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per sec. 3.3(b)(1)

THE NEGOTIATIONS FOR A BOMBING CESSATION

May 13 - October 31, 1968

DECLASSIFIED

E.O. 13526, Section 3.5

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Tom Charles Huston
June 1, 1971

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The history of the negotiations leading to the cessation of air attacks against North Vietnam may be divided into three phases. The first phase, beginning in May 1968 and continuing through mid-June, involved the development and elaboration in the plenary sessions of the opening positions of both sides. The second phase, from mid-June through early October, was marked by the beginning of private talks, the exploration of each side's position in greater detail and the start of substantive movement toward agreement. The final phase involved an intensified pace of private meetings with both the North Vietnamese and the Soviets during which most of the real bargaining occurred which ultimately led to the bombing halt.

I. The First Phase: May Through Mid-June

1. The early discussions constituted little more than a preliminary round. They were marked by no discernable change in the previous hardline Communist position, but toward the end there were signs that the positions of both sides were beginning to shift.

The Opening Positions

2. The opening American position in Paris on a termination of the bombing was set forth in the form of a general proposition.

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We were, we said, looking for a "sign" that US restraint in stopping the attacks against the northern DRV "has been matched" by Hanoi. If US restraint were matched, bombing of the southern DRV could be ended. The bombing could not be terminated, however, so long as such an action "would immediately and directly endanger" the lives of our men and allies.

3. The opening North Vietnamese position was to reject the US call for DRV restraint, demanding instead that the US put an "immediate and final end to bombing and all other acts of war" against the DRV "unconditionally." Only after this had taken place could there be discussion of other "items of interest" to both parties. Hanoi explicitly included aerial reconnaissance among the acts of war.

Comment: The issue of aerial reconnaissance was to become important later when the U.S. delegation failed to make it explicitly clear that reconnaissance overflights were excluded from our definition of "all other acts involving the use of force."

4. From the first session on May 13, the talks settled rapidly into a sterile exchange along the above lines. After each plenary session, the North Vietnamese would stage elaborate press conferences and it was clear that they were making a maximum public relations

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effort for their position. They rebuffed all US attempts to move the talks off dead center, but made it evident that they were not going to break off the talks if the US did not promptly declare an unconditional bombing halt.

First US "Clarification"

5. On May 25, the US team undertook to make it clear to Soviet representatives in Paris that we were not insisting on a formal "agreement" on restraint, but would accept tacit "signs" instead. The Soviets expressed interest in this position and urged the US to make this point to the North Vietnamese. Our position was subsequently underscored at the May 27th plenary session. We said we were ready to discuss "in detail" with North Vietnam certain actions "related to the bombing" of the DRV such as: "firing of artillery from and across the DMZ," ground attacks "launched from the DMZ area," and the "massive increase in infiltration" to South Vietnam. Indications of restraint in these areas, we stated, would constitute the "kinds" of action which could be considered in ending the bombing.

6. The North Vietnamese did not respond directly to the US request for discussion of specific acts of restraint. They did, however, take verbal note of the US statement on the DMZ, claiming that the allies had been the first to violate the Zone and implying that if the

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allies ceased military action there, the status of the DMZ would return to normal. The North Vietnamese also hinted at the possibility that the discussion of other issues in the war could take place after the US set a firm date for ending the bombing, but before an actual cessation took place. According to Hanoi, the US should "determine" an end to the bombing. In response to US probing on this point, however, the DRV in a subsequent meeting seemingly hardened its position by stating that the US could not simply "inform" Hanoi of the 'date and time' of a cessation, but must "fully implement" this action in order for it to qualify as "unconditional." The North Vietnamese apparently sought to leave some room for maneuver on this score, however, by again calling at another point in the meeting for the US to "determine" the cessation of the bombing.

7. In Hanoi, the regime's propaganda apparatus went all out to back up the inflexible approach taken in Paris. Significantly, however, the North Vietnamese softened their denials of the presence of NVA forces in South Vietnam -- a charge repeatedly made by the US in its presentations in Paris. Premier Pham Van Dong told the DRV National Assembly in late May that all Vietnamese have a right to fight anywhere in Vietnam. Xuan Thuy and other North Vietnamese spokesmen subsequently adopted this line. However, the Hanoi representatives in Paris consistently refused to concede formally on

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the public record the presence of North Vietnamese troops in the South, although they forthrightly admitted and discussed their presence in the secret sessions which commenced in June.

Comment: It is possible the North Vietnamese felt in a defensive position on the issue of NVA units in the South and may have been trying to show by their softened denials a long range flexibility on the issue for use in discussions after a bombing halt. Certainly in the course of the subsequent private sessions their willingness to discuss the issue reflected their intense interest in probing US policy on withdrawal -- in fact, they called it a "crucial" issue.

8. On the 30th of May, North Vietnamese Politburo member Le Duc Tho arrived in Paris as senior counsellor to the DRV delegation. Although he did not immediately introduce anything new in the talks, his arrival definitely signaled the beginning of DRV interest in moving toward more serious discussions. Tho stopped in Moscow enroute to Paris for consultations with the Soviet leaders. It is likely that his

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discussions there led directly to the Soviet initiative which was embodied in a June 5 letter from Premier Kosygin to President Johnson.

The Kosygin Letter

9. The Soviet letter (attached at Tab A) represented the first formal Soviet intervention in the situation since the Soviets had made a bid for a bombing halt in the talks with the British in London in February 1967. The Kosygin letter asserted that the Soviet leaders had "grounds" to believe that a cessation of the bombing "could" contribute to a breakthrough in the situation and produce "prospects" for a political settlement. The letter indicated that the Soviets would assist in getting private talks started in Paris.

10. President Johnson replied on June 11 and indicated that the US would be willing to end the bombing if the Soviet Union were prepared to tell Washington with "precision" that there would be "no adverse military consequences to our own and the allied forces" as a result of a cessation. (Tab B). The President reaffirmed the need for a decision by Hanoi not to "take advantage" of a total cessation of bombing and stressed that we "needed to know the steps the DRV would take towards further de-escalation of the violence."

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Signs of Movement in Hanoi's Position

11. Based in part on the stimulus provided in the Kosygin letter, the US suggested at the tea break during the plenary session of June 12 that private, secret discussions were necessary. Xuan Thuy responded that it was customary to have both public and private talks (a point made in the Kosygin letter) and said the North Vietnamese would consider the suggestion. More tangible progress was apparent in the North Vietnamese acceptance of US press representative William Jorden's dinner invitation to Nguyen Than Le, his counterpart on the DRV delegation. (see paragraph 15)

12. Signs of Soviet interest and commitment to the talks began to multiply. [REDACTED] indicated that Kosygin sent a letter to Hanoi on or shortly after June 13. There is good reason to believe it involved the negotiations and increasing Soviet involvement in them.

13. However, the Soviets were playing their cards very close to the chest. On June 14 Secretary Rusk and Ambassador Goldberg met with Kuznetsov, the Soviet First Deputy Foreign Minister, and Ambassador Dobrynin. Goldberg attempted to obtain clarification of the Kosygin letter but was told it spoke for itself.

14. In Paris the same day, Soviet Ambassador Zorin told Harriman and Vance flatly that private US-DRV talks were out until

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after a total cessation of the bombing. Another Soviet official told Vance that he could not say if Hanoi would show military restraint following a bombing halt. At this point the USSR and Hanoi were still pressing for a unilateral US concession on the basis of the assurances in the Kosygin letter.

Jordan-Le Dinner

15. The Jordan dinner with Nguyen Thanh Le on June 18 marked the first real step into private diplomacy in the talks. The North Vietnamese showed a surprising readiness to discuss a whole range of issues. They made no effort to deny the presence of North Vietnamese troops in the South, and they showed little reluctance to discuss problems involving South Vietnam's political future. They probed for what Harriman meant by ending the bombing at the "appropriate time and under the appropriate circumstances." They listened intently to Jordan's explanation of mutual restraint and his suggestions of steps by Hanoi which might produce an end to the bombing. This was the first hint of a DRV desire to at least probe the US conditions for a cessation and constituted a real attempt to learn more about US positions.

16. During the tea break at the plenary session on June 19, Thuy and Le Duc Tho said that they were still considering the US

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proposal of private talks. Harriman and Vance hammered hard on the need for evidence of Hanoi's good faith in the form of de-escalation. Tho said this was reciprocity and argued that the US instead of showing restraint had intensified the bombing. He also said that what happened in South Vietnam was beyond their control in Paris. The only agreement was to meet regularly for formal sessions each Wednesday.

A New Soviet Initiative

17. On June 22, the Soviets again stepped into the picture. Dobrynin told Ambassador Harriman in Washington that the North Vietnamese were now ready to talk privately. The Soviets responded affirmatively to Harriman's suggestion that the focus of private talks be on a two-phased approach. Although this was not spelled out, it involved hinging the bombing cessation to agreements on the DMZ and other issues which would be implemented after the air attacks were actually stopped. The two phase approach was an old American suggestion previously conveyed to the Soviets by Prime Minister Wilson in February 1967 and by the Poles to the North Vietnamese in 1966. The first phase would consist of a cessation of the bombing of North Vietnam. The second phase, which would take place after a time interval, would consist of de-escalatory actions taken by each side apparently in exchange for each other. In fact, the

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first phase would not be instituted -- the bombing would not be stopped -- until agreement had been reached on the second phase. The two phase approach was a method of masking the fact that the North Vietnamese would be making military concessions in exchange for a cessation of the bombing.

18. Dobrynin accepted Harriman's suggestion that the Soviets urge the North Vietnamese to explore the two phase proposal in private talks. However, he expressed regret at the US failure to respond to Kosygin's letter, saying that the US should have accepted Soviet assurances, acted upon them and insisted that the Soviet Government produce. He said he thought we had missed an opportunity. Harriman made clear, however, that unilateral moves were out; the US was not prepared to stop the bombing without a prior understanding on measures of restraint to be taken by Hanoi. He said that this would have to be negotiated directly with the North Vietnamese. Dobrynin reluctantly agreed to convey this to his government.

19. The Soviets apparently moved almost immediately to check out the proposed American approach with the North Vietnamese. On June 24 Zorin sought out Ambassador Shriver to recommend that the US delegation use the next tea break to propose the two phase concept. He said that after agreement was reached in principle to stop the bombing on a certain date, the North Vietnamese would discuss the "circumstances"

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to follow in the next phase. He said he could not guarantee the results, but three times he stated that he believed the North Vietnamese would respond to this approach. He said it should be pursued even if the first response was negative. Only ten days earlier, Zorin had been adamant that nothing less than a full bombing halt would move the North Vietnamese.

Comment: Washington assumed that Zorin's approach was the Soviet response to Johnson's reply to Kosygin. It is possible that the Soviets led the North Vietnamese to believe the approach represented an American policy concession, thus encouraging the receptivity of the DRV representatives. Almost certainly, Zorin was acting on instructions the Soviets had worked out with the North Vietnamese.

II. The Second Phase: June through September

20. At the tenth session tea break on June 26, Vance presented the two phase proposal by asking if the North Vietnamese would be interested in private discussions in which the US would agree to cease all bombing of the DRV on a day certain to be communicated to them.

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Before that day, an understanding would be reached on the "circumstances," i.e., actions on Hanoi's part toward de-escalation, which would be carried out "by both sides" following the cessation. The North Vietnamese asked for a description of the "circumstances" the US had in mind. We stated that they involved such things as the demilitarization of the DMZ, the reduction of infiltration, and the cessation of attacks on population centers in South Vietnam.

Comment: Our later formulations of the two phase formula considerably scaled down the stiffness of the "circumstances."

21. Although the North Vietnamese did not flatly reject the proposal, their comments strongly implied a rejection, at least in its existing form. While they admitted that it differed in "sequence" from earlier US positions, they claimed to see no differences in "substance." The new formula, they said, still amounted to a demand for "reciprocity," a position the DRV could not accept. However, they agreed to "study" the proposal.

22. Underscoring their interest in serious talks -- in spite of their lukewarm reaction to the initial US presentation of the two phase formula -- was Xuan Thuy's suggestion that he and Harriman conduct the next formal meeting and that Lau and Vance go to another room to discuss the two phase idea. He said this would keep up appearances

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with the press and avoid publicity about private meetings.

23. On North Vietnamese initiative, a private meeting between Vance and Lau was set up for the night of June 27. The meeting lasted over two hours. Lau asked for and Vance delivered an elaboration of the two phase proposal. Lau argued that the US was still asking for reciprocity, but Vance said the US required an understanding on measures to be taken by Hanoi in the second phase before the bombing could be stopped. Lau said this was unacceptable and would violate the DRV position. Lau finally said he would think over the proposal and he hoped Vance would reflect on his remarks. The following day, Le Duc Tho left Paris for Hanoi, presumably to convey the impressions he had picked up in Paris on the US position in the talks.

Alterations in the Two Phase Proposal

24. The same day (June 28), the Soviets attempted to breathe some new life into the sagging US proposal. Zorin met with Vance and told him that the US had not correctly presented the two phase plan. He finally drew a chart showing what he meant by an acceptable approach. This showed the bombing halt as phase one with a heavy horizontal line separating it from phase two. The latter was divided into two columns in which mutual steps of de-escalation were to be spelled out. In essence, Zorin was saying that we should agree on a bombing halt and then agree on mutual steps in phase two, thus avoiding the appearance of DRV

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reciprocity for the bombing halt. Vance reported that he could not get a clear statement from Zorin on whether his proposed reciprocal actions in the second phase were to be agreed to by the US and DRV before the bombing stopped in the first phase.

25. On July 2 Harriman and Vance saw Zorin. The Soviet Ambassador, who maintained the pretense that he had not consulted with the North Vietnamese, said that if the US proposed the proper de-escalatory actions in the second phase, he did not think the other side would reject the plan. Referring to the chart he had previously drawn for Vance, Zorin maintained that if the two columns in phase two were filled out in detail, he thought an agreement with the North Vietnamese was possible. As alleged evidence of the North Vietnamese desire for progress, Zorin asserted that Hanoi planned to release three captive US pilots in response to an entreaty from Ambassador Harriman. The next day Hanoi announced that the pilots were being freed.

Comment: It is obvious that Zorin had consulted with the North Vietnamese following the initial presentation of the two phase formula by Vance. The importance he attempted to attach to the planned release of the US pilots suggests that he was hopeful

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we would accept this gesture as an indication of DRV flexibility and good faith sufficient to justify our rephrasing the proposal in a fashion more acceptable to the North Vietnamese.

26. At the tea break during the July 3 plenary session, Harriman told Xuan Thuy that the US had certain new ideas to discuss and proposed that Vance and Lau meet again soon. Thuy indicated that a meeting should take place and that both sides should think over carefully what they were going to say. He observed that each side knew the other's position well and that ways to settle the bombing issue should now be discussed. He clearly implied that this involved the process of bargaining.

The Shelling of Saigon

27. During the same tea break, Thuy came close to suggesting that the Communists were tailoring their military actions to facilitate the talks. Harriman asked if there was any significance to the fact that Saigon had not been shelled for two weeks. Thuy replied, "It must have and now we have released prisoners. I think this is understandable to you." Harriman then asked if the two actions had the same significance and whether the shellings would remain stopped. Thuy replied, "The rockets have stopped. What is your attitude?" He went on to

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say that it was hard to answer if this was for political or military reasons. Then he pointed to intensified B-52 raids around Saigon and near the DMZ. Harriman probed further by asking Thuy to state clearly if North Vietnam intended to reduce its military action around Saigon and in the DMZ. Thuy declined to answer directly, but indicated that Harriman's question implied the necessity for reciprocity on Hanoi's part in order for the US to halt the bombing, and this clearly was unacceptable.

Comment: The rocketings had, of course, produced an adverse psychological reaction among the Saigon populace toward the Viet Cong. Turning the attacks on and off, however, had important political advantages for the North Vietnamese in attempting to leverage the US position.

More Soviet Prodding

28. Evidence of Moscow's continuing interest in getting the talks moving was conveyed by Soviet officials in Washington. On July 5 Soviet DCM Tcherniakov told Nathaniel Davis of the NSC Staff that the Soviets had found real North Vietnamese interest in the United States two phase idea. Tcherniakov said that there was some ambiguity

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in the Soviet understanding of the US position. They did not understand whether the US was insisting on reciprocity in connection with the phase one bombing cessation or whether, with an interval of a couple of weeks between phase one and phase two, the US would cease bombing in phase one and agree to de-escalatory steps on both sides in phase two. Tcherniakov said that if the US could take a position closer to the second alternative, he knew there was real interest on the other side.

29. On July 8 Dobrynin returned to the question of the Kosygin letter in a conversation with Secretary Rusk. He told the Secretary that he thought Kosygin's June letter had been extremely important and that he knew from his own experience that the Politburo did not use such terms as "have grounds to believe" without serious reason. Dobrynin also said that he thought that it would have been worthwhile for the United States to have placed some faith in the word of the Soviet Union. Rusk replied that it was not a question of faith but a question of clarity, that the US would be quite prepared to give credence to the Soviet position when we understood what it was.

30. At the tea break during the plenary session of July 10, the North Vietnamese again attempted to use the cessation of the rocketing as an indication of their "good will." Thuy complained that, although the rocketing had ended, the US was continuing its

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actions to intensify the war, including B-52 raids. Thuy refused to respond to Harriman's queries on whether the rocket lull would continue if the US took some mutual de-escalatory action. However, he did ask for another private meeting on the US two-phased idea. A meeting between Vance and Lau was set for the night of July 15, and Harriman suggested discussing the question of cessation of rocket attacks at that meeting. Thuy and Lau nodded agreement and suggested discussing the B-52 attacks at the same time.

Elaboration of the Two Phases

31. At the private meeting on July 15th, the US filled out with additional detail the second phase actions on which an "understanding" was required prior to the bombing halt. The understanding in phase two, we said, should involve the following "topics": (a) restore the DMZ; (b) no increase in US or DRV force levels following cessation; (c) substantive discussions to begin after the bombing stops; (d) substantive discussions to include GVN representatives and whoever the DRV wanted; (e) no indiscriminate attacks on population centers in South Vietnam; (f) the US would be willing to consider other actions of a "similar nature" which the DRV might wish to raise.

32. This was the first instance in which the US formally raised the issue of GVN participation in substantive discussions following a bombing halt. In response to a DRV question, the US

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side also spelled out the specific acts required to restore the DMZ . These involved cessation of shelling across and movement through the DMZ along with restoration of the ICC presence in the Zone.

33. The overall North Vietnamese reaction was again not entirely negative, although the DRV representatives did characterize the proposal as presenting "nothing new" in comparison with the previous US formulation. Lau probed for additional details and pressed hard for a unilateral US move to halt the bombing. He said the subjects the US raised for phase two concerned South Vietnam and should be taken up with the National Liberation Front.

34. In discussing restoration of the status of the DMZ, Lau once again blamed the military situation there on the US, but implied that, if the US took unilateral action to stop military action in the DMZ, Hanoi might take matching steps of restraint. He noted, for example, that if the US stopped firing artillery across the DMZ, North Vietnam "will know what to do." He also implied very obliquely that Hanoi might consider the restoration of the ICC in the DMZ and emphasized that we could be certain that the cessation of the bombing would lead to the settlement of other important, but unspecified, matters. Lau argued that the two phase approach still amounted to an unacceptable demand for reciprocity, but he did not reject any of Vance's suggestions for phase two and he

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closed by assuring Vance that he would carefully consider the "concrete proposals" made by the US. He left a strong impression he would like more details of the package.

Comment: In a subsequent foreign Ministry memorandum on July 17 and in the following public sessions at Paris, the DRV singled out the DMZ for special discussion. It noted the US effort in connection with a bombing cessation to demilitarize the Zone and charged repeatedly that the US purpose was to make the "provisional" dividing line between the North and South a "permanent" political barrier. The DRV charges probably revealed one of its fundamental concerns with regard to any early agreement in connection with the DMZ, i. e., that the US would use it as a precedent with which to press for a continued, wholly separate political future for South Vietnam. However, Washington continued to view the "positive" statements of the DRV representatives on the DMZ proposal at the July 15 meeting as among the most explicit indications prior to the

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bombing halt that the DRV would comply with the US "understanding" of the conditions which were to prevail in the DMZ after the cessation of bombing.

