

**FOREIGN
RELATIONS
OF THE
UNITED
STATES**

1969–1976

VOLUME X

**VIETNAM,
JANUARY 1973–
JULY 1975**



**DEPARTMENT
OF
STATE**

Washington



Foreign Relations of the United States, 1969–1976

Volume X

Vietnam, January 1973– July 1975

Editor Bradley Lynn Coleman
General Editor Edward C. Keefer

DEPARTMENT OF STATE

OFFICE OF THE HISTORIAN

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Preface

The *Foreign Relations of the United States* series presents the official documentary historical record of major foreign policy decisions and significant diplomatic activity of the United States Government. The Historian of the Department of State is charged with the responsibility for the preparation of the *Foreign Relations* series. The staff of the Office of the Historian, Bureau of Public Affairs, under the direction of the General Editor of the *Foreign Relations* series, plans, researches, compiles, and edits the volumes in the series. Secretary of State Frank B. Kellogg first promulgated official regulations codifying specific standards for the selection and editing of documents for the series on March 26, 1925. These regulations, with minor modifications, guided the series through 1991.

Public Law 102–138, the Foreign Relations Authorization Act, established a new statutory charter for the preparation of the series which was signed by President George H.W. Bush on October 28, 1991. Section 198 of P.L. 102–138 added a new Title IV to the Department of State’s Basic Authorities Act of 1956 (22 U.S.C. 4351, et seq.).

The statute requires that the *Foreign Relations* series be a thorough, accurate, and reliable record of major United States foreign policy decisions and significant United States diplomatic activity. The volumes of the series should include all records needed to provide comprehensive documentation of major foreign policy decisions and actions of the United States Government. The statute also confirms the editing principles established by Secretary Kellogg: the *Foreign Relations* series is guided by the principles of historical objectivity and accuracy; records should not be altered or deletions made without indicating in the published text that a deletion has been made; the published record should omit no facts that were of major importance in reaching a decision; and nothing should be omitted for the purposes of concealing a defect in policy. The statute also requires that the *Foreign Relations* series be published not more than 30 years after the events recorded. This volume meets all regulatory, statutory, and scholarly standards of selection and editing.

Structure and Scope of the Foreign Relations Series

This volume is part of a subseries of volumes of the *Foreign Relations* series that documents the most important issues in the foreign policy of Presidents Richard M. Nixon and Gerald R. Ford. This specific volume covers U.S. policy towards Vietnam, Laos, and Cambodia from the signing of the Paris Peace Accords (January 1973) to the fall

of Saigon and Phnom Penh (April 1975). The final chapter covers the SS *Mayaguez* incident (May 1975).

Focus of Research and Principles of Selection for Foreign Relations,
1969–1976, Volume X

This volume addresses the ending of the Vietnam war; a story central to the U.S. experience in the 20th century. Similar to other *Foreign Relations* volumes, this collection of documents emphasizes the formation of policy over day-to-day diplomacy. Several themes dominated U.S. policy and policy objectives in Indochina during this period: the relationship between force and diplomacy, the struggle between the President and Congress in the formation and implementation of U.S. policy, U.S. credibility in the world, and the limits of American power. These themes dictated the selection of documents in this volume. Soon after the fall of Saigon in April 1975, American officials in several agencies began looking back at U.S. policy toward and political and military actions in Vietnam in an effort to understand and learn from the American experience in Indochina beginning in the early 1960s. This volume places those analyses within the broader documentary context.

This volume concludes with documentation covering the May 1975 seizure by Cambodia of the SS *Mayaguez* and the successful recovery by U.S. forces of the ship and its crew. The documents cover the crisis deliberations in Washington among civilian and military officials that led to President Ford's decision to use military force to recover the ship.

Editorial Methodology

The documents are presented chronologically according to Washington time. Memoranda of conversation are placed according to the time and date of the conversation, rather than the date the memorandum was drafted.

Editorial treatment of the documents published in the *Foreign Relations* series follows Office style guidelines, supplemented by guidance from the General Editor and the Chief of the Declassification and Publishing division. The documents are reproduced as exactly as possible, including marginalia or other notations, which are described in the footnotes. Texts are transcribed and printed according to accepted conventions for the publication of historical documents within the limitations of modern typography. A heading has been supplied by the editor for each document included in the volume. Spelling, capitalization, and punctuation are retained as found in the original text, except that obvious typographical errors are silently corrected. Other mistakes and omissions in the documents are corrected by bracketed insertions: a correction is set in italic type; an addition in roman type. Words or

phrases underlined in the source text are printed in italics. Abbreviations and contractions are preserved as found in the original text, and a list of abbreviations is included in the front matter of each volume.

Bracketed insertions are also used to indicate omitted text that deals with an unrelated subject (in roman type) or that remains classified after declassification review (in italic type). The amount and, where possible, the nature of the material not declassified has been noted by indicating the number of lines or pages of text that were omitted. Entire documents withheld for declassification purposes have been accounted for and are listed with headings, source notes, and number of pages not declassified in their chronological place. All brackets that appear in the original text are so identified in footnotes. All ellipses are in the original documents.

The first footnote to each document indicates the source of the document, original classification, distribution, and drafting information. This note also provides the background of important documents and policies and indicates whether the President or his major policy advisers read the document.

Editorial notes and additional annotation summarize pertinent material not printed in the volume, indicate the location of additional documentary sources, provide references to important related documents printed in other volumes, describe key events, and provide summaries of and citations to public statements that supplement and elucidate the printed documents. Information derived from memoirs and other first-hand accounts has been used when appropriate to supplement or explicate the official record.

The numbers in the index refer to document numbers rather than to page numbers.

Advisory Committee on Historical Diplomatic Documentation

The Advisory Committee on Historical Diplomatic Documentation, established under the Foreign Relations statute, reviews records, advises, and makes recommendations concerning the *Foreign Relations* series. The Advisory Committee monitors the overall compilation and editorial process of the series and advises on all aspects of the preparation and declassification of the series. The Advisory Committee does not necessarily review the contents of individual volumes in the series, but it makes recommendations on issues that come to its attention and reviews volumes as it deems necessary to fulfill its advisory and statutory obligations.

Presidential Recordings and Materials Preservation Act Review

Under the terms of the Presidential Recordings and Materials Preservation Act (PRMPA) of 1974 (44 U.S.C. 2111 note), the National

Archives and Records Administration (NARA) has custody of the Nixon Presidential historical materials. The requirements of the PRMPA and implementing regulations govern access to the Nixon Presidential historical materials. The PRMPA and implementing public access regulations require NARA to review for additional restrictions in order to ensure the protection of the privacy rights of former Nixon White House officials, since these officials were not given the opportunity to separate their personal materials from public papers. Thus, the PRMPA and implementing public access regulations require NARA formally to notify the Nixon Estate and former Nixon White House staff members that the agency is scheduling for public release Nixon White House historical materials. The Nixon Estate and former White House staff members have 30 days to contest the release of Nixon historical materials in which they were a participant or are mentioned. Further, the PRMPA and implementing regulations require NARA to segregate and return to the creator of files private and personal materials. All *Foreign Relations* volumes that include materials from NARA's Nixon Presidential Materials Project are processed and released in accordance with the PRMPA.

Nixon White House Tapes

Access to the Nixon White House tape recordings is governed by the terms of the PRMPA and an access agreement with the Office of Presidential Libraries of the National Archives and Records Administration and the Nixon Estate. In February 1971, President Nixon initiated a voice activated taping system in the Oval Office of the White House and, subsequently, in the President's Office in the Executive Office Building, Camp David, the Cabinet Room, and White House and Camp David telephones. The audiotapes include conversations of President Nixon with his Assistant for National Security Affairs, Henry Kissinger, other White House aides, Secretary of State Rogers, other Cabinet officers, members of Congress, and key foreign officials. The clarity of the voices on the tape recordings is often very poor, but the editor has made every effort to verify the accuracy of the transcripts produced here. Readers are advised that the tape recording is the official document; the transcript represents an interpretation of that document. Through the use of digital audio and other advances in technology, the Office of the Historian has been able to enhance the tape recordings and over time produce more accurate transcripts. The result is that some transcripts printed here may differ from transcripts of the same conversations printed in previous *Foreign Relations* volumes. The most accurate transcripts possible, however, cannot substitute for listening to the recordings. Readers are urged to consult the recordings themselves for a full appreciation of those aspects of the conversations that cannot be cap-

tured in a transcript, such as the speakers' inflections and emphases that may convey nuances of meaning, as well as the larger context of the discussion.

