen is that Japan and other computer specialists are simply going to come in and take over the market, so that in and of itself is not going to change it.

Likewise, the Gray bill provides for a 1-year delay in any of those sanctions which are proposed by the President. So what is going to happen? In both cases sanctions can occur. My proposal simply calls for some positive investments during the 1- or 2-year delay.

I yield back the balance of my time.

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

Mr. GUNDERSON. Not at this point.

Mr. WOLPE. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, I rise in very strong opposition to the substitute amendment that has been offered by my distinguished colleague from the State of Wisconsin [Mr. GUNDERSON]. The Gunderson substitute is virtually the Siljander amendment in slightly modified form, but it is essentially the same amendment. It raises the same issue as was raised by the amendment by my colleague from Michigan; namely, do we wish at this point to impose sanctions against South Africa, or are we going to continue current policy, which is to delay the application of sanctions. Because the essential thrust of the Gunderson amendment is to essentially delay any imposition of economic sanctions directed against South Africa.

I am not going to repeat the arguments that in my view require the rejection of this amendment because I think they were spelled out very clearly in the course of the debate on the Siljander amendment. This is essentially the same thing.

I do, however, want to take this opportunity, if I may, to just respond to some of the observations, some of the characterization that has been made of the position of Bishop Tutu with respect to the legislation that is before the House today, and particularly with respect to the substitute amendment that has been proposed by the gentleman from Wisconsin.

I have met with Bishop Tutu personally on several occasions over the past several years, both in South Africa and this country. Bishop Tutu has in fact recently testified before the Subcommittee on Africa.

At no point in any of those conversations has Bishop Tutu ever suggested for a moment his opposition to the application of economic pressures against South Africa. Moreover, he has affirmed his very strong support for the effort that is in process, to the very strong movement that is in process, the free South Africa movement designed to produce the kinds of economic pressures that are embodied in the legislation offered by the gentleman from Pennsylvania [Mr. GRAY].

Bishop Tutu, as the gentleman from Wisconsin noted in his own observations in the well just a moment ago, specifically has opposed the Sullivan code. Let me quote for a moment from testimony of Bishop Tutu before our committee last December.

"I have gone on to say that I do not, in fact, support the Sullivan code. While it has brought about some changes, improvements for some black workers, the basic weakness is that it is ameliorative, merely making things slightly more comfortable. Somebody has said we don't want our chains made comfortable, we want our chains removed."

To the extent that the substitute amendment by the gentleman from Wisconsin [Mr. GUNDERSON] embodies an affirmation of the importance of the Sullivan code, it is simply inappropriate to use Bishop Tutu as supportive of the approach taken by the gentleman from Wisconsin. Bishop Tutu is explicitly opposed to that approach. Bishop Tutu has gone on to say, again using the very quotation of the gentleman from Wisconsin, that he supports conditional investment. He has never said that he opposes economic pressure.

The Gray legislation before this body calls precisely for the kind of conditional investment approach that Bishop Tutu has himself described. What the Gray legislation does is to stipulate that there will be certain economic sanctions—no new investment and no importation of Krugerrands—imposed immediately which can however, be waived if each of the elements of the apartheid system are stripped away, and there is time permitted to allow reasonable progress to be made in a way that would be both steady and make sense. It would be achievable in a practical time frame.

So it is the Gray legislation the embodies the approach of Bishop Tutu, regarding condition of investment.

Finally let me say that when the gentleman from Wisconsin and other Members have cited Bishop Tutu in opposing legislation that would deal with economic pressure, what Bishop Tutu was referring to was disinvestment. He has said that he has not yet advocated publicly disinvestment. The

legislation before us does not call for disinvestment.

□ 1420

It calls for no new investment. I might add that Bishop Tutu himself pointed out before our committee that South African law makes it illegal to call for disinvestment. I say that because I think it is important to understand the full context of Bishop Tutu's remarks which certainly unintentionally might lead some to a very different construction of their significance than is in fact accurate.

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

Mr. WOLPE. I would be pleased to yield 1 additional minute if I may because I want to limit myself here.

Mr. GUNDERSON. I thank the gentleman for yielding.

I do not think anybody on this side suggested that the Gray bill is a disinvestment bill. I never suggested that. I think however that while both sides might claim that Bishop Tutu was on their side, and I guess we understand both sides trying to do that, I would suggest that we look at the rhetoric, the exact words which Bishop Tutu has called for. He has called for increased foreign investment under stringent conditions. That is totally different than imposing immediate sanctions.

I think you cannot disagree with that.

Mr. WOLPE. If I may reclaim my time, increased economic development becomes possible under the Gray legislation if the kinds of conditions to which Bishop Tutu refers are in fact met. We do not preclude the possibility of additional investment. All that has to happen is that the South African Government must begin to take the steps to dismantle the system of apartheid.

Mr. Chairman, I yield 6 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. I thank the chairman for yielding.

Mr. Chairman, I commend my colleagues. Congressman BILL GRAY chairman of the Budget Committee, and Congressman HOWARD WOLPE, chairman of the Foreign Affairs Subcommittee on Africa, for the outstanding work that they have done on this legislation. I rise in opposition to the Gunderson substitute and in strong support of H.R. 1460.

The efforts of Congressmen GRAY and WOLPE to reach a consensus as to how human rights principles can be practically converted into elements of U.S. influence in the affairs of other nations, particularly in this case of course, South Africa, are reflected in the bill now before the House.

Mr. Chairman, for the past 5 years the administration has not been sensitive to the plight of those subjected to government oppression and the human rights aspect of the situation in South Africa has not been taken

sufficiently into account in shaping the bilateral relationship with that nation.

Neutrality or delay, in my opinion, on such an issue is not an alternative. I suggest to the Members of the House that the substitute before us is in fact a proposal for further delay. That, I do not believe is acceptable.

The United States must consider the long-term implications of its present relationship with South Africa. Most agree that one way or another the walls of apartheid will be torn down. The longer those walls remain standing, the more violent will be the means to bring them down. And we should not be supplying the mortar which sustains those walls.

There exists a basic and fundamental disagreement with South Africa over apartheid. On that point we seem to be in agreement in a bipartisan manner. The sponsor of this substitute has spoken eloquently and in agreement with the chairman on that particular issue. No longer, therefore, should we merely regret South Africa's legal framework. We must step beyond rhetoric. We need to give substance to our disagreement; we must not hesitate at this time.

Ultimately the United States cannot, as has been observed on this floor, eradicate apartheid. However, the bill before us, H.R. 1460, is a policy option which acknowledges that internal actions by the South African Government will provide the main impetus to change. It offers a means by which the United States can disassociate itself strongly, directly, and unequivocally from apartheid and furthermore pressures South Africa to move in a positive direction toward full political rights for all in South Africa.

The chairman spoke earlier in opposition to the Siljander substitute about the fact that this bill seeks political rights for all human beings in South Africa. This is an issue of fundamental concern to America.

South Africa stands within sight of a cataclysmic racial civil war. There is, I suggest to you, particularly when we are considering a substitute that wants a further delay, limited time for change. Black patience with achieving reform is understandably running out. We must not make the mistake of underestimating the depth of feeling and anger of the black community at continued humiliation, degradation, and denial.

The killings of the last 16 months, including the slayings of at least 19 people during a funeral march on the 25th anniversary of the Sharpeville demonstrations, reflect a deeper and dangerous mood. It is one of intransigence versus frustrated demands and rights. As the grievances mount and as a younger generation becomes encased in the shattered dreams of their parents and harsh confrontation, the violence surely will increase.

Mr. Chairman, not too long ago, a great man of vision appealed to the conscience of America. Rev. Martin Luther King, Jr., perhaps in a moment of frustration, perhaps as a warning, stated, and I quote:

For years now we have heard the word "wait!" It rings in the ear of every Negro with piercing familiarity.

Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate-filled policemen curse, kick, and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight cage of poverty in the midst of an affluent society *** When you are forever fighting a degenerating sense of "nobodiness"—then you will understand why we find it difficult to wait.

Mr. Chairman, H.R. 1460 urges the Government of South Africa to seek accommodation with 22 million of its own citizens denied the inherent dignity that all men and women throughout the world should have. It is a reasonable bill and a timely measure. I strongly urge my colleagues to support the Anti-Apartheid Act of 1985 and to reject the pending substitute, however well meaning, that in fact says "Wait."

Mr. GUNDERSON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Florida [Mr. SHAW].

Mr. SHAW. I thank the gentleman for yielding.

Mr. Chairman, I think that this body, I think that this Government must speak out in the loudest, most constructive way possible in its abhorrence of apartheid. There are many speeches that have been made over the last few days and in the sessions that preceded this particular one on this particular bill. I find myself in just about total agreement with all the speakers. I find the encouraging part about this debate is that we are all unified in what we want to do. We want to bring democracy to South Africa. We would like to use the influence of the United States in the most constructive way possible to see that this happens.

□ 1430

And this is why I believe that the substitute that is before us right now brings the best of all amendments and all substitutes together in one bill, because what it brings about is the added influence of the United States, its ideals and its objectives in a constructive manner, the constructive manner in order to bring change to South Africa.

The most destructive thing that we could do to the black man in South Africa would be to disinvest.

Now I know that the bill before us at this moment does not call for disinvestment, even though I believe a substitute that will be offered afterwards would, but I think to bring about economic hardship in any way, whether it be a freeze upon investment or whether it be disinvestment, is going to bring

about the hardest hardship, the worst hardship, among those we are trying to help.

That is the poorest of the poor of South Africa; that is the black South African.

Only in an expended economy are there going to be new jobs, are there going to be responsible jobs, jobs in management which the United States has led the way in in South Africa. Only in that way will they be offered to the black South Africans.

For us to in any way try to isolate South Africa among the family of nations throughout the world would bring about a galvanization of a corrupt apartheid that none of us want to bring about.

If we were to isolate South Africa in the world, then the only way to change would be violent revolution, and this is something that none of us would want to advocate, nor would we want the blood of such a revolution on our hands.

I believe what has been offered is the most constructive, progressive approach that we could possibly use at this time, but it is most important that we as the leading democracy in the world today do all we can to bring about the democratization of all of South Africa as well as any nation in the world today.

I believe that we have a responsibility. I believe that we have an opportunity with this substitute to bring about this change, and for us to be a vital part of that change.

I recently returned from South Africa, and I was very encouraged to see the contribution that American business had made to the life of the black South African, and these are the ones that need the help. These are the ones that need the American example; and it is through American involvement in South Africa that we can set the example which they will see would be to their best advantage to follow, and will bring about economic prosperity and hopefully political prosperity to black South Africa.

Mr. WOLPE. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, the gentleman from Wisconsin, in arguing in favor of his substitute, attempted to characterize the legislation before us, with its waiver provisions, as in a sense simply a shorter period of time than his own delay before the imposition of sanctions.

I think the gentleman from Wisconsin inadvertently characterized this legislation in mistaken fashion. Only two of the sanctions are affected by the waiver provisions. The sanctions related to no new investments in South Africa, and sanctions related to the importation of the Krugerrand.

I think there is a categorical differentiation between those sanctions which are part of an effort to bring economic pressure on the South African regime to change its system of

apartheid and the other two sanctions; that is, the ban on the export of computers and the prohibition on bank loans to the South African Government, which are efforts to weaken South Africa's ability to enforce apartheid.

Those provisions are not subject to waiver; the waiver provisions which apply to the other two sanctions are not simply delay sanctions until such time as some commission reports, but they are sanctions which only can be delayed upon a Presidential certification that one of the conditions set forth in the bill has been achieved, and second, that Congress by joint resolution has approved of that determination.

In addition, the gentleman from Wisconsin argues over and over again, as have others who have taken that position, why ban computers? The Japanese will just fill the void.

The fact is that this country, time and time again has made its decisions on sanctions in large part based simply on the fact of whether the sanctions were justified, and when this administration imposed sanctions and prohibited exports of potassium fluoride to Iraq, because Iraq was using that chemical to manufacture nerve gas, there was no belief that Iraq could not find this chemical from some other country; what this country was saying through this administration's unilateral action was, we are not going to play a role in that particular heinous act by supplying the chemicals.

The companies that manufactured those chemicals approved of those sanctions, because it provided them and insulated them from liability for the contracts they had to provide Iraq for those particular chemicals.

I suggest that the computer industry in this country, when it sits back and looks at the effect of these sanctions which we seek to impose will say, thank you for helping us avoid having to do business and fulfill contracts that help make apartheid work.

I ask for a "no" vote on the substitute amendment.

Mr. GUNDERSON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ZSCHAU].

Mr. ZSCHAU. I thank the gentleman for yielding.

Mr. Chairman, I would like to clarify for this body the fact that under current regulations and current industry practice, U.S. computer manufacturers are not selling computers to the major agencies of the South African Government that administer and enforce apartheid.

If the substitute of the gentleman from Wisconsin were implemented and current practices continue, that restraint in selling such computers to support apartheid would continue as well.

Mr. BERMAN. Will the gentleman yield?

Mr. ZSCHAU. I yield to the gentleman.

Mr. BERMAN. My understanding of the present situation is that in fact, certain levels of computers are sold to South African agencies which enforce apartheid including local and regional boards, which implement policies of segregation, and that the administration has specifically decontrolled personal computers to the South African Government, including agencies that support apartheid.

Mr. GUNDERSON. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, there was some discussion earlier today about a letter that was written by conservatives with regard to apartheid and what its implications were to this particular debate, and I think that that discussion to some extent misrepresented the situation.

Because I believe that the approach taken by Mr. SILJANDER and now by Mr. GUNDERSON is precisely in line with what we detailed in a letter that I was one of the primary authors of, back in December, where we said as conservatives that we think that it is important in order to speak out against apartheid and to act against apartheid and to act against apartheid, that we begin the process of curtailing new investment and that we move toward diplomatic and economic sanctions that made some sense.

That was essentially the key paragraphs of that particular bill, or that particular letter.

The Gunderson approach moves us in that direction. What I somewhat resent in the debate is the idea that to have spoken out then locks you in to taking some approach which is a singular approach.

I think the Washington Post makes very good sense this morning when it says that there may be other approaches that make more sense than the approach being taken by the majority on this issue.

□ 1440

Well, in this case, the approach that makes some sense is the Gunderson approach because what you have there is an attempt to utilize American business in a way which causes positive movement within the country. We have heard a lot of discussion about people who have been to South Africa and have seen the situation there and have come to their own conclusions. Well, Mr. GUNDERSON has been to South Africa. I think his bill and his approach grew out of his visit to South Africa. I know that the South Africans that I have talked to in my office, to a man, who are anti-apartheid, have said flatly that they agree with this approach, an approach of mandatory Sullivan rather than disinvestment.

Now, I realize that there are folks who are saying, "Well, there is nothing about disinvestment in the approach that the majority has brought to the Hill."

Well, let me just ask a question: The people who are parading out in front of the South African Embassy or the people who are demonstrating on the campuses with the signs that read "Disinvest now," would they be more supportive of the approach brought to us by the majority or the approach brought to us by Mr. GUNDERSON? My guess is that the majority is attempting in their bill to appeal to precisely that political sentiment.

Now, the one that comes the closest and is the most honest approach to that particular sentiment is the amendment to be offered by our colleague from California [Mr. DELLUMS], and that is certainly the approach that they would most agree with. But my point is that I think that the disinvestment forces, who sincerely believe that, also have some problem with the Gunderson approach because it is the true conditional investment aspect. And I think that if you believe, as I do, that South Africa will be well served and the majority of South Africans will be well served by a policy that positively moves us toward creating better economic conditions that rapidly, then empowers black citizens economically and then politically, that the approach that will do that is the Gunderson-type approach.

So I applaud him for bringing that particular amendment to the floor. I intend to support that substitute and I intend to support that substitute confident that it meets precisely the standards of the letter that conservatives put together in December. We think that that was a statement worthwhile. This would be a step worthwhile in fulfilling that statement.

Mr. GUNDERSON. Mr. Chairman, I yield 5½ minutes to the gentleman from Michigan [Mr. SILJANDER], the distinguished ranking minority member of the subcommittee.

Mr. SILJANDER. I thank the gentleman for yielding, and I rise in strong support of his substitute.

I think it is important in the course of the debate, as we to some degree pooh-poohed the Sullivan principles and what they have really done for blacks in South Africa, to look over the record. As a matter of fact, 2 weeks ago I was challenged by Mr. CONYERS of Michigan on the figure I gave that since 1977 \$100 million has flowed into black education, health, housing and other programs from U.S. firms who are signatory to Sullivan. I was asked, "Where do those figures come from, and can you give me a breakdown?" And I am more than thrilled to do so today.

In education and training for Sullivan employees, for example, in 1982, 4,295 participated; in 1983, 13,369, a total of \$6 million.

Blacks in training programs, 5,544 in 1982; in 1983, 6,942.

Blacks as a percent of total in supervisory and management categories—it is important that we talk about upward mobility and training blacks for management leadership skills—in 1979, the percent was 16.7 percent; in 1983, it was 21.2 percent, even with the severe recession in South Africa.

Scholarship and tuition refund programs, in 1979, 5,077 participated; in 1983, over 35,000 participated. Before the recession, nearly 68,000 participated.

Advancement training, in 1979 there were 9,298; now there are over 50,000.

Non-Sullivan employees involved in training programs, blacks, 22,000 in 1983, spending an amount of nearly \$3 million.

Adopt-a-school program, under Sullivan signatories, there were 96 such adopt-a-school programs in 1980; there were 200 in 1983, and the goal is 1,000.

These are things that help the upward mobility for blacks. This is a forum, a positive, progressive forum, to help blacks begin dismantling that vicious apartheid system.

Financial contributions for education and training in 1978 was \$1.2 million. And in 1983 it was \$13.3 million, an elevenfold increase.

Health care, \$2.4 million.

Small business development, \$4.2 million.

And, to quote Mr. Sullivan, in an area I think is of vast importance, "the Sullivan signatories have been involved in helping change the political climate and the conditions in that country."

He says, "Many top signatory executives serve on executive committees of influential South African commerce and industry organizations. Three such organizations"—and he lists them—"have issued public statements in opposition to such proposed legislation as the orderly movement and settlement of black persons bill, intended to further limit the right of blacks to choose their place of residence. As a result," says Mr. Sullivan, "of strong and unified opposition from these organizations, as well as from some political parties, this bill was withdrawn."

Mr. Sullivan, in a recent article in the Washington Times, said not only are there 125,000 employees under U.S. firms under Sullivan but 1 million blacks, approximately 1 million people, most of them are blacks, he said are under signatory to the Sullivan code that are South African-owned companies that have nothing or little to do with U.S. firms except they follow the U.S. leadership.

Mr. GRAY of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. GRAY of Pennsylvania. I thank the gentleman for yielding.

The gentleman quoted Dr. Leon Sullivan, who is a constituent of this Member of the House.

Mr. SILJANDER. I am well aware of that.

Mr. GRAY of Pennsylvania. Dr. Sullivan has been writing an op-ed piece on this very subject.

I wonder if the gentleman did not also read in any of these op-ed pieces where Dr. Sullivan says:

Meanwhile, there must be a moratorium on all American economic expansion in South Africa until apartheid is officially ended. There should be no new investments, no bank loans to the South African Government or its agencies and an end to the sale of Krugerrands—

Mr. SILJANDER. I would like to regain my time to say that I have read the article, I am familiar with the article. It is certainly politically astute and sensitive on his part. He is a copastor, and he is a constituent, he certainly put the disclaimer at the end of his article. I think it was certainly sensitive and appropriate for him to do so.

