

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

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MEMORANDUM OF CONVERSATION

PAR TICIPANTS:

President Nguyen Van Thieu
Mr. Huynh Phu Duc, Special Assistant to the
President for Foreign Affairs
Mr. Hoang Duc Nha, Presidential Press
Assistant

State Dept. review completed

Henry A. Kissinger, Assistant to the
President for National Security Affairs
Ellsworth Bunker, United States Ambassador
to the Republic of South Vietnam
Winston Lord, National Security Council Staff

ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

DATE & TIME:

Thursday, August 17, 1972 4:35 p.m. -6:40 p.m.

PLACE:

The President's Palace, Saigon

(The American party was greeted by Mr. Duc and Mr. Nha and sat in the reception room awaiting President Thieu's arrival while the press took pictures. After a couple of minutes, President Thieu arrived and there were five minutes of small talk while the press took more pictures. President Thieu asked about President Nixon's health, and Dr. Kissinger said that he was fine and sent his best regards to President Thieu. After the photographers left, the conversation continued in a light vein along the following lines.)

President Thieu: Are you affected by the time change?

Dr. Kissinger: I ran into Senator McGovern after his trip here last year, and he said that he had been depressed by the time change. I think he hasn't recovered from it yet.

President Thieu: The campaign has started, and he is busy.

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Dr. Kissinger: He has the distinction of having been a candidate for five weeks and not having said one sensible thing yet. That is not easy to do.

President Thieu: Mr. Shriver -- what was he doing before he was ambassador to France?

Dr. Kissinger: He was head of the Peace Corps and the Office of Economic Opportunity. He knew so little about what was going on that I had four secret meetings with the North Vietnamese in Paris when he was Ambassador, and he didn't know I was in town. You, of course, were always informed. He is very energetic, but he is not the most profound man in America.

President Thieu: He was not Governor or anything?

Dr. Kissinger: He never held elective office. I don't think he will break that record this year. He was head of the Peace Corps and head of the Office of Economic Opportunity, which is supposed to help economically disadvantaged people, especially Negroes, so that they can hold higher paying jobs. He did a good job in both positions. He is very energetic but has never held any national office before.

I have heard very bad things about you, Mr. President, from your colleagues in the North.

President Thieu: They say things all the time.

Dr. Kissinger: I have spent many hours hearing about you.

There is a newspaper article today that you canceled your lunch for me and gave me a very cool reception. (Laughter) (He shows President Thieu the article.) That will help me with my intellectual friends. I told the Ambassador this morning that as far as the New York Times and professors are concerned, if our allies dislike you that is an asset. (Laughter)

President Thieu: You have not met anyone [South Vietnamese] since your arrival?

Dr. Kissinger: I have seen only Americans. I have met with General Weyand, of course with the Ambassador, General Vogt and some other people. Except for you I have no plans to meet with any South Vietnamese.

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President Thieu: Then the press has a big imagination.

Dr. Kissinger: In America and with the North Vietnamese it doesn't hurt to have this impression of a cool reception. I will explain to you why later on.

(President Thieu then invited the group to move from the sitting room to a conference room next to his office where they sat down at a conference table. The walls of the room were lined with maps of various battlefield situations. As they walked to the conference room President Thieu and Dr. Kissinger talked about the latter's trip to Japan. The conversation at the table then began.)

Dr. Kissinger: Mr. Tanaka is very energetic and, for a Japanese, quite outspoken.

Mr. President, I thought we would do two things, if you agree. We could discuss the negotiations, and we could discuss the entire situation, the military and political situation, if this is agreeable with you. I will do this, of course, in any order you prefer, but I thought it would perhaps be best to start with negotiations and then review everything else. We can do it any way you want.

President Thieu: As you like.

Dr. Kissinger: The first thing I want to say before we do anything else is the following. When you read the American press and hear the opposition candidates, you would think that you are the issue in this campaign, and that the only problem is to see how we can manage this. This is not our view. We have worked together four years. We have no intention, after all the sacrifices that have been made, to end our Administration with dishonor. I am not here in order to, as the press speculates, see whether I can get you to do something. (President Thieu smiles.) I am not here to repeat the performance of 1968. I don't believe you are the obstacle to a settlement, nor does the President. I am here to discuss where we stand. I will give you our best judgment; you give your best judgment and let us know if you disagree -- you may not.

This is our attitude. We will do nothing behind your back. We will do nothing to betray you. The worst thing would be if either side expected the other to do something and took precautionary steps in order to prevent something it believes was going to happen which was not going to happen.

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Concerning negotiations, for example, I see no immediate prospect for a ceasefire. I don't believe the other side will agree to a ceasefire before the election. Now I have made a record [in the private talks] that we are prepared to make a ceasefire. Now I will move off that since I am not sure that we have an interest in it. We believe it would be better for us not to have one. We have offered a ceasefire, as you know, in the May 8 proposal, and we have repeated this offer in the plenary and private sessions. They always say that there must be an overall settlement first before a ceasefire. I am prepared to make that concession.

I told this to our generals too. Let us do what is right. Let us not move because we are afraid the other side will do something. Unless the other side comes to us with the offer of a ceasefire when we resume private talks -- which I don't see happening -- I am prepared at the next meeting to accept their offer in their proposal that a ceasefire should come at the end of the process and not at the beginning.

This is subject to your approval, Mr. President. We sometimes have the impression that you and the generals think a ceasefire is imminent. Le Duc Tho absolutely refuses to discuss a ceasefire until there is an overall settlement. You saw the paper that he gave me -- I asked Ambassador Bunker to give it to you. (President Thieu nods affirmatively.) I mention this only as an example of where we stand.

Let's get first through these two months, and then the period afterwards, with no more suspicion than is absolutely necessary and hopefully none at all. I cannot control what people say. I understand that this week Time Magazine speculates on what we are planning to do. (To Ambassador Bunker) Have you seen it?