35. Moves by the North Vietnamese in the next few days made it clear that they viewed the US proposal as offering at least the beginning basis for some bargaining on the bombing issue. On July 15, for example, when asked whether Hanoi couldn't give some sign of reciprocity to the US, Ha Van Lau pointed out to a Canadian diplomat that the rocket attacks on Saigon had stopped and that, allegedly, there had been no recent attacks on US troops immediately south of the DMZ. Lau asked if this was not the kind of signal for which the US was looking. Xuan Thuy made much of the same type of argument to journalist David Schoenbrun in an interview on July 16.

Issue of GVN Participation

36. In the foreign ministry memorandum of July 17, the DRV appeared to be addressing the US requirement that an understanding on the participation of GVN representatives in substantive discussions had to be reached before a bombing halt took place. The memorandum hinted at eventual agreement on this issue, since it omitted the requirement that a settlement in South Vietnam must be "in accordance with"

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the program of the National Liberation Front -- an element long standard in Hanoi's lexicon. The memorandum asserted instead that a settlement must be based on the South Vietnamese peoples' "right to self-determination." In subsequent public sessions, however, in response to specific US probing on this question, the DRV representatives returned to the old hardline position concerning the absolute role of the Front in a political settlement.

Comment: This retreat may have been forced on the DRV by the US effort to probe their position in the public sessions.

37. When the US asked on July 24 if the North Vietnamese would like another private meeting, Ha Van Lau claimed that the US proposal was still under study. The North Vietnamese gave the same answer on July 31, but indicated that they felt US policy had changed in the meantime as a result of the stiff stand taken in President Johnson's Honolulu Conference statement and in Secretary Rusk's July 30 press conference remarks. The DRV representatives charged that these statements by the highest American authorities made clear that the US was still seeking reciprocity. It may have been that the North Vietnamese once again felt that they had been put on the spot in public by US statements and must respond with a tough line.

Comment: It is clear that the North Vietnamese were attempting to get the US to respond politically

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to the fighting lull in South Vietnam and thus would seem to have had little reason to take a tough public stand on any issue, by their own design, at this point. On August 1, for example, Colonel Lau had given an interview to Murrey Marder of the Washington Post. During that interview, Lau commented "recently the situation has shown that military activity in South Vietnam has decreased since May. I wonder if Mr. Johnson is aware of this situation? ... If Mr. Johnson really wanted to reach a solution, why should he not avail himself of such a situation?"

However, Rusk advised Harriman on August 3 that Dobrynin had told him that he had reported to his government without consultation with US officials that recent press conferences in Washington reflected no change in the position of the United States. Moreover, a CIA report of recent discussions with Colonel Lau indicated that he personally did not attach significance to the Honolulu Conference statement or the recent press conferences. Thus,

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it is not possible to conclude with certainty that the DRV response was motivated by legitimate concern about a stiffening of the US position.

38. A relative lull in the fighting had, in fact, occurred since about mid-June. US combat deaths, for example, fell to around 175 per week from an average during previous months of around 300. This lull, however, could be read from a military standpoint as a period of rest and regroupment forced on the Communists by the heavy losses they had suffered in fierce fighting during previous months. MACV intelligence, for example, advised that the rate of infiltration during July was at an all-time high and the indicators suggested that August infiltration would be even higher. Also, more NVA units were in the Saigon area than ever before and the proportion of NVA soldiers in Viet Cong units had increased from 25 to 70 per cent.

38(a). On July 31, Secretary Rusk cabled Bunker requesting that the Ambassador obtain the separate views of General Abrams and President Thieu "on the advantages and disadvantages for US and GVN interests of a complete halt in the bombing of the North at this time." The proposal for such a halt originated with Harriman and Vance in Paris and was detailed in their cable to Rusk of July 29. The President

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and the Secretary wanted Bunker's views on the proposal as well as those of Abrams and Thieu, but the Ambassador was cautioned that "[a]t least in the case of President Thieu" the source of the proposal should not be identified.

38(b). The Harriman-Vance proposal envisioned a unilateral cessation of the bombing publicly justified on the basis of the military restraint demonstrated by Hanoi during the previous 60-day period. The US would, after consultation with its allies, tell Hanoi privately that it was prepared "to stop the bombing and all other activities involving the use of force on or within the territory of the DRV" and that President Johnson would announce this shortly (Harriman and Vance suggested that this be done no more than two days before the President's announcement, "so that Hanoi would have insufficient time to react.") When so informing Hanoi, the US team in Paris would state the assumptions on which the US was proceeding, which assumptions, as stated by Harriman and Vance, were:

"A. Within a very few days following the cessation of bombing, we expect to begin serious, substantive talks (on an our side-your side basis) in which the GVN would participate and in which the DRV would be free to bring to the table any South Vietnamese elements they see fit.

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"B. The de-militarized status of the DMZ would be restored. No military personnel or equipment of any sort should be located in, or moved through the DMZ. There will be no artillery or other fire across the DMZ and massing of forces in the area of the DMZ in such a way as to constitute a direct military threat.

"C. There will be no indiscriminate attacks against major centers such as Saigon, Hue and Danang.

"D. There will be no increase of North Vietnamese force levels in South Viet-Nam."

38(c). In presenting this proposal to the GVN and ICC, Harriman and Vance believed that three points should be made: (1) "If assumptions are invalidated, we will resume bombing; (2) We will not engage in any follow-on substantive talks without GVN presence on an our side-your side basis; and (3) This action may deter NVA/VC from mounting the major attacks that are expected." They also suggested that concurrent with the actual presentation to the North Vietnamese, a letter be sent to Kosygin recalling his assurances in the earlier exchange, and informing him of precisely what we were telling Hanoi. The letter should not require a Soviet answer, but should leave it open to the Soviets whether they wished

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to reply. The US should also inform the Soviet Ambassadors in Washington and Paris, since the Soviet Ambassadors in these capitals "will undoubtedly be informed of the letter by their Government, as they have been in the past."

38(d). Harriman and Vance assured the Secretary that "We and our Allies must be prepared to resume the bombing if Hanoi invalidates our assumptions." However, "[o]bviously no threat would be made to Hanoi in this regard." The Paris team recommended that their plan be put into effect at the end of the week (i.e., July 26-27) if they were unsuccessful in obtaining answers from Hanoi by that time to the "phase one/phase two" proposals put to them on June 26 and in more detail on July 15. To justify moving in this direction Harriman and Vance proposed that Washington point to the present lull in Communist military activity in the Saigon area and elsewhere in Vietnam which had "continued long enough to serve as a probable rationale for implementation of the San Antonio formula."

38(e). Rusk advised Bunker that Washington had told the Paris delegation that it wished "to continue on our present line and to try to extract from Hanoi an answer to the proposals we have already put forward in private meetings." Nevertheless, he and the President wanted Bunker's "candid and private reactions" to the Paris proposal.

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38(f). Bunker's reaction was prompt and vigorous. He was opposed to the Harriman-Vance suggestion, regarding it as ill-conceived and untimely. Although he could appreciate that there might be a need at some point for a further move to break the deadlock in Paris, he felt strongly that this was not the time. In the Ambassador's opinion, it came too soon after the Honolulu meeting, at which time reports emanating from Saigon that agreement would be reached by the two Presidents on a total bombing cessation were flatly denied. To undertake an early move in the direction suggested by the Paris delegation "would create suspicion that the Honolulu communique didn't mean what it said and detract from the very helpful and essential reassurance that meeting afforded the Vietnamese people." It would tend to stimulate suspicions, which were still circulating in Saigon to some degree, that secret understandings were reached between Thieu and President Johnson which had not been disclosed. Such a move as that proposed by Harriman and Vance could seriously undermine Thieu's position, which had been "substantially strengthened both by Honolulu and by his increasingly more vigorous leadership."

38(g). From a negotiating viewpoint, Bunker thought that such an initiative at this time "would be interpreted by Hanoi as an indication of weakness on our side related to our own domestic political situation."

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It was his personal belief that the two phase formula was a solid and reasonable basis for meaningful private talks with the DRV delegation. We should give this proposal, which also accorded with Soviet suggestions, time to be explored more thoroughly before jumping into a new initiative which might only create misunderstanding by the other side as to the strength of our position and the firmness of our intentions. "I consider," he said, "that our position is strong and becoming stronger by the day."

38(h). The Ambassador agreed with Rusk that "we should not under any circumstances attempt a move of this sort in the immediate future." Bunker did not believe that the Paris proposal would give us time for adequate consultation with Thieu: "I cannot over-emphasize the importance of presenting any new negotiating ideas or proposals to the GVN in a way which will not only not undermine Thieu's position but will in fact elicit his support." Although Thieu had been told in general terms about the US/DRV private talks, Bunker was confident that he would agree that the current two phase formula should be given a solid try before moving in a more radical direction.

38(i). Bunker admitted that the Paris proposal would offer a means for arriving at a firm understanding to move promptly to substantive talks with full GVN participation, which would have some

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attraction in Saigon, but he assumed that this would also be the result of the two phase formula and under much more advantageous circumstances. He was, moreover, concerned at the idea of merely stating privately a series of assumptions based on the expectation that bombing would be resumed if they were not met. "I find it hard to envisage circumstances," he warned, "in which we could realistically expect to resume bombing in the foreseeable future short of a major enemy provocation."

38(j). From the viewpoint of our relations with the Soviets as intermediaries in Paris, Bunker was of the opinion that the Russians "would also interpret an early move such as this as a sign of weakness and eagerness on our part, timed in relation to the American political conventions." They were presumably aware that we had made the two phase proposal and had not yet received a real answer from the DRV. Moreover, as he understood it, there had been no reply to the President's last letter to Kosygin on the subject.

38(k). Bunker reported that Abrams was of the opinion that the present lull in the fighting was "primarily motivated by the enemy's genuine need to replenish and reorganize his main force units after the tremendous losses of the past months, and represents a concentrated

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effort by the enemy to prepare his forces for another round of attacks. . . We know of no evidence to suggest that we should regard the lull as a sign of deliberate de-escalation on his part." To the contrary, all indicators suggested that the enemy intended to launch new attacks, possibly country-wide, around the second week of August, and although General Abrams was satisfied with the efforts of his troops to keep the enemy off balance and to delay his preparations for an offensive, to stop the bombing now would have adverse military consequences. Moreover, the bombing, once stopped, would be extremely difficult to start up again despite violation of one or more of the "assumptions," thus further increasing the adverse effects.

Comment: According to the New York Times (March 7, 1969), Secretary of Defense Clifford and Vice President Humphrey promoted the Harriman-Vance proposal. Under Secretary of State Katzenbach and Assistant Secretary of State William Bundy were in Paris at this time and the New York Times in a July 29 editorial advocated a tactic similar to that suggested by the Paris delegation. According to the Times' 1969

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account, the appearance of collusion among the advocates of the proposal caused the President to regard it as "a conspiracy," and he thus rejected the plan out of hand. A more likely explanation is that he accepted Bunker and Abrams' analysis (which was, no doubt, supported by Secretary Rusk) and concluded that it was premature to abandon hope that the DRV would ultimately accept the two phase formula. It is interesting to note that General Abrams' prediction of a new Communist offensive "the second week of August" was off the mark by only a few days -- a new round of enemy attacks was launched on August 19.

Still Looking for a "Sign"

39. On August 2, Ambassadors Harriman and Vance met with Zorin to discuss the situation. Harriman told the Soviet Ambassador that the Honolulu Conference did not signal a change in US policy. We were still only looking for a clear sign from Hanoi as to the kind of military

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restraint we could expect from their side after a bombing halt. Zorin argued that the sign had been signaled by the recent lull in the fighting in South Vietnam, but that we had failed to seize the opportunity.

Harriman and Vance told Zorin that the US needed "some indication directly or by third parties that Hanoi would show restraint if we stopped the bombing." Zorin said he recalled Secretary Rusk's saying that the ending of shelling in Saigon and the lessening of military activities would be a sufficient sign for the US to stop the bombing. Harriman and Vance answered that this was a newspaper interpretation and not what Rusk had said. Zorin replied that everyone interpreted the statement

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the way he had and the shelling had been stopped for about six weeks and other military activity had been reduced. He concluded that after Honolulu the US was demanding new assurances at a time when North Vietnamese military activity had lessened and US activity had increased.

40. The North Vietnamese were full of questions on the meaning of the Honolulu Conference statement at the next private session which occurred on August 4. Had it altered the US stand on the two phase formula? Even if it had not, the North Vietnamese asserted, the formula amounted to a demand for reciprocity. They were ready, nevertheless, to discuss the implications of the US proposal.

41. For the first time, the DRV representatives discussed the question of GVN participation in substantive discussions at some length. They argued that the US approach on this issue was not "correct." The NLF could not, as the US asked, "sit with the DRV." The NLF must have the "determining" voice in a settlement. Moreover, the settlement must be "in accordance" with the NLF program.

Comment: Apparently, the DRV spokesmen had in mind their consistent demand that the US "recognize" the NLF and deal with it directly and exclusively on questions relating to South Vietnam.

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However, it appeared from the position taken by North Vietnam that they would be willing at some point to agree to GVN participation in some form in the substantive talks. They apparently believed, nonetheless, that the whole package must be brought along simultaneously and that they ultimately could secure a better position for the NLF as against the GVN than the US was now offering.

Surfacing the "Our Side/Your Side" Formula

42. Following the August 4 session, Ambassador Vance returned to Washington for consultations. As a result of his discussions with Vance, Secretary Rusk advised Harriman on August 8 that consideration was being given to using the next plenary session as an opportunity to join the issue -- on the record -- of the "your side/our side" formula. The day before, Nguyen Thanh Le had taken the position at a press conference that, while the US could deal with the DRV on broad matters, it must deal solely with the NLF on internal South Vietnamese issues. Rusk broached the possibility of publicly telling Hanoi that, quite apart from our concern over the military circumstances in which we could stop the bombing, our principal objective was to get on to serious and

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responsible talks of substance. Hanoi's position was not in accord with this basic objective and thus it was necessary for us to make perfectly clear our position -- that when substantive talks began, the GVN should be a full participant and we would accept on Hanoi's side of the table whomever they wanted.

43. Rusk saw two major advantages to this approach. First, it would "smoke" Hanoi out and "put them on the spot" on what was, in fact, a key issue. Second, it would surface an element in our position that would be regarded widely as reasonable and constructive and would minimize any pressures that might develop at home that the US had not made "serious effort to resolve this question."

44. On the negative side, Rusk recognized that there might be a significant disadvantage of publicly airing an issue that we had taken up in the private talks. A second concern was the reaction of the GVN. Although top GVN leaders had accepted the formula, it had never been made public, and they might not have prepared their colleagues for its surfacing at this stage.

45. Harriman replied to Rusk's suggestion on August 9 and advised that the delegation unanimously believed that it would be unwise to surface the "our side/your side" formula. If the US did so, Harriman said, it would "surely lead" the DRV to reject publicly and flatly the

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idea in a way which would make it more difficult for them to accept GVN participation later on. Harriman believed that the DRV team understood our position on GVN participation and had not taken a final position on it. He noted that Colonel Lau had labelled his critical comments at the August 4 session as "preliminary," and with information available that Le Duc Tho was returning soon from Hanoi, it seemed wise to limit discussion of the matter to the private talks. With regard to GVN reaction, Harriman thought there was too great a risk of public disagreement between Saigon and Washington on the exact meaning of the formula if the issue were discussed publicly. Harriman's views prevailed and the US continued to limit its discussion of the issue to the private meetings.

Saigon in Search of a Contact with Hanoi

46. At the Honolulu Conference, Thieu told President Johnson that he was interested in developing private contacts between Saigon and Hanoi and also between himself and individual leaders of the NLF. On August 6, Secretary Rusk cabled Bunker that the President was anxious for Thieu to make the move to establish contact with Hanoi. Bunker replied that Thieu had instructed Bui Diem to start acting in Paris to establish such contact, but Rusk felt that Thieu did not have the

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necessary sense of urgency. Accordingly, he advised Bunker and Harriman on August 7 that Paris should talk to Bui Diem to see whether he intended to go ahead and attempt to establish contact and Bunker should urge Thieu to send additional personnel to Paris to assist Bui Diem in his efforts.

Comment: Rusk was anxious for Saigon to make the effort to establish contact in order to nail down Hanoi's attitude on the "ourside/your side" formula. He thought Hanoi's reaction to such an overture from Saigon might give us some indication of their ultimate position on the question of GVN representation at post-bombing talks. On August 24, Thieu dispatched Ambassador Pham Dang Lam to Paris to make contact with the DRV and NLF, but nothing significant came of these efforts.

Holbrooke-Hien Dinner

47. As the result of a general invitation Holbrooke had extended at Harriman's instruction during a tea break several weeks previously, Phan Hien, North American desk officer at the DRV Foreign Ministry and

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member of the DRV delegation, dined on August 11 with Holbrooke, Davidson and Negroponte. There was no significant substantive exchange, except perhaps a clarification by Holbrooke of what appeared to have been a misunderstanding by the DRV of the Manila formula for mutual troop withdrawal. Hien acted in a relaxed, informal, and surprisingly unpolemical way which Harriman thought significant and which he felt might suggest that a new method of communication and behavior had been established. He had previously suggested lower-level contacts between the two delegations, but the DRV had not shown any interest in them. Hien listened carefully as the necessity for GVN representation was made repeatedly and unequivocally, and despite numerous opportunities, he did not reject (or accept) the US position that the GVN had to participate in substantive talks. Rather, he confined himself to relatively mild attacks.

48. Hien's relaxed and unpolemical manner, however, did not presage any immediate change in attitude on the part of the DRV delegation. When the US attempted to push the DRV representatives on the GVN and other two phase issues during the tea break on August 14, the North Vietnamese were unreceptive and asserted that there was no use meeting again until the US had something new to offer.

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49. The North Vietnamese may have concluded by this point that, if the US position had not stiffened, Washington had at least moved about as far as it was likely to go for the time being given the military balance of forces in South Vietnam. On August 14, Le Duc Tho returned to Paris from Hanoi and five days later a new Communist offensive opened in South Vietnam. Although its intensity fell far short of the earlier rounds at Tet and in May, it was clear that the North Vietnamese hoped to make another strong demonstration of their continuing military strength which would convince Washington that it was necessary to soften the US negotiating stand.

An Alternative to the "Our Side/Your Side" Formula

50. On August 17, in an apparent effort to find a way to break the deadlock, Secretary Rusk advised Paris and Saigon that consideration was being given in Washington to an alternative to the "our side/your side" formula. Under the new Rusk formulation, the US side would be instructed to inform the DRV that there were ways other than the "our side/your side" proposal which could satisfy the fundamental US objective on self-determination for South Vietnam.

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The US would have no problems with direct discussions in Paris or elsewhere between the GVN and DRV on matters of mutual concern, nor would the US be concerned should representatives of the GNV and NLF desire to meet in Paris or in some other location to conduct direct and secret talks at which the US was not present. Independently of such discussions, US/DRV talks could move on to substantive discussions of those topics properly the concern of the two governments, e.g., mutual withdrawal of external forces from South Vietnam, respect for the principles of the 1954 and 1962 Geneva Accords, normalization of relations between the US and DRV, etc., but excluding the question of the political future of South Vietnam.

51. Under the new Rusk formulation, the US would be providing the DRV with a choice between two forums ("our side/your side" talks or two different negotiations), but in either forum the same principle would apply: the GVN would control any discussions of the political future of South Vietnam. While the U.S. would not permit, or be a party to, an imposed political solution, it would nevertheless reserve the right to proceed at the appropriate time and circumstances to bilateral talks with the DRV on mutual

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withdrawal of foreign forces. President Thieu would be expected to understand that our position in the new proposal was based firmly on the two principles of mutual withdrawal of foreign forces (which we were prepared to discuss bilaterally with the DRV) and self-determination (which we would never discuss with Hanoi, since it was a matter strictly for the GVN to discuss with its enemies.) While recognizing that GVN had an interest in even those issues which the US and the DRV might discuss bilaterally, Rusk took the position that flat and public assurances, coupled with close consultation on all matters, would satisfy the GVN that its interests were being protected by the US.

