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Folder Title:

[Ireland]-MacBride Principles, 1996

Staff Office-Individual:

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Original OA/ID Number:

1398

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50	2	4	1	V



Irish National Caucus
Capitol Hill • 413 E. Capitol St., SE
Washington, D.C. 20003-3810
Tel. (202) 544-0568 • Fax (202) 543-2491

NEWS RELEASE

ATTENTION: NEWS DIRECTOR

Contact:

Fr. Seán McManus
Phone (202) 544-0568

Caucus Welcomes President Back To MacBride Fold

County Fermanagh, August 28, 1996 -- President Clinton's move to link "the principles of economic justice" (the MacBride Principles) to the International Fund for Ireland (I.F.I.) has been warmly welcomed by the Irish National Caucus -- the Washington based group that initiated and launched the Principles in November 1984.

Caucus President Fr. Sean McManus -- speaking from his native Fermanagh which he is visiting -- said: "I congratulate President Clinton for this initiative which we have been pressing on him for a long time. This now means that the whole U.S. Congress, the Democratic and Republican Parties, the President of the United States and the Republican Presidential Candidate Bob Dole are all now in support of the MacBride Principles. It is a wonderful achievement and the MacBride Campaign can take great pride in this."

For the past 12 months the Irish National Caucus had led strong criticism of President Clinton for his backtracking on his promise to support MacBride. "We were reluctant to criticize President Clinton," said Fr. McManus, "because we were grateful for the good things he had done on Ireland. But we had no option because we could not be silent lest our silence be interpreted by the White House as consent. Our strong public campaign has obviously born fruit because President Clinton has now endorsed the exact proposal his administration had previously lobbied against in Congress. We are now very pleased that the President has reinstated his previous policy of support for the MacBride Principles."

Fr. McManus went on to point out that there would have been no development on the MacBride Principles in Congress had it not been for the strong, courageous leadership of Congressman Ben Gilman (R-NY), Chairman of the House International Relations Committee.

Fr. McManus added: "Now that the MacBride Principles have reached the very pinnacle of U.S. Foreign and Domestic policy I hope the London Government will face reality and give up its futile attempts to oppose the MacBride Principles. Rather I urge London to instead devote its time and resources to eradicating the problems that brought the MacBride Principles into existence -- endemic and systematic anti-Catholic discrimination in employment in Northern Ireland."

news2

8/28/96 9:14 AM

IRISH NEWS GLOBAL EDITION



** PRESIDENT CLINTON ... His action may serve to nullify the storm of criticism from some Irish-American groups*

Clinton bids to quell storm over MacBride

Principles given new backing

From Ray O'Hanlon

in New York

PRESIDENT Clinton has moved to mend damaged fences with Irish-American backers of the MacBride Principles.

Against the backdrop of the Democratic national convention in Chicago, he has expressed his desire to see US monies distributed among companies in Northern Ireland that adhere to the "principles of economic justice."

This term is used for a set of guidelines, approved by Congress, and which almost exactly match the nine MacBride fair employment guidelines.

Mr Clinton's move effectively counters his veto of the MacBride legislation contained in the Foreign Affairs Authorization Act passed by Congress earlier this year. And he explained that his veto was "for reasons entirely unrelated" to the MacBride language it

news2

8/28/96 9:14 AM

contained.

Mr Clinton's action may well serve to nullify the storm of criticism from some Irish-American groups which erupted after that veto in April.

In the letter to James Lyons, US observer for the International Fund for Ireland, and Brian Atwood, administrator for the Agency for International Development, the president said that it must be clearly understood that the principle of equal opportunity and nondiscrimination in employment must apply to everyone, regardless of religious tradition.

Mr Clinton said: "I ask you to urge fund support for those projects within disadvantaged wards and subwards of both communities that embody the principles of economic justice and the charter of the fund.

"Of course, the US contribution to the fund must not be used to require or mandate quotas or reverse discrimination by individuals or entities assisted with such contributions."

As a candidate four years ago, he said that he liked the MacBride Principles and that as president he would urge individual state governors to embrace them. He rejected the frequently uttered criticism of the fair employment guidelines that they were a discouragement to US investment in Northern Ireland.

But last April's veto prompted angry criticism of Mr Clinton from the Irish National Caucus which accused him of a flip-flop on a clear campaign promise.

A letter to INC president Father Sean McManus from Clinton's National Security Adviser Anthony Lake stated that the administration supported the goals of fair employment in Northern Ireland as embodied in MacBride, though he went on to indicate reservations over the actual application of the principles.

Now the president has effectively issued a renewed endorsement of the MacBride Principles four years after his first.

He writes: "I am committed to equal opportunity and fair employment as necessary foundations for a just, peaceful and prosperous future for all the people of both jurisdictions in Ireland."



~~CONFIDENTIAL~~

5753
THE PRESIDENT HAS SEEN
8-24-96

THE WHITE HOUSE

WASHINGTON

96 AUG 24 PM 12:29

August 24, 1996

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Recommended Action on the MacBride Principles

You asked for additional information on the following issues before making a decision on whether to take action on the MacBride Principles.

If you decide to send letters to Brian Atwood and Jim Lyons, suggested drafts are at Tab A. I continue to recommend that you do so. Bruce Morrison agrees that it will be well-received in the Irish American community. The British and Irish governments are satisfied it will not disrupt the peace process.

Reaction to Smyth Extradition

Prior to the extradition we had received several dozen letters, including ones from Members of Congress and leaders of Irish-American organizations, opposing Smyth's return to the UK. Since Smyth was extradited on August 17, we have heard from only a handful of Irish Americans, all of whom are activists from the Irish-American Unity Conference, which grew out of Irish-Americans for Clinton-Gore in 1992. These activists have suggested that the Administration take some action to offset the extradition. It would be problematic to intervene in the DOJ's handling of pending extradition and deportation cases, the issues of most concern to the activist community. Action on MacBride would be less controversial within the USG and would help satisfy Irish-American concerns.

Senator Mitchell's Views

Senator Mitchell agrees with us that action on MacBride will anger some in the unionist community, but he believes their reaction will be manageable. He is not concerned that a letter from you on MacBride will affect his efforts to move the Belfast peace talks forward. He does think there should be something in

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By NJ NARA, Date 1/8/11
2011-0385-F

~~CONFIDENTIAL~~

Reason: 1.5(b)

Declassify On: 8/23/06

cc: Vice President
Chief of Staff

the letter for unionists; our draft letter includes a paragraph stressing that fair employment applies to both communities.

Why Unionists Oppose MacBride

Unionists oppose MacBride essentially for three reasons: a deep visceral opposition to what they view as outside (Irish and Irish American) interference in Northern Ireland; fear that the campaign to get U.S. investors in Northern Ireland to adhere to the Principles (and document it) deters investment; and a belief that the MacBride Principles are obsolete in the wake of the 1989 Fair Employment Act, which is recognized as one of the world's strictest.

RECOMMENDATION

That you sign the letters at Tab A.

Attachments

Tab A Letters to Atwood and Lyons...
Tab B Text of MacBride Principles

THE WHITE HOUSE

WASHINGTON

Dear Jim:

The International Fund for Ireland (the "Fund") has been a significant force in promoting investment and jobs in Northern Ireland and adjacent areas of the Republic of Ireland. It has actively promoted reconciliation and has established an excellent record on equal opportunity and fair employment issues, which are of critical importance for economic vitality in Northern Ireland and the border region.

In the 1996 Foreign Affairs Authorization Act (HR 1561) as passed by Congress, Section 1615 stated that U.S. contributions to the Fund "should be used in a manner that effectively increases employment opportunities in communities with rates of unemployment higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions should be used to benefit individuals residing in such communities." The Act also stated that such contributions "should be provided to individuals or entities which employ practices consistent with the principles of economic justice" as defined in the Act.

I vetoed HR 1561 for reasons entirely unrelated to the language in Section 1615. I am committed to equal opportunity and fair employment as necessary foundations for a just, peaceful and prosperous future for all the people of both jurisdictions in Ireland. I therefore ask you, in discharging your duties under the Anglo-Irish Agreement Support Act of 1986, to ensure that the intent of Section 1615 of HR 1561 is carried out to the greatest extent possible.

It must be clearly understood that the principle of equal opportunity and nondiscrimination in employment must apply to everyone, regardless of religious tradition. To this end, and consistent with applicable U.S. law, I ask you to urge Fund support for those projects within disadvantaged wards and sub-wards of both communities that embody the principles of economic justice and the charter of the Fund. Of course the U.S. contribution to the Fund must not be used to require or mandate

quotas or reverse discrimination by individuals or entities assisted with such contributions.

Sincerely,

Bill Clinton

The Honorable James Lyons
U.S. Observer for the International
Fund for Ireland
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520

THE WHITE HOUSE
WASHINGTON

Dear Brian:

The International Fund for Ireland (the "Fund") has been a significant force in promoting investment and jobs in Northern Ireland and adjacent areas of the Republic of Ireland. It has actively promoted reconciliation and has established an excellent record on equal opportunity and fair employment issues, which are of critical importance for economic vitality in Northern Ireland and the border region.

In the 1996 Foreign Affairs Authorization Act (HR 1561) as passed by Congress, Section 1615 stated that U.S. contributions to the Fund "should be used in a manner that effectively increases employment opportunities in communities with rates of unemployment higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions should be used to benefit individuals residing in such communities." The Act also stated that such contributions "should be provided to individuals or entities which employ practices consistent with the principles of economic justice" as defined in the Act.

I vetoed HR 1561 for reasons entirely unrelated to the language in Section 1615. I am committed to equal opportunity and fair employment as necessary foundations for a just, peaceful and prosperous future for all the people of both jurisdictions in Ireland. I therefore ask you, in discharging your duties under the Anglo-Irish Agreement Support Act of 1986, to ensure that the intent of Section 1615 of HR 1561 is carried out to the greatest extent possible.

It must be clearly understood that the principle of equal opportunity and nondiscrimination in employment must apply to everyone, regardless of religious tradition. To this end, and consistent with applicable U.S. law, I have also asked the U.S. Observer to the International Fund for Ireland to urge Fund support for those projects within disadvantaged wards and sub-wards of both communities that embody the principles of economic justice and the charter of the Fund. Of course the U.S. contribution to the Fund must not be used to require or mandate

quotas or reverse discrimination by individuals or entities assisted with such contributions.

Sincerely,

Brian Clinton

The Honorable Brian Atwood
Administrator
Agency for International Development
320 21st Street, NW
Washington, D.C. 20523

MACBRIDE PRINCIPLES

The term "principles of economic justice" means the following principles:

(A) Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.

(B) Providing adequate security for the protection of minority employees at the workplace.

(C) Banning provocative sectarian or political emblems from the workplace.

(D) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.

(E) Providing that layoff, recall, and termination procedures do not favor a particular religious group.

(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.

(G) Providing for 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 minority employees.

(H) Establishing procedures to assess, identify, and actively recruit minority employees with the potential for further advancement.

(I) Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described in sub-paragraphs (A) through (H).

THE WHITE HOUSE
WASHINGTON

August 20, 1996

5291
~~CONFIDENTIAL~~

Soderberg

THE PRESIDENT HAS SEEN

8/21/96

MEMORANDUM FOR THE PRESIDENT

FROM: TODD STERN

SUBJECT: MacBride Principles

The attached Lake/Quinn/Hilley memo concerns how to signal your support for the MacBride principles on fair employment in Northern Ireland.

Background. You vetoed the FY 96 Foreign Affairs Authorization bill, which conditioned our funding of the International Fund for Ireland (IFI) on IFI's observance of the MacBride principles. Though your veto was unrelated to the MacBride language, some in the Irish-American community are calling for you to issue an Executive Order containing the language of the kind in the vetoed bill. Linking MacBride and IFI would have little real impact, since nearly all IFI projects already comply with MacBride, but for proponents of an Executive Order, it is the federal recognition of MacBride that counts.

Option 1 -- Executive Order. This would please the Irish-American community, but serious downside is that it would risk damaging Administration's and IFI's credibility with the unionist community in Northern Ireland, who are hostile to MacBride, which they see as unnecessary. Supported by Sen. Dodd, Jim Lyons, Susan Brophy and Bruce Morrison.

Option 2 -- Letter to Lyons and Atwood. You could send a letter to Jim Lyons (our IFI observer) and AID's Brian Atwood instructing them to make sure that IFI funds are distributed in compliance with MacBride. This would mollify Irish-American community somewhat and bother unionists less, though neither would be fully satisfied. Supported by NSC, Leon and Quinn. Fallback for supporters of Option 1.

Option 3 -- Underscore Support for MacBride. We would find opportunities for you to proactively reassert your support. This would best avoid antagonizing unionists. Irish-Americans would be unhappy, though dissatisfaction on this issue is not intense. State supports. NSC would support as fallback. British and Irish governments would both prefer this option.

Option 1 _____ Option 2 _____ Option 3 _____ Discuss _____

I think 2 but want to discuss
③ Qs → what was negative impact of Smyth & tradition
will be Gov. but think about impact
on peace process.
Why do Unionists oppose? I had more

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~~CONFIDENTIAL~~

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THE WHITE HOUSE

WASHINGTON

August 16, 1996

96 AUG 16 P5:02

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
JACK QUINN
JOHN HILLEY 7H

SUBJECT: MacBride Principles on Fair Employment
in Northern Ireland

Purpose

To decide how to signal Administration support for the MacBride Principles.

Background

Recently, you vetoed the 1996 Foreign Affairs Authorization bill, which linked the MacBride Principles to funding for the International Fund for Ireland (IFI). While you vetoed the bill for entirely other reasons, that action -- coupled with Administration statements at the time that we did not think our contribution to the IFI needed to be conditioned -- has prompted some members of the Irish-American Community to criticize you for not supporting the MacBride Principles, which you endorsed during the 1992 campaign. The issue is being used against you by some Irish-American groups predisposed to oppose you over your abortion position. Meanwhile, Representative Engel has introduced free-standing legislation that would require IFI to be guided by the MacBride Principles. This bill is unlikely to pass in the current session.

According to Jim Lyons, our observer to the IFI, linking MacBride and IFI would have little impact on what projects are funded by IFI. By law, we may contribute to the IFI only upon an annual certification to the Congress that disbursements from the IFI will be distributed in accordance with the principles of equal opportunity and nondiscrimination and will address the needs of both communities in Northern Ireland. According to Jim, 95 percent of IFI projects are already consistent with the MacBride Principles. For many Irish-Americans, however, it is federal-level recognition of their decade-long campaign for

~~CONFIDENTIAL~~

Reason: 1.5(b)

Declassify On: 7/30/06

cc: Vice President
of Staff

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E.O. 13526

White House Guidelines, September 11, 2006

By M' NARA, Date 1/5/16

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~~CONFIDENTIAL~~

implementation of MacBride that is important -- not the question of whether linkage to IFI is necessary or appropriate.

While the issue is not a central one, your friends in the Irish-American community and on the Hill urge you to put it to rest definitively by issuing an Executive order containing the same hortatory language that was in the vetoed authorization bill. The downside is that linking IFI with the MacBride Principles risks damaging the Administration's, and IFI's, credibility with the Northern Ireland unionist community.

Language has already been added to the Democratic Party platform endorsing the MacBride principles, a step that will help mitigate criticism; the question is what else you should do.

Options

1. Issue an Executive Order

The advantage of issuing an Executive order is that it would resolve this issue for good with the Irish-American community. An E.O. would have the force of law and would be binding on future Administrations. An E.O. would underline your support for the Principles and your willingness to implement them.

However, the MacBride Principles are highly unpopular with unionists, who argue that Northern Ireland already has one of the most far-reaching fair employment laws in the world. The IFI itself has always been suspect in the unionist community because it grew out of the hated 1985 Anglo-Irish Agreement. Administration action on MacBride risks setting back IFI efforts to gain the confidence of the unionist community and damaging the Administration's reputation for balance between the two communities. (Jim Lyons has suggested focusing IFI attention on the most depressed unionist communities to counter this perception.) Action on MacBride could also be seen as a vote of no-confidence in the British government's fair employment efforts and as evidence of Administration susceptibility to pressure from the Irish-American "lobby." It would impose additional administrative burdens on IFI. Finally, issuing an E.O. on this type of issue is somewhat unusual and might elicit charges of politicizing the E.O. process, although there is some precedence. The marginal gain in the Irish-American community from issuing an E.O. is probably less than the political risk of alienating the unionist community at a sensitive time in the peace process.

