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2004-0722-F; 2005-0992-F

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FOIA MARKER

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Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: National Security Council
Series: H-Files
Subseries: NSC/DC Meetings Files

OA/ID Number: 90010
Folder ID Number: 90010-026

Folder Title:
NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Stack:	Row:	Section:	Shelf:	Position:
V	15	2	3	2

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
~~01a. Memo~~	~~Robert M. Gates to Carnes Lord, et al., Re: NSC Deputies Committee Meeting--Panama. (1 pp.)~~	08/28/89	(b)(1)	S
~~01b. Paper~~	~~Policy Coordinating Committee: Panama under Noriega after September 1, 1989. (7 pp.)~~	n.d.	(b)(1)	S
01c. Paper	Embassy Panama: Management and Other Issues. (2 pp.)	n.d.	(b)(1)	S
01d. Paper	Issues re Implementing the Panama Canal Treaty. (1 pp.)	n.d.	(b)(1)	S
01e. Form	NSC Distribution Record, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/28/89	(b)(3)	
01f. Form	NSC Distribution Record, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/28/89	(b)(3)	
01g. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	

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Collection:	
Record Group:	Bush Presidential Records
Office:	National Security Council
Series:	H-Files
Subseries:	NSC/DC Meetings Files
WHORM Cat.:	
File Location:	NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama
Pinksheet Number: RML4514	
OA/ID Number: 90010-026	
Date Closed: 3/5/2009	
FOIA/Sys Case #: 2004-0722-F	
Re-review Case #:	
P-2/P-5 Review Case #:	

Withdrawal/Redaction Sheet

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Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01h. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01i. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01j. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01k. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01l. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01m. Memo	G. Philip Hughes to Carnes Lord, Re: NSC Deputies Committee Meeting. (1 pp.)	08/28/89	(b)(1)	S
01n. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	

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01o. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01p. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01q. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01r. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01s. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
01t. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	
~~01u. Memo~~	~~William T. Pryce to Robert M. Gates, Re: NSC/Deputies Committee Meeting on Panama Under Noriega after September 1, 1989. (1 pp.)~~	08/25/89	(b)(1)	S

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Withdrawal/Redaction Sheet

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Doc. No. / Type	Subject/Title	Date	Restriction	Classification
~~01v. Memo~~	~~J. Stapleton Roy to Brent Scowcroft, Re: PCC [Policy Coordinating Committee] Paper on Panama for the Deputies Committee: Panama under Noriega after September 1, 1989. (1 pp.)~~	08/21/89	(b)(1)	S
02a. Memo	William T. Pryce to Robert M. Gates, Re: NSC Deputies Meeting on Panama. (3 pp.)	08/29/89	(b)(1)	S
02b. Talking Points	Points to Be Made for Deputies Meeting on Panama. (1 pp.)	n.d.	(b)(1)	
~~02c. Paper~~	~~Policy Coordinating Committee: Panama under Noriega after September 1, 1989. (7 pp.)~~	n.d.	(b)(1)	S
02d. Paper	Embassy Panama: Management and Other Issues. (2 pp.)	n.d.	(b)(1)	S
02e. Paper	Issues re Implementing the Panama Canal Treaty. (1 pp.)	n.d.	(b)(1)	S
02f. Cable	Re: Panama High-Level Demarche. (4 pp.)	08/28/89	(b)(1)	C
~~02g. Notes~~	~~Handwritten notes, Re: Panama policy (1 pp.)~~	n.d.	(b)(1)	
02h. List	Re: Attendees at Deputies Committee meeting; names and birthdates redacted. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/30/89	(b)(3), (b)(6)	

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Date Closed: 3/5/2009

FOIA/Sys Case #: 2004-0722-F

Re-review Case #:

P-2/P-5 Review Case #:

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
02i. Form	NSC Time Planning Sheet, Re: Panama under Noriega after 1 September; names, birthdates, and Social Security numbers redacted. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/30/89	(b)(3), (b)(6)	
03a. Memo	Re: Minutes of DC [Deputies Committee] Meeting on U.S. Policy Toward Panama Under Noriega After September 1, 1989. (1 pp.)	08/30/89	(b)(1)	S
03b. List	Re: Attendees at Deputies Committee meeting; names and birthdates redacted. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/30/89	(b)(3), (b)(6)	
03c. Notes	Handwritten notes, Re: Deputies Committee meeting on Panama. (8 pp.)	08/30/89	(b)(1)	

Page 5 of 5

Collection:

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Subseries: NSC/DC Meetings Files

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OA/ID Number: 90010-026

Date Closed: 3/5/2009

FOIA/Sys Case #: 2004-0722-F

Re-review Case #:

P-2/P-5 Review Case #:

~~SECRET~~/EXDIS
NSC/S PROFILE

RECORD ID: 8921030
RECEIVED: 22 AUG 89 09

TO: AGENCIES

FROM: GATES

DOC DATE: 28 AUG 89
SOURCE REF:

KEYWORDS: PANAMA
PCC
AGENDA

TREATIES
DC

PERSONS: NORIEGA, MANUEL A

SUBJECT: NOTIFICATION W/ PCC PAPER FOR 30 AUG DC MTG ON PANAMA

ACTION: GATES SGD MEMO TO AGENCIES

DUE DATE: 13 FEB 90

STATUS: C

STAFF OFFICER: PRYCE

LOGREF: 8921060 8921066

FILES: IFM O

NSCP: DC047

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

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NSC CHRON
PRYCE
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White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By PLK NARA, Date 3/4/09

COMMENTS:

DISPATCHED BY

DATE

BY HAND W/ATTCH

OPENED BY: AC

CLOSED BY: LF

DOC 3 OF 3

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ACTION DATA SUMMARY REPORT

RECORD ID: 8921030

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 PRYCE	Z	89082209	PREPARE MEMO FOR SCOWCROFT
002	X	89022817	SITTMANN SGD MEMO / ACCEPT
002 GATES	Z	89082814	FOR SIGNATURE AND DECISION
002	X	89082816	GATES APPROVED RECOM
003	X	89082810	GATES SGD MEMO TO AGENCIES

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White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By RM NARA, Date 3/4/09

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PROFILE

~~SECRET~~/EXDIS

ID 8921030

RECEIVED 22 AUG 89 09

TO

SCOWCROFT

FROM ROY, J

DOCDATE 21 AUG 89

PRYCE

25 AUG 89

KEYWORDS: PANAMA

TREATIES

NORIEGA, MANUEL

PCC

DC

AGENDA

SUBJECT: PCC PAPER RE PANAMA FOR DC / PANAMA UNDER NORIEGA AFTER 1 SEP

ACTION: PREPARE MEMO FOR SCOWCROFT

DUE:

STATUS X

FILES IF **40**

FOR ACTION

FOR CONCURRENCE

FOR INFO

PRYCE

ROSTOW

LAMPLEY

SITTMANN

GATES

SCOWCROFT

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White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By PWC NARA, Date 3/4/09

COMMENTS

REF# 8918880

LOG

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(A / **ST**)

ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
GATES	-	8/28	FOR SIGNATURE + Decision	
	-	8/28	GATES S&D MEMO TO AGENCIES	
	-	8/28	GATES APPROVED RECOMM	
	C	8/28	SITTMANN S&D MEMO TO AGENCIES	WTP- www- ENR- CTRM-
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**National Security Council
The White House**

PROOFED BY: MEH

LOG # 6 21030

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	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep Exec	<u>1</u>	<u>W</u>	<u>A</u>
Philip Hughes	_____	_____	_____
Bob Gates	<u>2</u>	_____	_____
Brent Scowcroft	_____	_____	_____
Philip Hughes	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>3</u>	<u>EA 8/30</u>	<u>AD</u>
NSC Secretariat	<u>4</u>	<u>Bm</u>	<u>R</u>
_____	_____	_____	_____
_____	_____	_____	_____

<u>A</u> = Action	I = Information	D = Dispatch	<u>R</u> = Retain	N = No further Action
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cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

De-Panama - 8/30 10:00
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21030

THE WHITE HOUSE
WASHINGTON

August 28, 1989

MEMORANDUM FOR

CARNES LORD
Assistant to the Vice President
for National Security Affairs

WILLIAM BARR
Assistant Attorney General
Department of Justice

ROBERT KIMMITT
Under Secretary for Political Affairs
Department of State

WILLIAM M. DIEFENDERFER
Deputy Director
Office of Management and Budget

JOHN E. ROBSON
Deputy Secretary
Department of Treasury

RICHARD J. KERR
Deputy Director
Central Intelligence Agency

PAUL G. WOLFOWITZ
Under Secretary for Policy
Department of Defense

GEN. ROBERT T. HERRES
Vice Chairman
Joint Chiefs of Staff

SUBJECT: NSC Deputies Committee Meeting - Panama Under Noriega (S)

An NSC Deputies Committee Meeting has been scheduled for August 30, 1989, 10:00 a.m. to 11:00 a.m. in the White House Situation Room. The purpose of the meeting is to discuss the attached Panama PCC Paper on "Panama Under Noriega after September 1, 1989." Please let your Executive Secretary know who will attend (including their date of birth and social security number). (S)



Robert M. Gates
Assistant to the President
and Deputy for National
Security Affairs

Attachments

Tab A Agenda
Tab B Draft PCC Paper on Panama

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Declassify on: OADR

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PER E.O. 13526

2010-1446-MR

MM 4/30/2015

~~SECRET~~

NATIONAL SECURITY DEPUTIES COMMITTEE MEETING

DATE: August 30, 1989
LOCATION: Situation Room
TIME: 10:00 a.m. - 11:00 a.m.

PANAMA

Agenda

- I. Introduction Robert Gates
- II. Discussion of Panama PCC Paper All
- III. Summary Robert Gates

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White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By Paul NARA, Date 3/4/09

~~SECRET/EXDIS~~

Policy Coordinating Committee

Panama under Noriega after September 1, 1989

With the end of President Delvalle's term on September 1, the fig leaf provided by U.S. recognition of his government will disappear. If we fail to gain Noriega's departure from power prior to September 1 and in the absence of a political decision to take whatever additional action might be necessary to insure Noriega's departure by that date, we will face a situation requiring decisions which deal with a myriad of political, administrative, legal and Treaty problems.