Declassification Review

The Office of Information Programs and Services, Bureau of Administration, conducted the declassification review for the Department of State of the documents published in this volume. The review was conducted in accordance with the standards set forth in Executive Order 12958, as amended, on Classified National Security Information and applicable laws.

The principle guiding declassification review is to release all information, subject only to the current requirements of national security as embodied in law and regulation. Declassification decisions entailed concurrence of the appropriate geographic and functional bureaus in the Department of State, other concerned agencies of the U.S. Government, and the appropriate foreign governments regarding specific documents of those governments. The declassification review of this volume, which began in 2006 and was completed in 2009, resulted in the decision to withhold 1 document in full, excisions of a paragraph or more in 9 documents, and minor excisions of less than a paragraph in 7 documents.

The Office of the Historian is confident, on the basis of the research conducted in preparing this volume and as a result of the declassification review process described above, that the record presented in this volume presented here provides an accurate and comprehensive account of the United States foreign policy towards Vietnam.

Acknowledgments

The editor wishes to acknowledge the assistance of officials at the Nixon Presidential Materials Project of the National Archives and Records Administration (Archives II), at College Park, Maryland. The Richard Nixon Estate allowed access to the Nixon recordings; the Richard Nixon Library & Birthplace facilitated research. The Gerald Ford Library, Central Intelligence Agency, and National Security Council provided full access to their records. Henry Kissinger granted the editor permission to employ the Kissinger Papers at the Library of Congress, including transcripts of telephone conversations. John Haynes of the Library of Congress expedited work with the Henry Kissinger Papers. Finally, Sandy Meagher helped with Department of Defense files.

Bradley Lynn Coleman collected, organized, and annotated the documents under the supervision of Edward C. Keefer, former General Editor of the series, and Erin Mahan, former Chief of the Asia,

General, and Africa Division. John M. Carland contributed to the preface. Dean Weatherhead coordinated the declassification review under the direction of Susan C. Weetman, Chief of the Declassification and Publishing Division. Mandy A. Chalou did the copy and technical editing. Do Mi Stauber prepared the index.

Bureau of Public Affairs
September 2010

Ambassador Edward Brynn
Acting Historian

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Sources

Sources for the Foreign Relations Series

The 1991 *Foreign Relations* statute requires that the published record in the *Foreign Relations* series include all records needed to provide comprehensive documentation on major U.S. foreign policy decisions and significant U.S. diplomatic activity. It further requires that government agencies, departments, and other entities of the U.S. Government engaged in foreign policy formulation, execution, or support cooperate with the Department of State by providing full and complete access to records pertinent to foreign policy decisions and actions and by providing copies of selected records. Most of the sources consulted in the preparation of this volume have been declassified and are available for review at the National Archives and Records Administration.

The editors of the *Foreign Relations* series have complete access to all the retired records and papers of the Department of State: the central files of the Department; the special decentralized files ("lot files") of the Department at the bureau, office, and division levels; the files of the Department's Executive Secretariat, which contain the records of international conferences and high-level official visits, correspondence with foreign leaders by the President and Secretary of State, and memoranda of conversations between the President and Secretary of State and foreign officials; and the files of overseas diplomatic posts. All the Department's indexed central files through July 1973 have been permanently transferred to the National Archives and Records Administration at College Park, Maryland (Archives II). Many of the Department's decentralized office files covering the 1969–1976 period, which the National Archives deems worthy of permanent retention, have also been transferred or are in the process of being transferred from the Department's custody to Archives II.

The editors of the *Foreign Relations* series also have full access to the papers of President Nixon and other White House foreign policy records, including tape recordings of conversations with key U.S. and foreign officials. Presidential papers maintained and preserved at the Presidential libraries and the Nixon Presidential Materials Project include some of the most significant foreign affairs-related documentation from the Department of State and other Federal agencies including the National Security Council, the Central Intelligence Agency, the Department of Defense, and the Joint Chiefs of Staff. Dr. Henry Kissinger has approved access to his papers at the Library of Congress. The papers are a key source for the Nixon-Ford subseries of *Foreign Relations*.

Research for this volume was completed through special access to restricted documents at the Nixon Presidential Materials Project, the Library of Congress, and other agencies. While all the material printed in this volume has been declassified, some of it is extracted from still classified documents. Nixon's papers were transferred to their permanent home at the Nixon Presidential Library and Museum, in Yorba Linda, California, after research for this volume was completed. The Nixon Library staff is processing and declassifying many of the documents used in this volume, but they may not be available in their entirety at the time of publication.

Sources for Foreign Relations, 1969–1976, Volume X

In preparing this volume, the editor made extensive use of Presidential papers and other White House records at the Nixon Presidential Materials Project, which proved to be the single most useful collection bearing on the Nixon administration's management of the Vietnam War and its search for a negotiated peace in Southeast Asia. The collection of most value within the Nixon materials is the National Security Council (NSC) Files. Two files within the NSC Files provide the best documentation: the Vietnam Subject Files and the Country Files for Vietnam. They hold the working records of the NSC staff members responsible for analyzing information on Vietnam for Kissinger, who in turn would use their analysis in his communications with President Nixon. The Vietnam Subject Files is a topical collection that deals not only with Vietnam but also with Laos, Cambodia, Thailand, and Southeast Asia as a whole. Although the Vietnam Subject Files collection is weighed towards military issues, it is not exclusively military. Indeed, these files contain abundant records on the U.S. attempt to manage the peace in Vietnam after January 1973.

Next in importance are several other collections within the NSC Files. The first is the Backchannel Files which contain secret communications, sent without the bureaucracy's knowledge, between the White House (essentially the President or Kissinger) and ambassadors. Although the collection includes all backchannel messages, a good portion are backchannel messages to and from Ambassador Graham A. Martin in Saigon, and to and from other ambassadors in Southeast Asia. On almost all occasions, these backchannel messages were more important to the policy process than the regular Department of State telegrams. Backchannel messages to and from U.S. negotiators in Paris are also in this collection. Also in the NSC Files are the Kissinger Office Files, the Subject Files, the Agency Files, the Haig Special and Chronological Files, Presidential/HAK MemCons, the President's Daily Briefing Files, and the Unfiled Materials.

Of equal importance in the NSC Files of the Nixon Presidential Materials are the National Security Council Institutional Files (H-Files),

which are part of the NSC Files but are not to be confused with the NSC Institutional Matters File. The H-Files contain the minutes of NSC Council Meetings, and such NSC subgroups as the Review Group/Senior Review Group and Washington Special Actions Group. For each set of meeting minutes there are corresponding folders that contain the papers that Kissinger, who chaired all of these groups, used in preparation for the meetings. Also of value in the H-Files are the National Security Study Memorandum and National Security Decision Memorandum files, containing the request for studies, the studies themselves, and the decision memoranda resulting from the process.

Presidential tape recordings of Nixon's telephone conversations and of his meetings with senior advisers—also part of the Presidential Materials collection—add greatly to our ability to document the Vietnam policy process and its implementation. The transcript of conversations reveals crucial pre-decisional discussions between and among principals to the policy process, and on occasion even capture the moment of decision itself. Because Vietnam represented so complicated and difficult a problem, or problems, for the President and his inner circle, the tape transcripts provide additional richness in the sources. These frank conversations yield a deeper understanding of the players, their actions, and the consequences of action.

The archival sources at the Ford Presidential Library in Ann Arbor, Michigan, offer the best coverage of the final months of the Vietnam War, including domestic political activities, the evacuation of Phnom Penh and Saigon, and the SS *Mayaguez* affair. The Presidential Country Files for East Asia and the Pacific contain invaluable documents, including memoranda, correspondence, telegrams, and reports. The NSC East Asia and Pacific Affairs Staff Files offer additional documentation, including a chronological file, SS *Mayaguez* papers, and items generated for WSAG and NSC meetings. Additionally, the library houses Ford administration H-Files, which include briefing books, memoranda, and WSAG meetings minutes produced during the U.S. evacuation of Cambodia and South Vietnam. Also useful are the Agency Files, NSC Vietnam Information Group Files, NSC Congressional Relations Files, NSC Meeting Files, Kissinger and Scowcroft West Wing Files, Brent Scowcroft Daily Work Files, White House Central Files, Legislative Inter-Departmental Working Group Files, and Wolfgang Lehmann Papers. The boxes of documents removed from the Embassy by Ambassador Martin during the evacuation of Saigon are another useful resource. Combined with the Martin backchannel messages, these records offer a detailed account of the Embassy's experience, important considering the Ambassador's great personal influence on the handling of the evacuation.