But I would like to quote Mr. Sullivan, to summarize my remarks, your constituent, who says:

We have made more progress in this regard—

Regarding black progress—

in those 7 years—educating our black brothers, providing job training and higher paying jobs and supervisory jobs, and management jobs, improving the medical care and health programs, providing decent housing, doing all of the things the Sullivan signatory companies have committed to do. I'm proud of the job the U.S. companies have done and are doing in South Africa. But it's not enough, and I keep saying to the companies we must do more, more, more We must move faster, faster, faster

And that is precisely why this substitute is important, to make those principles mandatory for new and existing businesses.

● Mr. MONTGOMERY. Mr. Chairman, I have supported the Siljander and Gunderson amendment because it does not hinder economic growth as the committee bill does.

It seems if you slow down economic growth it takes away jobs for blacks and other low-income persons.

The best way to erode apartheid is to improve the economy of this country and not to stop investments in South Africa.

By accepting this bill we will be, in effect, taking away our leverage of getting decent human rights in South Africa.

So it doesn't make good sense to just pull out of South Africa. To fight apartheid, I think, there are other ways to do it.

Mr. GUNDERSON. Mr. Chairman, I yield myself the remaining time.

The CHAIRMAN. The gentleman from Wisconsin [Mr. GUNDERSON] is recognized for 4½ minutes.

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

Mr. GUNDERSON. Mr. Chairman, let me begin by commending my colleague from Pennsylvania for offering this particular piece of legislation. I think he shares the feeling of every Member of this Congress and every person in this country who wants to change what is going on in South Africa. I offer you this afternoon what I believe is a thoughtful, intellectual, constructive alternative. I believe it is a better strategy to achieve the common goals which are held by every American.

I have almost no blacks in my district. I am not on the Foreign Affairs Committee. And many can ask why am I involved in this issue.

I got interested in this issue because I have come to believe, as a youngster, that there is no such thing as the American dream. The American dream is a universal dream which exists in the hearts and in the minds of people all over the world, who simply yearn for the chance to be free and the opportunity to chart their own destiny.

When I see what occurs in other regions of the world, and particularly in South Africa, this afternoon, I want to know how we can be a constructive, positive contributor to change and to giving that American freedom to every citizen of the world.

My bill provides conditional investment. It encourages American investment in the next 2 years because we believe that is positive, and only if no progress is made at the end of 2 years do we say, yes, then we must take sanctions as our only alternative.

My bill provides economic incentive, scholarships for the blacks, funds for the Human Rights Commission and activities of the blacks politically in South Africa, extension of credit to various black businesses.

My bill requires the immediate implementation of the Sullivan principles not for 70 percent of the American companies operating in South Africa but for 100 percent of those companies.

□ 1450

My bill provides economic incentives; scholarships for the blacks; funds for the Human Rights Commission and activities of blacks politically in South Africa. Extension of credit to various black businesses. My bill requires the immediate implementation of the Sullivan principles not for 70 percent of American companies operating in South Africa, but for 100 percent of those companies.

My bill sets up a Congressional Commission on South Africa, so we along with the administration would be partners in the process of trying to bring about reform and change in that particular region of the country.

Finally, I would like to appeal to my colleagues on the Democratic side of the aisle who I know have made commitments to support the Gray proposal and know it will pass. As this particular proposal goes to a conference

committee with the other body, if you believe as I do that we ought not only look at the issue of sanctions in terms of bank loans, computer sales, et cetera, but if you believe we also ought to be positive, that we ought to provide incentives in the fair labor area, incentives in education, incentives to black business and black enterprise, then send a signal, send a signal to the author of the bill; send a signal to your Members who will be on the conference committee that you want more than just negative reaction; you want positive, constructive proposals as well.

Vote for my substitute so that they will understand that when they bring a conference proposal back to this House, it will be more than just a statement, it will be a positive cause of expanding the American ideals to another corner of the world for all of the population of that country.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Michigan [Mr. WOLPE] has 15 minutes remaining.

Mr. WOLPE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. GRAY], the principal sponsor of this legislation.

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

Mr. GRAY of Pennsylvania. I thank the gentleman for yielding to me.

Mr. Chairman, we are coming to the end of a rather lengthy debate on a very significant issue that affects all of us in this great Nation of liberty and democracy. That issue is whether or not we will implement the great words that we all believe in as Americans—freedom and dignity. Will we put into action in our foreign policy towards South Africa those values that we have been quick to put into place with nations like Poland, Iran, Afghanistan, Iraq, Jordan, and other places where we have seen the denial of freedom, liberty, and dignity.

I want to, first of all, thank the chairman of the Subcommittee on Africa, the gentleman from Michigan [Mr. WOLPE], for the outstanding leadership that he has provided during this debate. I want to thank all of my colleagues for the high level of debate in which they have participated here on the floor of the House.

However, I must rise in opposition to the amendment by the gentleman from Wisconsin [Mr. GUNDERSON]. For ultimately there are four things that are wrong with this amendment.

First, there is a call for the institution of the Sullivan principles, a sense of Congress that the Sullivan principles ought to be implemented. Even the Senate decided not to have a sense of Congress resolution. They decided to make the Sullivan principles mandatory. But more importantly, the issue is not whether to implement Sul-

livan or not to implement Sullivan. For, indeed, Dr. Sullivan has made his position very clear. He states in articles that have already been partially quoted here today that he is for those principles which American companies should implement so that they will not be guilty of practicing apartheid inside of American owned plants in South Africa. There is no violation of South African law for any American company to do that.

American companies ought to be doing that and we should not even need a sense of Congress or a mandatory rule to say that American companies in South Africa ought to provide freedom, justice, and equal opportunity. But, some are suggesting here today that these principles will change or affect the political structure of apartheid. Even Dr. Sullivan, in op-ed pieces in the Philadelphia Inquirer, the Washington Post, and the New York Times, makes it clear that his principles address a very narrow problem, and that is that American corporations not practice the insidious system of apartheid within their walls.

He goes on to say, and I quote again: "Meanwhile, there must be a moratorium on all American economic expansion in South Africa until apartheid is officially ended. There should be no new investments, no new bank loans to the South African Government or its agency. An end to the sale of Krugers; a halt to the sale of any equipment, material, or services to the military or police backed up with embargoes, sanctions, and other penalties."

So Dr. Leon Sullivan would reject the Gunderson amendment on face value because this amendment does not reflect his position. The Sullivan principles do not attack the basic problem of apartheid—the political system of enslavement based upon race and the color of one's skin. Dr. Sullivan is simply saying that American companies should not participate in apartheid and I agree with him.

Second, the Gunderson amendment says let us provide financial aid for human rights activities and for scholarships. A noble cause; who is against scholarships and human rights aid? But is it not sort of anomalous, to say the least, that in a nation where there is the gross denial of human rights we are going to provide \$1.5 million for human rights activities? In a country where people cannot live where they want to live, cannot go where they want to go, cannot vote for what they want to vote for, we are going to say, "We are standing for freedom and democracy. We are going to give \$15 million for scholarship funds. Scholarship money to be used where? In the Bantustans? In the schools of the Bantustans? I am sure South Africa would love to have \$15 million in scholarships to "educate" the black majority in those schools. It would relieve them of that problem and they could save \$15 million to add to the disproportionate education of the minority

white students there. Then the United States would be in the strange position; on the one hand, funding human rights activities to the tune of \$1.5 million, while at the same time we are allowing a \$600 million sale of Krugers in this country and permitting bank loans to the tune of \$400 million to the South African Government. And we will be saying, "We are standing for freedom, justice, and democracy."

Do you believe the people of South Africa or the people of the world would actually believe us? No.

Then there is the third part of the amendment. Let us have a commission so that we can study apartheid. Let the Congress form another committee, another committee in the Congress to study apartheid. We will form it; the same ratios as the House; we will even send committee members to South Africa to study for a while. We do not need another legislative committee or a congressional commission to study apartheid.

Martin Luther King, Jr., used to have a saying about those back in the fifties and the sixties who were reluctant to change here in America and he said, "They always wanted commissions and study groups, and they always got caught up in the paralysis of analysis." So we are being offered the opportunity to get caught up in the paralysis of analysis, spend taxpayers' money so that we can study the problem some more.

Then finally, the fourth thing that is offered in the Gunderson amendment is that the suggestion, which has been a part of the debate for the last 4 days, is that somehow my bill is negative because it will hurt the majority. It will they say, "cause disinvestment," and we do not want to lose any of those precious slave jobs in the mines. Some seem to think that the issue is a loss of jobs, not a loss of justice.

□ 1500

These claims are not true. My bill does not call for the loss of any jobs at all, and each of those who have spoken and implied otherwise that know that. It does not call for the loss of a single job.

I believe it is time for us as a nation to put our values into action, move beyond the rhetoric of "abhorrence of apartheid," and begin to say, as even those in the other body said yesterday when they adopted at least three parts of this bill, that the time has come to do something. Yes, we can argue about whether Chief Buthelezi is right or his cousin, Bishop Manos Buthelezi is. We can talk about Bishop Tutu. We can talk about Dr. Motlano. But let me remind you of three quotes, first John Vorster, the former Prime Minister of South Africa. Here is what he said:

Each trade agreement, each bank loan, each new investment, is another brick in the wall of our continued existence.

This was the leading architect of apartheid saying "Continue to send

money, America. You are strengthening me."

And if you do not want to listen to Bishop Tutu, let me take you back to a man who started a movement in non-violence many years ago, and he was the first black to ever receive the Nobel Peace Prize. His name was Albert Luthuli, the former president of the African National Congress, the first black recipient of a Nobel Peace Prize, the first African and South African to be awarded a Nobel Peace Prize, and this is what he said years ago:

The economic boycott of South Africa will undoubtedly entail hardship for Africans. We do not doubt that. But if it is a method which shortens the day of bloodshed, the suffering will be the price we are willing to pay.

Because the West would not heed those words, that movement, the ANC, has been forced to renounce nonviolence. Today they are willing to use violence.

Do you not see our good friends, the Soviets, rejoicing in that moment so they can send arms? If you want to stop the spread of communism, America, fight apartheid. If you want to help communism, embrace apartheid.

Then I would say finally to my colleagues before you vote, the real question for all of us is not over the fun and games of strategy but it is really the question of where we stand. Do we stand with the victims or do we stand with the oppressors? No matter how we try to rationalize it, that is the question.

I remember as a child growing up in the deep South of this great country, a country that is so great that it had the ability to change and allow a black boy born in Louisiana, who grew up in the ghettos of north Philadelphia, to become chairman of the House Budget Committee. I remember back in the 1940's reading in the newspapers in the South all of those who said, "The black folk are happy. We took a poll. No black leaders are upset with segregation and we are evolving."

No; we do not need to do that again. We know the answer. The answer is that we ought to take these modest steps to say where we stand as a nation.

Finally, I conclude by saying to all of my colleagues, we ought to do it because I believe every American from sea to shining sea, from Maine to Texas, from Pennsylvania to California, does not want this Nation financing apartheid. That is the issue. This bill seeks to end financing apartheid.

But if you do not want to listen to me, I want to remind you finally of someone who has been banned for a number of years. That is the practice in South Africa when you speak out against the apartheid system but they have no grounds whatsoever to justify locking you up. They put you in your house and say, "You cannot leave the house. You can only have one visitor

at a time." And this has to be approved by the government.

There is someone similar to Sakharov and Shcharansky in the Soviet Union suffering this kind of oppression, like Lech Walesa in Poland. We lit a candle for Solidanty in Poland, but we will not strike a match for the blacks of South Africa. The person I'm quoting said this to the West, and I think she speaks to us in the hallowed halls of this great Congress. Her name is Winnie Mandela. Her husband is in jail and he will not leave because he will not bow to the apartheid oppression. She said these words when asked about what the West should do and whether or not sanctions would hurt South Africa's black majority. She said these words, and I am quoting her, Winnie Mandela:

The West refuses to understand what we mean by saying leave us alone. We are tired of being well-fed slaves. We want to fight for our freedom on empty bellies. Stop sustaining and maintaining apartheid. Stop financing apartheid. Again, the white man prescribes for us. He tells us we will suffer, as if we have not been suffering.

That is Winnie Mandela.

I choose today to stand with the victims, not with the Vorsters, not with the Bothas, but to stand with the Nelson and Winnie Mandelas, the Bishop Tutus, and those who want to bring about peaceful change. If we as a nation fail to stand with those who are the victims of this most insidious form of oppression, then America is the loser. We will lose on the world stage as a nation that preaches freedom, justice, but it is only applied to certain people, and there is a double standard.

Yes, I want to hear those words, those words that are sung by Ray Charles, sung by the majority of South Africans. The day of freedom will come sooner or later, my act is not going to force apartheid to come down tomorrow. It is simply going to get us out of the business of financing apartheid, like Mr. Vorster wanted. But one day it will come to the point where those South Africans will look back and say, "Years ago the American Congress stood up and forced the West to join them," and they will sing with new meaning the lines so often sung by Ray Charles:

O beautiful for heroes proved in liberating strife,
Who love their country and mercy more than life.

America, America, may God thy goal refine,
'Till every success is nobleness and every gain divine.

I urge a "no" vote on the Gunderson amendment.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. GUNDERSON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. GUNDERSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 112, noes 313, not voting 8, as follows:

[Roll No. 138]

AYES—112

Archer	Hammerschmidt	Petri
Badham	Hansen	Porter
Barnard	Hartnett	Pursell
Barton	Hendon	Quillen
Bateman	Henry	Regula
Bentley	Hiler	Ridge
Bereuter	Hunter	Roberts
Billrakis	Hutto	Roth
Broomfield	Jenkins	Roukema
Broyhill	Kolbe	Rowland (CT)
Burton (IN)	Kramer	Saxton
Campbell	Lagomarsino	Schuette
Chandler	Latta	Sensenbrenner
Chappie	Leath (TX)	Shaw
Cheney	Lewis (CA)	Shuster
Clinger	Lewis (FL)	Siljander
Cobey	Lightfoot	Skeen
Coble	Livingston	Smith (NE)
Craig	Loeffler	Smith, Denny
Daniel	Lott	Smith, Robert
Dannemeyer	Lowery (CA)	Spence
Daub	Lujan	Stangeland
Davis	Lungren	Stenholm
DeWine	Marlenee	Strang
Dickinson	McCain	Stump
Doran (CA)	Meyers	Sundquist
Drener	Michel	Swindall
Duncan	Monson	Tauke
Evans (IA)	Montgomery	Taylor
Fiedler	Moore	Thomas (CA)
Fields	Moorehead	Vander Jagt
Franklin	Morrison (WA)	Vucanovich
Frenzel	Myers	Walker
Gekas	Nielson	Whitehurst
Gingrich	O'Brien	Wolf
Goodling	Oxley	Young (FL)
Gunderson	Parris	
Hall, Ralph	Pashayan	

NOES—313

Ackerman	Coleman (TX)	Gallo
Addabbo	Collins	Garcia
Akaka	Combost	Gaydos
Alexander	Conte	Gedjenson
Anderson	Conyers	Gephardt
Andrews	Cooper	Gibbons
Annunzio	Coughlin	Gilman
Anthony	Courter	Glickman
Applegate	Coyne	Gonzalez
Army	Crane	Gordon
Aspin	Crockett	Gray (IL)
Atkins	Darden	Gray (PA)
AuCoin	Daschle	Green
Barnes	de la Garza	Gregg
Bates	DeLay	Grotberg
Bartlett	Dellums	Guarini
Bedell	Derrick	Hall (OH)
Beilenson	Dicks	Hamilton
Bennett	DioGuardi	Hatcher
Berman	Dixon	Hawkins
Bevill	Donnelly	Hayes
Biaggi	Dorgan (ND)	Hefner
Bliley	Dowdy	Heftel
Boehlert	Downey	Hertel
Boggs	Durbin	Hillis
Boland	Dwyer	Holt
Boner (TN)	Dymally	Hopkins
Bonior (MI)	Dyson	Horton
Bonker	Early	Howard
Borski	Eckart (OH)	Hoyer
Bosco	Eckert (NY)	Hubbard
Boucher	Edgar	Huckaby
Boulter	Edwards (CA)	Hughes
Boxer	English	Hyde
Breaux	Erdreich	Ireland
Brooks	Evans (IL)	Jacobs
Brown (CA)	Fascell	Jeffords
Brown (CO)	Fawell	Johnson
Bruce	Fazio	Jones (NC)
Bryant	Feighan	Jones (OK)
Burton (CA)	Fish	Jones (TN)
Bustamante	Filippo	Kanjorski
Callahan	Florio	Kaptur
Carney	Foglietta	Kasich
Carper	Foley	Kastenmeier
Carr	Ford (MI)	Kemp
Chappell	Ford (TN)	Kennelly
Clay	Fowler	Kildee
Coats	Frank	Kindness
Coelho	Frost	Kleczka
Coleman (MO)	Fuqua	Kolter

Kostmayer	Neal	Smith (IA)
LaFalce	Nelson	Smith (NH)
Lantos	Nichols	Smith (NJ)
Leach (IA)	Nowak	Snowe
Lehman (CA)	Oakar	Snyder
Lehman (FL)	Oberstar	Solarz
Leland	Obey	Solomon
Lent	Olin	St Germain
Levin (MI)	Ortiz	Staggers
Levine (CA)	Owens	Stark
Lipinski	Packard	Stokes
Lloyd	Panetta	Stratton
Long	Pease	Studds
Lowry (WA)	Penny	Sweeney
Luken	Pepper	Swift
Lundine	Perkins	Synar
Mack	Pickle	Tallon
MacKay	Price	Tauzin
Madigan	Rahall	Thomas (GA)
Manton	Rangel	Torres
Markey	Ray	Torricelli
Martin (IL)	Reid	Towns
Martin (NY)	Richardson	Trafficant
Martinez	Rinaldo	Traxler
Matsui	Ritter	Udall
Mavroules	Robinson	Valentine
Mazzoli	Rodino	Vento
McCandless	Roe	Viscosky
McCloskey	Roemer	Volkmer
McCollum	Rogers	Walgren
McCurdy	Rose	Watkins
McDade	Rostenkowski	Waxman
McEwen	Rowland (GA)	Weaver
McGrath	Roybal	Weber
McHugh	Rudd	Weiss
McKernan	Russo	Wheat
McKinney	Sabo	Whitley
McMillan	Savage	Whittaker
Mica	Schaefer	Whitten
Mikulski	Scheuer	Williams
Miller (CA)	Schneider	Wirth
Miller (OH)	Schroeder	Wise
Miller (WA)	Schulze	Wolpe
Mineta	Schumer	Wortley
Mitchell	Seiberling	Wright
Moakley	Sharp	Wyden
Molinari	Shelby	Wylie
Mollohan	Shumway	Yates
Moody	Sikorski	Yatron
Morrison (CT)	Sisisky	Young (AK)
Mrazek	Skelton	Young (MO)
Murphy	Slattery	Zschau
Murtha	Slaughter	
Natcher	Smith (FL)	

NOT VOTING—8

Byron	Emerson	Stallings
Dingell	Gradison	Wilson
Edwards (OK)	Spratt	

□ 1520

Mr. LIPINSKI and Mr. BREAUX changed their votes from "aye" to "no."

Mr. VANDER JAGT and Mr. DUNCAN changed their votes from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. DELLUMS: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. PROHIBITION OF INVESTMENTS IN SOUTH AFRICA.

No United States person may, directly or through another person, make or hold any investment in South Africa.

SEC. 2. PROHIBITION ON EXPORTS TO SOUTH AFRICA.

(1) GENERAL RULE.—No goods, technology, or other information subject to the jurisdiction of the United States may be exported

to South Africa, and no goods, technology, or other information may be exported to South Africa by any person subject to the jurisdiction of the United States. The prohibition contained in this paragraph shall apply to goods, technology, or other information of any kind, which is subject to controls under the Export Administration Act of 1979, the Arms Export Control Act, the Atomic Energy Act of 1954, or any other provision of law.

