



Report of the
**PRESIDENT'S
COMMISSION**
on
**AVIATION
SECURITY
and
TERRORISM**

*"... a comprehensive study
and appraisal of practices and
policy options with respect
to preventing terrorist acts
involving aviation."*

Executive Order 12686
August 4, 1989

PRESIDENT'S COMMISSION ON AVIATION SECURITY AND TERRORISM

1825 K Street, N.W., Suite 519
Washington, D.C. 20036
(202) 254-3166

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Ann McLaughlin

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Sen. Alfonse M. D'Amato (R-NY)
Rep. James L. Oberstar (D-MN)
Rep. John P. Hammerschmidt (R-AR)
Mr. Edward Hidalgo
Gen. Thomas C. Richards USAF (Ret.)

May 15, 1990

Dear Mr. President:

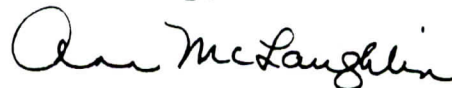
I am privileged to present the report of the President's Commission on Aviation Security and Terrorism.

Since the Commission began its work in November 1989, we have evaluated the existing aviation security system, options for handling terrorist threats and the treatment of families of victims of terrorist acts. The Commission interpreted your charge as requiring an independent and comprehensive review of these matters using the Pan Am 103 tragedy as a point of reference.

This report presents a series of recommendations designed both to improve aviation security and the ability of the government to respond to a Pan Am 103. The nation must also act to deter and prevent the use of terrorism against civil aviation as a deadly tool of political policy. The Pan Am experience demands nothing less.

The unyielding determination of the families of the victims of Pan Am 103, who sought this inquiry, provided the energy for our work. The sensitive and caring response of the people of Lockerbie, Scotland provided the passion. We trust this report reflects their determination and passion. We are confident that its recommendations can enhance the security of the traveling public. For this is surely our first and highest responsibility.

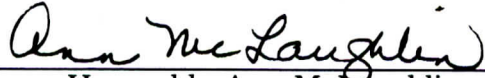
Sincerely,



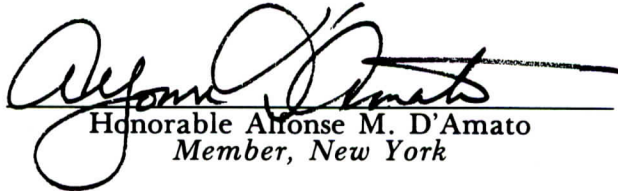
Ann McLaughlin
Chairman

The President of the United States
The White House
Washington, D.C. 20500

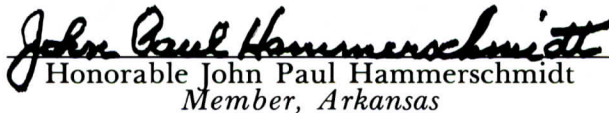
*In compliance with the Executive Order 12686 of August 4, 1989
the undersigned present the report of the
President's Commission on Aviation Security and Terrorism.*




Honorable Ann McLaughlin
Chairman, District of Columbia



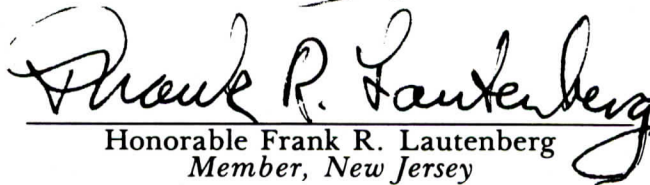
Honorable Alfonse M. D'Amato
Member, New York




Honorable John Paul Hammerschmidt
Member, Arkansas



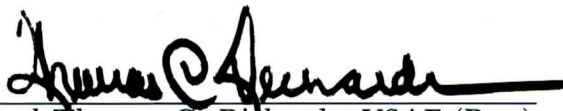
Honorable Edward Hidalgo
Member, Virginia



Honorable Frank R. Lautenberg
Member, New Jersey



Honorable James L. Oberstar
Member, Minnesota



General Thomas C. Richards, USAF (Ret.)
Member, Texas

Treatment of the Families of Victims of Terrorism

In the Commission's view, the general issue of the treatment of the victims of terrorist acts, and the bombing of Flight 103 in particular, is divided into two parts: (1) the provision of consular services by the State Department and (2) compensation, which is further divided between international treaties that govern the recovery of damages from international air carriers, and the provision of compensation by the U.S. Government.¹

At numerous Congressional hearings and in testimony submitted to the Commission, the families of Flight 103 victims have registered bitter complaints over their treatment by the State Department and its Bureau of Consular Affairs. The complaints of the families focused on poor delivery of the consular services that the Department attempted to provide, and on other vital services families contend were totally ignored. The families' bitterness was compounded by the legal environment. U.S. law provides no monetary benefits for private civilian victims of terrorist acts. The Warsaw Convention, an international treaty, impedes the families in recovering compensation from Pan Am, an American carrier.

