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WITHDRAWAL SHEET

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Date: 1/15/97

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. report	re terrorist D 3/15/01 F95-023/1 #627	12/31/85	P1 B3
2. analysis	re Libya (pages 1-2) R 10/28/05 M02-022 #9	12/22/85	P1
3. cable	301644Z DEC 85 (2 pp) PART #10	12/30/85	P1
4. paper	re Terrorism (3 pp) #11	12/28/85	P1
5. report	re Terrorism PART #12	n.d.	P1
6. cable	272302Z DEC 85 (3 pp) D 7/13/05 F95-023/1 #632	12/27/85	P1 B1, B3
7. cable	301635Z DEC 85 R 10/28/05 M02-022 #14	12/30/85	P1
8. memo	Fortier to the President, re Libya [401476] R 1/20/05 F95-023/1 #634	n.d.	P1
9. memo	re Libya [0121] R 1/20/05 F95-023/1 #635	1/7/86	P1
10. report	to Congress, re EO (4 pp) A 1/20/05 F95-023/1 #636	1/86	P1
11. letter	draft of transmittal to Congress, re EO R 1/20/05 F95-023/1 #637	1/86	P1
12. analysis	of proposed EO (5 pp) R 1/20/05 F95-023/1 #638	n.d.	P1

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].
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BUREAU OF INTELLIGENCE AND RESEARCH -ANALYSIS- DECEMBER 22, 1985

I. USSR: YEVTUSHENKO AND THE LIMITS OF REFORM

Soviet media handling of Yevtushenko's appeal for a more open society indicates that the ideological authorities are resisting efforts to extend Gorbachev's ideas on economic reform to the cultural sphere. Their position in the leadership is so strong that the editors of the published version of the poet's speech cut out themes taken directly from Gorbachev.

* * *

In his speech to a closed session of a congress of Russian writers, Yevgeniy Yevtushenko made an impassioned appeal for a more open, egalitarian, and self-critical society. Drawing on current uncertainty about the future direction of Moscow's cultural policies and Gorbachev's own criticisms of the bureaucracy, Yevtushenko went beyond the general secretary's remarks to make a broad attack on Stalinism and its contemporary consequences. In dramatic language, he attacked consumer shortages for the masses and closed distribution systems for the elite; ideological interference with scientific and historical research; and continuing censorship both of artistic works and of open and honest discussions of the revolution, forced collectivization, and the purges.

When excerpts of Yevtushenko's speech were published in Literaturnaya gazeta this week, however, these criticisms of Soviet society past and present, as well as the more pungent restatements of Gorbachev's own ideas, were removed--leaving a strong but generalized appeal for artistic freedom and honesty. That Yevtushenko's specific attacks were eliminated is not surprising. They run directly counter to the oft-expressed ideas of conservative ideological secretary Yegor Ligachev, who exercises direct supervision of journals such as Literaturnaya gazeta.

That Gorbachev themes were muted, however, shows just how strong the conservatives are in the leadership. The episode also suggests an apparent desire on Gorbachev's part to reach out to the intelligentsia but also an unwillingness now to antagonize conservatives on two fronts. (He already has to contend with them on economic questions.)

Yevtushenko's speech may actually dim prospects for reform to some degree. He certainly highlighted the extent to which adoption of any reformist ideas could open Pandora's box to threaten the power and privilege of the party apparatus. Indeed, some of those who encouraged or permitted Yevtushenko to make his speech may have hoped that it would provoke a conservative reaction.

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MoZ-077 *9

BY CVS

DATE

10/26/05

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2. LIBYA: INFIGHTING IN QADHAFI'S INNER CIRCLE

Political infighting apparently broke out in Qadhafi's inner circle at the end of last month, among relatives upon whom he relies for personal security. Qadhafi's tenure does not appear immediately threatened, but his ability to play off one faction against another may have been weakened. As a result, the possibility of assassination may be increasing, particularly since military officers appear disaffected.

* * *

Although unhappiness has been growing in the Libyan military, the link to tensions among members of Qadhafi's own tribe makes it far more significant. Reports conflict on how Lt. Col. Hasan Ashkal, military commander of the Surt district and a distant cousin of Qadhafi, was killed at the end of November. He appears, however, to have been done in by other members of Qadhafi's inner circle.

We judge that Ashkal found himself on the wrong side of one of the several controversies that have recently pitted the revolutionary committees against the official government bureaucracy. His killing seems to suggest that at least some members of Qadhafi's tribe are in active opposition to the growing influence revolutionary committee members exert over Qadhafi.

We believe there is a growing sentiment in Libya that the regime is on the way out. Qadhafi's subordinates are maneuvering to benefit if the regime should go. According to one clandestine source, who contended that support for Qadhafi is eroding and factions based on tribal connections are emerging, the country's deteriorating economic situation is the basic reason for increased tensions between the military and government officials.

Another source claims that Ashkal was just one of five senior officers, all related to Qadhafi, who have recently come under censure for misuse of government funds. Among them are at least three very powerful figures, all close associates of Qadhafi and upon whom he has relied extensively for internal and external policy implementation.

We do not yet have sufficient information to know how this maneuvering will turn out. Corruption and conflict between Qadhafi and his advisers are not new, nor is competition between representatives of Libyan tribal groups. What is new is the apparent scale of present troubles between Qadhafi and his inner circle. The killing of a member of Qadhafi's tribe by others of his tribe is also new. Disagreement and disunity among those closest to Qadhafi could eventually threaten his hold on power.

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NLS M02-022 # 10/10/26/05

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TERREP

E.O. 12356: DECL: OADR
TAGS: ASEC, PTER, IT
SUBJECT: TERRORIST ATTACK AT ROME INTERNATIONAL
AIRPORT

REF: ROME 31957 AND PREVIOUS

1. ~~SECRET~~ ENTIRE TEXT.

2. ON DECEMBER 32 DIGOS ADVISED RSC THAT [REDACTED] 5.5 (b)(1)
[REDACTED] HAVE POSITIVELY IDENTIFIED
THE SURVIVING TERRORIST AS BOU HMIDA YASER.

3. DURING INTERROGATION OF YASER HE STATED HE BELONGED TO THE ORGANIZATIONAL CELL OF THE ARAB GUERRILLA WHICH IS AFFILIATED WITH THE ABU NIDAL ORGANIZATION. HE WENT ON TO STATE THAT THE ORGANIZATION IS AGAINST THE ISRAELIS, ARAFAT, AND ANYONE WHO SUPPORTS ARAFAT AND IS SUPPORTED BY LIBYA AND SYRIA. HE ADDED THAT THREE TO FOUR HUNDRED TERRORISTS HAVE BEEN TRAINED IN SECRET IN BEIRUT AND THAT 35 MORE ARE PRESENTLY IN TRAINING. THESE TERRORISTS ARE THEN SENT OUT IN GROUPS OF FOUR TO UNDERTAKE VARIOUS ATTACKS. ACCORDING TO YASER, THE NEXT ATTACKS WILL BE CARRIED OUT IN PARIS AND MADRID.

4. YASER INFORMED POLICE THAT HIS GROUP TRAVELED TO ZURICH FROM BEIRUT ON SWISSAIR. THEY THEN TRAVELED FROM ZURICH IN TWO GROUPS OF TWO TO ROME BY TRAIN. WHEN THEY ARRIVED IN ROME, THEY WERE GIVEN WEAPONS BY TWO PALESTINIANS WHO THEY KNEW. THESE TWO PALESTINIANS HAD TRAVELED TO ROME EARLIER AND HAD RECOVERED THE WEAPONS BY USING A MAP. AFTER GIVING THE WEAPONS TO YASER'S GROUP, THE PALESTINIANS LEFT ROME. SO FAR YASER HAS REFUSED TO IDENTIFY THE PALESTINIAN ACCOMPLICES.

