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# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection Name** NORTH, OLIVER: FILES

**Withdrawer**

DLB 6/6/2005

**File Folder** NSDD ON VICE PRESIDENT'S TASK FORCE (7 OF 13)

**FOIA**

F99-008/2

**Box Number** 34

WILLS

51

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
13291	MEMO	OLIVER NORTH TO JOHN POINDEXTER, RE: COMMENTS ON VP'S TASK FORCE'S ISSUE PAPERS <i>R 10/1/2008 NLRRF99-008/2</i>	1	11/4/1985	B1
13293	MEMO	POINDEXTER TO ADMIRAL J. L. HOLLOWAY, RE: COMMENTS ON TASK FORCE ISSUE PAPERS <i>R 10/1/2008 NLRRF99-008/2</i> DOCUMENT PENDING REVIEW IN ACCORDANCE WITH E.O. 13233	11	ND	B1
13296	MEMO	POINDEXTER TO HOLLOWAY, RE: COMMENTS ON TASK FORCE ISSUE PAPER #3 <i>R 10/1/2008 NLRRF99-008/2</i> DOCUMENT PENDING REVIEW IN ACCORDANCE WITH E.O. 13233	3	ND	B1
13298	PAPER	ISSUE PAPER NO. 6, RE: POLICY FOR ACTIVE RESPONSE <i>R 10/1/2008 NLRRF99-008/2</i>	3	ND	B1
13299	PAPER	ISSUE PAPER NO. 9, RE: RESPONSE OPTIONS <i>R 2/2/2012 F1999-008/2</i>	1	ND	B1
13300	PAPER	ISSUE PAPER NO. 11, RE: INTELLIGENCE <i>R 10/1/2008 NLRRF99-008/2</i>	1	ND	B1
13301	PAPER	ISSUE PAPER NO. 14, RE: VOLUNTARY RESTRAINT <i>R 2/2/2012 F1999-008/2</i>	2	ND	B1

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13303	PAPER	ISSUE PAPER NO. 16, RE: DEPLOYMENT <i>R 2/2/2012 F1999-008/2</i>	1	ND	B1
13304	PAPER	ISSUE PAPER NO. 17, RE: CURRENT POLICY <i>R 10/1/2008 NLRRF99-008/2</i>	1	ND	B1
13306	PAPER	ISSUE PAPER NO. 19, RE: CONGRESSIONAL OVERSIGHT <i>R 10/1/2008 NLRRF99-008/2</i>	1	ND	B1
13310	PAPER	ISSUE PAPER NO. 20, RE: EXPANDED CAPABILITY <i>PAR 7/12/2006 F99-008/2</i>	1	ND	B1 B3
13311	PAPER	ISSUE PAPER NO. 21, RE: RESPONSE CAPABILITY <i>R 10/1/2008 NLRRF99-008/2</i>	1	ND	B1
13313	PAPER	ISSUE PAPER NO. 22, RE: MULTILATERAL COUNTERTERRORIST	1	ND	B1
13315	PAPER	ISSUE PAPER NO. 23, RE: U.S. ARMY <i>D 9/7/2007 NLRRF99-008/2</i>	2	ND	B1
13322	PAPER	ISSUE PAPER NO. 31 <i>R 10/1/2008 NLRRF99-008/2</i>	2	ND	B1
13339					

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OFFICE OF THE VICE PRESIDENT  
WASHINGTON

15 October 1985

To: Senior Review Group  
Task Force on Combatting Terrorism

From: Admiral J. L. Holloway, III  
Executive Director

*J L Holloway*


Subject: Issue Papers

Enclosed is the first increment of Issue Papers developed by the Staff Working Group as the result of the review of the existing program for combatting terrorism, briefings by agencies involved in the program, visits to federal installations and facilities, discussions with government officials, consultations with outside authorities, a survey of the current literature and press, and extensive liaison with the Congress.

As issues have been identified, discussion papers for each separate issue have been prepared and these are now being distributed for review and comment by the Senior Review Group.

The cognizant department or agency responsible for reviewing each issue is shown on the issue sheet form. However, any member of the Senior Review Group is invited to comment on any issue.

*2 NOV 85 via phone call*

 Substantive comments only are desired at this point. A staff contact has been assigned to each issue to coordinate the responses as they are received.

From these responses, draft recommendations representing the consensus of the Senior Review Group will be prepared and recirculated to the SRG for further review. During the SRG review of the draft recommendations, suggestions as to form and editing will be solicited, as well as comments of substance.

## INDEX OF ISSUES

Issue Paper No. 1	National Program for Combatting Terrorism
Issue Paper No. 2	National Policy for Combatting Terrorism
Issue Paper No. 3	National Organization for Combatting Terrorism
Issue Paper No. 4	Definition of Terrorism
Issue Paper No. 5	Public Statements during Terrorist Incidents
Issue Paper No. 6	Policy for Active Response to Terrorist Threats and Incidents
Issue Paper No. 7	International Agreements for Combatting Terrorism
Issue Paper No. 8	Extradition Treaties
Issue Paper No. 9	Response Options to Terrorism
Issue Paper No. 10	Counterterrorism Exercises and Simulations
Issue Paper No. 11	Intelligence Fusion Center for Terrorism
Issue Paper No. 12	Hostage Family Liaison
Issue Paper No. 13	Domestic Public Awareness
Issue Paper No. 14	Voluntary Restraint on Publicity During a Terrorist Incident
Issue Paper No. 15	Murder of U. S. Citizens Outside of U. S.
Issue Paper No. 16	Deployment of Counterterrorist Forces
Issue Paper No. 17	Current Policy regarding the Operational Security of JSOC/DELTA
Issue Paper No. 18	Prohibition of Training and Support/Counterterrorism/Mercenary Training Camps
Issue Paper No. 19	Congressional Oversight of Counterterrorist Operations
Issue Paper No. 20	Expanded HUMINT Capability Against Terrorism



Issue Paper No. 21 Paramilitary Terrorist Response Capability

Issue Paper No. 22 Multilateral Counterterrorist (CT) Strike Force

Issue Paper No. 23 TOP SECRET

Issue Paper No. 24 Increased Coordination with Law Enforcement Elements Domestically and Overseas

Issue Paper No. 25 Rewards

Issue Paper No. 26 International Informant Incentives

Issue Paper No. 27 Terrorism as a Crime

Issue Paper No. 28 Death Penalty for Hostage Taking

Issue Paper No. 29 Freedom of Information Act (FOIA)

Issue Paper No. 30 Terrorism Intelligence Analysts

Issue Paper No. 31 Psychological Operations to Combat Terrorism

Issue Paper No. 32 Controlling Cross-Border Travel of Known or Suspected Terrorists

Issue Paper No. 33 Review of provisions of Vienna Convention

Issue Paper No. 34 Preventing Flyaway of Hijacked Aircraft

Issue Paper No. 35 Country Team Briefings

Issue Paper No. 36 U. S. Infrastructure Vulnerabilities

Issue Paper No. 37 Interference with the Movement of Nuclear Material

Issue Paper No. 38 Improved Security for Nuclear Reactor Facilities



OFFICE OF THE VICE PRESIDENT  
WASHINGTON

DISTRIBUTION OF ISSUE PAPERS  
SENIOR REVIEW GROUP  
VICE PRESIDENT'S TASK FORCE ON COMBATTING TERRORISM

EXECUTIVE DIRECTOR:

Admiral J. L. Holloway, USN (Ret.)