52. Harriman and Vance advised Rusk that they had reviewed his proposal carefully and considered it "constructive." They would be prepared to proceed along the suggested lines at the next private meeting with Colonel Lau.

53. Ambassador Bunker, however, was more skeptical. He saw major problems involved in putting the new proposal forward. First, the new suggestion would put the DRV in the position that it would be able to choose the subjects it would be willing to discuss with the GVN, enabling it to ignore the GVN entirely or to force Saigon to talk exclusively with the NLF about a political solution

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in the South, while all other questions were discussed, at least initially, by the US and DRV. Bunker noted that the GVN considered issues such as the supervision of a mutual withdrawal of forces and control of a peace settlement to be of cardinal importance to it, and its failure to participate from the beginning in such discussions would undermine Thieu's position at home. To exclude the GVN from discussions on these major aspects of a settlement on the grounds that as areas of prime interest to the US and DRV they should be primarily discussed by the US and DRV in a separate forum would be viewed in Saigon with "the most profound suspicion and even disillusionment. It would be interpreted as an abandonment of the GVN and utilized by Thieu's and Huong's domestic enemies to destroy them."

54. Bunker was convinced that offering an alternative to the "our side/your side" formula so early in the game would be immediately interpreted by Hanoi as confirming the weakness of our negotiating position and as a willingness to shunt the GVN aside to talks with the NLF. Bunker noted that the negotiations had been underway for four months without any movement whatsoever in Hanoi's position, whereas

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we had only recently proposed a participation formula. Under the new proposal, we would almost immediately be offering Hanoi an alternative which would permit them to ignore the "our side/your side" formula which the GVN had clearly but reluctantly accepted. He thought our position on the ground in Vietnam and in the talks in Paris was sufficiently strong that the US need not put forward any new proposals at this time, and he recommended against doing so.

55. At the fourth Vance-Lau meeting on August 19, the US attempted to clarify its position on the participation of the GVN by emphasizing that it was not demanding that the DRV recognize the GVN before serious talks were held, but only that it agree to GVN participation in discussions dealing with the future of South Vietnam. Vance did not put forth any alternative to the "our side/your side" formula; rather he merely re-emphasized the importance the US attached to the presence of GVN at post-bombing talks and clarified the circumstances under which the US expected Saigon to participate. The DRV representatives refused to discuss in detail this or any other element of the two phase formula, asserting that they had said "all" they had to say about it in prior sessions. If the US wanted to talk about "concrete details" it must "talk to the NLF."

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Comment: In assessing this meeting, Harriman advised Washington that he thought it could best be characterized "as a holding operation" on Hanoi's part. While the DRV showed no give on the basic question of what they would do if the bombing were stopped, Harriman thought there may have been some progress in the fact that they did not give a flat refusal to GVN participation. He also noted that the "general tone" was not strident as had been the case in previous meetings.

56. Moscow apparently sensed that an impasse was developing on both sides. On August 19, Vance met with Oberemko for lunch. The Soviet Minister said that both the North Vietnamese and the Soviet Embassy in Paris were somewhat confused by "conflicting statements" coming out of the United States, and since Vance had recently been home, he would like to have his thoughts on the situation. Vance replied that the President's position was very clear. He was prepared to stop the bombing if he could obtain, directly or indirectly, a satisfactory reply on what would happen if the bombing were stopped.

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Oberemko said that as he read the newspapers, Vice President Humphrey was taking a different position and was saying that the bombing should be stopped so as to advance the peace talks. Vance replied that in his judgement Humphrey's statements were not inconsistent with what the President had said. Humphrey said he would be in favor of stopping the bombing if the cessation would help the cause of peace and the peace negotiations; that did not mean that the bombing should be stopped without prior knowledge of what would follow the cessation.

57. Vance also stressed again the necessity for GVN participation in the talks and emphasized once more the US desire for a "clear" signal of what the DRV was prepared to do by way of military restraint once the bombing stopped. Oberemko said that he was 100 per cent sure the Paris talks would make no progress unless the bombing were stopped; North Vietnam was a small country and "it could not and would not" discuss substantive matters while the bombing was going on. The bombing put the North Vietnamese in the position of being inferior or unequal, and this was unacceptable to them. The Soviet Minister told Vance that as Kosygin had told President Johnson, the USSR took very seriously attacks on a sister socialist state, but once the bombing was halted, the entire

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climate would change radically and the Soviets could then help achieve a settlement.

58. The deadlock appeared to harden further as a result of President Johnson's speech on August 19 in which he stated that he was not going to stop the bombing until he had "good reason to believe" that the other side would join us in "deescalating" the war. Through the remainder of August, with enemy military pressure on the upsurge in South Vietnam, both sides remained largely at arms length in the negotiations. The tea break at the plenary session on August 28 produced nothing and the several contacts between lower level members of the US and North Vietnamese delegations during this period were also unproductive.

59. The DRV representatives refused to be drawn out on specific issues until the US agreed to a bombing halt. The most they would say is that such a cessation would lead "immediately" to "serious" discussions between the two sides in which the US could raise any subject it liked. The North Vietnamese persisted, however, in asserting their "goodwill" and in a private conversation on August 26 pointed to their decision to release several US pilots (announced July 18) as indicative of their sincerity. They maintained, however, that as a matter of "principle" no reciprocity was possible.

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Signs of Movement

60. As the Communist offensive spent itself, there were signs that some movement was upcoming in the North Vietnamese position. This was signalled in part by Premier Pham Van Dong's National Day speech on September 2nd which seemingly attempted to encourage more intensive substantive discussions in Paris. Dong asserted at one point that if the US would stop the bombing, it would have a "positive effect" on seeking a step by step "political settlement."

61. On September 3, the US negotiators sought to "take stock of the situation" in a discussion with Zorin. The Russian argued that the North Vietnamese had had a "change of heart" and no longer considered they could achieve their objective by military means. They were now prepared to move the "struggle" more actively into the political arena. Zorin implied that the Soviets had influenced Hanoi in this direction and said his impression was that Hanoi was ready to talk seriously about a political settlement. Zorin also stated that he did not believe the representation question "constituted an insurmountable obstacle." The Soviet Ambassador also brought up the Democratic convention and said he thought if the Democrats hoped to win they would have to change their position on stopping the bombing. Harriman and Vance noted that they had seized on Zorin's two phase

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proposal hoping it would be a bridge and urged the USSR to promptly use its influence to find another bridge.

Comment: From Zorin's comments, it appears that Hanoi had decided prior to Tho's return to Paris the tactics to be adopted in the talks following their military offensive in South Vietnam. This strategem, a routine Hanoi technique, was apparently designed to avoid an impression that the DRV was acting in any way from a position of weakness.

62. At the tea break during the plenary session on September 4, the North Vietnamese indicated they were again interested in a series of private meetings, this time to include Le Duc Tho -- his first participation in the talks since his return from Hanoi. A secret meeting was set for September 7.

63. Pursuant to instructions from Rusk, the US team stated at the beginning of the September 7 meeting that there were two principal points they wished to make. While both sides agreed on the objective of stopping the bombing and proceeding to serious talks about a peaceful settlement, they differed on the question of the circumstances under which the bombing could be stopped and what was meant by "serious" talks. On the first point, the DRV representatives

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were familiar with the President's emphasis on what would happen in the DMZ in the event of a bombing halt. This matter had been discussed in the Vance-Lau meetings and we thought the parties might not be so far apart since Lau had indicated that if we ended military activity in the DMZ, they "would know what to do." On the second point, we had continually made it definite that we could not have serious talks about the political future of South Vietnam without the inclusion of representatives of the GVN. "This," said Harriman, "is a must." The US team also called attention to President Johnson's August 19 speech in which he spoke of the need for a reason to believe that Hanoi was seriously interested in deescalating the conflict and moving seriously towards peace. Le Duc Tho then began to read a lengthy statement (Harriman referred to it in his report to Washington as "an endless harangue") in which he explained in great, if inaccurate detail, how the US had lost the war and failed in the political field. When it came time for adjournment, Tho had not yet finished his statement and indicated that he would make the balance of it at the next meeting.

Comment: Le Duc Tho at the close of the meeting stated that he agreed in principle to meet privately "many hours a day and many days a week." Harriman reported that it was

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his impression that Tho was under instructions to make sure that the US understood Hanoi's contentions and to avoid giving any impression that the DRV was negotiating from weakness. The Governor thought Tho's offer to hold frequent private meetings, coupled with his underscoring of the importance of maintaining the secrecy of the meetings, indicated Hanoi was preparing for meaningful discussions.

64. At the private session on September 12, Tho concluded his lengthy statement. In retrospect, the meetings on September 7 and 12 appear to have been sparring sessions in which the North Vietnamese sought to ascertain what, if any, new movement had occurred in the US position. There was no softness evident in the DRV presentation, although Tho did go over all the North Vietnamese demands carefully and tried to give the impression that Hanoi was prepared to be very forthcoming if the US would only stop the bombing.

Comment: At the September 12 meeting, Tho flatly ruled out the US two phase formula as grounds for an agreement contending that

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it involved reciprocity. The DRV strategy was apparently to move the US away from the formula, as such, and to achieve a scaling down of specific elements of the US position to a basis on which some bargaining was possible.

65. At the tea break during the September 12 meeting, Ha Van Lau took Habib aside and asked him if he had seen an article in the New York Times which mentioned the private sessions in Paris. When asked which article, Lau produced a clipping of an article by William Beecher which appeared in the September 6 edition. Lau pointed out the paragraph referring to private sessions and noted that the points mentioned as US conditions for a bombing halt had all been raised in the Vance-Lau meetings. Harriman advised Washington that he would try to "waffle a bit" on the matter if Lau raised it again since the three points raised by Beecher had all been referred to in plenary sessions, while other points raised in private sessions were not listed. However, Harriman thought it would be difficult to get around the impression given, which Lau seemed to accept, that someone had talked to the press about the private meetings. Harriman noted that the North Vietnamese had made a particular point at the private meeting on September 7 to

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stress the importance which they attached to secrecy in these meetings and reminded Washington that it was absolutely essential that no information on private meetings be given to the press. The problem of leaks, however, was just beginning.

Back to the DMZ

66. The secret meeting on September 15 was one of the most important sessions in the negotiations leading to the bombing halt. The positions taken by both sides were set forth at this meeting in very extensive detail. The US side chose initially to concentrate mainly on reciprocal military action in the DMZ as the major element of restraint needed by the US. We did not raise the issues of infiltration, attacks on populated centers in the South, or a moratorium on force levels. These requirements, which had formed a part of the specific proposals under stage two of the two-phased US approach, had not elicited much in the way of positive response from the DRV in previous sessions. The infiltration and force level questions were, to all intent, dead issues at this point and were not seriously raised again.

67. In emphasizing the DMZ, the US attempted to remove some of the reciprocal elements of its earlier position to which the

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DRV objected. Where the US had earlier asked for prior DRV agreement on specific elements of restraint in the DMZ, it now only suggested what specific acts it had in mind and indicated that measures to decide the "supervision" of restraint in this area could be left to the period after a bombing cessation, provided the DRV agreed before hand to discuss supervisory measures following the cessation. Although not heavily emphasized at this point, the US also indicated again that a prior agreement with the DRV on the right of the GVN to participate in substantive discussions would be necessary before the bombing halt.

68. The US team made a key statement at this session on the US position concerning the mutual withdrawal of external forces from South Vietnam. Terming the statement "important and new," Harriman declared that the US and Free World forces would be withdrawn "simultaneously" from Vietnam as the North Vietnamese pulled back to North Vietnam "all personnel infiltrated" to the South. Any US forces remaining in South Vietnam after the "complete" withdrawal of the DRV forces would be pulled out "not later than" six months afterwards. When the DRV withdrawal was completed there would be no more infiltration, and when all US forces had left, "no further troops" would be introduced. The United States, Harriman said, viewed the phrasing of the Manila communique on the

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subsidence of the level of violence in South Vietnam as "descriptive" of the condition which would ensue when the DRV forces were withdrawn. It was not meant to refer to any violence that might occur among the South Vietnamese after the withdrawal of external forces.

69. The Communists quizzed the US extensively after this statement, showing particular interest in our definition of the level of violence in the South. The North Vietnamese were also greatly interested in our statement on the six month timing of the US pullout and probed to see how iron clad we regarded this promise. These elements of the US position on withdrawal were not vetted through the GVN and were not discussed again in these terms in the subsequent negotiations leading to the bombing halt.

70. Although the North Vietnamese displayed "great interest" in the details of the new US proposals, their remarks left the impression that considerable further US movement would be necessary before any agreement could be reached. The DRV once again termed the US proposals on the DMZ a demand for reciprocity and indicated that they could not be tied down prior to a bombing halt to discussion and resolution of any single issue such as the supervision of restraint in the DMZ immediately following a halt. If the United States would stop the bombing unconditionally, Hanoi would be willing to

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meet the "next day" with "serious intent and goodwill." At that meeting, an agenda would be formulated with each side able to propose such issues as they desired. An agreed agenda would then be adopted with an order of priority for the discussion of each item.

Comment: The DRV representatives were probably heartened by the tacit US abandonment of the two phase formula itself and by our concentration instead on a few specific elements in this formula. It appeared at this point that North Vietnamese strategy involved the development of a procedural limitation at the outset of post-bombing talks which could be used, if desired, to delay and to channel the course of the discussions. Although they raised the point occasionally in subsequent meetings, the issue of an agenda was quietly shoved into the background by the North Vietnamese as the bargaining on a bombing halt intensified. During the procedural sessions which followed the halt, Hanoi also failed to insist on the adoption of a formal agenda, apparently believing the tactic

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would prove counterproductive in terms of
lost time.

71. As a result of the North Vietnamese presentation at the September 15 session, the US negotiating team reported to Washington that "we have concluded that if the bombing is stopped the DRV will know what to do in and around the DMZ." Subsequently, Ambassador Harriman returned to Washington for consultations.

Comment: It is difficult to determine the basis for the US team's conclusion that the DRV would "know what to do in and around the DMZ" following a bombing halt. Each time the US side raised the DMZ issue, Tho explicitly rejected as reciprocity any proposal which linked a bombing halt "to a discussion of a particular item" or to Hanoi taking any "particular actions" following a halt. Harriman apparently attached great significance to Tho's failure at one point near the conclusion of the meeting to take exception to the US statement of its views of what was necessary for serious talks to continue and

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his expression of confidence that an understanding could ultimately be reached through public and private talks. Standing alone, this constituted rather shaky evidence, but in context may have been a reasonable assumption . . . although Hanoi certainly was free, with good evidentiary reason, to deny that it had proffered any reasonable basis for it.

Stress on GVN Participation

72. While Harriman was in Washington, new instructions for the US team were decided upon. Under the previous instructions, the two "critical points" upon which the US sought the "highest possible degree of understanding" as a basis for a decision to stop the bombing were (1) the inclusion of GVN in subsequent substantive talks under the "our side/your side" formula and (2) military activity in and near the DMZ. Apparently Harriman convinced Washington that the DRV "understood" our position on the DMZ, for the new instructions directed that the US team indicate at the next private meeting that we had "noted Tho's apparent understanding of our views on the subject and the importance we attach to it." On this key point, the instructions

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read, "it is vital that there be no misapprehension." The US team should, therefore, reiterate the understanding they had expressed at the September 15 meeting, to which the DRV allegedly took no exception, so that it was in effect repeated and made clear what we understood their view to be. The US side was also to inform the DRV that while the DMZ was our "foremost specific concern in the area of military restraint," we continued to have in mind the other items discussed in the Vance-Lau conversations, in which attacks on major cities were included.

73. The US team was also instructed to state that we were not satisfied with the position the DRV had taken on GVN representation. Harriman and Vance were to make clear that a further degree of understanding on this subject was required and were authorized to imply that such a further degree of understanding could be a major factor in facilitating a decision to stop the bombing. The GVN question was to be the main topic on which the US focused at the next private meeting so that the DRV would be "in no possible doubt as to its importance and our view of it."

74. On the basis of the new instructions, the US team at the secret meeting on September 20 sought to bring the issue of an agreement on GVN participation to the foreground as an essential part of the US-proposed package. Harriman explained the importance the

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US attached to GVN representation and said that if the DRV accepted the US position "it could be a major factor" in facilitating a decision to stop the bombing.

75. Xuan Thuy asked whether the US had withdrawn its earlier proposal about "phase-two circumstances" and replaced it with the question of GVN representation, or had we added the question of GVN ? The US replied that it had never considered the GVN question as a condition but as part of our definition of serious talks. Tho said he had two questions. He would like to know whether this was the only condition on which the two parties would have to come to an understanding before the cessation of bombing. Secondly, he wanted to know if it were only when an agreement were reached on this question that the US would stop the bombing. The US replied to the second question first, saying that there would not be a cessation of bombing unless an understanding were reached on this point. As for his first question, the US team could not answer it as positively as Tho had put it forward. They were instructed only to inform Tho that it could be a major factor. Harriman admitted that this was not a complete answer, but insisted it went a long way toward answering Tho's question.

76. Thuy once again pressed for an answer to his question of whether the US were still insisting on agreement on the military restraint aspects of the two-phase formula. Had the US withdrawn its

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proposal regarding circumstances and substituted the issue of GVN representation, or had it kept both? The US answered that at the last meeting it had raised two questions: the issue of GVN representation and the question of military activity in the DMZ. The latter had been discussed in detail and the US now chose to believe that the DRV understood that once the bombing stopped we would withdraw our forces from the DMZ and that we clearly expected the DRV to do likewise. Harriman admitted that the other side "had not specifically agreed to any action on their part, " but they certainly gave us the impression they understood the US point of view. Harriman said that the US would be delighted if the DRV would give us a definite commitment along these lines, but we understood that the DRV did not want to do so. We said we were not raising this matter again, but wanted to make sure the DRV understood how we understood it.

Comment: Harriman treated the alleged "understanding" gingerly as if he were afraid that if he pressed the matter too forcefully, the DRV would explicitly reject it. As it were, Tho told Harriman that at the September 15 meeting the US side "had emphasized the DMZ and in this connection the US knows

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that the DRV is not willing to discuss this before the cessation of bombing." At another point, Xuan Thuy observed that the US spoke of the status of the DMZ by talking about the circumstances under which it would stop the bombing. "This," he said, "the DRV has rejected because it considers it tantamount to a demand for reciprocity." In essence, the DRV position was that the US should take unilateral, unconditional action and not tell Hanoi about any assumption of an understanding.

77. The North Vietnamese continued to probe the significance of our statement that agreement on the GVN question could lead to a bombing halt. Both Tho and Thuy repeatedly remarked that our unwillingness to state that the question of GVN representation was the only condition on which an understanding was necessary -- plus our use of the word "could" -- implied that the US would have many more factors to raise. They viewed the latest US statement as an attempt to lead them into endless discussions of other factors before the cessation of bombing, which they had repeatedly made clear they had no intention of doing.

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78. On balance, the DRV response to the US presentation was not flatly negative, although the implication of their remarks was that they believed the US was still asking for reciprocity, if not on military issues, at least by substituting prior agreement on a political issue. On the GVN question, the North Vietnamese demurred, insisting that the issue could only be taken up after the bombing stopped. The US position, they insisted, was "tantamount" to a demand for reciprocity. Moreover, they chose to interpret the US proposal as indicating that this might be only one such substantive requirement which the US would ask of Hanoi prior to a cessation. They emphasized the inability of the US team to assure them that the US would not come back with more such requirements if the DRV agreed to this one. The North Vietnamese negotiators, however, agreed to seek instructions from Hanoi on the US proposition, although they suggested that such instructions might be considerably delayed before receipt in Paris.

Comment: In retrospect, it appears that this meeting broke open the way to the bombing halt agreement. As the "understanding" finally emerged, it involved only a more exact specification of the central elements of the US position as presented at the

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September 20 meeting. From the North Vietnamese point of view, there appear to have been two new elements in the US position as expressed at this meeting: (1) the abandonment of our insistence on a verbal commitment of some kind on military restraint and (2) our narrowing to an insistence on GVN participation as the only absolute precondition to a bombing halt which Hanoi must explicitly accept.