This paper provides an assessment of the issues we would face in this situation. Broadly speaking, they fall into three categories -- diplomatic recognition or non-recognition, Treaty implementation, and keeping the pressure on Noriega. Besides the key issue of recognition, we will need early decisions on the appointment of a Panamanian as Canal Administrator, our Embassy presence in Panama, and the escrowed monies owed Panama. Additional issues are listed in the attachments to this paper.

Our Panama policy remains predicated on two points:

- o The United States will not reestablish normal relations with Panama for so long as Noriega remains in power.
- o We will maintain our policy of mounting pressure across the board until Noriega departs.

Managing the resulting situation means defining and establishing the optimal mix among several objectives -- keeping up pressure on Noriega; minimizing adverse domestic, Congressional and foreign opinion; and sustaining Panamanian opposition to Noriega.

Diplomatic Recognition

o If Noriega continues in power after September 1 we have these alternatives: continue to recognize Delvalle, recognize Endara, recognize no one, or simply accept a junta responsive to an ensconced Noriega.

-- Continue to Recognize Delvalle: Delvalle has told us that he would not agree to stay on as president-in-exile. He has fought for the principle of respect for the Constitution and does not want to violate its provisions by overstaying his

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constitutionally prescribed term in office. While we could attempt to pressure him into reversing this position, we question that this approach could be productive. We judge the likely international reaction to continued recognition of Delvalle as substantially less favorable than either recognition of Endara or a decision to recognize no one. The arguments we would need to articulate to justify Delvalle's remaining in office would have the extremely negative consequence of providing a justification for the retention of the regime all other countries recognize, thus removing the major driving force behind current international efforts to resolve the crisis in Panama -- the constitutional vacuum that will occur after September 1.

-- Acceptance of a Noriega-installed Junta: We similarly reject acceptance of a Noriega junta as being in fundamental conflict with our basic policy. This would give Noriega a presence in Washington and would create enormous difficulties politically with the Congress. This option would be viable only if the President determined that the operational advantages of restoring normal relations with Panama outweighed the need to continue to isolate Noriega.

-- Recognize Endara: Endara has given no indication that he intends to proclaim himself President September 1. Whether we should encourage him to do so turns on the issue of whether he is more valuable to us as a "President-in-exile" (Noriega would not allow him to remain in Panama) or as a political leader in Panama with the popular mandate of the May 7 election. On balance, we believe that we should encourage Endara to consider naming himself President only as part of an aggressive plan in which he would be allowed to set up a shadow regime in a joint-use military area with U.S. protection and make a maximum effort to rally popular support and encourage defections from the PDF and other regime supporters. Absent a decision to proceed with such a plan, we should seek an early reading as to Endara's intentions. If he were to decide that he could not remain in Panama in any event, we could encourage him to assume office prior to departing Panama and to play a Delvalle role thereafter. This would raise problems such as getting someone to invest him, but would provide us the advantages of having in place a President to provide us new legal authorizations for U.S. activities as changing circumstances warrant. A major disadvantage, however, would be that we would be at least implicitly committed to seeking an outcome in which Endara would assume power following Noriega's departure, thus reducing the range of options available to us in seeking our primary goal of Noriega's ouster.

-- Recognize No Government: We are under no legal obligation to recognize anyone as the GOP. Such an approach

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would best reflect the political reality with which we would be confronted post-September 1 if a Noriega puppet regime remains in place. The domestic legal authority of the USG to continue freezing and escrowing funds and our existing pressures program is not dependent upon recognition of a GOP. Our argument for continuing these measures would be that we were carrying out the instruction of the last recognized GOP and is probably as viable as our current arguments based on our recognition of Delvalle. What we would lose is the ability to obtain new grants of authority from a recognized government as circumstances require. This problem can be mitigated -- although not eliminated -- by obtaining from Delvalle prior to September 1 discretionary authority to continue acting in various areas as we have been over the past 18 months.

On balance, the PCC believes we should decide not to recognize any government so long as Noriega continues in power.

Approve _____

Disapprove _____

Status of the U.S. Embassy

Absent recognition of the regime as having acknowledged power in Panama, the status of our Embassy will continue to present us with a number of difficult management issues (Tab A). We need a decision well before September 1 as to whether we should opt for an Interest Section; close the Embassy and seek to establish a quasi-diplomatic mission attached to SOUTHCOM; or continue in our present mode of maintaining an Embassy notwithstanding our non-recognition of the regime in place, with the fallback position of either of the first two options.

Establishment of an Interest Section would require open recognition of the Noriega regime (albeit without maintaining formal diplomatic relations) and granting of the reciprocal right to Noriega of establishing an Interest Section here in Washington. Despite our domestic legal ability to continue to withhold escrowed monies from the regime, our arguments for refusing to do so would be undercut by recognizing the Noriega regime and allowing a Noriega representation here in Washington. The political opposition in the Congress would be formidable.

Closing the Embassy while moving some residual functions of Embassy onto SOUTHCOM property would be highly difficult politically, including opposition by the U.S. citizen community

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in Panama and resulting Congressional pressures. This decision would leave us without a formal diplomatic presence on the isthmus.

Keeping the Embassy in place without recognizing the regime would serve our interests in maintaining a presence. The Afghanistan model comes to mind here, although the factual situation differs in the two cases. While a precedent exists for not treating as a state a puppet regime under the military control of an occupying state, the presence of our Embassy in Panama implies recognition of some Panamanian Government, with the only one available being Noriega's. On the other hand, some of our Embassy personnel in Panama are now documented as military employees and this will increase in any event as rotations occur. We could document all Embassy employees in this fashion and be able to claim that we no longer have a "diplomatic" mission in Panama, notwithstanding that it would continue to perform Embassy functions. By keeping a presence in our Embassy building, we would continue to run the risk that Noriega would make the decision for us, e.g. the spectacle of having booted the U.S. Embassy out of "his" country, but this is essentially the same situation we have been in for 18 months.

If we were successful in our efforts to persuade a number of Latin countries to join us in formally breaking relations with Panama, we would necessarily be compelled to close the Embassy. Here the advantages of achieving increased isolation of Panama outweigh the loss of a formal diplomatic presence there.

On balance, the PCC believes that we should continue in the present mode with our Embassy, but be prepared at a day's notice to break relations and close the post in favor of a presence under SOUTHCOM auspices if it becomes evident that Noriega is going to increase harassment with or without the intent of forcing us out.

Approve _____

Disapprove _____

Treaty Implementation Issues

Our Treaty dilemma consists of the fact that the U.S. has a Treaty relationship it is unwilling to repudiate with a country whose government it cannot recognize. Under these circumstances, Treaty policy necessarily must consist of managing implementation issues (a representative list is provided at Tab B) in the way best calculated to minimize their political costs. In a broad sense, this is the position we

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have been in for the past 18 months, but we face new and more visible Treaty implementation issues.

A protracted political impasse in Panama could very likely undermine the Canal Treaty's ability to function as the transition mechanism to achieve our foreign policy objective of turning the Canal over to Panama while ensuring safe access for U.S. shipping after 1999. In 1979 we embarked upon a cooperative bilateral process of Treaty implementation, but in the last 18 months we have essentially reverted to unilateral operation of the Canal, an orientation which is increasingly out of step with the letter and intent of the Treaty regime and our long-term interests. Major Treaty-implementation functions/issues of an ongoing nature being impeded by unilateral Canal operation include appointment/removal of Panamanian PCC Board members; their participation in major Board decisions regarding Canal operations and major capital improvements; property transfers to Panama; provision of public services in Canal operating areas by Panama; and the effective functioning of the U.S.-Panama Consultative Committee and the Joint Committee on the Environment, two senior advisory committees established by the Treaty. The future of the international organization set up in 1985 by the U.S. with Panama and Japan to study alternatives to the Panama Canal also remains uncertain.

This deterioration in Treaty implementation is an inevitable consequence of the hostile situation between the U.S. and the regime, but will be used by Noriega to validate his thesis that the U.S. agenda is to unravel the treaties. This can become a self-fulfilling prophecy given popular and Congressional sentiment here and will require careful management to minimize these tendencies.

The most immediate Treaty issue we face is that of the appointment of a Panamanian as Administrator of the Panama Canal Commission. Article III (3) stipulates that beginning January 1, 1990, a Panamanian national will be employed as the Administrator after he has been proposed by the Government of Panama and appointed to the position by the United States Government. Under relevant U.S. implementing legislation, the President is required to nominate the candidate and send the name forward for approval by the Senate.

On June 27, the erstwhile Panamanian legislative assembly passed a law establishing the procedure for nomination of a candidate and nominated Tomas Gabriel Altimirano Duque, a businessman with a previously pro-U.S. reputation, who has maintained close ties with Noriega. The regime tried to communicate Panama's nomination, but we rejected its efforts on

the grounds that we do not accept diplomatic correspondence from other than recognized governments.

While rejecting Noriega's candidate would encourage renewed efforts to distract attention from Panama's internal crisis, we believe the U.S. can defend its action and maintain its commitment to honoring its Canal Treaty obligations. Conversely, if the nomination were to be accepted by the Administration, Noriega would use this gesture as proof to other governments that the U.S., out of necessity, has been forced to recognize his regime, and that they should follow suit. At the same time, acceptance of the nomination would risk a political firestorm in the U.S. and give an opportunity for Treaty opponents in the Congress to reopen the debate over the Treaties.

Our intention is to make clear that we cannot accept any nomination by a government we do not recognize while trying to avoid a premature debate on the Administrator issue. We should be able to do this by continuing to stress that we intend to uphold our Treaty commitments and that we look forward to acting positively on the proposal of a recognized government. In the interim, our best option would appear to be to name Fernando Manfredo, the current Panamanian Deputy Administrator, as Acting Administrator. Manfredo is highly regarded by us and within Latin America as a skilled politician who is experienced in Canal affairs; having been proposed by General Torrijos in 1979 our selection of him as Acting Administrator would be well received in Latin America as substantial compliance with the Treaty despite predictable efforts by Noriega to reject it. While we would benefit from an early decision on this matter before September 1, it appears important that we delay for as long as possible any public announcement of this decision so as to protect Manfredo from possible reprisal by Noriega -- a course which Manfredo would support.