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OFFICE OF THE VICE PRESIDENT  
DEPARTMENT OF STATE  
DEPARTMENT OF TREASURY  
DEPARTMENT OF DEFENSE  
DEPARTMENT OF JUSTICE  
DEPARTMENT OF TRANSPORTATION  
CENTRAL INTELLIGENCE AGENCY  
JOINT CHIEFS OF STAFF  
FEDERAL BUREAU OF INVESTIGATION  
NATIONAL SECURITY COUNCIL  
WHITE HOUSE  
OFFICE OF MANAGEMENT AND BUDGET

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Burton Hutchings  
David J. McMunn

LIAISON GROUP

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DEPARTMENT OF JUSTICE

ISSUE PAPER NO. 1

COGNIZANT ACTIVITY: All Agencies

SUBJECT: National Program for Combatting Terrorism

ISSUE: The Vice President's Task Force on Combatting Terrorism was directed by NSDD 179 to review and evaluate the effectiveness of current U.S. policy and programs on combatting terrorism. In the process of this review it was found that elements of the overall national capability for combatting terrorism were distributed throughout a number of departments and agencies within the Executive Branch. This in itself is not inappropriate, as each office has assumed responsibilities for combatting terrorism appropriate to the mission or objectives of their department or agency. However, it is not currently possible to go to any one single source to determine where all components of the national effort repose.

In order that national priorities can be set; to eliminate overlap, redundancy, and duplication; to provide the necessary resources for combatting terrorism; and to be certain that no necessary elements of such a program are neglected; all of the component parts of the national program for combatting terrorism should be collected into a single set of documents, where the various components can be identified as to purpose, responsible agency, resources available and assets required. Such a formal statement of a national program for combatting terrorism is required if the total effort is to be properly coordinated and managed at the national level. Today the national program is not properly expressed in such a way that it can be efficiently managed in order to identify shortfalls, eliminate redundancies, generate requirements for resources, and justify legislative and fiscal requests.

PROPOSAL: A programming document should be established that incorporates all of the diverse elements and components of the national program for combatting terrorism. This document should be so constructed as to facilitate the management and coordination of the total interagency program at the national level, identifying shortfalls, eliminating redundancies, generating requirements for resources, and justifying legislative and fiscal requests.

The programming document prepared by the Task Force to establish the baseline of the existing national program for combatting terrorism should serve as the interim programming document.

The programming document for combatting terrorism will be maintained by the National Coordinator for Combatting Terrorism on the NSC staff (see Issue Paper 3).

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

ISSUE PAPER NO. 2

COGNIZANT ACTIVITY: All Department and Agencies

SUBJECT: National Policy for Combatting Terrorism

ISSUE: There should be a national policy on terrorism clearly expressed to serve as guidance for the program for combatting terrorism, the counterterrorism strategy, and the tactics for dealing with terrorists incidents. There could be both public and classified versions of this policy statement. Currently statements of U.S. Government policy toward terrorism are included in several national security documents. These existing policy statements may be sufficient and suitable for the purpose, but they should be reviewed to ensure that they provide the necessary guidance for both the development of the national program for combatting terrorism and a strategy to implement the national program.

PROPOSAL: A policy statement along the following lines should be expressed by the appropriate national security directive to serve as guidance in all national matters concerning terrorism.

"The U.S. Government is opposed to domestic and international terrorism and is prepared to act in concert with other nations or unilaterally when necessary to prevent and/or respond to terrorist acts." (NSDD 179 and NSDD 180).

"The USG considers the practice of terrorism by any person or group in any cause a threat to our national security and will resist the use of terrorism by all legal means available." (NSD 138)

"Terrorism is a problem shared by all nations. We will work intensively with others to eliminate the threat of terrorism to our way of life. States that practice terrorism or actively support it, will not be allowed to go so without consequence. (NSD 138) State-sponsored terrorist activity or directed threats of such action are considered to be hostile acts and the U.S. will hold sponsors accountable. Whenever we have evidence that a state is mounting or intends to conduct an act of terrorism against us, we have a responsibility to take measures to protect our citizens, property, and interests." (NSD 138)

"The U.S. Government will make no concessions to terrorists. It will pay no ransoms, nor permit releases of prisoners or agree to other acts which might encourage additional terrorism. It will make no changes in its policy because of terrorists, threats, or acts. The U.S. is determined to act in a strong manner against terrorists without surrendering basic freedoms or endangering democratic principles. The USG encourages other governments to take similar strong stands against terrorism." (Ambassuor Oakley's speech)

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

ISSUE PAPER NO. \_\_\_\_\_

COGNIZANT ACTIVITY: All Departments and Agencies

SUBJECT: National Organization for Combatting Terrorism

ISSUE: The organization for combatting terrorism must be compatible with the overall organizational structure of the U.S. Government, be capable of administering the programmatic aspects of the national program for combatting terrorism, be able to generate a counterterrorist strategy, and provide the operational capability for dealing tactically with terrorist threats and incidents. The existing organization utilizes the interagency approach, and the two principal components are the Interdepartmental Group on Terrorism which formulates policy, manages the program, and generally outlines the counterterrorism strategy; and the Terrorist Incident Working Group which generally operates in a tactical fashion to resolve threats and incidents in an operational context.

PROPOSAL: The existing interagency approach utilizing the basic organizations of the Interdepartmental Group on Terrorism and the Terrorist Incident Working Group should be retained with the following modification.

There will be established the position of National Coordinator for Combatting Terrorism in the National Security Council organization at the level of a Senior Director for National Security (Special Assistant to the President). The coordinator will:

1. Be supported by a small, full-time, dedicated staff.
2. Serve as Chairman of the Interdepartmental Group on Terrorism.
3. Serve as Executive Director of the TIWG.
4. Be responsible for maintaining the programming documents of the national program for combatting terrorism.
5. Provide management coordination of the entire national program for combatting terrorism through the programming documents and the Interdepartmental Group on Terrorism.
6. Provide a focal point for all matters concerning terrorism other than those clearly the sole responsibility of a single agency or department.

