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## WITHDRAWAL SHEET **Ronald Reagan Library**

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## **Date:** December 24, 1998 =

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
4. profile sheet	R, 6/21/00 NL6F95-023/2 #1	nd	
2. memo	Nicholas Platt to Poindexter, re talks [2359], 1p $P = \frac{5}{2105} = \frac{5}{25-023} = \frac{4}{2}$	3/22/86	P1/F1
3. memcon	re 3/5/86 meeting, 10p	3/10/86	P1/F1
4. agenda	re 3/5/86 meeting, 2p	nd	P1/F1
5. list	of participants for 3/5/86 meeting, 1p	nd	P1/F1
6. cable	091251Z SEP 85, 4p D-8 [79] 60 F95-073 Z # 6	9/9/85	P1/F1,F3
7. cable	$\begin{array}{c} D = 8 & [C1] & 0 & f = 1 \\ 062118Z & AUG & 85, 17p \\ D & 6716/00 & [ULSFGS-0Z3/2 # ] \end{array}$	8/6/85	P1/F1
8. cable .	030805Z AUG 85, 6p 0 5/27/05 F95-023/2 #8	8/3/85	PI/FI BI, B70,
9. cable	061401Z AUG 85, 1p	8/6/85	P1/F1
10. cable	P 5/27/05 F95-023/2 #9 231758Z JUL 85, 2p	7/23/85	PI/FI- BI, BZ
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### **RESTRICTION CODES**

- Presidential Records Act [44 U.S.C. 2204(a)] P-1 National security classified information [(a)(1) of the PRA]. P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute ((a)(3) of the PRA).
   P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- Release would disclose confidential advice between the President and his advisors, or P-5 between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].
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- Freedom of Information Act [5 U.S.C. 552(b)] F-1 National security classified information [(b)(1) of the FOIA]. F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statue [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- e would disclose information compiled for law enforcement purposes ((b)(7) of F-7 Releas Release would disclose information compiled for law enforcement purposes [(b)(8) of
- F-8 the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

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Washington, D.C. 20520

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March 22, 1986

MEMORANDUM FOR VADM JOHN M. POINDEXTER THE WHITE HOUSE

Subject: US-UK Bilateral Talks on Terrorism, March 5, 1986

The semi-annual and very frank talks with the UK on terrorism (participants list and agenda attached), covered bilateral cooperation; a review of the Libyan situation and sanctions problems; multilateral cooperation with western allies; US-UK coordination in response to a terrorist threat; retaliation/use of force; and, very briefly, Irish terrorism.

Nicholas Platt

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Executive Secretary

Attachments:

- Memorandum of Conversation of US-UK Bilateral Talks on Terrorism
- 2. Agenda of the talks
- 3. List of participants

Decl: OADR

March 10, 1986

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### MEMORANDUM OF CONVERSATION

SUBJECT: US-UK Bilateral Meeting on Terrorism, March 5, 1986, Washington, D.C.

PARTICIPANTS:

U.K.

Mr. David Goodall, Cabinet office and JIC Mr. Robin O'Neil, Terrorism Coordinator, FCO Mr. Martin Morland, Head of Assessments, FCO Air Vice Marshall James Higgs, U.K. Joint Staff Mr. Patrick Walker, MI-5, U.K. HOme Office Mr. Michael Jenkins, Charge d'Affaires, British Embassy Mr. Roger Bone, British Embassy Mr. Nicolas Alston, British Embassy Maj. John Holmes, British Embassy Mr. Peter Ricketts, British Embassy U.S.A. Ambassador Robert B. Oakley, S/CT Mr. Oliver North, NSC Lt. Gen. John Moellering, JCS Col Waldo Freeman, JCS Maj. Gen. W. H. Rice, JSOA Mr. Charles Allen, CIA Mr. Dewey Clarridge, CIA FOIA(b) (7) (c) FBI Mr. Michael Klosson, EUR/RPM Mr. Eugene Bailey, S/CT

Copies	To:	S/CT (cc)	)	NSC		JCS
		JSOA		CIA		FBI
		EUR/RPM		Embassy	London	

Ambassador Oakley welcomed UK team and pointed out importance of senior-level HMG representatives from the Cabinet Office, FCO, MI-5, and Joint Staff meeting with newly-established USG core group of senior representatives from NSC, State, DOD and JCS, CIA, and FBI. Countering terrorism effectively requires greater flexibility and cooperation and more rapid communications within and between governments than almost any other peacetime issue. Despite intensive USG efforts over past 2-3 years to improve its own

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security and intelligence and to try for better cooperation with other governments against international terrorism; USG has concluded that past approach has not yielded adequate results, must move to more active, offensive policy.

Numbers and casualties of international terrorism demonstrate who is winning despite our intensified defensive, containment approach. Problems being caused for USG relations with other countries and to USG interests abroad are increasing. US public and political opinion becoming increasingly agitated. We might add that European public opinion and tourist business is also becoming agitated. Conclusion of Vice President's Task Force strongly reinforces this position.

