

SA 99 B-3

MEMORANDUM

NATIONAL SECURITY COUNCIL ACTION

~~TOP SECRET/EYES ONLY~~

March 30, 1972

MEMORANDUM FOR:

MR. KISSINGER

FROM:

JOHN D. NEGROPONTE

SUBJECT:

Your Meeting With Ambassador Porter,
5 p.m. - March 31

The following are among the issues we believe you may want to raise with Ambassador Porter at your meeting with him Friday at 5 p.m.:

-- We do not feel we should ask the DRV to make a gesture on POW's as he suggests in his March 28 back-channel.

[FYI: Porter is personally close to Secretary Laird. They have in the past consulted on this issue and share a predilection for what we frankly believe to be excessive emphasis on the POW issue. What Porter suggests is in fact precisely the kind of unilateral gesture the DRV might make without any prompting from us in order to generate political concessions and/or increased pressure on POW issues.]

-- You may want to make the point that you often have in the past that if we get a settlement we'll get our POW's back anyway. Moreover, we have now sufficiently dramatized our concern for POW's.

~~TOP SECRET/EYES ONLY~~

(DP)

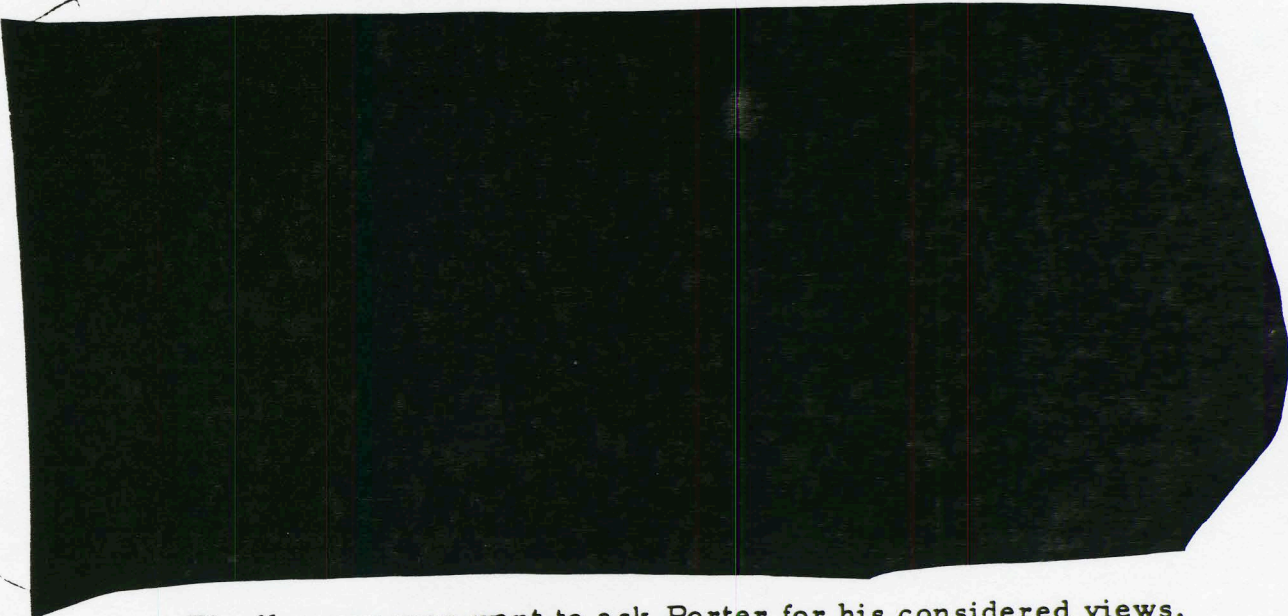
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E.O. 12356, Sect. 3.4

NSC 9/22/93 F9301189

By MKO NARA, Date 9/30/93

SA 99



-- Finally, you may want to ask Porter for his considered views, perhaps through the back-channel, on the negotiability of aspects of the two point PRG elaboration of their 7-points. [We have in mind the separability of 1 and 2 with focus on the military issues--e.g. POW's, cease-fire and withdrawal. You may on the other hand feel this should be reserved for elsewhere.]



A 99-B-4

MEMORANDUM

INFORMATION

~~TOP SECRET/EXCLUSIVELY EYES ONLY~~ NATIONAL SECURITY COUNCIL

March 30, 1972

MEMORANDUM FOR: MR. KISSINGER
FROM: JOHN D. NEGROPONTE *JAN HK*
SUBJECT: Next Troop Withdrawal Announcement

I surmise that the DRV has agreed to the timing of our next meeting for two reasons:

1. There may be some results of their offensive.
2. They probably assume it will be after the President's next withdrawal announcement.

The latter factor may in some way be commanding. You recall they didn't want to meet in October; but then proposed November 20, 5 days after the President's scheduled announcement. They then refused to meet at all. One could speculate that this was because of the short period covered by the announcement and the rather strong words accompanying it.

My personal view is that Hanoi assumes our next withdrawal announcement will be the final one before a negotiated settlement. I also subscribe to the theory that they won't negotiate seriously until they know with certainty to what limits we will go unilaterally.

If these tentative and admittedly fragile hypotheses are right then one can construct two (at least) scenarios regarding the next troop withdrawal announcement and their attendant consequences for negotiations:

A. Announce Now a Withdrawal Right Down to a Residual Force:
Under this scenario we would announce that by X date, say November 1, we will be down to 30,000 troops in Vietnam. The accompanying rhetoric would include the following points:

[REDACTED]

~~TOP SECRET/EXCLUSIVELY EYES ONLY~~

(DP)

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E.O. 12356, Sect. 3.4

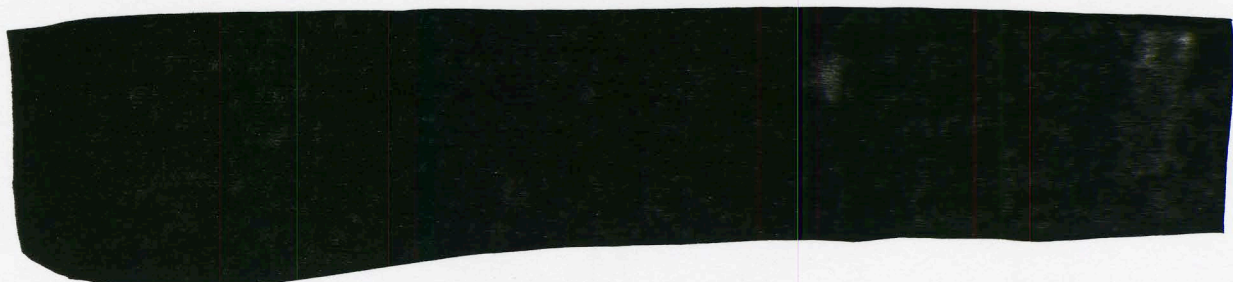
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By *MMG* NARA, Date 9/30/93

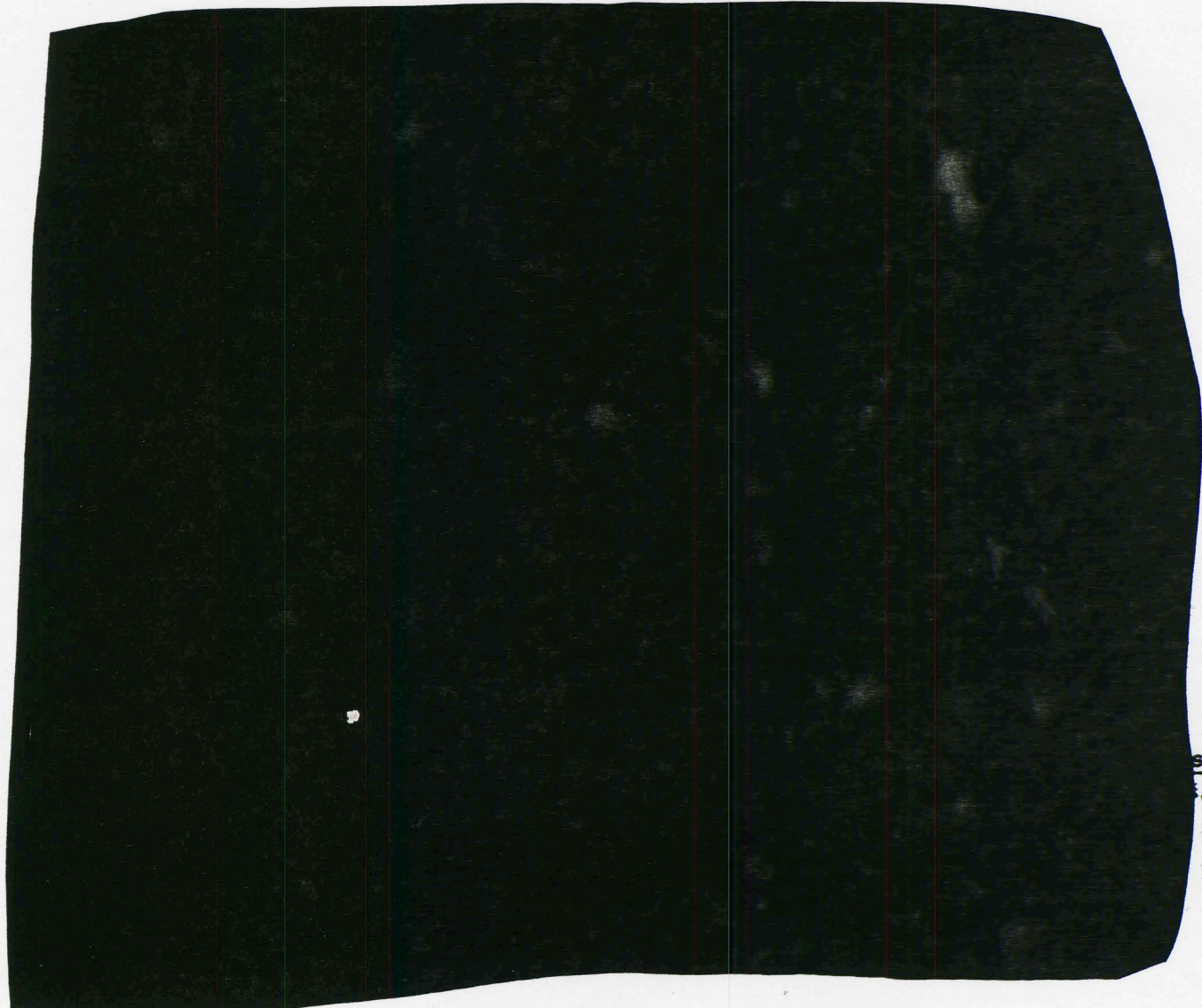
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~~TOP SECRET/EXCLUSIVELY EYES ONLY~~

2



-- Until settlement reached assuring chance for SVN to determine future and securing release of POW's, this is least we can do to honor the sacrifices of close to 50,000 men who have died in support of SVN self-defense.



~~TOP SECRET/EXCLUSIVELY EYES ONLY~~

SA 99: B-5

MEMORANDUM

NATIONAL SECURITY COUNCIL

~~TOP SECRET~~
ACTION

March 10, 1972

TOP SECRET/SENSITIVE/EYES ONLY

MEMORANDUM FOR:

MR. KISSINGER

FROM:

JOHN D. NEGROPONTE

SUBJECT:

Travel of Harold J. Gibbons to Hanoi

At Tab A for your approval is a memorandum of conversation relating your meeting with Harold J. Gibbons on March 9.

RECOMMENDATION:

That you approve the memcon at Tab A.

Approve

HK

Disapprove

TOP SECRET/SENSITIVE/EYES ONLY

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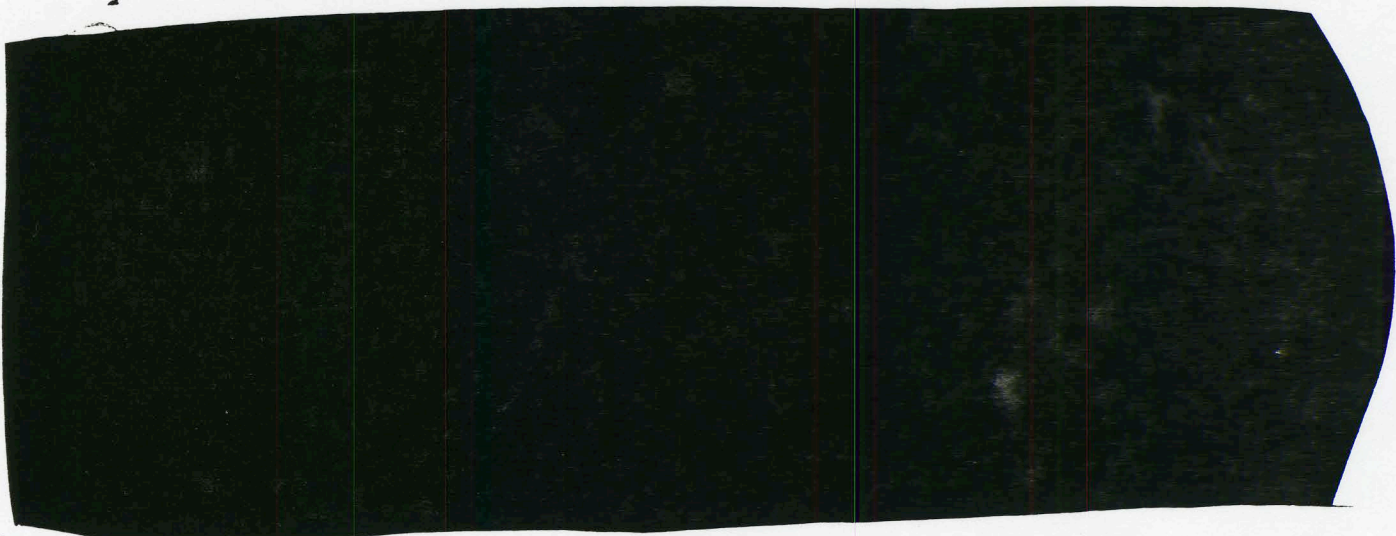
E.O. 12356, Sect. 3.4

NSC 9/22/93 F9301189

By WKO NARA, Date 9/30/93

SA 99

Mr. Gibbons then said that he had gotten a call from someone in ABC asking if it were true that he was going to Hanoi. He said that he had confirmed this and the ABC correspondent had privately suggested that Gibbons talk to Frank Sieverts in the State Department on POW matters. Gibbons asked if it would be all right to talk to Sieverts. Mr. Kissinger replied that there was no objection, but that if Mr. Sieverts proposed that Gibbons convey any messages to the DRV about POWs, he should check back with Mr. Kissinger. Mr. Kissinger added that as a general proposition Mr. Gibbons should not focus on the negotiating details too much in his dealings with DRV officials because he (Gibbons) is not a U.S. official and can't be expected to know all the negotiating details. As for the prisoner of war question, if we get a negotiated settlement, we will of course get our prisoners of war back.



