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# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection Name** COUNTERTERRORISM AND NARCOTICS, NSC:  
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**Withdrawer**

BCB 5/17/2005

**File Folder** [NSDD 207 NSC STAFF: CRAIG COY; ROBERT EARL] (3  
OF 7)

**FOIA**

M05-012

**Box Number** ~~91956~~ RAC Box 10

MIZRAHI,  
STEPANIE

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ID	Doc Type	Document Description	No of	Doc Date	Restrictions
28819	MEMO	RE SRG MEETING OF 11 DEC 1985 <b>R 10/11/2002 F97-082/2</b> # 166	7	12/11/1985	B1
10575	MEMO	PARKER BORG TO HOLLOWAY RE TASK FORCE REPORT: FIRST DRAFT [DUPLICATE OF 10565] <b>PAR 3/27/2006 F97-082/2; R 7/7/2010 M05-012</b> <b>#10575</b> # 167	8	12/10/1985	B1
28820	MEMO	HOLLOWAY TO ASST FOR NATIONAL SECURITY AFFAIRS <b>D 3/20/2006 F97-082/2</b> # 168	1	12/20/1985	B1
28821	PAPER	ISSUE PAPER #12 <b>R 10/11/2002 F97-082/2</b> # 169	2	ND	B1

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

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

# PENDING REVIEW IN ACCORDANCE WITH E.O. 13233

## Ronald Reagan Library

**Collection Name** COUNTERTERRORISM AND NARCOTICS, NSC:  
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LOJ 4/24/2007

**File Folder** [NSDD 207 NSC STAFF: CRAIG COY; ROBERT EARL] (3)

**FOIA**

F97-082/2

**Box Number** 91956

ID	Doc Type	Document Description	No of Pages	Doc Date
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<del>1</del>	<del>MEMO</del>	<del>FOR THE RECORD, RE SRG MEETING OF</del>	<del>7</del>	<del>12/11/1985</del>
		<del>12/11/85</del>		
<del>4</del>	<del>PAPER</del>	<del>ISSUE PAPER NO. 12</del>	<del>ND</del>	

Issue No.	Title	Status	Staff Contact
1	National Program for Combatting Terrorism	A	Earl
2	National policy for Combatting Terrorism	A	Earl
3	Strengthening Coordination In Combatting Terrorism	C	Hutchings
4	Definition of Terrorism	D	Earl
5	Coordination of Public Diplomacy Statements During Terrorist Incidents	A	Daly
6	Policy for Active Response to Terrorist Threats and Incidents	1 B A	Earl
7	International Agreements for Combatting Terrorism	A	Boink
8	Extradition Treaties	A	Cole
9	Response Options to Terrorism	A	Hutchings
10	Counterterrorism Exercises and Simulations	A	Hutchings
11	Intelligence Fusion Center for Terrorism	2 X A	Hutchings
12	Hostage Family Liaison	3 B	Earl
13	Foreign and Domestic Awareness	A	Daly
14	Government-Media Relations During A Terrorist Incident	A	Daly
15	Murder of U. S. Citizens Outside of U. S.	A	Cole
16	Deployment of Counterterrorist Forces	A	Boink
17	Current Policy Regarding the Operational Security of CTJIF	A	Daly

Issue No.	Title	Status	Staff Contact
18	Prohibition of Training and Support/Counterterrorism/Mercenary Training Camps	A	Cole
19	Congressional Oversight of Counterterrorism Operations (To be included in body of report.)	D	Cole
20	Expanded HUMINT Capability against Terrorism	A	McMunn
21	Paramilitary Terrorist Response Capability (TS)	4 <del>A</del> A	Hutchings
22	Multilateral Counterterrorist (CT) Strike Force (To be included in body of report.)	D	Boink
23	TOP SECRET	5 B	Hutchings
24	Increased Coordination With Law Enforcement Elements Domestically and overseas	6 B	Hutchings
25	Rewards	A	McMunn
26	International Informant Incentive	A	Boink
27	Terrorism As A Crime (To be included in body of report.)	D	Cole
28	Death Penalty for Hostage Taking	A	Cole
29	Freedom of Information Act (FOIA)	A	Cole
30	Terrorism Intelligence Analysts	A	McMunn
31	Psychological Operations To Combat Terrorism	A	Daly
32	Controlling Cross-Border Travel of known or Suspected Terrorists	A	Boink
33	Review of Provisions of Vienna Convention	A	Cole

