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1987 (3)

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# WITHDRAWAL SHEET

## Ronald Reagan Library

Collection: COUNTERTERRORISM AND NARCOTICS, NSC  
OFFICE OF: Records

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File Folder: Program Review of the Vice President's Task Force on  
Combatting Terrorism, March -April 1987 (2)(3) Box 91956

Date: 8/11/99  
RAC Box 70

DOCUMENT NO AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. paper	re: Sec. of Defense recommendations, 3p	nd	P1/F1
2. paper	re: DCI recommendations 3p PARTIAL 2/05/01 NLSF97-082 #24	nd	P1/F1, B3
3. paper	re: APSNSA recommendations 1p R 1/11/12 F97-082 #25	nd	<del>P1/F1</del>
4. paper	re: OMB recommendations, 1p R 1/8/00 NLSF97-082 #26	nd	<del>P1/F1</del>
5. paper	re: Sec. of Treasury recommendations, 1p R 10/24/00 " " #27	nd	<del>P1/F1</del>
6. paper	re: Sec. of Transportation recommendations, 1p R 6/1/00 NLSF97-082 #28	nd	<del>P1/F1</del>
7. paper	re: Director of FEMA recommendation, 1p R " " #29	nd	<del>P1/F1</del>
8. status reports	from Department of State, 20p SEE SEPARATE WITHDRAWAL SHEET	nd	P1/F1
9. paper	re: recommendation no. 1, 1p D 3/22/06 NLSF97-082/1 #31	nd	P1/F1
10. paper	re: recommendation no. 2, 1p R " " #32	nd	P1/F1
11. paper	re: recommendation no. 3, 1p R " " #33	nd	P1/F1
12. paper	re: recommendation no. 4, 1p R " " #34	nd	P1/F1
13. paper	re: recommendation no. 5, 1p R " " #35	nd	P1/F1
14. report	re: U.S. Overseas Presence, 4p PART 3/29/06 NLSF97-082/1 #36	nd	P1/F1
15. memo	Nicholas Plat to John Poindexter re: Task Force, 3p D 3/6/02 " " #37	11/26/86	P1/F1
16. status of actions	from Attorney General, 20p SEE SEPARATE WITHDRAWAL SHEET	nd	P1/F1
17. memo	D. Lowell Jensen to Poindexter re: NSDD 207, 3p PART 3/11/08 NLSF97-082 #39	6/24/86	P1/F1, B3

### 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)]**

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-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

**Archivist:** cas  
**FOIA ID:** F97-082/1 (Wills)

**OA/BOX:** Box 91956

**File Folder:** Program Review of the Vice President's Task Force  
On Combatting Terrorism, Mar h-April 1987 (2)(3)

**Date:** 11/17/08  
RAL BOX 10

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
38. paper	Table of Contents 1 p. L 11/17/08 NLR 97-082/1 # 38	Nd	B1
38A. paper	Re recommendation #31 1 p L " " # 38A	Nd	B1
38B. paper	Re recommendation #31 2 p L " " # 38B	Nd	B1
38C. paper	Re recommendation #33 1 p L VRAK " " # 38C	Nd	B1
38D. paper	Re recommendation #33 1 p L " " # 38D	Nd	B1
38E. paper	Re recommendation #35 1 p L " " # 38E	Nd	B1
38F. paper	Re recommendation #35 1 p L " " # 38F	Nd	B1
38G. paper	Re recommendation #36 1 p L " " # 38G	Nd	B1
38H. paper	Re recommendation #36 1 p L " " # 38H	Nd	B1
38I. paper	Re recommendation #38 1 p L " " # 38I	Nd	B1
38J. paper	Re recommendation #38 1 p L " " # 38J	Nd	B1
38K. paper	Re recommendation #39 1 p L " " # 38K	Nd	B1
38L. paper	Re recommendation #39 1 p L " " # 38L	Nd	B1
38M. paper	Re recommendation #40 1 p L PART " " # 38M	Nd	B1
38N. paper	Re recommendation #40 1 p L " " # 38N	Nd	B1
38O. paper	Re recommendation #41 1 p L " " # 38O	Nd	B1

### RESTRICTIONS

P-1 National security classified information [(a)(1) of the PRA].  
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On Combatting Terrorism, Mar h-April 1987 (2)(3)

**Date:** 11/17/08  
RAC Box 10

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
38P. paper	Re recommendation #41 1 p 11/17/08		
	NLR 97-082/1 #38P		
38Q. paper	Re recommendation #42 1 p		
	" #38Q		
38R. paper	Re recommendation #42 1 p		
	" #38R		

### RESTRICTIONS

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United States Department of State

Washington, D.C. 20520

March 19, 1987

MEMORANDUM

TO: Ted McNamara

FROM: Jerry Breme *3/29*

SUBJECT: Status of Continuing Issues, Section V of the VP  
Task Force Report on Combatting Terrorism

Attached per your request, are a series of short papers summarizing the status of the five proposed recommendations contained in Section V of the VP Task Force Report on Combatting Terrorism.

