

Public Law 99-631
99th Congress

Joint Resolution

To make corrections in the Comprehensive Anti-Apartheid Act of 1986.

Nov. 7, 1986

[H.J. Res. 756]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Comprehensive Anti-Apartheid Act of 1986 is amended as follows:

South Africa.
Ante, p. 1086.

- (1) In the table of contents—
- (A) strike out the item relating to section 309 and insert in lieu thereof the following new item:
- “Sec. 309. Prohibition on importation of uranium, coal, and textiles from South Africa.”;
- (B) strike out the items relating to sections 317 and 318 and insert in lieu thereof the following new items:
- “Sec. 317. Prohibition on export of items on the United States Munitions List.
- “Sec. 318. Notification of certain proposed United States Munitions List exports.”;
- and
- (C) strike out the item relating to section 510 and insert in lieu thereof the following new item:
- “Sec. 510. Prohibition on the importation of Soviet gold coins.”.
- (2) In section 3—
- (A) in paragraph (6)(B), strike out “Administration” and insert in lieu thereof “administration”;
- (B) at the end of paragraph (7), strike out “and”;
- (C) redesignate paragraph (8) as paragraph (9); and
- (D) after paragraph (7), insert the following new paragraph:
- “(8) the term ‘South African national’ means—
- “(A) a citizen of South Africa; and
- “(B) any partnership, corporation, or other business association which is organized under the laws of South Africa; and”.
- (3) In section 102—
- (A) in subsection (b), insert “and” at the end of paragraph (3); and
- (B) in subsection (c)—
- (i) strike out “subsection 101(a)” and insert in lieu thereof “section 101(a)”; and
- (ii) strike out “ANC” and insert in lieu thereof “African National Congress”.
- (4) In section 103(b)—
- (A) in paragraph (1), insert a comma after “apartheid”;
- (B) in paragraph (4), strike out “to those whose nonviolent activities had” and insert in lieu thereof “(A) to those whose nonviolent activities have”; and
- (C) in paragraph (7), strike out “such groups so as to achieve the objectives of this Act” and insert in lieu thereof “groups promoting terrorism”.
- (5) In section 104(b)—

Ante, p. 1087.

Ante, p. 1090.

Ante, p. 1090.

Ante, p. 1091.

Human rights.

(A) in paragraph (5), strike out "that all countries of the region respect the human rights of their citizens and noncitizens residing in the country, and especially the release" and insert in lieu thereof "the respect by all countries of the region for the human rights of their citizens and noncitizens residing in their countries and, especially, the release by all such countries"; and

(B) in paragraph (6), strike out "demanding that all countries of the region take effective action" and insert in lieu thereof "demanding, effective action by all countries of the region".

Ante, p. 1091.

(6) In section 105—

(A) insert "(1)" after "states"; and

(B) strike out "of means" and insert in lieu thereof "(2) any means".

International agreements.

Ante, p. 1092.

(7) Section 106(c) is amended to read as follows:

"(c) The United States will work, through coordinated actions with the major Western allies and with the governments of the countries in the region, toward the achievement of an agreement to suspend violence and begin negotiations."

Ante, p. 1093.

(8) In section 109, strike out "Senate" and insert in lieu thereof "Congress".

Ante, p. 1097.

(9) In section 207—

(A) in subsection (a), insert "with respect to the employment of those persons" after "implemented"; and

(B) in subsection (b), insert "with respect to the employment of those persons" after "Conduct".

Ante, p. 1097.

(10) In section 208—

(A) in subsection (b)(3), strike out "make" and insert in lieu thereof "making"; and

(B) in the second sentence of subsection (c), strike out "this section" each of the two places it appears and insert in lieu thereof "section 207".

Ante, p. 1098.

(11) In section 212, insert "are participated in by" after "as".

Ante, p. 1099.

(12) In section 303—

(A) in subsection (b)—

(i) strike out "corporation or partnership owned or controlled" and insert in lieu thereof "corporation, partnership, or entity owned, controlled,"; and

(ii) strike out "corporation or partnership" the second place it appears and insert in lieu thereof "corporation, partnership, or entity"; and

(B) at the end of the section, add the following new subsection:

Imports.