SA 99 B-7

MEMORANDUM

NATIONAL SECURITY COUNCIL

DBE
Msg sent 2/16
7:30

Burn
ACTION

~~SECRET/EYES ONLY~~

February 16, 1972

MEMORANDUM FOR:

MR. KISSINGER

FROM:

JOHN D. NEGROPONTE

SUBJECT:

Ambassador Porter Recommends that After Peking Visit We Consider Suspending Paris Talks Unless DRV Permits Access to our POW's By Neutral Body and Agrees to Exchange of Sick and Wounded

Background

1.3(a)(4)
Ambassador Porter has sent you a message SANITIZED recommending that after the Peking visit you consider sending a private message to the North Vietnamese to the effect that unless they permit access to prisoners by a neutral body and agree to an exchange of sick and wounded prisoners we will suspend the Paris Talks until further notice (Tab B).

Ambassador Porter notes that he has already dealt with Xuan Thuy's statement that access cannot be granted to our POW's in Vietnam because it might trigger a U.S. commando raid. In a recent plenary session Porter pointed out that it would be a simple matter to bring the prisoners to a neutral medical body in Hanoi for inspection without revealing the locations of detention camps.

Advantages and Disadvantages of Porter's Proposal

Advantages:

1. This course of action might actually have an impact on the DRV's approach to the handling of our POW's, if indeed they are sensitive about the prospect of losing the Paris Plenary forum.
2. The GVN would welcome this step as an indication of firmness in our position, particularly in the aftermath of all the fuss about "flexibility".

~~SECRET/EYES ONLY~~

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1.3(a)(4)

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NSC 8/24/93 F9301193

By MAO NARA, Date 9/16/93

SA 99

3. We would in effect be temporarily closing down a forum which is widely considered to be sterile. It is also a forum which many judge as offering a better propaganda platform to the DRV than to the allied side.

4. It would demonstrate in yet another concrete way that we really care about our men held captive in North Vietnam.

Disadvantages:

1. The suspension suggested might not have the desired effect of gaining access to our POW's and the exchange of sick and wounded.

2. This course might generate unnecessary criticism from those who would prefer to blame us rather than the DRV for lack of progress in Paris.

3. We would disrupt a channel which has been useful in minor ways (e.g. exchanging messages about POW packages, orchestrating our public stance with our private initiatives, and maintaining the talks as a symbol of our willingness to negotiate seriously with the other side whenever it is prepared to do so).

4. As a general proposition, we would simply be making more of a fuss about the Paris Talks than most people probably think it is worth.

Our Views

We think Ambassador Porter's recommendation has some merit and, of course, is very much in keeping with his innovative style.

The key judgment would seem to boil down to weighing the advantage of showing our real concern for our POW's versus the disadvantage of the adverse publicity we might get for in effect taking the initiative in suspending the talks.

We believe this is really a toss-up judgment which only you and the President can decide. We have, however, prepared a draft reply to Porter on the assumption that you will decide against the proposal, pointing out that this is an idea that we may wish to hold in reserve but we do not wish to rock the Paris boat quite so much at this time.

Recommendation:

That you approve the message to Porter at Tab A.



~~SECRET/EYES ONLY FOR AMBASSADOR PORTER~~

[SANITIZED]

1.3 (a)(4)

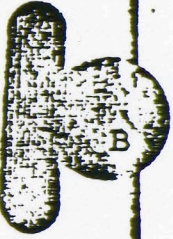
FROM HENRY A. KISSINGER

REFERENCE YOUR 570

1. Many thanks for your message under reference. We think your idea has merit although the President may wish to hold it in reserve for a little while.
2. In any event we will keep your suggestion very much in mind, and, of course, consult with you beforehand should we decide to go through with it.
3. Your kind wishes for the forthcoming trip are most appreciated here.

Warm regards,

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~~SECRET~~

SENT

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DE YEKADL 4842 0451330
ZNY MMNSH
O 141324Z ZYH
FM PARIS
TO THE WHITE HOUSE
ZEM

~~SECRET~~ 141240Z FEB 72
FM AMBASSADOR PORTER 570

[SANITIZED]

1.3(2)(4)

TO THE WHITE HOUSE EYES ONLY FOR DR. HENRY KISSINGER.
1. YOU ARE AWARE THAT NVN/VC REMAIN DISTURBED BY PROSPECT
OF PEKING TALKS. THEIR ACQUIESCENCE IN RUSSIAN/FRENCH CP
EXCLUSION OF MAOIST FACTIONS FROM VERSAILLES CONFERENCE
WILL NOT GO UNNOTICED IN PEKING.

2. I RECOMMEND THAT AFTER PEKING VISIT YOU CONSIDER
SENDING PRIVATE MESSAGE TO NORTH VIETNAMESE THAT UNLESS
THEY PERMIT ACCESS TO PRISONERS BY NEUTRAL BODY AND
EXCHANGE OF SICK AND WOUNDED WE WILL SUSPEND NOT TERMINATED
TALKS UNTIL FURTHER NOTICE. I HAVE ALREADY DEALT WITH
THUY'S STATEMENT THAT ACCESS CANNOT BE GRANTED BECAUSE
IT MIGHT TRIGGER U.S. COMMANDO RAID. IT WOULD BE SIMPLE
MATTER TO BRING PRISONERS TO NEUTRAL MEDICAL BODY IN
HANOI FOR INSPECTION WITHOUT REVEALING LOCATIONS OF
DETENTION CAMPS. OR NVN COULD HAVE CLOSEUPS TAKEN OF
PRISONERS PERIODICALLY FOR SENDING TO THEIR FAMILIES.

3. IN SUSPENDING TALKS HERE ON THIS ISSUE IT WOULD NOT BE
NECESSARY TO MAKE MENTION OF PRIVATE MESSAGE THOUGH FACT
OF IT HAVING BEEN SENT MIGHT BE USEFUL TO US LATER.
4. WARM REGARDS AND BEST WISHES FOR SUCCESS OF PRESIDENT'S
TRIP TO PEKING.

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~~SECRET~~

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SA 99 B-12

JDN
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TOP SECRET/SENSITIVE

July 14, 1972

MEMORANDUM FOR:

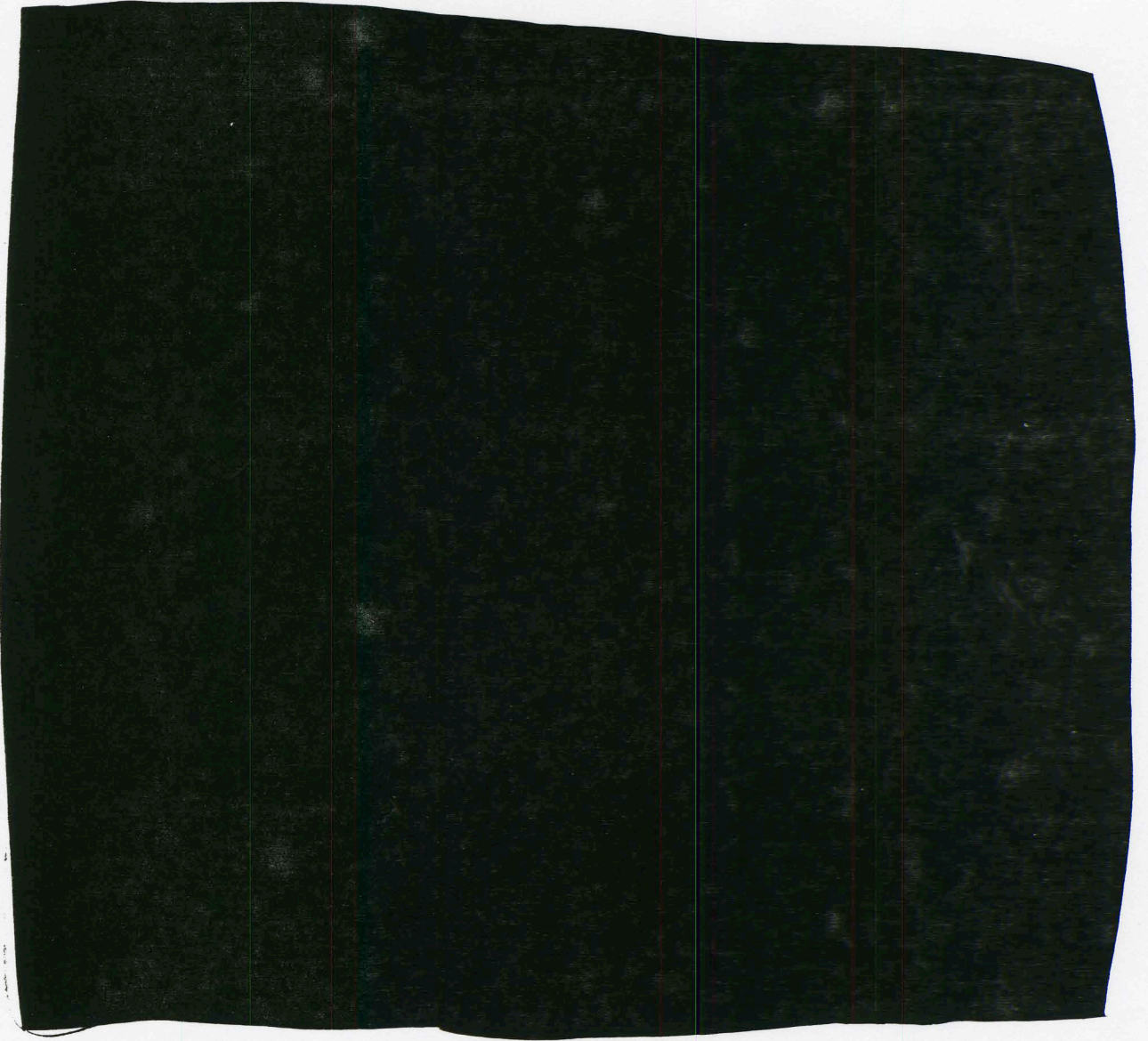
MR. KISSINGER

FROM:

JOHN D. NEGROPONTE

SUBJECT:

Analysis of Recent Public Statement by
the Other Side



TOP SECRET/SENSITIVE

EDP

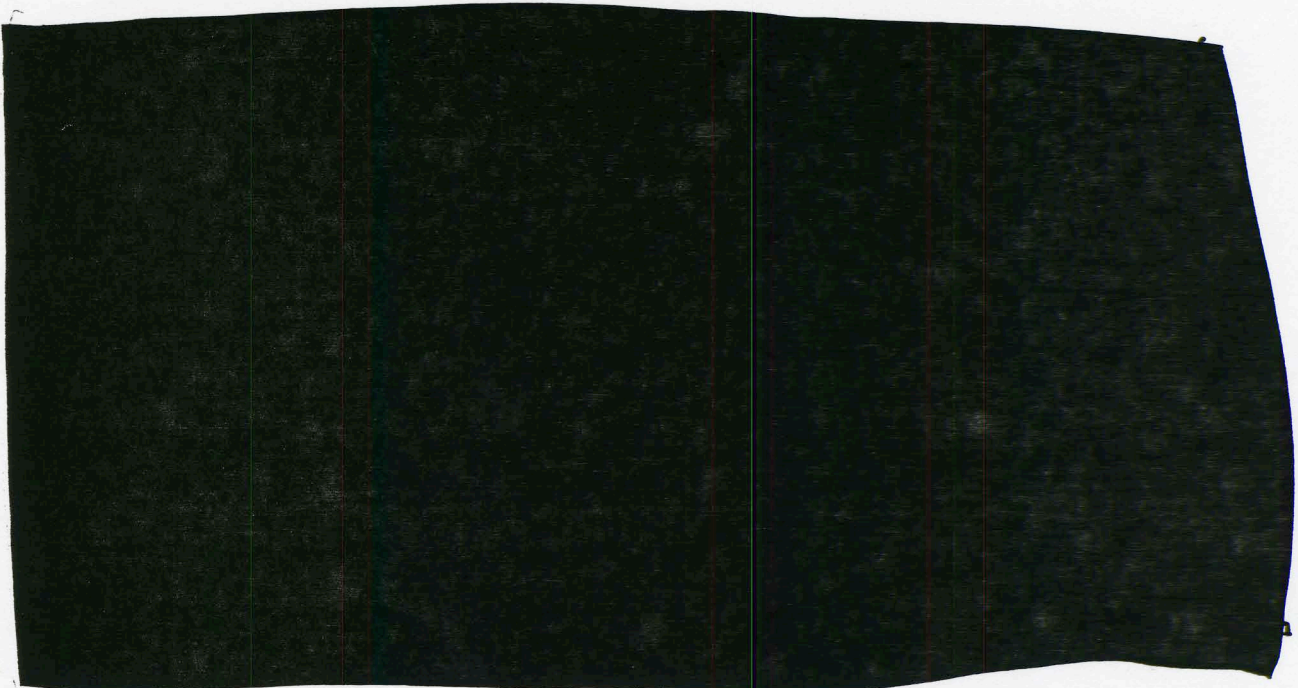
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E.O. 12356, Sect. 3.4

NSC 9/22/93 F9301189

By MMO NARA, Date 9/30/93

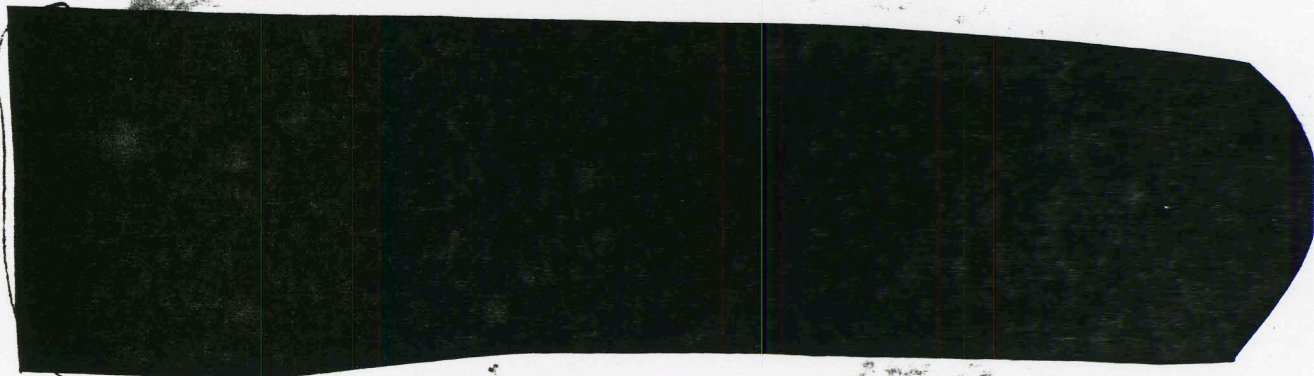
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Cease-Fire After Military and Political Settlement