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Proposed Recommendation No. 2

SUBJECT: New NSC Policy Planning and Operations Coordinating Boards

Discussion: NSDD 207 promulgated several interagency groups to assist the lead agencies in the coordination of our national program to combat terrorism. These interagency groups are successfully drawing together the various elements of the national structure into an active mechanism which manages the national program to combat terrorism.

Ongoing non-crisis activities are worked within the Operations Sub-Group (OSG) of the Terrorist Incident Working Group. The OSG is chaired by a member of the NSC staff, cochaired by State, and has representatives from DOD, Justice, CIA, JCS, and FBI. The Interdepartmental Group on Terrorism (IG/T) chaired by the Ambassador-at-Large for Counterterrorism with representation from all departments and agencies supporting the national program, develops the overall U.S. policy on terrorism. Additionally, the Interagency Intelligence Committee on Terrorism (IICT) focuses and coordinates interagency intelligence efforts to counter international terrorists threats.

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NLS F97-082 #32

BY GIS NARA, DATE 3/22/06

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PROPOSED RECOMMENDATION NO. 3

SUBJECT: Federal Jurisdiction in Terrorist Incidents

PROPOSED RECOMMENDATION: The Department of Justice should consider pursuing legislation which provides for discretionary exercise of exclusive Federal jurisdiction. The decision to assert this jurisdiction should be predicated on facts and circumstances reasonably indicating that the matter involves terrorism.

STATUS: The Department has consulted with Department of Justice and determined that this proposal remains under Department of Justice review. However, prospects for advancing such legislation are considered remote, in view of a number of constitutional (federalism) and practical concerns vis-a-vis state and local government authorities. Department of State would have further concerns should such legislation diminish the responsibility of state and local authorities to provide the maximum protection of diplomatic, consular and other international missions throughout the United States.

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NLS F97-082 #33

87 - AI NARA. DATE 3/22/06



~~CONFIDENTIAL~~

PROPOSED RECOMMENDATION NO. 4 (SUBMITTED BY USIA)

Subject: Private Sector Data Base (U)

Discussion: The problem remains unresolved. The USIA and others wishing to prepare materials on terrorism find no centralized, authoritative source of unclassified information on terrorism. (U)

Much of the information desired is available in unclassified form. DOD, State and CIA all prepare unclassified publications on terrorism, but use differing criteria for their publications and assign varying priorities to the work. The products thus suffer problems of timeliness and overlap, while other questions are unaddressed. (C/NF)

Status: Several academic and private sector groups are attempting to build data banks and chronologies on terrorism, but they are encountering the same problems as USIA. There is no single point in the U.S. Government where they can come for assistance. (U)

Recommendation: That the resources currently devoted to preparation of unclassified material be consolidated in the Office of the Ambassador-at-Large for Counterterrorism, which now has a deputy (on detail from USIA) in charge of public diplomacy. It seems unlikely that a private sector data bank will be able to provide comprehensive, reliable, unclassified information on terrorism until the U.S. Government can do so. (C/NF)

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NLS F97-082 734

BY CU NARA, DATE 3/22/06

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

INFORMATION MEMORANDUM

Proposed Recommendation No. 5

SUBJECT: Anti-Terrorism Assistance Training Program

The ATA program has continued to expand. The requested funding level pending before Congress for Fiscal 1988 is \$9.8 million, the same approved for fiscal 1987, thus bringing the amount to nearly the \$20 million target for a two year period.

Congress last year also approved an amendment allowing the Administration to use up to 25 per cent of the funds for purchases of equipment for participating nations. Already about 4,000 officials from 44 countries have taken part in the program, including 11 new ones. The program, under a legislative amendment passed in 1985, also provides the ATA program with a coordinating mechanism for related training activities by other agencies.

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NLS 97-082 #35

by CW, NARA, DATE 2/22/04

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8700610

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20508

SYSTEM II  
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January 9, 1987

ACTION TO: CA

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- TMC
- RF(jab)

MEMORANDUM FOR NICHOLAS PLATT  
Executive Secretary  
Department of State

SUBJECT: Vice President's Task Force on Combatting  
Terrorism--Government-Wide Policies and Guidelines  
on Travel Documentation for U.S. Employees

The Interdepartmental Group on Terrorism (IG/T) is the  
appropriate forum for the initial coordination of the policy  
recommendations recommended in your memorandum (8635814) to  
Admiral Poindexter dated November 26, 1986.