The PCC believes that most treaty issues can be deferred for the immediate future. We should, however, approve in principle planning for the eventual ascendency of the current Deputy Administrator, Fernando Manfredo, as Acting Administrator.

Approve _____

Disapprove _____

Keeping the Pressure on Noriega

The question of the accounts and assets escrowed in U.S. banks appears to be the most serious issue in this category. While GOP assets in U.S. banks have been escrowed under the auspices of the Delvalle government, we believe that as a matter of domestic law we can continue to hold the monies in

escrow for the Panamanian people under IEEPA authority and rely on the continuation of Delvalle's instructions in the absence of a recognized government to alter these instructions. While Noriega will try to use this as an issue, the rejection of the May elections makes it easier politically for the USG to hold the funds in escrow until there is a government we can recognize that is genuinely accepted and elected by the Panamanian people.

The PCC recommends continuing to hold monies in escrow.

Approve _____

Disapprove _____

The continued withholding of Canal payments mandated by the Treaty may be more of a problem. Although our IEEPA authority is clear under U.S. law, our acting on Delvalle's instructions has always been weak authority under international law and may become even more so if we continue to withhold Treaty payments after September 1 on the basis of instructions from a now-former President. Our public position would be that we are not going to turn over millions of dollars to an individual who has been indicted in the United States on drug charges and who has refused to bow to the Panamanian popular will. While this would give Noriega the opportunity to charge us with not living up to the Treaty, we would be able to turn the spotlight back on his strongman rule in diplomatic demarches and in the UN and other international fora.

* The PCC recommends continuing to withhold Treaty payments.

Approve _____

Disapprove _____

Attachments:

Tab A - Embassy Panama: Management and Other Issues

Tab B - Issues re Implementing the Panama Canal Treaty

Withdrawal/Redaction Sheet

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Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01c. Paper	Embassy Panama: Management and Other Issues. (2 pp.)	n.d.	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Date Closed: 3/5/2009	OA/ID Number: 90010-026
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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
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PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

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Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

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01e. Form	NSC Distribution Record, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/28/89	(b)(3)	

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

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PRM. Removed as a personal record misfile.

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01f. Form	NSC Distribution Record, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/28/89	(b)(3)	

Collection:

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Series: H-Files

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WHORM Cat.:

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MESSAGE NO. _____ CLASSIFICATION _____ PAGES 12

FROM G. PHILIP HUGHES (NAME) 27 (EXTENSION) _____ (ROOM NUMBER)

MESSAGE DESCRIPTION AGENDA / DRAFT PCC PAPER RE DC MTG 30 AUG

LOG #21030

TO (AGENCY)	DELIVER TO:	DEPT/ROOM NO.	EXTENSION
STATE	MR. ROBERT KIMMITT	USPA STATE	
TREASURY	MR. JOHN E. ROBSON	DEP SEC	
DEFENSE	MR. PAUL G. WOLFOWITZ	USP	
CIA		DEP DIR	
JCS	GEN ROBERT T. HERRES	VICE CHAIRMAN	

(b)(3)
[50 U.S.C. 403g, Sec. 6]

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Log Number 21030

Date 28 AUG 89

Subject: AGENDA / DRAFT PCC PAPER RE DC MTG 30 AUG

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MANAGER, NATL COMMUNICATIONS SYSTEM (NCS), Room 4125 8th & SO Courthouse Rd., Arlington, VA				
THE SECRETARY OF HHS 200 Independence Avenue, NW, Room 615F				
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Page 1 of 1 Pages

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01h. Form	Fax cover sheet, Re: Agenda/ Draft PCC [Policy Coordinating Committee] Paper RE DC Meeting 30 Aug; redaction. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	n.d.	(b)(3)	

Collection:

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Series: H-Files
Subseries: NSC/DC Meetings Files
WHORM Cat.:
File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

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TO (AGENCY)

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MR. ROBERT KIMMITT

USPA STAFF

MR. JOHN E. ROBSON

DEF SEC

MR. PAUL C. WOLFOWITZ

USP

GEN ROBERT T. HERRES

DEF DIR

VICE CHAIRMAN

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MESSAGE NO. 2050 CLASSIFICATION SECRET PAGES 12

FROM G. PHILIP HUGHES (NAME) (EXTENSION) (ROOM NUMBER)

MESSAGE DESCRIPTION AGENDA / DRAFT PCC PAPER RE DC MFG 10 AUG

LOG #21030

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STATE	MR. ROBERT KIMMITT	USPA STATE	
TREASURY	MR. JOHN E. ROBSON	DEP SEC	
DEFENSE	MR. PAUL C. WOLFOWITZ	USP	
CIA	[REDACTED]	DEP DIR	
JCS	GEN ROBERT T. BERRES	VICE CHAIRMAN	

(b)(3)
[50 U.S.C. 403g, Sec. 6]

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P3: 29

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12/12

MESSAGE NO. 2050

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PAGES 12

FROM G. PHILIP HUGHES
(NAME)

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION AGENDA / DRAFT PCC PAPER RE DC MTG 30 AUG

LOG 821030

TO (AGENCY)

DELIVER TO

DEPT/ROOM NO.

STATE

MR. ROBERT KIMMITT

USPA STATE

TREASURY

MR. JOHN E. ROBSON

DEP SEC

DEFENSE

MR. PAUL G. WOLFOWITZ

USP

CIA

[REDACTED]

DEP DIR

ICS

GEN ROBERT T. HERRES

VICE CHAIRMAN

(b)(3)
[50 U.S.C. 403g, Sec. 6]

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MESSAGE DESCRIPTION AGENDA / DRAFT PCC PAPER RE DC MTG 30 AUG
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CIA	[REDACTED]	DEP DIR	
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19 AUG 28 P3:09

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(b)(3)
[5P U.S.C. 403g, (Sec. 6)]

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21030

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

August 28, 1989

MEMORANDUM FOR

MR. CARNES LORD
Assistant to the Vice President
for National Security Affairs

MR. ROBIN ROSS
Chief of Staff
Department of Justice

MR. J. STAPLETON ROY
Executive Secretary
Department of State

MR. FRANK HODSOLL
Executive Associate Director
Office of Management and Budget

MS. EMILY L. WALKER
Executive Secretary
Department of Treasury

MR. H. LAWRENCE SANDALL
Executive Secretary
Central Intelligence Agency

COL GEORGE P. COLE, JR.
Executive Secretary
Department of Defense

CAPT. ANTHONY MANESS
Executive Assistant to the
Chairman
Joint Chiefs of Staff

SUBJECT: NSC Deputies Committee Meeting - Panama (S)

There will be a meeting of the NSC Deputies Committee on August 30, 1989, 10:00 a.m. to 11:00 a.m., in the White House Situation Room. Under separate cover we are directly transmitting additional background material for the meeting by courier to:

Carnes Lord, Office of the Vice President
Robert M. Kimmitt, Department of State
John E. Robson, Department of Treasury
Paul G. Wolfowitz, Department of Defense
William E. Barr, Department of Justice
William M. Diefenderfer, Office of Management and Budget
Richard J. Kerr, Central Intelligence Agency
General Robert T. Herres, Joint Chiefs of Staff (S)


G. Philip Hughes
Executive Secretary

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White House Guidelines
E.O. 13526, SEC 3.4 (b), September 11, 2006
By MM NARA, Date 1/16/2014

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NATIONAL SECURITY COUNCIL DISTRIBUTION RECORD

Log Number 21030
Date 28 AUG 89

Subject: NSC DC MTG 30 AUG

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THE SECRETARY OF THE TREASURY Main Bldg/Room 3422				
THE SECRETARY OF DEFENSE The Pentagon				
DIRECTOR, ACDA Room 5933/Dept. of State				
CHAIRMAN US START DELEGATION % ACDA, 5933 State				
CHAIRMAN US INF DELEGATION % ACDA, 5933 State				
DIRECTOR, CIA Langley, VA				
CHAIRMAN, JCS The Pentagon				
DIRECTOR, OMB Room 252 OE08	1	29 Aug	10:00	Ann Shroder
U.S. REPRESENTATIVE TO UNITED NATIONS Room 6333, State Dept.				
THE SECRETARY OF COMMERCE 14th & Const. Ave. NW, Room 5851				
THE SECRETARY OF ENERGY GA257, Forrestal Bldg.				
DIRECTOR, AID Room 5942, Dept. of State				
THE ATTORNEY GENERAL Dept. of Justice, Room 5119	1	8/29/89	8:40 AM	E. F. ...
DIRECTOR, OSTP Room 360, OE08				
DIRECTOR, USIA 400 C Street, S.W., Room 800				
THE SECRETARY OF THE INTERIOR 18th & E. Street N.W., Room 6151				
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THE DIRECTOR, FEMA 1500 C Street, Room 828				
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MANAGER, NATL COMMUNICATIONS SYSTEM (NCS), Room 4125 8th & SO Courthouse Rd., Arlington, VA				
THE SECRETARY OF HHS 200 Independence Avenue, NW, Room 615F				
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WASHFAX RECEIPT

THE WHITE HOUSE

URGENT

C

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MESSAGE NO. _____ CLASSIFICATION _____ PAGES 1

FROM G. PHILIP HUGHES (NAME) (EXTENSION) (ROOM NUMBER)

MESSAGE DESCRIPTION NSC DC MTG 30 AUG

LOG # 21030

TO (AGENCY)	DELIVER TO:	DEPT/ROOM NO.	EXTENSION
STATE	MR. J. STAPLETON ROY	EXEC SEC	
TREASURY	MS. EMILY L. WALKER	EXEC SEC	
DEFENSE	COL GEORGE P. COLE, JR.	EXEC SEC	
CIA	[REDACTED]	EXEC SEC	
JCS	CAPT ANTHONY MANNESS	EXEC SEC	

(b)(3)
[50 U.S.C. 403g, Sec. 6]

REMARKS *** PLEASE DELIVER TO ADDRESSEE ASAP ***

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NATIONAL SECURITY COUNCIL DISTRIBUTION RECORD

Log Number 21030
Date 28 AUG 89

Subject: NSC DC MTG 30 AUG

DOCUMENT CLASSIFICATION:

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THE SECRETARY OF HHS 200 Independence Avenue, NW, Room 615F				
THE SECRETARY OF HUD 451 7th Street SW, Room 10000				
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Page 1 of 1 Pages

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CHAIRMAN US START DELEGATION % ACDA, 5933 State				
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Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

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Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
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[Handwritten signature]

MESSAGE NO.