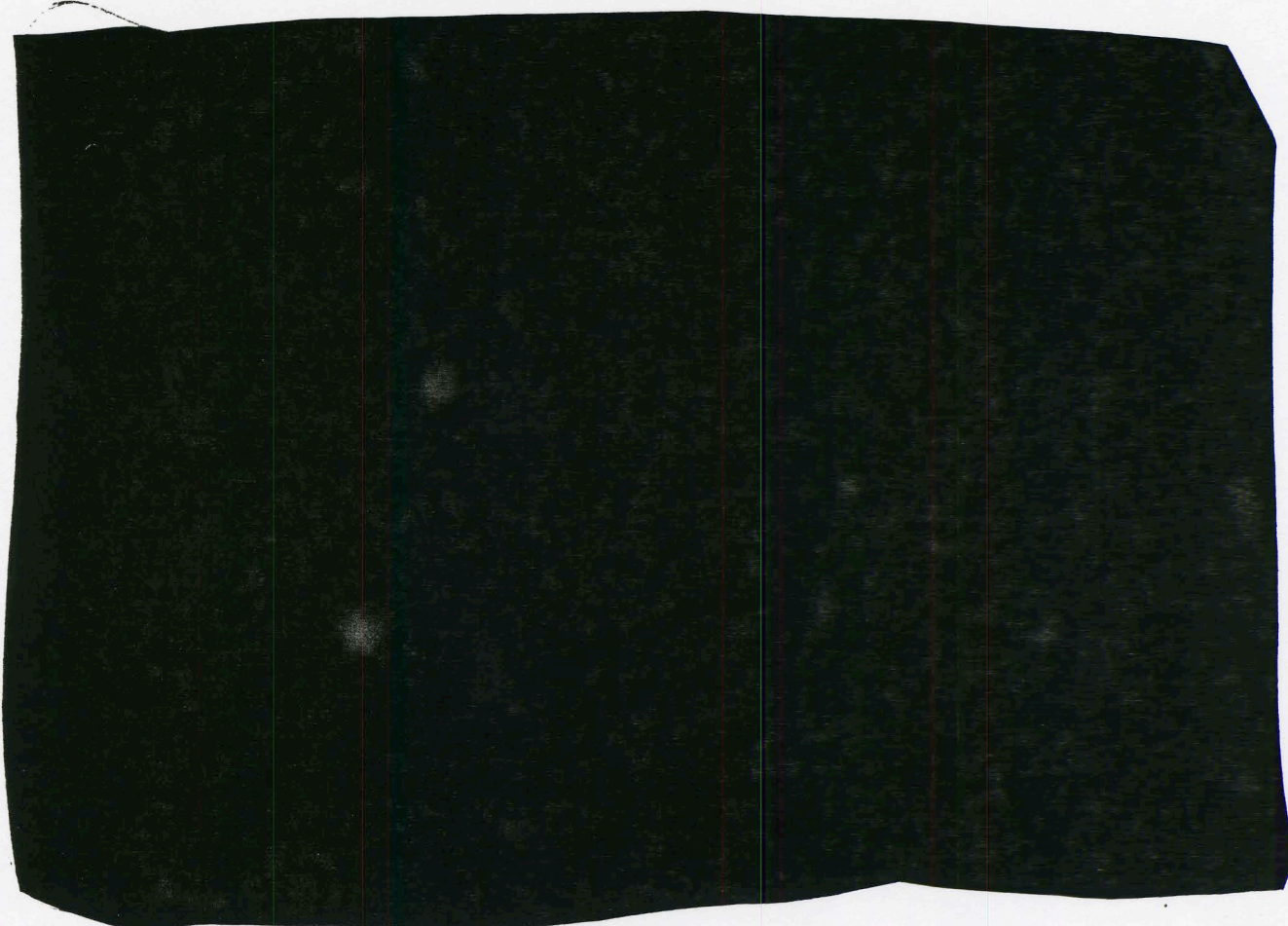
During the July 13 plenary, Xuan Thuy noted that while we propose a cease-fire "before any agreement on other questions," the Communist side "would like an agreement on all questions, then afterwards a cease-fire which would be lasting and which would enable a permanent end to the war to be achieved." He had previously stated: "We advocate a parallel settlement of the military issue and the political issue."

Hanoi has thus served notice that it is not, at this time, interested in separating the political and military issues as we, in effect, proposed on May 8. Basically, the Communist side continues to reject any kind of cease-fire which does not assure them military and political superiority in South Vietnam moreover, they still intend to use their bargaining leverage -- principally our POW's -- to achieve both of these objectives.



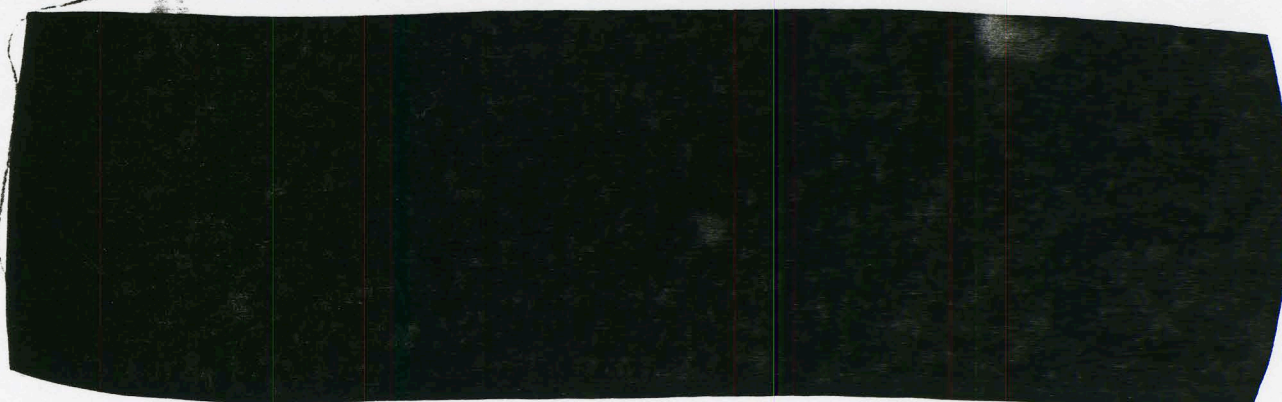
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Military Position Essentially Unchanged

The other side is still calling for the "rapid and total" withdrawal of U.S. forces and military advisors, but has not recently asked us to set a "specific terminal date" for these withdrawals. In this connection, they have been saying little about POW releases, although Xuan Thuy on July 16 noted that our military actions and failure to "respond" to the "seven points" is the reason why the question of U.S. POW's "remains unsolved."



~~TOP SECRET/SENSITIVE~~

SA 99 B-13

MEMORANDUM

NATIONAL SECURITY COUNCIL

TOP SECRET/EXCLUSIVELY EYES ONLY

ACTION

*Eyes only
file*

MEMORANDUM FOR:

MR. KISSINGER

FROM:

JOHN D. NEGROPONTE *JDN*

SUBJECT:

Memorandum of Conversation with
William L. Taub and Harold Gibbons

Attached at Tab A is a draft memorandum of conversation which took place between you, William Taub and Harold Gibbons on July 5, 1972.

My own impression from rereading the notes of our meeting is that the principal concern of the Teamsters is to ingratiate themselves with the Administration in order to secure a pardon for Mr. Hoffa. I think their concern with the Vietnam was is purely secondary.

Recommendation:

That you approve the memorandum of conversation at Tab A.

Approve _____ Disapprove _____

TOP SECRET/EXCLUSIVELY EYES ONLY

(DP)

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E.O. 12356, Sect. 3.4

NSC 9/22/93 F9301189

By *MKO* NARA, Date 9/30/93

SA 99

SECRET/SENSITIVE

MEMORANDUM OF CONVERSATION


PARTICIPANTS: Mr. Harold Gibbons, Teamster Official
William L. Taub, Mr. Hoffa's Lawyer
Mr. Kissinger
John D. Negroponte, NSC Staff

TIME AND PLACE: Mr. Kissinger's office, San Clemente, 11 a.m. , July 5, 1972

MR. TAUB: I delivered a letter to the Pope.

Kissinger: You have nothing to do with peace movements?

TAUB: No, I am just one of Hoffa's lawyers. I had a meeting with Le Duc Tho and I hand-delivered a note to Hoffa. It suggests to President Nixon that Mr. Hoffa be the chief negotiator for Vietnam of the United States. The note said that Hanoi would negotiate about prisoners and submits a request that Hoffa visit North Vietnam.



Kissinger: If we give a pardon to Hoffa, what will he do in Hanoi?

TAUB: He will go to Hanoi and negotiate privately and bring back the first prisoners.

Kissinger: In exchange for what?

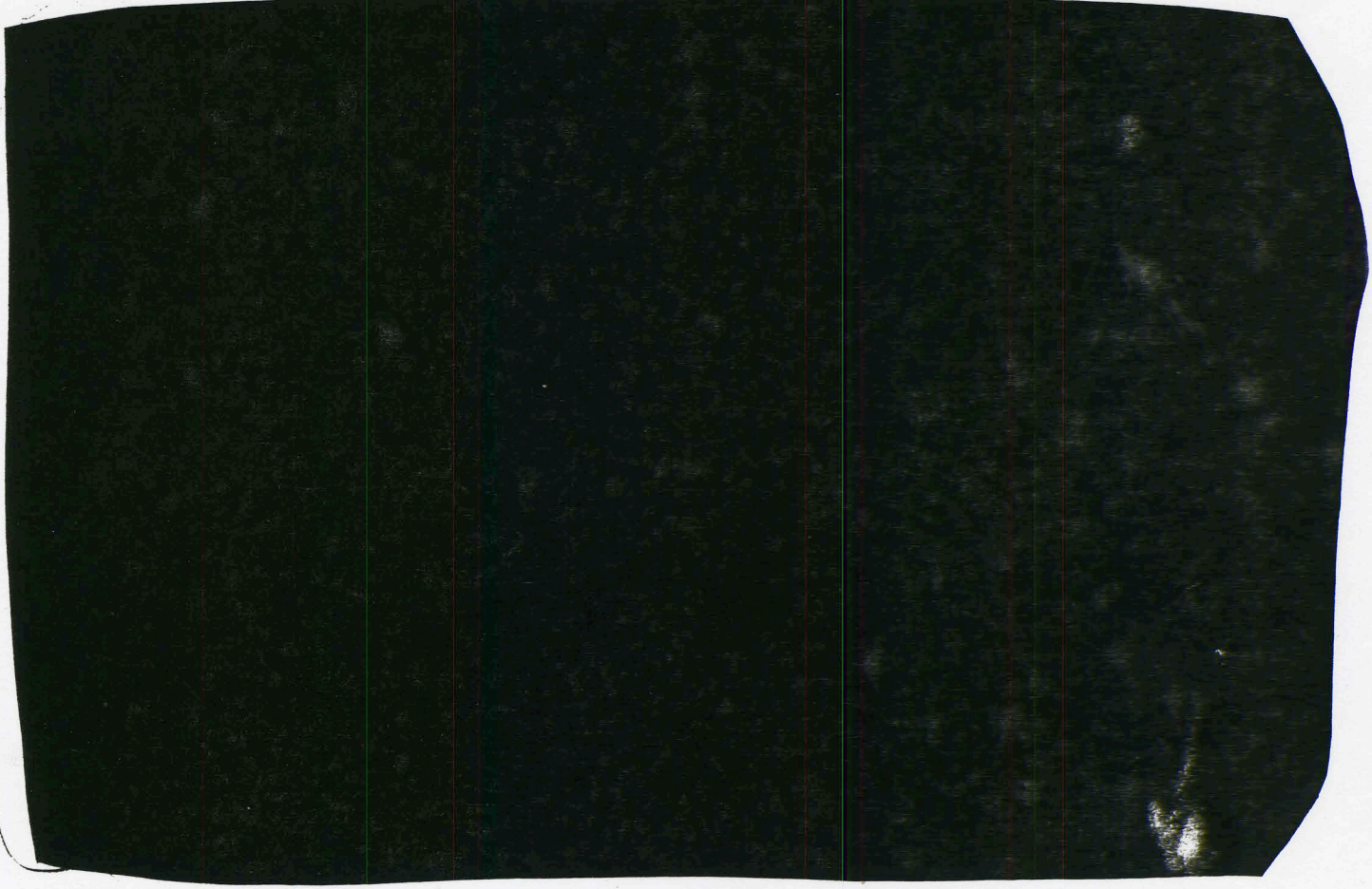
TAUB: This is what we want to know. They said they will open the doors all the way to Hoffa. Here is the invitation from Hanoi.

Kissinger: Suppose he went without a pardon?

TAUB: Hoffa would not go.

Kissinger: I don't know anything about the case.

TAUB: I consulted with General Gay (the U.S. military representative on our delegation in Paris). He discussed with me your experience in Hanoi in 1967 and the sending of two Frenchmen. Personally I believe it is worth seriously considering pardoning Hoffa, not only for our POW's but in the interest of the United States in the Paris talks.