*Grant S. Green, Jr.*  
Grant S. Green, Jr.  
Executive Secretary

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White House Guidelines, August 28, 1997  
By M20 NARA, Date 7/11/95

*Received in file - 1/10/87*

CA

WHITE HOUSE DOCUMENT  
Department of State  
Executive Secretariat

ACTION: CA

S/S 8700610

INFO TO:

Date 1-9-87

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Action Requested:

Remarks:

Memorandum for the President

Memorandum for the White House:

Bureau Handling

Other

Due Date in S/S: \_\_\_\_\_

Authorized by:

S. Ohta

S/S

87 JAN -9 P6:45



86 NOV 19 P6:04

XR 8635814



**ACTION MEMORANDUM**

SS *KQ*

November 19, 1986

SECRET

TO: The Secretary

THROUGH: M - Ronald I. Spier

FROM: CA - Joan M. Clark  
S/CT - L. Paul Bremer

SUBJECT: Vice President's Task Force on Combatting  
Terrorism - Government-wide Policies and  
Guidelines on Travel Documentation for U.S.  
Employees

We recommend that the attached Platt/Pointexter memorandum on suggested policies and guidelines concerning official international travel be signed.

*Krel (?)*

25 NOV 1986

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

DRAFTED: CA:MHNewlin:cs  
11/17/86 x79577 Doc. VPTF

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DECL: OADR

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Department of State Guidelines: July 21, 1997  
By \_\_\_\_\_ NARA, Date \_\_\_\_\_

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Department of State Guidelines, July 21, 1997  
By *MSH* NARA, Date *8/11/99*

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AUGUST 4, 1986

MEMORANDUM FOR VADM JOHN M. POINDEXTER  
THE WHITE HOUSE

Subject: Reduction of the U.S. Presence Abroad

Attached, for transmittal to the President, is the Secretary's report on the results of the review of the official U.S. overseas presence.

*Nicholas Platt*  
Nicholas Platt  
Executive Secretary

Attachment:

As Stated

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Department of State Guidelines, July 21, 1997

By MJH NARA, Date 9/11/99~~SECRET~~

## Reduction of the U.S. Overseas Presence

I. Summary: At your initiative, I have, with the cooperation of all agencies and chiefs of our diplomatic missions, reviewed U.S. Government overseas staffing. As a result of the review, 1,500 positions, or 8.4 percent of our authorized overseas positions, will be eliminated or relocated. These changes will be made without sacrificing essential programs or impairing our intelligence and defense capabilities.

### II. Results of the Review:

A. The Scorecard: After reviewing ambassadors' recommendations, agencies have agreed to eliminate or relocate 1,500 positions. Of these, 1,100 positions are to come from high security threat posts, thereby meeting one of your primary objectives for the review. With the exception of Justice, which is expanding its law enforcement activities overseas, all agencies contributed. The draw-down of Defense Department programs in Saudi Arabia accounts for more than half of the reductions; excluding Saudi Arabia, the net reduction would be 700 positions (4.1 percent).

DECLASSIFIED IN PART

NLS #91-082/1 #36

By CS, NARA, Date 3/29/06

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- 3 -

will be stationing more security personnel abroad. Some of these needs will be met through redeployment of people identified for relocation or reduction.

D. Future Growth: As a result of our review, agencies and ambassadors should tend to be more rigorous when considering requests for future growth. We plan to improve the implementation of NSDD-38, which provides that chiefs of mission have the authority to approve changes in the size, composition and mandates of agencies' staffs under their control. NSDD-38 itself would not be altered, but its requirement that State be consulted would be enhanced.

III. Stage II: During the next six months, we intend to proceed with the following projects:

A. Limited Purpose Embassies: Work is in train to see if we can trim staff in some 20 small countries. To accomplish this, we shall have to scale down communications installations and substantially cut back on demands Washington normally places on overseas posts.

B. Post Closings: In addition to the seven small posts

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closed for budgetary reasons during this fiscal year, it may be necessary to close additional posts. While I strongly prefer not to close any more posts, this issue will have to be addressed if the Department's budget is deeply cut by the Congress.

FOIA(b) (1)

D. Anti-Narcotics Program in Thailand: We will pursue with the Drug Enforcement Administration a proposal to strengthen the narcotics function in Thailand. This would be accompanied by a review of narcotics agent strength and emphasize a build-up of Thai enforcement capabilities.

