

S. HRG. 106-867

**COUNTERING THE CHANGING THREAT OF  
INTERNATIONAL TERRORISM: REPORT OF  
THE NATIONAL COMMISSION ON TERRORISM**

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**HEARING**  
BEFORE THE  
**COMMITTEE ON FOREIGN RELATIONS**  
**UNITED STATES SENATE**  
ONE HUNDRED SIXTH CONGRESS  
SECOND SESSION

—————  
JUNE 15, 2000  
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THURSDAY, JUNE 15, 2000

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 11:25 a.m., in room SD-419, Dirksen Senate Office Building, the Hon. Jesse Helms (chairman of the committee) presiding.

Present: Senators Helms, Sarbanes, Dodd, and Torricelli.

The CHAIRMAN. The meeting will come to order, and the Chair, first of all, apologizes for the delay. It was not of the Chair's making.

We had to make a judgment in light of the fact that a vote was scheduled for 11 o'clock on the floor of the Senate. And I had to make a judgment as to whether to try to start and then stop. Now, we will continue on through.

This morning, the Foreign Relations Committee will hear from the Chairman and Vice Chairman of the National Commission on Terrorism, which issued a bipartisan report<sup>1</sup> last week that should serve as a wake-up call to the unrelenting threat of international terrorism.

Now, whether intended or not, this bipartisan Commission also paints a troubling picture of a Clinton administration that is pulling its punches in the fight against terrorism.

The Commission exposes a pattern in the administration of appeasing terrorist states and coddling governments that are AWOL in the fight against terrorism.

In the interest of time, I will cite only one or two of the most egregious examples. For example, in March 2000, the Clinton administration set aside the evidence and its own pre-conditions to reward—I reiterate—reward Iran with lucrative trade concessions.

Now, this appeasement sends a dangerous signal that, when it is politically expedient, the United States of America will abandon its principles and let terrorist states off the hook. So let me put it simply: If it is OK for Iran to murder American soldiers, what on Earth is not OK?

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<sup>1</sup>The report of the National Commission on Terrorism entitled "Countering the Changing Threat of International Terrorism" can be accessed through the U.S. Government Printing Office Website at: [www.gpo.gov](http://www.gpo.gov)

Now, the case of Greece, an important NATO ally, is even more worrisome. The Greek Government has done absolutely nothing to target terrorists who have murdered innocent Americans time and time again.

Now, we have some charts<sup>2</sup> which show in graphic detail more than 100 terrorists attacks that have been carried out against United States citizens in Greece and only one—only one has been solved.

Now, we look forward to hearing your case, gentlemen, and we appreciate your coming, and we appreciate your patience in waiting for the Senate to operate over in the Capitol.

The committee will then hear from a panel of administration witnesses regarding your recommendations.

Now, the first witness we have is the Honorable Paul Bremer, III—you have a father and grandfather named the same thing, don't you?

Mr. BREMER. And a son.

The CHAIRMAN. All right. This gentleman is Chairman of the National Commission on Terrorism; and Mr. Maurice Sonnenberg, who is Vice Chairman.

And, gentlemen, we will begin with Mr. Bremer and proceed at will.

**STATEMENT OF HON. L. PAUL BREMER III, CHAIRMAN, NATIONAL COMMISSION ON TERRORISM, WASHINGTON, DC; ACCOMPANIED BY: JULIETTE KAYYEM, DR. RICHARD BETTS, FORMER CONGRESSWOMAN JANE HARMON, AND GARDNER PEKHAM**

Mr. BREMER. Thank you, Mr. Chairman, for the opportunity to appear before you. I have a full statement, which I would like to enter in the record, if I could.

The CHAIRMAN. That is customary. That will be done.

Mr. BREMER. I will just briefly summarize it, if I may, Mr. Chairman.

The CHAIRMAN. Thank you, sir.

Mr. BREMER. One of the main conclusions which you have already referred to, is that the threat of international terrorism, we think, is on the rise, and is changing in its character.

The motives of terrorists seems to be changing, and we have to be concerned about the possibility that terrorist groups will resort to, what we call, catastrophic terrorism acts, which are designed to kill not hundreds, but perhaps tens of thousands of Americans.

In other words, we are facing a serious question, and the Commission took its role seriously, our job being basically to try to find ways to help save American lives. That is what is at the bottom of all of our recommendations.

Mr. Chairman, in the area of intelligence we found that it is a vital aspect of the fight against terrorism and some things need to be done.

We feel that there are restrictions, which are addressed more fully in the report, against the collection of terrorist information by

<sup>2</sup>The charts referred to by the Chairman begin on page 51.

the CIA abroad and by the FBI at home. We have recommended that some of those restrictions be eased.

We think it is also important that that information be shared better, and we have made specific recommendations in particular for the collection of intelligence that the FBI comes across, getting that out to the intelligence community and decisionmakers in a timely and useful fashion.

I should add, finally, in the area of intelligence we think that there—the intelligence agencies, particularly CIA, FBI and most especially NSA need more money. They need more resources to fight this fight. And we have made specific recommendations, which I draw your committee's attention to, which we have also talked to the Senate Intelligence Committee about.

Mr. Chairman, there are several aspects of our report which have been misrepresented in the last week or so, and I would like to cover two of those, just to be sure the record is clear.

First of all, some people have reported that we have suggested a new program to monitor foreign students in the United States, with the implication that we are picking on a particular ethnic or religious group.

Let me be clear about this: For more than 35 years, the United States has had a program in place whereby colleges and universities in the United States are required to keep the Immigration Service informed about all foreign students, irrespective of their nationality, that are studying at those institutions. In other words, such a program has been in place for 35 years.

In 1996, Congress having found that a student who had overstayed his visa was involved in the World Trade Center attack which killed six Americans in 1993, Congress decided that the information was not flowing properly from universities to the Immigration Service, and instructed the Attorney General to, in effect, computerize that program.

The INS has done that in the last couple of years and all the Commission has suggested is that that program, as is recommended by the Immigration Service, should be made nationwide now, collecting the same data that has been collected on foreign students for 35 years without respect to what nationality they are.

The second area where there has been some confusion is our recommendation about an appropriate role for the military in the event of a catastrophic attack.

We think, Mr. Chairman, that it is important to think about the unthinkable, to think about the possibility that either a single catastrophic attack, or several, or attacks taking place on American soil, while we are in hostilities abroad, that such an attack or series could go beyond the capability of local, state and Federal officials to deal with; and that the President should have available to him contingency plans to use the civilian leadership of the Department of Defense to respond to such an attack. That is what we have recommended, that contingency planning should be done.

And, Mr. Chairman, sometimes people have criticized this as a potential infringement on civil liberties. We take exactly the contrary view.

Our view is that in the event of a catastrophic event such as we are talking about, where you have tens of thousands of people

dead, the pressures will be very great on the President and the leadership of this country to impinge on civil liberties unless they have done some contingency planning and thought it through ahead of time, and so we strongly recommend that such contingency planning be undertaken, be exercised, and that those plans be put on the shelf, hopefully to remain there forever.

But we think it is the height of irresponsibility not to at least think about the possibility of that happening.

Now, Mr. Chairman, I know of interest to you—this committee—in light of your comments, you are concerned about states which support terrorism. We address this in the report.

It is true that two of those countries that support terrorism are right now, Iran and Syria, undergoing some kind of change domestically. We do not know exactly what.

In the case of Iran, it is true that Americans may hope that President Khatemi will institute sensible political and economic reforms that can bring Iran back into the world of nations.

But the regrettable fact is that Iran continues to be the world's leading supporter of terrorism. In fact, in the period since President Khatemi's election, Iranian support for terrorism, particularly for terrorist groups opposed to peace in the Middle East, has actually increased.

As you note, there is also evidence that Iran may have been behind the attack on Khobar Towers in Saudi Arabia, which killed 19 American soldiers.

Our Commission felt that there was a danger, that the administration might be giving signals to Iran and perhaps to our allies that our concern about Iranian terrorism is weakening. And so we recommended no further concessions to the Government of Iran until it stops support for terrorism.

Mr. Chairman, it is too early to know if President Asad's death will bring any change in that country's support for terrorism. In American conversations with the new leaders of Syria, it is certainly our hope that we will make clear that Syria cannot expect normal relations with the outside world until it takes concrete, measurable steps to stop the support for terrorism.

Hopefully, the new leader of that country will come to understand that such a step is the prerequisite to obtaining Western trade and investment essential to modernizing the Syrian economy. As with Iran, we believe American policy should take its cue from Missouri: "show me."

Mr. Chairman, in the case of other countries which support terrorism, there are also potential changes. North Korea comes to mind. We have all seen the events that took place in Pyongyang yesterday.

But here again, I think our view should be: We want to see concrete measures taken, not words, not promises, not agreements to do these things, concrete steps.

Mr. Chairman, I think that in the interest of time, I will skip over the rest of my statement and simply say that I am pleased that some of my fellow Commissioners have been able to join us today in addition to my colleague, the Vice Chairman, Mr. Sonnenberg.

We have with us here also Ms. Juliette Kayyem, Dr. Richard Betts—

The CHAIRMAN. If you will stand, please.

Mr. BREMER. Sure. Juliette Kayyem.

The CHAIRMAN. Thank you.

Mr. BREMER. Dr. Richard Betts.

The CHAIRMAN. Thank you, sir.

Mr. BREMER. Former Congresswoman Jane Harmon.

The CHAIRMAN. Thank you.

Mr. BREMER. And Gardner Pekham.

The CHAIRMAN. Thank you. We appreciate your coming, all of you.

Mr. BREMER. That concludes my statement.

The CHAIRMAN. Very well.

[The prepared statement of Mr. Bremer follows:]

PREPARED STATEMENT OF HON. L. PAUL BREMER III

Mr. Chairman, Members of the Committee, thank you for the opportunity to appear before the Foreign Relations Committee today to review the conclusions and recommendations of the National Commission on Terrorism.

The threat of terrorism is changing dramatically. It is becoming more deadly and it is striking us here at home. Witness the 1993 bombing of the World Trade Center, the thwarted attacks on New York's tunnels, and the 1995 plot to blow up 11 American airliners. If any one of these had been fully successful, thousands would have died. Crowds gathered to celebrate the Millennium were almost certainly the target for the explosives found in the back of a car at the U.S. border in December 1999. Overseas, more than 6,000 casualties were caused by just three anti-U.S. attacks, the bombings of a U.S. barracks in Saudi Arabia and of the U.S. embassies in Kenya and Tanzania.

If three attacks with conventional explosives injured or killed 6,000, imagine the consequences of an unconventional attack. What if a release of radioactive material made 10 miles of Chicago's waterfront uninhabitable for 50 years? What if a biological attack infected passengers at Dallas-Fort Worth Airport with a contagious disease?

It could happen. Five of the seven countries the U.S. Government considers terror-supporting states are working on such weapons and we know some terrorist groups are seeking so-called weapons of mass destruction.

Congress established the National Commission on Terrorism to assess U.S. efforts to combat this threat and to make recommendations for changes. The Commission found that while many important efforts are underway, America must immediately take additional steps to protect itself.

First, we must do a better job of figuring out who the terrorists are and what they are planning. First-rate intelligence information about terrorists is literally a life and death matter. Intelligence work, including excellent cooperation with Jordan, thwarted large-scale terrorist attacks on Americans overseas at the end of last year. Such welcome successes should not blind us to the need to do more.

Efforts to gather information about terrorist plots and get into the hands of analysts and decisionmakers in the federal government are stymied by bureaucratic and cultural obstacles. For example, who better to tell you about the plans of a terrorist organization than a member of that organization? Yet, a CIA officer in the field hoping to recruit such a source faces a daunting series of reviews by committees back at headquarters operating under guidelines that start from the presumption that recruiting a terrorist is a bad thing. The Commission fundamentally disagrees with that presumption, as does the leadership at the Agency. So why continue to send this message to officers in the field.

These guidelines were issued in response to allegations that the CIA had previously recruited individuals guilty of serious human rights abuses. The Commission found that however well intentioned, they constitute an impediment to effective intelligence collection and should not apply to counterterrorism sources. CIA field officers should be as free to use terrorist informants as prosecutors in America are to use criminal informants.

We also need more vigorous FBI intelligence collection against foreign terrorists in America and better dissemination of that information. FBI's role in collecting in-

telligence about terrorists is increasingly significant. Thus, it is essential that they employ the full scope of the authority the Congress has given them to collect that information. Yet, the Commission believes unclear guidelines for investigations and an overly cautious approach by the Department of Justice in reviewing applications for electronic surveillance against international terrorism targets are hampering the Bureau's intelligence collection efforts. We recommend improvements in both of these areas.

Once the information is collected by FBI, technology shortfalls and institutional practices limit efforts to exploit the information and get it into the hands of those who need it—such as intelligence analysts and policymakers. The Commission recommends increased resources to meet FBI's technology needs, particularly in the area of encryption. We also have a recommendation designed to improve the ability of agencies to quickly identify, locate, and use translators—a perennial problem that plagues not just intelligence agencies but is particularly critical for time sensitive needs such as preventing a terrorist attack.

This de-crypted and translated information is only valuable, however, if it gets to the people who need it. Dissemination of general intelligence information has not traditionally been an important part of FBI's mission. They do a good job of sharing specific threat information but, otherwise, sharing information is not given a high priority. In fact, if the information is not specific enough to issue a warning or is not relevant to an investigation or prosecution, it may not even be reviewed. Information collected in field offices often never even makes it to headquarters.

The CIA faces a similar problem with the information it collects overseas in trying to protect sources and methods while disseminating the information as quickly and as broadly as possible to those who need it. CIA addresses this with dedicated personnel, called reports officers, located overseas and at headquarters who are responsible for reviewing, prioritizing, and distilling collected information for timely distribution. The Commission recommends that the FBI establish its own cadre of reports officers.

Signals intelligence also plays an increasingly vital role in U.S. counterterrorism efforts, yet the ability of the NSA to continue this essential mission is threatened by its failure to keep pace with changing technology. It is clear that while increased use of modern communications technologies by intelligence targets presents potential collection opportunities, the NSA will not be able to exploit these opportunities without improvements in its own technology. These improvements should include innovative technology applications, research and development of new technologies, and the use of commercial products.

The Commission also supports extending the term of the Director of the NSA from three years to at least six years. This will allow a Director to be in place long enough to understand the challenges facing the agency, develop a plan to meet those challenges, build the necessary budget, and see to its implementation. A six year tenure has the added advantage of ensuring that the Director will be in place long enough to transition from one presidential administration to another. In addition, the position should be a four star billet to attract the necessary caliber of officer.

On the policy front, the United States needs to go after anyone supporting terrorists, from state sponsors, to nations that turn a blind eye to terrorist activity, to private individuals and organizations who provide material support to terrorist organizations.

Mr. Chairman, two of the countries most involved in supporting terrorism, Iran and Syria, are currently undergoing internal changes. In the case of Iran, while the Americans may hope that President Khatemi can institute sensible political and economic reforms, the regrettable fact is that Iran continues to be the world's primary terrorist nation. Indeed, in the period since Khatemi's election, Iranian support for terrorists opposed to the peace in the Middle East has actually increased. Furthermore, there are indications that Iran was involved in the 1996 bombing attack in Saudi Arabia that killed 19 Americans. We think it is vital that the American government makes a sustained effort to enlist our allies in pressuring Iran to cooperate in the Khobar Towers bombing. Until there is a definitive change in Iranian support for terrorism, we recommend that our government make no further gestures towards the Iranian government.

It is too early to tell if the death of Syrian dictator Hafez Assad will bring any change in that country's long support for terrorism. In American conversations with the new leaders of Syria, we should make it clear that Syria cannot expect normal relations with the outside world until it takes concrete, measurable steps to stop its support for terrorists. Hopefully the new leader of that country will come to understand that such a step is the prerequisite to obtaining the Western trade and investment essential to modernize Syria's economy. As with Iran, American policy should take its cue from Missouri: "show me."

The other countries U.S. identifies as state sponsors (Cuba, North Korea, Sudan, Iraq, and Libya) should be made to understand that we will continue sanctions until they take concrete steps to cease all support for terrorism.

The Taliban regime in Afghanistan is also clearly a sponsor of terrorist activity and should be designated a state sponsor, rather than its current designation as a state that is not cooperating fully with U.S. counterterrorism efforts. It is in this latter category because the State Department apparently was worried that designation as a state sponsor would be tantamount to recognizing the Taliban as the legitimate government. The Commission believes our government must find a way to call this regime what it truly is: a sponsor of terrorism.

There are also states that, while they may not actively support terrorists, seem to turn a blind eye to them. This is the category of states that Congress gave the President the power to sanction as "not fully cooperating against terrorism," but the power has not been effectively exercised. There are candidates. For example, Pakistan has been very helpful at times, yet openly supports a group that has murdered tourists in India and threatened to kill U.S. citizens. NATO ally Greece seems indifferent to the fight against terrorism. Since 1975 terrorists have attacked Americans or American interests in Greece 146 times. Greek officials have been unable to solve 145 of those cases. And just last week, terrorists struck again with the cowardly assassination in Athens of the British Defense Attaché.

Terrorist groups also benefit from private funding and the Commission recommends that the U.S. government use the full range of legal and administrative powers at its disposal to disrupt these funding sources. Money laundering, tax, fraud and conspiracy statutes all lend themselves to aggressive use against terrorist organizations, their front groups and supporters.

It is difficult to predict whether terrorists will use chemical, biological, radiological or nuclear weapons. But the consequences of even a small-scale incident are so grave that certain weaknesses in the American approach should be addressed immediately. Three concrete steps could be taken right now to reduce the risk that terrorists will get their hands on a biological weapon: criminalize unauthorized possession of the most worrisome biological agents, strengthen safeguards against theft of these agents, and control the sale of specialized equipment necessary for weaponizing biological agents. Controls on biological agents should be as stringent as those applied to critical nuclear materials.

Let me also take this opportunity to clarify the record on a couple of our recommendations that have been incorrectly reported in the press. The first has to do with foreign students in the U.S. For decades, the INS has required colleges and universities to collect and maintain information on the foreign students enrolled in their institutions. This has included information on citizenship, status (e.g., full or part-time), the date the student commenced studies, their degree program and field of study, and the date the student terminated studies. The purpose was to ensure that foreigners who came to the United States as students did not break the law by staying after they had finished, or stopped their studies. Until recently this data was managed manually and was thus not available to the government in a timely manner.

The bombing of the World Trade Center in 1993 showed the weakness of this long-standing process when it was discovered that one of the bombers had entered this country on a student visa, dropped out and remained here illegally. He was subsequently tried and convicted for his role in that terrorist attack, which took six American lives and injured over 1,000 others. He is currently serving a 240-year prison term.

Concerned by the obvious inadequacy of the long-standing program to collect information about foreign students, in 1996 Congress directed the Attorney General to modernize that system. In response, the INS established a pilot program using an internet-based system to report electronically the information colleges and universities had already been collecting for over three decades.

The pilot program, called CIPRIS, covers approximately 10,000 foreign students from all countries who are enrolled in 20 colleges, universities, and training programs in the southern U.S. The purpose is to bring the visa-monitoring system into the 21st century. After several years experience, the INS has concluded that CIPRIS is effective and has proposed to apply it nationwide.

The Commission reviewed CIPRIS and the criticisms of the program, the primary one being the INS proposal to have the universities collect the fees needed to support the program. It is important to note that, while the universities opposed the idea of having to collect the fee, they did not oppose the main objective of the program to require reporting of information on foreign students.