SA 99 B-17

MEMORANDUM

• NATIONAL SECURITY COUNCIL

URGENT INFORMATION

~~SECRET~~/SENSITIVE/EYES ONLY

November 15, 1972

MEMORANDUM FOR:

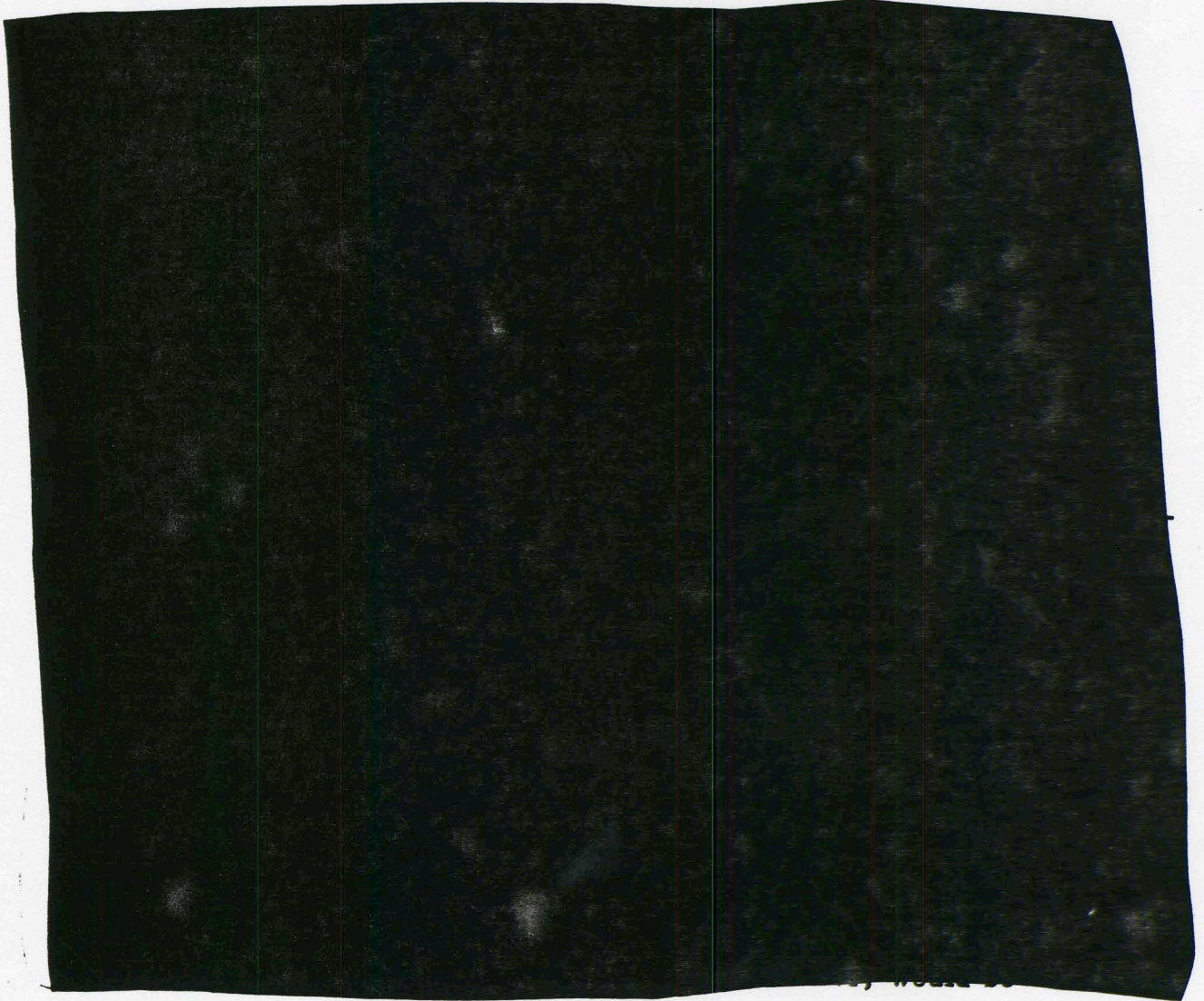
MR. KISSINGER

FROM:

JOHN D. NEGROPONTE

SUBJECT:

Alternate Proposal for Bilateral
U. S. -DRV Agreement



~~SECRET~~/SENSITIVE/EYES ONLY

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E.O. 12356, Sect. 3.4

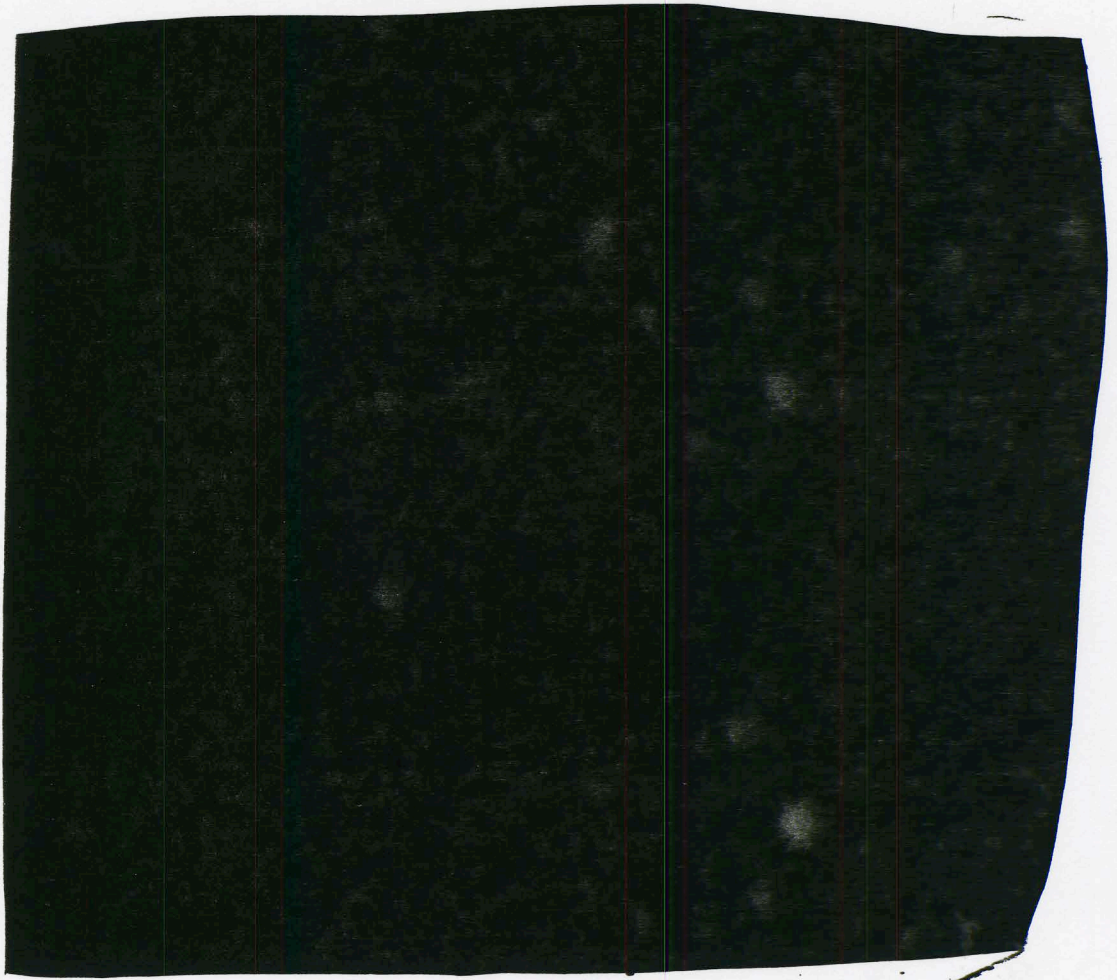
NSC 9/22/93 F9301189

By MXO NARA, Date 9/30/93

SA 99

~~TOP SECRET~~

ALTERNATE PROPOSAL FOR BILATERAL US-DRV AGREEMENT



Essentially the alternative draft involves a cease-fire and standstill by United States forces with respect to communist forces, a total withdrawal of United States forces, and a return of United States and foreign POWs within 60 days, plus a provision that the United States will continue,

~~TOP SECRET~~

Congress willing, to provide economic and military support to the GVN, but only at a one-for-one replacement level. It also probably presumes the provision of rehabilitation and reconstruction aid to the North Vietnamese by the United States and other interested international parties. Moreover, it would restore the 1954 and 1962 Agreements in Cambodia and Laos, thereby providing for the withdrawal of foreign forces from those two countries. With respect to the internal military and political situation in South Viet-Nam, it would contain nothing more than an exhortation to both Vietnamese parties to cease firing, release all prisoners, bring about reconciliation and concord, and agree upon a formulation for a political process which would produce a government satisfactory to both Vietnamese parties. There would be no provision for international supervision with respect to Viet-Nam, although the 1954 and 1962 Commissions would be restored to validity in both Cambodia and Laos.

In outline form such an alternative agreement would have the following appearance:

CHAPTER II

ARTICLE 7

All United States and foreign military personnel and civilians will be released by the communist parties no later than 60 days after the signature of the agreement. Appropriate arrangements will be made to develop information concerning missing in action. Communist ^{military} prisoners held by the South Vietnamese will be released if they are willing to go to North Viet-Nam upon their release by the South Vietnamese authorities. (We assume we can bargain the adoption of this provision against the adoption by both Vietnamese parties of the one-for-one replacement provision.)

CHAPTER III

ARTICLE 8

This Article will be a very generalized exhortation to the Vietnamese parties to achieve a cease-fire in South Viet-Nam, the release of all remaining prisoners, including civilians, reconciliation and concord among all political tendencies, the development of a political process which will lead to a government of concord,

3A 99 B-18

MEMORANDUM

NATIONAL SECURITY COUNCIL

INFORMATION

TOP SECRET/EYES ONLY

November 28, 1972

MEMORANDUM FOR:

MR. KISSINGER

FROM:

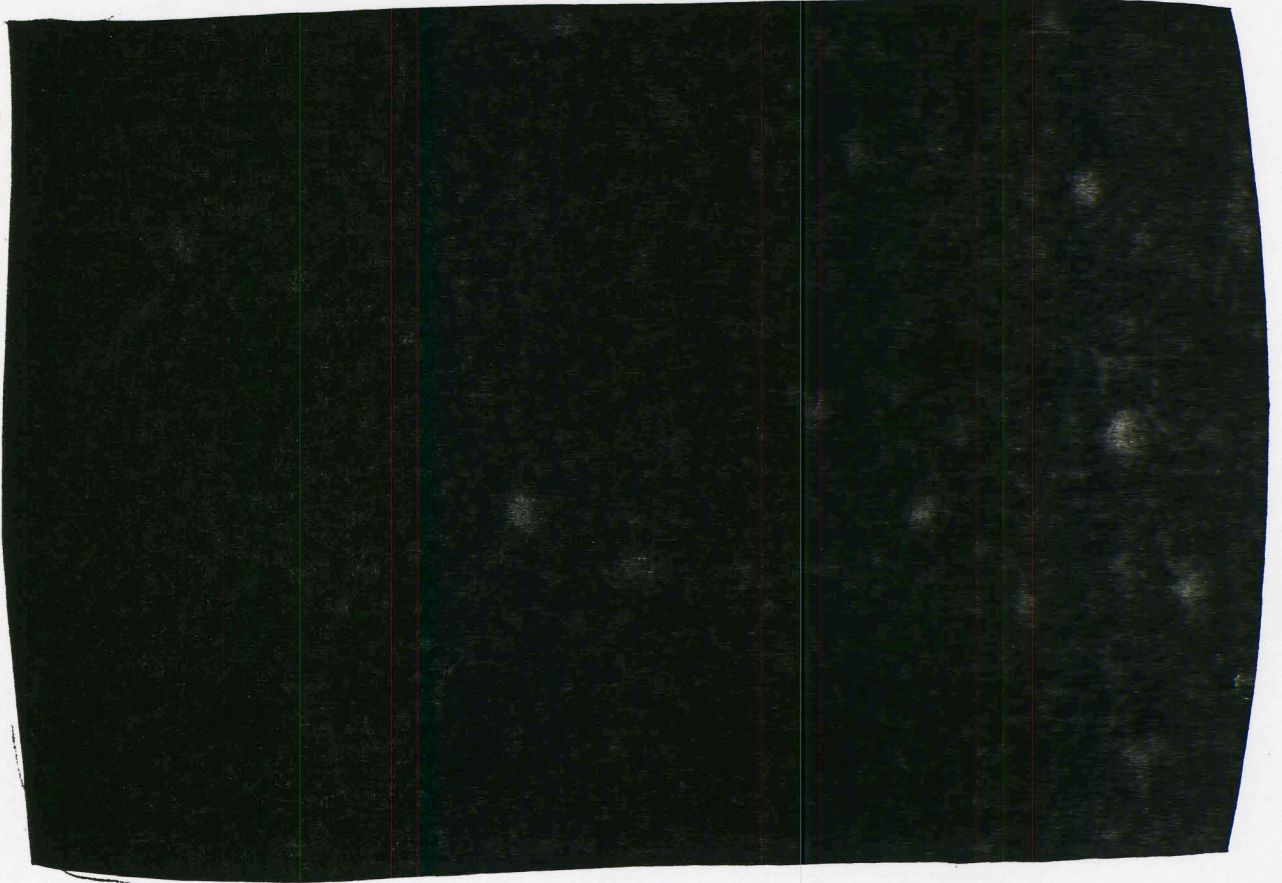
JOHN D. NEGROPONTE *JD*

SUBJECT:

Bilateral Deal

You will recall that on November 16 I provided you with a draft bilateral deal (Tab B).

At Tab A is a slight revision of the draft designed mainly to take into account changes in the basic agreement resulting from the latest round of meetings. For example, the Cambodia and Laos chapter now conforms to the version now agreed between us and the DRV.



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E.O. 12356, Sect. 3.4

NSC 9/22/93 F9301189

By *MKG* NARA, Date 9/30/93

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Chapter II

The Return of All Captured Foreign Military Personnel and Foreign Civilians
Article 6. - a) The return of all captured foreign military

personnel and foreign civilians shall be carried out simultaneously with and completed not later than the same day as the troop withdrawal mentioned in Article 3. The DRV shall furnish complete lists of the above-mentioned captured military personnel and civilians on the day of the signing of this agreement.

b) The DRV shall help the U.S. to get information about those foreign military personnel and foreign civilians missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action.

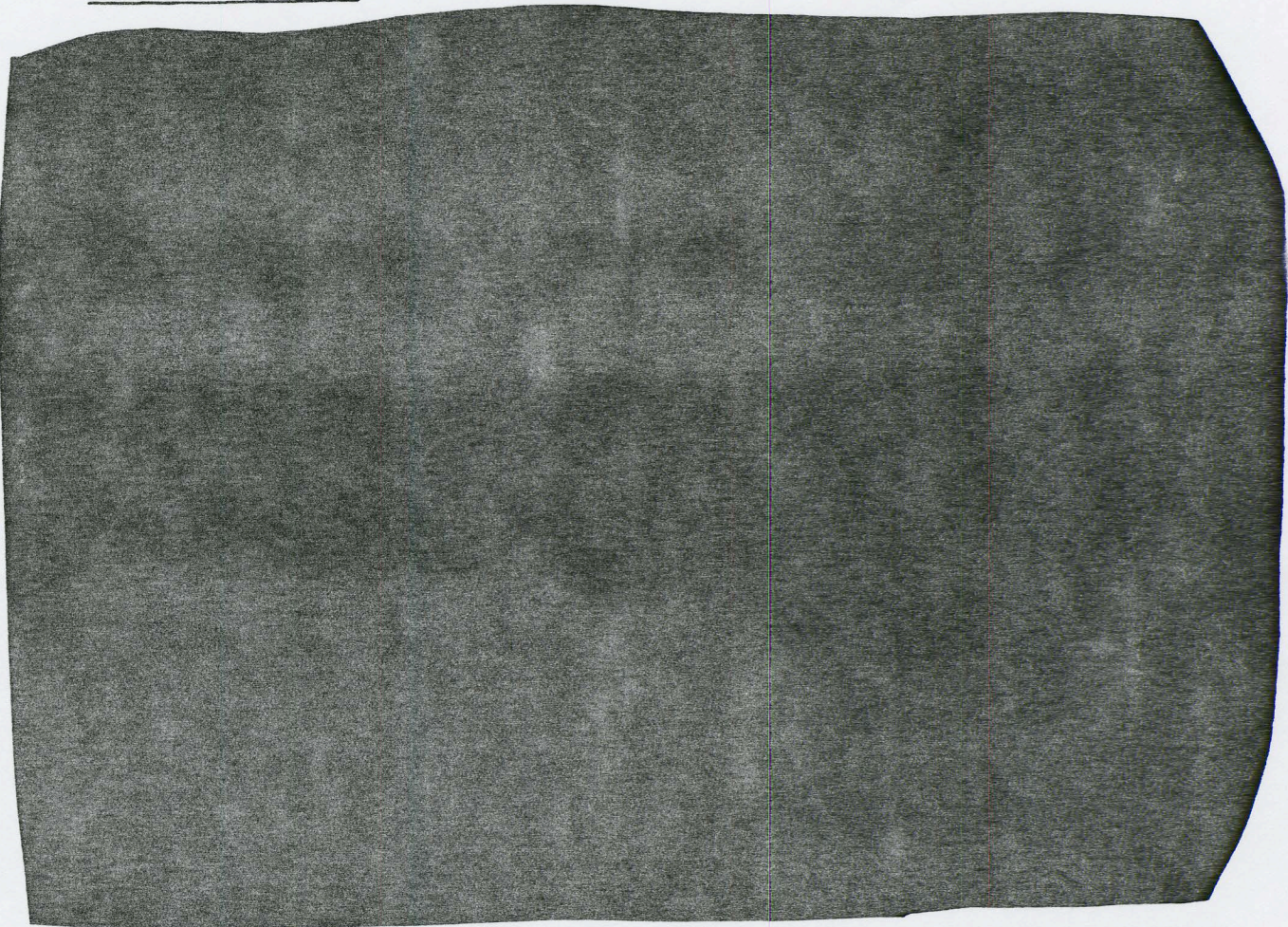
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~~SECRET/SENSITIVE/EYES ONLY~~

The following is designed for possible use at a private negotiating session with the DRV. It uses their May 18 document as a point of departure.