STAFF CONTACT: Mr. B. Hutchings, 395-4950

4  
ISSUE PAPER NO. \_\_\_\_\_

COGNIZANT ACTIVITY: All Department and Agencies

SUBJECT: Definition of terrorism

ISSUE: There is no single agreed-upon definition of terrorism within the Government. Various agencies and the Congress have developed their own versions, designed to meet their own specific needs. U.S. laws and international agreements require formal statements defining terrorism, but these will of necessity be individually drafted for the specific law or agreement. Nevertheless, it is considered essential that a working definition of terrorism be established to give scope to the national program for combatting terrorism and to allow the proper interpretation of national policies in this area. Such a definition is needed to ensure proper coordination and understanding, and to preclude the sometimes heard criticism that we are unable to effectively combat terrorism when we can't even define it.

PROPOSAL: Definition of Terrorism: Terrorism is the use or threat of violence for political purposes to create a state of fear which will cause individuals, groups, or governments to alter their behavior or policies. A terrorist group does not need a defined territorial base or specific organizational structure. Its goals need not relate to any one country. It does not require nor necessarily seek a popular basis of support. Its operations, organization and movements are secret. Its activities do not conform to rules of law or warfare. Its targets are civilians, noncombatants, bystanders, or symbolic persons and places. Its victims generally have no role in either causing or correcting the grievance of the terrorists. Its methods are hostage taking, aircraft piracy or sabotage, assassination, threats, hoaxes, and indiscriminate bombings or shootings. Terrorism is international when the victims, the actors, the location of a terrorist incident, or the means used to carry out the act involve more than one country.

Colateral definitions associated with terrorism are:

Antiterrorism (AT) - defensive measures used to reduce vulnerability to terrorist acts.

Counterterrorism (CT) - offensive measures taken to prevent, deter, and respond to terrorism, including the gathering of information and threat analysis in support of these measures.

Insurgency - A state of revolt against an established government. An insurgent group has a defined organization, leadership, and location. Its members wear a uniform. Its objectives are acquisition of political power, achievement of participation in economic or political opportunity and national

leadership, or ultimately taking power from existing leadership. Its primary interests relate to one country. Its methods are military and paramilitary. Its targets both tactical and strategic, and its legitimate operations are governed by the international rules of armed conflict. It operates in the open, and it actively seeks a basis of popular support.

OPTIONS: For some purposes a shorter definition of terrorism may be appropriate or desirable and the following is suggested:

Terrorism is the calculated, criminal use or threat of violence against persons or property to intimidate or coerce governments or civilian populations for political or ideological purposes.

STAFF CONTACT: LTCOL R. Earl, 395-4950

ISSUE PAPER NO. 5

COGNIZANCE: STATE, DEFENSE, TRANSPORTATION, NSC, CIA, Chief of Staff to the President, Chief of Staff to the Vice President

SUBJECT: Public Statements during Terrorist Incidents

ISSUE: During past terrorist incidents there have been statements by public officials announcing planned courses of action ranging from a flat commitment to rule out the use of force, as in the Iranian hostage situation, to the intention to strike back at unspecified targets by unspecified means. When subsequent action failed to follow the previous announcements, considerable criticism arose both in the domestic press and abroad. This was particularly strident in cases where public statements promised action and no action occurred.

When there occurs a failure to follow through with promised action or retaliation, then doubt is cast upon the resolve and the commitment of the U.S. Government in dealing with terrorism. There needs to be a better system for first determining what should be said publicly by responsible officials in connection with an ongoing or unresolved incident, as well as a more positive means of insuring adherence to these policy statement guidelines.

The main problem is the lack of predictability in terrorist acts, in terms of location, nature, duration, and the extent of U.S. involvement. This makes it difficult to formulate specific responses during the initial stages. Our national policy with respect to negotiation or the release of prisoners can be clearly stated. Beyond that, the unique nature of individual terrorist incidents requires that the public statements associated be carefully tailored to both the incident itself and the potential options for actions available to the U.S. Government in response. Failure to link public utterances with either our proposed courses of action, or those options available to the USG as the incident develops, can be quite detrimental because of the erosion of public confidence in the capabilities and resolve of the USG in dealing with terrorist incidents and because of the confidence and assurance that it provides to the terrorist groups themselves.

PROPOSAL: Among the responsibilities of the TIWG at its initial meeting in reaction to a terrorist incident should be to specify guidelines to be used by government spokesmen in connection with the incident. This must be among the first items of business taken up by the TIWG. These guidelines should be immediately transmitted to the White House Press Office as well as being furnished by each member of the TIWG to his own agency.

At each step of the TIWG's deliberations, when further information is received, the situation significantly changes, or new actions are decided upon or planned, the public statement guidance should be



reviewed and updated if appropriate. As the guidance is changed with the unfolding events, new guidelines must again be immediately transmitted to the White House Press Office and to the agencies represented on the TIWG.

OPTIONS: The Interagency Counterterrorism Public Diplomacy Incident Management Working Group, with State as lead agency, has initiated draft proposals to update existing public affairs guidelines and to develop a tactical plan to provide public affairs management capability during terrorist incidents. The development of these strategies should be accelerated, and the lead agency responsibility should be shifted to the NSC (National Coordinator for Combatting Terrorism, Issue Paper No. 3).

STAFF CONTACT: LTCOL P. F. Daly, 395-4950

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COGNIZANT ACTIVITY: STATE, DEFENSE, NSC, CIA

SUBJECT: International Agreements for Combatting Terrorism

ISSUE: To successfully deal with international terrorism, treaties and agreements are required to facilitate the cooperative efforts among the nations upon whose sovereign territory the terrorist incident may have occurred, those nations whose citizens and properties may be involved, and those nations through which terrorists may proceed for deployment or escape. Such international agreements should as a minimum contain provisions to permit and expedite the exchange of intelligence information concerning terrorism; the investigation of terrorist threats and incidents; the apprehension and prosecution of suspected or known terrorists; and the extradition of known terrorists.

Although there is much interest among likeminded nations for such international agreements, progress in reaching the agreements has been slow or non-existent. One of the difficulties appears to be that the achievement of a broad international multilateral treaty on terrorism that would be strong enough to be of practical utility, is probably not realistic. A broad multilateral treaty would necessarily reduced to the lowest level of commitment of the least cooperative signatory.

On the other hand, such a broad multilateral treaty could be useful as a demonstration of the breadth of commitment throughout a broad spectrum of nations to the condemnation of terrorism as an international crime against society.

To achieve more practical agreements in such areas as extradition, police cooperation, intelligence sharing, and the combined use of forces, bilateral treaties appear to be more feasible. A bilateral agreement which contains all of those provisions for cooperation that the two signatories can readily concur in can be consummated quickly. Such bilaterals need not be delayed by attempting to achieve cooperation in difficult areas.