The Commission concluded that monitoring the immigration status of foreign students is important for a variety of reasons, including counterterrorism. The Commis-

sion did not believe, however, that it was in a position to recommend specifically that the CIPRIS program be implemented.

The Commission is not recommending any new requirements on foreign students in the United States. The Commission's position is consistent with regulations that have been in place for many years, and with the view of Congress which mandated the creation of a program to more efficiently keep track of the immigration status of foreign students.

There have also been some reports claiming that the Commission recommends putting the Department of Defense in charge of responding to terrorist attacks in the U.S. This is not true. What we said, and I am now quoting from the report, is that "*in extraordinary circumstances*, when a catastrophe is beyond the capabilities of local, state, and other federal agencies, or is directly related to an armed conflict overseas, the President *may* want to designate DOD as a lead federal agency." (*Emphasis added.*)

The Commission did not recommend or even suggest an automatic leading role for the Defense Department in all cases. But if we undertake contingency planning for a catastrophic terrorist attack in the U.S., we must consider all plausible contingencies, including the possibility of a federalized National Guard force operating under the direction of the Secretary of Defense. Not to do so would be irresponsible. The best way to minimize any threat to civil liberties in such an extraordinary scenario is through careful planning, including a thorough analysis of the relevant laws, the development of appropriate guidelines, and realistic training. We don't want another overreaction due to lack of planning like we saw in the wake of Pearl Harbor. Thus, the Commission recommended that the National Security Advisor, the Secretary of Defense, and the Attorney General develop detailed plans for this contingency.

As the danger that terrorists will launch mass casualty attacks grows, so do the policy stakes. To protect her citizens, America needs a sustained national strategy in which leaders use first-rate intelligence to direct the full range of measures—diplomatic, economic and commercial pressures, covert action and military force—against terrorists and their state sponsors.

Mr. Chairman, at this point I would like to introduce my fellow Commissioners who are here today: the Commission's Vice Chairman, Mr. Maurice Sonnenberg, Dr. Richard Betts, Ms. Jane Harman, Ms. Juliette Kayyem, and Mr. Gardner Peckham. In addition to those here today, the Commission included Gen. Wayne Downing, Dr. Fred Ikle, Mr. John Lewis, and Mr. James Woolsey. It was a privilege to work with this group of dedicated individuals.

The CHAIRMAN. Mr. Sonnenberg.

**STATEMENT OF MAURICE SONNENBERG, VICE CHAIRMAN,  
NATIONAL COMMISSION ON TERRORISM, WASHINGTON, DC**

Mr. SONNENBERG. Mr. Chairman, I thank you for allowing us to present our statements here today.

I have a very brief statement, because some of what I would have said has been already stated by the chairman, and basically it is the following: This had been a genuinely bipartisan effort. The membership of this Commission covers the full political spectrum, from liberal, to conservative and represents a wide-range of ethnic, religious and professional backgrounds.

The press has referred to our Commission as being made of six Republicans and four Democrats, but I can tell you on a non-classified basis, there is one Republican appointee here, who is probably a Democrat. That makes it 50/50.

During 6 months, we have spent hours debating, and in some cases agonizing the issues addressed in this report, and at no point was there any acrimony.

As you can see, there is probably one lone footnote—one footnote in lone dissent on the question of the FISA request. Even in this case, however, while the majority of us disagreed with the dissenting Commissioner, we respected her position as one of sincere belief.

It should be understood that the ten highly qualified individuals—well, at least nine. I will let someone else judge me. But in any case, ten individuals on this committee writing on their own would no doubt have put forward ten somewhat different perspectives on many of these issues.

Through diligence and a sense of mutual respect, we have been able to put together a coherent, formidable report.

A few final remarks: Terrorism must not become a pretext for discrimination against one segment of society. Terrorists often claim responsibility for violent actions on behalf of ethnic groups, religions and entire nations, but these claims are false and must be understood to be such.

Those willing to carry out terrorist acts make up only a minuscule part of any group. Furthermore, this Commission has taken great pains to keep in mind the rights of individuals under the Constitution and to balance those rights with the need to protect the citizenry as a whole from the scourge of terrorism.

One final point, Mr. Chairman, I would like to refer to my chairman, Ambassador Bremer, and point out he has done a yeoman's job in both moderating the different viewpoints of the Commission and crafting the report you see before you. He somehow managed at the same time to leave everyone's ego intact and good spirits thereto.

Thank you very much, Mr. Chairman.

The CHAIRMAN. I thank you, both of you gentlemen.

We have other Senators on the way, I am told, but several have commitments that they cannot leave, because they are presiding in other committees. This is a busy time of the year. And I like it that way, because then I can ask all the questions I want to.

Seriously, let me ask about North Korea. Are you encouraged by the developments there with respect to terrorism?

Mr. BREMER. Well, I think it is a bit early to make a judgment as to what happened yesterday, Mr. Chairman. Certainly, the communique has the right tone. It is just a little weak on substance. But at least there seems to be a process that has begun between North and South, which after all in the end lies at the heart of the reconciliation on the peninsula.

The concerns with North Korea on terrorism involved the fact that North Korea continues to provide safe haven, in effect, for a number of Japanese terrorists.

The CHAIRMAN. Right. Yes.

Mr. BREMER. And that there are credible reports that at least as late as last year, North Korea was selling weapons to terrorist groups.

So I think as the process of presumed reconciliation goes on between the North and the South, and as this has an impact on our relations with North Korea, we need to continue to have terrorism at least in the dialog that we have with the North Koreans.

The CHAIRMAN. You never know what tips the scales in a development like this North Korea deal with the South.

I have a friend, probably well known to you as well, Franklin Graham, who is Billy Graham's son. Now, Billy Graham has been concentrating himself on North Korea, and Franklin for the last

several months has been doing that. And he has had surprising entry into discussions on a personal basis with the leaders there.

So you never know what causes big events to happen. But those two men are from my state, both of them long-time friends.

But let me go to Iran. The administration in Iran has been, I think, sort of stonewalling us on Khobar Towers and has increased its support for terrorists. Now, do not unilateral concessions by the United States undermine the credibility of our overall anti-terrorism policy?

Mr. BREMER. Mr. Chairman, I think—we looked at this very closely on the Commission, and I think we are understanding of the point that counterterrorism cannot be the only objective in American foreign policy.

Second point, that there are developments in Iran, which are potentially encouraging. It is potentially encouraging that we may have a more reform-minded, perhaps more open to the West, government coming to power in Iran.

And so we understand that this is not a black or white question, but what is black or white is that the Iranian Government, elements of the Iranian Government, continue to support terrorism and continue to be major supporters of groups which are violently opposed to peace in the Middle East.

Those are the facts. And our recommendation really grew out of basically a concern similar to yours that our gestures toward the new Iranian Government might be misinterpreted both in Iran and elsewhere as a weakening of our resolve on counterterrorism and that is why we do not think anymore should be done.

Mr. SONNENBERG. I would add to that, that there is a problem in terms of a duality within Iran. And the duality is you have got the Ministry of Information, the Republican Guard, who in my opinion, are actively engaged in supporting terrorism.

There are those elements which happen to be “more moderate.” And it is very difficult at some times to conduct a foreign policy in a black-and-white situation as the chairman points out; and therefore, we felt that the concessions that had been made, that is sufficient. I mean, they are done, they are done.

But at this point, unless there is a sterling evidence of them ceasing—meaning those two particular agencies of the Iranian Government and the military guard—

The CHAIRMAN. Yes.

Mr. SONNENBERG [continuing]. It becomes important to not make anymore concessions at this point. Now, that does not mean discussion and negotiation—or “negotiation” perhaps is too early a word, but at least discussions.

The CHAIRMAN. Fine. And last—I mentioned this in my opening statement. I want you to elaborate on it a little bit and help me out with it.

The State Department has proposed including Greece in the Visa Waiver Program, so that Greek citizens can enter the United States without a United States visa. In light of Greece’s failure to pursue terrorists who have murdered Americans, very clearly, do you agree with the decision to remove restrictions on travel from Greece?

Mr. BREMER. Mr. Chairman, we looked at this question in regard to the broader recommendation we make of making more creative use of the category of "not cooperating fully."

You will remember, Mr. Chairman, that until 1996 the U.S. Government basically had two choices when it looked at a country. It was either a state supporter of terrorism or it was not.

And Congress gave the President the authority to create a third category called, "not cooperating fully."

We do not believe that effective use has been made of that category. I call it sort of a halfway house for nations, which perhaps are not doing everything they could in the fight against terrorism and need to be put on notice that they might become state sponsors.

Conceivably, as we say in the report, you could have state sponsors who have tidied up their act in concrete ways who would then move into the "not fully cooperating" category. It is a halfway house with a door to heaven and a door to hell.

This has not been used effectively. And what we recommended was particularly that the administration should look at Greece and Pakistan. As the law now stands, the only sanction which comes into effect if a country is labeled "not fully cooperating" is a ban on military sales.

We felt that another ban that Congress should consider putting into the law would be to make such nations not eligible for the Visa Waiver Program.

If the administration were to designate a country, Greece, Pakistan or some other country as not fully cooperating and Congress were to pass such a visa waiver restriction, then obviously those people would not be eligible.

The CHAIRMAN. One final thing: I want to talk about the guidelines, and I agree with the Commission that they should not apply to terrorist sources. But have these guidelines had a chilling effect on efforts to penetrate terrorist groups, and has that created sort of a gap in our intelligence?

Mr. BREMER. The conclusion of the Commission after taking testimony from serving and retired case officers at the CIA, both here and in the field, was that these guidelines, whatever their intention, have had a chilling effect on getting case officers to go after the hard targets who are terrorist informants.

Now, I am aware that the Central Intelligence Agency has said publicly after our report that they have never turned down a request for a recruitment by such an informant. Frankly, Mr. Chairman, that misses the point of what we are talking about.

Our concern is with the young case officer in the field who sees a very difficult and complicated, cumbersome and sometimes time-consuming process of recruiting these most difficult kinds of informants before him or her and decides to go after easier targets.

And we heard testimony from officers in the field, both senior and mid-level officers that that is, indeed, what happens. So our conclusion, which was unanimous, in our bipartisan commission, was that these guidelines should not—should no longer be in effect for the recruitment of terrorist informants.

It does not mean we are suggesting giving a carte blanche to the CIA to go out and hire people right and left. There always has been

a process in place in the CIA for vetting such informants before they are hired. And we think that those procedures should be re-instituted in the case of terrorist informants.

Mr. SONNENBERG. A point on that is, substantively speaking, I think both the Agency—well, I know the Agency and this Commission and others would agree on the goal, and that is to bring in as many people as they possibly can that will be useful in this effort against terrorism.

Now, the difference is that the question arises as to the value versus the background of some of these people. Well, we are in an age now where one has to consider and weigh those very much, for example, like the FBI, a good example, in using organized crime figures as witnesses.

For example, the most recent knowledgeable—well, one we know the most about is a fellow named Gravano who had murdered 19 people and was, in fact, used by the FBI in helping to convict Gotti.

Now, we understand there is a balance here. There is also a historical context here.

I think that many of these—well, the guidelines in general came out of a period of strife within Latin and Central America, particularly—and in particular, Guatemala.

Now, having coming out of that particular era, the guidelines that applied then or that were, in fact, sought in 1995, which is when they came in, might have different relevance today.

I am not saying that in looking back at the way assets were recruited might or might not have been in some cases a mistake. But the point of it is that after those guidelines were passed—the cold war ended in 1989. The situations that brought those guidelines to pass changed enormously.

So today it may very well be that the pendulum has swung somewhat the other way in being too strict in how to handle the acquisition of unsavory assets, and I think that is something that should be put in context.

The CHAIRMAN. Now, just a personal question: I have always been curious, all governments and particularly this one—since I have been a member of it formally for 28 years or more—hold so many meetings, convene so many commissions. Everybody is meeting.

Now I want to know if you will tell me with whom you have sat down in the administration to discuss this. And I am not looking for a critical answer. I am hoping for a hopeful answer.

Mr. BREMER. Well, are you talking about this particular history, Mr. Chairman, or our whole—

The CHAIRMAN. The whole ball of wax.

Mr. BREMER. Well, in the back of our report, we list the formal testimony we had. I think there is some—about 150 people who gave testimony to the Commission, a great number of them from the Government.

We had very good cooperation from the executive branch, the Department of State, the CIA, FBI, Justice Department. We had very good cooperation, Senator, and the list of names are here. Some of—all of the witnesses—

The CHAIRMAN. I know that. I have got this right here.

Mr. BREMER. All of the witnesses you are going to hear after us were also witnesses before our Commission. So we had very good cooperation.

The CHAIRMAN. And you were satisfied with the followup by the various agencies with which you have consulted?

Mr. BREMER. Well, I think that remains an open question, Mr. Chairman. We, by the law, were required to report to Congress and to the President our findings and recommendations.

We hope that both Congress and the executive branch will take these recommendations seriously and will carry them out. The report has only been out for 10 days, so to I think it would be premature to say whether we are satisfied with the response—

The CHAIRMAN. I do not want to beat this dog much longer, but do you have confidence that this report is going to be adhered to and brought to the attention of folks down the line?

Mr. BREMER. The impression I get from talking to people in the executive branch after its issuance is that they are taking it seriously. Whether it is adhered to is something you will have to ask the folks that are coming after us.

The CHAIRMAN. OK. All right.

We have been joined by Joe Biden from Delaware.

Senator BIDEN. Thank you, Mr. Chairman.

The CHAIRMAN. He's a very fine ranking member of this committee.

Senator BIDEN. Mr. Chairman, I would ask unanimous consent, to save time, that my statement be placed in the record.

The CHAIRMAN. By all means, without objection.

[The prepared statement of Senator Biden follows:]

PREPARED STATEMENT OF HON. JOSEPH R. BIDEN, JR.

Mr. Chairman, thank you for holding this very important and timely hearing. International terrorism is a daunting challenge. The number of terrorist incidents has gone down in recent years; but as the National Commission on Terrorism points out, the lethality of terrorist attacks is *increasing*.

The risk of truly *catastrophic* terrorism is also real, as modern technology and the collapse of the former Soviet Union have the potential to bring weapons of mass destruction within the grasp of the most violent terrorists. I am pleased that the Commission has noted that concern.

Chairman Helms has pushed for increased funding of State Department programs that safeguard former Soviet weapons of mass destruction, but the Foreign Operations Subcommittee of Appropriations wants to *cut* those programs. We need bipartisan support to restore those funds on the floor.

I am very pleased that so many members of the Terrorism Commission are here today. While Ambassador Bremer and Mr. Sonnenberg are the witnesses with prepared statements, I know that several others of you have strong views on particular issues. We will be interested to hear how those varying perspectives led to unanimity on nearly all of your recommendations.

When the Commission's report was issued last week, several controversies erupted. I think that some of those were a bum rap, and I hope we will use today's hearing to clear the air. The Commission should be able to give important assurances regarding its recommendations on the monitoring of foreign students' status and on the role of the Defense Department after a catastrophic major terrorist incident.

Our executive branch witnesses will also provide useful perspectives on those and other recommendations of the Commission.

In closing, I think we should also note how many of the Commission's recommendations are *not* controversial.

We should all be able to support the new International Convention for the Suppression of the Financing of Terrorism and the idea of drafting a convention on cyber crime. We should all support greater funding of responses to the terrorist

threat, including more linguists and such innovations as FBI “reports officers” to give other agencies the full benefit of terrorist materials seized by the Bureau.

We should all be able to support a sensible increase in our controls over dangerous pathogens, and I will work for this in the Judiciary Committee. I personally think that we should also consider a crash program to increase our stock of small-pox vaccine. Nearly all of us—indeed, nearly all of the world—would be vulnerable if there were an accidental or terrorist release of this deadly plague, because nobody has been routinely vaccinated in decades.

Again, thank you, Mr. Chairman, for arranging this forum to discuss such critical matters.

Senator BIDEN. Generally, let me pick up where the Chairman left off. You are responding to the concern expressed that this may not be paid attention to.

Have you had a chance to speak to anyone in the Congress other than us about this? The reason I ask the question is that I was surprised to learn that the Foreign Operations Subcommittee did exactly the opposite of what you guys recommended already.

I mean, we came out here and the Senator—through the Senator’s leadership, we increased the amount of money that we recommended for anti-terrorism efforts. And yet unless something has changed in the last 24 hours, my understanding is that the anti-terrorism assistance program, which you talk about—I have read your report fully—you talk about increasing the financial commitment on a range of areas.

And ironically the Appropriations Committee has cut them all, has cut the assistance program by 20 percent, the terrorist interdiction program, I am told, by 50 percent, the export control assistance program by 30 percent, although I am told that may have been changed. And the science and—it has been changed? OK—and the science and technology, they cut by 55 percent.

Have you had a chance to talk to any of those folks? Not that it is your responsibility, but—

Mr. BREMER. We have not—no.

Senator BIDEN [continuing]. I am just wondering whether you did or not.

Mr. BREMER. No. This is the second hearing we have had. We have only had the other hearing that was before the Senate Intelligence Committee last week.

We are, of course, prepared to appear before any congressional committee that asks us to, and we will certainly support reasonable allocation of resources to the fight against terrorism. It is inherent in our report.

The CHAIRMAN. I know I recommended it in writing.

Senator BIDEN. Yes, you did. That is what I said. It was the—I mean, it was not merely the committee. It was specifically the leadership of the chairman recommending that it should be done.

The CHAIRMAN. Absolutely.

Senator BIDEN. And I am just saying my—to my surprise, but correct me—again, maybe staff on either side can correct me if I am wrong. But the appropriators, with the possible exception of the export control assistance program, cut all the other programs—is that right?

STAFF. Yes, sir.

Senator BIDEN. Notwithstanding what the request was. OK.

At any rate, now let me move on to a couple of other areas, if I may, Mr. Chairman.

The CHAIRMAN. Yes, sir.

Senator BIDEN. On page 44 of your report, you call for new legislation regarding the possession of dangerous pathogens, including the tagging and sale of equipment that is critical to development of biological agents.

And the Deutsch Commission on non-proliferation had a similar concern and your suggestion seemed to be in keeping with our efforts to develop compliance protocol with the Biological Weapons Convention.

Could you explain what it is you think the Congress should do in this area? Because we had big—I introduced a terrorism bill in the Judiciary Committee after Oklahoma, and to my great surprise, some of the things recommended by all the intelligence groups and people were absolutely blown away here. I could not get to first base on them.

One was tagents, for certain explosives; tagents in certain fertilizers. Tagent—and it was like I had said we were going to do away with the fourth amendment or something. I mean, it was, really. It did not pass, by the way.

Mr. BREMER. I know.

Senator BIDEN. In the face of Oklahoma, it did not pass.

Mr. BREMER. Yes.

Senator BIDEN. And also, well, other things I want to talk to you about, if not at this time, at some point, the whole idea of the ability to increase wire taps. I mean, I was not asking for much in mine. You guys are asking for a hell of lot. And I was not asking for much, and no shot. It did not get anywhere.

Third, the proposal that we be able to deal with the infiltration of some groups: I mean, it was, you know, all of a sudden, the minutemen were out in force. So what I am trying to get at here is I—can you explain what it is you think we should be doing relative to being able to trace and/or prevent the possession of these pathogens?

Mr. BREMER. Yes. Thank you, Senator. Let me try to be somewhat more precise on this. It is now currently not against the law to possess biological pathogens. We are suggesting that unless you have a reason to own those biological pathogens, it should be illegal.

The controls that are in effect on biological agents are considerably less than those we have developed over the last 50 years for nuclear agents. And we suggest they should be made the same. As for how to go about that, it is a question of drafting the legislation.