The statement has been structured somewhat differently than the previous one. First there are some brief general remarks; then some proposed statements by issue, e.g. withdrawal, political questions and the treatment of military and political issues.

General Remarks



Our May 8 peace terms remain our preferred course. The measures we are taking against your country would stop once an internationally

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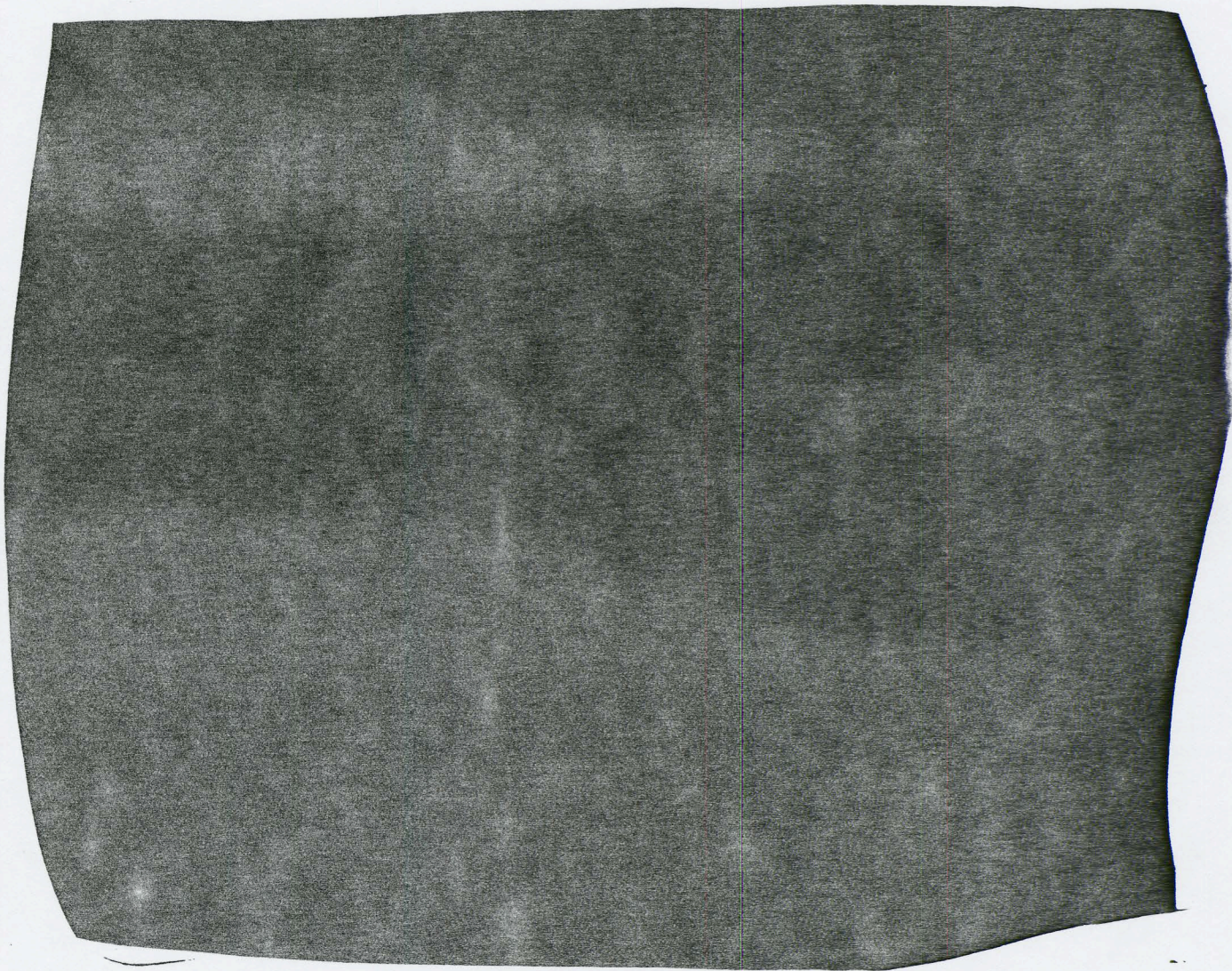
NSC, Van Tassel authority 9/15/92

By ADH NARA, Date 9/15/92

(SA 99)

supervised Indochina-wide cease-fire has gone into effect, U.S. prisoners of war held throughout Indochina have been released and U.S. missing-in-action accounted for. After that all U.S. acts of force throughout Indochina would cease and remaining U.S. forces in South Vietnam would be withdrawn in 4 months.

As I said this is our preferred course. It would end the killing in Indochina; it would get our prisoners home; and it would lay a basis for the peoples of Indochina to work out the political problems between themselves free from outside interference.



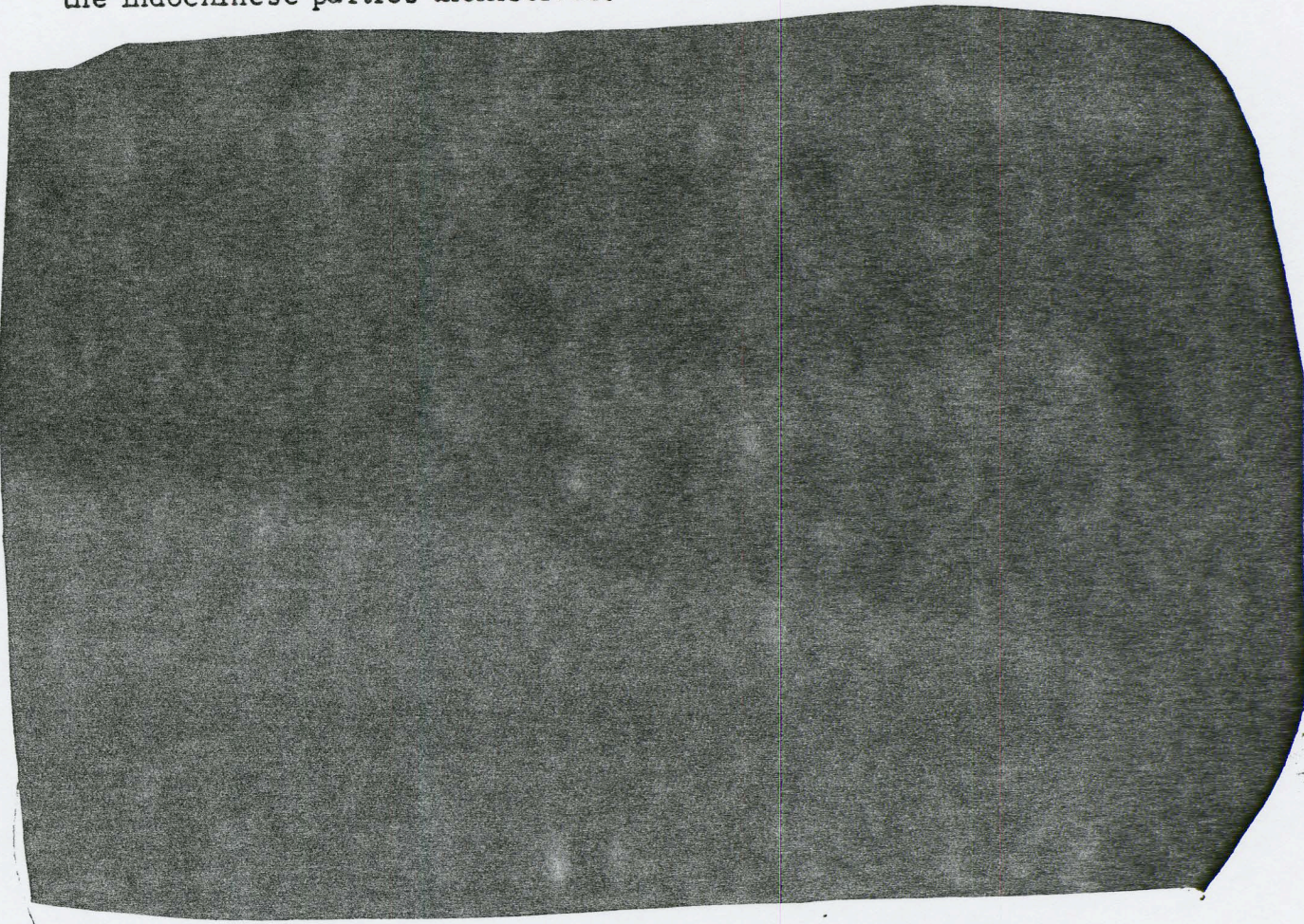
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NSC, Van Tassel authority 9/15/92
By ABH NARA, Date 9/15/92
(SA 99)

NOT RELATED TO
POW / MIA'S

Secondly, with regard to your claim that we continue to separate the military from political issues and our 8-point plan seeks to avoid the political question in South Vietnam, I can only express my concern that you may have failed to grasp the entire thread of our negotiating efforts from the time you advanced your 9-point proposal on June 26 of last year onwards.

It is true that our proposal of May 31, 1971, would have entailed setting a fixed date for the withdrawal of our forces from South Vietnam in exchange for the return of our prisoners of war and an internationally supervised cease-fire. This would have left the political issues to be resolved between the Indochinese parties themselves.

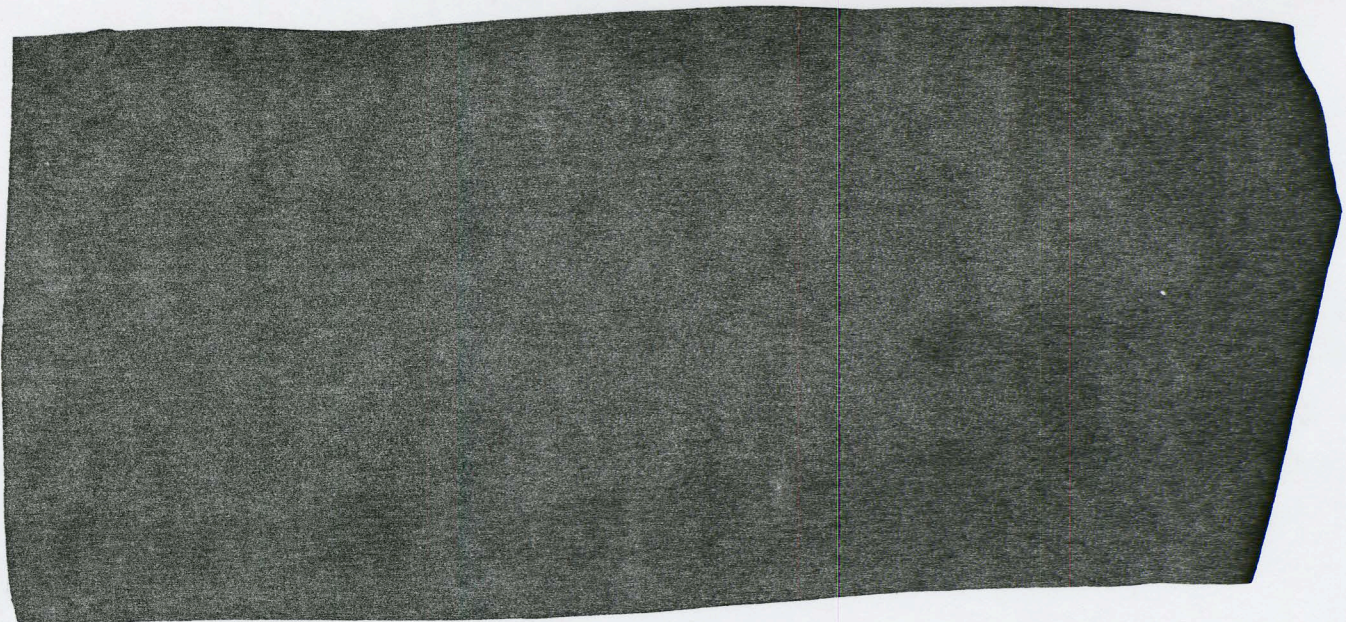


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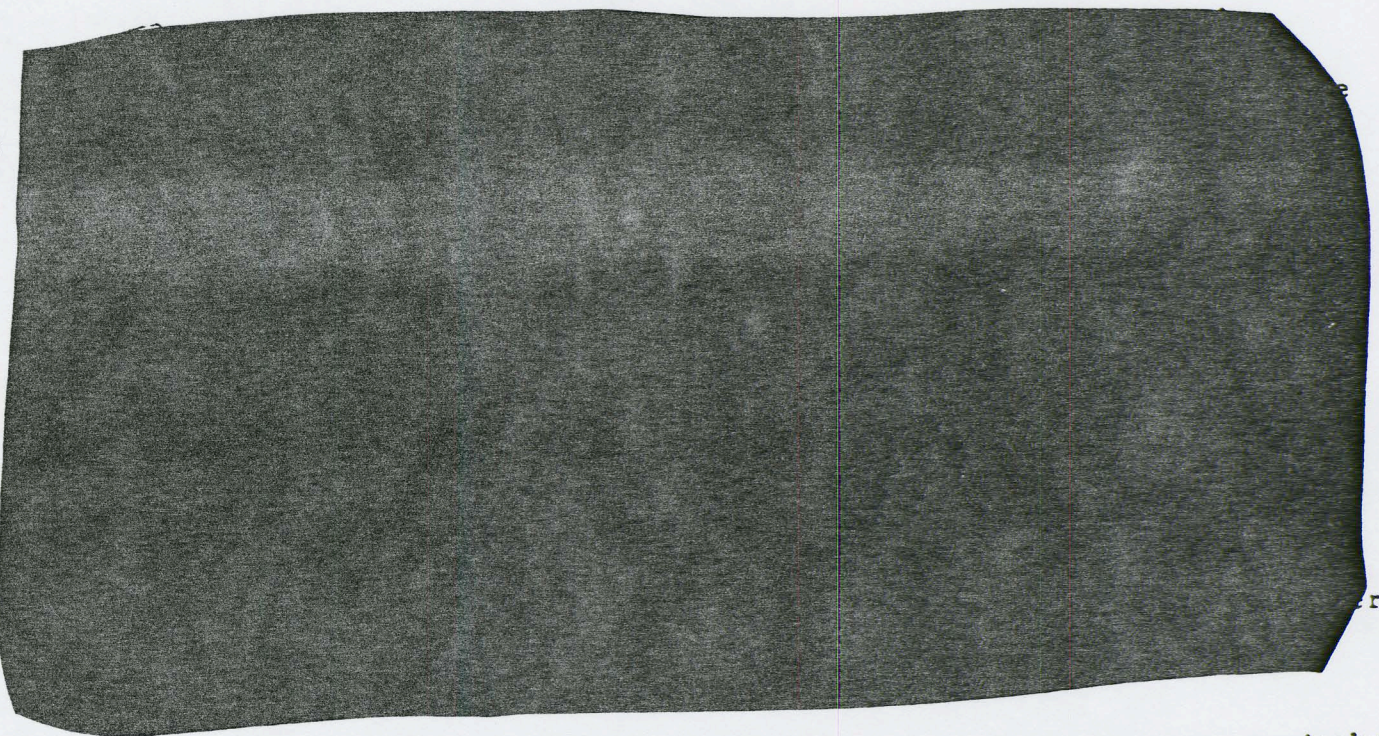
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NSC, Van Tassel authority 9/15/92
By ADH NARA, Date 9/15/92
(SA 99)

NOT RELATED TO
POW/MIA'S

NOT RELATED TO
POW/MIA'S



Withdrawal Issue



-- The period for completion of this withdrawal has become progressively shorter in the course of our negotiations, to the point that we are now prepared to withdraw all our military forces from South Vietnam within 4 months from the return of our prisoners and the implementation of an internationally supervised cease-fire.