5. DURING THE INTERROGATION POLICE STATED THAT YASER MADE NUMEROUS STATEMENTS WHICH TURNED OUT TO BE FALSE. HE TOLD POLICE THAT HE WAS CARRYING A KUWAITI PASSPORT AND THAT HE WAS STAYING AT ANOTHER HOTEL. HE ALSO SAID THAT THE TERRORISTS BURNED THEIR PASSPORTS BEFORE THE

SECRET

WHITE HOUSE SITUATION ROOM

PAGE 02 OF 02 ROME 2002

DTG: 301644Z DEC 85 PSN: 016208

ATTACK ON THE AIRPORT. IN ADDITION YASER STATED THAT HIS NAME AND DATE AND PLACE OF BIRTH ARE FALSE. HE STATED THAT HIS FIRST NAME IS KALEB BUT REFUSED TO GIVE HIS SURNAME BECAUSE HE IS AFRAID THE ISRAELIS WILL KILL HIS FAMILY.

6. YASER STATED THAT THE TERRORISTS' PLAN WAS TO CAPTURE HOSTAGES AT THE AIRPORT, SEIZE THE EL AL FLIGHT, AND BLOW THE PLANE UP OVER TEL AVIV. HE ALSO STATED THAT THEY WERE SUICIDE COMMANDOS.

7. POLICE ARE CURRENTLY CHECKING ON A REPORT MADE BY EL AL SECURITY AT FIUMICINO THAT FIVE PALESTINIANS WERE IDENTIFIED TO POLICE ON DECEMBER 5.

8. POLICE BELIEVE THAT THE TERRORISTS LEFT BEIRUT ON NOVEMBER 29 OR 30 AND THEN TWO DAYS LATER TRAVELED TO ROME BY TRAIN. ACCORDING TO POLICE INTERROGATORS, YASER'S ACCENT IS FROM THE GAZA AREA. THEY ALSO ADVISE THAT YASER SPEAKS POOR ENGLISH AND THAT ONE OF THE DEAD TERRORISTS HAD CLOTHES WITH CZECH LABELS.

9. COMMENT: THE GRENADES RECOVERED ARE IDENTICAL TO THOSE USED IN THE HIJACKING OF THE EGYPTIAN AIR FLIGHT 648 IN MALTA. ON THE BOTTOM OF ONE GRENADE ARE THE

LETTERS "THT," THE NUMBERS "5-80-," AND A CIRCLE WITH "58" INSIDE. ON THE TWO SPOONS ARE THE CYRILLIC LETTERS "UZRGN," THE NUMBERS "31-79," AND CIRCLES WITH A "61" INSIDE. END COMMENT.

10. SIRD IS FORWARDING THE ITALIAN SCIENTIFIC REPORT ON THE ATTACK THROUGH THEIR CHANNELS. RSO WILL FORWARD COPIES OF THE STATEMENTS MADE TO POLICE TO THE DEPARTMENT.

11. FOR BEIRUT: RSO IS FORWARDING PHOTOS OF THE TERRORISTS IN THE HOPES THAT BEIRUT MAY BE ABLE TO IDENTIFY THEM.

12. BEIRUT MINIMIZE CONSIDERED.

RABB
BT

SECRET

WASHFAX RECEIPT
DEPARTMENT OF STATE

B

S/S #

1232

C

003941

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(Officer name) (Office symbol) (Extension) (Room number)
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[Signature]

12/29/85

Q. On one hand you are calling for restraint in response to the terrorist acts in Rome and Vienna, on the other hand you reserve the right for states to respond to terrorism. How do you explain this contradiction?

A. There is not a contradiction. We have always been firmly opposed to an escalating cycle of violence which contains the seeds of broader and more devastating hostilities. In that context, we have urged and will continue to urge all states to avoid taking actions which only feed that cycle.

At the same time, it has been and remains our firm policy that terrorism cannot go unanswered. We have always retained the right to respond to terrorist acts in an appropriate, measured and focussed way.

In one case we want to avoid a widening of conflict and hostilities and the dangers that poses. In the other, terrorists should know that we have the option of responding in a direct and ~~decisive~~ ^{resolute} manner to their barbaric acts.

Wang 02256e

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mu
9/24/96

MESSAGE NO. 003937 CLASSIFICATION CONFIDENTIAL No. Pages 3

FROM: _____
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MESSAGE DESCRIPTION Press Themes for Amb Oakley

TO: (Agency)	DELIVER TO:	Extension	Room No.
WHSR	R. Pearson		

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REMARKS: _____

S/S Officer: Rick H. van Heumen

TERRORISM: THEME PAPER

-- The attacks on the Rome and Vienna Airports were deliberately intended to indiscriminately kill innocent people. Their motive was murder, pure and simple.

-- The prime suspect for the attack is the Abu Nidal group, which is among the most dangerous of the Middle Eastern terrorist organizations. The indiscriminate attack, the choice of targets, preliminary evidence, and method of operation point to Abu Nidal, a renegade Palestinian group.

-- Abu Nidal's group are vicious criminals and should be branded and treated as such. These are murderers, who go out of their way to target civilians and have attacked and killed many Arabs as well as Israelis, Americans and Europeans.

-- Abu Nidal's group's actions illustrate the widespread nature of the international terrorism threat--it is not just an Israeli or American or Italian or Austrian problem. His group has staged attacks in 18 countries on three continents. About two thirds of the group's 20 attacks so far this year have taken place in western Europe. Innocent bystanders increasingly have become casualties as in the Rome and Vienna attacks.

-- Abu Nidal, and many other terrorist groups have benefited from, and perhaps could not have survived without, the assistance of countries which have supported terrorism. The weapons, explosives, training and rest areas, safe houses and other facilities have been invaluable.

-- As Prime Minister Cragi of Italy said Friday, "the states which protected the terrorists and allowed them to arm and organize themselves bear responsibility for this attack." We welcome and support this statement.

-- Abu Nidal has enjoyed the support of at least several countries this year; Syria and now primarily Libya. For years we have been leading an effort to exert economic and political pressures on countries supporting terrorism. We have imposed economic sanctions against Libya, for example, such as cutting off the sale of militarily-useful aircraft and spare parts and oil pumping equipment.

-- Unfortunately these efforts to make Libya and other countries supporting terrorism think twice and end their support have not been as effective as they should be because other countries, including some in Western Europe, have been unwilling to take similar steps. One reason they cite is a fear that their companies will lose business.

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NLS MOZOLZ #11

BY CAS

10/20/05

-- Terrorism, however, is not only dangerous to individuals and countries, it is a major economic burden and bad for business. Greece has lost an estimated \$300 million in tourism revenues as a result of the TWA hijackings and the attacks by terrorists on hotels frequented by British tourists. Egypt's tourism industry is also suffering as a result of terrorism in the region. Terrorism is costing governments, airlines and private organizations millions, if not billions of dollars in security measures.

-- Terrorism threats also undermine efforts of developing countries to promote political and economic stability.

-- The terrorism is also a challenge to the peace process. Many of the actions we have witnessed in recent months were calculated to undermine the peace process and have been directed against Arabs and Palestinian Arabs who want peace through compromise, as well as Israelis and Americans. If the peace process fails, the terrorists win; a just and lasting peace will create an environment in which terrorists have no scope for action. Abu Nidal and his colleagues are against the peace process. They are rejectionists who advocate not only the destruction of Israel, but also the established order in the Arab world.

-- Earlier this year, they staged attacks on at least a half a dozen Jordanian targets including an effort to shoot down a Jordanian airliner over Athens in April, because of King Hussein's efforts to advance the peace process. They are opponents of the PLO's Arafat and have been implicated in the assassination of moderate Palestinians. Abu Nidal's group shot the Israeli Ambassador to London in June 1982. Abu Nidal's group also is believed to have hijacked the Egyptian airliner to Malta in November.

-- The terrorist attacks and the resulting cycle of violence only harden attitudes, increase fear, and make it more difficult for moderates to take risks toward the kind of compromises that are necessary for peace in the Middle East. That is what the terrorists want. That is why they must be condemned by all and rooted out.

-- There has been an unfortunate tendency in the past to tolerate terrorists who kill and maim civilians on behalf of some political cause, under the slogan of "armed struggle". No cause can justify vicious attacks of this kind. Those who practice terrorism on behalf of political causes undermine the legitimate aims of those they claim to support.

-- There are signs that even those countries which used to condone or even romanticize the terrorism threat are beginning to recognize that -- at the least -- it is counter-productive. The United Nations General Assembly this month unanimously passed a resolution condemning terrorism as criminal acts and calling on member nations not to support terrorists. The Security Council in December also unanimously passed a resolution condemning the taking of hostages and calling for their immediate release.