2. Send a Letter to Lyons and AID Administrator Brian Atwood

Such a letter would instruct Lyons and Atwood to ascertain that recipients of IFI funds are in compliance with the MacBride Principles. This approach would probably go some way to satisfy the Irish-American community and its advocates. However, some of your key Irish-American supporters (especially Bruce Morrison) do not think a letter would have enough impact to put the issue to rest definitively. You are already on record as supporting the goals of the MacBride Principles: a letter could be criticized as a mere restatement of your views, with no "teeth." And a letter would still antagonize the unionists to some degree. It is difficult to assess what the unionist reaction to different options would be, except that the more visible your commitment to the MacBride Principles, the more negative the unionist reaction. We assume their reaction to a letter would be less negative than to an E.O.

3. Aggressively Underscore Administration Support for MacBride Principles

We could aggressively find opportunities to underscore your support for MacBride and fair employment in Northern Ireland and ensure it is understood that your veto had nothing to do with MacBride. We would find opportunities to proactively state your support. We would not issue an Executive order or send a letter to IFI.

The advantage of this option is that it would avoid antagonizing the unionists and undermining your hard-won credibility with them. We need to maintain our leverage with the unionists if we are to continue to play a role in the peace process. While restating our support for the Principles without further steps to implement them would not mollify MacBride supporters in the Irish-American community, the dissatisfaction on this issue is relatively minor.

RECOMMENDATIONS

1. Issue an Executive order. This option is supported by Senator Dodd, Jim Lyons, Susan Brophy and Bruce Morrison as the cleanest way to put the issue to rest. They believe the risks to our Northern Ireland policy are manageable, particularly if you act quickly.

Approve _____

Disapprove _____

2. Send a letter to the U.S. observer to IFI and the Administrator of AID as described above. This option is supported by Jack Quinn and the NSC. The individuals who support option 1 support this as a fall-back option.

Approve _____

Disapprove _____

3. Proactively find opportunities to underscore your support for MacBride. This option is supported by State, which believes the damage to our leverage in Northern Ireland from an Executive order or letter would outweigh any benefits. (FYI: The Irish and British Governments would also prefer this option. *NSC would support*

Approve _____

*this option if you do not
approve option 2.)*

Disapprove _____

DRAFT

August 7, 1996

The Honorable Brian Atwood
Director
Agency for International Development
Address to Come

The Honorable James M. Lyons
U. S. Observer
International Fund for Ireland
Address to Come

Dear Messrs. Atwood and Lyons:

As you know, beginning with Fiscal Year 1986 the United States has been an annual contributor to the International Fund for Ireland. In Fiscal Year 1996, the amount of the U.S. contribution has been \$19.6 million (?). I expect that a similar amount will be appropriated in Fiscal Year 1997. These contributions are authorized pursuant to the Anglo-Irish Agreement Support Act of 1986, Pub. L. 99-415, 100 Stat. 947 (September 19, 1986).

That Act requires such contributions to be "used only to support and promote economic and social reconstruction and development in Ireland and Northern Ireland." Such contributions may be made to the Fund only if the President certifies to Congress that he is satisfied that:

1. The board of the International Fund, as a whole, is broadly representative of the interests of the communities in Ireland and Northern Ireland; and
2. Disbursements from the International Fund (A) will be distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation; and (B) will address the needs of both communities in Northern Ireland.

Each such certification is required to be accompanied by a detailed explanation of the basis for the President's decision.

In addition to these certifications, the President is required to make an annual report to Congress at the end of each fiscal year in which the United States makes any contributions to the International Fund on the degree to which:

1. The International Fund has contributed to reconciliation between the communities in Northern Ireland;
2. The United States contribution to the International Fund is meeting its objectives in encouraging new investment, job creation, and economic

reconstruction on the basis of strict equality of opportunity; and

3. The International Fund has increased respect for the human rights and fundamental freedoms of all people in Northern Ireland.

This letter serves as a formal instruction to each of you, respectively, as the Administrator of this grant program, and as the U.S. Observer to the Fund, to take certain actions to facilitate my compliance for Fiscal Year 1996 and following years, with the certification and annual report requirements of the Act. This instruction is promulgated to clarify certain matters required by the Act to be included in the reports and certifications consistent with the Congressional intent expressed in Section 1615 of the Foreign Assistance Authorization Act of 1996 (?), a bill passed by the Congress which I vetoed for unrelated reasons.

This instruction shall serve as a direction to the United States Observer to the International Fund to gather the necessary information to permit the certifications and reports to be consistent with these clarifications. In gathering the required information, the Observer shall use reliable public and private sources of information in the United States and abroad on employment practices in Northern Ireland.

The United States participation in the International Fund is premised on equality of treatment and parity of esteem with respect to both main religious traditions in Northern Ireland. It is essential that the needs of both communities be equitably addressed by the distributions of United States contributions to the International Fund. Within each community it is essential that assistance be targeted to create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment.

In certifying that disbursements from the Fund "will be distributed in accordance with the principle of equal opportunity and nondiscrimination in employment, without regard to religious affiliation," I intend that assistance be provided to individuals and entities whose practices are consistent with the following principles:

1. Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical and technical jobs.
2. Providing adequate security for the protection of minority employees at the workplace.
3. Banning provocative sectarian or political emblems from the workplace.
4. Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.
5. Providing that layoff, recall and termination procedures do not favor a particular religious group.

6. Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.
7. Providing for 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 minority employees.
8. Establishing procedures to assess, identify and actively recruit minority employees with potential for further advancement.
9. Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and within a reasonable period of time, the implementation of the principles described in paragraphs 1-8.

Reliable and independent analysis has established that wards and sub-wards of both communities have suffered significant economic dislocation. It therefore must be clearly understood that these principles of equal opportunity and nondiscrimination in employment are to be implemented and applied to individuals and entities of both communities in Northern Ireland, regardless of religious tradition. To this end, and consistent with applicable United States law which governs our participation in the Fund, the United States Observer to the International Fund for Ireland is directed to urge Fund support for those projects within disadvantaged wards and sub-wards of both communities through recipients which embody these principles of economic justice and the charter of the Fund. At the same time, the United States contribution to the International Fund shall not be used to require or mandate quotas or reverse discrimination by individuals or entities assisted with such contributions.

An analysis of current grant activities is to be conducted to assure that my Fiscal Year 1996 report to Congress embodies the principles set forth in this letter. Furthermore, the necessary supporting documentation for the Fiscal Year 1997 certification is to embody these same requirements.

Thank you for your cooperation.

Very truly yours,

WILLIAM J. CLINTON
President



INTERNATIONAL FUND FOR IRELAND

PO Box 2000 Belfast BT4 3SA
Telephone: Belfast 768832
Fax: Belfast 763313

PO Box 2000 Dublin 2
Telephone: Dublin 4780655
Fax: Dublin 6712116

6

IFI AND THE MACBRIDE PRINCIPLES

I am responding to your fax of 9 July 1996 from which I note that Congressman Engel has introduced a Bill to attach MacBride type Principles to the US contribution to the Fund. I see from papers on file that the Congressman introduced a similar Bill in 1990.

As you are aware, the proposal to attach these Principles to the US contribution is viewed less than enthusiastically by the Fund's administrators, not just because of the administrative difficulties likely to be involved, but also because of the strong view that they are potentially divisive and could politicise the Fund to an unacceptable degree. The Chairman has in the past made these points in private conversation with key figures in the Administration and in Congress. The Chairman and the Board of the Fund are of the view that the Fund's present arrangements, which take account of the present equality of opportunity clause in the US Anglo-Irish Support Act 1986 and the existing Fair Employment Legislation in Northern Ireland, fulfil the requirements of equal treatment. Of course the Fund accepts the donors right to identify any procedural or programmatic emphasis which it may attach to its funding.

As to the precise effect which the Bill might have on the operation of the Fund, should it pass, it is difficult to be comprehensively prescriptive in the absence of a detailed debate within the Board, and with other donor countries. We would also need to clear with USAID their requirements on any monitoring etc, and to consider with DED how the Principles square with present fair employment legislation.

Post-it* Fax Note	7671	Date	# of pages ▶ 2
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Phone #		Phone #	
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11-JUL-1996 17:13 FROM INTERNATIONAL FUND FOR IRE TO

90012027857559 P.03



INTERNATIONAL FUND FOR IRELAND

PO Box 2000 Belfast BT4 3SA
Telephone: Belfast 764832
Fax: Belfast 763313

PO Box 2000 Dublin 2
Telephone: Dublin 4780655
Fax: Dublin 6712116

It may be useful, however, to make the following main points:-

- (i) at present the Fund operates a single fund into which all contributions are received and from which all disbursements are made. This could continue to be the case if the other donors and the Board are content that the proposed Principles apply to all disbursements - the US contribution of \$20m now represents about 43% of total annual contributions. Should this not be the case then it may be necessary to establish a separate discrete fund for future US contribution from which disbursements would be governed by the Principles;
- (ii) it is likely that the Principles would have to be included in (at least some) letters of offers of assistance issued by the Fund, and recipients would be required to confirm acceptance in writing. Whilst the Bill does not refer to any monitoring requirements, it may be that USAID would require such information to enable it to complete the annual Presidential Certification process, which is required to release each contribution. Whilst any such requirement would place an additional administrative requirement on the Fund the real burden will fall on the recipients. Quite apart from any adverse reaction within the Unionist community to a requirement to sign up to the MacBride Principles, the voluntary community groups and small companies which constitute the bulk of Fund recipients are ill equipped to deal with the administration involved in meeting the requirements of the Principles. This could lead to a reduced take up of Fund assistance, particularly in the Unionist community.

If you think it would be helpful I will arrange for the Chairman to discuss this with John Hume who has, as you know, spoken out against previous similar proposals. I can also arrange for the Chairman to speak to Senator Pat Leahy if you so advise.

In briefing key figures at your side you may wish to include, if you do not already plan to, Congressman Livingston's Chief Staffer, Jim Dyer, who recently visited the Fund and appeared to be particularly impressed with its achievements.

NES -

Bruce's fixes to my
draft letter. Also, Bruce
still prefers an E.O. +
has amended his
draft.

FAX TRANSMISSION

August 22, 1996

To: Mary Ann Peters

From: Bruce A. Morrison

Here is the letter, edited to include the MacBride Principles which your draft did not accomplish. I have done so without listing them which you indicated was what you wanted. I have picked them up by referencing the statutory term "principles of economic justice." You will note that I have made certain that the word "should," not "shall," is employed.

If the position being taken is that the President would have signed Section 1615 if presented as a separate bill, the letter needs to say that he wants to come as close to implementation as possible, not merely to address Congressional "concerns." That is the import of my change in paragraph 3. The change in paragraph 4 seeks to retain a point very important to Jim Lyons involving allocations to sub-wards as they affect the eligibility of Unionist projects.

As I hope you know, I still think the Executive Order is better. On re-reading my draft Executive Order, I can see how it might be read to impose a "shall" rather than "should" regime. Therefore, I am also attaching a slightly modified version to remedy this problem by a change on page 2.

Doing too little will be worse than doing nothing. It is my understanding that the position of the White House is that the President would have signed Section 1615 as a stand-alone bill. If that is so, the resulting action, whether Executive Order or Letter of Instruction, needs to be subject to the defensible description that the President is doing all he can under the circumstances to implement what the Congress intended in Section 1615. That's what the press release should say.

Please call me about "Points on Smyth Extradition" and "Bringing Peace to Northern Ireland (7-29-96)" which Marilyn DiGiacobbe shared with me.

Dear Messrs. Atwood and Lyons:

The International Fund for Ireland (the "Fund") has been a significant force in promoting investment and jobs in Northern Ireland and adjacent areas of the Republic of Ireland. It has actively promoted reconciliation and has established an excellent record on equal opportunity and fair employment issues, which are of such critical importance for economic vitality in Northern Ireland and the border region.

In the 1996 Foreign Affairs Authorization Act (HR 1561) as passed by Congress, Section 1615 stated that U.S. contributions to the Fund "should be used in a manner that effectively increases employment opportunities in communities with rates of unemployment higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions should be used to benefit individuals residing in such communities." *And that such contributions "should be provided to individuals or entities which employ practices consistent with the principles of economic justice" defined in the Act.*

I vetoed HR 1561 for reasons entirely unrelated to the language in Section 1615. I am committed to equal opportunity and fair employment as necessary foundations for a just, peaceful and prosperous future for all the people of both jurisdictions in Ireland. ~~(I therefore instruct you, in discharging your duties under the Anglo-Irish Agreement Support Act of 1986, to address the concerns expressed by Congress in the passage from Section 1615 of HR 1561 quoted above, had been enacted into law.)~~

It must be clearly understood that the principle of equal opportunity and non-discrimination in employment must apply to everyone, regardless of religious tradition. To this end, and consistent with applicable United States law, I direct the United States Observer to the International Fund for Ireland to urge Fund support for those projects within disadvantaged areas of both communities which embody the principles of economic justice and the charter of the Fund. The United States contribution to the Fund shall not be used to require or mandate quotas or reverse discrimination by individuals or entities assisted with such contributions.

words and sub-words

Proceed to the greatest extent possible as if

[I therefore ask that you do carry out the intent of Congress to the greatest extent possible]

PROPOSED EXECUTIVE ORDER REGARDING THE INTERNATIONAL FUND FOR IRELAND

Section 1 - Authority

The Anglo-Irish Agreement Support Act of 1986, Pub. L. 99-415, 100 Stat. 947 (September 1986), authorizes United States contributions in support of the Anglo-Irish Agreement. That act requires such contributions to be "used only to support and promote economic and social reconstruction and development in Ireland and Northern Ireland." (Section 5 (a)). Such contributions may be made to the International Fund (as defined in § 8 of the Act) only if the President certifies to Congress that he is satisfied that:

1. The board of the International Fund, as a whole, is broadly representative of the interests of the communities in Ireland and Northern Ireland; and
2. Disbursements from the International Fund (A) will be distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation; and (B) will address the needs of both communities in Northern Ireland.

Each such certification is required to be accompanied by a detailed explanation of the basis for the President's decision. In addition to these certifications, the President is required to make an annual report to Congress at the end of each fiscal year in which the United States makes any contributions to the International Fund on the degree to which:

1. The International Fund has contributed to reconciliation between the communities in Northern Ireland;
2. The United States contribution to the International Fund is meeting its objectives in encouraging new investment, job creation, and economic reconstruction on the basis of strict equality of opportunity; and
3. The International Fund has increased respect for the human rights and fundamental freedoms of all people in Northern Ireland.

Section 2 - Finding

I hereby find that in order to effectively comply with the certification and annual report requirements of the Act, certain clarifying provisions are appropriate. These clarifications shall serve as a direction to the United States Observer to the International Fund to gather the necessary information to permit the certification and report to be consistent with these clarifications. In gathering the required information, the Observer

shall use reliable public and private sources of information in the United States and abroad on employment practices in Northern Ireland.

Section 3 - Equality of Opportunity and Nondiscrimination in Employment, Without Regard to Religious Affiliation

Distributions in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation, ~~shall mean~~ assistance provided to individuals and entities whose practices are consistent with the following principles:

Should include

1. Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical and technical jobs.
2. Providing adequate security for the protection of minority employees at the workplace.
3. Banning provocative sectarian or political emblems from the workplace.
4. Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.
5. Providing that layoff, recall and termination procedures do not favor a particular religious group.
6. Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.
7. Providing for 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 minority employees.
8. Establishing procedures to assess, identify and actively recruit minority employees with potential for further advancement.
9. Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and within a reasonable period of time, the implementation of the principles described in paragraphs 1-8.

Section 4 - Disbursements Which Address the Needs of Both Communities in Northern Ireland

The United States participation in the International Fund is premised on equality of treatment and parity of esteem with respect to both main religious traditions in Northern Ireland. It is essential that the needs of both communities be equitably addressed by the distributions of United States contributions to the International Fund. Within each community it is essential that assistance be targeted to create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment.

Section 5 - Prohibitions on Quotas and Reverse Discrimination

The United States contribution to the International Fund shall not be used to require or mandate quotas or reverse discrimination by individuals or entities assisted with such contributions.

