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American Irish Newsletter - July 1993

American Ireland Education Foundation - PEC

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Casement Accused: Time For a Re-trial

(As taken from Just News May 1993, published by the Committee on the Administration of Justice, Belfast, N. Ireland)

Five years on, the repercussions of the tragic events of March 1988 are still felt by a section of the West Belfast community. In that month Máiread Farrell, Dan McCann and Sean Savage were shot dead by the SAS in Gibraltar. As the three were buried in Milltown Cemetery, Loyalist Michael Stone launched a hand grenade and gun attack on the mourners. The attack left three dead and scores injured.

On the 19th March 1988 two British Army Corporals driving an unmarked car interrupted the funeral of Caoimhin MacBradaigh (Kevin Brady). The crowd reacted to what they believed was another loyalist attack and the tragic result was the deaths of both soldiers.

To date, 41 men have faced the courts in relation to these deaths. Eleven of the men were charged with murder or aiding and abetting murder. Five have been sentenced to life imprisonment. None were accused of firing the fatal shots.

Campaign for Justice

In reaction to the large numbers of men questioned and charged, and the obvious extreme sentencing in many of the cases, relatives of the accused embarked on a campaign. Their aims were to highlight the unjust convictions and to achieve the release of those wrongfully imprisoned.

The Casement Accused

Secretary of State expressing concern about the safety of convicts. (Ed. Note: For further information, see American Irish Newsletter Vol 16, No. 3 and No. 6: “Casement Accused” and “Casement interned,” by Sandy Carlson, reporting from Northern Ireland.)

Secretary of State Considering Cases

The case of Kane, Timmons and Kelly has evoked the most controversy. At the time of writing, the three men await a decision from Sir Patrick Mayhew whether to refer the case back to the Court of Appeal. Whilst hopeful of a positive reply the men recognize this would only be the start of a long hard battle to convince the Northern Ireland Judiciary an injustice has been done.

Will they have the courage to right that wrong?

(By Jim Kelly. Jim is the father of Sean Kelly, one of the Casement Accused.)
From The Editor

The Irish government and news media have done an excellent job in keeping Irish people ignorant of the facts about injustice in Northern Ireland and aware of all IRA bombings. Witness the lack of knowledge of human rights and civil rights abuses in the north by the new Irish coming to America.

A recent example of Irish government and media censorship is the lack of knowledge expressed by Ms. Sally McHugh of Dublin, the organizer of the recent Peace Rally in Dublin. That rally, which condemned IRA violence, was well covered by the media throughout the United States.

Subsequent to the Dublin rally, Ms. McHugh and several associates travelled to Northern Ireland to meet members of the United Campaign Against Plastic Bullets (UCAPB). The leaders of UCAPB are either victims of British plastic bullets or are the parents/relatives of Irish people who were killed or maimed by such bullets. Ms. McHugh and her associates were told of the many innocent Irish children and adults killed or maimed by British forces in Northern Ireland. They were also told of the injustice faced daily by the Northern Irish, which today also affects members of the Protestant community, though to a lesser degree.

McHugh and her associates, visibly moved by what they were told, admitted they were not aware of these atrocities and injustices. AND THEY LIVE ONLY 90 MILES FROM BELFAST! Truly a masterful job in censorship by the Irish government and media.

Of course this censorship is not limited to Ireland. It is also prevalent in Britain and the United States. The PEC was made aware of just how effective censorship has been in the US via its information advertisements in the New York Times. Many influential people that contacted the PEC through the ads admitted they were not aware of British injustice in Northern Ireland. These people tune into America's most prominent news sources and they do not get the news.

The PEC has taken great strides to change this through its Government Relations Service and Newspaper Advertising Campaign. Change is on the way!

US Judge Gives Britain One Week to Release Documents

At the June 11 hearing, U.S. District Judge Barbara Caulfield gave the British government one week to turn over eight classified documents defense attorney Karen Snell says are vital to the extradition case of her client James Smyth.

Snell said the documents will support her case that Smyth should not be extradited to Northern Ireland because he runs the risk of death or harm there. The documents, most of which haven't been made public in Britain, include allegations of collusion between security forces in Northern Ireland and Protestant paramilitary groups and a shoot-to-kill policy.

U.S. Prosecutor Mark Zanides, acting for the British government, has refused several previous requests for the documents. Zanides argued that handing over the documents could jeopardize British security in Northern Ireland. But Judge Caulfield responded, "It's not whether there is terrorism in Northern Ireland, it's a matter of obeying American law." Caulfield also said that if the documents are not turned over, "the court will take whatever appropriate action is deemed necessary."