-- There must be no sanctuary for terrorists. States have a legitimate right to respond with appropriate force to repeated acts of terrorism, and all governments must work to enforce the rule of law against terrorists.

-- As Prime Minister Craxi said Friday, the European countries, including Italy, which are most exposed to terrorism, must intensify their efforts to work together to prevent terrorism.

-- We hope these words of recognition will be converted into additional concrete actions. The Administration, along with Congress which passed a number of strong anti-terrorism measures during the past two sessions, is stepping up its long-time efforts to improve cooperation among nations opposed to terrorism.

(IN RESPONSE TO POSSIBLE QUESTIONS)

-- POSSIBLE RETALIATION?: The U.S. government has maintained a wide variety of options to deal with and to try to deter terrorism. These include the potential use of military or police assets as we consider appropriate. We are not going to speculate at this point as to what we might do in individual cases.

-- ANY U.S.-ISRAELI JOINT PLANNING?: All states have an obligation to protect their citizens and thus share a common interest in working to eradicate terrorism. Specific responses are a matter for each government, however, and we are not coordinating with anyone on how we might react to attacks on our citizens.

Drafted: S/CT:MKraft/NEA/IAI:RCrocker
12/28/85 1338P

Cleared: S/CT: RBOakley
NEA/IAI: PWilcox
NEA: ARaphel
NSC: HTeischer

P: M4 Approved by RLT
sp: J/Orluis by RLT

INFORMATION

November 25, 1985

MEMORANDUM FOR JOHN M. POINDEXTER

FROM: RODNEY B. MCDANIEL

SUBJECT: American Public Opinion and Terrorism

My memo at the end of October (8792) analyzed public opinion on various national security issues. One topic was terrorism, which is difficult to measure and, hence, analyze, due to the emotional swings that occur as terrorist incidents unfold literally from moment-to-moment before the public's eyes. I asked Ron Hinckley to examine this area in more depth and his findings, which use data going back to the Iranian hostage crisis, and their implications appear below.

Findings

1. Americans express a number of conflicting views about terrorism which seem to mirror the inherent contradiction within terrorism, where indiscriminant and irrational violence is a means to achieve coldly calculated ends. Americans:

- . believe media coverage overemphasizes and encourages terrorism, yet they also believe that such attention is necessary to keep the the people informed;
- . value hostage lives more than American honor and oppose any action that might endanger the hostages in a terrorist incident. However, Americans are not willing to do or pay whatever is demanded by terrorists to effectuate the release of hostages and believe in risking a few hostage lives to spare more lives later;
- . feel terrorists are rational enough to discontinue their acts when costs outweigh benefits, yet they also say that terrorists are fanatics for whom death is a reward and gains are not weighed against losses;
- . favor "soft" responses to terrorism such as trade embargoes, asset seizures, diplomatic restrictions, and economic sanctions. At the same time they acknowledge that these are unlikely to resolve an actual incident or prevent ones in the future, and;

- . believe the U.S. should take military action against known terrorist facilities to discourage future incidents, but that violence only begets violence and terrorism will not stop even should the U.S. use military force.
- 2. Americans will invariably approve of presidential action at the on-set of a terrorist incident. The strength of the rating will diminish with time until between 90 and 120 days have elapsed without resolution. Then the ratings will turn from positive to negative. The rise in disapproval will occur even if the people believe the President is doing all that he can possibly do.
- 5. Americans believe terrorism requires executive action without necessary advance consultation with Congress or allies.
- 6. They prefer deliberations and patience to military action, especially early in a terrorist incident. They oppose actions that might endanger hostages.
- 7. Americans focus on terrorist incidents, particularly if American hostages are involved, and develop a high level of awareness of the proceedings. They tend to become personally involved, but not preoccupied, keeping sight of other issues such as taxes, inflation, and unemployment.
- 8. Americans divide into four groups over retaliation and the use of military force to counter terrorism:
 - . About one-fourth (23%) oppose any military action against terrorists. They are disproportionately women (particularly women under 45), those over 55 years of age, well educated professionals, residents of New England and the Great Lakes (i.e., northern industrial urban states), political independents, and non-religious;
 - . About one-third (34%) favor military action to discourage terrorism. They are disproportionately men (particularly men under 45, the very young (18-24 year olds), white, blue collar workers, and those with a high school education. There is no major geographic distribution for this group, but they are slightly more likely to be Republicans.
 - . Another third (32%) swings between general support for military action to discourage terrorism to opposition when the specific issues of innocent lives and violence begetting violence are raised. Younger women are disproportionately part of this group, too, but there is a large minority element as well.

- . The remaining twelfth (9%) opposes military action generally, but can be persuaded to accept it if they are assured we are punishing those that have attacked the U.S.

Implications

1. Americans will formulate opinions about terrorist incidents more quickly than they do on other emerging issues. These opinions will be mercurial, moving with the ebb and flow of the incidents themselves. While the public might be critical of the media at times, they will not want the media's coverage limited except where it is clear that the coverage is potentially harmful to any hostages.
2. Americans will give the President a limited, but not insignificant time frame to resolve a terrorist incident. The President will have policy latitude, with the public only likely to disapprove of "extreme" actions such as military operations that jeopardize or harm hostages or innocent people, or on the other hand, capitulating to terrorist demands. As time passes without a resolution, however, the President will receive greater criticism no matter what he does.
3. Public consensus on specific terrorist incident policy will have to be forged by the administration, especially if it involves the use of military force. Public diplomacy should be a key ingredient in how the U.S. responds to any incident.
4. Groups likely to oppose any use of force are well educated and professional, hence, they will be able to organize and vocalize opposition to administration policy quicker and better than the supporters of that policy will be able to organize support activities.
5. The best opportunity for public support of the use of force against terrorists would appear to be after an incident like the embassy or military bombings, where there are no hostages to complicate the issue.
6. The President may execute anti-terrorist policy as the Chief Executive without prior consultations with Congress or American allies. The people understand the need for decisive action at these times and will support him in this.
7. Since the public does not become preoccupied with terrorist incidents but do give them considerable attention, neither the President nor the administration should be perceived as preoccupied with them. They do need to be involved and concerned, however.

8. The administration can initiate "soft" policy actions such as embargoes, travel restrictions, and diplomatic sanctions even though these are not expected to produce significant results. The public views these actions as standard operating procedures, for which the failure to implement could be perceived as a signal of inaction and disinterest. This can be disastrous for public support of the President so necessary during times of crisis.

9. Currently, the public would most likely support military action against known terrorist bases in either Iran or Lebanon over similar bases in Syria, Nicaragua, or Cuba.

10. The data reveal a terrorism policy "gender gap." Women prefer "soft" or "accommodationist" policies while men prefer hardline positions. This gender gap occurs in other national security areas and needs to be considered when determining how to articulate policy. Even when hard policy choices must be made, an element of the public diplomacy campaign associated with explaining them needs to point to their long-range goals that will protect U.S. lives and help maintain the peace throughout the world.

cc: Donald Fortier
Oliver North
Walt Raymond
Ed Djerejian

1.4(c)

The Tunisian Ministry of Interior held a press conference today in Tunis to correct their previous report that the documents carried by the terrorists were forgeries. Our Embassy in Tunis reports the Tunisian spokesman avoided attempts by journalists to implicate Libya directly in the terrorist attacks. [REDACTED]

COMMENT: This is the only evidence so far directly implicating Libya in the weekend attacks. Libya, however, has publicly praised the attacks as "heroic," and has condemned moderate Arab governments for denouncing them. We have considerable evidence of growing Libyan support for the Abu Nidal organization. [REDACTED]

This is the second time in we have seen genuine Tunisian passports originating in Libya used by Abu Nidal terrorists. The surviving hijacker of the Egypt air flight carried travel documents issued by the Tunisian Embassy in Tripoli. [REDACTED]

DEPARTMENT OF STATE

'85 DEC 30 P

BC5

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S/S #

C

URGENT

MESSAGE NO. 000050 CLASSIFICATION UNCLASSIFIED No. Pages 33
FROM: JIM COLEMAN S/S 647-8448 7224
(Officer name) (Office symbol) (Extension) (Room number)
MESSAGE DESCRIPTION DEPARTMENT OF STATE DAILY PRESS BRIEFING FOR
MONDAY, DECEMBER 30, 1985

TO: (Agency)	DELIVER TO:	Extension	Room No.
NSC	[REDACTED]		

FOR: CLEARANCE ☐ INFORMATION ☒ PER REQUEST ☒ COMMENT ☐

REMARKS: _____

URGENT

S/S Officer: [Signature]

0600P

DEPARTMENT OF STATE
DAILY PRESS BRIEFING

DPC #229

MONDAY, DECEMBER 30, 1985, 12:47 P. M.
(ON THE RECORD UNLESS OTHERWISE NOTED)

MR. REDMAN: Ladies and gentlemen, good afternoon.
Two announcements to begin with.