The International Security and Development Cooperation Act of 1985 (Public Law 99-83) calls upon the President to encourage the international community to focus attention and secure cooperation against terrorism world-wide. The law further provides the sense of the Congress for the President to negotiate a treaty to incorporate a variety of procedures to improve international procedures to combat terrorism.

Consequently, it would appear that there are advantages in both the multilateral and bilateral approaches to cooperative agreements to combatting terrorism.

PROPOSAL: The Department of State should initiate a two-track effort to secure international agreements for combatting terrorism.

1. A multilateral treaty against terrorism should be sought with a large number of participants in order to attain a broad international expression of condemnation for international terrorism. The objective should be one of wide participation in a general statement, that can be achieved quickly.
2. A parallel effort should be undertaken to obtain a series of bilateral agreements with our allies and likeminded nations for the purpose of combatting terrorism. The objective in these bilaterals would be to move quickly to achieve agreements in areas where there is already a concurrence of views on both sides. If where only limited concessions can be gained, these should be accepted and agreements rapidly concluded. This way, a network of bilateral agreements concerning terrorism might be achieved in a relatively short period of time.

STAFF CONTACT:      CAPT    L.    H.    Boink,    395-4950

ISSUE PAPER NO. 8

COGNIZANT ACTIVITY: STATE

SUBJECT: Extradition Treaties

ISSUE: The spread of international terrorism, involving frequent travel across borders on the part of terrorists to commit violent acts abroad or to escape prosecution at home requires us to reexamine the intent of the "political offense" exception in our extradition treaties. As it presently stands, the language of our law can be used, and is on occasion being used, as a safehaven for terrorists. The United States may extradite fugitives to foreign countries only pursuant to a treaty. Our extradition treaties preclude extradition if the fugitive is wanted for a "political offense." Current interpretations of the political offense exception by the courts and by defense attorneys is that anything goes as long as the crime was political in nature. These interpretations are frustrating U.S. efforts to gain the cooperation of other governments in closing legal loopholes that help terrorists. When terrorists are apprehended, there must be an effective means of extraditing them to the nation with jurisdiction to bring them to trial. This is particularly justifiable when that nation is a democratic regime which offers a fair judicial system. Extradition treaties should exclude specified crimes of violence from the scope of the political offense exception to extradition. These include such serious offenses as aircraft hijacking and sabotage, hostage taking, murder and manslaughter. Truly "political" offenses such as treason and espionage would continue to be excepted. The 1971 European Convention of the Suppression of Terrorism contains such a provision.

PROPOSAL: The State Department should conduct a review of the U.S. situation with respect to extradition arrangements. Following this review, it should initiate action for the USG to enact such treaties or supplement current treaties with democratic regimes which offer fair judicial systems. (Note: The US/UK Supplemental Extradition Treaty, revising our 1972 bilateral extradition treaty with UK, was signed on June 25, 1985, and transmitted to the Senate on July 17, 1985.)

STAFF CONTACT: COL D. L. Cole, 395-4950

~~SECRET~~ISSUE PAPER NO. 9

COGNIZANT ACTIVITY: STATE, DEFENSE, NSC.

SUBJECT: Response Options to Terrorism

Issue: There has been a publicly expressed concern that at the time of a terrorist incident, the National Command Authority (NCA) does not have available an extensive list of pre-planned options for response alternatives. The popular perception is that given the unique and individual nature of terrorist incidents, the planners commence their development of alternative actions without the benefit of extensive pre-planned research.

The unique nature of terrorism, and the often one-of-a-kind character of a terrorist act, drastically limits the opportunity for set solutions or pre-planned options. Nevertheless, it would appear to be useful to establish an encyclopedia of options that could be reviewed in the development of the USG's plan of action. Clearly such a list of options would serve as an aide memoire rather than as a specific course of action in most cases. It would provide an additional tool which would expedite the development of a plan of action.

Proposal: The Office of the National Coordinator for Combatting Terrorism (proposed in Issue Paper Number 3) in the NSC will maintain a list of current options for response to terrorist threats or incidents. This collection will be developed by the Coordinator both through his capacity as Chairman of the Interdepartmental Group on Terrorism and as Executive Director of the TIWG, through the consultation with the other representatives on both the IG/T and the TIWG. These options should represent the widest range of actions imaginable, covert as well as overt, in order to give our nation the ability to act with a reasonable chance of success when and if required, in an infinite variety of possible scenarios. No options should be excluded because of a low likelihood of employment. This range of capabilities should better prepare the USG to respond appropriately to terrorist incidents more promptly and hopefully with better preparation.

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

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ISSUE PAPER NO. 10

COGNIZANT ACTIVITY: STATE, DEFENSE, CIA, JCS, FBI

SUBJECT: Counterterrorism Exercises and Simulations

ISSUE: Those who participate in the decision making process during terrorist incidents often may not be completely familiar with the capabilities and limitations of CT military forces and the time constraints under which these forces operate. On the other hand, action officers do not always appreciate the political and diplomatic constraints that affect the decisions of officials at the national command level. The result is (increasing) frustration on both sides which is counter productive to the national effort to combat terrorism.

PROPOSAL: The office of the Coordinator for Combatting Terrorism (See Issue Paper 3) in the NSC should plan, coordinate, and oversee a program of simulating various realistic terrorist problems and conducting interagency exercises that will afford a basis for viable contingency planning. High-level participation should be strongly encouraged, as surrogate role-playing, while useful, simply does not give either side a true understanding of the likely course of events in a real situation. Post exercise debriefs and lessons learned should be widely circulated and discussed.

STAFF CONTACT: Mr. B. Hutchings (395-4950)

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13300	PAPER  ISSUE PAPER NO. 11, RE: INTELLIGENCE	1	ND	B1

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ISSUE PAPER NO. 12

COGNIZANT ACTIVITY: STATE, DEFENSE

SUBJECT: Hostage Family Liaison

ISSUE: Different Government agencies have dealt with the sensitive question of liaison with the families of their employees who are taken hostage in different ways with somewhat uneven results. Responsibilities for the necessary contacts, information flow and guidance have generally gravitated to the relevant geographic bureau in the State Department, or to the affected service in Defense, for example. This process is effective and should continue.

At the same time, however, there should be a clear-cut delineation of who is responsible, staffed and equipped to perform the function on a permanent agency-wide basis to handle liaison with the families of persons who are not civilian or military employees of the Government, but for whom the Government assumes some responsibility when they become hostages. At the present time, this is done in State's Bureau of Consular Affairs. In recognition of the potentially significant political importance of such persons, they should have a point of contact that can provide both needed information and, of perhaps equal significance, more visible assurances that senior levels of the Administration are involved.

