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Diplomatic Security and Anti-Terrorism Act of
1986] (1)

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THE WHITE HOUSE
WASHINGTON

August 26, 1986

MR. PRESIDENT:

Attached for your approval are H.R. 4151 - Omnibus Diplomatic Security and Anti-Terrorism Act of 1986 and signing statement.

Approval is recommended by OMB, NSC, CIA, USIA, NRC, the Departments of State, Transportation and Justice. All the relevant agencies have no objection.

The Offices of Communications, Legislative Affairs, Political and Intergovernmental Affairs, Cabinet Affairs all have no objection. Counsel's Office recommends approval.

David L. Chew

(Kachy O.)

LAST DAY FOR ACTION: August 27th

Bill Sgd. of the
Continental Plaza Hotel L.A.
Continuing Statement and
Fact Sheet Issued
APPR
AUG 27 1986



The President has seen 8/27

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 21 1986

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 4151 - Omnibus Diplomatic Security
and Antiterrorism Act of 1986
Sponsors - Rep. Mica (D) Florida and 34 others

Last Day for Action

August 27, 1986 - Wednesday

Purpose

Authorizes \$2.44 billion for the Department of State to fulfill its security-related responsibilities; sets forth the responsibility of the Secretary of State with respect to diplomatic operations in the United States and abroad; provides for an Assistant Secretary of State to head the Bureau of Diplomatic Security; stipulates coordination by the State Department with Federal, State, and local agencies, and agencies of foreign governments, to enhance security programs; promotes strengthened security measures and provides for accountability of United States Government personnel with security-related responsibilities; establishes mechanisms to combat international and nuclear terrorism; authorizes compensation for hostages and victims of terrorism; and establishes new maritime security measures.

Agency Recommendations

Office of Management and Budget	Approval
Department of State	Approval (Signing Statement attached)
Central Intelligence Agency	Approval
Nuclear Regulatory Commission	Approval
United States Information Agency	Approval
Department of Transportation	Approval
National Security Council	Approval
Department of Justice	Approval
Peace Corps	Approval (Informally)
Department of Defense	No objection
Department of the Treasury	No objection
General Services Administration	No objection (Informally)
Department of Energy	No objection (Informally)

Office of Personnel Management	No objection (Informally)
Veterans Administration	No objection (Informally)
Arms Control and Disarmament Agency	No objection (Informally)
United States Trade Representative	No objection (Informally)
Small Business Administration	No comment
Agency for International Development	No comment

Discussion

In December 1985, following the recommendations of the Inman panel, the Administration transmitted to Congress an enhanced diplomatic security proposal that was intended to address the well-documented problems with security in United States embassies and missions abroad. This five-year, \$4.4 billion proposal entailed \$2.7 billion for construction or reconstruction of embassies and consulates at 98 posts overseas, and \$1.7 billion for increased security staff, communications, and other equipment. It set forth the responsibilities of the Secretary of State concerning diplomatic security and established a statutory Bureau of Diplomatic Security within the State Department, headed by an Assistant Secretary for Diplomatic Security. The Administration bill also established an Accountability Review Board, which would conduct formal investigations into incidents involving serious security failures, and set forth procedures for such investigations.

Titles I-IV of the enrolled bill closely resemble the Administration's proposal but differ in the following significant ways, as they:

- vest more authorities and responsibilities in the Secretary of State, including the authority to determine overseas staffing levels of all agencies with activities abroad;
- contain greater detail in outlining the functions of the Assistant Secretary for Diplomatic Security;
- authorize appropriations of \$328 million for 1986 and 1987 for salaries and expenses, counterterrorism R&D, and antiterrorism assistance rather than the \$580 million in the Administration's proposal that was part of a five-year, \$1.7 billion program. The bill also authorizes \$2.1 billion for construction for the five-year period 1986-1990, which is \$600 million less than the five-year, \$2.7 billion program requested by the Administration;

- provide that American contractors should be the prime contractors for the diplomatic construction program for projects in excess of \$5 million and that, to the extent practicable, not less than ten percent of the appropriations for contracts shall be awarded to each of two groups of American contractors--American minority contractors and American small business contractors;
- prohibit use of appropriations for site acquisition, development, or construction of any facility in Israel, Jerusalem, or the West Bank;
- establish an Inspector General for the United States Information Agency; and
- direct that an independent Office of Inspector General, empowered to carry out audits of overseas missions and posts (already authorized in law), be established by the State Department no later than October 1, 1986, and further direct that no career member of the Foreign Service be appointed as the Inspector General of the Department of State.

Titles V through XIII of H.R. 4151 include authorities that were not contained in the Administration's diplomatic security bill.

Title V contains provisions to combat international terrorism. It authorizes the payment of rewards for information leading to the arrest or frustration of terrorists or narcoterrorists; authorizes a counterterrorism protection fund; prohibits the export of munitions to countries supporting terrorism, unless there is a Presidential waiver on national interest grounds; imposes controls on certain terrorism-related services and requires that persons providing these services be licensed; and authorizes the provision of airport security equipment, commodities, and training for Egypt.

