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VICE PRESIDENT'S TASK FORCE ON COMBATING

TERRORISM - [SENIOR REVIEW GROUP] (1 OF 2)

FOIA

S643/2

Box Number

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The above documents were not referred for declassification review at time of processing

Freedom of Information Act - [5 U.S.C. 552(b)]

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ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
166181	PAPER	ISSUE PAPER #17, RE: CURRENT POLICY REGARDING OPERATIONAL SECURITY	1	ND	B1	
166182	PAPER	ISSUE PAPER #19- CONGRESSIONAL OVERSIGHT	1	ND	B1	
166183	PAPER	ISSUE PAPER #20 - EXPANDED CAPABILITY	1	ND	B1	
166184	PAPER	ISSUE PAPER #21; RE: RESPONSE	1	ND	B1	
166185	PAPER	ISSUE PAPER NO. 22 - STRIKE FORCE	1	ND	B1	
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166188	PAPER	ISSUE PAPER NO. 31, RE: PSYCHOLOGICAL OPERATIONS	2	ND	B1	
166189	PAPER	ISSUE PAPER #39, RE: RESEARCH AND DEVELOPMENT	1	ND	B1	

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ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
166190	PAPER	ISSUE PAPER #42, RE: DEPLOYMENT	1	ND	B1
166191	PAPER	ISSUE PAPER NO. 45; PROTECTION OF FOREIGN DIGNITARIES IN THE UNITED STATES	1	ND	B1

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THE WHITE HOUSE

WASHINGTON

September 3, 1985

MEMORANDUM FOR FRED F. FIELDING RICHARD A. HAUSER

HUGH HEWITTLL H FROM:

Vice President's Task Force on Terrorism SUBJECT:

I met with Arnie Intrater on August 22, 1985, to review the NSDD which set up the Vice President's Task Force on Terrorism ("Task Force") and to anticipate some of the operational problems that the Task Force may give rise to.

Our first concern was the Federal Advisory Committee Act ("FACA"). FACA excludes from its reach:

"any committee which is composed wholly of full-time officers or employees of the Federal Government"
5 U.S.C. App. 2, § 3(2), or

"any advisory committee established or utilized by --(1) the Central Intelligence Agency; or ____

(2) the Federal Reserve System

5 U.S.C. App. 2, § 4(b)

It is our understanding that the Task Force as currently comprised qualifies under the first exemption, and may qualify under the second as well, although the NSDD makes no provision for such utilization at this time.

We also reviewed various administrative questions. A memorandum from the President to Craig Fuller, which I have not seen, authorizes payment of Task Force expenses from the "unanticipated use fund," but we are uncertain how disbursements are currently being handled.

We are also aware that Craig Coy, a White House Fellow, is acting as an assistant to Admiral Holloway, and may be handling administrative details of the Task Force's work. Finally, Larry Garrett has done some work on various conflicts questions that have arisen.

We anticipate a need to sit down with Boyden Gray and Coy to collect additional information and to alert them to the potential for triggering FACA. We would like to request from them a steady flow on information regarding the composition of the Task Force, the administrative details of its operation, and the availability of the Task Force's work product. An alternative to an informal

meeting would be a memorandum from either of you requesting the same information in written form that could be followed by a meeting to fill in any gaps. Please advise me of your preference.

cc: Arnold Intrater

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THE WHITE HOUSE

WASHINGTON

October 30, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

RICHARD A. HAUSER RIXW

SUBJECT:

Task Force on Combatting Terrorism

I have reviewed the Issue Papers circulated by Admiral Holloway on October 25, 1985, and found Issue Paper #41, "Legal System for Terrorism", and Issue Paper #42, "Deployment Policy for JSOC", deficient in that they did not demonstrate a recognition of the possible applicability of the War Powers Resolution and the Intelligence Oversight Act. I discussed this apparent deficiency with CAPT D.J. McMunn, USN, and suggested that he contact and draw upon the expertise of Abe Sofaer in this respect.

