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[Earl, Robert] (4)

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WITHDRAWAL SHEET

Ronald Reagan Library

Collection: COUNTERTERRORISM AND NARCOTICS, NSC:
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File Folder: NSDD 207: Responses to Issue Papers [Earl, Robert]
(4 of 4) Page 1 Box ~~91956~~ RAC Box 10

Date: 11/2/00
Wills/F97-082/2

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. Draft Paper	Issue Paper No. ___ re: Deployability...., 1 p. <i>D 3/24/01 NLSF97-082/2 #80</i>	n.d.	P1/B1
2. Draft Paper	Issue Paper No. ___, re: Deployability..., Marked "Old Version", 1 p	n.d.	P1/B1
3. Draft Paper	<i>D</i> " " " #81 Copy of Item #1, with edits, 1 p.	n.d.	P1/B1
4. Draft Paper	<i>D</i> " " " #82 Copy of Item #2, with edits, 1 p.	n.d.	P1/B1
5. Draft Paper	<i>D</i> " " " #83 Issue Paper No. ___, re: Hostage Family..., 1 p.	n.d.	P1/B1
6. Draft Paper	<i>R 10/11/02</i> " " #84 same text as #5, 1 p.	n.d.	P1/B1
7. Draft Paper	<i>R</i> " " " #85 Issue Paper No. ___, re: Hostage Family..., with edits, 1 p.	n.d.	P1/B1
8. Draft Paper	<i>R</i> " " " #86 Issue Paper No. 50, 1 p.	n.d.	P1/B1
9. Draft Paper	<i>R</i> " " " #87 Issue Paper No. 50, 1 p.	n.d.	P1/B1
10. Draft Paper	<i>R</i> " " " #88 Issue Paper No. 12, marked with Post-it as "Peck rewrite," 2 p.	[12/2/85]	P1/B1
11. Draft Paper	Issue Paper No. 12 (merger w/50), 2 p.	12/2/85	P1/B1
12. Note	Bob Earl to Adm. Holloway, 1 p. <i>R 10/11/02 NLSF97-082/2 #91</i>	12/2/85	P1/B1
13. Draft Paper	Issue Paper No. 12, 1 p. <i>D 10/17/02 NLSF97-082/2 #92</i>	12/2/85	P1/B1 82
14. Draft Paper	Issue Paper No. 50, marked "Sam Watson Comments", 1 p. <i>R 10/11/02 NLSF97-082/2 #93</i>	12/2/85	P1/B1
15. Draft Paper	Issue Paper No. 12/50, marked "Peck rewrite, Early Draft," 5 p.	n.d.	P1/B1
16. Draft Paper	Issue Paper No. 12 (Significant Revision), 2 p.	n.d.	P1/B1

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

- B-1 National security classified information [(b)(1) of the FOIA].
- B-2 Release could 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 commercial or financial information [(b)(4) of the FOIA].
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

WITHDRAWAL SHEET

Ronald Reagan Library

Collection: COUNTERTERRORISM AND NARCOTICS, NSC:
Records
File Folder: NSDD 207: Responses to Issue Papers [Earl, Robert]
(4 of 4) Page 2 ~~Box 91956~~ *RAC Box 10*

Archivist: dlb
Date: 11/2/00
Wills/F97-082/2

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
17. Draft Paper	Issue Paper No. 6, 2 p. <i>R 10/11/02 NSCF97-082/2 #96</i>	n.d.	P1/B1
18. Memo	for the Record, re: SRG Meeting of 11 December 1985, 7 p. <i>R u u #97</i>	12/11/85	P1/B1
19. Draft Paper	Recommendation No. 12, marked "16 Dec Version," 2 p.	n.d.	P1/B1
20. Draft Paper	Issue Paper No. 12, 1 p.	11/25/85	P1/B1
21. Note	Handwritten insert for Issue Paper No. 12, 1 p. <i>D 6/17/02 NSCF97-082/2 #100</i>	n.d.	P1/B1 <i>B2</i>
22. Draft Paper	Recommendation No. 12, 2 p.	n.d.	P1/B1
23. Chart	re: Libyan Peoples Bureau, 1 p. <i>D 5/11/01 NSCF97-082/2 #102</i>	[1986]	P1/B1, <i>B3</i>
24. Paper	re: NSDD 207, 1 p. <i>PART 10/11/02 u #103</i>	n.d.	P1/B1
25. Paper	re: Implementation of Recommendations from VPTF Report on Combatting Terrorism, 3 p. <i>PART u u #104 R 3/18/08</i>	n.d.	P1/B1 <i>MOS-011 #10167</i>
26. Paper	Detailed Status Report on NSDD 207 Actions, edited, 2 p. <i>u u #05 R 3/18/08</i>	n.d.	P1/B1 <i>MOS-011 #10168</i>
27. Paper	Copy of #26, heavily edited, 2 p.. <i>PART u #106 R 3/18/08</i>	n.d.	P1/B1 <i>MOS-011 #10169</i>
28. Draft Memo	For President, re: Has NSDD 207, the National Program for Combatting Terrorism....., edited, 1 p.	7/1/86	P1/B1
29. Draft Memo	Copy of Item #28, unedited, 1 p. <i>R u u #107 #108</i>	7/1/86	P1/B1

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
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BY ADJ NARA, DATE 10/11/02

ISSUE PAPER NO. _____

COGNIZANT ACTIVITY: STATE, DEFENSE, JUSTICE, NSC

SUBJECT: Hostage Family Meetings with the President and the Vice
President

ISSUE: Once the initial shock of a family member being taken hostage wears off, most families become increasingly frustrated at the lack of movement in the return of their kin. Some families even blame their government for their frustration -- not the terrorists -- believing that the government isn't doing enough to get the hostages back, even if that entails giving in to the terrorists' demands. Pressure from the families builds to see "the highest levels" of the government, including the President and the Vice President. Meetings between the President (or Vice President) and hostage families place the President in a "no win" situation -- he can only lose in the long run. The best he can hope for is to buy a small amount of time before the hostage families feel even more frustrated that seeing the President hasn't helped return their family member either. This unresolvable frustration could lead to the hostage families taking advantage of confidences shared by the President in their effort to use the media to further their single, all-consuming purpose.

