

1972 DEC 4 PM 6 L3

172 DEC 4 PM 6:28

WHITE HOUSE
SITUATION ROOM

ZCZCPWH009
Z 042210Z
FM COL GUAY HAKTO 9
TO THE SITUATION ROOM
ZEM
T O P S E C R E T SENSITIVE EXCLUSIVELY EYES ONLY

HAKTO 9

DECEMBER 4, 1972

TO: KENNEDY -FLASH-

FROM: KISSINGER

PLEASE PASS THE FOLLOWING REPORT TO THE PRESIDENT IMMEDIATELY. BEGIN TEXT.

1. AFTER TODAY'S SESSION WE ARE AT A POINT WHERE A BREAK-OFF OF THE TALKS LOOKS ALMOST CERTAIN. THIS MORNING HAIG AND I MET PRIVATELY WITH LE DUC THO AND XUAN THUY FOR 2 1/2 HOURS AND CAME AWAY SOMEWHAT ENCOURAGED. I MADE A CONCILIATORY PRESENTATION, STRIPPING DOWN OUR REMAINING REQUESTS OF LAST WEEK TO THE MINIMUM. I ALSO EMPHASIZED HOWEVER, THAT WE MUST HAVE THESE MINIMUM CHANGES IN ORDER TO PRESS THE AGREEMENT ON OUR ALLIES. ESSENTIALLY I PROPOSED THE COMPROMISE THAT WE EXPLAINED TO THE SOUTH VIETNAMESE WHICH WOULD LIKE DE FACTO NORTH VIETNAMESE WITHDRAWALS TO THE RELEASE OF SOUTH VIETNAMESE CIVILIANS OUTSIDE OF THE AGREEMENT; ACCEPT IN ESSENCE THE POLITICAL PROVISIONS, ASKING ONLY FOR THE CORRECT TRANSLATION OF "ADMINISTRATIVE STRUCTURE" TO MAKE CLEAR THE COUNCIL IS STRICTLY NON-GOVERNMENTAL; AND ESTABLISH THE PRINCIPLE THAT NORTH VIETNAMESE TROOPS WOULD NOT HAVE THE UNRESTRICTED RIGHT TO INTERVENE IN SOUTH VIETNAM THROUGH ONE OR MORE OF SEVERAL FORMULATIONS THAT I OFFERED. ALTHOUGH IT WAS A GENERALLY TOUGH SESSION, WE CAME AWAY WITH THE IMPRESSION THAT THEY WOULD NEGOTIATE WITHIN THIS CONTEXT AND SETTLE. IN ANY EVENT, WHILE I SAID WE NEEDED SOME CHANGES, I MADE CLEAR OUR FIRM DETERMINATION TO SETTLE AND OUR REASONABLENESS. I EVEN TOLD THEM ABOUT THE PROJECTED AGNEW MISSION.

2. AT THE FULL MEETING THIS AFTERNOON, WHICH ALSO LASTED 2 1/2 HOURS, THO ANSWERED MY MORNING PROPOSAL POINT BY POINT. HE REJECTED EVERY CHANGE WE ASKED FOR, ASKED FOR A CHANGE ON CIVILIAN PRISONERS, DEMANDED THE WITHDRAWAL OF AMERICAN CIVILIANS FROM SOUTH VIETNAM THUS MAKING THE MAINTENANCE OF THE VIETNAM AIR FORCE IMPOSSIBLE, AND WITHDREW SOME CONCESSIONS FROM LAST WEEK. IN SHORT, WE WOULD WIND UP WITH AN AGREEMENT SIGNIFICANTLY WORSE THAN WHAT WE STARTED WITH. I TOLD HIM FLATLY THAT HIS APPROACH DID NOT PROVIDE THE BASIS FOR A SETTLEMENT. IN THE ENSUING DIALOGUE THO STUCK FIRMLY BY HIS INTRANSIGENT POSITION. THE ONLY ALTERNATIVE HE OFFERED TO HIS PRESENTATION THIS AFTERNOON WAS TO GO BACK TO THE OCTOBER AGREEMENT LITERALLY WITH NO CHANGES BY EITHER SIDE. I TOLD THO THAT I WOULD REPORT HIS POSITIONS TO YOU OVERNIGHT, BUT I WAS QUITE SURE OF YOUR ANSWER. WE AGREED TO MEET AGAIN TOMORROW AT 1500, WITH US SERVING AS HOSTS AT A NEW LOCATION WE HAVE CHOSEN.