USG response to Abu Nidal attacks upon Egypt Air, Vienna and Rome airports should be seen as a signal to other governments and to world public opinion that business as usual with terrorists and states who support them is over. The time has come for more active counterterrorism.

If Libya can be forced to cease its activities, it would reduce the threat considerably and also send a useful signal to others. But Libya is not the only source of terrorism, nor is pressuring Libya the only effective counter-action. Other state supporters of terrorism need to get the signals directly, as well as via Libya. States which deliberately provide indirect support (such as USSR) need to get the same signal, as do those who merely grant terrorists freedom to use their territory. And there needs to be more direct action against individual terrorists and terrorist groups.

We hope this effort can be multilateral, as it will be more effective. But we are prepared to act bilaterally, or alone, if need be. That was Deputy Secretary Whitehead's message and remains our very firm position. We would like to use today's talks to go over a range of items which form or should form the basis for close US-UK cooperation as part of this broader, more active effort.

David Goodall replied that

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## US-UK BILATERAL MEETING

## MARCH 5, 1986

## AGENDA

0815	-	0830	Opening Comments
0830	-	0845	Nature of the threat (CIA to do <u>brief</u> paper for advance circulation)
0845	-	0900	Bilateral measures - review of US/UK inter-agency collaboration (UK prepared to give short presentation)
0900	-	0945	Review of Libyan situation and sanctions problems (State)
0945	-	1000	Coffee Break
1000	-	1045	Cooperation with Western allies in combatting terrorism: Summit Seven, EC, NATO, intelligence exchanges agreed upon among six governments under auspices of Ministries of Interior, other (State, CIA, FBI)
1100 (and afte	rest		US-UK coordination in responding to terrorist incidents:
			<ul> <li>a. Conclusions on use of force for preemption, resolution and retaliation to be drawn from recent incidents (TWA 847, <u>Achille Lauro</u>, Egyptair 647, Rome and Vienna, Israeli interception of Libyan aircraft) (State, NSC, DOD)</li> </ul>
			b. Channels of communication (NSC, State, DOD/JCS)
la.			c. Deployment of US military and/or intelligence assets (DOD/JCS, FOIA(b)(/)

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1315 - 1430 Lunch at the State Department Buchanan Room - 8th floor
1445 - 1645 Meeting resumes in the White House Situation Room

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Irish terrorism -- (UK ready to speak on recent developments) - Final topic

Time to be decided Meeting with National Security Advisor Poindexter

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## US - UK Bilateral Meeting on Terrorism March 5, 1986, Washington, D.C.

### PARTICIPANTS:

## U.K.

Mr. David Goodall, Cabinet office and JIC Mr. Robin O'Neil, Terrorism Coordinator, FCO Mr. Martin Morland, Head of Assessments, FCO Air Vice Marshall James Higgs, U.K. Joint Staff Mr. Patrick Walker, MI-5, U.K. HOme Office Mr. Michael Jenkins, Charge d'Affaires, British Embassy Mr. Roger Bone, British Embassy Mr. Nicolas Alston, British Embassy Maj. John Holmes, British Embassy Mr. Peter Ricketts, British Embassy

### U.S.A.

Ambassador Robert B. Oakley, S/CT Mr. Oliver North, NSC Lt. Gen. John Moellering, JCS Col Waldo Freeman, JCS Maj. Gen. W. H. Rice, JSOA Mr. Charles Allen, CIA Mr. Dewey Clarridge, CIA

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Mr. Michael Klosson, EUR/RPM Mr. Eugene Bailey, S/CT

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TEL AVIV AND JERUSALEM FOR DEPUTY SECRETARY WHITEHEAD CASABLANCA FOR ADS

E.O. 12356: DECL:OADR TAGS: ASEC, PTER SUBJECT: POSSIBLE TERRORIST ACTIVITY AGAINST CONSULATE

1. ON 8/6/85 AT 1100 HOURS SAUDI POLICE OFFICIALS INFORMED RSO THAT THEY HAD ACCESS TO INFORMATION WHICH LISTED THE JEDDAH CONSULATE AS A POSSIBLE TARGET FOR A TERRORIST ATTACK IN THE NEXT SEVERAL DAYS.

2. ACCORDING TO THE POLICE INFORMATION A SMALL GROUP, 2 OR 3 INDIVIDUALS, NATIONALITY UNKNOWN, BUT DESCRIBED AS "DARK", POSSIBLY FROM AFRICA, HAS PLANNED A TERRORIST ATTACK USING EXPLOSIVES AGAINST EITHER THE U.S. CONSULATE GROUNDS OR A MAJOR JEDDAH SHOPPING CENTER. THE POLICE WOULD NOT DIS-CLOSE THE SOURCE OF THEIR INFORMATION, BUT STATED THAT THE CREDIBILITY OF THE THREAT WAS QUESTIONABLE.

3. POLICE TOLD RSO THAT THEY HAD RECEIVED THE INFORMATION ON 8/5/85, BUT WERE RELUCTANT TO PASS THE INFORMATION ON TO U.S. OFFICIALS FOR FEAR OF CAUSING UNNECESSARY CONCERN. INSTEAD THEY INCREASED BOTH COVERT AND UNIFORM SECURITY AROUND THE CONSULATE. AS OF THIS AFTERNOON ALL CARS PARKED ACROSS THE STREET FROM THE CONSULATE WERE BEING TOWED. INTERNAL CONSULATE SECURITY HAS ALSO BEEN HEIGHTEMED.