In terms of the tagent question, which is a sensitive one, and I remember being involved in that issue when I was still in government 15 years ago. It is a very sensitive one. But what we are suggesting is tagging equipment.

And there are—for example, it is not as easy to make a biological weapon as sometimes you get the impression. You need specialized fermentation equipment. You need centrifugal separators. You need things called cross-flow filtration equipment. You need aerosol inhalation chambers.

There is very specialized equipment, which incidentally is now controlled for export. These kinds of things are already controlled in the United States for export.

But the domestic sale of these kinds of equipment is not controlled. And we suggest that Congress should take a look at controlling those kinds of things which would be needed to weaponize biological weapons.

Senator BIDEN. Have you talked to—have you—and I am not suggesting you should have. I just want to know how far along you have gotten.

Have you discussed the implications of your proposal for industry and for academic research, or is it something you have made a collective judgment internally about? Did you call witnesses before you from industry and from academic research institutions?

Mr. BREMER. We did not have any witnesses from industry on this particular subject. We did have people from the academic field, because they were the ones who could tell us what kind of equipment, for example, we were talking about.

It seems to me in anything like this, it is important if Congress does move, that you are going to have to obviously work with industry, because you do not want to inhibit legitimate market activities.

But it seems, again, to us that the risk of a biological or catastrophic biological attack is so great that we ought to at least try to plug whatever holes we can identify.

Senator BIDEN. Loose nukes: You said that, on page five, the Commission was particularly concerned about the persistent lack of adequate security and safeguards for nuclear material in the former Soviet Union.

And as I indicated in a bill that we reported out, that Chairman Helms authorized funds above what the President requested for fiscal year 2001 to fund the export control equipment as well as this international science and technology center. It looks as though at least part of that was not funded.

Do you agree with this committee that these programs should be funded above the President's request?

Mr. BREMER. Well, Senator, we did not look in detail into particular budgetary levels for issues like that. We simply did not have time with only 6 months.

But I would certainly endorse the general principle, as we have in the report that it is important to keep these things out of terrorist hands. And to the extent that we are not putting enough resources behind that effort, we should change that and put the resources behind it.

Senator BIDEN. One of the things you spoke to—and my time is about up—is the improvement in analysis of intelligence data that we collect.

And one of the things I have found from years of doing this as chairman of the Judiciary Committee in dealing with terrorism from that side of the ledger is that we have precious few linguists where we need them.

If I can be anecdotal, when Hong Kong was “turned over,” we had overwhelming evidence that the triads, their organized crime

gangs were moving out in large numbers into Vancouver, and into Seattle.

And one of the things that we developed over the years and the British developed was some very, very sophisticated and successful penetration methods, mostly human intelligence like we have done in the Mafia.

We have—in the Mafia—fortunately, we have tens of thousands of Americans who speak Italian, who 99.9 percent of them have nothing to do with the Mafia. But we are able to infiltrate into those families, those Mafia families, Italian Americans who work for the FBI, work for agencies.

We do not have anybody who can speak the Chinese dialects that are needed, and so we actually entertained the idea—and I proposed an idea of actually giving citizenship to some of the Royal Constabulary boys who were working Chinese in Hong Kong, give them citizenship in return for their continuing to work for intelligence agencies over here.

What you have suggested here is that we should go out of our way to find talented linguists. And during the Gulf war, we used linguists from all walks of life.

Should we be reaching out to people beyond the way in which we do it now, which is we say, “Come join—join, become a member of the agency”—whatever the particular agency we are seeking them to be a part of in the intelligence community—“and you are in”? We did not wait to do that in the Gulf war.

We went out and we just gathered up people who worked for—were corporate presidents, were school teachers, were professors, were laundresses. And we brought them in. What are you talking about in terms of how to deal with what is clearly, clearly a problem? And I note parenthetically during that abortive and embarrassing effort to rescue prisoners—the folks in Iran, we only had two people who spoke Farsi at the time in the Agency, if my memory serves me correctly. Well, that is awhile ago. What do we do?

Mr. BREMER. Well, this is a very important problem, Senator. And we found it across the board.

All of the U.S. Government agencies we talked to said, “We have a crying need for linguists,” because more and more, if you get intelligence that is either in audio form or intelligence, which is on computer disks, which terrorists use more and more, you have—and it could be very voluminous. You have to have people who can go through it.

The problem is not only developing a pool of them; they have to be competent. They do not just have to be native speakers of the language. They also have to speak English, because they have got to be able to translate it for you.

And in many of the cases of the intelligence we are talking about, there are potential security questions about needing to clear them.

We looked at, but did not have a chance to go into questions like “Should there be a special visa category,” along the lines of what you suggested. Rather than making them citizens—

Senator BIDEN. Yes.

Mr. BREMER [continuing]. A halfway step might be some kind of a visa category to get these people here. There is a committee

under the Director of Central Intelligence that tries now to coordinate—called Flex Com, that tries to coordinate a pool of linguists. And we think it needs more authority and more linguists. But it is certainly a major problem and one that needs attention.

Senator BIDEN. Mr. Chairman, I would ask unanimous consent, unless we do not have further rounds, that a number of questions I have be—

The CHAIRMAN. Without objection. All of us want to submit additional questions and have them included in the record.

Mr. SONNENBERG. I would add one thing on that language problem.

The CHAIRMAN. Paul, Mr. Sarbanes.

Senator SARBANES. Chris was actually—

The CHAIRMAN. Senator Dodd.

Senator DODD. Well, I thank my colleague from Maryland, and thank you, Mr. Chairman.

I know both of the witnesses. It is a pleasure to see them, and I would welcome my friend Maurice Sonnenberg, whom I have known for many, many years. And thank you for your efforts.

I would like to focus—let me just—I would ask unanimous consent, Mr. Chairman, to put a statement in the record, rather than going through it.

The CHAIRMAN. Yes, sir.

[The prepared statement of Senator Dodd follows:]

PREPARED STATEMENT OF HON. CHRISTOPHER J. DODD

First, I would like to welcome our witnesses, and thank them for their efforts in creating this detailed and comprehensive report. Mr. Bremer and Mr. Sonnenberg have done a fine job of consulting experts with a wide range of sources and perspectives, and in reconciling several different opinions into one consensus document. Included among those consulted for this report were our second panel of experts, Mr. Sheehan, Mr. Watson, and Mr. Reynolds, and I thank them as well for their efforts in the fight against terrorism. I am sure that their respective insights into the international, investigative, and prosecutorial aspects of terrorism in America will be invaluable to this hearing and any legislative activity that may come from it.

I must say, I was very interested to read this report. According to those consulted, it is clear that terrorism poses an increasingly dangerous threat to Americans both at home and abroad. In the absence of superpower conflicts in this post-Cold War era, terrorism is likely to become the warfare of choice for small rogue states to advance their ideologies. To protect the public from this threat, I agree that the United States must increase efforts to prevent terrorist attacks, prepare and train the armed forces in correct procedures to follow in the advent of a biological or chemical attack, and review and coordinate counter-terrorism measures between agencies of the federal government. I also agree that we should sanction, with the exception of food and medicine, the sale of goods to states that support terrorism and fail to cooperate on international counter-terrorism measures. These measures send a clear message that terrorism will not be tolerated in the United States.

I do take issue with this report on some important matters, however. The first concerns increased military and CIA involvement in domestic counter-terrorism efforts. Historically, the FBI has had jurisdiction over counter-terrorism efforts in the United States. The report of the National Commission on Terrorism seems to advocate increasing the role of the CIA in domestic efforts and suggests that the military lead the government response to terrorist activity. The question I ask, and I hope will be answered in the course of this hearing is: Why? Is the FBI not adequately performing its counter-terrorism duties? The attacks on the World Trade Center and Murrah Building were both capably handled by regular law enforcement agencies. Why involve the military? I worry that increased involvement by the military in domestic counter-terrorism efforts will cause confusion both among government agencies and citizens as to which agency handles domestic terrorism issues.

A second topic of concern to me is on the subject of investigation of foreign nationals resident on American soil. While I believe that it is important to fully inves-

tigate allegations of possible terrorist activity when the evidence warrants, I do not believe that the United States government should collect information on every foreign student who comes to the United States to study in a database. This, to me, seems to contradict the rights set forth in the Constitution and Bill of Rights, and constitutes a dangerous violation of the personal liberties we take for granted. I represent a state that contains a number of educational institutions, many of which have expressed concern with this issue. From what I understand, under the report's recommended procedures, a foreign student at any of these institutions could come under suspicion for nothing more serious than changing their major from political science to physics. It appears to me that from this report we are to assume that all foreign students who take a sudden interest in physics are training to be terrorists and need to be investigated. If implemented, this procedure would create a dangerous precedent for the investigation and observation of citizens, and I am not sure that we want to do that. I want to be clear, I am not against protecting ourselves from terrorism. I simply believe that we have to be careful to respect personal privacy and balance the rights of the individual with the need for a strong national defense.

I am sure that this issue will arise in the course of our discussion today, and I look forward to hearing testimony on this subject. Once again thank you for coming today, and for your hard work on this report.

Senator DODD. Let me raise a couple of questions, some of which relate in a way to what Senator Biden was raising, which could also be the subject almost of just a separate hearing on the language ability and training.

Our problem is we do not begin second language training in this country in most of our school systems until high school. And in terms of language ability, if you do not begin at a far earlier age than that, the likelihood of developing people who have fluency, other than an immigrant population coming in, is very, very difficult, in my view. And so I think it is worthy of a subject matter.

Paul Simon, a former colleague of ours, and I, spent a lot of time in talking about how to promote foreign language training to a larger extent than we have. That is a separate subject matter, but it is not unrelated.

But the first question I have is in a sense having to do with the issue that has been raised already, I know, in numerous forums with the Commission, and that is the suggestion that the Central Intelligence and the military be more involved.

And obviously that is a provocative suggestion and one that has already brought out several very legitimate questions.

The fundamental question I have is sort of "why?" in a sense. I mean, I looked at the Trade Towers issue and Oklahoma City, and my sense of it was that our lead agencies under the present system did a very good job under those circumstances. I mean, the tragedy is terrible, but they seemed to have handled the matter fairly well.

And I do not have any deeply inherent objection to the idea except that it can create a lot of confusion and take on different roles and responsibilities for which people are not normally trained for here, which means expanding a mission of branches of our Government, which could, in itself, raise some serious and legitimate questions.

But I have heard this suggestion in other circumstances over the years. And the question I come back to is: Why is it necessary if, in fact, under the existing structure, they seem to be doing fairly well? Now, I know the threats are looming larger and it is more complex today. That is my first question.

The second question has to do with this issue involving students. And, again, I think this is what Senator Biden was—may have been dealing with before I came in, but we have all received letters, I believe, from this Association of International Education. And I have heard it from the universities in my state, from Yale, Wesleyan and Trinity, about their concerns here.

As I understand it, basically, there is only one case, documented case that we know of with a foreign student being involved in activities that would certainly warrant that person's expulsion or arrest in these matters.

But we have had millions of foreign students come to this country. And we are a massive beneficiary of this.

We have adopted language here recently unanimously in the Senate to fund through the Library of Congress 10,000 Russians to come here and study. In fact, many would argue we wish we had done that sometime earlier in terms of trying to send back people who would have the experience of being here.

I do not know how many heads of state—as someone—I travel extensively in Latin America. I do not know of a head of state, but I would have to think about it, that has not spent time here either as an undergraduate, a high school student or as a graduate student.

The benefits to our country is immeasurable, because we welcome these people. We not only see it as a benefit to them. We see it, from a selfish standpoint, as a tremendous benefit to us.

And I am uneasy about the idea that with one cited case and given the millions of students who come here that not a strong enough issue has been raised here on why we all of sudden have to do some additional monitoring.

Second, there already is law, the 1996 Illegal Immigration Reform and Immigrant Responsibility Act mandates what I sense the Commission recommends. Under this law, a nationwide student monitoring system has to be in place by the year 2003.

Now, I do not see any reference to that in the report. And so it seems to me you are almost recommending a duplication of something that is in place already.

Now, I can see your head shaking no, so I will give you a chance to respond to that.

But, again, I get uneasy, I guess, about the category of non-immigrants should be singled out for further monitoring, combined with what has already been mandated under law and the prospects.

You can get into this pretty quickly. We are a nation of immigrants, but I will never forget one of my first town meetings as a Member of the House of Representatives in a small town in Connecticut. A fellow got up with a brogue as thick as I am sure one of my grandparents may have had when they arrived here, and wanted to know when I was going to support legislation that would stop these immigrants from coming into the United States.

And it sort of stunned me. I asked him how long he had been here. He had been here 2 years, but that was enough. He thought the door ought to close at that point, and no more should come in.

Someone once suggested that we ought to pass some laws that say that after five generations, you have got to leave.

Because some of the best Americans are the ones who arrive here, who come from oppressive regimes, come from the very places that we are worried about. They leave because of the terrorism in their country. And they come here and they cherish and appreciate democracy. They just are wonderful Americans.

And this has been our great strength. No other great nation that I can think of throughout history has been as open to new peoples coming to its shores.

And it is the reason, more than anything else, that I think we may defy history when it comes to great civilizations, because we are not afraid of newcomers. In fact, we welcome them.

They enrich us. And particularly those who can not only stay here, but may return to their countries having seen firsthand the benefits of a democratic society. And so I am very uneasy about suggestions here that we need to start either further monitoring of students, when I see no evidence and no documentation—of all the people who come here, these are the ones that are watched most closely.

So those are the two questions I have and would ask for a response.

Mr. BREMER. Senator, let me answer both of those. First of all, we did not imply or recommend any new role for the CIA and I—you said CIA and DOD.

Senator DODD. Yes.

Mr. BREMER. I presume you meant the DOD, because we made no recommendations about a new role for CIA or any role for CIA in the United States.

On the question of DOD, you are right, of course, that the agreed agency process worked in the case of the World Trade Center and Oklahoma City, thank God.

What we have suggested is it is quite possible to imagine an attack of catastrophic dimensions where we were talking about not hundreds, but tens of thousands of people being casualties, which would quickly overwhelm the abilities of the state, local and Federal agencies to deal with it.

And we believe that the President of the United States in such circumstances should have available contingency plans to ask the civilian leaders at the Pentagon to bring into bear the resources, the command control, communications and logistics of the military.

Indeed, we believe that the best way to assure that civil liberties in the wake of such a catastrophic attack are not offended is to have made plans and exercise them ahead of time. That is all we have recommended.

We think it would be imprudent not to have such plans, because we can foresee events that go way beyond the World Trade Center or Oklahoma City. That is what we are talking about.

Now, with regard to students, first of all, I was a foreign student, so I feel very sympathetic to everything you said. As you pointed out, in fact, since 1965, it has been a requirement that all universities, including Yale and Wesleyan and—report all of the—about all of their foreign students to the immigration authorities. That has been on the books for 35 years. We are not recommending anything else than that.

In 1996, the act you cited—and we do cite it in the report—decided that the INS should be brought into the 20th century before the 20th century was over because until then, all of this data was being collected manually, scraps of paper kept in shoeboxes.

Congress told the Attorney General, “Computerize this program, and do it quickly. Do it with a pilot project,” which has been conducted now for the last 3 years at 20 universities in the South, to see if it works. So the program is already in place. The INS thinks it works and has recommended it be made nationwide.

That is exactly what the Commission recommended. We have simply said, “Take the procedure that has been in effect for 35 years, computerize it and make it nationwide.”

There is nothing new in there. There is no new data being collected that has not been collected for three decades on foreign students in the United States.

Let me finally say that we are under no illusions that the foreign students are themselves a particular body of threat, nor that our recommendation deals with the real problem, which is the security of our borders. There are more than a million and a half legal crossings of America’s borders every day, a million and a half every day.

There are about 245,000 foreign students coming to the country every year. So there is no question that this is a minor issue, but it is an issue where we thought we should take a position.

Senator DODD. Well, my time is up, but on page 29 of the report where it says, “of the large number of students who come to this country, there is a risk that a small minority may exploit” what evidence do you base that on? Where is the evidence that a small minority may do this?

Mr. BREMER. Well, the evidence is it has happened, as you pointed out.

Senator DODD. One case.

Mr. BREMER. Yes.

Senator DODD. One case, right?

Mr. BREMER. Well—

Senator DODD. But the report does not cite that.

Mr. BREMER. Well, are you suggesting we should do away with the legislation since 1965, Senator?

Senator DODD. No. No. No, but it says, “The United States lacks a nationwide ability to monitor the immigration status of these students.” We do not lack the ability to do that.

Mr. BREMER. Well, we do lack it. That is why Congress passed the law in 1996 to put it into effect.

Senator DODD. Well, we passed a law. You did not mention that law in the report. It just seems to me you are—

Mr. BREMER. All we are recommending, Senator, is exactly what Congress mandated in 1996, which is a nationwide program to monitor the immigration status of foreign students—

Senator DODD. We—

Mr. BREMER [continuing]. All foreign students. That is all we are recommending. That is why, frankly, we have been somewhat surprised that there has been so much hysteria about it. All we are recommending is what Congress passed 4 years ago, nothing else.

Senator DODD. But why do you recommend something we have already done?

Mr. BREMER. Because the question of making it nationwide is now out for comment as required by law. The INS has finished the pilot project, which the law required. They did that.

They have now put out for comment the question of making it a nationwide program. All we have said is: We think there should be a nationwide program. That is why we did it.

Senator DODD. Thank you, sir.

The CHAIRMAN. Senator Sarbanes.

Senator SARBANES. Thank you very much, Mr. Chairman. I know the chairman is anxious to move onto the next panel, and I just have two or three questions that I want to put to this panel.

First of all, I note that in the appendix where you indicated those that the Commission consulted or interviewed or had discussions, or that you indicated you had met with officials of a number of governments—

Mr. BREMER. Yes.

Senator SARBANES [continuing]. And in that regard, I was interested, since you pinpointed Greece and Pakistan in your report in a very pointed way, whether you met with or had discussions with any officials of those countries?

Mr. BREMER. Not with Pakistan, and I don't think with Greece—with the Commission itself, as a Commission, did not meet with officials of those governments.

Senator SARBANES. But you did meet with officials of a number of governments, did you not?

Mr. BREMER. Yes, we did. We met with governments which are cooperating with us in the fight against terrorism.

Senator SARBANES. Well, now, I have talked to Ambassador Burns who feels that he is getting good cooperation in Greece. This is a serious problem, and it is one that we have been focused on for quite some time.

And I am concerned by the suggestion here that either the Greek Prime Minister or the Foreign Minister, both of whom are—it seems to me very strongly committed to trying to do something about the terrorism problem—are you questioning their commitment to anti-terrorism, Prime Minister Simitis and Foreign Minister Papandreou?

Mr. BREMER. We took no position on the role of any particular individual in the Greek Government. All we said was we thought that the record justified our recommendation that the President should consider making Greece or Pakistan a country that is not fully cooperating.

Mr. SONNENBERG. And the statements recently by the government have been rather strong and, we feel, helpful in this situation.

Senator SARBANES. Well, of course, they have made an initiative now to the European Union along with the British for a joint anti-terrorism effort. The government has offered a \$2.8 million reward.

What did you make of the arrest of Avram Lesperoglou last December in terms of a fight against terrorism in Greece?

Mr. BREMER. I am sorry. I do not know what exactly you are referring to, Senator.

Senator SARBANES. Well, Lesperoglou was picked up at the border trying to come back into Greece. He is now in jail, because he tried to come in on forged documents. They regard it as a major success in trying to get at an anti-terrorism group. He was part of the group Anti-State Struggle.

