

KENNEDY

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TO THE SITUATION ROOM
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T O P S E C R E T/SENSITIVE EXCLUSIVELY EYES ONLY
DECEMBER 7, 1972
TO: KENNEDY FLASH
FROM: HAIG

PLEASE FORWARD THE ATTACHED MESSAGE FROM DR. KISSINGER TO THE PRESIDENT IMMEDIATELY.

TO: THE PRESIDENT
FROM: HENRY A. KISSINGER

1. TODAY'S MEETING LASTED FOUR HOURS. LE DUC THO STARTED OUT BY INSISTING THAT WE RETURN TO THE FULL TEXT OF THE OCTOBER 26 AGREEMENT. I THEN GAVE A VERY TOUGH REBUTTAL AND PRESENTED OUR MINIMUM POSITION WHICH LE DUC THO, IN TURN, REJECTED IN EVERY RESPECT. LE DUC THO THEN REVIEWED THE NINE SUBSTANTIVE CONCESSIONS THEY HAD AGREED TO AT LAST WEEK'S SESSION AND THEN WITHDREW EARLIER THIS WEEK. HE ACCEPTED SIX OF THEM. THE CHANGE PERTAINING TO LAOS AND CAMBODIA HE ACCEPTED WITH AN ALTERATION WHICH IS ACTUALLY FAVORABLE TO US. WITH RESPECT TO THE DEMILITARIZED ZONE, AS A CONDITION FOR ACCEPTING OUR NEW LANGUAGE THEY INSIST ON THE ADDITION OF ANOTHER PHRASE WHICH HAS THE EFFECT OF NOT ONLY NEUTRALIZING OUR ADDITION BUT OF ACTUALLY PLACING INTO QUESTION THE WHOLE STATUS OF THE DMZ. AS FOR THE NINTH SUBSTANTIVE CHANGE OF LAST WEEK, LE DUC THO INSISTED ON RETURN TO THE ORIGINAL LANGUAGE OF ARTICLE 1 WHICH HIGHLIGHTS THE SINGUALR UNITED STATES' OBLIGATION TO RESPECT THE INDEPENDENCE, UNITY, ETC. OF VIETNAM AND CARRIES THE IMPLICATION OF OUR NOT HAVING DONE SO IN THE PAST. LAST WEEK HE HAD AGREED TO GENERALIZE THIS ARTICLE FOR ALL COUNTRIES. THO ALSO REMAINED ADAMANT ON SOME MENTION OF THE PRG IN THE PREAMBLE OF THE AGREEMENT. ON THE OTHER HAND, HE CONFIRMED THAT THEY WOULD COMPRESS THE TIME BETWEEN THE CEASEFIRE IN SOUTH VIETNAM AND THAT IN LAOS, AND DROPPED THEIR REQUEST THAT SOUTH VIETNAMESE CIVILIAN PRISONERS BE RELEASED AS PART OF THE AGREEMENT. THEY COULD REOPEN THE LATTER CHANGE AS QUID PRO QUO FOR GIVING US ANY FURTHER CHANGES.

2. WE ARE NOW AT A POINT WHERE WE MAY BE ABLE TO GET ONE OR TWO OF OUR MINIMUM CONDITIONS AT TOMORROW'S SESSION, PERHAPS IN RETURN FOR OUR CONCESSION TO RETURN TO THE ORIGINAL LANGUAGE OF ARTICLE 1. BUT THIS IS NOT THE MAJOR QUESTION. THE AGREEMENT IN OCTOBER WAS WORKABLE. THE CHANGES WE HAVE GOTTEN SINCE THEN HAVE IMPROVED IT. THE PROBLEMS WE WOULD FACE IF WE SETTLE CANNOT BE FIXED BY SPECIFIC CLAUSES. THEY HAVE TO DO WITH THE ATTITUDES OF SOUTH AND NORTH VIETNAM. WITH RESPECT TO THE SOUTH, THE AGREEMENT WOULD BE SOUND IF THE GVN ACCEPTED IT ENTHUSIASTICALLY AND IMPLEMENTED IT POSITIVELY. IT IS ANOTHER MATTER IF THEY CONSIDER IT AN ENORMOUS DEFEAT AND ARE DRAGGED INTO IT. AS FOR THE NORTH IT IS NOW OBVIOUS AS THE RESULT OF OUR ADDITIONAL EXPLORATION OF HANOI'S INTENTIONS THAT THEY HAVE NOT IN ANY WAY ABANDONED THEIR OBJECTIVES OR AMBITIONS WITH RESPECT TO SOUTH VIETNAM. WHAT THEY HAVE DONE IS DECIDE TO MODIFY THEIR STRATEGY BY MOVING FROM CONVENTIONAL AND MAIN FORCE WARFARE TO A POLITICAL AND INSURGENCY STRATEGY WITHIN THE FRAMEWORK OF THE DRAFT AGREEMENT. THUS, WE CAN ANTICIPATE NO LASTING PEACE IN THE WAKE OF A CONSUMMATED AGREEMENT, BUT MERELY A SHIFT IN HANOI'S MODUS OPERANDI. WE WILL PROBABLY HAVE LITTLE CHANCE OF MAINTAINING THE AGREEMENT WITHOUT EVIDENT HAIR-TRIGGER U.S. READINESS, WHICH MAY IN FACT BE CHALLENGED AT ANY TIME, TO ENFORCE ITS PROVISIONS.