Ambassador Bunker: No, not yet.

Mr. Nha: It talks about a two-stage solution, with two governments, a Saigon administration and the PRG, etc.

Dr. Kissinger/Ambassador Bunker: Nonsense.

Dr. Kissinger: In America the only people who know about the negotiations are the President, myself, Ambassador Bunker, and Ambassador Porter. We do not tell anyone in the State Department or anyone in the Defense Department. The only person who sees the entire record beside myself

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is Ambassador Bunker. There is a lot of speculation, none of which is authorized. I do not talk to the press about negotiations. You have to get used to a lot of speculation about the negotiations. You must keep in mind that whatever we don't tell you, you should not pay attention to. This is very important. It is not against our interest to have a lot of speculation, but only what we tell you should you believe. We are not going to be dishonorable and stupid enough in the last two months of this Presidency to undo everything we have accomplished by having a wedge driven between us.

This is our basic philosophy. We will still have disagreements, but we will be absolutely honest with you.

First, let me tell you my assessment of the negotiating situation and what I believe we should do. Of course, you will give me your views.

First, we have a number of problems. We have an election -- that is obvious. You know as well as I do the consequences of a victory by the opposition. Our opponents offer the North Vietnamese more than they even ask for, which is quite something. Therefore, it is essential for us to be always in the position that we can prove that we have made a serious and honest effort and that the only thing we refuse to do is to impose on the people of South Vietnam a government that they have not chosen. We always have to prove that it is not the person of Thieu that is the obstacle to a settlement but rather the demands of the other side to install a communist government. Our whole strategy is to put ourselves in a position where if the talks are published, we can prove that we have done all we can, and they have insisted that we install a communist government. And that we will never do. I can tell you that we will never do that.

Where are we in the negotiations? The Ambassador gave you a brief account of the last meeting.

Ambassador Bunker: Very brief.

Dr. Kissinger: Let me fill you in. You should keep in mind that my effort is always to prove that we are prepared for a reasonable settlement, but that they make unreasonable demands. At the last meeting I told them that we would not discuss the political issue at all, their point 4, until I

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could talk to you. I was going to Saigon, so I refused to discuss the political issue. They were not totally happy with this.

I then reviewed all their other points with them, the other nine of their 10 points, from the point of view of seeing how compatible they were with the January 25 proposal, the one we made jointly. In the process they made a number of propositions that, if the talks break up, will be quite helpful.

To be quite frank, Mr. President, I used to overestimate... one cannot overestimate Vietnamese intelligence, but I overestimated Le Duc Tho's and Xuan Thuy's intelligence. I found out that if I ask them a question, they think I am agreeing with them, and they state their views in extreme detail.

For example Point 7, concerning reparations, we said in the President's speech that we are willing to contribute to a program for Indochina after the war as a voluntary decision. Now they say that this must be written into the peace terms between them and us. They say that as a concession we do not have to use the word "indemnity". That is a demand that even McGovern can't meet because our public opinion would not tolerate it.

Secondly, I went through the four forums they proposed and asked them, in order to understand their position, what forum did what. For example, I said I believe that the disposition of your [NVN] forces should be discussed in the GVN-PRG-NVN forum, the three-party forum. They said no, they wanted to discuss it in the forum between you and the PRG. (President Thieu smiles.) I asked him why, and they said because the North Vietnamese forces in the south are under the command of the National Liberation Forces and should be counted as part of the South Vietnamese Communist Forces.

Then I said, what happens when the Government of National Concord is formed? Their proposal was that we should stop aid to your forces and then the ARVN would be amalgamated with their army and become part of one big army.

I won't give you all the details of these preposterous proposals. No one in America will accept them, so this will be helpful if we go public.

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There are two things in the negotiations. If we can get a reasonable settlement we will, of course, accept it as you would. If we do not get a reasonable settlement, then we will try to prove why there is not a settlement. In this effort we are making progress.

I believe the North Vietnamese have made a serious tactical mistake in these negotiations. I am speaking to you as I do to Ambassador Bunker -- I say nothing to him that I do not say to you. They have the following problem. They really want to talk to us because their military situation is bad and getting worse. But they also want a total victory. Their big hope is that we will do for them what they cannot do for themselves. They would like to wait for McGovern, but McGovern's chances are very poor, so they want to use the election campaign, like 1968, to get us to make concessions before the election so that whoever wins, they can bank concessions. Their dilemma is that in order to get concessions they have to talk to us and, if there is any progress at all, it makes our election more certain, whether they like it or not. So they would help us to get reelected, though it is not essential.

The only way they can avoid this dilemma is to make a public proposal early and then use domestic pressures against us like they did with the 7-Point Plan, and by the time we explained what was wrong with their plan [we would be in a bad situation] because intellectuals and others are all against what we are doing, though not the public necessarily.

I told them that if they went public, we would break off the talks. They complain that I am always threatening them. There are two things I have said. If anything is published about the substance, I will break off the talks. And if they don't let me say that we are meeting, I will also break off the talks.

So here we are on August 17. I told them last time that I had to see you and that therefore I would not discuss political issues. At the end of the meeting -- which was totally fruitless -- I told them that I would meet again on September 8. I was apologizing about the meeting being so late, when Le Duc Tho said that he was going back to Hanoi to get new instructions. This is the first time that they have changed their position without waiting for months. He couldn't meet on the 8th, so our next meeting is on the 15th.

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I believe that in our next meeting on September 15 we should make a proposal to them which answers their 10 points. We should make a reasonable proposal which I will discuss with you. Then they have the following problem. They can't turn down our proposal -- they have to study it. There will be at least one other meeting, and if we are skillful, two other meetings. By that time it will be mid-October, or the beginning of October.

I am giving you what our strategy is -- I am relying on your security.

After the meeting breaks up, there will be four weeks left in the campaign. We would have made a proposal, and they would have made outrageous demands. And we will achieve what we did in January. After the January 25 speech there was complete silence for three months. This was because of the astonishment over the secret talks and because we had made very generous offers. It was three months before the opposition could regroup and start attacking again.