(2) **EXCEPTION.**—The prohibition contained in paragraph (1) shall not apply to exports described in section 6(f) of the Export Administration Act of 1979.

SEC. 3. PROHIBITION ON LANDING RIGHTS OF SOUTH AFRICAN AIRCRAFT.

(a) **PROHIBITION.**—The Secretary of Transportation shall prohibit the takeoff and landing of any aircraft by an air carrier owned by the Government of South Africa or any citizen or national of South Africa.

(b) **EXCEPTIONS FOR EMERGENCIES.**—The Secretary of Transportation may provide for such exceptions from the prohibition set forth in subsection (a) as the Secretary considers necessary to provide for emergencies in which the safety of an aircraft or its crew or passengers are threatened.

(c) **DEFINITIONS.**—For purposes of this section, the terms "aircraft" and "air carrier" have the meanings given those terms in section 101 of the Federal Aviation Act of 1958.

SEC. 4. PROHIBITION ON IMPORTATION OF KRUGGERANDS.

No person may import into the United States any South African kruggerand or any other gold coin minted in South Africa or offered for sale by the Government of South Africa.

SEC. 5. ENFORCEMENT; PENALTIES.

(a) **AUTHORITIES OF THE PRESIDENT.**—The President shall take the necessary steps to insure compliance with the provisions of this Act and any regulations, licenses, and orders issued to carry out this Act, including establishing mechanisms to monitor compliance with such provisions, regulations, licenses and orders. In insuring such compliance, the President may conduct investigations, hold hearings, administer oaths, examine witnesses, receive evidence, take depositions, and require by subpoena the attendance and testimony of witnesses and production of all books, papers, and documents relating to any matter under investigation.

(b) **VIOLATIONS.**—Any person that violates the provisions of this Act or any regulation, license, or order issued to carry out this Act shall—

(1) if other than an individual, be fined not more than \$1,000,000; and

(2) if an individual, be fined not more than \$50,000, or imprisoned not more than 5 years, or both.

(c) ADDITIONAL PENALTIES FOR CERTAIN INDIVIDUALS.—

(1) **IN GENERAL.**—Whenever a person violates the provisions of this Act or any regulation, license, or order issued under this Act—

(A) any officer, director, or employee of such person, or any natural person in control of such person who knowingly and willfully ordered, authorized, acquiesced in, or carried out the act or practice constituting the violation, and

(B) any agent of such person who knowingly and willfully carried out such act or practice, shall, upon conviction, be fined not more than \$10,000, or imprisoned not more than five years, or both.

(2) **RESTRICTION OF PAYMENT OF FINES.**—A fine imposed under paragraph (1) on an individual for an act or practice constituting a violation may not be paid, directly or indi-

rectly, by the person committing the violation itself.

(d) **SEIZURE AND FORFEITURE OF AIRCRAFT.**—Any aircraft in connection with a violation of section 3 of this Act or any regulation, license, or order issued to carry out that section shall be subject to seizure by and forfeiture to the United States. All provisions of law relating to the seizure, forfeiture, and condemnation of articles for violations of the customs laws, the disposition of such articles or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to the seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this subsection, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act; except that all powers, rights, and duties conferred or imposed by the customs laws upon any officer or employee of the Department of the Treasury shall, for purposes of this subsection, be exercised or performed by the Secretary of Transportation or by such persons as the Secretary may designate.

SEC. 6. REGULATIONS.

The President may issue such regulations, licenses, and orders as are necessary to carry out this Act.

SEC. 7. DEFINITIONS.

For purposes of this Act—

(1) **UNITED STATES.**—The term "United States" includes the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(2) **UNITED STATES PERSON.**—The term "United States person" means any United States resident or national and any domestic concern (including any permanent domestic establishment of any foreign concern).

(3) **SOUTH AFRICA.**—The term "South Africa" includes the Republic of South Africa; any territory under the administration, legal or illegal, of South Africa; and the "bantustans" or "homelands", to which South African blacks are assigned on the basis of ethnic origin, including the Transkei, Bophuthatswana, Venda, and Ciskei.

(4) **INVESTMENT IN SOUTH AFRICA.**—A person makes or holds an investment in South Africa if that person—

(A) establishes or contributes funds or other resources (including making a loan or other extension of credit) for the establishment of a business enterprise in South Africa;

(B) otherwise invests funds in a business enterprise in South Africa, including—

(i) beneficially owning or controlling a share or interest in such a business enterprise;

(ii) beneficially owning or controlling a bond or other debt instrument issued by such a business enterprise;

(iii) making capital contributions in money or kind to such a business enterprise, and

(iv) making a loan or other extension of credit to such a business enterprise, or giving security for the debts of such a business enterprise; or

(C) controls a business enterprise in South Africa, in cases to which subparagraphs (A) and (B) do not apply.

(5) **FUNDS.**—The term "funds" means money or other resources.

(6) **BUSINESS ENTERPRISE.**—The term "business enterprise" means any organization, association, branch, or venture which exists for profitmaking purposes or to otherwise secure economic advantage, and such term includes the ownership of real estate.

(7) **BRANCH.**—The term "branch" means the operations or activities conducted by a

person in a different location in its own name rather than through an incorporated entity.

(8) **CONTROL.**—A United States person shall be presumed to control a business enterprise in South Africa if—

(A) the business enterprise is operated by the United States person pursuant to the provisions of an exclusive management contract;

(B) a majority of the members of the board of directors of the business enterprise are also members of the comparable governing body of the United States person;

(C) the United States person has authority to appoint a majority of the members of the board of directors of the business enterprise; or

(D) the United States person has authority to appoint the chief operating officer of the business enterprise.

SEC. 8. APPLICABILITY TO EVASIONS OF ACT.

This Act shall apply to any United States person who undertakes or causes to be undertaken any transaction or activity with the intent to evade the provisions of this Act or any regulation, license, or order issued to carry out this Act.

SEC. 9. EFFECTIVE DATE.

The provisions of this Act shall take effect 180 days after the date of the enactment of this Act.

□ 1530

Mr. DELLUMS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. DELLUMS] will be recognized for 30 minutes and a Member opposed to the amendment will be recognized for 30 minutes.

Is the gentleman from Michigan [Mr. SILJANDER] opposed to the amendment?

Mr. SILJANDER. I am, Mr. Chairman.

The CHAIRMAN. The gentleman from Michigan [Mr. SILJANDER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is indeed the last amendment that will be debated on the Anti-Apartheid Act of 1985. A number of my colleagues have, in an unsolicited fashion, indicated that this is the only intellectually honest amendment to be presented on the floor. I leave that to those of you in this body to make that judgment.

In order to make my statement, Mr. Chairman, I would like to go back about 55 years to the early 1930's in Nazi Germany when a number of our fellow human beings were required to carry cards and wear a yellow star to hyphen who they were.

It started in a very gradual way.

I was born in the middle of that decade, 1935. Beyond the middle of that decade, in the infancy of my life, Nazi Germany began.

So, Mr. Chairman, we began in the early 1930's in virtually the same way that South Africa conducts its business with respect to black people in that country. But by the late 1930's, Mr. Chairman, millions of our Jewish brothers and sisters were being killed.

I would like to believe that if this gentleman were a Member of the U.S. Congress that I would have raised my voice in my diametric opposition to that madness. I believe that I would have screamed out against the injustice and the brutal maiming and killing of millions of our fellow human beings. But I was merely an infant.

I am now an adult and at this moment, at this time, with respect to what is happening in South Africa, I cry out, I raise my voice to scream at the incredible injustice that is presently taking place in South Africa.

It is against that backdrop that I make my statement. I am motivated by the notion that each of us who are citizens of this planet, whether we are in or outside the formal body politic, have a profound obligation, indeed a major responsibility to stand up and speak out against injustice wherever it occurs anywhere in the world. And there are two ways that one can challenge injustice in the world: peacefully or in a warlike fashion.

This gentleman is not asking the United States to declare war on South Africa. We have the technological capability to destroy that nation. But I am not a man of war. I try to raise my voice in peace.

It is in that second context that I offer the amendment today in the nature of a substitute. We have a responsibility to speak.

Mr. Chairman, the premise upon which I speak is as follows: Apartheid is unspeakably horrendous, evil, immoral and politically wrong. Mr. Chairman, the United States and its citizens are accessories to this evil by virtue of our acquiescence and our support of the injustices and the immorally reprehensible Government in South Africa. Unrest, violence, deaths continue, continue to escalate in that country.

Mr. Chairman, our, the United States, political ideals, moral teachings and our history require that we change our policy.

At this point I would like to begin to elaborate upon that statement by first saying this, something that has not been introduced into this debate, and that is that the struggle against apartheid in South Africa is as important to the emotional and mental and intellectual and political well-being of this Nation as it is for the savings of our brothers and sisters in South Africa. We are a multiracial Nation. What do we say to the blacks, to the browns, to the reds, to the yellows, and to the whites in this country who understand

the commonality of our brother and sisterhood when we continue to cling tenaciously to policies that would allow a nation based upon an absurd and antiquated notion of racial supremacy to continue to go forward? So no one has said on this floor that what we are about here is as much about the liberation of America as it is the liberation of our black brothers and sisters in South Africa.

Healing must take place in this country. Martin Luther King talked about the dreams that are still deferred.

I am a black man. I represent the district that I was born in, raised in, educated in, cried in, fought in, dated in, played baseball in. I come to this floor and all of you know that I take every single opportunity at my disposal to advance my full citizenship because I walk in that door every single day assuming that I am a full participant in the body politic. To do less would be to diminish me. To do less would diminish 500,000 people who are my constituents. To do less would be to diminish the process itself.

So we all sit here, men and women, black and white, brown, yellow, but when we vote we are all equal. That is the statement that we must take forward into the world if we are indeed committed to it.

So we must get beyond the last vestiges of racism and discrimination and prejudice and hatred and misunderstanding that have been an integral part of the 200 years of our past. And so this debate is not singularly and simply a debate about South Africa. Understand it is as much a debate about America as it is about South Africa.

So I do not come into the well with a sense of noblesse oblige. This is not my noble obligation. I am not here as a missionary. My self interest is involved in the liberation of all people on this planet.

□ 1540

America has to be an integral part of painting a different face to the world and it cannot be done it seems to me while we continue to engage in a relationship with South Africa. The policy of constructive engagement has not worked. We all know that. It is, indeed, an un-American policy, Mr. Chairman, in that it fails to support the principles upon which we ostensibly believe.

Let me state it a different way: I believe that to oppose apartheid in South Africa should be as American as apple pie. Mr. Chairman, from the most rightwing Member of this body to the most leftwing Member of this body and everyone in between should be unified on this issue. This is not the latest liberal issue of the day. This issue transcends the narrow confines of our ideological perspective. The reason why I say opposing apartheid should be as American as apple pie is as follows: If any of you in the Repub-

lican Party, in the Democratic Party, in all wings of the political spectrum believe truly in your heart of hearts and in your mind in the equality of human beings and the magnificence of the human spirit, black people in South Africa, people of color in South Africa are not dealt with as equal human beings. If you believe in individual rights that are enshrined in the Constitution of the United States, due process: When I went to jail before the South African Embassy I knew that the next day I would be arraigned before a judge. I knew that if I needed it I could solicit an attorney. Not true for black people in South Africa.

The freedom to speak: This black man stands in the well and has the audacity to challenge policy to which I disagree. My brothers and sisters in South Africa do not have that opportunity. I stand in this well to challenge on behalf of my constituency as a black man, interestingly enough with a predominantly white constituency: 18.2 percent black, 27 percent total nonwhite, 71 percent white, for 10½ of the 14 years that I have served in the Congress.

So it shows that people have the capacity to get beyond the earth-bound, mundane, pedestrian notions of the color of one's skin, to the level of their ideas and their competence and their capabilities. If it can happen in one little place in California then it can happen all over the world. So it is indeed un-American that we continue to embrace the notions of apartheid.

Freedom of assembly: I go where I choose, meet with whomever I choose. That is an inherent right. It is part of my birthright. My wife and I gave birth to three children. They have rights as citizens. They did not have to fight for them. We did the fighting.

My children did not have to die for it. The Kings and the Malcolms and others did the dying for it. But it is now their right. But that is not true in South Africa.

So how can we wave the flag as Americans based upon our democratic ideals and embrace apartheid? We believe that every single individual in this country at a certain age shall have the right to vote as an inherent part of our flag-waving. Black people in South Africa do not have that. We can travel anywhere that we choose to go. Some of my colleagues even think the mass transit is a communist conspiracy because it means getting people out of their individual automobiles so that they cannot travel freely. So we cling tenaciously to the notions of the right to move freely.

Not true for our people in South Africa.

Freedom from arbitrary arrest and police terrorism: Not true in South Africa. So this is not a liberal issue, my colleagues; this is not a democratic issue; this is a human question that is as much American as it is the problems of South Africa. We cannot sup-

port a regime that does not show its own concern for the welfare of its own people, with an incredibly high infant mortality rate in South Africa. Over half of the children in the Bantu stands die before they are age 5. We fight tenaciously in this country, many of my colleagues, on the issue of abortion.

Then stand with me in opposition to being in bed with the nation that allows its children to die simply because they are a different color. It is a contradiction to do less.

Poor health conditions for blacks and nonwhites; government policies that are destructive of the family. How many times have we heard President Reagan go on television and talk about returning to traditional family values? In South Africa we are destroying the family. How can you make that statement in one side of one's mouth and then turn and face to the other side of the reality of what is going on in South Africa, and our acquiescence in it, and our support of it?

South African black people, unfortunately, cannot seek their freedom peacefully. But the international community that we are an integral part of have the capacity and the leverage to cause the South African Government to come face to face with black South Africans and forge true democracy through dialog and conciliation. And we must be in the forefront of forging and developing that international pressure and that international public opinion. It is our responsibility.

Constructive engagement has failed and I will not go through all the reasons why. You have already heard them.

The question for America is this: How can we minimize the bloodshed and promote political freedom and economic justice? I believe that America must take steps to promote justice and to promote freedom. We must legislate a series of actions that will withdraw our support and end our acquiescence to a legally sanctioned and oppressive and brutally enforced system of apartheid.

That is why I have introduced this alternative amendment in the nature of a substitute.

Mandatory disinvestment, a ban on exports to South Africa, prohibition on the sale of Krugerrands, denial of landing rights in the United States to South African aircraft.

In other words, Mr. Chairman and my distinguished colleagues, adoption of a policy that demonstrates our total, not mediocre, not moderate, not compromised, but total abhorrence of South Africa's policy on apartheid.

The key, Mr. Chairman is disinvestment. I would say to my colleagues who support no new investments: How can you then fashion an argument that says "I support no new investments because investments support the killing and the dying of people," I would then say that there is already a corporate structure in South Africa

spending billions of dollars killing our brothers and sisters in South Africa. It is a contradiction to say that you support no new sanctions and then turn your back on the question of disinvestment at this moment because our people are dying, not of new speculative investment; our people are dying not of new speculative loans; they are dying as a result of the propping up of a system of apartheid that we are presently participating in, American corporations, now.

I understand the political realities. I have been here 14½ years but that does not say that my approach is not honest. That does not say that disinvestment is not real. Maybe some of my colleagues lack the political courage to take the step, maybe they have counted the votes and said, "Well, maybe we can get a moderate bipartisan proposal through." But understand that is all it is, it is a moderate, bipartisan, Washington political statement. We are still in bed with South Africa. It does not make me go to bed feeling any better because we said "no new loans, no new investments" because they are not the ones killing our people.

□ 1550

It is the corporations presently there, cropping up and supporting an atmosphere that is conducive to racism and oppression that is extraordinary on the face of this earth.

Mr. Chairman, why should American corporations be required to pull out? Foreign investment is the glue that holds the apartheid system together.

My distinguished colleague, the gentleman from Philadelphia [Mr. GRAY] quoted the former South African Prime Minister Vorster, and I requote:

Each trade agreement, each bank loan, each new investment is another brick in the wall of our continued existence.

Again, if you can argue that no new investments are appropriate, then it seems to me if you are outraged about what is taking place and our role in it, then it seems to me that it is intellectually and politically and morally consistent to stand with me and call for immediate and total disinvestment.

Anything short of that, then you have to see it for what it is. The study, "U.S. Investments in South Africa: The Hidden Pieces," show U.S. investment in South Africa to be at least \$8.1 billion. Some people say it is as high as \$14 billion.

American support for South Africa is greater than even the numbers suggest. For example 70 percent of the computers—American firms; 44 percent of the energy—American. American technicians man South African nuclear reactors.

With respect to transport; Ford and General Motors are used by South African military and police. The two firms comprise 24 percent of all of the South African automobile industry.

As the manager-director of Burroughs, S.A. Carlton said in early 1970's, and I quote:

We are entirely dependent on the United States. The economy would grind to a halt without access to computer technology of the West.

Foreign corporations provide direct strategic support of South Africa. We are told that corporations are progressive forces for change and disinvestment that that would hurt black South African economy would lead to reform.

Let me address these issues, because I believe those assertions by the corporations and the South African Government—so obvious political and financial self-interest.

First, the corporate self-interest is clear, Mr. Chairman. Besides everything else, apartheid is a system of labor control. Exploitation of cheap black labor means high profits. South Africa attracts foreign capital because it has two economies, Mr. Chairman, not one: The developed "white" economy which provides a good market for consumption, and the underdeveloped "black" economy that supplies the cheap labor.

There is no basis to the argument that a growing economy lessens apartheid. I would suggest any mediocre student of the recent history of South Africa would rapidly come to the conclusion that things have gotten worse; they have not become better.

The CHAIRMAN. Will the gentleman kindly suspend?

The Chair would advise the gentleman that he has consumed 20 of his 30 minutes.

The gentleman may proceed.

Mr. DELLUMS. Thank you very much, Mr. Chairman. Let me move past a few of these points and come to this:

There has been a great deal of talk about the Sullivan principles; it only affects 1 percent of the total labor force, and as one official of one federation of South African trade unions called them, "window dressing in a broken window."

The effect of a U.S. pullout would affect less than 1 percent of the labor force, but let us say that it would affect more than that. This would be a small amount of suffering in comparison to the daily suffering and dehumanization caused all black people in South Africa.

The critical issue for black South Africans is not standard of living; it is freedom. Even those blacks employed by U.S. firms cannot vote; they cannot freely choose where they live; they cannot freely choose whom they will marry. Divestment may help create a situation where this type of freedom could be blamed for all blacks.

You know, one could make the argument that during slavery there was full employment. Do you think that we would have loved to continue to be slaves in order to maintain our jobs, or

was there something much more noble to struggle for? Our freedom. Freedom that I express on this floor of Congress and that I exercise—it is not about a job or a standard of living; it is about the dignity of the human spirit and the right of human beings to function.

Mr. Chairman, I have proposed a number of things, but even if it is just the 1 percent. Steve Biko made the following statement:

The argument is often made that the loss of foreign investment would hurt blacks in the short run, because many of them would stand to lose their jobs. But it should be understood in Europe and North America that foreign investment supports the present economic system of political injustice.

If Washington is really interested in contributing to a development of a just society in South Africa, it would discourage investment in South Africa. We blacks are perfectly willing to suffer the consequences. We are quite accustomed to suffering.

Steve Biko was killed, killed, murdered in 1977 as he sat in jail, in incommunicado status.

Mr. CONYERS. Mr. Chairman, would my colleague yield at this point?

Mr. DELLUMS. If my colleague would just let me finish, and then I will yield.

