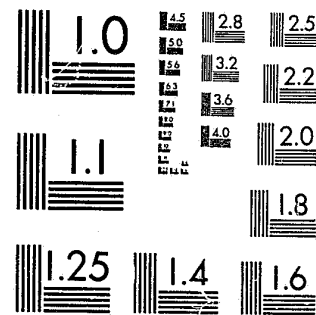


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Department of Justice

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SATURDAY, OCTOBER 13, 198

ADDRESS

OF

THE HONORABLE WILLIAM FRENCH SMITH
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE

THE ANTI-DEFAMATION LEAGUE
OF B'NAI B'RITH

CENTURY PLAZA HOTEL
LOS ANGELES, CALIFORNIA

It is a special pleasure to be here tonight as the Anti-Defamation League bestows the American Heritage Award on a most worthy recipient. Just as we all share a common American heritage, we also share an obligation to protect that heritage -- its devotion to freedom, its belief in the individual, its spirit of community. Tonight, however, I am going to discuss a serious threat to that heritage -- terrorism.

Friday morning brought the news of the world's most recent terrorist attack -- a bomb that ripped open a Brighton, England, hotel. The blast fortunately did not harm its target, the British Prime Minister, but it did cause death and injury.

Terrorism is often difficult to define, but it is not hard to discern its many faces. It can be nihilistic. It can be nationalistic. It can burn with religious fervor. It can fan flames of ethnic hate. Or it can wear a mask that hides both its true identity and the fact of its sponsorship by a state.

Some terrorists -- like the Japanese Red Army or the group involved in the armored car robbery at Nyack, New York -- seem more bent on senseless destruction than on furthering a cause. Ku Klux Klansmen consistently promote both racial and religious hatred. Various ethnic terrorist groups claim to seek redress for past grievances, for example, the Croatian Nationalists who have been convicted for aircraft hijacking and the so-called Justice Commandos of the Armenian Genocide for transporting a bomb. Another ethnic group, the Armenian Secret Army for the Liberation of Armenia, professes to seek redress for a grievance but has strong leftist ideological views as well and

directs its violence not only at the Turkish Government, but at other governments that prosecute it for terrorist activity.

Some terrorists claim nationalistic aspirations, but direct their violence indiscriminately at military and civilians alike. Does anyone seriously believe that a Christmas bombing of Harrod's Department Store in London is the act of patriotic Irishmen rather than a terrorist act of the Provisional IRA? Is the planting of bombs on the streets of New York any less an act of terror when it is done by the right-wing Omega 7 group to protest Castro's dictatorship in Cuba?

Perhaps the most frightening development in recent years is the active but covert participation of governments in promoting or using terrorism. For example, perhaps the best unkept secret of modern terrorism is the extent to which the government of Libya itself sponsors terror as a feature of its foreign policy.

Whatever their purported motives -- nationalistic, ethnic, religious, ideological, or pure hatred -- terrorists still reflect the common element of criminal violence, indiscriminately applied, which constitutes a risk to us all.

Although shocking, it should be no surprise that we have learned in recent years of connections between drug traffickers and terrorists -- often with the assistance of some government. Drug-trafficking provides an opportunity to generate incredible profits through the same kind of covert criminal organization maintained for terrorism -- profits that can be used to finance terrorist activities themselves. We now believe that several so-called "revolutionary" governments have themselves used

drug-trafficking to assist terrorists. Not long ago, a federal grand jury returned a drug-trafficking indictment against, among others, four high-ranking Cuban officials -- two of whom were members of the Central Committee of Cuba's Communist Party. Similarly, we believe that the Bulgarian government has encouraged and aided drug-trafficking through its own official import/export agency, "Kintex." In recent months, we have discovered evidence that the government of Nicaragua or at least some of its Sandinista officials may also be using the drug trade to finance its revolutionary efforts.

While the faces of terrorism are easy to recognize, terrorism is difficult to combat. As a result, it has occurred all too frequently. Everyone recalls the tragedy of the 1972 Olympics, when eleven Israeli athletes were massacred in Munich, West Germany, by the Palestinian Black September group. Five years later the West German industrial leader Hanns-Martin Schleyer was kidnapped and subsequently murdered by the Baader-Meinhof Gang. In 1978 the Italian statesman Aldo Moro was kidnapped and later killed by the Red Brigades. In the summer of 1979 Britain's royal war hero Lord Mountbatten was assassinated when a bomb blew apart his fishing boat.