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MACBRIDE LANGUAGE
IN VETOED BILL

1 SEC. 2615. INTERNATIONAL FUND FOR IRELAND.

2 (a) FUNDING.—

3 (1) IN GENERAL.—Of the amounts made avail-
4 able for fiscal years 1996 and 1997 for assistance
5 under chapter 4 of part II of the Foreign Assistance
6 Act of 1961 (22 U.S.C. 2346 et seq.; relating to the
7 economic support fund), not more than \$19,600,000
8 for each of the fiscal years 1996 and 1997 shall be
9 available for the United States contribution to the
10 International Fund for Ireland in accordance with
11 the Anglo-Irish Agreement Support Act of 1986
12 (Public Law 99-415).

13 (2) AVAILABILITY.—Amounts made available
14 under paragraph (1) are authorized to remain avail-
15 able until expended.

16 (b) ADDITIONAL REQUIREMENTS.—

17 (1) PURPOSES.—Section 2(b) of the Anglo-Irish
18 Agreement Support Act of 1986 (Public Law 99-
19 415; 100 Stat. 947) is amended by adding at the
20 end the following new sentences: "United States con-
21 tributions should be used in a manner that effec-
22 tively increases employment opportunities in commu-
23 nities with rates of unemployment higher than the
24 local or urban average of unemployment in Northern
25 Ireland. In addition, such contributions should be

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1 used to benefit individuals residing in such commu-
2 nities.”.

3 (2) CONDITIONS AND UNDERSTANDINGS.—Sec-
4 tion 5(a) of such Act is amended—

5 (A) in the first sentence—

6 (i) by striking “The United States”
7 and inserting the following:

8 “(1) IN GENERAL.—The United States”;

9 (ii) by striking “in this Act may be
10 used” and inserting the following: “in this
11 Act—

12 “(A) may be used”;

13 (iii) by striking the period and insert-
14 ing “; and”; and

15 (iv) by adding at the end the follow-
16 ing:

17 “(B) should be provided to individuals or
18 entities in Northern Ireland which employ prac-
19 tices consistent with the principles of economic
20 justice.”; and

21 (B) in the second sentence, by striking
22 “The restrictions” and inserting the following:

23 “(2) ADDITIONAL REQUIREMENTS.—The re-
24 strictions”.

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1 (3) PRIOR CERTIFICATIONS.—Section 5(c)(2) of
2 such Act is amended—

3 (A) in subparagraph (A), by striking “in
4 accordance with the principle of equality” and
5 all that follows and inserting “to individuals
6 and entities whose practices are consistent with
7 principles of economic justice; and”; and

8 (B) in subparagraph (B), by inserting be-
9 fore the period at the end the following: “and
10 will create employment opportunities in regions
11 and communities of Northern Ireland suffering
12 from high rates of unemployment”.

13 (4) ANNUAL REPORTS.—Section 6 of such Act
14 is amended—

15 (A) in paragraph (2), by striking “and” at
16 the end;

17 (B) in paragraph (3), by striking the pe-
18 riod and inserting “; and”; and

19 (C) by adding at the end the following new
20 paragraph:

21 “(4) the extent to which the practices of each
22 individual or entity receiving assistance from United
23 States contributions to the International Fund has
24 been consistent with the principles of economic jus-
25 tice.”.

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1 (5) REQUIREMENTS RELATING TO FUNDS.—

2 Section 7 of such Act is amended by adding at the
3 end the following:

4 “(c) PROHIBITION.—Nothing included herein shall
5 require quotas or reverse discrimination or mandate their
6 use.”.

7 (6) DEFINITIONS.—Section 8 of such Act is
8 amended—

9 (A) in paragraph (1), by striking “and” at
10 the end;

11 (B) in paragraph (2), by striking the pe-
12 riod at the end and inserting “; and”; and

13 (C) by adding at the end the following new
14 paragraph:

15 “(3) the term ‘principles of economic justice’
16 means the following principles:

17 “(A) Increasing the representation of indi-
18 viduals from underrepresented religious groups
19 in the workforce, including managerial, super-
20 visory, administrative, clerical, and technical
21 jobs.

22 “(B) Providing adequate security for the
23 protection of minority employees at the work-
24 place.

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1 “(C) Banning provocative sectarian or po-
2 litical emblems from the workplace.

3 “(D) Providing that all job openings be ad-
4 vertised publicly and providing that special re-
5 cruitment efforts be made to attract applicants
6 from underrepresented religious groups.

7 “(E) Providing that layoff, recall, and ter-
8 mination procedures do not favor a particular
9 religious group.

10 “(F) Abolishing job reservations, appren-
11 ticeship restrictions, and differential employ-
12 ment criteria which discriminate on the basis of
13 religion.

14 “(G) Providing for the development of
15 training programs that will prepare substantial
16 numbers of minority employees for skilled jobs,
17 including the expansion of existing programs
18 and the creation of new programs to train, up-
19 grade, and improve the skills of minority em-
20 ployees.

21 “(H) Establishing procedures to assess,
22 identify, and actively recruit minority employees
23 with the potential for further advancement.

24 “(I) Providing for the appointment of a
25 senior management staff member to be respon-

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1 sible for the employment efforts of the entity
2 and, within a reasonable period of time, the im-
3 plementation of the principles described in sub-
4 paragraphs (A) through (H).".

I

104TH CONGRESS
2D SESSION

H. R. 3621

To amend the Anglo-Irish Support Act of 1986 to require that disbursements from the International Fund for Ireland are distributed in accordance with the MacBride principles of economic justice, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 1996

Mr. ENGEL (for himself, Mr. KING, Mr. MANTON, Mr. WALSH, Mr. NEAL of Massachusetts, Mr. LAZIO of New York, Mr. TORRICELLI, Mrs. ROUKEMA, and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To amend the Anglo-Irish Support Act of 1986 to require that disbursements from the International Fund for Ireland are distributed in accordance with the MacBride principles of economic justice, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "MacBride Principles
5 of Economic Justice Act of 1996".

2

1 SEC. 2. REQUIREMENT THAT DISBURSEMENTS FROM
2 INTERNATIONAL FUND FOR IRELAND ARE
3 MADE IN ACCORDANCE WITH THE MACBRIDE
4 PRINCIPLES OF ECONOMIC JUSTICE.

5 (a) PURPOSES.—Section 2(b) of the Anglo-Irish
6 Agreement Support Act of 1986 (Public Law 99-415; 100
7 Stat. 947) is amended by adding at the end the following
8 new sentences: “United States contributions shall be used
9 in a manner that effectively increases employment oppor-
10 tunities in communities with rates of unemployment sig-
11 nificantly higher than the local or urban average of unem-
12 ployment in Northern Ireland. In addition, such contribu-
13 tions shall be used to benefit individuals residing in such
14 communities.”.

15 (b) CONDITIONS AND UNDERSTANDINGS.—Section
16 5(a) of such Act is amended—

17 (1) in the first sentence—

18 (A) by striking “The United States” and
19 inserting the following:

20 “(1) IN GENERAL.—The United States”;

21 (B) by striking “in this Act may be used”
22 and inserting the following: “in this Act—

23 “(A) may be used”;

24 (C) by striking the period and inserting “;
25 and”; and

26 (D) by adding at the end the following:

1 “(B) may be provided to an individual or
2 entity in Northern Ireland only if such individ-
3 ual or entity is in compliance with the prin-
4 ciples of economic justice.”; and

5 (2) in the second sentence, by striking “The re-
6 strictions” and inserting the following:

7 “(2) ADDITIONAL REQUIREMENTS.—The re-
8 strictions”.

9 (c) PRIOR CERTIFICATIONS.—Section 5(c)(2) of such
10 Act is amended—

11 (1) in subparagraph (A), by striking “principle
12 of equality” and all that follows and inserting “prin-
13 ciples of economic justice; and”; and

14 (2) in subparagraph (B), by inserting before
15 the period at the end the following: “and will create
16 employment opportunities in regions and commu-
17 nities of Northern Ireland suffering the highest rates
18 of unemployment”.

19 (d) ANNUAL REPORTS.—Section 6 of such Act is
20 amended—

21 (1) in paragraph (2), by striking “and” at the
22 end;

23 (2) in paragraph (3), by striking the period and
24 inserting “; and”; and

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

3 “(4) each individual or entity receiving assist-
4 ance from United States contributions to the Inter-
5 national Fund has agreed in writing to comply with
6 the principles of economic justice.”.

7 (e) REQUIREMENTS RELATING TO FUNDS.—Section
8 7 of such Act is amended by adding at the end the follow-
9 ing:

10 “(c) PROHIBITION.—Nothing included herein shall
11 require quotas or reverse discrimination or mandate their
12 use.”.

13 (f) DEFINITIONS.—Section 8 of such Act is amend-
14 ed—

15 (1) in paragraph (1), by striking “and” at the
16 end;

17 (2) in paragraph (2), by striking the period at
18 the end and inserting a semicolon; and

19 (3) by adding at the end the following new
20 paragraphs:

21 “(3) the term ‘Northern Ireland’ includes the
22 counties of Antrim, Armagh, Derry, Down, Tyrone,
23 and Fermanagh; and

24 “(4) the term ‘principles of economic justice’
25 means the following principles:

5

1 “(A) Increasing the representation of indi-
2 viduals from underrepresented religious groups
3 in the workforce, including managerial, super-
4 visory, administrative, clerical, and technical
5 jobs.

6 “(B) Providing adequate security for the
7 protection of minority employees at the work-
8 place.

9 “(C) Banning provocative sectarian or po-
10 litical emblems from the workplace.

11 “(D) Providing that all job openings be ad-
12 vertised publicly and providing that special re-
13 cruitment efforts be made to attract applicants
14 from underrepresented religious groups.

15 “(E) Providing that layoff, recall, and ter-
16 mination procedures do not favor a particular
17 religious group.

18 “(F) Abolishing job reservations, appren-
19 ticeship restrictions, and differential employ-
20 ment criteria which discriminate on the basis of
21 religion.

22 “(G) Providing for the development of
23 training programs that will prepare substantial
24 numbers of minority employees for skilled jobs,
25 including the expansion of existing programs

6

1 and the creation of new programs to train, up-
2 grade, and improve the skills of minority em-
3 ployees.

4 “(H) Establishing procedures to assess,
5 identify, and actively recruit minority employees
6 with the potential for further advancement.

7 “(I) Providing for the appointment of a
8 senior management staff member to be respon-
9 sible for the employment efforts of the entity
10 and, within a reasonable period of time, the im-
11 plementation of the principles described in sub-
12 paragraphs (A) through (H).”

13 (g) EFFECTIVE DATE.—The amendments made by
14 this section shall take effect 180 days after the date of
15 enactment of this Act.

○

June 5, 1996

MEMORANDUM FOR ANTHONY LAKE
NANCY SODERBERG ✓

FROM: MARY ANN PETERS

SUBJECT: Additional Material for Your Meeting with
Representative Richie Neal

Attached are:

- The MacBride Principles
- The letter from you to Father McManus on MacBride
- The Mitchell Principles
- NI Election Results

Attachments
As stated

APPENDIX A

THE MACBRIDE PRINCIPLES FOR NORTHERN IRELAND

"In light of decreasing employment opportunities in Northern Ireland and on a global scale, and in order to guarantee equal access to regional employment the undersigned propose the following equal opportunity/affirmative action principles:

- Increasing the representation of individuals from underrepresented religious groups in the workforce including managerial, supervisory, administrative, clerical and technical jobs.
- Adequate security for the protection of minority employees both at the workplace and while travelling to and from work.
- The banning of provocative religious or political emblems from the workplace.
- All job openings should be publicly advertised and special recruitment efforts should be made to attract applicants from underrepresented religious groups.
- Layoff, recall, and termination procedures should not in practice favor particular religious groupings.
- The abolition of job reservations, apprenticeship restrictions, and differential employment criteria, which discriminate on the basis of religion or ethnic origin.
- The development of training programs that will prepare substantial numbers of current 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 minority employees.
- The establishment of procedures to assess, identify, and actively recruit minority employees with potential for further advancement.
- 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."

Sean MacBride -- Dublin, Ireland

Dr. John Robb -- Ballymoney, Northern Ireland

Inez McCormack -- Belfast, Northern Ireland

Fr. Brian Brady -- Belfast, Northern Ireland

THE WHITE HOUSE

WASHINGTON

Dear Father McManus:

Thank you for your recent letter about the legislation linking the MacBride Principles of fair employment to funding for the International Fund for Ireland.

As you know, the Administration supports the goals of fair employment which the MacBride Principles embody. The Administration also actively supports efforts to promote trade and investment in Northern Ireland and the border counties as the best way to underpin a lasting peace. The President does not believe it would be useful to place conditions on the funding we provide to the International Fund for Ireland, which has an excellent record of attention to and effectiveness on fair employment issues. U.S. companies, with considerable experience in equal opportunity employment, are among the best employers in Northern Ireland in terms of meeting the goals of fair employment.

The setting of the June 10 date for the beginning of comprehensive negotiations on the future of Northern Ireland marks a watershed in the peace process. In this critical period, the Administration will continue to work with the two governments and the parties to help them achieve a just and lasting settlement in Northern Ireland. I appreciate your support for our efforts.

Sincerely,

Anthony Lake
Assistant to the President
for National Security Affairs

The Reverend Sean McManus
President
Irish National Caucus, Inc.
413 East Capitol Street, S.E.
Washington, D.C. 20003-3810

WHITE HOUSE SITUATION ROOM

DIST: PETERS, SUM2, VERSHBOW, SODERBERG, NODIST

PREC: RUSH CLASS: INTERNATIONAL DTG:

FM: Reuter

TO:

a1188

^BC-IRISH-MITCHELL

^The six Mitchell principles on Northern Ireland

DUBLIN, Ireland (Reuter) - Former U.S. Senate Majority Leader George Mitchell was drafted into the Northern Ireland peace proces by Britain and Ireland because of a deadlock over the disarming of IRA and Protestant Loyalist guerrillas.

He published guidelines in January which he said should help ``reach an agreed political settlement and take the gun out of Irish politics."

These have been accepted by all parties after Sinn Fein, the IRA's political wing, endorsed them publicly Monday.

They say parties to the June 10 talks must ``affirm their total and absolute commitment:

-- To democratic and exclusively peaceful means of resolving political issues

-- to total disarmament of all paramilitary organizations

-- to agree that such disarmament must be verifiable to the satisfaction of an independent commission

-- to renounce for themsleves, and to oppose any effort by others, to use force, or threaten to use force, to influence the course or outcome of all-party negotiations

-- to agree to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may disagree and:

-- to urge that ``punishment" killings and beatings stop and to take effective steps to prevent such actions."

^REUTER

RB-- 05/21/96 11:47:00

FROM:
SITREPT

NI Elections
Results (14.00 EST)

	% Vote	Seats
Ulster Unionist Party	24.2%	28
SDLP	21.4 %	19
Democratic Unionist Party	18.8%	22
Sinn Féin	15.5%	15
Alliance	6.5%	5
UK Unionist Party	3.7%	1
Total		90

Each of the above 6 parties will be allocated an additional two seats reserved for the "top ten" parties on a region wide basis. In addition, the following groups came within the "top ten" parties and will, therefore, be allocated 2 seats each:

- Progressive Unionist Party
- Ulster Democratic Party
- Womens Coalition
- Labour Party

Embassy of Ireland

31 May, 1996

Northern Ireland Elections

Summary

- High participation throughout Northern Ireland, with a particularly high turnout in the West;
- Significant Sinn Féin gains, won four seats in West Belfast;
- Nationalist vote up;
- Significant DUP gains;
- UDP and PUP to gain top up seats by being in top ten, unlikely to win any constituency seats;
- Womens Coalition and possibly Labour to take the ninth and tenth places in the regional list election;

Constit.	UUP	SIN.F	DUP	SF	ALL	OTHERS
F. Belfast	2		2		1	
N. Belfast	1	1	2	1		
S. Belfast	2	1	1		1	
W. Belfast		1		4		
E. Antrim	2		2		1	
E. Derry	2	1	2			
*Fer/S.Ty	2	1	1	1		
Foyle		3		2		
Lagan	3		2			
Mid Uls	1	1	1	2		
New/Arm	1	2		2		
N. Antrim	2	1	2			
N. Down	2		1		1	1 (UKU)
S. Antrim	2	1	2			
S. Down	1	3		1		
Strangford	2		2		1	
*UpBann	2	1	1	1		
*W Tyr	1	2	1	1		
TOTAL	28	19	22	15	5	1

* Subject to confirmation

Election Results 1982 -

Statistics taken from Flackes, W. and Elliott, S. (revised edn. 1994) "Northern Ireland: A Political Directory 1968-1993".