If they accept our proposal they put themselves in a very difficult position for this reason...let me tell you the positive elements of their proposal.

First, they no longer insist that you resign before real negotiations start. Secondly, they agree to two forums in which your government would participate without the composition of the government changing, although they still ask for a change in policy. That is, their second forum of the GVN and the PRG, and their third forum of the PRG, NVN and GVN.

Those are two big steps. Then there are some other concessions, which are not really concessions, but at least changes in their position. In the past they always insisted on a fixed deadline for withdrawal regardless of what happens. Now they make the deadline, as we have always proposed, conditional on a settlement. They say this has to be one month, but at any rate there first has to be a settlement. This doesn't make these acceptable, I am just listing them.

They have changed the nature of the composition of the Government of National Concord. It used to be 2 to 1 for them, and is now 50 - 50. That doesn't make it acceptable -- I am just listing what they are saying.

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Of those concessions the most important is the opening of the forum in which your government would participate in the political discussions. That is most important. If that forum opens, you are established in the forum. You first would have a veto over the details of what is done. Secondly, if the process is sufficiently prolonged, and if it breaks down, they cannot go back from their implicit recognition [of you]. And above all, you would control the pace of events so that nothing is possible without the participation of your government. Therefore, we would consider the opening of the second forum to be of considerable consequence, if it is done without paying the price of wrecking your government.

This is our analysis of their proposal. That is the direction in which we want to shape our answer.

Finally, to complete my analysis of what the strategy should be. On October 1, when they finally answer -- and it may be October 15 by the time both sides explain their proposal -- if they accept our proposal on October 1, that only opens the second and third forums which means that they can't get a settlement before our election. It is physically impossible in four weeks to settle issues like ceasefire, disposition of forces, etc.

They told me that the third forum should discuss the status of the DMZ, the relations between North and South Vietnam after a settlement, and the pace of reunification. I have confidence in you that you can delay those negotiations four weeks. After that we would no longer be under time pressure. That is the third forum.

In the second forum they want to discuss the implementation of the political solution, whatever it is, and the status of the armed forces of Vietnam on South Vietnamese soil. That is a complex situation.

Whatever happens, unless we collapse, either you or we -- and that we are not going to do -- they have missed their timing. They cannot get a final settlement before elections. The best they can do is to get an agreement in principle under the title of the 10 points.

When I told Le Duc Tho that I was going to Saigon, I told them that we would not go back to the talks and accept their point 4 and the Government of National Concord. They do not expect me to accept it when I

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come back. This is not why I am here -- I want to make that absolutely clear. I am here to discuss a proposal we have drafted, and I will give you our explanation point by point.

Above all in our proposal we accept the positive elements of theirs so as to make some move in the direction of what they suggest, but also in the framework that the final outcome results from the South Vietnamese political process and not prior determination between them and us or anybody else. So if they reject our proposal they are in the position of saying that it must guarantee their political predominance. That we can live with, especially for five weeks.

After the election, if a settlement is not achieved, we will go back to our May 8 proposal and force a solution on these grounds. Then we will step up our air campaign and force a resolution that way.

This is our strategy. This is the framework in which we want to operate. Do you have any questions about this or observations? Then I will present what we have in mind.

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President Thieu: I would like to go point by point through their points.

Dr. Kissinger: Their points?

President Thieu: Yes.

Dr. Kissinger: I can give you what we propose, that is a counter-proposal to their points. We can either go through their points or we can go into what we would say as a counterproposal.

President Thieu: All right then, let us go through the counter-proposal.

Dr. Kissinger: Let me make clear what we want to do in our counter-proposal. We want to take some of the framework of our January 25 proposal and retain its essential features. Secondly, we want to show that we have been reasonable -- for 9 of their points we have a similar point as an answer. Thirdly, we want to maintain our essential position . . . I don't want to interrupt you if you would rather go through their plan first.

President Thieu: No, let us discuss the counterproposal. (Dr. Kissinger hands over to President Thieu the proposed American plan attached at Tab A. Dr. Kissinger then goes through the plan point by point.)

Dr. Kissinger: Point 1 in effect takes, in effect, their statement that the United States "respects the independence, sovereignty and territorial integrity of Vietnam, as recognized by the 1954 Geneva agreements of Vietnam." We have deleted the word "unity". We have no objection if you want to insert it.

President Thieu: I suggest that we go through all the points first.

Dr. Kissinger: I am just telling you what we have done. We have deleted "unity" and all the phrases about how we must end our involvement, etc.

Number 2, in effect, accepts their ideas of a total withdrawal because it is exactly the same as ours. They want one month. Our last

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proposal said four months. I suggest, in order to show flexibility, that we change this to three months. We have left it blank. Since the date we made our proposal, four months have passed and the number of troops have diminished. We think it is unreasonable to stick to four months, so I think we should say three months.

The DRV proposal also wants us to withdraw civilian advisers. In our proposal we excluded civilian advisers. We will make no such agreement.

In the DRV proposal there is supposed to be an end to U. S. aid to Saigon at the time of the ceasefire. In our proposal we do not agree to this. We are willing, if in effect they stop receiving aid, to reduce our aid. This is a phrase taken from our January 25 proposal.

Point 3 is the provision on prisoners with no substantive change.

I will skip point 4, the political question, and will come right back to it. It is the most complex and will take the most time. So let us go to point 5.

Point 5. We have picked up their point that the disposition of Vietnamese forces should be discussed by the Vietnamese, but we have added the point in our procedural proposal that this should be put under the forum for the DRV, PRG and your government to discuss. And in our point 7, we have stated the principle from our January 25 proposal, that all armed forces of the countries of Indochina must remain within their national frontiers. You will see it under point 7.