79. Following the September 20 meeting, the US again attempted to enlist Soviet support for our position on a bombing halt. On September 21, Ambassador Vance saw Oberemko and briefed him on the four private meetings with the North Vietnamese. He noted that at the third meeting, we had told the DRV that there were two matters of great importance: (1) the question of military activity in the DMZ and (2) inclusion of the GVN in any discussion of the political future of South Vietnam. Vance said that at the end of the third meeting, we had come away with the impression that Tho and Thuy understood our position on the DMZ but the question of representation had not been satisfactorily resolved. At the fourth meeting, the US had concentrated on GVN representation, but the DRV was totally unrealistic. Vance said that we believed we were at a critical juncture and the time had

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come for the Soviet Government to weigh in heavily to make the DRV realize that it was taking a wholly unrealistic position that was blocking the way to a peaceful settlement. Oberemko said he would communicate the US views to his government, but added that he personally believed that the major obstacle was the continuation of the bombing. A stopping of the bombing, he indicated, could lead the way to an unconditional settlement.

The Oslo Contact

80. A curious side element in the negotiations at Paris had meanwhile emerged in the form of a channel of communication between Hanoi and the Norwegian government in Oslo. The Norwegian ambassador in Peking had long had a candid relationship with his Hanoi colleague, and the exchanges through this channel had usually produced the most forthcoming of all reported DRV positions on a possible war settlement. The Oslo-Hanoi relationship culminated in mid-September in the visit of a North Vietnamese delegation to Oslo. There was some hope that the North Vietnamese might have something to offer on the Paris talks in the course of this visit. However, they used it as a straight propaganda occasion to promote their cause. According to indirect accounts through Norwegian officials, the only substantive statement made by the DRV representatives was that an

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unconditional US end to bombing and other acts of war against the DRV would involve a cessation of American artillery fire and air activity into North Vietnamese territory, and if this action were taken, the North Vietnamese would have no reason to violate the DMZ by artillery fire of their own or by ground fire against allied planes. It was not clear whether this DRV statement encompassed a commitment not to initiate ground operations across the DMZ or to use the Zone for the movement of men and material into South Vietnam.

Disquiet in Saigon

81 Ambassador Bunker was following the developments in Paris with some concern. On September 24 he cabled Rusk that while he didn't know the latest high level thinking on a total cessation of bombing in light of the recent Paris discussions, "a variety of factors" and his "instinct" suggested that Washington might be reexamining its position and might possibly make a decision on relatively short notice to suspend all bombing in an effort to move into substantive talks. If that were the train of events, the Ambassador wanted Washington to have his views as they reexamined the matter.

82. As a result of the discussions at the September 15 meeting Bunker thought Washington might be considering a bombing halt on the basis of "assumptions" about Hanoi's understanding of the US position.

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He assumed that if this course were followed, Washington would make it clear to Hanoi that the minimum assumptions upon which our decision was based included restraint in the DMZ, the presence of GVN at subsequent negotiations, and "presumably" no increase in infiltration or new attacks on the cities. Of these assumptions, Bunker was most troubled by the question of getting the GVN into the talks. If the DRV refused to accept in advance of a halt GVN participation and the US agreed to make it an agenda item at post-bombing bilateral talks, Bunker could "see us bogged down in an interminable discussion about the GVN" at Paris and "in trouble of the most serious kind" in Saigon. GVN suspicion of US intentions would be aroused and Thieu would be forced to differ with the US publicly if the GVN were not in the talks at the beginning. Bunker feared that under such circumstances the breach could widen rapidly, affecting unity and morale in South Vietnam and endangering the trust and confidence which the US had made such an effort to build.

Comment: Bunker's comments on a multiple "assumptions" approach to a bombing halt agreement were written before he received the report on the September 20 meeting at which the US team emphasized the importance

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of GVN participation. However, he forwarded them to Rusk after studying the report of that meeting believing they were still relevant. Apparently, he continued to believe that Washington might decide it could not get an explicit commitment on GVN and must accept an "understanding" or "assumption" on the question as a basis for a cessation.

83. Bunker "most strongly" urged that the US hold firmly to the position that GVN participation was a must and General Abrams also urged that priority be given to the GVN question. The US military commander considered that "as between restraints in the DMZ and giving the GVN a place in the negotiations from the beginning, the latter is more important." He felt there were definite military risks involved in an "understanding" on the DMZ, but, if necessary, he could cope with these risks even though the US must pay a price. However, "if the GVN did not have a role in the negotiations from the time they start, this would strike at something that is basic to our whole military effort in South Vietnam, namely the cooperative relationship between the US and South Vietnamese military leaders and forces." Abrams felt that if this working relationship were shaken, "it could jeopardize

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the very basis of our military effort" in South Vietnam.

84. Ambassador Bunker was pleased with the strong stand we had taken at the September 20 meeting on the GVN question, but said he would have preferred that we had used the word "would" rather than "could" in stating our representation proposition. However, he was not "carping." He believed that the GVN question represented the "touchstone" of all our efforts and sacrifices in Vietnam, and was convinced that if the US persisted in holding to this position and did not appear too anxious, Hanoi would have no choice but to accept it.

85. Washington apparently reacted promptly and with concern to Bunker's views. In a cable to Rusk and Rostow on September 25, the Ambassador expressed regret for any "misunderstanding" his message had caused. He said he had concluded from the direction and purport of the Paris talks as well as an inquiry from General Wheeler to General Abrams regarding the effect of a bombing cessation should a decision be taken within ten days to two weeks that Washington might be moving in the direction of a halt based on "assumptions." He merely wanted Washington to know that if they were contemplating such a course, he felt the "most basic and essential" assumptions were GVN participation and observance of the DMZ, and of these, he and General Abrams considered GVN participation the most important.

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He also intended to make clear that we should ensure that Hanoi understood that attacks on the cities and increased infiltration would also endanger post-bombing discussions. What he intended to emphasize, he explained, was the relative importance he placed on the three points, all of which in his view were important. He concluded by pointing out that his message had been based on the hypothesis that a decision might be taken in Washington to proceed on the basis of "assumptions" and implied DRV agreement, and was "certainly not a recommendation that we do so." He was happy to learn from a telephone conversation with Secretary Rusk that all three points were considered important in Washington.

Comment: From the tone of Bunker's cable and from the fact it was addressed not merely to the Secretary of State, but also to Walt Rostow, it appears fair to conclude that the highest levels in Washington were concerned by the tough position that he and General Abrams had taken regarding the conditions which would justify a bombing halt. It may be that Washington thought he was suggesting a halt based on "assumptions," but it is hard to understand how this could have been

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so, since his cable clearly indicated that his preference was for an explicit agreement, particularly on the GVN question. It is true that he appeared to be minimizing the questions of attacks on the cities and reduced infiltration, but these topics had been virtually abandoned in Paris and he had good reason to believe that they had been relegated to the backburner. Although the US team's new instructions directed them to inform Hanoi that we "continued to have in mind" the other items of military restraint discussed in the Vance-Lau conversations, they had not done so at the September 20 meeting. It appears that Rusk initiated the telephone call, which suggests that he (or the President) felt it was important to clarify the US negotiation position with the Ambassador.

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Search for a Breakthrough on GVN Representation

86. Meanwhile the Paris delegation had been pressing Washington to give them a more flexible formula for use on the GVN issue, a formula which would tend to meet the DRV objection that we were adding yet another condition with no guarantee that others would not be added later. As a result, the negotiators were authorized to tell the North Vietnamese that an agreement on the GVN "would" rather than "could" be a "major factor" leading to a bombing cessation.

87. At the tea break on September 25, the US team informed the North Vietnamese of the new formulation of the US proposal. Tho responded that the proposal still constituted an insistence on an agreement on the inclusion of GVN representatives before the cessation of bombing and the DRV regarded this as a demand for reciprocity. The US replied that we could not stop the bombing until we had an assurance that serious talks would begin immediately after a cessation, and "our definition of serious talks is the inclusion of representatives of the GVN in discussions regarding a political settlement." Tho replied that the DRV definition of seriousness was different. He said that "the DRV will consider talks to be serious once the US has ceased bombing and other acts of war against the DRV. That is seriousness

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and only after such unconditional cessation will the DRV consider the US to be serious."

88. The discussion over the proper definition of "serious talks" continued for some time, with each side adhering steadfastly to their stated position. Finally, Harriman suggested that the DRV representatives consult again with Hanoi, making clear the United States position, namely, that we would not accept talks regarding the political future of South Vietnam without the inclusion of GVN representatives. Xuan Thuy replied that they had reported the last meeting to their government and they had been instructed to emphasize that the DRV had consistently refused to accept reciprocity and to reiterate that there must be an unconditional cessation, after which there could be a discussion of other questions of interest. The US team said that they were getting the firm impression that the DRV was not willing to accept GVN representation. Tho said that the DRV side had not yet discussed the matter of participation in serious talks and he had not yet expressed himself on whether or not the DRV agreed to the inclusion of GVN representatives. The US must stop the bombing and the two parties could then discuss the question.

Comment: As good negotiators, the North Vietnamese showed no immediate interest in the shift in the US position, but it is probable that it was quickly reported to Hanoi as a further

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indication that the US was now centering
on this one element as the key to a
bombing halt.

89. On September 25, Vance again saw Oberemko to seek Soviet support for the US position on the question of GVN participation. Vance explained the change which the US had made in an effort to eliminate the uncertainty about the US proposal and explained that the DRV still remained totally intransigent. The DRV had not "budded one inch," Vance said, and vagueness of language was not the problem in view of the change that the US had made. Oberemko stated that he had forwarded Vance's request of September 21 to Moscow, but had as yet no response. He would advise Moscow of the latest change, but didn't know when he would get a response from his government. The Russian asserted that so far as he knew the Hanoi position on the GVN remained the same.

90. A few days later, Secretary Rusk discussed the situation with Soviet Foreign Minister Gromyko in New York. He asked the Soviets to concentrate on obtaining North Vietnamese agreement to our position on GVN, while we concentrated on the military aspects of the arrangements at the Paris meeting.

Alternative Approaches to the GVN Question

91 On September 27, the State Department advised Paris and

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Saigon that consideration was being given in Washington to ways in which to break the logjam in Paris over the question of GVN representation. Out of discussions at the working level had emerged two devices on which State would like comments from Paris and Saigon before review by the President.

92. The first device was to inform the Hanoi delegation about five days in advance that on the following Tuesday bombing would stop, but there would be no public announcement. On Wednesday serious discussions would begin and we would bring representatives of GVN with us to the meeting. If serious talks were launched on this basis at the Wednesday meeting, we would then announce that bombing had stopped 24 hours earlier and serious talks were now underway. However, if serious talks did not begin, the bombing would resume and there would be no announcement. If the fact that there had been a 24-hour standdown over the North leaked, we would explain that we had made a major effort to break through in Paris, even taking the risks involved in a short standdown, but it had failed because of DRV rigidity.

93. In a slight variation of the above approach, the US would offer the DRV a choice between agreeing in advance to GVN representation at the Wednesday meeting following the Tuesday

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cessation or coming to the Wednesday meeting and agreeing at that time to the inclusion of the GVN at the first serious talks which would take place the following day.

Comment: State thought this variation would offer the DRV a possible way out of their doctrinal point regarding reciprocity since it would allow the DRV to make no commitment until after the bombing had stopped. The DRV would know, however, that if they stalled over GVN representation on Wednesday, we would resume the bombing.

94. The second principal device under consideration involved proposing to Hanoi that immediately after a bombing cessation, military representatives of both sides (DRV, NLF, US, GVN) would meet at the DMZ to discuss "the total cessation of hostilities, that is, a true ceasefire." In fact, we would indicate that this would be a good occasion for the southerners to begin to talk about a political settlement. Meanwhile, the Paris talks would continue on bilateral matters between the US and DRV, but with the understanding that the GVN and NLF would join the talks when the outlines of a political settlement had become clear.

95. Harriman and Vance thought the first device proposed by Washington carried the serious risk of a public spectacle if the US

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showed up at a Wednesday plenary session with the GVN representatives without prior acceptance by the DRV. The alternative variation of this device partially took this into account, but required either that the DRV agree in advance of actual cessation -- which it had already refused to do -- or that the two parties attempt to work it out in a public session -- which we should seek to avoid. Harriman and Vance thought the second device would be rejected by both Hanoi and Saigon. It did not satisfy the basic problem of GVN representation in serious talks which Saigon demanded, and it required prior agreement by Hanoi about a meeting in the DMZ, a condition which Hanoi would doubtless reject as a demand for reciprocity.

96. Harriman and Vance offered two suggestions of their own. The first was similar to Washington's "first device" except that it avoided a public meeting, the GVN representatives initially joining the U.S. team at a private session. The second suggestion was that the US inform the Soviets that we would stop the bombing if the DRV would agree to the inclusion of the GVN in serious negotiations to take place immediately following a cessation and that we would accept the word of the Soviets that the DRV had agreed if the DRV did not wish to tell us themselves.

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97. Ambassador Bunker was unimpressed with the "ingenious" devices proposed by Washington. He saw three difficulties with the first one: (1) when we showed up with the GVN delegation the day after the bombing cessation, the DRV might refuse to talk or attend the meeting, with the result that the GVN would suffer a humiliating rebuff before world and Vietnamese opinion for which the US had nothing to show since even our good will in ceasing the bombing would hardly be apparent as it would have been unannounced and have only lasted a day; (2) the DRV might ask us publicly whether we had ceased the bombing and whether this was definitive and unconditional, to which we could not give a clear answer, thus providing them with a plausible basis for refusing to talk to the GVN consistent with their long-stated position regarding a conditional halt; and (3) we would have to get GVN concurrence to the proposal and this would be difficult to obtain.

98. In Bunker's view, the variation of the first device would be somewhat less difficult to sell GVN since it would not involve a danger of public humiliation, but he was doubtful that the problem would be solved at the public session envisioned under this scheme, for it would not really give the DRV a way out of their doctrinal point that the bombing cessation must precede arrangements permitting serious negotiations. At the time of the meeting, it would not yet be public

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knowledge that we had ceased the bombing, nor would we be able to satisfy the DRV that the cessation was unconditional.

99. Bunker was opposed to the separate negotiations approach suggested in the "second device." He assumed that separate quadrupartite discussions on a cease fire envisaged a cease fire that would be part of a final settlement. The question of a cease fire was extraordinarily complex and the US and GVN had not yet been able to work out in their own minds what kind of cease fire they could live with. We were hardly prepared to move on this question at the present time. Additionally, there was the separate, but crucial, problem that Harriman and Vance had noted of holding separate negotiations, with the GVN excluded from those being conducted in Paris between the US and DRV.

100. The Ambassador was not much more enthusiastic about the suggestions from Paris than about those from Washington. The first Harriman-Vance alternative met the problem of a public session. The agreement would be worked out in private, with a prompt announcement of the bombing cessation if the North Vietnamese accepted the presence of the GVN representatives. But the problem with this scheme, as well as that proposed by Washington, was that the time when we could keep the world from knowing that we had stopped the bombing of North Vietnam would be severely limited. Because of the schedule of MACV briefings on allied military operations

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and the time difference between Saigon, Washington, and Paris, the press would inevitably know that there had been a bombing cessation under the time schedule envisaged in either plan.

101. The Harriman-Vance suggestion of enlisting the assistance of the Soviets as a conduit for DRV acceptance of our offer was viewed by Bunker as "a refinement of the basic idea, rather than another alternative." It could be combined with Washington's "first device" or Paris' first alternative, but could hardly stand on its own.

102. Having, in essence, dismissed each of the suggestions, Bunker directed his attention to what he viewed as the fundamental weakness of the various alternatives. Running through each of them, he said, was the belief that "the DRV is essentially concerned with 'face' rather than operating from a cold calculation of how they can best wring benefit from the US with minimal concessions on their part." He must confess that he found it difficult to believe that an arrangement that allowed the North Vietnamese to give in more gracefully would really induce them to enter into serious negotiations. They must know that sooner or later it would remain no secret from the world that they had been compelled to make important concessions in order to get the bombing stopped, assuming, of course, that in addition to the question of GVN participation, the US still planned to satisfy itself on the other essential points (i.e., restraint in the

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DMZ and attacks against the cities) before any bombing cessation was extended beyond 24 hours. In short, Bunker said, someone or something has to give -- substance, not image, is the issue.

103. During a 42-minute tea break at the October 2 plenary session, the North Vietnamese expressed an interest in Vice President Humphrey's Salt Lake City speech. Thuy said that as he read the speech it demanded reciprocity. Harriman replied that he had not talked with the Vice President and his speech must speak for itself. However, President Johnson remained responsible for US foreign policy until January 20 and the statements of candidates were not important during this period. What was important was that which Hanoi was prepared to do to make it possible for the US to halt the bombing. The US negotiators restated the US position, noting once again that we understood that the DRV knew what they would have to do in and around the DMZ and with respect to the cities. They also knew that in serious talks after a bombing halt they would have to talk to the GVN. Thuy responded that there could be no reciprocity for the bombing halt, but the DRV would agree to talk with the US the day after a cessation on all issues we posed, including GVN participation. In fact, the question of participation could be taken up first on the agenda.

104. The US again concentrated on the GVN question at the tea break on October 9, in accordance with instructions worked about

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between Vance and Rusk in New York. The US team stated that they could report on the basis of Vance's conversations in the US that the inclusion of GVN representatives in substantive talks following a bombing halt was "utterly indispensable." The North Vietnamese appeared unreceptive, but said they would like a full private session to discuss the subject further. A secret meeting was arranged for October 11.

III. The Third Phase: October Breakthrough

105. The October 11 meeting was a landmark session. The North Vietnamese first called on the US to repeat their statement of October 9 concerning GVN participation. The US did so and also stressed the US position on the DMZ and the cities. Vance and Rusk had worked out the latter formulation during their consultations in New York and it was put to the North Vietnamese in these terms:

"It is important to understand that we are not talking about reciprocity or conditions but the simple fact that after a cessation of all bombardment the President's ability to maintain that situation would be affected by certain elemental considerations. We do not look on them as a condition for stopping the bombing but as a description of the situation which would permit serious negotiations

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and thus the cessation to continue. You will understand, therefore, that the circumstances we have discussed in our various private meetings about military activity in and around the DMZ are essential to the maintenance of that situation. And, of course, you know from our various discussions that indiscriminate attacks launched against major cities would create a situation which would not permit serious talks and thus the maintenance of a cessation."

106. Le Duc Tho replied that the DRV "took note" of the US statement that cessation of the bombing would be "unconditional." He then asked if the US would stop the bombing and all other acts of war against the DRV if the DRV agreed to GVN participation in subsequent talks; and if the DRV did agree, would the US consider it reciprocity? Harriman replied that he could not answer the first question without checking with Washington. As to the second question, the US would not consider the agreement reciprocity, but a definition of what was needed for "serious talks." The North Vietnamese refused to be drawn out specifically on whether they would agree to GVN participation. "The DRV does not know that the US will stop bombing," Tho said, "so how could the DRV agree to GVN participation?" Harriman asked whether the DRV would give an affirmative answer if the US agreed to

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stop the bombing. Tho turned the question around and asked if the US would stop the bombing if the DRV agreed to GVN representation. Harriman said he was not authorized to answer that question. Subsequently, Tho said that if the US gave a positive response to the first DRV question, the DRV would also give a "positive response." It was agreed that a meeting would be held as soon as a reply was received from Washington.

107. In their report to Washington, Harriman and Vance said they believed that Hanoi fully understood what the US had proposed on the DMZ and the cities as well as the "nuances" of the US position. Both recommended that we give the DRV an early affirmative reply.

A Soviet Initiative

108. On the morning of October 12, Oberemko called on Vance to discuss "a very important matter." The Soviet Minister indicated that what he was about to say should not be considered a reply from the Soviet Government to Vance's request of September 21. However, he repeated the substance of what Vance had told him on that occasion and asked if this correctly summarized what Vance had stated to him. Vance indicated that it did. Oberemko then said he would like to give the US Ambassador a statement which he was sure Vance would want to take down verbatim:

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"I have good reason to believe that if the US stops unconditionally and completely the bombardments and other acts of war against the DRV, the delegation of North Vietnam will agree to the participation of the representative of the Saigon Government in the talks on the problem of a political settlement in Vietnam. Thus these talks would be held by the representatives of the DRV, of the United States of America, of the NLF, and the Saigon Government."