Issue No.	Title	Status	Staff Contact
34	Preventing Flyaway of Hijacked Aircraft	D	Boink
35	Country Team Briefings	A	Hutchings
36	U. S. Infrastructure Vulnerabilities	A	Boink
37	Interference With the Movement of Nuclear Material	D	Cole
38	Improved Security for Nuclear Reactor Facilities	A	Cole
39	Research and Development for Combatting Terrorism	7 B	Earl
40	Journalists In Terrorist Situations	A	McMunn
41	Adequacy o the International Legal System to Deal With Terrorism	A	McMunn
42	Deployment Policy for JSOC	D	Earl
43	U. S. Presence Abroad	A	Earl
44	International Research, Development and Acquisition (RD & A) Initiatives	A	Boink
45	Protection of Foreign Dignitaries In the United States (To be included in body of report.)	8 <del>B</del> A	<del>Daly</del> Earl
46	Use of Intelligence Exchange for Policy Purposes	I/A	McMunn
47	Joint Committee On Intelligence	I/A	Cole
48	Airport and Port Security	I/A	Cole
49	Deployability of JSOC	I/C	Earl
<del>50</del>	Hostage Family Meetings With the President and Vice President	I/D	Earl

Issue No.	Title	Status	Staff Contact
51	Foreign Terrorist Activities Within the United States	I/A	Daly
52	Chemical and Biological Threat	I/A	Boink
53	Policy on Passport/Documentation for Government Employees	I/A	McMunn
54	Private Sector Activities That Air/Abet Terrorism	I/C?	Cole

Status Code - A - Agreed  
 B - Being Worked  
 C - Contention  
 D - Dropped  
 I - Initial Review

*Call*

~~SECRET~~

11 December 1985

MEMORANDUM FOR THE RECORD

Subject: SRG Meeting of 11 December 1985

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

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

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

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NLS

F97-087/2 #166

101

DATE 10/11/02

*The final version of the report will be prepared for the President's signature and submission to the President at the NSC meeting on Dec 20. The draft is in the file and will be prepared by the NSC staff.*



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Adm H. reviewed the comments received from the agencies:

DOJ came in early, and all comments were OK.

Treasury = all OK.

FBI = all OK.

OMB = all except one comment OK.

CIA = all except one comment OK.

JCS = all except one comment OK.

State = extensive comments, more than half can be incorporated, but that we should sit down with Parker<sup>Buz</sup> or his staff to discuss the others. Parker indicated "the staff" was small and out of town, but that he was available for the meeting.

DoD = all OK except Issue #3.

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

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

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

North suggested substituting "should" vice "will" in Issue #3. The NSDD will be directive in nature; the TF report isn't directive elsewhere. Adm H. agreed. 1  
20

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

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

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

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

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

#### DISCUSSION OF SPECIFIC ISSUES

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

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

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

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

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

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

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

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

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

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

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

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

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Earl copy


United States Department of State

Washington, D.C. 20520

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December 10, 1985

MEMORANDUM FOR: Admiral J.L. Holloway, III,  
Executive Director,  
Vice President's Task Force on Combatting  
Terrorism:

FROM: Parker Borg, Acting S/CT   
Department of State

SUBJECT: Task Force Report: First Draft

We have just finished reviewing the first draft of the Task Force Report. As Bob Oakley has written separately, we believe that the report still needs a lot of work. It is admirable that the Task Force has been able to do so much work in such a short period of time, but the report reflects this hurried approach.

The report reflects a certain bias toward activist military responses to the terrorism problem which is dangerous and overly simplistic. I understand that you would like this report to be a definitive statement about terrorism, a report which will be referred to within the Government for guidance and which will be the basis for a public document. We agree that this is an excellent idea, but the changes required to make the report reflect the government's current or any future approach to combatting terrorism are so extensive that it requires a major rewriting effort. Because so much work needs still to be done, we have not attempted to obtain any clearances outside of the Office of the Ambassador-at-Large for Counter-terrorism.

There are three major shortcomings to the report.

--Military options are given unwarranted prominence that do not accord with this country's policies or practices.

