

## Foreign lobbying as an instrument of defense cooperation between Poland and the United States

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# INTERNATIONAL RELATIONS

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## FOREIGN LOBBYING AS AN INSTRUMENT OF DEFENSE COOPERATION BETWEEN POLAND AND THE UNITED STATES

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*Defence cooperation between Poland and the United States significantly affects the security agenda of Russia, the Baltic region, and Europe as a whole. On the one hand, Poland intends to become a key partner of the US in ensuring European security. On the other hand, it has ambitions to take the leading position in the security area among the Baltic States. The Polish leadership sees an additional advantage in expanding military cooperation with the United States, regarding it as a jumping board to accelerating its economic and technological development. This article examines a mechanism underlying defence cooperation between the US and Poland, i.e. lobbying Poland's interests in another state. This allows Warsaw to actively promote its interests in the US. The research methodology employed includes the periodisation of Polish lobbying activities in the US and an empirical study of lobbying based on analysis of original documents, many of which have been analysed for the first time. It is shown that, under the existing party system, Poland will not abandon strategic partnership with the United States, primarily in security and defence. Over the study period, Poland quickly gained experience in promoting its interests in the US through direct lobbying, showing flexibility in negotiations, relying on the two-party support in the US Congress, successfully coordinating the activities of its governing bodies and various corporations which are submitted to tight state control.*

**Keywords:**

foreign lobbying, USA, Poland, defence cooperation

### **Introduction**

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After the end of the Cold War, the conflict potential in relations between Poland and Russia manifests itself in various dimensions [1]. Modern Poland's security policy is of particular interest against the background of troubled relations

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between Russia and the Baltic countries as well of the decline in Russia's interaction with the West in general [2, p. 5]. It is important that the impetus for the new waves of escalation is often provided by the USA, which is supported by the Baltic states and Poland [3, p. 28, 33]. The peculiarity of Poland lies in the fact that in recent years it has been trying to build relations with the USA as a higher priority comparing to ties with EU and NATO partners. Moreover, Warsaw demonstrates its ambitions to become regional leader in security issues [4, p. 170; 5, p. 147—148]. This directly affects Russia's hard security interests in the Baltic region and in Europe as a whole [6].

However, there is a wider perspective of bilateral cooperation with the US, which Poland is primarily interested in. It explains the very active efforts of the Polish leadership to give new impetus to Polish-American relations, choosing military security issues as a lever and even pursuing a joint European security policy in partnership with the United States [7, p. 67]. According to the sentiments of some Polish elites, intensification of military cooperation will contribute to closer economic ties between Poland and the United States.

Having recently entered the arsenal of Polish foreign policy, lobbyism is becoming an important instrument for such activity. Since the 2000s, Poland has been gradually developing its experience of working with American lobbying companies to advance its interests in the corridors of the executive and legislative branches of the United States government. A study of the main approaches to lobbying helps to clarify Poland's priorities in cooperation with the United States, the problems of bilateral relations and their future prospects. Meanwhile, lobbyism as an instrument of Poland's foreign policy is not well understood. This article explores how Poland uses the mechanism of foreign lobbyism in the United States to deepen bilateral cooperation, primarily in the military field.

The study used institutional analysis to explore the structure, functions, and role of foreign lobbying in promoting military-technical cooperation between Poland and the USA; the method of periodization was used to identify stages in the development of Polish lobbyism in the corridors of US power; and the method of concrete historical analysis was used for a comprehensive study of lobbying practices basing on original documents, many of which are introduced into scientific discourse for the first time.

### **Lobbying mechanism for promoting Polish interests in the USA**

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Today the institute of lobbying is an ingrained part of the American political system [8, p. 107]. This institution serves as an intermediary between the client (who can be a private person, a public or a civic organization, a business structure) on the one hand, and US authorities on the other hand. It is important that both American and foreign political actors can serve as a client.

Lobbyists help to promote the interests of the client in the corridors of power, acting within the framework of special legislation, which is designed to ensure

transparency of the lobbying process and thereby prevent corruption. According to a number of laws of 1938, 1946, 1995 and 2007<sup>1</sup>, lobbying organizations are required to register with the Department of Justice and the US Congress, as well as regularly submit reports on the scope and content of their activities, funds received and information about their client [9]. The number of lobbyists speaks eloquently about the magnitude of the practice: Washington alone has over 10 thousand registered lobbyists [10]. Rare congressional law is passed without amendments introduced by them. Since the mid-1990s, there has been a significant increase in lobbying costs, as businesses expect to earn additional profits by interacting with political power rather than from the principle of “free hands” [11, p. 7–13]. The staff of lobbyists consists mainly of lawyers, former officials, politicians and other people with extensive ties in government and business.

The lobbyists use a very wide set of tools and techniques to exercise influence. For example, in addition to personally persuading Members of Congress (MOCs), lobbyists would offer assistance in drafting bills and analyzing issues, help in working with voters, financial support during election campaign, insider information, patronage after the end of public service. Influence is also achieved by indirect methods — through closest friends and relatives, celebrities from the MOC’s state, and even parish priests, or by organizing the necessary activity of voters of a district, and so on. It is not surprising that the attitude to the institution of lobbying is ambiguous, since the actions of lobbyists sometimes go beyond the law, and their goal is to impose corporate interest on the authorities. On the other hand, lobbyists help official authorities to take into account the needs of various interest groups more accurately. In addition, in the United States phenomenon of corruption and lobbying are separated at the legislative level, while professional lobbyist associations regularly monitor compliance with the rules and ethics [12].

Foreign lobbying plays a special role in the American politics as it allows foreign principals to influence decision-making at the level of federal authorities. Foreign lobbying addresses a wide range of issues, but the US law strongly restricts political propaganda [13, p. 18]. Many states and foreign non-state actors are using this lobbying mechanism [14–16]. According to the U.S. Department of Justice, lobbyists represented 665 foreign clients in the first half of 2018<sup>2</sup>.