And they are now scheduling a trial for him in October of this year on murder and attempted murder based on his terrorist activities. But that arrest and that movement against that individual have not come to your attention?

Mr. BREMER. No. What we looked at in the case of Greece was a rather poor record over the last 25 years, Senator.

There have been almost 150 attacks on American targets in Greece in the last 25 years and basically in only one case has even an arrest been made, and the person who was arrested was then freed after 2 days.

Four Americans have been killed in Greece by terrorism and the thing that we focused on most in terms of Greece in the last year, not the case you mentioned, but was the fact that senior Greek Government officials assisted in the escape of a Kurdish terrorist, Ocalan, through Greece and that the Greek Ambassador gave him refuge in his embassy in Nairobi until he was finally turned over to authorities.

It is, as the State Department said, the weakest link in the fight against terrorism in Europe, and if the events of the last week, which have led—as my Vice Chairman points out to some statements—if these events lead to the Greek Government now finally actually making some arrests against November 17, I think we will all—

Senator SARBANES. November 17 has killed 23 people, correct?

Mr. BREMER. At least 23.

Senator SARBANES. And four of them are Americans.

Mr. BREMER. That is right.

Senator SARBANES. Actually, one of them was a childhood friend of mine, our naval attaché in the embassy in 1983. So this is a problem that I have been cognizant of for a very long time. Of course, they also killed some leading members of the Greek community—

Mr. BREMER. Right.

Senator SARBANES [continuing]. Including—and this is why I have difficulty with the implication in your report that leading government officials are not concerned about this problem—including the son-in-law of the Prime Minister of the country.

Mr. BREMER. Well, they have killed Greeks, that is right.

Senator SARBANES. Deputy Bakogiannis was the son-in-law of Prime Minister Mitzotakis. Do you not think our focus ought to be, as I think both Secretary Albright and Ambassador Burns have indicated, in trying to work with the Greek authorities in a way that we can develop an effective anti-terrorism effort in Greece in order to crack the November 17 cell and to bring those people to justice?

Mr. BREMER. I have no doubt that our Government—you will hear from the next panel—has made offers of assistance to the Greeks. But in the end, Senator, this is a Greek problem.

The Greeks have got to solve this problem. And the way they solve it is by starting to making some arrests, which they have not

done. This is not an international problem. This is a Greek problem. And what we all hope, I am sure now——

Senator SARBANES. Do you think——

Mr. BREMER [continuing]. Is that the Greek Government will followup with its statements and make arrests.

Senator SARBANES. Do you think they know who to arrest within the November 17 organization?

Mr. BREMER. I have no idea. I think if they knew, they would make the arrests. I think it is impossible to believe that a country like Greece, with whom the United States has had long, friendly relations would not act if they had information. And I do not like to believe that they——anything else.

Senator SARBANES. Well, then it seems to me our focus ought to be on working with them in order to crack the cell and get the information and bring these people to justice? Would you agree with that?

Mr. BREMER. Well, I am sure that——I certainly hope that is what the executive branch will be doing, but I would like to point out again, it is not a question of simply cooperating with us.

It is a question of the Greek Government doing its job, which is to stop terrorism that is taking place on Greek soil, particularly when we are in the runup to the Olympics there.

Senator SARBANES. Well——

Mr. BREMER. This is a very important issue.

Senator SARBANES. Yes. But we try to lend our expertise and competency to countries around the world——

Mr. BREMER. Of course.

Senator SARBANES [continuing]. In their anti-terrorism efforts.

Mr. BREMER. And I am sure that the executive branch witnesses will be able to give you the details on what we have done.

Senator SARBANES. Yes. And you think we should do that, I think?

Mr. BREMER. Absolutely.

Senator SARBANES. All right. Thank you.

The CHAIRMAN. Now, the gentleman you were talking about——I assume he was a gentleman——Lesperoglou, is that his name?

STAFF. Yes.

The CHAIRMAN. I am informed that he was arrested almost by accident by the narcotics police in Greece and not the counterterrorism police. Is that correct?

Mr. BREMER. I just do not know, Mr. Chairman.

Senator SARBANES. He was stopped at the border.

The CHAIRMAN. Yes.

Senator SARBANES. He was picked up at the border coming in on fake documents.

The CHAIRMAN. Yes.

Senator SARBANES. When they identified him coming in on fake documents, they then put him in jail.

The CHAIRMAN. Right.

Senator SARBANES. They subsequently sentenced him to three and a half years in prison right away, so that gets him, as it were, off the street. And they are now arranging for him to be tried for these murders that occurred back in the eighties as part of his terrorist activity on the part of a group, Anti-State Struggle.

The CHAIRMAN. I see.

Mr. Sonnenberg, before we leave—and then this will be the last question, I suppose. I was told that you had some comment on this business of language.

Mr. SONNENBERG. We have been looking at this language problem for a number of years. It is becoming in my opinion—

The CHAIRMAN. Pull your microphone a little bit closer to you. Thank you.

Mr. SONNENBERG [continuing]. More critical than ever, because what has happened is that you have the Defense Department with the Defense Foreign Language Program. They spend millions and millions of dollars. You have got these other agencies spending millions and millions of dollars.

And what has happened is they will state that they have turned out people at a level, let's say—they use a number, one to five. And I will ask questions like, "What level are they at?" And I will find the majority will be at level two. Well, level two is basic—somewhat higher than basic.

And my concern is not only that the programs—for example, as my chairman mentioned Flex Com, which is the CIA program, these are important. But what was more important is the ability for these agencies to work together and use each other's personnel, because what I do not see here is—I see lots of duplication, lots of money being spent, and the quality of those types of language people is not what it should be.

Another aspect has to do with the promotion of these people and where they fit into the slots of these various agencies. Some of them will look upon it as a dead-end career path.

So someone has to look into the question of: What do these various agencies do with these people so that they stay within the agency that they are at, or be able to cross over to other agencies?

So I would just emphasize what my Chairman had said here, and that is: The situation is very bad, and unless there is some better coordination—and it is not just funding. The funding is there. But unless there is better coordination, I do not see an improvement.

And without that improvement we will be listening in the dark, because as the Chairman pointed out, in this era of modern technology, CD-ROM's, computers, encryption, the need is going to be for more qualified people, not mediocre.

The CHAIRMAN. Good. Well, thank you, gentlemen. And we will have the next panel. And I appreciate your patience this morning.

Mr. SONNENBERG. Thank you, Mr. Chairman.

The CHAIRMAN. Panel two, the Honorable Michael A. Sheehan, Coordinator for Counterterrorism, Department of State; Mr. Dale L. Watson, Acting Director of Counterterrorism, FBI; and James S. Reynolds, Chief of the Terrorism and Violent Crime Section, Criminal Division of the Department of Justice. In that order, left to right, please.

Mr. Watson, I understand I made an error. I used an "acting" in your title. You are a Director. You are not acting Director.

Mr. WATSON. I am the Assistant Director in charge of Counterterrorism, yes, sir. That is fine.

The CHAIRMAN. Mr. Sheehan, we will go from my view, left to right. And we will hear from the gentlemen, and then we have

three members here who are going to ask you some questions. You may proceed.

Mr. SHEEHAN. Thank you, Mr. Chairman.

The CHAIRMAN. If you have prepared statements, they will all be printed in the record.

**STATEMENT OF HON. MICHAEL A. SHEEHAN, COORDINATOR  
FOR COUNTERTERRORISM, DEPARTMENT OF STATE, WASH-  
INGTON, DC**

Mr. SHEEHAN. Thank you, Mr. Chairman, Senators and distinguished members of the Commission and the staff. Thank you for the opportunity to present the Department of State's response to the Commission report on terrorism.

I have a long set of remarks, Mr. Chairman, as you said I will provide those for the record.

I would just like to make a few brief introductory remarks this afternoon.

The Commission's review of our counterterrorism situation at this time was a very serious report about a serious issue and done by an outstanding and diverse group of professionals.

I would like especially to commend Ambassador Jerry Bremer, one of my predecessors in this job, for a very outstanding job. He is one of the predecessors I stay in touch with of many of the ones who worked in this job before me.

Our counterterrorism policy has been one of continuity over the last 20 or 30 years. And although we are constantly changing and adapting to the new threats, this policy has, in my view, worked fairly well over that time period.

I think it is worth noting the success of our policy. I am proud of the work of this administration, and particularly my boss, Secretary Albright, and her commitment on counterterrorism.

And she has built upon the policies that have been designed and put into place over the last 20 years from both ends of Pennsylvania Avenue and from a strong bipartisan approach over the last several administrations.

Mr. Chairman, I think it is worth noting that last year in counterterrorism we had a fairly good year from the United States' perspective. We lost five people from acts of international terrorism last year; three in Columbia, and two in Rwanda.

We were fortunate, though. We could have had more, had that—a plot in Jordan been successful or if the Algerian suspect Rassom was successful in bringing explosives in the United States.

So thank God and with some luck and a lot of hard work, we had one of the better years in about 7 or 8 years in the United States.

Also this year, I would like to note and, again, every night I go to bed worrying about a phone call about American bodies being brought back to Andrews Air Force Base, but as of yet, this year, we have zero casualties from international terrorism. Although, I feel personally about the British general who died in Greece last week as they are one of our closest partners in counterterrorism, the British.

We have had a pretty good year. We have had some success. We have had some success in the Middle East, Mr. Chairman, and I

would also like to note that last year for the first time in many, many years, Egypt had zero deaths from international terrorism.

Jordan also had a very good year. King Abdullah stood up to the plate and delivered on some serious counterterrorism issues. The Palestinian Authority working cooperatively.

We have made great progress in the Middle East, which used to be the main swamp of terrorists for Americans.

Last year, the Middle East was the only region in the world that had a decline in the number of international terrorist incidents.

The reason we have had success has not been an accident, Mr. Chairman. It has been through the policies that were put in place over the last 20 years.

And I think we need to continue those and we need to adapt to the new threats. I applaud the work of the Commission in identifying some of those new threats, the new types of non-state sponsored threats that are emerging, also the threat of weapons of mass destruction that could greatly skewer the good statistics we have had over the last year in one catastrophic event.

So I am not suggesting that we lower our guard at all. We have to redouble our efforts, continue what has worked in the past to deny sanctuary to terrorists, to deny the amount of state sponsorship of terrorists and adapt to the new non-state sponsored terrorists that are increasingly a threat that we see.

Congress, I would like to say, Mr. Chairman, has provided me, as the Coordinator for Counterterrorism in the State Department, the key instruments I use to fight terrorism, and they include the designation of foreign terrorist organizations, the designation of state sponsorship of terrorism, sanctions, legislation and our annual report.

All of these instruments that have been agreed on by the Congress and the administration, in my view, are extremely important. The Commission made several recommendations regarding state sponsorships, flexibility in that.

Actually, many of those came through some discussions I had with Ambassador Bremer over the designation of foreign terrorist organizations and other means that we can fine-tune those instruments to better strengthen our response to international terrorism.

I think the Commission has some good ideas. I have talked to many of the members of your staff, who have great expertise in this area about these issues, and I think over the next months and—within the government, we are going to study these proposals, talk to members of the committee and the staff and think about ways that we can fine-tune some of these instruments that were designed over the last 20 years and adapt them to the new threats.

But I must say, we must continue to stay the course on the political and diplomatic fronts. The report makes a lot of good recommendations on the intelligence and law enforcement fronts, which are very important.

But in my view, the key to success in counterterrorism over the longer view is political will. In fact, we know where most terrorists are. We know where they are. They are in Afghanistan. They are in Iran. They are in other pockets around the world.

Political will to drying the swamp, to deny sanctuary to the leadership of terrorist organizations is the key to the success of our policy in the long-term, and that is why I look forward to working with your committees in the future to fine-tune our policies, to adjust ourselves to emerging threats and continue on the rather positive course that we have had over the last years in defeating the scourge of terrorism that threatens our country.

Mr. Chairman, I would also—cannot miss the opportunity to mention resources. And I am glad Senator Biden mentioned we, in fact, have had a cut from the administration's request in some of the Appropriation committees.

Again, I thank you and Senator Biden for the support you have given our efforts. We look forward to working with you and members of your staff as we wind through the appropriations process this year. We have some very important initiatives in counterterrorism that are on the table right now, that some seem to be not going too well in the appropriations process.

We will need your help in those and other areas. And thank you for your time this afternoon, Senator, and Mr. Chairman. I look forward to answering your questions.

[The prepared statement of Mr. Sheehan follows:]

PREPARED STATEMENT OF AMBASSADOR MICHAEL A. SHEEHAN

Mr. Chairman: Thank you for the opportunity to appear before your committee to discuss the National Commission on Terrorism's report, "Countering the Changing Threat of International Terrorism." This is an important report and addresses very serious issues. We welcome the report, produced by a very distinguished Commission, as a thoughtful contribution to our ongoing mission, which is to seek more effective means of countering international terrorism and protecting our citizens and interests around the world. I believe our exchange of views with you today will also contribute to this mission.

Let me say at the outset that I completely support the core objective of the Commission Report: to improve the tools we have to combat terrorism, and to ensure that we use these tools as effectively as possible. As Coordinator for Counterterrorism, I have felt acutely responsible for strengthening our capabilities by making our tools more dynamic and effective. In this effort, I find myself in strong sympathy with the thrust of many of the Commission's recommendations. I would also like to take this chance to thank the Commission for the professional nature of their review, and specifically Ambassador Bremer, with whom I was in close contact as the Commission developed their conclusions.

Indeed, we are moving forward already in some of the areas discussed in the Commission report. Let me address some of the key issues and recommendations that relate directly to the work we are doing at State.

*Foreign Terrorist Organizations:* The Commission observes that it is necessary to sustain credibility and dynamism in the Foreign Terrorist Organization (FTO) process, and I am committed to doing just that—not only with regard to FTOs, but with all of our counterterrorism policy tools. Congress has given us a very effective tool in the Secretary's authority to designate FTOs. Designations under the 1996 law criminalize financial support to a FTO, require U.S. financial institutions to block funds of FTOs and their agents, and render representatives and certain members of the FTO ineligible for visas and admission to the United States. State leads this work in consultation with the Departments of Justice and Treasury and with the intelligence community. In 1997, we designated 30 organizations as FTOs, allowing us to deter terrorist fundraising more effectively. As important, the FTO list has proved invaluable as a diplomatic tool to stigmatize and punish terrorist groups and their supporters around the world.

In 1999, we re-designated 27 FTOs (designations expire after two years unless renewed), dropped three groups, and added Usama Bin Laden's al-Qaida organization. Dropping three FTOs (the Democratic Front for the Liberation of Palestine, the Khmer Rouge, and the Manuel Rodriguez Patriotic Front of Chile) from the list sent an important signal that if you are out of the terrorism business by the standards of U.S. law, you will be dropped from the list.

Because of the significance of FTO designations and because they can be challenged in court, the designation process is painstaking and we are very careful about assembling the evidence that goes into making the case. A single designation consumes hundreds of hours of work carried out by my staff as well as by lawyers and analysts from Justice, Treasury, and the intelligence community. Because of the quality of this effort, we have won all court challenges (for example from the MEK and LTTE) to our designations, thereby further bolstering the credibility of the FTO process.

But sustaining credibility and dynamism in the FTO process is an ongoing challenge, constrained mainly by limited personnel resources. We constantly review and assess various potential groups for addition to the list of FTOs—this can be done at anytime, not just every two years. I have directed my staff to review some 10 to 12 new groups before the year is out. We have already added a new officer for one year to work on this and would like to bolster our capabilities by adding another full-time lawyer. But undoubtedly there are some groups that will not be reviewed as soon as I would like. I am not satisfied with the pace of the FTO review process, and will continue to keep pushing my staff and the interagency team that processes these designations.

*State Sponsors / "Terrorism List":* I made a special effort in my introduction to this year's "Patterns of Global Terrorism" report to highlight the importance of injecting dynamism into another of our policy tools: the process of designating state sponsors. The Commission's fundamental observations on sharpening diplomatic tools such as the "Terrorism List" are on the mark, and this is part of my strategy. We need to take into account all relevant considerations in connection with moving states onto or off of the list, and we also need to explore whether it would be appropriate in any cases to identify states as "not fully cooperating" rather than as state sponsors of terrorism if doing so was warranted by the facts and would advance U.S. counterterrorism objectives.

On March 30, the Secretary decided to keep the seven state sponsors on the list, including, of course, Iran and Syria. But we pointedly noted in *Patterns* that designation of states is not permanent. A primary goal of our counterterrorism policy is to get states out of the terrorism business and move them off that list. We do this by engaging them on what they need to do to end support for terrorism and pressing them to take those steps. Our talks with North Korea and Sudan are a case in point. We are, at the same time, committed to maintaining sanctions on Iran and Syria—and all other state sponsors—until they have moved out of the terrorism business.

The Commission's report offers recommendations that could be useful in making our work more effective. I have been considering what intermediate steps could be taken to give state sponsors a clearer look at how they might "graduate" off the list. It may be possible that in appropriate cases state sponsors could step off the state sponsor list and be left only on the "not fully cooperating" list, with an eye towards stepping off of that list when they fully cooperate with U.S. antiterrorism efforts. There are many technical legal issues of how the laws on state sponsorship and "not fully cooperating" are structured, but I agree that we should be able to use these tools more effectively, including reviewing whether Afghanistan should be designated a state sponsor.

*Pakistan and Greece:* The Commission suggests that the Administration consider Greece and Pakistan as candidates for the "not cooperating fully" designation, under the 1996 law. Let me first take up the case of Pakistan, which has not been designated under this law. However, it continues to be under serious and constant review—as it must be for our process to be truly dynamic and effective.

As the Commission's report notes, and as we have noted in *Patterns*, Pakistan's record on terrorism remains mixed. I have no illusions about what is negative in the record, and I emphasized this in *Patterns* when describing the shift in the locus of terrorism to South Asia. Despite significant and material cooperation in some areas—particularly arrests and extraditions—Pakistan also has tolerated terrorists living and moving freely within its territory. But the areas of cooperation are real, and we are still in the game to make more progress. Pakistan is also a victim of terrorism and understands that this threat undermines its own security. It is in our interest that they move in the right direction, and we want to use the right tools to help them to keep the pressure on terrorists.

We are looking hard at current developments and continue to be intensively engaged with Pakistan on improving cooperation, most recently with the President's and Under Secretary Pickering's travel to Pakistan to reinforce tough messages on terrorism and other key concerns. We have a lot more to do, but we see that our engagement is beginning to yield progress. If that changes, we of course would re-

spond using the tool most appropriate to the situation. But at the moment we do not believe that designating Pakistan as “not cooperating fully” is appropriate.

On Greece, Secretary Albright has made it clear that we are not considering sanctions against the Greek Government. The situation of Greece is difficult, and we have offered our perspective in *Patterns* in sharp detail. The Commission’s report concludes that Greece—a friend and NATO ally—must do better in the fight against terrorism. Our embassy in Athens is working closely and cooperatively with the Greek Government to bring to justice the killers of five U.S. Mission employees since 1975.

I visited Athens last summer for extended discussions on terrorism with a number of Greek officials. Since that time, they have taken several initiatives, including reorganizing their counterterrorism unit with more money and resources, and initiating a public dialogue on the problem of terrorism. We have also signed a mutual legal assistance treaty, which the Greeks have already ratified. We hope our Senate will approve this treaty later this year. Additionally, we have agreed on the text of a police cooperation memorandum. The latter document will facilitate increased cooperation between our FBI investigators in Athens and Greek law enforcement officers.