I have no comments or suggestions with respect to the other Issue Papers.

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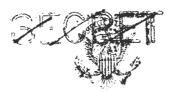
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DECLASSIFIED Sec.3.4(b), E.O. 12958, as amended White House Guidelines, Sept. 11, 2006 CNO DATE 12/16/1



OFFICE OF THE VICE PRESIDENT

WASHINGTON

5 November 1985

MEMORANDUM FOR: AMBASSADOR ROBERT OAKLEY, DEPARTMENT OF STATE

MR. J. ROBERT MCBRIEN, DEPARTMENT OF TREASURY

MR. NOEL KOCH, DEPARTMENT OF DEFENSE MR. LOWELL JENSEN, DEPARTMENT OF JUSTICE

MR. MATTHEW Z. SCOCOZZA, DEPARTMENT OF TRANSPORTATION

MR. CHARLES ALLEN, CENTRAL INTELLIGENCE AGENCY LTGEN JOHN H. MOELLRING, JOINT CHIEFS OF STAFF

MR. OLIVER REVELL, FEDERAL BUREAU OF INVESTIGATIONS

VADM JOHN POINDEXTER, NATIONAL SECURITY COUNCIL

MR. FRED F. FIELDING, THE WHITE HOUSE

DR. ALTON KEEL, OFFICE OF MANAGEMENT AND BUDGET

SUBJECT:

Senior Review Group Meeting

At the November 7th meeting of the Senior Review Group we will be discussing draft recommendations based on the issue papers distributed to you. Attached are draft recommendations and where applicable any dissenting views that surfaced from your responses.

The Vice President intends to join us. In order to insure ample time for complete discussion, the time of the meeting has been extended and will be from 3:00 p.m. to 4:30 p.m. in Room 208, OEOB.

Admiral, USN (Retired)

Executive Director

Vice President's Task/Force on Combatting Terrorism

Attachment As Stated



COGNIZANT ACTIVITY: All Agencies

SUBJECT: National Program for Compatting Terrorism

DRAFT RECOMMENDATION: The attached appendix should serve as the interim programming document of the national program for compatting terrorism.

(Note: The appendix is currently being prepared by Adm. Staser Holcomb, Terry Arnold, and members of the Working Group, based on the program element information solicited from all agencies in September. The status of this appendix will be briefed to the Task Force Principals on 12 November.)

DISSENTING VIEWS:

OMB - Informal coordination reveals that OMB may be concerned that this would transfer program-budget responsibility from the agencies to the National Coordinator (EOP).

State - Concur that the program document would be a useful, ready reference document, but that it should be maintained by the Ambassador-at-Large for Counterterrorism, not a National Coordinator.

Aly coul prepare statement de recognition of state and brai communichies.

COGNIZANT ACTIVITY: All Departments and Agencies

SUBJECT: National Policy for Combatting Terrorism

DRAFT RECOMMENDATION: The NSC should promulgate a NSDD (with the policy statements along the lines already expressed in Issue Paper No. 2) as the national policy for combatting terrorism, and NSDDs 30, 138, 179, and 180 should be superseded.

DISSENTING VIEWS: None.

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TERRORISM - [SENIOR REVIEW GROUP] (1 OF 2)

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166173 PAPER

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ISSUE PAPER #3 RE: NATIONAL ORGANIZATION. **ANNOTATED**

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COGNIZANT ACTIVITY: All Departments and Agencies

SUBJECT: Definition of Terrorism

DRAFT RECOMMENDATION: The following working definition of terrorism should be adopted by the US Government and promulgated in the NSDD establishing the national program for combatting terrorism proposed in Recommendation No. 2.

Terrorism is the unlawful use or threatened use of force or violence against individuals or property to coerce or intimidate governments or societies, often to achieve political, religious, or ideological objectives.

