

Mr. 111

*Mr. Dalgaard - To see a file
on Gen. U.S. Leg.*

3300W 26/11/87

cc: PS/SofS (L&B)
PS/PUS (L&B)
PS/Sir K Bloomfield
Mr Burns
Mr Fell, DED
Mr McAllister, IDB
Mr Chesterton
Mr Bohill, IDB
Mr Spence
Mr Kirk
Mr F G McConnell
Mr J McConnell
Mr Wilson, DED
Mr A Wood (L&B)
Mr Wolstencroft, DED
Mr Leach
Ms Jackson
Mr George, RID, FCO
Mr Higson, NAD, FCO
Mr Holmes, HMCg Atlanta
Mr Burns, HMCg Boston
Mr Carrick, HMCg Chicago
Mr Hayday, HMCg Cleveland
Mr Hime, HMCg Houston
Mr Ballentyne, HMCg
Los Angeles
Mr Mellon, HMCg New York
Mr Burton, HMCg San
Francisco
Mr Cowper-Coles,
Washington

① cc Mrs McAllister
Miss [unclear]
see X
② [unclear]

MACBRIDE BILLS - UNITED STATES LEGISLATIVE POSITION

I attach the schedule for 23 November.

Since the previous schedule - 10 November - we have heard that MacBride Legislation is to be introduced in Maine, probably in January, and that the cities of Cleveland and Detroit have both passed resolutions adopting the Principles.

X Governor Dukakis (Massachusetts), a leading Democratic contender for the Presidency, has endorsed the MacBride Principles. He is to our knowledge the first Presidential contender to do so.

Attached to the back of this schedule is a map produced by the MacBride camp, which shows their own view of the legislative position. Broadly, it tallies with ours, except that it shows 'Irish-American groups' promoting legislation in nine States from which we have so far either had a nil return or heard nothing at all. These are Arizona, Colorado, Georgia, Missouri, Montana, New Mexico, Texas, Virginia and Wisconsin.

C F Bone

C F BONE

SIL Division

24 November 1987
T1578.

MACBRIDE BILLS - UNITED STATES LEGISLATIVE POSITION

US CONGRESS

Senator D'Amato and Congressman Fish have introduced Bills in the Senate and House of Representatives which have been referred, respectively, to the Finance and Foreign Affairs Committees. No committee action is planned at present in either the Senate or House.

States with Bills in force = 5

<u>State</u>	<u>Position</u> ('-' means no action reported)	<u>Last Report Date</u>
Alabama	-	
Alaska	-	
Arkansas	-	
Arizona	HMCg has confirmed that there are no current plans to introduce legislation in the next session beginning in January 1988.	26.10.87
California	The Hayden Bill - came up in Committee on 13 May 1987 - no vote taken. This marked a tactical defeat for Hayden. But the Bill is still alive in Committee and a further hearing is to take place on 13 January.	Bill to require investment to reflect advances made. 10.11.87
\$1.3 bn (?) invested by State pension funds in US parents		
N. Carolina	-	
S Carolina	-	
Colorado	-	

Connecticut

Had investment in 12 NI companies but disinvestment likely to have taken place due to SA legislation.

Disinvestment Bill passed by the State Senate and signed by Governor 18 May 1987. Hartford City Council in March 1986 adopted a resolution urging companies to adopt the MacBride Principles

13.7.87

N. Dakota

-

S. Dakota

-

Delaware

Wilmington City Council in February 1987 adopted a resolution calling for the City Treasurer to make an annual report on the implementation of MacBride principles by US companies in NI. (Wilmington is headquarters of Du Pont).

13.7.87

Florida \$258m Investments in 13 companies.

Bill defeated in Senate in Spring 1987. New Bill could be introduced in the next session in Spring 1988.

Old Bill required Investments to reflect advances made in eliminating discrimination.
3.8.87

Georgia

-

Hawaii

-

Idaho

-

Illinois

\$ 388m invested by State pension fund in 14 US/NI companies.