4. CONTACTED RELIABLE SAUDI GOVERNMENT OFFICIAL WHO INITIALLY DISCLAIMED ANY KNOWLEDGE OF THE ALLEGED THREAT. HOWEVER, AFTER PLACING A PHONE CALL THE SAUDI OFFICIAL CONFIRMED THAT A THREAT HAD BEEN CON-VEYED DURING A CALL FROM A PUBLIC PHONE TO MUBAHITH (SAUDI POLICE/SECURITY ORGANIZATION). THE CALLER HAD SAID ONLY THAT THREE WOULD BE AN ATTACK AGAINST BOTH THE U.S. CON- SULATE AND AN (UNIDENTIFIED) JEDDAH SHOPPING CENTER. THE CALLER DID NOT SAY WHO WOULD CARRY OUT THE ATTACKS OR WHY, NOR DID HE PROVIDE ANY OTHER INFORMATION. THE MUBAHITH HAVE TAKEN INTO CUSTODY SEVERAL INDIVIDUALS WHOM THEY CON-SIDER "SUSPICIOUS" AND WHOM THEY KNOW "HAVE BEEN USING PUB-LIC TELEPHONES" OVER THE PAST SEVERAL DAYS. BASED ON INFORMATION THEY HAVE OBTAINED TO DATE, AND PARTICULARLY ON THE FACT THAT AN ADVANCE WARNING CALL WAS PLACED TO MUBA-HITH, THE MUBAHITH CONSIDERS THIS A HOAX. THIS VIEW IS SHARED BY SAUDI OFFICIAL WHO ALSO ASSURED GOVERNMENT TO PROTECT THE CONSULATE ON THE CHANCE THAT THE THREAT WAS GENUINE.

5. THERE IS NO CONNECTION BETWEEN THIS THREAT AND DEPUTY SECRETARY WHITEHEAD'S PLANNED VISIT TO JEDDAH. GALANTO BT

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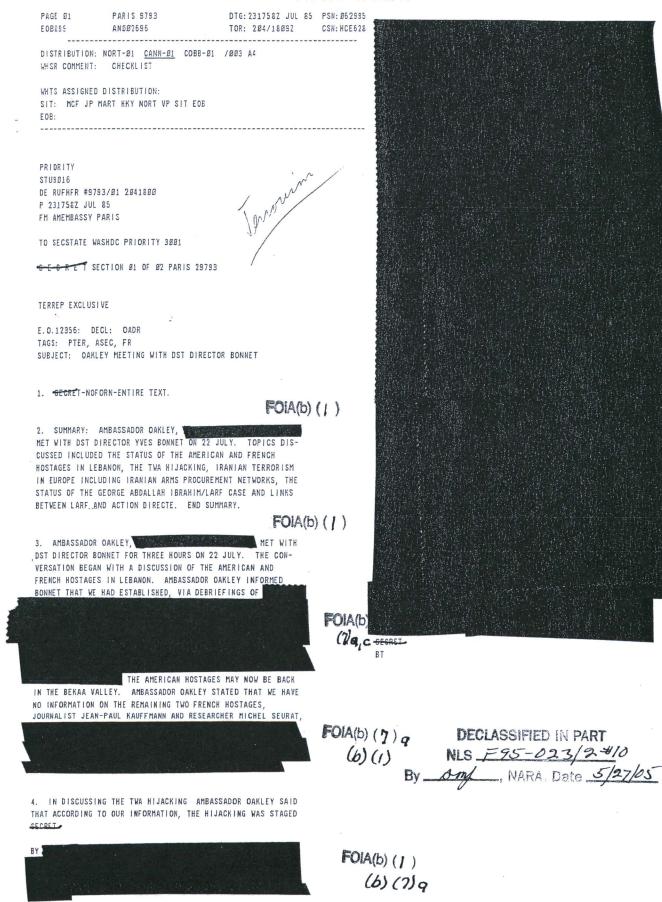


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MEMORANDUM

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THE WHITE HOUSE WASHINGTON June 8, 1985

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MEMORANDUM FOR RONALD K. PETERSON

ROBERT M. KIMMITT FROM:

State Draft Testimony on Hostage Relief SUBJECT:

The NSC staff has reviewed and concurs in the State draft testimony.



EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET

> WASHINGTON, D.C. 2003 June 5, 1985

### LEGISLATIVE REFERRAL MEMORANDUM

TO:

### Legislative Liaison Officer-

Office of Personnel Management - 632-6516 (22) Department of the Treasury - 566-8523 (28) Central Intelligence Agency -Department of Justice - 633-3113 (17) Department of Defense - 697-1305 (6) National Security Council

SUBJECT: State draft testimony on hostage relief.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than Friday, June 7, 1985.

Questions should be referred to SueThau/TraceyLawler (395-7300) the legislative analyst in this office.