I yield to the gentleman.

Mr. CONYERS. I would like to remind the distinguished leader of this portion of the substitute that there are many of your colleagues who are desperately anxious to join you in this particular and most important part of the debate.

I only would wish that the gentleman would remember that we have probably a limited amount of time, and I want to join him. That is the only point I want to make at this time.

Mr. DELLUMS. I thank my colleague, and I appreciate it.

The tragedy is that we are standing here on what I consider the most important debate other than dropping nuclear bombs to destroy life on this planet, as one of the two most important issues we will discuss in our modern lifetimes, and we are sitting here with 30 minutes, and I understand that; I will wrap it up, and I will give my colleagues an opportunity. Hopefully, my distinguished colleague and friend over here may give us a few minutes to allow a few people to speak, I do not know.

Mr. CONYERS. I thank the gentleman.

Mr. DELLUMS. Let me summarize, Mr. Chairman.

I am deeply appreciative of this opportunity. I wish we had more time to debate this matter. There are many, many more statements this gentleman wishes to make.

I would just finally say to those of my colleagues on the Republican side of the aisle who say that the present bill before the body is too moderate, you now have an alternative. For those of you on this side of the aisle who say no new investments, that we have to move away from our economic

support of South Africa, reach into your gut, reach into your spirit, and reach into your conscience; not your political machination, but into your conscience, because I am not here just to be a spear-catcher. I am here to win, and I would like to beat you, and I would like you to join us, because I want America out of bed with South Africa. We have a responsibility to make a political statement to ourselves for healing; to make a statement to the world that we stand for something.

My colleagues oppose communism. I have always said if you want to oppose an idea, come with a better idea. The better idea is democratic principles; get out of bed with South Africa, divest. I hope my colleagues of conscience will join me in support of this amendment, and I thank my colleagues.

The CHAIRMAN. The gentleman from California [Mr. DELLUMS] has consumed 25 minutes. He has 5 minutes remaining.

Mr. SILJANDER. Mr. Chairman, I yield 30 seconds to the gentleman from South Carolina [Mr. HARTNETT].

Mr. HARTNETT. Mr. Chairman, I want to commend my colleague from California, who is an articulate spokesman and say to him that in his remarks, when he said that in his opinion it was not just quality of life for the people of South Africa, that it was freedom. There are many of us who feel that strongly about national defense in this country; that it is not just the quality of life for our people here in these United States, but their freedom.

So I say to my colleague who sometimes does not want to be as strong on national defense as I am, that as he feels, it is not just quality of life for the people of South Africa, but freedom. There are those of us in this Congress who feel that it should not just be quality of life for the people in our country, but freedom.

Mr. SILJANDER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, "few things are as stimulating as other people's calamities observed from a safe distance." This maxim by George F. Will describes a rather fundamental characteristic of human nature, a behavior pattern that I would suggest is largely responsible for this very ill-conceived piece of legislation, H.R. 1460. As Members of Congress, we have been debating what to do about South Africa for nearly 2 years now, ever since the export administration act came to the floor in the autumn of 1983. I believe now, as I believed them, that this debate is much in need of a healthy dose of realism.

In an African Continent reeling under the burdens wrought by political repression, failed economies, tribal warfare, poverty, starvation, and squalor, South Africa has been singled out by some Members of Congress as a

country deserving of economic sanctions. In its own way, this special focus on South Africa reflects the larger realities about the contemporary situation in Africa as a whole, realities that no amount of congressional action can change.

The point is often made in our Foreign Affairs Committee that double standards are continually being enshrined in foreign assistance bills and other legislation reported from that committee. I would define that double standard this way: Our approach to countries that have not experienced a leftwing revolution emphasizes a historical necessity for change, an inexorable process must be set in motion leading to a fundamental change in the present situation. Once a country has experienced a so-called popular revolution however—a leftwing takeover—our new approach to that country emphasizes an implicit acceptance of the new tyranny and the new abuses committed in the name of the revolution. Whether it be, for example, the Sandinistas in Nicaragua or the Mengistu regime in Ethiopia, the new tyranny, the new repression must be accepted as a permanent fact of life.

It is in this double standard that I find the focal point of the legislation before us today. There can be no mistake: The South African policy of apartheid is a calamitous and heinous system that justly deserves the condemnation of the civilized world. We all believe that. If South Africa is truly a member of the Western World, as the Pretoria Government often claims, that government must make good its claim by implementing at the very least those essential civil and economic liberties that are the heritage and hallmark of Western civilization—liberties that must be granted to all South Africans. And those countries that have formal relations with South Africa must encourage at every step the peaceful evolution of free institutions within that country.

How our country can contribute to peaceful change in South Africa should be what we are debating today. Instead, however, we have a debate in which the critics of the Reagan administration's policy of "constructive engagement" in dealing with South Africa have presented not one shred of evidence that a policy of de facto disengagement holds out the promise of anything better. And H.R. 1460 is exactly that: A disengagement of American interests and investment with South Africa, a Ritualistic washing of our hands, an implicit acknowledgment that there is nothing we can do to help—so bring on the turmoil, upheaval, and revolution in South Africa.

A recent article in the Christian Science Monitor explains the false hope behind this kind of approach to South Africa very well. Written by Dimitri Simes, a senior associate of the Carnegie Endowment for International

Peace, the article correctly notes that disinvestment and other punitive sanctions against South Africa will indeed cause problems for the government there. But the writer goes on to make this warning—and everyone should listen to this very carefully: "Those who are ready to play with the destabilization of South Africa should be prepared to accept responsibility for triggering an unmitigated disaster." Is there anyone in this House who wants to accept that responsibility? If Members do not, then vote against H.R. 1460.

What is at stake in South Africa concerns more than the people living there, the South Africans of all races who will serve as cannon fodder for the radicals of both the left and the right. What is at stake in South Africa also affects the rest of Africa. A peaceful resolution of the internal problems in South Africa and an improvement in the relations between all nations in southern Africa are indispensable to the future of development and security of the African Continent as a whole.

South Africa commands the only effective physical infrastructure in southern Africa. And the half has never been told concerning South Africa's trading relationship with its southern Africa neighbors and other countries in the continent. Countries as far away as Zaire and Kenya have relied on South Africa as a source of vital foodstuffs.

And, whether we like it or not, our own country must maintain a vital trading relationship with South Africa to guarantee our own survival. South Africa is the free world's preeminent supplier of manganese, vanadium, platinum, and more than a dozen more of the strategic nonfuel minerals and metals on which our heavy industry and national defense efforts are based. The Soviet Union and South Africa together control over 75 percent of the world's supplies of these minerals and metals. No congressional fiat can change that fact. Nor can congressional posturing do away with the gold and diamond reserves in South Africa on which the free world is also primarily dependent. I have always been struck by the ironic fact that our trade embargo against Rhodesian chrome meant that we had to make our chrome purchases from the Soviet Union instead.

Mr. Chairman, no one policy option can encompass or address all of the complexities and paradoxes of the South African situation. Whether it be the carrot or the stick, no one policy or approach holds out the promise of being infallible. But it is within our power, as Members of Congress, to resist the temptation of dealing with South Africa purely from an attitude of malice.

I believe that our country can best serve the cause of freedom and justice in South Africa by staying there: To encourage American businesses to

invest there, to employ and train and house nonwhite South African workers, to implement fully the Sullivan fair-employment practices code, and to participate in the process of change that is even now underway.

Now is the time to expand our educational and human rights programs in South Africa—to encourage, rather than belittle, the efforts of those conscientious South Africans of all colors who are striving for peaceful change. The emerging demographic and economic realities of the situation in South Africa have created a complicated network of political and moral imperatives. As South Africa undertakes the difficult task of sorting out its priorities, we should stand ready to help the process and not to vilify it.

The choice before this House today is whether we will indulge ourselves in a moment of satisfaction and self-congratulation—getting a kick out of washing our hands of this whole matter and leaving South Africa to bleed—or whether we will do the right thing and commit ourselves to seeing this matter through over the long haul. The question is whether or not we really believe South Africa is important enough to be involved in—whether or not the issues at stake in that country are important to the future Africa and to our own future as well.

I am well aware of the passions this issue generates. But there comes a time when each of us must set aside a little of our own infallibility and try to do what is right for the people of South Africa and the people of the United States. The very fact that we are even conducting such a debate—is testimony to the fact that our country does have leverage in South Africa and that change in that country is possible. If such were not the case, we would not be wasting our time with this debate. I hope that some day we will conduct such a debate on the Soviet Union, the People's Republic of China, and other countries.

□ 1600

Mr. SILJANDER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. I thank the gentleman for yielding.

Mr. Chairman, I want to begin, first of all, by saying that, while I shall not be supporting the amendment offered by my distinguished colleague, the gentleman from California, I believe he has performed a very significant service in pressing this amendment before this House. I am pleased we have the opportunity to debate the Dellums substitute. While many advocates of sanctions against South Africa are heartened to see the United States Congress finally on the verge of adopting certain antiapartheid sanctions, adopting a very different approach to South Africa than that embraced in the policy of constructive engagement, it is important, as the gentleman from

California [Mr. DELLUMS] reminds us, to remember that there is a vast body of Americans who have been calling for total disinvestment from South Africa for several decades now. As chairman of the Africa Subcommittee for the past 2 sessions of Congress, I have heard testimony from a variety of influential Americans who believe that disinvestment is both the correct moral position to take as well as the most sound policy for America to adopt in pursuit of a nonracial democratic state in South Africa, which ultimately would be best serving America's national interests.

It was in December 1962 that Dr. Martin Luther King, Jr. issued a joint appeal with Chief Albert Luthuli calling for sanctions against South Africa, including disinvestment.

The gentleman from California [Mr. DELLUMS] himself testified before my subcommittee this year. He and the gentleman from Michigan [Mr. CONYERS] had introduced disinvestment legislation as early as 1971.

This is not a new issue, and this is not a new or, for that matter, a radical proposal.

In January of this year, Dr. Clifton Wharton, who is a director of the Ford Motor Co. and chairman of the board of the Rockefeller Foundation, testifying before my subcommittee, stated:

One hopes that from what surely is a national consensus will emerge a national policy that will reflect U.S. determination to sever normal ties with South Africa.

Dr. Wharton added:

United States corporations should cease doing business in South Africa and withdraw as rapidly as possible * * *. I believe the time for debate and discussion has run out!

It is not often that we find a representative of the corporate world advocating disinvestment, but that was precisely Dr. Wharton's unequivocal message.

In fact, there are already American corporations beginning to disinvest out of a recognition that it does not well serve their economic self interest to be identified with the system of apartheid or to be involved in a situation of growing political and civil unrest in which virtually war zone conditions are developing in some portions of the country.

In fact I have occasionally been asked my own advice by some corporate leaders as to what I would recommend. I think corporations staying in South Africa at this point may be doing a disservice to their own shareholders, because I think that is simply not the wisest policy to be pursuing.

Having said that, I want to say that I, along with the gentleman from Pennsylvania [Mr. GRAY] and other cosponsors of H.R. 1460, have gone out of our way in the development of the legislation that is before this body to emphasize that H.R. 1460 does not—I repeat: does not—call for disinvestment. We have emphasized the moder-

ate nature of the sanctions of the Anti-apartheid Act of 1985 because they are indeed moderate. We believe that the political reality today suggests that these moderate restrictions can in fact pass this Congress, and become American law. What we have been attempting to develop is a package that will both be effective in the sanctions that are imposed and will enjoy the broadest base of bipartisan political support possible. We think that kind of message directed at South Africa would be very dramatic in and of itself and would begin to signal to South Africa that we've had it with constructive engagement and that absent significant change, more will follow.

I say that because I think it is important that while, as I said before, I will not be in a position to support the gentleman's substitute today, I think it is important that Members of this body begin to think through the full implications of what the gentleman from California [Mr. DELLUMS] has offered today. Because we may well be here again a year from now or 2 years from now, once we have an opportunity to see what happens in South Africa. And if indeed there has been no progress and only further repression and further deterioration, I think we are going to find larger numbers of Americans insisting that more pressure is needed and that disinvestment may in fact be the only way to go.

So I thank the gentleman from California for really raising this issue in the way in which he has, and I would plead with the corporate community to look very seriously at their own continuing involvement.

□ 1610

Mr. SILJANDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just wanted to thank the gentleman from California [Mr. DELLUMS] for his honesty. I said that earlier today several times and I sincerely mean that. I think when we compare the Gray bill with the Dellums approach, there is a clear difference. There is no doubt about it.

The Gray bill, from my point of view, is a half-way measure. We battered this around significantly on the floor today dealing with banning computer sales. I have argued, as others have, that Japan could easily fill in that void. They have increased their market share 206 percent since 1976 to 1983.

What would Dellums do versus Gray? Dellums would simply say no computers at all. He makes it unequivocally clear. Now the second point, the Gray bill bans bank loans just to the Government. Why ban bank loans just to the Government? If we are serious about disassociating ourselves completely, from a racist system then why not ban bank loans to the private sector as well?

If we are serious about it, and I am not advocating this position, but if we

are really serious from that point of view, intellectually honest, why not do so? Statistically, half of all the bank loans to the Government have already been eliminated without a need for a Gray bill. Further, in an April issue of the New York Times, it said:

Virtually all major banks have stopped lending to the government and its agencies. Citicorp, J.P. Morgan & Co. and the NCNB Corp. adopted policies prohibiting loans to the public sector as well.

Fresh lending to the Government by American banks appears to have been virtually stopped.

So my argument is that banning bank loans in itself will put no additional pressure that is already being placed without the Gray bill. Again, the Dellums substitute is more honest than Gray.

The third issue, and I think it is quite crucial, deals with Krugerrands. Banning Krugerrands to the South African Government will have no real economic effect. I tell you what it does have effect on: For every \$350 Krugerrand, a black family receives, working in the mines, \$49. Is that worth cutting the Government of South Africa out of 40 cents? That translates into \$750,000 lost to the Government per year and \$85 million lost, however, to black families in South Africa per year based on banning new sales of Krugerrands and imports of Krugerrands.

Keep one thing in mind: One worker feeds 6.6 to 10 other mouths. Five hundred and fifty thousand black workers makes literally millions of blacks that this banning of Krugerrands could possibly affect. Lesotho; 65 percent of their GNP is based in South Africa, and 51 percent of that GNP is based in gold.

Botswana, Swaziland, Zimbabwe, Angola, Zambia, and Namibia would all be hurt by this Krugerrand ban. I say if this is really your interest, then let us go with what DELLUMS does; he bans everything: chromium, manganese, platinum, gold bullion, coal, diamonds; everything.

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

Mr. SILJANDER. For 10 seconds.

Mr. LELAND. Come on, give me more than 10 seconds. The issue is—

Mr. SILJANDER. I yield for 10 seconds.

The CHAIRMAN. Does the gentleman decline to yield?

Mr. SILJANDER. I yield the gentleman 10 seconds to make a point or a comment.

Mr. LELAND. The point is is that how is it that you can put a caviat in justice? How is it that you can say that it is all right to accept all of the other atrocities but you take 49 cents out of the amount of money that they get from the sale of Krugerrands in this country?

That is a caviat; that is an amendment to justice.

Mr. SILJANDER. I thank the gentleman for his comments, and that is precisely my argument regarding the

Gray bill. It is a half-way measure. At least, from your standpoint, obviously, and intellectually, the Dellums bill goes all the way and is clearly honest.

The last point I would like to make with the Gray bill, it bans new investment as we all know. The Dellums bill bans all investment. Existing investment; new investment; he goes all the way. I said the bank loans have been cut in half anyway. Six States, 40 universities, 20 cities have already divested. Six to eight State legislatures have introduced disinvestment legislation. Forty are on the dockets of 40 States this year alone. Of those 40 universities I mentioned, \$300 million has been already eliminated in stocks alone. Eleven major corporations are ready to leave South Africa. The stock and bond value of all these transactions is \$1.5 billion divested and growing stronger. There are nearly 20 sanctions around the world on South Africa now in effect.

There still, even under Gray, there would be 350 firms still operating and 1,800 subsidiaries still operating. Under Dellums, there would be none. Absolutely none. I am arguing that disinvestment or the essence of what the pressure of Gray would attempt to do in banning new business is already underway without a Gray bill.

So my point is that the Gray bill essentially does nothing significantly to change the present course. But certainly the Dellums bill does. I would argue the only way for Gray to work effectively, to pursue the goals that have been articulated on the floor would be to bring Britain in. Britain, after all, is half of all the foreign trade. France's trade has risen 43 percent in the first half of 1984. West Germany is the third greatest trade partner. Japan is tied for No. 1 with the United States. In Africa, 49 countries trade with South Africa in the continent alone. In Israel, we cannot tell for certain, because of many secret agreements, but Israel is likely, according to many analysts, tied with Japan and the United States as No. 1 trading partner.

So if this is to be effective, we need to incorporate an international spectrum of disinvestment. Lastly, if it is really to be effective, we would have to later on engage the Sullivan principles as mandatory in separate legislation. As I said earlier in my initial presentation of my own substitute, by doing that later, by incorporating Sullivan after the Gray bill, it forces a seige on the businesses now there. Because Gray does nothing to existing businesses, but puts them under seige. They cannot retool; they cannot modernize; they cannot expand. How can they compete in the international market effectively? Obviously, they cannot. So as businesses look for ways to cut, the first thing, obviously, some of them will do is cut their participation in the Sullivan principles.

Then, when we make it mandatory under the Solarz approach later on with Gray, the businesses will have to disinvest, they will have to close down. So the Gray bill with the Sullivan principles later on assuming that they pass the Congress, makes a similar scenario to the Dellums approach. But I would argue even with the Dellums approach we need international cooperation to really achieve the specific goals and change specifically what the proponents of the Dellums approach suggest need to be changed.

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

Mr. DELLUMS. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Illinois [Mr. SAVAGE].

Mr. SAVAGE. I thank the gentleman for yielding me this time.

Mr. Chairman, may I just point out a course that we are not here responsible for the foreign policy of other nations, but we are responsible for the foreign policy of America. I just want to emphasize a point made by the sponsor of this motion and that is recognizing that perhaps we do not recognize the nature of facism against which this bill fights.

Fascism savage may include racism, but it is even more evil. It is qualitatively worse because: One, it destroys peaceful relations with other nations in its sphere of interest, and two, it violates the kinship of the human family required for justice and prosperity in the world.

Indeed, fascism is a politico-economic system more pernicious than the slavery which poisoned our past, when the United States was an underdeveloped, agrarian nation—for fascism is associated with advanced technology, pervasive mass communication, which permits a much greater and more sophisticated capacity for oppression.

An adequate definition of fascism must recognize that, unlike slavery, it occurs in a highly developed nation. It is characterized by extreme concentration of private ownership of the major means of production, through government-backed privilege, control of supply and marketing, and dominance of government by private cartels—and all for the purpose of maximizing their profits, to the extent that maintenance of the system requires censorship of mass media, extreme suppression of opposition, barbaric oppression of a substantial part of its own population, and aggressive chauvinism in foreign policy, under conditions that permit an atrocious intensification of these evils.

Thus, in South Africa, the issue is not merely better employment, wages, education and material conditions for the black majority there. Afterall, blacks in American slavery had compulsory full employment, for instance material well-being is not a full measure of freedom and justice.

So, let us understand clearly that whatever strengthens the South Afri-

can economy, increases the power and stability of that fascist regime.

If disinvestment would also harm the oppressed of South Africa, who, on this floor would have opposed the American Revolution or America's role in World War II because Americans would suffer injuries and loss of life? As one of America's greatest strategists of freedom and justice, Frederick advised more than a century ago: "We may not get all we pay for in this world, but we certainly pay for all we get."