PROPOSAL: The office of the Ambassador-at-Large for Combatting Terrorism should be designated as the primary point of contact for liaison with the families of all American hostages who are not USG employees; and as the coordinator of liaison with the families of all others, in consultation with the agencies involved.

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

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

SUBJECT: Domestic Public Awareness

ISSUE: An important facet of America's ability to deal effectively with terrorism will be the extent to which the public understands the true nature of the threat. Administration statements on the subject convey, at a minimum, a reasonably accurate description of what we face. The words we use must carry the full weight of our condemnation and rejection, but should not obscure the nature of terrorism. The terrorists we face are not "mindless" nor are they "common criminals." Clearly criminal, terrorism is focused and intentional, planned and executed in the expectation that it will contribute to their political and ideological goals of the terrorists.

Particular factors facing the nation include:

- The decay of national morale; the feeling of helplessness or frustration on the part of the public.
- The institutional and psychological effects of terrorism are likely to be far more significant than the actual destruction.
- The loss of confidence by our allies.
- The potential boost in confidence for terrorists and their organizations by the perception of our lack of resolve.
- The threat of assassination of national leaders.
- The threat to U.S. infrastructure (monetary, electrical, communications, etc.)
- The threat of nuclear/biological blackmail.
- The lack of risk-free options when dealing with terrorists.
- The necessity for international cooperation to defeat terrorism.

During a terrorist crisis, one of a government's most important responsibilities is to maintain a public confidence in its ability to cope with all contingencies. If the U.S. is going to be successful in furthering its global interests while concurrently maintaining international peace and security, it must find a way to communicate with world audiences and gain support for its policies in the critical area of public opinion.

Although an Interdepartmental Counterterrorism Public Diplomacy Committee has recently been formed and a draft strategy and action plan has been composed, virtually no initiatives have been implemented toward an aggressive long-term public affairs program designed to combat terrorism.

PROPOSAL: The Interdepartmental Counterterrorism Public Diplomacy Committee should undertake an aggressive program to focus national and international attention on the actual nature of the terrorist threat.

- The program should generate a "national credo" of U.S. attitudes toward terrorism in order to pre-condition the public to the range of potential government responses to particular terrorist acts.
- Government statements on terrorism should avoid using words and phrases that do not accurately convey the profound danger posed to our national interests.
- That a public awareness survey be conducted to explore in depth the American people's perception, consciousness and understanding of terrorism and its impact on a free society.

STAFF CONTACT: LTCOL P. F. Daly (395-4950)

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ISSUE PAPER NO. 14

COGNIZANT ACTIVITY: STATE, NSC, Chief of Staff to the President,  
Chief of Staff to the Vice President

SUBJECT: Voluntary Restraint on Publicity During a Terrorist  
incident

ISSUE: Terrorism is by its very nature a form of propaganda. Terrorism demands publicity to be effective; the media tends willingly to oblige terrorists in this demand. The relationship between terrorists and the media is symbiotic - the former rely on violence and the resultant publicity as means of commanding attention, while the latter view such acts as newsworthy, and thus, good for ratings. To the extent that the media acts as a catalyst for terrorism, with adverse effects on society in general and terrorist victims in particular, a wholly unrestrained media may not be in the interests of the common good. The media as a whole tends to underestimate terrorism as a specialized tactic that thrives on publicity. Because the media is news-oriented rather than issue-oriented, analysis of the terrorist phenomenon is often lacking. Media and government need to seriously consider a balance between keeping the people informed and the real questions of public security.

PROPOSAL: White House should establish a high level panel to meet and negotiate with the media to formulate a system of voluntary restraint for the media during a terrorist incident. It should recognize the media's need to develop new understanding, skills, and abilities to cope with this unique assault on the free society. It should be self-imposed and designed to elicit media assistance and support rather than suggest censorship. The panel should consider the following:

- Fora between senior government officials and responsible media executives to present the government views.
- Discussions with respected press specialty groups such as the Media Institute, National Association of Broadcasters, etc.
- Discussions with supportive third party groups capable of working with the media such as advertisers, academia, etc.

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- The ambiguity of the First Amendment freedoms has become an excuse for the controllers of mass communication to duck responsibility and to exercise by default the same censorship role which has been denied the government.
- The issue of the media and terrorism has never been considered by the Supreme Court even though some reporting could be interpreted as approaching a "clear and present danger."

The absence of a self-imposed system of restraint raises the potential for government regulation during a terrorist incident. The media, especially television, is much more susceptible to this pressure with the decline in public confidence. Networks may accept a voluntary system of restraint rather than risk a government move to impose regulations during a crisis. Examples include:

- No interviews with the families of the hostages or victims until after the terrorist incident is resolved.
- No payments to terrorist groups or supporters for interviews or access.
- No live, unedited coverage of actual terrorist events.
- No coverage of military plans or deployments in response to terrorist incidents.

STAFF CONTACT: LTCOL P. F. Daly, 395-4950

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ISSUE PAPER NO. 15

COGNIZANT ACTIVITY: STATE, JUSTICE

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

ISSUE: Murder of U.S. citizens outside our borders, other than of specially designated Government officials and diplomats, is not a crime under U.S. law. Existing U.S. law punishes only those who assault our diplomats outside our borders. It then follows that those responsible for the murder of the Marines in Lebanon and El Salvador are not guilty of any U.S. crime for their murder. International law recognizes broad criminal jurisdiction. If an alleged crime occurs in a foreign country, a nation may still exercise jurisdiction over the defendant if the crime has a potential adverse effect on security or governmental functions. Legislation is required which provides authority to prosecute international terrorists for the murder of U.S. nationals. The current law protecting diplomats should be extended to include all U.S. nationals who are victims of international terrorism. Current legislation has been introduced (Terrorist Prosecution Act of 1985, S1429).

PROPOSAL: The Department of Justice should pursue legislation which makes the murder of U.S. citizens outside our borders a federal crime under U.S. law.

STAFF CONTACT: Col D. L. Cole, 395-4950

~~SECRET~~ISSUE PAPER NO. 16

COGNIZANT ACTIVITY: STATE, DEFENSE, NSC

SUBJECT: Deployment of Counterterrorist Forces

ISSUE: Experience has shown that terrorists are normally more vulnerable during the early stages of an incident. The reason for this is essentially twofold; initially there is confusion associated with an incident while the terrorists are attempting to establish control and a regimen. Second, during the early stages of an incident, the number of terrorists involved is normally small. As a situation develops, the terrorists will seek to reinforce their number as well as strengthen their position. This early vulnerability can be exploited if the option of military force is selected. It dictates early deployment of appropriate forces. Recent incidents show that the time required to reach a deployment decision can be lengthy and perhaps has negated the effectiveness of our military options. The readiness posture of the force permits its deployment in a matter of a few hours. Any delay in the decision to deploy fails to exploit the initial vulnerability of the terrorists and does not take full advantage of the counterterrorism force capability.