The United States and Vietnam have agreed to hold talks in Hanoi on January 6, 1986, to discuss the POW/MIA issue. The American delegation will be led by Assistant Secretary of Defense Richard Armitage and include Assistant Secretary of State Paul Wolfowitz, National Security Council staff member Richard Childress, and National League of POW/MIA Families Executive Director Ann Mills Griffiths.

Our delegation will meet with Foreign Minister Nguyen Co Thach and Deputy Foreign Minister Hoang Bich Son. These talks will be the latest in a series of policy level meetings which have taken place since 1982, and which have led to a significant increase in Vietnam's cooperation in resolving the issue of American servicemen who are missing or otherwise unaccounted for as a result of the war in Indochina.

Secondly, the Lao People's Democratic Republic, the LPDR, has authorized a team of U.S. technical experts from the Joint Casualty Resolution Center and the Central Identification Laboratory to visit Laos January 2 through 4 for a preliminary survey of a site where a U.S. Air Force AC-130 crashed during the war in Indochina.

Based on the results of the preliminary survey, the United States will present a proposal to the LPDR for a joint excavation of the site to recover the remains of the crew members missing from the crash.

The United States greatly appreciates the continued cooperation of the Government of the LPDR in efforts to obtain the fullest possible accounting for American servicemen missing in Laos. We look forward to continuing our efforts together.

Q Copies of both?

A Yes.

Q Do you have any details on that Lao crash, number of servicemen missing, where it is, when it went down?

A Not at this point. The Lao Government has requested that the specific crash site being surveyed not be revealed publicly until after the survey is completed. Fuller details will be available next week from the Defense Department.

Q Regarding the Vietnam visit, do Mr. Armitage and Mr. Wolfowitz plan to take up with the Vietnamese authorities the situation in Cambodia and other problems in the region?

A No. They do not. We are participating in these talks solely to discuss the POW/MIA issue. The President has designated it an issue of highest national priority, and the presence of senior officials from these Departments serves to underline the importance we attach to its resolution.

Q Not even the re-education camp question? No?

A No.

Q This is the highest ranking U.S. delegation to visit Vietnam since the end of the war?

A I'd have to look into that.

Q Chuck, can you bring u up date on the Rome and Vienna hijacking -- or not hijacking, the bombing in airports there -- accidents?

A Bring you up to date in what sense?

Q Uh --

A Casualty figures -- where we stand --

Q Not the casualty figures, the -- looks like the investigation of authorities is putting the blame squarely on a group which is opposing the PLO current leadership, which is headed by Abu Nidal. I want some specifics about this, and what the Israeli reaction has been almost to -- there could some surprises coming up in the way of retaliatory act, or something?

A Concerning the responsibility for the attacks, although the evidence is still being analyzed, all the indications we have so far point to Abu Nidal's group. Other governments directly concerned share this judgment. The indiscriminate attack, the choice of targets, the preliminary evidence, the method of operation, all point to Abu Nidal, which, as you said, is a renegade Palestinian group.

These are murderers who go out of their way to target civilians and have attacked and killed many Arabs as well as Israelis, Americans and Europeans.

Your -- your --

Q Do you have --

A I'm not sure what your second question is.

Q The second question about Israeli Defense Minister was on NBC and lots of other networks. It looked like the Israelis did not really respond to the appeals of the White House or the request of the White House. The President sent a message, my understanding -- it has been made public now -- that -- to exercise utmost -- not to damage the whole Middle East peace process if they will undertake any retaliatory measures against any of the neighboring Arab countries.

The response of Mr. Rabin was not quieting -- it was disquieting to the whole atmosphere now. What do you comment on that?

A No. I'm not going to comment directly on Mr. Rabin's comments. The Government of Israel will speak for itself and has done so and will continue to do so. Nor will I comment on the substance of our diplomatic exchanges. What I will do is to reiterate for your benefit, to clarify, if you will, where we stand, taking you back to Friday when I said, among other things, that there must be no place to hide for terrorists; that terrorists who kill and maim innocent civilians are beyond the pale of civilization and must be held responsible for their crimes.

You also know, we've always been firmly opposed to an escalating cycle of violence which contains the seeds of broader and more devastating hostilities. In that context, we have urged and will continue to urge all states to avoid taking actions which only feed that cycle.

But, at the same time, it has been and remains our firm policy that terrorism cannot go unanswered. We have

always retained the right to respond to terrorist acts in an appropriate, measured, focused way, and other victimized states have a similar right.

Q Sir, do you have any definite information about the whereabouts of Abu Nidal these days?

A We don't know precisely where he is at this moment. He has been in Libya. He has given several press interviews in Libya this year. One of those, which was published in Der Spiegel in the fall -- October, I believe -- he was quoted, "Qaddhafi is an upright man. We -- meaning Qaddhafi and Abu Nidal -- are linked by a deep, strong friendship. He is a great help to us."

We also believe that much of his operational base is in Libya, although there is also apparently an Abu Nidal presence in Syria. We would also note that Libya has applauded the attacks at Rome and Vienna airports, calling them, according to their own news agency, "heroic actions."

Q Is there any indication of Libyan involvement in the attacks?

A I can't give you anything more specific than to say that we believe Qaddhafi has given Abu Nidal, his group, a considerable amount of financing and assistance. We know that Abu Nidal and many other terrorist groups have benefited from and perhaps could not have survived without the assistance of countries which have supported terrorism. The weapons, the explosives, the training, rest areas, safe houses, and other such facilities have been invaluable.

In that context, I would recall again the statement of Prime Minister Craxi of last Friday, where he said that states which protected the terrorists and allowed them to arm and organize themselves bear responsibility for this attack. And that's a statement with which we sympathize.

Q Do you have any ideas what you can do about this?

A Well, that's a complicated question. If you're -- concerning the question was what we should do about it, in the first case we have taken a number of steps to assert diplomatic and economic pressures on Qaddhafi, including, for example, denying licenses for certain militarily useful equipment. We will continue to examine other measures which we might take. We believe that other governments now also recognize the need to take actions, and we are ready to continue the effort to work with them on coordinated efforts.

Q Are you thinking of going to the U.N.?

A Yes. The United Nations General Assembly is not in session, but we will be consulting with other members. We note that the UNGA resolution passed unanimously on December 9th, and the statement of the President of the U.N. Security Council in October both called on member nations not to support terrorists or terrorist groups.

I might also say in conjunction with an earlier question, that we -- as my original remark in response to your question said, the military option is one that we have always retained. Going to your question of what we can do, there are also other elements of an anti-terrorism effort, ways in which we and other countries can combat the international threat. These include tighter security controls, improved intelligence-gathering and sharing, and diplomatic and economic pressures. All of these options are not mutually exclusive.

As I said as well, we welcome Mr. Craxi's statements. The United States has for some time been working with our friends in Europe and elsewhere to improve an institutionalize cooperative action against terrorism, and we're ready to continue in the effort to develop joint actions in a variety of areas.

Q You can't just drop that little military option without referring -- what are you talking about? Libya or Abu Nidal or both?

A In response to your question as to whom that option applies, I can do nothing more than to reiterate our sympathy, our agreement, with Prime Minister Craxi's statement, the statement -- that states which protect and arm terrorists bear responsibility for the attacks. As always, I would have no comment on the details or any other fashion on any sort of contingency planning.

Q But the Italians have implicated Iran and Syria in this matter. Do you believe those two are involved in it, Syria and Iran?