The murder of British Military Attaché Stephen Saunders in Athens on June 8 is one more sad entry on a long list of unsolved acts of terrorism. This tragic event demonstrates that much work remains to be done if Greece is going to achieve success against the deadly “17 November” group and other terrorists. We are determined to continue our close cooperation with Greek law enforcement authorities on this issue. As Secretary Albright said earlier this week, we want to work with the Greek Government and be assured by the Greek Government that they are doing what they should be doing.

European officials and private interests have also become victims of 17 November. We are encouraging them to work with us and the Greek Government in combating this terrorist group. I note that in the past year or so, the German ambassador’s residence was rocketed, and the Dutch ambassador’s residence was bombed. In addition, French and British banks were bombed and of course, last week Brigadier Saunders was murdered. These events are a grim illustration that the Europeans are, like us, targets and victims of terrorism in Greece, as are Greek citizens themselves.

In addition, a safe and secure Olympics in Greece is a goal we and the Greek Government share. Prior Olympic hosts have spent up to six years planning for the security implications of hosting the games, and they needed every minute of it. We must consider the ramifications of unchecked terrorism for Greek plans to host the next Olympics.

*The “not cooperating fully” designation/VWP Program:* In addition to the above recommendations, the Commission makes the general recommendation to use the “not cooperating fully” designation more effectively. Whether countries should be designated as “not cooperating fully” with U.S. antiterrorism efforts is a judgment involving a review of a country’s overall level of cooperation in our efforts to fight terrorism, taking into account our counterterrorism policy objectives with that particular country. I do not disagree that there may be ways to improve these processes and apply them more effectively, including by considering the use in appropriate cases of the “not cooperating fully” category as a “half-way house” for states that have reduced support for terrorism enough to justify some change in their status as state sponsors, or for states that may be moving in the wrong direction. In this respect, I note that the statutes relating to state sponsorship and full cooperation with the United States obviously raise differing issues and the appropriateness of putting countries in one regime or the other depend entirely on the facts.

The Commission has also addressed a key issue regarding the “not cooperating fully” designation: whether the additional sanctions that are imposed by this designation—banning arms sales—make sense or would be effective.

In fact, this raises the larger, most important question: whether the tools we have, in the context of ongoing engagement, are adequate or appropriate for the task of improving our position in the global effort against terrorism. One could argue that we currently have limited options at our disposal when we seek to pressure nations to address terrorist threats within and across their borders.

The National Commission’s report recognizes this, as illustrated by its recommendation to ban countries “not cooperating fully” with the U.S. from participation in the Visa Waiver Pilot Program. At the moment it is not clear to us that the Visa Waiver Pilot Program is an appropriate vehicle for pursuing our counterterrorism objectives; it may not be a sufficiently flexible or well-targeted tool.

The Commission’s idea is useful in that it provokes discussion on how Congress and the Administration could work together in developing more flexible, calibrated

counterterrorist policy tools—tools that give us more options than we have now. All nations are not alike, and thus the mix of diplomatic tools used need not be alike. There are a number of other sanctions that could be useful in exerting pressure on various nations to counter terrorist threats more effectively. A preferred approach is to authorize the President to choose from a menu of sanctions, such as denial of Export-Import bank assistance or U.S. Government procurement opportunities.

Whether or not these types of sanctions would be effective in countering terrorism is unclear. But the point is that this is a discussion we should be having, and the Commission's report is a good start. In the meantime, though, we will continue to move forward on many fronts.

*Disruption of Financing:* State concurs with the Commission's assessment that one of the most important ways to combat terrorism is to disrupt the financing of terrorist groups and activities. We have already made this a priority and are working hard through various means to disrupt the financing of terrorism. I have already outlined for you how we actively employ the legal tool of designating Foreign Terrorist Organizations.

Another step the Administration has taken to disrupt the financing of terrorists is to levy sanctions through executive action. In 1995 the President issued Executive Order 12947, which blocked not just financial but also material assets of twelve Middle Eastern terrorist organizations, as well as senior officials of these groups. These sanctions are administered by the Treasury Department. In addition, just last year the President issued Executive Order 13129, imposing sanctions on the Afghan Taliban. This action deepened the international isolation of the Taliban and limited its ability to support terrorist groups and activities.

We are also disrupting the financing of terrorism through bilateral and multilateral diplomacy. I held numerous bilateral consultations last year, especially in the Gulf states, to address the threat posed by Usama Bin Laden and other terrorists. In addition, State participated in interagency team visits to the Middle East for the purposes of discussing money laundering and other financial issues. We will continue to encourage countries to examine their own laws and counterterrorist tools to ensure that they are doing all they can. We have also urged nations to be more aware of the possibility that terrorists are using NGOs as ways to conceal their fundraising and other activities.

With regard to multilateral fora, last year the U.S. worked with the G-8 and U.N. member states to achieve consensus in the General Assembly on the International Convention for the Suppression of the Financing of Terrorism. This landmark convention provides for extensive international cooperation on disrupting the financing of terrorists. The U.S. was one of the first countries to sign the convention, and we are currently working through the G-8, under Japan's leadership, to obtain more signatures. The Administration anticipates submitting the Convention for advice and consent to ratification in the near future.

We will continue to move forward on these fronts. As part of our Anti-Terrorism Assistance (ATA) program, we have developed a training program for foreign financial and banking officials. We hope that this program will result in stronger oversight and integrity of foreign financial systems. Furthermore, we are working with the G-8 on developing practical ways to implement the new U.N. convention drawing upon relevant experience in countering money laundering.

*Student Monitoring:* The Commission recommends that the Administration monitor the status of foreign students in the U.S. Let me first stress that our educational facilities are some of the finest in the world, and it is mutually beneficial for the U.S. and foreign students when they come to study here.

The Commission suggests using the Coordinated Interagency Partnership Regulating International Students (CIPRIS) as a model for a more effective monitoring system. CIPRIS is a program under the jurisdiction of the Immigration and Naturalization Service. State has supported the INS as they have developed this program, and we will continue to provide assistance as requested by the INS. We look forward to exploring this idea further with Congress and the inter-agency community.

*Cyber crime convention:* The Commission recommends that the Administration help create an international convention on cyber crime. The U.S. is already engaged with other nations on this subject. The Council of Europe has been the forum in which discussions and drafting of language have taken place, and the U.S. is playing an integral role. The aim of these discussions is to formulate a convention that will harmonize national legislation on cyber crime, facilitate investigations, and allow effective cooperation among the authorities of different states. A draft text is being developed, and it is our hope that an international convention with language acceptable to the U.S. can be open for signature by next year.

I should note, though, that as the Commission's report suggests, this issue is larger than terrorism and should be addressed in a broader context. After all, terrorism is just one type of international criminal activity that can be perpetrated using the Internet. Presidential Decision Directive 63 addressed various aspects of protecting our national information infrastructure. State will continue to support the efforts of both the inter-agency community, especially the Department of Justice, and the international community in fighting the proliferation of cyber crime.

*Resources:* Let me close by saying a few words about resources, and more specifically the need for full funding of all of our counterterrorist programs. For example, the Antiterrorism Assistance (ATA) program, which helps friendly governments acquire counterterrorist skills, is a pillar of our counterterrorism efforts. Obtaining full funding, however, is always a struggle. The Administration requested \$38 million for the ATA program in FY 2001. However, the Senate Appropriations Committee's markup of the Foreign Operations bill recommends only \$30 million. That's a cut of 22 percent. It is even \$3 million below the amount Congress appropriated in FY 2000, which also was a "tight" year. We cannot counter the terrorist threat alone—it depends on cooperation with other nations, and ATA is a vital tool that gives us access and improves these countries' capacity.

Also troubling is the difficulty in securing funding for a Center for Antiterrorism and Security Training (CAST). The Administration has requested funding for such a center in order to consolidate ATA and other security training at a location near Washington, where foreign officials could work more effectively with U.S. Government officials and security specialists. As most training recipients are foreign officials taking part in the ATA program, we requested funding in the ATA part of Foreign Operations. But the Senate's Foreign Operations bill does not include the funding. Moreover, the accompanying report says that because the money goes for bricks and mortar, it should be funded in the Commerce, Justice and State (CJS) bill. Not surprisingly, the House CJS Appropriations Subcommittee did not include any funding for CAST in its markup last week. We need your support to make sure funding is added back when the Foreign Operations bill reaches the Senate floor for action.

I have spoken to many Members and staffers about CAST and have found broad support for the center. I understand the difficulties and concerns involved, but the bottom line is that CAST should be funded. It is critical to future counterterrorism cooperation with other countries.

International cooperation, antiterrorism training, action to counter terrorist fundraising, designation of Foreign Terrorist Organizations—these and other counterterrorism initiatives are not handouts or wasteful government programs. On the contrary, we believe they are crucial to the safety and security of our country's citizens and assets.

Mr. Chairman, as we have seen in the past, whenever there is a major terrorist incident, everyone demands that we "do something." But when the images and fear fade away, it becomes frustratingly difficult in the next year to get the funding for programs that protect our citizens in tangible ways.

The National Commission has made a valuable contribution to the discourse on counterterrorism. But any reevaluation or restructuring of our policies and practices will have to be sustained by sufficient resources. The bottom line is that, to fight terrorism effectively, the State Department needs the resources to do so. It is my hope that Congress will keep this in mind when considering appropriations legislation in the coming weeks and months.

Mr. Chairman, thank you again for the opportunity to appear before your committee today. I look forward to answering any questions members of the committee may have.

The CHAIRMAN. Thank you, sir.

Mr. Director.

Mr. WATSON. Assistant Director, Mr. Chairman. There is only one Director in the FBI. I will get in trouble if you refer to me as that too many times today.

The CHAIRMAN. What did you tell me?

STAFF. Assistant—

Mr. WATSON. Thank you. I—

The CHAIRMAN. He made a big deal, because I called you Acting Director.

Mr. WATSON. I am the Assistant Director in charge of Counterterrorism.

The CHAIRMAN. OK.

Mr. WATSON. We have one Director and that is the Director of—  
so I think everyone knows that. So—

The CHAIRMAN. OK.

**STATEMENT OF DALE L. WATSON, ASSISTANT DIRECTOR,  
COUNTERTERRORISM, FEDERAL BUREAU OF INVESTIGATION,  
WASHINGTON, DC**

Mr. WATSON. I am glad to be here. I have a written statement. I know you want to get to questions, so why do I not just thumb-nail what I was going to say real briefly—

The CHAIRMAN. All right. That is good.

Mr. WATSON [continuing]. And it is in the written record.

We take the report very seriously. We met with the Commission. The Director met with them while they were formulating their information.

I met with them and our Office of General Counsel met with them, as well as we had FBI people assigned to the Commission. So this was a cooperative effort on the part of the FBI and the Commission.

As of Tuesday of this week, the Director of the FBI met with Chairman Bremer, went over some of the topics and recommendations in the report. So that is where we are at.

Just real briefly, the FBI's counterterrorism program is basically two-pronged. It is proactive and reactive.

Taking the reactive side first, I think you understand reactivity and the fact that we put overwhelming resources onto a situation after it occurs. The East Africa bombing is a good example; Oklahoma City, World Trade Center, et cetera. That is on the reactive side, after something happens.

Proactive is a little more difficult, but we take that also very seriously. The proactive part is to penetrate, disrupt and defeat terrorist organizations and individuals, loosely affiliated individuals, not only in this country, but in the overseas arena, working closely with the State Department and with our partners at the Central Intelligence Agency.

In continuation of that, real quickly, this fits into the 5-year strategy the FBI has for counterterrorism along with the Department of Justice's 5-year plan for counterterrorism, as to try to move forward in that in the information sharing of the intelligence community, our intelligence partners, as well as our overseas foreign partners, friendly foreign services, not only the intelligence side, but the security side of those departments as well.

In 1996, as you well know, we had the Counterterrorism Center formed up at the FBI. We incorporated 20 Federal partners.

My closest working partner today is the Central Intelligence Agency. And we work very, very closely together not to try to do what the CIA does, but to try to share law enforcement information and incorporate that in with intelligence information coming from the Agency. And it seems to work.

We have a great working relationship with Ambassador Sheehan. So I will not belabor that point. To go forward here, what has also helped us tremendously inside the United States is the formation of our Joint Terrorism Task Forces that were started.

Just a quick example, we had a police officer from New York City, who had expertise in VIN, vehicle identification numbers, who actually traveled to the East African bombing site and assisted us there. But he is an integral part of our Joint Terrorism Task Forces.

To date, we have 27. We are trying to fund more of those. And all those are groups of investigators, state, local and Federal law enforcement officers within the FBI field office that work jointly on joint counterterrorism, terrorism initiatives.

It is well documented. What has been a tremendous help to us is the expansion of our Legat program. We are up to 35. You are fully engaged with that. You understand that.

Again, it is not the role of the FBI to try to do what the State Department is doing overseas or what the CIA is trying to accomplish, or our Department of Defense. It is—those individuals are there in a forward positioning in order to obtain evidence, collect evidence legally that can be used in the United States, obtain witness statements and share that information on a law enforcement basis.

A good example, where we had two Legat's respond to East Africa. We had our Legat out of Cairo and our Legat out of South Africa that responded quickly up there, not to do anything other than try to protect the crime scene, engage with local law enforcement in order for us to come in and collect the evidence in a manner that would be acceptable in the United States.

Real quickly, the information, Mr. Chairman, you have heard about from the Commission, we are moving in that direction as a result of an internal reorganization within the FBI as of November 1999. We created the Investigative Services Division, where we hope to incorporate information, not only intelligence information, law enforcement information, but be able to analyze that within FBI headquarters.

In addition to that, we stood up the Counterterrorism Division, which I have, which will, in fact, move that process forward.

I think at this point the only other two areas I will mention is weapons of mass destruction. In 1996, we had reported approximately 30 general basic chases in that arena. Those numbers have now gone up to over 300 for 1999. Most of those are anthrax related letters and threats, but we continue to work on that.

The Commission noted about our National Infrastructure Protection Center [NIPC], the computer terrorism on the Internet, et cetera. We have that program. That is within the FBI's Counterterrorism Division.

We work extremely hard on that. It would be a benefit to engage our overseas partners, through State Department lead, in order to try to ensure some continuity in the laws of what is legal or illegal in overseas context as opposed to what we have here to use in the United States.

That also has a dual mission, not only to try to investigate who determines or who actually crashed eBay or crashed in or denied services at a large Internet service provider here in the United States.

But it also has the dual tract to protect the infrastructure through the identification, warning, and notification of a potential

threat. So if the electrical current in the Northeast could possibly be attacked and turned over, we need to be out in front of that in a proactive manner to make sure we understand those key assets.

At this point I would—I think I will stop at this and move forward. I know you want to get into the questioning, Mr. Chairman. [The prepared statement of Mr. Watson follows:]

PREPARED STATEMENT OF DALE L. WATSON

Thank you, Senator Helms, and members of the committee for the opportunity to discuss the report, *Countering the Changing Threat of International Terrorism*, released on June 5 by the National Commission on Terrorism. We have received the report and we welcome it as an important contribution to the ongoing effort to develop the most appropriate response to the evolving threat of international terrorism.

The FBI was encouraged by the creation of the Commission in the wake of the tragic U.S. Embassy bombings in East Africa, and has supported its work during the past six months.

FBI Director Freeh and executives in the Counterterrorism Division, as well as personnel in our Office of General Counsel, are currently reviewing the report's recommendations. We are heartened that the tone of the Commission's report is generally consistent with the FBI's own counterterrorism strategy.

THE FBI'S COUNTERTERRORISM STRATEGY

The FBI has developed an aggressive response to terrorism, one that is based on proactive efforts to prevent acts of terror, to disrupt the organizations, groups, cells, and loose affiliations that perpetuate terrorism, and to bring overwhelming resources to bear to investigate incidents that do occur. The FBI's strategy also encompasses a broad and aggressive effort to counter the illicit activities in which international terrorists engage to support their operational and ideological objectives. As noted by the Commission's report, these activities often include illicit fundraising and other criminal activities in the United States.

As part of the FBI's five-year strategy, developed in 1998, top FBI executives identified protecting our national security as the most fundamental responsibility of the FBI. To further this goal, the FBI works closely with our partners in the U.S. intelligence and law enforcement communities, as well as with foreign intelligence and security services to counter the terrorist threat. We have worked diligently during the past decade to ensure this cooperation takes very tangible forms.

In 1996 we established the FBI Counterterrorism Center, where personnel from U.S. intelligence agencies work side-by-side with FBI special agents and analysts to coordinate information and share intelligence. Today, detailees from 20 U.S. Government agencies work on a daily basis in the center.

Similar integration is one of the primary strengths of the Joint Terrorism Task Force (JTTF) concept, which, since its inception in the 1980s, has become an integral component of our counterterrorism efforts in the United States. In recent years, we have greatly increased the number of these FBI-led, multi-agency task forces; there are currently 27 JTTFs throughout the country. These JTTFs combine the resources of U.S. Government agencies with the capabilities of state and local law enforcement to investigate the full range of activities perpetrated by terrorists.

Internationally, we have sought to expand the number of overseas offices—or legats—that often serve as our first line of defense against international terrorists. The FBI currently has 35 legats around the world. The value of this "forward deployment" of FBI investigative resources was clearly demonstrated in the aftermath of the U.S. Embassy bombings in Nairobi, Kenya, and Dar es Salaam, Tanzania. FBI special agents from the Pretoria, South Africa, and Cairo, Egypt, legats, respectively, were able to quickly deploy to Nairobi and Dar es Salaam, where they established cooperative relationships with police authorities and assisted in establishing logistical support for the FBI evidence response teams and other investigative personnel that subsequently arrived at both locations. The ability to bring investigative resources to bear as quickly as possible is a key component to resolving complex cases. The establishment of legats enhances the FBI's abilities to accomplish this on a global scale. These overseas offices also help us to prevent and deter acts of terrorism before they occur.

The FBI recognizes that it must continue to adapt to effectively confront the changing nature of terrorism. In November 1999, Director Freeh reorganized the FBI's organizational structure to better address this evolving threat. Two new divi-

sions—the Counterterrorism Division and the Investigative Services Division—have been created to focus enhanced resources on the terrorism threat. Reflecting some of the concerns outlined in the Commission's report, one of the basic objectives of the FBI's reorganization is to integrate criminal and counterterrorism analysis within one organizational entity (the Investigative Services Division). This integration enables the FBI to analyze the broad range of activities in which terrorists engage—including illicit fund-raising and counterfeiting, as well as operational planning.

CONCLUSION

The FBI agrees with the depiction of the international terrorist threat currently confronting the United States outlined in the Commission's report. We commend the Commission for its thorough and balanced review of this threat and for the serious nature of the recommendations it has proposed. And we look forward to working with the Congress as it studies the most appropriate methods to further enhance the U.S. Government's response to the threat of international terrorism.

The CHAIRMAN. Very well. Thank you, sir.  
Mr. Reynolds.

**STATEMENT OF JAMES S. REYNOLDS, CHIEF, TERRORISM AND VIOLENT CRIME SECTION, CRIMINAL DIVISION, DEPARTMENT OF JUSTICE, WASHINGTON, DC**

Mr. REYNOLDS. Thank you, Mr. Chairman and Senator Sarbanes. In view of the hour, I will be briefest yet.

We welcome, as my colleagues do, the work of the terrorism commission. We met with them. We worked cooperatively with them and we will work constructively with the report that they have submitted.