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NSC, Van Tassel authority 9/15/92
By ADH NARA, Date 9/15/92
(SA 99)

SA 99 D-1

~~TOP SECRET/SENSITIVE/EXCLUSIVELY EYES ONLY~~

December 14, 1972

FOR: GENERAL HAIG
FROM: COLONEL GUAY
TO: MR. KISSINGER
FROM: AMBASSADOR SULLIVAN

1. After stalling throughout morning December 14, DRV delegation finally provided Colonel Guay Vietnamese language version of POW protocol at 5:15 p.m., pleading pressure of work for their failure to have English language text available.
2. Quick perusal by Engel indicates that it is essentially an expansion of Article 8, covering both article 8 a and 8 c categories. Article 8 a releases are to be in relationship to withdrawal of forces and will be completed in 60 days. Article 8 c releases are to be in accordance with Article 21 b of 1954 Geneva Accords and must rpt must also be completed in 60 days.
3. Missing in action will be covered by Four Party Joint Commission for first 60 days. Subsequently, a special four-party team will be established to pursue this problem.
4. In essence, they seem to have thrown back into this protocol everything they failed to get on civilian detainees in Article 8 c. For example, lists of civilian detainees are to be exchanged; the Two Party Joint Commission will supervise their release; and will work under the direction of the National Council for National Reconciliation and Concord, which will resolve disputes.
5. We expect to receive an English language text of this horror when we meet at Gif tomorrow and will transmit it immediately through this channel. At Gif, we will make a great effort.
6. Warm regards.

~~TOP SECRET/SENSITIVE/EXCLUSIVELY EYES ONLY~~

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E.O. 12356, Sect. 3.4
NSC, Van Tassel authority 9/5/92
By AG! NARA, Date 9/5/92
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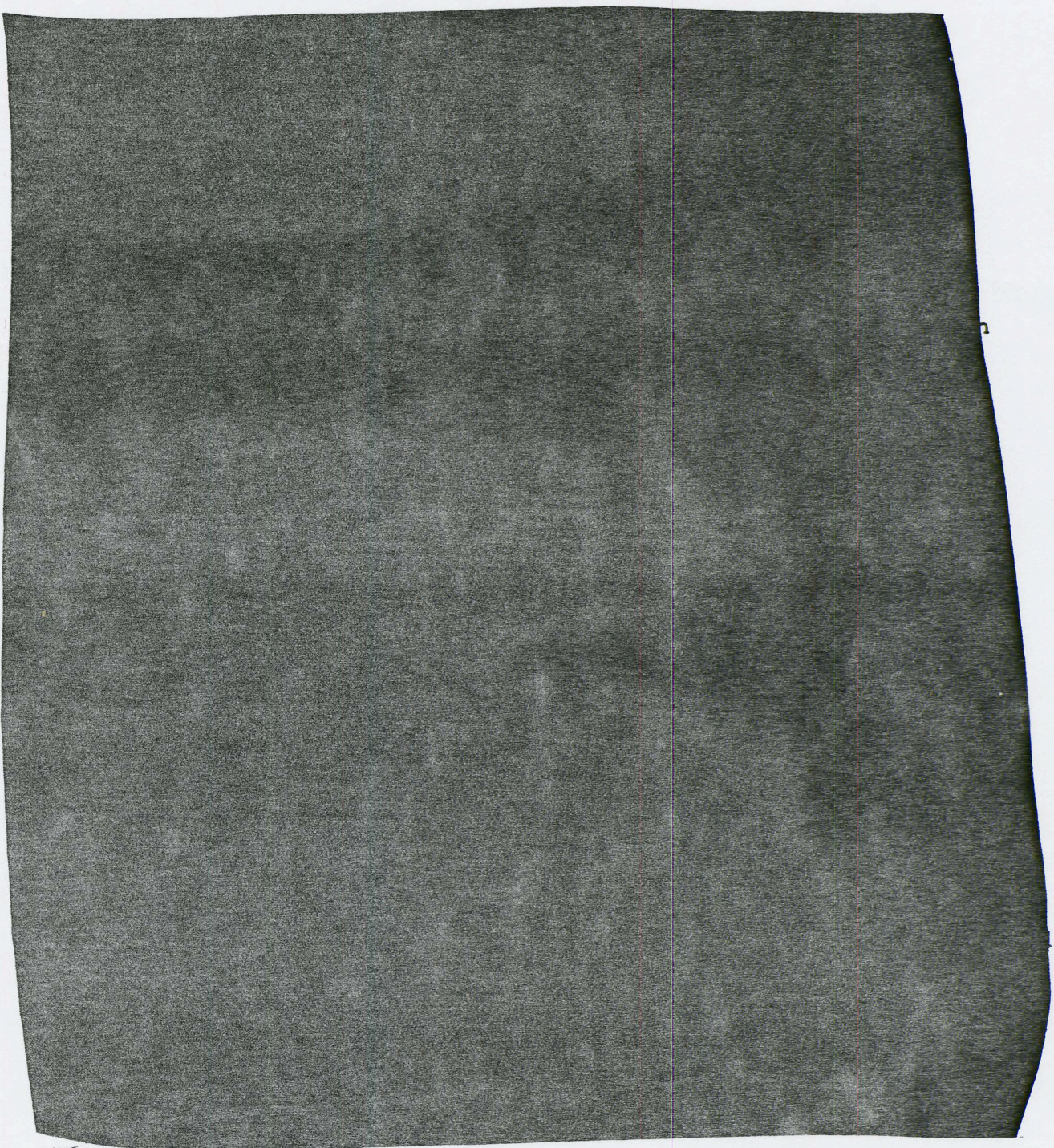
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SA 99 B-2

SECRET/EXCLUSIVELY EYES ONLY

VIETNAM

I. The Soviet Perception



NOT RELATED TO
POW/MIA'S

SECRET/EXCLUSIVELY EYES ONLY

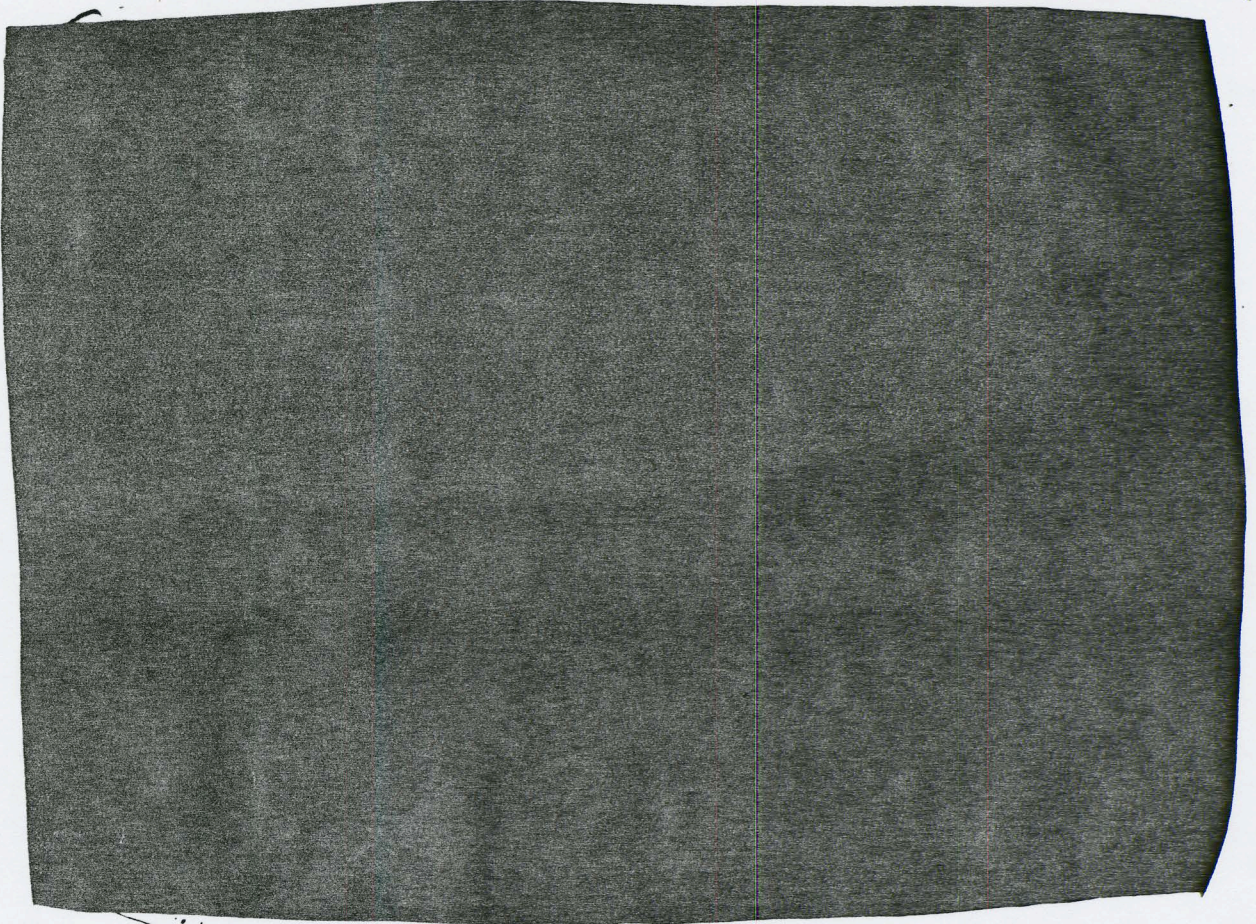
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NSC, Van Tassel authority 9/15/92
By AOH NARA, Date 9/15/92
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NOT RELATED TO
POW/MIA'S



b. Withdrawals

DRV Position: The U. S. must unconditionally set a specific terminal date for the withdrawal of all U. S. and allied troops, advisors, military personnel, weapons and war materials and those of other countries allied with the U. S. and dismantle all U. S. bases.

U. S. Position: The U. S. is prepared to withdraw all of its remaining forces in South Vietnam within four months from the implementation of an Indochina-wide cease-fire and the return of all U. S. prisoners. Your talking points are:

-- We are prepared to withdraw our forces from South Vietnam and cease all acts of force throughout Indochina four months from the implementation of an Indochina-wide cease-fire and the return of all U. S. prisoners.

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e. International Supervision and Guarantees

DRV Position: The DRV position simply states that there should be international supervision without further qualification. It also states that there should be an international guarantee for the fundamental national rights of the Indochinese peoples, the neutrality of South Vietnam, Laos and Cambodia, and lasting peace in the area. It is quite evident, however, both from the sequence of the DRV's negotiating points and its rather deeply entrenched view that the war must in the first instance be settled between the parties directly involved in the conflict, that they do not visualize a strong external supervisory or guarantee mechanism. Their clearly preferred course is to simply accomplish their objectives, perhaps then allowing an international body to exercise perfunctory supervisory and guarantee functions.

U.S. Position: Our position is that there should be international guarantees of the military aspects of whatever agreement is reached including the cease-fire and its provisions, the release of prisoners of war, the withdrawal of outside forces from Indochina and the implementation of the principle that all armed forces of the countries of Indochina must remain within their national frontiers. We also take the position that there will be an international guarantee for the status of all the countries in Indochina and we are prepared to participate in an international conference for this and other appropriate purposes.

The Soviets may raise the question of an international conference since, as Co-Chairman of the Geneva Conference, they have been approached by the UK, the other Co-Chairman, on this subject. It is doubtful at this stage that any useful purpose could be served by pressing for an international conference since the DRV is so likely to reject the concept at least until we are much closer to a settlement. They have been consistent in their insistence that the war must be settled directly with us. Moreover, until the DRV demonstrates to us that it has something positive and concrete to offer, agreement with the Soviets to hold a broader conference would simply open the prospect of another inconclusive negotiating forum. Your talking points are:

-- We will insist on international supervision of any military settlement, particularly the cease-fire provisions and the return of POW's. We believe that in the first instance cease-fire modalities must be negotiated directly with the DRV, leaving the international aspects for later resolution.

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NODIS REVIEW

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transferred to IMC/FPC
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Cat. C - Caption and custody
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Reviewed by: E. E. E.
Date: 10/18/93

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ACTION: USDEL FRANCE
INFO: Amembassy SAIGON
STATE _____
NODIS/PARIS MEETINGS
SUBJ: Future Tactics
REF: USDEL France 3884

1. Much appreciate imaginative approach outlined reftel.
XXX We concur in general proposal ~~not to meet~~
regarding future scheduling of plenary meetings: i.e.,
that we agree to meet next on March 16 and, assuming
other side sticks to standard lines, that at March 23
meeting we leave open question of subsequent meetings.
2. Agree that upcoming POW week offers appropriate
opportunity to press on this issue. We would anticipate
making POWs major theme of your March 23 presentation,
for which we will provide material in addition to that
you already have.
3. We wish, however, to avoid situation wherein our
position on holding future meetings might be interpreted
as being tied solely to POW issue. This could limit our

DRAFTED BY: EA:	DRAFTING DATE 3/2/72	ILL. EXT. 22691	APPROVED BY: The Secretary
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CLEARANCE:

WHITE HOUSE
S/S

EA-Mr. Sullivan
U/PW-JMurphy
DOD/ISA - Mr. Constant

~~SECRET~~

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E.O. 12356, Sect. 3.4
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PAGE 2

own flexibility for resuming meetings whenever it should be in our interest to do so. Moreover, POWs constitute principal source of negotiating leverage for Hanoi, and they might therefore effectively exploit our focusing only on this issue as means for adding weight to their own demand that we cease supporting Thieu government as price for prisoner release.