A No, I don't have any confirmation of those reports. As I said earlier in response to a question on Libya, we do know that there has been Abu Nidal presence in Syria.

Q So when you talk about military, you're talking about this case -- the United States is reserving that possibility in this particular case. Is that right?

A I'm talking about our general response to terrorism, where the military option, as I've -- we've said from this podium and from other Administration podiums for a number of months, has and remains an option. As I've also made clear, it's not the sole option, but it certainly is one.

Q Chuck, when we talk -- when you talk about a military option, is this directed against another sovereign state or, as the Israelis often do, against extra-national organizations wherever they happen to be located?

A I can't give you any more other than to reiterate what I've said in response to a number of questions. I referred again to Prime Minister Craxi's statements. I said that the right to respond in an appropriate, measured and focused way was part of our policy.

Q Craxi's statement seems to imply you're talking about governments rather than about terrorist groups. Is that a proper inference of what he said and of what you said in quoting him?

A His statement referred to states.

-- MORE --

Q Chuck, you're quoting Craxi a great deal today. But up until very recent time, the U.S. Government has been very frustrated with the lack of cooperation from countries in western Europe, including Italy, in terms of dealing with Libya.

Are you saying that now Italy -- you know that Italy's attitude has changed and you know that Italy and the United States both share a common view of Qadhafi and Libya?

A I'm not going to go so far at this point as to characterize the exact nature of our exchanges and the status of future actions other than to reiterate, as I've said, that we hope there will be a growing recognition on the part of the international community in a broader sense to address together cooperatively, more forcefully, this question of terrorism.

There are many aspects to this problem. We've seen a number of these aspects demonstrated this year, for example. One, which hasn't been focused on perhaps, is the economic burden that terrorism can pose for a country. For example, Greece has lost an estimated \$300 million in tourism and revenues as a result of the TWA hijackings and the attacks by terrorists on hotels which were frequented by British tourists. Egypt's tourist industry is also suffering of terrorism in the region.

Terrorism is costing governments, airlines, the private organizations millions if not billions of dollars in security measures. I draw on that as only one aspect of the problem, without making more specific mention to the question which we've just been referring to which is that of the cowardly, indiscriminate nature of these attacks on innocent civilians.

Q Does the U.S. have any plans to try to get together and call some special meeting to discuss what to do on any kind of international basis?

A I have nothing specific other than what I said about the United Nations. But, clearly, we're willing to work with any grouping or with any organization that seems applicable in this particular case.

Q Chuck, I'm not clear about the U.N. Are you just saying in rather general terms that you're going to be talking with the members of the General Assembly and figure out something, or are you interested in convoking a special session at this point to deal with this problem?

A I believe the former.

Q Chuck, where can you draw the line between -- the borderline between what is called as -- called for restraint and the right to response to terrorism?

A I can't draw that line for you. I believe the principles of our policy are clear enough. How they can be applied on a case-by-case basis will be something that has to be determined on exactly that basis -- case-by-case.

Q Chuck, Ambassador Oakely yesterday called the Soviet Union, through its indirect support, "a major contributor" of international terrorism. Could you put this in the context of Libya in this incident, because of the Soviet Union's close relationship with Libya? What is their responsibility, or are you going to consult them on Libya, or talk to them?

A I can't go any further than Ambassador Oakely did yesterday. I would refer you basically to his comments concerning the current threat. As you know, we don't hesitate to talk to the Soviets when we have concerns of this sort as we did in the not-too-distant past concerning, for example, the delivery of SA-5 missiles to Libya.

Q Chuck, to be precise on something. You used a phrase before: you said no -- you said no comment on contingency planning. I don't think that anybody asked you about contingency planning.

So, to be precise, do you -- does the government believe that there should be a U.S. military response to what happened in Rome and Vienna?

A My remarks were in the context of a question which said what you believe should or can be done.

Q Right.

A So that I believe that that answer was relevant to that question.

As to your specific question as to what we believe should or can be done, I would simply fall back on my opening remarks which gives you our position of principle to which I've added the fact that those decisions are made on a case-by-case basis.

Q (Inaudible) underlining that question. The attack was on an Israeli airline in Europe, but five Americans died. Do we consider it primarily our responsibility to make sure that the terrorists can't hide and are held accountable?

A I don't want to say whose responsibility it is primarily. I think the better answer to that is that it's everyone's responsibility.

Q A yes-or-no question: Does the United States hold Libya directly or indirectly responsible for the terrorist attacks in Rome and Vienna?

A It's a yes-or-no question. The answer, however, will not be that. I've given that answer in some detail in response to an earlier question in which I reviewed the involvement of Qadhafi and the Abu Nidal group.

Q Chuck, I might take you back to what you just said about the reaction of the response, or the comment on Mr. Rabin's statements.

For the first time I hear from an Israeli official saying that we are examining the whole situation to get to the bottom of -- if I paraphrase what he said -- "to the bottom of who is responsible." There was no unqualified or qualified statement saying that we're going to take action immediately, or something like that.

Would this period of time -- you taking this as maybe a good omen that a hastily arranged operation by Israel and any of the Arab neighbors could be done? Would this be taken of significance by Israeli officials and U.S. officials?

A I'm not going to further speculate on those kind of speculative stories.

Q Okay. I might follow up on a different -- not speculative. This is a complete -- this is what happened in Vienna and Rome; it created a lot of revulsion in the Arab world completely and the total condemnation of what happened there.

What will the United States, without saying this is hypothetical, what will the United States say if Israel will undertake any action against Jordan or against Iraq or South Yemen, or any of the Yemens there?

A I would say that's a hypothetical question to which I've already given you, in any case in my initial response to your question, the elements of an answer in which I reviewed our concerns. First of all, concerning the fact that terrorists should have no place to hide; secondly, our concerns over actions which feed the cycle of violence. I think that's all embodied in those answers.

Q In the same area?

A Yes.

Q If any comment or (?) or reaction to the Lebanese Government reached in Syria?

A We have not seen a text of this accord, so I don't have any specific comments on it. We would be encouraged by any indication that the leaders of all Lebanon's various communities may be able to unite in seeking political reform and national security, the keys to the rebirth of their country.

We have always believe a broadly-based political dialogue which leads to genuine consensus is the only way to obtain restoration of Lebanon's unity, sovereignty and independence.

Q Chuck, it's not clear that the Austrian Government is somehow seeing that the PLO is not responsible partly, directly or indirectly in the incidents of Vienna or Rome. Do you share the same point of view?

A We don't rule out any possibilities, only to say that the evidence at this time points strongly to Abu Nidal.

We've had a question here for sometime. It hasn't been asked.

Q It's a different subject, though.

Q Any comment on King Hussein's visit to Damascus?

A No. That visit is just taking place today.

Q Do you know anything about travel plans for the Shins (?), the American couple that was injured in Rome? I understand they've checked themselves out of a hospital and may be on their way back?

A No, I don't believe so.

Anything else in this area before --

Q Just a general --

A First question out of the area goes over here.

Q Are there any travel advisories or anything like that kicking around?

A Let me see what I've got to say there. No, there are no new travel advisories. Travel advisories are issued when there is a change within a country or region which could adversely affect American travelers. Terrorist attacks can occur virtually anywhere, and we know of no precautions an individual traveler could take to avoid an attack like those of last Friday other than no travelling.

Q Do you anything on the Iranian-Libyan-Syrian summit last week, and whether that dealt with terrorism at all?

A No.

All right?

Q Okay. What is the Department's position -- has it changed any on the Iranian Relief Fund and it's connection with the People's Mujaheddin and these affiliated groups?

A No. The position is not changed. The National Council of Resistance is an Iranian group which is now conducting an active public relations campaign with Congress and the American public. It includes representatives of a small -- of a number of small leftist groups and is controlled by the People's Mujaheddin Organization of Iran and operates as a front for the latter.

This group has no connection with the Afghan Mujahidin Freedom Fighters and should not be confused with them. The People's Mujaheddin Organization of Iran, in fact, has publicly supported the Soviet occupation of Afghanistan and opposed the Afghan Mujahidin.

Without going into a lot of history, let me say that the movement even today has gone through some permutations but still remains a militantly Islamic, anti-democratic, anti-American and anti-Western collectivist organization which continues to employ terrorism and violence as standard instruments of its policy.