PROPOSAL: The President and Vice President should state as a matter of policy that they will not meet with families of hostages until after the hostage situation is resolved because they do not want to play into the hands of the terrorists by restricting their freedom of action in resolving the hostage situation. The Government should stress the theme that US citizens whose family members may fall victim to international terrorism must understand as responsible citizens that they should not burden the President or restrict his

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NLS

F97-082/2 #85

~~SECRET~~

BY

LTI

NARA DATE

10/11/02

ISSUE PAPER NO. _____

COGNIZANT ACTIVITY: STATE, DEFENSE, JUSTICE, NSC

SUBJECT: Hostage Family Meetings with the President and the Vice President

ISSUE: Once the initial shock of a family member being taken hostage wears off, most families become increasingly frustrated at the lack of movement in the return of their kin. Some families even blame their government for their frustration -- not the terrorists -- believing that the government isn't doing enough to get the hostages back, even if that entails giving in to the terrorists' demands. Pressure from the families builds to see "the highest levels" of the government, including the President and the Vice President. Meetings between the President (or Vice President) and hostage families place the President in a "no win" situation -- he can only lose in the long run. The best he can hope for is to buy a small amount of time before the hostage families feel even more frustrated that seeing the President hasn't helped return their family member either. This unresolvable frustration could lead to the hostage families taking advantage of confidences shared by the President in their effort to use the media to further their single, all-consuming purpose.

PROPOSAL: The President and Vice President should state as a matter of policy that they will not meet with families of hostages until after the hostage situation is resolved because they do not want to play into the hands of the terrorists by restricting their freedom of action in resolving the hostage situation. The Government should stress the theme that US citizens whose family members may fall victim to international terrorism must understand as responsible citizens that they should not burden the President or restrict his freedom of action by demanding a meeting with him.

STAFF CONTACT: LTCOL R. L. Earl, 395-4950.

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JUSTICE need better word for family members!

ISSUE PAPER NO. _____

COGNIZANT ACTIVITY: STATE, DEFENSE, ~~DOO~~, NSC

SUBJECT: Hostage Family Meetings with the President and the Vice President

ISSUE: Once the initial shock of a family member being taken hostage wears off, most families become increasingly frustrated at the lack of movement in the return of their loved one. Some families even blame their government for their frustration -- not the terrorists -- believing that the government isn't doing enough to get the hostages back, even if that entails giving in to the terrorists' demands. Pressure from the families builds to see "the highest levels" of the government, including the ~~Vice~~ President and the President. Meetings between the President (or Vice President) and hostage families place the President in a "no win" situation -- he can only lose in the long run. The best he can hope for is to buy a small amount of time before the hostage families feel even more frustrated that seeing the President hasn't helped return their loved one either. This unresolvable frustration could lead to the hostage families taking advantage of confidences shared by the President in their effort to use the media to further their single, all-consuming purpose.

family member

~~Staff to the President and the National Security Advisor
President and Vice President~~

PROPOSAL: The ~~President and Vice President~~ should state as a matter of policy that ~~they~~ will not meet with families of hostages until after the hostage situation is resolved because they do not want to play into the hands of the terrorists by restricting their freedom of action in resolving the hostage situation. The Government should stress the theme that ~~it is the "patriotic duty"~~ of US citizens whose family members may fall victim to international terrorism not to burden the President or restrict his freedom of action by demanding a meeting with him.

STAFF CONTACT: LTCOL R. L. Earl, 395-4950.

must understand ~~as a matter of~~ as responsible citizens that they ~~can~~ should

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OK re



OFFICE OF THE VICE PRESIDENT
WASHINGTON

27 November 1985

MEMORANDUM FOR: John M. Poindexter *1 Flr X 2257*
Deputy Assistant to the President for National
Security Affairs

FROM: Robert L. Earl *R.L. Earl*
Working Group Member
Task Force on Combatting Terrorism

Subject: Issue Paper No. 50 (Hostage Family Meetings with the
President and the Vice President)

At today's Senior Review Group meeting Admiral Holloway mentioned that the development of issues would be continuing throughout the life of the Task Force. Within the Working Group we have developed a proposed issue paper that recommends a policy concerning hostage family meetings with the President and Vice President during an on-going hostage situation.

As the Task Force Working Group point of contact on this issue, I would like to solicit your informal comments on the usefulness of distributing this issue paper to the Senior Review Group. I can be reached on 395-4950.

Enclosure As Stated

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UNCLASSIFIED UPON REMOVAL OF
CLASSIFIED ENCLOSURE(S) *dlw 11/1/00*

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OFFICE OF THE VICE PRESIDENT
WASHINGTON

27 November 1985

MEMORANDUM FOR: Richard A. Hauser *2 Flr x 6611*
Deputy Counsel to the President

FROM: Robert L. Earl *R.L. Earl*
Working Group Member
Task Force on Combatting Terrorism

Subject: Issue Paper No. 50 (Hostage Family Meetings with the
President and the Vice President)

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Enclosure As Stated

UNCLASSIFIED UPON REMOVAL OF
CLASSIFIED ENCLOSURE(S) *dlr 11/1/00*

(Unclassified upon removal of enclosure.)

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the importance of

** (See Issue Paper No. 12 for a discussion of government efforts to keep hostage families informed and assured that senior levels of the Administration are involved.)*

~~SECRET~~

ISSUE PAPER NO. 50

COGNIZANT ACTIVITY: STATE, DEFENSE, JUSTICE, CHIEF OF STAFF TO THE PRESIDENT, NSC

SUBJECT: Hostage Family Meetings with the President and the Vice President

ISSUE: Once the initial shock of a family member being taken hostage wears off, most families become increasingly frustrated at the lack of movement in the return of their kin. * Some families even blame their government for their frustration -- not the terrorists -- believing that the government isn't doing enough to get the hostages back, even if that entails giving in to the terrorists' demands. Pressure from the families builds to see "the highest levels" of the government, including the President and the Vice President. Meetings between the President (or Vice President) and hostage families ^{can} place the President in a "no win" situation -- he can only lose in the long run. The best he can hope for is to buy a small amount of time before the hostage families feel even more frustrated that seeing the President hasn't helped return their family member either. This unresolvable frustration could lead to the hostage families taking advantage of confidences shared by the President in their effort to use the media to further their single, all-consuming purpose.