PROPOSAL: The Defense Department, NSC, and State Department should review current deployment criteria and authorization with a view toward early deployment of counterterrorism forces to a safe location near the incident. Actual employment of the force would properly remain a decision of the National Command Authority.

STAFF CONTACT: CAPT. L. H. Boink, 395-4950~~SECRET~~

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13304	PAPER  ISSUE PAPER NO. 17, RE: CURRENT POLICY	1	ND	B1

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ISSUE PAPER NO. 18

COGNIZANT ACTIVITY: STATE, TREASURY, JUSTICE

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

ISSUE: In 1984 the Administration supported four counterterrorism bills, three of which were enacted into law. The fourth bill concerned the proscription of certain military training in the U.S. and other actions which might assist nations, groups, organizations and factions which would be designated as "terrorists." This bill failed because the language was considered overly broad and because of many concerns regarding the proscription of protected speech, voluntary cash contributions and associations. The Department of State amended the International Trafficking in Arms Regulation (ITAR) to address a major part of the problem. Additionally, the Omnibus Crime Bill of 1984 addressed other elements of the problem. The revised ITAR (1 January 1985) now provides that the approval of the State Department Office of Munitions Control must be obtained, in the form of a license, before any training of foreign persons, whether in the U.S. or by U.S. persons abroad in the manufacture, use, operation, repair, maintenance or modification of defense articles on the Munitions List. The Munitions List includes such categories as firearms, artillery, ammunition, explosives, incendiary agents, missiles, bombs and mines. The purpose of the change is to regulate carefully the development of any skills which would be of use to terrorists. Congress recently amended the Arms Export Control Act to provide for a fine of up to \$1 million or imprisonment up to ten years or both for any willful violation of Section 38 or the regulations issued under it. Any willful untrue statement in the required license application is also punishable. In spite of the changes to the ITAR and other federal criminal and regulatory statutes, it is still possible for individuals to operate mercenary/survival training camps and remain within the law.

PROPOSAL: The Justice and State should review the provisions of the ITAR and other federal laws and statutes to determine if additional legislation is needed to ensure that training and support of terrorists is not permitted under U.S. law.

STAFF CONTACT: COL D. L. Cole, 395-4950

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13306	PAPER  ISSUE PAPER NO. 19, RE: CONGRESSIONAL OVERSIGHT	1	ND	B1

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ISSUE PAPER NO. 20

COGNIZANT ACTIVITY: CIA

SUBJECT: Expanded HUMINT Capability Against Terrorism

ISSUE: With the emergence of terrorism as an issue of national concern, our intelligence agencies shifted increased attention and assets to collection, analyses and dissemination of information on this threat. The nature of the small, fanatical, close-knit terrorist groups that have become very active in the recent past makes them difficult targets to collect against, particularly using the traditional or high technology methods on which we rely for collection against the strategic threat.

The objective, to pinpoint the plans and targets of terrorist grounds, will not easily be attained under the circumstances. It will be a long and costly effort which may not be entirely successful, but which nonetheless must be undertaken. The effort will of necessity be based heavily on HUMINT, the method most likely to provide the type of timely, specific information which can be of utility in terrorist situations. The U.S. will have to redevelop its capabilities in this field, focusing on high-threat areas, and

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STAFF CONTACT: CAPT D. J. McMUNN, 395-4950

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13310	PAPER  ISSUE PAPER NO. 20, RE: EXPANDED CAPABILITY	1	ND	B1

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13311	PAPER  ISSUE PAPER NO. 21, RE: RESPONSE CAPABILITY	1	ND	

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13313	PAPER  ISSUE PAPER NO. 22, RE: MULTILATERAL COUNTERORIST	1	ND	B1

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13315	PAPER	2	ND	B1
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ISSUE PAPER NO. 24

COGNIZANT ACTIVITY: STATE, DEFENSE, DCI, FBI

SUBJECT: Increased Coordination with Law Enforcement  
Elements Domestically and Overseas

ISSUE: A terrorist act is by definition a crime. In combatting terrorism (that is anticipating, preempting, managing, resolving, punishing), classic intelligence disciplines and liaison relationships must be supplemented by close relations with local police and law enforcement elements. CIA officers are seldom trained or experienced in police matters, and tend to feel more comfortable with intelligence counterparts. FBI legal attaches tend to deal primarily with the highest echelons of police in their areas of responsibility, and seldom deal on a continuing basis with working level officers with counterterrorist responsibilities. The State Department's Regional Security Officers deal primarily in areas of physical security and personnel and consular matters (eg. U.S. citizens arrested or victimized.) There needs to be more specific attention given to overseas police relations, and in the United States the broad network of law enforcement professionals should be exposed to the plans and requirements of the national counterterrorism program.

PROPOSAL: Counterterrorism specialists, trained in both intelligence and police techniques, should be accredited to the national and local police and law enforcement elements in each country in which terrorism poses a threat to U.S interests. These officers, whether they be from CIA, FBI, State or the military, should have the highest level of training possible, linguistic and professional, and should be assigned for tours long enough to provide considerable continuity. In the U.S., law enforcement officers should be briefed by counterterrorism specialists, and their help solicited.

The DCI should establish a formal, extensive "exchange tour" program between analysts, case officers, and CT specialists of the intelligence community with analysts and special agents of the FBI and with the State Department's Bureaus of Intelligence and Research and Diplomatic Security. Successful completion of a one or two year tour in this program should be made a prerequisite to selected overseas assignment as a CIA CT specialist, FBI Legal Attache (in posts where terrorism is a major threat) or Regional Security Officer.

The DCI should be directed to take the lead in forming this cadre of counterterrorism specialists, with officers detailed to it from other agencies and departments as appropriate.

The FBI, in consultation with the Intelligence Community, should develop a program of briefings and instruction on the national program for combatting terrorism, and make this available to professional law enforcement officers who attend the National Academy at Quantico.

STAFF CONTACT: Mr. B. Hutchings, 395-4950



COGNIZANT ACTIVITY: STATE

SUBJECT: Rewards

ISSUE: Rewards have high potential for assisting the U.S. Government's efforts to combat terrorists, particularly in the Mid-East. Despite the fact that rewards to combat terrorism were legislated a year ago with the 1984 Act to Combat International Terrorism, only one has been offered. The Secretary of State has authorized their payment in only one case (the El Salvador murders of June 19, 1985). Both substantive and bureaucratic reasons are responsible for this situation. The existence and potential utility of this tool for combatting terrorism appears to be not widely recognized within the Government.