Since 1944 Polish interests on the issues of military security have been represented in the United States by the public organization of the Polish diaspora, the Polish American Congress [17], whose mission was revised after successfully lobbying Poland’s joining NATO [18, p. 78, 81]. Since 2008, Warsaw has been

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<sup>1</sup> Foreign Agents Registration Act, Federal Regulation of Lobbying Act, Lobbying Disclosure Act, Honest Leadership and Open Government Act.

<sup>2</sup> *Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending June 30, 2018* // U.S. Department of Justice. P. 3 URL: <https://www.justice.gov/nsd-fara/page/file/1194051/download> (access date: 26.11.2019).

using the services of American lobbyists to promote military cooperation of the two states. At the same time Polish society remains quite conservative with regard to lobbying activity and largely associates lobbying with corruption (according to polls in 2016, 56% of Poles called lobbying a negative phenomenon), and the lobbying institution in Poland itself is not developed much, although the law on its regulation was adopted back in 2005 [19]. According to some estimates, only about 370 lobbyists are registered in Poland [20, p. 9].

The practice of Poland's appeal to the services of American lobbyists greatly depends on the understanding of the ruling party's security policy and the content of partnership with the United States. During the reign of the "Civil Platform" (CP) in 2011-2014, no contract was signed for lobbying in the US in the military field. Despite the fact that CP favors developing strategic partnership with the United States, the party is considering relations with the United States as part of a two-tier security model. The first and main tier is represented by relations between the EU and NATO, and the second — by bilateral cooperation between European countries and the United States, which includes Polish-American cooperation as an integral part [21]. CP considers the United States primarily as an economic partner, and advocates the expansion of the American investment as well as its technological and intellectual presence in Poland<sup>3</sup>.

Conversely, lobbying activity has increased during the years of the rule of the "Law and Justice" (L&J) party, which came to power in 2015. This party emphasizes the importance of national sovereignty and is gradually moving away from cooperation within NATO and the EU in favor of bilateral relations with the United States considered the main guarantor of Poland's security [22]. The party has announced its intention to deploy US and NATO military facilities on Polish territory<sup>4</sup>. As a result, 2/3 of US troops, military depots in Eastern Europe, and most of their headquarters are stationed in Poland [23, c.180]. The strategic goals of L&J imply giving a powerful impetus to Polish-American relations through a joint security policy in the European region based on shared interests<sup>5</sup>.

It is not surprising that in recent years Poland has been showing increased interest in lobbying in the United States precisely in the field of military cooperation. Since 2008, nine contracts have been signed with lobbying organizations to promote issues of military security and cooperation, including 5 contracts during 2015—2018 (Table 1).

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<sup>3</sup> *Następny krok. Razem. Program wyborczy Platformy Obywatelskiej*, 2011.

<sup>4</sup> *Nowoczesna, Solidarna, Bezpieczna Polska. Program Prawa i Sprawiedliwości*. Warszawa, 2011.

<sup>5</sup> *Zdrowie — Praca — Rodzina. Program Prawa i Sprawiedliwości*, 2014.

Table 1

**Poland contracts for lobbying in the US**

Year	Number of contracts	Contracts on military cooperation and defense according to services	
		Lobbying	Consulting on US policy
2008	4	1	No
2009	4	2	No
2010	3	1	No
2016	4	2	No
2017	4	No	1
2018 (half year)	7	No	2

Poland has mainly been using the services of the two lobbying organizations *BGR Government Affairs Limited Liability Company (BGR)* and *Park Strategies Limited Liability Company (Park Strategies)* as well individual lobbyists. At the same time, *BGR* got more than 70% of contracts<sup>6</sup> (Table 2).

Table 2

**US companies / lobbyists hired to promote Poland's military interests**

Year	Companies/lobbyists	Foreign Principal	Costs, \$
2008	<i>BGR</i>	Poland Embassy in the U.S.	10 150 000
2009	<i>BGR</i>	Poland Embassy in the U.S.	34 140 236
2010	<i>BGR</i>	Poland Embassy in the U.S.	30 83 300
2016	<i>Park Strategies</i>	<i>PGZ</i> *	18 000 000
2017	<i>BGR</i>	<i>PGZ</i>	21 000 000
2018	<i>BGR</i>	<i>PGZ</i>	12 000 000 (half year)
2018	John Holl-jr.	<i>POLSA</i> **	12,000.00 (half year)

Remarks: \* *PGZ* — *Polska Grupa Zbrojeniowa* (Polish Group of Weapons);  
 \*\* *POLSA* — *Polska Agencja Kosmiczna* (Polish Space Agency).

From the Polish side, only government bodies and state-owned companies were the principals of lobbying services. In 2008-2010 the first four contracts with lobbyists were signed by the Embassy of the Republic of Poland in the United States, but after 2016 the situation has changed. Instead of the Embassy, the Polish Arms Group (*PGZ*) holding became the main principal in the contracts. The establishment of a unified defense holding which included more than 60 companies<sup>7</sup> contributed to the strengthening of the national defense industry [24] by improving coordination of defense enterprises, preventing competition in the domestic market between their manufacturers, and increasing the confidence of

<sup>6</sup> *FARA Reports to Congress*. The United States Department of Justies. URL: <https://www.justice.gov/nsd-fara/fara-reports-congress> (access date: 01.12.2019).

<sup>7</sup> *Polska Grupa Zbrojeniowa SA — PGZ SA*. URL: <http://pgzsa.pl/> (access date: 02.12.2019).

foreign partners<sup>8</sup>. This had a positive effect on the practice of lobbying of Poland defense interests. In 2018, the Polish Space Agency (*POLSA*) also used lobbying services. The Agency supports the Polish space industry by deepening cooperation with the American academic and business communities<sup>9</sup>.