PROPOSAL: The President and ^{normally} Vice President should state as a matter of policy that they will not meet with families of hostages until after the hostage situation is resolved because they do not want to play into the hands of the terrorists by restricting their freedom of action in resolving the hostage situation. The Government should stress the theme that US citizens whose family members may fall victim to international terrorism must understand as responsible citizens that they should not burden the President or restrict his freedom of action by demanding a meeting with him.

STAFF CONTACT: LTCOL R. L. Earl, 395-4950.

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NLS F97-082/2 #87

BY LOT NARA DATE 10/11/02

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ISSUE PAPER NO. 50

COGNIZANT ACTIVITY: STATE, DEFENSE, JUSTICE, CHIEF OF STAFF TO THE PRESIDENT, NSC

SUBJECT: Hostage Family Meetings with the President and the Vice President

ISSUE: Once the initial shock of a family member being taken hostage wears off, most families become increasingly frustrated at the lack of movement in the return of their kin. (See Issue Paper No. 12 for a discussion of the importance of government efforts to keep hostage families informed and assured that senior levels of the Administration are involved.) Some families even blame their government for their frustration -- not the terrorists -- believing that the government isn't doing enough to get the hostages back, even if that entails giving in to the terrorists' demands. Pressure from the families builds to see "the highest levels" of the government, including the President and the Vice President. Meetings between the President (or Vice President) and hostage families can place the President in a "no win" situation -- he can only lose in the long run. The best he can hope for is to buy a small amount of time before the hostage families feel even more frustrated that seeing the President hasn't helped return their family member either. This unresolvable frustration could lead to the hostage families taking advantage of confidences shared by the President in their effort to use the media to further their single, all-consuming purpose.

PROPOSAL: The President and Vice President should state as a matter of policy that they will not normally meet with families of hostages until after the hostage situation is resolved because they do not want to play into the hands of the terrorists by restricting their freedom of action in resolving the hostage situation. The Government should stress the theme that US citizens whose family members may fall victim to international terrorism must understand as responsible citizens that they should not burden the President or restrict his freedom of action by demanding a meeting with him.

OPTIONS: The more active outreach program recommended in Issue Paper No. 12 (Hostage Family Liaison) should weigh against meetings between the President or Vice President and hostage family members during an on-going hostage situation.

STAFF CONTACT: LTCOL R. L. Earl, 395-4950.

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BY HOS NARA, DATE 10/11/02

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Peck Rewrite.

2 Dec

1. VP's office concurs with merger of 12 & 50.
2. Adm Poindexter would prefer that Issue 50 be dropped, but if merged with Issue 12 should merely point out possible dangers or problems to look for.
3. Richard Hauser concurs with merger of 12 & 50.

v/R Bob Earl

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2 Dec

OFFICE OF THE VICE PRESIDENT
WASHINGTON, D.C.

Adam Holloway -

The VP had some reservations with the "strength" or apparent insensitivity to the plight of hostage families in our draft issue #50. He suggested several parts be softened.

Sam Watson, in conveying these concerns of the VP, suggested we merge 50 into the existing #12 (Hostage Family Liaison). This approach has the advantage of not having a separate, explicit issue paper recommending President not meet w/ hostage families.

Attached is my first cut at "merging" the two issue papers....

FILE F97-082/2 #91

WJ MARK DATE 10/11/02

v/R Bob Earl

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Washington has their own contacts as a primary team. Don't forget. In this way the families will know that they are being informed of current activities and progress. Appointed for each family with respect to information, and progress when nothing is being done.

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ISSUE PAPER NO. 50

COGNIZANT ACTIVITY: STATE, DEFENSE, JUSTICE, CHIEF OF STAFF TO THE PRESIDENT, NSC

SUBJECT: Hostage Family Meetings with the President and the Vice President

ISSUE: Once the initial shock of a family member being taken hostage wears off, most families become increasingly frustrated at the lack of movement in the return of their kin. (See Issue Paper No. 12 for a discussion of the importance of government efforts to keep hostage families informed and assured that senior levels of the Administration are involved.) Some families even blame their government for their frustration -- not the terrorists -- believing that the government isn't doing enough to get the hostages back, even if that entails giving in to the terrorists' demands. Pressure from the families builds to see "the highest levels" of the government, including the President and the Vice President. Meetings between the President (or Vice President) and hostage families can place the President in a "no win" situation -- he can only lose in the long run. The best he can hope for is to buy a small amount of time before the hostage families feel even more frustrated that seeing the President hasn't helped return their family member either. This unresolvable frustration could lead to the hostage families taking advantage of confidences shared by the President in their effort to use the media to further their single, all-consuming purpose.

increased outreach effort to the families of American hostages. We should have a highly contact-oriented (visits, hot-line phones, personal

PROPOSAL: ^{Senior officials, including} The President and Vice President should state as a matter of policy that they will not normally meet with families of hostages. until after the hostage situation is resolved because they do not want to play into the hands of the terrorists by restricting their freedom of action in resolving the hostage situation. The Government should stress the theme that US citizens whose family members may fall victim to international terrorism must understand as responsible citizens that they should not burden the President or restrict his freedom of action by demanding a meeting with him.

OPTIONS: The more active outreach program recommended in Issue Paper No. 12 (Hostage Family Liaison) should weigh against meetings between the President or Vice President and hostage family members during an on-going hostage situation.

STAFF CONTACT: LTCOL R. L. Earl, 395-4950.