The Henry Kissinger Papers at the Library of Congress are likewise valuable. Material in the papers often replicate documents

found in other collections; it nonetheless holds some unique documents. Foremost in this category are the transcripts of Kissinger telephone conversations based on notes taken by a secretary listening in on the phone at Kissinger's office at the White House or transcribed from tapes recordings from his home telephone.

The Department of State, Department of Defense, and to a lesser extent the Central Intelligence Agency, strong bureaucratic players in past Vietnam volumes, played a much reduced role under President Nixon and Henry Kissinger, who concentrated policy in their own hands. The files of the Department of State, especially the Central Files and some Lot Files, are most valuable for tracking events in Vietnam, Laos, and Cambodia, and at the Paris Talks. The Central Files offer Vietnam-related documents through mid-1973, after which the Department captured memoranda, telegrams, and other records electronically. Beginning in September 1973 the Department of States again played an active role in the policymaking process. That month, Kissinger became Secretary of State; his NSC staffers filled many key positions at the Department. Useful resources include Record Group 59 at the National Archives. Also interesting are the U.S. Foreign Service post records. Although they offer little on high policy, the post files are filled with reports and communications on local conditions and activities. And, in the absence of U.S. initiative after mid-1973, the story of U.S. involvement in Southeast Asia often centers on U.S. Embassy. The post files, however, provide inconsistent coverage of U.S. activities abroad because many records did not survive the fall of Saigon. The best preserved, the Phnom Penh Embassy Files, Record Group 84, offer detailed coverage of U.S. activities in Cambodia. Also, while they offer thin coverage of the years between 1969 and 1974, the Lot Files of the Bureau of East Asian Affairs Files, Record Group 59, can be useful for researchers interested in the ending of the Vietnam War.

The Central Intelligence Agency (CIA) records are essential for documenting the role of intelligence in the war in Southeast Asia. Even so, the most important finished intelligence can be found in the Nixon Presidential Materials, NSC Files. The CIA prepared a daily briefing for the President on Vietnam that is in the National Security Council Files, President's Daily Briefings. Additionally, useful collections under CIA's physical custody are the National Intelligence Center (NIC) Files, which contain many intelligence estimates and memoranda.

Department of Defense related records that are worthy of mention as sources, are the records of the Chairman of the Joint Chiefs in Record Group 218 at the National Archives, specifically those of Admiral Thomas H. Moorer, 1970–1974 and General George S. Brown, 1974–1978. The most useful sections of these records are the Chairman's

correspondence to and from the Commander, Military Assistance Command, Vietnam, correspondence to and from the Commander in Chief, Pacific Command, and additional miscellaneous Vietnam related documents in various country folders.

In addition to the paper files cited below, a growing number of documents are available on the Internet. The Office of the Historian maintains a list of these Internet resources on its website and encourages readers to consult that site on a regular basis.

Unpublished Sources

Department of State

Central Files. *See* National Archives and Records Administration below.

National Archives and Records Administration, College Park, Maryland

Record Group 59, Records of the Department of State

Central Files

POL 21–LAOS INTERNAL TALKS

POL 27 LAOS

POL 27–14 VIET

Record Group 84, Foreign Service Post Files

Phnom Penh Embassy Lot Files

Record Group 218, Records of the Chairman of the Joint Chiefs

Records of Thomas H. Moorer

Records of George S. Brown

Gerald R. Ford Presidential Library, Ann Arbor, Michigan

U.S. National Security Council

Institutional Records, 1974–77

Meeting Minutes, Washington Special Actions Group

National Security Study Memoranda

Washington Special Actions Group Meeting, Evacuation

Washington Special Actions Group Meeting, Indochina

National Security Adviser Files

Backchannel Messages, 1974–1977

NSC Vietnam Information Group: Intelligence and Other Reports, 1967–75

Presidential Country Files for East Asia and the Pacific, 1974–77

NSC East Asia and Pacific Affairs Staff Files, 1973–76

Kissinger-Scowcroft West Wing Office Files, 1974–77

Presidential Subject File, 1974–77

Presidential Transition File, 1974

NSC Meeting Minutes, 1974–77

XVI Sources

Scowcroft Daily Work Files, 1974–77
Presidential Correspondence with Foreign Leaders, 1974–77
Trip Briefing Books and Cables of Henry Kissinger, 1974–77
Presidential Agency Files, 1974–77
NSC Press and Congressional Liaison Staff Files, 1972–75
NSC Planning and Coordination Staff Files, 1972–75
Legislative Interdepartmental Group Files, 1971–74
NSC Information Liaison with Commissions and Committees, 1974–77
Saigon Embassy Files Kept by Ambassador Graham Martin, 1963–75

President's Daily Diary, 1974–77

President's Handwriting File, 1974–77

President's Speeches and Statements

U.S. National Security Agency

Radio Messages from the Helicopter Evacuation of U.S. Embassy, Saigon, 29–30 April 1975

White House Central Files

Subject Files, Country

Philip W. Buchen Files

Richard B. Cheney Files

James E. Connor Files

Martin Hoffman Papers and Scrapbooks

William Kendall Files

Wolfgang J. Lehmann Papers

John O. Marsh Files

Patrick O'Donnell and Joseph Jenckes Files

Nixon Presidential Materials Project, National Archives and Records Administration, College Park, Maryland (Now at the Nixon Presidential Library and Museum, Yorba Linda, California)

National Security Council, Institutional Files (H-Files)

Meeting Files, Washington Special Actions Group Meetings, Minutes of Meetings, Washington Special Actions Group Meetings (Originals)

Meeting Files, Washington Special Actions Group Meetings, Minutes of Meetings, Southeast Asia

Meeting Files, Washington Special Actions Group Meetings, Minutes of Meetings, Vietnam

Minutes of Meetings (1969–1974), Washington Special Action Group, Vietnam Ad Hoc Group

Policy Papers (1969–1974), National Security Decision Memorandums

Study Memorandums (1969–1974), National Security Study Memorandums

Under Secretaries Committee Memorandum Files (1969–1974)

National Security Council Files

- Henry A. Kissinger Office Files
 - Country Files, Vietnam
 - Subject Files, Vietnam
- Backchannel Messages
- Presidential Correspondence (1969–1974)
 - Name Files
- Presidential/HAK Memcons
- Agency and Congressional Files
- VIP Visits
- Alexander M. Haig Special File
- Unfiled Material
- White House Central Files

Central Intelligence Agency

Executive Registry Subject Files

- Job 80–B01086A, Job 80–M01048A, and Job 80–M01066A

National Intelligence Council Files

- Job 79–R01012A
- Job 79–R01142A
- Job 80–R01720R

Library of Congress, Washington, DC

Papers of Henry A. Kissinger

National Security Council

Nixon Administration Intelligence Files

- Subject Files, Vietnam, January–October 1973

Ford Administration Intelligence Files

- Subject Files, Vietnam, August–June 1975

Washington National Records Center, Suitland, Maryland

FRC 330, Records of the Office of the Secretary of Defense

- 78–0001

- Secret Decimal Files of the Office of the Secretary of Defense, 1973

- 78–0002

- Top Secret Decimal Files of the Office of the Secretary of Defense, 1973

- 78–0011

- Secret Decimal Files of the Office of the Secretary of Defense, 1974

- 78–0010

- Top Decimal Files of the Office of the Secretary of Defense, 1974

- 78–0058

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- 78–0059

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76–0078

Top Secret Files of the Office of the Assistant Secretary of Defense for International Security Affairs, 1972–1975

76–0079

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83–0150

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_____. *Public Papers of the Presidents of the United States: Gerald R. Ford, 1974–1977*. 6 vols. Washington, DC: Government Printing Office, 1975–1977.