General Elections

<u>Party</u>	<u>1983</u>	<u>1987</u>	<u>1992</u>
	<u>%</u>	<u>%</u>	<u>%</u>
<i>(Turnout</i>	73.3	67.4	69.7)
<i>UUP</i>	34.0	37.8	34.5
<i>SDLP</i>	17.9	21.1	23.5
<i>DUP</i>	20.0	11.7	13.1
<i>SF</i>	13.4	11.4	10.0
<i>ALL</i>	8.0	10.0	8.7
<i>*UPUP</i>	3.0	2.5	2.5
<i>WP</i>	1.9	2.6	0.6
<i>Ind</i>	1.3	2.0	0.8
<i>Others</i>	0.3	0.9	0.6
<i>Cons.</i>	-	-	5.7

European Elections

<u>Party</u>	<u>1984</u>	<u>1989</u>	<u>1994</u>
	<u>%</u>	<u>%</u>	<u>%</u>
<i>(Turnout</i>	65.4	48.3	50.0)
<i>UUP</i>	21.5	22.2	23.8
<i>SDLP</i>	22.1	25.5	28.9
<i>DUP</i>	33.6	29.9	29.1
<i>SF</i>	13.3	9.1	9.8
<i>ALL</i>	5.0	5.2	4.1
<i>WP</i>	1.3	1.0	0.5
<i>Cons</i>	-	4.8	1.0
<i>Others</i>	0.3	2.1	2.3

Local Elections

<u>Party</u>	<u>1985</u> %	<u>1989</u> %	<u>1993</u> %
(Turnout	60.1	56.1	56.6)
UUP	29.5	31.3	29.4
SDLP	17.8	21.0	22.0
DUP	24.3	17.7	17.3
SF	11.8	11.2	12.4
ALL	7.1	6.9	7.6
Loy./Ind Un.	3.1	4.6	2.1
UDP	-	-	0.3
PUP	-	-	0.3
WP	1.6	2.1	0.8
DI.	-	-	0.4
Ind. Nat.	1.3	0.1	0.3
Lab	0.6	0.3	
Con	-	1.0	1.5
(Others	2.9	3.8	5.6

1982 NI Assembly Election

(Turnout 63.5)

<u>Party</u>	<u>% Vote</u>	<u>Party</u>	<u>% Vote</u>
UUP	29.7	WP	2.7
SDLP	18.8	UPUP	2.3
DUP	23.0	**UUUP	1.8
SF	10.1	Other Unionists	1.6
ALL	9.3	Others	0.7

* Kilfedder Unionists

** The United Ulster Unionist Party largely consisted of former Vanguard members. Having performed badly in the 1982 Assembly election, the party did not contest the 1983 Westminster election and subsequently ceased to exist.

M E M O R A N D U M

To: Nancy Soderberg
Mary Ann Peters

From: James M. Lyons

Re: McBride executive order/letter of instruction

Date: July 23, 1996

In addition to the "McBride" principles articulated by Bruce Morrison in his memorandum of July 8, 1996 (section 3, paragraphs 1 through 9), I believe it is imperative that any proposed executive order/letter of instruction recognize that these principles are to be applied with equal force for the benefit of both communities in Northern Ireland. Accordingly, I suggest something as follows:

Reliable and independent analysis has established that wards and sub-wards of both communities have suffered significant economic dislocation. It must therefore be clearly understood that these principles of opportunity and non-discrimination in employment are to be implemented and applied to individuals and entities of both communities in Northern Ireland regardless of religious tradition. To this end, and consistent with the charter of the International Fund for Ireland and applicable United States law which governs its participation in the Fund, the United States Observer to the International Fund for Ireland is directed to urge Fund support for those projects within disadvantaged wards and sub-wards of both communities which embody these principles of economic justice.

It is also important that section 4 (Disbursements Which Address the Needs of Both Communities in Northern Ireland) and section 5 (Prohibitions on Quotas and Reverse Discrimination) be set forth as articulated in Bruce's memo of July 8.

JML:dm

cc: Bruce Morrison

ROTHGERBER, APPEL, POWERS & JOHNSON LLP

ATTORNEYS AT LAW

SUITE 3000

ONE TABOR CENTER

1200 SEVENTEENTH STREET

DENVER, COLORADO 80202-5839

TELEPHONE (303) 623-9000

FAX (303) 623-9222

COLORADO SPRINGS

SUITE 1100

NORWEST BANK TOWER

99 SOUTH CASCADE

COLORADO SPRINGS, COLORADO 80903

TELEPHONE (719) 386-3000

FAX (719) 386-3070

CHEYENNE

SUITE 210

ONE PIONEER CENTER

3424 PIONEER AVENUE

CHEYENNE, WYOMING 82001

TELEPHONE (307) 638-6252

FAX (307) 638-6868

FAX TRANSMITTAL SHEET

To: Nancy Soderberg/Mary Ann Peters

Fax No. 202 456-9150

From: James M. Lyons

User No. 208

Re: McBride principles

Client No. 74099-101

Date: July 23, 1996

REMARKS:

cc: Bruce Morrison (via fax 202 408-2950)

WE ARE TRANSMITTING 2 PAGES (INCLUDING THIS COVER PAGE). IF TRANSMISSION IS NOT COMPLETE, PLEASE CALL (303) 623-9000, EXT. 321.

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JUL-23-1996 14:54 FROM RAPJ

TO

P.02

M E M O R A N D U M

To: Nancy Soderberg
Mary Ann Peters

From: James M. Lyons

Re: McBride executive order/letter of instruction

Date: July 23, 1996

In addition to the "McBride" principles articulated by Bruce Morrison in his memorandum of July 8, 1996 (section 3, paragraphs 1 through 9), I believe it is imperative that any proposed executive order/letter of instruction recognize that these principles are to be applied with equal force for the benefit of both communities in Northern Ireland. Accordingly, I suggest something as follows:

Reliable and independent analysis has established that wards and sub-wards of both communities have suffered significant economic dislocation. It must therefore be clearly understood that these principles of opportunity and non-discrimination in employment are to be implemented and applied to individuals and entities of both communities in Northern Ireland regardless of religious tradition. To this end, and consistent with the charter of the International Fund for Ireland and applicable United States law which governs its participation in the Fund, the United States Observer to the International Fund for Ireland is directed to urge Fund support for those projects within disadvantaged wards and sub-wards of both communities which embody these principles of economic justice.

It is also important that section 4 (Disbursements Which Address the Needs of Both Communities in Northern Ireland) and section 5 (Prohibitions on Quotas and Reverse Discrimination) be set forth as articulated in Bruce's memo of July 8.

JML:dm

cc: Bruce Morrison



*428
TO MAP -
Where are
we on
decision?*

Irish National Caucus
Capitol Hill • 413 E. Capitol St., SE
Washington, D.C. 20003-3810
Tel. (202) 544-0568 • Fax (202) 543-2491

NEWS RELEASE

ATTENTION: NEWS DIRECTOR

Contact:

Fr. Seán McManus
Phone (202) 544-0568

New Senate Leader Strong MacBride Supporter

Washington, D.C., June 13, 1996 -- Bob Dole's successor and the new U.S. Senate Leader, Trent Lott (R-MS), is a strong supporter of the MacBride Principles.

The MacBride Principles -- a corporate code of conduct for U.S. investment in or aid to Northern Ireland -- were initiated and launched by the Washington-based Irish National Caucus in November 1984. In Spring of 1996 the Principles were passed by both the U.S. House and Senate, despite the strong opposition of the Clinton Administration. President Clinton later vetoed the overall legislation which contained the Principles.

When the House and Senate passed MacBride, Senator Lott issued a statement welcoming the victory: "Now that there are Republican majorities in the House and Senate, for the first time ever the Congress is officially acknowledging, and aligning itself with, the MacBride Principles, to ensure religious nondiscrimination in U.S. investment in Ulster."

Fr. Sean McManus, President of the Irish National Caucus, said, "I congratulate Senator Lott on his becoming Senate Leader. It is wonderful to have a MacBride supporter in that position."

Fr. McManus then reiterated his call to President Clinton to withdraw his opposition to Congressional legislation on the MacBride Principles: "President Clinton pledged Irish-Americans that he would support legislation on MacBride. He has not kept his word. I appeal to him to reinstate his previous policy of support for the MacBride Principles, which have proved to be the single most exceptional campaign ever against anti-Catholic discrimination in Northern Ireland."

"In this election year," Fr. McManus continued, "Irish-Americans just cannot understand why President Clinton broke his promise on MacBride. It is a terrible mistake and I hope he will correct it."

THE WHITE HOUSE
WASHINGTON
April 11, 1996

Dear Father McManus:

Thank you for your letter about the legislation linking the MacBride Principles of fair employment to funding for the International Fund for Ireland.

As you know, the Administration supports the goals of fair employment which the MacBride Principles embody. The Administration also actively supports efforts to promote trade and investment in Northern Ireland and the border counties as the best way to underpin a lasting peace. The President does not believe it would be useful to place conditions on the funding we provide to the International Fund for Ireland, which has an excellent record of attention to and effectiveness on fair employment issues. U.S. companies, with considerable experience in equal opportunity employment, are among the best employers in Northern Ireland in terms of meeting the goals of fair employment.

The setting of the June 10 date for the beginning of comprehensive negotiations on the future of Northern Ireland marks a watershed in the peace process. In this critical period, the Administration will continue to work with the two governments and the parties to help them achieve a just and lasting settlement in Northern Ireland. I appreciate your support for our efforts.

Sincerely,



Anthony Lake
Assistant to the President
for National Security Affairs

The Reverend Sean McManus
President
Irish National Caucus, Inc.
413 East Capitol Street, S.E.
Washington, D.C. 20003-3810

NATIONAL SECURITY COUNCIL

Nancy -

State note &
Kathy Stephens'
views on proposed
MacBride E.O.

WJ
MacBride

Is this idea still
alive & kicking?
Kathy makes good case.

— SV

Sandy--

Before Mary Ann left she faxed the attached proposed executive order to Kathy Stephens and me for our thoughts. The order incorporates the McBride Principles which had been in legislation vetoed by the President for other reasons. In lieu of the E.O., another proposal would put these principles in a Presidential letter to the U.S. observer on the IFI board, Mr. Jim Lyons.

Mary Ann wanted me to pass Kathy's thoughts and EUR/UBI's on to Nancy. Kathy's feel for the situation in Northern Ireland on this issue is expressed so well (as usual) that I am just including her fax to me as she wrote it.

We are not so concerned here about a Presidential letter incorporating the McBride principles as guidance to Lyons if that will help the Administration vis-a-vis the Irish American community. But I certainly would defer to Kathy on the fall-out in Northern Ireland. The contents of the letter would, of course, reach the press in Northern Ireland, but I just don't know how much play it would get. This is really a domestic issue. Our concerns are more over the legal implications of using an E.O. and its actual impact on business.

Our concerns are as follows:

- 1) Legal -- Can the President basically interpret the Congressional legislation on the International Fund for Ireland in this manner. Should this be a regulation versus and Executive Order?
- 2) Clearance process -- Even with an E.O. it would have to be cleared through both AID and State legal counsel and the bureaucratic process may take some time--if this is a factor.
- 3) Effect on Catholic business -- A lot of the IFI investments are in small Catholic enterprises that don't employ Protestants because they are not in Protestant areas. The way this E.O. reads, Lyon--who doesn't have a vote on the Board--would have to argue against investment in the very same small enterprises that we want to help, unless these enterprises meet these guidelines. He would also have to incorporate these facts in his findings to the President via A.I.D as part of the certification process.

Paul



Facsimile Cover Sheet

To: Paul van Son
EUR/UBI

Company: Department of State,
Washington, D.C.

Phone: 001 202 647 6585

Fax: 001 202 647 3463

From: Kathleen Stephens

Company: Consulate General, Belfast

Phone: 011 44 1232 328239

Fax: 011 44 1232 239016

Date: 07/18/96

Pages including this
cover page: Two

COMMENTS:

Paul, I have read the draft executive order relating to the International Fund for Ireland. As I suggested to you on the telephone, I believe the Administration's issuing of such an order would be a major mistake in the context of our policy toward Northern Ireland. It would be perceived here as a vote of no-confidence in the ongoing efforts of the British and Irish governments, and local groups, to achieve fair employment. It would also be viewed by many here -- from both communities -- as evidence that the Administration's policy toward Northern Ireland is subject to the pressures and whims of the "Irish-American lobby." The President and the Administration have been extraordinarily effective in dispelling that perception over the past year; it would be most unfortunate to see it revived now.

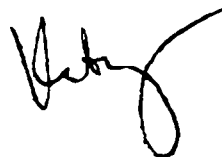
While I am not an expert on the situation in the Republic, I would also note that the IFI operates on both sides of the border, and presumably IFI projects in the border counties would have to be certified in a similar manner to those in the North. The Republic does not have the kind of fair employment legislation the North has. Assessing the compliance of projects in the south with the

-2-

requirements of the executive order might prove difficult. More broadly, the proposed executive order imposes new reporting and investigation requirements without identifying where the resources are to be found to carry them out. Isn't this what the Administration (and the Department) have vowed to get away from?

I understand that one alternative proposed to the Executive Order is a letter from the President to the U.S. Observer to the Fund on this issue. Since the U.S. government and the President himself is already on the record in a multitude of ways on this issue, I wonder what the letter might accomplish. Again, it would be seen here as a pandering to a segment of the Irish-American nationalist lobby, and would do us no good and some harm here.

Our efforts to promote fair employment here are on the record; they have been effective. We have nothing to apologize for. I think we should stand on our record, continue our efforts, and not engage in transparent gestures which will do more to alienate many than to mollify some.

A handwritten signature in black ink, appearing to be "V. G. ...", located at the bottom right of the page.

July 14, 1996

Wp
MacBride

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ALEXANDER VERSHBOW

FROM: MARY ANN PETERS

SUBJECT: MacBride Principles of Fair Employment in Northern
Ireland

Domestic Context

Many in the Irish American community reacted negatively to the President's veto of the 1996 foreign affairs authorization act because it contained language they support linking U.S. funding of the International Fund for Ireland to the MacBride Principles. The conference language was hortatory; it said that U.S. contributions to IFI "should be used in a manner that effectively increases employment opportunities in communities with rates of unemployment significantly higher than the local or urban average of unemployment in Northern Ireland." Representative Engel has since introduced a free-standing MacBride bill that changes "should" to "shall."

The MacBride Principles are a set of nine equal employment opportunity guidelines for firms operating in Northern Ireland. They were promulgated in 1984 by the late Irish Noble peace laureate Sean MacBride and several associates (Tab A). For over ten years a number of Irish American groups have campaigned to get U.S. firms doing business in Northern Ireland to commit to the Principles. The MacBride campaign has used the power of institutional investors, led by the New York city public pension funds, to get 29 U.S. and Canadian firms to subscribe to MacBride. Sixteen states and forty municipalities have enacted laws tying their investment and/or procurement policies to corporate agreement to adhere to the MacBride Principles.

Efforts to get MacBride enacted on the federal level have foundered on the unwillingness of previous Administrations to risk creating a disincentive for investment. During the campaign, the President said he did not buy the argument that MacBride and similar codes create disincentives; however, none of us in the Administration who deal with MacBride was aware of that. The Administration also took the position that language

add
quote

linking MacBride to IFI is unnecessary because IFI already abides by fair employment principles. For most Irish Americans, however, it is federal-level recognition of their campaign that is important, not the question of whether linkage to IFI is appropriate.

Impact on IFI in Northern Ireland

Willie McCarter, director of IFI, has privately said that any mention of the MacBride Principles is "like a red flag to a bull" to unionists. IFI has always been suspect in the unionist community because it grew out of the hated 1985 Anglo-Irish Agreement. In recent years, IFI has made progress with unionists at the community level, though the unionist political leadership remains skeptical. IFI of course gives money to projects to help both communities. Action by the Administration on MacBride risks setting back IFI efforts and undermining our credibility and reputation for balance in the unionist community to some degree.