The Department of Justice has long recognized that the combating of terrorism is a dynamic process, that you have to refocus your strategies periodically to meet the changing threat.

We have endeavored to do that in a number of ways. Let me cite just one to you. In December 1998, the Attorney General submitted to Congress a 5-year counterterrorism plan. That plan was developed in a year-long effort with 24 Federal agencies and was informed by input from state and local agencies.

This is a strategic document. It sets the baseline for the range of programs that constitute the counterterrorism enforcement effort.

It is intended to be and is, in fact, updated on a yearly basis. The first yearly update was submitted to Congress in March of this year.

These ongoing strategic efforts within the administration and within the Department will undoubtedly be informed and assisted by the report of the National Commission on Terrorism.

We are certainly indebted to the Commissioners for their work. The Department is still in the process of reviewing the report, so we do not have final positions on all of the recommendations at this point.

I have included in the prepared statement I have submitted reactions to a number of the recommendations and, with the committee's agreement, I will simply submit that for the record and then respond orally to any questions you may have.

Thank you.

[The prepared statement of Mr. Reynolds follows:]

## PREPARED STATEMENT OF JAMES S. REYNOLDS

Mr. Chairman and Members of the Committee:

I am Jim Reynolds, Chief of the Terrorism and Violent Crime Section of the Criminal Division of the Department of Justice. Thank you for the opportunity to appear before you to provide the Department's views on the report of the National Commission on Terrorism, and to discuss the Administration's counter-terrorism program.

The Department of Justice recognizes that combating terrorism is a dynamic process that requires periodic re-evaluation and refocus. We actively engage in that process in a variety of ways. For example, as mandated by the Conference Committee Report accompanying the 1998 Appropriations Act for the Departments of Commerce, Justice and State, the Judiciary and Related Agencies, the Attorney General submitted to Congress on December 30, 1998, the Administration's Five-Year Interagency Counter-terrorism and Technology Crime Plan. It is a strategic document which establishes a baseline of broad-based efforts in our nation's fight against terrorism. The Five Year Plan provides for review and adjustment each year, in coordination with all pertinent agencies, of the many programs which make up our counter-terrorism program. The first annual update of the Five Year Plan was submitted to Congress on March 29, 2000.

Our ongoing efforts to evaluate and adjust the United States' counter-terrorism policies and programs will no doubt be aided by our examination of the suggestions made by the Terrorism Commission in its report, and we appreciate the Commission's conscientious efforts in examining some of the issues central to the counter-terrorism program. We are continuing to evaluate the Commission's recommendations, which touch on a number of important aspects of our work.

As reflected in the Commission's Report, the United States' counter-terrorism program draws on all pertinent United States government resources and disciplines, including from the intelligence, diplomacy, military, and law enforcement communities. These resources and disciplines must be refocused periodically to meet the evolving terrorist threat.

In this regard, we agree with the observation of the Commission that there has been a change in the nature of many international terrorist groups. They often now rely on loose affiliations of like-minded individuals or groups. Similarly, international terrorists no longer limit their attacks to Americans outside our borders, but also pose the threat of mounting attacks on United States soil. These changes pose particular challenges for law enforcement, as its role has become increasingly crucial in confronting and disrupting these newly-emerged groups.

In an effort to more effectively exercise this critical law enforcement role in the fight against terrorism, we have undertaken to improve the tools available to us. To this end, the Department has worked with Congress to develop an effective arsenal of specialized criminal statutes to address terrorism, including statutes tailored to address the special concerns raised by the threat of chemical, biological and nuclear terrorism. Although some augmentation and fine tuning of the statutory arsenal may be appropriate, we now have relatively complete coverage.

In an effort to fulfill its mandate to evaluate the laws, policies, and practices for preventing and punishing terrorism directed at Americans, the Commission has crystalized its findings into a number of recommendations. We appreciate the opportunity to comment briefly on some of these recommendations which specifically address the responsibilities of the Department of Justice. As noted above, however, we are continuing to study the Commission's report and to refine our reactions.

*Criminal Prosecutions in Open Court:* The Commission recommends that the Attorney General direct the Department of Justice to pursue vigorously the criminal prosecution of terrorists and to do so in open court whenever possible. This is, in fact, the policy which has been and continues to be pursued by the Department. Indeed, it is a cornerstone of the United States counter-terrorism strategy that terrorists should be prosecuted openly and aggressively, and that the passage of time should not be allowed to diminish the commitment to that undertaking. In recent years, successful criminal prosecutions have been pursued in a number of international terrorism cases, including the following:

- against those responsible for the bombing of the World Trade Center;
- against Omar Ali Rezaq, for the hijacking of an Egypt Air flight in which Rezaq executed two passengers, including one American, and 56 other innocent persons died before authorities regained control of the aircraft;
- against Tsutomu Shirosaki, for a rocket attack against the United States Embassy in Jakarta, Indonesia;

- against those responsible for a plot to bomb 11 United States commercial airliners flying Asian-Pacific routes; and
- against those responsible for a plot to bomb tunnels and bridges and other critical locations in New York City.

A number of significant terrorism cases are currently pending trial or at trial, including:

- the prosecution in the District of Columbia against Mohammed Rashid for the 1982 bombing of a Pan Am flight from Tokyo to Honolulu, which resulted in the death of one passenger and injury to several others;
- the prosecution in New York against those responsible for the bombings of the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania;
- the prosecutions in Seattle and New York emanating from the discovery of bomb-making materials being smuggled into the United States at the Millennium; and
- the prosecution in the Netherlands of persons charged with the bombing of Pan Am Flight 103.

Although the Pan Am 103 prosecution is a Scottish prosecution, it is a product of the joint investigative efforts of Scottish and United States authorities, and we continue to be fully responsive to any requests by Scottish authorities for assistance. It should not be suggested that our undertaking in this matter involves simply the prosecution of two individuals. Rather, it is part of an ongoing effort to address all aspects of this crime, achieve justice, and deter others who might contemplate undertaking terrorist acts.

*Foreign Intelligence and Domestic Guidelines:* The Commission recommends that the Attorney General and the Director of the Federal Bureau of Investigation develop guidance to clarify the application of the existing foreign intelligence guidelines and domestic guidelines. As the Commission noted, specific guidance on implementation of the domestic guidelines was provided to FBI agents in the field in 1995. That guidance, which is still operative, is intended to ensure that agents fully understand and appropriately apply the guidelines. Additionally, FBI agents periodically receive training concerning the proper application of these guidelines.

*Cyberterrorism and Cybercrime:* In the area of cyberterrorism and cybercrime, the Commission recommends that the Department of State take the lead, in concert with other agencies, in developing an international convention aimed at harmonizing national laws, sharing information, providing early warning, and establishing accepted procedures for conducting international investigations of cybercrime. The Department agrees with the suggestion that international cooperation is critical. Indeed, the Department, the FBI, and the National Infrastructure Protection Center began some time ago to talk with other countries about harmonizing national laws, sharing information, providing early warning, and establishing procedures for international investigations of cybercrime.

Additionally, the Department, the FBI, and the NIPC have been important participants in numerous international efforts, working in conjunction with the Department of State and other agencies when appropriate. For example, beginning in 1992, the Department helped to draft the Council of Europe's (COE) groundbreaking recommendations on how states could improve procedures to address problems of information technology—for example, how to trace electronic communications rapidly while still respecting privacy. Subsequently, the Department has participated intensively in the COE's drafting of a cybercrime treaty.

Similarly, the Department has chaired and been active in the High-Tech Crime Subgroup developed by the G-8 countries. The work of this subgroup has included efforts to harmonize laws, limit procedural impediments to investigations, and streamline international cooperation in cyber investigations (where data is so perishable). The Department is also active in comparable efforts in many other fora—for example, in the Organization of American States, in Asia through the United Nations Asia Far East Institute, in the European Union, and through constant contacts with officials of many individual countries. Because of the expertise that the Department has developed through its long experience in the international arena, it is important that we remain a leading player in the crucial efforts to achieve international cooperation in the area of cyberterrorism and cybercrime.

*Foreign Terrorist Organizations:* The Commission also recommends that the list of foreign terrorist organizations designated by the Secretary of State, in consultation with the Attorney General and the Secretary of the Treasury, be updated frequently. The statute provides that an organization can be designated a foreign terrorist organization at any time if the statutory requirements are met. It is our understanding that the Department of State is reviewing 10 to 12 additional groups

for possible designation before the end of the year. We are committed to working with our partners at State and Treasury to ensure that this list is current and comprehensive.

Designation of organizations as foreign terrorist organizations is an aspect of our overall effort to address financial support of terrorists. Designation as a foreign terrorist organization serves, among other things, to criminalize most financial contributions to such organizations. The Commission further recommends that our efforts to attack terrorist fund raising not be limited solely to application of the foreign terrorist organization statute, but that all available statutes—including fraud, money laundering and tax statutes—be used to attack terrorist fund raising. The Department is, in fact, pursuing such a policy.

However, within the Administration's counter-terrorism community we are continuing to evaluate appropriate steps that can be taken to upgrade the effort to address terrorist fund raising.

*Legislation Regarding Biological Pathogens:* The Commission recommends that legislation be enacted to strengthen the controls on biological pathogens in an effort to prevent their use by terrorists. The Department wholeheartedly agrees, and we will continue to work toward this end. In our continuing efforts to improve the tools available to our counter-terrorism program, biological pathogens legislation was included in the Department's omnibus anti-crime legislation that was developed last year. That legislative proposal addresses many of the concerns voiced by the Commission.

Again, let me thank you for the opportunity to appear before the Committee to share some of the Department's thoughts on the Report of the National Commission on Terrorism. We appreciate the efforts of the Terrorism Commission and their contribution to the continuing dialogue on how to improve our counter-terrorism efforts. I am available to respond to any questions you may have.

The CHAIRMAN. These gentlemen have got to go, and I apologize for having kept you here all morning.

But, look, I want to ask you—all three of you—I agree with the Commission's recommendation that the President should make clear to Syria that it will remain on the list of terrorist states until it shuts down its terrorist training camps and chokes off supplies to terrorist groups.

Now, do you think the death of Asad is going to make any difference? Is his son going to be any better than he was? That ball is in the air. Anybody who wants to answer that—

Mr. SHEEHAN. I will take a crack at that, Mr. Chairman.

I think it remains to be seen whether that will change. We are hopeful obviously, but the only thing that matters to us is how—what he does and—and how—we will have to see, but Syria remains on the list of state sponsorship.

There is no movement at this time to take them off. In my annual report, I mentioned one of the largest threats to the United States is the arch of terrorism from Tehran through Damascus into Lebanon, where these terrorist groups through that arch threaten the Middle East peace process.

Syria is an important part of that arch of terrorism. They need to shut down the terrorist groups that are operating within their borders and that is what they will be required to do in the years ahead, and I can tell you, Mr. Chairman, that Secretary Albright always keeps us on the top of her list in discussions with the Syrians as part of the peace process or any other discussions she has with them.

The CHAIRMAN. Do you have any comment?

Mr. WATSON. No. I agree with Ambassador Sheehan, Mr. Chairman.

The CHAIRMAN. Is it too early to make a contact with him about this either by you or somebody else in the administration?

Mr. SHEEHAN. I think in the first—I have not talked to Secretary Albright about it specifically yet. I think in her initial meeting with him, it was just expressing condolences.

But I can assure you, Mr. Chairman, that on the top of her list of any contacts with the Syrian Government will be their support for terrorism.

The CHAIRMAN. Very well.

Now, let me ask you, Mr. Watson, has the FBI drawn any preliminary conclusions about who may have been responsible for the Khobar Towers bombing?

Mr. WATSON. I—

The CHAIRMAN. If you do not want to answer in public—

Mr. WATSON. Mr. Chairman, that is a very ongoing sensitive matter that the Director and I are deeply involved with. I would be more than happy to try to in—not in an open forum, but to give you some of that information in a—

The CHAIRMAN. I certainly understand that. Now, let me ask you this.

Mr. WATSON. Yes, sir.

The CHAIRMAN. I understand that the FBI has summarized its conclusions, and it is detailed in a cable designated FBI 21204. Are you aware of this cable?

Mr. WATSON. Was that the cable that went out last spring, in 1999? Is that what you are talking about? That is unfortunate that that got out. And I would—I am really uncomfortable talking about that case in open session. I will be glad to—

The CHAIRMAN. All right. Just one question.

Mr. WATSON. Yes, sir.

The CHAIRMAN. Can I get a copy of it?

Mr. WATSON. Let me get back with you on that one.

The CHAIRMAN. All right.

Mr. WATSON. OK, sir?

The CHAIRMAN. OK.

Paul.

Senator SARBANES. Mr. Watson—

Mr. WATSON. Yes, sir.

Senator SARBANES [continuing]. Is the FBI yet in a position to comment on the Commission's proposal that the Department of Defense take over, in effect, command and control, if we have a significant terrorist attack in the country.

Mr. WATSON. Yes, sir. My comments on that personally, and I think it reflects the views of the Director, is that on the consequence side, as you well know, that FEMA is in charge. On the crisis side, the FBI is in charge.

What the Commission is talking about—and I think Ambassador Bremer said that this morning—is if something happens on a large scale, if half of Dallas, Texas, is blown up, for whatever reason, in a chemical, biological, mainly nuclear type deal, the local authorities will be, in fact, stretched so far that if you are talking about mobile hospitals, if you are talking about isolating people, if you are talking about enforcing a certain quarantine area, there is—I think, at that point the military would have to be involved.

There are procedures—as we went through with the top-off exercise a couple of weekends ago, there are procedures, and maybe Mr.

Reynolds would want to comment on that, that are established where you ask the military to come in and waive—have the President waive posse comitatus.

Should the military do that, if you talk to the military folks and I encourage you to do that, I think, in reality I think they realize they will have to do it, because they are the only ones capable.

But at the same time, they understand the mission role of the military and unless Mr. Reynolds wants to add anything, that is where we are at.

But on regular crisis-type situations with us and FEMA lashed up on the crisis consequence side, we work very closely with the military. And there is no need for the military to quite honestly take that responsibility over.

Senator SARBANES. Mr. Reynolds.

Mr. REYNOLDS. Well, I would simply say that there is legislation in place as part of Nunn-Lugar and as part of the Nuclear Terrorism Statute, which would allow us—under extreme situations—to use the military.

The military is not in charge of the law enforcement situation. They function under the leadership of the FBI, but statutes do exist for use of the military. There are separate statutes that allow use of the military for technical assistance. And then there are the separate statutes that allow use of the military for consequence management.

So there is already in place a statutory regime for a use of the military in an orderly pattern. And I am not aware, like Mr. Watson, at this point, of a basis to change the formula that exists.

Senator SARBANES. Now, I was not altogether clear whether the Commission was fully cognizant of those statutes and the role that has already been developed or programmed for the military under circumstances that would seem to warrant them playing a role, and whether this is then going beyond that, or whether they, in effect, are duplicating that.

And I know you cannot answer that. We obviously should have put that to the Commission while they were here.

Mr. Reynolds, I had another question to you. There is a section in the report where the Commission seems to contradict itself. They say, “The Department of Justice applies the statute governing electronic surveillance and physical searches of international terrorists in a cumbersome and overly cautious manner.”

I am sure you are familiar with that section of the report, and then they sketch out what they think some of the problems are in terms of going to the FISA for an order and how you work it up.

But then they conclude this section by saying, “during the period leading up to the millennium, the FISA application process was streamlined. Without lowering the FISA standards, applications are submitted to the FISA court by DOJ promptly and with enough information to establish probable cause,” which, in effect seemed to say, well, at least through that period of time, this process was being done the way the Commission was seeking to have it done.

Has there been a basic change in the process, or was that something extraordinary?

Mr. REYNOLDS. Senator, let me explain the way in which the intelligence electronic surveillance works in the Department, which

will be by way of saying that I think Dale Watson or perhaps someone else is the better person to answer the question.

The work that I do involves the case development of criminal cases and the prosecution of criminal cases against terrorists. In turn, the use of electronic surveillance in the intelligence area is based on a representation to the FISA court that that electronic surveillance is undertaken for national security purposes, as opposed per se to criminal prosecution purposes.

And as a prudential step within the Department, criminal prosecution, the function that I have, is one that is separated from the decision as to whether or not to seek FISA electronic surveillance. The objective is to make sure that FISA surveillance is not even perceived to have been misused for the purpose of criminal prosecution.

Dale Watson, in his role as Assistant Director, is involved with the submission to our Office of Intelligence Policy and Review, of FISA applications and additionally, anticipating the possibility that this kind of question might arise, I have brought with me somebody from our Office of Intelligence Policy and Review who could respond if you wished.

Mr. WATSON. Senator, to answer your question, the intelligence side through the FISA, which you referred to, was actively involved on the intelligence case paralleling the criminal case during the millennium threat of the Seattle incident.

They are—the focus was so extreme, moving toward the rollover of January 1, that there were matters that were taken within hours and able to obtain the proper court-authorized electronic surveillance.

Is that a sea-change from what we normally do on a daily basis? We deal with them on a daily basis. That was in the matter of a crisis type. The process seemed to work faster, because the Director of the FBI was present along with the Attorney General.

I think there has been progress made in that arena. I think they need some more help. It involves staff work.

I think we do not always agree about probable cause, but that is a normal process. I think the head of OIPR, Fran Fragos Townsend has done a good job, as we move that forward in the dialog that we have.

So I hope that answers your question.

Senator SARBANES. Well, what it suggests—I mean, by the Commission's own statement that there was a period of time there when the system seemed to be working sort of the way they thought it was desirable for it to work.

You are telling me that that was, in part, because it was being handled on a crisis basis, but conceivably a lot of that step-up in processing could continue on a regular basis if you are provided the resources with which to do it. Is that what you are saying?

Mr. WATSON. Yes. And it is mainly a resource issue with them and we do not—I mean, we engage in a dialog if it is a routine matter, that probably takes a little longer, you know.

I mean, there is information they need from us and back and forth. It is a give and take—

Senator SARBANES. All right. Thank you.

Mr. WATSON [continuing]. But if something happens, it is rushed through.

The CHAIRMAN. Thank you. I ask your attention to these charts. They have refurnished this hearing room, so that we have cameras that I cannot see. And I hope they are focused on the two charts.<sup>3</sup>

Now, these charts show case after case of unsolved terrorist attacks, now, involving the Greek Government, suggesting that there is a toleration of terrorism.

Now, in your opinion, aside from those countries which are state sponsors of terrorism, is there any government having a worse track record than Greece in fighting terrorism?

And let me add that the State Department has proposed Greece for the pilot Visa Waiver Program. A visa waiver program would not give intelligence and law enforcement officers a chance to check the identity of people who want to enter the United States.

In light of what is on these charts here and given how easy it is apparently for terrorists and criminals to obtain phony passports, is it prudent to eliminate the visa requirement? So I want you to look at the charts and then respond to that question.

Mr. Sheehan.

Mr. SHEEHAN. Mr. Chairman, first of all, in terms of our annual report, we stated that Greece was the weakest link in Europe in our counterterrorism efforts. And I stand by that statement.

I have been to talk to officials in Greece, with our Ambassador there, Under Secretary Pickering has been there. We have had some very blunt conversations with members of that government and what we expect them to do. The bottom line is that they need to exert—they need to arrest, try and jail terrorists.

We have also given them a list of specific steps that we think they can take that would help move that process forward. They have begun to take some steps in that direction.

I think it is extraordinarily important in light of the recent killing of the British general in Athens that they redouble their efforts and make progress on that case, as well as many of the other outstanding cases that are pending.