It was a group that, for example, during the 1970s assassinated at least seven Americans in Iran and engaged in other acts of violence, including bombings, assassinations of Iranians, attacks on Israeli offices in Tehran and bank robberies.

Q Chuck, anything on the arrest of Winnie Mandela this morning?

A It's basically the same answer that I gave you last week when she was arrested for a similar violation of these banning orders.

We have long believed that banning and similar restrictions on an individual's freedom of choice and movement in South Africa are wrong. We oppose banning and the arrests resulting from banning.

And for that reason we had deplored the arrest of Mrs. Mandela, and we would do so in this case as well.

Q The last time out, an American diplomatic officer made representations to the South Africans. Are you doing it this time?

A At this point, I would leave it that the South African Government is well aware of our concerns and our position.

Q Any reaction to the lifting of martial law in Pakistan?

A Yes. We heartedly welcome this decision by the Government of Pakistan which by this step has fulfilled its pledge to restore full constitutional government.

On this historic occasion, the United States congratulates the government and the people of the Islamic Republic of Pakistan.

Q Do you know of any opposition parties that can now be formed and function as a result of this step?

A I don't know.

Q What's its value?

A What's the value of restoring constitutional government?

Q No. You said the lifting of martial law. That's what you responded to; right?

A That's right.

Q And the restoration -- and the re-establishment of constitutional government based on representative institutions. I think that speaks for itself.

Q Yeah, but do you know of any opposition parties that will immediately be affected by the lifting of martial law?

A I can look into that.

Q Chuck, can we get some copies of these statements you read earlier about the Middle East?

A No.

Q About the war, of the hijackings?

A They don't exist.

Q Chuck, May Feinstein of San Francisco says that she's been informed by the Soviet Consul there of 36 Soviets who will be allowed -- who were being given exit visas to come to the United States. Are you familiar with that?

A I don't have anything on that.

Q Could you check into that and see what you come up with?

A Let me look into that.

Q Thank you.

(Press briefing concluded at 1:15 p.m.)

C
Current listing of: T6187:2
Slug:AM-AIRPORT-LIBYA
Category:REURI

12/29/85 18:28 Page: 1
Date: 12/29/85 07:06:54
Story:rl18

LIBYAN NEWS AGENCY PRAISES VIENNA AND ROME AIRPORT ATTACKS

LONDON, Dec 29, Reuter - Libya today called Friday's guerrilla attacks at Rome and Vienna airports heres and said they resulted from the 1982 massacre of Palestinians at the Sabra and Shatila refugee camps in Lebanon.

The Libyan news agency Jana, monitored by the British Broadcasting Corp., said some Arab states, including Tunisia, Egypt and Jordan, had condemned the "daring operation undertaken by the sons of the martyrs of Palestine from the Sabra and Shatila camps."

It said Arab ministers who denounced this action "have forgotten or pretend to forget what the Palestinians have been subjected to at the hands of the gangs of the Zionist enemy that have perpetrated the most hideous bloody massacres against the sons of the Palestinian people in the two camps."

The fact that these Arab officials condemned such action would "remain more significant than the notorious positions of the submissive Arab regimes," the agency said.

Furthermore, such heroic operations, which are considered a direct result of the Sabra and Shatila massacres, are in themselves a condemnation of the Arab regimes and world public opinion which remain with folded arms before Zionist high-handedness," it said.

REUTER 1757

C
Current listing of: T5977:2
Slug:BC-MIDEAST-SOVIET 1STLD (WRITE
Category:REURI

12/29/85 13:04 Page: 1
Date: 12/29/85 00:53:47
Story:r080

MOSCOW WOULD BACK SYRIA AGAINST ISRAEL, OFFICIAL SAYS

(Eds: corrects name and position of Soviet official)

KUWAIT, Dec 29, Reuter - A Soviet Communist Party official was quoted today as saying Moscow would back Syria if it faced any aggression by Israel.

"Syria will not be alone in facing any Israeli aggression towards its territory," Karin Brutents, a deputy chief of the International Department of the party's Central Committee, was quoted as saying by the newspaper Al-Watan.

Brutents, visiting Kuwait as a guest of Al-Watan, said, "I remind you that we stand with Syria. We have ties with it and a cooperation accord, and we follow the spirit and text of this accord."

Tension between Syrian and Israel has mounted amid Israeli charges that Syria recently deployed Soviet-made anti-aircraft missiles in Lebanon.

Brutents accused Israel of following a strategy which he said was based on fuelling tension in the Middle East, adding it was also subject to pressure from its "known friends" -- an apparent reference to the United States.

REUTER 1206

Current listing of: T4219:3
Slug:FRG PAPER REPORTS AL-QADHDHAFI
Category:FBIS

12/29/85 08:28 Page: 1
Date: 12/29/85 08:14:27
Story: 054 (SEE 110 OF 28)

NC291213 PARIS AFP IN ENGLISH 1159 GMT 29 DEC 85

(TEXT) BONN, DEC 29 (AFP) -- LIBYAN LEADER MU'AMMAR AL-QADHDHAFI HAS AGREED TO GIVE DISSIDENT PALESTINIAN LEADER ABU NIDAL AN ANNUAL BUDGET OF 32 MILLION DOLLARS TO CARRY OUT ATTACKS, THE WEST GERMAN NEWSPAPER BILD AM SONNTAG SAID TODAY.

THE PAPER SAID THE TWO MEN REACHED THE AGREEMENT DURING A MEETING IN THE LIBYAN DESERT ON AN UNSPECIFIED DATE. A "FIRST INSTALLMENT" OF FIVE MILLION DOLLARS HAS BEEN MADE BY A LIBYAN SECRET SERVICE OFFICER WHOM BILD NAMED AS COLONEL HASAN ASHKAL.

ABU NIDAL HAS BEEN LINKED BY PRESS REPORTS TO FRIDAY'S ATTACKS ON ISRAELI AIRLINE COUNTERS AT ROME AND VIENNA AIRPORTS, IN WHICH 18 PEOPLE DIED AND MORE THAN 100 WERE WOUNDED.

SOURCES CLOSE TO INVESTIGATORS IN ROME SAID THAT MUHAMMAD SARHAM, THE ONLY SURVIVOR FROM THE FIVE-MAN COMMANDO THAT CARRIED OUT THE ATTACK AT ROME'S FIUMICIO AIRPORT, HAD TOLD POLICE HE WAS A MEMBER OF THE ABU NIDAL GROUP.

ABU NIDAL, AN EXTREMIST WHO HAS BEEN BLAMED IN NUMEROUS TERRORIST ATTACKS, HEADS A GROUP BITTERLY OPPOSED TO PALESTINE LIBERATION ORGANISATION CHAIRMAN YASIR 'ARAFAT AND HAS PREVIOUSLY BEEN SAID TO HAVE RECEIVED BACKING FROM LIBYA AND SYRIA.

29 DEC 1311Z JMP

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PAGE 01
SIT252

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~~LIMITED OFFICIAL USE~~ TUNIS 11943

TERREP

E. O. 12356: N/A
TAGS: PTER, ASEC, TS, LY
SUBJECT: GOT SAYS TUNISIAN PASSPORTS USED IN VIENNA
- ATTACK WERE CONFISCATED AND/OR LOST IN LIBYA

REF: TUNIS 11910

1. ACCORDING TO JOURNALISTS WHO ATTENDED DECEMBER 30 PRESS CONFERENCE AT MINISTRY OF INTERIOR, GOT PRODUCED THREE TUNISIANS WHOSE NAMES MATCH PASSPORTS USED BY THREE TERRORISTS IN VIENNA. ALL THREE TUNISIANS WERE WORKERS EXPELLED BY LIBYA SINCE AUGUST. TWO HAD THEIR PASSPORTS CONFISCATED PRIOR TO EXPULSION; THE THIRD REPORTED HIS PASSPORT LOST IN LIBYA IN 1977.