Vance asked Oberemko who the "I" was, and he replied, "It is I, Oberemko." He continued that the wording was a little awkward, but that was the way he received it from "them," He did not indicate from whom.

109. Oberemko said that he hoped that his statement would help to move the talks off dead center and that this view was shared by the North Vietnamese. He said that he had met with the North Vietnamese the previous afternoon after the US-DRV private meeting. He indicated that the Soviets considered that it was now the right time to act; the situation was most favorable and the opportunity should not be lost. There were, he said, factions with different views in Hanoi, and if positive action were not taken immediately it would be

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a major setback for those who wanted peace. Oberemko added that if the US advanced any new conditions it might bring many difficulties; indeed, it might provoke reversal of the entire DRV position. What he had told Vance was the "rock bottom" to which the DRV could go.

110. Oberemko then said he had ~~an~~ other statement which he would like to give verbatim:

"I can tell you also on good authority that if the question of the unconditional and complete cessation of bombardments and all other acts of war against North Vietnam is resolved positively and promptly, the delegation of the DRV is ready to discuss seriously and in good faith other questions relating to the political settlement in Vietnam, provided, of course, that the other side would also act seriously and in good faith."

The Soviet Minister said that he understood that the US had told the DRV that we were communicating with our government and would be back in touch with them. Oberemko asked whether Vance knew when we would have an answer. Vance said he didn't know. Oberemko got up to leave and expressed the hope that what he had said would be constructive and would bring about positive action which would lead to a settlement.

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111. On October 13, Secretary Rusk called in Ambassador Dobrynin and showed him the statements made in Paris by Oberemko. Rusk asked if these were authorized by Moscow. Dobrynin did not know, but offered to check. The next day, he informed the Secretary that Oberemko had been acting in accordance with the instructions of the Soviet Government.

The View from Saigon

112. On October 11 the White House asked Bunker and Abrams for their comments on the reply which was being considered for Harriman and Vance to transmit to Hanoi. The proposed reply was rather stiff, requiring DRV agreement to a meeting within 24 hours of a cessation at which the GVN would be present and DRV acceptance of an explicit "understanding" that the US could not maintain the cessation if armed attacks were launched on major cities and if military activity continued in and around the DMZ. Abrams was informed that he would be furnished with rules of engagement which would permit him to respond promptly to limited violations of the DMZ and that the President would regard any gross violations of the DMZ understanding as "most serious." In the meantime, the President wanted their "completely frank comments" on the situation, comments "with the bark off."

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113. Ambassador Bunker and General Abrams replied that they regarded the October 11 meeting as an indication that Hanoi was now shifting its "main effort" from the battlefield to the conference table. They sought to demonstrate with a statistical analysis that there had been a "steady deterioration" in Hanoi's military position since the 1968 Tet Offensive. Both men predicted, moreover, that the North Vietnamese would "soon propose a cease fire." At the same time, they cautioned against any impression that the Communists were about to collapse militarily. They would continue to fight with "undiminished vigor" right up to a cease fire. Both Bunker and Abrams were agreeable to a cessation of the bombing if the GVN question were suitably settled, believing that while it would cause some apprehension in South Vietnam, it "need not worry us excessively." Abrams offered the judgment that it would be at least two or three months before Hanoi could mount another offensive even if the bombing were halted.

114. Ambassador Bunker speculated that there might be at least four reasons -- in addition to Hanoi's deteriorating position on the battlefield -- motivating the DRV to seek an agreement in Paris;

- (a) Hanoi might believe that if it could get the bombing halted and keep it halted until January 20, the next President would find it very difficult to resume it. Meanwhile,

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Hanoi would have time to rest and resupply and prepare for a renewed struggle in the spring.

(b) Hanoi might see itself as in the relatively strongest position it was likely to occupy for the purposes of negotiations, and if it waited any longer to negotiate, there might be an erosion of its support in the South or a further weakening of its relative position as the Thieu Government moved into more offensive operations on several fronts.

(c) Hanoi might fear a Nixon victory and what that would portend.

(d) Hanoi might have drawn the conclusion that the US would not disengage in Vietnam no matter who were elected and it must now make the best possible bargain while it was still in a comparatively strong position to negotiate.

115. Bunker and Abrams thought that some or all of these factors had played a part, but what was significant was that each of them put Hanoi in a defensive position. Hanoi did not take the stand they did at the October 11 meeting because victory was in their grasp, but because victory had eluded them and they must now seek the best possible terms.

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116. The US team in Saigon concurred in the proposed reply which Harriman and Vance were to transmit to the North Vietnamese. They thought the DRV representatives would find the US proposal for a meeting including the GVN "acceptable" and the US statement on the DMZ and cities "understandable." Bunker and Abrams would regard this response as meeting "our essential requirements" for a cessation of the bombing.

117. Bunker said he thought President Thieu would find the US position acceptable, "despite the fact that he has been under some pressure from the hardliners to toughen his stand on negotiations." Thieu's main concern, Bunker thought, would be that the bombing halt agreement might be a precursor to an early cease fire, which he would prefer to put off as long as possible. Finally, the Ambassador thought Thieu must be given time to inform Vice President Ky, Prime Minister Huong, the Minister of Defense, and possibly one or two others shortly before the US action became known so that their full cooperation could be enlisted.

Instructions for Paris

118. On the basis of the recommendations from Paris and Saigon, and the assurances of the Soviets, Washington offered some

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tentative instructions for Harriman and Vance for the next meeting in a cable drafted by William Bundy and Walt Rostow. In response to the DRV question, "Would the US agree to halt the bombing if the North Vietnamese agreed to GVN participation?" Harriman and Vance were instructed to give the following reply:

"We are prepared, depending on your response to this representation as a whole, to order the cessation of bombing and all other acts involving the use of force against the territory of the DRV if you agree to begin serious talks the next day in which representatives of the Government of the Republic of Vietnam will participate on our side."

The US team was also instructed to inform Hanoi that it was essential that there be no misunderstanding on the two points which described the situation following a cessation of all bombardment in which the President's ability to maintain that situation would be affected by certain "facts of life." Hanoi was to understand that:

(1) "The simple fact is that military activities in and certain military activities near the DMZ would not be consistent with serious talks, such as firing of artillery, rockets and mortars from, across and within the DMZ; and the massing

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or movement of forces near the DMZ in a manner threatening to the other side. These restraints would, of course, be observed by both sides."

(2) "The other simple fact is that indiscriminate armed attacks against major cities in South Vietnam would not be consistent with such talks."

119. Washington was concerned that the acts of force aspect of the formula be spelled out in detail in order to exclude unarmed reconnaissance over North Vietnam. We had repeatedly used the general terms "bombing" or "bombardment" in the public sessions, and beginning with the second Vance-Lau meeting had spelled out carefully the longer and more exact term "bombing and all other acts involving the use of force." In an earlier conversation, Lau had asked about "other acts of war" and Vance had said that we would have to discuss what this involved at a later point. This issue had not come up again in any of the private talks since September 7. Thus, Washington was concerned that we could be faced with the possibility of a misunderstanding or purported misunderstanding with the North Vietnamese on this point, as -- in fact -- we subsequently were.

120. The US delegation in Paris thought the instructions were too stiff and recommended that we limit the statement strictly to

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the GVN aspect, dropping any effort to secure an acknowledgment of our conditions on the DMZ and the cities through the phrase "our representation as a whole." They read the phrase as imposing a condition that there be a prior explicit agreement on the DMZ and cities and "that would be contrary to what we have told the DRV under our prior instructions and, in our judgment, would be considered by them as a demand for explicit reciprocity." Harriman and Vance assumed that this was not what Washington intended and recommended that after they had made their complete statement they simply ask, "What is your response?"

Comment: Ambassador Harriman was like a downed pilot approaching an uncharted island in a life raft: afraid to land for fear it might be a mirage. Consistently since first assuring Washington following the September 15 meeting that Hanoi understood our position on the DMZ and the cities, he had opposed all suggestions to tie down explicitly this understanding.

121. The US team in Paris also questioned whether the US should insist upon a meeting to include GVN representatives within 24 hours of the cessation. They doubted that Hanoi would be able to

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produce NLF representation on their side of the table that soon and suggested that the period be extended to two or three days.

122. Washington agreed to the deletion of the phrase "as a whole" and accepted Harriman's recommendation that the US team ask Hanoi, "What is your response?" If the DRV representatives expressed any objections to our points on the DMZ or the cities, the US team was to inform them that this was a matter which would have the most serious consequences and require basic reappraisal by Washington. With regard to the timing for the first meeting following the cessation, Washington insisted that Paris maintain the position that serious talks should begin the next day. Washington, Rusk said, attached importance to a visible meeting including the GVN the day following the cessation.

Comment: The timing of the first meeting was to become a key issue over the next several weeks, although Washington ultimately backed away from its insistence on a meeting within 24 hours of a cessation.

Lining Up Thieu

123. On the basis of Bunker's favorable assessment of the situation, State informed him on October 12 that he should immediately inform President Thieu of the status of the private contacts in Paris

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and obtain his concurrence to the proposed reply which the US was considering. Thieu had been periodically informed by Bunker of the progress of private talks and had expressed interest in the reaction of the North Vietnamese to the US insistence on GVN representation. However, Thieu had not probed Bunker for the details of the US bargaining position. At the time of the October breakthrough, the South Vietnamese President was not familiar with all the nuances of the US proposals for a bombing halt agreement.

124. Ambassador Bunker was instructed to tell Thieu that he could inform Ky, Huong, and other close advisors of the impending breakthrough, if he wished, but we would hope that he would not do so in such a way as to hold up the immediate action the US planned, or to create any chance of a leak. It should be emphasized in the strongest possible terms that total secrecy was required.

125. Bunker was given complete latitude in mobilizing the arguments to be presented to Thieu in support of the proposal. However, there was one point to which Secretary Rusk attached "considerable importance." The Secretary believed that the presence of the GVN at the negotiating table was an implicit acknowledgment by Hanoi that the consent of the GVN was required for a settlement of the conflict. Rusk thought this was "a simple idea which carries with it the most

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enormous consequences." It had the most vital bearing on Thieu's ability to defend the arrangement, for, on the basis of Hanoi's public statements alone, their prompt acceptance of the GVN at the table required them to "eat a great many words" and would surely be seen in Saigon as elsewhere "as a very major and visible concession on their part."

126. President Thieu was to understand that only a part of the final agreement would be made public in order to meet Hanoi's objections to the appearance of reciprocity. The US would not expect to specify publicly the understanding on the DMZ and the cities, and GVN would also have to refrain from doing so. The only immediately visible sign of a concession by Hanoi would be the GVN presence at post-cessation talks. On the basis of President Johnson's August 19 speech and the Honolulu Communique, the American public and South Vietnamese political leaders should draw the conclusion that we had good reason to believe that there would be significant deescalation and that serious talks would get underway. We would let this conclusion be drawn and not amplify it in our own public statements announcing the cessation.

127. Bunker, General Abrams, and Ambassador Burger met with President Thieu on October 13 and went over the developments of the past four days, starting with the October 9 tea break. General Abrams

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outlined the military situation and the implications of a bombing cessation on the allied military position. There was an exchange of views about what prompted Hanoi to shift to negotiations, and then Thieu asked why we did not make infiltration an issue. The American delegation explained that infiltration was difficult to document and it would be hard to prove violations of any understanding, whereas the points we were insisting on were clear. Violations of the DMZ or attacks upon the major cities were easy to detect. Moreover, General Abrams was confident that we could handle whatever infiltration Hanoi would initiate.

128. Thieu replied that so long as we were going to press the offensive in the South and in Laos, and so long as we were prepared to resume the bombing if the Communists violated the DMZ or attacked the cities, he was prepared to go along. "After all," he said, "the problem is not to stop the bombing, but to stop the war, and we must try this path to see if they are serious." Thieu added that if the Communists were serious about the negotiations, they would probably propose a cease-fire shortly after the talks started. He didn't believe we should fall into this trap. We could welcome a cease-fire proposal and say we were ready to negotiate on it, but we must make any cease-fire part of the general settlement, or at

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least not agree to it until we had some understanding on other things such as the withdrawal of forces. Bunker replied that Thieu knew from the joint US-GVN negotiating meetings that we were all aware of the pitfalls involved in a cease-fire proposal. Following a discussion of timing and procedures for handling the required action, Bunker made it clear that we could not say publicly that there were conditions of reciprocity, but the facts would speak for themselves. Thieu said he understood this.

Comment: Bunker told Washington that he was surprised at Thieu's reaction. He had expected that the South Vietnamese President would take the night to think about it before giving his answer. But, according to Bunker, he responded "immediately and unequivocally." Bunker observed that "most times he thinks clearly and logically. This meeting was the latest demonstration of this. It was also the answer to those who think he is indecisive."

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129. In a meeting on October 15, President Thieu told Bunker that he would prefer not to bring his colleagues into the picture until he knew the outcome of the next private meeting. He said this would still allow him time to tell the others in advance of any announcement. He told Bunker that he once again wanted to impress upon the US the importance of avoiding a long delay between the cessation announcement and the first meeting to be attended by the GVN. If there were a long delay, he would have serious problems. Bunker assured him that we were aware of this. Thieu said Ambassador Lam would head the Saigon delegation in Paris initially, but would need to be reinforced. Bunker asked if Thieu had in mind to use Vice President Ky, as he once indicated he might. Thieu was vague and noncommittal in answering, leading Bunker to conclude that he did not intend to send Ky to Paris, at least not in the early stages of the talks.

Activity in Washington

130. In Washington, meantime, State had instructed the US ambassadors to the troop contributing countries to inform the TCC heads of government of the impending bombing halt. The instructions stated that the US now had reason to believe that our position on the DMZ and the cities was "so clearly understood" that we could

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anticipate that the Communists "would in practice refrain from such military actions" as we had specified would jeopardize serious talks. While the DRV had refused to give us an express understanding on these points, we now had a situation "where their clear understanding, plus the visible and substantive nature of the acts" we had specified, added up "to a picture that gives us confidence in our judgment." In the terms used by President Johnson on August 19, we had solid "reason to believe" that they would comply with these military restraints.

131. The US ambassadors were also informed that -- "most important of all" -- Hanoi had indicated that it was about to give a firm commitment to accept the inclusion of GVN in post-bombing talks, and in view of North Vietnam's public statements consistently rejecting any form of discussion with the GVN, agreement on this point "should be seen as a very major and visible step by Hanoi." It was noted that General Abrams and Ambassador Bunker "wholeheartedly" agreed with the proposal to stop the bombing in exchange for final agreement on GVN inclusion and a clear understanding on the two points of military restraint and that President Thieu also concurred "without reservation." Thus, the next step was for the ambassadors to inform the TCCs of the situation and get their

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concurrence at the "earliest possible moment."

132. In presenting the matter to the TCCs, the ambassadors were instructed to make the following points that had "long figured" in US planning:

(a) We planned to continue and intensify our bombing actions in Laos and had already made approaches to Souvanna that gave us confidence that he would accept this.

(b) We expected to do everything within our capability to maintain the momentum of our military actions in South Vietnam and planned to make no change with respect to Laos and Cambodia.

(c) We would continue the necessary aerial reconnaissance over North Vietnam.

(d) We, of course, expected to maintain our full support for the GVN and its armed forces along the lines recently confirmed in Honolulu.

(e) Finally, we intended to make it clear that we would resume the bombing in the event of violation of the DMZ or attacks on major cities.

If the question of infiltration were raised, the ambassadors were to point out that this was not specifically included in the understanding.

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Its omission was based both on the difficulty of ascertaining the exact rate of infiltration and obtaining usable evidence of it, and on the military judgment that our actions in Laos, plus the DMZ understanding, would impose significant restraints on infiltration and, from a military standpoint, we were confident that we could deal with whatever infiltration continued.

133. The State Department instructed the ambassadors to emphasize the importance of security and urge that whatever disclosure was made within the host government should be made only at the last possible moment. Because State was concerned that getting President Marcos' concurrence at this stage would involve a serious risk of leak, Manila was instructed not to inform the President at this time. He would be cut in after a firm agreement had been reached, but before it was announced.

134. Although steps were promptly being taken to consummate an agreement with Hanoi, some high officials in Washington were concerned that the United States might be falling into a trap on the impending deal. On October 14, Walt Rostow cabled Bunker and Abrams that President Johnson wanted to insure that all parties "examine with utmost care the loop-holes and contingencies in the deal we are considering to make sure it is as copper-plated as we can make it." The President wished the US team in Saigon to

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examine the possibility that Hanoi was simply seeking a respite to prepare for another offensive, creating in the interim an atmosphere of hopeful expectations and euphoria which would make it difficult for the US to resume the bombing and otherwise maintain the "remarkable" momentum on the ground which General Abrams had achieved. Specifically, he wished to have the views of Bunker and Abrams on four questions: (1) what would be a reasonable and secure interval in which to assess whether Hanoi was seriously interested in making peace, once "serious" negotiations started? (2) could we maintain the morale, fighting spirit, and momentum of the ARVN and our own forces once serious negotiations started? (3) what standing rules of engagement would be required to protect the security of our forces in the face of violations of the DMZ? and (4) in view of Saigon's judgment that Hanoi was likely to propose a cease-fire, was a cease-fire proposal "highly advantageous to our side" being designed which we could put forward in the talks if such a proposition were put to us?

135. Bunker and Abrams replied that it was difficult to determine exactly what was motivating Hanoi, but it was likely that North Vietnam had "abandoned all hope of a military victory or of a unilateral US withdrawal by the next administration." If this were true, then Hanoi was confronted with the choice of

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trying to negotiate a settlement on a basis most favorable to them or to return to protracted guerrilla warfare. Initially, they would probably opt for the former course and could be expected to propose a cease-fire in place, mutual withdrawal of forces, and a coalition government. Bunker thought these proposals would be put forward early in the negotiations since they were simple conceptions with strong propaganda features from Hanoi's point of view and each was designed to give us trouble since we were obviously not going to accept them without working out carefully the details.

136. In specific reply to the President's first question, Bunker didn't think it was possible to fix in advance, even in rough terms, the length of the interval that should be allowed before we considered whether Hanoi was serious. He thought we should have a pretty good picture in a month or two after serious talks began, particularly if the negotiating sessions were frequent. By the end of the year, we would also have a pretty good idea of the morale of the VC/NVA forces as well as our ability to move into and establish ourselves in the contested areas. In the meantime, General Abrams remained confident that the North Vietnamese could not launch another major offensive for at least three months and, in any event, he was capable of handling anything they threw at us.

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137. Ambassador Bunker and General Abrams were also confident that the morale, fighting spirit, and momentum of the allied forces could be maintained. The main problem would be to justify to the Congress and the American people our unwillingness to agree to a cease-fire in place and our opposition to a coalition, or, "to put it another way, justifying to the American public further casualties while we negotiate for a successful outcome of our enormous effort here. "

138. With regard to providing for the security of our forces in the event of violations of the DMZ, General Abrams suggested a contingency plan which he thought would be adequate to the task. And Ambassador Bunker assured the White House that efforts were presently under way, in consultation with GVN, to develop an advantageous cease-fire proposal which could be submitted in Paris once the serious discussions were underway.

Comment: President Johnson's state of mind at this point was reflected in a cable which Secretary Rusk sent Harriman and Vance on October 12. The Secretary wanted them both to know that before the President's departure to spend the weekend at the Ranch, LBJ had discussed the developments at the October 11 meeting and

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emphasized that he placed great importance on everyone in Washington, Saigon, and Paris "being in full accord" that the bombing should be resumed if the DRV "clearly" violated the understanding on the DMZ, cities, or GVN participation following a cessation.

New Developments in Paris

139. In Paris, events were moving swiftly. On October 14, Hanoi's chief negotiator, Le Duc Tho, returned to the DRV. Harriman and Vance read this as an indication that the DRV was signalling that it had reached rock bottom in its position on a bombing halt. However, it might mean that Tho was going back to Hanoi to consult on what line the DRV would take in the subsequent negotiations once the deal had been wrapped up.