State Department Practices and Policies

Consular Services

The responsibility for delivery of consular services² rests primarily with State Department posts overseas in conjunction with the Bureau of Consular Affairs³ and its Office of Overseas

Citizens Services (OCS).⁴ OCS is itself divided into two components: the Citizens Emergency Center (EMR), to render assistance in "crisis situations" (e.g., the repatriation of Americans who die overseas), and the Office of Citizens Consular Services (CCS), which handles non-emergency services (e.g., estate matters and the return of property).

In the Lockerbie disaster, the nearest U.S. diplomatic post was the U.S. Consulate in Edinburgh, which reports to the U.S. Embassy in London. The location of this disaster was in many ways advantageous to the delivery of consular services:

1. The disaster occurred in an English speaking country, with which the United States has excellent relations. The police, other governmental authorities and local residents provided assistance and cooperation.

2. The applicable legal system is similar to that of the United States.

3. The carrier involved was American owned and operated.

4. Although Lockerbie is a small town (3,500 population) in a rural area, the U.S. Edinburgh Consulate is 80 miles away, and reachable by car and scheduled train in less than two hours.

5. The London Embassy had revised its disaster plan two years earlier, with specific guidance to Embassy and Consulate staff in the event of a disaster.⁵

6. Exactly one week earlier, "[t]wo consular officers [from the London Embassy] participated in an emergency exercise at Heathrow Airport, with Pan Am as the participating airline"⁶ and six months earlier the Embassy had held a crisis management exercise according to subsequent State Department accounts.⁷

*Endnotes appear at end of chapter.



In June 1989, President George Bush met at the White House with several persons who lost family members on Pan Am Flight 103. Pictured left to right are White House Chief of Staff John Sununu; family members Victoria Cummock, Paul Hudson and Bert Ammerman; President Bush; Transportation Secretary Samuel Skinner; and family members Wendy Giebler and Joe Horgan.

While response to any aviation disaster or terrorist incident is difficult, it is easy to imagine circumstances that would have posed additional impediments: a truly remote or inhospitable site, a hostile or corrupt government or legal system, a non-English speaking local population, a distant or small U.S. diplomatic mission, or a lack of basic emergency, communications, forensic and mortuary facilities or capacity.

From the Commission's inquiry of the available evidence, it is apparent that the State Department was simply unprepared for the Lockerbie disaster. It did not recognize, much less have the plans in place to provide, the level of services expected in the case of the mass murder of Americans at the hands of terrorists.

Indeed, a review of officials' testimony and the staff interviews of consular personnel suggest that the State Department did not even realize until much later that it had not provided a level and quality of service that the Flight 103 families expected. For example, the current As-

sistant Secretary of State for Consular Affairs testified:

it wasn't until later, until March o[r] April, that we began to recognize that there were some real serious problems with how the families felt they were being responded to.⁸

The Response to Flight 103

After Flight 103 exploded and fell, State Department in Washington, the Embassy in London and the Consulate in Edinburgh reacted immediately.

In Washington, D.C., at about 5:00 p.m., local time, after learning that Flight 103 was destroyed over Lockerbie, the Department established a "Working Group" to manage the crisis.⁹ A Bureau of Consular Affairs "shift" responded to telephone inquiries from concerned relatives and friends, but could not provide or confirm identification of victims. Although Pan

Witnesses, Selected Interviews and Resources

Public Hearings—Witnesses

November 17, 1989

Bert Ammerman	President, The Victims of Pan Am Flight 103
M. Victoria Cummock	Family Member
Joan L. Dater	Family Member
Paul S. Hudson	President, Families of Pan Am 103/Lockerbie
Peter Reiss	Air Line Pilots Association
Juliette Lenior	Association of Flight Attendants
Homer A. Boynton	American Airlines, Inc.
Richard F. Lally	Air Transport Association of America
Wilfred A. Jackson	Airport Operators Council International and the American Association of Airport Executives
Billie H. Vincent	Vincent Enterprises
Christopher Witkowski	Aviation Consumer Action Project
Statement for Record	International Air Transport Association
Statement for Record	Bonnie Ahern O'Connor, Family Member