However, regardless of who acts as the principal of contracts, lobbying in military cooperation is being realized under the strong control of the Polish government and primarily pursues national rather than private interests.

### **The first stage of Poland lobbying activities: ballistic missile defense and armed forces modernization**

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The history of Polish lobbying in the field of military security and defense can be divided into two periods. The first one lasted from 2008 to 2010 when the Embassy of the Republic of Poland realized four contracts with the lobbying company *BGR*. Contracts with total amount of \$473 735<sup>10</sup> stipulated the development of recommendations about US foreign and military policy towards Poland, the establishment of meetings between Polish and American officials, and the promotion of Poland's interests in the US Congress and executive bodies<sup>11</sup>.

Key directions of this activity were ballistic missile defense (*BMD*), modernization of the Polish armed forces, and defense cooperation. Negotiations on the deployment of *BMD* defense facilities in Poland began in 2007 [25, p. 43]. Initial results of Polish-American *BMD*-cooperation were promising. In 2008, the countries signed the Declaration on Strategic Cooperation<sup>12</sup> and the Agreement on the deployment of *BMD* interceptors in Poland<sup>13</sup>. For bilateral interaction, special working groups were created to discuss *BMD* issues: the Advisory Group on Strategic Cooperation between the United States and Poland<sup>14</sup> and the Top Level Team on Security<sup>15</sup>.

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<sup>8</sup> *Polska Grupa Zbrojeniowa z szansą na sukces?* URL: <https://www.defence24.pl/polska-grupa-zbrojeniowa-z-szansa-na-sukces> (access date: 14.11.2019).

<sup>9</sup> *Polska Agencja Kosmiczna. O POLSA.* URL: <https://polsa.gov.pl/o-agencji/o-polsa> (access date: 16.11.2019).

<sup>10</sup> *FARA Reports to Congress.* The United States Department of Justice. URL: <https://www.justice.gov/nsd-fara/fara-reports-congress> (access date: 18.12.2019).

<sup>11</sup> *Constilting Services Agreement between Embassy of the Republic of Poland and BGR Government Affairs, LLC,* 28.05.2008. URL: <https://efile.fara.gov/docs/5430-Exhibit-AB-20080528-28.pdf> (access date: 18.12.2019).

<sup>12</sup> *Deklaracja w sprawie współpracy strategicznej między Rzeczpospolitą Polską a Stanami Zjednoczonymi Ameryki,* Warszawa, 20.08.2008

<sup>13</sup> *Umowa między Rządem Rzeczypospolitej Polskiej a Rządem Stanów Zjednoczonych Ameryki dotycząca rozmieszczenia na terytorium Rzeczypospolitej Polskiej antybalistycznych obronnych rakiet przechwytyjących,* August 20, 2008 (effective as of September 15, 2011). URL: <https://traktaty.msz.gov.pl/treaty-1> (access date: 11.10.2019).

<sup>14</sup> *Deklaracja w sprawie współpracy strategicznej między Rzeczpospolitą Polską a Stanami Zjednoczonymi Ameryki,* Warszawa, 20.08.2008

<sup>15</sup> *US — Poland Strategic Dialogue // U.S. Department of State. Diplomacy in action.* URL: <https://2009-2017.state.gov/p/eur/rls/rm/2010/150364.htm> (access date: 20.11.2019)



Although the Bush administration had a positive attitude towards the deployment of BMD elements in Poland, attempts of the Polish authorities to include the modernization of the Polish Air Force in these agreements caused a sharp negative reaction in the White House. Warsaw looked on additional increase in the national defense capability if Polish air forces could be integrated in American BMD system [26, p. 123]. However, this project failed. Apparently, the Polish leadership was not able to correctly set the task for the American lobbyists, since in reality the activity of BGR was mainly focused on the deployment of BMD elements. Moreover, Warsaw was forced to quickly accept American conditions with regard to the beginning of the Russian-Georgian conflict in August 2008, which caused serious concerns of the Polish leadership [27, p. 206]. During the signing ceremony, a declaration of US military assistance in the case of “a third state” attack on Poland was hastily announced<sup>16</sup>.

Obviously, the BGR could not foresee risks associated with the change in Barack Obama’s course in deploying BMD in Europe, possibly having no timely access to the necessary insider information. As a result, Poland faced the fact of the new US administration in 2009 unilaterally revising the BMD deployment policy [28, p. 9]. The US European Phased Adaptive Approach envisaged deploying BMD elements in four phases<sup>17</sup>. This meant the cancellation of the deployment of ground-based interceptors and X-band radars agreed upon with Warsaw in Central Europe. The activities of the Advisory Group on Strategic Cooperation were also frozen.

It should be noted that, according to reports on lobbying activities, BGR placed the main emphasis on promoting the interests of Poland in the executive branch. Lobbyists met with officers of the State Department, Department of Defense, and the National Security Council<sup>18</sup>. They would pay special attention to contacts with American military, but the meetings were not regular, and contact persons from the American side would often change. By 2010, meetings of lobbyists with representatives of executive bodies had practically ceased due to a shift in the official position of the United States<sup>19</sup>.

As for the legislature, the BGR worked with congressmen from two House committees: the Foreign Affairs Committee and the Armed Forces Committee,

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<sup>16</sup> US and Poland sign missile defense agreement. 20.08.2008// «Kommersant». URL: <http://www.kommersant.ru/doc/1013808> (access date: 10.11.2019).

<sup>17</sup> Obama abandons missile defence shield in Europe. 17.09.2009 // The Guardian. URL: <https://www.theguardian.com/world/2009/sep/17/missile-defence-shield-barack-obama> (access date: 22.11.2019).

<sup>18</sup> Supplemental Statement Pursuant to Section 2 of the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending. Nov. 30. 2008. URL: <https://efile.fara.gov/docs/5430-Supplemental-Statement-20081223-18.pdf> (access date: 20.11.2019).