DISSENTING VIEWS:

State - A "universal definition" would create problems without any corresponding benefit. The US could be accused or conducting terrorism, according to the long definition proposed. If a definition is necessary in some situations, it should be a shorter definition.

CIA - Non-concur with long definition proposed; recommend the definition be brief and flexible.

NSC - Non-concur. "Terrorism is already defined in the U.S. Code (Title 50 USC)." It is a political problem, best fought with political tools, and therefore not susceptible to clear, precise definition. "...further definition and statements are a political thicket that we would do well to stay out of."

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ISSUE PAPER #5 - RE: COORDINATION/PUBLIC **DIPLOMACY**

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ISSUE PAPER #6; POLICY FOR ACTIVE RESPONSE

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ISSUE PAPER NO. 7; INTERNATIONAL AGREEMENTS FOR COMBATTING TERRORISM

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COGNIZANT ACTIVITY: STATE

SUBJECT: Extradition Treaties

DRAFT RECOMMENDATION: The State Department should continue its program of opening negotiations on extradition treaties with countries with democratic regimes and fair judicial systems with a view to limiting the scope of the political offense exception. To achieve this goal, Senate approval of the first such revision (US/UK) to be concluded is a must. The State Department appropriately has the lead in the effort to secure approval. However, assistance from other U.S. Government agencies may be essential to making the Administration's anti-terrorism case.

DISSENTING VIEWS: None

COGNIZANT ACTIVITY: STATE, DEFENSE NSC

SUBJECT: Response Options to Terrorism

DRAFT RECOMMENDATION: The Office of the National Coordinator for Compatting Terrorism in the NSC will maintain a list of current options for response to terrorist threats or incidents. The Coordinator will collect the list both through his capacity as Chairman of the Interdepartmental Group on Terrorism and as Executive Director of the TIWG, and through consultations with the other representatives on both the IG/T and the TIWG. These options should represent the widest range of actions imaginable, covert as well as overt, in order to give our nation the ability to act with a reasonable chance of success when and if required, in an infinite variety of possible scenarios. No options should be excluded because of a low likelihood of employment. This range of capabilities should better prepare the USG to respond appropriately and promptly to terrorist incidents.

DISSENTING VIEWS:

State is opposed to the idea of a National Coordinator who would chair the IG/T. They appear to approve the response option list idea, it it were handled by the Director of the TIWG.

NSC concurs, but wants CIA to prepare the list, working closely with Delense and State.

JCS agrees with the concept, but feels each cognizant agency should prepare the list and forward it through the National Coordinator; and only Defense would prepare military options.

COGNIZANT ACTIVITY: STATE, DEFENSE, CIA, JCS, FBI, DOT/FAA

SUBJECT: Counterterrorist Exercises and Simulations

DRAFT RECOMMENDATION: The Office of the Coordinator for Combatting Terrorism in the NSC should work with the IG/T and other national elements with exercise programs to coordinate a program of simulating various realistic terrorist problems and conduct interagency exercises that will afford a basis for viable contingency planning. High-level participation snould be strongly encouraged, as surrogate role-playing, while useful, does not give either side a true understanding of the likely course of events in a real situation. Post exercise debriefs and lessons learned should be widely circulated and discussed.

DISSENTING VIEWS:

State opposes the idea of a National Coordinator, but agrees that the IG/T should work with the TIWG director at the NSC to develop and run exercises. They feel that after-action reports should avoid individual fault-finding.

NSC feels that the present IG/T exercise program is sufficient.

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ISSUE PAPER NO. 11 - RE: INTELLIGENCE **FUSION CENTER**

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COGNIZANT ACTIVITY: STATE, DEFENSE

SUBJECT: Hostage Family Liaison

DRAFT RECOMMENDATION: The Ambassador-at-Large for Combatting Terrorism should be designated as the primary point of contact for liaison with the families of all American hostages who are not USG employees once the hostage situation becomes protracted (e.g. after two weeks).