RONALD K. PETERSON FOR Assistant Director for Legislative Reference

Enclosures

cc: J. Barie F. Seidl H. Schrieder B. Howard

P. Scheinberg

## STATEMENT OF RONALD I. SPIERS UNDER SECRETARY OF STATE FOR MANAGEMENT

## before the

Subcommittee on International Operations, - Committee on Foreign Affairs, and the Subcommittee on Civil Service and the Subcommittee on Compensation and Employee Benefits, Committee on the Post Office and Civil Service U.S. House of Representatives June 12, 1985

Madam Chair:

I welcome the opportunity to testify before you today on hostage relief. The Administration strongly supports enactment of a modified version of the Hostage Relief Act of 1980--a temporary measure--to make it permanent.

The problem of international terrorism is very serious. The number of attacks and their violence seem to grow year by year. Last year alone, there were 64 acts of terrorism overseas directed against U.S. employees or property. These acts included bombings, murders, and kidnappings. They occurred in Europe, Asia, Africa, Latin America, and the Middle East, in short virtually everywhere in the world. Even more alarming, it is now common practice for some states to use terrorism as an instrument of national policy. All of this means that despite the best efforts of our Government, employment in the service of the U.S abroad can be extremely hazardous. For example, one of our employees is now being held in Lebanon. We need this legislation to protect his interests.

We should enact permanent legislation so that personnel and their families may know ahead of time that their basic financial needs and concerns will be provided for, should they become a victim. To have the possibility of relief known in advance is essential in maintaining the morale of those who willingly represent us abroad during troubled times. More fundamentally, I believe the U.S. has a moral obligation to its employees which should be set forth in this legislation.

Hica over Schrocken In general, the Administration believes that the legislation should be of an enabling rather than mandatory nature. It should be drawn broadly enough to allow action quickly in response to a wide range of situations and at the same time provide the possibility of being tailored, through implementing regulations, to specific circumstances. We will suggest changes for this purpose as we go through the various sections.

The bills before you today, H.R. 2019 introduced by Chair Schroeder and H.R. 1956, introduced by request by Chairman Mica, go a long way toward meeting the objectives of protection of Foreign Service and Federal civilian employees, although there are differences between the two. H.R. 2019 does not

cover members of the Armed Forces as did the Hostage Relief Act of 1980, as would H.R. 1956. The Administration believes such members and their families should be covered by any bill passed in this area. Equal and consistent treatment should be provided to all civilian and military personnel of our embassies and other missions.

H.R. 2019 would apply to terrorist actions in the U.S. in contrast to the Hostage Relief Act of 1980 which applied only *lomes h* to hostile actions abroad, as would H.R. 1956. We have no objection to such expansion of coverage as long as the *lowy passage* Committee believes that broadening the bill in this way will not unduly complicate expeditious passage. We believe that most personnel abroad are in far greater danger than those in this country. We would not like to see the enactment of permanent legislation on this subject further delayed.

Both H.R. 1956 and H.R. 2019 would make essential provisions of the Hostage Relief Act of 1980 permanent. This is the entire substance of H.R. 1956. It is the substance of proposed section 5569 that would be added to title 5 of the U.S. Code by H.R. 2019. That bill would also add section 5570 to title 5 to provide minimum recompense to both American and foreign national employees and their families who are permanently disabled, dismembered or killed in a hostile action directed against the U.S.

Let me first discuss the provisions relating to hostages. There are five basic provisions:

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<u>One</u>. Establishment of a <u>Savings Fund</u> into which salaries of hostages could be deposited and earn market rates of interest. We would suggest that the provisions of H.R. 1956 on this point be adopted which requires a 30-day trigger period for activation. If an employee is held captive for only a few days, there would be little benefit to the employee from a Savings Fund and its establishment would create an unnecessary complication.

<u>Two</u>. <u>Payment of medical expenses incurred by hostages and</u> their families which are not otherwise covered by the Government or by insurance. Most such medical expenses are now so covered except for those incurred by family members in the U.S. Some family members suffer severe trauma caused by the long imprisonment of loved ones. This provision is needed to <u>755</u> cover medical expenses incurred because of such trauma. We suggest that medical expenses be <u>"authorized</u>" as in the Hostage Relief Act of 1980 and in H.R. 1956, rather than "mandated" as in H.R. 2019.

<u>Three</u>. Payment for certain education and training expenses of spouses and children of hostages as has long been authorized for family members of uniformed personnel in a missing status. This provision would authorize payment of a child's college expenses or the training expenses of a spouse who wished to reenter the labor market. Expenses would be paid after a 90-day trigger period while an employee was held hostage or following his or her death as a result of

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captivity. Payments would be limited to the same extent as now limited for family members of missing, or killed-in-action military personnel. Payments would also be authorized for certain former hostages to obtain necessary training to enter another profession if he or she does not wish to again face the dangers of working abroad for the U.S. Again, we would suggest the education and training expenses for family members be  $\mu.R.153$ "authorized" as in H.R. 1956, rather than "mandated" as in H.R. 2019.