Let us not compromise with fascism and thereby insult the ultimate sacrifices made in the fight against fascism in World War II.

It is not just the welfare of black South Africans that is at stake here. It is a test of America's commitment to democracy and liberty.

Therefore, it is not enough to simply cease investing in fascism. We must stop and divest.

□ 1620

Mr. SILJANDER. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. CONYERS].

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

Mr. CONYERS. I thank the gentleman for yielding this time to me.

Mr. Chairman, this is perhaps the most important part of this debate on the Anti-Apartheid Act. We have a Member from Pennsylvania and a Member from California bringing to us two very important ways to resolve it.

I would say in tribute to the gentleman from Michigan [Mr. WOLPE], who has in his establishment role as the leader of this measure, and who has gotten it through to this point where we could get to this plateau, I want to thank him, because he realizes, as more Members do now, that this debate is now really about how fast the process of disassociation should occur. That is what we are talking about.

Should it move forward in a way that we can now guarantee disassociation with apartheid through no new investment, or should we face up to the inherent contradiction in not supporting total disinvestment in that the old investment is not just as bad as the new investment, it is worse. It is what is killing people.

Behind this approach for disinvestment is a long history of sanctions which is disinvestment from the United Nations, from the world body, the family of nations. We have been talking about this for a long time. This did not come up this spring or last year. South Africa has been the subject and object of sanctions for the last 20 years, so this is a very timely proposal whose moment has come.

Now I want to tell you how it is going to improve the Gray measure by voting for the Dellums substitute, because if we walk out of this Chamber,

if we have the courage to replace this measure with the Dellums substitute, we will then be able to go to conference with an even stronger position. We have everything here. The other body voted sanctions on nuclear collaboration with South Africa before we did. When I brought my amendment up in the House yesterday, the committee in the other body had already acted.

So, Mr. Chairman, I am urging you to vote for the Dellums amendment. Seriously. Not one for the Black Caucus, not one to show that you were out there and then you are coming back to Wolpe-Gray, but to show that you understand that genocide and the war in South Africa has already begun and that this is a time process. Every month, every year that we say we will wait there are thousands of deaths involved.

Mr. Chairman, I think that if we examine the situation in South Africa closely we will realize that this measure is the most consistent with both our values and our long-term national interests.

There is a fundamental contradiction between embracing no new investment/bank loans as provided in under 1460 and not embracing disinvestment. No new investment/bank loans acknowledges that investment and loans do indeed support the apartheid system. If this is so, as I believe it is, then one cannot really defend the continued existence of current investments and bank loans.

For some time during the 1970's, I reluctantly adhered to the notion that U.S. firms in South Africa could blunt the cruelty of apartheid. But no longer. The past 20 years has clearly demonstrated that the net effect of foreign investment has been the strengthening of the apartheid structure.

U.S. economic investment in South Africa is highly capital intensive. While U.S. firms employ less than 1 percent of the entire black South African work force, they control the major segments of the highly sophisticated South African police state—70 percent of the computer market, 45 percent of the oil market, 33 percent of the automotive market all of which constitute the jugular vial of the highly sophisticated garrison state. Without these, South Africa could not maintain its racist political, social, and economic structures.

In addition, the United States today is the largest trader, second largest foreign investor, and the source of one-third of all international credit in South Africa. Those who argue that disinvestment would more hurt than help the oppressed black South Africans clearly misperceive the fundamental nature of our investment in that country.

While the investment may benefit the relative few lucky enough to be employed by U.S. firms, millions upon

millions of South Africans have become measurably worse off during a period in which foreign investment has increased.

Studies conducted on the relationship between foreign investment and the easing of apartheid, including one by the Carnegie Foundation, consistently tell of the fortification of the apartheid structure, increases in black impoverishment and the general intensification of violent repression that has accompanied foreign investment in South Africa.

One study by Charles Simkins of Capetown University, found that the number of people below a minimum living standard on the Government created homelands increased from 4.9 to 8.9 million between 1960 and 1980, a period in which our investment increased approximately 900 percent.

We often hear the argument that if U.S. firms disinvest, some eager corporation that doesn't give a damn about human rights will buy up evacuated U.S. plants at fire sale prices. This is oversimplistic nonsense.

Were a major superpower like the United States with control over the major sectors of the South African economy to disinvest, it would so drastically change the investment climate so that the risk assessment would be dramatically increased. This coupled with the fact that the walls of apartheid will soon be tumbling down under the internal turmoil of a civil war would make it utter lunacy for a firm to invest in that country. Utter lunacy!

But don't just take my word for it. Listen to Harry Oppenheimer the chairman of Anglo-American Co., perhaps the richest and most powerful corporation not only in South Africa but maybe the world. On Nightline several weeks ago he stated candidly but emphatically that no firm would scurry into South Africa in the midst of a major disinvestment campaign by the United States.

Just look at the actions of the South African Government. While it continually insists that disinvestment will have no impact on the internal affairs there, it has spent literally hundreds of millions of dollars to hire lobbyists to battle disinvestment legislation in the United States. Under its Terrorism Act, it has made the advocacy of disinvestment in South Africa an act of treason, a crime which can be punishable from 5 years in prison to death.

Indeed, it was only after the threat of disinvestment had been developed in the U.S. Congress, that Pretoria, for the first time, took any concessionary steps announcing, for instance, the suspension of the homeland policy. While inconsequential, through these and other actions, Pretoria has unwittingly made it abundantly clear the extent to which disinvestment threatens to undermine the apartheid system.

In South Africa today there is widespread support for economic sanctions from the black South Africans them-

selves. Black labor, religious and political leaders have taken the lead in this drive despite the threat of severe retribution by the state.

The two largest black trade union federations, the Federation of South African Trade Unions [FUSATU] and the Council of Unions of South Africa [CUSA], both recently issued strong statements calling for foreign disinvestment as have such other notable leaders over the years including Luthuli, Mandela, Boesak, Sisulu, Sobukwe, Biko, Tambo, Nuade, and Tutu. Labor leaders in particular have spoken against the low-wage haven that South Africa provides for foreign firms because blacks are payed one-sixteenth of their white counterparts.

Businesses in South Africa are already starting to recognize the foolishness of staying in South Africa. The Investment Responsibility Research Center has identified over 42 U.S. firms which have withdrawn their interests in operations in South Africa over the past 4 years including Amax Mining, Bethlehem Steel, Texas Gulf, Inc., Zapata Mining, and many others.

Look at the track record. Greater economic investment in South Africa has not lead to any changes. From 1970 to 1981 U.S. economic involvement tripled. Since that time the pace of our investment has further accelerated. Amid this increasing investment, South Africa has violently reinforced its structures of racial domination, killing hundreds of unarmed civilians, accelerating the world's only homeland policy, whereby families are forcibly removed from their homes at gunpoint and relocated to barren reserves where death from starvation and disease is commonplace. Numerous studies have documented the increasing repression and violence that has historically accompanied increasing foreign investment in South Africa.

Mr. Chairman, several weeks ago, I met with Oliver Tambo, the President General of the African National Congress who confirmed to me that there are essentially two courses that can be followed in South Africa. Pretoria can recognize that it must negotiate the transition to a one man, one vote political system or there will soon be a violent civil war.

President General Tambo also reminded me, and history certainly confirms this, that Pretoria will never negotiate unless it is forced to, and that the most effective means of influencing Pretoria is through the threats of economic sanctions from the West as it depends on this investment for the maintenance of its system.

Thus, economic sanctions and disinvestment is the most effective way that we can influence events toward the peaceful resolution and transition to a one-man, one-vote society. Anything short of this can only encourage Pretoria's intransigence and thereby reinforce the pressures toward a violent civil war in which the inevitable postapartheid government is less

likely to be friendly to the United States. Both our national interests and values require that we withdraw from South Africa.

We must also stop and ask ourselves how will U.S. firms be treated as the tendencies toward violent civil bloodshed increase on a daily basis—firms which in the South African's eyes are in tacit collusion with the apartheid machine? The managing director of Goodyear Tire & Rubber Co.'s South African subsidiary predicts that, "foreign companies are going to be the target. That is where the dissident blacks will focus. We are right in the tinderbox."

The choice is clear. To remain in South Africa is to reinforce the tendencies toward a violent and bloody civil war, to risk alienating the hearts and minds of the South African people, and to make it more likely that the inevitable postapartheid government will for generations be a foe of the United States, in which case U.S. firms would then be forced out on a one-way ticket. To disinvest, on the other hand, is to assert ourselves clearly on the side of the South African people, a policy which will be consistent both with our principles and long-term interests.

Time is running out in South Africa for the fanatic white minority and its malevolent mechanisms by which it creates phantom homelands and administers the legalized enslavement of 22 million blacks.

Mr. SILJANDER. Mr. Chairman, I reserve the balance of my time but would urge the gentleman from California, if he has any time he would like to yield, to please proceed.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentleman from Texas [Mr. LELAND].

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

Mr. LELAND. I thank the gentleman for yielding this time to me.

Mr. Chairman, very quickly, I appreciate the gentleman from California giving me this opportunity to do what is right. This body ought to do what is right. It ought to do the moderate thing like vote for total divestment in South Africa. It is moderate, Mr. Chairman, because we are not asking for millions of dollars to finance a war, a Contra, if you will, to the Government of South Africa. It is moderate because we are talking about doing something that is nonviolent. We are talking about doing something that is in favor of saving human lives and not destroying them.

Mr. Chairman, I would hope that this body would understand the words of the gentleman from California, who stands here with an empathetic voice. He happens to be black and he talks about his upbringing. Let me tell you about mine.

Four decades ago I was born in this country. I had to fight racism and discrimination and oppression because I was black, and as I began to mature and grow up in this society, I became a civil rights activist and I worked in the 1960's and the 1970's to do what was right on behalf of black people, and now, in this Chamber, I am available, with the facility to do what is necessary to fight racism and discrimination not only in this country but in the world.

It is only right for us to have that opportunity. In South Africa, black people cannot stand in the well of the Parliament there to ask for their freedoms, or to even raise opposition to the atrocities that are committed on them.

It is a horrendous perpetration of racism and brutality and murder on the people. Over 300 people in the last 6 months or so have been killed there, just because they have stood up and said, "I want to be free."

We have to be Americans today and do what is right and nonviolent and moderate, and support the Dellums substitute. It is moderate to talk about nonviolence and to go to the extreme of that nonviolence and say that we do not want any more investments. It is a privilege that is bestowed on the American corporate structure in this Nation, the free enterprise system that has been given to them to be allowed to do business in South Africa. Let us rip that privilege away from those people who are so abrasive to the humanity of the people in South Africa in the majority there who have absolutely no right to determine their destiny.

Mr. SILJANDER. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. HENRY].

Mr. HENRY. I thank the gentleman for yielding this time to me.

Mr. Chairman, I must say the debate in many respects makes me feel like a young man again, because as the previous speaker indicated, it brings back memories of my college years and the civil rights movement and the whole apartheid issue, I think, haunts some of us because we see some of the perils. Perhaps it is hard for us to deal with it objectively because so much of our own history is intertwined in this issue.

I saw apartheid for the first time about 25 years ago when I was a junior in high school and came as a student to this Capitol, with separate drinking fountains, separate wash rooms. That is the first time I saw rigid division of the races that was institutionally and governmentally sanctioned.

But I saw it again later, some 8 years later, after I spent 2 years as a Peace Corps volunteer, and then before coming home I went back to spend a month in South Africa. I went to see Byers Naude, the head of the Council of Churches, who has been historically one of the great, outspoken critics of that regime. I went to him because as

an Evangelical Protestant, with all those fundamentalist overtones and all the tying of the political right with the religious right, I wanted to see this man who looked at things in a different way.

I will tell my colleagues, he is a true man of God, and he changed my life. That man, within 2 weeks after I had seen him—I hope there was no connection—was banned, put under house arrest, and he suffered that kind of attack by the Government for 20 years.

Then ironically, last year, Allen Bosak lived three blocks from me when he spent a year in my home district in Grand Rapids, which is composed of 35 percent people who are Dutch Reformed, to use the vernacular or the colloquial term, Christian Reformed, Reformed Church people of Dutch descent who have very close familial ties with the alliance of the Dutch Reformed Churches in South Africa.

□ 1630

Now, I have followed these people. I prayed with these people and for these people. I hope that those who sponsored and support this amendment do not by any means interpret the opposition that some of us have as to the means to employ would in any way lend support for the apartheid system. I think that is critically important. This debate has been one of the most constructive, literate, and, I think, positive and well-intentioned debates I have heard since becoming a Member of this body.

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

Mr. HENRY. I just have 30 seconds left, and I cannot yield, I am sorry to say to my colleague.

Mr. Chairman, let me say just one other thing. Having lived in Africa, let me point out that my mother was rescued, physically saved, as the daughter of a missionary in Africa by what would then have been called a native black nurse, a native of the country.

I have followed this. I have agonized over it. I have dealt with it. I cosponsored one of the public divestiture bills in the State house in Michigan which passed relative to divesting public institutions.

I think, however, there are any number of discrete steps that have to be taken, one at a time, to keep turning the screws. What concerns me, both about the substitute and the main bill as it stands, is that we shoot our wad all at once and that leaves us no leverage for the next step down the road.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. HENRY] has expired.

Mr. DELLUMS. Mr. Chairman, I yield such time as he may consume to my colleague, the gentleman from New York [Mr. OWENS].

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

Mr. OWENS. Mr. Chairman, I rise in support of the Dellums amendment.

This amendment which mandates immediate and total divestment for all American individuals and corporations is in no way extreme. This amendment represents a forthright and meaningful step but it is a nonviolent and moderate action. What we are saying through this amendment is that the South African apartheid is an abomination on the face of the Earth and therefore everything other than going to war should be done to pressure the Union of South Africa into joining the civilized world. We are calling for the utilization of the economic power of America to end an evil which causes undue pain and hardships for more than 25 million human beings. As the richest country that has ever existed in the history of the world, the United States could now set a precedent for all others to follow. By making this substitute a law, we will initiate a new kind of nonviolent warfare. Without guns or bombs we will strike a decisive blow for freedom.

In the name of freedom we invaded Grenada. In my opinion this was a mistaken use of force and a violation of international law. In the name of freedom we have imposed an economic embargo on Nicaragua. We also propose to continue aid to rebels seeking to overthrow the Government of Nicaragua. In the name of freedom the Reagan administration has even threatened armed intervention in Nicaragua. 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. But this amendment proposes an intensified program of nonviolence. This amendment proposes to use the economic power of America against the racist government of South Africa. This amendment proposes a show of massive nonviolence power to achieve freedom for the overwhelming majority of the people of South Africa. This amendment does not represent a violation of international law or any interference in the domestic affairs of another country. This amendment 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 divestiture by all American investors would signal 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 substitute. This Congress must provide leadership for the rest of the free world.

Mr. DELLUMS. Mr. Chairman, I now yield such time as he may consume to the distinguished gentleman from the District of Columbia [Mr. FAUNTROY].

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

Mr. FAUNTROY. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of the Dellums substitute.

[Mr. FAUNTROY addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. DELLUMS. Mr. Chairman, I yield such time as he may consume to my distinguished colleague, the gentleman from Maryland [Mr. MITCHELL].

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

Mr. MITCHELL. Mr. Chairman, I rise in support of the Dellums amendment, which I think is a magnificent gesture.

[Mr. MITCHELL addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

● Mr. CROCKETT. Mr. Chairman, I strongly support the Dellums amendment on total and immediate divestment of funds from corporations that invest in South Africa. I support this amendment and the Antiapartheid Act of 1985, not because I believe it will force South Africa to end its repressive policy of racial segregation, but because this action will signal a divorce of the United States from its silent support of apartheid through its policy of constructive engagement. In short, it brings the United States back on the right side of the issue.

The Dellums amendment, as with the current Free South Africa demonstrations and protest, is but a last-ditch effort on our part to tell the Pretoria government that time and the fuse grow short, that it is imperative for the Pretoria government to begin meaningful negotiations with black South African leaders for a fully representative political system and an end to racial and ethnic discrimination.

And the crucial question for us in all this is the role America will play. Will our country be credited with having helped the black South African to achieve freedom in his own country or will we be seen, as so often has been the case, as having strengthened the status quo by doing nothing positive to foster change.

The Dellums amendment gives a positive response, and I fully support it. ●

The CHAIRMAN. The Chair will state that the gentleman from California [Mr. DELLUMS] has 30 seconds remaining.

Mr. DELLUMS. Mr. Chairman, may I inquire as to how much time my distinguished colleague on the other side of the aisle has remaining?

The CHAIRMAN. The gentleman from Michigan [Mr. SILJANDER] has 5 minutes remaining.

Mr. DELLUMS. Mr. Chairman, is it customary that the offeror of the amendment close the debate?

The CHAIRMAN. The Chair would advise the gentleman that the gentleman from Michigan [Mr. SILJANDER] is in fact representing the committee which opposes the gentleman's amendment, so, therefore, he would have a procedural right to close debate on the amendment.

Mr. DELLUMS. I understand, Mr. Chairman.

The CHAIRMAN. The gentleman should avail himself of his last 30 seconds at this point.

Mr. DELLUMS. I thank the Chair.

Mr. Chairman, may I inquire, would my distinguished colleague yield 1 additional minute to me?

Mr. SILJANDER. Mr. Chairman, I will yield an extra minute of my time to the gentleman from California [Mr. DELLUMS], as he has been fair and attentive to this entire debate. So now the gentleman has a minute and 30 seconds.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DELLUMS] for 1 minute and 30 seconds.

Mr. DELLUMS. Mr. Chairman, as we close this debate, let me say to the members of the committee that, in the words of Bishop Tutu, it is often extraordinarily difficult to put into words one's feelings, and when I look at black people dying and suffering in South Africa, I ask, why? We have dropped bombs on no one, we have harmed no one in the world, and yet for some incredible reason, black people have suffered at an extraordinary level all over the world, and at this point it is heightening in its intensity in South Africa.

I have offered a proposal today in no paternalistic fashion whatsoever because I am not doing it out of a missionary spirit and because I believe taking a stand against apartheid, with as much power and courage and conviction as one can, is as important to the healing and the well-being of this country as it is to the healing and well-being of the people in South Africa.

So it is for both of those reasons that I think it is important for all of us here to unite in a magnificent statement. I applaud the efforts of my distinguished colleagues, but I understand that I am outside that consensus and have been for the 14½ years that I have been here. My role has been as a progressive person to stand out and to try to be on the cutting edge, but it becomes very frustrating and incredibly painful if the only role one plays is to be out on the cutting edge while other people tend to congregate in the middle of our political spectrum. I wish that all Members on this issue would come to this position and take a stand, take a stand for America, and

take a stand against what is happening in South Africa and for the evolution of human rights across this entire planet.

Again, Mr. Chairman, I thank my colleague for yielding extra time to me.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has expired.

The gentleman from Michigan [Mr. SILJANDER] has 4 minutes remaining.

Mr. SILJANDER. I thank the Chair.

Earlier in the debate there have been various accusations thrown this way, and there was no time for me to respond, so I would like to use this time to do that.

How can I be opposed to sanctions? That was the question presented to me. Just 6 months ago I signed a letter saying I could support future sanctions. That was by the gentleman from New York [Mr. SOLARZ]. I want to respond to that question, as I had no time to do so before.

I am offering very stiff sanctions, the toughest sanctions of all, with the Siljander approach. That sanction is offering opportunity to blacks. That is the worst of all sanctions against the Government, from my point of view.

