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TO THE WHITE HOUSE

ON-FILE NSC RELEASE INSTRUCTIONS
APPLY

S E C R E T 201143Z SEP 72 [Redacted]

FM: AMBASSADOR PORTER PARIS 910
TO: THE WHITE HOUSE EYES ONLY DR. HENRY KISSINGER
TOPICS FOR DISCUSSION.

1. PRELIMINARY REMARKS COULD BE BUILT AROUND FACT THAT WHILE THEY GRADUALLY MAKING SUPERFICIAL CHANGES IN THEIR DRAFTS, SUBSTANCE REMAINS UNCHANGED AND UNACCEPTABLE. THUS, IN POINT TWO OF THEIR SEPT 15 PROPOSALS, THEY EXTENDED PERIOD FOR REMOVAL OF TROOPS AND DISMANTLING OF BASES TO 45 (FROM 30) DAYS AFTER SIGNING OF OVERALL AGREEMENT; THEY PICKED UP IN POINT 4A MATTER OF INTERNATIONAL SUPERVISION OF ELECTIONS WITHOUT IN ANY WAY CHANGING TIMING OF ELECTIONS, I.E. AFTER EVERYTHING POLITICAL HAS BEEN IRONED OUT TO THEIR SATISFACTION; LIKEWISE THEY PROVIDE FOR "SAIGON ADMINISTRATION" TO RETAIN ADMINISTRATIVE RESPONSIBILITY IN AREAS CONTROLLED BY THEM AFTER ALL AUTHORITY HAS BEEN TRANSFERRED TO "PROVISIONAL GOVT OF NATIONAL CONCORD" AND COMMITTEES OF NATIONAL CONCORD. ALL QUITE SUPERFICIAL. LATER, THEY MIGHT THROW IN MORE "CONCESSIONS" SUCH AS OFFERING TO HAVE HEAD OF NLF RESIGN IN ORDER TO BRING ABOUT THIEU'S RESIGNATION AT TIME THEY DESIRE IT. BY EQUATING WITH THIEU THEY WOULD CLAIM "GOOD WILL" WHILE ACTUALLY DEROGATING THE GVN PRESIDENT.

2. ORGANIZATION AND FUNCTIONING OF THE THREE ELEMENTS OF "GOVT OF NATIONAL CONCORD" OFFERS ENDLESS POSSIBILITIES FOR ANALYTICAL DISCUSSION. THERE IS MATTER OF WHO WOULD PRESIDE OVER GNC AND POWERS CHIEF EXECUTIVE WOULD HAVE IN ALL-IMPORTANT SIX-MONTH PRE-ELECTION PERIOD THEY ENVISAGE. IS GNC TO OPERATE BY ISSUING REGULATIONS OR ARE PROPOSALS TO REQUIRE MAJORITY OF ALL PARTICIPANTS? THERE ALSO WOULD BE MATTER OF ALLOCATING FUNCTIONS WITHIN GOVERNMENT'S FOREIGN AFFAIRS, HOME AFFAIRS, FINANCE, ETC. AND PROCEDURES INVOLVED. IT WOULD OF COURSE BE NECESSARY TO REPEAT AS OFTEN AS NECESSARY THAT THEIR PROPOSAL WILL NEVER SEE THE LIGHT OF DAY UNLESS THEY CAN SATISFY OUR SIDE ON THESE POINTS, AND THEY ARE FAR FROM HAVING DONE THAT.

3. THEN THERE IS GREAT AND DECISIVE QUESTION OF ARMY OF

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DISSEM--HAK, HAIG, HOWE, LORD, NEGROPONTE

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NORTH VIETNAM TO BE SETTLED, AND THIS MEANS FIXING AND AGREEING ON DATE FOR ITS WITHDRAWAL. THEIR DRAFT LEAVES THIS TO VIET CONG TO SETTLE WITH RUMP SAIGON GOVT AT SOME UNSTATED DATE, BUT MATTER IS CRUCIAL TO ALL PROGRESS AND MUST BE DECIDED IN ADVANCE BECAUSE THERE IS NO CHANCE THAT ANY SERIOUS NEGOTIATION CAN TAKE PLACE WHILE SOUTH LIES UNDER CONTINUAL MENACE FROM NVN ARMY. IN THIS CONNECTION AN INDEFINITE PRESENCE FOR NVN ARMY, DISGUISED AS VC OF COURSE, IS PROBABLY INTENDED BY PROVISION FOR "MIXED MILITARY GUARD" WHICH WILL "ASSURE PROTECTION" OF HEADQUARTERS OF PROVISIONAL GOVT OF NATIONAL CONCORD. UNDER WHOSE COMMAND WOULD SUCH "MIXED GUARD" BE, AND WHAT EXACTLY WOULD BE ITS COMPOSITION?

4. CERTAIN ITEMS INCLUDED IN NVN SEPT. 15 DRAFT SHOULD BE MENTIONED ONLY IN TERMS OF THEIR COMPLETE DELETION. PARAGRAPH NO. SIX IS CASE IN POINT. IT IS NOT MATTER FOR UNITED STATES AND NVN TO DETERMINE NATURE OF DMZ, BUT RATHER FOR NVN/VC AND THEIR SOUTHERN INTERLOCUTORS TO DECIDE IN PEACEFUL EXCHANGE. LIKewise PARA NO. SEVEN IS OUT OF QUESTION AND COULD NOT BE INCLUDED IN ANY OVERALL AGREEMENT. NO U.S. GOVT IS GOING TO AGREE THAT IT "HAS RESPONSIBILITY TO SHOULDER ECONOMIC REHABILITATION OF NORTH AND SOUTH" IN SUCH TERMS. NVN SHOULD BE INFORMED, IN MY OPINION, THAT ANY ADDITIONAL DRAFTS WITH SUCH PROVISIONS WILL BE RETURNED TO THEM WITHOUT EXAMINATION.

5. THEIR SEPT 15 DRAFT REVEALS CLEARLY FOR FIRST TIME IN POINT SEVEN THAT WE ARE EXPECTED TO PAY TRIPLE RANSOM FOR POW'S (MILITARY, POLITICAL AND FINANCIAL). THAT IS MADE CLEAR BY FINAL SENTENCE OF THEIR DRAFT, WHICH READS: "THE ABOVEMENTIONED TEN POINTS FORM A COMPLETE WHOLE," MEANING THAT EVERY POINT IS AN INTEGRAL AND INSEPARABLE PART OF THE OVERALL AGREEMENT. THE POW'S ARE TO BE RELEASED ONLY WITH WITHDRAWAL OF TROOPS DURING 45-DAY PERIOD SPECIFIED "AFTER THE SIGNING OF THE OVERALL AGREEMENT." ERGO, NO POINT SEVEN, NO OVERALL AGREEMENT, AND NO POW'S.

6. ANY OF THESE ITEMS COULD WELL OCCUPY DEBATE FOR A WEEK AT LEAST. EVERY EVASION OR CIRCUMLOCUTION SHOULD BE NOTED, CHALLENGED, OR WAVED OFF.

7. WARM REGARDS.

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