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U.S. Department of Justice
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Ret.
R. File
FilesOffice of the
Assistant Attorney General

Washington, D.C. 20530

FEB 25 1988

Memorandum for the Attorney General

Re: Enforcement of the Anti-Terrorism Act of 1987

As you know, the Anti-Terrorism Act of 1987 (the "Act") prohibits anyone whose purpose is "to further the interests of the" PLO to "establish or maintain an office" "at the behest or direction of, or with funds provided by the" PLO. This is not, however, the only feature of the Act. In addition, the Act prohibits:

1. The receipt of anything of value (except information) from the PLO or any of its agents if the purpose is to further the PLO's or its agents' interests; and
2. Expending any funds from the PLO or its agents if the purpose is to further the interests of the PLO or of its agents. Section 1003.

We think that these provisions of the statute would prohibit the PLO representative to the U.N. -- plainly a PLO agent -- from spending any money to further his or the PLO's purposes. Accordingly, no agent of the PLO may make any purchase in the United States with his own funds or funds of the PLO, for he would be "expend[ing] funds" as a PLO agent to further either his own interests or the interests of the PLO. Thus, even though the statute does not, by its terms, require the expulsion of the PLO's U.N. representatives, it will have that practical effect by making it virtually impossible for them to live here for any period of time.

This reading seems consistent with the intent of Congress: to banish the PLO from within the borders of the United States.

Charles J. Cooper
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