*Sam Watson
comments
2 Dec*

*F97-082 #93
10/16/02
NSC*

To meet during a hostage crisis and thus prolong it, delay resolution giving the terrorists the media visibility they thrive on. We should resist demands for such meetings, emphasizing instead an

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ISSUE PAPER NO. 6

COGNIZANT ACTIVITY: All Departments and Agencies

SUBJECT: Policy for Active Response to Terrorist Threats and Incidents

ISSUE: There has been persistent public criticism that the USG is incapable of or lacks resolve for taking action in the case of a terrorist threat or incident. The tough policy of the Israeli Government in preempting, reacting to, and retaliating against terrorists is a frequently cited example of an effective policy for the deterrence of terrorism. On the other hand, public opinion polls have shown that the majority of Americans are opposed to actions in response to terrorism that would endanger the lives of hostages or cause casualties to bystanders or even the families of the terrorists. Obviously these two public attitudes are incompatible. This is a principal dilemma faced by the American public in dealing with terrorism -- Americans abhor terrorism but do not know what should be done about it.

A more sophisticated criticism within this general public attitude is that the US Government at least ought to be consistent in the actions taken in response to terrorism. Again, this is an unrealistic demand because acts of terrorism are by their very nature so varied as to circumstances of time, location, jurisdiction, and motivation that consistency in the response is impossible. Reactions must be tailored to the individual conditions and circumstances of the episode, and conform to the underlying political environment and the prevailing national attitude.

Nevertheless, it is essential that some positive steps be taken to reassure the American people that the USG will take positive action when the best national interests so dictate and will remain firm in its resolve to bring about an outcome to each terrorist episode that is most favorable to the broadest American interests.

RECOMMENDATION: Because it is not possible to have an active response to each terrorist threat or incident, nor should one expect the reaction to be similar or even operationally consistent in each case, the best remaining alternative is to follow the same policy guidelines in formulating actions to be taken in response to terrorist threats or incidents.

EMBODYING ALL THE CRITERIA AFFECTING THE DECISIONS,
There should be established for TIWG guidance, a realistic policy framework in which the key decisions on the use of force in preemption, reaction, and retaliation can be formulated. By addressing each threat or incident within this policy framework, a consistency in the decision-making process for response can be attained BY THE TIWG, SSC OR OTHER DECISION-MAKING BODY.

THE ICI/T SHOULD PREPARE, AND SUBMIT IT TO THE NSC FOR APPROVAL,

~~SECRET~~

NLS F97-082/2#96

BY LOT NARA, DATE 10/11/02

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The initial drafting of this policy should be done by the Interdepartmental Group on Terrorism (IG/T) to be submitted to the National Security Council (NSC) for approval. This policy should include a set of criteria to be examined in each case in the process of arriving at the appropriate actions.

Sample criteria would include the following:

- Adquacy of information
- Reliability of intelligence
- Status of forces for preemption, reaction, or retaliation.
- International cooperation.
- Legality in both domestic and international terms.
- Risk analysis: What is acceptable risk?
- Probability of success (including definition of "success")
- Proportionality of forces and damage to the terrorist act.
- Political reaction of allies.
- UxSx public attitude.
- Probable media reaction.
- Potential for collateral injury to those other than responsible terrorists.
- Conformance with national policy and precedence.
- Conformance with national standards of morality and ethics.

INITIALLY OF ~~The second avenue of approach to resolution of this problem is to precondition public perceptions.~~ ^{IN ADDITION,} There should be a major effort to educate the American people in the many ramifications involved in the use of force indiscriminately in responding to terrorism. This should be accomplished primarily through the Task Force's unclassified public report. ~~This document should contain a very carefully prepared and straightforward explanation of the tradeoffs involved in the use of force in preempting, reacting to, and retaliating against a terrorist threat or incident. This discussion should cover points such as the endangering of hostages; the killing of innocent people, the alienation of allies through the violation of territorial rights and the destruction or damage to their property and facilities; complicating the hostage situation through the possibility of prisoners being taken from the reaction forces, the potential loss of life and equipment in a military operation in reaction; and, the invitation to reprisal operations by the terrorists or their allies or hosts.~~ *THE PUBLIC AFFAIRS*

COMMITTEE OF THE IG/T SHOULD FOLLOW UP.

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*Ed - This is useful
back up for discussion
with Oakley/Borg.*



Return to Bob Earl.

(This cover sheet is unclassified when separated from classified documents)

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11 December 1985

MEMORANDUM FOR THE RECORD

Subject: SRG Meeting of 11 December 1985

Admiral Holloway convened the meeting at 0934 and reviewed the Task Force schedule. Concurrent with the Principals Meeting on 16 Dec, the Working Group will be continuing to revise the draft, incorporating agency comments. The Working Group will need agency comments by Monday afternoon (16 Dec) to incorporate them in the next draft. On 18 Dec the next (i.e. final) draft will be distributed. The Working Group will need agency concurrence by noon on Thursday, 19 Dec.

On 7 Jan an NSPG meeting is scheduled to consider a draft NSDD implementing the TF recommendations, and to hear a 20-minute presentation by the Ney Group. Adm Holloway indicated that the Ney Group would be broadening the geographic scope of its survey as well as updating it since the EgyptAir hijacking. Ollie North indicated that the President would be presented the report on 20 December, as well as a discussion of some of the issues addressed by the the TF. During the holidays, the NSC staff (along with some members of the Working Group...?) would prepare the draft NSDD.

Adm Holloway indicated that the approved report would be sanitized and used in conjunction with a contractor to prepare the public report. He expressed a desire for the SRG to meet again (under different sponsorship, since the TF will be dissolved on 20 December) to comment on the public report.

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Adm H. reviewed the comments received from the agencies:
DOJ came in early, and all comments were OK.
Treasury = all OK.
FBI = all OK.
OMB = all except one comment OK.
CIA = all except one comment OK.
JCS = all except one comment OK.
State = extensive comments, more than half can be incorporated, but that we should sit down with Parker or his staff to discuss the others. Parker indicated "the staff" was small and out of town, but that he was available for the meeting.
DoD = all OK except Issue #3.

