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INREG 3186

MR PATEM

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CONFIDENTIAL

US/SOUTH AFRICA: SANCTIONS

SUMMARY

1. DEMOCRATIC CONVENTION DOES NOT SEEM TO HAVE ADDED MOMENTUM TO SENATE CONSIDERATION OF SANCTIONS. MOST COMMENTATORS STILL CONSIDER SANCTIONS LEGISLATION UNLIKELY THIS YEAR. EVEN DEMOCRATS ARE NOT OPTIMISTIC.

DETAIL

2. WE HAVE TAKEN SOUNDINGS IN STATE AND ON THE HILL IN THE WEEK SINCE ATLANTA. THE GENERAL FEELING IS STILL THAT SANCTIONS LEGISLATION THIS YEAR IS UNLIKELY.
3. LANPHER (DIRECTOR, SOUTH AFRICAN BUREAU, STATE) HAD ATTENDED THE CONVENTION. HE SAID THAT SOUTH AFRICA HAD NOT BEEN A MAKE-OR-BREAK ISSUE. CALLS FOR SANCTIONS HAD DRAWN RITUAL APPLAUSE, BUT HE DID NOT THINK THAT ADDITIONAL MOMENTUM HAD BEEN GENERATED IN THE SENATE. THE DEMOCRATIC LEADERSHIP THERE LACKED QUOTE FIRE IN THE BELLY UNQUOTE AND THERE WAS ALSO CONCERN ABOUT SADDLING A POSSIBLE DEMOCRATIC ADMINISTRATION WITH EXTREME LEGISLATION THAT WOULD LIMIT ITS ROOM FOR MANOEUVRE.
4. AS FOR THE HOUSE, THE BILL WOULD BE APPROVED IF IT GOT TO THE FLOOR. THE HOUSE WAYS AND MEANS COMMITTEE APPROVED IT EARLIER THIS WEEK WITHOUT AMENDMENT. IT HAS NOW CLEARED ALL HOUSE COMMITTEES, AND BACKERS HOPE TO GET IT TO THE FLOOR BEFORE THE REPUBLICAN CONVENTION ON 15 AUGUST.

5. IN THE SENATE, REPUBLICAN STAFFERS ARE OPTIMISTIC THAT THE BILL WILL NOT REACH THE FLOOR. A STAFFER FOR SENATOR ROTH (R-DELAWARE) SAID THAT UNLESS THE SENATE MAJORITY LEADER (SENATOR BYRD, D-WEST VIRGINIA) JUDGED THAT SANCTIONS WERE LIKELY TO BECOME A MAJOR ELECTION ISSUE (WHICH MOST PEOPLE THOUGHT THEY WOULD NOT), THERE WOULD BE NO LEGISLATION. THE STAFFER NOTED THAT THE SENATE FOREIGN RELATIONS COMMITTEE (SFRC) WERE TRYING TO SCHEDULE A MARK-UP DEBATE ON THE BILL FOR EARLY SEPTEMBER. HE SAW THAT TIMING AS EVIDENCE OF A LACK OF REAL CONVICTION. IF SFRC DEMOCRATS THOUGHT THAT THE BILL HAD A CHANCE, SUCH A HEARING WOULD BE TAKING PLACE NOW. THERE WAS LITTLE SENATE INTEREST IN THE ISSUE OUTSIDE THE SFRC.

6. MOREOVER, THE SFRC HAD HELD A CLOSED MEETING WITH THE INTELLIGENCE COMMITTEE ON 28 JULY. A FULL READOUT WAS NOT YET AVAILABLE, BUT THE INTELLIGENCE COMMITTEE HAD EVIDENTLY EXPRESSED SERIOUS RESERVATIONS ABOUT LEGISLATION THAT WOULD AFFECT US INTELLIGENCE LINKS WITH SOUTH AFRICA.

7. SENATOR LUGAR (R-INDIANA), SPEAKING TO THE WASHINGTON INTERNATIONAL TRADE ASSOCIATION ON 28 JULY, SAID THAT HE THOUGHT THE DEMOCRATS STILL HAD TO GO THROUGH THE MOTIONS ON THE BILL. THERE WAS NO CERTAINTY THAT IT WOULD REACH THE SENATE FLOOR. IF IT DID, IT WOULD BE PASSED, BUT THE SENATE WOULD BE UNABLE TO OVERRIDE A PRESIDENTIAL VETO. HE DID NOT RULE OUT THAT THE DEMOCRATS MIGHT SEEK TO ATTACH THE BILL TO OTHER LEGISLATION (THE TECHNIQUE USED TO PASS THE RANGEL AMENDMENT LAST YEAR). THE OUTCOME OF SUCH AN ATTEMPT WAS DIFFICULT TO PREDICT (BUT WOULD BE STRONGLY RESISTED BY REPUBLICANS).

8. WE SPOKE ALSO TO A DEMOCRATIC STAFFER IN THE OFFICE OF SENATOR DECONCINI (D-ARIZONA), A LEADING SANCTIONS PROPONENT. HE WAS GUARDED ABOUT PROSPECTS FOR THE BILL (AND DID NOT SUGGEST THAT IT MIGHT BE ATTACHED TO OTHER LEGISLATION). HE NOTED THAT THE ISSUE WAS QUOTE CONTENTIOUS UNQUOTE. SENIOR REPUBLICANS WHO HAD BACKED SANCTIONS IN 1986 (LIKE SENATORS LUGAR AND KASSEBAUM) STRONGLY OPPOSED THEM THIS TIME. MOREOVER, EVEN DEMOCRATS WHO BACKED SANCTIONS IN PRINCIPLE MIGHT NOT APPROVE OF TOTAL DISINVESTMENT. THEY WERE ALSO WARY OF TYING A NEW ADMINISTRATION'S HANDS. MODIFICATIONS WOULD THEREFORE HAVE TO BE MADE AND THERE MIGHT NOT BE TIME FOR THE SENATE TO CONSIDER THEM. THERE WAS ALSO THE QUESTION OF A PRESIDENTIAL VETO. ALTHOUGH MUCH WOULD DEPEND ON THE SHAPE OF ANY BILL THAT MIGHT EVENTUALLY EMERGE, HE SHARED SENATOR LUGAR'S DOUBTS THAT THE 67 VOTES NEEDED TO OVERRIDE A VETO COULD BE FOUND.

9. ALL SIDES NOTED THAT EVENTS IN SOUTH AFRICA COULD STILL ALTER THE EQUATION. AS REGARDS THE REGIONAL DIMENSION, STATE ARE REMINDING KEY SFRC MEMBERS THAT THE ANGOLA/NAMIBIA NEGOTIATIONS HAVE REACHED A CRUCIAL PHASE. SWEEPING CONGRESSIONAL SANCTIONS AGAINST SOUTH AFRICA WOULD SERIOUSLY UNDERMINE THE US ROLE AS MEDIATOR AND COULD TERMINALLY DAMAGE THE PROCESS.

10. IN THESE CIRCUMSTANCES, MRS CHALKER MIGHT WISH TO DEFER WRITING TO SENATORS ON SANCTIONS UNLESS AND UNTIL THE SENATE SHOWS A RENEWED INTEREST IN THE ISSUE. WE WILL CONTINUE TO MONITOR AND REPORT ON THE SITUATION, AND WILL BE SENDING SEPARATELY OUR RECOMMENDATIONS ON HANDLING ET ASPECTS OF THE BILL.

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