E. AID Programs: We are examining with AID the possibility of changing the emphasis of our assistance programs in Egypt and India away from people-intensive project activities.

F. Defense Consolidation: Twelve ambassadors recommended consolidation of Defense Attache and

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Security Assistance offices or support functions to conserve on administrative resources and personnel. This matter should be reviewed at a high level in the Defense Department.

G. Travel: During my meeting with department and agency heads on April 9, there was agreement on the need to reduce both the number of official travellers to overseas posts and the size of official delegations. With the cooperation of the NSC and OMB, I will propose that you urge travel restraint by all agencies.

IV. Follow-Up Report: I will report to you again in January 1987 on further results of the review. I am confident that, in working for reduced staffing, our essential overseas interests and programs will be preserved -- even strengthened -- and that we can achieve significant economies, greater efficiency and increased security.

Drafted: M/MO:AFLa <sup>AP</sup>Porta  
7/25/86 1607C x72554

Cleared: M:RISpier <sup>SP</sup>  
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Office of the Attorney General  
Washington, D. C. 20530

25 March 1987

MEMORANDUM FOR GRANT S. GREEN, JR.  
EXECUTIVE SECRETARY  
NATIONAL SECURITY COUNCIL

FROM: JOHN N. RICHARDSON *JNR*  
ASSISTANT TO THE ATTORNEY GENERAL  
AND CHIEF OF STAFF

SUBJECT: Admiral Holloway's Terrorism Program Review

Attached and in response to your memo of 14 March 1987 is the status of actions taken to implement the forty-two recommendations as delineated in the Task Force report and NSDD 207. They are tabbed according to recommendation numbers. For ease of reference, the responses are separated between Main Justice and FBI actions.

In our judgment, nothing in the Tower Commission Report warrants any changes in the findings and recommendations of the Vice President's Task Force on Terrorism. Justice actions remain valid and consistent with the findings of both the Commission and the Task Force.

In response to Mr. Carlucci's memo of 24 March 1987, Admiral Holloway will be meeting with Attorney General Meese and several Department of Justice and FBI officials. The Attorney General has designated as his point of contact Miss Ann E. Rondeau, Special Assistant for National Security Affairs. Miss Rondeau can be contacted at 633-4969.

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DECLASSIFIED (RELEASE)  
NLR F97-082/1 #38  
BY CN NARA DATE 11/2/08

Task Force Recommendation No. 31

SUBJECT: Adequacy of the International Legal System  
to Deal with Terrorism

The Attorney General shall stimulate private and academic initiatives addressing the relationship between terrorism and domestic and international legal systems.

FBI Comments: The FBI is involved with the private and academic sectors on a regular basis. Recent groups spoken to by FBI executives concerning terrorism include:

American Bar Association (ABA)  
Washington University School of Law  
Eight Circuit Court of Appeals  
Sixth Circuit Court of Appeals  
Third Circuit Court of Appeals  
Atlanta Bar Association  
International Society of Barristers  
ABA Section on Corporation, Banking  
and Business Law  
International Bar Association  
Society of Former Special Agents  
Annual Convention  
National Institute Against Prejudice  
and Violence  
Brookings Institute  
Columbia School of Journalism  
International Association Chiefs  
of Police  
American Society for Industrial Security

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NWR 197-082/1<sup>7</sup> 38a

BY Cv DATE 11/17/08

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DECLASSIFIED (RE/0950)

NLR FG 7-082/1 #386

BY CU NARADATE 11/17/08

Recommendation No. 31

Subject: Adequacy of the International Legal System to Deal with Terrorism (U)

Status: The Department of Justice and the Department of State continue to make government-to-government contacts and to stimulate appropriate private and academic initiatives that address the relationship between terrorism and the domestic and international legal system. As a practical matter, the evolution of international law relating to terrorism will be a gradual one and it will develop on a step-by-step basis. Both Departments are supporting the development of two new international antiterrorism conventions. The first is the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation. This proposed convention will modernize sea piracy law and close gaps under international law that became evident in the Achille Lauro hijacking. The proposed convention is being sponsored by Italy, Austria, and Egypt and is being developed under the auspices of the International Maritime Organization (IMO). The second measure is tentatively entitled the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation. It is aimed at making the violent attacks that occurred at the Rome and Vienna airports in December 1985 international crimes. This measure is being developed as a Protocol to the Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation and is being developed under the auspices of the International Civil Aviation Organization (ICAO).