4. Therefore believe at March 23 session you should key your refusal to set date for next meeting to the other side's over-all intransigence in negotiations, with particular but not rpt not exclusive reference to prisoners. Similarly, you should state that our decisions on holding future meetings will depend on our general assessment of other side's actions including indications of readiness to negotiate meaningfully.

5. As suggested para 9 reftel, request you delay notifying other side until next week so we can take into account any developments that may arise in meantime.

GRATED BY:

UNATING DATE

TEL. EXT.

APPROVED BY:

CLEARANCES

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MARCH 1, 1972
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MODIS/PARIS MEETINGS

SUBJ: PARIS TALKS, FUTURE TACTICS, POW WEEK

1. AS YOU KNOW, CONGRESS IS ABOUT TO DESIGNATE LAST WEEK OF MARCH AS "PRISONER OF WAR WEEK" AND PRESUMABLY WILL PASS BY LARGE MAJORITY RESOLUTION EXPRESSING SOLIDARITY WITH POW'S. THIS IMPORTANT EVENT SHOULD PROVIDE BASIS FOR WORLDWIDE EFFORT BY DEPT AND USIA TO FOCUS ATTENTION ON REPREHENSIBLE ATTITUDE OF NORTH VIETNAMESE AND VC TOWARD POW ISSUES.

2. MATTER HAS DIRECT BEARING ON OUR FUTURE TACTICS AT PARIS PEACE TALKS. AT PRESENT WE ARE NOT COMMITTED TO ANY DATE FOR NEXT MEETING AND WE HOLD INITIATIVE AS TO PROPOSING NEW DATE. WITH VIEW TO MAKING MOST OF POW WEEK, AND POSSIBLY EXTRACTING SOMETHING MEANINGFUL FROM OTHER SIDE, EITHER ON POW'S OR OTHER MATTERS OF SUBSTANCE, I PROPOSE FOLLOWING SCENARIO:

3. PERIOD BETWEEN NOW AND POW WEEK SHOULD BE USED TO BUILD UP CURRENT NVN/VC ANXIETY WITH REGARD TO FUTURE OF PARIS MEETINGS AND SHOULD CULMINATE WITH US/GVN STATEMENT DURING MEETING ON MARCH 23 THAT WILL LEAVE NO DOUBT IN THEIR MINDS THAT WE WILL NOT REMAIN BOUND TO ROUTINE RITUALISTIC MEETINGS WHICH THEY USE SOLELY FOR PROPAGANDS PURPOSES.

4. WITH THIS IN MIND, WE WOULD PROPOSE THAT NEXT MEETING TAKE PLACE ON MARCH 16 (WE DO NOT NEED TO EXPLAIN TO THEM WHY WE DO NOT PROPOSE MARCH 9, THE NEXT NORMAL MEETING DATE, AND IN RESPONSE TO PRESS INQUIRIES WE WILL NOTE MERELY THAT THIS DATE SEEMED EARLIEST SUITABLE DATE IN LIGHT OF OTHER SIDE'S WALKOUT AT LAST PLENARY). WE EXPECT THEY WILL OBJECT SHARPLY TO SKIPPING MARCH 9 BUT WILL EVENTUALLY ACCEPT MARCH 16. WE SPEAK FIRST AND WE WILL URGE THEM ONCE AGAIN TO OPEN UP MEANINGFUL EXCHANGE ON MATTERS OF SUBSTANCE AND ON PRISONERS. THEY WILL PROVIDE THEIR USUAL OUTPUT, AFTER WHICH WE WOULD EXPRESS DISAPPOINTMENT BUT WOULD AGREE TO THEIR PROPOSAL TO MEET FOLLOWING WEEK, THE 23RD.

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-2- USDEL FRANCE 3884, 011000Z MARCH

5. ON 23RD THEY SPEAK FIRST, AND THEY WILL IN ALL PROBABILITY AGAIN PRODUCE MORE OF THE SAME. WHEN IT IS OUR TURN TO SPEAK, WE WOULD REFER TO EFFORT WE HAD MADE ON 16TH AND AGAIN ON 23RD TO OPEN CONSTRUCTIVE DIALOGUE AND SAY THAT WE HAD NOTED THEY REMAINED AS ADAMANTLY OPPOSED AS EVER TO REAL NEGOTIATIONS.

6. WE WOULD THEN POINT OUT THAT FOLLOWING WEEK HAD BEEN DESIGNATED BY U.S. CONGRESS TO BE WEEK OF U.S. SOLIDARITY WITH THOSE OF OUR MEN HELD AS PRISONERS OF WAR IN INDOCHINA. WE WOULD ADD THAT IN PROTEST AGAINST REPREHENSIBLE AND ILLEGAL CONDUCT OF POW/MIA AFFAIRS BY NVN AUTHORITIES AND THEIR ASSOCIATES, AND THEIR FAILURE TO RESPOND TO

OUR QUESTIONS REGARDING PRISONER TREATMENT, WE WOULD NOT BE MEETINGS WITH THEM DURING FOLLOWING WEEK, OR IN WEEKS TO COME, UNLESS WE SEE SOME SIGN THAT NVN AUTHORITIES ARE DISPOSED TO OBSERVE THEIR LEGAL AND HUMANITARIAN OBLIGATIONS IN POW MATTERS; OR UNLESS WE NOTE OTHER INDICATIONS THAT THEIR SIDE IS PREPARED TO NEGOTIATE MEANINGFULLY.

WE WILL REMAIN AVAILABLE AND ALERT FOR SUCH INDICATIONS.

7. THIS PROPOSED PROCEDURE IS BASED ON BELIEF THAT IF ANYTHING CAN MOVE THEM ON POW'S AT THIS POINT IT IS THREAT TO CONTINUATION OF PARIS MEETINGS. THAT, PLUS THEIR GROWING CONCERN ABOUT EFFECT OF POW ISSUES ON THEIR IMAGE, APPEARS TO BE OUR ONLY LEVERAGE ON THEM, AND AFTER SIX MONTHS OF CLOSEST POSSIBLE OBSERVATION OF THEM, I HAVE CONCLUDED AND RECOMMEND THAT WE PROCEED TO FIND OUT WHETHER IT IS REAL OR IMAGINED. I BELIEVE THAT POW ISSUE, COMBINED WITH CONGRESSIONAL RESOLUTION, PROVIDES GOOD BASIS FOR TESTING OUR LEVERAGE.

8. WE WOULD NOT, IN MY VIEW, FIND IT DIFFICULT TO RESUME SESSIONS AT ANY TIME THAT SEEMS DESIRABLE BECAUSE WE RESERVE TO OURSELVES RIGHT TO INTERPRET SIGNS WHICH WOULD WARRANT RETURN TO TABLE TO EXAMINE POSSIBILITY FOR PROGRESS.

9. THIS SCENARIO WILL REQUIRE TIME TO BE CONSIDERED IN WASHINGTON, AND MAY BE AFFECTED BY OTHER MATTERS WHICH WE CANNOT ASSESS HERE. WE SHOULD OF COURSE INFORM OTHER SIDE AND FRENCH SOMETIME NEXT WEEK CONCERNING OUR INTENTION NOT TO MEET ON 9TH OF MARCH AND, IF PROPOSAL IS APPROVED ALONG LINES SET FORTH ABOVE, WE SHOULD TELL THEM AT SAME TIME THAT WE WILL BE MEETING ON 16TH. SHOULD EVENTS MAKE IT NECESSARY, WHOLE SCENARIO COULD OF COURSE BE ALTERED ON SHORT NOTICE PRIOR TO MEETING OF MARCH 23RD.

10. DEPARTMENT'S COMMENTS REQUESTED. GP-3.

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EC CHECK

MEMORANDUM

NATIONAL SECURITY COUNCIL

TOP SECRET/EYES ONLY

ACTION

November 29, 1972

MEMORANDUM FOR:

MR. KISSINGER

FROM:

JOHN D. NEGROPONTE *JDN*

SUBJECT:

Talking Points for the President's
Meeting with the JCS, 10:00 a.m.,
November 30

At Tab I is a memorandum conveying suggested talking points (Tab A) for the President's meeting with the JCS on Thursday morning.

In the event the President calls on you to give a more detailed briefing on the agreement itself, a checklist is at Tab B to serve as a reminder for your use.

RECOMMENDATION:

That you forward the memorandum at Tab I to the President.

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E.O. 12856, Sect. 3.4

NSC, Van Tassel authority 9/15/92

By ADH NARA, Date 9/15/92

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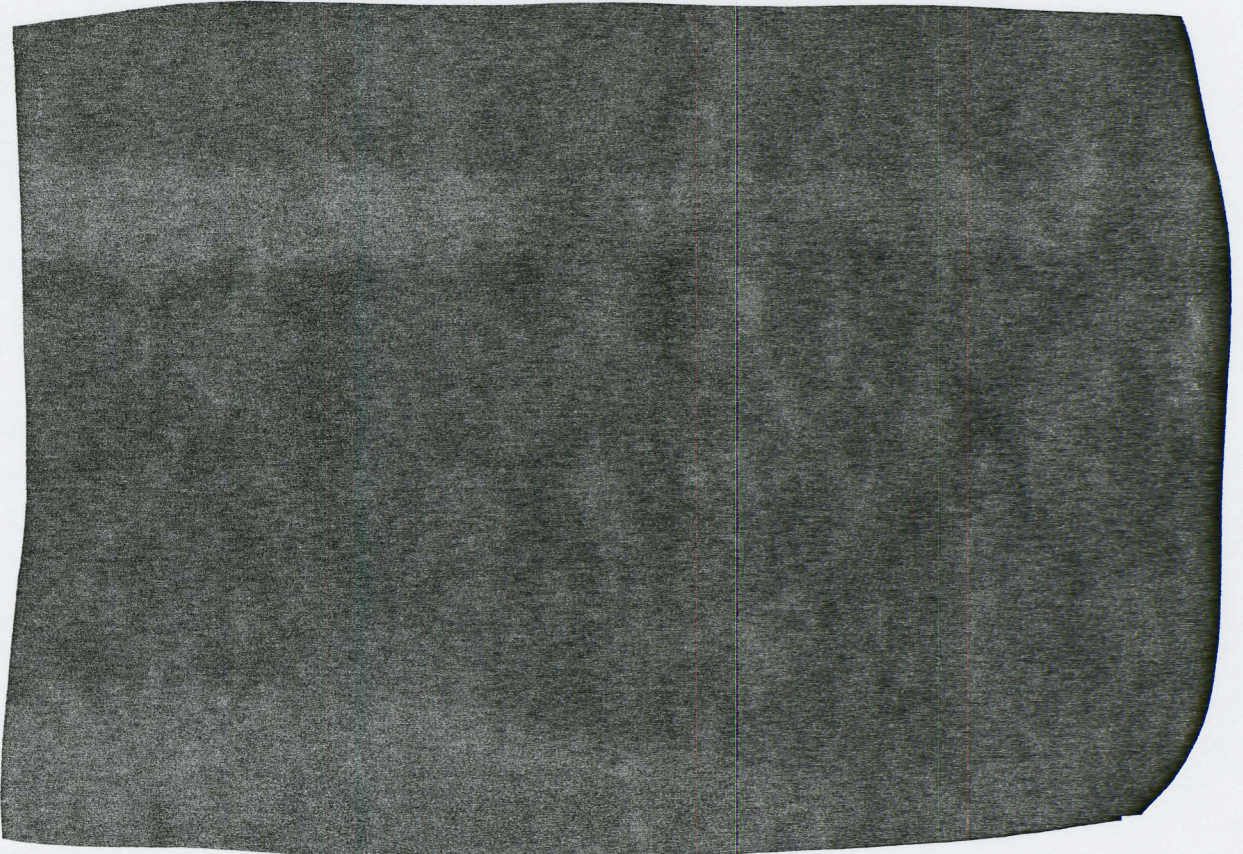
Talking Points for Meeting with JCS

Outline of the Agreement

-- We are on the verge of a negotiated settlement with the other side containing the following essential features:



- The return of U.S. POWs from throughout Indochina in parallel with our troop withdrawals and agreement among the parties to facilitate location of those missing in action.



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The Agreement is a Sound One

- The agreement is a sound one. It secures our disengagement with honour, stops the fighting, and returns all our prisoners. It leaves the GVN with a reasonable chance to defend itself and guide the destiny of the people of South Vietnam. It does not impose any particular political outcome on the South, something we have always rightly refused to do. This is left to the South Vietnamese people to decide.
- It is the best negotiated settlement we could have obtained. Hanoi has always had the alternative of continuing to hold our prisoners ransom, protracting the war and negotiating no settlement at all. This alternative is far more difficult for us to contemplate. In looking at the choices, I had to weigh the marginal advantages we might gain on the ground by continued fighting against the prospect that such a course might mean the indefinite detention of our men held prisoner and never-ending and possibly unsuccessful battles for congressional support.

