

SUMMARY OF NATIONAL SECURITY PLANNING GROUP (NSPG)
MEETING ON COMBATTING TERRORISM

Friday, March 2, 1984
11:00 a.m. - 12:00 noon
White House Situation Room

The meeting was introduced by Mr. McFarlane who noted that immediately after the Beirut bombing, the three interagency groups involved in countering terrorism had commenced developing a three part effort to improve our ability to combat terrorists. This endeavor includes a legislative package, measures to improve international cooperation, and a National Security Decision Directive (NSDD) which would serve as a policy statement and set clear goals for each agency. It was further noted that it should be clear to all that the Federal Government has numerous talented and dedicated people working on this cause, both domestically and overseas. There are natural and sensible concerns about a White House role--but no one wants the White House micro-manage this effort. It was pointed out that the President's guidance has been clear and that it has been incorporated in the draft NSDD. ADM Poindexter, Chairman of the Terrorist Incident Working Group (TIWG), was asked to describe the essential elements of the NSDD.

ADM Poindexter: We began working on a draft of the NSDD in November 1983, after the terrorist attack against the Marines in Beirut. The NSDD provides a clear statement of our guiding principles and establishes a number of goals for the various agencies involved in this effort. The NSDD modifies the charter of the TIWG to permit it to monitor efforts of the community involved in combatting terrorism. There are four major improvements sought in the NSDD:

- Improvements in Intelligence collection, analysis, and dissemination are directed as a means of better predicting terrorist attacks. The need for increased HUMINT is recognized as being particularly important.
- Better Security/Protection is directed as a means of deterring terrorist attack and increasing the difficulty of attackers. The effectiveness of these measures were demonstrated after the bombing in Beirut and improved "car bomb" security measures were emplaced--the terrorist ceased using this alternative for their attacks and began looking for other methods.

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- Pre-emptive action is called for in the directive of a means of keeping attacks from occurring. The NSDD notes that these activities; whether they be disruption, deception, or other methods must be undertaken in accordance with E.O. 12333.
- Improved Response Capabilities should also be sought as a means of deterring future attacks. We ought to make sure that these actions do not result in an escalating round of violence. Therefore, these measures must be carefully assessed before they are undertaken.

The last section of the NSDD calls for a study of our management organization. Some departments and agencies do not agree completely on the scope of this effort. Nearly all agree that study should be undertaken as a means of ensuring that we are doing all that we can to manage our anti-terrorism resources.

Mr. McFarlane: Does anyone have any comments on the NSDD?

William French Smith: "I object strongly that the directive adds another layer of bureaucracy and is unnecessary." Domestic terrorism is not a problem. This NSDD sets up a White House organization to "monitor" counter-terrorist activity--whatever that means. Terrorism in the U.S. is a law enforcement function. There is no demonstrated need that any improvements are necessary. The FBI is doing very well on terrorism and has it at the top of their priorities. You (the President) were briefed their activities recently.

The organizational set up is unnecessary and raises the issue of White House involvement in domestic law enforcement activity. It calls for an intrusion into our management and operations. Although Bud (Mr. McFarlane) says there is no intention to change the operational set up, that is not clear in the NSDD. It appears that this is an effort to change what was established in "Executive Order 123" (sic).

Mr. McFarlane: As indicated in our correspondence on this issue, the only White House involvement is to ensure that there is a full reporting and coordination procedure. The implementation of the NSDD does not set up a new bureaucracy, it simply modifies the charter of an already existing body (TIWG).

William French Smith: That is not what the document says. We must ensure that our constitutional and statutory enforcement authorities for domestic law enforcement are protected.

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Mr. McFarlane: Very well, we will look at the language; would you please suggest some changes.

Secretary Shultz: With all due respect to the technical points, the problem of terrorism is upon us. It is a major and serious problem. We need to resolve these technical issues and put them behind us and get on with the problem of stopping terrorism. Now, I understand that CIA has some problems with the legislative proposals.

Director Casey: Both CIA and the military have problems with one of the bills.

Secretary Shultz: We need to move on this legislation quickly. These bills are the best way we have of strengthening our own legal authorities. Second, we also need to improve international cooperation. We have proposed that we have a "Heads of Government only" discussion of this issue at the London Summit. A statement on this from of the Heads of State would be nice--but we may not be able to get such a statement given French objections. The French tend to hang back on this matter when we are involved because they feel that a close affiliation with the U.S. will increase their vulnerability.

The NSDD is good. If we need to fix whatever is wrong with this document to satisfy the Attorney General's concerns, we should do so now and get on with it. This will help us get to the real "gut issue" of what we need to do about terrorism. We need to have agreement that when we know where terrorists are, we will act against them. It is recognized that there is a moral issue here in that the evidence will never be conclusive enough to "win a Supreme Court case." Everyone in this room remembers what we went through after the attack on the Marines. At some point, we have to wrestle with the issue of how "sure" we have to be before we hit back. I recognize that this is not the specific issue before us here, but moving with the NSDD will help us get there.