Title VI directs the President to take several actions to strengthen physical security for peaceful nuclear materials. These actions include minimizing the amount of weapons-grade nuclear material in international transit and ensuring it is protected by the "most effective" means while in transit. Title VI also requires the Secretary of Defense to be consulted on the adequacy of physical security before a Nuclear Regulatory Commission (NRC) export license is issued to transfer special nuclear material abroad; requires a report to Congress from each of five agencies on the adequacy of physical security standards applied to the shipment and storage of plutonium and enriched uranium abroad which the United States has exported; authorizes the NRC and its licensees to have access to FBI criminal history data; and requires fingerprint investigations by the Attorney General of certain nuclear industry employees.

Title VII deals with multilateral cooperation to combat international terrorism. It directs the President to seek the establishment of an International Antiterrorism Committee; urges the President to seek negotiation of international agreements on sharing passport and visa information; urges the President to instruct our Ambassador to the United Nations (U.N.) to seek the adoption of a U.N. resolution condemning the use of diplomatic privileges and immunities for terrorist purposes; and requires the President to submit a report to the Congress, within six months of enactment, on the steps taken to carry out the above provisions.

Title VIII, the Victims of Terrorism Compensation Act, is consistent with the Administration's recommendations. It provides permanent authority for the payment of medical, educational, cash benefits, and other compensation to Government employees, including members of the Uniformed Services, and members of their families who are victims of terrorism. Two separate cash payments are authorized for captives: (1) a cash payment of \$50 for each day of captivity for individuals held in a captive status from the period beginning or after November 4, 1979, and ending on or before January 21, 1981 (this covers the Iranian hostages) and (2) for all captives held after January 21, 1981, cash payments of not less than one-half of the amount of the worldwide average per diem rate in effect for each day the captive is held.

Title IX contains provisions related to international maritime and port security that encourage the President to seek an international agreement to establish seaport and vessel security; authorize the Coast Guard to provide port, harbor, and coastal facility security; require the Secretaries of Transportation and State to develop and implement a plan for assessing the effectiveness of security measures at foreign ports; encourage the President to provide maritime security assistance to foreign countries; require the Secretary of State to issue travel advisories for ports identified as posing high risk of terrorism; and authorize the President to terminate service between United States ports and the ports of any country that has armed or aided terrorists in any way.

The Statement of Administration Policy provided to the House on this legislation requested deletion of a \$125 million authorization of appropriations for Coast Guard anti-terrorism activities because it duplicates existing Coast Guard authority. The bill as enrolled includes a five-year authorization of \$62.5 million for this purpose.

Title X authorizes a new State Department fellowship program intended to replace foreign national employees working in U.S. embassies in the U.S.S.R. and eastern bloc countries with selected American students and scholars of U.S.S.R. area studies. Title X also establishes a Board to select eligible fellows;

authorizes up to 100 fellowships each year beginning in fiscal year 1987; and directs the Secretary of State to provide housing while the fellow is serving abroad.

Title XI contains provisions on security at military bases abroad and recommends that the Secretary of Defense review the security of each Defense base and installation outside the United States and take steps to improve that security.

Title XII relates to the criminal punishment of international terrorism. It includes a sense of the Congress provision that the President should establish a process to encourage the negotiation of an international convention to prevent and control international terrorism, and amendments to title 18 of the U.S. Code regarding extraterritorial jurisdiction over and criminal penalties for terrorist acts abroad against United States nationals.

Title XIII includes miscellaneous provisions the most significant of which:

- authorize appropriations for the Peace Corps of \$130 million and \$137.2 million for fiscal years 1986 and 1987. The fiscal year 1987 authorization is \$7.2 million higher than the Administration's request;
- require that any person convicted of certain espionage activities forfeit to the United States any property or proceeds obtained as a result of the illegal activity;
- state the sense of the Congress that (1) the United States should support the efforts of the people of Afghanistan to regain the sovereignty and territorial integrity of their nation and (2) the Secretary of State should determine whether the actions of Soviet forces against the people of Afghanistan constitutes genocide; and
- state the sense of the Congress that the U.S. Representative to the United Nations work to have Kurt Waldheim's retirement allowance removed from the 1986-1987 U.N. budget and all future U.N. budgets.

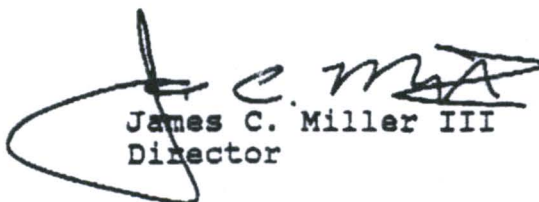
Agency Views

In its enrolled bill views letter, which recommends approval of H.R. 4151, the Department of State characterizes the enrolled bill as providing important new authorities for the protection of United States Government personnel overseas and compensation and services for Government employees and certain others who are either taken hostage, injured or killed in terrorist activities.

