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WITHDRAWAL SHEET

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Collection: Baker, Howard H. Jr.: Files
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Archivist: kdb
FOIA ID: F1997-066/6, D. Cohen
Date: 08/04/2004

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	H. Baker to Gen. Powell and Will Ball re phone conversation with Speaker Wright (w/notations), 2p R 5/24/11 F97-066/6 #104	2/8/88	B1
2. memo	re telephone conversations on 2/4/88, 3p R 3/17/06 F97-066/6 #105	n.d.	B1
3. memo	unannotated copy of item 1, 2p R 5/24/11 F97-066/6 #106	2/8/88	B1
4. report	(3p) PART. 3/17/06 F97-066/6 #107	5/20/88	B1, B3
5. report	(2p) PART. " " #108	5/20/88	B1, B3
6. memo	Vice President to Reagan, 1p R 9/25/12 F97-066/6 #109	5/18/88	B1
7. memo	re 5/16/88 meeting, 6p R " " #110	n.d.	B1
8. cable	140448Z MAY 88, 3p R " " #111	5/14/88	B1
9. memo	re 5/13/88 meeting, 4p	n.d.	B1
10. memo	re Presidential Determination, 1p R 5/24/11 F97-066/6 #113	4/13/88	B1
11. memo	re same topic as item 10, 1p R " " #114	n.d.	B1
12. memo	unsigned version of item 10, 1p R " " #115	n.d.	B1

RESTRICTIONS

- B-1 National security classified information [(b)(1) of the FOIA].
 B-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
 B-3 Release would violate a Federal statute [(b)(3) of the FOIA].
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 B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE
WASHINGTON

February 9, 1988

Sent Senator Baker memo to Gen. Powell
and Will Ball to:

Secretary Jim Baker
Secretary George Shultz
Senator Alan Simpson
Congressman Bob Michel

Gen. Powell and Ken Duberstein have
copies of Speaker Wright's conversa-
tion with President Ortega.

SUE WALKUP
Special Assistant to
the Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dictated but not read

Close hold

February 8, 1988

MEMORANDUM FOR GENERAL POWELL
WILL BALL

FROM: SENATOR HOWARD BAKER

SUBJECT: Phone Conversation with Speaker Wright Today

I spent much of my car ride from the White House to Andrews Air Force base this morning talking with Speaker Wright. Prior to our conversation I told him I was on a car phone. He informed me of the following points:

1- Baker for action
1. He picked up information that the Administration was about to submit the Canadian Free Trade Agreement, because we were afraid the time clock would run out without action in the Congress. (I told Speaker Wright that we were concerned with the rumor that the Democratic Leadership in Congress wanted us to withhold submitting the Canadian Free Trade Agreement until after the Trade Bill. We were uncertain when, if ever, the Trade Bill would be handled.) Speaker Wright indicated he was speaking for himself and Senator Byrd, and he guarantees a timely vote if we would wait a little while before submitting.

2- Baker for action
2. In that connection, if we chose to delay submission for awhile, he strongly recommended informal consultation in advance of submission with the committees of jurisdiction of the House and Senate. Speaker Wright then volunteered the Democratic leadership's intention to have the Trade Bill out of the conference committee and ready for action by end of March -- pointing out their objective was to push the Trade Bill past Super Tuesday.

Nsc
3. Speaker Wright said he felt totally committed to submit a contra aid package which he "planned and hoped" would be a humanitarian package, and anticipated submitting it before the end of February. Noting the President's Saturday radio speech, he invited us to consult with the leadership of the House on its contents. I stated that I would pass this on to Congressman Michel and Senator Simpson, and he voiced no objection.

DECLASSIFIED
NLRR F97-0666 #104
BY RW NARA DATE 5/24/11

4. The Speaker related that President Ortega called on Friday, and he was speaking in Spanish. He placed a translator on the phone and recorded his end of the communication. He volunteered to supply us with a copy of the transcript if we wished. I accepted. His secretary will call my office as soon as it is typed, and I volunteered to send a messenger to pick it up. He related that in his conversation President Ortega conveyed that he looked forward to meeting the contra leaders on February 10. Speaker Wright urged him to be "forth-coming."

THE WHITE HOUSE

WASHINGTON

February 8, 1988

MEMORANDUM FOR GENERAL POWELL ✓
WILL BALL

FROM: SENATOR HOWARD BAKER

SUBJECT: Attached Memorandum on my Phone Conversation with
Speaker Wright Today

Please read the attached memorandum and treat it confidentially.

11:45 AM, Will, I have talked with Congressman Michel and Senator Simpson.

4 PM, I will be in receipt of a copy of the Speaker Wright
communique with President Ortega.

Once you have had a chance to read it let's discuss it first
thing tomorrow morning.

DECLASSIFIED/RELEASED

NLS F97-0666/6#165

BY LOI, NARA, DATE 3/17/06

**Telephone Conversations between Jim Wright and President Ortega and
between Richard Pena and President Ortega**

It is now 12:30 noon on the fourth day of February, 1988. I am sitting here in my office in H-204 of the Capitol. This is the day following the House vote narrowly rejecting President Reagan's plan for continued military support for the contras in Central America.

This morning I had a telephone call before the House went into session--it was about 10:40--from Daniel Ortega. I took the call. He was speaking in Spanish, and I understood part of what he said, and I tried to give a message to him that our vote yesterday was intended as a step in the direction of peace, that it opened up an avenue for him to do additional things in the direction of peace, that we expected him to come into full compliance with the Guatamala agreements.