140. In consultations between Washington, Saigon and Paris, the US was busy formulating its timetable for a bombing halt once agreement were reached. On the 15th, State cabled Saigon a draft text for a joint Presidential statement announcing the bombing halt. Bunker was instructed to get Thieu's concurrence to this statement. State also proposed a time sequence for events leading from DRV agreement to the US position to the first meeting at which the GVN

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would be present. State's suggestion was predicated on the assumption that the DRV would agree to GVN participation at a private meeting scheduled for 4:00 p.m. Washington time on October 15. If this happened, President Johnson would announce the agreement at 8:00 p.m., the bombing would halt at 5:00 p.m. the following day and the first session of the "serious talks" would take place at 5:00 a.m. on October 17. One of the problems with working out such a schedule was the time difference between Washington, Saigon and Paris. The US delegation in Paris objected to this schedule since the proposed Paris meeting would take place only 12 hours after the bombing halt and would be the same day Hanoi time. Ambassador Bunker argued that the timetable was "out of the question," for it would create unnecessary suspicions and dangerous complications for Thieu. He strongly urged that the bombing halt be delayed 24 hours from the schedule Washington proposed in order to give Thieu time to inform his colleagues and to prepare his own statement on the cessation. Bunker also argued that Washington's schedule did not allow sufficient time for North Vietnam to invoke the implied restraints by their forces, with the result that "we would have a confused and inauspicious beginning."

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141. Ambassador Bunker subsequently conferred with President Thieu and went over with him the time sequence and proposed joint Presidential statement. Thieu raised several objections to the Washington draft, but they did not appear to be fundamental differences.

Comment: The substance of the joint Presidential statement subsequently became a major point of issue between Saigon and Washington.

142. Meantime, Ambassador Sullivan reported from Vientiane that it had already been noted there that Le Duc Tho had returned to Hanoi and that North Vietnamese troops had withdrawn from various areas in the DMZ. As a result, there was an air of anticipation in the Laotian capital. As for a shift of bombing weight to Laos, Ambassador Sullivan reported that "all systems are go" and there was no need to tell Souvanna of the impending halt until the announcement was made.

143. On the evening of October 15, Harriman and Vance met with Xuan Thuy and Colonel Lau. The US team opened by reading the prepared text authorized by Washington and gave special emphasis to the sentence "and all other acts involving the use of force against the territory of the DRV." Thuy asked that the full statement be reread, which was done. Thuy then said that at the meeting on October 11

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the US had reaffirmed that it would not ask any condition or reciprocity for the cessation of bombing. The DRV had taken note of that statement and had asked if the US would stop the bombing if the DRV agreed to the participation of the Saigon administration in the post-bombing negotiations. The US had now given its reply. In response to what the US side had just said, he would answer as follows: "If the United States unconditionally stops the bombing and all other acts of war against the DRV, then after the cessation of bombing the two sides agree that there will be a four-party conference including representatives of the DRV, the NLF, the U.S. Government and the Saigon administration for the purpose of discussing a political settlement of the South Vietnamese problem." The DRV adopted this position, Thuy said, in order once again to prove its good will and to permit the conference to proceed toward a peaceful settlement of the South Vietnamese problem. Thuy added that there was one more thing he wished to say: "When the US announces the complete cessation of bombing and other acts of war, be it tomorrow or the day after, the following day the DRV side shall discuss with the US side the manner of convening a conference."

144. Harriman objected that Thuy was injecting new conditions which had not been discussed before. We had made it plain that we expected GVN representatives to be present on our side at the meeting

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to be held immediately after the cessation and the DRV side could have with it the NLF or anyone else it wished. The procedures, agenda, and other matters would be discussed by the two sides. The DRV had never raised these matters before, but we had made it plain that there could not be serious talks unless the GVN had its representatives present.

145. Thuy argued that since the DRV had agreed to GVN participation in post-bombing negotiations, it was the US which was adding a new condition by demanding that the Saigon administration participate in a meeting held the day after the cessation. The US replied that this was nothing new. We had said repeatedly that we would be accompanied by GVN representatives at the meeting following the cessation. Thuy said that it was very easy for the US to arrange for a representative of GVN to attend a session on such short notice. However, the DRV side must communicate with Hanoi and the NLF. This would take time. Thuy added that "the sooner that this conference is convened, the better." The US team suggested that a token delegation be present at the first meeting. The GVN Ambassador in Paris would most likely represent Saigon, and the NLF could be represented by one of its people stationed in Paris or nearby in Europe. Thuy replied that he could not designate a representative of the NLF to join the talks;

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only the NLF Central Committee could do that. If he could speak on behalf of the NLF, there would be no need to invite them.

146. Thuy added that what was important was that the two sides agreed that it was the question of the participation of the Saigon administration which affected the cessation of bombing, and not the question of how soon after the bombing halt a meeting between the four parties would take place. Harriman replied that the latter question was also important. Thuy wanted to know whether the US would stop the bombing without a firm date being set for a four-party meeting. The US replied that since Thuy had not given an unqualified reply to our presentation, we could not answer that question. Harriman reiterated his belief that Thuy was imposing a new condition by stating that a meeting with GVN representatives present must await the arrival of an NLF representative in Paris. Thuy replied that it was the US which was posing conditions. He said he wanted to repeat his position in order to make it clear. The DRV had agreed that if the bombing stopped there would be serious talks including representatives of the Saigon administration. Thuy hoped that such talks would take place as soon as possible, but he could not say definitely on what date. Now the United States said there must be talks including Saigon and NLF representatives immediately after the cessation, although they

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did not have full-fledged delegations. Thuy said he would report to his government that the US would not stop the bombing unless it knew a fixed date for the beginning of a conference which included the GVN and NLF. Harriman replied that this accurately reflected the US position. The meeting ended with the understanding that should either side receive word from its government, it would communicate immediately with the other.

147. On October 16 the State Department reported to Bunker and the US ambassadors to the troop contributing countries that an agreement with North Vietnam was hung up over the time element between the cessation and the first full meeting at which representatives of GVN and the NLF would be present. The DRV delegation had not challenged the restatement of our "understanding" on the DMZ and the cities, nor had they challenged our definition of acts of force which implicitly excluded reconnaissance, although twice they had an opportunity to do so. The key issue now was the date for the first meeting, and Washington had decided that the US could not stop the bombing until the DRV set a firm date for the appearance of the NLF representatives in Paris. Harriman and Vance were being instructed to inform Thuy at the Wednesday tea break that we could not set a date for cessation of bombing until we knew when serious

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talks would get under way with the GVN present. Once we knew the firm date for serious talks, we would stop the bombing 24 hours in advance.

148. Bunker was instructed to tell Thieu that we were "somewhat at a loss" to explain Hanoi's inability to set a definite date. However, it was conceivable that Hanoi and the NLF had genuine difficulties and perhaps were "troubled about transit through Communist China." In the meantime, Bunker was to attempt to work out with Thieu agreement on the joint Presidential statement.

149. The same day, Rusk instructed Harriman and Vance to inform Thuy at the tea break that we had no intention of stopping the bombing until the DRV gave us a date on which serious talks could begin with GVN representatives present. Harriman should point out that the US believed talks should get underway as soon as possible even though it might mean starting with temporary GVN and NLF representatives who could be made available promptly and then be replaced by permanent representatives. Rusk indicated that from Washington's point of view the presence of "warm bodies" at the table the day following cessation was important as a symbol, and it did not matter if they were soon thereafter replaced. The Secretary emphasized that time was of the essence; delay created a serious hazard of leaks.

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150. At the tea break on October 16 the US team informed Thuy of the US position on the importance of establishing a firm date for serious talks. Thuy responded that the US was advancing a new condition for the cessation of bombing, namely that talks with the GVN present must begin the day after the cessation. The US team pointed out that one of the things we had agreed to was prompt serious talks after the cessation of bombing. Thuy had proposed talks the day after cessation and that was how the question of talks within 24 hours had been raised. The US government had agreed that prompt talks would begin after the cessation of bombing and assumed that prompt talks meant talks the day after cessation. Thuy should report this understanding to Hanoi. Thuy replied that he had not agreed that there would be talks with the GVN and NLF present the day after the cessation. What he had agreed was that the DRV would talk to the US the day after cessation.

Comment: Thuy was correct. He had said the DRV was willing to meet the day after cessation with the US to discuss all questions, including the issue of GVN participation. He had not at any point indicated that the DRV would meet the next day with the GVN.

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151. Thuy indicated that he understood the US position and would inform Hanoi accordingly. However, he could not say what the response of his government would be. He had the impression it would be rejected since whatever he might explain, Hanoi would think a new condition had been put forward. Nevertheless, he would explain the US position in extenso and perhaps Hanoi would think otherwise.

Enlisting Soviet Support

152. In Washington, meanwhile, the difficulty which had arisen over the timing of the first meeting prompted the US to seek once again the support of the Soviets. On the evening of October 15, Secretary Rusk had gone over with Dobrynin the US presentation in Paris and emphasized the importance the US attached to GVN participation. The Soviet Ambassador indicated that he completely understood the importance of this point to the President and would report it to his government. On October 17, Rusk met again with Dobrynin and went over the problem of establishing a firm date for serious talks. Rusk said the US was prepared to move, but we could not accept any significant time gap between a cessation of the bombing and the beginning of expanded talks. We preferred a meeting "the next day," but there was some

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leeway in our position and "if the meeting is set on Monday, we can make our move Friday or Saturday." Dobrynin indicated that he understood the US position "perfectly" and would immediately explain the situation to Moscow.

Secretary Rusk Reviews the Situation

153. In a message to Ambassador Harriman on October 16, Secretary Rusk assessed the current state of the negotiations and commented on the importance which he attached to certain key elements of the US proposal. Washington had been proceeding, he said, on the basis that a cessation of the bombing would be followed immediately by talks in which the GVN participated. This was not only a fundamental point of policy, but was "the only immediate and visible sign" that Hanoi had moved at any point. DRV agreement on an early meeting with GVN representatives present was basic "because otherwise we would be in the position of a unilateral cessation of bombing with nothing in exchange." Harriman had insisted that we not make public the understanding on the DMZ and attacks on the cities because that would offend Hanoi's attitude toward "conditions." We had accepted, Rusk said, "though with some misgiving," Harriman's view that "silence on the part of Hanoi

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on these two points was an adequate basis on which to proceed, with the clear understanding that we would resume the bombing immediately if we were disappointed." However, we must have a day certain for the beginning of the talks in which the GVN was present before we could deliver our part of the arrangement, namely, the cessation of the bombing. A bombing cessation followed by a week or a month's delay in getting off to serious talks would, Rusk declared, "create an utterly impossible situation both internationally and domestically. Bunker and Thieu simply could not manage the situation in Saigon under such circumstances."

154. Rusk pointed out that the North Vietnamese delegation had, according to Harriman's reports, said the talks could "begin the next day." The Secretary did not believe we could abandon this idea on the grounds that this phrase was used at an earlier stage before Hanoi indicated they would agree to the presence of the GVN and that the talks on the next day would be about the question of representation. The visibility of the presence of the GVN, the Secretary insisted, was the only thing we could point to in connection with the major move by the United States in stopping the bombing. Since the presence of the GVN was utterly fundamental, we could not take our step with ambiguity

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or delays on this most fundamental point of all. "We simply cannot take any risk," said Rusk, "of being in the position of having to resume the bombing after a few days because we are wrangling about the question of representation."

155. Having said this, Rusk proceeded to authorize some latitude in the US position. "You need not," he told Harriman, "adhere rigidly to 'the next day' if you can get a date certain within two or three days, but we must be able to point to that date at the time of stopping the bombing if we need to." It seemed to the Secretary that the "simple fact" was that we had accepted Hanoi's proposition and were prepared to stop the bombing, but we wanted to know when they would deliver what they had promised to deliver. "The object of the Paris talks," Rusk pointed out, "is not to get the United States to stop the bombing, but to move towards peace." The date was now up to Hanoi; the US was ready. "If Hanoi cannot deliver an NLF delegation, then we go back to the drawing boards. When Hanoi can deliver an NLF delegation, we can move."

Comment: Rusk's tone was unusually harsh, although he attempted to meliorate it by assuring Harriman that he and Vance had "handled these talks with great skill." It is difficult to determine precisely what prompted Rusk's cable, but it may have been in response to a telephone

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request by Harriman for a relaxation in the US demand for a "next day" meeting. Rusk's reference to accepting "with some misgiving" Harriman's views on Hanoi's "understanding" of our position on the DMZ and cities may have been a delayed reaction to the Governor's objections to his original instructions for the October 15 meeting which required that he insist on DRV acceptance of "our presentation as a whole," which he regarded as a demand for explicit reciprocity. And the Secretary's emphasis on the importance of a "visible sign" that Hanoi had moved paralleled the views of Ambassador Bunker. It is likely that Rusk's message closely reflected the attitude of President Johnson who was anxious to get a "copper-plate" deal and didn't want to be placed in the position of resuming the bombing because Hanoi refused to deliver on the "understanding" which had been worked out.

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Nervousness in Saigon

156. In Saigon President Thieu moved to widen the circle of Vietnamese leaders who knew of the US proposal. At 9:00 a.m. on the morning of October 16, he met with the members of his National Security Council and the leaders of the Assembly. Thieu told Bunker following the meeting that his colleagues were all agreed on the three points related to a bombing cessation: the DMZ, the cities and GVN participation. However, they were unanimous in expressing their concern about the NLF presence at the negotiations. He indicated that they were worried about the NLF appearing with their flag and being treated as a government or entity separate from Hanoi. The GVN leaders were also concerned about seating arrangements being such that it appeared that Hanoi and the US were opposites as were also the GVN and NLF. Bunker assured him that we were very conscious of the efforts which Hanoi and the NLF would make to establish the independence of the NLF, and it was for that reason that we had insisted on the "our side/your side" formula. Bunker suggested that tactics for coping with this problem be left to the US and GVN delegations in Paris to work out.

157. After Bunker briefed President Thieu on the results of the private meeting in Paris the previous night, Thieu referred to the US proposed joint announcement on cessation and said he would prefer that no reference at all be made to the convening of a formal session following

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the bombing halt. He also indicated that he would soon submit to Bunker a draft of his own separate statement on the cessation.

Comment: It was immediately obvious to Washington that Thieu was encountering domestic opposition to the impending agreement which was apparently far greater than he had anticipated and which centered principally around the role the NLF would play at post-cessation talks.

158. Shortly after Thieu's meeting with his National Security Council, GVN Minister of Foreign Affairs, Tran Chanh Thanh, had called in the Ambassadors of Korea and Thailand and the Charges of Australia, New Zealand and the Philippines to report to them as troop contributing countries that South Vietnam and the United States were considering a bombing cessation. When Thieu told Bunker of this move by Thanh, the US Ambassador expressed shock and protested that it could jeopardize the efforts in Paris. Thieu said he now recognized that the action had been premature, but they had not been told very much, only that there might be some developments along these lines.

159. Bunker immediately informed Washington of this development and instructed Ambassador Berger to call upon Thanh. Berger asked the Foreign Minister to inform the ambassadors and charges that the

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information he had given them was already known, and only known, to their heads of government. It was very important that they not cable this information to their foreign ministries or other persons in their governments, but hold it for the time being in view of the delicacy of the talks. While Thanh said he would do this, Bunker didn't wish to take any chances so he and Berger personally contacted the TCC envoys and impressed on them the need to refrain from sending messages regarding the Thanh briefing. Bunker reported that he thought he could head most of them off, but he was worried about the Filipino charge. He suggested that Washington consider informing Marcos to avoid the news coming to him from his emissary in Saigon before he was informed by the United States Government.

160. Bunker could not account for Thieu's instruction to the Foreign Minister to call in the TCC representatives. At his 6:45 a.m. meeting with Thieu that day, the President had said he would at some state call in the TCC envoys, but Bunker never dreamed that Thieu would do so in this fashion since he had made it clear that we did not have the results of the private meeting and that the TCCs would be informed as soon as we did have the results. Bunker had also impressed upon him at each meeting at which the Paris proceedings had been discussed that only the heads of government of the TCC countries were being informed of what was taking place

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and that the entire matter was of the highest sensitivity. There were many rumors circulating in Saigon about a bombing cessation as a result of the lull in the fighting, the return to Hanoi of Le Duc Tho, and Bunker's frequent meetings with President Thieu. The Ambassador feared that as a result of the Thanh briefing, the probability of a leak was very great and he recommended that Washington develop a contingency plan for dealing with press inquiries regarding the status of the Paris negotiations.

Comment: The South Vietnamese apparently did not realize that their action was premature, since at the time of the Thanh briefing they did not yet know that we had failed to reach agreement at the October 15 meeting in Paris. Thanh called in the TCC representatives almost simultaneously with Bunker's call on President Thieu to brief him on the latest hang-up in Paris. It is likely the South Vietnamese wanted to get out in front on the cessation agreement and show that Saigon, not the Communists or the United States, held the initiative. Apparently they believed this would improve their image of strength in any forthcoming talks.

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161. The US Ambassadors in the troop contributing countries were alerted to the developments in Saigon and instructed to inform the head of government of their host countries that a report of the Thanh briefing might come from their Saigon representatives through regular communication channels. The US Ambassadors were to make every effort to impress on the TCC heads of **government the necessity** for maintaining the tightest possible security.

162. By this time, however, a flurry of stories were coming out of Saigon about an impending bombing halt and Prime Minister Gorton volunteered the information to a newsman that the Government of Australia had been consulted frequently "over recent days" about developments in Paris. Not only did the Gorton statement add fuel to the fires of speculation about a bombing halt, it focused attention on the possibility of private US-DRV contacts since there had not been a public session in recent days. Washington moved promptly to attempt to quell the speculation. The State Department instructed the US Ambassadors in the TCC countries to urge the TCC heads of government to refrain from following the Gorton example and decline all comment on the status of the Paris negotiations. In Washington, President Johnson placed a conference call to the three Presidential candidates and told them that, in light of the recent rumors about a possible bombing halt, he wanted them to know that there was no change in the

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US position and no prospect for an immediate breakthrough in Paris. Shortly thereafter Press Secretary George Christian released a White House statement which declared that the position of the US with respect to Vietnam remained as set forth by the President and Secretary of State and there had been no basic change in the situation, "no breakthrough." If there were any new development, the press would be promptly informed.

163. On October 17, Ambassador Bunker met with Foreign Minister Thanh. Under instructions from President Thieu, the Foreign Minister raised a number of questions of a procedural nature about which GVN was concerned. Thanh pointed out that it was one thing for the NLF to sit as part of the "other side" and another for them to have a separate name plate or flag that would identify them as a separate delegation. Problems would likewise arise if the seating arrangements were in a quadrangle, although from the point of view of enhancement of NLF status he was also bothered by NLF personnel sitting across as if they were "opposite numbers" of the GVN delegation. By way of illustration, Thanh said that a photograph showing an NLF delegation sitting as if they were co-equals of the GVN could result in "the overthrow of the government."

164. Thanh brought up a number of hypotheses, each of which he found troublesome or even exasperating: the DRV delegation might

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come into the meeting room alone, followed by a separate entrance by the NLF; the "other side" might be represented by only two people, symbolizing some kind of equality between the DRV and the NLF; or the DRV might claim that it could not speak to certain subjects because they concerned only the NLF. The Foreign Minister asked Bunker if he could think of any way to counter such tactics. The Ambassador attempted to reassure him that the US team in Paris as well as he and his associates in Saigon had a great deal of experience in dealing with Communist tactics and such problems as the Foreign Minister outlined could be adequately coped with. However, the important point to remember was that under the "our side/your side" formula it was impossible to prevent the Communists from saying and doing unreasonable and unacceptable things; these were standard Communist tactics in the course of negotiations. It was obvious that the DRV would claim all kinds of things for the NLF; but we would attempt to anticipate and counter them. Thanh said it would be difficult for the GVN to come into the meeting until these matters were worked out. Bunker replied that it would be impossible to have all of them ironed out in advance of the first meeting.

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Comment: Bunker advised Washington that while he thought there was "a certain validity" to some of GVN's apprehensions, GVN nevertheless had to recognize that if they were going into the talks, the NLF was going to be there and the GVN would not have everything its way. He proposed to talk to Thieu about the matter.