Adm H. then reviewed the new or significantly rewritten sections of the second draft: Exec Summary, D (Strategies), G (Resources), H (Combatting Terrorism), K (Public Attitudes), Conclusions, V (New Issues section), and the Annexes. He indicated that we can incorporate all the comments, consulting with each of the agencies, except Recommendation #3, which is an NSC rewrite with all agency chops except DoD. DoD's fix is a major change in the way this government operates. We don't feel that we can get concurrence on this by the 20th.

Adm H. indicated he had discussed the following proposal informally with the VP: Leave #3 as is and include DoD's proposal in section V. Then, ask if DoD will concur with #3. If not, Adm H. will indicate to the Chairman that a DoD footnote will be added on Issue 3. To ignore this important issue for 100% unanimity would defeat the purpose of the TF.

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Tom McHugh (for Noel Koch, who was ~~significantly~~ absent) asked if DoD was going to get comments back on the Koch proposal, distributed at the last SRG meeting. Adm H. indicated no, that there had been no ^{to a} single written comment in support of the proposal; telephonic comments had all been negative. McHugh then passed out a Gen Scholtes' (former JSOC commander) letter on the command & control issue. He also thinks that Koch will accept Adm H's proposal.

North suggested substituting "should" vice "will" in Issue #3. The NSDD will be directive in nature; the TF report isn't directive elsewhere. Adm H. agreed.

Parker Borg stated that State may choose to non-concur. They still have problems with the following issues: #6, 12, 25, 36, & 39. Charlie Allen vigorously opposed dropping #39, suggesting this issue -- a shortage of R&D funding -- needs to go to the President.

Larry Lippe said that DOJ had a lot of problems with Issue #54. North indicated that Vickie Toensing (DOJ) was already doing a lot on the issue (private sector activities such as paying ransome). Why should we want to withdraw the recommendation? Allen indicated it was one of the more responsible recommendations. North stated that as a consequence of Lloyd's activities (with Control Risks), people are much better protected. Maybe criminalization is the wrong approach. Adm H. said that we can't turn our backs on hard issues. The TF isn't making the decision, but merely asking the agencies to make the decision. It ought to be looked at. Buck Revell, FBI, agreed that there ought to be a study of the issue. Bob McBrien, Treasury, suggested that FBI's domestic experience with ransom payments may help with the overseas problem.

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Concerning Issue #3, McBrien asked whether inclusion of Koch's proposal in section V would be undermining Issue #3. Adm H. said no, that anybody can suggest anything. If we stopped it, we'd be open even more to criticism. Revell said it should be kept in the classified document only; it was a policy issue that should not be in the public document. Adm H reminded that this was one of the reasons he was suggesting the SRG (in another form) meet in January to ensure that the public report contains no material that should properly remain classified.

Revell asked if the agencies would get a "heads up" on any controversy before the Principals' meeting. Adm H indicated yes, to the extent our "network" works....

Lippe asked if there was "room" for language changes now, before the next version. Adm H said yes, although acknowledging that there wasn't much time left. He believed there should only be big issues (if any) brought up in the last stage. Allen asked whether other agencies would be getting WashFax copies of any rewrites made by State. Adm H. said no, that most of the changes would probably be matters of style and balance, but that if the changes substantively involve any other agency, we would notify them. (Trust me....)

DISCUSSION OF SPECIFIC ISSUES

Issue #6. Borg repeated State's original suggestion that Issue #6 be incorporated in #9. It's much too restrictive, dangerous to go into so much detail publicly, and furthermore the IG/T won't take it on. Each incident is so different; there are so many changes in technology and capabilities that a constant update would be required. North supported this in part, but suggested that #6 was

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intended to be generic rather than a checklist. Adm H confused Issue #9 with #6 at first, but then pointed out that #6 was intended to satisfy Congressional concerns of "no policy" or for the policy for proactivity. We should make the decision to be proactive on the same criteria each time. The issue is intended for the public more than for its usefulness to planners.

Borg expressed concern that Congress would pin us down (to our own criteria) after an incident. Adm H. asked if we could recast the issue. Borg insisted that #6 remain general, that CIA would not be required to submit lists of capabilities every time.... North saw the issue as an opportunity! He cited the SSCI & HPSCI beating up on McFarlane et. al. on why they hadn't used JSOC yet. North saw Issue #6 as a chance to educate people. Adm H agreed that it's intended as a statement of philosophy, not a computer program. It's calculated; we do these things through a deliberate process.

Issue #12: Borg said it wasn't wise to discuss this issue. North stated that they had collaborated in the rewrite, that we were pointing out potential problems with Presidential meetings with hostage families, not stating a policy against meetings. Borg agreed.

Issue #25: Borg had language problems with the reward issue, suggesting some things stated were not in accordance with the law. He also had a problem with the mention of PSYOPS. North said we've been sitting on the rewards for the Hizbollah kidnappers, fearing that the Beirut hostage would be killed if we issued a reward. Adm H. agreed and suggested that we substitute the word "consider" the issuance of a reward. Revell asserted that we don't want automatic posting of the reward, that there are sometimes specific tactical reasons not to go forward with a reward.

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Issue #36: Borg said the vulnerabilities issue is totally outside the IG/T. It's a FEMA responsibility, and they aren't in the IG/T. North pointed out that FEMA is a member of the TIWG and that it probably should be a member of the IG/T also. FEMA should be integrated into the (combatting terrorism) organization and should be energized in the right direction. Adm H agreed that FEMA should be recommended to be put on the IG/T and that FEMA would investigate the vulnerabilities. Borg agreed that FEMA should be added. North stated that the NSDD would direct that FEMA be added to the IG/T.

Issue #39: Borg had no problem with the recommendation, but it should be dropped because the problem is now fixed. He turned to OMB for support, but OMB undermined his position by stating they hadn't seen the document he claimed had been sent.... North recommended that OMB be added to the recommendation immediately behind "NSC staff," since the NSC had no money and a team effort was required. Adm H agreed that the language needs to be cleaned up and the harsh criticism removed from the discussion.