This State currently presents the crucial test. Bills are pending in both the House and the Senate. At the Senate hearing on 6 October, MacBride supporters fielded a large team including Oliver Kearney, Martin Galvin, and - in a surprise debut - Ken Livingstone MP. They put up perhaps their best performance to date. The NI team also spoke well. The hearing was long (over 5 hours) and badly handled by Chairman Joyce. Livingstone stopped just short of saying Labour supported MacBride. Outcome uncertain. The House hearing on 9 October was better handled (Rep Flynn Currie) - the MacBride lobby (minus

Monitoring Bills.

26.10.87

Livingstone) put up a similarly good performance. But NI team made a big impact - and Mr Kelly (Ford's) made an important contribution. Again, outcome uncertain. The House Committee will probably make its recommendation on MacBride in time for the next (Feb/March '88) session, but the issue may come up again before that.

- Hopefully will not emerge from House Committee.

Senate Co. must report to Senate before end December cf. attached note.

Indiana

Iowa

Kansas

Kentucky

Louisiana

Maine

MacBride legislation is to be introduced in the State Legislature in the next session beginning in early January. The Bill, not yet public, will be voted on in the Senate and could be directed to a Joint Standing Committee or directly to the floor of the House.

24.11.87

Draft legislation, requiring State funds to be invested in companies adhering to MacBride is being promoted.

Maryland

Massachusetts

A Bill passed in 1986 - requiring the monitoring of employment practices of companies operating in N.I. in which Massachusetts invests - has had little impact. A further Bill - passed (5018) by the House and now before the Senate - has been introduced to strengthen the existing statute by widening the scope of the legislation, placing a monitoring requirement on State pension funds with interests in companies which operate in NI. At present, only

24.11.87

No Mass. State pension funds are invested in US Companies in NI.

Extends to the Boards of Retirement Systems the duty to investigate the companies. At present only the State Treasurer is obliged to investigate.

the State's own funds are covered by the legislation. HMCG Boston believe it will pass - but there is as yet no indication of when the Bill will come up for debate. Governor Dukakis - a leading Presidential contender - has publicly endorsed the MacBride Principles.

Michigan

\$1.48 bn in Ford GM.
Contains "Nothing illegal to be done" let out clause.
Bills affecting banks and requiring divestiture tabled but appear to be blocked).

A Bill (HB 4357) has been unanimously approved by the House of Representatives and is currently before the State Senate Judiciary Committee - pressure likely in the near future.

Detroit City Council passed also unanimously - on 14 October - a Resolution adopting the MacBride Principles as part of the investment strategy of the Detroit General Retirement System and the Detroit Policemens and Firemens Retirement System.

24.11.87

Minnesota

Bill did not reach Senate or House. Now cannot be revived until February 1988.

20.5.87

- \$128m invested in 12 US/NI
- cf. Attachment.

Mississippi

-

Missouri

-

Montana

-

Nebraska

-

Nevada

-

New Hampshire

Legislation requiring State and pension funds to invest in companies adhering to the Principles is to be introduced. The Bill - now in draft form - will be assigned to a Committee of the House in mid-December and heard in Committee towards the end of January. All Bills in New Hampshire - regardless of the Committee vote - go to the floor of the House for a vote. With a strong

2.11.87

|| lobbying team in this highly
Republican State we have a
good change of success as
compared to elsewhere in
New England.

Brunner lobby.

New Jersey

By a large vote the Bill
was passed by both Houses
and subsequently signed
into law by the State Governor
- on 8 July. The Bill
requires the State Pension
system to investigate
the extent to which American
companies in NI discriminate
against Catholics and to
initiate and support
shareholders initiatives
which require companies
to adopt the MacBride
Principles. The State
presently invests
approximately \$93 million
of State pension funds in
four companies - General
Motors, Ford Motor Company,
Du Pont and United
Technologies - with
plant in N.I.