Abbreviations and Terms

A-6, U.S. carrier-based attack aircraft
A-7, U.S. tactical military aircraft
AAFLI, Asian American Free Labor Institute
ADD, Agency for Defense Development
AFB, Air Force Base
AFP, *Agence France Presse*, a French news agency
AH, Alexander Haig
AHC, Attack Helicopter Command (South Vietnam)
AID, Agency for International Development
AK-47, Soviet-manufactured assault rifle
Amb, Ambassador
AmEmbassy, American Embassy
AP, Associated Press
ARVN, Army of the Republic of (South) Vietnam
ASAP, as soon as possible
ASEAN, Association of Southeast Asian Nations
ASPAC, Asian and Pacific Council

B-52, U.S. bomber aircraft
BOB, Bureau of the Budget
BS, Brent Scowcroft

Cam, Cambodia
CH-46, medium lift U.S. military helicopter
CH-53, heavy lift U.S. military helicopter
CIA, Central Intelligence Agency
CINCPAC, Commander-in-Chief, Pacific Command
CINCPACAF, Commander-in-Chief, Pacific Air Force
CINCPACFLT, Commander-in-Chief, Pacific Fleet
CINCUSARPAC, Commander-in-Chief, U.S. Army, Pacific
CJCS, Chairman, Joint Chiefs of Staff
CM, Chairman's (of the Joint Chief of Staff) Memorandum
Comint, communications intelligence
COMUSK, Commander U.S. Forces, Korea
COMUSMACV, Commander, U.S. Military Assistance Command, Vietnam
COMUSSAG, Commander, United States Special Advisory Group
ConGen, Consulate General
CONUS, Continental United States
COS, Chief of Station
COSVN, Central Office for South Vietnam, Communist political and military headquarters for the southern half of South Vietnam
CPR, People's Republic of China
CRA, Continuing Resolution Authority
CVA, Attack Aircraft Carrier
CY, calendar year

DAO, Defense Attaché's Office
DCI, Director of Central Intelligence
DCM, Deputy Chief of Mission, United States Embassy

XX Abbreviations and Terms

Deptel, Department of State telegram
DIA, Defense Intelligence Agency
DMZ, demilitarized zone; established roughly at Vietnam's 17th parallel to a width not more than five kilometers each side of the demilitarized zone
DOD, Department of Defense
DOD/ISA, Office of the Assistant Secretary of Defense for International Security Affairs
DOS, Department of State
DRV, Democratic Republic of Vietnam (North Vietnam)
DTG, date time group

E, Bureau of Economic Affairs, Department of State
EA, Bureau of East Asian and Pacific Affairs, Department of State
EAP, Bureau of East Asian and Pacific Affairs, Department of State
EC-121, U.S. military early warning/surveillance aircraft (electronic combat)
E&E, emergency and evacuation
ELINT, electronic intelligence
Embtel, Embassy telegram
ESF, Economic Support Fund
Exdis, exclusive distribution
EX-IM, Export-Import Bank

F-4, U.S. fighter aircraft
FAC, forward air controller
FANK, *Forces Armées Nationales Khmères* (Khmer National Armed Forces [Cambodia])
FBI, Federal Bureau of Investigation
FBIS, Foreign Broadcast Information Service
FEOF, Foreign Exchange Operation Fund
FonMin, Foreign Minister
FPJMC, Four Party Joint Military Commission
FRC, Federal Records Center
FRD, formerly restricted data
FSO, Foreign Service officer
FUNK, *Front uni national du Kampuchéa* (National United Front of Kampuchea)
FY, fiscal year
FYI, for your information

GA, General Assembly (United Nations)
GAC, George A. Carver, Jr.
GKR, Government of the Khmer Republic
GNP, gross national product
govt, government
GPO, Government Printing Office
GRC, Government of the Republic of China
GRUNK, *Gouvernement Royal d'Union Nationale du Kampuchéa* (Royal Government of National Union of Kampuchea)
GSE, Ground Security Force, United States Marine Corps
GVN, Government of Vietnam (South Vietnam)

H, Bureau of Congressional Affairs, Department of State
HAK, Henry A. Kissinger
Hakto, series designator for telegrams to Henry A. Kissinger
HFAC, House Foreign Affairs Committee
HK, Henry Kissinger; Hong Kong
HQ, headquarters

IBRD, International Bank for Reconstruction and Development (World Bank)
ICC, International Control Commission
ICCS, International Commission for Control and Supervision
ICEM, Intergovernmental Committee for European Migration
ICRC, International Committee of the Red Cross
IG, Interdepartmental Group
info, information
INR, Bureau of Intelligence and Research, Department of State
INR/EAP, Office of East Asia and the Pacific, Bureau of Intelligence and Research, Department of State
intel, intelligence
ISA, Office of International Security Affairs, Department of Defense
ITAC, Interagency Textile Administrative Committee

J, Office of the Under Secretary of State for Political Affairs
JCS, Joint Chiefs of Staff
JCSM, Joint Chiefs of Staff Memorandum
JEC, Joint Economic Commission
JGS, Joint General Staff, Republic of Vietnam Armed Forces
JUSMAG, Joint United States Military Assistance Group

KAF, Khmer Air Force
KC, Khmer Communists
KI, Khmer insurgents

L, Office of the Legal Adviser, Department of State
Limdis, limited distribution
LO, Laos
LOC, lines of communication
LPF, Laotian Patriotic Front, political arm of the Pathet Lao
LST, Landing Ship, Tanks

M-16, U.S. military field rifle
MAAG, Military Assistance Advisory Group
MACV, Military Assistance Command, Vietnam
MAP, Military Assistance Program
MASE, military assistance service-funded
MEDT, Military Equipment Delivery Team
MEDTC, Military Equipment Delivery Team, Cambodia
MFA, Ministry of Foreign Affairs
MIA, missing in action
MiG, Soviet-built fighter aircraft
MR, Military Region; Government of Vietnam divided the country into four zones for military and administrative purposes; MR1 contained the five northernmost provinces of South Vietnam, MR2 included provinces in the central and north central sections, MR3 was made up of the south central part of the country and included Saigon, and MR4 in the Mekong Delta held the rest of the country; sometimes an MR was also called a Corps Tactical Zone
MSAP, Multi-Services Access Platform
MSC, Military Sealift Command

NATO, North Atlantic Treaty Organization
NCNRC, National Committee for National Reconciliation and Concord
NIC, National Intelligence Council

XXII Abbreviations and Terms

NIE, National Intelligence Estimate
NIO/SEA, National Intelligence Officer, Southeast Asia
NKP, Nakhon Phanom Royal Thai Air Force Base
NLF, National Liberation Front
NM, nautical mile
NOA, New Obligational Authority
Nodis, no distribution
Noform, no dissemination to foreign nationals
Notal, not all (telegram A, referenced in telegram B, was not sent to all the recipients of telegram B)
NSA, National Security Agency
NSC, National Security Council
NSCIG, National Security Council, Interdepartmental Group
NSC-U/S, National Security Council, Under Secretaries' Committee
NSDM, National Security Decision Memorandum
NSSM, National Security Study Memorandum
NVA, North Vietnamese Army
NVN, North Vietnam

OASD/ISA, Office of the Assistant Secretary of Defense for International Security Affairs
OBE, overtaken by events
OCI, Office of Current Intelligence, Central Intelligence Agency
OD, ordinance disposal
ODDI, Office of the Deputy Director for Intelligence, Central Intelligence Agency
OECD, Organization for Economic Cooperation and Development
OJSC, Office of the Joint Chiefs of Staff
O&M, operation & maintenance
OMB, Office of Management and Budget
ONE, Office of National Estimates, Central Intelligence Agency
OPIC, Overseas Private Investment Corporation
OSD, Office of the Secretary of Defense
OSD/ISA, Office of the Assistant Secretary of Defense for International Security Affairs
OUSD, Office of the Under Secretary of Defense

P, President
PAA, Pan-American Airlines
PACAF, Pacific Air Force (United States)
PACOM, Pacific Command (United States)
para, paragraph
Paris Channel, Secret channel through which the White House sent and received messages to and from the North Vietnamese in Paris; the Air Attaché at the U.S. Embassy in Paris, Colonel Georges R. Guay, ran the channel for the White House
PCH&T, packing, crating, handling, & transportation
PFIAB, President's Foreign Intelligence Advisory Board
PGNU, Provisional Government of National Union (Laos)
PIO, Public Information Officer
PL, Pathet Lao; Public Law
PL-480, Public Law-480, food assistance
PM, Prime Minister
POL, petroleum, oil, and lubricants; political
POLAD, Political Adviser
POW, prisoner of war
PRC, People's Republic of China

Pres, President

Private channel, *see* Paris Channel

PRG, Provisional Revolutionary Government, political wing of the South Vietnamese Communist movement, replaced the NLF, but terms often used interchangeably

PriMin, Prime Minister

psyops, psychological operations

QR, Quota Restriction

QTE, quote

RECPT, receipt

reftel, reference telegram

rep, representative

res, resolution (United Nations)

RG, Record Group

RIE, reduction in force

RLG, Royal Lao Government

RN, Richard Nixon

RNC, Republican National Committee

ROC, Republic of China

ROKAF, Republic of Korea Air Force

ROKFV, Republic of Korea Forces, Vietnam

ROKG, Republic of Korea Government

rpt, repeat

RTG, Royal Thai Government

RVN, Republic of Vietnam (South Vietnam)