PROPOSAL: The Department of State should expedite the authority for payment of awards in cases where U.S. personnel were lost (e.g., Kuwait Airlines hijacking, two AID employees killed; TWA 847 hijacking, one USN diver killed; bombing of Rhine-Mein airfield, one soldier murdered for Armed Forces identification card and one dependent killed in bomb blast), and promulgate and monitor compliance with clearly delineated guidance to all U.S. Government agencies on how to initiate procedures for posting rewards for specific terrorist attacks.

STAFF CONTACT: CAPT D. J. McMunn, 395-4950

ISSUE PAPER NO. 26

COGNIZANT ACTIVITY: STATE, JUSTICE

SUBJECT: International Informant Incentives

ISSUE: Sections 101 and 102 of the 1984 Act to Combat International Terrorism (P.L. 98-533) establish authority for the Attorney General and Secretary of State to pay rewards of up to \$500,000 for information in cases of domestic and international terrorism. A number of sources have applauded the legislation as a meaningful, practical piece of the combatting terrorism puzzle. These same sources however, have concluded that additional incentives should be formulated to stimulate and protect informants, particularly on the international front.

The United States must examine all legal means to supplement our limited overseas HUMINT capabilities and. An effective informant incentive program could be a useful adjunct to ongoing collection efforts.

PROPOSAL: The State Department, in concert with the Department of Justice, should take the lead in an interdepartmental effort to develop a unilateral and/or bilateral program of informant incentives and, initiate requisite legislative action to support such a program. Examples of incentives which might be offered (in addition to monetary rewards) are: immunity from prosecution for previous offenses; relocation, change of identify and long-term physical protection; and, granting of U.S. (or other) citizenship to the informant and immediate family.

STAFF CONTACT: CAPT L. H. Boink, 395-4950

ISSUE PAPER NO. 27

COGNIZANT ACTIVITY: STATE, JUSTICE, FBI

SUBJECT: Terrorism as a Crime

ISSUE: There is a considerable body of opinion that terrorism should not be referred to as "war" nor terrorists as "soldiers." Doing so bestows a certain degree of credibility to the terrorists. War is generally regarded as hostilities between nations and more importantly, it is governed by a set of rules which guide one's conduct and the treatment of prisoners. Terrorism knows no rules and is the ultimate violation of human rights, it is criminal action. Terrorism should be treated as crime - not as war. At the present time terrorism itself is not a crime in the U.S., as it is in many Western industrialized nations (Greece, Ireland, Israel, Italy, Japan, UK, and West Germany). This is a a major gap in our statutory provisions. Heretofore, terrorists have been prosecuted under state or federal statutes for such crimes as robbery, grand larceny, assault, murder, bombing, etc. ... whatever common crime statute covered the technical nature of their act. Terrorism, because it is designed to attack the state itself, the very foundation of ordered society and the protection of all individual rights, is a particularly heinous crime. Because it intentionally and cruelly victimizes innocent, defenseless civilians in pursuit of its objectives, it has a viciousness unmatched by any other crime.

PROPOSAL: The Justice Department should pursue legislation which makes terrorism a criminal offense, and that the USG should not refer to terrorism as war but rather as crime.

STAFF CONTACT: COL D. L. Cole, 395-4950

ISSUE PAPER NO. 28

COGNIZANT ACTIVITY: JUSTICE

SUBJECT: Death Penalty for Hostage Taking

ISSUE: Current law provides for imposition of the death penalty where a death results from the seizure of an aircraft (49 U.S.C. Sec. 1472(i)). Additionally, a hijacker can be prosecuted under 18 U.S.C. 1203 which prohibits hostage-taking. The hostage-taking statute, however, does not provide for the death penalty. There is a statutory gap as to the application of the death penalty between murder resulting from a hijacking and murder as a result of hostage taking.

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

STAFF CONTACT: COL D. L. Cole, 395-4950

COGNIZANT ACTIVITY: JUSTICE

SUBJECT: Freedom of Information Act (FOIA)

ISSUE: The Freedom of Information Act permits disclosure of records related to terrorism and foreign counterintelligence. Additionally there is no requirement for the requester to be a U.S. citizen. Hostile foreign intelligence services, members of terrorists groups and others have used the FOIA to identify FBI informants and frustrate FBI investigations as well as tie up U.S. Government resources responding to their request. Individuals have refused to provide information to the FBI because of fears that their names would be released under an FOIA request. There is a need to close the loopholes in the law that allow terrorists and foreign intelligence operatives access to information they should not have. It was never the intent of the FOIA that it be used for this purpose. This problem has been recognized for some time and appropriate legislation introduced (S276, Amendment to FOIA) - and reviews conducted.

PROPOSAL: The Department of Justice should pursue legislation to modify the FOIA to exclude applicants who are non-U.S. citizens. Alternatively, terrorists or terrorist groups might be specifically excluded, but such an exclusion system could be easily circumvented. More workable and effective -- though obviously not perfect -- would be a modification to the FOIA system that placed the burden of proof on the applicant to establish his bona fides as a U.S. citizen.

STAFF CONTACT: COL D. L. Cole, 395-4950

COGNIZANT ACTIVITY: DCI, FBI

SUBJECT: Terrorism Intelligence Analysts

ISSUE: As the focus on terrorism intensifies and 24-hour anti-terrorist alert centers and watch desks are created, collection requirements expand and the demand for timely and accurate analysis grows proportionately. Yet analysts specializing in terrorism remain relatively few. They rotate in and out of this specialty, and tend to limit their view to their own organization's perspective of the terrorist problem. There is a distinct need to increase the number and the qualifications of terrorism analysts.

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

STAFF CONTACT: CAPT D. McMunn, 395-4950

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COGNIZANT ACTIVITY: STATE

SUBJECT: Controlling Cross-Border Travel of Known or Suspected Terrorists

ISSUE: Increased international cooperation is required to control cross-border travel of known or suspected terrorists. These individuals or groups are currently able to travel from country to country with seeming impunity. Further, individuals expelled from, or denied entry into one country may be unwittingly allowed entry into another. What appears needed is a computerized system designed to monitor and control people movements across international borders. Further, there is a need for a back-up information exchange program between embassies and countries to share data on expelled individuals including known or suspected terrorists.

PROPOSAL: The State Department should take the lead in an interagency effort to upgrade existing systems or recommend development of a new computerized system to monitor cross-border people movements. Upgrading of the State Department's Automated Visa Outlook System (AVLOS) may have application in this area. Additionally, the Department of State should initiate a multilateral program to exchange information between like-minded countries and Embassies to supplement the systems referred to above.

