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cc Mr. McAlister
Mrs. Thompson

SECRETARY OF STATE (B&L)

cc PS/Mr Viggers (B&L)
Mr Fell
Mr Gowdy
Mr Minnis
MC

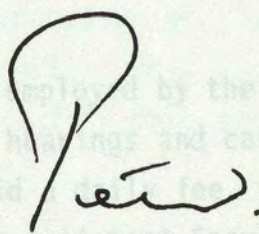
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MACBRIDE CAMPAIGN: LOBBYISTS AND NI WITNESSES

Following our recent discussion on the employment of lobbyists and Northern Ireland witnesses in the United States I attach a paper which outlines the position.

There is, I think general agreement on both sides of the Atlantic that professional lobbyists and Northern Ireland witnesses have been effective weapons in the counter-MacBride armoury.

We have had significant successes, which have enabled us (broadly speaking) to hold the ring while we pass the Fair Employment Bill. Thereafter, as you know, the position is to be reviewed.



PETER VIGGERS

20th April 1989

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MACBRIDE CAMPAIGN - USE OF PROFESSIONAL LOBBYISTS AND NI WITNESSES

1. The policy of using professional lobbyists in the US was approved in January 1988 and lobbyists have since been employed for differing periods in 13 States. In one State (Texas) the lobbyist is for the moment providing a free monitoring service. Total expenditure from January 1988 to 31 March 1989 was approximately £86,000. £30,500 has been committed in the current financial year. Annex A gives details of professional lobbyists employed in the United States and related expenditure. All are qualified professionals.

NORTHERN IRELAND WITNESSES/LOBBYISTS

2. A number of local people have agreed to testify at State Legislature Committee hearings (see Annex B) and some of these have also been willing to lobby. I approved an expanded panel earlier this year and it now consists of 25 currently available people who fall into four broad categories:

(i) Consultants

Three of those listed are/were employed by the Department as consultants and have spoken at hearings and carried out lobbying activities. They have been paid a daily fee, currently travel costs and subsistence at Assistant Secretary rates. They are:

- (a) Mr John Cushnahan who was employed from 11 January 1988 to 18 January 1989.
- (b) Mr Jim Eccles who was first employed by IDB in 1985 and transferred to DED when the latter assumed responsibility in August 1987 for expenditure on the MacBride issue. Mr Eccles' involvement with the Department is not widely known.

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(c) Mr Sean Neeson whose first involvement was on 25 February 1989.

(ii) Fair Employment Agency Personnel

The Chairman of the Fair Employment Agency and his staff have spoken at a number of hearings and carried out limited lobbying. their travel and subsistence costs have been paid either directly by the Department or through the Agency.

(iii) Trade Union Representatives

Trade unionists are generally reluctant to be seen to be funded by Government. However, since Mr Howard Burns of the AT&GWU is also a member of the FEA his expenses have been met by the Agency.

Mrs Hazel Morrissey's two appearances were funded by her union (AT&GWU). Mr Martin Dummigan of the National Union of Tailors and Garment Workers has been funded by the Department. It should be noted that in January 1989 Mr Freeman made clear his opposition to trade union involvement in the campaign as a protest against the content of the Fair Employment Bill. This has placed those who are willing to be involved in such a difficult position that we cannot call on them at present.

(iv) Other Witnesses

These have received travelling and subsistence costs only.

APPEARANCES AT HEARINGS

3. Annex C gives details of the various hearings attended by witnesses in the past. These hearings are generally called at extremely short notice, obliging the Department to work quickly through the panel list to establish availabilities. Although most of those listed have fairly full diaries there have been few occasions when representation at hearing has had to be left solely to consultants.

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4. Total Northern Ireland expenditure on opposition to the MacBride campaign from June 1985 to 31 March 1989 was £378,163.01. A breakdown is given at Annex D.
5. Father McManus and other MacBride proponents repeatedly make the claim in statements to the media that HMG operates a £15m "slush fund" out of which lavish hospitality and other favours are extended to influentially placed people and lobbyists. The claim is of course utterly untrue and has been firmly refuted publicly.