In none of these examples of international terrorism was an American the target. But the United States has suffered at the hands of terrorists. Since 1968 forty percent of all international terrorist incidents have been attacks on United States citizens, diplomats, military personnel, and public institutions. The seizure of the American embassy in Teheran and the kidnapping

of our countrymen there remain a vivid memory. So does the car bomb attack on the U.S. embassy annex in East Beirut just last month.

Terrorist incidents have also occurred within our own borders. Sometimes the target has been an American, sometimes another nation's citizen. Some of the terrorist groups are entirely American in their origin, funding, and field of operation. These include the May 19 Communist Organization and the Puerto Rican group, the "FALN," on the left; and the Ku Klux Klan, and Sheriff's Posse Comitatus, on the right. Others that have struck within our borders have international connections. These include the Omega Seven, a fanatical, anti-Castro, Cuban exile organization that has committed numerous murders and bombings under the guise of fighting communism; and, on the radical left, the Armenian Secret Army for the Liberation of Armenia, a pro-Soviet organization that has committed acts of violence throughout the world.

When the Reagan Administration took office in 1981, it was apparent that a more effective response to terrorism needed to be developed and implemented. The Department of Justice has played a critical role in this task. Within the Department, the Federal Bureau of Investigation has specific responsibility for discovering and countering terrorism within U.S. borders. Early on we elevated terrorism to one of the FBI's four national law enforcement priorities. As a result, more funds have been allocated to this fight. And more FBI agents have been assigned to terrorism investigations. Over the past four years, the number of

agents employed in these investigations has increased by approximately 25 percent.

With these additional resources, we have strengthened our ability both to prevent and to respond to terrorist attack. In 1982, for example, the FBI decided to form a specially trained 50-man Hostage Rescue Team capable of responding to a terrorist incident anywhere within our borders. This team became fully operational one year ago. Fortunately, it has yet to see action. But it remains ready -- and was here in Los Angeles during the recent Olympic Games.

All aspects of our effort to counter terrorism depend heavily on the quality of the information our agents are able to gather. That is why, in 1982, the FBI established a Terrorist Research and Analytical Center at FBI Headquarters to analyze and computerize data on terrorists and terrorist groups in the United States. Toward this same end the FBI has strengthened its working relationships with other law enforcement authorities.

Furthermore, we have made greater use of available law enforcement tools and techniques. Wherever possible, our agents have gone undercover, identified informants, and conducted surveillance of terrorist groups. Under the authority of the Foreign Intelligence Surveillance Act and Title III of the Omnibus Crime Act, we have substantially increased the use of electronic surveillance against terrorist groups. It is astonishing that until this administration took office, Title III authorization for surveillance against domestic terrorist groups had only rarely been sought. In the past two years, however, we have employed,

with great frequency, this important law enforcement tool. And with more agents assigned to terrorism cases, we have conducted surveillance operations of a size and scope that previously we simply could not perform.

Our enhanced effort against terrorism has also required careful examination of the guidelines under which FBI agents conduct their investigations. An unfortunate consequence of Watergate and its progeny was the imposition of stringent limitations upon the FBI's means of acquiring knowledge about domestic terrorist groups. In 1976 the Attorney General issued intelligence guidelines covering domestic security investigations that sought to clarify and circumscribe the rules for conducting these investigations. Seven years of experience under these guidelines demonstrated, however, that they were overly restrictive and unnecessarily hampered the FBI. Domestic security investigations had, in fact, drastically declined during this period -- in part because of what the guidelines required or at least seemed to require.

It was therefore one of my first priorities as Attorney General to reemphasize the importance of the FBI's domestic intelligence role in the fight against terrorism. After a lengthy, careful review, we issued new guidelines in 1983. They are designed to prevent abuses by government without preventing or discouraging government from combatting the abuses perpetrated by terrorist groups.

Although the terrorist's motive is not primarily financial, terrorists seek to achieve their goals through covert

criminal alliances of like-minded individuals who rely upon violence and intimidation. Based upon a realistic recognition about the way terrorist alliances in fact do operate, our new guidelines draw a clear parallel between investigations of organized criminal and terrorist groups. Because of this change of focus, the new guidelines enlarge the arena in which our agents may lawfully conduct investigations of terrorist groups.