DISSENTING VIEWS:

State - Retain the Office of Consular Affairs as the point of contact. Evaluate the recent improvements at State -- the creation of a special working group of CA, NE, and M/CTP -- after an appropriate period of time.

NSC - The recently organized nostage family task force at the State Department should be instituted on a permanent basis.

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ISSUE PAPER #13 RE: FOREIGN AND DOMESTIC PUBLIC AWARENESS

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ISSUE PAPER #14, RE: GOVERNMENT - MEDIA RELATIOSN DURING A TERRORIST INCIDENT

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COGNIZANT ACTIVITY: STATE, JUSTICE

SUBJECT: Murder of U.S. Citizens Outside of U.S.

DRAFT RECOMMENDATION: The Departments of State and Justice should continue their efforts in support of legislation which makes the murder of U.S. citizens outside our borders a federal crime under U.S. law.

DISSENTING VIEWS: None

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ISSUE PAPER # 16 - DEPLOYMENT

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ISSUE PAPER #17, RE: CURRENT POLICY REGARDING OPERATIONAL SECURITY

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COGNIZANT ACTIVITY: STATE, TREASURY, JUSTICE

SUBJECT: Prohibition of Training and Support/Counterterrorism/

Mercenary Training Camps

DRAFT RECOMMENDATION: Appropriate government agencies should continue the effort to employ the expanded ITAR to control the provision of defense services, including training in the use of defense articles such as firearms and explosives, to foreign nationals at mercenary camps in this country. The results of this effort should be assessed after the expanded ITAR has been in effect for one year (I January 1986). This review should determine whether additional legislation is required to ensure that training and support of terrorists is not permitted under U.S. law.

DISSENTING VIEWS: None

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ISSUE PAPER #19- CONGRESSIONAL OVERSIGHT

The above documents were not referred for declassification review at time of processing Freedom of Information Act - [5 U.S.C. 552(b)]

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ISSUE PAPER #20 - EXPANDED CAPABILITY

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ISSUE PAPER #21; RE: RESPONSE

The above documents were not referred for declassification review at time of processing Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

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ISSUE PAPER NO. 22 - STRIKE FORCE

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- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
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This issue paper is classified Top Secret and will be distributed separately to cognizant activities.

Staff Contact: Mr. B. Hutchings, 395-4950 (Secure line via WH switchboard)

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ISSUE PAPER #24 RE: INCREASED

COORDINATION

The above documents were not referred for declassification review at time of processing Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
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ISSUE PAPER #26, RE: INCENTIVES

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
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COGNIZANT ACTIVITY: STATE, JUSTICE, FBI

SUBJECT: Terrorism as a Crime

DRAFT RECOMMENDATION: The USG should not refer to terrorism as war but rather as crime.

<u>DISSENTING VIEWS</u>: It was the overwhelming opinion that the USG should not seek legislation which makes terrorism itself a crime. There was support for referring to terrorism as criminal activity.

COGNIZANT ACTIVITY: JUSTICE

SUBJECT: Death Penalty for Hostage Taking

DRAFT RECOMMENDATION: The Justice Department should pursue legislation which provides that individuals who murder U.S citizens during a hostage taking would be subject to the death penalty. It is suggested that this be included as part of Senate Bill 239, which calls for imposition of the death penalty for certain Federal crimes: treason, espionage, crimes involving the death of a person and an attempt to assassinate the President.

DISSENTING VIEWS: None

COGNIZANT ACTIVITY: JUSTICE

SUBJECT: Freedom of Information Act (FOIA)

DRAFT RECOMMENDATION: The Department of Justice should take the lead in an interagency review of the provisions of the FOIA to include determining the validity of reported abuses of the intent of the Act. If the review does in fact conclude that there are abuses, the Justice Department should develop legislation to close the loophole in the law. Counterterrorism is only one small part of this major issue.

