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Your reference

Our reference

BY FAX Date

28 March 1991

*Dear Pat,**cc Mr Spence
Mr Smartt
Mr Smith, IDB
Kirsty Alister OJK
Mr McAuley
New York City file**1. Mrs. Seaton
2. Mr. Smith - 8/4/91
3. Ross - to note for file.
4. Carole -***MACBRIDE AND NEW YORK CITY PROCUREMENT CONTRACTS**

1 On Monday 25th March the public hearing took place in City Hall before the Government Operations Committee, part of the process of passing legislation which would apply MacBride to City Procurement contracts. Although the passing of the draft Bill appeared to be a foregone conclusion, it was agreed that it should be allowed to pass by default. DED arranged to send Sean Neeson, Jim Eccles, Martin Dumigan and Harry Call from Northern Ireland to testify against the legislation.

2 Pre-Hearing Lobbying

I had arranged some lobbying for Sean Neeson on the Thursday and Friday before the hearing, and accompanied Sean in meetings with Deborah Pucci and Julie Riordan from the Mayor's office, Alexandra Lowe from the Procurement Policy Board, Carolyn Maloney, Chairperson of the City Council Subcommittee on City Contracts, and Mary Pinkett, who had the chair of the Public Hearing Committee.

3 The Mayor's Office

Pucci and Riordan described their role as acting as antennae for the Mayor on the various ethnic groups in New York City. Riordan had a special responsibility in this context for Irish matters. Sean emphasised the anti-MacBride feelings expressed by labour, Church and political leading figures from both communities in Northern Ireland, but although they listened attentively, and asked many questions, neither Riordan nor Pucci was willing to be drawn into a debate on the issue. Sean raised the possibility of an amendment to the legislation which might include a declaration that companies should honour the spirit of MacBride. They did not take him up on it.



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4 Procurement Policy Board

Alexandra Lowe, to whom we spoke later, seemed more open-minded and flexible, to the extent that she raised the question of a legislative amendment which might be satisfactory to all parties. When Sean offered the "Spirit of MacBride" amendment she noted it, but admitted that she knew very little of Irish affairs. Pat Doherty sat in on this meeting and occasionally explained or amplified a point in the discussion, apparently enjoying his City Hall role of guru on matters Irish. Doherty's presence was probably significant. By her own admission, Lowe did not know very much about Northern Ireland, and Sean was rather disappointed to see, during Monday's hearing, a representative from Lowe's office testify in favour of the draft legislation.

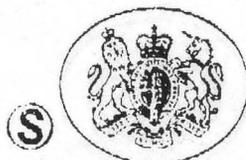
Sub-Committee on City Contracts & Chairperson of Public Hearing

The following day we met Mary Pinkett, who was to chair the public hearing, Carolyn Maloney, and Jay Danashek, the lawyer for the Committee. Pinkett appeared open and honest to the extent that she did not try to disguise the fact that she had a rather sketchy knowledge of the situation in Northern Ireland, and was openly cynical about statistics which showed that Catholics could, and did rise to top positions in NI industry, commerce and government. She pointed out that as an African-American, these sort of figures did not impress her too much. She did not, as far as I remember, use the phrase "token black" but the concept seemed to be prominent in her mind, and she was usually prepared to extrapolate this to the situation of the successful Catholic in Northern Ireland. Although she seemed genuinely willing to listen, and appeared open and honest, her inherent cynicism was always waiting to cloud her perceptions. The unfortunate irony of the matter is that I think Pinkett was prejudiced.

6 Carolyn Maloney, as usual, smiled sweetly and said very little. I don't believe she is open to persuasion.

7 The Public Hearing

I have asked City Hall to send me a transcript of the hearing, and will therefore offer only a brief synopsis of the testimony offered on the running order in which it was given. Among those who testified for the Legislation - Jack Irwin, National Director of the AOH spoke of "occupied Ireland", "vicious cross-the-board discrimination" in Northern Ireland and the "nightmare scenario" of Mrs Thatcher being invited to the White House. He said absolutely nothing of substance, nor anything which was germane to the proceedings. Daniel Dee, Irish American Unity Conference criticised the FEA and the 1989 Act, claiming that what little progress had occurred in Northern Ireland happened as a direct result of MacBride pressure. He



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also quoted Charles Haughey as supporting MacBride, and referred to the Presbyterian Church in the USA back-tracking on their MacBride commitment after being approached by their counterparts in Northern Ireland who, he suggested, represented the NI Establishment.

8 Joe Jamison, AFLCIO Research Director, quoted Inez McCormick as a supporter, and made much of the ICTU's warnings of weaknesses in the 1989 Act. At the conclusion of his testimony, Carolyn Maloney asked the leading question "Do you think that US firms signing a piece of paper saying they will not discriminate will stop companies doing business in Northern Ireland?" ;I turned to Jim Eccles and pointed out that it obviously was not as simple as that, and that her question was very misleading - perhaps he could take the matter up in his testimony. In the event, this was the least of his problems.

9 Northern Ireland Lobbyists

Jim Eccles was the first to testify. When he had finished, and his stated concerns about violence in Northern Ireland acknowledged by Mary Pinkett, he was subjected to some rough cross-examination by Council members McCaffrey and Albinese, which appeared to unsettle him. McCaffrey accused him of being "Castle Irish" and Albinese asked how he felt about the British occupying force in Northern Ireland. Jim did not really have an answer. McCaffrey asked if the British Government had told him about the hearing. Jim replied that he had read about it in his newspaper at home. When asked if he was a registered agent of DED he denied it. When Jim spoke to me afterwards, he could not really offer an explanation, but said it was a mistake to have said such things. He added that he had always considered himself a lobbyist for IDB and not DED, but did not really offer this as a rationale.