STAFF CONTACT: CAPT L. H. Boink, 395-4950



COGNIZANT ACTIVITY: STATE

SUBJECT: Review of Provisions of Vienna Convention

ISSUE: It is generally accepted that certain States actively support and sponsor terrorism. The growth in terrorism in recent years results from the increasing involvement of these states in terrorism in every region of the world. This is terrorism that is part of a pattern--the work of a confederation of terrorist states. This support takes many forms . . . money, sanctuaries, and training. There is growing concern that many of these states may be using their diplomatic Missions to serve as safehavens for terrorists and as caches for materials to be used in terrorist activities. Article 22 of the Vienna Convention (Vienna Convention on Diplomatic Relations and Optional Protocol on Disputes, April 18, 1961) states that the premises of Missions shall be inviolable. It adds that the receiving State is under a special duty to take all appropriate steps to protect the premises of the Mission against any intrusion or damage. It concludes by stating that the premises of the Mission, their furnishings and other property thereon and the means of transport of the Mission shall be immune from search, requisition, attachment or execution. Article 41 of the Convention requires all persons enjoying diplomatic privileges to respect the laws and regulations of the receiving State. It also precludes the premises of the Mission being used in any manner incompatible with the functions of the mission as laid down in the present Convention or by other rules of general international law.

PROPOSAL: The State Department should take the lead in an international review and reaffirmation of the spirit and intent of aforementioned articles. (Vienna Convention on Diplomatic Relations and Optional Protocol on Disputes, April 18, 1961.)

STAFF CONTACT: COL D. L. Cole, 395-4950

ISSUE PAPER NO. 34

COGNIZANT ACTIVITY: TRANSPORTATION

SUBJECT: Preventing Flyaway or Hijacked Aircraft

ISSUE: A crucial tactic employed by hostage negotiators is the lengthy process of wearing down the terrorists both physically and psychologically prior to taking appropriate crisis resolution actions. However, as noted during the hijacking of TWA 847 in June 1985, this technique was not possible due to Algeria's refusal to stop the aircraft at Algiers thus enabling the original two hijackers to be relieved by a fresh group of terrorists in Beirut. It is probable that future hijackings will attempt to follow this same kind of scenario.

PROPOSAL: The Department of Transportation should draft an appropriate international treaty or other formal agreement which could prevent hijacked aircraft flyaway. Such prevention could be realized by whatever means considered necessary by the host nation provided that, such action did not directly and adversely impact on the health and well being of the persons onboard the aircraft.

OPTIONS: Alternatively, it is recommended that the Department of Transportation in concert with the commercial aviation industry, take the lead in investigating means whereby a hijacked aircraft can be internally taken out of service through no apparent fault of the pilot or crew. Ideally, such measures would be easily recognizable (e.g., simulated cabin or engine fire) and reversible immediately if the terrorists use deadly violence against one or more hostages subsequent to the "disablement" ploy. Again, the terrorists must be led to believe the crew's activities were successful in "fixing" the malfunction as opposed to being the cause of the original problem.

STAFF CONTACT: Capt L. H. Boink (395-4950)

ISSUE PAPER NO. 35

COGNIZANT ACTIVITY: STATE, DEFENSE, CIA, JCS

SUBJECT: Country Team Briefings

ISSUE: A terrorist incident often forces an Embassy Country Team to deal with the variety of resources the USG has committed to combat terrorism. The Ambassador may be required to present potential options or describe our capabilities to the host nation. Prior knowledge of USG policies, resources, and capabilities will ensure a quick transition to the necessary crisis management.

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

STAFF CONTACT: Mr. B. Hutchings, 395-4950

ISSUE PAPER NO. 36

COGNIZANT ACTIVITY: NSC, FBI, TREASURY

SUBJECT: U.S. Infrastructure Vulnerabilities

ISSUE: Several recognized authorities have indicated that the U.S. infrastructure is extremely vulnerable to acts of terrorism or sabotage. Examples include the computerized banking system, power grids, and communications networks. Sources claim what is needed is a long-term program of security enhancement to minimize the effects of terrorism or sabotage against these facilities. Most sources agree that while there does not appear to be an immediate threat, the ease with which infrastructure targets can be attacked with potentially catastrophic results make them lucrative for terrorists in peacetime and vulnerable during open hostilities.

PROPOSAL: NSC should direct FEMA to take the lead in an interagency study to identify the extent to which these infrastructure assets are vulnerable and propose near- and long-term programs to rectify what appears to be a potentially serious national security problem.

STAFF CONTACT: CAPT L. H. Boink, 395-6177

ISSUE PAPER NO. 37

COGNIZANT ACTIVITY: JUSTICE

SUBJECT: Interference with the Movement of Nuclear Material

ISSUE: There is growing interference from protest demonstrations that are being directed at Department of Energy (DOE) nuclear material shipments. Organized surveillance, demonstration activities and harassment directed at shipments by antinuclear groups are increasing steadily in numbers and militancy. Such activity could easily evolve into acts of terrorism. Most of the protestors being arrested for interference are not being prosecuted, primarily because of budget and manpower constraints. Protest organizations have stated that future DOE shipments will attract even larger demonstrations and increased civil disobedience because of the reduced threat of prosecution. Currently, no Federal criminal statutes are being violated by the demonstrators so long as they do not become violent or otherwise cause damage to trucks, trains or government property.

PROPOSAL: The Department of Justice should pursue legislation that would make it a Federal offense to obstruct a DOE nuclear shipment.

STAFF CONTACT: COL D. L. Cole, 395-4950

COGNIZANT ACTIVITY: JUSTICE

SUBJECT: Improved Security for Nuclear Reactor Facilities

ISSUE: Most background checks by nuclear power reactor licensees are limited to State and local files. These files do not include information about an individual's criminal record, if any, in other parts of the country.

The Security of nuclear power facilities is critical to the prevention of a nuclear terrorism incident. At the present time, power reactor licensees only have access to State and local files. These licensees need access to certain information in FBI criminal history files to assist in screening prospective nuclear facility employees. Additionally, there are no current provisions calling for a background investigation on any individual having unescorted access to nuclear reactor facilities.

A commission report indicated that between 1974 and 1982 there were 32 possible deliberate acts of damage at 24 operating reactors and reactor construction sites. A 1983 Commission memorandum concluded that the major threat of sabotage to a nuclear plant is associated with the insider. By giving the nuclear power reactor licensee access to FBI criminal history files and thus give the Bureau the authority to help screen individuals having unescorted access to sensitive areas of the nuclear plant, we will greatly aid in preventing sabotage from within. Legislation has been introduced (Anti Nuclear Terrorism Act of 1985, S274).

PROPOSAL: The Justice Department should pursue legislation to permit nuclear reactor licensees access to FBI criminal history files.

STAFF CONTACT: COL D. L. Cole, 395-4950

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