Options

1. Do nothing. There are domestic political arguments for taking some action on MacBride, however.
2. Send a letter of instruction from the President to the (nonvoting) U.S. observer to IFI, Jim Lyons. This would be the least visible option domestically, but probably the least likely to raise unionist hackles.
3. Issue an executive order using the MacBride language from the vetoed bill. Bruce Morrison has drafted such an order (Tab B). An executive order has the force of law and is binding on future administrations. Lyons is consulting Jack Quinn about the legal aspects of an executive order. This would be a lengthier process than sending a letter because a number of agencies would presumably have to clear the language of the order.
4. Ask a Democratic senator to sponsor free-standing MacBride legislation that the Administration could accept, for instance using "should" rather than "shall." Bill Danvers says it is possible we could get that done this week, though it cannot be guaranteed. We would then announce our support for the bill.

Concurrence by: Bill Danvers, Alan Kreczko

RECOMMENDATION

That

Attachments

Tab A MacBride Principles

Tab B Draft Executive Order

APPENDIX A

THE MACBRIDE PRINCIPLES FOR NORTHERN IRELAND

"In light of decreasing employment opportunities in Northern Ireland and on a global scale, and in order to guarantee equal access to regional employment the undersigned propose the following equal opportunity/affirmative action principles:

- Increasing the representation of individuals from underrepresented religious groups in the workforce including managerial, supervisory, administrative, clerical and technical jobs.
- Adequate security for the protection of minority employees both at the workplace and while travelling to and from work.
- The banning of provocative religious or political emblems from the workplace.
- All job openings should be publicly advertised and special recruitment efforts should be made to attract applicants from underrepresented religious groups.
- Layoff, recall, and termination procedures should not in practice favor particular religious groupings.
- The abolition of job reservations, apprenticeship restrictions, and differential employment criteria, which discriminate on the basis of religion or ethnic origin.
- The development of training programs that will prepare substantial numbers of current 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 minority employees.
- The establishment of procedures to assess, identify, and actively recruit minority employees with potential for further advancement.
- 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."

Sean MacBride -- Dublin, Ireland

Dr. John Robb -- Ballymoney, Northern Ireland

Inez McCormack -- Belfast, Northern Ireland

Fr. Brian Brady -- Belfast, Northern Ireland

07-08-1998 18:02 F.02

PROPOSED EXECUTIVE ORDER REGARDING THE INTERNATIONAL FUND FOR IRELAND

Section 1 - Authority

The Anglo-Irish Agreement Support Act of 1986, Pub. L. 99-415, 100 Stat. 947 (September 1986), authorizes United States contributions in support of the Anglo-Irish Agreement. That act requires such contributions to be "used only to support and promote economic and social reconstruction and development in Ireland and Northern Ireland." (Section 5 (a)). Such contributions may be made to the International Fund (as defined in § 8 of the Act) only if the President certifies to Congress that he is satisfied that:

1. The board of the International Fund, as a whole, is broadly representative of the interests of the communities in Ireland and Northern Ireland; and
2. Disbursements from the International Fund (A) will be distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation; and (B) will address the needs of both communities in Northern Ireland.

Each such certification is required to be accompanied by a detailed explanation of the basis for the President's decision. In addition to these certifications, the President is required to make an annual report to Congress at the end of each fiscal year in which the United States makes any contributions to the International Fund on the degree to which:

1. The International Fund has contributed to reconciliation between the communities in Northern Ireland;
2. The United States contribution to the International Fund is meeting its objectives in encouraging new investment, job creation, and economic reconstruction on the basis of strict equality of opportunity; and
3. The International Fund has increased respect for the human rights and fundamental freedoms of all people in Northern Ireland.

Section 2 - Finding

I hereby find that in order to effectively comply with the certification and annual report requirements of the Act, certain clarifying provisions are appropriate. These clarifications shall serve as a direction to the United States Observer to the International Fund to gather the necessary information to permit the certification and report to be consistent with these clarifications. In gathering the required information, the Observer

shall use reliable public and private sources of information in the United States and abroad on employment practices in Northern Ireland.

Section 3 - Equality of Opportunity and Nondiscrimination in Employment, Without Regard to Religious Affiliation

Distributions in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation, shall mean assistance provided to individuals and entities whose practices are consistent with the following principles:

1. Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical and technical jobs.
2. Providing adequate security for the protection of minority employees at the workplace.
3. Banning provocative sectarian or political emblems from the workplace.
4. Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.
5. Providing that layoff, recall and termination procedures do not favor a particular religious group.
6. Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.
7. Providing for 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 minority employees.
8. Establishing procedures to assess, identify and actively recruit minority employees with potential for further advancement.
9. Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and within a reasonable period of time, the implementation of the principles described in paragraphs 1-8.

Section 4 - Disbursements Which Address the Needs of Both Communities in Northern Ireland

The United States participation in the International Fund is premised on equality of treatment and parity of esteem with respect to both main religious traditions in Northern Ireland. It is essential that the needs of both communities be equitably addressed by the distributions of United States contributions to the International Fund. Within each community it is essential that assistance be targeted to create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment.

Section 5 - Prohibitions on Quotas and Reverse Discrimination

The United States contribution to the International Fund shall not be used to require or mandate quotas or reverse discrimination by individuals or entities assisted with such contributions.

Bruce Manson - OK

Lyons OK

Susan Murphy no ~~is~~

- Bill Winters OK

MAP ~~no~~ no

Jack Quinn - gone today

Alan Kirsch OK

McBride.

—

July 12, 1996

MEMORANDUM FOR NANCY SODERBERG

FROM: MARY ANN PETERS *W*

SUBJECT: MacBride Options

Bruce Morrison has drafted an executive order using the hortatory language from the conference version of the vetoed authorization bill (attached). Bruce's draft is now with Jim Lyons, Kathy Stephens, State and the Legal Directorate for comments. Kathy, Alan and State, for different reasons, will probably recommend that we do a letter from the President to Jim rather than issue an executive order. For one thing, an executive order would require an extensive clearance process within the USG; even the AID General Counsel would have to clear it because AID channels the appropriated funds to the International Fund for Ireland. Kathy believes that an executive order would be more visible than a letter and therefore would elicit a stronger negative reaction in the unionist community. She is going to discuss MacBride (in general terms) with IFI Director Willie McCarter to get a feel for possible downsides.

Jim Lyons, like Bruce, favors an executive order because it has the force of law and will bind future administrations. However, Jim has agreed to draft a letter to himself from the President so that you will be able to compare a draft letter to the draft executive order. Bruce and Jim agree that the AOH convention the week of July 22 would be the best time to release either the executive order or the letter. (However, the impact in Northern Ireland would probably be less during the August vacation period.) Jim will be here Monday and Tuesday, July 15 and 16, to testify on Whitewater. He will call you on Monday afternoon to try to set up a meeting. He also intends to discuss the possible executive order with Jack Quinn. If you want to move this issue quickly, I strongly recommend you see Jim next week. If possible, you should include Bruce in the meeting. You may also want to consult Senator Mitchell, who is in town until Monday.

Meanwhile Representative Engel has introduced a MacBride bill which strengthens the language in the authorization bill. That bill said that U.S. contributions (to IFI) "should be used in a manner that effectively increases employment opportunities in communities with rates of unemployment significantly higher than the local or urban average of unemployment in Northern Ireland." The Engel bill replaces "should" with "shall." (I am attaching

copies of the Engel bill and of our "homemade" text of the MacBride language in the authorization bill.) I doubt that Jim will find it acceptable, but you should discuss it with him.

I will ask Paul van Son (State desk officer) to forward to you next week his and Kathy Stephens' informal analyses of the impact of an executive order or a letter on IFI operations and on unionist opinion. If it appears that an executive order would damage our credibility with the unionist community substantially, I think you should go with the letter option.

Attachments

A/S

FAX TRANSMISSION AND MESSAGE

July 8, 1996

To: Mary Ann Peters
phone: 202/456-9151
fax: 202/456-9150

Jim Lyons
phone: 303/628-9546
fax: 303/623-9222

From: Bruce A. Morrison
phone: 202/408-2587
fax: 202/408-2950

Here is a draft for an Executive Order to "solve" the MacBride political problem. It is drawn directly from the legislative language in the Foreign Assistance bill which was vetoed. I have attached the Anglo-Irish Agreement Act and section of the Foreign Assistance bill on the IFI to this fax. While this could be a letter of instruction to you, Jim, rather than an executive order, I think the latter is far more effective politically.

Substantively, this proposed order is fully balanced between Protestants and Catholics in that it draws on a quality of treatment language in the existing law. However, I would be open to additional rhetoric to assuage Unionist concerns if it can be added without vitiating the MacBride language.

When we have agreed on the vehicle and language, we must assure that this is presented to and adopted by the President in a manner which gives credit to his supporters, not Sean McManus. Perhaps Jim could request it, or Senator Dodd could propose it.

Please call me to discuss this at your earliest convenience.

Number of pages to follow 8

PROPOSED EXECUTIVE ORDER REGARDING THE INTERNATIONAL FUND FOR IRELAND

Section 1 - Authority

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1. The board of the International Fund, as a whole, is broadly representative of the interests of the communities in Ireland and Northern Ireland; and
2. Disbursements from the International Fund (A) will be distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation; and (B) will address the needs of both communities in Northern Ireland.

Each such certification is required to be accompanied by a detailed explanation of the basis for the President's decision. In addition to these certifications, the President is required to make an annual report to Congress at the end of each fiscal year in which the United States makes any contributions to the International Fund on the degree to which:

1. The International Fund has contributed to reconciliation between the communities in Northern Ireland;
2. The United States contribution to the International Fund is meeting its objectives in encouraging new investment, job creation, and economic reconstruction on the basis of strict equality of opportunity; and
3. The International Fund has increased respect for the human rights and fundamental freedoms of all people in Northern Ireland.

Section 2 - Finding

I hereby find that in order to effectively comply with the certification and annual report requirements of the Act, certain clarifying provisions are appropriate. These clarifications shall serve as a direction to the United States Observer to the International Fund to gather the necessary information to permit the certification and report to be consistent with these clarifications. In gathering the required information, the Observer

shall use reliable public and private sources of information in the United States and abroad on employment practices in Northern Ireland.

Section 3 - Equality of Opportunity and Nondiscrimination in Employment, Without Regard to Religious Affiliation

Distributions in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation, shall mean assistance provided to individuals and entities whose practices are consistent with the following principles:

1. Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical and technical jobs.
2. Providing adequate security for the protection of minority employees at the workplace.
3. Banning provocative sectarian or political emblems from the workplace.
4. Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.
5. Providing that layoff, recall and termination procedures do not favor a particular religious group.
6. Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.
7. Providing for 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 minority employees.
8. Establishing procedures to assess, identify and actively recruit minority employees with potential for further advancement.
9. Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and within a reasonable period of time, the implementation of the principles described in paragraphs 1-8.

Section 4 - Disbursements Which Address the Needs of Both Communities in Northern Ireland

The United States participation in the International Fund is premised on equality of treatment and parity of esteem with respect to both main religious traditions in Northern Ireland. It is essential that the needs of both communities be equitably addressed by the distributions of United States contributions to the International Fund. Within each community it is essential that assistance be targeted to create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment.

Section 5 - Prohibitions on Quotas and Reverse Discrimination

The United States contribution to the International Fund shall not be used to require or mandate quotas or reverse discrimination by individuals or entities assisted with such contributions.

ANGLO-IRISH AGREEMENT SUPPORT ACT OF 1986

SECTION 1. SHORT TITLE.

This Act may be cited as the "Anglo-Irish Agreement Support Act of 1986."

SEC 2. FINDINGS AND PURPOSES.

(a) FINDINGS. The Congress finds that the Anglo-Irish Agreement is a clear demonstration of the determination of the Government of the United Kingdom and the Government of Ireland to make progress concerning the complex situation in Northern Ireland. The Congress strongly supports the Anglo-Irish Agreement and is particularly encouraged that these two neighboring countries, long standing friends of the United States, have joined together to rebuild a land that has too often been the scene of economic hardship and where many have suffered severely from the consequences of violence in recent years. In recognition of our ties of kinship, history, and commitment to democratic values, the Congress believes the United States should participate in this renewed commitment to social and economic progress in Northern Ireland and affected areas of Ireland.

(b) PURPOSES. It is, therefore, the purpose of this Act to provide for United States contributions in support of the Anglo-Irish Agreement, such contributions to consist of economic support fund assistance for payment to the International Fund established pursuant to the Anglo-Irish Agreement, as well as other assistance to serve as an incentive for economic development and reconciliation in Ireland and Northern Ireland. The purpose of these United States contributions shall be to support the Anglo-Irish Agreement in promoting reconciliation in Northern Ireland and the establishment of a society in Northern Ireland in which all may live in peace, free from discrimination, terrorism, and intolerance, and with the opportunity for both communities to participate fully in the structures and processes of government. United States contributions should be used in a manner that effectively increases employment opportunities in communities with rates of unemployment higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions should be used to benefit individuals residing in such communities.

SEC. 3. UNITED STATES CONTRIBUTIONS TO THE INTERNATIONAL FUND.

(a) FISCAL YEAR 1986. Of the amounts made available for the fiscal year 1986 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

\$50,000,000 shall be used for United States contributions to the International Fund. Pending the formal establishment of the International Fund and submission of the certification required by section 5(c) of this Act, these funds may, pursuant to an agreement with the Government of the United Kingdom and the Government of Ireland, be disbursed into and maintained in a separate account.

(b) FISCAL YEARS 1987 AND 1988. Of the amounts made available for each of the fiscal years 1987 and 1988 to carry out that chapter, \$35,000,000 shall be used for United States contributions to the International Fund; and that amount is hereby authorized to be appropriated for each of those fiscal years to carry out that chapter (in addition to amounts otherwise authorized to be appropriated). Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

SEC 4. OTHER ASSISTANCE.

(a) AVAILABLE AUTHORITIES. In addition to other available authorities, the following authorities may be used to provide assistance or other support to carry out the purposes of section 2 of this Act:

(1) Section 108 of the Foreign Assistance Act of 1961 (relating to the Private Sector Revolving Fund).

(2) Sections 221 through 223 of that Act (relating to the Housing Guaranty Program).

(3) Title IV of chapter 2 of part I of that Act (relating to the Overseas Private Investment Corporation), without regard to the limitation contained in paragraph (2) of the second undesignated paragraph of section 231 of that Act.

(4) Section 661 of that Act (relating to the Trade and Development Program).

(b) OTHER LAWS. Assistance under this Act may be provided without regard to any other provision of law.

SEC 5. CONDITIONS AND UNDERSTANDINGS RELATING TO THE UNITED STATES CONTRIBUTIONS.

(a) PROMOTING ECONOMIC AND SOCIAL RECONSTRUCTION AND DEVELOPMENT.

(1) IN GENERAL. The United States contributions provided for in this Act may be used only to support and promote economic

and social reconstruction and development in Ireland and Northern Ireland, and should be provided to individuals or entities in Northern Ireland which employ practices consistent with the principles of economic justice.

(2) ADDITIONAL REQUIREMENTS. The restrictions contained in sections 531(e) and 660(a) of the Foreign Assistance Act of 1961 apply with respect to any such contributions.

(b) UNITED STATES REPRESENTATION ON THE BOARD OF THE FUND. The President shall make every effort, in consultation with the Government of the United Kingdom and the Government of Ireland, to ensure that there is United States representation on the Board of the International Fund.

(C) PRIOR CERTIFICATIONS. Each fiscal year, the United States may make contributions to the International Fund only if the President certifies to the Congress that he is satisfied that:

(1) the Board of the International Fund, as a whole, is broadly representative of the interests of the communities in Ireland and Northern Ireland; and

(2) disbursements from the International Fund:

(A) will be distributed to individuals and entities whose practices are consistent with principle of economic justice; and

(B) will address the needs of both communities in Northern Ireland. And will create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment.

Each such certification shall include a detailed explanation of the basis for the President's decision.

SEC 6. ANNUAL REPORTS.

At the end of each fiscal year in which the United States Government makes any contribution to the International Fund, the President shall report to the Congress on the degree to which:

(1) the International Fund has contributed to reconciliation between the communities in Northern Ireland;

(2) the United States contribution to the International Fund is meeting its objectives of encouraging new investment, job creation, and economic reconstruction on the basis of strict equality of opportunity;

(3) the International Fund has increased respect for the human rights and fundamental freedoms of all people in Northern Ireland; and

(4) the extent to which the practices of each individual or entity receiving assistance from United States contributions to the International Fund has been consistent with the principles of economic justice.

SEC 7. REQUIREMENTS RELATING TO FUNDS FOR "INTERNATIONAL ORGANIZATIONS AND CONFERENCES."