10 It should be said that there were warning signs early in Jim's testimony that he was not comfortable in his role. After telling the Committee that there were a range of jobs in Northern Ireland for which Catholics could not apply, we waited for him to explain why, (he was obviously referring to the threat of assassination by the IRA), but the punchline never came, (or if it did it was inaudible) and the message which the Committee heard was that were simply jobs to which Catholics were barred from applying.

11 Martin Dumigan

Martin's testimony lost much of its impact through no fault of his own. At the end of his evidence, Mayor Dinkins made an entrance with his entourage, and it soon became evident that the Committee had lost interest in Martin, such was their anxiety to offer recognition to, and be recognised by, Dinkins.



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12 The Mayor

Dinkins read the MacBride Principles, and spoke in general terms of helping to counter religious discrimination and increasing the quality of life for working people. He explained that the legislation was not intended to result in divestment. Dinkins then spoke of Joe Doherty, and expressed a wish that he would get to see him during the week. This was met with sustained applause by members of the Committee and the public. He wanted a picture taken of himself with Doherty, and pointed out that he had not had the opportunity of such a privilege before.

13 Further Pro-MacBride Testimony

Mary Pinkett personally introduced Father Des Wilson who, she claimed, she was able to persuade to attend the hearing although he had originally intended to be back in Ireland at this time. She said she did this because she felt sure he had something useful to say. What he said was that there was a pogrom against Catholics in Northern Ireland once every 12 years. MacBride could help counter it. He denied that violence in Northern Ireland played any part in deterring investment.

14 Thomas O'Flaherty

Described himself as National MacBride Principles Consultant (more widely known to us for his American-Irish Political Education Committee activities). Made reference to "financed foreign agents", and quoted fees earned by Jim Eccles and Sean Neeson in this capacity in New Hampshire. He spoke of the need to tell the truth and to be seen to be accountable. He drew attention to Jim Eccles' link with Bairds in Belfast and quoted a 82% employment of Protestants at Bairds.

15 Sean Neeson and Harry Coll

Both testified after O'Flaherty. Sean refuted some of the allegations and implications made by O'Flaherty and both gave an effective testimony explaining why the adoption of the legislation had the potential for causing great harm to Northern Ireland. It was noticeable that this evidence was given after the recess, and Mary Pinkett's questions became much more robust. I had noticed Martin Galvin sending pieces of paper to members of the Committee during earlier testimony, and he may have been prompting them to ask specific questions. In any event, Pinkett questioned Harry Coll at length on two issues - the fact that 12th July was a widely recognised holiday in Northern Ireland whereas St Patrick's Day was by contrast, a more limited holiday. She seemed to imply that this reflected the Government's favouring one section of the community. The other point on which she tried to make some capital, was her



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perception that Ford (Belfast) had a section of their plant (a typing pool?) which employed five people, all Protestants; when one left, a Catholic was not hired to replace her. Harry explained that as far as he knew, no-one replaced the missing worker, and the matter of a replacement was not an issue. Pinkett did not see it like that. As far as she was concerned Ford had a golden opportunity to hire a Catholic. They chose not to do so.

16 Martin Galvin

- deja vu - same old stuff - spoke of British imperialism and the fact that discrimination was as basic to British rule in Northern Ireland as apartheid in South Africa. At this point I left, along with the Northern Ireland team. One consolation was that as we left our seats, Mary Pinkett came down to see us to the door. The lawyers, who at that stage were the only ones left at the Committee table started to talk among themselves, and Galvin was left talking to no-one in particular.

17 Conclusion

In many ways the hearing was an example of New York City Hall politics at its worst. Most of the ingredients were there - a transparently partisan Committee whose questions to the four MacBride witnesses were designed to reinforce their own perceptions rather than seek enlightenment, reinforced by openly hostile questions to the anti-MacBride witnesses designed to catch the attention of the press. Dinkins' contribution must be viewed in the light of his disastrous handling of the St Patrick's Day Irish Gays and Lesbians issue, at least as perceived by many New York Irish Americans. He has a lot of ground to make up, and the hearing presented him an opportunity to claw some of it back. It also gave a clear message to the Committee that he expected the legislation to be adopted.

18 Jim Eccles' testimony will undoubtedly cause problems. As I have already said, he could offer no explanation for it, and I'm afraid he simply lost his composure. I had agreed with Sean Neeson on the Friday, and Martin Dumigan and Harry Coll on the Saturday when I collected them at the airport, that the witnesses would get together and work out their strategy, running order, responses etc. When I met them on Monday morning they confirmed they had done this. With hindsight, it may have been prudent if I had been with them on Sunday night, but I am not at all sure it would have made a difference. As I have indicated, Jim started to waver quite early in his testimony and it might be that his forte is in lobbying rather than speaking before Committees.



19 The Committee will make a recommendation on the legislation which will be put to the full Council for vote. At this stage no-one can put a time-scale on this, but I will, of course keep you informed.

Yours ever,

Brian

Brian Kirk

cc: A Henderson Esq, W'ton - Fax
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