<sup>19</sup> Supplemental Statement Pursuant to Section 2 of the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending. May 31. 2010. URL: <https://efile.fara.gov/docs/5430-Supplemental-Statement-20100630-21.pdf> (access date: 20.11.2019).



but such contacts were episodic with the exception of Republicans Roger Zachheim and Kari Bingen (both of them held positions in the office of the US Secretary of Defense over the years) throughout 2009<sup>20</sup>. Lobbyists held personal meetings with Congressman Mark Kirk's assistants, but no contact was recorded with the Congressman himself. In the Senate, the number of personal meetings was greater, but all of them took place with the assistants of the Senators. Lobbyists tried to establish interaction with the Republicans Jon Kyl, Jimmy DeMint, George Voinovich, Christopher Smith<sup>21</sup>. Only in 2010, lobbyists achieved a personal meeting with Jon Kyl, but this had no effect because Democrat Barack Obama came to power. The lobbyists' bet on the Republican Party alone was fundamentally wrong, and in 2010 they changed their tactics by contacting the office of the Democratic Senator Mike Quigley<sup>22</sup>.

Summing up, the activities of the lobbying company of this period were not justified in terms of political targets and in reality, adaptation to the new conditions on *BMD* deployment in Europe took place through official bilateral contacts rather than through lobbying efforts. As a result, in 2010, the dialogue between the United States and Poland resumed and the work of the Advisory Group on Strategic Cooperation was re-launched<sup>23</sup>. A Protocol was adopted to amend the Agreement on the deployment of interceptor missiles in Poland<sup>24</sup>.

Thus, at the first stage of lobbying activity the lack of experience in organizing lobbying and the domestic situation inside Poland did not contribute to the timely correction of the negotiating position. The lobbying mechanism for promoting national interests was not adequately demanded by Polish authori-

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<sup>20</sup> *Supplemental Statement Pursuant to Section 2 of the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending. May 31. 2009.* URL: <https://efile.fara.gov/docs/5430-Supplemental-Statement-20090630-19.pdf> (access date: 20.11.2019); *Supplemental Statement Pursuant to Section 2 of the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending. Nov. 30. 2009.* <https://efile.fara.gov/docs/5430-Supplemental-Statement-20091222-20.pdf> (access date: 20.11.2019)

<sup>21</sup> *Supplemental Statement Pursuant to Section 2 of the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending. May 31. 2009.* URL: <https://efile.fara.gov/docs/5430-Supplemental-Statement-20090630-19.pdf> (access date: 20.11.2019); *Supplemental Statement Pursuant to Section 2 of the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending. Nov. 30. 2009.* <https://efile.fara.gov/docs/5430-Supplemental-Statement-20091222-20.pdf> (access date: 20.11.2019)

<sup>22</sup> *Supplemental Statement Pursuant to Section 2 of the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending. May 31. 2010.* URL: <https://efile.fara.gov/docs/5430-Supplemental-Statement-20100630-21.pdf> (access date: 20.11.2019).

<sup>23</sup> *Poland-US bilateral relations, Ministry of Foreign Affairs of the Republic of Poland.* URL: [https://www.msz.gov.pl/en/c/MOBILE/foreign\\_policy/other\\_continents/north\\_america/bilateral\\_relations/test3](https://www.msz.gov.pl/en/c/MOBILE/foreign_policy/other_continents/north_america/bilateral_relations/test3) (access date: 25.11.2019)

<sup>24</sup> *Protokół zmieniający Umowę między Rządem RP a Rządem St. Zjedn. Ameryki dotyczącą rozmieszczenia na terytorium RP antybalistycznych obronnych rakiet przechwytyjących, sporządzoną w Warszawie dnia 20 sierpnia 2008 r.* URL: <https://traktaty.msz.gov.pl/treaty-1> (access date: 22.11.2019).

ties [29, p. 205]. Weak coordination of the Polish institutions, changes in the political situation in the United States and the uncertainty for Poland also led to failures in lobbying.

### **The second stage in the evolution of lobbying: expanding cooperation**

After a pause in lobbyism related to the reign of the *CP* party, the *L&J* wins again in 2016, and the second stage of Poland lobbying activity began. Warsaw tried to learn from the past mistakes. The *PGZ* holding decided to sign the first contract with lobbying company *Park Strategies* as the main principal instead of previous *BGR*. The change of the traditional partner was explained by sentiments in the Polish leadership that saw the reasons for the political failures of 2009–2010 including questionable performance of *BGR*, although arguably, much larger contribution to the failures came about as a result of the change in the foreign policy positions of Obama administration [30]. Indirectly, *BGR*'s high reputation in Washington also supports the organization's quality work.<sup>25</sup>

Since 2016, *Park Strategies* represented the interests of the Polish principals in the US Congress. Lobbyists provided a wide range of services:

- supporting Poland security initiatives, including increasing financial obligations before NATO and developing NATO infrastructure in Poland;
- promoting a positive image of bilateral relations in the media, in particular on security in Eastern Europe, as well as explanation of Poland official and business circles policy for American media;
- ensuring coordination of US and Polish policies ahead of the 2016 NATO Warsaw Summit;
- assisting in deepening cooperation between the American and Polish military-industrial complex;
- organizing meetings at the level of the Atlantic Council, Center for Strategic and International Studies, Council on Foreign Relations;
- holding meetings with MOCs and other authorities to support Polish strategic initiatives<sup>26</sup>.

Lobbyists managed to establish cooperation with MOCs on issues such as meetings with Minister of Defense Anthony Matsarevich to discuss political relations between Poland and the United States and NATO, expanding Polish-American cooperation on military issues, future participation of Polish delegation in the conference on countering ISIS, promotion military assistance to Poland through NATO.