2. MININT SPOKESMAN AVOIDED JOURNALISTS' ATTEMPTS TO GET HIM TO IMPLICATE LIBYANS IN VIENNA TERRORIST ATTACK, SAYING HE WAS ONLY PRESENTING FACTS TO SHOW THAT NO TUNISIANS WERE INVOLVED. HE ALSO REFUSED TO ANSWER QUESTION ABOUT TUNISIAN PASSPORT USED BY TERRORIST OMAR MARZOUKI IN MALTA EGYPTIAN HIJACKING.

3. COMMENT: ASSUME FULL TEXT OF CONFERENCE WILL BE REPORTED TOMORROW AND WE WILL PROVIDE FURTHER DETAILS.
ANDERSON
BT

DECLASSIFIED

NLS

BY CIS, NARA, DATE 10/20/05

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THE WHITE HOUSE
WASHINGTON

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~~SECRET/SENSITIVE~~

(WITH TOP SECRET ATTACHMENT)

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: DONALD R. FORTIER

SUBJECT: Acting Against Libyan Support of Abu Nidal (S)

Attached at Tab I is an issue paper for your use in preparation for an NSPG or secure conference call. The paper has been circulated to the NSPG principals.

Attachment

Tab I Acting Against Libyan Support
of Abu Nidal

DECLASSIFIED / RELEASED

NIC F95-023/1 #634

BY anf, DATE 1/20/05

~~SECRET/SENSITIVE~~

(WITH TOP SECRET ATTACHMENTS)

Declassify on: OADR

~~SECRET~~

0121 Add-on

DRF

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

January 7, 1986

~~SECRET~~

MEMORANDUM FOR DAVID CHEW

FROM: WILLIAM F. MARTIN *WFM*
SUBJECT: Libya: Executive Order and Supporting Documents

The NSC has reviewed the Executive Order at Tab A and recommends its approval without change. The NSC also concurs in the Report to Congress at Tab B, the transmittal letter at Tab C and the section-by-section analysis of the Executive Order (for internal Executive Branch use only) at Tab D.

Attachments

Tab A	Executive Order
Tab B	Report to Congress
Tab C	transmittal letter
Tab D	section-by-section analysis of Executive Order

~~SECRET~~

Declassify on: OADR

DECLASSIFIED / RELEASED

NLS F95-023/1 *W 635*

BY *Amf*, NARA, DATE 1/20/05

~~SECRET~~

T
A
B
A

EXECUTIVE ORDER

- - - - -

PROHIBITING TRADE AND CERTAIN TRANSACTIONS INVOLVING LIBYA

By the authority vested in me as President by the Constitution and laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), sections 504 and 505 of the International Security and Development Cooperation Act of 1985 (Public Law 99-83), section 1114 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1514), and section 301 of title 3 of the United States Code,

I, RONALD REAGAN, President of the United States of America, find that the policies and actions of the Government of Libya constitute an unusual and extraordinary threat to the national security and foreign policy of the United States and hereby declare a national emergency to deal with that threat.

I hereby order:

Section 1. The following are prohibited, except to the extent provided in regulations which may hereafter be issued pursuant to this Order:

(a) The import into the United States of any goods or services of Libyan origin, other than publications and materials imported for news publications or news broadcast dissemination;

(b) The export to Libya of any goods, technology (including technical data or other information) or services from the United States, except publications and donations of articles intended to relieve human suffering, such as food, clothing, medicine and medical supplies intended strictly for medical purposes;

(c) Any transaction by a United States person relating to transportation to or from Libya; the provision of transportation to or from the United States by any Libyan person or any vessel or aircraft of Libyan registration; or the sale in the

United States by any person holding authority under the Federal Aviation Act of any transportation by air which includes any stop in Libya;

(d) The purchase by any United States person of goods for export from Libya to any country;

(e) The performance by any United States person of any contract in support of an industrial or other commercial or governmental project in Libya;

(f) The grant or extension of credits or loans by any United States person to the Government of Libya, its instrumentalities and controlled entities;

(g) Any transaction by a United States person relating to travel by any United States citizen or permanent resident alien to Libya, or to activities by any such person within Libya, after the date of this Order, other than transactions necessary to effect such person's departure from Libya, to perform acts permitted until February 1, 1986 by Section 3 of this Order, or travel for journalistic activity by persons regularly employed in such capacity by a newsgathering organization; and

(h) Any transaction by any United States person which evades or avoids, or has the purpose of evading or avoiding, any of the prohibitions set forth in this Order.

For purposes of this Order, the term any "United States person" means any United States citizen, permanent resident alien, juridical person organized under the laws of the United States or any person in the United States.

Sec. 2. In light of the prohibition in Section 1(a) of this Order, section 251 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1881), and section 126 of the Trade Act of 1974, as amended (19 U.S.C. 2136) will have no effect with respect to Libya.

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Sec. 3. This Order is effective immediately, except that the prohibitions set forth in Section 1(a), (b), (c), (d) and (e) shall apply as of 12:01 a.m. Eastern Standard Time, February 1, 1986.

Sec. 4. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out the purposes of this Order. Such actions may include prohibiting or regulating payments or transfers of any property or any transactions involving the transfer of anything of economic value by any United States person to the Government of Libya, its instrumentalities and controlled entities, or to any Libyan national or entity owned or controlled, directly or indirectly, by Libya or Libyan nationals. The Secretary may redelegate any of these functions to other officers and agencies of the Federal government. All agencies of the United States government are directed to take all appropriate measures within their authority to carry out the provisions of this Order, including the suspension or termination of licenses or other authorizations in effect as of the date of this Order.

This Order shall be transmitted to the Congress and published in the Federal Register.

THE WHITE HOUSE,

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Economic Sanctions Against Libya

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. section 1703, section 505 of the International Security and Development Cooperation Act of 1985, and section 301 of the National Emergencies Act, 50 U.S.C. section 1631, I hereby report to the Congress that I have exercised my statutory authority to declare a national emergency and to:

- ° prohibit purchases and imports from and exports to Libya;
- ° ban U.S.-Libya maritime and aviation relations;
- ° ban performance of service and other contracts relating to projects in Libya;
- ° ban credits or loans to Libya
- ° prohibit transactions relating to travel by Americans to or activities in Libya, other than for commercial activities permitted until February 1, 1986 or those necessary for prompt departure from Libya or for journalistic travel.

These prohibitions are subject to regulation by the Secretary of the Treasury to whom I have delegated the power, in consultation with the Secretary of State, to carry out the provisions of the Order and to take further measures regarding transactions involving transfer of property to Libya and Libyan nationals if necessary to carry out the purposes of this Order. Certain of the prohibitions in the Order will apply as

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BY Amf, NARA, DATE 1/20/85

of 12:01 a.m. Eastern Standard time, February 1, 1986. The remainder of the prohibitions of the Order will become effective immediately.

I am enclosing a copy of the Executive Order that I have issued making this declaration and exercising these authorities.

I have authorized these steps in response to the emergency situation created by international terrorism, in this instance the actions and policies of the Government of Libya. Its use and support of terrorism against the United States, other countries and innocent persons violates international law and minimum standards of human behavior. These Libyan actions and policies constitute a threat to the security of the the United States as well as the international community. Our nation's security includes the security of its citizens and their right freely to go about their lives at home and abroad. Libyan use of and support for terrorism also constitutes a threat to the vital foreign policy interests of the United States and of all other states dedicated to international peace and security.

Since Libya was officially designated under U.S. law in 1979 as a country that has repeatedly supported acts of international terrorism, the United States has taken a number of steps in response to hostile Libyan policies and actions. We have denied licenses for exports that may contribute to Libya's military potential or enhance its ability to support acts of international terrorism. We have denied export of most national security controlled items; of goods or technical data

which could contribute directly to the Ras Lanuf petrochemical complex; of aircraft, large off-road vehicles and parts with a high risk of diversion by Libya for military activities; and for oil and gas technology and equipment not available from third-country sources. On the import side, we have banned Libyan petroleum and, since November 1985, Libyan refined petroleum products. We have stopped Libyans from coming to the United States for aviation maintenance, flight operations or nuclear related studies. We have taken measures to limit the expansion of Libyan UN Mission facilities. We have also repeatedly called upon corporations to withdraw American citizens from Libya, for their safety, and we have restricted the use of U.S. passports for travel there. All these measures have not deterred Libya from its use and support of terrorism. Moreover, approximately 1500 Americans remain in Libya.