RVNAF, Republic of Vietnam, armed forces

S, Office of the Secretary of State; Secret

S/P, Policy Planning Council, Department of State

S/S, Executive Secretariat, Department of State

SAM, surface-to-air missile

SAR, search and recovery

SEA, Southeast Asia

SEATO, Southeast Asia Treaty Organization

SecDef, Secretary of Defense

SecState, Secretary of State

Secto, series indicator for telegrams from the Secretary of State or his party to the Department of State

Secy Gen, Secretary General (United Nations)

Secy, Secretary of State

Septel, separate telegram

SIG, Senior Interdepartmental Group (National Security Council)

SitRep, Situation Report

SNIE, Special National Intelligence Estimate

SR-71, U.S. surveillance aircraft

SRE, Selective Reserve Force

SRG, Senior Review Group (National Security Council)

SVN, South Vietnam

TCN, third country national

TDY, Temporary Duty

Telcon, telephone conversation

Tohak, series designator for telegrams to Henry A. Kissinger

XXIV Abbreviations and Terms

Tosec, series designator for telegrams to the Secretary of State when he or she is traveling

TOW, tube-launched, optically-tracked, wire-guided missile

TPJMC, Two Party Joint Military Commission

TS, top secret

TTPI, Trust Territory of the Pacific Islands

U, Office of the Under Secretary of State; Unclassified

UN, United Nations

UNCURK, United Nations Commission for the Unification and Rehabilitation of Korea

UNGA, United Nations General Assembly

UNHCR, United Nations High Commissioner for Refugees

UNICEF, United Nations International Children's Emergency Fund

UNQTE, unquote

US, United States

USA, United States Army

USAF, United States Air Force

USC, Under Secretaries' Committee

USFY, United States fiscal year

USG, United States Government

USIA, United States Information Agency

USIB, United States Intelligence Board

USIS, United States Information Service

U-S/M, Under Secretaries' memorandum

USN, United States Navy

USSAG, United States Support Activities Group

USSR, Union of Soviet Socialist Republics

USUN, United States Mission to the United Nations

U Tapao, Royal Thai Air Force Base from which USAF B-52s carried out missions over Vietnam

UW, unconventional warfare

VC, Viet Cong

VN, Vietnam

VOLAG, voluntary agency

VP, Vice President

WH, White House

WSAG, Washington Special Action Group

Z, Zulu, time designator on White House, Departments of State and Defense messages/cables based on Greenwich Mean, aka Coordinated Universal, Time

Persons

Abramowitz, Morton, Deputy Assistant Secretary of Defense for International Security Affairs

Abrams, Creighton W., General, USA, Army Chief of Staff until September 4, 1974

Abzug, Bella S., Democratic Representative from New York

Agnew, Spiro T., Vice President of the United States until October 10, 1973

Aiken, George, Republican Senator from Vermont until January 3, 1975

Albert, Carl B., Democratic Representative from Oklahoma from January 3, 1974; Speaker of the House

Aldrich, George H., Deputy Legal Adviser, Department of State

Allen, James, Democratic Senator from Alabama

Anderson, Robert, Department of State spokesman from 1974 until 1976

Andrews, Bonnie D., secretary, National Security Council

Ash, Roy L., Director of the Office of Management and Budget from February 2, 1973, until February 3, 1975

Baker, Howard, Republican Senator from Tennessee

Barnum, James, member, National Security Council staff

Bartlett, Dewy Follett, Republican Senator from Oklahoma from January 3, 1973

Bartley, O. Ammon, Jr., Vietnam Desk Officer, Bureau of East Asian and Pacific Affairs, Department of State

Biden, Joseph R., Jr., Democratic Senator from Delaware

Binh, *see* Nguyen Thi Binh

Brezhnev, Leonid, General Secretary of the Communist Party of the Soviet Union

Brown, George S., General, USAF, Chairman of the Joint Chiefs of Staff from July 1, 1974

Brown, L. Dean, Deputy Under Secretary for Management, Department of State until 1973

Bruce, David K.E., Head of the U.S. Liaison Office in Beijing from May 14, 1973, until September 25, 1974

Buchen, Philip W., Counsel to the President from 1974

Bunker, Ellsworth, U.S. Ambassador to the Republic of Vietnam (South Vietnam) until May 11, 1973

Burns, John J., General, USAF, Commander, Seventh Air Force from September 1974 until August 1975

Bush, George H.W., Head of the U.S. Liaison Office in Beijing from October 21, 1974, until December 7, 1975

Butz, Earl L., Secretary of Agriculture

Byrd, Robert C., Democratic Senator from West Virginia; Senate Majority Whip

Cao Van Vien, General, Chief of General Staff, Republic of Vietnam Armed Forces

Carver, George A., Jr., Special Assistant for Vietnamese Affairs to the Director of Central Intelligence

Case, Clifford P., Republican Senator from New Jersey

Cederberg, Elford Albin, Republican Representative from Michigan

Chapman, Leonard F., Jr., General, USMC, Commandant of the Marine Corps from 1968 until January 1, 1972

Chappell, William V., Jr., Democratic Representative from Florida

Chou En-lai, *see* Zhou Enlai

Christenson, William, Central Intelligence Agency

- Church, Frank F.**, Democratic Senator from Idaho
- Clark, Richard C.**, Democratic Senator from Iowa
- Clements, William P., Jr.**, Deputy Secretary of Defense from 1973
- Colby, William E.**, Executive Director, Central Intelligence Agency until August 1973; Director of Central Intelligence from September 4, 1973
- Conte, Silvio O.**, Republican Representative from Massachusetts
- Cooper, Charles A.**, member, National Security Council staff from 1973 until 1974
- Coughlin, Robert Lawrence**, Republican Representative from Pennsylvania
- Cranston, Alan**, Democratic Senator from California
- Dang Van Quang**, Lieutenant General, ARVN, Military Assistant to President Thieu
- Davis, Jeanne W.**, Staff Secretary, National Security Council Staff Secretariat until 1974
- de Poix, Vincent P.**, Vice Admiral, USN, Director of the Defense Intelligence Agency until September 1974
- Dean, John G.**, Deputy Chief of Mission, U.S. Embassy in Vientiane until 1974; U.S. Ambassador to the Khmer Republic from April 3, 1974, until April 1975
- Dobrynin, Anatoly F.**, Soviet Ambassador to the United States
- Duc**, *see* Nguyen Phu Duc
- Duong Van Minh (Big Minh)**, South Vietnamese General; President of the Republic of Vietnam (South Vietnam) from April 28 until April 30, 1975
- Eagleburger, Lawrence S.**, member, National Security Council staff from June 1973; Executive Assistant to the Secretary of State from October 1973; Acting Deputy Under Secretary for Management from February 1975 until May 1975; Under Secretary of State for Management from May 1975
- Eagleton, Thomas F.**, Democratic Senator from Missouri
- Ehrlichman, John D.**, Assistant to the President for Domestic Affairs until May 1973
- Ek Proeung**, Brigadier General, Cambodian Army General Staff
- Ellsworth, Robert**, Assistant Secretary of Defense for International Security Affairs from June 1974
- Enders, Thomas O.**, Deputy Chief of Mission, U.S. Embassy in Phnom Penh until February 1974
- Engel, David A.**, member, National Security Council staff
- Fascell, Dante**, Democratic Representative from Florida
- Fenwick, Millicent H.**, Republican Representative from New Jersey from January 3, 1975
- Fernandez**, *see* Sosthene Fernandez
- Fish, Howard**, Major General, USA, Deputy Assistant Secretary of Defense for International Security Affairs
- Flynt, John J., Jr.**, Democratic Representative from Georgia
- Ford, Gerald R.**, Republican Representative from Michigan until October 13, 1973; House Minority Leader until October 13, 1973; Vice President of the United States from October 13, 1973, until August 8, 1974; President of the United States from August 8, 1974
- Fraser, Donald M.**, Democratic Representative from Minnesota
- Friedersdorf, Max**, White House Special Assistant for Congressional Relations until 1973; Deputy Assistant to the President for the House of Representatives from 1973 until 1974, Assistant to the President for Legislative Affairs from 1975
- Friedheim, Jerry**, Department of Defense spokesman until 1973
- Froebe, John A., Jr.**, member, National Security Council staff from January 1974 until August 1975
- Froehlke, Robert F.**, Secretary of the Army until May 14, 1973
- Fulbright, J. William**, Democratic Senator from Arkansas until December 31, 1974; Chairman of the Senate Foreign Relations Committee until 1974

Gayler, Noel A., Admiral, USN, Commander-in-Chief, Pacific Command until August 30, 1976