--The diplomatic activities which form the core of the United States' efforts to combat terrorism seem to be mentioned as afterthoughts or are forgotten entirely. Similarly, the description of the State Department's role in combatting terrorism reflects a fundamental ignorance of the thrust of our diplomacy's most important courses of action.

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DECL: OADR

DECLASSIFIED

NLRR MD5-012 #10575

BY RW NARA DATE 7/7/00

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--The report contains inaccuracies from a policy point of view, statements which should be classified or rewritten, points which are inappropriate for a report signed by the Vice President and could be a source of subsequent embarrassment to him, and ideas which reflect a lack of understanding of the various potential audiences for this report. Finally, the drafting needs to be tightened.

The section dealing with the issues is beginning to look very good, reflecting the long hours of work and the inputs from many sources. If the report is to be equally strong, the Task Force should consider an extension of its work, perhaps for another month until January 20, to complete the task and create a document which will be valuable for the Administration and the base for a public document.

To cite specifics in each of the three problem areas:

Military Emphasis

<u>Page</u>	<u>Section and comment</u>
26 - 27	Criteria for Responses: This section is essentially about military retaliation. This section should cover the criteria for the whole range of options, not solely the criteria for military retaliation as it presently reads. There is nothing in the section about the role of other governments, intelligence sharing, economic or political actions in response to terrorism.
71 - 73	Deterrence: This section is concerned with preemptive military strikes, not on <u>diplomatic activity</u> , which <u>is the proper focus</u> . Note should be made of our activities with other governments, sharing intelligence and providing better protection. We also restrict sales of military equipment to states which support terrorism and attempt to restrict commercial sales to them. Efforts to control the movement of terrorists or diplomats from countries supporting terrorism are also important means to control terrorism both unilaterally and in cooperation with other governments.

Earl  
X

agree.  
2d draft  
rewrote  
this section  
entirely.

agree in  
part -  
diplomatic is  
not "the proper  
focus" tho it's  
important  
and should  
be added.

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-3-

73 - 75 Crisis Response: This section is the worst. While the "Do Nothing" response may have been intended for one end of a spectrum of actions, it is used to suggest that anything short of the use of US force will not be effective. This implies that the only useful solutions are military and that the problem is simpler than it is. It will be disastrous for the US if such a concept becomes known publicly. The role of other governments is essential in responding to crises outside the US. We should be talking here about assistance, training, exercises and other forms of cooperation which will ensure more effective responses by them. We must not overlook that our forces are unlikely to be willing to go into an environment where the host government has refused to permit access.

*not what was suggested  
The Rewrite is clearer (2d draft)*

*No - elsewhere in report; not here (again).*

*? bullshit. They'll go if ordered to. (Agree tho we may not want to order 'em.)*

75 - 78 Retaliation: This section also concentrates in detail on types of military actions -- e.g., airstrikes, large scale military actions, use of Special Operations Forces and surrogate forces -- bringing in non-military actions as a weak afterthought on the last page.

*subjective judgment. State is too defensive (But - add more if they want. Move up?)*

## Diplomacy

### Page      Section and Comment

79 International Cooperation: Our primary defense in dealing with terrorism is and will continue to be our efforts with foreign governments. This section should describe the key to more successful efforts against terrorism, but is too far back in the report. It should be placed immediately following the section on organization.

*disagree, but this should be a non-problem. Move it up if it'll help...*

79 - 80 International Efforts: It is untrue that international cooperation cannot eliminate terrorism; it is the best possible tool. This section reflects a fundamental misunderstanding about U.S. diplomatic activity, confusing resolutions and agreements and the relative importance of multilateral and bilateral efforts. The focus is again on military activities: this time the efforts to develop a combined Counterterrorist Strike Force (which is improbable in the foreseeable future).