If no documents arrive, the judge could dismiss the extradition request. "That's a strong possibility," said Snell.

Smyth, 38, was arrested June 1992 in San Francisco on passport fraud charges.

The American Irish PEC

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The American Irish Newsletter - July 1993
A Protestant Perspective on the Recent Local Elections

by Robert Heatley, co-founder, Campaign for Democracy

The 1993 local elections in Northern Ireland are over. What has been the result and the significance of them? On the face of it nothing has changed. Sinn Fein made marginal gains within the nationalist camp and, despite what the British direct-rule government wished for, the Democratic Unionist Party (DUP) also held its position. The erroneously dubbed “middle-of-the-road” Alliance Party also made very marginal gains.

Overall, the usual sectarian religious divide, in political terms, remained intact and the parties' relative strengths adhered to the status quo. One good feature was the annihilation of the pro-Unionist integrationists. The British Tory Party which has recently begun to field candidates in Northern Ireland was almost decimated. This ought to be a salutary lesson for the British Labour Party which has been resisting the efforts of Unionist integrationists, masquerading as Labourites, to get it to set up here.

And so the “middle ground,” for which the direct-rule governments have been striving over the past 20 years so as to get yet another patched-up “internal settlement,” has proven to be, yet again, a ridiculous fantasy. When will the English governing establishments ever learn?

This outcome appears to have posed considerable problems for the restarting of the collapsed talks which, because it too was based on a British-rule agenda, ended in fiasco several months ago.

Given the powerlessness of District Councils in Northern Ireland, the sole significance of the local elections was as a barometer of the current state of political opinion within the electorate. In this respect, an interesting feature emerged. The voter turnout in the nationalist community was much higher than that in the unionist community. This reflected the disenchantment and alienation of large numbers of the Protestants both from the politics of Unionism and from the personalities who project it.

For some time now the Protestant middle class and the business community in particular have been shunning involvement with political Unionism, at least as manifested by the “Ulster” Unionist Party (UUP) and Paisley’s misnamed Democratic Unionist Party. But these sections of the community have not gravitated to the Alliance Party either. In a recent TV program several prominent personalities representative of these strata were questioned on their failure to perform the function characteristic of their equivalents in most other societies - that of political leadership and guidance.

The answers some of them gave were atypical. One stated that politics in “Ulster” ought to be about the acquisition of power and he was not sure if this could be achieved in a UK context or if it would be necessary to have a united Ireland in order to attain it. Wolfe Tone had the answer to that question two hundred years ago.

A leading spokesman for the business community, speaking in the context of the European Community single market, referred to what he called the need for a “transitional” short-term political step forward. Transitional to where? Unfortunately, the TV interviewer did not follow up. One would not wish to read too much significance into these straws in the wind, but taken together with the widespread political apathy and alienation of the Protestant working-people in relation to the British State, they do suggest a tangible mood change in this section of our society.

The attachment to old-time Unionism appears to be not what it was. Perhaps the European Community propaganda about the barriers coming down throughout Europe has percolated down to wide sections of our community, although Ireland is the one country where the combined effects of European Community membership and British policy have served to reinforce the existing border.

Nevertheless, was the changing mood within the Protestant side of the community the prime reason for the low poll turnout? If so, there ought to be a lesson here for the Irish government, and for Dick Spring in particular, in terms of a policy approach to the North. Why waste time genuflecting to yesterday’s men, the politically bankrupt, pathologically intransigent spokespeople for the DUP and the UUP, when the Irish authorities could be going to communities and independently-minded individuals from the Protestant community who are seeking a genuine way out of the interminable impasse?

Provided that the approach was made with sensitivity and with confidence-building, mutually-beneficial social and economic proposals in mind, the time would now appear to be ripe for just such a new departure. After all, according to the Anglo-Irish Agreement the British will accede to the wishes of a majority in the North, and the support of all Protestants is not required in order to achieve the too long deferred united Ireland.
We Are Building A Government Action Team! Are You Ready?

As reported in our last newsletter, the PEC has begun its Government/Media Relations Operation (GMRO) in Washington, DC. We retained the services of Worth & Associates, a professional group with 10 years experience in government and media relations. Worth & Associates will work to build a productive relationship for the PEC with the Clinton Administration and Congress.