He spoke of the upcoming meeting with the contras in Guatamala, I think Wednesday and Thursday of next week. He said something about the fact that we really need a methodology or a mechanism for verification, and he would like for certain things to be said and cooperation had from other presidents in the area in that connection.

At that point I got a bit uncomfortable with my ability in Spanish to translate nuances, and I said to him that I wanted him to understand that we had only a slender majority in the House, that we had won the vote, and had done this as an act of faith in the peace process and that we really are depending upon him to continue acts of good faith, to move in the direction of democratization and of a settlement with the contras and a cease-fire.

Then I said, because I don't really understand Spanish perfectly, that I'd like to have my friend, Richard Pena, call and talk with him or with whomever he would designate. If President Ortega wanted him to talk with Miguel D'Escoto, he would be glad to do that. President Ortega said fine. So I asked Richard. Richard came; he was on the Hill, and it was very fortunate. He made the telephone call, and talked with President Ortega directly. Richards's here, and I just asked him if he would recite for me basically the conversation that he had with Ortega. Richard Pena:

RICHARD PENA:

The conversation goes in this form:

This was a vote for peace.

SPEAKER WRIGHT:

This is Ortega saying this?

RICHARD PENA:

Yes, sir.

This is a vote for peace. This vote puts the U.S. on the side of a peaceful solution to a very important problem in Central America. This vote will allow us to move quickly to meet the conditions in the peace

accord. One issue that concerns me is on-site verification of the peace accords which is an overall on-site verification of all the points in the accord. We feel that international verification with the U.N., Contradora, the OAS, and European persons involved in this verification would be very important.

He went on to say that Nicaragua will be fully committed to a total and faithful compliance to the cease-fire. They would be meeting in the next couple of days in Guatemala to continue negotiations on the cease-fire. They would be flexible and reasonable during these negotiations and would expect to quickly move forward in these talks. In addition, he said he would call the four other Central American presidents today to ask them to move ahead as soon as possible and for all of them to comply with the peace accord. He again reiterated that verification would be a major issue and that the verification on-site without any limitations would be something that he would demand.

He said that the Verification and Follow-up Commission had issued a good report, but it was not total and that they had discussed this at the San Jose meeting on the 15th and 16th of January. He went on to say that amnesty was deferred due to the simultaneity of the Commission on Verification and Follow-up, also on the concerns of meeting the cease-fire so there wouldn't be an issue of security involved on allowing these people out of the country.

In addition he said that the people who would be able to receive amnesty would not be exiled even though they may be taken by third countries, even though the third countries may accept them into their countries outside of Nicaragua, because, as soon as the cease-fire is negotiated, they would be allowed to return to Nicaragua to reintegrate themselves into the society.

A further problem is that the verification (again he goes back to verification) is an important issue because there is one country (he says especially Honduras) which had problems with on-site inspection and on the issue of non-usable territory that is part of the peace plan. He said that once this issue is met and reconciled that he feels that they can move quickly to fully commit with the peace plan.

He closed with this saying that the positive advancement of the peace plan depended on everyone and that they all have to work together in the next weeks to be able to put this together. And he sent his regards.

SPEAKER WRIGHT:

That's good, Richard. I take that as generally a healthy sign. Were you able to convey to him any message for me?

RICHARD PENA:

Yes, sir. I mentioned your concerns about the vote in Congress being as close as it was, that he would have to demonstrate his willingness to meet totally with the Arias Plan, suggested that he do this as quickly as possible so that he would not be receiving any criticism that he was dragging his feet and was being difficult in achieving this. I mentioned to him that it is extremely important to reach a

cease-fire in place as soon as possible because that is one of the keys that is holding up the whole process and that once this was achieved that the reconciliation, amnesty, freedom of the press and the other issues that are involved in the peace process would have to be complied with. I reiterated that he would have to be supportive of the process, that he would have to meet the process fully due to the slim majority in Congress and that that was something he should consider while he is moving ahead. The last word I gave the President was that it was very important to make positive progress as soon as possible.

SPEAKER WRIGHT:

Well, that's very good. Did he seem receptive to that message?

RICHARD PENA:

Yes, sir. Very receptive.

SPEAKER WRIGHT:

That's excellent. I'll tell you what I think I am going to do. Since I'm not really the one to negotiate these things, I think I'm going to have a transcript made of this tape and share it with someone in the Administration who may be in a position to follow up and work with him. I wish we had Phil Habib working down there instead of in the Middle East right now. This kind of thing may be useful to someone.

Thank you very much, Richard.

