

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D. C. 20503

10/12/84

ENROLLED BILL REQUEST

In accordance with OMB Circular No. A-19, your written views and recommendation for Presidential action are requested on the following enrolled bill(s) (facsimile(s) attached):

H. R. 6311

Please consult section 10 of OMB Circular A-19, pages 12-14, for instructions regarding the preparation of enrolled bill letters and the procedures to be followed on enrolled bills.

Within TWO DAYS (including holidays but excluding Sundays) after receipt of this request, your reply (original and one copy) should be delivered VIA SPECIAL MESSENGER to Mrs. Julia Yuille, Room 7201, New Executive Office Building.

Your cooperation in meeting this deadline is needed to provide maximum time for Presidential action on the enrolled bill(s).

James M. Frey
Assistant Director for
Legislative Reference

ATTENTION:

CIA

Chrono

*OLL
84-3862*

STAT

H. R. 6311

Ninety-eighth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-third day of January,
one thousand nine hundred and eighty-four*

An Act

To combat international terrorism.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

SHORT TITLE

SECTION 1. This Act may be cited as the "1984 Act to Combat
International Terrorism".

TITLE I—REWARDS FOR INFORMATION ON INTERNATIONAL TERRORISM

AUTHORITY OF THE ATTORNEY GENERAL

SEC. 101. (a) Title 18 of the United States Code is amended by
adding the following new chapter after chapter 203:

"CHAPTER 204—REWARDS FOR INFORMATION CONCERNING TERRORIST ACTS

"Sec.

"3071. Information for which rewards authorized.

"3072. Determination of entitlement; maximum amount; Presidential approval; con-
clusiveness.

"3073. Protection of identity.

"3074. Exception of governmental officials.

"3075. Authorization for appropriations.

"3076. Eligibility for witness security program.

"3077. Definitions.

"§ 3071. Information for which rewards authorized

"With respect to acts of terrorism primarily within the territorial
jurisdiction of the United States, the Attorney General may reward
any individual who furnishes information—

"(1) leading to the arrest or conviction, in any country, of any
individual or individuals for the commission of an act of terror-
ism against a United States person or United States property;
or

"(2) leading to the arrest or conviction, in any country, of any
individual or individuals for conspiring or attempting to commit
an act of terrorism against a United States person or property;
or

"(3) leading to the prevention, frustration, or favorable resolu-
tion of an act of terrorism against a United States person or
property.

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“§ 3072. Determination of entitlement; maximum amount; Presidential approval; conclusiveness

“The Attorney General shall determine whether an individual furnishing information described in section 3071 is entitled to a reward and the amount to be paid. A reward under this section may be in an amount not to exceed \$500,000. A reward of \$100,000 or more may not be made without the approval of the President or the Attorney General personally. A determination made by the Attorney General or the President under this chapter shall be final and conclusive, and no court shall have power or jurisdiction to review it.

“§ 3073. Protection of identity

“Any reward granted under this chapter shall be certified for payment by the Attorney General. If it is determined that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Attorney General may take such measures in connection with the payment of the reward as deemed necessary to effect such protection.

“§ 3074. Exception of governmental officials

“No officer or employee of any governmental entity who, while in the performance of his or her official duties, furnishes the information described in section 3071 shall be eligible for any monetary reward under this chapter.

“§ 3075. Authorization for appropriations

“There are authorized to be appropriated, without fiscal year limitation, \$5,000,000 for the purpose of this chapter.

“§ 3076. Eligibility for witness security program

“Any individual (and the immediate family of such individual) who furnishes information which would justify a reward by the Attorney General under this chapter or by the Secretary of State under section 36 of the State Department Basic Authorities Act of 1956 may, in the discretion of the Attorney General, participate in the Attorney General's witness security program authorized under title V of the Organized Crime Control Act of 1970.