2049

CLASSIFICATION

PAGES

FROM

G. PHILIP HUGHES

(NAME)

(EXTENSION)

ROOM NUMBER

MESSAGE DESCRIPTION

NSC DC MTG 30 AUG

LOG # 719

TO (AGENCY)

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STATE

MR. J. STAPLETON ROY

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DEPT OF JUSTICE

MS. EMILY L. WALKER

EXEC SEC

DEFENSE

COL GEORGE P. COLE, JR.

EXEC SEC

CIA

[REDACTED]

EXEC SEC

NS

CAPT ANTHONY MANNESS

EXEC SEC

(b)(3)
[50 U.S.C. 403g, Sec. 6]

REMARKS

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MESSAGE NO.

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CLASSIFICATION

PAGES 1

FROM

G. PHILIP HUGHES

(NAME)

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION

NSC DC MTG 30 AUG

LOG # 21030

TO (AGENCY)

DELIVER TO:

DEPT/ROOM NO.

EXTENSION

STATE

MR. J. STAPLETON ROY

EXEC SEC

TREASURY

MS. EMILY L. WALKER

EXEC SEC

DEFENSE

COL GEORGE P. COLE, JR.

EXEC SEC

CIA

[REDACTED]

EXEC SEC

JCS

CAPT ANTHONY MANNES

EXEC SEC

(b)(3)
50 U.S.C. 403g Sec.(1)

REMARKS

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WHITE HOUSE

3:08

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2049

MESSAGE NO.

2049

CLASSIFICATION

FROM G. PHILIP HUGHES

(NAME)

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION NSC DC MTG 30 AUG

LOG: 2049

TO (AGENCY)

DELIVER TO:

DEPT/ROOM NO.

STATE

MR. J. STAPLETON ROY

EXEC SEC

TREASURY

MS. EMILY L. WALKER

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DEFENSE

COL GEORGE P. COLE, JR.

EXEC SEC

CIA

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EXEC SEC

JCS

CAPT ANTHONY MANNES

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3. 30 P3:08

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MESSAGE NO.

2049

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PAGES 1

FROM

G. PHILIP HUGHES

(NAME)

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION

NSC DC MTG 30 AUG

LOG # 21030

TO (AGENCY)

DELIVER TO:

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STATE

MR. J. STAPLETON ROY

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TREASURY

MS. EMILY L. WALKER

EXEC SEC

DEFENSE

COL GEORGE P. COLE, JR.

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EXEC SEC

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MESSAGE NO.

2049

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PAGE 1

FROM

G. PHILIP HUGHES

(NAME)

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION

NSC DC MTG 30 AUG

LOG # 21034

TO (AGENCY)

DELIVER TO:

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EXTENSION

STATE

MR. J. STAPLETON ROY

EXEC SEC

TREASURY

MS. EMILY L. WALKER

EXEC SEC

DEFENSE

COL GEORGE P. COLE, JR.

EXEC SEC

CIA

[REDACTED]

EXEC SEC

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CAPT ANTHONY MANNES

EXEC SEC

(b)(3)
[50 U.S.C. 403g, Sec. 6]

REMARKS

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89 AUG 28 P3:08

SITUATION ROOM

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THE WHITE HOUSE

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MESSAGE NO.

2049

CLASSIFICATION

FROM

G. PHILIP HUGHES

(NAME)

PAGES

1

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION

NSC DC MTG 30 AUG

LOG # 21030

TO (AGENCY)

STATE

TREASURY

DEFENSE

CIA

JCS

DELIVER TO:

MR. J. STAPLETON ROY

MS. EMILY L. WALKER

COL GEORGE P. COLE, JR.

CAPT ANTHONY MANNESS

DEPT/ROOM NO.

EXEC SEC

EXEC SEC

EXEC SEC

EXEC SEC

EXEC SEC

EXTENSION

(b)(3)
[50 U.S.C. 403g, Sec. 6]

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ATTACHMENTS

PAUL 5/4/09

~~SECRET~~

~~SECRET~~

21030

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

August 25, 1989

ACTION

MEMORANDUM FOR ROBERT M. GATES

FROM:

WILLIAM T. PRYCE *WTP*

SIGNED

SUBJECT:

NSC/Deputies Committee Meeting on Panama Under Noriega after September 1, 1989

You have agreed to hold a Deputies Meeting on "Panama under Noriega after September 1, 1989" at 10:00 a.m. on August 30. The attached memo (Tab I) confirms the meeting and circulates the paper prepared by the Panama PCC. The paper makes specific recommendations which have been agreed by the appropriate Panama PCC members on five issues: recognition; the status of the U.S. Embassy; treaty issues including the appointment of a new U.S. Administrator; the escrow accounts; and treaty payments.

William Working, Nick Rostow, and I will attend from the NSC staff.

At Tab II is a meeting announcement to agencies and departments.

RECOMMENDATION

1. That you approve the meeting memorandum and its attachments at Tab I.

Approve ✓

Disapprove

2. That you authorize Philip Hughes to sign the meeting memoranda at Tabs I and II.

Approve

Disapprove

Attachments

Tab I Meeting Memorandum to Participants

Tab A Agenda

Tab B Panama PCC Paper

Tab II P. Hughes Memorandum to Counterparts

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PER E.O. 13526

2010-1446-MR

MM 4/30/2015

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Declassify on: OADR

~~SECRET~~

~~SECRET~~

TIME STAMP

NATIONAL SECURITY COUNCIL
EXECUTIVE SECRETARIAT STAFFING DOCUMENT

89 AUG 22 4 8: 58

SYSTEM LOG NUMBER: 21030

ACTION OFFICER: PRYCE

DUE: 24 AUG

☒ Prepare Memo For Scowcroft/Gates

☐ Appropriate Action

☐ Prepare Memo For Cicconi

☐ Prepare Memo for Hughes

☐ Prepare Memo _____

to _____

CONCURRENCES/COMMENTS*

PHONE* to action officer at ext. 6942

FYI

☐ Basora
☐ Beers
☐ Blackwill
☐ Briggs
☐ Brooks
☐ Charles
☐ Coulson
☐ Deal
☐ Donley
☐ Dyke
☐ Ebner
☐ Grant
☐ Haass
☐ Hoffmann
☐ Hutchings
☐ Jackson
☐ LaMagna
☐ Kanter

FYI

☒ Lampley
☐ Leach
☐ Levin
☐ Lewis
☐ Mahley
☐ Mandel
☐ McCue
☐ Melby
☐ Menan
☐ Miller
☐ Miskel
☐ Needels
☐ Paal
☐ Pacelli
☐ Passage
☐ Popadiuk
☐ Porter
☐ Pryce

FYI

☐ Rademaker
☐ Reiss
☐ Rice
☐ Rodman
☒ Rostow
☐ Salvetti
☐ Snider
☐ Tilley
☐ Tobey
☐ Welch
☐ Whitley
☐ Working
☐ Zelikow
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____

INFORMATION ☐ Hughes

☒ Scowcroft (advance)

☒ Gates (advance)

☒ Secretariat

☐ Exec. Sec. Desk

☒ *Sillman*

COMMENTS

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By *PRC* NARA, Date *3/4/09*

Logged By *[Signature]*

~~SECRET~~

Return to Secretariat



8918880

United States Department of State

Washington, D.C. 20520 21030

August 21, 1989

~~SECRET/EXDIS~~

MEMORANDUM FOR BRENT SCOWCROFT
THE WHITE HOUSE

Subject: PCC Paper on Panama for the Deputies Committee:
Panama under Noriega after September 1, 1989

Attached is a paper drafted by the PCC on Panama which examines the immediate issues the U.S. would face in Panama if Noriega remains in power after September 1, 1989. This paper was developed in response to a tasking by the Deputies Committee. It was prepared by a small team consisting of PCC representatives from your staff, CIA, JCS, OSD(ISA), and State; it has not been formally cleared by any agency. With the concurrence of the PCC, the Department is forwarding this paper to you for final processing and appropriate consideration by the Deputies Committee.

J. Stapleton Roy
J. Stapleton Roy
Executive Secretary

Attachment:
Draft Policy Paper on Panama

~~SECRET/EXDIS~~
DECL:OADR

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PER E.O. 13526

2010-1446-MR

MM 4/30/2015

WHITE HOUSE

89 AUG 22 A 8: 58

89 AUG 21 PIO : 47

SITUATION ROOM



[Handwritten signature in red ink]

TO: DIRECTOR, FBI
FROM: SAC, NEW YORK
SUBJECT: [Illegible]

RE: [Illegible]

ADMINISTRATIVE PAGE TWO

RECEIVED
[Illegible]

NATIONAL SECURITY COUNCIL DISTRIBUTION RECORD

Log Number 21030
Date 28 AUG 89

Subject: NSC DC MTG 30 AUG

DOCUMENT CLASSIFICATION: ☐ TOP SECRET ☒ SECRET ☐ CONFIDENTIAL ☐ UNCLASSIFIED

EXTERNAL DISTRIBUTION:

	#CYS	Date	Time	Received/Signed for By:
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THE SECRETARY OF STATE Exec sec/Room 7241	1			
THE SECRETARY OF THE TREASURY Main Bldg/Room 3422				
THE SECRETARY OF DEFENSE The Pentagon				
DIRECTOR, ACDA Room 5933/Dept. of State				
CHAIRMAN US START DELEGATION % ACDA, 5933 State				
CHAIRMAN US INF DELEGATION % ACDA, 5933 State				
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CHAIRMAN, JCS The Pentagon				
DIRECTOR, OMB Room 252 OEOB	1			
U.S. REPRESENTATIVE TO UNITED NATIONS Room 6333, State Dept.				
THE SECRETARY OF COMMERCE 14th & Const. Ave. NW, Room 5851				
THE SECRETARY OF ENERGY GA257, Forrestal Bldg.				
DIRECTOR, AID Room 5942, Dept. of State				
THE ATTORNEY GENERAL Dept. of Justice, Room 5119	1	8/29/89	9:30am	Eloise J. Weatherill
DIRECTOR, OSTP Room 360, OEOB				
DIRECTOR, USIA 400 C Street, S W., Room 800				
THE SECRETARY OF THE INTERIOR 18th & E Street N.W., Room 6151				
THE SECRETARY OF AGRICULTURE Independence & 14th S W., Room 200A				
UNITED STATES TRADE REPRESENTATIVE Room 209 Winder Bldg. 17 & F St. NW				
THE DIRECTOR, FEMA 1500 C Street, Room 828				
DIRECTOR, DMSPA Room 3E813, Pentagon				
THE SECRETARY OF TRANSPORTATION 400 7th Street S W.				
MANAGER, NATL COMMUNICATIONS SYSTEM (NCS), Room 4125 8th & SO Courthouse Rd., Arlington, VA				
THE SECRETARY OF HHS 200 Independence Avenue, NW, Room 615F				
THE SECRETARY OF HUD 451 7th Street SW, Room 10000				
THE SECRETARY OF EDUCATION 400 Maryland Avenue, SW, Room 4181				

DATE, TIME & SIGN THIS RECEIPT & RETURN TO: WEST WING DESK, SITUATION ROOM, WHITE HOUSE

Page 1 of 1 Pages

~~SECRET~~
NSC/S PROFILE

RECORD ID: 8921060
RECEIVED: 29 AUG 89 19

TO: GATES

FROM: PRYCE

DOC DATE: 29 AUG 89
SOURCE REF:

KEYWORDS: PANAMA

DC

PERSONS:

SUBJECT: DC MTG RE PANAMA ON 30 AUG / POINTS TO BE MADE / PCC PAPER & STATE
CABLE

ACTION: NOTED BY GATES

DUE DATE: 02 FEB 90

STATUS: C

STAFF OFFICER: PRYCE

LOGREF: 8921030

FILES: IFM O

NSCP: DC047

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO
PRYCE

DECLASSIFIED
White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By PLM NARA, Date 3/04/07

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: CM

CLOSED BY: AC

DOC 1 OF 1

~~SECRET~~

~~SECRET~~

RECORD ID: 8921060

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

001 GATES
001

CAO ASSIGNED ACTION REQUIRED

Z 89082919 FOR DECISION
X 89110814 NOTED BY GATES

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White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By PW NARA, Date 3/4/09

~~SECRET~~

**National Security Council
The White House**

PROOFED BY: _____

LOG # 21060

URGENT NOT PROOFED: ✓

SYSTEM PR NSC INT

BYPASSED WW DESK: _____

DOCLOG CM A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep Exec	<u>1</u>	<u>✓</u>	<u>A</u>
Philip Hughes	_____	_____	_____
Bob Gates	<u>2</u>	_____	_____
Brent Scowcroft	_____	_____	_____
Philip Hughes	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>3</u>	_____	<u>N</u>
NSC Secretariat	<u>4</u>	<u>PR</u>	<u>R</u>
_____	_____	<u>2/9/90</u>	_____
_____	_____	_____	_____

09 AUG 29 17:09

A = Action	I = Information	D = Dispatch	R = Retain	N = No further Action
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cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

DC msg on Aug. 30 (10:00a.m.)
Panama

~~SECRET~~

21060

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

DECLASSIFIED
PER E.O. 13526

August 29, 1989

2010-1313-MR
SCS 8/8/13



ACTION

Deputy Natl Sec Advisor
has seen

MEMORANDUM FOR ROBERT M. GATES

FROM: WILLIAM T. PRYCE *WTP*

SUBJECT: NSC Deputies Meeting on Panama

You will chair a meeting of the Deputies Committee tomorrow at 10:00 a.m. to review the attached Panama PCC paper on "Panama under Noriega after September 1, 1989." The paper (Tab B) discusses four issues and makes agreed upon recommendations on each of them for which it seeks the concurrence of the Deputies. At the latest Panama PCC meeting this afternoon, there was no indication that any of the Deputies will disagree with any of the paper's recommendations.

We understand, however, that under the subject of the status of the U.S. Embassy, where the recommendation is that we continue in the present mode, but be prepared to break relations at a days notice if it becomes evident that Noriega is going to increase harassment, Bob Kimmitt will suggest that we also indicate that we will break relations if any other country does. There was agreement (I think) at the PCC level that we should do so, and I recommend you nail this down. The President mentioned breaking relations to both Carlos Andres Perez of Venezuela and Manley of Jamaica, and if either of them should come through (Manley is more likely), then I think we have to follow suite even though it will hurt us operationally (most countries who act will probably limit themselves to withdrawing Ambassadors.)

Kimmitt will probably also seek approval for a demarche asking other countries to break relations and I recommend you support it. A draft cable is attached at Tab C.

For your easy reference, the items discussed in the paper together with the PCC recommendations which we have supported are listed below:

1. Recognition:

"If we are successful in our efforts to persuade a number of Latin countries to join us in formally breaking relations with Panama, we would necessarily be compelled to close the Embassy. Here the advantages of achieving increased isolation of Panama outweigh the loss of a formal diplomatic presence."

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Declassify on: OADR

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This recommendation is also contained in Larry Eagleburger's undated memo to the President which Ted forwarded to Brent on August 21. Larry added that if Endara signaled he wanted to establish a government in Exile (unlikely), we should revisit the issue.

2. Status of the Embassy:

On balance the PCC believes that we should continue in the present mode with our Embassy, but be prepared at a day's notice to break relations and close the post in favor of a presence under SOUTHCOM auspices if it becomes evident that Noriega is going to increase harassment with or without the intent of forcing us out.

The discussion says that if we were successful in persuading a number of Latin countries to break relations, we would be compelled to close the Embassy. As noted above, I think we have to do it even if only Jamaica breaks.

3. Treaty Implementation Issues:

The PCC believes that most treaty issues can be deferred for the immediate future. We should, however, approve in principle planning for the eventual ascendancy of the current Deputy Administrator, Fernando Manfredo, as Acting Administrator.

The PCC recommended today that we also approve in principle the ascendancy of a career U.S./Panama Canal Employee as acting Deputy Administrator, with no long term commitment to either the Acting Administrator or the Acting Deputy.

4. Keeping the Pressure on Noriega:

The PCC recommends continuing to hold monies in escrow.

The PCC also recommends continuing to withhold Treaty payments.

Finally, the Deputies may raise the question of where we stand on economic sanctions, and frankly, I'm not sure. As a result of August 9 Deputies meeting on this subject, we sent a memo to Brent on August 15 revising the options paper and recommending that he consult with Secretaries Baker, Brady, and Cheney to decide whether the four of them should decide the issue or go to the President for a decision. Ted Briggs, Dean Hoffman, and Eric Melby, who were involved, are all on leave, but Bill Working thinks Brent suggested postponing the issue until everyone gets back after Labor Day.

In the meantime, Larry's paper to the President, mentioned above, also discussed economic sanctions. It noted that the Deputies had agreed upon a recommendation to the NSC that we strictly enforce our sanctions and made the specific recommendation that

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the President "approve strict enforcement of the existing sanctions as recommended by the Deputies Committee, but that we not announce this decision until we give affected companies advance notice." We have had no feedback on this.

RECOMMENDATION

That you use the Talking Points at Tab A at tomorrow's meeting.

Approve _____

Disapprove _____

Attachments

Tab A Points to be Made

Tab B PCC Paper

Tab C State Department Cable on Panama High-Level Demarche

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~~SECRET~~

POINTS TO BE MADE FOR
DEPUTIES MEETING ON
PANAMA

- Our meeting deals with some of the questions of what we do when Noriega is still with us after Friday.
- I understand that there was agreement in the Panama PCC on the recommendations in the paper and that they are seeking our approval.
- I understand that Bob Kimmitt would also like to get our views on a new demarche asking countries among other things to break relations.
- I suggest we go through the paper and see whether we agree with our staff's recommendations.
- We can discuss Bob's proposal either under the second item, which touches on the issue or after we have finished with the paper.

~~SECRET/EXDIS~~

Policy Coordinating Committee

Panama under Noriega after September 1, 1989

With the end of President Delvalle's term on September 1, the fig leaf provided by U.S. recognition of his government will disappear. If we fail to gain Noriega's departure from power prior to September 1 and in the absence of a political decision to take whatever additional action might be necessary to insure Noriega's departure by that date, we will face a situation requiring decisions which deal with a myriad of political, administrative, legal and Treaty problems.

This paper provides an assessment of the issues we would face in this situation. Broadly speaking, they fall into three categories -- diplomatic recognition or non-recognition, Treaty implementation, and keeping the pressure on Noriega. Besides the key issue of recognition, we will need early decisions on the appointment of a Panamanian as Canal Administrator, our Embassy presence in Panama, and the escrowed monies owed Panama. Additional issues are listed in the attachments to this paper.

Our Panama policy remains predicated on two points:

- o The United States will not reestablish normal relations with Panama for so long as Noriega remains in power.
- o We will maintain our policy of mounting pressure across the board until Noriega departs.

Managing the resulting situation means defining and establishing the optimal mix among several objectives -- keeping up pressure on Noriega; minimizing adverse domestic, Congressional and foreign opinion; and sustaining Panamanian opposition to Noriega.

Diplomatic Recognition

o If Noriega continues in power after September 1 we have these alternatives: continue to recognize Delvalle, recognize Endara, recognize no one, or simply accept a junta responsive to an ensconced Noriega.