Issue #1: Bob Howard raised an OMB problem with the references to a programmatic document. The document is merely description, not a budgetary one. Adm H agreed that it was merely intended to be a helpful document, and that Adm Holcomb would discuss language with OMB.

Narrative: North wanted to add some words on the Malta and Bogota incidents in order to support an expansion of the ATA program. Borg stated that currently the ATA program was strictly for civilian agencies. North repeated that the whole panoply of

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military, intelligence, as well as police capabilities had to be addressed. Borg pointed out that we would have the same problem on the Hill as with the Central America package. Adm H agreed to add a section on the Malta & Bogota incidents, with a recommendation in section V (New Issues). North requested that we at least try to get agency concurrences before the 20 Dec deadline. He suggested that he and Parker and Allen could get together to draft the issue. The government efforts in this area are wholly disconnected.

Adm H reminded the SRG members that although the TF would be disestablished on 20 Dec, the members of the SRG would meet again after 7 Jan to discuss the NSDD results and the status of the public report. He suggested that either the VP or the NSC would be sponsoring such a meeting. Howard asked if they would be seeing a draft of the public report. Adm H said that was what such a meeting was for.

North suggested that Annex G was useful in the classified report but should not be in the public document, nor in the document going to the Congress (since NSDDs are controlled and a compilation is not published anywhere). Adm H agreed that perhaps we could make the Secret report LIMDIS, controlling access to those involved in the terrorism problem. The final meeting of the SRG was adjourned.

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NSDD 207, NATIONAL PROGRAM FOR COMBATTING TERRORISM

BACKGROUND:

- NSC MEETING SCHEDULED FOR AUGUST 5, 1986
- IMPLEMENTATION REPORTS SUBMITTED BY ALL COGNIZANT ACTIVITIES

BRIEFING PLAN:

- MEET WITH OSG/TIWG MEMBERS AND PRINCIPALS
 - OAKLEY (SCHULZ)
 - ARMITAGE (WEINBERGER)
 - CLARRIDGE/ALLEN (CASEY)
 - MOELLERING (CROWE)
 - REVELL (MEESE/WEBSTER)
 - NORTH/EARL/COY (POINDEXTER)

KEY AREAS FOR EMPHASIS:

- IMPROVE REACTION TIME OF CT FORCES TO AN INCIDENT
 - FORWARD DEPLOYMENT OF EST ██████████ FOIA(b) (1)
 - FORWARD DEPLOYMENT OF JSOC
- REVIEW STATUS OF OVERSEAS STAFFING REDUCTIONS STUDY
 - CONFLICT BETWEEN NEED TO REDUCE FOR SECURITY AND BUDGET CONCERNS VERSUS NEED TO INCREASE INTELLIGENCE AND LAW ENFORCEMENT CAPABILITIES
- IMPROVE PUBLIC DIPLOMACY CAPABILITY AND ORGANIZATION
- RESOLVE POLICY FOR U.S. PASSPORT AND TRAVEL DOCUMENTATION
- EXPEDITE REVIEW OF PRIVATE SECTOR ACTIVITIES THAT AID/ABET TERRORISM
 - PAYMENT OF RANSOM BY PRIVATE COMPANIES
 - CIRCUMVENTION OF ECONOMIC SANCTIONS

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NLS F97-082/2*103

By HAI, NARA, Date 10/11/02

Bentley → OADR
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The Department of State has reviewed the initial comments by the NSC staff on the status of implementing the recommendations of the Vice President's Task Force Report on Combatting Terrorism. These comments reveal problems which have plagued previous work related to the Task Force Report, including the drafting of NSDD 207.

The NSC staff summary of several of the recommendations is misleading or inaccurate. For example, action in these summary comments is sometimes assigned to a different agency than specified in the Task Force recommendation, (e.g., 31, 33, and 35.) In comments on the status of implementing many of the recommendations, the NSC staff has ignored one or more of the status reports the State Department provided them. Other recommendations which contain inaccuracies or misleading statements are as follows.

1. The Report directs that "the NSC staff" will maintain the programming document, not the OMB.
4. The Report directs that the Terrorism Incident Working Group, not the National Security Advisor directly, shall have action on public affairs during an incident. The comments ignore the role of the Public Diplomacy Working Group mandated by the Report, and also omits reference to the media work done by the State Department during the Libya raid.
5. In private consultations between the State Department and the NSC staff, a consensus was reached that a contractor should be used to develop detailed criteria on the use of force, as noted in the June 18 State status report. The issues now pending resolution are who should pay for the work and who should perform it. In the interim, S/CT has a summer intern currently working fulltime developing a conceptual framework. The urgency of this action is debatable, given the Administration's ability to make good decisions on Libya without a detailed blueprint..
6. The Report directed the NSC staff to "maintain a list of current options for response to terrorist threats or incidents." Instead the comments merely state that the NSC has developed plans for follow-on military strikes against Libya under a different NSDD. None of these actions were developed in conjunction with the IG/T and TIWG, as the Report directed.

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DECL: OADR

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8. After careful evaluation, DOD and the Public Diplomacy Working Group decided that no further changes were needed in their public affairs strategy regarding operational security of counterterrorism forces.
9. State action is complete on reassessing the U.S. presence abroad. However, the Report also directed the NSC to create an interagency committee with all agencies represented overseas to conduct similar reviews with other agencies. This apparently has not been done.
10. State's review of policy on passports/documentation for government employees is completed, and is now awaiting comment from other agencies.
12. The comments note that State has not established a hot-line for the hostage families. This idea was suggested, not specifically directed, by the Task Force, and is one which was rejected on the basis of cost. Alternative arrangements have been made so that hostage families have rapid, free telephone communication with the State Department. The NSC staff was kept fully informed on this matter. State already makes available to all hostage families all information they desire on counseling services.
13. The NSC comment on the program for protection of spouses of foreign dignitaries ignores the central fact: such protection is now being provided. The comments about lack of cooperation between USSS and DS at State are wrong; there is not a "turf war," but an unresolved budgetary issue of who pays for what protection.
14. The Task Force assigns action on coordination oversight of R&D related to terrorism to the NSC and OMB. The NSC comment overlooks the funding for R&D which the IG/T through the Technical Support Working Group obtained in the Security Supplemental, for which a prioritized list of projects is available for rapid action.
15. Although Exercise Pocketmouse was held, it was six weeks late due to NSC-requested postponements.
16. State's April 18 status report on country team briefings noted that FSI now gives terrorism seminars for all new ambassadors and DCMs, that CIA and DOD provide briefings for their own personnel, and mentions the Coping with Violence seminar given to all USG employees going overseas. All ambassadors departing for post are required first to meet with the Ambassador-at-Large for Counter-Terrorism. All ambassadors and DCMs overseas have been briefed by cable. Seventeen high-threat posts have received special EST briefings.