This is the first time professional government and media relations experts will be used in the American campaign for human rights and democracy in N. Ireland. A professional brings the PEC instant expertise and already established relationships with government and media. This is a big step in the right direction. Future information advertisements in newspapers such as the New York Times will be coordinated with GMRO to insure a full impact on the Administration and Congress. A key function of the GMRO will be to gain fair and accurate media coverage for our issue and the PEC. GMRO will coordinate its work with the PEC's new Government Action Team (GAT), which is co-directed by Peter OMalley and Martin Somers.

Volunteers will implement GAT procedure in their Congressional district. Constituency support is vital when we deal with Congress. Congressional Representatives must be informed of the support for our issues in their home district.

It is recommended volunteers have access to a telephone during business hours. For GAT to be successful, we need committed volunteers who are loyal to the PEC.

This is a most important undertaking by the PEC. If you would like to volunteer to be a member of the Government Action Team, and you feel you are committed to become a key participant, write to the PEC: Attention GAT. You will receive information explaining exactly what will be required of you. You will be doing important work.

Wrong Solution

by Martin Somers, co-director, Government Action Team

While expressing his reservation for setting up "safe havens" in Bosnia at the May 21 cabinet meeting, President Clinton stated: "I don't want to see the United States get in a position where we're recreating Northern Ireland, Lebanon or Cyprus or anything else." Newspapers around the nation, including the New York Times, claimed no one seemed to know why the President used these three models.

When the PEC's Government Action Team (GAT) contacted the White House Press Office about the reference to Northern Ireland, press officer Mr. Paul Clarke said the President did not feel the "correct solution" was implemented in Northern Ireland in 1921. President Clinton would do what he could to bring about peaceful solution to the troubles.

We must, therefore, pressure the Irish Government to give President Clinton the mandate to send an envoy to Northern Ireland - not just any envoy, someone who will not be easily influenced by either side.
Before the IRA emerged as a renewed military force at the beginning of the 1970s, 40 Catholic churches were attacked or destroyed. Catholic priests were attacked, civil rights marchers assaulted, and Catholics driven out of areas where they had dared to live. Yet the myth persists that the trouble in Northern Ireland arose because the IRA attacked the State. This untruth is current among propagandists who go to the US to plead the British case. The Anglican Bishop of Kildare, the Anglican Archbishop of Armagh, and the Catholic Archbishop of Armagh are recent examples of churchmen who perpetuate the myth in the US.

What Caused the Northern Ireland Conflict?

by Rev. Des Wilson, Director, Springhill Community, Belfast, N.I.

A number of things have been achieved. The notion of the radical superiority of the orderly British over the disorderly Irish has been reinforced. The British government can send in as many troops as it wishes and world opinion will accept that it is for peace-keeping. The population has no opportunity to come together to oppose bad government. And the churches are given a role: since the natives are unable to live peacefully, who better than the churches to teach them the virtue of loving one another?

Thus the British have provided a satisfactory world opinion. For a government which relies so heavily on the secret societies, the army and the churches as pillars of their society, especially in Ireland, it was a grand slam. What a pity it cost so many lives, not only of Irish people but English, Scottish and Welsh too.

What then were the human rights violations before 1970 that caused a renewed IRA to emerge? Catholics were forbidden to join the one single party which the British allowed to form the government of Northern Ireland. Catholics were forcibly prevented from living permanently in certain areas. Catholics were excluded from most jobs and were excluded from promotion beyond a certain level in those professions they could freely enter: medicine, law, etc. Catholics were subjected to anti-Catholic pogroms helped by the police on average once every twelve years. Catholics were allowed to have their own schools provided they paid a substantial amount of the capital costs, while other religious bodies were allowed to control the state schools with full capital and other costs paid. Catholic teachers would have been unemployed if there had only been a state education system. For this reason Catholics had to build and pay for a Catholic system whether they liked it or not. Catholics were forbidden to own houses in many areas when property qualifications were necessary in order to vote in local government elections. Catholics, when given the vote in the early 70s due to international pressure, found to their dismay that the local councils they were voting for were suddenly deprived of power and replaced by area boards, most of whose members were appointed by the government. This somber list does not include the humiliating treatment of people in Catholic areas who were subjected to the power and viciousness of a militia or a special police force largely of their own neighbors.

This all occurred under the Special Powers Act (SPA), initiated as emergency legislation in 1922 with the inception of the temporary six-county statlet, which gave police the power to search, arrest, and incarcerate - without warrant or trial.

When we see present attempts to recreate "peace" movements, we understand that one purpose will be to keep alive for another few years the myth that if the IRA would stop, persecution would stop, and that if Catholics and Protestants could live peacefully together, all will be well.