THE WHITE HOUSE

WASHINGTON

CLOSE HOLD

February 8, 1988

MEMORANDUM FOR GENERAL POWELL
WILL BALL

FROM: SENATOR HOWARD BAKER

SUBJECT: Phone Conversation with Speaker Wright Today

I spent much of my car ride from the White House to Andrews Air Force base this morning talking with Speaker Wright. Prior to our conversation I told him I was on a car phone. He informed me of the following points:

1. He picked up information that the Administration was about to submit the Canadian Free Trade Agreement, because we were afraid the time clock would run out without action in the Congress. (I told Speaker Wright that we were concerned with the rumor that the Democratic Leadership in Congress wanted us to withhold submitting the Canadian Free Trade Agreement until after the Trade Bill. We were uncertain when, if ever, the Trade Bill would be handled.) Speaker Wright indicated he was speaking for himself and Senator Byrd, and he guarantees a timely vote if we would wait a little while before submitting.
2. In that connection, if we chose to delay submission for awhile, he strongly recommended informal consultation in advance of submission with the committees of jurisdiction of the House and Senate. Speaker Wright then volunteered the Democratic leadership's intention to have the Trade Bill out of the conference committee and ready for action by end of March -- pointing out their objective was to push the Trade Bill past Super Tuesday.
3. Speaker Wright said he felt totally committed to submit a contra aid package which he "planned and hoped" would be a humanitarian package, and anticipated submitting it before the end of February. Noting the President's Saturday radio speech, he invited us to consult with the leadership of the House on its contents. I stated that I would pass this on to Congressman Michel and Senator Simpson, and he voiced no objection.

DECLASSIFIED
NLRR F97-D6d6 #106
BY RW NARA DATE 5/24/11

4. The Speaker related that President Ortega called on Friday, and he was speaking in Spanish. He placed a translator on the phone and recorded his end of the communication. He volunteered to supply us with a copy of the transcript if we wished. I accepted. His secretary will call my office as soon as it is typed, and I volunteered to send a messenger to pick it up. He related that in his conversation President Ortega conveyed that he looked forward to meeting the contra leaders on February 10. Speaker Wright urged him to be "forth-coming."

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Central Intelligence Agency



Washington, D. C. 20505

FOIA (b)(1)
(b)(3)

20 May 1988

Panama: If Negotiations Succeed

If Defense Chief Noriega stepped down on or about 12 August as a result of current negotiations with the United States, he would probably not be able to continue running the country from behind the scenes although he would retain what--from the US perspective--would be still troublesome influence. Much will depend on how long he agrees to remain abroad--the longer he is absent the quicker his power will fade. [REDACTED]

In general, the following represents our views on his likely role in four key areas:

How much power will Noriega have over the military?

- Once Noriega resigns, his direct, formal authority over the military will be gone. Noriega would lose important levers of control, including the power to command troops, appoint key civilian and military personnel, and grant financial favors. Moreover, his lack of charisma and failure to develop a large personal following in the military would limit his ability to control the actions of former subordinates. The military in the past has consistently put its institutional interests ahead of personal loyalties and probably would fall in behind its new Chief. Former military strongmen in Panama and elsewhere in the region have seen their power erode quickly once they were no longer officially in command. Such was the fate of Noriega's predecessor, General Paredes, who retired in 1983 to run for the presidency. Paredes, however, did not enjoy the extensive support network within the military that Noriega now possesses. Noriega would have some residual, though indirect, influence based on these ties, particularly if he selects his successor. He would be able to call in some personal favors and remain under the military's protective umbrella. However, we doubt that he would be able to determine military appointments, promotions, or policies.



DECLASSIFIED IN PART

NLS F97-0666/6 #107

By LSJ, NARA, Date 3/17/06

Would Noriega be the Democratic Revolutionary Party nominee for President?

- We doubt Noriega would retain sufficient influence to gain the nomination for himself, although he would probably be able to strongly influence the process. The present public ballyhoo for him as a presidential candidate derives principally from his direct control of the media, which would no longer be the case once he resigned as head of the Defense Forces. He has always lacked charisma and personal appeal and privately, many in the government party would argue against the nomination going to him. Nonetheless, in a closely contested party nomination, Noriega's behind the scenes influence--money, if nothing else--could prove critical for the successful nominee.

Could Noriega orchestrate fraud in the 1989 election?

- In the past, government perpetrated electoral fraud has been heavy-handed, relying on military and civilian complicity, a lack of international observers and a reluctance on the part of other nations to comment critically on the process or otherwise interfere. It seems likely that the 1989 elections will be subjected to a heavy glare of publicity and, most likely held with international observers. The stalled vote count and rigging that characterized the 1984 contest would be much more difficult to accomplish. Noriega's use of personal funds could probably influence local races and perhaps some legislative assembly seats but not a national contest.
- Noriega and the new military leaders may both back the Democratic Revolutionary Party's candidate, however. Were there to be a very close race, the combination of funding from Noriega and official chicanery authorized by military leaders could be pivotal. Even in this circumstance, however, the military would find that carrying out fraud would be a far more difficult undertaking than in the past.

Can Noriega remain a drug kingpin?

- Noriega's ability to control and profit from drug trafficking has derived primarily from his command of the military and police, i.e., his ability to grant unrestricted transit rights and immunity from prosecution. Over the years, his contacts and business interests have expanded to the point where he has extensive civilian holdings and close ties to wealthy businessmen who are involved in illegal financial and drug dealings. Absent a strong "no drugs" policy on the part of new military leaders, Noriega will probably be

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able to use his residual military contacts, interests in transportation and front companies, and his personal fortune to continue highly profitable drug running. The scale of such trafficking may be less than in the past because it is most likely that the new military leaders will assume for themselves the same role Noriega played. Drug money laundering in Panama, on the other hand, has little or nothing to do with who heads the Defense Forces. The banks, anxious to recoup losses suffered from the shutdown, will probably seek illicit revenues.