*disagree. T. won't be eliminated by anything!*

*? give us alternate language.*

*agree, but VP has an interest....*

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-4-

80 - 83 U.S. International Efforts: Once again the emphasis is on programs. Nowhere, not even in the section describing what the Department of State or the Ambassador-at-Large for Counter-terrorism is, is there the essential balance describing the day-to-day ~~diplomatic activities which are at the heart of the counterterrorism effort.~~ These efforts are bilateral with allies such as the British, Israelis, Greeks, Italians, Jordanians and Canadians as well as with countries where we have not been so close such as Yugoslavia, Syria and the Soviet Union. There are initiatives with like-minded countries through the Summit Seven and the Quad. There are also international initiatives such as the UNGA resolution against terrorism, the Security Council discussions about a hostage-taking resolution, the Milan resolution of September 1985, the long standing work of ICAO and the IMO meetings in London in December where maritime security featured prominently. As a good example of imbalance, there is a page and a half on details of committee work on maritime security and nothing on the real accomplishments in ~~improving aviation security by the FAA and through ICAO.~~

OK - give us some words (tho we don't want too much, or we'll be boring & out of balance the other way....)

OK - add.

#### Policy and Other Problems

<u>Page</u>	<u>Section and comment</u>
-------------	----------------------------

12	Understanding Terrorism: The last paragraph clearly states the US interest in avoiding a precise definition of terrorism. This should be dropped or classified. The Soviets will have a field day with it.
13-14	Recent Trends: This does not seem to discuss the subject adequately. <del>The point which should be made in any discussion of this type is that terrorism is likely to be around for a long time and that there are no easy solutions.</del> I attach at Tab A a recent paper which I have prepared on terrorism trends which might be helpful in strengthening this section.

disagree to omit stuff that "might leak" we gotta be up front.

} The report does make this point - eg conclusions.

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-5-

15-16 Basis of Terrorism: This is an interesting segmentation of the types of terrorism, but it is stated in overly simplistic terms. The report might identify specific groups as examples of each type of terrorism rather than implying that there is a general regional orientation. The Cubans and Nicaraguans directly and the USSR indirectly, as well as the Iranians, Libyans and PLO, have been tied to insurgent groups in Central and South America. Palestinian groups derive support from private sources as well as from Arab states. Tactical terrorism is often associated with communist-led insurgencies around the world, such as those in the Philippines or Burma.

agree

OK -  
give us  
some  
language

18 -23 Historical Perspective: This clearly needs more work. The emphasis is too much on Americans as targets. If Americans are targets of 30-35 % of the international incidents, that means others are the targets of 65 - 70 %. In addition, we only record the international terrorist incidents, which means we exclude from our statistics all the attacks in Germany against Germans, in France against the French, in Colombia against Colombians, etc. To be successful in the fight against terrorism we have got to motivate the world to recognize this as a world problem. Issuing reports which focus only on the American target is not the way to go. The last two sentences on page 23 seem to overstate the situation and ought to be toned down. The Task Force might ask the CIA and State's INR to prepare a more concise statement.

Disagree  
That is the  
focus of NSDD  
179 & how TF!

So, State  
should do a  
global report.

why didn't you  
ask INR?

23 Vulnerability of America: This unclassified paragraph may be too revealing to be put in a document signed by the Vice President. We should assume that this report will receive wide dissemination and will be read by terrorists. oo

It's in unclas  
CSIS etc reports  
Do we want to  
classify it? C? S?

Earl

28 - 29 Policy: A series of quotes here, but no identification of who is being quoted. NSDDs & Oakley

They don't  
read?

30 Policy: The last paragraph on this page contains a prescription for action. Unless the report will do this in each section, this should be avoided.

but, I don't  
think report  
ought to  
cite...  
drop quote  
marks...?  
Look at  
Issue #2

Disagree. We're  
not recommending  
throughout the report.

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30 -32 Previous Administration Policy: This section is weak and requires more work. I attach at Tab B a study which a summer intern did for this office about past policy which might be helpful in stating the situation more clearly.

OK - will consider

an after history  
not a policy " ...  
(we used it!)

37 -47 Resources Committed to Combatting Terrorism: This entire section takes a bricks and mortar approach; the number of offices, the amounts of money and the variety of programs used in the counterterrorism effort. While this is interesting, it is not the key to whether we will succeed in dealing with terrorism. If it is to be a part of the main report, it should be put following the description of lead agency and Department responsibilities, not before it. This entire section might also more usefully become an appendix to the report.

It does follow 3. on NSDD of Org...

50 -52 Department of State: This description of State Department activities is very weak. We are preparing a more accurate statement of responsibilities, but will need to coordinate these statements with other offices.

← accurately reflects reality... the big stall...?