The Department of State is also encouraging more nations to become parties to the Convention on the Physical Protection of Nuclear Materials which entered into force on February 8, 1987. As of February 11, 1987 only 21 countries are parties to the Convention. Japan, Great Britain, France, West Germany, and Italy are not yet parties to this convention. The Department of State will also be encouraging more nations to become parties to the Convention Against the Taking of Hostages. As of February 11, 1987 only 27 countries had become parties to this key antiterrorism convention.

The Department of Justice has been encouraging private and academic initiatives. A good example of this effort is the fact that the Department obtained the support of the American Bar Association for the US-UK Supplemental Extradition Agreement. Other private initiatives are encouraged during our public testimony and contacts with the academic community.



The United States is also continuing its efforts to negotiate changes to extradition treaties on a bilateral basis with like-minded nations that would not allow certain violent offenses to be treated as political offenses under that exception to extradition. The United States has already negotiated such treaty amendments with Great Britain and West Germany. Negotiations are underway with Belgium, Spain, France and Luxembourg. Similar negotiations are contemplated with Canada, Austria and Australia.

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Task Force Recommendation No. 33

SUBJECT: International Informant Incentives

The Attorney General shall, in conjunction with the Director of Central Intelligence, expand the international terrorist information informant program, adding incentives such as immunity from prosecution, parole, citizenship, and residency grants.

FBI Comments: The FBI is on the alert for instances where application of the international terrorist information informant program would assist in resolution of FBI terrorist investigations.

The FBI is providing cover assistance to the CIA in a CIA counterterrorism initiative which offers rewards for information concerning specific international terrorist cases.

DECLASSIFIED  
NLRR f97-082/1 #380  
BY CN NARA DATE 11/20/06

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Recommendation No. 33

Subject: International Informant Incentives (U)

Status: The Department of Justice has suggested by separate letters dated June 13, 1986 to the National Intelligence Officer for Terrorism of the Central Intelligence Agency and the Director of the Office for Counter-Terrorism of the Department of State that this issue become part of the mission of a formal working group on rewards to be established by the IG/T. Neither the CIA nor the Department of State has responded formally to this suggestion. The State Department staff, however, thought it was a good idea and said they would place it on the agenda of an IG/T meeting. However, to date, the proposal has not been addressed by the full IG/T.

DECLASSIFIED / RELEASED

NLR 197-0821 #38 D

BY CV NARA DATE 11/17/08

Task Force Recommendation No. 35

SUBJECT: Murder of U.S. Citizens Outside the United States

The Attorney General shall prepare and encourage enactment of legislation that makes the murder of U.S. Citizens abroad a Federal crime.

FBI Comments: The "Omnibus Diplomatic Security and Antiterrorism Act of 1986," signed by the President on August 27, 1986, makes it a Federal crime to murder a U.S. Citizen outside the United States. This is codified in Title 18, United States Code, Section 2331.

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NLR 897-0821 P 38E

BY CU NARA DATE 01/17/08

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Recommendation No. 35

Subject: Murder of U.S. Citizens Outside of  
United States (U)

Status: This recommendation was accomplished when the President signed on August 27, 1986, the Omnibus Diplomatic Security and Antiterrorism Act of 1986, P.L. 99-399, 100 Stat. 853. Section 1202 of the Act created a new section 2331 in title 18, United States Code, entitled "Terrorist acts abroad against United States nationals."

DECLASSIFIED / RE / CASE 21  
NLR 897-082 / #38F  
BY CN NARA DATE 11/17/00

Task Force Recommendation No. 36

SUBJECT: Death Penalty for Hostage-Taking

The Attorney General shall pursue enactment of legislation that permits the death penalty for the murder of U.S. citizens during a hostage-taking.

FBI Comments: None.

DECLASSIFIED  
NLR 897-082/1\*389  
BY CV NARA DATE 11/14/08

Recommendation No. 36

Subject: Death Penalty for Hostage Taking (U)

Status: The Department of Justice continues to pursue this goal. Section 18 of S.277 introduced by Senator Thurmond in the 100th Congress on January 6, 1987 would add a death penalty to 18 U.S.C. 1203 if the death of any person results during a hostage taking offense. In addition, the Administration is preparing its own death penalty bill. Beside providing a death penalty for hostage taking where a death results, the Administration's bill will include a death penalty for anyone convicted of the new 18 U.S.C. 2331(a)(1) offense relating to murder of a United States national overseas by a terrorist.

DECLASSIFIED / RELEASED  
NLR 897-0821 # 38#  
BY Cd NARA DATE 11/17/08

Task Force Recommendation No. 38

SUBJECT: Freedom of Information Act (FOIA)

The Attorney General shall review the Freedom of Information Act (FOIA) and determine whether terrorist movements or organizations are abusing its provisions.