In terms of the Visa Waiver Program, Mr. Chairman, prior to me coming onto this assignment, from what I understand there is a strict criteria of determining whether countries are eligible for the Visa Waiver Program.

In the case of Greece, they do not meet that criteria yet. And last time I talked to Ambassador Burns, he did not expect that they would meet that in the near term, in the next months.

It remains to be seen when and if they will meet that criteria. I think we will be very vigilant to ensure that they meet the strict criteria required before they are accepted into any Visa Waiver Program.

The CHAIRMAN. Very well.

Mr. Watson.

Mr. WATSON. Yes, sir. We have been working with the Greeks on 17 November as—with part of a task force since 1997. We have made some progress in that investigation, but it has been a slow process.

<sup>3</sup>The charts referred to by the Chairman begin on page 51.

Are the Greeks doing all they can, in the view of the FBI, to solve the 17N problem? We feel like we have made some progress there.

They do not do things as fast as we would normally want things to happen. The arrest of the individual that Senator Sarbanes talked about in December, we would have immediately followed up on some searches outside the country.

It took them awhile to get there. They eventually got there, requesting DNA and blood samples from the Germans—I mean, those types of things.

We have offered training. We have given them some training in aspect of that, but our task force continues. And we are going to continue to work on that, on the 17N problem, until we make some headway.

We have been frustrated by it. The government has changed. I have been over there. I have talked to Ambassador Burns and representatives of the government, as well as the Director of the FBI.

So it is a fine balance here. Should they get the Visa Waiver Program? I think there are restrictions there that need to be corrected.

I am not really, you know, into that arena, where I make a recommendation or not, but to say that we have not made any progress would not be accurate.

We have not made the kind of progress that probably you and Senator Sarbanes would like to see, but we are moving forward in that case.

The CHAIRMAN. Mr. Reynolds.

Mr. REYNOLDS. As you know, the Department of Justice and the FBI attempt to aggressively apply the extra-territorial jurisdiction, which Congress has given us.

There have been a number of crimes in Greece that would be subject to prosecution in the United States. To date, efforts with Greek authorities have not been sufficient to put us in a position to prosecute those cases.

We are endeavoring to do everything possible to improve our efforts with Greece. There is, as I am sure this committee knows, a Mutual Legal Assistance Treaty that was signed recently with Greece, which is pending ratification.

There is a draft police cooperation agreement with Greece that is in the hopper and that I would anticipate will be executed.

Concerning the Visa Waiver Program, there was a nomination by the State Department of Greece. From the law enforcement aspect of the Department of Justice, there has been some concern.

There was a visit led by INS to Greece to evaluate the situation, and at this point there has not been an agreement to include Greece in the Visa Waiver Program. So, at this point, it is an open matter that continues to be studied and awaits further input.

The CHAIRMAN. Senator.

Senator SARBANES. In fact, bringing Greece along to meet the criteria necessary for the Visa Waiver Program would accomplish some important steps in terms of security, would it not?

I understand one criteria was becoming a full member of the Schengen Agreement, full integration into the European Union's border security system. I think that has been done, as I understand

it. The other was a better control over the issuance of passports, which is an important question.

Now, it is done on a decentralized basis with very little control and certainly no centralized control. And I gather serious consideration is being given to centralizing that process, which would heighten, significantly, security with respect to passport issuances. Is that correct?

Mr. SHEEHAN. Yes. Jim, do you want to comment on that?

Mr. REYNOLDS. Yes, I believe you are correct; that the first of the two problems that was raised has now been resolved.

And the second issue, Senator, that you have articulated is an issue of continuing concern. And there will be an examination of the efforts by Greek authorities to correct that.

I do not mean to suggest to you that if that is corrected, that it is a foregone conclusion that Greece will be accepted into the program. There is a decisionmaking process. But this is a matter that is an open matter and is under consideration and review.

The CHAIRMAN. Mr. Reynolds, weeks ago, I wrote to the State Department requesting information and documents relating to Greece's meeting the criteria on the Visa Waiver Program.

A lot of the mail, directed to the State Department by both the House and the Senate, apparently falls in a black hole down there in Foggy Bottom.

I want somebody to answer that request of mine. And I saw Madeleine last night at a function, and I started to ask her then, but I thought that was not quite appropriate.

But would you folks make sure that I get that document?

Mr. SHEEHAN. I will, Mr. Chairman.<sup>4</sup>

The CHAIRMAN. OK.

Senator TORRICELLI. Mr. Chairman, could I ask about a different matter, if you or Senator Sarbanes were——

The CHAIRMAN. Certainly. Certainly. And I am through. And I do not know whether Paul is, but we——

Senator SARBANES. Yes, go on.

Senator TORRICELLI. I just needed a moment, if I could, on two other countries that are not involved——

The CHAIRMAN. Yes, sir. I am here for you.

Senator TORRICELLI. Mr. Secretary, in 1995 Pakistan handed over to American authorities someone that was very important in my State of New Jersey and to our neighbors in New York, and that was Mr. Yosef, who had been involved in the World Trade Center bombing.

In 1997, they turned over Mr. Kansi, who is responsible for shooting a CIA officer at the headquarters in Langley. Pakistan, in 1998, was cooperative. Indeed, they apprehended Mr. Oday who had been involved in the U.S. Embassy bombings in East Africa.

And last year, Mr. Aldeek, who was implicated in the East Africa bombings was arrested and turned over to Jordan, with the expectation he was to come to the United States.

Those are several of the largest terrorist incidents committed against the United States in the last decade. And Pakistan was co-

<sup>4</sup>The information was received by the committee and is retained in the committee files.

operative and instrumental in apprehending or extraditing people involved in each incident.

You can imagine the surprise, therefore, to find comments in the Commission's report—if I could quote it directly, "That Pakistan was not fully cooperative"—might have been the operational word—"in the fighting of terrorism."

It would not surprise me that few nations probably meet fully the standards that we would like and may not be cooperative in each instance as we would define them.

But this does not appear to be a good example of providing incentive and giving thanks to people who have helped us in what are several major incidents involving terrorism against the United States.

Would you respond to this apparent contradiction of the record with conclusions in the report?

Mr. SHEEHAN. I will answer that, Senator. First of all, you did—those that you mentioned are correct, and there are actually more that they have sent back to the United States.

I would make a few comments in that regard. First, I think it is actually indicative of the shift of the center of gravity of terrorism from Middle East to South Asia, that this is also indicative of.

Most of the problems that I face right now as Coordinator for Counterterrorism are increasingly coming out of south and central Asia.

And Pakistan is, in fact, a victim of terrorism as well. They have cooperated on specific cases of helping to provide extradition to people.

But let me say this also, Senator, that we have serious concerns with policies of the Government of Pakistan regarding their support for organizations involved in terrorism. And I have clearly outlined that in my annual report.

I also have problems with their very close relationship with the Taliban. I must say that although Iran remains the most active state sponsor of terrorism, which we said in our annual report, the area of concern I am most worried about in terms of the projection of terrorist threats to American shores and to American interests around the world comes from Afghanistan.

And Afghanistan is the key. We must drain that swamp of terrorists. And our cooperation with Pakistan is important in that regard.

Pakistan is a longstanding friend of the United States. I served in the United States military on two occasions with the Pakistani Army. It is an army I know well.

On the other hand, at the same time, some of the policies that Pakistan is pursuing, especially in regard to Afghanistan are of concern to the U.S. Government. We should have very frank conversations with them.

I think that the chief executive, Musharaf, increasingly understands the problem of terrorism emanating from Afghanistan. He hears it, not only from the United States, but from many of his neighbors.

He also understands that it threatens his own stability of Pakistan itself. So I think our policy in Pakistan needs to be very carefully nuanced.

They do cooperate with us on time. They are threatened by it. We want to help them address this threat that threatens them and us. And we are pushing them in several areas where they—we think they need to improve their policies.

Senator TORRICELLI. This goes to the heart of the fact that there is a contemporary problem with the use of the term “terrorism” and how it applies to policies.

The United States legitimately can have concern with another government having relationships with nations that do not meet acceptable levels of behavior and being involved in activities against other states.

Those are all legitimate concerns of the U.S. Government. But the primary level of concern should be actions taken against the United States or our people or our direct interest.

That is the first level of concern. And I am trying to differentiate. On that level of concern, in the World Trade Center bombing, the bombings of our embassies, the assassination of a CIA official, Pakistan has been cooperative.

I understand we disagree with their policies with Afghanistan, actions they have taken against India, groups that may be operating from their soils, and I understand you only have one report to issue, but my central point here is if we were issuing reports on whether they are cooperative in law enforcement on major cases involving the United States, I would express great gratitude for their cooperation.

Indeed, I have noticed you have said—and I will quote you—“Pakistan is a friendly country. They cooperate with us on terrorist issues.”

On a different level of relations with foreign governments and what the implications be, we may not necessarily give them the same grade. But it is that differentiation that I wanted to make.

And a second issue—and an issue I know that the chairman has addressed before—you have, in your own testimony here today, said that Iran is in a unique situation, that it could harbor and be responsible for more terrorist acts than any other state.

Mr. SHEEHAN. I stated that they are the most active state sponsor. That is the testimony of the Director of Central Intelligence, Mr. Tenant, and one that I agree with.

Senator TORRICELLI. It is, in my mind, a contradiction, that is it possible to commit illegitimate terrorist acts against a terrorist entity itself? I am actually not stating a conclusion. I am posing a question.

The Department has listed the People’s Mujahedeen as a terrorist group. More than 100 members of the House of Representatives, the majority of the U.S. Senate, in previous years, have actually asked the State Department to engage in dialog with the People’s Mujahedeen, saying it was better to communicate with them. They have the objective of overthrowing the Iranian Government.

Mr. SHEEHAN. That is correct.

Senator TORRICELLI. They engage in military operations against the Iranian Government.

And, again, I am not stating a conclusion, but I am posing a question. Can it be illegitimate, by definition, to engage in military acts against an illegitimate government that is the principal international sponsor of terrorists, or indeed, do people not have a right to engage in military actions—citing the preamble, indeed, of our Constitution and our own Declaration of Independence, do people not have a right and a responsibility to overthrow what is a terrorist government that is illegitimately founded?

And how, in citing these organizations, do you deal with this contradiction?

Mr. SHEEHAN. Senator, you ask a good question. It gets to the heart of an issue that is a very sensitive one for counterterrorism policy. And that is drawing a very fine line, but a clear line, between acts of war or insurgency, which are covered under the Geneva Conventions, and acts of terrorism, which we consider criminal.

One of the central tenants of our counterterrorism policy, which I alluded to earlier in remarks, the success that we have enjoyed over the last 20 years, the last several administrations, is depoliticizing acts of terrorism, criminalizing the act and focusing on that act, that assassination, that bombing, that killing of citizens and stripping away the political agenda of any group, because all terrorist groups wrap themselves in legitimate and sometimes not-so-legitimate causes.

In the case of the MEK, we have a very meticulous process that we review with all of the agencies in the counterterrorism community to review the acts of terrorism that they have been involved with, and because of those acts, not because of their policies regarding against the Iranian Government, or any other type of—even armed acts that they might take against them, but because they have been involved in terrorism, they have been put on the list of foreign terrorist organizations. And if they were to get—to not do terrorism, not being involved in terrorism for a period of the last 2 years, they would be dropped from that list.

It is a very careful criteria that we review. But I would say, Senator, that it is very important that all organizations, whatever their cause, not use terrorism as an instrument to pursue that.

Senator TORRICELLI. No one is promoting the use of terrorist acts. There is the problem of definition and the responsibility of a citizen of an illegitimate state that is committing terrorist acts against its own people. At what point does it become legitimate for them to take up arms. Something with which we are not unfamiliar in our own national experience.

Is it, by definition, possible for someone to have committed an illegitimate act against the National Socialist Government of Germany in the 1930's, or would any act against that government, by definition, have been legitimate? And the question if I were a citizen of Iran today, I believe an Iranian citizen has a responsibility to take action against the Iranian Government, given the abuse against their own people, the role they are playing in the world, the offense of the Iranian Government against the world. It is my belief that there is a responsibility to take action.

And I also only just note for the record, too, that if this is to be the policy of the U.S. Government, it requires consistency. What

the people of Mujahedeen are doing now may or may not be legitimate. It is a subject of legitimate debate.

But it is also not any different than they were doing 5 years ago when their representatives were entertained in the White House. They were meeting with U.S. Government officials, and the majority of the U.S. Congress was lending support and even suggesting funding.

The same people, same organizations, same acts, leading to the legitimate suspicion that perhaps they were redefined, not because what they were doing was a terrorist act, but because the administration was sending a signal, at their expense, to the Iranian Government of an accommodation or a reconciliation.

In this administration, it is the same type of gift that in Mr. Reagan's administration took the form of a birthday cake, and may have done so at enormous expense to their lives and their operations.

Much of what I have suggested may not have an answer. I am posing questions for you about which I may have mixed feelings myself.

But nevertheless, I presented them because I wanted you to think about them.

Mr. SHEEHAN. Thank you, Senator. If I could respond briefly, my office coordinates the designation of the foreign terrorist organizations. And there are a lot of sensitive political issues regarding many of the groups that are either on or off of that list. But I can assure you that I have never felt any pressure from anyone within my building or in the interagency community on who should or should not be on that list.

And quite frankly, I have no agenda, other than who is involved in terrorism. And I am not susceptible to pressures within any one—any part of our Government to that.

And in the case of the MEK, we thought they met the criteria. It was challenged in court. And it was upheld.

Senator TORRICELLI. Mr. Chairman, thank you.

Mr. WATSON. Senator, I would say that is a very good issue that you raised. It also raises a neutrality act and a violation of Federal law as to what is allowed or not allowed within the United States to go back to, you know, on a country that maybe they do not disagree with or agree with, so a very good issue. But it kicks in the neutrality act.

Senator TORRICELLI. Thank you.

The CHAIRMAN. It certainly is. Gentlemen, I regret that we have kept you here so long, but it has been a remarkable session. And I appreciate your coming and putting up with the delay and all the rest of it.

Now, you are probably going to get questions in writing from Senators who were not able to be here, and maybe some from me. And if you will respond to them as quickly as you can, I would appreciate it.

If there is no further business to come before the committee, we stand in recess. Thank you very much.

[Whereupon at 1:07 p.m., the hearing was adjourned.]

CHARTS REFERRED TO BY CHAIRMAN JESSE HELMS DURING  
TESTIMONY

ANTI-U.S. TERRORIST ACTS IN GREECE: 1975–2000 (1st qtr.)

Date	Target	Method	Claim	Status
2/25/00	Wackenhut Security Vehicle	Arson	Anarchist Faction for the Overthrow	Unsolved
2/16/00	Pfizer, Inc. Offices	Incendiary (IID)	Anti-Authority Erotic Cells	Unsolved
2/15/00	Wackenhut Security Jeep	Arson	Black Star	Unsolved
12/19/99	Texaco	Explosive (IED)	Revolutionary Nuclei	Unsolved
12/5/99	Nike	Incendiary	Friendship Society	Unsolved
11/19/99	Nording Ins.	Molotov	Friendship Society	Unsolved
11/18/99	DHL Van	Arson	No Claim	Unsolved
11/14/99	Ford	IED	No Claim	Unsolved
11/7/99	Levi Strauss	Bomb	Anti-Capitalist Action	Unsolved
11/7/99	Hellenic-American Union	Shooting	No Claim	Unsolved
11/5/99	Nike	IED, defused	No Claim	Unsolved
10/4/99	McDonald's	Molotov	Friendship Society	Unsolved
5/31/99	McDonald's	Arson	None	Unsolved
5/9/99	American Express	Shooting	Red Line	Unsolved
5/5/99	Chase Manhattan	Rocket	17N	Unsolved
4/26/99	Fulbright Offices	Arson	Rigas Feraios	Unsolved
4/15/99	GM car dealership	Arson	Enraged Anarchists	Unsolved
4/1/99	U.S. Consulate	Firebombing	None	Solved
3/28/99	Citibank	Bomb	None	Unsolved
3/28/99	Apple Computer Corp. Distributor	Bomb	None	Unsolved
3/22/99	Citibank	Bomb	None	Unsolved
3/21/99	Citibank	Bomb	None	Unsolved
1/3/99	New York College	Bomb	None	Unsolved
11/17/98	Citibank Office	Firebombs	None	Unsolved
4/7/98	Citibank Office	Rocket	17N	Unsolved
3/12/98	Chrysler/Jeep Dealership	Bomb	17N	Unsolved
3/12/98	GM/Opel Dealership	Bomb	17N	Unsolved
2/19/98	Detroit Motors Dealership	Bomb	17N	Unsolved
2/3/98	McDonald's Restaurant	Bomb	17N	Unsolved
2/3/98	McDonald's Restaurant	Bomb	17N	Unsolved
1/26/98	Hewlett Packard Office	Firebombs (2)	Revolutionary Subversive Faction— Commando Unabomber	Unsolved
1/22/98	Apple Computer Corp. Vehicle	Arson	None	Unsolved
12/8/97	American Express Office	Bomb	None	Unsolved
12/26/96	Citibank Office	Firebombing	Nuclei of Revolutionary Violence	Unsolved
12/19/96	Citibank Office	Bomb	None	Unsolved
5/28/96	IBM Office	Bomb	Nihilist Faction	Unsolved
2/15/96	U.S. Embassy	Rocket	17N	Unsolved
8/10/95	American Express Office	Bomb	Anti-Establishment Nuclei	Unsolved
8/8/95	Apple Computer Corp. Van	Arson	Class War Group	Unsolved
8/4/95	Citibank Office	Bomb	Anti-Establishment Nuclei	Unsolved
5/18/94	IBM Office	Rocket	17N	Unsolved
4/11/94	American Life Insurance Co. (ALICO)	Rocket	17N	Unsolved
7/21/91	American Express Office	Molotov	None	Unsolved
4/1/91	Citibank Office	Bomb	ELA/1 May	Unsolved
4/1/91	Citibank Office	Bomb	ELA/1 May	Unsolved
3/12/91	USAF Sgt. Stewart (Murdered)	Bomb	17N	Unsolved
2/6/91	Citibank Office	Bomb	17N	Unsolved
2/4/91	Citibank Office	Bomb	Unknown	Unsolved
1/28/91	American Express Office	Rocket	17N	Unsolved
1/25/91	Citibank Office	Bomb	17N	Unsolved
1/25/91	Citibank Office	Bomb	17N	Unsolved
6/10/90	Proctor Gamble Office	Rocket	17N	Unsolved
5/28/90	Hilton Hotel	Bomb	People's Rage	Unsolved
10/23/89	USG Vehicles (3)	Bombs	ELA	Unsolved
10/22/89	USG Vehicle	Bomb	ELA	Unsolved
6/28/88	USN Capt. Nordeen (Murdered)	Bomb	17N	Unsolved
3/19/88	Oscar's Pub	Bomb	People's Revolutionary Solidarity/ Carlos	Unsolved