48 - 66 Principal Organizations: Under the Department of Justice, the report might wish to consider the Drug Enforcement Agency. There should probably also be a reference to the Department of Energy which has important responsibilities in the event of nuclear terrorism and the Department of Health and Human Services which works on chemical and biological threats through the Communicable Disease Control Center in Atlanta. — OK

66 - 68 Principal Organizations: Following the sections on the activities of the various departments, the report lists also as principal organizations the Emergency Support Team and the Hostage Reception and Debriefing Team. These are inter-agency activities coordinated through the IG/T and might be so specified. There are, however, other inter-agency cooperative efforts which deserve equal attention: The Technical Support Working Group which attempts to coordinate interagency anti-terrorism R & D efforts; the Public Diplomacy Working Group which is developing programs to deal

— and HWG in incidents.... Goes w/o saying

— Issue paper

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-7-

more effectively with the public on terrorism issues; the Rewards Committee which oversees the implementation of the rewards program; the Maritime Security Working Group which is looking at maritime issues in the wake of the Achille Lauro hijacking; and the Exercise Committee which is listed in NSDD 30 as responsible for coordinating counterterrorism exercises. These are all important executive branch resources for dealing with terrorism.

— Same Paper

Mentioning all these (again) risks overloading the narrative.

69 Phases of terrorism. Rather than talk about two overlapping planes, this section might more descriptively be called two approaches. One important program which is overlooked is preemption, which would be defined not primarily in the sense of a military preemptive strike, but as security moves in cooperation with host governments to block a known target or move it out of the way of danger.

} See 2d draft rewrite of D. Strategies (see considerations)

92 Extradition Treaties: The one paragraph which will be read on the Hill, especially by Senators, concerns Extradition Treaties (p.92). That paragraph should be written with the idea of convincing Senators to support Administration efforts to limit the political offense exception. As it is written, it merely shows how desperate the Administration is for Senate consent.

} It uses words from State memos.

X 99 -102 Role of Terrorism <sup>Media?</sup> During an Incident: This whole part would likely be seized upon by the press as an attempt to set government guidelines for it and would probably be embarrassing to the Vice President.

OK, but we are fully sensitive to this — see rewrite.

\* 106 -09 The Role of Hostage Families: This section is unnecessarily long and detailed. The sections from the top of page 107 through the top of page 109 could easily be omitted. The section on meetings with senior administration officials should be rewritten as listed in Tab C.

disagree — it's an important issue — see 2d draft.

~~SECRET~~

~~SECRET~~

-8-

X 110 -16 Conclusions: This entire section still needs work. At the bottom of page 110, Bob Oakley suggested that for balance another sentence be added: "Clearly the Israeli policy of frequent use of force has not solved the terrorist threat, either from within Israel and the occupied territories or without."

— agree. see 2d draft  
↑  
more balanced statement  
"3 two views"

A ~~new~~ ~~original~~ order for the conclusions might be capabilities, intelligence, cooperation, and then public attitudes. When talking about cooperation, there might be a reference to active measures, including assistance to third countries in counter-terrorist activities and including planning for joint military operations.

— why?  
} OK - give us language

The section on Public Attitudes and the effects of a terrorist attack (pp. 112-114) is ~~overdrawn and highly suggestive~~; it should be dramatically restated.

} see 2d draft.

This report is very important, given the wide dissemination it is destined to have and the uses to which it will be put. Therefore it is very important that this report reflect accurately US policies and their thrust in the future, and take into consideration the various special audiences that will review it carefully--the media, Congress, our allies, enemies and terrorists.

Given this importance, more time needs to be taken in preparing the report. It is difficult to see how a suitable report can be prepared within the narrow time limits currently before the Task Force. I would thus suggest that, at the Senior Review Group meeting December 11, consideration be given to extending the due date of the Task Force's final report to permit the completion of a more finished document, one which will make a stronger contribution to counterterrorism policy.

— disagree

Attachments:

As stated

~~SECRET~~

OFFICE OF THE VICE PRESIDENT  
WASHINGTON, D.C.

18 Dec

Adm Holloway -

DOJ (Larry Lippe) firmly opposes  
insertion of CIA's 11<sup>th</sup>-hour recommendation  
on the "enterprise concept" of  
jurisprudence into Section V of the  
report.

This vigorous objection was passed  
on to Charlie Allen, who asked that  
Admiral Holloway be informed that  
he (Allen) opposes our not including it  
in Section V of the Report....