Giscard d'Estaing, Valéry, French President from May 27, 1974

Glenn, John H., Democratic Senator from Ohio

Godley, G. McMurtrie, U.S. Ambassador to Laos until April 23, 1973

Goldwater, Barry, Republican Senator from Arizona

Graham, Daniel O., Lieutenant General, USA, Director of the Defense Intelligence Agency from September 1974 until December 1975

Granger, Clinton E., member, National Security Council staff from August 1974

Green, Marshall, Assistant Secretary of State for East Asian and Pacific Affairs until May 10, 1973

Gross, H.R., Republican Representative from Iowa

Guay, George R., Colonel, USAF, U.S. Air Attaché in the U.S. Embassy in France

Ha Xuan Trung, Minister of Finance, Republic of Vietnam

Habib, Philip C., member, U.S. Delegation to the Paris Peace Talks from May 1968 until October 1971; Ambassador to Korea from September 30, 1971, until August 19, 1974; Assistant Secretary of State for East Asian and Pacific Affairs from September 27, 1974

Hackett, James T., member, National Security Council staff

Haig, Alexander Meigs, Jr., Major General, USA, Deputy Assistant to the President for National Security Affairs until January 1973; Army Vice Chief of Staff from January until August 1973; Assistant to the President and White House Chief of Staff from August 1973 until August 1974

Haldeman, H.R., Assistant to the President until April 30, 1973

Hannah, John A., Administrator of the Agency for International Development until October 7, 1973

Harlow, Bryce N., Counselor to the President until 1974

Hartmann, Robert, Counselor to the President from 1974

Hatfield, Mark O., Republican Senator from Oregon

Hays, Wayne, Democratic Representative from Ohio

Heath, Edward, British Prime Minister until March 4, 1974

Helms, Richard M., Director of Central Intelligence until February 2, 1973

Hill, Robert C., Assistant Secretary of Defense for International Security Affairs from May 11, 1973, until January 5, 1974

Hoang Duc Nha, President Thieu's press secretary, nephew, and confidant

Hoang Hoa, Colonel, Democratic Republic of Vietnam

Ho Chi Minh, leader of the Vietnamese Communist Party and President of the Democratic Republic of Vietnam until his death in 1969

Holdridge, John H., member, National Security Council Operations staff/East Asia until April 1973; co-Deputy Chief of Mission, U.S. Embassy in Beijing from 1973 until 1975

Huang Zhen (Huang Chen), PRC Ambassador to France until March 1973; Chief of the PRC Liaison Office in the United States from March 1973

Hummel, Arthur W., Jr., Deputy Assistant Secretary of State for East Asian and Pacific Affairs until 1975

Humphrey, Hubert H., Democratic Senator from Minnesota

Hyland, William G., Director, Bureau of Intelligence and Research, Department of State from January 1974 until November 1975

Ingersoll, Robert S., Assistant Secretary of State for East Asian and Pacific Affairs from January 8 until July 9, 1974; Deputy Secretary of State from July 10, 1974, until March 31, 1976

Inouye, Daniel, Democratic Senator from Hawaii

In Tam, Prime Minister of the Khmer Republic from May 6 until December 9, 1973

Irwin, John N., II, Deputy Secretary of State until February 1, 1973

Isham, Heyward, Deputy Chief Delegate to the Paris Conference on Vietnam

Javits, Jacob K., Democratic Senator from New York

Jones, David C., USAF, Air Force Chief of Staff from July 1, 1974

Jordan, Amos, Principal Deputy Assistant Secretary of Defense for International Security Affairs

Kemp, Jack, Republican Representative from New York

Kennedy, Richard T., Colonel, USA, member, National Security Council staff; Deputy Assistant to the President for National Security Council planning from 1973 until 1975

Khamphan Panya, Ambassador of the Kingdom of Laos from October 1974

Kintner, William, U.S. Ambassador to Thailand from 1973 until 1975

Kissinger, Henry A., Assistant to the President for National Security Affairs until November 3, 1975; also Secretary of State from September 21, 1973

Korologos, Tom C., Deputy Assistant to the President for Congressional Relations until 1973; Deputy Assistant to the President for Legislative Affairs, 1974

Laird, Melvin R., Secretary of Defense until January 29, 1973; Counselor to the President for domestic affairs from June 1973 until February 1974

Le Duan, General Secretary of the Vietnamese Workers' Party (later the Vietnamese Communist Party)

Le Duc Tho, member of the Politburo of the Democratic Republic of Vietnam and Special Advisor to, and de facto head of, the DRV Delegation to the Paris Peace Talks on Vietnam until 1973; Special Adviser to the President of the Democratic Republic of Vietnam from January 1973

Lee Kuan Yew, Prime Minister of Singapore

Lehmann, Wolfgang J., Deputy Chief of Mission, U.S. Embassy in Saigon

Lon Nol, President of the Khmer Republic until 1975

Lon Non, Brigadier General; brother of Lon Nol

Long Boret, Prime Minister of the Khmer Republic

Lord, Winston, member, National Security Council staff until 1973; Director of the Policy Planning Staff, Department of State from October 1973 until January 1977

Mahon, George H., Democratic Representative from Texas; Chairman of the House Appropriations Committee

Malo, Charles, Deputy Chief of Mission of the French Embassy in the People's Republic of China

Mansfield, Michael J., Democratic Senator from Montana; Senate Majority Leader

Mao Tse-tung, *see* Mao Zedong

Mao Zedong (Mao Tse-Tung), Chairman of the Central Committee of the Chinese Communist Party

Marsh, John O., Jr., Counselor to the President from August 1974

Martin, Graham A., Ambassador to the Republic of Vietnam (South Vietnam) from July 20, 1973, until April 29, 1975

Masters, Edward E., Deputy Chief of Mission, U.S. Embassy in Bangkok, 1975

Maw, Carlyle, Under Secretary of State for Security Affairs

McClellan, John L., Democratic Senator from Arkansas; Chairman of the Senate Appropriations Committee

McCloskey, Paul N., Jr., Republican Representative from California

McCloskey, Robert J., Deputy Assistant Secretary of State for Press Relations and Special Assistant to the Secretary until May 1973

McCormack, John W., Democratic Representative from Massachusetts; Speaker of the House until 1970

- McFarlane, Robert C. "Bud,"** Lieutenant Colonel, USMC, Military Assistant to Henry Kissinger and Brent Scowcroft from 1973
- McGee, Gale W.,** Democratic Senator from Wyoming
- McGovern, George S.,** Democratic Senator from South Dakota; Democratic Party nominee for President, 1972
- McNamara, Robert S.,** Secretary of Defense from January 21, 1961, until February 29, 1968; thereafter President of the International Bank for Reconstruction and Development (World Bank)
- Meany, George,** President of the AFL-CIO
- Michel, Robert H.,** Republican Representative from Illinois; House Minority Whip
- Miller, Robert H.,** Deputy Executive Secretary, Department of State until 1973; Assistant Director of the Bureau of International Relations, U.S. Arms Control and Disarmament Agency until 1974; Deputy Assistant Secretary of the Bureau of East Asian and Pacific Affairs, Department of State from 1974
- Mills, Wilbur D.,** Democratic Representative from Arkansas; Chairman of the House Ways and Means Committee until January 3, 1975
- Minh,** *see* Duong Van Minh
- Moorer, Thomas H.,** Admiral, USN, Chairman of the Joint Chiefs of Staff until July 1, 1974
- Morgan, Thomas E. "Doc,"** Democratic Representative from Pennsylvania; Chairman of the House Foreign Affairs Committee
- Morton, Rogers,** Secretary of the Interior until April 30, 1975; Secretary of Commerce from May 1, 1975
- Murtha, John P., Jr.,** Democratic Representative from Pennsylvania from February 5, 1974
- Negroponte, John D,** member, National Security Council staff
- Nelson, William E.,** Deputy Director of Operations, Central Intelligence Agency, 1973
- Nessen, Ron,** White House Press Secretary from 1974
- Ngo Dinh Diem,** President of the Republic of Vietnam (South Vietnam) from 1955 until 1963
- Nguyen Cao Ky,** Former Vice President of the Republic of Vietnam
- Nguyen Co Thach,** Vice-Foreign Minister of the Democratic Republic of Vietnam
- Nguyen Dinh Nam,** First Secretary of the Embassy of the Republic of Vietnam in the United States
- Nguyen Luu Vien,** Deputy Premier of the Republic of Vietnam; chief delegate at the Paris Peace Talks
- Nguyen Phu Duc,** Political Adviser to the President of the Republic of Vietnam; Acting Foreign Minister of the Republic of Vietnam
- Nguyen Thi Binh,** Foreign Minister of the Provisional Revolutionary Government; head of the PRG delegation to the Paris Peace Talks
- Nguyen Van Thieu,** President of the Republic of Vietnam (South Vietnam) until April 21, 1975
- Nguyen Xuan Phong,** GVN delegate at the Paris Peace Talks
- Nixon, Richard M.,** President of the United States until August 9, 1974
- Nobuhiko Ushiba,** Japanese Ambassador to the United States until July 1973
- Nunn, Sam,** Democratic Senator from Georgia
- Odeen, Philip,** member, National Security Council staff
- O'Neill, Thomas P.,** Democratic Representative from Massachusetts
- Oveson, Richard M.,** Colonel, USAF, Air Attaché at the U.S. Embassy in France
- Parker, Daniel,** Administrator of the Agency for International Development from October 15, 1973