State also notes, however, that the enrolled bill continues the Congress' tendency toward micro-managing foreign affairs activities through a number of overly restrictive earmarks, restrictions, specifications, and prohibitions which are more fully discussed in State's views letter. State concludes, with regard to these provisions, that in the context of the bill as a whole they are relatively smaller points which are not significant enough to outweigh the substantial benefits of the enrolled bill. Regarding provisions prohibiting construction in Israel and establishing the Inspector General, State further notes that these provisions, although not desirable, were resolved sufficiently in conference to be acceptable. Finally, State expresses concerns with Title VI on international nuclear terrorism, noting, in particular, that section 601(a)(3) could set impossibly high standards that would threaten the presidential decision regarding long-term arrangements with Japan and EURATOM. State's signing statement appropriately deals with these issues.

All of the other concerned agencies have either no objection to the enrolled bill or recommend approval. The Department of Defense notes concern about the provision in the enrolled bill which directs the Secretary of State to establish appropriate overseas staffing levels for all Federal agencies with missions abroad. Defense states that the authority is unnecessary and that granting this authority to one official could nullify the existing coordination process, thus, potentially jeopardizing our national security. We are confident, however, that the issue of overseas staffing can be appropriately coordinated within the Executive branch without compromising national security.

H.R. 4151 passed both House of Congress by voice vote. The conference report was agreed to in both Houses by voice vote.



James C. Miller III
Director

Enclosures

STATEMENT BY THE PRESIDENT

I have signed into law H.R. 4151, the "Omnibus Diplomatic Security and Antiterrorism Act of 1986." This marks yet another step forward in our bipartisan effort to eradicate international terrorism. I would like to recognize the valuable contributions to this legislation by the Vice President and his Task Force on Combatting Terrorism; Secretary Shultz and Admiral Inman and their Panel on Diplomatic Security, and the work of Senator Richard Lugar and Representatives Dante Fascell, Bill Broomfield, Dan Mica, and Olympia Snowe, as well as many other distinguished members of the Congress, for bringing the various parts of this Act together. This is truly a bipartisan piece of work.

This Act once again puts those who would instigate acts of terrorism against U.S. citizens or property on notice that we will not be deterred from carrying out our obligations throughout the world. I am committed to ensuring the safety of our diplomats, servicemen, and citizens wherever they may be. This historic Act provides the organization and authorities necessary to implement the recommendations of the Advisory Panel on Overseas Security. It also establishes within the Department of State a new Bureau of Diplomatic Security and a Diplomatic Security Service to increase the professionalism and effectiveness of our security personnel. Another important piece of this Act that I am particularly pleased to have supported is the victims of terrorism assistance program. This for the first time will provide for the care and welfare of the victims of terrorism and their families.

At the same time, I continue to urge cooperation with all nations, on both a bilateral and multilateral basis, to seek ways to work together to end the continuing onslaught of international terrorism against civilized society. Seeking international cooperation is vital in the struggle against

terrorism, and that effort will remain a top foreign policy priority for me. Within the government, cooperation and coordination between all departments and agencies is also essential in protecting our vital national security interests from the terrorist threat.

We can never legislate an end to terrorism. However, we must remain resolute in our commitment to confront this criminal behavior in every way -- diplomatically, economically, legally, and when necessary, militarily. First rate intelligence remains the key element in each of these areas. We will continue to improve our ability to predict, prevent, and respond to threats of terrorism with an expanded intelligence-gathering capability.

We will continue to work with the Congress to identify legislation gaps in our ability to combat terrorism. This Act adds to our capabilities and further demonstrates our resolve. I congratulate those responsible for this historic Act.

THE WHITE HOUSE
WASHINGTON

August 26, 1986

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David L. Chew

LAST DAY FOR ACTION: August 27th



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

Received SS

AUG 21 1986

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Agency Recommendations

Office of Management and Budget	Approval
Department of State	Approval (Signing Statement attached)
Central Intelligence Agency	Approval
Nuclear Regulatory Commission	Approval
United States Information Agency	Approval
Department of Transportation	Approval
National Security Council	Approval
Department of Justice	Approval
Peace Corps	Approval (Informally)
Department of Defense	No objection
Department of the Treasury	No objection
General Services Administration	No objection (Informally)
Department of Energy	No objection (Informally)

Office of Personnel Management	No objection (Informally)
Veterans Administration	No objection (Informally)
Arms Control and Disarmament Agency	No objection (Informally)
United States Trade Representative	No objection (Informally)
Small Business Administration	No comment
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- direct that an independent Office of Inspector General, empowered to carry out audits of overseas missions and posts (already authorized in law), be established by the State Department no later than October 1, 1986, and further direct that no career member of the Foreign Service be appointed as the Inspector General of the Department of State.