<sup>25</sup> *BGR* History. URL: <https://www.bgrdc.com/bgr-history.html> (access date: 23.11.2019).

<sup>26</sup> *Constilting Services Agreement between Polska Grupa Zbrojeniowa S.A. and Park Strategies. LLC.* 22.04.2016. URL: <https://efile.fara.gov/docs/6350-Exhibit-AB-20160422-1.pdf> (access date: 23.11.2019).

During the meeting with President Donald Trump, lobbyists emphasized how responsibly Poland follows financial obligations to NATO to increase expenses. In addition, in interviews with *Defense News* and *Newsmax Media* they demonstrate again Poland's commitment to NATO values. Actual issues of Polish national security were also discussed with representatives of the Lugar Center<sup>27</sup>. Lobbyists Alphonse D'Amato, Craig Siracusa and John Zagame were responsible for interacting with the government officials. Personal meetings were held with Republican Chairman John McCain and two members of the House of Representatives, Democrat Dan Lipinski, the co-chairmen of the Polish Caucus of the US Congress<sup>28</sup>, and Republican Chris Gibson<sup>29</sup>.

In general, the collaboration with *Park Strategies* was successful and paid off. The Polish leadership was able to gain US political support during the Warsaw NATO summit. However, it is worth paying attention to the general favorable political background: the improvement of Polish-American relations was facilitated by Trump coming to power, with many of Obama's foreign policy objectives being reviewed, including those related to the *BMD* problem in Europe.

Yet, despite the good results, the activity of American lobbyists received an ambiguous assessment in the Seimas<sup>30</sup>, primarily due to the contract for the acquisition of American Black Hawk helicopters negotiated by *Park Strategies*. Criticism of this contract was caused by the fact that the *L&J* party, which had come to power, refused to purchase Eurocopter EC725 Caracal helicopters from France, which had won the tender. The tender was announced again but with the only supplier, meaning that the contract would be signed with the United States rather than France.

The Seimas repeatedly raised the issue of providing the government with confirmation of how urgent the acquisition of helicopters for the needs of the national defense was, since *L&J* representatives continuously referred to it in justification. But the ruling party never brought convincing arguments in favor of its decision. Following this, the Minister of Defense Matsarevich was accused of being unscrupulous with regard to the contract concluded with the USA. According to Caesar Tomczyk, a member of the Seimas National Defense Committee,

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<sup>27</sup> *Supplemental Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending 10/31/2016*. URL: <https://efile.fara.gov/docs/6350-Supplemental-Statement-20161130-1.pdf> (access date: 25.11.2019).

<sup>28</sup> *Lofgren Z., Davis R. Congressional Member Organizations (CMOs) // Committee on House Administration, 116th Congress, United States House of Representatives*. Revised June 2019. P. 88. URL: [https://cha.house.gov/sites/democrats.cha.house.gov/files/documents/cmo\\_cso\\_docs/116th%20CMOs\\_06-03-2019.pdf](https://cha.house.gov/sites/democrats.cha.house.gov/files/documents/cmo_cso_docs/116th%20CMOs_06-03-2019.pdf) (access date: 25.11.2019).

<sup>29</sup> *Supplemental Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending 10/31/2016*. URL: <https://efile.fara.gov/docs/6350-Supplemental-Statement-20161130-1.pdf> (access date: 25.11.2019).

<sup>30</sup> *Wypowiedzi na posiedzeniach Sejmu, Posiedzenie nr 28 w dniu 20-10-2016 (2. dzień obrad) // Sejm Rzeczypospolitej Polskiej*. URL: <http://www.sejm.gov.pl/Sejm8.nsf/wypowiedz.xsp?posiedzenie=28&dzien=2&wyp=060> (access date: 25.11.2019).

representing the opposition party *CP*, lobbyist D'Amato worked simultaneously with Polish *PGZ* and the American *Lockheed Martin Corporation (LMCO)*. Due to these circumstances, he had no right to represent the Ministry of Defense of Poland because of a conflict of interest.<sup>31</sup> The situation resulted in serious investigation and subsequent resignation of Matsarevich<sup>32</sup>, following offenses detected in the activities of *PGZ* and its subsidiaries<sup>33</sup>.

After the anti-corruption investigation of 2017 regarding the activities of *Park Strategies*, the *PGZ* returned to cooperation with the lobbying corporation *BGR*. According to the new contract, the company had to provide the following services:

- to advise the Polish holding on strategic communications with the US government, including on foreign policy, legislation and public policy;
- to represent *PGZ* interests in the USA and assistance in strengthening Polish-American military cooperation;
- to inform U.S. congressmen and the White House about the position of *PGZ* on various issues;
- to promote interests of *PGZ* regarding the development of the Polish “Wisła” air/missile defense system with the participation of several American companies, as well as the “Khomar” program, which provides for the acquisition of three divisions of operational-tactical mobile missile systems from the American *LMCO* (range over 300 km)<sup>34</sup>.

It is very important that the development of the Polish armed forces under the “Wisła” and “Homar” programs provides partial localization of production in Poland that can give a powerful impetus to technological cooperation with the American military-industrial complex.