- Passman, Otto E.**, Democratic Representative from Louisiana; Chairman of the House Appropriations subcommittee
- Pastore, John O.**, Democratic Senator from Rhode Island
- Pauly, John W.**, Lieutenant General, USAF, Assistant to the Chairman of the Joint Chiefs of Staff, 1975
- Pearson, James B.**, Republican Senator from Kansas
- Pell, Claiborne H.**, Democratic Senator from Rhode Island
- Percy, Charles**, Republican Senator from Illinois
- Pham Ngac**, member, Delegate at the Paris Peace Talks
- Pham Van Dong**, North Vietnamese Prime Minister
- Phan Hien**, member, DRV Delegation to Paris Conference on Vietnam
- Pheng Phongsavan**, Royal Laotian Government Delegation Chairman
- Phoumi Vongvichit**, Deputy Prime Minister and Minister of Foreign Affairs of Laos until December 1975
- Polgar, Thomas**, Central Intelligence Agency Chief of Station in Saigon
- Pompidou, Georges**, French President until April 3, 1974
- Porter, William J.**, Under Secretary of State for Political Affairs, Department of State from 1973 until 1974
- Price, Robert D.**, Republican Representative from Texas
- Quang, Dang Van**, *see* Dang Van Quang
- Quinn, Kenneth**, member, National Security Council staff
- Ratliff, Rob Roy**, member, National Security Council staff
- Rhodes, John J.**, Republican Representative from Arizona; House Minority Leader from 1973 until 1975
- Richardson, Elliot L.**, Secretary of Defense from January 30 until May 24, 1973; Attorney General from May until October 1973
- Rives, Lloyd M.**, Cambodia Desk Officer, Bureau of East Asian and Pacific Affairs, Department of State from 1973 until 1974
- Rockefeller, Nelson A.**, Governor of New York until 1973; Vice President of the United States from December 19, 1974, until January 20, 1977
- Rodman, Peter W.**, member, National Security Council staff
- Rogers, William P.**, Secretary of State until September 3, 1973
- Rosenthal, Benjamin S.**, Democratic Representative from New York
- Rumsfeld, Donald**, Counselor to the President from January 1971 until January 1973; Permanent Representative to the North Atlantic Treaty Organization from 1973 until 1974; Secretary of Defense from November 20, 1975
- Rush, Kenneth**, Deputy Secretary of Defense until January 29, 1973; Deputy Secretary of State from February 2, 1973, until May 29, 1974
- Sak Sutsakhan**, Cambodian Army Chief of Staff
- Saukham Khoy**, President of the Khmer Republic, April 1975
- Scali, John**, Special Consultant to the President until 1973; U.S. Representative to the United Nations from 1973 until 1975
- Schlesinger, James R.**, Chairman of the Atomic Energy Commission until February 1973; Director of Central Intelligence from February 2 until July 2, 1973; Secretary of Defense from July 2, 1973, until November 19, 1975
- Schumann, Maurice**, French Foreign Minister until March 28, 1973
- Scott, Hugh**, Republican Senator from Pennsylvania; Senate Minority Leader
- Scowcroft, Brent**, General, USAF, Military Assistant to the President until 1973; Deputy Assistant to the President for National Security Affairs from August 1973 until 1975
- Shackley, Theodore**, Central Intelligence Agency

- Shriver, Garner E.**, Republican Representative from Kansas
- Shultz, George P.**, Secretary of the Treasury until April 17, 1974
- Sihanouk, Norodom**, Cambodian Head of State until March 1970; thereafter, leader of Cambodian Government in exile in Beijing
- Sirik Matak (Sisowath Sirik Matak, sometimes Sivik)**, Prince and cousin of Norodom Sihanouk; Cambodian Deputy Prime Minister, then member of the High Political Council until 1974
- Sisco, Joseph J.**, Assistant Secretary of State for Near Eastern and South Asian Affairs until February 18, 1974; Under Secretary of State for Political Affairs from February 19, 1974
- Smith, Homer**, Major General, USA, Defense Attaché at the U.S. Embassy in South Vietnam until April 1975
- Smyser, W. Richard**, member, National Security Council Operations staff/East Asia from 1973 until 1975
- Solomon, Richard H.**, member, National Security Council staff
- Sonnenfeldt, Helmut**, member, National Security Council Operations staff/Europe until January 1974
- Sosthene Fernandez**, Major General, Chief of Staff of Cambodian Armed Forces
- Souphanouvong**, President of the Lao People's Democratic Republic from December 1975
- Souvanna Phouma**, Prime Minister of the Kingdom of Laos until 1975
- Springsteen, George S., Jr.**, Deputy Assistant Secretary of State for European Affairs until June 1972; Acting Assistant Secretary from June 1972 until August 1973; Deputy Assistant Secretary of State for European Affairs from August 1973 until January 1974; Executive Secretary of the Department from January 1974
- Stearman, William L.**, member, National Security Council staff
- Stearns, Monteagle**, Deputy Assistant Secretary of State for East Asian and Pacific Affairs from December 1973
- Stein, Herbert**, Chairman of the Council of Economic Advisers until July 1974
- Stennis, John C.**, Democratic Senator from Mississippi; Chairman, Senate Armed Services Committee
- Stoessel, Walter J.**, Deputy Assistant Secretary of State for European Affairs until January 7, 1974
- Sullivan, William H.**, Deputy Assistant Secretary of State for East Asian and Pacific Affairs until July 1973; U.S. Ambassador to the Philippines from July 1973
- Swank, Emory C.**, U.S. Ambassador to the Khmer Republic until September 5, 1973
- Symington, Stuart**, Democratic Senator from Missouri
- Tanaka Kakeui**, Japanese Prime Minister until December 1974
- Tarr, Curtis W.**, Under Secretary of State for International Security Affairs until November 25, 1973
- Thach**, *see* Nguyen Co Thach
- Thompson, Sir Robert**, British counterinsurgency expert; adviser to President Nixon
- Thurmond, Strom**, Democratic Senator from South Carolina
- Timmons, William**, Assistant to the President for Legislative Affairs
- Tito, Josip Broz**, Yugoslav President
- Tower, John**, Republican Senator from Texas
- Train, Harry D.**, Vice Admiral, USN, Director, Joint Staff from June 1, 1974
- Tran Kim Phuong**, South Vietnamese Ambassador to the United States
- Tran Quang Co**, member, DRV Delegation to Paris Conference on Vietnam
- Tran Van Lam**, Foreign Minister, Republic of Vietnam
- Tran Van Huong**, President of the Republic of Vietnam from April 21, 1975, until April 28, 1975
- Trudeau, Pierre-Elliott**, Canadian Prime Minister

Ullman, Albert C., Democratic Representative from Oregon

Unger, Leonard, U.S. Ambassador to Thailand until November 19, 1973; U.S. Ambassador to the Republic of China from May 25, 1974

Vest, George, Special Assistant to the Secretary of State for Press Relations from December 1973 until April 1974

Vogt, John W., Jr., General, USA, Military Assistance Command, Vietnam

Von Marbod, Erich, Principal Deputy Assistant Secretary of Defense (Comptroller), 1974

Vuong Van Bac, Minister of Foreign Affairs, Republic of Vietnam from July 1973

Waldheim, Kurt, United Nations Secretary-General from 1972

Walters, Vernon A., General, USA, Deputy Director of Central Intelligence until July 31, 1976

Weinel, John P., Vice Admiral, USN, Assistant to the Chairman of the Joint Chiefs of Staff

Wenzel, Robert H., Director, Vietnam Working Group, Department of State from 1973 until 1974