Four. Extension of applicable provisions of the Soldiers and Sailors Civil Relief Act of 1940 to hostages. This would permit a court to stay specified types of civil actions--such as foreclosures--until an individual is restored to a position where he or she can respond. We would recommend that the version of this provision in H.R. 1956 be adopted, rather than 4.4.75<sup>3</sup> the provision in H.R. 2019. This would extend applicable protection to any individual--having business in an American Embassy, for example--who might be taken hostage along with employees, in an action directed against the activities of the U.S.

<u>Five</u>. Payment of a lump sum in an amount to be determined by the President to hostages on their release, or to their survivors. The provision would be made retroactive to cover the "Iranian" hostages. It would also apply to all subsequent and future hostages. This provision was not included in the Hostage Relief Act of 1980. However, a payment of \$12,50 per

day for each day of captivity was recommended by the President's Commission on Hostage Compensation in its 1981 report. The \$12.50 figure was based on past payments to military and civil-ian POW's adjusted for inflation. This issue has been a matter of debate since 1979. We believe the issue of a cash payment to the "Iranian hostages" should be finally settled. We do not believe, however, that permanent legislation should create an entitlement to payment in all future cases. We strongly recommend that the section merely "authorize" such payments, as would H.R. 1956, rather than "mandate" them as would H.R. 2019.

Let me now turn to the other provisions in H.R. 2019, the new provisions that are not in H.R. 1956.

The major new provision would be the addition of section 5570 to title 5. This would be a very helpful, landmark provision that would break new ground. In my opinion, it would fill a major gap in existing legislation. It would provide compensation for the death, dismemberment or disability of a family member by a terrorist action directed against the U.S. We are now able, under the workman's compensation provisions in chapter 81 of title 5, to compensate civilian employees for such losses. However, with respect to family members, we can only provide medical care for incidents occurring abroad. So far we have been lucky. To my knowledge, we have not had any permanently disabling injuries to family members as a result of terrorist actions. If a spouse or child loses a leg or suffers

some other crippling injury, we should be able to provide rehabilitation and compensation as well as medical care. This bill will make that possible. It cannot be enacted too quickly.

The other new provision in H.R. 2019 would amend section 6325 of title 5 to extend to foreign national (alien) employees of the U.S. the existing provision applicable to American Supporte employees which excuses, without charge to leave for up to one year, those employees injured in war or other hostile action abroad in order to permit ample time for recovery and recuperation. This amendment is needed to provide equity to these employees. Many of them have been injured in bomb and other attacks against our embassies and other installations abroad, as have American employees. They deserve the same treatment with respect to recuperative leave as all other employees. May I suggest one technical correction: This amendment is in section 2 of H.R. 2019. That section ends with a reference to leave granted "under section 6310 of this title." The reference should be expanded to include leave granted under section 3968 of title 22, since many foreign national employees are granted leave under the latter.

Let me say one more word about our foreign national employees. They are employed by our embassies, consulates and other installations in most countries of the world. They perform administrative, clerical and blue-collar work, for the most part, at a fraction of the cost of obtaining those services by assigning additional American employees abroad.

Their contributions over the years have been invaluable. For one thing, they provide necessary continuity to keep our offices operating at peak efficiency. In many countries, they work for the U.S. at considerable personal risk and in some cases harassment or worse. Many have been injured or killed in hostile actions directed against the U.S. They should be given the same protection and benefits, to the extent practicable, that we give American employees who suffer similar casualties. Accordingly, they should be covered by the types of protection we are talking about today.

They are a part of the "civil service" of the U.S. as that term is defined in existing section 2101 of title 5. Since all members of the "civil service" would be covered under proposed section 5569, relating to hostage relief in H.R. 2019, foreign national employees would be covered by that section. Foreign nationals who provide personal services to the U.S. under personal service contracts, a common employment arrangement, would not be covered. They should be. H.R. 1956 and the Hostage Relief Act of 1980 are ambiguous on this matter.

In contrast, proposed section 5570 concerning minimum recompense in H.R. 2019 is clear. Both foreign national employees and foreign nationals employed under personal service contracts would be covered by that section, as they should be. Nevertheless, I would recommend a revision of that section to strenghthen its coverage for foreign nationals. The section provides compensation--minimum recompense--for employees and

family members killed or maimed in a terrorist attack directed against the U.S. The section provides that recompense be equal to that now provided under the workman's compensation provision in chapter 81 of title 5 for employees. Benefits would not be duplicative, so employees compensated under chapter 81 would receive no benefit under new section 5570.

Workman's compensation benefits for foreign nationals under chapter 81 are limited by sections 8137 and 8138 to the amounts generally payable in the locality under local law or practice. Our local employees normally would already receive these amounts because injury by terrorist action would be an on-the-job injury. We think that additional recompense should be paid to persons who are subject to additional risk of injury from terrorists because of their employment by the U.S. <u>Accordingly we recommend that proposed section 5570 in H.R.</u> <u>2019 be amended to waive the limits imposed by sections 8137</u> and 8138 of said chapter 81.