"(c) Nothing in this section prohibits the importation into the United States of any publication, including any book, newspaper, magazine, film, phonograph record, tape recording, photograph, microfilm, microfiche, poster, or any other similar material."

Ante, p. 1100.

(13) In section 306(d), insert "'air carrier,'" after "'aircraft,'".

Ante, p. 1102.

(14) In section 309—

(A) in the section heading relating thereto, strike out "URANIUM AND COAL" and insert in lieu thereof "URANIUM, COAL, AND TEXTILES";

(B) in subsection (a), strike out "is" and insert in lieu thereof "are";

(C) redesignate subsection (b) as subsection (c); and

(D) insert after subsection (a) the following new subsection:

“(b) For purposes of this section, the term ‘textiles’ does not include any article provided for in item 812.10 or 813.10 of the Tariff Schedules of the United States.”

19 USC note
prec. 1202.
Ante, p. 1103.

(15) In section 312(b), strike out “civilians or” and insert in lieu thereof “civilians and”.

(16) In section 313, strike out “the following convention and protocol”.

Ante, p. 1104.

(17) In section 314—

Ante, p. 1104.

(A) strike out “agency” and insert in lieu thereof “agency,”; and

(B) strike out “diplomatic and” and insert in lieu thereof “diplomatic or”.

(18) In section 317—

Ante, p. 1104.

(A) in the section heading relating thereto, strike out “SALE OR EXPORT OF ITEMS ON” and insert in lieu thereof “EXPORT OF ITEMS ON THE UNITED STATES”; and

(B) in subsection (a), strike out “Munition” and insert in lieu thereof “Munitions”.

(19) In section 318—

Ante, p. 1105.

(A) amend the section heading relating thereto to read as follows: “NOTIFICATION OF CERTAIN PROPOSED UNITED STATES MUNITIONS LIST EXPORTS”;

(B) in subsection (a) in the text above clause (i), strike out “shall:” and insert in lieu thereof “shall—”;

(C) in subsection (a), redesignate paragraphs (i) and (ii) as paragraphs (1) and (2), respectively;

(D) in subsection (a)(1), as redesignated by clause (C)—

(i) insert “of” after “Africa”; and

(ii) strike out “Munition” and insert in lieu thereof

“Munitions”; and

(E) amend subsection (b) to read as follows:

“(b)(1) No item described in subsection (a) may be exported if the Congress, within 30 days of continuous session after a certification is made under subsection (a)(2), enacts, in accordance with section 602 of this Act, a joint resolution disapproving such export.

Exports.

“(2) For purposes of paragraph (1), the term “continuous session” is used within the meaning of section 906(b) of title 5, United States Code.”

Post, p. 3519.

(20) In section 319—

Ante, p. 1105.

(A) in the text above paragraph (1), strike out “no:” and insert in lieu thereof “no—”;

(B) in paragraph (1), strike out “commodity, product, byproduct of derivative thereof,” and insert in lieu thereof “commodity or product or any byproduct or derivative thereof, or”; and

(C) strike out paragraph (2) and insert in lieu thereof the following:

Imports.

“(2) article that is suitable for human consumption, that is a product of South Africa may be imported into the United States after the date of enactment of this Act.”

(21) In section 320—

Ante, p. 1105.

(A) strike out “Notwithstandig” and insert in lieu thereof “Notwithstanding”;