He also called for an immediate end to the violence, the appalling violence, and he said in 6 months, 240 blacks had been killed and many, many dissidents had been jailed, and how could I, in the face of these killings and the rest, sign such a letter and then oppose such an approach as the gentleman from Pennsylvania [Mr. GRAY] is proposing?

If the gentleman from New York is suggesting that somehow, in the remotest stretch of the imagination, I condone this violence, I am appalled by this suggestion. I hope that he understands that I am certainly not condoning that violence.

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

Mr. SILJANDER. I will not yield.

How does GRAY and the bill that the gentleman from New York purports to support really stop the violence in South Africa? How can the bill he supports effectively change the killings and the putting of blacks in prisons? How does his approach effectively change that?

What he suggests is putting more blacks out of work, creating more hunger, and creating more poverty, and, after all, is that not what all the riots are about? The riots are not about disinvestment, they are about jobs, they are about security, they are about the future, they are about human rights, they are about suffering. To advocate more suffering is an answer, but the wrong answer.

Who are we trying to fool by suggesting that that approach, which as the Washington Post clearly puts it today, is only symbolic at best? How can we honestly tell the listeners to this debate that this symbolic ap-

proach will do anything to change the course of history in that country? It is as equally misguided, in my opinion, as the suggestion by the gentleman from New York just the other day that his visit of a week or so about a year ago, talking with those on the right and those on the left, is somehow more empirically based in terms of public opinion than more scientifically based polls.

I think the right response is to build, to build the very things that brought blacks from slavery to freedom, and that is the vision of opportunity.

I would like to quote from someone whom many of us in this Chamber considered a very important man, one who fought for freedom for blacks in this country, Martin Luther King. He said: "New laws are not enough. The emergency we now face is economic. It is a desperate and worsening situation. In our society," he continues, "it is murder psychologically to deprive a man of a job or of his income. You are in substance saying to that man that he has no right to exist."

Mr. Chairman, I, as Martin Luther King, believe that any man black or white, red or yellow, or brown, has a right to exist, has a right to freedom, and has a right to opportunity. I just do not feel that the comments of the gentleman from New York and the bill he supports will offer opportunity to the black citizens of South Africa.

The CHAIRMAN. Does the gentleman from Michigan [Mr. SILJANDER] yield back the balance of his time?

Mr. SILJANDER. I do, Mr. Chairman.

□ 1640

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California [Mr. DELLUMS].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SOLARZ. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. SOLARZ. Mr. Chairman, I withdraw my point of order of no quorum.

Mr. WOLPE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. WOLPE. Mr. Chairman, I withdraw my point of order of no quorum.

The CHAIRMAN. A sufficient number has arisen for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 77, noes 345, answered "present" 1, not voting 10, as follows:

(Roll No. 139)

AYES—77

Ackerman
Addabbo
Akaka
Bates
Berman
Boxer
Brown (CA)
Bryant
Burton (CA)
Bustamante
Clay
Collins
Conyers
Coyne
Crockett
Dellums
Dixon
Downey
Dymally
Edgar
Edwards (CA)
Evans (IL)
Fazio
Foglietta
Ford (TN)
Frank

Garcia
Gejdenson
Gonzalez
Gray (IL)
Hawkins
Hayes
Hoyer
Jacobs
Kastenmeier
Kildee
Kostmayer
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levine (CA)
Lowry (WA)
Markey
Matsui
Mikulski
Miller (CA)
Mineta
Mitchell
Moody
Morrison (CT)
Oakar

Ortiz
Owens
Panetta
Perkins
Price
Rahall
Rangel
Richardson
Rodino
Roybal
Russo
Savage
Schroeder
Sikorski
Stark
Stokes
Studds
Torres
Towns
Traficant
Waxman
Weiss
Wheat
Wise
Yates

NOES—345

Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Badham
Barnard
Barnes
Bartlett
Barton
Bateman
Bedell
Beilenson
Bennett
Bentley
Bereuter
Biaggi
Bihlakis
Bliley
Boehlert
Boggs
Boland
Bonner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Breau
Brooks
Broomfield
Brown (CO)
Broyhill
Bruce
Burton (IN)
Byron
Callahan
Carney
Carper
Carr
Chandler
Chappell
Chapple
Cheney
Clinger
Coats
Cobey
Coble
Coebo
Coleman (MO)
Coleman (TX)
Combest
Conte
Cooper
Coughlin
Courtner
Craig
Crane
Daniel
Danneheimer
Darden

Daschle
Danz
Davis
de la Garza
DeLay
Derrick
DeWine
Dickinson
Dicks
DiGuardi
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Dreier
Duncan
Durbin
Dwyer
Dyson
Early
Eckart (OH)
Eckart (NY)
English
Erdreich
Evans (IA)
Fascell
Fawell
Feighan
Fiedler
Fields
Fish
Flippo
Florio
Foley
Fowler
Franklin
Frenzel
Frost
Fuqua
Gallo
Gaydos
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gordon
Green
Gregg
Grotberg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hartnett
Hatcher
Hefner
Heftel
Hendon
Henry
Hertel
Hiler
Hillis

Holt
Hopkins
Horton
Howard
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jeflords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kemp
Kennelly
Kindness
Klecicka
Kolbe
Kolter
Kramer
LaFalce
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Loeffler
Long
Lott
Lowery (CA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Manton
Marlenee
Martin (IL)
Martin (NY)
Martinez
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan

McKinney
McMillan
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Moakley
Molinaro
Mollohan
Monson
Montgomery
Moore
Moorhead
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielsen
Nowak
O'Brien
Oberstar
Obey
Olin
Oxley
Packard
Parris
Pashayan
Pease
Penny
Pepper
Petri
Pickle
Porter
Pursell
Quillen
Ray
Regula
Reid
Ridge
Rinaldo
Ritter

Roberts
Robinson
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Sabo
Saxton
Schaefer
Scheuer
Schneider
Schuette
Schulze
Schumer
Seiberling
Sensenbrenner
Sharp
Shaw
Sheby
Shumway
Shuster
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solarz
Solomon
Spence
St Germain
Staggers

Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swift
Swindall
Syrar
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torricelli
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Weaver
Weber
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wirth
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yatron
Young (AK)
Young (FL)
Young (MO)
Zschau

ANSWERED "PRESENT"—1

Gray (PA)

NOT VOTING—10

Alexander
Campbell
Dingell
Edwards (OK)

Emerson
Ford (MI)
Gradison
Spratt

Stallings
Wilson

□ 1650

Mr. MCCAIN and Mr. HOWARD changed their votes from "aye" to "no."

Ms. MIKULSKI and Messrs. PANETTA, GONZALEZ, EDGAR, and KOSTMAYER changed their votes from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

● Mr. DANIEL. Mr. Chairman, the racial policies of South Africa are repugnant and unacceptable to me. But to deny private investment in South Africa will in no way improve the status of the oppressed and could very well be counterproductive. Therefore, I do not intend to support this bill.

A sense-of-the-Congress resolution condemning the racial policies would be a more effective approach. ●

● Mr. WIRTH. Mr. Chairman, I rise in strong support of H.R. 1460, the Anti-Apartheid Act of 1985.

It is time for the minority Government of South Africa to relinquish power to a democratic regime with full political rights for the blacks who make up the vast majority of the country's population. And it is certain-

ly time for the Congress to legislatively encourage such a development.

The death tolls, the economic disruptions, and the social chaos in South Africa's urban and rural areas are mounting rapidly and show no signs of abating. The artificially contrived apartheid regime is unravelling, a fact that is clear even to the system's supporters.

The question now is: Will the white minority support an orderly transition to government based on democratic choice and the right of self-determination or will it maintain its siege mentality and resist change until the conflict degenerates into a bloody racial war? And just as importantly, from our perspective, what will our Government's role be in shaping the transition?

The answer to the first question is crystal clear. The Afrikaner government should no longer control the black majority through oppression and must effect a prompt transition to democratic rule open to all people within South Africa's borders—and that includes the so-called independent homelands, such as Transkei and Bophuthatswana.

Of course, the Afrikaner government would counter that such a transfer will undoubtedly lead to a countrywide breakdown of order. That breakdown, however, is already occurring. The growing aspirations of South African blacks, coloreds, and Indians are meeting the increased oppression of the Afrikaner government with volatile results—and this volatility is spreading throughout the country like wildfire. Not only is there political unrest in townships like Soweto, but also in the rural areas, where open opposition to apartheid was previously sporadic and unorganized.

The white minority government can only respond by magnifying its oppressive policies authorized under the rule of apartheid. Those policies include murder, as the continued killing of black protesters throughout the country tragically demonstrates. These policies rely on the detention and torture of the system's opponents, as well as the strict control of internal movements by blacks under the pass laws and laws requiring the forced removal of black indigents from their ancestral homelands. Reports from independent human rights groups indicate that the intensity of the white regime's violent assault on the opponents of apartheid, and even those innocents caught in the conflict, is on the increase.

But that assault is not deterring the opponents of apartheid from continuing their just crusade. One example among many was the funeral march, less than 2 months ago, for 19 blacks murdered in Uitenhage on the 25th anniversary of the Sharpesville demonstrations and massacre—the march numbered 60,000 people. And it was led by men—Bishop Desmond Tutu and Rev. Allen Boesak—who can effect the peaceful transition which the mi-

nority government ostensibly desires. These men—these peaceful advocates of a prompt and nonviolent change in the way South Africa is governed—may well offer the last best hope for peace. I am convinced that if the Afrikaner government continues to resist change, violence will soon be seen by blacks as the only route to independence, and Bishop Tutu and Reverend Boesak will be cast aside in favor of less experienced and perhaps less stable rebels.

Given these conditions, it becomes clear what the U.S. role in shaping the transition should be. Through carefully managed economic sanctions, the United States must push the Afrikaner government to open the democratic process to all peoples of South Africa, as expeditiously as possible. For years, I have fought with many of my colleagues for tough economic sanctions against South Africa and now, for the first time, see the possibility that such sanctions may be approved by the Congress. One hundred and fifty-six of us in the House have cosponsored legislation that would ban new U.S. investment in South Africa, bank loans to the Afrikaner government, the import of Krugerrands, and the export of computer equipment and software to South Africa. This legislation, which is also drawing considerable support in the other body, would not completely undercut the South African economy, but it would send a powerful signal to the South African Government and white community that the United States, its one perceived ally, will no longer tolerate footdragging on the abolition of apartheid.

The administration has asked us to be patient with its policy of constructive engagement that relies on quiet diplomacy to achieve social and political change in South Africa. Yet we cannot afford to remain quiet while South African riot police shoot down blacks who rightly protest a system that denies them basic civil rights and degrades them because of their racial inheritance. We cannot remain silent so long as blacks, coloreds, and Indians are deprived of their right to self-determination through open democratic rule.

Instead, we must act forcefully to dissociate ourselves from the Afrikaner government and its system of apartheid. The opportunity exists—now and perhaps only now—to help the black majority in South Africa throw off the shackles of apartheid and engage in a peaceful transition to open democratic rule.

I urge my colleagues to vote for H.R. 1460, and against any amendments or substitutes that would dilute our efforts to hasten the demise of apartheid. ●

● **Mr. BIAGGI.** Mr. Chairman, as a cosponsor of this legislation I compel my colleagues to take the responsible and morally right position and vote for the Anti-Apartheid Act of 1985.

Let us review some of the basics involved in this issue. What is not at issue is the fact that the South African Government's system of apartheid is an outrage, a moral affront to civilized society and a system which deserves the moral condemnation it has received from many quarters. What is at issue is how best the United States can assist in its amelioration. I contend that the approach embodied in this legislation offers the soundest and most meaningful approach.

It is important to note that this does not represent our first involvement in legislation to end apartheid. The previous administration, led by Jimmy Carter, had a sincere commitment to human rights. This commitment was backed by action and not just words. The Carter administration tightened restrictions on U.S. exports to the South African Government, as well as imposing an embargo on the sale of goods and technical data to its military and police, and banning the sale of computers to all South African Government agencies.

What is central to our deliberations today is precisely what policy approach should we be taking. Should it be in the activist vein or should we rely on a more quiet and diplomatic approach. I believe the answers rest on one primary consideration—which ever one works the best to achieve the goal of dismantling apartheid. The administration's policy, which goes under the curious name of "constructive engagement," in and of itself has done little to improve conditions for the black majority in South Africa. Its reliance on working with the South African Government, but by decreasing pressure on it to make reforms, has in fact contributed to not only the prolongation but the intensification of some of the more heinous aspects of apartheid in South Africa.

Where is the incentive for the South African Government to change its policies? Where is the stick that goes with the obvious carrot that is being extended? I believe our action today is a referendum on whether we should continue our present policies with respect to South Africa or move to another approach.

I believe the provisions contained in this legislation are responsible and have teeth. They are in fact true economic sanctions as compared to hollow threats. The four sanctions in the aggregate could have a significant impact on South Africa. H.R. 1460 would impose a ban on loans to the South African Government, as well as any new investment in South Africa. It would further impose a ban on the importation of South African Krugerrands and would ban the sale of computers to the South African Government.

As any responsible sanction bill should, H.R. 1460 would permit the President to waive for a limited period the prohibitions related to new invest-

ment and gold coins if the South African Government meets any one of eight conditions. They are:

Elimination of policies that prohibit black employees and their families from living in family accommodations near their place of employment.

Elimination of "influx control" policies that restrict blacks from seeking employment where they choose, and that in turn prevent them from living near where they find employment.

Elimination of policies that make distinctions between the South African nationality or blacks and whites.

Ending the removal of black populations from certain locations for reasons involving race or ethnic origin.

Elimination of all residence restrictions based on race or ethnic origin.

Enter into negotiations with representative leaders of the black population for a new nondiscriminatory political system.

Reach an internationally recognized agreement on Namibia.

Free all political prisoners.

The waiver, I should note, is not an automatic process. Both the House and Senate must adopt a joint resolution accepting the President's determination that the South African Government has met one or more of these conditions before sanctions are waived.

Appropriately, the bill establishes a series of stiff fines for individuals and organizations who violate sanctions once imposed. Unless one is prepared to back sanctions with appropriate penalties, they lose a great deal of their effectiveness and meaning.

I support this bill, as reported by the committee, as a balanced approach between two conflicting schools of thought as to what we must do. One school would acknowledge the inherent failure of our existing policy and would establish diversionary devices such as commissions to conduct studies on how the South African Government is doing in eliminating apartheid. A related approach would shorten the period of time to study this problem by 1 year and would hold out the prospect of imposing sanctions at that time. The other school of thought is far more activist in nature. It would bar any U.S. individual, business, or organization from making or holding any investment in South Africa. It does and would embody a complete divestment approach of all U.S. assets from South Africa. While I do have sympathy with this approach, I would prefer to consider it at a later date after we have been allowed to assess the impact of the approach provided for in the bill before us today.

What is evident is that we must become more active in speeding the demise of the moral travesty known as apartheid. We cannot expect to be effective simply by issuing a series of harsh statements. Any government which can sanction the morally bankrupt policy such as apartheid will most certainly not be persuaded by mere

moral condemnations by nations including the United States.

If an individual believes that the South African Government is committed to change and improvements, then they should not support this legislation. If someone believes that the "reforms" enacted by the South African Government are really a move away from apartheid, then they should not support this bill. If a person believes that parliamentary elections agreed to by the South African Government, but which produces an entity which bars admission by blacks, is proper, then they should not support this bill. If a person is not affected by the fact that more than 3,000 blacks have been killed opposing apartheid, then they should not support this bill.

I, however, plan to vote for this bill and work for similar action by the other body so the President is forced to make a decision on signing it into law. For those who contend that sanctions would hurt those we are trying to help, namely the black majority, let it be noted that many black South Africans believe that even if the sanctions result in some limited hardships in the short run, that sacrifice is worth the longer term benefits which will ultimately result.

Finally, it should be noted that we would not be alone in taking such actions. The nations of Japan and Sweden have already invoked economic sanctions against South Africa. Our Nation, as the recognized world leader on behalf of freedom, dignity, and human rights for all, cannot allow itself to remain in the hypocritical position of opposing apartheid, but doing nothing decisive about it. Let us keep in mind the views of the Nobel Peace Prize winner, Bishop Tutu, in a recent interview. He said:

I am calling for pressure from overseas; not yet for disinvestment. I will do so within the time span I have given if no significant change has happened to show that apartheid is being dismantled.

I urge the passage of this bill and close with this observation. For those of my colleagues who support this legislation and oppose the type of institutional discrimination that is apartheid, I urge you to consider a very similar situation which is happening today in the six counties of Northeast Ireland. Perhaps the difference is the group victimized in Northern Ireland—the Catholics—are the minority as compared to South Africa where the aggrieved are the majority. However, the inherent discriminatory natures of the policy of apartheid and direct rule by Britain over Northern Ireland are producing the same tragic economic and social results. As in the case of South Africa, our Nation does business with the governments who maintain the policies; in Northern Ireland to a much greater extent than in South Africa. However, in both cases it behooves us to take whatever steps are necessary to ensure that we are not in any way subsidizing with our dollars

the continued discrimination of any group in any nation. I do not advocate the imposition of sanctions in Northern Ireland at this time. However, I do believe at the very least that the position as articulated by the Irish National Caucus bears some support. They are calling upon all American firms doing business in Northern Ireland to subscribe to the MacBride principles of nondiscrimination which I want to insert at this time:

1. Increasing the representation of individuals from under-represented religious groups in the workforce including managerial, supervisory, administrative, clerical and technical jobs.
2. Adequate security for the protection of minority employees both at the workplace and while travelling to and from work.
3. The banning of provocative sectarian or political emblems from the workplace.
4. All job openings should be publicly advertised; and special recruitment efforts should be made to attract applicants from underrepresented religious groups.
5. Layoff, recall, and termination procedures should not in practice favor particular religious groupings.
6. The abolition of job reservations, apprenticeship restrictions, and differential employment criteria, which discriminate on the basis of religion or ethnic origin.
7. The development of training programs that will prepare substantial numbers of minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of all categories of minority employees.
8. The establishment of procedures to assess, identify, and actively recruit minority employees with potential for further advancement.
9. The appointment of a senior management staff member to oversee the Company's affirmative action efforts and the setting up of timetables to carry out affirmative action principles.

As the chairman of the Ad Hoc Congressional Committee for Irish Affairs, I implore my colleagues to evaluate this situation with the same keen and compassionate eye as we do with respect to South Africa. ●

● Mr. MATSUI. Mr. Chairman, South Africa's policy of apartheid represents vicious, institutionalized racism, and it is a practice that will not end with the administration's policy of "constructive engagement." The fact is constructive engagement is a failed policy, and the time has come to stop providing support to a nation whose practices so completely bely our own democratic traditions of fairness and equality under the laws.

Mr. Chairman, economic sanctions can be a legitimate tool of foreign policy, and I am convinced that this would be an appropriate and effective means to bring about change in South Africa. It would, in any case, leave no question where the United States stands on the abhorrent policy of apartheid.

The Anti-Apartheid Act of 1985 would impose four major economic sanctions against South Africa. These sanctions are just and represent a critical first step in disassociating the

United States from the cruel and racist policies of South Africa. I urge adoption of this legislation.●

● Mr. MILLER of California. Mr. Chairman, I rise today in strong support of H.R. 1460, the Anti-Apartheid Act. It is obligatory that this Congress repudiate the tolerant attitude of the administration toward racial discrimination in South Africa, and instead declare ourselves full partners in the effort to end apartheid.

This past April, as the chairman of the Human Rights Task Force during the Speaker's visit to the Soviet Union, I told the leaders of the Soviet Government how vigorously we object to their discriminatory policies against racial and religious minorities. In a speech to members of the Supreme Soviet, I said something which is very appropriate here this afternoon.