The Congress of the United States has repeatedly deplored the Qadhafi regime's use of and support for international terror. Recently, it did so by enacting section 504 of the International Security and Development Act of 1985. Moreover, I have determined that Libya falls within the terms of another statute directed by Congress against those countries which support terrorism against civil aviation, section 1114 of the Federal Aviation Act of 1958, as amended.

The United States reaffirms its call to Libya and all nations supporting terrorism to turn away from that policy. The United States also calls upon other nations to join with us

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in isolating the terrorists and their supporters. We must demonstrate by firm political and economic sanctions that the international community considers such actions intolerable, that states which engage in such actions cannot expect to be accepted members of the international community.

Failure to call Libya into account for its policy places the civilized world at the mercy of terrorism. This has necessitated the steps I have taken today. The terrible tragedies of Vienna and Rome demonstrate that no nation can be immune, that each nation must bear its fair share of the vital effort against the politics of terror. I call upon every nation to do so now.

Ronald Reagan

The White House,
January __, 1986.

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Draft Text of Transmittal Letter

I am hereby transmitting a report, pursuant to section 204(b) of the International Emergency Economic Powers Act and section 505(b) of the International Security and Development Cooperation Act of 1985, regarding the actions I have taken today with respect to Libya.

I have taken these actions in response to the actions and policies of the Government of Libya. Its use and support of terrorism against the United States, other countries and innocent persons violates international law and minimum standards of human behavior. Since Libya was officially designated under United States Law in 1979 as a country that has repeatedly supported acts of international terrorism, the United States has taken a number of steps in response to hostile Libyan policies and actions. These measures, however, have not deterred Libya from its use and support of terrorism. Failure to call Libya into account for its policy places the civilized world at the mercy of terrorism. This has necessitated the steps I have taken today.

Ronald Reagan

The White House,
January ____, 1986.

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ANALYSIS OF PROPOSED EXECUTIVE ORDER

Overall Impact

Our current exports of approximately \$300 million per year consist primarily of machinery and transportation equipment, manufactured goods for industrial uses and foodstuffs, all of which are available to Libya from non-U.S. sources. We already deny licenses for export of most national security controlled items; for goods or technical data which could contribute directly to the Ras Lanuf petrochemical complex; for aircraft, large off-road vehicles and parts because of the high risk of diversion by Libya for military activities; and for oil and gas technology and equipment not available from third-country sources. On the import side, we recently expanded our 1982 ban on Libyan crude oil to include import of Libyan refined petroleum products. Our remaining imports of just under \$5 million per year consist mainly of alcohols and related products.

The Order and proposed regulations would prevent any new trade and reach the trade remaining under binding existing contracts, including the large volume of trade in services contracts. It would not reach trade with Libya by the foreign subsidiaries of U.S. companies. It should result in the sharp reduction or withdrawal of the remaining American citizen presence in Libya by banning the commercial activities motivating much of that presence and the transactions for travel to or in Libya, except for journalism and any licensed "hardship" travel. The Order would not freeze Libyan Government assets.

Violations of the Order are subject to civil penalties not to exceed \$10,000 and criminal penalties of not more than \$50,000 and imprisonment for not more than 10 years or both.

Section by Section Analysis

Paragraph One

Although all the actions in the Order may be taken under the International Emergency Economic Powers Act, the Order also is expressly based upon the President's constitutional authority, sections 504 and 505 of the International Security and Development Cooperation Act of 1985, and the aviation sanction authority provided by the Federal Aviation Act.

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Paragraph Two

The Order finds that the policies and actions in support of international terrorism by the Government of Libya constitute an unusual and extraordinary threat to the national security and foreign policy of the United States and declares a national emergency pursuant to IEEPA to deal with that threat. Invoking two of the three possible grounds provided under IEEPA -- threat to the national security and foreign policy -- follows the Nicaragua precedent. The earlier Iran emergency additionally invoked a threat to the U.S. economy.

Section 1(a)

This provides the import element of the Order's comprehensive direct trade ban. Prohibition of import of goods of Libyan origin might reach some trade of Libyan commodities through third countries, as would Section 1(h), which deals with evasion. In some instances, such as Libyan origin petroleum products mixed in European tank farms and included in subsequent reshipment, strict enforcement cannot be realistically contemplated without unacceptably burdening the international trading system. We contemplate that enforcement will be handled as it is under the present import ban on such products. The exception for news material follows the Iran precedent.

Section 1(b)

This provides the export element of the Order's comprehensive direct trade ban. Like the Nicaragua order, but unlike typical earlier controls, this ban will not reach re-exports of U.S. origin goods from third countries if those goods "come to rest", are incorporated in third country products as components or are substantially transformed abroad. This avoids the extraterritoriality problems of U.S. controls over the export of a foreign manufactured product because of a small amount of U.S. componentry. The Order would not, however, supercede the existing system of export controls on Libya already in place, e.g., relating to national security controlled items or oil and gas technology, which remain subject to the regular re-export control system of the Export Administration Act. The Order's ban on exports to Libya does not apply to donations of food and medicine and clothing intended to relieve human suffering, in light of the corresponding limitation on the President's authority to do so under IEEPA. This limitation can be removed if militarily required.

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Section 1(c)

This section provides a transportation ban.

Section 1(d)

This section bans the purchase of goods in Libya for sale in countries other than the United States.

Section 1(e)

This section bans performance of contracts in Libya, such as oil field operation contracts and major construction engineering and management. It deals with one of the major elements of U.S.-Libya trade remaining and a principal source of U.S. citizen presence in Libya. However, much trade in services is by foreign companies, including subsidiaries of U.S. companies.

Section 1(f)

This section bans the grant or extension of credits of loans to the Government of Libya.

Section 1(g)

This section bans transactions for travel to Libya. It also bars transactions for activities in Libya by United States citizens and permanent resident aliens. Under U.S. law, the President is not presently authorized directly to compel U.S. nationals to cease travel to, through, or in Libya. Nor can we threaten prosecution for the travel itself. Although we can bar the economic activity necessary for travel, and prosecute for violations (subject to difficulties of proof), some Americans may nevertheless remain in Libya either because Qadhafi may prevent their departure or because they may decide to defy a transaction ban. However, this control, by banning transactions for travel to and activities in Libya, together with further tightening of passport controls and strong Presidential statements, should substantially reduce the American presence there. The section makes the exception for journalism which has become our standard practice and was made under the IEEPA controls for Iran during the hostage crisis. Travel for performance of export, import and service trade will be permitted until those bans take effect.

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Section 1(h)

This is drawn from the Iran precedent and is intended to facilitate enforcement of the basic prohibitions.

"United States person"

In order to avoid the acute problems arising under other U.S. controls which have applied to "any person subject to the jurisdiction of the United States", a term usually defined in U.S. regulations to include foreign companies owned or controlled by U.S. nationals, this Order is drafted to apply its principal prohibitions to "U.S. persons", who are defined to include, in addition to U.S. citizens and permanent resident aliens, only those companies and other legal entities which are organized under U.S. law and thus generally recognized by our allies as being subject to U.S. regulation in their overseas activities.

Section 2

Although the MFN tariff treatment automatically granted by U.S. statutes to most countries is meaningless when imports themselves are barred, Section 2 will remove the political issue of Libya theoretically remaining entitled to MFN. The Order does not expressly terminate the theoretical Libyan entitlement to avoid unnecessary departure from our tradition of not withdrawing MFN tariff treatment as a foreign policy sanction.

Section 3

This section of the order allows a transitional period until February 1 to wind up commercial relations. The prohibitions on other travel and on new loans or extensions of credit take effect immediately. After the effective date, licenses would be required for any of the prohibited transactions.

Section 4

This section delegates power to the Secretary of the Treasury, in consultation with the Secretary of State, to carry out the provisions of the Order and to take further measures regarding transactions involving transfer of property to Libya and Libyan nationals if necessary to carry out the purposes of the Order.

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Congress

The Order states that it is to be transmitted to Congress. In addition, IEEPA requires that, wherever possible, the President consult with the Congress prior to using IEEPA authorities. He is also required to report immediately to Congress when he uses them. Both these obligations can readily be satisfied, and the need to act is particularly strong where the result may reduce the number of Americans exposed to Libyan actions.

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