

THE WHITE HOUSE

WASHINGTON

December 15, 1972

MEMORANDUM FOR:

DR. HENRY KISSINGER

FROM:

THE PRESIDENT

RE:

Your Briefing of the Press on Friday

On further reflection with regard to our talk last night, I think it is very important that you handle this briefing in a rather detached matter of fact way and not in a manner that could be interpreted either as anger or sorrow.

What is particularly vital is that you leave no impression that you are attempting through the briefing to defend your statements made in previous briefings where the Press have gone overboard in being more optimistic than they really should have been as to when the negotiations would succeed, and have failed to recognize adequately the caveats that you worked in and of course the ones that I constantly worked into my speeches before the election, particularly in the television speech on the Thursday night before the election, to the effect that, while we were very close to agreement and were confident we would get an agreement, there were still some very sticky matters that had to be worked out. That is why it is particularly important that you hit hard on the point that, while we want peace just as soon as we can get it, that we want a peace that is honorable and a peace that will last, and those two considerations--an honorable peace and a lasting peace--are the overriding considerations as distinguished from any deadline for rushing into a peace agreement which is not adequately nailed down in its details and which could lead to another war in the future.

I think what you should do is to start out with a statement to the effect that you want to give the Press an up-to-date report on the status of the negotiations. You could then go on to say that considerable progress has been made on a number of details that you are not going to go into but which are indispensable before any final agreement is reached. Since October 8th we have narrowed differences in some areas but, on the other hand, with reluctance and objectivity you must report that there are other areas where there are still some significant differences where we have not reached agreement.

These differences are ones which could be described in one sense as being primarily technical in nature, but until these differences are resolved, the peace agreement would not meet the conditions that I laid down in my television speech just before the election that we will not be stampeded into an agreement after this longest war in modern history which would give the appearance of temporary peace but, which, because of its defects, would lay the foundations for war later on. We feel we have an obligation after all of this time to both North Vietnam and South Vietnam, the people who have suffered in war for over 25 years, to make an agreement which has a chance to last, and that is why we are insisting on getting these details worked out so that there are no misunderstandings. We do not want to have a repetition of the situation in 1968 where there were misunderstandings with regard to the bombing halt and we have been paying the price for it ever since.

You are having this briefing for the purpose of laying out the differences in an objective way, not with any sense of recrimination but for the purpose of letting both Hanoi and Saigon know what the conditions are that we will insist upon before we will agree to a final settlement.

It is very important that you emphasize that the goals we have been seeking from the beginning were laid out by the President in his speeches of January 25th and May 8th, and that those goals in principal were agreed upon on October 8 and that was why you felt justified in saying that peace was at hand and why we still believe that we can and will reach agreement. We have always insisted that there be a ceasefire. While we have agreed on this goal, adequate machinery for policing a ceasefire has not been agreed to. On the contrary, we have been greatly concerned that Hanoi has been making massive preparations which can only be interpreted unfortunately as laying the foundation for starting up the war again and for breaking a ceasefire. That is why we are particularly insisting on strengthening the language with regard to the ceasefire so that it will be one that will be enforceable and so that there will be no doubt on either side in the event that it is broken.

A second goal is the return of our POWs. We have agreed in principal on this but Hanoi has recently unfortunately insisted upon some conditions with regard to civilian prisoners in the south which are totally unacceptable and, under the circumstances, we have to have this matter cleared up before we can be reassured that our POWs will be returned.

Third, we have insisted that the South Vietnamese people shall determine their own future and that a Communist government shall not be imposed upon them against their will.

Hanoi has been insisting on conditions which would be inevitably interpreted at this time as imposing a Communist government on the people of South Vietnam and this we will never agree to. Incidentally, you should point out, this is a new condition which they had not insisted on before.

It is very important that you come back to the three fundamental conditions that we have laid down as often as possible so that they will get into the lead of the story. You can say that, as far as we're concerned, we are very close to agreement and all it will take will be an exchange of messages accepting the clear understandings that we had a month ago. On the other hand, Hanoi has backed off from some of those understandings and this we cannot accept.

You should lean hard on the point that the President wants absolute assurances with regard to the POWs with no unacceptable conditions attached thereto. That we want a ceasefire which has a chance to be permanent rather than some temporary truce. That we want a political settlement that does not impose a Communist government on the people of South Vietnam against their will but allows the people under the proper international supervision to determine their future with all political parties having an equal chance to present their case to the people.

I think that at some point you should get in, very firm and clear, that the President has had a strong desire to get the war settled from the day he entered office. There were strong political considerations for him to get it before the election. Now we have the upcoming Christmas season with his very strong personal desire to get the war settled because of the very special circumstances with regard to the POW as well as to all of the people of North and South Vietnam who are suffering as a result of the continuance of the war.

On the other hand, the President insists that the United States of America is not going to allow any artificial deadline to stampede us into making the wrong kind of agreement which would bring great elation and joy now that peace is here when actually it would only mean that what we would have agreed to was a temporary truce which was a prelude to another war.

You should also point out that the President insists that the United States is not going to be pushed around, blackmailed or stampeded into making the wrong kind of a peace agreement. We owe responsibility to those who have fought and died in the war, to the people of North and South Vietnam who have a right to have a chance to live in real peace in the future, and to people around the world who look to us for leadership, to stand for the right principle in bringing this war to an end, and the President is absolutely committed to standing firm on these grounds.

In fairness, you should say that South Vietnam as well as North Vietnam must share some of the responsibility for the fact that we have not reached agreement as soon as we all would have liked. A peace agreement is only as good as the will of the parties to keep it and only as good as the will of the parties to implement it vigorously and effectively. Neither South Vietnam nor North Vietnam can expect an agreement which will humiliate the other or one which will give one an advantage over the other which will enable one nation or the other to start up the war again.

Both the North and the South must recognize that they have an obligation to change their conflict from the battlefield to the ballot box, and that both the South Vietnamese and the Communists in South Vietnam as well as the North must be prepared to present their cases to the people and to accept the verdict of the people as to what kind of government the people have. You should of course point out that a ceasefire does not by definition impose a coalition particularly in view of the political elements that we have agreed to.

As to the prospects for the future, we are going to continue to press for a settlement but we are patient because, after this very long war, we will not settle for a very short peace. We will continue to negotiate whenever the other side is willing to negotiate seriously on these remaining points which admittedly are technical, but lacking goodwill on both sides could prove to be fatal in breaking the agreement down if we do not work them out at this time. We have of course been continuing our military air operations and our mining operations pending final agreement, and we have a volunteer armed force in Vietnam which we will keep there until all of our prisoners of war are returned. As far as military activity is concerned, on our part we are closely watching the other side and, as any ominous buildup may develop, we will be prepared to react accordingly.

You should point out on the plus side that, as far as the war is concerned as we enter this Christmas season, we can all be thankful that no draftees are going to Vietnam, that our casualties have been at either zero or near zero levels for the last three months, that no Americans are engaged in ground combat and that, for the first time since the war began, both sides are negotiating seriously to try to find a peaceful settlement.

You can say that you have talked to the President, that he is confident that we will reach agreement. However, he is also just as insistent that it be the right kind of agreement and that we will not rush into an agreement which is the wrong kind of agreement, because of his desire to have a just and lasting peace.

Finally, repeat the fact that we will not accept any agreement which imposes unacceptable conditions in obtaining the release of our POWs. Second, we will not agree to any provisions which would have the effect of imposing a Communist government on the people of South Vietnam. Third, we will not sign any agreement which, under the guise of bringing peace now, would leave the seeds for war later.