As long as the British government remains, all will not be well because their regime is built upon persecution.
Since its inception in 1921, Northern Ireland has been ruled by emergency legislation. Yet, in a “democratic” society, which Britain claims to maintain, emergency legislation is supposed to be a temporary measure, as Northern Ireland itself was supposed to be a temporary entity. Then why in 1993 does the temporary "emergency" continue?

Emergency Powers in Northern Ireland
by Stephanie Finucane

Central to Northern Ireland's history of emergency legislation is the Special Powers Act (SPA), initiated in 1922 and made permanent in 1933. It is the same emergency legislation for which, in 1963, the Minister of Justice of South Africa, JB Vorster, said he would trade all the repressive legislation at his own disposal. Specifically, Vorster was referring to the clause that read: "If any person does any act of such a nature as to be calculated to be prejudicial to the preservation of the peace of maintenance of order in Northern Ireland and not specifically provided for in the regulation, he shall be deemed guilty of an offense against the regulations."

The SPA gave police the power to search, arrest, and incarcerate - without warrant or trial. It empowered the government to intern anyone indefinitely, denying the right to appeal or to know why he or she is being held. The Act provided for the arrest of persons it is desired to examine as witnesses, forcibly detain them and compel them to answer questions under penalties, even if answers may incriminate such a person is guilty of an offense if he refuses to be sworn or answer a question; do any act involving interference with the rights of private property; prevent access of relatives or legal advisers to a person imprisoned without trial; prohibit the holding of an inquest after a prisoner's death; arrest a person who "by word of mouth" spreads false reports or makes false statements; prohibit the possession of any film or gramophone record; arrest a person who does anything "calculated to be prejudicial to the preservation of peace or maintenance of order in Northern Ireland and not specifically provided for in the regulation."

Northern Ireland Special Powers Act

Under the Act the authorities are empowered to:
- Arrest without warrant;
- Imprison without charge or trial and deny recourse to habeas corpus or a court of law;
- Enter and search homes without warrant, and with force, at any hour of day or night;
- Declare a curfew and prohibit meetings, assemblies including fairs, markets and processions;
- Permit punishment by flogging;
- Deny claim to a trial by jury;
- Arrest persons it is desired to examine as witnesses, forcibly detain them and compel them to answer questions under penalties, even if answers may incriminate such a person is guilty of an offense if he refuses to be sworn or answer a question;
- Do any act involving interference with the rights of private property;
- Prevent access of relatives or legal advisers to a person imprisoned without trial;
- Prohibit the holding of an inquest after a prisoner's death;
- Arrest a person who "by word of mouth" spreads false reports or makes false statements;
- Prohibit the possession of any film or gramophone record;
- Arrest a person who does anything "calculated to be prejudicial to the preservation of peace or maintenance of order in Northern Ireland and not specifically provided for in the regulation."

Reproduce & Distribute
which requires the disclosure of any information which may assist in preventing an act of terrorism or convict someone of terrorism. For example, banks must report any suspicions about the origin or destination of money and property, and broadcasters must be prepared to hand over any film footage the British Government deems necessary.

As of 1992, opponents of the PTA claim about 7,000 people have been arrested under the Act since 1974. Only a small percent of those were arrested on "terrorist" charges. The rest were charged with various nonpolitical offenses. The irony, therefore, is that the Act touted as primary "anti-terrorist" legislation is not effective. How prophetic then, was the description of the Act given in 1974 by one of its architects, Labor's Home Secretary Roy Jenkins: he said the Act's provisions would "involve some infringement of civil liberties" and "inconvenience, perhaps more than inconvenience, a few people who may not deserve it." 7,000 arrests later, the Act is responsible for just that.

How ironic, as well, is the fact that one of the Act's first victims was Paul Hill of the Guildford Four. The Act provided for his arrest and imprisonment for 15 years on charges for which he was finally exonerated in 1989.

JOIN OR SUPPORT
The American Irish Political Education Committee (PEC)
For information, write the American Irish PEC, 18 Route 9W, Fairgrounds Plaza, West Haverstraw, NY 10993 or call (800)777-6807.

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MacBride Contract Compliance Gaining

Albany County, New York, and Troy, New York are the latest municipalities to adopt MacBride Principles contract compliance legislation. New York State, New York City, Yonkers, New York and Chicago now have contract compliance legislation in place, too.

Contract compliance legislation is pending in Massachusetts, Illinois and Maine, and will soon be introduced in other cities. States that already have in place MacBride Principles legislation dealing with pension investments can amend the current legislation to include contract compliance.