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- require that any person convicted of certain espionage activities forfeit to the United States any property or proceeds obtained as a result of the illegal activity;
- state the sense of the Congress that (1) the United States should support the efforts of the people of Afghanistan to regain the sovereignty and territorial integrity of their nation and (2) the Secretary of State should determine whether the actions of Soviet forces against the people of Afghanistan constitutes genocide; and
- state the sense of the Congress that the U.S. Representative to the United Nations work to have Kurt Waldheim's retirement allowance removed from the 1986-1987 U.N. budget and all future U.N. budgets.

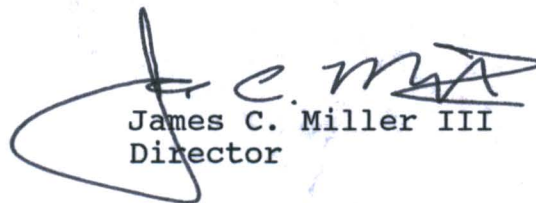
Agency Views

In its enrolled bill views letter, which recommends approval of H.R. 4151, the Department of State characterizes the enrolled bill as providing important new authorities for the protection of United States Government personnel overseas and compensation and services for Government employees and certain others who are either taken hostage, injured or killed in terrorist activities.

State also notes, however, that the enrolled bill continues the Congress' tendency toward micro-managing foreign affairs activities through a number of overly restrictive earmarks, restrictions, specifications, and prohibitions which are more fully discussed in State's views letter. State concludes, with regard to these provisions, that in the context of the bill as a whole they are relatively smaller points which are not significant enough to outweigh the substantial benefits of the enrolled bill. Regarding provisions prohibiting construction in Israel and establishing the Inspector General, State further notes that these provisions, although not desirable, were resolved sufficiently in conference to be acceptable. Finally, State expresses concerns with Title VI on international nuclear terrorism, noting, in particular, that section 601(a)(3) could set impossibly high standards that would threaten the presidential decision regarding long-term arrangements with Japan and EURATOM. State's signing statement appropriately deals with these issues.

All of the other concerned agencies have either no objection to the enrolled bill or recommend approval. The Department of Defense notes concern about the provision in the enrolled bill which directs the Secretary of State to establish appropriate overseas staffing levels for all Federal agencies with missions abroad. Defense states that the authority is unnecessary and that granting this authority to one official could nullify the existing coordination process, thus, potentially jeopardizing our national security. We are confident, however, that the issue of overseas staffing can be appropriately coordinated within the Executive branch without compromising national security.

H.R. 4151 passed both House of Congress by voice vote. The conference report was agreed to in both Houses by voice vote.


James C. Miller III
Director

Enclosures

STATEMENT BY THE PRESIDENT

I have signed into law H.R. 4151, the "Omnibus Diplomatic Security and Antiterrorism Act of 1986." This marks yet another step forward in our bipartisan effort to eradicate international terrorism. I would like to recognize the valuable contributions to this legislation by the Vice President and his Task Force on Combatting Terrorism; Secretary Shultz and Admiral Inman and their Panel on Diplomatic Security, and the work of Senator Richard Lugar and Representatives Dante Fascell, Bill Broomfield, Dan Mica, and Olympia Snowe, as well as many other distinguished members of the Congress, for bringing the various parts of this Act together. This is truly a bipartisan piece of work.

This Act once again puts those who would instigate acts of terrorism against U.S. citizens or property on notice that we will not be deterred from carrying out our obligations throughout the world. I am committed to ensuring the safety of our diplomats, servicemen, and citizens wherever they may be. This historic Act provides the organization and authorities necessary to implement the recommendations of the Advisory Panel on Overseas Security. It also establishes within the Department of State a new Bureau of Diplomatic Security and a Diplomatic Security Service to increase the professionalism and effectiveness of our security personnel. Another important piece of this Act that I am particularly pleased to have supported is the victims of terrorism assistance program. This for the first time will provide for the care and welfare of the victims of terrorism and their families.

At the same time, I continue to urge cooperation with all nations, on both a bilateral and multilateral basis, to seek ways to work together to end the continuing onslaught of international terrorism against civilized society. Seeking international cooperation is vital in the struggle against

terrorism, and that effort will remain a top foreign policy priority for me. Within the government, cooperation and coordination between all departments and agencies is also essential in protecting our vital national security interests from the terrorist threat.

We can never legislate an end to terrorism. However, we must remain resolute in our commitment to confront this criminal behavior in every way -- diplomatically, economically, legally, and when necessary, militarily. First rate intelligence remains the key element in each of these areas. We will continue to improve our ability to predict, prevent, and respond to threats of terrorism with an expanded intelligence-gathering capability.

We will continue to work with the Congress to identify legislative gaps in our ability to combat terrorism. This Act adds to our capabilities and further demonstrates our resolve. I congratulate those responsible for this historic Act.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/22/86 ACTION/CONCURRENCE/COMMENT DUE BY: NOON TODAY

SUBJECT: SIGNING STATEMENT FOR H.R. 4151 -- OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT OF 1986 (SUBMITTED BY STATE DEPT.)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BALL <i>see change</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN <i>no comment</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS <i>OK</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	WALLISON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KING	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KINGON <i>no objection</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please give your recommendations on the attached signing statement by noon today. Thanks.