(a) DISBURSEMENTS, AUDITS, AND REPORTS. The provisions relating to disbursements on vouchers, audits and submission of reports with respect to expenditures pursuant to the Joint Resolution of July 11, 1956 (Public Law 689), shall also apply with respect to expenditures pursuant to section 109(c) of the Act of November 22, 1983 (Public Law 98-164).

(b) FUNDS SUBJECT TO REQUIREMENTS. That section is amended

(1) by striking out "In addition to" and inserting in lieu thereof "Of";

(2) by striking out "by section 102(2)" and all that follows through "1985" and inserting in lieu thereof "for each fiscal year";

(3) by inserting "may be used" before "for expenses"; and

(4) by striking out all that follows "participation in" through "such as".

(C) PROHIBITION. Nothing included herein shall require quotas or reverse discrimination or mandate their use.

SEC 8. DEFINITIONS.

As used in this Act:

(1) the term "Anglo-Irish Agreement" means the Agreement Between the Government of Ireland and the Government of the United Kingdom dated November 15, 1985;

(2) the term "International Fund" means the international fund for economic development projects in Northern Ireland and Ireland, established pursuant to Article 10 of the Anglo-Irish Agreement; and

(3) the term "principles of economic justice" means the following principles:

(A) Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.

(B) Providing adequate security for the protection of minority employees at the workplace.

(C) Banning provocative sectarian or political emblems from the workplace.

(D) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.

(E) Providing that layoff, recall, and termination procedures do not favor a particular religious group.

(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.

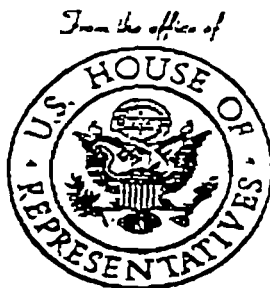
(G) Providing for the development of training programs that will prepare substantial numbers of minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees.

(H) Establishing procedures to assess, identify, and actively recruit minority employees with the potential for further advancement.

(I) Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described in sub-paragraphs (A) through (H).

Approved September 19, 1986

Washington Office:
2242 Rayburn Building
Washington, DC 20515
Tel: (202) 225-5111
Fax: (202) 225-9322



Boston Office:
The Schrafft Center
529 Main Street, Suite 605
Charlestown, MA 02129
Tel: (617) 242-0200
Fax: (617) 241-7593

Roxbury Office:
801(A) Tremont Street
Roxbury, MA 02118
Tel: (617) 445-1281
Fax: (617) 427-7193

Congressman Joseph P. Kennedy II: 8th District, Massachusetts

DATE: 7/12

TO: Mary Ann Peters

FAX # 456-9150

ORGANIZATION: _____

FROM: Suzy Blacksmen

NUMBER OF PAGES (not including this cover page) _____

COMMENTS:

I

104TH CONGRESS
2D SESSION

H. R. 3621

To amend the Anglo-Irish Support Act of 1986 to require that disbursements from the International Fund for Ireland are distributed in accordance with the MacBride principles of economic justice, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 1996

Mr. ENGEL (for himself, Mr. KING, Mr. MANTON, Mr. WALSH, Mr. NEAL of Massachusetts, Mr. LAZIO of New York, Mr. TORRICELLI, Mrs. ROUKEMA, and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To amend the Anglo-Irish Support Act of 1986 to require that disbursements from the International Fund for Ireland are distributed in accordance with the MacBride principles of economic justice, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "MacBride Principles
5 of Economic Justice Act of 1996".

1 **SEC. 2. REQUIREMENT THAT DISBURSEMENTS FROM**
2 **INTERNATIONAL FUND FOR IRELAND ARE**
3 **MADE IN ACCORDANCE WITH THE MACBRIDE**
4 **PRINCIPLES OF ECONOMIC JUSTICE.**

5 (a) **PURPOSES.**—Section 2(b) of the Anglo-Irish
6 Agreement Support Act of 1986 (Public Law 99-415; 100
7 Stat. 947) is amended by adding at the end the following
8 new sentences: “United States contributions shall be used
9 in a manner that effectively increases employment oppor-
10 tunities in communities with rates of unemployment sig-
11 nificantly higher than the local or urban average of unem-
12 ployment in Northern Ireland. In addition, such contribu-
13 tions shall be used to benefit individuals residing in such
14 communities.”.

15 (b) **CONDITIONS AND UNDERSTANDINGS.**—Section
16 5(a) of such Act is amended—

17 (1) in the first sentence—

18 (A) by striking “The United States” and
19 inserting the following:

20 “(1) **IN GENERAL.**—The United States”;

21 (B) by striking “in this Act may be used”
22 and inserting the following: “in this Act—

23 “(A) may be used”;

24 (C) by striking the period and inserting “;
25 and”; and

26 (D) by adding at the end the following:

3

1 “(B) may be provided to an individual or
2 entity in Northern Ireland only if such individ-
3 ual or entity is in compliance with the prin-
4 ciples of economic justice.”; and

5 (2) in the second sentence, by striking “The re-
6 strictions” and inserting the following:

7 “(2) ADDITIONAL REQUIREMENTS.—The re-
8 strictions”.

9 (c) PRIOR CERTIFICATIONS.—Section 5(c)(2) of such
10 Act is amended—

11 (1) in subparagraph (A), by striking “principle
12 of equality” and all that follows and inserting “prin-
13 ciples of economic justice; and”; and

14 (2) in subparagraph (B), by inserting before
15 the period at the end the following: “and will create
16 employment opportunities in regions and commu-
17 nities of Northern Ireland suffering the highest rates
18 of unemployment”.

19 (d) ANNUAL REPORTS.—Section 6 of such Act is
20 amended—

21 (1) in paragraph (2), by striking “and” at the
22 end;

23 (2) in paragraph (3), by striking the period and
24 inserting “; and”; and

4

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

3 “(4) each individual or entity receiving assist-
4 ance from United States contributions to the Inter-
5 national Fund has agreed in writing to comply with
6 the principles of economic justice.”.

7 (e) REQUIREMENTS RELATING TO FUNDS.—Section
8 7 of such Act is amended by adding at the end the follow-
9 ing:

10 “(c) PROHIBITION.—Nothing included herein shall
11 require quotas or reverse discrimination or mandate their
12 use.”.

13 (f) DEFINITIONS.—Section 8 of such Act is amend-
14 ed—

15 (1) in paragraph (1), by striking “and” at the
16 end;

17 (2) in paragraph (2), by striking the period at
18 the end and inserting a semicolon; and

19 (3) by adding at the end the following new
20 paragraphs:

21 “(3) the term ‘Northern Ireland’ includes the
22 counties of Antrim, Armagh, Derry, Down, Tyrone,
23 and Fermanagh; and

24 “(4) the term ‘principles of economic justice’
25 means the following principles:

5

1 “(A) Increasing the representation of indi-
2 viduals from underrepresented religious groups
3 in the workforce, including managerial, super-
4 visory, administrative, clerical, and technical
5 jobs.

6 “(B) Providing adequate security for the
7 protection of minority employees at the work-
8 place.

9 “(C) Banning provocative sectarian or po-
10 litical emblems from the workplace.

11 “(D) Providing that all job openings be ad-
12 vertised publicly and providing that special re-
13 cruitment efforts be made to attract applicants
14 from underrepresented religious groups.

15 “(E) Providing that layoff, recall, and ter-
16 mination procedures do not favor a particular
17 religious group.

18 “(F) Abolishing job reservations, appren-
19 ticeship restrictions, and differential employ-
20 ment criteria which discriminate on the basis of
21 religion.

22 “(G) Providing for the development of
23 training programs that will prepare substantial
24 numbers of minority employees for skilled jobs,
25 including the expansion of existing programs

1 and the creation of new programs to train, up-
2 grade, and improve the skills of minority em-
3 ployees.

4 "(H) Establishing procedures to assess,
5 identify, and actively recruit minority employees
6 with the potential for further advancement.

7 "(I) Providing for the appointment of a
8 senior management staff member to be respon-
9 sible for the employment efforts of the entity
10 and, within a reasonable period of time, the im-
11 plementation of the principles described in sub-
12 paragraphs (A) through (H)."

13 (g) EFFECTIVE DATE.—The amendments made by
14 this section shall take effect 180 days after the date of
15 enactment of this Act.

○

May 6, 1996



NOTE TO: **NANCY SODERBERG**

FROM: **KITTY HIGGINS** *KA*

For our Tuesday morning meeting.

cc: Marilyn DiGiacobbe
 Susan Brophy

May 3, 1996

To: Kitty Higgins

From: Bruce A. Morrison *BA*

Subject: Responses to Attack on President's Position on MacBride Principles

At your request, I am setting forth in brief summary my reactions to the "Talking Points, MacBride Principles of Fair Employment" which you sent to me and on the appropriate Presidential response to the recent Republican-backed, Fr. McManus-managed attack on the President's position. It has been said that the attack "misrepresents" the Administration position. Unfortunately, in light of the Tony Lake letter (copy attached), I do not think this is so.

In April 1992 the President, as candidate, said: "I like the Principles very much. I think they're a good thing, and if I were President I would ask all state governors to take a look at adopting them. There's always that argument [that the Principles discourage business] with this kind of thing, but I don't buy it. I see the MacBride Principles as a way of *helping* investment because it would help stabilize the troubles in Northern Ireland." The "talking points" say "While the Principles serve as an excellent guideline, to legislate them could have an inhibiting effect on investment in Northern Ireland. Investment is needed to create the jobs needed to bring down the high unemployment rate, especially in the Catholic community. U.S. companies considering investing in Northern Ireland could be deterred by the need to meet complex reporting requirements which do not affect their competitors from other countries." The change represents a return to the same general approach taken in the Bush Administration. It is a position that has support among many individuals, Irish-American and otherwise, of perfectly good will on the fair employment and investment issues. But, it does not represent an "acceptable" stance for those activists who follow this issue.

The initial damage from the Lake letter has already been countered by the pro-Clinton letter of support which has been enthusiastically received in the Irish-American press and which has caused McManus to back off, somewhat, although in egregiously offensive language. However, the Republicans have tasted blood in their initiative to undercut the President in Irish America, and they have more plans, apparently including an attack on George Mitchell for his putative role in a Xerox Board of Directors vote

against MacBride. Whatever the new tactics, they will continue to seek to cast the President and his supporters in a defensive position rather than the very affirmative one that the President's leadership on the peace process and related issues actually deserves. It should be a priority to get this issue behind us in a way which maximizes political and policy support for the President in the Irish-American community. I have no personal axe to grind on the option chosen and my input is purely personal and in response to your request for a reaction. Thus, I believe that there are four basic options to choose from:

1. Continue the present approach. This involves reliance on the "Talking Points" and the suggestion that the McManus attack represents a misrepresentation of the President's position. Whatever may be said for this position substantively, it will continue to be characterized as an admission that the President has reneged on his campaign promise with respect to MacBride.
2. Continue to adhere to the policy position articulated in the Lake letter and the Talking Points, but acknowledge that it represents a change from the campaign position. Explain, in whatever terms are comfortable, the basis of this different perspective coming both from a different environment on the ground and the different perspective of a President compared to a candidate. This will not be seen as a good position by the activists, but it will be far more acceptable than Option 1 because it will not be asking them to swallow an unacknowledged change of position.
3. Have the President adopt, in legal form such as an Executive Order, the language of the vetoed foreign assistance bill with respect to "principles of economic justice." The actual language does no more than require the IFI to take into account these principles in its grant-making process. It is my understanding that this is already thought to be IFI policy, it is acceptable to the IFI (if not what they would choose on their own), and it passed muster with Senators Kennedy and Dodd, neither of whom have a track record of going overboard to legislate MacBride. This option could be turned into a political home run for the President with the right management of the decision.
4. Develop a new initiative, such as a monitoring mandate, for the U.S. Observer to the IFI, which would give some legal status to the "principles of economic justice" and could be claimed as an alternative legal recognition of the MacBride Principles. This is substantively as good as Option 3, but it is significantly harder to communicate as an equivalent action and does not seem to be any more accommodating to those who are opposed to any legal enactment of MacBride.

As is obvious of my short summaries of the options, I believe number 3 is by far the most preferable, followed by Option 4. Option 2 is not great, but saleable. Option 1, the current strategy, feels like a kick in the teeth to those who put their names on the

line to squelch the McManus initiative. They all know the President promised more in 1992 than the Lake letter and the Talking Points deliver. They will be offended by being asked to pretend otherwise.

Finally, if Option 3 or 4 is adopted, the management of the recommendation and decision is very important. No one wants to see McManus elevated as a result of his duplicitous conduct. However, dissing McManus is not the goal; enhancing and reelecting the President is the priority. Therefore, the recommendation to take this action should be delivered to the President by such individuals as Senators Dodd and Kennedy and accepted by the President with acknowledgement to the supporters who clarified the issue for his benefit. It might even be appropriate for him to suggest that his personal position on this question had been misunderstood because of problems in the transmission of the position from the Administration and that he was setting the record and the law straight by doing, by Executive Order, what the vetoed legislation would have done. If this were to happen, the President would get another burst of acclaim in the activist community. Since I am unaware of any real substantive objection to the implementation of what is actually in the final legislation, I do not believe there is a down side to this approach. In essence, it is a lot better to admit to a staff screw-up in communicating on the issue rather than to a flip-flop by the Boss, unless the Boss really wants his position changed after substantive and political analysis.

I would be pleased to participate in any further discussion or debate on this matter that anyone there finds useful. Thank you for sharing this information with me and for soliciting my opinion.

THE WHITE HOUSE
WASHINGTON
April 11, 1996

Dear Father McManus:

Thank you for your letter about the legislation linking the MacBride Principles of fair employment to funding for the International Fund for Ireland.

As you know, the Administration supports the goals of fair employment which the MacBride Principles embody. The Administration also actively supports efforts to promote trade and investment in Northern Ireland and the border counties as the best way to underpin a lasting peace. The President does not believe it would be useful to place conditions on the funding we provide to the International Fund for Ireland, which has an excellent record of attention to and effectiveness on fair employment issues. U.S. companies, with considerable experience in equal opportunity employment, are among the best employers in Northern Ireland in terms of meeting the goals of fair employment.

The setting of the June 10 date for the beginning of comprehensive negotiations on the future of Northern Ireland marks a watershed in the peace process. In this critical period, the Administration will continue to work with the two governments and the parties to help them achieve a just and lasting settlement in Northern Ireland. I appreciate your support for our efforts.

Sincerely,



Anthony Lake
Assistant to the President
for National Security Affairs

The Reverend Sean McManus
President
Irish National Caucus, Inc.
413 East Capitol Street, S.E.
Washington, D.C. 20003-3810



Irish
American
Unity
Conference

P 1
National Office:
National Press Building
529 14th Street N.W., Suite 837
Washington, D.C. 20045
1-800-947-4282
Phone: 202-662-8830
Fax: 202-662-8831

FAX COVER SHEET

FAX NUMBER: _____

TO: Nancy Soderberg

FROM: Nuala Moore

PHONE NUMBER OF SENDER: _____

NUMBER OF PAGES 3

Signatory pages faxed to
Marianne Peters



Irish american unity conference

National Office:
National Press Building
529 14th Street N.W., Suite 837
Washington, D.C. 20045
1-800-947-4282
Phone: 202-862-8830
Fax: 202-862-8831
CONTACT: Nuala Moore
1(800)947-4282

FOR IMMEDIATE RELEASE

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National Secretary

Mario T. Smith
National Treasurer

IAUC CONTINUES TO PUSH MacBRIDE

April 29, 1996: The Irish American Unity Conference, with other organizations, have arduously worked for twelve long years on the MacBride Principles fair employment bills. Over the past year, with help from Representatives Ben Gilman (R-NY), Eliot Engel (D-NY), Nita Lowey (D-NY), Henry Hyde (R-IL), and other legislators, the MacBride Principles legislation obtained passage on a national front.

The IAUC was disappointed to see the American Overseas Interest Act, H.R. 1561, recently vetoed by President Clinton, but we must look at the reasons this took place. This was not a single issue bill.

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Springhill Community House

As stated in a March 11 letter to House Members by Congressmen Hamilton, Lantos, Gejedson, Berman and Ackerman, *"The bill was a partisan, politically motivated conference report drafted primarily to embarrass and encumber the President - not strengthen U.S. foreign policy."* In its original form, 1561 would have closed three federal offices, undermined the foreign policy powers of the Presidency, and forced the adoption of policies which would harm U.S. national interests. After reviewing the White House's Statement of Administration Policy on H.R. 1561, which explains the reasons for the President's veto, not one mention of MacBride was found.