Human rights, I said, are "inseparably linked to all other issues. On this we will not bend. As Abraham Lincoln declared, 'Important principles may and must be inflexible.'"

We sent that message to the Soviet Union. Today, by passing H.R. 1460, we can send that same message to the Government of South Africa.

The bill before us, H.R. 1460, follows in our national traditions of peaceful change and human rights. Political, economic, and social sanctions established by this act will emphasize our vigorous objection to apartheid, and will promote our position as defenders of personal freedom and human rights throughout the world.

This bill includes incentives to the South African Government to end its official policy of racial discrimination, providing a realistic means for achieving the elimination of these fascist doctrines. But more than incentives are needed. H.R. 1460 also prohibits new U.S. investment in South Africa; halts U.S. bank loans to South Africa; bans the importing of South African gold coins into the United States; and halts the export of computer equipment to the South African Government.

Our present practice of "constructive engagement" is a weak, ineffective and inadequate means of bringing about the repeal of apartheid. We cannot separate military policy from apartheid; we cannot separate trade policy; we cannot separate cultural or sports policies. We cannot separate any of them from the issue of apartheid.

Similarly, efforts to dilute this legislation send an erroneous message to the proponents of apartheid and the opponents of racial justice in South Africa. Weakening this legislation, as would these amendments, suggests that the Congress of the United States is not serious in our revulsion for a system which denies basic human rights and justice to the black majority of South Africa.

I call upon all of our colleagues to reject apartheid and reject "constructive engagement." Let us instead embrace for black South Africans the

same standards of justice that we claim for ourselves: Democracy, majority rule, and freedom for all the citizens of South Africa.●

● Mr. GARCIA. Mr. Chairman, once again, I rise in support of H.R. 1460, the Anti-Apartheid Act of 1985. I am convinced that this bill offers a balanced effort to fight apartheid.

As my colleagues know, the bill imposes four sanctions against the Government of South Africa:

First, it prohibits all loans and credit to the South African Government;

Second, it prohibits all new investments in businesses in South Africa;

Third, it prohibits the importation of Krugerrands; and

Fourth, it prohibits the export of U.S. computer parts, programs, or other technology.

The bill would allow the President to waive the prohibition of Krugerrands and new investment for 12 months if the South African Government meets one of eight conditions outlined in the bill. These conditions are:

First, eliminate the prohibition of black employees and their families from living near their place of employment;

Second, eliminate the policy of prohibiting blacks from working where they choose and from living where they work;

Third, eliminate distinctions between South African nationality for blacks and whites;

Fourth, stop removal of black communities from certain areas simply because the residents are black;

Fifth, eliminate residence restrictions based on race or ethnicity;

Sixth, begin negotiating with members of the black community for the establishment of a nondiscriminatory political system;

Seventh, reach an internationally acceptable agreement on Namibia; and

Eighth, free political prisoners.

Further, for each additional condition met by the South African Government, the waiver can be extended for another 6 months.

I point out all these conditions to emphasize just how reasonable they are. No one is asking the South African Government to turn over power to their nation's majority community. No one, at this point, is asking for divestment or disinvestment. This bill, instead, is a well-crafted statement to the Government of South Africa, telling them that we will not accept the status quo.

Certainly, the administration's policy of "constructive engagement" was dealt two severe blows recently when South African commandos were apprehended in Angola, and when the Government of South Africa sent out a clear signal that it does not intend to allow Namibia to become independent.

The administration should be able to read South Africa's signals clearly enough. The Government of that nation is not to be trusted. Its word is,

apparently, no more credible than its method for ruling.

We cannot change South Africa overnight. We cannot force them to eliminate apartheid, but we can make them pay a price for the continuation of that system. We are being reasonable with this bill, but at the same time, we are putting the Government of South Africa on notice that we will do all that is within our power—openly, directly—to make them understand just how reprehensible apartheid is to the people of this Nation.

I urge my colleagues to support H.R. 1460.●

● Mr. KEMP. Mr. Chairman, for the record I want to just state my reasons for voting "no" on final passage today. No nation based on the self-evident idea that all beings are created equal in the right to rule themselves can be publicly indifferent to race discrimination in South Africa. To the extent that the policy of "constructive engagement" in South Africa implies keeping quiet about the evil of apartheid, it is wrong. Elie Wiesel, in a different context, spoke a universal truth when he stated, "Indifference to evil is evil." And make no mistake about it, apartheid is evil.

The United States, through the administration and through Congress, should be as clear about apartheid as Pope John Paul II was when he said recently that "No system of apartheid or separate development will ever be acceptable as a model for relations between people or races."

What is at issue in the legislation before us is not are we for or against apartheid. The real question is how to find the approach that can help undermine racial discrimination and move South Africa toward real social and political democracy and justice. I do not believe that the way to undermine apartheid is to bash the South African economy through unilateral sanctions. I don't believe that the way to help the victim of apartheid is to further victimize him or her by ruining the South African economy.

The key to achieving racial harmony, social justice, and political rights isn't by throwing black people out of work in South Africa—which this legislation, while nobly inspired would misguidedly encourage. My colleague and friend BILL GRAY often reminds me that lives are at stake, not just jobs, and he is right, we must save lives and jobs, they are not contradictions.

I would ask my colleagues whether they think unemployment is a bad thing for blacks in Detroit or Buffalo or Philadelphia, and yet a good thing for blacks in Johannesburg and Uitenhage. For make no mistake about it: This legislation would throw blacks out of work in South Africa. And any proposal that would suddenly or slowly turn the screws on the South African economy may mean well, but is seriously mistaken.

My colleagues should recall something that thinkers as disparate as Adam Smith and Karl Marx have always emphasized: Industrial growth and commercial activity is the real engine of social change and political revolution. Recently Reverend Leon Sullivan said that we should give the Sullivan principles more time to continue what they have been doing successfully for some years already in integrating the workplace in South Africa. For those who think the Sullivan principles are ineffective, let me mention that not only are some U.S. companies adhering to the principles, but as Leon Sullivan points out, domestic South African companies that employ 1 million black workers have also adopted these rules.

And make no mistake: The Sullivan principles are a dagger at the heart of social apartheid, forcing total desegregation of factories and offices, equal pay for equal work, administrative and supervisory jobs for blacks who are now supervising whites, increased technical training, recognition of black labor unions, and support for schools, housing, and medical facilities development. The principles are capable of working a revolution in race relations in South Africa, and when you see South African companies imitating our businesses in that country, it should be obvious that the Sullivan ideas can be a tremendous force for racial integration and recognition of rights in South Africa, which is why I voted earlier to codify them in the law.

But it is certain that economic stagnation brought on by sanctions makes the easing of apartheid more difficult to achieve peacefully. Suppose this legislation led to less investment in South Africa, and the economy goes into a severe recession. Not only will black South Africans lose jobs, but white unemployment will rise as well. Black labor unions, which have only recently won legal recognition, would probably lose it, and the discriminatory laws would be intensified. Those at the bottom of the scale always have the most to lose when growth stops.

As I said, I would make the Sullivan principles mandatory for all U.S. companies in South Africa. More: I would suggest a diplomatic initiative to get other countries with large operations in South Africa to follow the Sullivan rules. South Africa should learn that the whole civilized world holds apartheid to be morally abominable.

One last point is fundamental: You can't instruct other nations about their rights by denying rights at home. We undermine the lesson of freedom we intend to teach South Africa when we don't allow Americans to buy South African products. While there are limited actions the United States can take to expand human rights around the world, the single most powerful instrument remains what it has always been: Making the United States itself a model of human rights, of freedom, justice, and democ-

racy, and keeping America what Lincoln called the "hope to the world for all future time [which] gave promise that in due time the weights should be lifted from the shoulders of all men, and that all should have an equal chance."

The United States must not run away from the struggle to fight for human rights in South Africa. But we must not punish black South Africans by shutting down their economies.

I respect the efforts of my colleagues who support this legislation, and I cannot in good conscience support actions that would have the effect of punishing black South Africans by taking away their jobs.●

□ 1700

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DE LA GARZA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1460) to express the opposition of the United States to the system of apartheid in South Africa, and for other purposes, pursuant to House Resolution 174, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CRANE

Mr. CRANE. Mr. Speaker, I offer a motion to recommit with instructions.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CRANE. I am, Mr. Speaker.

The SPEAKER. The clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CRANE moves to recommit the bill H.R. 1460 to the Committee on Foreign Affairs with instructions to report the same to the House forthwith with the following amendment:

Add the following at the end of the bill:

SEC. 15. EFFECTIVE DATE.

(a) EFFECTIVE DATE.—Subject to subsection (b), the provisions of this Act and the amendment made by section 7 of this Act shall take effect at the end of the 1-year period beginning on the date of the enactment of this Act.

(b) LIMITATION.—The provisions of this Act and the amendment made by section 7 of this Act shall not take effect if, not earlier than 30 days before the end of 1-year period referred to in subsection (a), the President certifies to the Congress that—

(1) the African National Congress has not renounced the use of violence by that organization in the achievement of its goals.

The SPEAKER. The gentleman from Illinois [Mr. CRANE] is recognized for 5 minutes.

Mr. CRANE. Mr. Speaker, frankly I do not think this is a particularly controversial recommendation to improve the quality of the bill. The African National Congress, for those Members who have not followed the affairs in South Africa, is an organization that some years ago joined forces with the South African Communist Party to provide for the violent overthrow of the Government of South Africa. I think it is the commitment to violence on the part of both the ANC and the SACP that should be a concern to each and every one of us. They have engaged in acts of terrorism, assassination of public officials and, in fact, some of their atrocities, worst atrocities, have been perpetrated against members of the black community in South Africa. I think, Mr. Speaker, that if the Members of this body seek to attempt to impose some meaningful change on public policy that there are a variety of kinds of violence that are engaged in, some of it nonphysical, that need to be addressed in this anti-apartheid resolution. But the ingredient of physical violence comes from elements not covered. And it is this violence that must concern us as much as any other because of our desire to improve conditions on the African Continent. It is this feature that, Mr. Speaker, I think should be of concern to each and every Member of this body.

Lucy Mvubelo, the general secretary of the National Union of Clothing Workers in South Africa disagrees with the action that we are preparing to take here with regard to this resolution. She stated:

I hope that careful reflection will dissuade well-meaning, compassionate, and thoughtful Americans from pressing for shortsighted laws calling for divestment and disinvestment.

And I might remind you, if you are not aware of it already, that Lucy Mvubelo is a black woman and that the clothing union is the largest black union in South Africa. She went on to state:

Such laws will set back the cause of human rights and peaceful change. They will hurt the South African economy and the very persons their advocates seek for help.

In conjunction with our effort to effect a peaceful resolution of this problem, it is as incumbent upon us if we are going to go through with this resolution to be as attendant to the potential for violence represented by the African National Congress, as any

other group. And it is incumbent upon them, if they want these kinds of changes, too, to lay down their arms and join in a peaceful effort to secure a civilized transition in that troubled land.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The gentleman from Michigan [Mr. WOLPE] is recognized for 5 minutes in opposition to the motion to recommit.

Mr. WOLPE. I thank the Speaker.

Mr. Speaker, the Members of this House have expressed on a number of votes over the past several days, on a bipartisan basis, their understanding that the legislation that is before this body offers the best hope for averting the escalating violence in South Africa. I urge a "no" vote on the motion to recommit.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit offered by the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 139, nays 282, answered not voting 12, as follows:

[Roll No. 140]

YEAS—139

Archer	Hammerschmidt	Packard
Army	Hansen	Parris
Badham	Hartnett	Pashayan
Barnard	Hendon	Petri
Bartlett	Henry	Quillen
Barton	Hiler	Ridge
Bateman	Hillis	Roberts
Bentley	Holt	Rogers
Bereuter	Hunter	Roth
Bilirakis	Hyde	Rudd
Boulter	Ireland	Saxton
Broomfield	Kemp	Schaefer
Broyhill	Kindness	Schuette
Burton (IN)	Kolbe	Sensenbrenner
Callahan	Lagomarsino	Shaw
Chandler	Latta	Shumway
Chappell	Leath (TX)	Shuster
Chappie	Lent	Siljander
Cheney	Lewis (CA)	Skeen
Clinger	Lewis (FL)	Slaughter
Cobey	Lightfoot	Smith (NE)
Coble	Livingston	Smith (NH)
Coleman (MO)	Loeffler	Smith, Denny
Combest	Lott	Smith, Robert
Craig	Lowery (CA)	Snyder
Crane	Lungren	Solomon
Daniel	Mack	Spence
Dannemeyer	Madigan	Stangeland
Daub	Marlenee	Stenholm
Davis	Martin (IL)	Strang
DeLay	McCain	Stump
Dickinson	McCandless	Sundquist
Dornan (CA)	McCollum	Sweeney
Dreier	McEwen	Swindall
Duncan	McMillan	Tauke
Eckert (NY)	Meyers	Taylor
Evans (IA)	Michel	Vander Jagt
Fawell	Miller (OH)	Vucanovich
Fiedler	Monson	Walker
Fields	Montgomery	Weber
Franklin	Moore	Whitehurst
Gekas	Moorhead	Whittaker
Gingrich	Morrison (WA)	Wolf
Goodling	Myers	Young (AK)
Grotberg	Nielson	Young (FL)
Gunderson	O'Brien	
Hall, Ralph	Oxley	

NAYS—282

Ackerman	Akaka	Anderson
Addabbo	Alexander	Andrews

Annunzio	Gibbons	Oberstar
Anthony	Gilman	Obey
Applegate	Glickman	Olin
Aspin	Gonzalez	Ortiz
Atkins	Gordon	Owens
AuCoin	Gray (IL)	Panetta
Barnes	Gray (PA)	Pease
Bates	Green	Penny
Bedell	Gregg	Pepper
Beilenson	Guarini	Perkins
Bennett	Hall (OH)	Pickle
Berman	Hamilton	Price
Bevill	Hatcher	Rahall
Biaggi	Hawkins	Rangel
Biiley	Hayes	Ray
Boehiert	Hefner	Regula
Boggs	Heftel	Reid
Boland	Hertel	Richardson
Boner (TN)	Hopkins	Rinaldo
Bonior (MI)	Horton	Ritter
Bonker	Howard	Robinson
Borski	Hoyer	Rodino
Bosco	Hubbard	Roe
Boucher	Huckaby	Roemer
Boxer	Hughes	Rose
Breaux	Hutto	Rostenkowski
Brooks	Jacobs	Roukema
Brown (CA)	Jeffords	Rowland (CT)
Brown (CO)	Jenkins	Rowland (GA)
Bruce	Johnson	Rowbal
Bryant	Jones (NC)	Russo
Burton (CA)	Jones (OK)	Sabo
Bustamante	Jones (TN)	Savage
Byron	Kanjorski	Scheuer
Carney	Kaptur	Schneider
Carper	Kasich	Schroeder
Carr	Kastenmeier	Schulze
Clay	Kennelly	Schumer
Coats	Kildee	Seiberling
Coelho	Klecza	Sharp
Coleman (TX)	Kolter	Shelby
Collins	Kostmayer	Sikorski
Conte	Kramer	Sisisky
Conyers	LaFalce	Skelton
Cooper	Lantos	Slattery
Coughlin	Leach (IA)	Smith (FL)
Courter	Lehman (CA)	Smith (IA)
Coyne	Lehman (FL)	Smith (NJ)
Crockett	Leland	Snowe
Darden	Levin (MI)	Solarz
Daschle	Levine (CA)	St Germain
de la Garza	Lipinski	Stagers
Dellums	Lloyd	Stark
Derrick	Long	Stokes
DeWine	Lowry (WA)	Stratton
Dicks	Lujan	Studds
DioGuardi	Luken	Swift
Dixon	Lundine	Synar
Donnelly	MacKay	Tallon
Dorgan (ND)	Manton	Tauzin
Dowdy	Markey	Thomas (CA)
Downey	Martin (NY)	Thomas (GA)
Durbin	Martinez	Torres
Dwyer	Matsui	Torricelli
Dymally	Mavroules	Towns
Dyson	Mazzoli	Trafficant
Early	McCloskey	Traxler
Eckart (OH)	McCurdy	Udall
Edgar	McDade	Valentine
Edwards (CA)	McGrath	Vento
English	McHugh	Viscosky
Erdreich	McKernan	Volkmer
Evans (IL)	McKinney	Walgren
Fascell	Mica	Watkins
Fazio	Mikulski	Waxman
Feighan	Miller (CA)	Weaver
Fish	Miller (WA)	Weiss
Flippo	Mineta	Wheat
Florio	Mitchell	Whitley
Foglietta	Moakley	Whitten
Foley	Mollinari	Williams
Ford (TN)	Mollohan	Wirth
Fowler	Moody	Wise
Frank	Morrison (CT)	Wolpe
Frenzel	Mrazek	Wortley
Frost	Murphy	Wright
Fuqua	Murtha	Wyden
Gallo	Natcher	Wylie
Garcia	Neal	Yates
Gaydos	Nelson	Yatron
Gejdenson	Nichols	Young (MO)
Gephardt	Oakar	Zschau

NOT VOTING—12

Campbell	Ford (MI)	Pursell
Dingell	Gradison	Spratt
Edwards (OK)	Nowak	Stallings
Emerson	Porter	Wilson

□ 1720

Messrs. CONYERS, RITTER, and SLATTERY changed their votes from "yea" to "nay."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

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

Mr. WOLPE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 295, nays 127, not voting 11, as follows:

[Roll No. 141]

YEAS—295

Ackerman	Duncan	Kildee
Addabbo	Durbin	Klecza
Akaka	Dwyer	Kolter
Alexander	Dymally	Kostmayer
Anderson	Dyson	LaFalce
Andrews	Early	Lantos
Annunzio	Eckart (OH)	Leach (IA)
Anthony	Edgar	Lehman (CA)
Applegate	Edwards (CA)	Lehman (FL)
Aspin	English	Leland
Atkins	Erdreich	Lent
AuCoin	Evans (IA)	Levin (MI)
Barnard	Evans (IL)	Levine (CA)
Barnes	Fascell	Lewis (CA)
Bates	Fazio	Lightfoot
Bedell	Feighan	Lipinski
Beilenson	Fish	Livingston
Bennett	Flippo	Lloyd
Bernier	Florio	Long
Bevill	Foglietta	Lowry (WA)
Biaggi	Foley	Luken
Biiley	Ford (TN)	Lundine
Boehiert	Fowler	MacKay
Boggs	Frank	Madigan
Boland	Frost	Manton
Boner (TN)	Fuqua	Markey
Bonior (MI)	Gallo	Martin (IL)
Bonker	Garcia	Martin (NY)
Borski	Gaydos	Martinez
Bosco	Gejdenson	Matsui
Boucher	Gekas	Mavroules
Boxer	Gephardt	Mazzoli
Breaux	Gibbons	McCloskey
Brooks	Gilman	McCurdy
Brown (CA)	Glickman	McDade
Brown (CO)	Gonzalez	McGrath
Bruce	Goodling	McHugh
Bryant	Gordon	McKinney
Burton (CA)	Gray (IL)	McKernan
Bustamante	Gray (PA)	Mica
Byron	Green	Mikulski
Carper	Gregg	Miller (WA)
Carr	Guarini	Mineta
Chappell	Hall (OH)	Mitchell
Clay	Hamilton	Moakley
Coats	Hatcher	Mollinari
Coelho	Hawkins	Mollohan
Coleman (MO)	Hayes	Moody
Coleman (TX)	Hefner	Moore
Collins	Heftel	Morrison (CT)
Conte	Hertel	Morrison (WA)
Conyers	Hiler	Mrazek
Cooper	Hopkins	Murphy
Coughlin	Horton	Murtha
Courter	Howard	Natcher
Coyne	Hoyer	Neal
Crockett	Hubbard	Nelson
Darden	Huckaby	Nowak
Daschle	Hughes	Oakar
Daub	Jacobs	Oberstar
Davis	Jeffords	Obey
de la Garza	Jenkins	Olin
Dellums	Johnson	Ortiz
Derrick	Jones (NC)	Owens
Dicks	Jones (OK)	Panetta
DioGuardi	Jones (TN)	Pease
Dixon	Kanjorski	Penny
Donnelly	Kaptur	Pepper
Dorgan (ND)	Kasich	Perkins
Dowdy	Kastenmeier	Pickle
Downey	Kennelly	Porter