RESPONSE:

David L. Chew
Staff Secretary
Ext. 2702

I have signed H.R. 4151, the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986 to improve the physical and technical security of U.S. diplomatic establishments abroad and the people who staff them as well as the physical security of foreign missions and officials in this country.

This historic Act provides the legislative basis necessary to implement the recommendations of the Advisory Panel on Overseas Security, chaired by Admiral B.R. Inman. It strengthens the security capability of our Foreign Service, and underlines its commitment not only to the safety of the official U.S. presence overseas, but that of the larger American community abroad. It gives new strength and new emphasis to our national drive against international terrorism. This Act sends a powerful message to all who choose not to honor normal standards for the conduct of diplomatic relations.

The Act provides for the major restructuring of our security efforts recommended by the Inman Panel. It establishes within the State Department a new Bureau of Diplomatic Security and a Diplomatic Security Service to increase the professionalism and effectiveness of our security personnel.

The Act also authorizes resources for a comprehensive worldwide security program. The key element is a five-year construction program to replace and upgrade our most vulnerable posts overseas. But this initiative is more than a security construction program. We will also improve communications with state-of-the art technology so they are faster and more secure, and strengthen counterintelligence and intelligence-sharing with host governments and within our own government.

This Act will complement the ambitious program we have already launched to meet the threat posed by dramatically increased international terrorism. By reprogramming existing resources, the Foreign Service has hired nearly 300 new security agents with significantly improved training. We have made substantial physical security improvements at 152 overseas posts. We have added more Marine Security Guards and Marine Guard detachments at posts, and strengthened local guard forces. We have doubled the size of our armored vehicle fleet overseas, and streamlined threat-alert procedures. Besides improving physical security, we have made a major effort to inform and train our people. Mobile training teams have visited high-threat posts overseas, to give specialized security training to U.S. personnel and their dependents and to discuss the threat of terrorism with American communities.

Overall this is an unprecedented national program to modernize the physical and technical security of all civilian departments and agencies abroad. The aim is to enable the people who represent us overseas to preserve the tradition of warmth and openness that has characterized our diplomatic presence in an increasingly uncertain, and often dangerous, environment.

The Act also incorporates important provisions of other legislation that the Administration has proposed. We are particularly pleased that H.R. 4151 includes Title VIII, Victims of Terrorism Compensation, which provides a variety of protections and services for government employees and certain others who are either taken hostage or injured or killed in terrorist activities. This long-needed provision has been endorsed strongly by the Administration. We have been working for passage of this legislation since 1981. We appreciate the bipartisan support of the Congress in enacting this title of H.R. 4151.

In my view the Act contains overly numerous detailed specifications with regard to implementation, including a very large number of distinct reporting requirements. On several topics the Act purports to direct the President in the exercise of his inherent Constitutional authorities in the area of foreign affairs, for example in Sections 601(a) and 701. Although we share many of the objectives of these provisions, it will be necessary to consider the particular circumstances in each case before raising topics for international consideration. As a matter of longstanding principle, I will reiterate my refusal to accept as legally binding Congressional efforts to impose legislative restrictions or directions with respect to international negotiations which are, under the Constitution of the United States, reserved exclusively to the President. In this connection I would like to record my understanding that Section 601(a) does not change any of the requirements under existing law for peaceful nuclear cooperation with the United States. Further I note that some allies and trading partners with excellent nonproliferation credentials, advanced nuclear projects and in situations that do not pose a threat of nuclear proliferation may find it necessary to use plutonium to meet the requirements of their nuclear programs. Therefore, I will not interpret Section 601(a)(3) as seeking to undermine the peaceful nuclear programs of these countries. Moreover, under Subsection (B) of Section 601(a)(3) decisions as to adequacy of physical protection may take into account a variety of factors including transport means, the nature of the nuclear material, and the cost of additional measures.

Effective comprehensive security will be a central concern in the conduct of U.S. foreign relations in the foreseeable future. The enactment of H.R. 4151 is a major step into that future. In passing this historic measure, the Congress has provided the necessary legislative basis to give new strength

to our ongoing efforts against international terrorism. Now I call upon the Congress to provide the funds we have requested to allow the Administration to accelerate those efforts. Failure to provide the appropriations we need for diplomatic security as well as for the Department of State's other operations and for our Foreign Assistance programs will lead to a policy of withdrawal, a policy that will leave much of the world to our adversaries. I call upon the Congress to provide the resources necessary to maintain our strong and resolute foreign policy around the world. To do otherwise would be a tragic mistake for us all.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/22/86 ACTION/CONCURRENCE/COMMENT DUE BY: NOON TODAY

SUBJECT: SIGNING STATEMENT FOR H.R. 4151 -- OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT OF 1986 (SUBMITTED BY STATE DEPT.)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	WALLISON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KING	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please give your recommendations on the attached signing statement by noon today. Thanks.