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20. The NSC comment focuses only on the technical aspect of controlling cross-border travel of terrorists. State reported to the NSC on the other work done by State and other agencies working with other governments in this area.
24. We did not receive an NSC comment on this recommendation on expanded HUMINT capabilities against terrorism.
26. The Task Force assigned principle action on increased coordination with law enforcement elements overseas to the IG/T. State's report of June 18 noted the extensive work S/CT has done in this area, including identifying high-risk posts, directing those posts to appoint counterterrorism coordinators, and hiring a consultant to visit our critical posts to gather information and assess their terrorism reporting capabilities. This report is expected soon.
27. The Task Force assigned action on the chemical and biological threat to the Technical Support Working Group of the IG/T, not the DCI directly.
29. The NSC comments misstate the Task Force directive on government-media relations during a terrorist incident: "The NSC through the Public Diplomacy Working Group...." The action lies with the NSC.
32. The NSC comments misinterpret the Task Force directive on reviewing the Vienna Convention. The Task Force report says nothing about applying sanctions nor about State having to monitor abuses. The statements in the April 21 EC Communique and the May 5 Summit statement plus the expulsion of over 100 Libyan diplomats from Europe and EC agreement with the USG view on tighter application of the Vienna Convention are evidence of the work that has been done in this regard.
39. The NSC comments ignore the April 18 and June 18 State responses to this item concerning prohibition against terrorist/mercenary training camps in the U.S. The Task Force report actually directs government agencies to "employ expanded ITAR" regulations, which State is doing, and with which State and Justice are in full agreement.
40. The NSC comments again misstate the Task Force report, which assigns action on foreign terrorist activities in the United States to both the Justice Department and State. The Task Force suggests those departments consider various proceedings against Libyan, Iranian, and PLO activists; it was not an imperative, as the NSC language states, to the Justice Department.

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Using the numbering of the ~~original~~ recommendations by the Vice President's Task Force on Combating Terrorism,

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DETAILED STATUS REPORT ON NSDD-207 ACTIONS

Four policy actions and five procedural actions from NSDD-207 merit attention during the early August NSC meeting. These issues are:

POLICY ACTIONS

- No. 5 - A policy framework for making decisions on the use of force in response to international terrorist attacks needs to be developed. An interagency meeting to work on this was postponed from May until July.
- No. 10 - A government-wide policy on passports and other travel documentation for U.S. employees ~~needs to be developed~~. State is still in the process of consulting with other agencies. *was recommended.*
- No. 29 - A dialogue with the media ~~needs to~~ *should* be continued. No significant substantive action has been taken beyond the Secretary of State's 9 July conference with foreign journalists sponsored by USIA. Specifically, arrangements should be made for providing background briefings to selected members of the media during on-going terrorist incidents that would not be made public until after the episode.
- No. 41 - The Department of Justice was to evaluate whether activities by some U.S. companies, such as paying ransoms, buying kidnapping insurance, and purchasing interviews with terrorists, might be made illegal. No substantive action has been taken to date.

PROCEDURAL ACTIONS

- No. 7 - Criteria and procedures for deploying U.S. military counterterrorist (CT) forces need to be refined. JCS has been reviewing proposals, but no review in conjunction with State or NSC has occurred.
- No. 13 - Protection of foreign dignitaries in the U.S. remains uncomfortably split between the Secret Service and the State Department. A specific NSDD-207 refinement regarding accompanying spouses of visiting Heads of State is ~~involved~~ *caught up* in funding disagreements between agencies.
- No. 28 - The formation of a new public diplomacy working group for terrorism matters ought to be discussed at the early August NSC meeting.

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NLRR MBS-011 # 10168

BY CJ NARA DATE 3/18/08

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No. 38 - No substantive action has yet been taken to review alleged Freedom of Information Act (FOIA) use by terrorist groups.

No. 40 - No substantive action has been taken to expedite deportation proceedings against Libyan, Iranian, and PLO activists who have violated their visa status. . . .

Finally, it would be worth reiterating at the early August NSC meeting that increases in our CT personnel resources overseas (e.g. increased human intelligence capabilities in high threat areas; forward deployment of an EST element in Frankfurt, and increases in FBI legal attaches because of increased U.S. extraterritoriality over terrorist crimes) is not inconsistent with the requirement in NSDD-207 for a State-led review of USG overseas presence in high-threat areas. U.S. personnel overseas involved in the national program to combat terrorism must be seen as "mission essential" and therefore exempt from security-related cutbacks in non-essential personnel.

jurisdiction

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DETAILED STATUS REPORT ON NSDD-207 ACTIONS

Four policy actions and five procedural actions from NSDD-207 merit attention during the early August NSC meeting. Using the numbering of the recommendations by the Vice President's Task Force on Combatting Terrorism, these issues are:

POLICY ACTIONS

No. 5 - ^{NSDD 207 calls for developing} A policy framework for making decisions on the use of force in response to international terrorist attacks. ~~needs to be developed.~~ An interagency meeting to work on this ^{action was} postponed from May until July.

No. 10 - A government-wide policy on passports and other travel documentation for U.S. employees was recommended. State is still in the process of consulting with other agencies.