NOT RELATED TO
POW/MIA'S

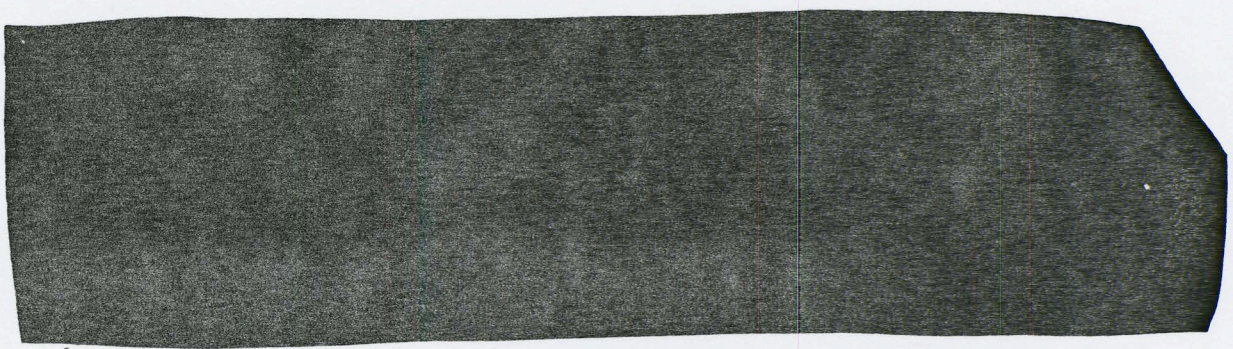
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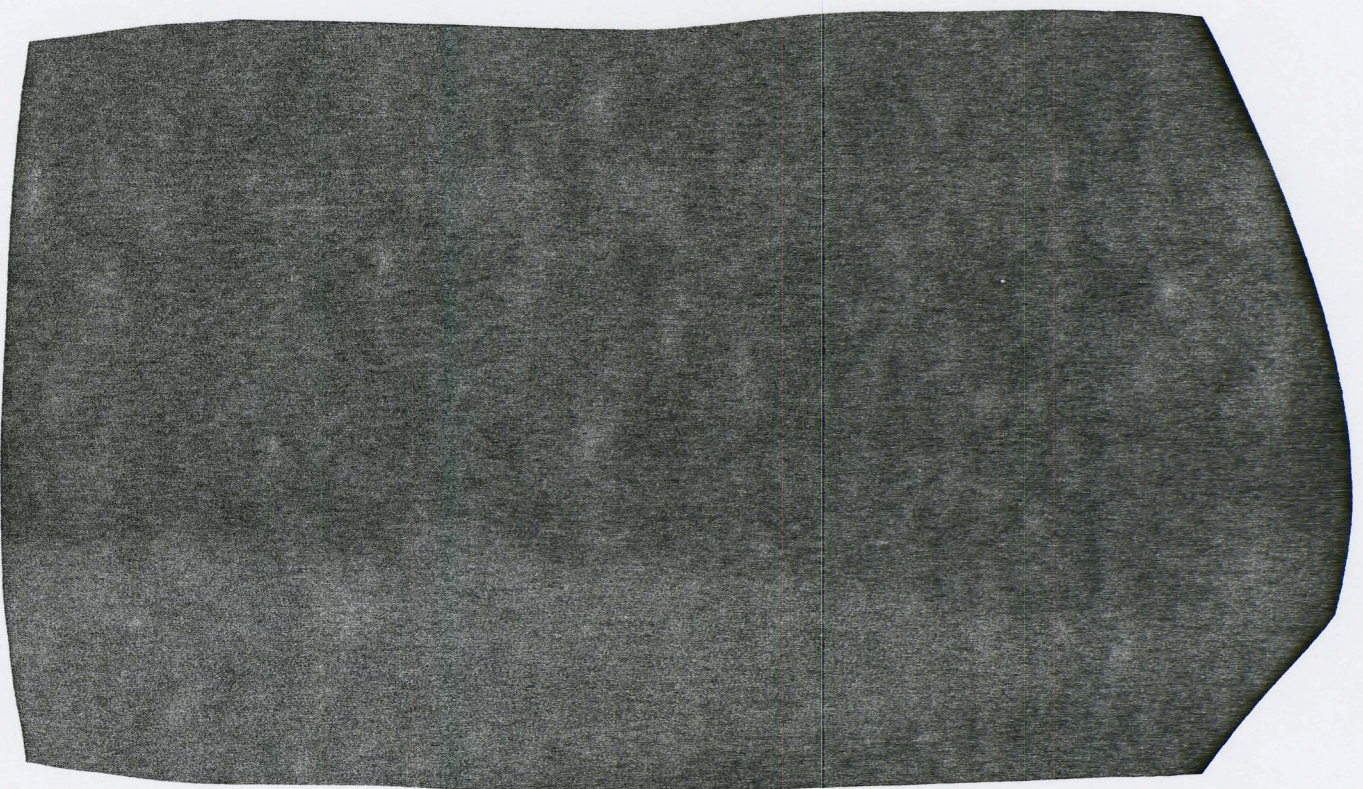
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DR. KISSINGER CHECKLIST ON AGREEMENT



Chapter III: The Return of Captured Military Personnel and Foreign
Civilians of the Parties

- U.S. POWs to be returned in 60 days in parallel with troop with-
drawals
- The parties will help each other get information about MIA.



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MEMORANDUM FOR: THE PRESIDENT

FROM: HENRY A. KISSINGER

SUBJECT: Your Meeting With the JCS at
10 a.m., November 30

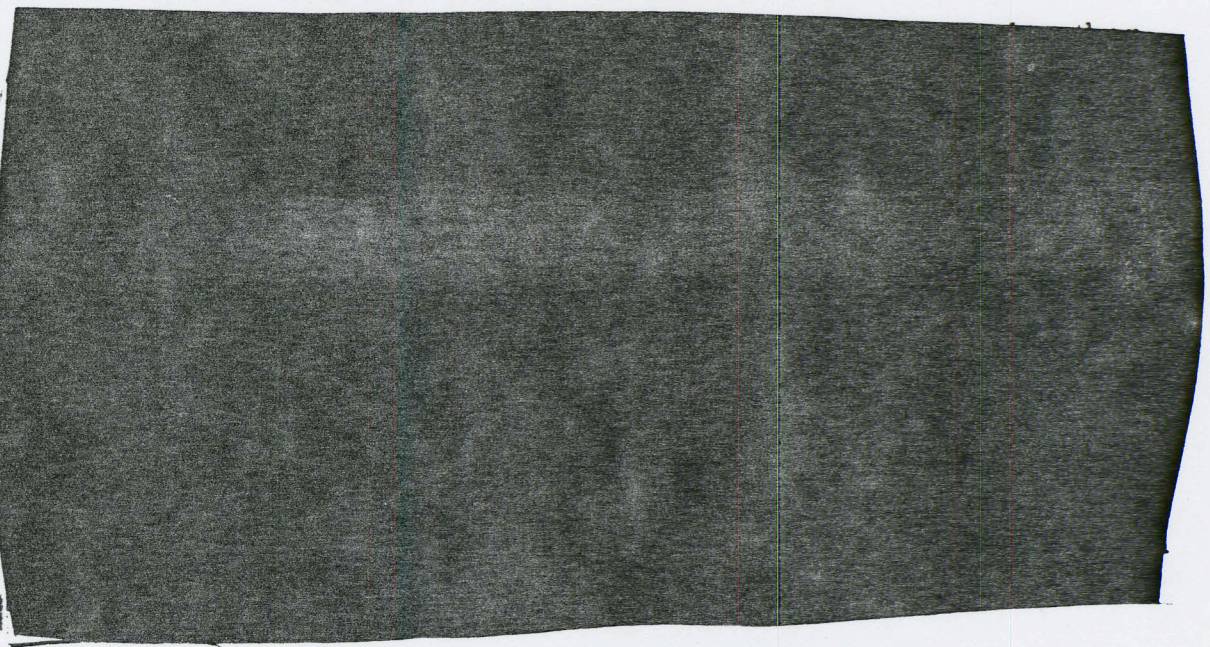
You are tentatively scheduled to meet with the JCS at 10 a.m., November 30.

The purpose of the meeting is to discuss the Vietnam agreement with them, to convey your conviction that the agreement is a sound one and to express your determination to react violently to any violations by the other side.

Your talking points are :

Outline of the Agreement

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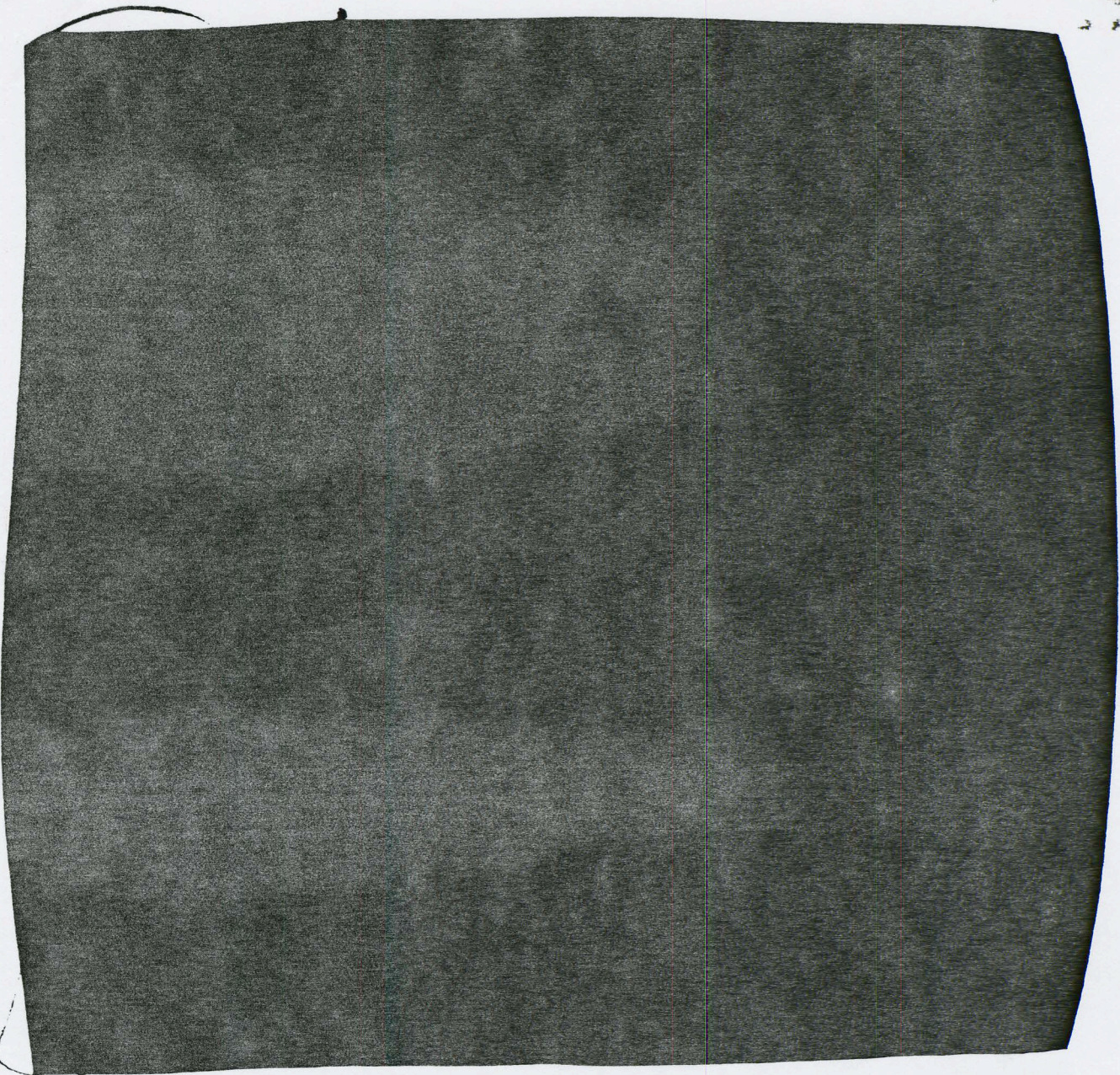


- The return of U.S. POWs from throughout Indochina in parallel with our troop withdrawals and agreement among the parties to facilitate location of those missing in action.

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-- It is probably the best negotiated settlement we could have obtained. Hanoi has always had the alternative of continuing to hold our prisoners ransom, protracting the war and negotiating no settlement at all. This alternative is far more difficult for us to contemplate. So, in looking at the choices, I had to weigh what marginal advantages we might gain on the ground by continued fighting against the disadvantage that to pursue such

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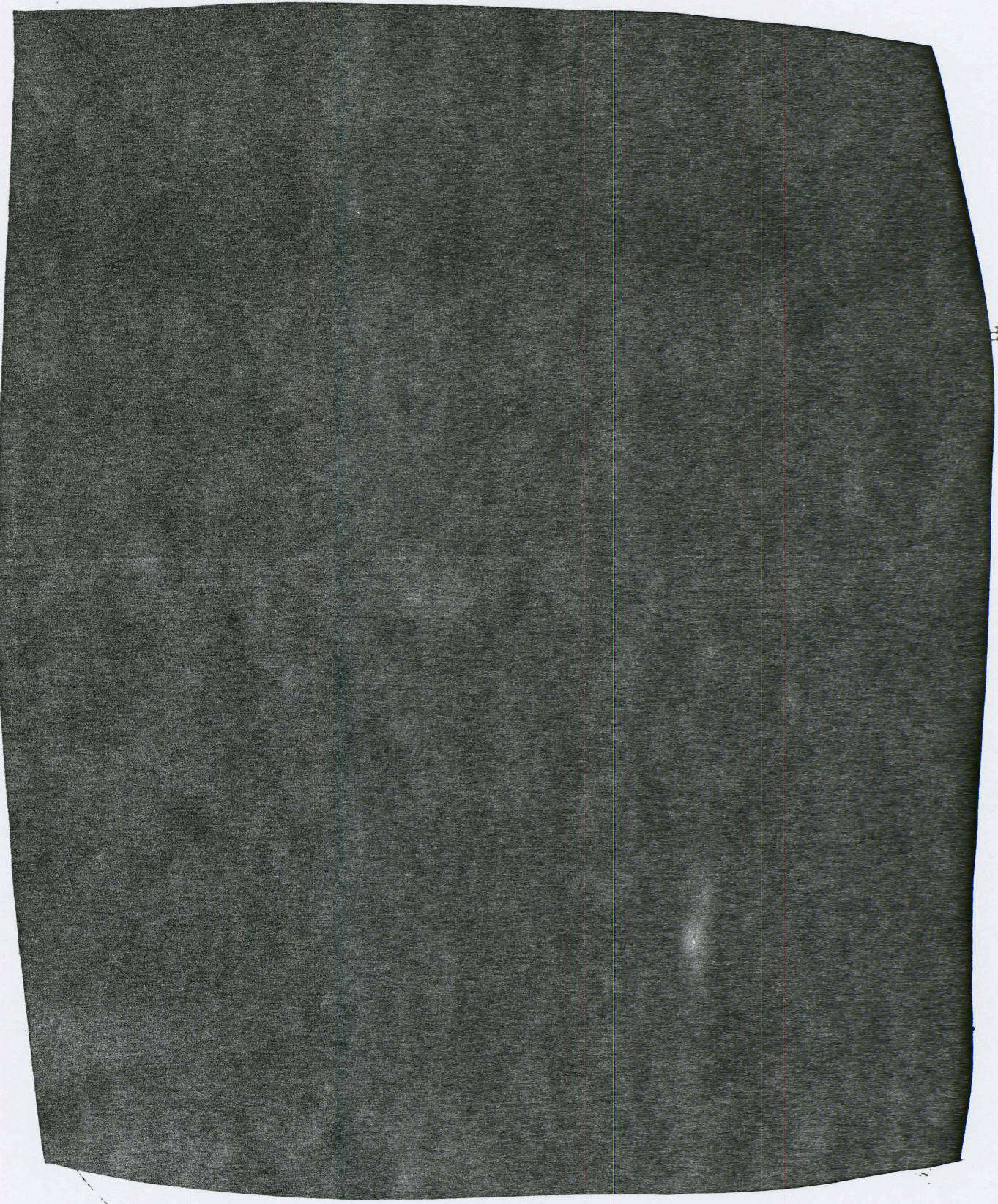
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a course might have meant the indefinite detention of our men held prisoner and never-ending battles for congressional support.



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