DISSENTING VIEWS:

STATE - FOIA contains provisions to withhold records that are classified or relate to law enforcement. Requests to State Department are largely from the media.

CIA - Do not address.

OMB - If pursued, should be addressed as a broader FOIA reform, only indirectly related to terrorism.

COGNIZANT ACTIVITY: DCI, FBI

SUBJECT: Terrorism Intelligence Analysts

DRAFT RECOMMENDATION: The National Intelligence Officer for Terrorism should establish and oversee an interdepartmental career development program that will encourage a core of intelligence analysts to devote themselves to addressing terrorism as a specialty. Training, plans and resources, interagency rotations, exchanges with friendly governments, and participation in various agency and CINC gaming evolutions should be included in the program.

DISSENTING VIEWS:

CIA - Worthy objective; difficult to achieve.

JCS - Doubtful CT specialists would be useful.

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ISSUE PAPER NO. 31, RE: PSYCHOLOGICAL OPERATIONS

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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COGNIZANT ACTIVITY: STATE, TREASURY, JUSTICE, CIA

SUBJECT: Controlling Cross-Border Travel of Known or Suspected

Terrorists

DRAFT RECOMMENDATION: The State Department should take the lead in an interagency effort to upgrade existing systems or recommend development of a new computerized system to monitor cross-border people movements. Upgrading of the State Department's Automated Visa Outlook System (AVLOS) may have application in this area.

Treasury (Customs), State and Justice (INS) should look at the possible expansion of the Treasury Enforcement Computer Systems (TECS), particularly the terrorist category (TECS-T), used by Customs and INS officials at ports of entry.

State should pursue the development of its improved visa lookout system CLASS (Consular Lookout and Support System), which will be able to interact with other countries' lookout systems.

State should also continue to urge other countries to establish visa lookout systems and to share the results with us. Efforts such as those already being undertaken by State and CIA with selected friendly governments, inter alia to associate the United States with European Community systems for controlling cross-porder movements of terrorists, should be emphasized.

State should consider including this issue in the ATA Program, that an R&D effort be directed to developing a uniform system that could inter-link friendly countries, and that resources be provided to assist friendly countries in acquiring hardware presently unavailable to them.

DISSENTING VIEWS:

- STATE Generally agreed with the draft proposal but considerably expanded the scope of the recommendations. (Comments incorporated).
- OSD Generally concurred but expanded the recommendation to include other initiatives. (Comments incorporated).

COGNIZANT ACTIVITY: STATE

SUBJECT: Review of Provisions of Vienna Convention

DRAFT RECOMMENDATION: The State Department should continue efforts with selected other governments to tighten the interpretation and application of the Convention. A resolution for presentation to the U.N. General Assembly condemning use of the facilities, privileges and immunities provided to diplomats pursuant to the Vienna Convention or customary international law to support or protect terrorist action could help to provide political and moral impetus to our efforts to counter this abuse.

DISSENTING VIEWS: None

COGNIZANT ACTIVITY: TRANSPORTATION

SUBJECT: Preventing Flyaway of Hijacked Aircraft

DRAFT RECOMMENDATION: Issue withdrawn based on consensus of inputs

received.

DISSENTING VIEWS: N/A

COGNIZANT ACTIVITY: STATE, DEFENSE, CIA, JCS

SUBJECT: Country Team Briefings

DRAFT RECOMMENDATION: The Department of State should arrange for and require all Ambassadors, DCMs, Chiefs of Station, and Military Attaches to be briefed on USG policies, resources and capabilities committed to combatting terrorism. This briefing should be provided in conjunction with a risk assessment of the particular country and region.

COMMENTS:

State agrees, but would expand the proposal, increase FSI courses, and make the course/s mandatory for all USG employees whose parent agencies do not have equivalent courses.