V/R Bob Earl

Note: Dave Cole & I tend to line up with DOJ  
on this one, although it's a "close" issue  
that could go either way....

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PROPOSED RECOMMENDATION (submitted by CIA)

SUBJECT: Prosecution of Terrorists

DISCUSSION: Recent terrorist incidents, including the hijacking of TWA 847 and the hijacking of the Achille Lauro, illustrate the difficulty of obtaining information linking the leaders of organizations known to commit terrorist acts with the actual perpetration of these incidents. While the United States has been able on several occasions to identify those who actually carried out the incidents, the shadowy nature of many terrorist organizations often prevents the discovery of evidence as to who approved, directed and provided logistical support for these terrorist operations. This absence of information regarding the conduct of a terrorist incident may in many cases preclude the criminal prosecution of leaders of the responsible terrorist organizations whom the United States may be able to apprehend or extradite to face charges in this country. (U)

It is unacceptable to permit individuals who advocate and promote violence against American persons and property and who direct organizations that finance and equip terrorist cells to escape criminal liability because of a lack of evidence concerning their direct involvement in a specific terrorist act. As the leaders of an organization responsible for terrorist operations, they should be held accountable for the acts performed by those within their organization. The concept of holding leaders responsible for the wrongful acts of their subordinates is not new; it is well-established, for example, that officers of a corporation may be prosecuted for the wrong-doing of corporate employees acting within the scope of their employment. (U)

Legislation clearly establishing the criminal liability of terrorist organizations and those who occupy controlling positions within such organizations is needed to resolve existing ambiguities and to provide a clear statement that the United States will use the full force of its legal system to prosecute all individuals associated with terrorism against U.S. targets. (U)

RECOMMENDATION: The DCI, in coordination with the Attorney General, should consider the feasibility of legislation that establishes the criminal liability of terrorist organizations and their leaders. (U)

UNCLASSIFIED



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OFFICE OF THE VICE PRESIDENT

WASHINGTON

9 December 1985

MEMORANDUM FOR

THE SECRETARY OF STATE  
THE SECRETARY OF TREASURY  
THE SECRETARY OF DEFENSE  
THE ATTORNEY GENERAL  
THE SECRETARY OF TRANSPORTATION  
THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET  
THE DIRECTOR OF CENTRAL INTELLIGENCE  
THE CHIEF OF STAFF TO THE PRESIDENT  
ASSISTANT TO THE PRESIDENT  
FOR NATIONAL SECURITY AFFAIRS  
THE CHAIRMAN, JOINT CHIEFS OF STAFF  
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION  
CHIEF OF STAFF TO THE VICE PRESIDENT  
ASSISTANT TO THE VICE PRESIDENT  
FOR NATIONAL SECURITY AFFAIRS

SUBJECT: Meeting of Task Force on Combatting Terrorism

The final meeting of the Vice President's Task Force on Combatting Terrorism will be held on 16 December from 3:30 p.m. to 4:15 p.m. in Room 176 of the Old Executive Office Building.

The purpose of the meeting is to review and discuss the final report of the Task Force. Draft copies of the report have been distributed to members of the Senior Review Group for their comment. The final report will be signed on December 20 by the Vice President.

Participation will be limited to principals plus one. Please call my office (LCDR Craig Coy, 395 4950) with the names of the attendees.

J. L. Holloway, III  
Admiral, USN, (Retired)  
Executive Director  
Task Force on Combatting Terrorism

## LIST OF ISSUE PAPERS BY STAFF CONTACT

3 BOINK, Lou

Issue Paper No. 7 International Agreements for Combatting Terrorism  
 Issue Paper No. 16 Deployment of Counterterrorist Forces  
 Issue Paper No. 22 Multilateral Counterterrorist (CT) Strike Force  
 Issue Paper No. 26 International Informant Incentives  
 Issue Paper No. 32 Controlling Cross-Border Travel of Known or Suspected Terrorists  
 Issue Paper No. 34 Preventing Flyaway of Hijacked Aircraft  
 Issue Paper No. 36 U. S. Infrastructure Vulnerabilities  
 Will R.D. SA