Noriega also would attempt to use his network of civilian political associates to exert general influence from behind the scenes. He probably would rely on the current crop of sympathetic legislators to prevent a new President from diminishing the military's role or threatening his personal interests. Moreover, a transitional cabinet that included members of the pro-Noriega Democratic Revolutionary Party would offer him an additional avenue of influence. [REDACTED]

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FOIA (b)(1)
(b)(3)

Central Intelligence Agency



Washington, D. C. 20505

20 May 1988

Panama: If Negotiations Fail

Noriega's failure to agree to a deal with the United States probably would reflect his belief that he can maintain or improve his political position even in the face of mounting economic problems. Noriega probably would accuse the US of bad faith and inflexibility in the talks but would be reluctant to sanction any serious action--such as violence against US property or citizens--that would give Washington a pretext to take stronger steps against him. [REDACTED]

Opposition political parties and the Civil Crusade, divided and disheartened by regime repression, would likely fragment even further, diminishing their ability or willingness to challenge the regime. At the same time, some opposition parties--already exploring their options with the regime--probably would be more inclined to cut a deal with Noriega to protect their interests. [REDACTED]

In the vacuum following a breakdown of negotiations, we would expect key Latin leaders to intensify their efforts to mediate an end to the crisis. Previous Latin negotiating initiatives, sidetracked by the bilateral talks, would likely be quickly reinvigorated. Noriega would probably accept these mediation efforts, and he could string them out to his advantage as he did the US talks. Over time, Noriega might be able to refocus any regional negotiating efforts away from himself and toward the elections in May 1989. [REDACTED]

The economy would remain the key to Noriega's future. In the months following a breakdown in the US talks, other governments would be increasingly likely to recognize or deal with the Solis regime as the legitimate government of Panama. As a result, Noriega would find sufficient amounts of external material and financial assistance to maintain his government. [REDACTED]

[REDACTED]

DECLASSIFIED IN PART

NLS F97-066/6# 108

By 601, NARA, Date 3/17/06

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As long as US sanctions remained in place, economic activity would continue to contract and unemployment would climb.* Noriega would have to struggle to meet key payrolls and provide basic consumer goods to traditional regime supporters. Nevertheless, in the absence of violent popular unrest that would overwhelm or split the military, Noriega probably would be able to retain power even as economic problems deepened. [REDACTED]

The longer US economic sanctions remain in place the greater the likelihood that Noriega eventually would be able to generate an anti-US backlash that he could use to bolster his position or threaten US interests in Panama. Similarly, Washington's perceived mishandling of Noriega could further undermine US foreign policy objectives in Latin America and reinforce claims that the US is intent on meddling in the affairs of its weaker neighbors. [REDACTED]

The military will remain the one force capable of ousting the Defense Chief. In the short term, the military would likely continue to back Noriega, particularly if he portrayed his intransigence in the US negotiations as having been necessary to protect the military's interests and suggested that new regional negotiations offered a way out. Key military concerns will be growing leftist and Cuban influence, the increasing authority of mid-level officers, and potential competition from paramilitary groups. [REDACTED]

If Noriega missteps on any of these sensitive issues, he could galvanize military discontent. [REDACTED]

*This paper is predicated on the assumption that the US does not undertake tougher economic, political, or military measures against Noriega's regime. [REDACTED]

~~SECRET~~



THE VICE PRESIDENT
WASHINGTON

May 18, 1988

MEMORANDUM FOR THE PRESIDENT

FROM: The Vice President

SUBJECT: Noriega

I talked to Colin last night, and apparently there is no deal yet.

I have just been briefed by Darrell Gates, the Police Chief of Los Angeles. I am more convinced than ever that a deal which drops the indictment against Noriega will be a severe blow to those who are on the front line fighting these drug traffickers. The courageous police officers using the battering rams on the crack houses will never understand.

We have got to find another way to get Noriega out of there.

I urge you to use this hiatus to bring the negotiators home.

Warm regards,

George

cc: The Chief of Staff ✓
cc: General Colin Powell

RELAYED TO THE PRESIDENT ABOARD AF I

DECLASSIFIED
NLRR F97-0666 #109
BY RW NARA DATE 9/25/12

THE WHITE HOUSE

WASHINGTON

~~SECRET~~/SENSITIVE

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting on Panama

PARTICIPANTS: The President, Secretary Shultz, Secretary Baker, Secretary Carlucci, Attorney General Meese, Chief of Staff Baker, General Powell, Mr. Duberstein, Mr. Culvahouse, Mr. Abrams, Mr. Cooper (Justice), Mr. Negroponte

DATE, TIME: May 16, 1988, 11:35am-12:40pm
AND PLACE: The Oval Office

Secretary Shultz began the meeting by saying we should ask ourselves about all the possible options. As he saw it there were three options. The first is to do a deal with Noriega. The deal has not been described accurately in the press and has made everyone uncomfortable. It even makes Delvalle unhappy and he is planning to send a letter on the subject. The second alternative is to force Noriega out of power through some combination of stepped up military activity and intensified political action. Unfortunately the mix has changed in recent weeks and Panamanian political activity has declined sharply. The third option would be for the United States to simply stand back and call this a Latin problem by trying to generate a lot of Latin interest, hoping that by this means the problem would then subside for the United States. Secretary Shultz said he did not see much prospect for this third alternative and that if it were pursued in all likelihood Noriega would stay in power. In fact none of these alternatives are very good including the negotiating one but at least the negotiated option has the virtue that Noriega will step down. In any event, such a deal would have to be accompanied by a very strong statement that we damned well expect Noriega to keep his end of the bargain and that if he reneges we will have to be ready to take other steps.