Price	Shelby	Udall
Rahall	Sikorski	Valentine
Rangel	Sisisky	Vento
Ray	Skelton	Visclosky
Reid	Slattery	Volkmer
Richardson	Smith (FL)	Walgren
Rinaldo	Smith (IA)	Watkins
Robinson	Smith (NJ)	Waxman
Rodino	Snowe	Weaver
Roe	Solarz	Weber
Roemer	St Germain	Weiss
Rose	Staggers	Wheat
Rostenkowski	Stark	Whitley
Roukema	Stenholm	Whitten
Rowland (CT)	Stokes	Williams
Rowland (GA)	Stratton	Wirth
Roybal	Studds	Wise
Russo	Swift	Wolpe
Sabo	Synar	Wortley
Savage	Tallon	Wright
Saxton	Tauke	Wyden
Scheuer	Tauzin	Wylie
Schneider	Thomas (GA)	Yates
Schroeder	Torres	Yatron
Schulze	Torricelli	Young (AK)
Schumer	Towns	Young (MO)
Seiberling	Traficant	
Sharp	Traxler	

Archer	Hansen	Pashayan
Army	Hartnett	Petri
Badham	Hendon	Quillen
Bartlett	Henry	Regula
Barton	Hillis	Ridge
Bateman	Holt	Ritter
Bentley	Hunter	Roberts
Bereuter	Hutto	Rogers
Billrakis	Hyde	Roth
Boulter	Ireland	Rudd
Broomfield	Kemp	Schaefer
Broyhill	Kindness	Schuettle
Burton (IN)	Kolbe	Sensenbrenner
Callahan	Kramer	Shaw
Campbell	Lagomarsino	Shumway
Carney	Latta	Shuster
Chandler	Leath (TX)	Siljander
Chappie	Lewis (FL)	Skeen
Cheney	Loeffler	Slaughter
Clinger	Lott	Smith (NE)
Cobey	Lowery (CA)	Smith (NH)
Coble	Lujan	Smith, Denny
Combest	Lungren	Smith, Robert
Craig	Mack	Snyder
Crane	Marlenee	Solomon
Daniel	McCain	Spence
Dannemeyer	McCandless	Stangeland
DeLay	McCollum	Strang
DeWine	McEwen	Stump
Dickinson	McMillan	Sundquist
Dornan (CA)	Meyers	Sweeney
Dreier	Michel	Swindall
Eckert (NY)	Miller (OH)	Taylor
Fawell	Monson	Vander Jagt
Fiedler	Montgomery	Vucanovich
Fields	Moorhead	Walker
Franklin	Myers	Whitehurst
Frenzel	Nichols	Whittaker
Gingrich	Nielson	Wolf
Grotberg	O'Brien	Young (FL)
Gunderson	Oxley	Zschau
Hall, Ralph	Packard	
Hammerschmidt	Parris	

NAYS—127

NOT VOTING—11

Dingell	Gradison	Stallings
Edwards (OK)	Miller (CA)	Thomas (CA)
Emerson	Pursell	Wilson
Ford (MI)	Spratt	

□ 1740

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WOLPE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1460, the bill just passed.

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

There was no objection.

PERMISSION FOR COMMITTEE ON SMALL BUSINESS TO SIT DURING 5-MINUTE RULE ON TOMORROW, THURSDAY, JUNE 6, 1985

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that the Committee on Small Business be permitted to sit during the 5-minute rule tomorrow for the purpose of marking up an authorization bill.

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

There was no objection.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST CONSIDERATION OF H.R. 2577, SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1985

Mr. FROST, from the Committee on Rules, submitted a privileged report (Rept. No. 99-160) on the resolution (H. Res. 186) waiving certain points of order against consideration of the bill (H.R. 2577) making supplemental appropriations for the fiscal year ending September 30, 1985, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUSE FAIR EMPLOYMENT PRACTICES RESOLUTION

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. SCHROEDER. Mr. Speaker, Congress—often dubbed "The Last Plantation"—has exempted itself from the provisions of all antidiscrimination bills. In doing so, Congress has created a new type of perk—exemptions from regulations that we pass for others.

Six years ago today, on June 5, 1979 the Supreme Court held in Davis versus Passman that the fifth amendment gives congressional employees the right to sue in Federal court for damages resulting from discrimination.

An instrumental factor in the Court's decision was that Congress does not have a mechanism through which to implement the antidiscrimination language that is already in the House rules. Thus, when Shirley Davis believed that her constitutional rights had been violated, she had no form of redress other than the Federal courts.

I am introducing legislation today that offers congressional employees redress, the House fair employment practices resolution. First introduced in May 1979, this bill sets up an in-

House grievance procedure so that the House can enforce the language of our rules.

My bill not only provides employees with essential protections against discrimination, but also takes into consideration the unique characteristics of the House of Representatives as an institution. My bill does not involve any other branch of Government, so there is no separation of powers conflict.

I hope my colleagues will join me in my effort to have Congress follow the same antidiscrimination laws we pass for others.

Mr. Speaker, I am submitting an editorial appearing in this morning's Washington Post for printing in the RECORD. The editorial discusses the need for Congress to set its own Houses in order and enact legislation to ensure that its employees are protected from discrimination.

[From the Washington Post, June 5, 1985]

CONGRESS PROTECTS ITS OWN

Two House committees, Judiciary and Education and Labor, have now reported legislation to overturn the Grove City decision, which weakened the power of the federal government to enforce civil rights laws. The bill is targeted to a specific problem involving the application of the law to an entire institution when only a part of the institution discriminates. Sponsors want to keep the proposal focused on this issue and vote in a block to defeat amendments not directly related to this question. That is wise legislative strategy, even though it forced postponement of committee consideration of an important reform designed to make civil rights employment laws applicable to Congress.

Madison wrote confidently, in the Federalist Papers, that members of Congress would be restrained from enacting oppressive measures because "they can make no law which will not have its full operation on themselves and their friends, as well as on the great mass of the society. This has always been deemed one of the strongest bonds by which human policy can connect the rulers and the people together. It creates between them that communion of interests and sympathy of sentiments of which few governments have furnished examples; but without which every government degenerates into tyranny." Madison did not foresee Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment and from which Congress carefully exempted itself.

Remedial legislation has been offered. Rep. Lynn Martin's bill has 69 bipartisan cosponsors. Rep. Patricia Schroeder's proposal, also widely supported, has been around since 1978. Both measures allow some leeway so that legislators would be free to hire staff from the home district and the same political party, and both recognize the separation-of-powers problem by creating outside panels to hear complaints, rather than sending them to the courts. But most of the 30,000 employees on the Hill and 17,000 in the federal courts—they are now exempt too—are not in sensitive, policy-making positions, and they need and deserve the same protections given to employees in private industry. A cafeteria worker, clerical aide or service worker should not suffer discrimination because of race, religion, national origin, sex, age or handicap just because he is employed by Congress and not a corporation. Now that the House

none of that? You saw buildings that had previously housed various industry, as well as retail outlets that had been nationalized and were now housing government offices and officials, and I found it to be very depressing. And as we talked to individuals, they said everything was in severe supply shortage. In fact, we asked, "Well, do you think the economic sanctions will have a negative impact?" And most said no, because it could not get any worse, but that they saw it primarily as a symbolic gesture that showed our solidarity behind the Contras.

Mr. COBEY. Right. Well, that third black flower is control of the economy. So they are marching straight in the direction of the lines that we know exist in the Soviet Union-Eastern bloc nations. Shortages are a way of life.

Mr. SWINDALL. Is it not true that as you control the economy you then can control the democratic process, inasmuch as you make the statement to individuals that if you do not vote in such and such a fashion or participate in such and such a fashion, you will not receive your rationing coupons or you will be cut off from this or cut off from that?

Mr. COBEY. That is precisely my point of the three black flowers. First, you control the information that the people get through the press or whatever means, and you feed them precisely what you want them to hear. And, second, you use fear and intimidation to keep them from speaking out. And then, third, you control the economy so that they are dependent on the state for their food, their housing, their medical care; and, therefore, you have total control of a situation.

I think we ought to look at this on a broader scale, too: How does it affect the United States?

Well, people who oppose aid to the Contras say they do not want another Vietnam. Well, certainly, the gentleman and I do not want another Vietnam.

Mr. SWINDALL. Let me ask the gentleman a question about that: When we were engaged in Vietnam, was not the precise point that if the Communists were not stopped in North Vietnam that they would almost certainly spread to South Vietnam, Cambodia, Laos, and Thailand? And is it not true that today, 10 years after American withdrawal, we see precisely that, with the exception of Thailand, which is today being shelled and almost certain to fall?

Mr. COBEY. Right. I was going to get around to that, not in those terms, but draw some connections.

Right now, freedom fighters, the Contras, all they want is some help, some aid. They will fight their own battle. We are not talking about sending military men from America to Central America, and none of us wants to do that. It is a brutal conflict down there.

Mr. SWINDALL. Did the gentleman speak to a single individual who even

suggested that we send American troops in?

Mr. COBEY. No. We did not talk to anybody who wants that.

Mr. SWINDALL. The people I spoke to said they did not want American troops, that they were prepared to do what was necessary but they needed something to offset the tremendous influx of Soviet and Cuban advisers, supplies, military and humanitarian, that were coming in. And, obviously, Daniel Ortega's recent trip exemplifies that.

Mr. COBEY. When I voted for the aid to the Contras, the \$14 million, I voted for it because I do not want another Vietnam. I do not want to send our men down to Central America.

Mr. SWINDALL. Is it the gentleman's conclusion that this is an opportunity to avoid, ultimately, having another Vietnam, because we can utilize their own initiative, their own reasons for wanting to bring pressure to bear on the Sandinistas?

Mr. COBEY. Right, and if we do not aid them, we may have to use American fighting men at some point in the future when they export revolution. It may be in Mexico, it may be on our border. But let us recognize there are 100 million people between our Texas border and the Panama Canal.

When we left Vietnam, we had what we called the boat people. Ten percent of that population got on rickety boats in the South China Sea to escape communism, who are the greatest human rights violators of all time. What is going to happen if we allow Communists to take over and to have a foothold there in Nicaragua and export their revolution in Central America? We are going to have the feet people. And we will have at least 10 percent or well over 10 million that will be coming to this country. Most of them are the type of people we want in our country. But we have to recognize that this group could be salted with KGB-trained terrorists. What would we do in our society, in this country, this open country, if we had terrorists in this country poisoning our water supplies, bombing our bridges, bombing our airports? This is a serious matter. We must look in the direction, we must aid these freedom fighters. It is the best option that we have, given the fact that the Sandinistas will not meaningfully engage in dialog, in negotiation.

Mr. SWINDALL. The gentleman has raised a point that I would like to explore, because it was one of those areas that I had a great deal of uncertainty and lack of clarity in my own mind prior to going on this trip, and that was the composition of both the leadership and the rank and file of the Contras in Nicaragua. And almost inevitably as I spoke with various individuals, many of whom, again, were individuals who were formerly supportive of the Sandinistas, I would ask: Tell me about the leadership of the Contras, tell me about the rank and

file Contras. And their statement was that most of them were people from out in the countryside or they were people who were formerly part of the revolution. They used one example, and I would like to focus on this one example.

The SPEAKER pro tempore. All time of the gentleman from Georgia [Mr. SWINDALL] has expired.

Mr. SWINDALL. I thank the Chair.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SPRATT (at the request of Mr. WRIGHT), after 2:45 p.m. today and for June 6, on account of a necessary absence.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BLAZ) to revise and extend their remarks and include extraneous material:)

Mr. MCEWEN, for 5 minutes, today.

Mr. ARMEY, for 5 minutes, today.

Mr. MCEWEN, for 15 minutes, June 6.

Mrs. BENTLEY, for 10 minutes, June 6.

(The following Members (at the request of Mr. RAY) to revise and extend their remarks and include extraneous material:)

Mr. BUSTAMANTE, for 5 minutes, today.

Mr. RAY, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. KLECZKA, for 5 minutes, today.

Mr. ALEXANDER, for 10 minutes, June 10.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MICHEL, and to include extraneous matter, during consideration of H.R. 1460, Anti-Apartheid Act of 1985, in the Committee of the Whole, today.

(The following Members (at the request of Mr. BLAZ) and to include extraneous matter:)

Mr. MCCAIN.

Mr. BEREUTER.

Mr. PORTER.

Mr. COURTER in two instances.

Mr. GEKAS.

Mr. GUNDERSON.

Mr. CLINGER.

Mr. BROOMFIELD.

Mr. LEWIS of California.

Mr. BLILEY.

Mr. VANDER JAGT.

Mr. DREIER of California.

Mr. HARTNETT.

Mr. HENRY.

Mr. CRANE.

Mr. WEBER.

Mr. KEMP in three instances.
Mr. McGRATH.
Mr. LAGOMARSINO in four instances.
(The following Members (at the request of Mr. RAY) and to include extraneous matter:)

Mr. MAZZOLI.
Mr. MILLER of California in three instances.
Mr. HAMILTON.
Mr. YATRON in two instances.
Mr. ACKERMAN.
Mr. MURTHA.
Mr. ATKINS.
Mr. SHELBY.
Mr. MONTGOMERY.
Mr. RANGEL.
Mr. CARR.
Mr. FORD of Michigan.
Mr. WISE in two instances.
Mr. DOWNEY of New York.
Mr. DYSON in two instances.
Mr. CONYERS.
Mr. DORGAN of North Dakota.
Mrs. SCHROEDER.
Mr. FLORIO in two instances.
Mr. LUKEN.
Mrs. BOXER.
Mr. DELLUMS in two instances.
Mr. TORRES.
Mrs. BURTON of California in two instances.
Mr. TOWNS.

ENROLLED BILLS SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 873. An act to amend title 5, United States Code, to provide that employee organizations which are not eligible to participate in the Federal employees health benefits program solely because of the requirement that applications for approval be filed before January 1, 1980, may apply to become so eligible, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2268. An act to approve and implement the Free Trade Area Agreement between the United States and Israel.

ADJOURNMENT

Mr. SWINDALL. Mr. Speaker, I move that the House do now adjourn. The motion was agreed to; accordingly (at 8 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Thursday, June 6, 1985, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

1418. Under clause 2 of rule XXIV, a letter from the Chairman, Nuclear Regula-

tory Commission, transmitting a report on abnormal occurrences at licensed nuclear facilities for the fourth calendar quarter of 1984, pursuant to Public Law 93-438, section 208; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FROST: Committee on Rules. House Resolution 186. Resolution waiving certain points of order against, H.R. 2577, a bill making supplemental appropriations for the fiscal year ending September 30, 1985, and for other purposes. (Rept. No. 99-160). Referred to the House Calendar.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2370. A bill to amend the Public Health Service Act to extend the programs of assistance for nurse education; with amendments (Rept. No. 99-161). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOWARD (for himself, and Mr. YOUNG of Missouri):

H.R. 2667. A bill to amend the Federal Aviation Act of 1958 to provide for the revocation of certain certificates for air transportation, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. ADDABBO:

H.R. 2668. A bill to permit collective negotiation by professional retail pharmacists with third-party prepaid prescription program administrators and sponsors; to the Committee on the Judiciary.

By Mr. DORGAN of North Dakota:

H.R. 2669. A bill making supplemental appropriations for the fiscal year ending September 30, 1985, for the Temporary Emergency Food Assistance Program within the Department of Agriculture; to the Committee on Appropriations.

By Mr. HANSEN (for himself, Mr. NIELSON of Utah, and Mr. MONSON):

H.R. 2670. A bill to designate certain lands within units of the National Park System in the State of Utah as wilderness, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DYMALLY:

H.R. 2671. A bill to provide for the improvement of faculty development and administration for universities, colleges, and secondary schools in certain countries and U.S. territories and possessions in the Pacific region; jointly, to the Committee on Foreign Affairs, Interior and Insular Affairs, and Education and Labor.

By Mr. GUARINI:

H.R. 2672. A bill to redesignate the New York International and Bulk Mail Center in Jersey City, NJ, as the "New Jersey International and Bulk Mail Center", and to honor the memory of a former postal employee by dedicating a portion of a street at the New York International and Bulk Mail Center in Jersey City, NJ, as "Michael McDermott Place"; to the Committee on Post Office and Civil Service.

By Mr. KANJORSKI:

H.R. 2673. A bill to amend title 5, United States Code, to allow the detailing of administrative law judges from one agency to another without reimbursement; to the Committee on Post Office and Civil Service.

By Mr. KLECZKA:

H.R. 2674. A bill to authorize certain uses to be made with respect to certain lands conveyed to Milwaukee County, WI, by the Administrator of Veterans' Affairs; to the Committee on Veterans Affairs.

By Mr. PETRI:

H.R. 2675. A bill to establish a commission to study ways of improving defense procurement; to the Committee on Armed Services.

By Mr. PETRI (for himself, Mr. CHAPPIE, Mr. ARMEY, Mr. CLINGER, Mr. LAGOMARSINO, Mr. KOLTER, Mr. SHUMWAY, and Mr. YOUNG of Florida):

H.R. 2676. A bill to amend the Fair Labor Standards Act of 1938 to require that wages based on individual productivity be paid to handicapped workers employed under certificates issued by the Secretary of Labor; to the Committee on Education on Labor.

By Mr. SHELBY:

H.R. 2677. A bill to repeal the provision requiring a State to require proof of payment of the Federal use tax on heavy vehicles before a vehicle subject to such tax may be registered; to the Committee on Public Works and Transportation.

By Mr. STANGELAND:

H.R. 2678. A bill to settle unresolved claims relating to certain allotted Indian lands on the White Earth Indian Reservation, to remove clouds from the titles to certain lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. UDALL (for himself, and Mr. CHENEY):

H.R. 2679. A bill to amend the Clean Air Act to control certain sources of sulfur dioxide to reduce acid deposition; jointly, to the Committees on Energy and Commerce, and Science and Technology.

By Mr. VANDER JAGT:

H.R. 2680. A bill to amend title XVIII of the Social Security Act to treat certain rural osteopathic hospitals as rural referral centers for purposes of payment under the prospective payment system; to the Committee on Ways and Means.

By Mr. HENRY (for himself, Mr. HALL of Ohio, Mr. PETRI, Mr. COURTER, and Mr. MOODY):

H.J. Res. 305. Joint resolution to recognize both Peace Corps volunteers and Peace Corps on the agency's 25th anniversary, 1985-86; to the Committee on Post Office and Civil Service.

By Mr. WALKER:

H.J. Res. 306. Joint resolution to request that the Secretary of State raise the case of the imprisonment of Aleksandr Shatravka with the Soviet Union; to the Committee on Foreign Affairs.

By Mr. YOUNG of Florida:

H.J. Res. 307. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DYMALLY (for himself and Mr. RANGEL):

H. Con. Res. 159. Concurrent resolution expressing the sense of the Congress that the President should grant a posthumous full, free, and absolute pardon to Marcus Garvey for any offenses against the United States for which he was convicted; to the Committee on the Judiciary.