FBI Comments: The "Freedom of Information Reform Act of 1986" amends Section 552 of Title 5, United States Code, as follows:

"Whenever a request is made which involves access to records maintained by the Federal Bureau of Investigation pertaining to foreign intelligence or counterintelligence, or international terrorism, and the existence of the records is classified information as provided in subsection (b)(1), the Bureau may, as long as the existence of the records remains classified information, treat the records as not subject to the requirements of this section."

DECLASSIFIED

NLRR F97-0821, #361

BY CN NARA DATE 11/17/06

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Recommendation No. 38

Subject: Freedom of Information Act (FOIA) (U)

Status: The Department of Justice has initiated an internal Departmental committee to ascertain whether sufficient evidence exists to establish that terrorist movements or organizations are abusing the provisions of the FOIA. To date, the committee members are not aware of any evidence that indicates such abuse.

DECLASSIFIED/RELEASABLE

NLR 697-082/10 38J

BY CW NARA DATE 11/17/08

Task Force Recommendation No. 39

SUBJECT: Prohibition of Training and Support of  
Counterterrorism/Mercenary Training Camps

The Attorney General shall ensure that training and support of terrorists at so-called mercenary camps in the United States are not permitted by U.S. law.

FBI Comments: The FBI/Bureau of Alcohol, Tobacco, and Firearms (ATF)/U.S. Customs Service Memorandum of Understanding (MOU) is in the final review process for signature by each agency. It is anticipated that each agency will sign this MOU in April, 1987. The purpose of the MOU is to avoid duplication of investigative efforts, to clarify investigative responsibility where there is concurrent party jurisdiction under statutory provisions, and to ensure dissemination of information concerning terrorism or activities by terrorists to the appropriate party. This MOU addresses the issues involved in the investigations of Mercenary Camps, its members, and trainees.

The FBI is alert to information concerning Mercenary Camps and it closely coordinates its investigations concerning them with the Department of Justice. The FBI, as the lead Federal agency for investigating terrorist related matters, aggressively pursues information which indicates terrorists are being trained at Mercenary Camps, or members of Mercenary Camps are violating specific Federal laws. Violation of the Neutrality Act is generally the FBI's vehicle for investigating allegations concerning illegal training being conducted at these camps.

DECLASSIFIED

NLR 197-0821 #30K

BY AV NARA DATE 11/17/02

Recommendation No. 39

Subject: Prohibition of Training and Support of  
Counterterrorism/Mercenary Training Camps (U)

Status: The Department of State has the regulatory responsibility for the International Trafficking in Arms Regulations (ITAR). The United States Customs Service has the primary responsibility for investigating criminal violations of the ITAR. However, when terrorism is involved, there is a need for the Customs Service to coordinate its investigative activities with the FBI. The Criminal Division is overseeing the development of a comprehensive memorandum of understanding (MOU) among the FBI, the U.S. Customs Service, and the Bureau of Alcohol, Tobacco and Firearms which, inter alia, will coordinate at the headquarters level the intelligence these agencies gather concerning paramilitary training camps in the United States. In order to protect ongoing investigations the proposed MOU would also require that each party inform the others of its intent to contact or investigate a paramilitary training camp prior to any such contact or investigation.

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NLR 897-0821 #344

BY CV NARADNE 11/17/08

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Task Force Recommendation No. 40

SUBJECT: Foreign Terrorist Activities Within the United States

The Attorney General shall pursue enactment of legislation permitting deportation of aliens from the United States who are suspected of engaging in support for or conspiracy to conduct terrorism.

[REDACTED]

FBI Comments: The FBI is a participating member of the Alien Border Control Committee (ABCC) chaired by the Immigration and Naturalization Service (INS). Five working groups have been established to address alien control issues. Currently, the ABCC is engaged in a study to determine whether a recommendation should be advanced to the Department of Justice requesting new legislation to facilitate the deportation of aliens who are involved in terrorist activities while at the same time avoid compromising sensitive information which may be necessary to support a deportation order.

The FBI conducted a ten month investigation

[REDACTED]

The investigation did not establish any criminal acts conducted by these individuals; however, during the course of the investigation it was determined that the individuals may have been in violation of immigration regulations. In accordance with established procedures this information was disseminated to INS.

[REDACTED]

When information is received by the FBI that members of international terrorist organizations, who are not citizens of the U.S., may be in this country in violation of immigration laws this information is disseminated to INS. The subsequent deportation of these people may well serve to forestall the activities of the terrorist organization.