27.7.87

New Mexico

-

New York

New York State have
legislation (passed May
1986) under which a survey
of companies performance
in relation to MacBride is
being carried out. It
applies to their 'Common
Retirement Fund' only.
Further State legislation
has been introduced by
Ned Regan, the Comptroller
of NY State. It is currently
before the Senate Committee
on Civil Service and Pensions.
If passed, it would apply to
both State and City public
funds. There is no prospect of
it being voted out of Committee
but if passed it would bring all
NY State pension funds under
one piece of Legislation.
Comptroller Regan's office
is to circulate a questionnaire
to the companies that do
business in Northern Ireland

24.11.87

State
\$855m. invested in 11 US
parent companies.

City
\$241m.

and in which the State has investments. The questions relate to the breakdown of workforce, job advertisement and recruitment practices. The answers to the questionnaire will form the basis of Comptroller Regan's Annual Report on the Implementation of the Irish Investment Bill which is due to be published in March 1988. Our New York post will obtain a copy of the questionnaire on its release. New York City on 20 March 1986 passed unanimously a Resolution calling the City pension funds to use their influence to persuade US Corporations operating in N.I., to adopt and comply with the MacBride Principles. Harrison Goldin, the Comptroller of the City of NY, remains active in promoting the Principles. The NY City Employees Pension Fund have pushed MacBride at shareholders meetings of American Brands, American Home Products, Arnco, Du Pont, Hughes Tool, Oneida, TRW and United Technologies.

Blocked at printers -

Ohio

A House Bill (No 417) was introduced in April 1987 by Representative Robert Hagan. It will be assigned to a Committee when the Legislature re-convenes in January. On 30 October the Mayor of Cleveland - the States largest City - signed a Resolution after a unanimous vote by the City Council to adopt the MacBride Principles.

24.11.87

Oklahoma

-

Oregon

-

Pennsylvania

There are four MacBride Bills before the House of Representatives which are identical to Bills in the Senate. The hearing before the House Finance Committee took place on

26.10.87

cf. Attachment

15 October with a 9 to 4 vote in favour of the Bills but this was insufficient to pass the Bills out of Committee. On 19 October the Committee again voted and passed (14 to 3) the Bills on to the House Majority Leader. When these Bills do reach the House Floor amendments, eg., the FEA to be the monitoring agency, no conflict with British law etc could be introduced. DED have been asked to consider the phrasing of such amendments. Even when passed on the floor the Bills will need to be presented to the Senate Finance Committee for consideration. Useful support may come from the State Chamber of Commerce.* They are firmly and actively opposed to MacBride legislation and are urging their membership to express opposition to the State legislators. The Senate Bills are blocked in the Senate Finance Committee by the Republican Chairman with no pressure to unblock them by Democrat members. There has been no movement of the one Bill before the House Education Committee.

* and US Air

Philadelphia City -
Disinvestment Bill
passed by Council on
28 May. (described
by IRRC as 'the
strongest to date').

5.6.87

Rhode Island

\$41m. State pension
funds invested in
4 US/Ni companies.

Bill signed by the
State Governor - Has indicated he would like his staff
and became law on to liaise with HMCG to create "a
1 July 1987. The Bill favourable climate to introduce
authorises the State amendments" in the legislative
Treasurer to monitor session 87/88.
employment practices of
US companies in NI in
which Rhode Island
pension funds are
invested. The law
encourages the State's
Treasurer to remove state
pension investments

13.7.87

from American companies
operating in NI who
discriminate against
minority employees in hiring
and/or promotions.

Tennessee	-	
Texas	-	
Utah	-	
Vermont	Lobbying visit in September by Oliver Kearney and Irish American associates But no sign yet of any legislation.	26.10.87
Virginia	-	
West Virginia	-	
Washington	HMCG San Francisco has recently undertaken some pre-emptive lobbying in Washington State Capital. There is no indication of a campaign in the State.	26.10.87
J Eccles found Archbishop Hunthausen, leader of W. 200,000 Catholics receptive when he spoke to him in NJ last week.		
Wisconsin	-	
Wyoming	-	

T1578.

STATE LEGISLATION ON THE MACBRIDE PRINCIPLES



MacBride legislation
enacted



MacBride legislation
passed one house



MacBride legislation
pending



Irish-American groups
promoting legislation