One other modification of proposed section 5570 should be made. As just noted, minimum recompense to be provided is directed to be comparable to that provided under present chapter 81. We would change the phrase "comparable to" to read "not in excess of" in order that unreasonable payments, such as an annuity for life to an employee on the death of a child, not be paid.

Two final requests concerning coverage: Under both H.R. 1956 and H.R. 2019, benefits would be payable only as a result

of a "hostile action directed against the U.S." or "against the activities of the U.S." It is not always possible to prove the motive of a terrorist. The issue is clear-cut when a bomb is thrown at an American Embassy and kills an employee. It is not so clear when an American employee is killed by a terrorist bomb exploded at a garage at the time the employee is present because of an assignment to drive through the particular area known to be dangerous. Clearly, compensation should be paid in both cases. In both cases the employee was killed because of his or her employment by the U.S. We recommend that the "trigger" language quoted above be changed to read "caused by an act of terrorism, as defined in section 3077 of title 28 of the United States Code, and is against a United States person or United States property as defined therein."

One final word about protection of family members. They are a very important part of the U.S. Government community abroad. These committees have taken many actions in recent years to facilitate the adjustment of family members to the difficulties and dangers of life abroad. We appreciate that very much. We are especially grateful for your consideration of proposed section 5570 to provide minimum recompense to family members in their own right. That is sorely needed.

I suggest that a similar need relates to hostage relief. It is certainly possible, if not probable, that someday a family member may be taken hostage along with employees or separately. We should extend appropriate provisions of the

hostage relief measure to family members. Certainly any medical bills not otherwise covered should be paid. If a spouse is taken hostage, it would seem fair to at least provide the same education benefits to her children as would be provided if the employee were taken hostage. Similarly, civil actions affecting a family member held captive should be deferred. I would also suggest that the family member be considered for any lump sum payment authorized for employees taken hostage at the same time.

Thank you very much. I would be happy to respond to any questions you may have.

## HOSTAGE RELIEF LEGISLATION: COMPARISON OF THE 1980 ACT, ADMINISTRATION BILL( H.R. 1956), and SCHROEDER BILL (H.R. 2019)

1980 Act

Definitions

personnel.

11/4/79--1/1/83

Covers only hostile

11:

Covers civil and uniformed

Life of bill limited to

action occurring abroad.

Covers family members defined

Missing status given 5 USC 5561 meaning: civilian employees missing interned, captured, besieged, or detained against their will are covered by the

under Sec. State regulation.

services, and some contract

State Bill(H.R. 1956)

Bill benefits "American hostages". Bill benefits "American hostages".

Covers civil and uniformed services and some contract personnel.

Permanent legislation

Covers only hostile action occurring abroad.

Covers family members defined under Sec. State regulation.

Same as 1980 bill.

Schroeder Bill(H.R. 2019)

Bill benefits "captives."

Covers civil service and some contract personnel.

Permanent legislation

Covers hostile action abroad and domestically.

Covers family members; no Sec. State regulatory role.

Same as 1980 bill.

bill. Benefits

Establishes a savings fund at interest, for employee's pay. Establishes a savings fund at interest, for employee's pay, after 30 days as a hostage. Establishes a savings fund at interest, for employee's pay, effective from first day.

### 1980 Act

Authorizes medical payments to hostages and family members not covered by insurance.

Authorizes education and training benefits to hostages and mandates same to family members after 90 day hostage period.

Relief from civil law proceedings under Soldiers and Sailors Act granted to American hostages.

No compensation. Issue dealt with separately through President's Commission on Hostage Compensation. (No cash payment made\*.) \* Salary and allowances paid while captive exempted from federal income tax.

## State Bill(H.R. 1956)

Authorizes medical payments to hostages and family members not covered by other government medical or health programs or insurance.

Authorizes education and training benefits both to hostages and to family members after 90 day period.

Relief from civil law proceedings under Soldiers and Sailors Act granted to any individual in captive status whether an employee or not.

Authorizes cash payment to Iranian hostages. No amounts recommended.

### Schroeder Bill(H.R. 2019)

Mandates medical payments to hostages and family members not covered by other government medical or health programs or insurance.

Same as 1980 Act.

Same as 1980 Act.

Mandates cash payment to Iranian hostages. No amounts recommended. - 3 -

### 1980 Act

State Bill(H.R. 1956)

## Schroeder Bill(H.R. 2019)

No comparable provision.

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No comparable provision.

<u>5 USC 5570</u>: Minimum recompense. Section benefits family members of Federal employees, including Foreign Service Nationals and personal service contractors killed or injured by a hostile action against the U.S.

Authorizes payment of benefits comparable to benefits paid under Workman's Compensation, Chapter 81, Title 5, USC.

No comparable provision.

No comparable provision.

<u>Leave</u>: Extends 5 USC 6325 to foreign national employees, which grants up to one year absence without charge to leave for injury due to hostile action abroad. MEMORANDUM

## NATIONAL SECURITY COUNCIL

June 6, 1985

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

FROM: OLIVER L. NORTH

SUBJECT: State Draft Testimony on Hostage Relief

Attached at Tab I is a memo from Bob Kimmitt responding to Ron Peterson's memo (Tab II) requesting NSC comments on State draft testimony on hostage relief.