DECLASSIFIED IN PART

NLRR 197-0221 #30M

BY AN NARA DATE 11/17/08

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Recommendation No. 40

Subject: Foreign Terrorist Activities Within  
the United States (C)

Status: The Department of Justice formed the Alien Border Control (ABC) Committee to deal with this recommendation and other issues relating to control of the borders and alien terrorists. The Committee is under the direction of the Commissioner of the Immigration and Naturalization Service (INS). Four working groups have been established dealing with different aspects of alien and border control. Besides the INS, officials from the FBI, Criminal Division, United States Marshals Service, Civil Division, Executive Office for Immigration Review, United States Customs Service, and the Department of State participate in the various working groups.

The ABC committee is continuing its efforts to study ways to better guard inhabitants of the United States from terrorist attacks by aliens and to ensure that the United States does not become a sanctuary for terrorists. The Committee is reviewing all facets of the complex immigration area to ensure that terrorist aliens do not gain entry or remain in the United States.

The INS hopes to have an initial draft report of the ABC Committee's recommendations ready for the Attorney General by early June 1987.

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NLR 97-082/1 \*38N

BY CN NARA DATE 11/07/08

Task Force Recommendation No. 41

SUBJECT: Private Sector Activities That Aid/Abet Terrorism

The Attorney General shall evaluate whether present activities by U.S. companies and individuals, such as paying ransoms, buying kidnapping insurance, and purchasing interviews with terrorists, might not be effectively made illegal under U.S. law.

FBI Comments: -By memorandum dated August 15, 1986, the FBI provided its evaluation to DOJ concerning the above subject matter. The memorandum synopsised two incidents in Columbia where ransoms were paid for the release of hostages. In one incident Tenneco paid \$1,200,000 for the release of one hostage. In another kidnapping incident, the Bechtel Corporation and the Flour Corporation paid \$3,000,000 for the release of four hostages, one died in captivity.

The payment of ransoms for the release of hostage victims only promulgates and encourages other terrorist groups or individuals to take U.S. citizens hostage. Additionally, this type of independent action on the part of the U.S. corporations in succumbing to terrorist/kidnapper's demands creates a potentially grave situation for the victim as the predicate has been established for ransom payment, therefore, without payment the victim's welfare is tenuous at best. The establishment of a law making it illegal to negotiate with terrorist/kidnappers in a foreign hostage taking situation would provide the U.S. corporation with an appropriate response to the kidnappers for nonparticipation.

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NLNR 197-0821 #380

BY AN NARA DATE 11/17/08

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Recommendation No. 41

Subject: Private Sector Activities that Aid/Abet  
Terrorism (C)

Status: The Department of Justice is continuing its review of whether the payment of ransom and some aspects of kidnap insurance (e.g., the payment of ransom) should be made illegal. The review has ascertained that ransom payments and kidnap insurance premiums are currently legitimate deductions under the United States income tax laws. As of this date, however, we have not received from the Department of State or the Central Intelligence Agency answers to the respective requests for information pertaining to this matter that were sent to both agencies on July 11, 1986, even though we have made several follow-up inquiries requesting the information.

DECLASSIFIED

NUM 197 0821 #308

BY AV WARADNE 11/7/08

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DECLASSIFIED

NURR 197-082/1-389

BY CU NARA DATE 11/17/08

Task Force Recommendation No. 42

SUBJECT: Improved Security for Nuclear Facilities

The Attorney General shall pursue legislation to permit nuclear reactor licensees' access to FBI criminal history files so that individuals can be more thoroughly screened prior to being granted unescorted admission to nuclear reactor facilities.

FBI Comments: The "Omnibus Diplomatic Security and Anti-terrorism Act of 1986" amended the "Atomic Energy Act of 1954" to include a new section which requires each licensed or applicant for a license to operate a utilization facility to fingerprint each individual who is permitted unescorted access to the facility or is permitted access to safeguards information. These fingerprint cards are submitted to the FBI for identification and criminal history records check. The effective date for FBI processing of these fingerprint cards is April 1, 1987.

In addition, the FBI continues liaison with the Department of Energy and Nuclear Regulatory Commission to improve security at nuclear facilities. FBI field offices maintain liaison with nuclear facilities within their jurisdiction and maintain contingency response plans for those facilities. The FBI participates in interagency training exercises, both command post and field training exercises, with DOE and NRC.

The FBI reviews and evaluates information developed during criminal investigations of Domestic Terrorist matters in an effort to anticipate any terrorist acts. With the excellent lines of communication between the FBI, DOE, and NRC, threat information can be quickly passed between agencies.

The FBI's Hostage Rescue Team (HRT) has conducted tactical site surveys at DOE facilities and has received training in nuclear matters from the NRC.

