

Presidential Decision Directive 39

U.S. POLICY ON COUNTERTERRORISM

1. General. Terrorism is both a threat to our national security as well as a criminal act. The Administration has stated that it is the policy of the United States to use all appropriate means to deter, defeat and respond to all terrorist attacks on our territory and resources, both people and facilities, wherever they occur. In support of these efforts, the United States will:

- Employ efforts to deter, preempt, apprehend and prosecute terrorists.
- Work closely with other governments to carry out our counterterrorism policy and combat terrorist threats against them.
- Identify sponsors of terrorists, isolate them, and ensure they pay for their actions.
- Make no concessions to terrorists

2. Measures to Combat Terrorism. To ensure that the United States is prepared to combat terrorism in all its forms, a number of measures have been directed. These include reducing vulnerabilities to terrorism, deterring and responding to terrorist acts, and having capabilities to prevent and manage the consequences of terrorist use of nuclear, biological and chemical (NBC) weapons, including those of mass destruction.

a. Reduce Vulnerabilities. In order to reduce our vulnerabilities to terrorism, both at home and abroad, all department/agency heads have been directed to ensure that their personnel and facilities are fully protected against terrorism. Specific efforts that will be conducted to ensure our security against terrorist acts include the following:

- Review the vulnerability of government facilities and critical national infrastructure.
- Expand the program of counterterrorism.
- Reduce vulnerabilities affecting civilian personnel/facilities abroad and military personnel/facilities.
- Reduce vulnerabilities affecting U.S. airports, aircraft/passengers and shipping, and provide appropriate security measures for other modes of transportation.
- Exclude/deport persons who pose a terrorist threat
- Prevent unlawful traffic in firearms and explosives, and protect the President and other officials against terrorist attack.
- Reduce U.S. vulnerabilities to international terrorism through intelligence collection/analysis, counterintelligence and covert action.

b. Deter. To deter terrorism, it is necessary to provide a clear public position that our policies will not be affected by terrorist acts and we will vigorously deal with terrorist/sponsors to reduce terrorist capabilities and support. In this regard, we must make it clear that we will not allow terrorism to succeed and that the pursuit, arrest, and prosecution of terrorists is of the highest priority. Our goals include the disruption of terrorist-sponsored activity including termination of financial support, arrest and punishment of terrorists as criminals, application of U.S. laws and new legislation to prevent terrorist groups from operating in the United States, and application of extraterritorial statutes to counter acts of terrorism and apprehend terrorists outside of the United

States. Return of terrorists overseas, who are wanted for violation of U.S. law, is of the highest priority and a central issue in bilateral relations with any state that harbors or assists them.

c. Respond. To respond to terrorism, we must have a rapid and decisive capability to protect Americans, defeat or arrest terrorists, respond against terrorist sponsors, and provide relief to the victims of terrorists. The goal during the immediate response phase of an incident is to terminate terrorist attacks so that the terrorists do not accomplish their objectives or maintain their freedom, while seeking to minimize damage and loss of life and provide emergency assistance. After an incident has occurred, a rapidly deployable interagency Emergency Support Team (EST) will provide required capabilities on scene: a Foreign Emergency Support Team (FEST) for foreign incidents and a Domestic Emergency Support Team (DEST) for domestic incidents. DEST membership will be limited to those agencies required to respond to the specific incident. Both teams will include elements for specific types of incidents such as nuclear, biological or chemical threats.

The Director, FEMA, will ensure that the Federal Response Plan is adequate for consequence management activities in response to terrorist attacks against large U.S. populations, including those where weapons of mass destruction are involved. FEMA will also ensure that State response plans and capabilities are adequate and tested. FEMA, supported by all Federal Response Plan signatories, will assume the Lead Agency role for consequence management in Washington, D.C. and on scene. If large scale casualties and infrastructure damage occur, the President may appoint a Personal Representative for consequence management as the on scene Federal authority during recovery. A roster of senior and former government officials willing to perform these functions will be created and the rostered individuals will be provided training and information necessary to allow them to be called upon on short notice.

Agencies will bear the costs of their participation in terrorist incidents and counterterrorist operations, unless otherwise directed.

d. NBC Consequence Management. The development of effective capabilities for preventing and managing the consequences of terrorist use of nuclear, biological or chemical (NBC) materials or weapons is of the highest priority. Terrorist acquisition of weapons of mass destruction is not acceptable and there is no higher priority than preventing the acquisition of such materials/weapons or removing this capability from terrorist groups. FEMA will review the Federal Response Plan on an urgent basis, in coordination with supporting agencies, to determine its adequacy in responding to an NBC-related terrorist incident; identify and remedy any shortfalls in stockpiles, capabilities or training; and report on the status of these efforts in 180 days.