Point 6 concerns reunification and relations between North and South Vietnam. We have picked up much of their language. We have avoided using the phrase "two zones" and have always used "North and South Vietnam." We are prepared to put in "two zones" if you prefer. They have in their proposal that North and South Vietnam cannot accept protection from a foreign power. We have said only that you should not join an alliance. We have not said that you cannot accept protection from a foreign power.

Point 7 is essentially taken from the January 25 proposal. It is about the Geneva Agreements and is virtually identical to what we had in the January 25 plan.

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Point 8 of the North Vietnamese plan is taken from their point 4. They say that South Vietnam should pursue a policy of peace, independence, and neutrality. We have expanded this to all of Indochina.

President Thieu: It is from their point 4?

Dr. Kissinger: It is part of their point 4.

Point 9, ceasefire. They say that ceasefire should come into being after all the agreements are signed. We have said "at a time mutually agreed upon", because there is the following problem. If we followed their procedure, there would first be a preliminary agreement in the private talks and then, if there is a preliminary agreement, private talks in the second and third forums would come into being. Our original idea was that a ceasefire would come after an agreement in principle. It depends on your preference -- we are prepared to agree with them that it would be only after all forums are agreed. That is, after there is an agreement in principle, the forums would open, but there would be no ceasefire until all are agreed.

I think there is an advantage to this because in a ceasefire we would stop our bombing and mining and if the talks were protracted they would grow stronger. This way we can continue our actions. If the talks are protracted, we will go back to the May 8 proposal.

So we are prepared to say that a ceasefire should come after all agreements are reached. This is partly up to you -- we have no strong feelings.

You will have noticed that we have said there should be no infiltration into any of the countries of Indochina [as part of a ceasefire].

Point 10 concerns international ceasefire and guarantees.

We have made point 11 a procedural point. They have a separate document for procedures. We have made it point 11 of this proposal, but we can also make it a separate document.

Here is the difference between our document and their document. We accept in principle the four forums with this difference. We are not

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saying that in the second forum, the one between you and the PRG, what they are saying, that your government must change its policy and replace its Delegation in Paris. We don't accept that. We insist that they talk to your government unconditionally and with whatever delegation you send there.

They want you in the first forum to discuss both the "principles and main contents" of a political solution. We say that we will discuss "the principles and general content", and will not go beyond general principles; we will leave the details to the second forum.

We have proposed that the third forum discuss Vietnamese forces. I don't think that issue is of overwhelming consequence. We have said that an Indochina ceasefire should be discussed at Avenue Kleber.

The reason I took the liberty of asking for another meeting tomorrow is that obviously you will want to study this proposal and not give a final reaction today.

Now let us go through the political proposal, which is the heart of the problem. Here is what we thought of, but of course, all of this is subject to discussion.

We believe the basic principle has to be that the political structure of Vietnam has to evolve from a process of elections, and any changes in the government have to result from elections.

Secondly, we will not be a party to a process which replaces the existing government by anything other than elections and says ahead of time what the composition of the government is to be by an arbitrary formula. So we will not accept that a Government of National Concord be set up as a result of this.

On the other hand, we have this tactical and substantive problem. I have spoken to you in total honesty. The substantive problem is that we can't be in the position that we are just protecting your person. That is not in your interest or ours. We must be defending the position that a political solution must result from a political process.

Secondly, it is in our interest to pick up as many ideas as we can of their proposal so that we can say we are moving toward them, but within the framework of January 25 which is that there has to be an election. Let me explain therefore what our objective is.

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First, we say the South Vietnamese people will decide their system through free democratic elections, with standard phraseology. The electoral process will guarantee rights, etc. irrespective of "political tendencies." We're picking up every sentence of their document that we reasonably can.

Then there is a difference. In this paper we say that the election will be held within five months -- we slightly prefer four months -- five months after an overall agreement. We said six months previously.

Then we spell out the supervision of the Presidential election, which is the same as the Commission in the other plan, but we pick up the phrase "Committee of National Reconciliation" and give it to the Commission.

For the composition of the Commission we use their idea for the government -- one-third will be nominated by you, one-third by them, and one-third by both sides. Now we task this committee with supervising the election.

Incidentally, let me give you my own judgment -- there is no chance of their accepting this proposal whatsoever. If they accept it, however, it will go to the second forum. This is my personal judgment -- I may be wrong -- but I don't think they will accept it.

Then next, concerning the resignation. We had said that one month before the election the President and Vice President would resign. We don't specify here. This is not new from the January 25 plan.

The next provision says that when the new President assumes office, he "will form a new government in which all political forces will be represented in proportion to the number of popular votes they received in the Presidential election." In other words they have said they are entitled to 50 percent; we have said that it would be in proportion to whatever number of votes they receive. It doesn't say which seats in the cabinet would be allotted.

(d) has to do with participating freely in the political process. That is in the other plan.

(e) is an insignificant clause about political discrimination. I don't think it will be difficult for you, but, of course, you will study it.

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Finally, in (f) we say that the Committee of National Reconciliation would stay in being after the election in order to revise the Constitution.

Let me explain the theory behind this proposal. From our point of view, the essential elements in the proposal are: One, we are not prescribing the national government of South Vietnam. Two, we are not saying you have to resign as a consequence (sic) of the agreement. Three, we are insisting that the governmental structure evolve as the result of an election. Four, your government first, will be in office after the agreement and the key personnel will be in office until the election, and you would resign at a period mutually agreed upon in the second forum. We would not say one month or two months. We leave a blank phrase and leave this question for the second forum. Five, there is a provision for the revision of the constitution. On the other hand, you continue to have 50 percent of the membership of the Committee of National Reconciliation; and therefore no revision of the constitution is possible that you cannot veto because the membership is one-third, one-third, and the final one-third is in practice fifty-fifty. Sixth, and finally, we have proposed that they get the number of cabinet seats that the vote entitles them.

(To Ambassador Bunker): What is our estimate?

Ambassador Bunker: Ten percent.