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Recommendation No. 42

Subject: Improved Security for Nuclear  
Reactor Facilities (U)

Status: This recommendation has been accomplished. Section 606 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, P.L. 99-399, August 27, 1986, 100 Stat. 876, creates a new section 149 in the Atomic Energy Act of 1954 (42 U.S.C. 2169) that gives the Nuclear Regulatory Commission authority requiring fingerprinting of an employee for a criminal history record check.

DECLASSIFIED (RELEASED)

NURR (97-082) #38A

BY CN NARA DATE 11/17/08

For your file on  
this.  
Will you cc: Baykin.  
Thanks - JR

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Subject Implementation of NSDD 207	Date 24 JUN 1986
DLJ:SST:VT:LL:KAM:SMW:	

To VAdm. John M. Poindexter  
Assistant To The President  
National Security Affairs

From D. Lowell Jensen  
Deputy Attorney General

Pursuant to your recent request, I am happy to provide you with the following status report on those tasks assigned by NSDD 207 to the Attorney General.

Recommendation No. 35: The Department of Justice continues to urge the passage of S. 1429 which will make it a federal crime to murder U.S. citizens overseas. S. 1429 passed the Senate in February. We are encouraging the Senate to include S. 1429 as part of the anti-terrorist bill, H.R. 4151, which is presently before the Senate. If the substance of S. 1429 is added to H.R. 4151, it is highly likely that the House will accept it when H.R. 4151 goes to conference.

Recommendation No. 36: In the context of pursuing the enactment of S. 239, the comprehensive death penalty statute, the Department has obtained the agreement of Senator Thurmond, Chairman of the Senate Committee on the Judiciary, to make a floor amendment to S. 239 that will provide for the death penalty when the murder of a U.S. national occurs during an overseas hostage taking episode. While it is likely that S. 239, with a death penalty provision for hostage taking, will pass the Senate, the outlook for its passage in the House is not favorable.

Recommendation No. 37: The Department is reviewing the Hyde proposal (i.e., establishing a Joint Committee on Intelligence) to determine whether the Department can be of any assistance to the Congress in making this determination.

Recommendation No. 40: The Department has under consideration draft legislation to permit the expeditious deportation from the United States of aliens who are suspected of engaging in support for or conspiracy to conduct terrorism. The Department is also considering the formation of a Departmental committee to improve our efforts concerning the exclusion and deportation of alien terrorists.

DECLASSIFIED IN PART  
NLR 89-082 #39  
BY CA NARA DATE 3/11/08

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Recommendation No. 31: The Department has been encouraging private and academic initiatives addressing the relationship between terrorism and domestic and international legal systems. A good example of this effort is the fact that we have obtained the support of the American Bar Association for the US-UK Supplemental Extradition Agreement.

Recommendation No. 33: The Department has suggested to the Central Intelligence Agency and the State Department that the Intergovernmental Group on Terrorism (IG/T) should [REDACTED]

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Recommendation No. 38: The Department is forming a Departmental committee to ascertain whether sufficient evidence exists to establish that terrorist movements or organizations are abusing the provisions of the Freedom of Information Act (FOIA). We are also monitoring Senator Denton's efforts to add S. 276 to H.R. 4151. (S. 276 would exempt from the FOIA all information "related to the investigation of terrorism or concerned with foreign counterintelligence operations.")

Recommendation No. 41: The Department is in the process of collecting information concerning the frequency of the payment of ransom to terrorists, the purchase of kidnaping insurance, and the purchase of interviews with terrorists, so that we can determine the scope of the problem caused by these practices.

Recommendation No. 39: The Department is overseeing the development of a memorandum of understanding among the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco and Firearms (ATF), and U.S. Customs Service. Included in the agreement is the investigative coordination of allegations of violations of federal law committed in connection with the operation of mercenary camps. The Department continues to monitor activities at mercenary camps to determine whether any significant gaps still exist in federal law.

Recommendation No. 42: The Department has supported S. 274, which would permit nuclear reactor licensees access to FBI criminal history files so that individuals can be more thoroughly screened prior to being granted unescorted access to nuclear reactor facilities. S. 274 has already passed the Senate. The Department has been encouraging its addition to H.R. 4151 during the full Senate's consideration of H.R. 4151.

Recommendation No. 3: The Department of Justice continues to monitor all terrorist investigations to determine existing gaps, relating to terrorism, in federal substantive and procedural laws. This review is ongoing. Presently, attention

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is being directed to gaps in procedural laws (e.g., substantive offenses for which a "wiretap" may be authorized by a federal district court).

If you require additional information in this regard, or in the event that an additional status report is required on a future date, please contact Stephen S. Trott, Assistant Attorney General, Criminal Division.

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