The lobbying of the *BGR* led to the conclusion of a number of arms trade contracts from the United States. For example, in 2018 the US Congress approved the sale of “HIMARS” rocket launchers to Poland<sup>35</sup>. The Polish Ministry of Defense regarded the contract as “another breakthrough in building up the country’s

<sup>31</sup> *Wypowiedzi na posiedzeniach Sejmu, Posiedzenie nr 28 w dniu 20.10.2016 (2. dzień obrad), Poseł Cezary Tomczyk // Sejm Rzeczypospolitej Polskiej. URL: <http://www.sejm.gov.pl/Sejm8.nsf/wypowiedz.xsp?posiedzenie=28&dzien=2&wyp=076> (access date: 26.11.2019).*

<sup>32</sup> *Zapis przebiegu posiedzenia Komisji Obrony Narodowej 06.07.2018 // Sejm Rzeczypospolitej Polskiej. URL: <http://www.sejm.gov.pl/Sejm8.nsf/biuletyn.xsp?skrn=OBN-101> (access date: 26.11.2019).*

<sup>33</sup> *Kancelaria Sejmu, Biuro Komisji Sejmowych, Pełny zapis przebiegu posiedzenia Komisji Obrony Narodowej (nr 101). URL: <http://www.sejm.gov.pl/Sejm8.nsf/biuletyn.xsp?skrn=OBN-101> (access date: 26.11.2019).*

<sup>34</sup> *Constilting Services Agreement between Polska Grupa Zbrojeniowa S.A. and BGR Government Affairs. LLC. 20.11.2017. URL: <https://efile.fara.gov/docs/5430-Exhibit-AB-20171120-63.pdf> (access date: 30.11.2019).*

<sup>35</sup> *2018 rok w modernizacji — Wisła i co dalej? [podsumowanie] // Defence24.pl. URL: <https://www.defence24.pl/polityka-obronna/2018-rok-w-modernizacjiwisla-i-co-dalej-podsumowanie> (access date: 30.11.2019).*

defense potential”. However, the mood of the department regarding the cost was not so optimistic: the price of the contract was called “relatively good”<sup>36</sup>.

In 2018 Poland signed one of the largest and most important contracts in the history of the country for the acquisition of American “Patriot” systems<sup>37</sup>, the main air defense elements that protect NATO and Europe from air threats. The Patriot Procurement Agreement is the first phase of the “Wisła” program for integrated procurement of air/missile defense equipment<sup>38</sup>. Poland hoped to become the second country after the United States with a similar automated air defense system<sup>39</sup>. The deal is beneficial for Poland both from a military and economic point of view as it involves the creation of new high-tech jobs and the transfer of “Patriot” technologies to Polish defense companies for their production of key elements<sup>40</sup>.

The success of *BRG* lobbying for *PGZ* interests was reinforced by the signing of a letter of intent with the American company *Raytheon*, which establishes a strategic partnership between the companies. This cooperation enables the transfer of technologies, as well as the participation of Polish industry in the design of *BMD* shield. In addition, the possibilities of developing radar and missile technologies with the participation of Polish industry are still under consideration. These prospects are of great importance for Poland in the light of the country’s focus on the creation of a national *BMD* system by 2023. This system should be able to complement the European *BMD* system and, if necessary, subordinate to NATO command [31, p. 52].

In the US Congress, the main focus of the lobbyists’ activity was to promote the decision on a permanent US military presence in Poland. In this regard a

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<sup>36</sup> *Nowoczesne i godnie wynagradzane wojsko i więcej współpracy sojuszniczej* — 2018 rok w Ministerstwie Obrony Narodowej // Ministerstwo Obrony Narodowej. URL: <http://m.mon.gov.pl/aktualnosci/artukul/najnowsze/nowoczesne-i-godnie-wynagradzane-wojsko-i-wiecej-wspolpracy-sojuszniczej-2018-rok-w-ministerstwie-obrony-narodowej-i2018-12-31/> (access date: 30.11.2019).

<sup>37</sup> *Jaki będzie Fort Trump? Czy powstanie Agencja Uzbrojenia?* [6 pytań na 2019 r.] // *Defence24.pl*. URL: <https://www.defence24.pl/polityka-obronna/jaki-bedzie-fort-trump-czy-powstanie-agencja-uzbrojenia-6-pytan-na-2019-r> (access date: 01.12.2019).

<sup>38</sup> *Poland to acquire Patriot defense system, Agreement will create new defense industry jobs in U.S., Poland*. URL: <https://www.raytheon.com/news/feature/poland-signs-loa-for-patriot> (access date: 01.12.2019).

<sup>39</sup> *Nowoczesne i godnie wynagradzane wojsko i więcej współpracy sojuszniczej* — 2018 rok w Ministerstwie Obrony Narodowej // Ministerstwo Obrony Narodowej. URL: <http://m.mon.gov.pl/aktualnosci/artukul/najnowsze/nowoczesne-i-godnie-wynagradzane-wojsko-i-wiecej-wspolpracy-sojuszniczej-2018-rok-w-ministerstwie-obrony-narodowej-i2018-12-31/> (access date: 01.12.2019).

<sup>40</sup> *Raytheon i PGZ rozszerzyły współpracę* // Ministerstwo Obrony Narodowej. URL: <http://m.mon.gov.pl/aktualnosci/artukul/najnowsze/raytheon-i-pgz-rozszerzyly-wspolprace-o2016-07-04/> (access date: 04.12.2019).

letter was sent to US Secretary of Defense James Mattis<sup>41</sup>. Lobbyists developed the ideas from seven MOCs who urged Mattis to pay attention to this issue<sup>42</sup>. As a result of joint efforts, two Polish-American working groups were created to increase the presence of American troops and to create a military base in Poland.

The letter from *BGR* contained several arguments. In particular, lobbyists pointed to the military strengthening of Russia on the borders of NATO's Eastern flank. The threat was associated with the intensification of military cooperation between Russia and Belarus, the buildup of the Russian military group near the northern border of Poland and in the Kaliningrad region, as well as with Russia's "aggressive behavior" towards the Baltic states. Lobbyists paid particular attention to the vulnerability of the Baltic states, which could be quickly isolated from other NATO members in the Suwalki corridor. This idea was inspired by the results of the Russian-Belarusian "West-2017" exercises. An eloquent proof of Russia's aggressive intentions was the "Russian invasion" in the Crimea and the Donbas. Strategically, it was implied that Russia's ambition was to split NATO. The lobbyists convinced the US government that these actions and intentions of Russia should receive a corresponding reaction from the United States in the form of deploying a permanent American military base on the Polish territory.