Chris Lemman and Vince Cannistraro concur.

### RECOMMENDATION

That you authorize Bob Kimmitt to initial and forward the memo to Ron Peterson at Tab I.

Approve Will for

Disapprove \_\_\_\_\_

Attachments

Tab I - Kimmitt Memo to Peterson Tab II - Peterson Memo to Kimmitt of June 5, 1985

# SECRET-NATIONAL SECURITY COUNCIL

SECRETARIAT

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FOR DCM MARESCA FROM M/CTP-OAKLEY

E.O. 12356:	DECL: OADR
TAGS:	PTER
SUBJECT:	COOPERATION WITH GOF ON TERRORISM
REF:	(A) PARIS 21104 AND (B) PARIS 20524

1. SECRET - ENTIRE TEXT

APPROACH TAKEN BY EMBOFF WAS SQUARELY ON THE MARK AND 2. HELPFUL TO USG-GOF DIALOGUE. PLEASE INFORM QUAI THAT WE APPRECIATE GOF ANALYSIS OF AND POSITION ON PRISONERS HELD BY RADICAL SHIA IN LEBANON AND WELCOME OPPORTUNITY OF PELLETREAU VISIT FOR A FULLER EXCHANGE OF VIEWS ON OVERALL QUESTION OF LEBANON, ETC. YOU SHOULD ALSO TELL QUAI THAT USG DOES NOT RPT NOT BELIEVE STORIES ATTRIBUTED TO "ARAB SOURCES" ABOUT PURPORTED KUWAITI PROPOSAL TO EXCHANGE DAWA PRISONERS. IT APPEARS THAT THERE MAY HAVE BEEN SOME CONSIDERATION GIVEN TO SOME SORT OF EXCHANGE PRIOR TO THE KUWAITI AIRLINE HIJACKING. SINCE THEN, GOK POSITION HAS HARDENED. USG HAS NO RPT NO KNOWLEDGE OF ANY SUBSEQUENT KUWAITI INTEREST IN AN EXCHANGE. STOR APPEARS TO BE ONLY ANOTHER INCIDENT IN RATHER FRANTIC STORY MEDIA COVERAGE RECENTLY IN RESPONSE TO TERRORIST PUBLICITY CAMPAIGN INVOLVING COMMUNIQUES AND PHOTOGRAPHS OF AMERICAN AND FRENCH PRISONERS GIVEN TO MEDIA IN BEIRUT ON MAY 15.

3. THE ULTIMATUM IS NOT TO BE TAKEN AT FACE VALUE. HOWEVER, FOR TACTICAL PURPOSES AS WELL AS FOR PRECAUTION AGAINST ITS BECOMING SERIOUS OPTION FOR CAPTORS, USG HAS REACTED WITH MESSAGES TO SEVERAL KEY ARAB GOVERNMENTS WHO HAVE BEEN OR COULD BE HELPFUL IN CONVEYING OUR VIEWS TO HIZBALLAH AND IRAN. WE HAVE REITERATED USG POSITION OPPOSING THE PROPOSED EXCHANGE URGING THAT PRISONERS BE RELEASED RIGHT AWAY AND WARNING OF CONSEQUENCES SHOULD THEY BE HARMED. IN TALKS

FOIA(b) (1)

S. P.A.

DECLASSIFIED IN PART NLS <u>F95 -023/2 \*13</u> SECRET By <u>And</u>, NARA, Date <u>5/31/05</u>

## SECRET-NATIONAL SECURITY COUNCIL SECRETARIAT

PAGE Ø2 OF Ø3 SECSTATE WASHDC 949Ø DTG: 24Ø234Z MAY 85 PSN: Ø27495

WITH THE FAMILIES OF THE AMERICAN PRISONERS AND IN Answering media queries, we have repeated this position.

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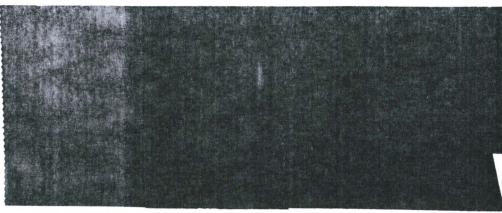
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THE CAPTORS HAVE SHOWN NO INTEREST IN RELEASING THE PRISONERS ON ANY TERMS OTHER THAN EXCHANGE FOR DAWA PRISONERS IN KUWAIT. WE GIVE SOME CREDENCE, HOWEVER. TO VIEW BASED ON ANONYMOUS ANNOUNCEMENTS CREDITED TO ISLAMIC JIHAD THAT ULTIMATE AIM OF KIDNAPPERS IS TO DRIVE ALL AMERICANS AND WESTERNERS OUT OF LEBANON. THE CAPTORS HAVE, OVER THE PAST FOUR MONTHS, INCREASED THEIR PUBLIC RELATIONS ACTIVITY CONCERNING THE HOSTAGES, INCLUDING RELEASE OF A VIDEOTAPE OF WILLIAM BUCKLEY TO A NEWS AGENCY, FACILITATING EXCHANGES OF LETTERS, ISSUANCE OF COMMUNIQUES, AND THE RECENT MESSAGES AND PHOTOS OF US AND FRENCH PRISONERS GIVEN TO NEWS MEDIA IN LEBANON. IN OUR JUDGMENT, THIS MAY INDICATE GROWING REALIZATION BY HIZBALLAH THAT THEIR OBJECTIVES WILL NOT BE ACHIEVED.