December 18, 1989

Kenneth M. Mead	General Accounting Office
Robert Shideler	General Accounting Office
Jason Fong	General Accounting Office
Monte R. Belger	Federal Aviation Administration
Raymond A. Salazar	Federal Aviation Administration
Jack Gregory	Federal Aviation Administration
Claude Manno	Federal Aviation Administration
Daniel Mahoney	Federal Aviation Administration
David Knudsen	Federal Aviation Administration
Elizabeth M. Tamposi	Department of State
Ann Swift	Department of State
Michael Mahoney	Department of State
Carmen DiPlacido	Department of State
Laurence Kerr	Department of State
Elizabeth Leighton	Department of State
Frank Moss	Department of State

February 2, 1990

Lee Grodzins
Allen N. Garroway
Monte R. Belger
Raymond A. Salazar
Bill Wall
John D. Armour

Ronald J. Massa
John W. Howard
Joseph P. Costa
L. Dale Holmburg
J. Patrick LeGory
Hadi Bozorgmanesh
Bill G. Smith
Douglas P. Boyd
David S. deMoulpied
Jerome R. Clifford
David N. Fine
Barry L. Berman

Statement for Record

Massachusetts Institute of Technology
Naval Research Laboratory
Federal Aviation Administration
Federal Aviation Administration
Federal Aviation Administration
American Association of Airport Executives and Airport
Operators Council International
Lorron Corporation
Everett I. Brown Company
Security Control Systems, Inc. and LINX Technologies
Intelligent Security Systems Inc.
Intelligent Security Systems Inc.
Science Applications International Corporation
Johnston, Lemon & Co.
IMATRON, Inc.
EG&G Incorporated
Titan Corporation
Thermedics, Inc.
George Washington University and Los Alamos National
Laboratory
ION Track Instruments, Inc.

March 9, 1990

Dante B. Fascell
Raymond F. Smith
Mark A. Sanna
Jennifer S. Young
Statement for Record

Chairman, House Committee on Foreign Affairs
Department of State
Department of State
Pan American World Airways, Inc.
International Civil Aviation Organization

April 4, 1990

Robert L. Crandall
Thomas G. Plaskett
James M. Guyette
Timothy R. Thornton
Charles A. Adams
Robert R. Kierce
James B. Busey
Monte R. Belger
Raymond A. Salazar
Statement for Record

American Airlines, Inc.
Pan American World Airways, Inc.
United Air Lines, Inc.
Northwest Airlines, Inc.
Trans World Airlines, Inc.
Trans World Airlines, Inc.
Federal Aviation Administration
Federal Aviation Administration
Federal Aviation Administration
Boaz Dor, Detection/Deterrence Security, Inc.

**Selected Commission
Investigative Interviews**

Robert Aaronson	Captain Lloyd Anderson
Thomas C. Accardi	Arik Arad
Moe Aleman	Marcus Arroyo
Dominick A. Alfieri	Toni Azaryad
William Alexander	Philip Baker
Bert Ammerman	William Baker

Stanley Barkin
William Bartlett
Robert A. Bartol
Molly Baumgardner
Robert Bauter
John Beardslee
Dan Beaudette
Hannelore Behl
Monte Belger
Karen Bernadette

Stephanie Bernstein
James Berwick
John Blaney
Donnie Blazer
Taylor Blanton
Walter Bleiler
Richard Bly
Leo Boivin
Nancy Bort
Dan Boyce