Congressman Engel's Bill, H.R. 244, a single issue bill calling for the MacBride Principles to be included in monies given to the International Fund for Ireland, is still active, and the IAUC will continue to lobby for fair employment in Ireland.

On a larger front, support for foreign aid is declining and we must also look to endorse much broader investment strategies that will bring jobs and prosperity to Ireland, creating an atmosphere conducive to peace. The White House Conference on Investment in Ireland last May was a start. A second conference is planned for this fall.

If anyone is interested in joining us in our lobbying efforts for MacBride or peace in Ireland, or for further information, please call the national office at 1(800)947-IAUC to join our Political Action Chair, Bob Linnon who will be in Washington on May 6 & 7, working on passage of this bill.

IRISH AMERICANS SUPPORT PRESIDENT CLINTON

April 27, 1996

[FOR IMMEDIATE RELEASE: CONTACT FRANK DURKAN (212) 571-7100 / (914) 967-0139]

We, the undersigned members and leaders of Irish organizations throughout the United States wish to reaffirm our support for the President in his quest for peace in Northern Ireland. No American President in the 20th Century has devoted as much time, attention and energy to the issues that concern Irish-Americans as this President. The vast majority of Irish-Americans acknowledge a tremendous debt to the President for his active interest in bringing about a resolution to the Northern Ireland conflict and in ending the historic discrimination against Irish immigration.

President Clinton displayed tremendous courage in arranging for the issuance of a visa to Gerry Adams two years ago. This single act paved the way for the initiation of the Peace Process - the first real ray of hope in the twenty-five year old conflict in Northern Ireland.

He has demonstrated leadership and skills by virtue of his personal attention to the problem, acting through his Special Envoy, former Senator George Mitchell, but more particularly by the Presidential visit to Northern Ireland. He has gained the admiration and respect of all parties to the conflict and well merited praise worldwide for his diplomacy and courage.

Many of us, of course, do not agree with each and every position of the Administration. We each acknowledge, however, that Ireland and Irish-America has no greater friend than Bill Clinton. He has gained our trust and confidence and has unquestionably acted in the best interests of Americans generally and Irish-Americans in particular. We give him our full support in the work that he has so expertly advanced.

[Affiliations listed for identification purposes only]



cc + WP
MacAvide



FROM THE OFFICE OF THE ...
IRISH NATIONAL CAUCUS

Capitol Hill • 413 East Capitol Street, SE • Washington, D.C. 20003-3810
Phone (202) 544-0568 • Fax (202) 543-2491

Date: May 2, 1996

TO MAP
Denters -

To: Nancy Soderberg

Attention: _____

Fax Number: 202-456-9460

Number of Pages: 2
(including cover sheet)

Comments: _____



Irish National Caucus
 Capitol Hill • 413 E. Capitol St., SE
 Washington, D.C. 20003-3810
 Tel. (202) 544-0568 • Fax (202) 543-2491

NEWS RELEASE

ATTENTION: NEWS DIRECTOR

Contact:

Fr. Seán McManus
Phone (202) 544-0568

"CLINTON CONTROVERSY HAS ACHIEVED PURPOSE" FR. McMANUS

Washington, D.C., May 2, 1996 -- The President of the Irish National Caucus, Fr. Sean McManus, has said the controversy over his criticism of President Clinton's opposition to the MacBride Principles has achieved what he set out to do and that he is well pleased.

"Out of respect for President Clinton I had remained silent for over a year as I watched his Administration systematically oppose Congressional legislation on the MacBride Principles. I quietly spoke to Bruce Morrison, White House officials and others pleading with them to help quietly resolve this contradiction of the President's pledge to Irish-Americans. But the silent "diplomatic" approach did not work. Furthermore by my silence I was actually covering up Clinton's opposition to the Principles. I could no longer do that. Finally I initiated a letter to the President signed by the eleven major Irish organizations. That letter expressed deep gratitude for the President's great work on the Irish peace process but told him we could no longer be silent about his opposition to the MacBride Principles. (This was the only point we made and we made it with all due respect).

The President now knows that Irish-Americans cannot accept his opposition to the MacBride Principles. The resulting controversy has alerted Irish-Americans to the need to get Clinton back on track. No Irish-American has dared say he/she supports Clinton's opposition to the Principles and that will be duly noticed by the White House. So the next time there is a MacBride initiative in Congress, President Clinton will know better than to oppose it. The White House has been given a wake-up call. All in all our strategy has been hugely successful and I am well pleased. Will I get an invitation to the White House again? Maybe not. But I've not been working for over twenty years to get Congress to pass legislation on fair employment in Northern Ireland in order to get an invitation to the White House.

Nobody has spread the word more than I about the President's good work on Ireland. Nobody has been a more enthusiastic supporter. I hope I can continue my support if he does the right thing on the MacBride Principles.

Finally to those out there who feel angry at me, I say I did what I had to do for the right reasons and for the right motives. You are angry now but in time you will see that my strategy was right. Now let us all get on with the work of getting the President to sign the MacBride Principles into law, saving the Irish Deportees, etc., etc. Let's really make Ireland a top issue in the upcoming elections. And let's make both Parties vie for Irish-American support. We must not let Republicans ignore us nor Democrats take us for granted and we must not allow partisan

NES

May 3, 1996

To: Kitty Higgins

From: Bruce A. Morrison *BAM*

Subject: Responses to Attack on President's Position on MacBride Principles

At your request, I am setting forth in brief summary my reactions to the "Talking Points, MacBride Principles of Fair Employment" which you sent to me and on the appropriate Presidential response to the recent Republican-backed, Fr. McManus-managed attack on the President's position. It has been said that the attack "misrepresents" the Administration position. Unfortunately, in light of the Tony Lake letter (copy attached), I do not think this is so.

In April 1992 the President, as candidate, said: "I like the Principles very much. I think they're a good thing, and if I were President I would ask all state governors to take a look at adopting them. There's always that argument [that the Principles discourage business] with this kind of thing, but I don't buy it. I see the MacBride Principles as a way of helping investment because it would help stabilize the troubles in Northern Ireland." The "talking points" say "While the Principles serve as an excellent guideline, to legislate them could have an inhibiting effect on investment in Northern Ireland. Investment is needed to create the jobs needed to bring down the high unemployment rate, especially in the Catholic community. U.S. companies considering investing in Northern Ireland could be deterred by the need to meet complex reporting requirements which do not affect their competitors from other countries." The change represents a return to the same general approach taken in the Bush Administration. It is a position that has support among many individuals, Irish-American and otherwise, of perfectly good will on the fair employment and investment issues. But, it does not represent an "acceptable" stance for those activists who follow this issue.

The initial damage from the Lake letter has already been countered by the pro-Clinton letter of support which has been enthusiastically received in the Irish-American press and which has caused McManus to back off, somewhat, although in egregiously offensive language. However, the Republicans have tasted blood in their initiative to undercut the President in Irish America, and they have more plans, apparently including an attack on George Mitchell for his putative role in a Xerox Board of Directors vote

against MacBride. Whatever the new tactics, they will continue to seek to cast the President and his supporters in a defensive position rather than the very affirmative one that the President's leadership on the peace process and related issues actually deserves. It should be a priority to get this issue behind us in a way which maximizes political and policy support for the President in the Irish-American community. I have no personal ax to grind on the option chosen and my input is purely personal and in response to your request for a reaction. Thus, I believe that there are four basic options to choose from:

1. Continue the present approach. This involves reliance on the "Talking Points" and the suggestion that the McManus attack represents a misrepresentation of the President's position. Whatever may be said for this position substantively, it will continue to be characterized as an admission that the President has reneged on his campaign promise with respect to MacBride.
2. Continue to adhere to the policy position articulated in the Lake letter and the Talking Points, but acknowledge that it represents a change from the campaign position. Explain, in whatever terms are comfortable, the basis of this different perspective coming both from a different environment on the ground and the different perspective of a President compared to a candidate. This will not be seen as a good position by the activists, but it will be far more acceptable than Option 1 because it will not be asking them to swallow an unacknowledged change of position.
3. Have the President adopt, in legal form such as an Executive Order, the language of the vetoed foreign assistance bill with respect to "principles of economic justice." The actual language does no more than require the IFI to take into account these principles in its grant-making process. It is my understanding that this is already thought to be IFI policy, it is acceptable to the IFI (if not what they would choose on their own), and it passed muster with Senators Kennedy and Dodd, neither of whom have a track record of going overboard to legislate MacBride. This option could be turned into a political home run for the President with the right management of the decision.
4. Develop a new initiative, such as a monitoring mandate, for the U.S. Observer to the IFI, which would give some legal status to the "principles of economic justice" and could be claimed as an alternative legal recognition of the MacBride Principles. This is substantively as good as Option 3, but it is significantly harder to communicate as an equivalent action and does not seem to be any more accommodating to those who are opposed to any legal enactment of MacBride.

As is obvious of my short summaries of the options, I believe number 3 is by far the most preferable, followed by Option 4. Option 2 is not great, but saleable. Option 1, the current strategy, feels like a kick in the teeth to those who put their names on the

00703/300 ED 14-20 FAX 202 430 9130 EUROPEAN DIR 444 EXEC SEC 0003
line to squelch the McManus initiative. They all know the President promised more in 1992 than the Lake letter and the Talking Points deliver. They will be offended by being asked to pretend otherwise.

Finally, if Option 3 or 4 is adopted, the management of the recommendation and decision is very important. No one wants to see McManus elevated as a result of his duplicitous conduct. However, dissing McManus is not the goal; enhancing and reelecting the President is the priority. Therefore, the recommendation to take this action should be delivered to the President by such individuals as Senators Dodd and Kennedy and accepted by the President with acknowledgement to the supporters who clarified the issue for his benefit. It might even be appropriate for him to suggest that his personal position on this question had been misunderstood because of problems in the transmission of the position from the Administration and that he was setting the record and the law straight by doing, by Executive Order, what the vetoed legislation would have done. If this were to happen, the President would get another burst of acclaim in the activist community. Since I am unaware of any real substantive objection to the implementation of what is actually in the final legislation, I do not believe there is a down side to this approach. In essence, it is a lot better to admit to a staff screw-up in communicating on the issue rather than to a flip-flop by the Boss, unless the Boss really wants his position changed after substantive and political analysis.

I would be pleased to participate in any further discussion or debate on this matter that anyone there finds useful. Thank you for sharing this information with me and for soliciting my opinion.

Peace process: DeComm.
one Mitchell
Message to Adams SF particip.

Elections - mandate
to Peace. 24 Trimble DUP
(Most important 21 SDLP
is that it's 18.9 DUP Pearley
over) 15.5 SF
? Loyalists.

US Role - all parties

Confidence Bldg - Pat Kelly, Bruton
Major's Article
Mitchell Principle

MacBride - St. Rep + Auth.

INS Deputatin -

(Rish prisoners -

POTUS does not believe it
would be useful to place conditions on
the finding we pass it
Very Signif.
was about
All report to Mitchell.

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To require certain entities receiving United States funds from the International Fund for Ireland to comply with the MacBride Principles. (Introduced in the House)

HR 244 IH

104th CONGRESS

1st Session

H. R. 244

To require certain entities receiving United States funds from the International Fund for Ireland to comply with the MacBride Principles.

IN THE HOUSE OF REPRESENTATIVES

January 4, 1995

Mr. ENGEL (for himself, Mr. MANTON, Mr. KING, Mr. DELLUMS, Mr. MCNULTY, Mrs. ROUKEMA, Mr. ACKERMAN, Mrs. LOWEY, Mr. WALSH, Mr. CLAY, Mr. LIPINSKI, Mr. PAYNE of New Jersey, Mr. SERRANO, Mrs. MALONEY, Mrs. MORELLA, Mr. LAFALCE, Mr. BORSKI, Mr. TRAFICANT, and Mr. OWENS) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To require certain entities receiving United States funds from the International Fund for Ireland to comply with the MacBride Principles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPLIANCE WITH MACBRIDE PRINCIPLES REQUIRED FOR RECIPIENTS OF UNITED STATES FUNDS FROM INTERNATIONAL FUND FOR IRELAND.

(a) IN GENERAL- No entity in Northern Ireland and Ireland shall be eligible to receive any United States funds from the International Fund for Ireland during a fiscal year unless such entity is in compliance with the MacBride Principles with respect to those employees during such year.

(b) MACBRIDE PRINCIPLES DEFINED- For purposes of this section, the term 'MacBride Principles' means the following principles:

- (1) Eliminating religious discrimination in managerial, supervisory, administrative, clerical, and technical jobs and significantly increasing the representation in such jobs of individuals from underrepresented religious groups.
- (2) Providing adequate security for the protection of minority employees at the workplace.
- (3) Banning provocation sectarian and political emblems from the workplace.
- (4) Advertising publicly all job openings and undertaking special recruitment efforts to attract applicants from underrepresented religious groups.
- (5) Establishing layoff, recall, and termination procedures which do not favor particular religious groupings.
- (6) Providing equal employment for all employees, including implementing equal and nondiscriminatory terms and conditions of employment for all employees, and abolishing job reservations, apprenticeship restrictions, and differential employment criteria, which discriminate on the basis of religion or ethnic origin.
- (7) Developing training programs that will prepare substantial numbers of minority employees for managerial, supervisory, administrative, clerical, and technical jobs, including--
 - (A) expanding existing programs and forming new programs to train, upgrade, and improve the skills of all categories of minority employees;
 - (B) creating on-the-job training programs and facilities to assist minority employees to advance to higher paying jobs requiring greater skills; and
 - (C) establishing and expanding programs to enable minority employees to further their education and skills to recognize education facilities.
- (8) Establishing procedures to assess, identify, and actively recruit minority individuals with potential for further advancement, and identifying those minority individuals who have high management potential and enrolling them in accelerated management programs.
- (9) Appointing a senior management staff member to oversee compliance with the principles described in this subsection.

(c) DEFINITIONS- As used in this section--

- (1) the term 'United States funds' means any funds contributed by United States to the International Fund for Ireland; and
- (2) the term 'International Fund for Ireland' means the fund described in section 8(2) of the Anglo-Irish Agreement Support Act of 1986.

SEC. 2. EFFECTIVE DATE.

Section 1(a) shall apply with respect to funds available from the International Fund for Ireland during fiscal years beginning on or after October 1, 1995.

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FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS
1996 AND 1997

MARCH 8, 1996.—Ordered to be printed

Mr. GILMAN, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 1561]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1561), to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—*This Act may be cited as the "Foreign Relations Authorization Act, Fiscal Years 1996 and 1997".*

(b) **TABLE OF CONTENTS.**—*The table of contents of this Act is as follows:*

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title.

Sec. 102. Congressional findings.

Sec. 103. Purposes.

Sec. 104. Definitions.

payment of private claims or United States Government claims in accordance with subsection (c).

(c) PAYMENTS.—

(1) PAYMENTS ON PRIVATE CLAIMS.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury shall make payment out of the Fund in ratable proportions on private claims certified under subsection (e) according to the proportions which the total amount of the private claims so certified bear to the total amount in the Fund that is available for distribution at the time such payments are made.

(2) PAYMENTS ON U.S. GOVERNMENT CLAIMS.—After payment has been made in full out of the Fund on all private claims certified under subsection (e), any funds remaining in the Fund shall be made available to satisfy claims of the United States Government against the Government of Iraq determined under subsection (d).

(d) DETERMINATION OF VALIDITY OF U.S. GOVERNMENT CLAIMS.—The President shall determine the validity and amounts of claims of the Government of the United States against the Government of Iraq which the Secretary of State has determined are outside the jurisdiction of the United Nations Commission, and, to the extent that such claims are not satisfied from funds made available by the Fund, the President is authorized and requested to enter into a settlement agreement with the Government of Iraq which would provide for the payment of such unsatisfied claims.

(e) DETERMINATION OF PRIVATE CLAIMS.—

(1) AUTHORITY OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION.—The Foreign Claims Settlement Commission of the United States is authorized to receive and determine, in accordance with substantive law, including international law, the validity and amounts of private claims. The Commission shall complete its affairs in connection with the determination of private claims under this section within such time as is necessary to allow the payment of the claims under subsection (c)(1).

(2) APPLICABILITY.—Except to the extent inconsistent with the provisions of this section, the provisions of title I of the International Claims Settlement Act of 1949 (22 U.S.C. 1621 et seq.) shall apply with respect to private claims under this section. Any reference in such provisions to "this title" shall be deemed to refer to those provisions and to this section.