165. On the evening of October 17, Ambassador Bunker met with Thieu. Foreign Minister Thanh and Presidential Advisor Nguyen Phu Duc were also present. Bunker reported in great er detail the private meeting in Paris on October 15 and referred specially to Xuan Thuy's proposal that the US and DRV meet the day following the cessation to discuss the manner of convening a four party conference. Bunker explained that the US had protested that the DRV was injecting a new condition and Harriman had held firm for a meeting including GVN representation the day following a bombing halt. Bunker noted that Thuy had said he would report the US views to Hanoi and it now appeared that we must wait for a reply. Bunker did not know when that might be forthcoming, but he thought it might be rather quickly.

166. Thieu expressed appreciation for the additional information and for the position the US had taken regarding GVN presence. He said

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it would cause great difficulties for the GVN should a meeting take place after cessation without GVN representatives in attendance.

167. Bunker then took up the text of the joint Presidential announcement and discussed some of the changes which Thieu had suggested. The disagreement centered around references to previous US-GVN statements on the circumstances under which the two governments could agree to a bombing halt. Bunker suggested the addition of a paragraph which was in effect a paraphrase of the language in President Johnson's August 19 speech and which also tied in the joint statement which had been issued at Honolulu. Thieu said he would like to study the proposal overnight before making a decision. Bunker noted that it was important that an agreement be worked out as soon as possible since we might get a reply from Hanoi at any moment.

168. Bunker also raised a question about the statement which Thieu planned to issue following a cessation. The US was bothered by it because it contained too many things which looked like demands or conditions. Bunker pointed out that this was not the time to bring up the question of the recognition by Hanoi of the GVN or the GVN's non-recognition of the NLF. To get too specific about the conditions under which GVN would enter the expanded talks might torpedo them before they got started.

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169. Thieu insisted that the public must have some indication of what it could expect if the bombing stopped. Bunker replied that he realized the GVN was nervous about the short period between the announcement and the first meeting, but, as he had previously pointed out, the facts would speak for themselves and there would be ample opportunity after the talks started to put forth the GVN position. The question of recognition or non-recognition should not be interjected into the talks, nor should the GVN tip its own hand by stating its position before negotiations started. The idea of the "our side/your side" formula was that while Hanoi could say anything it liked, the GVN would be present and could also put forward anything it wished. After some discussion between Thieu, Thanh, and Duc in Vietnamese, the President told Bunker that they would like a little time to consider the points he had made and would discuss the matter with him the next day.

170. Bunker brought up the problem of maintaining security. He said the previous night a GVN official told some of his friends in Bunker's presence that he knew for a fact that President Thieu had briefed the leaders of the Assembly about a bombing cessation. Bunker said that it seemed to him that too many people had been brought into the picture. To complicate matters further, the press had gotten wind of the fact that the Foreign Minister had called in the representatives of

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the TCC countries. He had instituted the tightest restrictions in his own embassy, and in Washington only the smallest handful of officials had knowledge of the secret talks. He would appreciate it if Thieu followed up with everyone with whom he had talked about the matter to make sure they kept quiet. Thieu replied that he would do so and expressed surprise at the incident involving a Vietnamese official. However, Thieu appeared defensive about the matter and noted that the two calls the Ambassador had made upon him the previous day had obviously aroused curiosity and suspicion. Even the Voice of America had called attention to them. Thieu said, however, that he would do the best he could to keep things under control.

Sensitivity in Washington

171. Thieu's best, however, was not good enough for President Johnson. Prone to play his cards close to the chest, with an Ace or two in reserve up his sleeve, the President was irritated by the cascade of leaks. On October 17, Bunker was informed by the White House that the leaks coming out of Saigon were "a cause of the greatest concern to the President." They generated in the United States "enormous confusion and pressure" and they very well might interfere with "the possibility of carrying forward a successful negotiation at a critical stage." Bunker, therefore, should tell Thieu that we might not be able to give him as much notice should the negotiating process

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bring us to a moment of decision "unless" better communications security prevailed.

172. The irritability level of Secretary Rusk appears to have dropped into the LBJ range as a result of either the flurry of speculative stories coming from allied capitals or the heat emanating from the White House. The Secretary advised the US Ambassadors to the troop contributing countries that leaks were generating confusion and pressure in the United States and might have endangered the possibility of our moving successfully through a critical phase in the negotiations. On the whole, he thought the ambassadors and the governments to which they were accredited had handled the information passed to them with discretion. And, in all cases, he knew whatever leaks may have occurred arose "from perfectly understandable and decent intentions." However, they must stop. He understood that the interests of many were involved in the US decision about bombing North Vietnam, but it was a decision which related primarily to the application of US air power: "our planes and our pilots." It might be, therefore, that should the negotiations again move to a critical phase, we would not be able to give as detailed notice as we had in the past few days, "due to the inability of some involved to maintain security."

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173. Australian Prime Minister Gorton had been quoted by the wire services as saying that negotiations between the US and North Vietnamese had been going on for some days and "with a bit of luck President Johnson could be expected to make a statement soon." Rusk advised Canberra that we understood "what Gorton conceives his political problem to be." However, if he were not "capable of dealing with the pressure involved in a matter of this kind" and sticking with a simple "no comment," we would have to deal with him "on a much shorter tether."

Paris Warns Against Rocking the Boat

174. The US delegation in Paris entered the lists against Thieu and his colleagues by cabling home that they could not understand the GVN nervousness. They had arranged for GVN representatives to be present at the first meeting and procedural matters would be discussed then. They had declined to discuss any aspect of post-bombing negotiations without GVN presence and when procedures were discussed, GVN would have an ample opportunity to put forward its position. The US team could not see how the US could accept some of Thanh's views which appeared to be a re-opening of the agreed upon "our side/your side" principle. The US could certainly not be expected to determine exactly where the NLF delegation sat on the DRV side or

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in what order the delegations came through the door. However, those aspects of Thanh's concern which were realistic would be taken into account when the two sides began to discuss procedures.

175. Harriman and Vance were particularly concerned about Thanh's implied threat that unless procedural details were worked out in advance, GVN would not participate in post-bombing talks. They regarded this as totally inconsistent with the emphasis the US had placed on an almost immediate meeting in which GVN would be a participant and "Thanh must be disabused of this position."

176. Pursuant to instructions received from Washington, Harriman and Vance met on the morning of October 17 with Xuan Thuy and Ha Van Lau to advise them that the US was no longer insisting on a meeting within 24 hours of a cessation. The US team said that since the last meeting they had confirmed that there had been a real misunderstanding as to the timing of the next meeting after the cessation of bombing. The US had assumed that the DRV's suggestion to meet one day after the cessation would apply to any meeting, including a meeting at which representatives of the GVN and the NLF would be present. We had further assumed that the DRV had already communicated with the NLF and received its agreement to meet at an early date; in fact, the day after the bombing

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stopped. It came, therefore, as a real surprise to us when Thuy had not been able to say when the first meeting could take place.

177. Having thus explained the basis of the misunderstanding the US team said that the question of meeting the day after the cessation was not as rigid as we had originally indicated. However, we must still have a firm date. If the DRV gave us a fixed date for a meeting, we could assure them that we would stop the bombing two or three days before that date. Harriman explained that he was going into such detail so that there would not be any misunderstanding on this point in Hanoi.

178. Thuy replied that at the time of the October 15 meeting the DRV did not know whether the US would stop the bombing if Hanoi agreed to GVN participation, and they had not arranged with the NLF a definite schedule for a meeting. However, he did not see much difference between the original US position and the modification now stated by Harriman. The US still insisted on a firm date for a meeting before it would stop the bombing. Colonel Lau added that this amounted to a condition and ran counter to the US assurance that it was willing to stop the bombing unconditionally. While the US may describe the situation as a misunderstanding, he regarded it as a substantive disagreement over a demand for reciprocity.

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179. The US replied that both sides had always accepted the fact that "prompt and serious" talks would follow the cessation of bombing. We had originally thought the definition of "prompt" to be one day because the DRV side had said that serious talks could take place one day after the cessation of bombing. We had discussed at great length the meaning of "serious" and the US had made clear that talks -- to be "serious" -- must include representatives of the GVN. We had come to an agreement on the meaning of "serious," but now there was a misunderstanding over the meaning of "prompt." We did not regard the question of holding a meeting promptly as a condition or as reciprocity, but as an indication of good faith on the part of the parties in moving to serious talks.

Continuing Soviet Interest

180. On the morning of October 18, Soviet Minister Oberemko called on Harriman and Vance to find out the status of US discussions with the North Vietnamese. The US negotiators outlined the current situation and told Oberemko that, in their opinion, the ball was now in Hanoi's court. The Soviet Minister said that he had been in touch with the North Vietnamese and they felt that the US had imposed a new condition at the last moment, i. e., that talks must begin within 24 hours. Harriman replied that no new condition had been imposed, the issue was

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one of definition of "prompt" and, assuming good faith on the part of the North Vietnamese, there had been a misunderstanding about that definition. In any event, we had now told them that when they gave us a date certain for the beginning of serious talks, the bombing would be stopped two or three days before that date. Harriman explained to Washington that since it was "obvious" that Oberemko wanted to be helpful, the US team explained at length why this was not a new condition but simply a definition of "prompt" talks.

181. Oberemko said that he felt that both the United States and the North Vietnamese were over-emphasizing the importance of this final matter and that there should be a way to find a compromise. Vance replied that we saw no way to compromise the matter; we had already agreed to change 24 hours to two or three days. The best thing for both Oberemko and the Soviet Government to do was to use their influence to get the North Vietnamese to give us as soon as possible the date on which serious talks would begin. Oberemko said that he would communicate this view to his Government.

182. The following day Ambassador Dobrynin called on Rusk at the State Department to transmit informally and orally certain views of his Government on the status of the Paris negotiations. He said his Government attached "due importance and seriousness" to the information which they had received in the past few days from the United States.

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The Government of the USSR was "actively assisting" in the present discussions and it was important not to allow "additional obstacles" to intervene at the present stage. He referred to a "concrete day" for the convening of a meeting and appeared to accept our view that the specification of a concrete day was related to the day on which we could stop the bombing.

183. He then turned to the October 15 discussion in Paris in which he said Ambassador Harriman had seemed to make a special point of the idea of a two-sided discussion rather than a four-sided discussion. He said this assumed importance because of the way in which Harriman had emphasized the point. He asked for Secretary Rusk's views on this point.

184. The Secretary told him that it would be most unfortunate if theoretical questions should be allowed to stand as an obstacle to serious talks for the purpose of making peace. We had said that the DRV could have on their side of the table anyone they wished and indicated that we expected to have the GVN on our side of the table. It was entirely possible, Rusk said, that each of those at the table would have a different view as to their status. The United States had been talking with the DRV since April even though we did not recognize their existence. The DRV looked upon the GVN as "puppets" of the United States and we regarded the NLF as only the "pretended" spokesman of the South Vietnamese people.

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Rusk said these theoretical questions could serve as a prolonged obstacle to the serious business of talking about peace. If the talks were conducted as we had suggested, anyone present could make any statements he wished to make, ask any questions he wished to ask and submit any proposals he wished to submit. We should not, Rusk emphasized, let theoretical problems stand in the way of this process.

185. The Secretary asked Dobrynin whether this point had been raised in Moscow or whether it had been raised by Hanoi. He said he did not know. Rusk told Harriman that he assumed that Hanoi had raised it and that Hanoi might be having some of the same problems with the NLF as we were having with Saigon.

Comment: Rusk advised Paris that the Dobrynin visit might be the channel through which Hanoi was raising this issue. If the Hanoi delegation raised it in Paris, the US team should deal with it along the lines Rusk had in his conversation with Dobrynin.

Hardening of Thieu's Position

186. On the morning of October 18, Foreign Minister Thanh called in Bunker's Political Counselor, Martin Herz, to inform him that President Thieu had sent instructions to Ambassadors Diem in Washington and Lam in Paris to "reaffirm" that if the NLF participated in

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the Paris Negotiations "as a separate entity" the GVN would not participate. According to Thanh, the President believed that the participation of the GVN in negotiations under such circumstances would bring "no advantage."

187. It was pointed out to Thanh that the other side would obviously attempt to pretend that the NLF were something separate, which was what they had always said, and there was no way to control what the other side said in the course of negotiations. Thanh insisted that the GVN was not moving away from its acceptance of the "our side/your side" formula: they agreed that the NLF could come as a part of the "other side," but the GVN would not come unless the status of the NLF was settled beforehand.

188. Herz took the position that this was the kind of issue that could not be settled by agreement beforehand and was best left unsettled, with each side holding to its own position. Thanh thereupon said the GVN understood that the other side would "pretend" that the NLF were a separate entity, but GVN wanted assurances that the US would not treat them as such.

189. After a futile attempt by Herz to impress upon Thanh that procedural matters of this sort were better left unsettled, the Foreign Minister was cautioned that it was of the utmost importance that the

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instructions to Bui Diem and Pham Dang Lam not leak out to the press, for it would make the GVN appear to be interposing new conditions to a bombing halt and to be involved in a major difference of policy with the United States.

190. When Ambassador Lam called on Philip Habib on October 18, he was not aware of the latest developments in Saigon. He had just received by mail a message from Foreign Minister Thanh which outlined the circumstances involved in the proposed cessation of bombing in terms which were vague, on key points inaccurate, and, in light of new developments, out-of-date. The references in the message to the circumstances which were to prevail in the DMZ and the major cities implied prior conditions rather than understandings, and the conditions with respect to GVN participation immediately following the cessation were stated in terms of a meeting within 24 hours. Lam had met the previous day with Harriman and Vance, but had only been given the state of the play in the most general terms. In his visit with Habib, he appeared unsure of what was happening and disturbed that his Government and the US delegation in Paris had not kept him better informed.

191. Lam conveyed to Habib the substance of the message from Thanh and commented that he regreted that he had not been told what was going on. Habib pointed out that President Thieu had been

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kept fully informed of all details and it was President Thieu's expressed desire that no one else be informed by the United States. We had agreed to this and had acted accordingly in the belief that it was up to President Thieu how he wished Vietnamese officials informed. Lam accepted the explanation, but said he took it as a lack of confidence in him on the part of his Government and he wondered if he could work under such conditions. He intended to call this to the attention of his Government and ask that in the future he be kept fully informed and that the US delegation be asked to consult fully with him on all matters which were being discussed with his Government. Habib said that it was up to his Government to keep him informed and to determine his instructions.

192. Lam noted that he was uncertain, on the basis of the message from the Foreign Minister, what was meant by GVN participation in the talks after the cessation of bombing. He asked what procedures would be followed to allow for GVN participation and what conditions had been imposed for the participation of the other side. Habib described the "our side/ your side" formula and said that, as far as our side was concerned, the GVN would be present and on the other side the DRV would be free to have whom it wished. Lam said this raised a serious question because the NLF would behave as an independent party and would

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attempt to equate themselves to the GVN. This was not acceptable as it would be tantamount to recognition of the NLF.

193. Habib replied that no question of recognition was involved by either side; the "our side/your side" formula avoided any such recognition. Lam said he believed that the procedures with respect to the manner in which the NLF would participate, including their relationship to the DRV, should be decided in advance of any cessation of bombing. It was difficult to see how the NLF could be seated on the other side and be allowed to behave as if they were an independent party. They would take advantage of this by acting separately and distinctly from the DRV, arriving and leaving the meetings separately, seating themselves separately, and speaking separately as representatives of the NLF. All of this meant they would be recognized as a sovereign entity. Habib insisted that no such recognition was involved. All it meant was that the NLF would be on the other side in the negotiations. Moreover, the principle of "our side/your side" was understood and agreed to by his Government.

194. Lam said that he did not believe his Foreign Minister understood the "our side/your side" formula and repeated again his view

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that all procedures involving the NLF should be agreed upon in advance of any cessation of bombing. Lam added that he could not see how he could participate on the basis of his present instructions. Habib said that he presumed Lam would be seeking new instructions now that he had been informed by his Government of what was envisaged, but as we saw it the question of procedures governing the meetings was a matter for negotiation with the other side just as had been done in preparation for the official conversations that were currently taking place. We would be discussing the question of procedures with the GVN delegation and the GVN delegation would participate in the meetings with the other side. These matters were already being discussed in Saigon, but, in the end, procedural matters would have to be handled in Paris through negotiations.

Comment: Although Ambassador Lam was well behind the state of the play in Saigon, his conversation with Habib acquires, in retrospect, some importance. His attitude toward the conditions under which the NLF would participate in the talks was virtually identical to that of Foreign Minister Thanh and, based on his own admission that he was not well informed

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by his Government, it is fair to conclude that his reaction was independent. This may explain the hardening of Thieu's attitude, for it seems obvious that the GVN leadership was broadly hostile to the inclusion of the NLF on any basis which implied equality with GVN. Harriman observed that Lam was not only exercised by the fact that he had not been kept informed, but was also obviously concerned at the absence of specific instructions as to what he was to do. Of more importance, however, was the fact that Lam, as a representative GVN official, was genuinely disturbed about the implications of NLF participation. This should have suggested to Harriman that the situation in Saigon was more serious than he apparently believed. Harriman told Washington that he hoped that Lam's misunderstanding of the "our side/your side" formula would be cleared up since the US delegation did not want to be faced with the possibility that the

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GVN delegate would balk at participation in the first meeting following the cessation on the grounds that procedural details had not been worked out or that the formula allowed for NLF participation in a manner which the GVN would find unacceptable. Harriman observed that Lam's repetition of some of Thanh's views on "who enters what door in what order" suggested that Thanh either did not understand the "our side/your side" formula or he was beginning to seek ways to pull back from it. From such an observation one may conclude that Harriman had an inkling of the seriousness of the GVN fears, but it is still doubtful that he had a full appreciation of them.



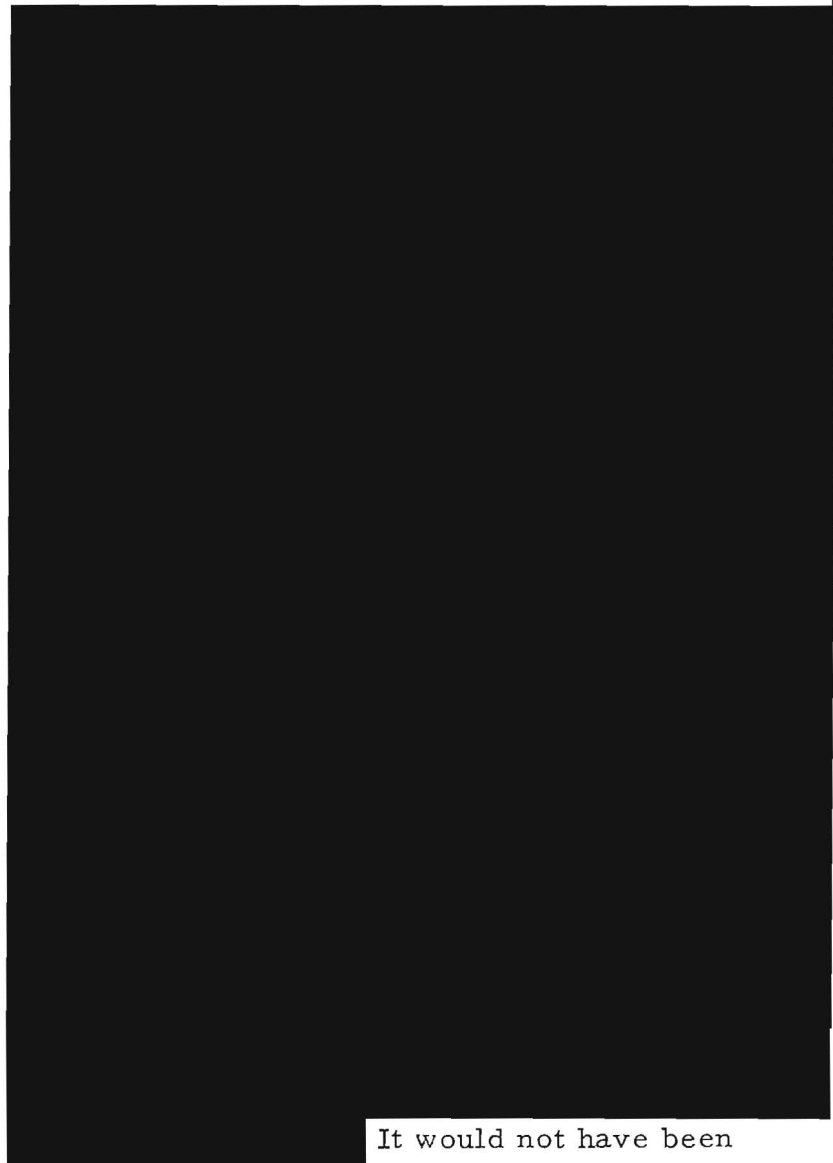
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It would not have been unreasonable for Lam to conclude that a "two sides" formula implied exactly that, two sides: on our side, US and GVN representatives and on the other, DRV and NLF spokesmen. The "our side/your side"

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formulation implies two sides, but does not necessarily imply only two delegations. In fact, the implied US position was that there would be four delegations deployed on two sides of the negotiating table. Ultimately, the GVN recognized this distinction and under the leadership of Vice President Ky attempted to press for an "our side/your side" arrangement with three delegations: separate US and GVN delegations on one side and a single DRV delegation, with NLF members, on the other side.