Doty Boyd	John P. Devine	Stuart Henderson	Richard Lally
Robert Boyer	Carmen DiPlacido	Christopher Henley	Ran Langer
Stephen Boykin	Clark Dittmer	Earl Herbert	Yassi Langotsky
Micke Boyle	David L. Divan	Karl Herman	Ralph Laurello
Homer Boynton	Jay Dobbins	Dan Hoban	David Leach
Hadi Bozorgmanesh	Alvy J. Dodson	Charles Hodges	Walter J. Leamy
Lydia Breckon	Thomas Dome	Stefan Hoffer	Tom Leavitt
John V. Brennan	Donna Dorothy	Harold Hoffman	Major Ernie Lee
Lt. Col. R. Bretschneider	Major Douglas	Henk Hogervorst	Walter Lehmann
Anthony Broderick	Conrad Dresher	John Holden	Elizabeth Leighton
Philip Brown	Vauncile Dunkelberg	Donald Holm	Kathy Leitzke
Larry Bruno	James Dunn	Michael Hooks	Michael Lemov
John Bullard	Kevin Dupart	William Hoover	L. R. Lentz
Quentin Burgess	Robert Ebdon	Joanne Horne	George Lewis
H. Bridget Burkart	Carolyn Edens	Michael Horowitz	Len Limmer
Carl Burleson	Donald Epstine	Clint Howard	E. F. Lintott
Frank Burns	George Esson	Paul Hudson	Jurgen Loos
Admiral James Busey	William Evans	Martin Huebner	Paul Lozito
Robert Butrick	Richard Everett	Michael Hurley	Mel Lundberg
Gwen Buttlng	Ann Fegan	Capt. Peter Hutchhausen	Ronn Luskie
Donald Byrne	Anthony Feinberg	Vanja Huth	Edward Luttwak
Gwen Callman	Michael Fink	William Huth	Ken Luzzi
Robert Cammartara	William Fink	Donald F. Huycke	James Lyons
Tony Cantu	Debra Fischer	David Hyde	Daniel Mahoney
Col. John Canyock	Matilde Flores	Richard Hyman	Michael Mahoney
Peter Caram	Kathleen Flynn	Ronald Ives	Kurt Maier
Robert Carpenter	Lord Peter Fraser	Jim Jack	Richard Mainey
Patricia Carr	Darlene Freeman	Wilfred A. Jackson	Lyle Malotky
Charles Carrington	Kerstin Frowick	William Jackson	Claude Manno
Douglas Casipit	Mrs. Robert H. Frowick	Alon Jaffe	Richard Marquise
Lawrence Chanan	Sabrina Fuchs	Peter Jenkins	Cathy Marrs
Mick Charles	Jane C. Fuller	Steven Jenkins	Willard Marsden
Cathy Christianson	Neil Gallagher	John Johnson	Irina Martynova
Chris A. Christie	Delia Gardner	Lawrence Johnson	Stan Maslowski
Joan Clark	Jeffrey Garrison	Michael Johnson	Roy Mason
Evelyn Cohn	Thomas Gibson	P. R. Johnson	Ray Mathis
Nancy Cohn	Charles Giddens	Quinten Johnson	Jack C. Matlock
Kathy Collins	James Gilchrist	Don E. Jones	Ann Matthews
Yvonne Conde	Karen Gilmore	Douglas Jones	Ken Maxwell
Anthony Cooke	Sandy Gilmore	Ralph K. Joseph	Sgt. Michael McCarthy
Donald Cooper	John Gilmour	John Joyce	Carl W. McCollum
Lt. Col. Dan Corm	Geoff Goslin	Frank Kataria	James McDougall
Lt. Col. William Corr	Terrence Grady	Keelin Kavanagh	Alec McElroy
Doyle R. Cowden	Thomas Graham	Encu Kebede	Kenneth W. McFadden
Terry Cox	Maurice Gralnek	William C. Kelley	John B. McGowan
William Creelman	Joan Gravett	LaRae Kemp	Neil McIntosh
Victoria Cummock	Jack Gregory	Christopher Kenyon	Ray McIntyre
Edward Cunningham	Michael Gulino	Laurence Kerr	Beulah McKee
Ambassador Henry Catto	Janet Gunther	David Keyes	Greg McLaughlin
James Dahl	Christian Haefner	Robert R. Kierce	Scott McMahan
Eric Dahlston	Angelynn C. Hall	Michael King	Angella Meadows
Ross Daly	Ian Hamilton	Daniel J. Kinghorn	Sheila Meads
Joseph A. Daniels	Rebecca Hammelright	David Knudsen	Varsha Mehta
Kevin Darcey	Mark Hansen	Jean Kobis	Sonny Merrick
Jane Davis	Hart Hanstein	Ronald Koch	Julius Meszaros
Anthony A. Dean	Capt. Ed Harris	Walter Korsgaard	Wolfgang Meurer
Raymond DeCarli	Chris Harris	Art Kosatka	Jane F. Miller
Marina DeLarracochea	Robert Harris	Norbert Krieg	Norio Mitsuya
Karen Decker	Stephen Haynes	Wolf Krommes	Elizabeth Monro
Henry I. DeGeneste	Doug Heeps	Stephen J. Kruchko	Thomas Montgomery
Tom Delare	Doug Helfer	Alfred Kunz	Joyce Moody
Benjamin Demps	Duncan Henderson	Deborah Kyle	Thomas G. Moore