Secretary Shultz continued by observing that the Vice President had called a number of people on this issue to state clearly that he was dead set against doing this deal. He sees no support for this approach from any corner and sees it as a "bummer". Senator Baker confirmed that he had talked to the Vice President this morning and the Vice President had registered similar views with him.

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Declassify on: OADR

DECLASSIFIED
NLRR F97-0666/6#110
SY RW NARA DATE 9/25/12

SECRET/SENSITIVE

The President noted that we have sat here silent while our critics have characterized the agreement without knowing all the details. Moreover, those who question a negotiated arrangement refuse to face the difficult question of what our alternatives might be. We are not to go forward with a deal to abandon the fight against drugs as some have alleged. On the other hand not going through with it would be to leave him in power to continue doing what he has been doing in the past. The President wondered if the U.S. attorney down in Florida who had publicly criticized the agreement knew that General Noriega cannot be extradited from Panama.

The Attorney General noted that almost universally the law enforcement people do not like the agreement. Secretary Baker asked if we could know what the deal is and review its provisions again.

Mr. Cooper then began to described the key elements of the agreement. As a first step we would suspend the IEEPA sanctions; then Noriega would announce his plans including a call for the establishment of a National Reconciliation Government, the return of political freedoms and the return of exiles. Secretary Shultz interjected that at a press conference General Noriega would announce his plans to leave Panama sometime in September and remain absent until the elections in 1989. He added that we would not recognize the solis government and we would continue to recognize President Delvalle who would carry the frozen funds as a lever into the National Reconciliation Government negotiations.

Secretary Carlucci asked who would appoint General Noriega's successor. Secretary Shultz responded that it is suppose to be the President of Panama in consultation with the PDF, but apparently General Noriega's deputy, Colonel Justine is the acknowledged successor. There is a battle between a younger clique of officers around Noriega on the one hand and Colonel Justine on the other hand. In any event what we would see happen is a process of national reconciliation with a National Reconciliation Government put together to manage Panama until May 1989. Noriega would be committed by this deal to stay out of the 1989 elections.

Mr. Cooper explained that the key event from a legal point of view would be the dismissal of the indictment on the day Noriega steps down from the PDF. General Powell observed that we had specifically tasked the negotiators to go back to see if we could get simultaneity in dismissal of the indictment with the proposed date of departure of General Noriega from Panama.

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SECRET/SENSITIVE

Mr. Cooper responded that Noriega's lawyers had asked for a blanket pass for any and all crimes committed in the past. They apparently fear a trick and think that we have a secret indictment sealed away somewhere that we intend to spring on Noriega after the deal has been consummated. In consequence of their opening up this new item, we in turn suggested that if Noriega left on August 12 we would give him immunity from extradition for any crime until May of 1989 when the elections are over. Secretary Baker interjected this is not what we agreed on Friday. He pointed out that what we had agreed on Friday was that we would seek to modify the agreement so that the indictment would be dismissed simultaneously with Noriega's stepping down from power on August 12 or that the dismissal be postponed until Noriega actually left the country in September. Mr. Abrams responded that we had tried that with Noriega's people and Secretary Shultz added that the proposal was put to Noriega's lawyers and rejected. General Powell remarked that the deal is not going to get any better from the arrangement we were discussing last week.

The President asked how General Noriega's successor would be chosen and how the national reconciliation government would come together. Secretary Shultz responded that what will happen is the launching of a process of interreaction between the various political forces to produce a government. We will try to rally the Latins so that they can play a mediation role. We would also make clear to General Noriega that having made this deal we expect him to go through with it.

Attorney General Meese suggested that we must address whether or not we plan to use military force if General Noriega does not comply. We must address now the issue of whether we are prepared to invade Panama if Noriega does not keep his bargain. Secretary Shultz responded that talking of invasion would be to take this matter to an extreme. If we do this deal and put into place a political process and it has widespread support and if Noriega then begins to welsh there are things we can do short of an invasion. Secretary Shultz said he recalled the debate over the threshold issue of whether or not to allow the use of U.S. bases for opposition political activities. Attorney General Meese responded that we ought to decide whether to cross that threshold now rather than later. If we are not going to do it, we need to be careful if he thumbs his nose at us on September 13. Then we will have a serious problem.

Secretary Baker said if Noriega welches that will be just devastating. We do not have the support from the lower ranks of the Justice Department, the judge in the case is against us and even the Republicans in Congress are criticizing us. There is no

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public support for the arrangement. We would be taking extraordinary risks if we do not have a guarantee that he will leave the country before the indictment is dropped. We have no guarantee that he will not continue to romance the Cubans. We have know idea who the National Reconciliation Government will be. We are betting on the come. Secretary Baker said that he would much rather go back to some of the ideas and activities which Secretary Carlucci had earlier thought were ill advised (e.g. the intensified use of pressures and allowing U.S. bases to be used for opposition activities.) Secretary Carlucci interjected that if you want to use force, then get a declaration of war from the Congress.