THUS WE ARE NOW DOWN TO MY ORIGINAL QUESTION: IS IT BETTER TO CONTINUE TO FIGHT ON BY SCUTTLING THE AGREEMENT NOW; OR BE FORCED TO REACT LATER, VINDICATED BY THE VIOLATION OF A SOLEMNLY ENTERED AGREEMENT? WERE WE TO OPT FOR THE FORMER, I CAN WITH AMPLE JUSTIFICATION RECESS THE TALKS TOMORROW ON GROUNDS THAT WOULD LEAVE US IN A GOOD PUBLIC POSITION, EMPHASIZING HANOI'S ABSOLUTE UNWILLINGNESS TO GIVE US ANY ASSURANCE ON THE ISSUE OF THEIR TROOPS IN THE SOUTH OR TO EVEN ACCEPT MODIFICATIONS TO THE TEXT OF THE AGREEMENT WHICH WOULD ESTABLISH THE PRINCIPLE OF NONINTERVENTION IN THE FUTURE. IF ON THE OTHER HAND WE OPT FOR AN AGREEMENT, WE WOULD THEN HAVE TO BE PREPARED TO REACT PROMPTLY AND DECISIVELY AT THE FIRST INSTANCE OF NORTH VIETNAMESE VIOLATION. I RAISE THESE ISSUES NOT BECAUSE THE AGREEMENT ITSELF IS BAD BUT BECAUSE THE BALANCE OF EXISTING FORCES CANNOT GET US A BETTER AGREEMENT; NO WAR IN HISTORY HAS BEEN SETTLED ON BETTER TERMS THAT THE REALITY OF FORCES ON THE BATTLEFIELD COULD JUSTIFY. NOR CAN OUR WORRIES BE FIXED BY SPECIFIC PROVISIONS AT THIS POINT. THE GVN APPROACH AND OUR VIGILANCE ARE THE KEY FACTORS.

THUS AT THIS JUNCTURE WE ARE AT A CRITICAL DECISION POINT. WHICHEVER WAY WE TURN THE IMPLICATIONS AND, MORE IMPORTANTLY, THE OBLIGATIONS ARE CLEAR.

WE ARE SCHEDULED TO MEET AGAIN AT 3:00 P.M. TOMORROW AT THE LOCATION DESIGNATED BY OUR SIDE. I WOULD APPRECIATE RECEIVING YOUR INSTRUCTIONS. END TEXT.

WARM REGARDS

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THAT IT INT COPY ??KK

RE * CONDITION FOR ACCEPTING OUR NEW PROPOSAL THAT
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* LODVA'S WILLING TO BE LONG MOORE * TO DOO LHO

FROM: HANOI * 113010Z
TO: THE PRESIDENT

IS THE INCIDENT IMMEDIATELY
W/OUT LEAVING THE INVOLVED REFERENCE FROM THE INCIDENTS

FROM: HANOI
TO: WASHINGTON W/WH
OCTOBER 3, 1965

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TO THE DIVISION ROOM
IN COGNATE AREA 1010 24
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TOC/AN/SS

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