## ANTI-U.S. TERRORIST ACTS IN GREECE: 1975–2000 (1st qtr.)—Continued

Date	Target	Method	Claim	Status
1/21/88	DEA Agt. Carros (Targeted)	Bomb	17N	Unsolved
6/3/87	U.S. Emb. Officer Residence	Shooting	None	Unsolved
9/27/87	U.S. Commissary	Bomb	ELA	Unsolved
8/10/87	U.S. Military Bus	Bomb	17N	Unsolved
4/29/87	Union Carbide	Bomb	ELA	Unsolved
4/24/87	U.S. Military Bus	Bomb	17N	Unsolved
8/11/88	Citibank Office	Molotov	ELA	Unsolved
3/26/86	USG Vehicles (2)	Firebombing	Political Initiative Group	Unsolved
3/22/86	Truman Statue	Bomb	ELA/Kassimis	Unsolved
3/18/86	Hellenic American Union Office	Bomb	ELA	Unsolved
1/30/86	Shell Oil Co. Offices	Bomb	None	Unsolved
9/13/85	Citibank Offices	Bomb	ELA/Kassimis	Unsolved
9/13/85	USG Vehicle	Bomb	ELA/Kassimis	Unsolved
7/1/85	Apollon Palace Hotel	Bomb	ELA/Anti-Imperialists Anti-American Struggle	Unsolved
5/10/85	Citibank Office	Bomb	None	Unsolved
2/2/85	Bobby's Bar	Bomb	ELA/Carlos	Unsolved
11/15/83	USN Capt. Isantes (Murdered)	Shooting	17N	Unsolved
11/15/83	U.S. Embassy Employee Veloutsos (Murdered)	Shooting	17N	Unsolved
1/15/83	USG Vehicle	Firebombing	None	Unsolved
10/21/82	Hellenic American Union Office	Firebombing	Autonomous Resistance	Unsolved
7/2/82	American Express Office	Bomb	ELA	Unsolved
7/2/82	Chase Manhattan Office	Bomb	ELA	Unsolved
6/20/82	USG Vehicle	Bomb	ELA	Unsolved
6/2/82	Honeywell Corp. Office	Bomb	ELA	Unsolved
6/2/82	USG Vehicle	Bomb	ELA	Unsolved
5/21/82	USAF Base	Bomb	ELA	Unsolved
4/30/82	American Express Office	Bomb	ELA	Unsolved
4/27/82	U.S. Embassy Vehicle	Arson Attack	ELA	Unsolved
4/26/82	American College	Bomb	People's Struggle	Unsolved
4/26/82	IBM Office	Bomb	ELA	Unsolved
4/2/82	U.S. Ambassador's Residence	Bomb	Revolutionary Popular Struggle	Unsolved
4/1/82	U.S. Ambassador's Residence	Bomb	ELA	Unsolved
3/22/82	USG Vehicle	Bomb	None	Unsolved
3/19/82	USG Vehicles (2)	Bombs	ELA	Unsolved
3/19/82	American School	Arson	None	Unsolved
3/16/82	Citibank Office	Bomb	Revolutionary Organization Aris	Unsolved
3/16/82	Citibank Office	Bomb	Revolutionary Organization Aris	Unsolved
5/24/81	U.S. NCO Vehicle	Bomb	None	Unsolved
5/5/81	USG Vehicle	Bomb	ELA	Unsolved
5/4/81	U.S. Embassy Vehicle	Bomb	ELA	Unsolved
4/16/81	USG Vehicles (6)	Firebombings	Revolutionary Left	Unsolved
4/12/81	USG Vehicle	Firebombing	20 October	Unsolved
4/3/81	USG Vehicles (6)	Firebombings	Revolutionary Left	Unsolved
11/17/80	U.S. Consulate	Bomb	None	Unsolved
9/16/80	USG Vehicles (4)	Firebombings	Revolutionary Left	Unsolved
9/16/80	USG Vehicles (3)	Firebombings	None	Unsolved
5/24/79	USG Vehicle	Firebombing	Popular Fighting Front	Unsolved
11/22/78	American Legion Club	Bomb	None	Unsolved
11/18/78	Coca Cola Truck	Bomb	ELA	Unsolved
11/18/78	Coca Cola Truck	Bomb	None	Unsolved
6/7/78	USG Vehicle	Firebombing	None	Unsolved
5/22/78	USG Vehicle	Firebombing	ELA	Unsolved
5/3/78	USG Vehicle	Arson	None	Unsolved
4/28/78	USG Vehicle	Arson	None	Unsolved
4/18/78	USG Vehicle	Arson	None	Unsolved
3/11/78	USG Vehicle	Firebombing	None	Unsolved
2/18/78	USG Vehicle	Arson	None	Unsolved
1/22/78	USG Vehicle	Firebombing	None	Unsolved
1/21/78	United States Information Agency (USIA) Office	Bomb	ELA	Unsolved
1/21/78	American Express Office	Bomb	ELA	Unsolved
1/9/78	USG Vehicles (2)	Firebombings	None	Unsolved

## ANTI-U.S. TERRORIST ACTS IN GREECE: 1975–2000 (1st qtr.)—Continued

Date	Target	Method	Claim	Status
12/27/77	U.S. Embassy	Bomb	National Socialists Organization of the Pan Hellenes	Unsolved
10/9/77	U.S. NCO Club	Bomb	ELA	Unsolved
10/8/77	USG Vehicle	Firebombing	None	Unsolved
9/19/77	USG Vehicle	Firebombing	None	Unsolved
9/10/77	USG Vehicle	Firebombing	None	Unsolved
7/30/77	USG Vehicles (5)	Bombs	None	Unsolved
7/14/77	American Express Office	Arson	ELA	Unsolved
7/14/77	American Express Office	Arson	ELA	Unsolved
7/14/77	USG Vehicle	Molotov	None	Unsolved
7/14/77	U.S. Commissary	Bomb	ELA	Unsolved
5/21/77	USG Vehicle	Firebombing	None	Unsolved
5/11/77	USG Vehicle	Firebombing	None	Unsolved
4/23/77	USG Vehicles (4)	Firebombings	None	Unsolved
4/13/77	USG Vehicles (13)	Firebombings	None	Unsolved
11/13/76	USG Vehicle	Bomb	None	Unsolved
11/13/76	U.S. Commissary	Arson	None	Unsolved
11/13/76	USG Vehicle	Bomb	None	Unsolved
11/13/76	Coca Cola Truck	Firebombing	None	Unsolved
9/9/76	USG Vehicle	Bomb	None	Unsolved
4/21/76	American Express Office	Arson	ELA	Unsolved
4/10/76	USG Vehicles (3)	Bombs	None	Unsolved
4/3/76	American Express Office	Bomb	None	Unsolved
2/27/76	American Express Office	Arson	ELA	Unsolved
2/27/76	Chase Manhattan Office	Bomb	ELA	Unsolved
2/12/76	USG Vehicle	Firebombing	None	Unsolved
12/23/75	CIA COS Richard Welch (Murdered)	Shooting	17N	Unsolved
12/15/75	USAF Officer's Vehicle	Arson	None	Unsolved
11/10/75	U.S. Commissary	Bomb	ELA	Unsolved
10/19/75	USG Vehicle	Firebombing	None	Unsolved
10/18/75	USG Vehicle	Firebombing	None	Unsolved

Last updated 4/12/2000.

## GREEK TERRORIST/ANARCHIST ATTACKS ON EUROPEAN TARGETS: 1990–2000 (1st qtr.)

Date	Target	Nationality	Method of Attack	Claim	Case Status
4/5/00	Miele Company	German	Incendiary (IID)	Anti-War Cells	Unsolved
3/29/00	Embassy Vehicles	German	Incendiary	Ovethrow Anarchist Faction	Unsolved
2/17/00	Military Facilities	NATO	Demonstrators	KKE	Unsolved
2/16/00	Military Facilities	NATO	Demonstrators	KKE	Unsolved
1/23/00	Embassy Vehicle	Italian	Incendiary	November 19 Anarchist Faction	Unsolved
1/23/00	School Bus	German	Incendiary	Street Revolutionaries	Unsolved
12/6/99	Official Vehicle	EU	Incendiary	No Claim	Unsolved
11/17/99	German Cultural Center	German	Vandalism	Demonstrators	Unsolved
11/17/99	Bank of Cyprus	Cypriot	Vandalism	Demonstrators	Unsolved
11/4/99	Renault	French	Incendiary	Anti State Action	Unsolved
9/14/99	Official Vehicle	Albanian	Arson	Popular Revolutionary Front	Unsolved
9/14/99	Official Vehicles (3)	Russian	Arson	Popular Revolutionary Front	Unsolved
7/14/99	Embassy Vehicle	Cypriot	Arson	No Claim	Unsolved
7/11/99	Embassy Vehicle	Albanian	Arson	No Claim	Unsolved
5/22/99	Nederlande Insurance	Dutch	Shooting	Red Line	Unsolved
5/20/99	Embassy Commercial Building	Austrian	Arson	Black Star	Unsolved
5/16/99	Ambassador's Residence	German	Rocket	17N	Unsolved
5/7/99	Ambassador's Residence	Dutch	Bomb	17N	Unsolved
5/5/99	British Midland Bank	British	Rocket	17N	Unsolved
5/5/99	BNP Bank	French	Rocket	17N	Unsolved
4/27/99	Intercontinental Hotel	British	Bomb	Revolutionary Nuclei	Unsolved
4/24/99	Office	UN	Shooting	Red Line	Unsolved

GREEK TERRORIST/ANARCHIST ATTACKS ON EUROPEAN TARGETS: 1990–2000 (1st qtr.)—  
Continued

Date	Target	Nationality	Method of Attack	Claim	Case Status
4/4/99	Embassy Building	Italian	Vandalism	Demonstrators	Unsolved
4/4/99	Offices	EU	Vandalism	Demonstrators	Unsolved
4/4/99	Military Facilities	NATO	Vandalism	Demonstrators	Unsolved
4/4/99	Embassy Building	French	Molotov	Demonstrators	Unsolved
4/4/99	Embassy Building	British	Vandalism	Demonstrators	Unsolved
3/26/99	Ambassador's Residence	British	Vandalism	Demonstrators	Unsolved
2/8/99	Consulate	Turkish	Bomb	Hawks of Thrace	Unsolved
12/29/98	Barclay's Bank Bldg.	British	Bomb	Revolutionary Nuclei	Unsolved
10/24/98	Mercedes Car Dealership	German	Vandalism	No Claim	Unsolved
9/15/98	British Consul In Thessaloniki	British	Bomb	No Claim	Unsolved
8/27/98	Banque Nationale de Paris	French	Arson	No Claim	Unsolved
7/27/98	Fiat Dealership (12 cars)	Italian	Arson	Arsonists of Social Consensus	Unsolved
6/9/98	Private School Bus	German/ Greek	Arson	Cells of Proletarian Resistance	Unsolved
5/31/98	Embassy Vehicle	French	Arson	Arsonists of Conscience	Unsolved
5/21/98	Barclay's Bank	British	Arson	Autonomous Cells of Rebel Action	Unsolved
5/16/98	Diplomatic Vehicle	Turkish	Arson	Arsonists of Conscience	Unsolved
5/16/98	European Union Offices	EU	Arson	Arsonists of Conscience	Unsolved
5/3/98	Diplomatic Vehicle	Hungarian	Arson	Arsonists of Conscience	Unsolved
5/3/98	Diplomatic Vehicle	Yugoslav	Arson	Arsonists of Conscience	Unsolved
3/30/98	Institute Vehicle	French	Arson	No Claim	Unsolved
3/29/98	Military Attache's Vehicle	Turkish	Arson	Arsonists of Conscience	Unsolved
3/22/98	Official Vehicle	Cypriot	Arson	Arsonists of Conscience	Unsolved
12/16/97	Embassy Vehicle	French	Arson	No Claim	Unsolved
11/30/97	Embassy Vehicle	Italian	Arson	No Claim	Unsolved
11/16/97	Student Union Building	Cypriot	Arson	Anti-Fascist Action Group	Unsolved
11/12/97	Embassy Vehicle	French	Arson	Children of November	Unsolved
10/25/97	German Archaeological Inst.	German	Arson	Anti-Sovereignty Struggle	Unsolved
10/19/97	Alitalia	Italian	Bomb	International Revolutionary Struggle	Unsolved
6/15/97	Embassy Courtyard	Austrian	Molotov	No Claim	Unsolved
4/15/97	Lancia Dealership	Italian	Bomb	Fighting Guerrilla Formation	Unsolved
4/4/97	Alitalia Offices	Italian	Bomb	Fighting Guerrilla Formation	Unsolved
11/15/96	Embassy Vehicle	Dutch	Bomb	Revolutionary Front	Unsolved
1/23/96	School Bus	German	Arson	No Claim	Unsolved
11/22/95	Barclay's Bank	British	Bombs	No Claim	Unsolved
7/11/94	Insurance Company	German	Bomb	ELA	Unsolved
7/4/94	Deputy Chief of Mission	Turkish	Shooting	17N	Unsolved
6/24/94	European Union Office	EU	Bomb	ELA	Unsolved
6/7/94	Embassy	Belgian	Bomb	ELA	Unsolved
5/23/94	Miele Company	German	Molotov	No Claim	Unsolved
5/13/94	Vehicle	Albanian	Arson	No Claim	Unsolved
4/24/94	UNHCR Office	UN	Bomb	ELA/1 May	Unsolved
4/21/94	Van	German	Bomb	In Solidarity with Kurds	Unsolved
4/20/94	Diplomatic Vehicle	Swedish	Bomb	Red Devils	Unsolved
4/17/94	Diplomatic Vehicle	Dutch	Bomb	ELA/1 May	Unsolved
4/17/94	Institute Vehicles (3)	French	Bombs	ELA/1 May	Unsolved
4/12/94	Netherlands Insurance Co.	Dutch	Bomb	17N	Unsolved
4/11/94	HMS Ark Royal	British	Rockets	17N	Unsolved
3/16/94	European Union Offices	EU	Bomb	ELA	Unsolved
3/16/94	Language Institute	French	Bomb	ELA	Unsolved
2/3/94	Goethe Institute	German	Bomb	ELA	Unsolved
3/17/92	European Community (2 cars)	EC	Bombs	ELA	Unsolved
1/2/92	Miele Company Store	German	Bomb	People's Uprising	Unsolved
1/12/92	AEG Company	German	Bomb	People's Uprising	Unsolved
10/7/91	Diplomat	Turkish	Shooting	17N	Unsolved
7/17/91	Lufthansa Office	German	Bomb	People's Uprising	Unsolved
7/16/91	Diplomats (4)	Turkish	Bomb	17N	Unsolved
5/31/91	Lowenbrau Brewery	German	Rocket	17N	Unsolved
5/7/91	Siemens Company Office	German	Rocket	17N	Unsolved
4/3/91	UN Office	UN	Bomb	ELA/1 May	Unsolved
2/7/91	Foreign Service Vehicle	French	Bomb	17N	Unsolved
2/6/91	Diplomatic Vehicles	French	Bomb	17N	Unsolved

GREEK TERRORIST/ANARCHIST ATTACKS ON EUROPEAN TARGETS: 1990–2000 (1st qtr.)—  
Continued

Date	Target	Nationality	Method of Attack	Claim	Case Status
1/29/91	British Petroleum (BP) Offices	British	Rocket	17N	Unsolved
1/25/91	Attache's Vehicle	French	Bomb	17N	Unsolved
1/25/91	Barclay's Bank Office	British	Bomb	17N	Unsolved
12/16/90	European Community Offices	EEC	Rocket	17N	Unsolved
3/27/90	Diplomatic Vehicles	Czech	Bomb	Social Resistance	Unsolved
3/27/90	Diplomatic Vehicles	Hungarian	Bomb	Social Resistance	Unsolved
3/27/90	Diplomatic Vehicles	Soviet	Bomb	Social Resistance	Unsolved

Last update 4/12/2000.

[From the Washington Times, Sunday, June 11, 2000]

#### TACKLING TERRORISM

(By Oliver North)

William the Tourist was hardly down the gangway of Air Force One following his 40th "Excellent Overseas Adventure" when the National Commission on Terrorism handed him his report card on combating terrorism. He flunked.

The bipartisan commission was mandated by Congress in the aftermath of the almost simultaneous bombings of the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, in October 1998. Widely believed to be the handiwork of al-Qaida, Saudi exile Osama bin Laden's group, these attacks killed 220 and wounded more than 4,000.

In six months of unusually hard work for any group convened in Washington, the commissions six Republicans and four Democrats, and their 11-person staff, conducted more than 135 interviews—including meetings with Canadian, French, Israeli, Jordanian, Polish and British officials. Their 64 page report is replete with ominous warnings: "Terrorists attack American targets more than those of any other country." "Terrorist attacks are becoming more lethal." And, unlike the threat 10 years ago, "today's terrorists seek to inflict mass casualties." Unfortunately, the commission also found that when it came to carrying out a coherent counter-terrorism strategy, the Clinton administration wasn't up to the task: "Significant aspects of implementation are seriously deficient."

It's no surprise that responsible people find the incumbent regime to be "seriously deficient." What is surprising—and perhaps the consequence of publishing a "consensus report"—is how the commission ignores certain terrorist threats and fails to address the glaring errors of the Clinton administration's feeble responses to bloody terrorist attacks that have killed scores of Americans. Likewise, the tenor of some of the commission's 37 recommendations leads one to hope that the current White House will leave the implementation to more competent successors.

For example, the report details continuing Syrian and Iranian complicity in international terrorism—and makes a cogent case that the Clinton administration's ill-advised efforts to lift sanctions against Damascus and Tehran ought to be abandoned. But the report also includes at least four narco-terrorist groups on the list of foreign terrorist organizations, yet the commissioners make no recommendation regarding sanctions against Cuba, Haiti or Mexico for providing sanctuary and money-laundering services to these groups.

The commission mandate was to review the "policies and practices for preventing and punishing international terrorism, [to] assess their effectiveness and recommend changes." But the report is mute on the wisdom or efficacy of firing dozens of expensive cruise missiles into tent camps in Afghanistan and pharmaceutical plants in the Sudan as a means of "punishing" terrorists.

Curiously, the report recommends sanctions against Greece and Pakistan for "not cooperating fully" with U.S. counter-terrorism efforts. But if that standard is to be applied, there is a long list of other nations that would earn the citation—China, Lebanon and Algeria, to name a few.

Hopefully, Congress will reject as totally unacceptable proposals on page 40 of the report that the executive branch "develop and adapt detailed contingency plans that would transfer lead federal agency authority to the Department of Defense if nec-

essary during a catastrophic terrorist attack or prior to imminent attack.” Required reading: The Constitution and the provisions of posse comitatus, which state that the military may not be used for domestic law enforcement.

Interestingly, some of the most sensible recommendations have raised the greatest ire from those who have read the report. The commissioners are properly critical of Clinton-imposed restrictions on the CIA recruitment of informants and sources who may have unsavory backgrounds, and urge a return to pre-1995 criteria. Before President Clinton, it was recognized that we are unlikely to learn about impending terrorist attacks from those in the ministry.

And on one of the recommendations, a personal note. The commissioners urge the U.S. government to keep closer tabs on the activities of foreign students in the United States. This proposal has earned scorn from all of the usual suspects despite the observation that one of the bombers in the February 1993 attack on the World Trade Center that killed six and wounded more than 1,000 Americans entered the United States on a student visa—and then disappeared. But that’s not the only example of “foreign student terrorism” on U.S. soil. In February 1987, Moammar Gadhafi ordered his thugs to carry out a threat made against me in 1986. Thankfully, the FBI intercepted the well-armed perpetrators on the way to our home and my family and I were sequestered for a time on a military base. The orders from Tripoli were delivered to a terrorist cell in Virginia—at the offices of the People’s Committee for Libyan Students.

And since we’re getting personal, one more thing. Next week, when William the Impeached sits down for another Oval Office seance with his pal Yasser Arafat, he ought to hand him a copy of the Terrorism Commission’s report and ask when the Palestinian Authority will hand over Abul Abbas, the mastermind of the Achille Lauro hijacking—and the murderer of U.S. citizen Leon Klinghoffer.