General Powell said that if there were a surgical way to go remove General Noriega from power, he would recommend such a course of action immediately, but no one has come up with a fool proof plan and the options for use of military force discussed thus far do not appear to have a guaranteed result. What we are down to therefore is trading this indictment to get Noriega out of office. We used a tool and the tool served a purpose.

Mr. Cooper pointed out that even if we achieved simultaneity between General Noriega's departure and the dismissal of the indictment, this would not be a significant improvement over the present arrangement because he could simply welsh on the deal by turning the plane around moments after the indictments were dismissed with prejudice. Mr. Baker said we would be taking heat between August and September because Noriega had not yet left the country.

Mr. Culvahouse asked if the \$67 million deposit was still part of the deal. Secretary Shultz explained the liquidity issue, noting that the Japanese government had been approached by us to make a deposit but the Japanese had balked and now an approach has been made to Taiwan which might do it. It is a question of getting a bit of cash into the economy as a way of supporting the government of national reconciliation.

Senator Baker said he saw the following three questions in the situation. First, we needed to ask if our original concept had been irrevocably tarnished. If so, then the political viability of the deal we had negotiated would be called into question. Secondly, were we certain where we were headed with this arrangement and lastly, if this fell through, what would we do next. Senator Baker said the only thing he found totally unacceptable would be to allow this matter to drag on indefinitely so in his view the question was whether we could package this deal in a way which is politically acceptable.

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Secretary Shultz said that one could almost describe this as a brilliant piece of work. Based on Mr. Blandon's testimony we had gotten an indictment and had put a lot of pressure on Noriega and then he had agreed to get out. General Powell added that if we don't settle this question by mid week then we are faced with other issues such as exemptions to the IEEPA in the form of treasury regulations which would probably reduce the impact of the sanctions by roughly 50 percent anyway. Soon after we would probably have to address the question of exemptions for social security payments by the Defense Department.

Secretary Shultz said to the President "Its just like Grenada and the Persian Gulf, Mr. President. It is up to you."

The President then asked if we might develop a slight variant to the deal being proposed by forming a small group of Panamanian people sympathetic to our point of view who could get together to name Noriega's successor and help put together a National Reconciliation Government. Likewise, it would be important to make clear to Noriega and his lawyers that such a negotiated arrangement would be the end of the line as far as we were concerned and if Noriega reneged then we would have to resort to tougher measures.

General Powell noted that the arrangements that have been negotiated so far were similar to those which the President had just described. The President added that the only decision we have to make is whether or not at the same time as we negotiate the deal we are prepared to put to Noriega what the alternative is to not going through with it. Secretary Shultz said that if we don't go forward with this deal, it will not be the end of the matter. We will have to do something.

The President said that we should present the matter to Noriega that he was "madder than hell". He did not go through with the deal, then we would invade Panama and bring him back to trial. General Powell wondered if such a threat would be useful at this time or whether it might be more useful if and when Noriega were to renege. In summarizing the meeting General Powell stated that the consensus was to proceed with the negotiations and to bring a completed deal to the President for final approval. Secretary Shultz said that if we want to "blow this deal up" the time to blow it up is now. Secretary Baker said we would be vulnerable for three and one-half months if we cut a deal which may or may not happen. "We will get it every day". Secretary Shultz responded that matters could be even worse if General Noriega is still in Panama in mid September "sipping drinks with Castro" because we wouldn't step up to a deal we could have had to get him out of there. As the meeting was breaking up, Attorney General Meese again summarized the results of the meeting by stating that we agreed to proceed with the agreement

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as it had been posited and if Noriega and his lawyers accept, then "it is a contract". The President said "yes".

Continuing, Mr. Meese said "if he performs, we perform". He added that we must understand that the main thing is whether the whole political thing can be put together. The President closed by saying that this is a deal for Noriega to step down from power, and leave his country. The alternative is for him to stay in office and continue running drugs.

Prepared by:
John D. Negroponte *JDN*

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THE WHITE HOUSE
WASHINGTON

14 May 1988

M E M O R A N D U M

TO: Chief of Staff, Senator Howard Baker
FROM: Situation Room
RE: Sensitive Memo from Vice President

Sir,

This is your copy of a sensitive memo
from the Vice President received over
the weekend.

It has also been given to the President
and General Powell. No other copies were
made per instructions from General Powell.

~~SECRET~~

WHITE HOUSE SITUATION ROOM

PAGE 01 OF 03

PRT: BAKER POWELL PRESIDENT

SIT: WHSR_SPECIAL

DECLASSIFIED

NLRR F97-06446 #111
BY RW NARA DATE 9/25/12

<PREC? IMMEDIATE <CLAS? SECRET

<DTG? 140448Z MAY 88

FM THE VICE PRESIDENT//PORTLAND OREGON//

TO RUXXCAM/THE PRESIDENT//CAMP DAVID//

INFO ZEN/HON HOWARD BAKER//VIA WHSR//

ZEN/GEN. COLIN POWELL//VIA WHSR//

~~SECRET~~ EYES ONLY

QQQQ

----- DO NOT PASS THROUGH STAFF, DELIVER AS FOLLOWS -----

////////PLEASE PLACE THE FOLLOWING MESSAGE IN A SEALED
////////ENVELOPE AND HAND DELIVER TO --"ADDRESSEES ONLY"--
////////ON SATURDAY MORNING.//////////

THE VICE PRESIDENT

WASHINGTON

MAY 13, 1988

MR. PRESIDENT, HOWARD AND COLIN CALLED SOLICITING MY VIEWS ON THE NORIEGA DEAL. ADVISED THAT OUR NEGOTIATORS SAY THEY CANNOT GO BACK TO NORIEGA ON THE TERMS DECIDED UPON AT FRIDAY'S 1:45 MEETING.