The lobbyists explained the advantage of strengthening military cooperation with Poland by the fact that the Polish state is the most reliable US ally in NATO. Unlike some NATO allies, Poland strictly fulfills its obligations to increase defense spending in connection with the wishes of President Trump. Finally, Poland has a unique geostrategic position as the most eastern outpost of the West. In their view, a permanent US military presence will create the potential for a quick response to any threats from Russia.

Despite the efforts of lobbyists, the agreement was reached. Even Poland's readiness to finance a project to create an American base, which the Poles had given the eloquent name of "Fort Trump", didn't help in negotiations<sup>43</sup>. Moreover, Poland saw a toughening of the US position suggesting a universal formula for calculating "Price + 50%". This way the cost of deploying US forces in other

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<sup>41</sup> *Support Poland and Respond to Growing Russian Power on NATO Eastern Flank. Letter to Sec'y Mattis Asking for Dipper US-Polish Defense Cooperation, BGR Government Affairs. LLC. 06.26.2018. URL: <https://s3.amazonaws.com/fara2.opensecrets.org/5430-Informational-Materials-20180626-7.pdf> (access date: 04.12.2019).*

<sup>42</sup> *Szef MON rozmawiał w Waszyngtonie o współpracy wojskowej Polski i USA // polsatnews.pl. URL: <http://www.polsatnews.pl/wiadomosc/2018-09-15/szef-mon-rozmawial-w-waszyngtonie-o-wspolpracy-wojskowej-polski-i-usa/> (access date: 04.12.2019).*

<sup>43</sup> *Polsko-amerykańskie negocjacje // Polska zbrojna. 29.10.2018 URL: <http://www.polska-zbrojna.pl/home/articleshow/26776?t=Polsko-amerykanskie-negocjacje> (access date: 05.12.2019).*



countries was doubled<sup>44</sup>. But the final point in this project was the failure of the US Congress to vote the agreement<sup>45</sup>. At the same time, the United States indicated that they were open for further discussion on the subject<sup>46</sup>. Thus, *BGR* only partially realized the tasks set for it.

Another important client of lobbying services was *POLSA*, whose activities focused on implementation of national space strategy published in 2017. The contract was signed with individual lobbyist John F. Hall-Jr. who provided consulting on the development of US space policy and law in this field<sup>47</sup>. Formerly a NASA officer, Hall oversaw the export of space technology. During 2018 he organized meetings of the head of *POLSA* with the Executive Secretary of the National Space Council of the White House and NASA; consultations in the UN Committee on the Peaceful Uses of Outer Space in Vienna; meeting with officers of the Vandenberg Air Force Base. During the meetings, the prospects of launching Polish satellites as part of NASA program to planet Mars, as well as the future visits of NASA scientists to Poland for deepen cooperation were discussed<sup>48</sup>.

Later, Hall helped to establishing more close contacts between NASA and the White House, including interaction on issues of the Joint Statement of Intent in space cooperation. He accompanied Poland's participation in the International Space Symposium in April 2019 at the Paris Air Show in May 2019, and during meetings of the UN Committee on the Peaceful Uses of Outer Space<sup>49</sup>. Additionally, Hall prepared reference materials about US space activities for *POLSA* and participated in television interviews.<sup>50</sup>. Collaboration with Hall helped *POLSA*

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<sup>44</sup> *Trump* wanted five times more money for the deployment of US troops in other countries // Lenta.ru. 10.03.2019. URL: <https://lenta.ru/news/2019/03/10/trmp/> (access date: 05.12.2019).

<sup>45</sup> *The US and Poland agreed to strengthen NATO's eastern flank* // Broadcasting Company of the RF Armed Forces «ZVEZDA». 11.05.2019. URL: [https://tvzvezda.ru/news/vstrane\\_i\\_mire/content/2019511647-lzuII.html](https://tvzvezda.ru/news/vstrane_i_mire/content/2019511647-lzuII.html) (access date: 05.12.2019).

<sup>46</sup> *Zwiększenie obecności wojsk USA w Polsce to większe bezpieczeństwo dla kraju i całego NATO*, Ministerstwo Obrony Narodowej. URL: <https://www.gov.pl/web/obrona-narodowa/zwiekszenie-obecnosci-wojsk-usa-w-polsce-to-wieksze-bezpieczenstwo-dla-kraju-i-calego-nato> (access date: 05.12.2019)

<sup>47</sup> *Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending June 30, 2018* // U.S. Department of Justice, p. 201. URL <https://www.justice.gov/nsd-fara/page/file/1194051/download> (access date: 10.12.2019).

<sup>48</sup> *Supplemental Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended for Six Month Period Ending 11/30/2018*. URL: <https://efile.fara.gov/docs/6555-Supplemental-Statement-20190128-2.pdf> (access date: 10.12.2019).

<sup>49</sup> *Supplemental Statement Washington, dc 20530 Pursuant to the Foreign Agents Registration Act of 1938, as amended for Six Month Period Ending 05/31/2019*. URL: <https://efile.fara.gov/docs/6555-Supplemental-Statement-20190604-3.pdf> (access date: 10.12.2019).

<sup>50</sup> *Supplemental Statement Washington, dc 20530 Pursuant to the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending 11/30/2019*. URL: <https://efile.fara.gov/docs/6555-Supplemental-Statement-20191205-4.pdf> (access date: 10.12.2019).



prepare the signing in April 2019 of an agreement with the US Strategic Command on the exchange of data on events in space<sup>51</sup> and significantly facilitated *POLSA*'s engagement with NASA.