RESPONSE:

David L. Chew
Staff Secretary
Ext. 2702

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/22/86 ACTION/CONCURRENCE/COMMENT DUE BY: NOON TODAY

SUBJECT: SIGNING STATEMENT FOR H.R. 4151 -- OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT OF 1986 (SUBMITTED BY STATE DEPT.)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	WALLISON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KING	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please give your recommendations on the attached signing statement by noon today. Thanks.

RESPONSE:

David L. Chew
Staff Secretary
Ext. 2702

1986 AUG 22 AM 10:05
 Received 5-5

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/22/86 ACTION/CONCURRENCE/COMMENT DUE BY: NOON TODAY

SUBJECT: SIGNING STATEMENT FOR H.R. 4151 -- OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT OF 1986 (SUBMITTED BY STATE DEPT.)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	WALLISON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KING	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please give your recommendations on the attached signing statement by noon today. Thanks.

RESPONSE:

no objection

David L. Chew
 Staff Secretary
 Ext. 2702

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/22/86 ACTION/CONCURRENCE/COMMENT DUE BY: NOON TODAY

SUBJECT: SIGNING STATEMENT FOR H.R. 4151 -- OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT OF 1986 (SUBMITTED BY STATE DEPT.)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	WALLISON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KING	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please give your recommendations on the attached signing statement by noon today. Thanks.

RESPONSE:


OK

David L. Chew
Staff Secretary
Ext. 2702

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/22/86 ACTION/CONCURRENCE/COMMENT DUE BY: NOON TODAY

SUBJECT: SIGNING STATEMENT FOR H.R. 4151 -- OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT OF 1986 (SUBMITTED BY STATE DEPT.)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BAN 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	WALLISON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KING	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please give your recommendations on the attached signing statement by noon today. Thanks.

RESPONSE:

file as modified on last page - Tuck

David L. Chew
Staff Secretary
Ext. 2702

*8/22 3pm
Changes made
DJM*

to our ongoing efforts against international terrorism. Now I call upon the Congress to provide the funds we have requested to allow the Administration to accelerate those efforts. Failure to provide the appropriations we need for diplomatic security as well as for the Department of State's other operations and for our Foreign Assistance programs will lead to a policy of withdrawal, a policy that will leave much of the world to our adversaries. I call upon the Congress to provide the resources necessary to maintain our strong and resolute foreign policy around the world. To do otherwise would be a tragic mistake for us all.

Delete

Delete

Dave

THE WHITE HOUSE

WASHINGTON

August 22, 1986

Received SS
1986 AUG 22 PM 3:17

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY AND
DEPUTY ASSISTANT TO THE PRESIDENT

FROM: JAY B. STEPHENS
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Signing Statement for H.R. 4151: Omnibus
Diplomatic Security and Anti-Terrorism Act of 1986

Counsel's office has reviewed the above-referenced Presidential signing statement for H.R. 4151 and concurs with the recommendation of the Office of Management and Budget that it be signed by the President. We have, however, marked several editorial changes on the attached copy.

Attachment

8/22
Changes made
DJM

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/22/86 ACTION/CONCURRENCE/COMMENT DUE BY: NOON TODAY

SUBJECT: SIGNING STATEMENT FOR H.R. 4151 -- OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT OF 1986 (SUBMITTED BY STATE DEPT.)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	WALLISON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KING	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please give your recommendations on the attached signing statement by noon today. Thanks.

RESPONSE:

David L. Chew
Staff Secretary
Ext. 2702

1986 AUG 22 AM 10:02

In my view the Act contains overly numerous detailed specifications with regard to implementation, including a very large number of distinct reporting requirements. On several topics the Act purports to direct the President in the exercise of his inherent Constitutional authorities in the area of foreign affairs, for example in Sections 601(a) and 701. Although we share many of the objectives of these provisions, it will be necessary to consider the particular circumstances in each case before raising topics for international consideration. As a matter of longstanding principle, I will reiterate my refusal to accept as legally binding Congressional efforts to impose legislative restrictions or directions with respect to international negotiations which are, under the Constitution of the United States, reserved exclusively to the President. In this connection I would like to record my understanding that Section 601(a) does not change any of the requirements under existing law for peaceful nuclear cooperation with the United States. Further I note that some allies and trading partners with excellent nonproliferation credentials ^{have} advanced nuclear projects ~~and in situations~~ that do not pose a threat of nuclear proliferation ^{but} ~~may~~ ^{require the} ~~find it necessary to use~~ ^{of} plutonium ~~to meet the requirements of their nuclear programs.~~ Therefore, I will not interpret Section 601(a)(3) as seeking to undermine the peaceful nuclear programs of these countries. Moreover, under Subsection (B) of Section 601(a)(3) decisions as to adequacy of physical protection may take into account a variety of factors including transport means, the nature of the nuclear material, and the cost of additional measures.