195. On the afternoon of October 19, Ambassador Lam arrived at the American Embassy in Paris armed with the latest instructions from President Thieu. He told the chief US negotiators that he had received instructions from his President to seek a meeting with them and convey an important message. Reading from a text, he said:

I have instructions to inform Governor Harriman and Ambassador Vance urgently that my Government opposes categorically NLF participation in a separate capacity from the North Vietnamese delegation. I have instructions equally to inform you that the Government of Vietnam will not participate in negotiations under these conditions.

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(Lam interjected that the conditions noted meant Front participation in a separate capacity). For us, the participation of South Vietnam at the Conference with North Vietnam and the NLF as two separate entities cannot be considered as an advantage justifying the total cessation of bombing."

196. Lam added that he had another message which specified the factors which he was to call to the attention of Harriman and Vance:

"I am instructed to call to your attention the Communist trap through which they try to have the NLF admitted as a distinct entity participating in an international conference. The Communist tactic is to separate the two wars in Vietnam, that war in North Vietnam which is between American aggressors and Hanoi victims and that war in South Vietnam between the NLF and the GVN. The latter is a civil war not justifying foreign interference, even in response to an appeal for help. For us, if the Front is admitted as a separate entity, it will be a political success for them -- a success which will encourage them to be intransigent -- and will be such as to harm the morale of the people and Army in South Vietnam, thereby creating instability."

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Lam stated that he was requested to call attention to the statement made by President Johnson on December 18, 1967, in which he said: "President Thieu has said that the South Vietnamese Government is not prepared to recognize the NLF as a government, and it knows well that the NLF's control is by Hanoi. And so do we." Lam then referred to the last part of the Honolulu C ommunique where the two Chiefs of State had declared that the Paris Talks "should lead to negotiations involving directly North Vietnam and South Vietnam."

197. Harriman replied that as far as the first message was concerned, the US delegation in Paris was not the place to raise the question; it was a matter between the Governments and should be raised in Washington and Saigon, as indeed it had been. However, the US delegation wanted to state that they were more than surprised that the GVN would raise the question at this time. The question of participation in serious negotiations had been agreed upon between the two governments some months before on the basis of the "our side/your side" formula. It had been extremely difficult to get the other side to agree to this formula and this in itself was a sign that it was advantageous to the GVN. The US delegation could not agree with Ambassador's Lam's first statement that there was no advantage in GVN participation. Moreover, there was no element of recognition of the NLF involved in the "our side/

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your side" formula. We had made it clear to Hanoi that we would have the GVN on our side and they could have whomever they wished on their side. However, this was a matter which could not be settled in Paris, but had properly been taken up in Washington and Saigon.

198. With respect to Lam's second message, the US delegation did not view the situation in the same way. They believed that the GVN had a great deal more to gain than the NLF by participating in the negotiations. The South Vietnamese Government should not, Harriman asserted, approached the negotiations with temerity, but with confidence.

199. Lam replied that although he was not aware of what had gone on in discussions between the US and GVN on the "our side/your side" formula, he believed that from the beginning there had been a serious misunderstanding. He thought the GVN had only agreed that the NLF would participate as members of the Hanoi delegation. He asked what would happen if the NLF acted as a separate and independent delegation. Harriman replied that he had attempted to make it clear that we had agreed that the DRV could have whomever it wished on its side, and the fact was we would have no control over their behavior. What we could control was our view of the other side. As far as we were concerned, there was no recognition involved and we would view the other side simply as those on the opposite side of the table with whom we were negotiating. Lam asked if the GVN delegation would be separate or a part of the US

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delegation. Vance replied that it would be separate and we had so informed the North Vietnamese. Lam said that this meant, in practical terms, that there could be four delegations in which the GVN would be equated with the NLF, and this was unacceptable. Harriman demurred, insisting that the GVN was a separate government recognized by over 60 nations, whereas the NLF was a front and not recognized as a government by anyone. Hanoi could say what it wished and the NLF could say what it wished, but for our part, we would view the negotiations as between two sides without any element of recognition involved.

200. Lam raised questions about seating arrangements, name plates, flags, and rules of procedure. Harriman and Vance assured him that they would consult with the GVN delegation on such matters. The US would not agree to flags or name plates on the tables, just two sides in the negotiations. However, the rules of procedure would have to be negotiated with the other side.

201. In the course of the long discussion with Lam, Harriman and Vance said to him that privately, as individuals, they wanted him to know that in their judgment the American people would never understand if the chance for peace through negotiations were lost over the issue of the manner in which the other side organized itself. "The American people," they said, "would support to the end issues of principle, but not procedural fantasies."

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also told Lam that he failed to understand how the GVN could "continue to confuse reality with fantasy." At another point, Harriman said that GVN's position would find no support in the US "regardless of President Johnson's future and even after the elections." Although these were rather harsh comments for one ally to direct to another, Lam did not appear to be unusually resentful.

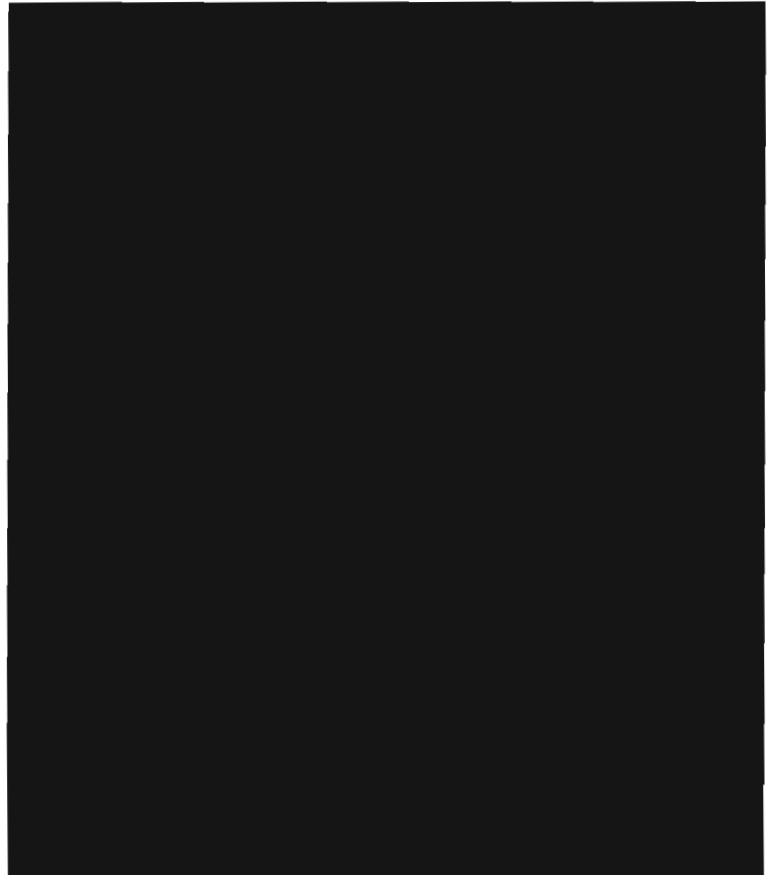
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202. Ambassador Bui Diem in Washington was busy on October 18 delivering President Thieu's message to high government officials. He called first on William Bundy at the State Department and emphasized, as Thieu had instructed, the disastrous consequences that NLF participation in negotiations would have on the morale of the South Vietnamese Army and people, particularly if the NLF were to participate as an entity distinct from the North Vietnamese delegation. According to Diem, the GVN position on this eventuality was well known and often expressed, and neither the National Assembly nor public opinion would accept a change. Bundy, following the official US line, conceded that the NLF would attempt to posture as an independent delegation, but asserted that

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we had no intention of treating them as such. They could say what they liked; we would not recognize their claimed status.

203. Later in the day, Bui Diem met with Walt Rostow and delivered once again the message from President Thieu. Rostow responded that he understood the problem posed by Saigon, but it distressed him greatly for the simple reason that the Government of South Vietnam appeared to be approaching the possibilities of a peace conference in a spirit of anxiety rather than in a spirit of confidence. Of course the other side would try to blow up the NLF, but we would stick firmly to the "our side/your side" formula in the spirit of the agreement at Honolulu between President Johnson and President Thieu. This was not, Rostow asserted, a time to express anxiety and concern. It was a time "to roll up our sleeves and get to work" to see how we could handle the conference to our advantage. It was a time to organize and be prepared to mount against the VC in the South a psychological warfare campaign that would break their morale in the face of the GVN appearance in Paris and the closing of the DMZ. It was a time to draft a message from President Thieu to the ARVN to tell them what they had already accomplished at the conference table by their performance on the field of battle and to tell them to stay with it until an honorable peace was won.

204. Rostow stressed that the two nations had been in the foxholes of Vietnam together and it would be a "stroke of good fortune" if they

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were to be able to work together in "the foxholes in Paris." They should engage in diplomacy in the same spirit in which they were fighting. He reminded the Ambassador that if Hanoi accepted our position on participation in the negotiations, it would be a position which we had assumed from the first day in Paris and which President Johnson had assured President Thieu he would assume. "There was," the White House aide insisted, "every reason in the world for total trust of President Johnson by President Thieu." Rostow conceded that the status which the DRV would attempt to assign to the NLF in the talks was a real problem. Saigon and Washington would have to work together closely to determine the modalities they would negotiate with the other side before the talks formally began. They must be prepared, however not only to handle the DRV's inevitable efforts to blow up the NLF, but also to make the most, psychologically and politically, out of the true status of the NLF in the negotiations. If Hanoi agreed to talk directly to the GVN, the pretenses of the NLF would not be important for "the whole world" would know that Washington and Saigon had won a great victory. The people of Vietnam and their political leaders "should act on this assumption in confidence."

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205. Bui Diem replied that he agreed with everything which Rostow had said. The problem was that President Thieu "had not listened" to the advice Diem had given him in Saigon before the Honolulu Conference. He had "begged" the President to prepare the South Vietnamese political leaders and people for peace talks, but Thieu had made little preparation and now the Government was "worried and in some confusion." There was heavy pressure on Thieu, particularly from the Assembly. Diem would report to the President in detail what Rostow had said, for they were "the words of a great and good friend of South Vietnam."

The Incident at Vung Tau

206. President Thieu, however, was getting other advice. During a visit to Vung Tau to visit a training center for pacification workers, Prime Minister Huong told him that he should announce clearly, "for the benefit of all the world and the American people, even the Vietnamese people," the attitude of the South Vietnamese government with respect to the NLF. This the President proceeded to do at a press conference under a shed at the Government training camp. He told the attentive newsmen that North Vietnam had made "no concession whatsoever" in an effort to negotiate a bombing halt and there had thus been "no breakthrough" in the preliminary talks in Paris. He also said that his government would

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keep urging the United States to continue the bombing in North Vietnam until Hanoi admitted South Vietnam to the Paris Talks and announced that it would take a reciprocal step toward deescalation. He made it clear that GVN would not recognize the NLF nor negotiate with it as an entity or government, although they had no objections to NLF representatives being included in the Hanoi delegation.

Comment: While the session with newsmen was under way, Reuters quoted the President as having said that North Vietnam had accepted allied conditions for a bombing halt. The dispatch, which the agency later retracted, touched off international interest and almost broke up an emergency session of the South Vietnamese National Assembly which had been called to discuss the bombing issue. Reuters subsequently claimed that the report was sent to Saigon by a Vietnamese correspondent in Vung Tau who obtained an incorrect version of Thieu's remarks and was further garbled in transmission to Saigon. However, when the report first reached Washington, high government officials were convinced that Thieu was

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either attempting to undermine the US initiative or had received an erroneous report from Bui Diem. Although Reuters admitted its error, thus absolving both Thieu and Diem of any responsibility, the incident added a certain residual ill-will to the strain on Washington-Saigon relations.

207. Upon his return to Saigon, Thieu decided to broadcast a "report to the people," elaborating on what he had told the newsmen at Vung Tau. Ambassador Bunker, concerned about the reports of his press conference, attempted to reach the President all afternoon, but was unable to get to him before he left for the studio to tape his speech. In the nationally televised address, Thieu declared that the North Vietnamese had been obstinately demanding a total bombing halt without proving that they were willing to reciprocate and were still posing obstacles on the path toward peace. "We and our allies," he said, "cannot afford to compromise if there is not reciprocation from the enemy. We cannot compromise if we do not want to surrender."

Comment: An interesting sidelight on the state of relations between the allies at this point was reflected in a statement the President made at his press conference at Vung Tau.

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Thieu said at one point that he was not sure that the United States had kept him informed on all developments between it and Hanoi, but later said that he had misunderstood the question and had "no anxiety" that the United States might agree to an unconditional bombing halt. Still later he issued a statement through a press aide to clarify his position on the channels of communication between Saigon and Washington. The statement declared that: "The United States Government cannot force the Vietnamese Government to keep the United States Government informed on everything we are doing. The President is not informed sometimes. This is a natural thing, because the United States Government is an independent government. They are not forced to keep us informed on everything they do. And inversely, the United States Government cannot force the Vietnamese Government to keep them informed on everything the Vietnamese government does."

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This official clarification of the communications policy between the two allies was not particularly reassuring to those who recognized the importance of the closest possible coordination during this critical period in the negotiations.

208. Thieu's press conference and speech received wide press play and served to spur reports that the US and Saigon were seriously split over strategy for the negotiations. Washington began to fear that Hanoi's own position would harden as the North Vietnamese became aware of the US-GVN difficulties and sought to exploit them.

209. On Sunday morning, October 20, Ambassador Bunker on instructions from Washington met with President Thieu. The Ambassador took Thieu sharply to task for his statements the previous day, saying he was "utterly surprised" that they had been made without informing him in advance and that they had been at marked variance with the understanding reached between the two men. With precision and in great detail, Bunker went over, step by step, the American negotiating position, noting periodically along the way that the President had agreed to each step in previous conversations. Bunker pointed out that the US had informed Hanoi of its position and was now waiting for an answer. For five months, we had held firm on the necessity for understandings before

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the bombing could stop, and if Hanoi now accepted these understandings and set a firm meeting date, it would be necessary for the US to stop the bombing. If, at that point, the GVN did not join the negotiations because the NLF was present, the most severe strain would be put on US-GVN relations. Saigon's position would not be understood in the United States or in the world, and it would be most damaging to GVN. It would, Bunker insisted, be interpreted by everyone as a lack of confidence by the GVN leaders in the strength of their cause and their bargaining position.

210. Bunker told the President that he fully recognized that as the head of a sovereign nation, whose sovereignty the US respected, Thieu must make his own decisions. However, the United States was also sovereign and must make its own decisions. He should know that it was the view of the US Government that we could not allow "theological questions over NLF attendance" to determine our ability to grapple with the serious issues of substance.

211. President Thieu listened attentively and took notes as Bunker made his presentation. When the Ambassador concluded, Thieu spoke at length and with candor. "We are not against a bombing halt," he said. "A year ago in my speech to the Assembly I made many conditions, but I have since realized they cannot be fulfilled and it is impractical for us to ask too much. In my October 7 speech to the Assembly I have deescalated our conditions. But the three conditions in the [US] proposal are not enough."

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He said that when he told the National Security Council and the Speakers of the two Houses of the developments in Paris, he found that they did not regard GVN participation in the talks as a victory. While they agreed to the presence of NLF members at the talks, they refused to accept NLF presence as a separate entity. "This," said Thieu, "is the problem."

212. With regard to his recent statements and the leaks from Saigon, Thieu said he was put in "the greatest difficulty" when Bunker came to him early on October 16 saying that the US was meeting with Hanoi and if there was an affirmative response, the joint announcement of the bombing cessation would be issued within a few hours. "I had observed your request," Thieu said, "that no one be informed and then I found myself confronted with this imminent possibility in which I had approved a major step affecting my country without informing anyone. I called the NSC together to explain the situation and within a few hours there was speculation and rumors in Paris, in Washington, here and everywhere, and the Prime Minister of Australia made a statement. Our people who are the most affected were in ignorance. I was in a very difficult position and I had to say something to quiet their fears and apprehensions. After the NSC meeting word went out that if I and the Prime Minister accepted these terms -- that is, to go into a meeting without the NLF status clarified -- there could be a violent revolution here. There were rumors of demonstrations against the government, rumors that Ky had ordered

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the pilots to bomb the Palace if this should happen, rumors of assassination, and so on. We have no difficulty if the NLF are members of the Hanoi delegation and that is understood. We know that our failure to attend the meeting, or if we quit the meeting after we arrive, on this issue will invite the antipathy of the US, the whole world, the Pope, and everyone. Therefore it is better to work this out in advance."

213. Thieu asked how it could be worked out; was it possible to work out details in Paris or Saigon? Bunker said there were some details, such as flags or name plates, which would give us no trouble and could be worked out by the US and GVN delegations in Paris. The US would also be careful in what we said and did in order not to give support to the efforts of Hanoi to enhance the status of the NLF. But on the essential point that Thieu was asking for -- that Hanoi and the NLF be made to acknowledge the NLF as part of the DRV delegation -- this the United States could not force or achieve. Thieu said that it was easy for the United States, a powerful country, to enter the negotiations with the NLF on an undefined basis, but it was not easy for GVN. "I do not think I am strong enough to move," he said. "There are too many people here with too many ambitions who would use this as a pretext to make trouble. I am a soldier and I am prepared for whatever happens, but I must recognize the serious disturbances and instability that could follow if this should become an issue in this country. Moreover, there is a fear

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that you will abandon us, as the French did in 1954. "

214. Ambassador Bunker told Thieu that he had made it very clear to Vice President Ky and the principal military leaders that if anyone made trouble they would never have the support of the United States. "If they try to pull a coup," Bunker assured the President, "they will never succeed because we will not continue to support this government. We are sure that all the military leaders in this country understand this." Thieu did not acknowledge this US guarantee against a coup attempt, but turned again to the principal problem of mobilizing the necessary support among his colleagues for GVN participation in post-bombing talks with the NLF. "What I did here and said," Thieu told Bunker, "was necessary even though it may not be understood in the United States." Bunker replied that his speeches and statements had not been understood, but Thieu insisted that they were nevertheless necessary. He said that if the bombing stopped people would understand that it was an effort to move toward peace, and they would accept it as a deescalation on the allied side with the assumption that the other side would also take deescalatory steps. The only action that would cause trouble had to do with NLF participation and the role of the NLF in the talks. He asked if Bunker could suggest any practical techniques for solving this problem. "If I have them, I can sell them to my colleagues," the President declared. Bunker suggested that he cable Ambassador Lam and direct him to enter into discussions

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with Harriman and Vance on the problem. Thieu agreed, and also suggested that Berger talk with Foreign Minister Thanh. Bunker then gave Thieu the latest draft text of the joint announcement. Thieu read it and said he thought it was satisfactory; the only question which remained was how to solve the practical aspects of NLF presence. Bunker offered to speak to any of Thieu's colleagues that he wished, but Thieu declined saying he would take care of that himself.

215. As Bunker got up to leave, he told Thieu that while some might object to GVN going into talks with Hanoi and the NLF, the President must bear in mind that the great majority of South Vietnamese were tired of war and wanted an end to it. While he might be criticized for attending the meetings by some, many more would criticize him for refusing to attend. Thieu said he was conscious of the desire for peace in South Vietnam, as well as elsewhere, which was why he was searching so desperately for a means which would enable him to join in the talks and stay.

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