The Ministry of National Defense of Poland also used the services of American lobbyists. An agreement for consulting services with *BGR* for a period of a year was concluded in February 2019<sup>52</sup> with the list of services including assistance in contacts with the US government, Congress, other government departments, the media, and the expert community. These consultations were designed to help Poland in the planning of military policy and to strengthen military-technical cooperation with the United States. Lobbyists also pledged to advance the interests of Poland in Congress and US executive departments when necessary. The Ministry of National Defense of Poland committed to pay \$ 70,000 per month, while *BGR* was obliged to submit monthly reports on activities and expenditures. Thus, the total annual cost of contract reached \$840,000. Under this contract, lobbyists met with House representatives and their assistants. Among them were Democrat Philemon Vela (from the Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies), as well as members of the Democratic Armed Services Committee John Garamendi, Rick Larsen, Joe Courtney and Republican Mac Thornberry (head of the committee)<sup>53</sup>. In general, lobbyists got support from representatives of both parties, which helped to reach their goals in shaping decisions.

A feature of the 2019 contract was the promotion of Poland's interests through American think tanks, universities, and business corporations. Active electronic correspondence was conducted with representatives of the Heritage Foundation, the Atlantic Council, the Carnegie Endowment, the Center for the Analysis of European Politics, the Council on Foreign Relations, and the Center for Strategic and International Studies. This practice does not seem accidental, as experts from these institutions are often invited to congressional hearings<sup>54</sup>. Among corporations, lobbyists paid special attention to *LMCO* and *Raytheon*, which are Poland's potential partners for deepen military-technical cooperation and joint production.

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<sup>51</sup> *Polska* Agencja Kosmiczna podpisała porozumienie z Dowództwem Strategicznym USA o wymianie danych dotyczących zdarzeń w kosmosie (SSA) // Polska Agencja Kosmiczna. URL: <https://polsa.gov.pl/wydarzenia/komunikaty/1014-polska-agencja-kosmiczna-podpisala-porozumienie-z-dowodztwem-strategicznym-usa-o-wymianie-danych-dotyczacych-zdarzen-w-kosmosie-ssa> (access date: 12.12.2019).

<sup>52</sup> *Consulting Services Agreement* between the Minister of National Defense for Republic of Poland and BGR Government Affairs. LLC. 09.02.2019. URL: <https://efile.fara.gov/docs/5430-Exhibit-AB-20190209-71.pdf> (access date: 12.12.2019).

<sup>53</sup> *Supplemental Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended For Six Month Period Ending 05/31/2019*. URL: <https://efile.fara.gov/docs/5430-Supplemental-Statement-20190630-39.pdf> (access date: 12.12.2019).

<sup>54</sup> *Hearings*. U.S. Policy Toward the Baltic States. March 22, 2017 // US House of Representatives, Committee on Foreign Affairs. URL: <https://foreignaffairs.house.gov/hearings?ID=63894FAA-968D-40C1-9F19-1B3A5F57B0E1> (access date: 12.12.2019).

The lobbyists continued consultations on strengthening security on NATO's Eastern flank, returning to the project of a permanent US military presence in Poland. As a result, in the summer of 2019 the US decided to increase the number of the American troops in Poland from 4,500 to 5,500<sup>55</sup>. The discussions on the most suitable place in Poland for the permanent deployment of the US Army armored brigade are continuing. Thus, quite a successful trend has been demonstrated in promoting Poland's interests in military security, military-technical cooperation, and the development of joint space programs.

## **Conclusions**

Polish efforts aimed at developing a strategic partnership with the United States remain a constant in its foreign policy, regardless of the ruling party. *L&J* places a relatively greater emphasis on military cooperation, viewing it as a locomotive for developing a comprehensive partnership. In turn, *CP* believes that economic cooperation should be the top priority. In this sense, in the future, one can expect a decrease in lobbying activity in the case of *CP* coming to power, and growth in the case of *L&J* victory.

Using the services of professional lobbying organizations allows Poland to gradually develop channels of influence in the US Congress, executive departments, American think tanks and defense industry enterprises. This provides Poland increased influence on decision-making in the United States in her favor, as can be seen in the example of the first steps to expand cooperation from the military to space issues.

Initially Poland faced a number of difficulties in achieving goals through lobbying organizations. Among them are incorrect setting goals for lobbyists, irregular and insufficiently coordinated work with lobbying organizations, instability of their own foreign policy related to the specific policy of the *L&J* and *CP* parties when coming to power, an unfavorable conjuncture in the world policy prompted by the Obama administration changing the security agenda, and the later election of Donald J. Trump. And the last factor — Poland's strong dependence on US policy — will continue to have a decisive influence.

Nevertheless, Poland's lobbying of national interests in defense policy and military cooperation with the United States proved to be an effective instrument of foreign policy. Warsaw quickly learned the mistakes of its first steps: abandoned the stake on supporting only one party in the US Congress, moving on to the search for bipartisan support for its initiatives; learned to take a more flexible position in negotiations with the United States and attract not only government

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<sup>55</sup> *Joint Declaration on Defense Cooperation Regarding United States Force Posture in the Republic of Poland* // The White House. URL: <https://www.whitehouse.gov/briefings-statements/joint-declaration-defense-cooperation-regarding-united-states-force-posture-republic-poland/> (access date: 12.12.2019).

bodies and ministries, but also specialized corporations as principals, all of this without weakening state control. It also improved coordination of lobbying activities and the work of traditional foreign affairs agencies and officials.

The practice of lobbying has contributed to the deepening of bilateral cooperation in the military sphere, which has the following prospects directly affecting Russia's security interests: military-technical cooperation, joint military production, a permanent US military presence in Poland, building up NATO infrastructure and *BMD* elements. Poland uses the idea of Russian military threat to deepen ties with the United States, seeking to assume the role of the most important security partner on NATO's eastern flank. However, in addition to close military cooperation, Poland also has a broader perspective - "spillover" cooperation to high-tech civilian sectors of the economy due to product localization, as seen from the first steps taken in establishing cooperation between Poland and the United States in the space industry.

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