Dr. Kissinger: The 10 or 15 percent that they would get. How big is the cabinet now?

President Thieu: Twenty members.

Dr. Kissinger: If there were fifteen you could give them one and a half seats. Twenty would mean two seats, not specified. I don't know how your cabinet operates, but in our cabinet membership does not necessarily mean influence on decisions.

President Thieu: From what point of view? What do you mean?

Dr. Kissinger: I don't assume that because a person is in the cabinet he is a major figure in political life. I am speaking for ourselves, not your system. (Laughter)

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(President Thieu turns to Mr. Duc, and the Vietnamese laugh.)

Dr. Kissinger: In our country political opponents are taken into the cabinet not to be given influence but to be deprived of it. I don't wish to talk about Vietnamese politics.

President Thieu: That depends on the leadership itself, the chief of the government.

Dr. Kissinger: This proposal we think has some great advantages. If they reject it, they can't say that we want to deprive them of participation, that they can't participate in the government. If they asked for 50 percent, we would be saying that if they received 50 percent or 5 percent of the votes, that would be their number of seats. If they say that it is a constitution imposed by the United States, we could say that the Committee of National Reconciliation can review the constitution if it wants to. If they say that there must be a change in government, we would say, as with the January 25 plan, that there can be a change but by election.

If they do accept the plan -- I don't believe they will, but I don't want to mislead you; maybe they are in such bad straits that they will accept it, but they have said nothing in Paris which leads me to believe that they will accept this; I would say that the strong overwhelming probability is that they will reject it -- assuming that they accept this, then every provision must be discussed in the second forum. For example, how do you get the third third of the electoral commission, how is the electoral law formulated, what is the function of the electoral commission, etc?

If they reject this -- which is more probable and I am almost certain they will -- then it depends on how we handle the rejection. My strategy is to gain as much time as possible. Then we will publish our plan, jointly of course. We will make clear that at every stage everything was done jointly with you. My judgment is that this will silence even the New York Times, not long, but long enough. Then in November there will be a new situation, and we will step up our activity. This is our strategy.

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You are worried about a ceasefire. If you agree, I will say that as a concession we will agree to a ceasefire at the end, so as not to be forced into it now.

There is one proviso -- up to now they have totally rejected our May 8 offer. They say that a ceasefire must be at the end of the process.

President Thieu: They insist on this?

Dr. Kissinger: Yes. It is stupid, but that is their position on a ceasefire. If Le Duc Tho comes back and accepts a ceasefire then we have a problem, but it will take at least four weeks to negotiate a ceasefire. On the other hand, he is likely to stick to their proposal at the last meeting. He said that a ceasefire must be at the end, so I will say that he has convinced me and that I am making a concession.

Therefore, either there will be a settlement which would have to be discussed in the various forums, which you could delay, and there would be no ceasefire. Or we will not get a settlement and our public position would be impeccable. We can then reassess the situation in November. Then in November there would be a totally new situation. Our opponents have made Vietnam the only issue in the campaign. If they are defeated we will claim a mandate, and indeed we will have a mandate. We will not have to go through another year of good will with our opponents. If we win the election, we will settle the war one way or another. After the election, our negotiating position will be very strong, and there will be a new four-year term. There will be one or two years of time, and the President would not need to get re-elected.

I am being brutally honest. The only thing I ask you is not to say that you are satisfied with our discussions.

President Thieu: Why does Hanoi not like a ceasefire before all is settled? What advantages do they see?

Dr. Kissinger: Mr. President, I have come to this conclusion after this round of the negotiations. I used to think they were clever -- I have the highest estimate of Vietnamese intelligence. They are extremely

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doctrinaire. Le Duc Tho said to me that they had not fought 25 years just to see the war end; they have fought 25 years for a political objective. If they don't get their political objective, they can't end the war.

(To Ambassador Bunker): You sent me an FBIS article on this.

Ambassador Bunker: Yes.

Dr. Kissinger: We will send it to the President [Thieu] tonight. Let me send you what I sent to the Ambassador concerning what Le Duc Tho said. At our last meeting he went through their proposal. He said they had not accepted the January 25 proposal because you would still be in power -- this is not unreasonable from their point of view. Then he said that we wanted a ceasefire while the principles were being worked out; you remember that Ambassador Bunker proposed to you that we set a three-month deadline for the political negotiations and you agreed. They did not like this. They only want everything to be settled before a ceasefire. They are always afraid to release our prisoners. They have concluded that they cannot defeat you. Their only hope is that we overthrow you. For you it is essential that this Administration survive, because we will never overthrow you directly or indirectly. The only way they can get us to do this is to keep the war going -- they would rather pay the military price here. That's why they do not give the prisoners or agree to a ceasefire.

They are in a real dilemma. If there is no ceasefire, their military situation deteriorates, and if they don't give back the prisoners, we keep bombing them. So long as they talk to me, this confirms negotiations. I know you think that a ceasefire might come soon. I have that impression. As of our last meeting on Monday, they have totally rejected ceasefire. I have proposed every conceivable variation on May 8. There is no need to offer it any more; we have made a record. At the next meeting I would like to accept their proposal that there be no ceasefire until all is done.

The only thing is that if they come back -- I don't want to mislead you -- and say that there should be a ceasefire, we must accept it. If they publicly offer a ceasefire, we must accept it. Public

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opinion would not let us do otherwise. Then we would discuss the details at Avenue Kleber which is a complicated process. I understand you have been doing some planning on a ceasefire.

President Thieu: If they ask for ceasefire, there is no need to apply it right away. There must be discussion.

Dr. Kissinger: Mr. President, there is no chance of their doing this on the 15th. I don't think they are so clever. I don't believe that they would make a ceasefire proposal alone -- they would hook it with something else. The best would be after we accept the principles, but Kleber would discuss the technical implementation of a ceasefire -- how it would take place, where, etc. From the day of acceptance until implementation would be at least four weeks.