Effective comprehensive security will be a central concern in the conduct of U.S. foreign relations in the foreseeable future. The enactment of H.R. 4151 is a major step into that future. In passing this historic measure, the Congress has provided the necessary legislative basis to give new strength

Done

STATEMENT BY THE PRESIDENT

I have signed H.R. 4151, the "Omnibus Diplomatic Security and Antiterrorism Act of 1986," to improve the physical and technical security of U.S. diplomatic establishments abroad and the people who staff them as well as the physical security of foreign missions and officials in this country.

This historic Act provides the legislative basis necessary to implement the recommendations of the Advisory Panel on Overseas Security, chaired by Admiral B. R. Inman. It strengthens the security capability of our Foreign Service, and underlines its commitment not only to the safety of the official U.S. presence overseas, but that of the larger American community abroad. It gives new strength and new emphasis to our national drive against international terrorism. This Act sends a powerful message to all who choose not to honor normal standards for the conduct of diplomatic relations.

The Act provides for the major restructuring of our security efforts recommended by the Inman Panel. It establishes within the Department of State a new Bureau of Diplomatic Security and a Diplomatic Security Service to increase the professionalism and effectiveness of our security personnel.

The Act also authorizes resources for a comprehensive worldwide security program. The key element is a 5-year construction program to replace and upgrade our most vulnerable posts overseas. But this initiative is more than a security construction program. We will also improve communications with state-of-the-art technology so they are faster and more secure and strengthen counterintelligence and intelligence-sharing with host governments and within our own government.

This Act will complement the ambitious program we have already launched to meet the threat posed by dramatically increased international terrorism. By reprogramming existing

resources, the Foreign Service has hired nearly 300 new security agents with significantly improved training. We have made substantial physical security improvements at 152 overseas posts. We have added more Marine Security Guards and Marine Guard detachments at posts and strengthened local guard forces. We have doubled the size of our armored vehicle fleet overseas, and streamlined threat-alert procedures. Besides improving physical security, we have made a major effort to inform and train our people. Mobile training teams have visited high-threat posts overseas to give specialized security training to U.S. personnel and their dependents and to discuss the threat of terrorism with American communities.


Overall this is an unprecedented national program to modernize the physical and technical security of all civilian departments and agencies abroad. The aim is to enable the people who represent us overseas to preserve the tradition of warmth and openness that has characterized our diplomatic presence in an increasingly uncertain, and often dangerous, environment.

The Act also incorporates important provisions of other legislation that the Administration has proposed. We are particularly pleased that H.R. 4151 includes Title VIII, Victims of Terrorism Compensation, which provides a variety of protections and services for government employees and certain others who are either taken hostage or injured or killed in terrorist activities. This long-needed provision has been endorsed strongly by the Administration. We have been working for passage of this legislation since 1981. We appreciate the bipartisan support of the Congress in enacting this title of H.R. 4151.

In my view the Act contains numerous overly detailed specifications with regard to implementation, including a very large number of distinct reporting requirements. On several topics the Act purports to direct the President in the exercise of his inherent constitutional authorities in the area of foreign affairs, for example in Sections 601(a) and 701. Although we share many of the objectives of these

provisions, it will be necessary to consider the particular circumstances in each case before raising topics for international consideration. As a matter of long-standing principle, I will reiterate my refusal to accept as legally binding congressional efforts to impose legislative restrictions or directions with respect to international negotiations that are, under the Constitution of the United States, reserved exclusively to the President. In this connection I would like to record my understanding that Section 601(a) does not change any of the requirements under existing law for peaceful nuclear cooperation with the United States. Further, I note that some allies and trading partners with excellent nonproliferation credentials have advanced nuclear projects that do not pose a threat of nuclear proliferation but may require the use of plutonium. Therefore, I will not interpret Section 601(a)(3) as seeking to undermine the peaceful nuclear programs of these countries. Moreover, under Subsection (B) of Section 601(a)(3) decisions as to adequacy of physical protection may take into account a variety of factors including transport means, the nature of the nuclear material, and the cost of additional measures.

Effective comprehensive security will be a central concern in the conduct of U.S. foreign relations in the foreseeable future. The enactment of H.R. 4151 is a major step into that future. In passing this historic measure, the Congress has provided the necessary legislative basis to give new strength to our ongoing efforts against international terrorism. Now I call upon the Congress to provide the funds we have requested to allow the Administration to accelerate those efforts. I call upon the Congress to provide the resources necessary to maintain our strong and resolute foreign policy around the world.



WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/22/86 ACTION/CONCURRENCE/COMMENT DUE BY: 10:00 am, Mon., 8/25

SUBJECT: SIGNING STATEMENT FOR H.R. 4151 - Omnibus Diplomatic Security and Anti Terrorism Act of 1986

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BALL <i>ok w/minor change</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS <i>no comment</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	WALLISON <i>concur</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KING	<input type="checkbox"/>	<input type="checkbox"/>	<u>Clerk</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
KINGON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Attached is an alternate signing statement proposed by NSC. May I please have your comments on this by 10:00 a.m. Monday. Thank you.