Contract compliance legislation generally means that companies with operations in Northern Ireland must comply with the MacBride Principles of Fair Employment for Northern Ireland or be penalized when bidding to supply services, supplies, etc. to municipalities.

Companies complying with MacBride will have the advantage over companies not complying. All state and local governments should be approached.

Members are urged to introduce contract compliance legislation in their state and local governments even though they may already have in place pension legislation or MacBride resolutions.

All levels of government contract services and supplies. Contract compliance legislation is much more effective. The PEC has available a draft of compliance legislation for members contemplating action in their community, state, etc. For a copy, send a self-addressed envelope with postage affixed to the PEC.

The PEC also has available updated MacBride Principles brochures at 15 cents each and MacBride Principles briefing paper at $1 each.

Call the Hotline number.
(914) 429-7849
Messages change every Sunday night.

Companies With Operations In Northern Ireland

AES Corp.
AM International Inc. *
Alexander & Alexander Services Inc*
American Brands Inc.
American Home Products Corp. *
AT&T *
Avery Dennison Corp.
Baker Hughes Inc.
Bail Corp.
BCE Corp. (Bell Canada)
Bombardier Ltd.
Data-Design Laboratories Inc.
Data General Corp. *
Digital Equipment Corp.
Dun & Bradstreet Corp.
E. I. Dupont de Nemours & Co. *
Exxon Corp.
Federal Express Corp. *
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Fruehauf Trailer Corp. *
Fruit of the Loom Inc. *
The GAP Inc. *
GATX Corp. *

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Hathaway Corp.
Honeywell Inc. *
Hyster *
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International Bus. Machines Corp*
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Marsh & McLennan Cos., Inc.
McDonalds Corp.
McDonnell Douglas Corp.
3 M Co.
Mobil Corp.
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Texaco Inc.
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Unisys *
United Technologies Corp.
VF Corp. *
Warnaco Group Inc.
Xerox Corp.

* These companies will take all lawful measures to implement the fair employment standards embodied in the MacBride Principles. They have not adopted the MacBride Principles.
Action Requests

Write the letters below in your own words, or as is. Have friends, organizations, business associates, etc., do the same.

Action Request #1 (URGENT)

Member James Mullin advises that in 1967 President Lyndon Johnson signed the Public Broadcasting Act, establishing the Corporation for Public Broadcasting (CPB). The federal government wanted to provide funds to develop public broadcasting without interfering with their First Amendment-protected activity. In 1969 the CPB granted $250,000 to connect 150 TV stations to form the non-profit, independent-membership Public Broadcasting Service (PBS). In 1970, CPB mobilized radio stations and National Public Radio (NPR) was created.

In contradiction to the freedom of speech intent behind public broadcasting, the BBC, which is totally funded by the British Foreign Office and rigorously censors the news from Northern Ireland, uses NPR satelites to improve its signal worldwide. An overwhelming majority of BBC news is distributed by American Public Radio. In 1992, APR received a $100,000 grant from the CPB. Thus, CPB, a freedom of speech advocate, is funding British censorship.

Write the letter below to: Honorable Edward J. Markey, Chairman, Telecommunications and Finance Subcommittee, House of Representatives, Washington, DC 20515 AND Honorable Daniel K. Inouye, Chairman, Communications Sub-committee, U.S. Senate, Washington, DC 20510.

Dear __________________:

BBC, which is totally funded by the British Foreign Office, and rigorously censors news from Northern Ireland, uses National Public Radio (NPR) satelites for distributing news worldwide. Funding for NPR is provided by the Corporation for Public Broadcasting (CPB), with US taxpayer monies. Please investigate this corrupt funding of BBC broadcasts with taxpayer monies and demand that all BBC news carry a "censored news" warning.

Senator Frank Lautenberg and Congressman Peter King are currently investigating this matter.

Sincerely,

Action Request #2

In the next few newsletters you will be asked to write to the editors of major newspapers. You will be requesting that they editorialize that President Clinton should appoint a special envoy to Northern Ireland and that all parties, including Sinn Fein, should be included in the talks. Write to: Mr. Max Frankel, Executive Editor, New York Times, 229 West 43 Street, New York, NY 10036.

Dear Mr. Frankel:

The New York Times can play a major role in finding a just peace for Northern Ireland. I urge that your paper editorialize that President Clinton should appoint a special envoy to Northern Ireland and that the envoy meet with all parties to the conflict, including Sinn Fein.

Sincerely,

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