Ambassador Bunker: At least.

Dr. Kissinger: Second, they will not accept a ceasefire; at best it will be in relation to something. They might say that not all four forums must finish their work, but maybe only the first must do so. The first forum is mine, and we haven't even agreed on one point yet out of ten. I see no way even if they change their position on ceasefire that it would take less than four weeks. I don't believe they will accept it.

President Thieu: We have reason to believe that they understand well that if they propose ceasefire we will not apply it without conditions. They understand that if we accept the proposal, we will say the ceasefire is all right, but let us discuss the details. And during the time we discuss the modalities, we will not let them win anything; we should not pull away the blockade. There will be a ceasefire, but they cannot be resupplied by Russia or China. We may cease the bombing, but we will not cease the blockade.

Dr. Kissinger: We will not stop the mining until all prisoners are released.

President Thieu: They understand that at the same time you cease the bombing and also pull away the blockade. If they accept a ceasefire, they think that we gain many advantages. First, public opinion

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will say that President Nixon can end the war. They do not like to give President Nixon that gift. Secondly -- and this is very important -- is the morale of their troops in South Vietnam. If they say they accept a ceasefire, the problem is not on our side but on their side. Their troops would not like to fight any more. When they stop fighting, to start fighting again is very difficult.

Their strategy is that they would like to show public opinion that a war is going on in North Vietnam and that President Nixon has not ended the war. They have some hope that public opinion would change at the last minute, and that since the President could not end the war, they wish to elect Mr. McGovern. On the ground, they still hope to have some big battles in September and October, some military victories to demonstrate that Vietnamization has failed.

These are the reasons they do not like ceasefire, and they would like to have a guaranteed political solution advantageous to them obtained before accepting a ceasefire. They give the impression that North Vietnam will continue to fight until they obtain something advantageous.

For our side concerning a ceasefire, we would only apply a ceasefire when the war is completely finished, everything is settled, and there is a supervised guarantee established. We have to be sure that we haven't given them any opportunity, no gap which permits them to fight again after a ceasefire. On our side we think we need maximum guarantees.

Dr. Kissinger: So do we.

President Thieu: There is good will on our side. If the ceasefire is broken, it would always be them, never us. There must be strong enough guarantees to prevent them, not us. They have to weigh many disadvantages, such as the morale of their troops, and the advantages of continuing the war. Their last resolution said that they would prolong the war until after the election -- that is what they say.

Dr. Kissinger: Our election?

President Thieu: Yes, until after the election.

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Dr. Kissinger: They have a real problem. They have waited too long. The President is 21 points ahead -- he won't stay there; this is impossible because the Republicans are a minority party. That is an awful lot to make up for, and it won't be closed by September. If there are no serious negotiations by the end of September it will be too late for them to gain any benefit. They must make some move in the second half of September -- that is why Le Duc Tho went back to Hanoi. If they move, it would help President Nixon, even without a ceasefire.

If they say that they agree to these proposals, even if they are not announced, there will be the three forums opened, the ceasefire being discussed at Avenue Kleber, you and the PRG talking, etc. That suits our purposes. A ceasefire would be better, but it is not essential. It alone would remove 80% of the Vietnam issue from possible discussion. If they do not do this, we will go into a new Administration totally unrestrained. Before when they settled, it was just before the election and inauguration of the President in 1968, in order to commit the President before he was in office. One of the worst things we did -- not I -- was to urge you to sign an agreement on the shape of the table before 1969. We should have urged you not to agree. In that way you could say that Mr. Harriman did not even get the shape of the table solved. That is water over the dam. It's a minor issue.

They will try to commit us to something before the election. They make decisions so slowly that they may miss the strategic moment. I think they have missed it already. Whatever happens, assuming they accept our proposal, this starts negotiations in the second forum. They won't accept our proposal on September 15. It is inconceivable that they would accept it without changes. We will, therefore, be into October before they accept it, and then open the other forums. We don't need a ceasefire then.

Assuming they reject it, we will make it public. By the end of November we will do what I told you.

On ceasefire, we can insist on having ceasefire now, but I don't know whether that is a good idea. It is up to you.

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President Thieu: We have no reason for a ceasefire now.

Dr. Kissinger: Tactically we have made a record which has said that we are willing to have a ceasefire now, publicly. At Avenue Kleber we should continue this line; don't change it.

On September 15, if you agree, we plan to say that we will accept having a ceasefire at the end of the process. Then if the plan becomes public, that will be another concession. I agree the other side is stupid. But at Avenue Kleber we should stick to the official line until September 15. Nothing will happen until Le Duc Tho comes back. They won't agree to anything at Avenue Kleber.

(President Thieu talks to Mr. Duc and Mr. Nha in Vietnamese.)

But the President wanted to tell me his views of their plan.

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President Thieu: Before you came here we prepared a memorandum on our point of view. It has our view and assessment of their plan.

Dr. Kissinger: Is it in English?

President Thieu: I would like to give it to you. (He hands over the document at Tab B. Dr. Kissinger and Ambassador Bunker read through it.)

Dr. Kissinger: You will notice that with respect to your point 5, in our plan the proposal [for a ceasefire] is for all of Indochina.

(Dr. Kissinger laughs.) Section A is unacceptable. Section B is unacceptable in principle. Is that a higher form of unacceptability? (President Thieu discusses his notes with Mr. Duc in Vietnamese. Dr. Kissinger leaves the room for a couple of minutes and then returns. Mr. Duc asks Mr. Lord for the Vietnamese text of the North Vietnamese proposals. Mr. Lord said that he did not know whether the American party had the Vietnamese text with them, but that he would check.)

Dr. Kissinger: I believe we have answered most of your comments in our proposal.

On point 1, we have eliminated all the language about what the U.S. must do. In point 2, we have rejected the proposal that technical advisers be withdrawn. We define U.S. bases as those operated by the U.S., not the bases that we give to you. Concerning point 3, since we don't accept withdrawal of technical personnel we can't accept that. On point 4, we have given you our reformulation.