(3) CERTIFICATION.—The Foreign Claims Settlement Commission shall certify to the Secretary of the Treasury the awards made in favor of each private claim under paragraph (1).

(f) UNSATISFIED CLAIMS.—Payment of any award made pursuant to this section shall not extinguish any unsatisfied claim, or be construed to have divested any claimant, or the United States on his or her behalf, of any rights against the Government of Iraq with respect to any unsatisfied claim.

(g) DEFINITIONS.—As used in this section—

(1) the term "Government of Iraq" includes agencies, instrumentalities, and controlled entities (including public sector enterprises) of that government;

(2) the term "private claims" mean claims of United States persons against the Government of Iraq that are determined by

the Secretary of State to be outside the jurisdiction of the United Nations Commission;

(3) the term "United Nations Commission" means the United Nations Compensation Commission established pursuant to United Nations Security Council Resolution 687, adopted in 1991; and

(4) the term "United States person"—

(A) includes—

(i) any person, wherever located, who is a citizen of the United States;

(ii) any corporation, partnership, association, or other legal entity organized under the laws of the United States or of any State, the District of Columbia, or any commonwealth, territory, or possession of the United States; and

(iii) any corporation, partnership, association, or other organization, wherever organized or doing business, which is owned or controlled by persons described in clause (i) or (ii); and

(B) does not include the United States Government or any officer or employee of the United States Government acting in an official capacity.

SEC. 1615. INTERNATIONAL FUND FOR IRELAND.

(a) FUNDING.—

(1) IN GENERAL.—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not more than \$19,600,000 for each of the fiscal years 1996 and 1997 shall be available for the United States contribution to the International Fund for Ireland in accordance with the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415).

(2) AVAILABILITY.—Amounts made available under paragraph (1) are authorized to remain available until expended.

(b) ADDITIONAL REQUIREMENTS.—

(1) PURPOSES.—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415; 100 Stat. 947) is amended by adding at the end the following new sentences: "United States contributions should be used in a manner that effectively increases employment opportunities in communities with rates of unemployment higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions should be used to benefit individuals residing in such communities."

(2) CONDITIONS AND UNDERSTANDINGS.—Section 5(a) of such Act is amended—

(A) in the first sentence—

(i) by striking "The United States" and inserting the following:

"(1) IN GENERAL.—The United States";

(ii) by striking "in this Act may be used" and inserting the following: "in this Act—

"(A) may be used";

(iii) by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(B) should be provided to individuals or entities in Northern Ireland which employ practices consistent with the principles of economic justice.”; and

(B) in the second sentence, by striking “The restrictions” and inserting the following:

“(2) ADDITIONAL REQUIREMENTS.—The restrictions”.

(3) PRIOR CERTIFICATIONS.—Section 5(c)(2) of such Act is amended—

(A) in subparagraph (A), by striking “in accordance with the principle of equality” and all that follows and inserting “to individuals and entities whose practices are consistent with principles of economic justice; and”; and

(B) in subparagraph (B), by inserting before the period at the end the following: “and will create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment”.

(4) ANNUAL REPORTS.—Section 6 of such Act is amended—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(4) the extent to which the practices of each individual or entity receiving assistance from United States contributions to the International Fund has been consistent with the principles of economic justice.”.

(5) REQUIREMENTS RELATING TO FUNDS.—Section 7 of such Act is amended by adding at the end the following:

“(c) PROHIBITION.—Nothing included herein shall require quotas or reverse discrimination or mandate their use.”.

(6) DEFINITIONS.—Section 8 of such Act is amended—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(3) the term ‘principles of economic justice’ means the following principles:

“(A) Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.

“(B) Providing adequate security for the protection of minority employees at the workplace.

“(C) Banning provocative sectarian or political emblems from the workplace.

“(D) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.

“(E) Providing that layoff, recall, and termination procedures do not favor a particular religious group.

“(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.

“(G) Providing for 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 minority employees.

“(H) Establishing procedures to assess, identify, and actively recruit minority employees with the potential for further advancement.

“(I) Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described in subparagraphs (A) through (H).”.

SEC. 1616. DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.

Chapter 3 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2401 et seq.) is amended by adding at the end the following:

“SEC. 668. DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.

“(a) REQUIREMENT TO DEOBLIGATE.—

“(1) IN GENERAL.—Except as provided in subsection (b) of this section and in paragraphs (1) and (3) of section 617(a) of this Act, at the beginning of each fiscal year the President shall deobligate and return to the Treasury, any funds described in paragraph (2) that, as of the end of the preceding fiscal year, have been obligated for a project or activity for a period of more than 3 years but have not been expended.

“(2) FUNDS.—Paragraph (1) applies to funds made available for—

“(A) assistance under chapter 1 of part I of this Act (relating to development assistance), chapter 10 of part I of this Act (relating to the Development Fund for Africa), or chapter 4 of part II of this Act (relating to the economic support fund);

“(B) assistance under the ‘Multilateral Assistance Initiative for the Philippines’;

“(C) assistance under the Support for East European Democracy (SEED) Act of 1989; and

“(D) economic assistance for the independent states of the former Soviet Union under this Act or under any other Act authorizing economic assistance for such independent states.

“(b) EXCEPTIONS.—The President, on a case-by-case basis, may waive the requirement of subsection (a)(1) if the President determines, and reports to the appropriate congressional committees, that—

“(1) the funds are being used for a construction project that requires more than 3 years to complete; or

“(2) the funds have not been expended because of unforeseen circumstances, and those circumstances could not have been reasonably foreseen.



Irish American Unity Conference

NES
From: MPT

National Office
National Press Building
529 14th Street N.W., Suite 837
Washington, D.C. 20045
1-800-947-4282
Phone: 202-662-8830
Fax: 202-662-8831

CONTACT: Nuala Moore
1(800)947-4282

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Daniel P. O'Kennedy
National President

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LAUC CONTINUES TO PUSH MacBRIDE

April 29, 1996: The Irish American Unity Conference, with other organizations, have arduously worked for twelve long years on the MacBride Principles fair employment bills. Over the past year, with help from Representatives Ben Gilman (R-NY), Eliot Engel (D-NY), Nita Lowey (D-NY), Henry Hyde (R-IL), and other legislators, the MacBride Principles legislation obtained passage on a national front.

The LAUC was disappointed to see the American Overseas Interest Act, H.R. 1561, recently vetoed by President Clinton, but we must look at the reasons this took place. This was not a single issue bill.

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As stated in a March 11 letter to House Members by Congressmen Hamilton, Lantos, Gejedson, Berman and Ackerman, "The bill was a partisan, politically motivated conference report drafted primarily to embarrass and encumber the President - not strengthen U.S. foreign policy." In its original form, 1561 would have closed three federal offices, undermined the foreign policy powers of the Presidency, and forced the adoption of policies which would harm U.S. national interests. After reviewing the White House's Statement of Administration Policy on H.R. 1561, which explains the reasons for the President's veto, not one mention of MacBride was found.

Congressman Engel's Bill, H.R. 244, a single issue bill calling for the MacBride Principles to be included in monies given to the International Fund for Ireland, is still active, and the LAUC will continue to lobby for fair employment in Ireland.

On a larger front, support for foreign aid is declining and we must also look to endorse much broader investment strategies that will bring jobs and prosperity to Ireland, creating an atmosphere conducive to peace. The White House Conference on Investment in Ireland last May was a start. A second conference is planned for this fall.

If anyone is interested in joining us in our lobbying efforts for MacBride or peace in Ireland, or for further information, please call the national office at 1(800)947-LAUC to join our Political Action Chair, Bob Linnon who will be in Washington on May 6 & 7, working on passage of this bill.

IRISH AMERICANS SUPPORT PRESIDENT CLINTON

April 27, 1996

[FOR IMMEDIATE RELEASE: CONTACT FRANK DURKAN (212) 571-7100 / (914) 967-0139]

We, the undersigned members and leaders of Irish organizations throughout the United States wish to reaffirm our support for the President in his quest for peace in Northern Ireland. No American President in the 20th Century has devoted as much time, attention and energy to the issues that concern Irish-Americans as this President. The vast majority of Irish-Americans acknowledge a tremendous debt to the President for his active interest in bringing about a resolution to the Northern Ireland conflict and in ending the historic discrimination against Irish immigration.

President Clinton displayed tremendous courage in arranging for the issuance of a visa to Gerry Adams two years ago. This single act paved the way for the initiation of the Peace Process - the first real ray of hope in the twenty-five year old conflict in Northern Ireland.

He has demonstrated leadership and skills by virtue of his personal attention to the problem, acting through his Special Envoy, former Senator George Mitchell, but more particularly by the Presidential visit to Northern Ireland. He has gained the admiration and respect of all parties to the conflict and well merited praise worldwide for his diplomacy and courage.

Many of us, of course, do not agree with each and every position of the Administration. We each acknowledge, however, that Ireland and Irish-America has no greater friend than Bill Clinton. He has gained our trust and confidence and has unquestionably acted in the best interests of Americans generally and Irish-Americans in particular. We give him our full support in the work that he has so expertly advanced.

[Affiliations listed for identification purposes only]

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1. Dorothy Hayden Cudahy (United Irish Counties)
2. Bridie McManus (Shannon Travel)
3. Michael McGinley
4. Clan-na-Gael
5. Adrian Flannelly (Flannelly Promotions)
6. Mary Borecz Pike, Esq.
7. Sean Cronin (Washington, DC)
8. Rita Mullan (Washington, DC)
9. Al O'Hagan (Ancient Order of Hibernians)
10. Frank Durkan (Americans for a New Irish Agenda)
11. Paul O'Dwyer, Esq.
12. Brian O'Dwyer, Esq. (Emerald Isle)
13. Larry Downes (Brehon Law Society)
14. Diane S. Diamantopoulos
15. Daniel O'Leary, Esq.
16. Michael McNicholas, Esq. (Brehon Law Society)
17. Daryl McNicholas, Esq.
18. Richard McSorley (Georgetown Univ. Peace Center)
19. Fr. Colm Campbell (Irish Apostolate Brooklyn/Queens)
20. Joe Jamison (Irish-American Labor Coalition)
21. Dan Kane (Local 111, ACA-IBT)
22. Ed Cleary (NYS AFL-CIO)
23. Margaret Blackshere (AFL-CIO)

24. Jack and Eileen Bingham
25. Sean Oudahy (Ancient Order of Hibernians)
26. Peter M. Walsh
27. Anthony Creaney
28. Gerard McCabe (Irish American Association of Queens)
29. Charles J. Hynes (Brooklyn DA)
30. Michael Kennedy
31. Congressman Thomas Manton
32. Michael Cummings (Irish American Unity Conference)
33. Frank T. Carville (Brehon Law Society)
34. Mary Nolan (Brooklyn Irish Action Committee)
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39. Frank Hoare (Brehon Law Society)
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41. Sheila McCone (Irish-American Unity Conference)
42. Jim Byrne
43. Sharon Farrell (Brehon Law Society)
44. Kerry Teas (Brehon Law Society)
45. Walter Kane (Irish-American Labor Coalition)
46. Noreen Walsh (Irish-American Unity Conference)

47. James Mullen
48. John Connorton, Esq.
49. Pat Doherty (NYC Comptroller's Office)
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53. Paul Finnegan (Emerald Isle Immigration Center)
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90. Margaret Finnegan
91. James Finnegan, Jr.
92. Michael Finnegan

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93. Frank McCourt
94. Malachy McCourt
95. John A. Merrigan (Irish Northern Aid, Bloomfield)
96. Mary C. Merrigan (Irish Northern Aid, Bloomfield)
97. Michael Stack III
98. Sean Kevins (LAUC)
99. Daniel Dee (LAUC)
100. Nicholas A. Freeman

THE IRISH TIMES

ON THE WEB

29 APRIL 1996

Irish-American leaders reject priest's criticisms of Clinton

From Conor O'Clery, in Washington

One hundred leaders and members of Irish-American organisations have written a letter of support to President Clinton to dissociate themselves from recent criticism of him by the Irish National Caucus and the Ancient Order of Hibernians.

Many Irish-Americans, including some prominent in the fight for the MacBride Principles, were particularly angered at the tone of the criticisms made by Father Sean McManus, who runs the Irish National Caucus.

They reject the threat to Mr Clinton made by the Caucus - which is a lobby office in Washington run virtually singlehandedly by Father McManus - that he would "destroy himself politically among Irish-Americans" for breaking a campaign promise to support the principles. Father McManus also described Mr Clinton's actions as a "terrible betrayal of Irish-Americans".

Mr Clinton recently vetoed a Bill - for unrelated reasons - which included a clause saying the MacBride Principles should be applied to any US aid given to the International Fund for Ireland.

The signatories to the letter praising President Clinton include Mr Pat Doherty of New York City Comptroller's Office, one of the most effective campaigners for the MacBride Principles; Ms Rita McMullan, a former associate of Father McManus in the Irish National Caucus, and Mr Larry Downes of the Brehon Law Society, who is also chairman of Friends of Sinn Féin.

Also among those who signed are prominent individuals in the Ancient Order of Hibernians, the Irish-American Unity Conference, the Irish-American Labour Coalition, Americans for a New Irish Agenda and Irish Northern Aid.

In response to criticism of his action in the Irish Voice newspaper last week, Father McManus said: "The Voice is simply out of touch if it thinks that President Clinton can break a promise to Irish-Americans and not be damaged politically."

But the letter by the 100 Irish-Americans is a strong signal to the White House that Father McManus is out of touch with Irish-American opinion concerning President Clinton.

The AOH committee last week withdrew an invitation to Mr Clinton to address its national convention at St Paul, Minnesota, on July 25th because he vetoed a Bill outlawing partial birth abortions.

The letter-writers said they wished to reaffirm their support for the President "in his quest for peace in Northern Ireland". No American president in the 20th century "has devoted as much time, attention and energy to the issues that concern Irish-Americans as this President. The vast majority of Irish-Americans acknowledge a tremendous debt to the President for his active interest in bringing about a resolution to the Northern Ireland conflict and in ending the historic discrimination against Irish immigration.

"President Clinton displayed tremendous courage in arranging for the issuance of a visa to Gerry Adams two years ago. This single act paved the way for the initiation of the peace process, the first real ray of hope in the 25 years conflict in Northern Ireland."

It praised his appointment of Senator George Mitchell as envoy and his visit to Northern Ireland and added: "Many of us do not agree of course with each and every position of the Administration. We each acknowledge however that Ireland and Irish-America has no greater friend than Bill Clinton."

TALKING POINTS
MACBRIDE PRINCIPLES OF FAIR EMPLOYMENT

- The Administration fully supports the objectives of the MacBride Principles, as it supports all efforts to eliminate discrimination against any class of people.
- As the President said during the campaign, the MacBride Principles set forth appropriate guidelines for investment to help achieve fair employment goals.
- While the Principles serve as an excellent guidelines, to legislate them could have an inhibiting effect on investment in Northern Ireland. Investment is needed to create the jobs needed to bring down the high unemployment rate, especially in the Catholic community.
- U.S. companies considering investing in Northern Ireland could be deterred by the need to meet complex reporting requirements which do not affect their competitors from other countries.
- The proposed legislation comes at a time when the Administration is seeking to enhance U.S. competitiveness across the board by reducing regulatory and other reporting requirements on U.S. firms.
- U.S. companies, with considerable experience in equal opportunity employment, are among the best employers in Northern Ireland in terms of meeting fair employment goals.
- The President vetoed the foreign affairs authorization bill for reasons other than the language linking the MacBride Principles to funding for the International Fund for Ireland (IFI).
- The IFI already has an excellent record of attention to and effectiveness on fair employment issues. While the Principles themselves are commendable, we see no need to attach them to funding for the IFI.
- Rigorous fair employment laws have been on the books in Northern Ireland since 1989. The effectiveness of these laws in reducing discrimination is currently under review by an independent, non-governmental body, the Standing Advisory Commission on Human Rights.
- The Administration remains committed to achieving the objectives of the MacBride Principles. We will continue to monitor closely the employment situation in Northern Ireland and the implementation of the fair employment legislation.
- We will also continue our active support for trade and investment in Northern Ireland to create the jobs to underpin a lasting peace. The Department of Commerce will sponsor a conference in Philadelphia in the fall to facilitate business partnerships and joint ventures.