MY REACTION IS: "WHY NOT?" THIS DEAL HAS DIFFERENT FACTS AND CERTAINLY DIFFERENT OVERTONES THAN WHEN IT WAS PRESENTED TO US EARLY THIS WEEK. I AM TROUBLED BY THE FOLLOWING:

1. THAT NORIEGA MIGHT BE PERMITTED TO RUN FOR PRESIDENT AGAIN. I FELT THAT HE WAS TO STAY OUT OF POLITICS.
2. THAT OUR U.S. ATTORNEYS IN MIAMI AND POSSIBLY THE FEDERAL JUDGE THERE WILL OPPOSE THIS DEAL, THUS SEVERELY UNDERMINING OUR ADMINISTRATION'S POSITION AS TOUGH ON DRUG PUSHERS.

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WHITE HOUSE SITUATION ROOM

PAGE 02 OF 03

3. THAT WE CAN NOT SAY THAT THIS DEAL IS "PLEA BARGAINING." MIKE ARMACOST CLEARLY STATED THAT IT WAS "PLEA BARGAINING." THIS IS IMPORTANT. EVEN THOUGH A "PLEA BARGAINING" CONCEPT WILL NOT QUIET THE CRITICISM, IT DOES IMPUTE ACCEPTED GUILT ON NORIEGA'S PART.

I UNDERSTAND YOUR CONCERN THAT THERE IS NO OTHER CHOICE, BUT WE ARE NOT CERTAIN OF THAT. THE TERMS OF THIS "NEAR MISS" WILL BECOME PUBLIC IN PANAMA, AND WHO KNOWS WHAT AFFECT THIS WILL HAVE DOWN THERE. WE FELT THAT ECONOMIC PRESSURE WOULD HAVE WORKED BY NOW. BUT INDEED IT DID BRING NORIEGA TO THE TABLE. CONTINUED PRESSURE MIGHT JUST WORK.

WE SHOULD ENCOURAGE THE OTHER COUNTRIES IN THE AREA TO CONTACT ALL THEIR FRIENDS IN PANAMA. THESE COUNTRIES CAN NOW BRING MORE PRESSURE TO BEAR TO GET NORIEGA OUT.

I REALIZE THAT YOU CANNOT MAKE A DECISION OF THIS NATURE BASED SOLELY ON PUBLIC OUTCRY, BUT BELIEVE ME WHEN I SAY THAT THE FEELINGS ON THIS ARE VERY DEEP IN THIS COUNTRY RIGHT NOW.

I STRONGLY URGE THAT THE NEGOTIATORS COME HOME, AND THAT WE USE THE NEXT FEW WEEKS TO HAVE KEY PLAYERS IN CONGRESS AND IN LAW ENFORCEMENT UNDERSTAND THE IMPORTANCE OF GETTING NORIEGA OUT, EVEN IF IT MEANS ACCEPTING A "PLEA BARGAIN."

I HAVE ANOTHER CONCERN WHICH RELATES TO THE WAY THE NEXT STEP SHOULD BE TAKEN. THERE WAS AT FIRST, GOOD REASON FOR A VERY "CLOSE

HOLD" ON THESE NEGOTIATIONS. THERE IS NO LONGER SUCH REASON. SO I'D URGE THAT A NATIONAL INTELLIGENCE ESTIMATE ON ALL THIS BE TASKED TO CIA. IT SHOULD ADDRESS THE FOLLOWING:

1. WHAT IS THE LIKELIHOOD THAT NORIEGA CAN REGAIN POWER AFTER NEXT YEAR'S ELECTION>
2. CAN HE CONTINUE HIS DRUG DEALING IF HE IS IN PANAMA BUT OUT OF POWER>
3. WHAT WILL A POST-NORIEGA PANAMA BE LIKE IN THE SHORT RUN> WILL IT KEEP ITS NEWLY ENHANCED TIES TO CASTRO, LIBYA, NICARAGUA> IF THE ANSWER TO THIS IS "YES," WHAT HAS BEEN GAINED BY LETTING NORIEGA OFF THE HOOK>

YOU HAVE EVERY REASON TO WONDER IF MY JUDGEMENT IS BASED ON PURE

~~SECRET~~

~~SECRET~~

WHITE HOUSE SITUATION ROOM

PAGE 03 OF 03

POLITICAL EXPEDIENCY. I THINK THE POLITICAL RISKS ARE SEVERE. WHEN WE DISCUSSED THIS EARLY IN THE WEEK, I MENTIONED THE BAD POLITICS, FEELING THOUGH THAT THE STORM COULD BE WEATHERED. NOW UNLESS WE CAN GET JUSTICE ENTHUSIASTICALLY ON BOARD, WE WILL BE ROUNDLY BLASTED, AND AS THE PARTY'S STANDARD BEARER IN THE FALL, I WILL BE SEVERELY DAMAGED. IT IS BEST SUMMED UP BY DAVID HOFFMAN'S SHOUTED QUESTION: "MR. VICE PRESIDENT, HOW CAN YOU SAY YOU WANT THE DEATH PENALTY FOR NARCOTICS KING PINS, YET IN THE FACE OF OPPOSITION FROM YOUR OWN PROSECUTORS, YOU LET THIS EVIL MAN GO FREE." MY BOTTOOME LINE - NO DEAL BEATS A BAD DEAL. I FEEL I OWE YOU MY JUDGMENT. I WILL NOT LEAK IT, NEVER HAVE, WON'T START NOW.