On point 5, we tell you what they said last time. They want to discuss it (Vietnamese armed forces) in forum 2. We don't agree. I will be frank -- if negotiations stalemate over this kind of issue, we are in a good domestic position. If they stalemate over who is elected, that the American people don't understand. But if the North Vietnamese say that North Vietnamese troops are under the PRG, all will understand that. If we shift to the second and third forums and you insist, we can stand on that for a long time. This involves principle, so it is no problem for us.

Regarding point 6, our reformulation takes care of most of your points on the proposal. (To Mr. Lord): We have not accepted the language on the demarcation line, etc.

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Mr. Lord: No.

Dr. Kissinger: This point only has what was in the January 25 plan. We have not said that you will promptly start negotiations. We have said "after a suitable interval."

With regard to point 7, we don't accept it. We don't mind their maintaining this demand [reparations]; it is a good demand to waste time on. They are stupid. They insist that it be written in the agreement. We will never accept that. (To Ambassador Bunker): Can you imagine an American President accepting that?

Ambassador Bunker: No.

Dr. Kissinger: That not even McGovern can do. Not even McGovern could accept point 7.

With regard to point 8, there is no problem.

With regard to point 9, we apply it to all of Indochina. With regard to point 10... (Dr. Kissinger then reads their comments on procedure but makes no comment).

I think what we should do, Mr. President, if you agree, is that you should study our proposal. I think you will find that what we plan to put forward meets your objectives here, with the possible exception of point 4.

Even on point 4 we are trying to take account [of your concerns]. The government is not predetermined by an arbitrary forum.

We are insisting that the government of South Vietnam not be destroyed as a way of ending the war. In fact it is legally maintained by continuing the government after a settlement and through the election within the existing framework.

We accept the composition which they want for the Government of National Concord in the Committee for the Elections. This still gives you a veto because you still control 50% of the Committee. They want predetermined power, not a fair process. And we accept revision of the constitution, again by a body that you control 50% of.

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We want to go to the absolute limit of what is and looks reasonable, but defend the principle that the U.S. will not end the war in which it lost 45,000 men by joining our enemy against our friend, or destroying a government allied with us for 400 prisoners of war, or even to win an election. We would rather not win the election on that basis. The history books will last longer than the election.

We have a common problem. The election is almost as important for you as for us. We have already achieved the fact that they have not made their proposal public. If it were published, McGovern and the New York Times would insist it was a tremendous concession and that you were the obstacle.

Now we will survive until September 15. After we have agreed on a common position, no matter what they say publicly, I can explain it to the press. As a minimum, no one will understand what they are trying to say. I would say that this is a joint proposal that demonstrates that you have offered to resign, that you have offered to let communists in the Cabinet proportionate to the vote they achieve in the elections, that you accept their composition in the Committee of National Reconciliation, that you have offered constitutional revision. I think even McGovern would have to keep quiet for three to four weeks.

President Thieu: What should we do from now until September 15?

Dr. Kissinger: Le Duc Tho is in Paris (sic). Don't appear too satisfied with our meeting. I don't mind if you seem slightly dissatisfied. Hanoi will think that I am moving in the direction of their proposal. We want to keep them from going public very quickly.

Until the 15th of September nothing will happen. I will have Ambassador Bunker and probably Ambassador Porter come to Hawaii. The press will think something tremendous is going on. Le Duc Tho is coming back, I think, on the 10th. Anyway he offered to meet me on the 11th. I wanted to gain time so I said the 15th. I will give a proposal. He undoubtedly will give a proposal. We will study them for two weeks. I have already told them that we will not accept their proposal. When we meet tomorrow, I will tell you what I said.

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Either on October 5 or 10, maybe they will accept. If they accept the forums will open, and the problems can't be settled in time. If the forums open, that indicates enough progress as far as we are concerned.

The only thing I would suggest, if you agree, is that on point 9 (ceasefire) we either put that point after the signature of an overall agreement, or I tell them privately that we understand the point to mean that it should come after an overall agreement, as a concession.

Mr. Duc: I would like to ask for a few clarifications. First, up to now you insisted that the ceasefire be throughout Indochina. Is there any change?

Dr. Kissinger: No, it is still throughout Indochina.

Mr. Duc: Concerning elections. Would you see the election only of the President?

Dr. Kissinger: Yes, we are saying 5 months (after an agreement). It would look better to say four months, but we can agree on 5, and then give a month away in the process of negotiations. It won't hinge on that. That is a presentational issue.

President Thieu: We meet tomorrow at 10:00. I would also like to review the general situation with you tomorrow or today, whenever you want.

Dr. Kissinger: Today, if you like.

President Thieu: Yes.

Dr. Kissinger: Tomorrow we will talk about this [the proposal]?

President Thieu: We will study it.

Mr. Duc: Have they defined neutrality for South Vietnam? We do not accept it for South Vietnam alone. It should be for all of Indochina.

Dr. Kissinger: They cite the provisions of the 1954 Geneva Agreements.

Mr. Duc: The military provisions?

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Dr. Kissinger: Yes, let me explain. There is a certain advantage to vagueness in the formulations. Then the details are discussed in the other forums. That is the most positive aspect of their document. They would like it that they and we settle all and impose it on you. That is what they want -- let's be honest. We want to settle something, then have them talk to you, because once they are at a forum with you the situation changes, particularly if you operate the forums for some time. Therefore our objective is to get these forums open. That will be our basic approach.

They have not defined "neutrality". That will have to be discussed in the forum. Whenever I ask a question, they are totally, utterly, unreasonable. Their explanation of their terms is outrageous. I am not saying that they are peace-loving people who see the light. (Laughter.)