The Department's greatly intensified effort against terrorism is bearing fruit. In 1983, there was almost a 40 percent decrease in terrorist incidents in the United States: There were 51 incidents in 1982, but just 31 in 1983. So far this year, there have been only eight. At this rate, the total for 1984 would represent the greatest percentage decline ever recorded in a single year.

We know that these figures could have been higher. Last year, the FBI actually prevented six terrorist incidents. For example, the FBI foiled plans of the FALN -- a left-wing Puerto Rican group -- to free one of its members from Leavenworth Penitentiary, to rob and murder a Chicago Transit fare collector, and to bomb both Marine and Army Reserve training centers in Chicago. FBI agents prevented these incidents through outstanding surveillance work and the use of Title III wiretaps.

This year, the FBI intercepted in Philadelphia two Libyans before they could carry out their acts of terror. One Libyan bought two bulletproof vests and ordered four .45 caliber handguns equipped with silencers from an FBI undercover agent

posing as an illegal arms dealer. Immediately after delivery of three of the weapons to the Libyans, the pair was arrested.

As much progress as we have made, however, more remains to be done. To do the job more effectively, federal law enforcement officials need improved legal tools. During this last session of Congress, the Administration fashioned and sent to the Congress a four-part legislative package designed to assist the attack against terrorist organizations and protect U.S. nationals abroad. Part of this package is still pending. But the Congress did, among other things, at least approve new and stronger federal penalties for aircraft sabotage and the taking of hostages.

While this new legislation will improve our ability to combat terrorists who operate inside our borders, it will also help in the fight against international terrorism wherever it may strike. And it is in the international arena that much remains to be done. Although we have been quite successful in combatting terrorism within the United States, the number of international terrorist incidents has increased in recent years.

To meet this threat, in addition to the new anti-terrorism legislation, a coordinated plan drawing on the resources of a number of federal agencies and departments has been developed. The focus here is on taking preventive action against terrorist attacks directed against U.S. targets here and abroad. While other federal agencies and departments within the federal government have primary responsibility for opposing terrorism abroad, the Department of Justice does have an important role to

play in fashioning an international response to international terrorism.

The information we develop about terrorist groups within our borders often discloses their international connections. When we discover information that can be useful to authorities in other countries, we are quick to share it with them.

For example, on March 12, 1984, the Royal Canadian Mounted Police arrested four members of the ASALA -- Armenian Secret Army for the Liberation of Armenia -- for attempting to assassinate the Turkish Consul in Ottawa two years earlier. The Mounted Police were able to make these arrests based on their own investigations and those of the Ottawa City Police Department and our FBI. Indeed, FBI surveillance under the Foreign Intelligence Surveillance Act and other investigatory work facilitated the recovery of weapons believed to have been used in the assassination attempt. The evidence found by the FBI is regarded as the crucial evidence in the case for the Canadian government.

As the American Heritage Award is given tonight, it is fitting that we consider carefully the threat to our society posed by terrorism. The ideological war that terrorists wage very often seeks both to use and destroy the open society that we and other democratic nations enjoy. Moreover, it is a war against the centuries-old traditions of Western Civilization that laid the original foundations for our open societies. Human rights and the rule of law, freedom of thought and religious belief, a belief in right and wrong, the importance of individual life, even basic notions of civility -- these are among the values under attack

today. As one of our home-grown terrorists, Bernadine Dohrn, put it, ironically and sardonically, but also accurately: "We are against everything that is good and decent."

Because ours is an open society, it is both more vulnerable to attack by terrorists than closed societies and more reluctant to take measures that might infringe on basic liberties in order to curtail the terrorist threat. We fully recognize our vulnerability. We also fully appreciate the fact that we must not sacrifice the openness of our society in our effort to counteract our vulnerability to terrorist attack. On the other hand, we must not -- and need not -- sit idly by, content to let the waves of history settle the issue. We have begun instead to put in place those balanced measures necessary to the preservation of our freedom and our society.

The Award we give tonight reminds each of us of how precious our American heritage is. To preserve that heritage is the responsibility of each of us.

END