WARM REGARDS.

GEORGE /

BT

#0001

~~SECRET~~

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 8 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 9 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

April 13, 1988

Presidential Determination
No. 88-14

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Assistance for Panama Under the Auspices of the
Recognized Government

By virtue of the authority vested in me by Section 614(a) of the Foreign Assistance Act of 1961, as amended, I hereby:

(1) determine that it is vital and important to the security interests of the United States that assistance be provided under the Foreign Assistance Act for Panama under the auspices of the recognized government to assist in the restoration of democracy, order, and economic stability in Panama, notwithstanding any provision of law to the contrary within the scope of Section 614(a) of the Foreign Assistance Act, including Section 570 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, and Section 481(h) of the Foreign Assistance Act;

(2) authorize the furnishing of such assistance in furtherance of any of the purposes and through any of the means specified in the Foreign Assistance Act; and

(3) authorize the Secretary of State to make all determinations and take all actions necessary to carry out the foregoing, including those that may be called for under Section 607 of the Foreign Assistance Act.

You are authorized and directed to report this determination to the Congress immediately, and the assistance provided herein shall be furnished only after such report has been made. I conclude that publication of this determination in the Federal Register would be harmful to the national security of the United States. Accordingly, you are authorized and directed to arrange for publication in the Federal Register of a statement concerning this determination in accordance with Section 654(c) of the Foreign Assistance Act.

Ronald Reagan

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

DECLASSIFIED

NLRR F97066/6 #113
BY RW NARA DATE 5/24/11

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

2567
ADD ON

THE WHITE HOUSE

WASHINGTON

April 12, 1988

MEMORANDUM FOR THE PRESIDENT

THROUGH: WHITE HOUSE EXECUTIVE CLERK
FROM: COLIN L. POWELL 
SUBJECT: Determination to Authorize Assistance to the
Legitimate Government of Panama

Issue

To sign a Presidential Determination under Section 614 of the Foreign Assistance Act in order to authorize assistance to the legitimate Government of Panama.

Facts

On April 6, 1988, you directed Secretary Shultz to proceed with congressional consultations regarding a waiver of provisions of the FY 1988 Continuing Resolution and other laws that prohibit U.S. assistance to Panama. The Department of State has completed the congressional consultations required by Section 614 of the Foreign Assistance Act in accordance with statutory requirements.

Discussion

The results of the congressional consultations completed in advance of your Determination were satisfactory. Based on such consultations, the Department of State has reaffirmed Secretary Whitehead's April 2 recommendation that you sign the necessary Presidential Determination to authorize assistance for Panama under the auspices of the recognized government. The Determination has been classified in order to protect the sources and methods to be employed in providing assistance to the recognized government of Panama. Thus, an announcement that you have signed a Determination under Section 614(a) of the Foreign Assistance Act will be published in the Federal Register, but the text of the Determination will not appear. Nicholas Rostow, the NSC Legal Adviser, has coordinated the Determination with A. B. Culvahouse in advance of its being submitted to you.

Recommendation

OK _____
No _____

That you sign the Presidential Determination to authorize assistance for Panama under the auspices of the recognized government.

Attachment
Tab A Presidential Determination

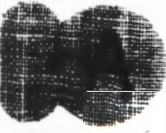
Prepared by:
James F. Collins

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

cc: Vice President
Chief of Staff (2)

BY RUS
NLR 97-0666 #114
DECLASSIFIED
MAR. DATE 5/24/11



~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

Presidential Determination
No. _____

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Assistance for Panama Under the Auspices of the
Recognized Government

By virtue of the authority vested in me by Section 614(a) of the Foreign Assistance Act of 1961, as amended, I hereby:

(1) determine that it is vital and important to the security interests of the United States that assistance be provided under the Foreign Assistance Act for Panama under the auspices of the recognized government to assist in the restoration of democracy, order, and economic stability in Panama, notwithstanding any provision of law to the contrary within the scope of Section 614(a) of the Foreign Assistance Act, including Section 570 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, and Section 481(h) of the Foreign Assistance Act;

(2) authorize the furnishing of such assistance in furtherance of any of the purposes and through any of the means specified in the Foreign Assistance Act; and

(3) authorize the Secretary of State to make all determinations and take all actions necessary to carry out the foregoing, including those that may be called for under Section 607 of the Foreign Assistance Act.

You are authorized and directed to report this determination to the Congress immediately, and the assistance provided herein shall be furnished only after such report has been made. I conclude that publication of this determination in the Federal Register would be harmful to the national security of the United States. Accordingly, you are authorized and directed to arrange for publication in the Federal Register of a statement concerning this determination in accordance with Section 654(c) of the Foreign Assistance Act.

~~CONFIDENTIAL~~
Declassify on: OADR

~~CONFIDENTIAL~~

DECLASSIFIED
NLRR F97-0666#115
BY RW NARA DATE 5/24/11