10 COLE, Dave

Issue Paper No. 8 Extradition Treaties  
 Issue Paper No. 15 Murder of U. S. Citizens Outside of U. S.  
 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. 27 Terrorism as a Crime  
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 Issue Paper No. 29 Freedom of Information Act (FOIA)  
 Issue Paper NO. 33 Review if provisions of Vienna Convention  
 Issue Paper No. 37 Interference with the Movement of Nuclear Material  
 Issue Paper No. 38 Improved Security for Nuclear Reactor Facilities

5 DALY, Pat

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 Issue Paper No. 13 Domestic Public Awareness  
 Issue Paper No. 14 Voluntary Restraint on Publicity During a Terrorist Incident  
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 Issue Paper No. 31 Psychological Operations to Combat Terrorism

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	Issue Paper No. 4		Definition of Terrorism
	Issue Paper No. 6		Policy for Active Response to Terrorist Threats and Incidents
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	Issue Paper No. 21		Paramilitary Terrorist Response Capability
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	Issue Paper No. 35		Country Team Briefings
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Withdrawn: 34, 37

## ISSUES BY COGNIZANT AGENCIES

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Issue Paper No. 3	National Organization for Combatting Terrorism
Issue Paper No. 4	Definition of Terrorism
Issue Paper No. 6	Policy for Active Response to Terrorist Threats and Incidents
Issue Paper No. 13	Domestic Public Awareness
Issue Paper No. 14	Voluntary Restraint on Publicity During a Terrorist Incident

### Department of State

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Issue Paper No. 25	Rewards

Issue Paper No. 26	International Informant Incentives
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Issue Paper No. 33	Review of provisions of Vienna Convention
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#### Department of Treasury

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#### Department of Defense

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#### Department of Justice

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#### Department of Transportation

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Issue Paper No. 6	Policy for Active Response to Terrorist Threats and Incidents
Issue Paper No. 34	Preventing Flyaway of Hijacked Aircraft

### Central Intelligence Agency

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### Joint Chiefs of Staff

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### Federal Bureau of Investigation

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### National Security Council

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White House

Issue Paper No. 1	National Program for Combatting Terrorism
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Office of Management and Budget

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Issue Paper No. 6	Policy for Active Response to Terrorist Threats and Incidents

3 December 1985

MEMORANDUM FOR ADMIRAL HOLLOWAY

Subject: Status of "B" Issues No. 6, 12, 39, & 45

Issue No. 6 (Policy for Active Response to Terrorist Threats and Incidents). State Department objected to this issue and recommended that it be eliminated. "First, it is subsumed under paper No. 9, Response Options to Terrorism." I disagree with this judgment because I feel the two issues are separable (although obviously related) and ought to be considered separately. State's second reason is: "...there is already a good understanding among the agencies of the US Government of the elements which determine the use of force," and "...care should be taken not to break the criteria down too precisely." State continues to argue that a set of criteria such as we are proposing are not very useful in a crisis.... I suspect that we will continue to be sniped at, particularly in the sections of the report that deal with this subject.

Issue No. 12 (Hostage Family Liaison). As originally written, State had problems with assigning responsibility to Oakley for liaison with the Beirut Six; they preferred to keep it in CA..., or recently have acquiesced to assignment of responsibility "in exceptional circumstances" to the recently formed State Working Group (M/CTP, CA, and the geographical bureau).... I am hanging tough for assignment of responsibility to one individual or office, not a committee of three offices.... Agreement on this issue will be further complicated if we merge Issue No. 50 (Meetings with the President) with it.

Issue No. 39 (R&D). Both State and the JCS objected to portions of this. State insisted that it was not at fault in this issue, having forwarded to OMB and NSC on 31 Dec 84 a "well-researched five year program which asks for approximately \$23m a year." State did not want the National Coordinator mucking around in this area, but did suggest that the NSC "should weigh in with OMB to see that the requests for interagency R&D funding are added to the budgets...." The JCS concurred in principle, but also suggested that "the source of supplemental funding should be identified by the NSC." The only JCS expert on this issue, Capt Hendrickson, is TAD until 5 Dec, so I am unable to determine whether JCS will accept the rewrite. However, I suspect that this is the easiest of my four "B" issues to become an "A" or "Blue" issue.