“§ 3077. Definitions

“As used in this chapter, the term—

“(1) ‘act of terrorism’ means an activity that—

“(A) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; and

“(B) appears to be intended—

“(i) to intimidate or coerce a civilian population;

“(ii) to influence the policy of a government by intimidation or coercion; or

“(iii) to affect the conduct of a government by assassination or kidnaping.

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“(A) a national of the United States as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

“(B) an alien lawfully admitted for permanent residence in the United States as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

“(C) any person within the United States;

“(D) any employee or contractor of the United States Government, regardless of nationality, who is the victim or intended victim of an act of terrorism by virtue of that employment;

“(E) a sole proprietorship, partnership, company, or association composed principally of nationals or permanent resident aliens of the United States; and

“(F) a corporation organized under the laws of the United States, any State, the District of Columbia, or any territory or possession of the United States, and a foreign subsidiary of such corporation.

“(3) ‘United States property’ means any real or personal property which is within the United States or, if outside the United States, the actual or beneficial ownership of which rests in a United States person or any Federal or State governmental entity of the United States.

“(4) ‘United States’—

“(A) when used in a geographical sense, includes Puerto Rico and all territories and possessions of the United States; and

“(B) when used in the context of section 3073 shall have the meaning given to it in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

“(5) ‘State’ includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other possession or territory of the United States.

“(6) ‘government entity’ includes the Government of the United States, any State or political subdivision thereof, any foreign country, and any state, provincial, municipal, or other political subdivision of a foreign country.

“(7) ‘Attorney General’ means the Attorney General of the United States or that official designated by the Attorney General to perform the Attorney General’s responsibilities under this chapter.”.

(b) The chapter analysis of part II of title 18, United States Code, is amended by adding after the item relating to chapter 203 the following new item:

“204. Rewards for information concerning terrorists acts..... 3071”.

AUTHORITY OF THE SECRETARY OF STATE

SEC. 102. The State Department Basic Authorities Act of 1956 is amended by redesignating existing section 36 as section 37 and by inserting the following new section 36 after section 35:

“Sec. 36. (a) The Secretary of State may pay a reward to any individual who furnishes information—

“(1) leading to the arrest or conviction, in any country, of any individual for the commission of an act of international terrorism, or

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“(2) leading to the arrest or conviction, in any country, of any individual for conspiring or attempting to commit an act of international terrorism, or

“(3) leading to the prevention, frustration, or favorable resolution of an act of international terrorism, if the act of international terrorism is against a United States person or United States property and is primarily outside the territorial jurisdiction of the United States.

“(b) A reward under this section may not exceed \$500,000. A reward of \$100,000 or more may not be made without the approval of the President or the Secretary of State personally.

“(c) Before making a reward under this section in a matter over which there is Federal criminal jurisdiction, the Secretary of State shall advise and consult with the Attorney General.

“(d) Any reward granted under this section shall be certified for payment by the Secretary of State. If the Secretary determines that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Secretary may take such measures in connection with the payment of the reward as he deems necessary to effect such protection.

“(e) An officer or employee of any governmental entity who, while in the performance of his or her official duties, furnishes information described in subsection (a) shall not be eligible for a reward under this section.

“(f) There are authorized to be appropriated, without fiscal year limitation, \$5,000,000 for use in paying rewards under this section. Additional funds to pay rewards under this section shall be authorized to be appropriated in the annual authorizing legislation for the Department of State.”.

TITLE II—INTERNATIONAL COOPERATION

INCREASING INTERNATIONAL COOPERATION TO COMBAT TERRORISM

SEC. 201. (a) The President is urged to seek more effective international cooperation in combatting international terrorism, including—

(1) severe punishment for acts of terrorism which endanger the lives of diplomatic staff, military personnel, other government personnel, or private citizens; and

(2) extradition of all terrorists and their accomplices to the country where the terrorist incident occurred or whose citizens were victims of the incident.

(b) High priority should also be given to negotiations leading to the establishment of a permanent international working group which would combat international terrorism by—

(1) promoting international cooperation among countries;

(2) developing new methods, procedures, and standards to combat international terrorism;

(3) negotiating agreements for exchanges of information and intelligence and for technical assistance; and

(4) examining the use of diplomatic immunity and diplomatic facilities to further international terrorism.