-- Continue to Recognize Delvalle: Delvalle has told us that he would not agree to stay on as president-in-exile. He has fought for the principle of respect for the Constitution and does not want to violate its provisions by overstaying his

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DECL: OADR

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2010-1446-MR
MM 4/30/2015

constitutionally prescribed term in office. While we could attempt to pressure him into reversing this position, we question that this approach could be productive. We judge the likely international reaction to continued recognition of Delvalle as substantially less favorable than either recognition of Endara or a decision to recognize no one. The arguments we would need to articulate to justify Delvalle's remaining in office would have the extremely negative consequence of providing a justification for the retention of the regime all other countries recognize, thus removing the major driving force behind current international efforts to resolve the crisis in Panama -- the constitutional vacuum that will occur after September 1.

-- Acceptance of a Noriega-installed Junta: We similarly reject acceptance of a Noriega junta as being in fundamental conflict with our basic policy. This would give Noriega a presence in Washington and would create enormous difficulties politically with the Congress. This option would be viable only if the President determined that the operational advantages of restoring normal relations with Panama outweighed the need to continue to isolate Noriega.

-- Recognize Endara: Endara has given no indication that he intends to proclaim himself President September 1. Whether we should encourage him to do so turns on the issue of whether he is more valuable to us as a "President-in-exile" (Noriega would not allow him to remain in Panama) or as a political leader in Panama with the popular mandate of the May 7 election. On balance, we believe that we should encourage Endara to consider naming himself President only as part of an aggressive plan in which he would be allowed to set up a shadow regime in a joint-use military area with U.S. protection and make a maximum effort to rally popular support and encourage defections from the PDF and other regime supporters. Absent a decision to proceed with such a plan, we should seek an early reading as to Endara's intentions. If he were to decide that he could not remain in Panama in any event, we could encourage him to assume office prior to departing Panama and to play a Delvalle role thereafter. This would raise problems such as getting someone to invest him, but would provide us the advantages of having in place a President to provide us new legal authorizations for U.S. activities as changing circumstances warrant. A major disadvantage, however, would be that we would be at least implicitly committed to seeking an outcome in which Endara would assume power following Noriega's departure, thus reducing the range of options available to us in seeking our primary goal of Noriega's ouster.

-- Recognize No Government: We are under no legal obligation to recognize anyone as the GOP. Such an approach

~~SECRET/EXDIS~~

-3-

would best reflect the political reality with which we would be confronted post-September 1 if a Noriega puppet regime remains in place. The domestic legal authority of the USG to continue freezing and escrowing funds and our existing pressures program is not dependent upon recognition of a GOP. Our argument for continuing these measures would be that we were carrying out the instruction of the last recognized GOP and is probably as viable as our current arguments based on our recognition of Delvalle. What we would lose is the ability to obtain new grants of authority from a recognized government as circumstances require. This problem can be mitigated -- although not eliminated -- by obtaining from Delvalle prior to September 1 discretionary authority to continue acting in various areas as we have been over the past 18 months.

On balance, the PCC believes we should decide not to recognize any government so long as Noriega continues in power.

Approve _____

Disapprove _____

Status of the U.S. Embassy

Absent recognition of the regime as having acknowledged power in Panama, the status of our Embassy will continue to present us with a number of difficult management issues (Tab A). We need a decision well before September 1 as to whether we should opt for an Interest Section; close the Embassy and seek to establish a quasi-diplomatic mission attached to SOUTHCOM; or continue in our present mode of maintaining an Embassy notwithstanding our non-recognition of the regime in place, with the fallback position of either of the first two options.

Establishment of an Interest Section would require open recognition of the Noriega regime (albeit without maintaining formal diplomatic relations) and granting of the reciprocal right to Noriega of establishing an Interest Section here in Washington. Despite our domestic legal ability to continue to withhold escrowed monies from the regime, our arguments for refusing to do so would be undercut by recognizing the Noriega regime and allowing a Noriega representation here in Washington. The political opposition in the Congress would be formidable.

Closing the Embassy while moving some residual functions of Embassy onto SOUTHCOM property would be highly difficult politically, including opposition by the U.S. citizen community

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in Panama and resulting Congressional pressures. This decision would leave us without a formal diplomatic presence on the isthmus.

Keeping the Embassy in place without recognizing the regime would serve our interests in maintaining a presence. The Afghanistan model comes to mind here, although the factual situation differs in the two cases. While a precedent exists for not treating as a state a puppet regime under the military control of an occupying state, the presence of our Embassy in Panama implies recognition of some Panamanian Government, with the only one available being Noriega's. On the other hand, some of our Embassy personnel in Panama are now documented as military employees and this will increase in any event as rotations occur. We could document all Embassy employees in this fashion and be able to claim that we no longer have a "diplomatic" mission in Panama, notwithstanding that it would continue to perform Embassy functions. By keeping a presence in our Embassy building, we would continue to run the risk that Noriega would make the decision for us, e.g. the spectacle of having booted the U.S. Embassy out of "his" country, but this is essentially the same situation we have been in for 18 months.

If we were successful in our efforts to persuade a number of Latin countries to join us in formally breaking relations with Panama, we would necessarily be compelled to close the Embassy. Here the advantages of achieving increased isolation of Panama outweigh the loss of a formal diplomatic presence there.

On balance, the PCC believes that we should continue in the present mode with our Embassy, but be prepared at a day's notice to break relations and close the post in favor of a presence under SOUTHCOM auspices if it becomes evident that Noriega is going to increase harassment with or without the intent of forcing us out.

Approve _____

Disapprove _____

Treaty Implementation Issues

Our Treaty dilemma consists of the fact that the U.S. has a Treaty relationship it is unwilling to repudiate with a country whose government it cannot recognize. Under these circumstances, Treaty policy necessarily must consist of managing implementation issues (a representative list is provided at Tab B) in the way best calculated to minimize their political costs. In a broad sense, this is the position we

have been in for the past 18 months, but we face new and more visible Treaty implementation issues.

*essential
Suspension*

A protracted political impasse in Panama could very likely undermine the Canal Treaty's ability to function as the transition mechanism to achieve our foreign policy objective of turning the Canal over to Panama while ensuring safe access for U.S. shipping after 1999. In 1979 we embarked upon a cooperative bilateral process of Treaty implementation, but in the last 18 months we have essentially reverted to unilateral operation of the Canal, an orientation which is increasingly out of step with the letter and intent of the Treaty regime and our long-term interests. Major Treaty-implementation functions/issues of an ongoing nature being impeded by unilateral Canal operation include appointment/removal of Panamanian PCC Board members; their participation in major Board decisions regarding Canal operations and major capital improvements; property transfers to Panama; provision of public services in Canal operating areas by Panama; and the effective functioning of the U.S.-Panama Consultative Committee and the Joint Committee on the Environment, two senior advisory committees established by the Treaty. The future of the international organization set up in 1985 by the U.S. with Panama and Japan to study alternatives to the Panama Canal also remains uncertain.

This deterioration in Treaty implementation is an inevitable consequence of the hostile situation between the U.S. and the regime, but will be used by Noriega to validate his thesis that the U.S. agenda is to unravel the treaties. This can become a self-fulfilling prophecy given popular and Congressional sentiment here and will require careful management to minimize these tendencies.

The most immediate Treaty issue we face is that of the appointment of a Panamanian as Administrator of the Panama Canal Commission. Article III (3) stipulates that beginning January 1, 1990, a Panamanian national will be employed as the Administrator after he has been proposed by the Government of Panama and appointed to the position by the United States Government. Under relevant U.S. implementing legislation, the President is required to nominate the candidate and send the name forward for approval by the Senate.

On June 27, the erstwhile Panamanian legislative assembly passed a law establishing the procedure for nomination of a candidate and nominated Tomas Gabriel Altimirano Duque, a businessman with a previously pro-U.S. reputation, who has maintained close ties with Noriega. The regime tried to communicate Panama's nomination, but we rejected its efforts on

the grounds that we do not accept diplomatic correspondence from other than recognized governments.

While rejecting Noriega's candidate would encourage renewed efforts to distract attention from Panama's internal crisis, we believe the U.S. can defend its action and maintain its commitment to honoring its Canal Treaty obligations. Conversely, if the nomination were to be accepted by the Administration, Noriega would use this gesture as proof to other governments that the U.S., out of necessity, has been forced to recognize his regime, and that they should follow suit. At the same time, acceptance of the nomination would risk a political firestorm in the U.S. and give an opportunity for Treaty opponents in the Congress to reopen the debate over the Treaties.

Our intention is to make clear that we cannot accept any nomination by a government we do not recognize while trying to avoid a premature debate on the Administrator issue. We should be able to do this by continuing to stress that we intend to uphold our Treaty commitments and that we look forward to acting positively on the proposal of a recognized government. In the interim, our best option would appear to be to name Fernando Manfredo, the current Panamanian Deputy Administrator, as Acting Administrator. Manfredo is highly regarded by us and within Latin America as a skilled politician who is experienced in Canal affairs; having been proposed by General Torrijos in 1979 our selection of him as Acting Administrator would be well received in Latin America as substantial compliance with the Treaty despite predictable efforts by Noriega to reject it. While we would benefit from an early decision on this matter before September 1, it appears important that we delay for as long as possible any public announcement of this decision so as to protect Manfredo from possible reprisal by Noriega -- a course which Manfredo would support.

The PCC believes that most treaty issues can be deferred for the immediate future. We should, however, approve in principle planning for the eventual ascendency of the current Deputy Administrator, Fernando Manfredo, as Acting Administrator.

Approve _____

Disapprove _____

Keeping the Pressure on Noriega

The question of the accounts and assets escrowed in U.S. banks appears to be the most serious issue in this category. While GOP assets in U.S. banks have been escrowed under the auspices of the Delvalle government, we believe that as a matter of domestic law we can continue to hold the monies in

escrow for the Panamanian people under IEEPA authority and rely on the continuation of Delvalle's instructions in the absence of a recognized government to alter these instructions. While Noriega will try to use this as an issue, the rejection of the May elections makes it easier politically for the USG to hold the funds in escrow until there is a government we can recognize that is genuinely accepted and elected by the Panamanian people.

The PCC recommends continuing to hold monies in escrow.