LEGAL REQUIREMENTS - REGISTRATION OF LOBBYISTS

6. In some States lobbyists and/or speakers are required to register at the State Capitol and may be required to provide details of fees, expenditure etc received by them. At the Federal level, the media recently reported that Fr McManus had written to the Internal Security Section of the Department of Justice listing at least 14 people whom he described as having campaigned against the MacBride Principles without registering under the Foreign Agents Registration Act 1938. It has been established, through the Embassy, that this law was introduced to deal with Nazi propaganda but it appears that it may be sufficiently broadly worded to apply to any foreign national who lobbies for any reason.
7. NI spokespersons have endured accusations in the past that they are British Government 'hacks' and Fr McManus has achieved fairly extensive news coverage of the allegation (directed particularly against John Cushnahan) that they are British agents. We may unfortunately face difficulty in retaining and recruiting NI witnesses if it eventually becomes necessary for them to register under the 1938 Act, the connotations of qualifying for description as 'British agent' being sufficiently off-putting.

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The Embassy's initial contacts with the US Department of Justice suggest that at least some of our Northern Ireland spokespersons may be obliged to register under the Foreign Agents Act. It would clearly be advantageous if formal confirmation of that view were not received until the end of the current phase of our counter-MacBride strategy. The Embassy is therefore proceeding with due deliberation in its further exploration of the matter. The Embassy has been assured that there is presently no question of the Justice Department acting against our lobbyists.

FR SEAN McMANUS-V-BBC, SEAMUS McKEE, JOHN CUSHNAHAN AND THE DEPARTMENT OF ECONOMIC DEVELOPMENT

9. Fr McManus' Solicitors wrote in January to the BBC, Seamus McKee (the interviewer), John Cushnahan and the Department of Economic Development alleging that a statement made by Mr Cushnahan was defamatory and expressing the intention of serving proceedings. Writs have so far been served on the BBC and Seamus McKee and, according to our legal advisor, there is a willingness on the BBC's part to take full responsibility for the broadcast and indemnify the Department and Mr Cushnahan against all liability that might otherwise be incurred. Further developments are awaited.

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PROFESSIONAL LOBBYISTS

STATE	LOBBYIST	EXPENDITURE IN 1987/88 (FROM JAN 1988 ONLY)	EXPENDITURE IN 1988/89	COMMITTED EXPENDITURE IN 1989/90
California	Donald Burns	£	£	(to Dec 1989)
Illinois	Hopkins & Sutter			
Indiana	Bainbridge & Hammond			
Maine	Doyle & Nelson			
Maryland	Wm Pitcher			(to 10.4.89)
Minnesota	O'Connor & Hannan			
Missouri	Chuck Gallagher			(to end June)
Nebraska	J De Camp			
New Hampshire	Hampe & McNicholas			(to mid/late May)
Pennsylvania	Mary Webber			- to end July (estimate)
Texas	Tom Forbes & Partner			Providing a free monitoring service at present
Vermont	Kimbell & Sherman			(to mid May)
Wisconsin	Murphy & Desmond			
TOTALS		£11,084.42	£74,814.24	\$52,600 (£30,581 Approx)

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ANNEX B

STATE LEGISLATIVE HEARINGS
WITNESSES - PANEL OF VOLUNTEERS

1. Those who have appeared at hearings:

Name		No of Hearings
Mr D Allen	Managing Director, Down Office Equipment	1
Mr H Burns	FEA Member (AT&GWU Rep)	2
Miss F Cassidy	FEA Staff	6
Mr H A Coll	Solicitor and part-time magistrate	2
Mr R Cooper	FEA Chairman	5
Mr J Cushnahan*	Public Relations Consultant	14
Mr P Devlin+	Journalist/Broadcaster	5
Mr M Dummigan	Irish Divisional Officer, National Union of Tailors and Garment Workers	1
Mr J Donnelly	Accountant	2
Mr J Eccles	Consultant and Retired Businessman	8
Mr R Galway	FEA Staff	5
Mr V Mageean	Formerly NI Small Business Institute now NUU	1
Mr D McGuinness	Solicitor and Chairman Alliance Party	1
Mrs H Morrissey	Research Officer AT&GWU	2
Mr S Neeson	Consultant (Former Alliance Party Spokesman for the Economy)	5
Sister G O'Farrell*	Ex Headmistress, St Louise's	1
Prof D Rea	University of Ulster	1
Mr J Stewart	Director, Engineering Employers' Federation	2
		<hr/> 64

2. Others who have indicated a willingness to appear at hearings:

Ms M Andrews	Director, Newry and Mourne Enterprise Agency
Mr F Graham	Managing Director, Kainos Software Ltd
Mr B Harkin+	Chairman, Industry Matters
Mr R Jordan	Director, Northern Ireland Chamber of Commerce
Mr P McCartan	Board Area Secretary, APEX
Mr P McWilliams	Chairman, Bis Beecom International Ltd
Mr M Murphy	Chief Officer, Western Education and Library Board
Mr G Patterson	FEA Staff
Mr H Shimmons	Manager, Northern Ireland Chamber of Commerce
Mr W Wallace	Retired Irish Divisional Officer, National Union of Tailors and Garment workers

NB Mr Freeman has blocked trade union representation this year as a protest against the content of the FE Bill - hopefully trade unionists will be available for hearings when the Bill has been enacted.