Secretary Weinberger: What is the Justice Department objection to the wording? Is there a specific clause that we can fix right here?

William French Smith: It's the Phase II that is the problem. It revises the management structure to interfere with domestic law enforcement.

Secretary Weinberger: As I read it, it is just a group to review how activities are proceeding. But, if that is the problem, we ought to fix the language now. The only problem Defense has with the proposals is with the "conspiracy bill." Our concern is that conspiracy language could be interpreted by some lawyers to include our very planning to combat terrorism.

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William French Smith: The bill should not specifically exclude the CIA or Defense Department people. That will make it appear that what we are asking for is permission to conduct unlawful acts.

Secretary Weinberger: It seems to be a practical problem. If the NSDD is clear that unlawful acts are not being considered, perhaps something can be done with the bill that will make it less objectionable.

There is another consideration here: What became of the Dobrynin overture to work with the Soviets on terrorism. You will recall that there are some who believe that the Soviets may be starting to be concerned about this issue. We raise this issue along with the hotline.

Secretary Shultz: We raised four issues with them. They were interested in two: the hotline and terrorism. As you know, the hotline issue is moving well. Dobrynin asked us what we had in mind regarding terrorism. We told him we would get back to him and we have referred the matter to our interagency group. The IG is reviewing it and we will get back soon.

Secretary Weinberger: Getting back to the NSDD, is there some other arrangement of words that can satisfy the problem?

Mr. McFarlane: Well we can certainly try again at moving the words around.

William French Smith: That's not the issue. We must exempt domestic terrorism from any mention in this document. We ought to just drop it from the directive.

Secretary Shultz: I thought I agreed with you. I no longer do. Terrorism is an international issue. It goes everywhere, including the U.S. By your own count there were 31 incidents here last year. It makes no sense simply to look overseas and ignore what's going on in this country. To do otherwise would be the same as trying to say that domestic trade and international trade have nothing to do with each other. What this NSDD calls for is better coordination and cooperation among all of us who are involved.

Director Casey: CIA certainly has no objection to further coordination. We coordinate now, but it can always be better.

William French Smith: It just shouldn't get into operational details. The Justice Department and the FBI are doing very well at managing domestic terrorism. The Olympics are a good example. We've done exceptional planning in getting ready for the Olympics.

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Secretary Shultz: The effectiveness of the planning won't be measured until after the Olympics are over.

William French Smith: "The real problem is with lack of mention of the Executive Order" (sic).

Director Casey: We have proper reference to the Executive Order. It is in the directive twice. Our concern is the legislation and the conspiracy issue. There is no point in creating further impediments in the minds of those who are making plans for covert operations just to get at the death squad plotters in Miami. The additional legal risk and hazard to our people isn't worth it.

On pre-emptive action, some of that is being done now. We have caused a number of terrorist activities to be aborted. Forcible pre-emptive action is difficult and very dangerous. We've improved our comprehensive counter-terrorist intelligence network. Penetration of terrorist organizations is done well by the Israelis, Jordanians, and Egyptians. We have done some, but it is important to understand that when an operation is being planned, they (the terrorists) will often compartment the information so that our agent may well not be aware of it.

In regard to international cooperation, this is the real issue. Just as George (Secretary Shultz) indicated, what we need is the kind of international cooperation that we had in the 18th century in the international laws against piracy. There has to be a consensus among the Western powers that they will all participate in apprehending terrorists and isolating or imposing sanctions on those who support terrorism. Operational capabilities are less important than this issue.

General Vessey: The JCS have the same concerns as Secretary Shultz. We need to face up to the issue of state-sponsored terrorism. We need to do more than just putting up more barriers like here at the White House, we need to decide that the next time a terrorist acts, we will hit back. We all know that Syria, Libya, and Iran have active terrorist camps. Yet no one does anything about it.

Secretary Weinberger: We should take the same approach that we used during the hijackings in the early 1970s. Then, we put OMB in charge and got the problem solved.

Director Casey: That's not the point, we need to focus on diplomatic measures that can be taken to cause others not to support terrorism.

Secretary Weinberger: The problems are in Cuba, Iran, Libya, and Syria. We need to stand up to this or it will just continue.

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Secretary Shultz: I agree all of what you have said. Nevertheless, this legislation and NSDD are the way to start. We ought to move now by sending the legislation to the Congress and implementing this NSDD.

The President: Let's quickly look at this with a view toward moving out. If it is simply a problem of redrafting a few words, we ought not to let this hold us up. Let's revamp what we have and set us on the course. These all seem to be the right steps.

Mr. McFarlane: We seem to have agreement on four of the five proposed bills. We also appear to need some language changes in the NSDD to accommodate Justice. We will see what we can do to move these forward.

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