Approve _____

Disapprove _____

The continued withholding of Canal payments mandated by the Treaty may be more of a problem. Although our IEEPA authority is clear under U.S. law, our acting on Delvalle's instructions has always been weak authority under international law and may become even more so if we continue to withhold Treaty payments after September 1 on the basis of instructions from a now-former President. Our public position would be that we are not going to turn over millions of dollars to an individual who has been indicted in the United States on drug charges and who has refused to bow to the Panamanian popular will. While this would give Noriega the opportunity to charge us with not living up to the Treaty, we would be able to turn the spotlight back on his strongman rule in diplomatic demarches and in the UN and other international fora.

The PCC recommends continuing to withhold Treaty payments.

Approve _____

Disapprove _____

Attachments:

Tab A - Embassy Panama: Management and Other Issues

Tab B - Issues re Implementing the Panama Canal Treaty

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02d. Paper	Embassy Panama: Management and Other Issues. (2 pp.)	n.d.	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Date Closed: 3/5/2009	OA/ID Number: 90010-026
FOIA/SYS Case #: 2004-0722-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P-3 Release would violate a Federal statute [(a)(3) of the PRA]
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

- (b)(1) National security classified information [(b)(1) of the FOIA]
- (b)(2) Release would 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]
- (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- (b)(9) Release would disclose geological or geophysical information

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02e. Paper	Issues re Implementing the Panama Canal Treaty. (1 pp.)	n.d.	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Date Closed:	3/5/2009	OA/ID Number:	90010-026
FOIA/SYS Case #:	2004-0722-F	Appeal Case #:	
Re-review Case #:		Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

(b)(1) National security classified information [(b)(1) of the FOIA]
(b)(2) Release would 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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~~CONFIDENTIAL~~

ARA/PAN:P P SARROS:KGT
08/28/89 X7-4986
S:L EAGLEBURGER

ARA/FO:M G KOZAK, ARA/PPC:L R EINAUDI, ARA/PAN:R M DOTSON,
EUR/RPE:M TOKOLA, NEA/IAI:J HIRSCH, EAP/J:T BETTS{DRAFT},
ARA/CAR:C A KENNEDY{DRAFT}, AF/RA:D HALSTED,
S/S-S:

IMMEDIATE AMREP, EC COL IMMEDIATE, TEL AVIV IMMEDIATE,
TOKYO IMMEDIATE
IMMEDIATE ALLDP, XMT PANAMA, HAVANA, MANAGUA

ALSO FOR USEC/USOECI/USIAEA

E.O. 12356: DECL: OADR

TAGS: PREL, PM, US

SUBJECT: PANAMA HIGH-LEVEL DEMARCHE

1. ~~ENTIRE~~ TEXT

2. AS A FOLLOW-UP TO RECENT PRESIDENTIAL LETTER, YOU ARE REQUESTED TO MAKE A DEMARCHE ON PANAMA AT THE HEAD OF GOVERNMENT OR FOREIGN MINISTER LEVEL, USING THE FOLLOWING TALKING POINTS, NOTING THAT YOU ARE UNDER INSTRUCTIONS FROM THE SECRETARY TO OBTAIN A REPLY OF SPECIFIC STEPS HOST GOVERNMENT WILL BE UNDERTAKING. POSTS MAY TAILOR THE

LE
PPS
MGK
LRE
RMD
MT
JH
TB
CAK
DH

DECLASSIFIED
PER E.O. 13526

2010-1314-MR

SCS 8/6/13

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

2

DEMARCHE AS APPROPRIATE, TAKING INTO ACCOUNT FOR EXAMPLE THE LEVEL OF HOST GOVERNMENT CONTACT AND ECONOMIC RELATIONS WITH PANAMA.

3. TALKING POINTS:

--AS PRESIDENT BUSH'S LETTER TO YOUR {PRESIDENT/PRIME MINISTER} STATED, THE TIME HAS COME FOR DEMOCRACIES AROUND THE WORLD TO TAKE CONCRETE ACTIONS IN ENCOURAGING THE BROADEST POSSIBLE SUPPORT FOR NORIEGA'S COMPLIANCE WITH THE OAS MANDATE FOR A DEMOCRATIC TRANSFER OF POWER IN PANAMA.

--REGRETTABLY, THE OAS EFFORT TO ASSIST THE PANAMANIAN IN NEGOTIATIONS HAS BEEN BLOCKED BY NORIEGA'S INTRANSIGENCE.

--CONSEQUENTLY, IT NOW SEEMS CERTAIN THAT NORIEGA PLANS TO SET UP ANOTHER PUPPET REGIME.

--INDIVIDUAL MEMBERS OF THE INTERNATIONAL COMMUNITY MUST, THEREFORE, TAKE CONCRETE ACTIONS TO ASSIST THE PANAMANIAN PEOPLE IN RECLAIMING THEIR BIRTH RIGHT TO SELF DETERMINATION.

--IT SEEMS TO US THAT THERE ARE FOUR FACTORS WHICH EACH ONE OF US MUST TAKE INTO CONSIDERATION IN ASSESSING OUR NEXT STEPS:

O NORIEGA'S CONTINUED INTRANSIGENCE DEPRIVES THE PANAMANIAN PEOPLE OF THEIR RIGHT TO SELF-DETERMINATION--A PHENOMENON WHICH CONTRADICTS THE WORLD-WIDE TREND TOWARD DEMOCRATIZATION.

O NORIEGA HAS TURNED PANAMA INTO A SAFEHAVEN FOR DRUG TRAFFICKERS AND A CENTER FOR MONEY LAUNDERING AND TRANS-SHIPMENT OF COCAINE. THE TRAGIC RECENT EVENTS IN COLOMBIA HAVE REINFORCED TO US ALL THE THREAT POSED BY THE INTERNATIONAL DRUG TRADE.

O NORIEGA HAS CAST HIMSELF AS DEFENDER OF THE PANAMANIAN PEOPLE AND THE CANAL TREATIES. IN FACT, HE CONTINUES TO BE OVERWHELMINGLY UNPOPULAR AMONG PANAMANIAN AND IS VIEWED AS THE GREATEST OBSTACLE TO RESOLVING THE CRISIS.

O NORIEGA HAS DEFIED THE OAS AND THWARTED A GENUINE EFFORT TO UTILIZE MULTILATERAL DIPLOMACY TO RESOLVE A HEMISPHERIC PROBLEM.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

3

--THE USG HAS TAKEN THE FOLLOWING MEASURES SINCE NORIEGA'S COUP D'ETAT OF FEBRUARY 28, 1988 AGAINST THE CONSTITUTIONAL GOVERNMENT OF PANAMA: WITHDRAWN ITS AMBASSADOR; REFUSED TO RECOGNIZE NORIEGA/SOLIS PALMA REGIME; BANNED PAYMENTS TO THE REGIME UNDER THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT (IEEPA); SUSPENDED GSP AND CARIBBEAN BASIN INITIATIVE PREFERENCES FOR PANAMA; REALLOCATED PANAMA'S SUGAR QUOTA; AND EXTENDED ITS BAN ON U.S. MILITARY AND ECONOMIC ASSISTANCE TO PANAMA PENDING KEY DEMOCRATIC REFORMS.

--WE ASK YOU TO JOIN IN SUPPORTING THE PANAMANIAN PEOPLE AS THE SEPTEMBER 1 DEADLINE APPROACHES. THE UNITED STATES CONSIDERS THAT IF THE TERMS OF THE OAS MANDATE HAVE NOT BEEN MET BY SEPTEMBER 1ST THEN THE NORIEGA REGIME WILL HAVE DECLARED ITSELF TO BE AN OUTLAW AMONG NATIONS AND SHOULD BE TREATED ACCORDINGLY. WE DO NOT INTEND TO RECOGNIZE A NORIEGA PUPPET REGIME NOR DO WE HAVE ANY INTENTION OF LETTING UP ON OUR ECONOMIC AND POLITICAL PRESSURES. WE WILL ALSO CONTINUE TO EXERCISE OUR TREATY RIGHTS TO THE FULL EXTENT. A HALF A DOZEN COUNTRIES HAVE INDICATED TO US THAT THEY WILL NOT MAINTAIN NORMAL TIES WITH PANAMA AFTER SEPTEMBER 1 IF NORIEGA DOES NOT STEP DOWN. THIS NUMBER MUST INCREASE DRAMATICALLY SO THAT WE EXERT THE MAXIMUM INTERNATIONAL PRESSURE ON NORIEGA.

--WE CALL ON YOU, THEREFORE, TO TAKE THE FOLLOWING STEPS:

- A BREAK IN DIPLOMATIC RELATIONS OR A PUBLICLY ANNOUNCED DECISION NOT TO RECOGNIZE THE POST-SEPTEMBER 1 REGIME;
- OR AT A MINIMUM (IF YOUR PRACTICE IS NOT TO BREAK RELATIONS) WITHDRAWAL OF YOUR AMBASSADOR AND YOUR MILITARY ATTACHE;
- CUT BACK YOUR TRADE AND ECONOMIC RELATIONSHIPS TO THE MAXIMUM EXTENT POSSIBLE, IN ORDER THAT THEY DO NOT PROVIDE AID AND COMFORT TO AN ILLEGITIMATE REGIME.

4. (ADDITIONAL POINT FOR OAS MEMBER COUNTRIES: PRESIDENT BUSH BELIEVED THAT MULTILATERAL APPROACH TO THE PANAMA CRISIS THROUGH THE OAS WAS THE RIGHT WAY TO GO. ALTHOUGH NORIEGA'S INTRANSIGENT POSTURE THWARTED THE EFFORTS OF THE OAS AS HE ALSO CONTINUES TO THWART THE WILL OF THE PANAMANIAN PEOPLE, MULTILATERAL DIPLOMACY CONTINUES TO BE AN IMPORTANT INSTRUMENT FOR FOLLOW-UP ON OAS ACTIONS. THE OAS MISSION'S FAILURE IN THIS ENDEAVOR HAS CAUSED SOME

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

4

COUNTRIES TO LOSE CONFIDENCE IN THE OAS. OAS MEMBER COUNTRIES HOWEVER HAVE AN OPPORTUNITY TO REVERSE THIS PERCEPTION AND BY TAKING STRONG INDIVIDUAL ACTIONS TO VALIDATE THE EFFICACY OF MULTILATERAL DIPLOMACY.]