* No longer available.

+ Not presently available due to ill health.

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NI WITNESSES - APPEARANCES AT HEARINGS

MR D ALLEN	NEW HAMPSHIRE	MAR 89	MR J ECCLES	MASSACHUSETTS	JUN 85
				CALIFORNIA	MAY 87
MR H BURNS	CALIFORNIA	MAY 87		ILLINOIS	JUN 87
	MINNESOTA	FEB 88		MINNESOTA	MAR 88
				OHIO	NOV 88
MISS F CASSIDY	VERMONT	MAR 88		NEW HAMPSHIRE	FEB & MAR 89
	MINNESOTA	MAR 88		MARYLAND	MAR 89
	MARYLAND	MAR 88			
	MICHIGAN	MAR 88	MR R GALWAY	ILLINOIS	JUN 87
	ILLINOIS	APR 88		NEW HAMPSHIRE	JAN 88
	OHIO	MAY 88		VERMONT	FEB 88
				MAINE	FEB 88
MR H A COLL	MISSOURI	FEB 89		MARYLAND	FEB 88
	NEBRASKA	MAR 89			
			MR V MAGEEAN	PENNSYLVANIA	SEP 87
MR R COOPER	CALIFORNIA	MAY 87			
	RHODE ISLAND	JUN 87	MR D McGUINNESS	NEW HAMPSHIRE	FEB 89
	PENNSYLVANIA	SEP 87			
	ILLINOIS	OCT 87	MRS H MORRISSEY	ILLINOIS	OCT 87
	MINNESOTA	FEB 88		NEW HAMPSHIRE	FEB 88
MR J CUSHNAHAN	NEW HAMPSHIRE	JAN 88	MR S NEESON	MARYLAND	FEB & MAR 89
	VERMONT	FEB & MAR 88 (2)		NEBRASKA	MAR 89
	MAINE	FEB 88		NEW HAMPSHIRE	MAR 89
	MINNESOTA	FEB 88		VERMONT	MAR 89
	MARYLAND	FEB 88 & MAR 88 (2)			
	MICHIGAN	MAR 88 & SEP 88 (2)	SR G O'FARRELL	MINNESOTA	MAR 88
	ILLINOIS	APR & JUN 88 (2)			
	OHIO	MAY & NOV 88 (2)	PROF REA	MARYLAND	FEB 89
	CALIFORNIA	JUN 88			
			MR J STEWART	MARYLAND	FEB 89
MR P DEVLIN	ILLINOIS	JUN 87		NEBRASKA	MAR 89
	PENNSYLVANIA	SEP 87			
	ILLINOIS	OCT 87			
	MAINE	FEB 88			
	VERMONT	FEB 88			
MR J DONNELLY	MINNESOTA	MAR 88			
	MARYLAND	MAR 89			
M DUMMIGAN	MISSOURI	FEB 89			

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PROGRAMME EXPENDITURE ON OPPOSITION TO THE MACBRIDE CAMPAIGN

	<u>PROFESSIONAL LOBBYISTS</u>	<u>NI SPOKESPERSONS</u>	<u>FEA EXPENDITURE</u>	<u>HOSPITALITY INC VISITS</u>	<u>TOTAL</u>
1985/86 EXPENDITURE	-	25,000 ⁺	-	-	25,000 ⁺
1986/87 EXPENDITURE	-	25,000 ⁺	-	-	25,000 ⁺
1987/88 EXPENDITURE	11,084.42	114,494.66*	14,567.57	696.82	140,843.47*
1988/89 EXPENDITURE	74,814.24	108,679.01	1,939.07	1,887.22	187,319.54
TOTAL	85,898.66	273,173.67	16,506.64	2,584.04	378,163.01
1989/90 EXPENDITURE ESTIMATE	95,000	137,000	15,000	3,000	250,000

⁺IDB Expenditure

*Includes £34,400 for IDB

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