COGNIZANT ACTIVITY: NSC, FBI, TREASURY, STATE

SUBJECT: U.S. Infrastructure Vulnerabilities

DRAFT RECOMMENDATION: The National Coordinator for Combatting Terrorism (proposed in Issue Paper No. 3) in his capacity as Chairman, IG/T, should prepare an action plan to identify the extent to which these infrastructure assets are vulnerable and propose near- and long-term programs to rectify what appears to be a potentially serious national security problem.

DISSENTING VIEWS:

- NSC The IG/T was directed by the NSC in 1983 to review this problem; the Congress requested similar action in 1984. The IG/T should prepare an action plan addressing these issues. (Comment incorporated.)
- JUSTICE Agreed that FEMA should have a role, but non-concurred that FEMA take the lead in the effort. (Comment incorporated.)

COGNIZANT ACTIVITY: JUSTICE

SUBJECT: Interference with the Movement of Nuclear Material

DROP AS AN ISSUE

COGNIZANT ACTIVITY: JUSTICE

SUBJECT: Improved Security for Nuclear Reactor Facilities

DRAFT RECOMMENDATION: The Justice Department should pursue legislation to permit nuclear reactor licensees access to FBI criminal history tiles.

DISSENTING VIEWS: None

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ISSUE PAPER #39, RE: RESEARCH AND DEVELOPMENT

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Staff Contact: CAPT D. L. McMunn, USN, 395-4950 (Secure line via WH switchboard)

COGNIZANT ACTIVITY: STATE, JUSTICE

SUBJECT: Adequacy of the International Legal System to Deal with

Terrorism

DRAFT RECOMMENDATION: The Departments of State and Justice should continue government-to-government contacts and stimulate appropriate private and academic initiatives that address the relationship between terrorism and the domestic and international legal system. State and Justice should seek every opportunity to improve the international consensus for governments to act in counter-terrorist events to the full extent of the authority available to them.

DISSENTING VIEWS:

JUSTICE - Questions the appropriateness as well as the need for governmental support to private sector initiative.

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ISSUE PAPER #42, RE: DEPLOYMENT

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information ((b)(4) of the FOIA1
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
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COGNIZANT ACTIVITY: All Departments and Agencies

SUBJECT: U.S. Presence Abroad

DRAFT RECOMMENDATION: The Department of State should direct Ambassadors in all designated high-threat areas to institute a thorough review of the personnel requirements of all Agencies represented in-country, in order to reduce the exposure of personnel and facilities to terrorist attacks to the minimum consistent with effectiveness. The review should carefully examine the question of hardening all Embassy-related facilities, or including them within a security perimeter, regardless of practices prevailing elsewhere. The Department of Defense should direct the appropriate CINCS to undertake similar reviews for their commands.

DISSENTING VIEWS:

State - NSC should create an interagency committee of all agencies with representation abroad to report to the NSC the results of each agency review, so that appropriate reductions or personnel abroad can be ordered.

COGNIZANT ACTIVITY: STATE, CIA, DEFENSE

SUBJECT: International Research, Development and Acquisition (RD&A)
Initiatives

DRAFT RECOMMENDATION: The State Department, through the Interdepartmental Group on Terrorism (IG/T), should continue to pursue bilateral arrangements for RD&A exchanges with selected foreign counterparts such as are now ongoing with the British and Israelis. Each arrangement should ultimately be based on a formalized statement of goals and objectives, funding agreements where appropriate and a general understanding of what's expected of each party. Above all, these combatting terrorism programs should be highly compartmented and structured on a quid pro quo basis in order to protect and enhance US political, military, and technological interests.

DISSENTING VIEWS:

STATE - Generally agrees with the draft proposal put prefers a less formalized approach, i.e., "We recognize how difficult it is to structure formally bilateral relationships on a matter as sensitive as counterterrorism defensive capabilities and technologies. We need to keep pressing for greater cooperation, while understanding that progress, which will be based on mutual trust, will develop slowly."

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ISSUE PAPER NO. 45; PROTECTION OF FOREIGN DIGNITARIES IN THE UNITED STATES

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