John Moran
Heather Morris
Michael Morse
Frank E. Moss
James Mottley
Rolf Mowett-Larson
Gunther Mueller
George Murphy
Patrick Murphy
Berry D. Nassberg
Nancy Wright Nassberg
Gerry Neill
Jean Neitzke
Donald Ness
George Clay Nettles
John Nicholls
Vera Nordall
Richard Norland
John Norman
Ralph Noyes
Robert O'Brien
Janet H. Oliver
Curtis Olsen
Roland O'Neill
James E. Orlando
Chris Lionel Osborn
Chris Osborne
Lynne Osmus
Cecil Parkinson
Maureen Parks
Sir Norman Payne
Margery Pedry
Larry Peer
John Pervis
George Pfromm
Patrick Poe
John Polansky
C. L. Price
Brad Primeau
Joe Del Principe
Gideon Pringle
Malik Ramzan
Alexander L. Rattray
Lt. Col. Phil Raymond
Ronald Reams
J. Brayton Redecker
Phil Reed
Carrie Reilly
Peter Reiss
Paul Rendich
Julie Rethmeier
Oliver B. Revell
Ron Reynolds
Max R. Robinson

John Rodgers
Ross Rodgers
A. Rommel
Pete Rose
Frank Rosenkranz
Glenn Ross
Robert Rota
Peter Saguardis
Raymond A. Salazar
Mark A. Sanna
Naomi Saunders
David Schaffer
Manfred Schoelch
Uwe Schroeder
James Schuler
Lt. John Schultz
Andrea Caslis-Schwab
Wolfgang Schwab
Floyd Seeley
Bertram Seesaran
Norman Shanks
James M. Shaughnessy
Alan Shaw
David Shaw
David Schiele
Thomas Shehan
Herbert K. Shera
Paul Shilling
Allison Shropshire
John Shutty
Phyllis DE Smet-Howard
Bruce Smith
David A. Smith
Ray Smith
Raymond F. Smith
Daniel Sonesen
Robert Sorenson
Margo Squire
Herr Stark
Richard Steiner
Mark Stenetz
Keri Stoddard
Joan Suter
Chris Swan
Beverly Sweatman
Ann Swift
Otis Talley
Elizabeth Tamposi
David Teitelbaum
Daniel Tennenbaum
Michael Theobald
Gregg Thielmann
Harvey Thomson
Richard Todd

Elmer Torro
Jim Treweek
Theofolus P. Tsacoumis
Louis Turpen
Kilins Aslan Tuzcu
Donald Tyson
Syndee Tyson
Raymond Uhl
Nancy H. Van Duyne
Ed Vasquez
Calvert Walbert
Brian Wall
William Wall
Gaston Wallace
James Wallace
Rodney Wallis
Lyle Webb
Steve Weglian
A. Daniel Weingendt
Michael Weinstein
Ron Welling
Dan Weygandt
Alan R. Whetlor

John Whitby
Robert Whittington
Caroline Whorley
Kenneth Wilde
Beverly M. Wiley
Anthony Wilkins
Peter Wilkins
Paul Wilkinson
Edgar Williams
Frank Williams
Karin Winhold
Glen E. Winn
Rosemary Wolfe
David Wookey
Jerry Wright
Betty Young
Gerald R. Young
Jennifer Young
Posey Young
S. Donald Youso
Ben Zaduk
Philip Zagloo
Philip Zimmer

Resource Persons

David Abshire
Thomas Blatchford
Barry Bowman
Charles Bowser
Robert Kent Boyer
Terry Bresnihan
Claude Brinnegar
Edward C. Bryant
James Burnley
William Cohen
William Colby
Walter Cruickshank
Peter Dailey
Brian Duffy
Steven Emerson
Michael Epstein
Milton Finger
Robert Gates
Michael Goldfarb
Michel Guyard
David A. Heymsfeld
Brian Jenkins

Alton Keel
Edward Lutwak
Ted Macklin
Thomas Miller
Robert C. Odle, Jr.
Robert Odom
Davis Robinson
William P. Rogers
Donald Rumsfeld
Pierre Salinger
Andre Serena
Jeffrey Shane
John L. Sullivan
Paul Schott Stevens
David F. Traynham
Toni Verstandig
Kent Walker
Vernon Walters
William Webster
John Whitehead
Charles Ziegler

Our special thanks to Rear Admiral Bennett "Bud" Sparks, USCGR, and the Reserve Officers Association for hosting the Commission's hearings.