RESPONSE:

David L. Chew
Staff Secretary
Ext. 2702

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

1986 AUG 22 PM 6:00 August 22, 1986

MEMORANDUM FOR DAVID L. CHEW

FROM: RODNEY B. McDANIEL *Blgr*

SUBJECT: Enrolled Bill H.R. 4151, "Omnibus Diplomatic Security and Anti-Terrorism Act of 1986"

NSC has reviewed the OMB memo to the President and concurs with its recommendation.

The NSC strongly recommends a reenactment signing ceremony for this bill when Congress reconvenes in September. The original signing statement proposed by State at Tab A is too lengthy and detailed. At Tab B is an NSC-approved signing statement that notes the signing of the bill into law and the cooperation of the executive and legislative branches without diminishing the value of a September reenactment ceremony. State will be tasked to prepare Presidential remarks for the proposed reenactment ceremony.

Attachments

- Tab A - State Proposed Signing Statement
- Tab B - NSC-Approved Signing Statement

cc: Clerk

TAB

A

In my view the Act contains overly numerous detailed specifications with regard to implementation, including a very large number of distinct reporting requirements. On several topics the Act purports to direct the President in the exercise of his inherent Constitutional authorities in the area of foreign affairs, for example in Sections 601(a) and 701. Although we share many of the objectives of these provisions, it will be necessary to consider the particular circumstances in each case before raising topics for international consideration. As a matter of longstanding principle, I will reiterate my refusal to accept as legally binding Congressional efforts to impose legislative restrictions or directions with respect to international negotiations which are, under the Constitution of the United States, reserved exclusively to the President. In this connection I would like to record my understanding that Section 601(a) does not change any of the requirements under existing law for peaceful nuclear cooperation with the United States. Further I note that some allies and trading partners with excellent nonproliferation credentials, advanced nuclear projects and in situations that do not pose a threat of nuclear proliferation may find it necessary to use plutonium to meet the requirements of their nuclear programs. Therefore, I will not interpret Section 601(a)(3) as seeking to undermine the peaceful nuclear programs of these countries. Moreover, under Subsection (B) of Section 601(a)(3) decisions as to adequacy of physical protection may take into account a variety of factors including transport means, the nature of the nuclear material, and the cost of additional measures.

Effective comprehensive security will be a central concern in the conduct of U.S. foreign relations in the foreseeable future. The enactment of H.R. 4151 is a major step into that future. In passing this historic measure, the Congress has provided the necessary legislative basis to give new strength

TAB

B

PRESIDENTIAL STATEMENT
UPON THE SIGNING INTO LAW
H.R. 4151, THE OMNIBUS DIPLOMATIC SECURITY
AND ANTI-TERRORISM ACT OF 1986

Today, I signed into law H.R. 4151, The Omnibus Diplomatic Security and Anti-Terrorism Act of 1986. This marks yet another step forward in our bipartisan effort to eradicate international terrorism. I would like to recognize the valuable contributions to this legislation by the Vice President and his Task Force on Combatting Terrorism; Secretary Shultz and Retired Admiral Inman and their Panel on Diplomatic Security, and the work of Senator Richard Lugar and Representatives Dante Fascell, Broomfield, ~~Mc~~Ma, and Snowe, as well as many other distinguished members of Congress, for bringing the various parts of this bill together. This is truly a bipartisan piece of work.

This bill once again puts those who would instigate acts of terrorism against U.S. citizens or property on notice that we will not be deterred from carrying out our obligations throughout the world. I am committed to ensuring the safety of our diplomats, servicemen, and citizens wherever they may be. This historic bill provides the organization and authorities necessary to implement the recommendations of the advisory Panel on Overseas Security. It also establishes within the State Department a new Bureau of Diplomatic Security and a Diplomatic Security Service to increase the professionalism and effectiveness of our security personnel. Another important piece of this bill that I am particularly pleased to have supported is the victims of terrorism assistance

program. This will for the first time provide for the care and welfare of the victims of terrorism and their families.

At the same time, I continue to urge cooperation with all nations, on both a bilateral and multilateral basis, to seek ways to work together to end the continuing onslaught of international terrorism against civilized society. Seeking international cooperation is vital in the struggle against terrorism and that effort will remain a top foreign policy priority for me. Within the government, cooperation and coordination between all departments and agencies is also essential in protecting our vital national security interests from the terrorist threat.

We can never legislate an end to terrorism. However, we must remain resolute in our commitment to confront this criminal behavior in every way -- diplomatically, economically, legally, and when necessary, militarily. First rate intelligence remains the key element in each of these areas. We will continue to improve our ability to predict, prevent, and respond to threats of terrorism with an expanded intelligence gathering capability.

We will continue to work with Congress to identify legislation gaps in our ability to combat terrorism. This bill adds to our capabilities and further demonstrates our resolve. I congratulate those responsible for this historic bill.