- (B) insert after "produced" a comma and the following: "or iron ore extracted,"; and
- (C) insert before the period at the end thereof a comma and the following: "except that any such commodity may be imported pursuant to a contract entered into before August 15, 1986, if no shipment of such commodity is imported by a national of the United States under such contract after December 31, 1986".
- (22) In section 321—
- (A) in subsection (a)—
- (i) strike out "or which is exported by a person subject to the jurisdiction of the United States"; and
- (ii) insert after "South Africa" the following: ", and no crude oil or refined petroleum product may be exported to South Africa by a person subject to the jurisdiction of the United States"; and
- (B) in subsection (b), before the period at the end thereof insert a comma and the following: "if no shipment of such export is made under such contract after December 31, 1986".
- (23) In section 322, insert "for" after "except".
- (24) In section 401—
- (A) in the third sentence of subsection (a), insert "agreements" after "cooperative";
- (B) in the first sentence of subsection (b)(1), strike out "arrangements with the other industrialized democracies and other trading partners of South Africa" and insert in lieu thereof "agreements with the other industrialized democracies";
- (C) in subsection (c), strike out "sections 301 through 310" and insert in lieu thereof "title III"; and
- (D) in subsection (d)(3), insert ", in accordance with section 602 of this Act," after "enacted".
- (25) In section 402, strike out "against any national of the United States".
- (26) In section 501—
- (A) in subsection (c), strike out paragraph (1);
- (B) in subsection (c)(3), strike out "food, agricultural products, diamonds, and textiles" and insert in lieu thereof "diamonds"; and
- (C) in subsection (c), redesignate paragraphs (2) through (5) as paragraphs (1) through (4), respectively.
- (27) In section 502—
- (A) in subsection (a), strike out "material by" and insert in lieu thereof "material to"; and
- (B) in subsection (b)(2), strike out "(1) and every thirty days thereafter, the President shall prepare and transmit" and insert in lieu thereof "(1), and every thirty days thereafter, the President shall prepare and transmit to the Congress a report containing".
- (28) In section 505(a), insert a comma after "done" the second place it appears.
- (29) In section 510—
- (A) strike out subsection (b);
- (B) redesignate subsection (c) as subsection (b); and
- (C) in subsection (c), strike out "rubles" and insert in lieu thereof "gold coins".
- Imports.
Contracts.
- Petroleum and
petroleum
products.
Exports.
Ante, p. 1105.
- Contracts.
- Ante*, p. 1105.
Ante, p. 1106.
- International
agreements.
- Ante*, p. 1107.
- Ante*, p. 1108.
- Ante*, p. 1109.
- President of U.S.
Reports.
- Ante*, p. 1109.
- Ante*, p. 1111.

(30) In section 512(a), strike out "Subsaharan" and insert in lieu thereof "subSaharan".

Ante, p. 1112.

(31) In section 602—

Ante, p. 1112.

(A) in subsection (a)(1), insert "318(b)," after "311(b),";

Ante, p. 1105.

(B) in subsection (b)(1), insert "318(b)," after "311(b),";

(C) in subsection (b)(3), insert "the" after "with";

(D) in subsection (c), redesignate paragraphs (A), (B), and (C) as paragraphs (1), (3), and (4), respectively; and

(E) in subsection (c), insert after paragraph (1), as redesignated by clause (D) of this paragraph, the following new paragraph:

"(2) in the case of section 318(b), a joint resolution which is introduced in a House of Congress within 3 legislative days after the Congress receives a certification of the President pursuant to section 318(b) and for which the matter after the resolving clause reads as follows: 'That the Congress, having received on a certification of the President under section 318(b)(2) of the Comprehensive Anti-Apartheid Act of 1986, approves the President's certification.', with the date of the receipt of the certification inserted in the blank,"

President of U.S. Congress.

(b) The Foreign Assistance Act of 1961 is amended as follows:

22 USC 2151

(1) In section 105(b)(2)(C)(i), strike out "inservice" and insert in lieu thereof "in-service".

note.
22 USC 2151c.

(2) In section 116(f)(2)(B), strike out "paragraph" and insert in lieu thereof "subsection".

22 USC 2151n.

(3) In section 535(a)(1), insert "and" after "enterprise,".

Ante, p. 1111.

(c) The amendments made by subsections (a) and (b) shall be deemed to have taken effect upon the enactment of the Comprehensive Anti-Apartheid Act of 1986.

Effective date.
Ante, p. 1086.

Approved November 7, 1986.

LEGISLATIVE HISTORY—H.J. Res. 756:

CONGRESSIONAL RECORD, Vol. 132 (1986):

Oct. 17, considered and passed House.

Oct. 18, considered and passed Senate.