We have a tactical problem. They are trying to maneuver us into a position where we destroy you. We are trying to maneuver them into a position that you will survive and do something. They make the first move to deal with you and therefore cannot destroy you. If we wanted to destroy you, we would have done it two years ago. (Laughter.) It is an absolute principle for the President and the White House -- we will not end the war by betraying our friends.

Ambassador Bunker completely has our confidence -- you can trust him. Don't believe whatever else you read. The more ignorant people are, the more they talk. We have no secret arrangement with the North Vietnamese. There is nothing you do not know. But we need a platform, and this is why we have our proposal. If you became the issue in the campaign, it would be bad for you and us. With this proposal we can survive until November.

That doesn't mean that we can't change our proposal.

Mr. Duc: Concerning the revision of the constitution, do you mean that over 50% must vote for a change in the constitution?

Dr. Kissinger: They must vote for a change. I think we could add a phrase concerning the revision of the constitution, "which then is submitted to referendum." I am delighted you asked the question. It is a good addition.

Mr. Duc: Is it [the Committee] competent to prepare a draft of the constitution?

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Dr. Kissinger: We could take out "revision of the constitution" and say instead that the "Committee would prepare a draft of a new constitution and submit it to referendum." This is best for us. On the other hand, "revision" may give the impression of the existing constitution. We could say "draft a new constitution and submit it to a referendum." That is best for us. We are glad to say "draft a new constitution."

Mr. Duc: "After due process."

Dr. Kissinger: "After due process."

I also want to talk about our next withdrawals, by the first of the month.

President Thieu: Yes.

Dr. Kissinger: I have talked to General Vogt and General Weyand this morning. We are going to make our next announcement within two weeks, and it will last until December 1 or 15, after the elections. After that, we do not intend to withdraw anything significant. General Weyand says that he needs 29,500 men. We must do a little less, from 25,000 to 29,000. He says he can live with that. It will not be less; it will be 10 to 12 thousand over this period.

President Thieu: The ceiling on September 1 will be 39,000. Now the ceiling on December 1 will be 27,000.

Dr. Kissinger: 27. It may be 27 or 28. It is 12,000 more troops. Does that bother you?

President Thieu: (indicating that it does not bother him). We will discuss the details.

Ambassador Bunker: Yes, the composition of the remaining forces.

Dr. Kissinger: You will discuss it with Generals Vogt and Weyand. I am told that this will not affect the combat operations going on. (To Ambassador Bunker): Is that right?

Ambassador Bunker: Right.

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Dr. Kissinger: We will not answer the question whether this will be our residual force. For your information, this will be about where we stay.

President Thieu: Your naval forces?

Dr. Kissinger: There will be no reduction. There could be reductions in other countries, but we want them for the campaign after November 7. We don't want to bring them back. We can reduce them; they are not needed; but we want to keep the pressure on North Vietnam, so we have no intention of reducing those.

President Thieu: About the prisoners of war, you have nothing?

Dr. Kissinger: I think they are keeping the prisoners as blackmail. We will raise this issue brutally after November if they don't return them. They won't release them. They have made no proposal.

If they accept our May 8 proposal for ceasefire and prisoners, then we must withdraw. That is our official position, and we can't change that. But they won't accept it. There is no possibility.

President Thieu: If there is only one condition, only a ceasefire for North Vietnam, that is most advantageous to them. If we say throughout Indochina, they see no advantage to that.

What if they propose a ceasefire in North Vietnam for an exchange of prisoners? You would cease the bombing and pull out the blockade in North Vietnam in order to get a return of the American prisoners. So they would say the war is finished now for America and North Vietnam in South Vietnam. This would be the most unfriendly proposal.

Dr. Kissinger: I will be honest. If they propose this during the election campaign, we will be in a very difficult position.

They insist that you be overthrown. They insist that we stop military and economic aid to you. That shows your strength, because if they thought they could overthrow you they wouldn't demand that we stop military and economic aid. They show no sign, absolutely no sign, that they are prepared to separate military and political issues. Each time I see Le Duc Tho, I get a half hour lecture on the relationship between military and

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political issues. Three times we have started negotiations -- in April 1970, the summer of 1971, and now. Each time I say we should settle the military issues first. Then I get a lecture for two hours that military and political issues should be settled together. I say, all right, and he treats this as a big concession. So I don't believe they will separate them. I cannot exclude the possibility that they will be clever. (To Mr. Lord): Can you imagine their separating these issues?

Mr. Lord: It would be a total shift in their position.

Dr. Kissinger: It would be a total shift in their position. If they did, we could delay for one session. Keep this in mind. If they never talked to me and introduced to the plenary sessions publicly their plan, we would be dead. Congress would pass resolutions and there would be an endless process. By October 1, Congress will be out of session until after the election. I have their commitment, for whatever it is worth, that they will say nothing publicly.

Therefore I really don't mind at all--seriously-- if you leave the impression that there is no excessive cordiality between us. Don't attack me, however. (Laughter.) Don't overdo it. Don't say that you are totally satisfied, though I hope you will be.

President Thieu: We will talk tomorrow morning.

Dr. Kissinger: We would like to discuss the military situation. It is up to you.

President Thieu: Tomorrow I will say a few words. I will give you our view tomorrow morning.

Dr. Kissinger: Also your assessment about what you think is ahead the next two months, the next 6 months, the next year. Secondly, what you need to Vietnamize your air force. Do you have the right planes? I talked to General Vogt also.

So we will settle this tomorrow. If you have any provisions, any suggestions, on how to alter a sentence, or phrase, or the content, we could discuss this tomorrow.

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Mr. Duc: I asked Mr. Lord if you had the Vietnamese text of their proposals.

Dr. Kissinger: If we do not have them here, we can send them back from Washington by courier. You would have them no later than the end of next week.

(The meeting then broke up. Dr. Kissinger jokingly commented that the GVN's written comments on the North Vietnamese proposals indicated that the GVN could not accept every detail. (Laughter.) President Thieu and his two aides said goodbye to the American party which then descended the stairs to their waiting cars.)

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