5. {FOR KINGSTON: WE WOULD APPRECIATE GOJ'S EFFORTS TO ENCOURAGE OTHER ENGLISH-SPEAKING CARIBBEAN STATES TO FOLLOW JAMAICA'S EXAMPLE ON PANAMA ISSUE}.

6. {FOR TOKYO: WE HAVE RECOMMENDED THAT SECRETARY MAKE DEMARCHE DURING SEPTEMBER 1 BREAKFAST WITH FONMIN NAKAYAMA.}

7. {FOR PARIS: WE BELIEVE THE GOF, IN ITS ROLE AS EC PRESIDENCY, COULD TAKE A PARTICULARLY CONSTRUCTIVE ROLE IN COORDINATING A TOUGH EC POSITION VIS A VIS NORIEGA REGIME. PLEASE ENSURE THAT THE DEMARCHE IS MADE TO FRANCE IN BOTH ITS EC PRESIDENCY AND BILATERAL CAPACITIES.}

8. {FOR MADRID: IN MAKING DEMARCHE, CHARGE SHOULD ADDRESS ISSUE RAISED BY FOREIGN AFFAIRS ADVISOR YANEZ ON RECEIVING PRESIDENT'S LETTER, AND NOTE THAT THE UNITED STATES IS PREPARED TO REMOVE ITS ECONOMIC SANCTIONS AFFECTING PANAMA UPON THE CREATION OF A PROVISIONAL GOVERNMENT, WITHIN THE CONTEXT OF A MEANINGFUL TRANSFER OF POWER. THIS WOULD NECESSARILY INVOLVE THE DEPARTURE OF GENERAL NORIEGA FROM POWER.}

9. {FOR INFO ADDRESSEES. YOU MAY AT YOUR DISCRETION USE CONTENTS TO BRIEF HOST GOVERNMENTS TO ENCOURAGE APPROPRIATE ACTIONS. DEPARTMENT WILL PROVIDE BY SEPTTEL FRENCH TRANSLATION OF TALKING POINTS.}

44

~~CONFIDENTIAL~~

THE WHITE HOUSE
WASHINGTON

- 1) Recognition
- 2) Embassy status - break relations
- 3) Treaty Implementation
- 4) Keep pressure on
 - hold \$ in escrow
 - w/ treaty payments
- 5) econ. sanctions

in effective suspension

Admin. - Manfredo

polit prob - N. no threat; except for Canal, ignore him.
incl. to our interests;

~~put on him~~ Our threats - look silly

not going to get him out - make him

Suspend treaty - in good pos. ① already running unilaterally

② troops ③ dependents

put on him - clock still ticking toward 1999 - resume when legit govt, protect Canal.

Faithful to Treaty - not repud, not break - is always ^{can} _{until he's gone}

non-mess.

REQUEST FOR APPOINTMENTS

To: Officer-in-charge
Appointments Center
Room 060, OEOB

Please admit the following appointments on Wednesday, August 30, 19 89
for Robert M. Gates of White House
(NAME OF PERSON TO BE VISITED) (AGENCY)

See attached list.

MEETING LOCATION

Building West Wing
Room No. Situation Room
Time of Meeting 1000

Requested by Jackie Murphy
Room No. Gd Flr Telephone 6534
Date of request 8/30/89

Additions and/or changes made by telephone should be limited to five (5) names or less.

APPOINTMENTS CENTER: SIG/OEOB -- 395-6046 or WHITE HOUSE -- 456-6742

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02h. List	Re: Attendees at Deputies Committee meeting; names and birthdates redacted. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/30/89	(b)(3), (b)(6)	

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Date Closed: 3/5/2009	OA/ID Number: 90010-026
FOIA/SYS Case #: 2004-0722-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P-3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

- (b)(1) National security classified information [(b)(1) of the FOIA]
- (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- (b)(9) Release would disclose geological or geophysical information

DC-August 30, 1989
10:00 a.m. Situation Room

VP
John Glassman

STATE
Robert Kimmitt
Michael Kozak [REDACTED] (b)(6)

DOD
Paul Wolfowitz
Richard Brown [REDACTED] (b)(6)

TREASURY
Salvatore Martoche

JUSTICE
William Barr [REDACTED] (b)(6)

CIA
[REDACTED] [REDACTED] (b)(6)

JCS
Robert Herres
David Meade [REDACTED] (b)(6)

OMB
Robert Howard [REDACTED] (b)(6)

WHITE HOUSE
Robert Gates

NSC
William T. Pryce

(b)(3)
[50 U.S.C. 403g, Sec. 6]

Document Originally
Attached to
Following Page

VP
State
DOJ
JCS
CIA
OMB
USTR
AID *agriculture*
~~USA~~
commerce

meats, rabbits,
vegetables
or could tell
you that
they - I could
not find it on

FOR 1100 DC MEETING

John GLASSMAN

Paul Wolfowitz

Philip Susant

Joshua Bolten

Carol Adelman

Richard CROWDER

Michael FARRIN

Director
Foreign
assets
control
Panama

asst. Sec

Charles
DeBora
ass sec
for Int
Affairs

Robson ~~4011~~ Howard
4624
Can Salvatore Martocchio
attend in his place 4880
- sent note to Diane
8/29
Cass. See for Enforcement
485 8875

Document Originally
Attached to
Following Page

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02i. Form	NSC Time Planning Sheet, Re: Panama under Noriega after 1 September; names, birthdates, and Social Security numbers redacted. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/30/89	(b)(3), (b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: National Security Council
Series: H-Files
Subseries: NSC/DC Meetings Files
WHORM Cat.:
File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Date Closed: 3/5/2009	OA/ID Number: 90010-026
FOIA/SYS Case #: 2004-0722-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

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2102K NSC TIME
PLANNING SHEET

TYPE: ~~NSC/NSPG/PCG/PRG~~

DATE AND TIME: 8/30 10:00

LOCATION: 5th Room

DURATION: 1 hour

SUBJECT: Panama under Noriega after Sept

Participants	Invited	Agency Rep.	Date of Birth	Social Security Number	Confirm
VP	X	Tom Glassman			
STATE	X	Kinnitt, Robert			
		Michael Kozak	(b)(6)		
TREASURY	X	Salvatore Martocchio	(b)(6)		
BAKER (PERSONAL)					
DOD	X	Paul Wolfowitz			
		Richard Brown	(b)(6)		
JUSTICE	X	William Barr	(b)(6)	(b)(6)	
		Charles Sahos	(b)(6)		
MEESE (PERSONAL)		Chief Clerk	(b)(6)		
JCS	X	Robert Herres	(b)(6)	(b)(6)	
		David Meade	(b)(6)		
CIA	X	(b)(6)	(b)(6)	(b)(6)	
		(b)(6)	(b)(6)	(b)(6)	(b)(6)
OMB	X	Robert Howard	(b)(6)	(b)(6)	(not at table)
		~~Kevin Schick~~	(b)(6)		
USUN			(b)(6)		
WALTERS (PERSONAL)					
ACDA					
USIA					
H. BAKER					

(b)(3)
[50 U.S.C. 4039, Sec. 6]

COMMENTS: ☐ Principals ☐ Principals Plus 1

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NSC/S PROFILE

RECORD ID: 8921066
RECEIVED: 02 OCT 90 12

TO: GATES

FROM: PRYCE

DOC DATE: 30 AUG 89
SOURCE REF:

KEYWORDS: PANAMA
MINUTES

DC

PERSONS:

SUBJECT: MINUTES OF DC MTG RE US POLICY TOWARDS PANAMA 30 AUG

ACTION: DUE DATE: 05 OCT 90 STATUS: C

STAFF OFFICER: PRYCE

LOGREF:

FILES: IF NSCP: DC047 CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

DECLASSIFIED
White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By PLM NARA, Date 3/4/09

COMMENTS: NOTE-NOTES WERE NEVER SUBMITTED TO GATES FOR DECISION / THE MINUTES
ARE ONLY PARTIALLY COMPLETED

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSBTM

CLOSED BY: NSAMM

DOC 1 OF 1

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~
ACTION DATA SUMMARY REPORT

RECORD ID: 8921066

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

DECLASSIFIED
White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By RAC NARA, Date 3/4/09

~~CONFIDENTIAL~~

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03a. Memo	Re: Minutes of DC [Deputies Committee] Meeting on U.S. Policy Toward Panama Under Noriega After September 1, 1989. (1 pp.)	08/30/89	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Date Closed: 3/5/2009	OA/ID Number: 90010-026
FOIA/SYS Case #: 2004-0722-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03b. List	Re: Attendees at Deputies Committee meeting; names and birthdates redacted. [50 USC §403(g) Section 6 of the CIA Act of 1949] (1 pp.)	08/30/89	(b)(3), (b)(6)	

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Date Closed: 3/5/2009	OA/ID Number: 90010-026
FOIA/SYS Case #: 2004-0722-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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DC-August 30, 1989
10:00 a.m. Situation Room

VP
John Glassman

STATE
Robert Kimmitt [REDACTED] (b)(6)
Michael Kozak [REDACTED]

DOD
Paul Wolfowitz [REDACTED] (b)(6)
Richard Brown [REDACTED]

TREASURY
Salvatore Martoche

JUSTICE
William Barr [REDACTED] (b)(6)

CIA
[REDACTED] [REDACTED] (b)(6)

JCS
Robert Herres [REDACTED] (b)(6)
David Meade [REDACTED]

OMB
Robert Howard [REDACTED] (b)(6)

WHITE HOUSE
Robert Gates

NSC
William T. Pryce

(b)(3)
[50 U.S.C. 403g, Sec. 6]

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03c. Notes	Handwritten notes, Re: Deputies Committee meeting on Panama. (8 pp.)	08/30/89	(b)(1)	

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 047 - August 30, 1989 - NSC/DC Meeting on Panama, Keywords: Panama

Date Closed: 3/5/2009	OA/ID Number: 90010-026
FOIA/SYS Case #: 2004-0722-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

(b)(1) National security classified information [(b)(1) of the FOIA]
(b)(2) Release would 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]
(b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
(b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
(b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
(b)(9) Release would disclose geological or geophysical information