Issue No. 45 (Protection of Foreign Dignitaries in the U.S.). Although Sluggo and I had received the suggestion for this issue informally from a rather senior member of the Secret Service, both the Treasury (Secret Service) and the State Department (SY) attacked it vigorously. We have received some alternative wording from Bob McBrien of Treasury, which has been passed to Parker Borg (for relay to SY). McBrien is uncertain whether Secret Service will in the end sign on to the new proposal; I still have no read-out from SY. (This is a strongly contested turf issue that the Inman Panel ran into also.) This is the least likely of my four "B" issues to become "A" or "Blue."

V/R Bob End

16 December 1985

MEMORANDUM FOR ADMIRAL HOLLOWAY

Subject: Issue No. 12 (Hostage Family Liaison)

I fear that in the latest agreement to incorporate the State Department's change on this issue, we have compromised an important principle. That principle is that responsibility should not be diffused among several different people or offices. Instead, one man or office should be assigned (primary or principal) responsibility, and other personnel involved are clearly designated as supporting personnel or offices.

This issue originally arose as a result of NSC dissatisfaction with the State Department's "care and feeding" of the Beirut hostage families during the release of Benjamin Weir. The problem was that CA was doing a poor job of keeping the families informed of ongoing government efforts to seek the release of their kin. CA didn't have a clue what was going on in that area, and the families could sense this very quickly. Oakley and some personnel in his office would get personally involved with phone calls to the families on a haphazard basis, and this did not satisfy the families. They did not see themselves as being ultimately "responsible" -- so they gave it only the time and attention that they could afford to divert from things for which they were responsible.

Agreeing to State's revision leaves responsibility for this troublesome but important issue (liaison with hostage families) in a confused, diffused state -- more than one office involved. The establishment of the Hostage Family Working Group has helped in the short term, but has diffused responsibility even further (among three offices, S/CT, CA, and NEA) and will probably fall into disuse over time.

While I agree that it's dicey to get into one agency's internal procedures (when Calhoun don't want the ball), our current principle on dissenting views that "if one agency is involved in the execution, the issue can go to Section V," may be being interpreted as "that agency can write the issue anyway it pleases."

Y/R  
Bob Earl

Improves recommendation

Disagree.  
Waters it  
down...  
RE

PS

p 38 &  
39

TO  
Bob E

OK

~~SECRET~~

RECOMMENDATION NO. 12

SUBJECT: Hostage Family Liaison

DISCUSSION: Government agencies have dealt with the sensitive question of liaison with the families of their employees who are taken hostage 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, and this effective process should continue. (U)

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

After the initial shock of a family member being taken hostage, families become increasingly frustrated and tend to blame the government -- not the terrorists -- for not doing enough to get the hostages back, even if that entails giving in to the terrorists' demands. Pressure from the families builds to see the highest levels of the government, including the President and the Vice President. Meetings with hostage families can place the Administration in a "no win" situation. At best it can buy a small amount of time, before the hostage families feel even more frustrated that seeing a senior official has not helped to return their family member. Unresolvable frustration could lead to the families taking advantage of confidences shared by the official in an effort to use the media to further their single, all-consuming purpose. (U)

RECOMMENDATION: The point of contact for day-to-day liaison with the families of American hostages who are not United States Government employees should normally be the Bureau for Consular Affairs. ~~In exceptional circumstances (such as an unusually prolonged hostage situation), the Ambassador-at-Large for Combatting Terrorism, as Chairman of the State Department Hostage Family Working Group, because of his more direct knowledge of on-going government efforts to secure the release of the hostages, should assume primary responsibility for contact with the hostage families.~~ More senior officials, however, including the President and Vice President should state as a matter of policy that to meet with families of hostages during a hostage crisis could prolong it

IN CLOSE COORDINATION WITH

~~SECRET~~

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and thus delay return of the hostages by giving the terrorists the media visibility they thrive on as well as the belief that their demands are being considered. In addition, Presidential freedom of action in resolving the terrorist incident in the best interests of the country may be restricted. The Administration should resist demands for such meetings, emphasizing instead an increased outreach effort: a highly contact-oriented liaison program of visits, hot-lines, information on private sector counseling services, and a personal contact assigned for each family to keep them fully informed of current developments and to keep in touch with them even when nothing is new. In this way the families will know that Washington has the hostages' interests as a priority concern, and there should be less family pressure for meetings with senior government officials. (S)

~~SECRET~~