THE LATEST STATEMENT BY FADALLAH OPPOSING KIDNAPPING MAY ALSO INDICATE TIDE OF OPINION TURNING AGAINST TERRORISM. ALTHOUGH FADLALLAH HIMSELF HAS STATED THAT HE HAS SPIRITUAL INFLUENCE WITH HIZBALLAH, WE HAVE NO EVIDENCE THAT HE EXERCISES OPERATIONAL AUTHORITY.



. WE HAVE EXAMINED AND RE-EXAMINED VARIOUS OPTIONS FOR ACTION TO EFFECT THE RELEASE OF THE HOSTAGES. AT LEAST FOR THE PRESENT, WE SEE NO PREFERABLE ALTERNATIVE THAN CONTINUING TO PURSUE EVERY AVENUE OF DIRECT AND INDIRECT POLITICAL PERSUASION TO CONVINCE THE CAPTORS THAT THEY HAVE NOTHING TO GAIN BY HOLDING THE HOSTAGES BUT THAT THEY SHOULD KEEP THE PRISONERS IN GOOD HEALTH AND PROMPTLY RELEASE THEM.

. WE WOULD BE INTERESTED IN SITTING DOWN WITH FRENCH EXPERTS TO EXCHANGE INFORMATION IN GREATER DETAIL ON THE AMERICAN AND FRENCH PRISONERS AND EXPLORE OPTIONS AS TO WHAT MIGHT BE DONE. IF IT WOULD BE CONVENIENT, FOIA(b) (1)

FOIA(b) (1)

# SEGRET NATIONAL SECURITY COUNCIL SECRETARIAT

PAGE Ø3 OF Ø3 SECSTATE WASHDC 9490 DTG: 240234Z MAY 85 PSN: 027495 DAKLEY IS READY TO COME TO PARIS FOR TALKS IN EARLY JUNE.

WITH RESPECT TO THE LARF AND IBRAHIM, CAN AND IDRAILIN, 24 Sec. 1 \* SAM

GIVEN IBRAHIM AND LARF INVOLVEMENT IN THE ASSASSINATION OF OUR ADATT, THE USG IS FOLLOWING THE EVOLUTION OF THIS CASE VERY VERY CLOSELY. WE ARE ENCOURAGED BY RECENT REPORTS THAT THERE IS LIKELY TO BE A TRIAL WITH A TOUGH SENTENCE FOR IBRAHIM, WHICH WOULD BE CONSISTENT WITH THE ORLY BOMBING CASE.

. MIGHT ALSO BE INTERESTED IN TWO RECENT FBI SUCCESSES AGAINST TERRORISTS INSIDE THE UNITED STATES: ONE A GROUP OF INDIAN SIKHS HOSTILE TO THE INDIAN THE SECOND A GROUP OF IRAQIS APPARENTLY GOVERNMENT; BELONGING TO THE DAWA ORGANIZATION OPPOSED TO THE IRAQI GOVERNMENT. IF THEY ARE INTERESTED, WE WILL PROVIDE DETAILS, EVEN THOUGH NEITHER CASE HAS A FRENCH CONNECTION.

PARIS 20524 WAS RECEIVED AFTER ABOVE PARAS WERE 5. DRAFTED. EMBASSY SHOULD TELL QUAI THAT USG HAS MADE NO DEMARCHE TO KUWAIT BUT HAS AGAIN ASSURED GOK THAT WE SUPPORT ITS POSITION OF NO CONCESSIONS. IN VIEW OF HIGH-PRESSURE, HIGH-VISIBILITY, PUBLIC CAMPAIGN BEING WAGED BY FAMILIES (PLUS JESSE JACKSON) WITH MEDIA, WHICH WE HAVE TRIED HARD TO DISCOURAGE, USG HAD NO ALTERNATIVE BUT TO COMMENT PUBLICLY. THE EFFECT OF UNFORTUNATE PUBLICITY TO COMMENT PUBLICLY. SPOTLIGHT ON HOSTAGE ISSUE IN RECENT WEEKS BY BOTH FAMILIES AND HIZBALLAH HAS BEEN TO SHIFT PUBLIC PRESSURE ON TO KUWAIT FOR RELEASE OF HOSTAGES RATHER THAN KEEPING PRESSURE FOCUSSED UPON IRAN AND SYRIA WHERE IT BELONGS. USG PUBLIC STATEMENTS ARE NECESSARY TO SHOW CONGRESS, PUBLIC, KUWAIT, HIZBALLAH AND OTHERS THAT WE WILL NOT GIVE IN TO THIS PRESSURE.

MINIMIZE CONSIDERED. SHULTZ 5 BT

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