No. 29 - A dialogue with the media ^{would a} should be continued. ~~No though significant substantive action has been taken beyond the Secretary of State's 9 July conference with foreign journalists sponsored by USIA. Specifically, ~~arrange~~ we need~~ ~~ments should be made for providing background briefings to selected members of the media during on-going terrorist incidents that would not be made public until after the episode.~~

to determine whether or not we want to provide

no other substantive steps have been taken to improve our relations with the media in such a way as to reduce the vulnerability

No. 41 - The Department of Justice was to evaluate whether activities by some U.S. companies, such as paying ransoms, buying kidnapping insurance, and purchasing interviews with terrorists, might be made illegal. No substantive action has been taken to date.

PROCEDURAL ACTIONS

No. 7 - Criteria and procedures for ^{more rapidly and employing} deploying U.S. military counterterrorist (CT) forces need to be ~~refined.~~ JCS has been reviewing proposals, but no review in ~~conjunction with State or NSC has occurred.~~

interagency plan has been presented.

No. 13 - Protection of foreign dignitaries in the U.S. remains uncomfortably split between the Secret Service and the State Department. A specific NSDD-207 refinement regarding accompanying spouses of visiting Heads of State is caught up in funding disagreements between agencies.

No. 28 - The formation of a new public diplomacy working group for terrorism matters ^{should} ~~ought to~~ be discussed at the early August NSC meeting.

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NLRR MOS-011 #10169
BY MI NARA DATE 3/18/08

due to our vulnerability to leaks of very sensitive counter-terrorist operational information.

No. 38 - No substantive action has yet been taken to review alleged Freedom of Information Act (FOIA) use by terrorist groups.

No. 40 - No substantive action has been taken to expedite deportation proceedings against Libyan, Iranian, and PLO activists who have violated their visa status.

Finally, ^{discuss the realistic requirements for} it would be worth reiterating at the early August NSC meeting ~~that~~ increases in our CT personnel resources overseas (e.g. increased human intelligence capabilities in high threat areas; forward deployment of an EST element in Frankfurt, and increases in FBI legal attaches because of increased U.S. extraterritorial jurisdiction over terrorist crimes) ~~are not or they~~ ^{relate to} inconsistent with the requirement in NSDD-207 for a State-led review of USG overseas presence in high-threat areas. U.S. personnel overseas involved in the national program to combat terrorism must be seen as "mission essential" and therefore exempt from security-related cutbacks in non-essential personnel.

It is also important that the principals at

direction

overseas personnel.

our Gramer/Rudman

The entire community needs to have your guidance on this matter so that we do not ~~delaying~~ delay the positioning of essential personnel assets overseas because of ~~barriers~~ the ongoing efforts to reduce overseas presence.

DRAFT

DRAFT

~~SECRET~~

1 July
~~27 June~~ 1986

MEMORANDUM FOR THE PRESIDENT

ISSUE: Has NSDD-207, the National Program for Combatting Terrorism, been adequately implemented?

BACKGROUND

On January 20, 1986 you signed NSDD-207, which directed implementation of the 44 recommendations of the Vice President's Task Force on Combatting Terrorism. The NSDD required that I report progress on the implementation of the directive to you by July 1, 1986. The progress report is attached.

SUMMARY OF RESULTS

Implementation progress has been mixed: We have made enormous progress in some areas (30%), steady but as yet incomplete progress in most areas (60%), and rather little progress in other areas (10%). Our unilateral military action against Libya on 15 April has not only decreased terrorism at the source by putting state sponsors on notice, but it has served as a catalyst for improved international cooperation against terrorism. The Tokyo Summit statement would not have been possible without our patient efforts over the previous months to improve sharing of intelligence on terrorism and to take multilateral political and economic actions against Libya. Yet, there are some tough areas in which more progress needs to be made. These include: deployment of military counterterrorism (CT) forces, U.S. overseas presence, U.S. passport policies, U.S. infrastructure vulnerabilities, dignitary protection, and private sector actions. A National Security Council meeting has been scheduled for 5 August to review progress on NSDD-207 and stimulate interagency action on the tough issues.

RECOMMENDATION

That you review the ^{status} ~~{progress}~~ report attached at Tab A and approve an NSC meeting to instill additional momentum into the actions not yet accomplished.

OK No

— —

a policy framework for CT decisionmaking, public diplomacy organization, government-media relations, the Freedom of Information Act, deportation of aliens, private sector activities that aid/abet terrorism.

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NLS 107-082/2 #107

BY LDS, NARA, DATE 10/11/02

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NLS F97-082/2 #108

BY: HJ NARA DATE 10/11/02

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1 July 1986

MEMORANDUM FOR THE PRESIDENT

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BACKGROUND

On January 20, 1986 you signed NSDD-207, which directed implementation of the 44 recommendations of the Vice President's Task Force on Combatting Terrorism. The NSDD required that I report progress on the implementation of the directive to you by July 1, 1986. The progress report is attached.

SUMMARY OF RESULTS

Implementation progress has been mixed: We have made enormous progress in some areas (25%), steady but as yet incomplete progress in most areas (60%), and rather little progress in other areas (15%). Our unilateral military action against Libya on 15 April has not only decreased terrorism at the source by putting state sponsors on notice, but it has served as a catalyst for improved international cooperation against terrorism. The Tokyo Summit statement would not have been possible without our patient efforts over the previous months to improve sharing of intelligence on terrorism and to take multilateral political and economic actions against Libya. Yet, there are some tough areas in which more progress needs to be made. These include: a policy framework for counterterrorism (CT) decisionmaking, deployment of military CT forces, public diplomacy organization, government-media relations, the Freedom of Information Act, U.S. passport policies, dignitary protection, deportation of aliens, and private sector activities that aid/abet terrorism. A National Security Council meeting has been scheduled for 5 August to review progress on NSDD-207 and stimulate interagency action on the tough issues.

RECOMMENDATION

That you review the status report attached at Tab A and approve an NSC meeting to instill additional momentum into the actions not yet accomplished.

OK No

— —