This working group should have subgroups on appropriate matters, including law enforcement and crisis management.

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**TITLE III—SECURITY OF UNITED STATES MISSIONS
ABROAD**

ADVISORY PANEL ON SECURITY OF UNITED STATES MISSIONS ABROAD

SEC. 301. In light of continued terrorist incidents and given the ever increasing threat of international terrorism directed at United States missions and diplomatic personnel abroad, the Congress believes that it is imperative that the Department of State review its approach to providing security against international terrorism. Not later than February 1, 1985, the Secretary of State shall report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the findings and recommendations of the Advisory Panel on Security of United States Missions Abroad.

SECURITY ENHANCEMENT AT UNITED STATES MISSIONS ABROAD

SEC. 302. (a) In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated, without fiscal year limitation—

(1) \$350,963,000 for the Department of State for "Administration of Foreign Affairs", and

(2) \$5,315,000 for the United States Information Agency, which amounts shall be for security enhancement at United States missions abroad.

(b) Not later than February 1, 1985, the Secretary of State and the Director of the United States Information Agency shall each report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on how their respective agencies have allocated the funds authorized to be appropriated by this section.

STATE DEPARTMENT BASIC AUTHORITIES

SEC. 303. (a) Section 2 of the State Department Basic Authorities Act of 1956 is amended—

(1) in paragraph (c)—

(A) by striking out "aliens" and inserting in lieu thereof "individuals or organizations", and

(B) by inserting immediately before the semicolon at the end of the paragraph ", and individuals employed by contract to perform such services shall not by virtue of such employment be considered to be employees of the United States Government"; and

(2) by striking out "and" at the end of paragraph (e), by striking out the period at the end of paragraph (f) and inserting in lieu thereof a semicolon, and by adding at the end of the section the following new paragraphs:

"(g) obtain services as authorized by section 3109 of title 5, United States Code, at a rate not to exceed the maximum rate payable for GS-18 under section 5332 of such title 5; and

"(h) directly procure goods and services in the United States or abroad, solely for use by United States Foreign Service posts abroad when the Secretary of State, in accordance with guidelines established in consultation with the Administrator of General Services, determines that use of the Federal Supply

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quisition authority would not meet emergency overseas security requirements determined necessary by the Secretary, taking into account overseas delivery, installation, maintenance, or replacement requirements, except that the authority granted by this paragraph shall cease to be effective when the amendment made by section 2711 of the Competition in Contracting Act of 1984 takes effect and thereafter procurement by the Secretary of State for the purposes described in this paragraph shall be in accordance with section 303(c)(2) of the Federal Property and Administrative Services Act of 1949."

(b) Section 11 of such Act is amended to read as follows:

"SEC. 11. Notwithstanding section 1344(a) of title 31, United States Code, the Deputy Secretary of State is authorized to use Government-owned vehicles for security purposes for travel between his or her residence and places where official functions are performed."

(c) Section 32 of such Act is amended by adding at the end thereof the following new sentence: "The authorities available to the Secretary of State under this section with respect to the Department of State shall be available to the Director of the United States Information Agency and the Director of the United States International Development Cooperation Agency with respect to their respective agencies, except that the authority of clause (2) shall be available with respect to those agencies only in the case of members of the Foreign Service and employees of the agency who are performing security-related functions abroad."

DANGER PAY

SEC. 304. In recognition of the current epidemic of worldwide terrorist activity and the courage and sacrifice of employees of United States agencies overseas, civilian as well as military, it is the sense of Congress that the provisions of section 5928 of title 5, United States Code, relating to the payment of danger pay allowance, should be more extensively utilized at United States missions abroad.

Thomas B. O'Neill
Speaker of the House of Representatives.

Strom Thurmond

Vice President of the United States and
President of the Senate.