West, Francis J., Deputy Secretary of Defense from 1974 until 1975

Westmoreland, William C., General, USA, Army Chief of Staff until June 30, 1972

Weyand, Frederick C., General, USA, Commander, Military Assistance Command, Vietnam

Whitehouse, Charles S., Deputy U.S. Ambassador to Vietnam until August 1973; U.S. Ambassador to Laos from September 20, 1973, until April 12, 1975; U.S. Ambassador to Thailand from May 30, 1975

Whitlam, Gough, Australian Prime Minister until November 11, 1975

Wickham, John A., Jr., Major General, USA, Military Assistant to the Secretary of Defense from 1974 until 1975

Williams, Maurice J., Chief U.S. Delegate to the U.S.-Democratic Republic of Vietnam Joint Economic Commission, 1973

Woodward, Gilbert H., Major General, USA, Chief of Staff, Military Assistance Command, Vietnam until January 27, 1973; Chief, U.S. Delegation to the Four Party Joint Military Commission in Vietnam from January 27, 1973

Wright, W. Marshall, Deputy Assistant Secretary of State for Congressional Relations from April until December 1972; Acting Assistant Secretary from December 1972 until April 1973

Xuan Thuy, Foreign Minister of the Democratic Republic of Vietnam (North Vietnam) from 1963 until 1965, Chief Delegate to Paris Peace talks from 1968 until 1970

Young, Milton R., Republican Senator from North Dakota

Zablocki, Clement J., Democratic Representative from Wisconsin

Zhou Enlai (Chou En-lai), Premier of the People's Republic of China; member, Standing Committee of the Chinese Communist Party's Political Bureau

Ziegler, Ronald, White House Press Secretary until 1974

Zurhellen, J. Owen, Jr., Deputy Assistant Secretary of State for East Asian and Pacific Affairs

Note on U.S. Covert Actions

In compliance with the *Foreign Relations of the United States* statute that requires inclusion in the *Foreign Relations* series of comprehensive documentation on major foreign policy decisions and actions, the editors have identified key documents regarding major covert actions and intelligence activities. The following note will provide readers with some organizational context on how covert actions and special intelligence operations in support of U.S. foreign policy were planned and approved within the U.S. Government. It describes, on the basis of declassified documents, the changing and developing procedures during the Truman, Eisenhower, Kennedy, Johnson, Nixon, and Ford Presidencies.

Management of Covert Actions in the Truman Presidency

The Truman administration's concern over Soviet "psychological warfare" prompted the new National Security Council to authorize, in NSC 4-A of December 1947, the launching of peacetime covert action operations. NSC 4-A made the Director of Central Intelligence responsible for psychological warfare, establishing at the same time the principle that covert action was an exclusively Executive Branch function. The Central Intelligence Agency (CIA) certainly was a natural choice but it was assigned this function at least in part because the Agency controlled unvouchered funds, by which operations could be funded with minimal risk of exposure in Washington.¹

The CIA's early use of its new covert action mandate dissatisfied officials at the Departments of State and Defense. The Department of State, believing this role too important to be left to the CIA alone and concerned that the military might create a new rival covert action office in the Pentagon, pressed to reopen the issue of where responsibility for covert action activities should reside. Consequently, on June 18, 1948, a new NSC directive, NSC 10/2, superseded NSC 4-A.

NSC 10/2 directed the CIA to conduct "covert" rather than merely "psychological" operations, defining them as all activities "which are conducted or sponsored by this Government against hostile foreign states or groups or in support of friendly foreign states or groups but which are so planned and executed that any US Government responsibility for them is not evident to unauthorized persons and that if

¹ NSC 4-A, December 17, 1947, is printed in *Foreign Relations*, 1945-1950, Emergence of the Intelligence Establishment, Document 257.

uncovered the US Government can plausibly disclaim any responsibility for them."

The type of clandestine activities enumerated under the new directive included: "propaganda; economic warfare; preventive direct action, including sabotage, demolition and evacuation measures; subversion against hostile states, including assistance to underground resistance movements, guerrillas and refugee liberations [*sic*] groups, and support of indigenous anti-Communist elements in threatened countries of the free world. Such operations should not include armed conflict by recognized military forces, espionage, counter-espionage, and cover and deception for military operations."²

The Office of Policy Coordination (OPC), newly established in the CIA on September 1, 1948, in accordance with NSC 10/2, assumed responsibility for organizing and managing covert actions. The OPC, which was to take its guidance from the Department of State in peacetime and from the military in wartime, initially had direct access to the State Department and to the military without having to proceed through the CIA's administrative hierarchy, provided the Director of Central Intelligence (DCI) was informed of all important projects and decisions.³ In 1950 this arrangement was modified to ensure that policy guidance came to the OPC through the DCI.

During the Korean conflict the OPC grew quickly. Wartime commitments and other missions soon made covert action the most expensive and bureaucratically prominent of the CIA's activities. Concerned about this situation, DCI Walter Bedell Smith in early 1951 asked the NSC for enhanced policy guidance and a ruling on the proper "scope and magnitude" of CIA operations. The White House responded with two initiatives. In April 1951 President Truman created the Psychological Strategy Board (PSB) under the NSC to coordinate government-wide psychological warfare strategy. NSC 10/5, issued in October 1951, reaffirmed the covert action mandate given in NSC 10/2 and expanded the CIA's authority over guerrilla warfare.⁴ The PSB was soon abolished by the incoming Eisenhower administration, but the expansion of the CIA's covert action writ in NSC 10/5 helped ensure that covert action would remain a major function of the Agency.

As the Truman administration ended, the CIA was near the peak of its independence and authority in the field of covert action. Although the CIA continued to seek and receive advice on specific projects from

² NSC 10/2, June 18, 1948, is printed *ibid.*, Document 292.

³ Memorandum of conversation by Frank G. Wisner, "Implementation of NSC-10/2," August 12, 1948, is printed *ibid.*, Document 298.

⁴ NSC 10/5, "Scope and Pace of Covert Operations," October 23, 1951, is printed in *Foreign Relations, 1950-1955, The Intelligence Community*, Document 90.

the NSC, the PSB, and the departmental representatives originally delegated to advise the OPC, no group or officer outside of the DCI and the President himself had authority to order, approve, manage, or curtail operations.

NSC 5412 Special Group; 5412/2 Special Group; 303 Committee

The Eisenhower administration began narrowing the CIA's latitude in 1954. In accordance with a series of National Security Council directives, the responsibility of the Director of Central Intelligence for the conduct of covert operations was further clarified. President Eisenhower approved NSC 5412 on March 15, 1954, reaffirming the Central Intelligence Agency's responsibility for conducting covert actions abroad. A definition of covert actions was set forth; the DCI was made responsible for coordinating with designated representatives of the Secretary of State and the Secretary of Defense to ensure that covert operations were planned and conducted in a manner consistent with U.S. foreign and military policies; and the Operations Coordinating Board was designated the normal channel for coordinating support for covert operations among State, Defense, and the CIA. Representatives of the Secretary of State, the Secretary of Defense, and the President were to be advised in advance of major covert action programs initiated by the CIA under this policy and were to give policy approval for such programs and secure coordination of support among the Departments of State and Defense and the CIA.⁵

A year later, on March 12, 1955, NSC 5412/1 was issued, identical to NSC 5412 except for designating the Planning Coordination Group as the body responsible for coordinating covert operations. NSC 5412/2 of December 28, 1955, assigned to representatives (of the rank of assistant secretary) of the Secretary of State, the Secretary of Defense, and the President responsibility for coordinating covert actions. By the end of the Eisenhower administration, this group, which became known as the "NSC 5412/2 Special Group" or simply "Special Group," emerged as the executive body to review and approve covert action programs initiated by the CIA.⁶ The membership of the Special Group varied depending upon the situation faced. Meetings were infrequent until 1959

⁵ William M. Leary, editor, *The Central Intelligence Agency: History and Documents* (The University of Alabama Press, 1984), p. 63; for text of NSC 5412, see *Foreign Relations, 1950–1955, The Intelligence Community*, Document 171.

⁶ Leary, *The Central Intelligence Agency: History and Documents*, pp. 63, 147–148; *Final Report of the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, United States Senate*, Book I, *Foreign and Military Intelligence* (1976), pp. 50–51. For texts of NSC 5412/1 and NSC 5412/2, see *Foreign Relations, 1950–1955, The Intelligence Community*, Documents 212 and 250.

when weekly meetings began to be held. Neither the CIA nor the Special Group adopted fixed criteria for bringing projects before the group; initiative remained with the CIA, as members representing other agencies frequently were unable to judge the feasibility of particular projects.⁷

After the Bay of Pigs failure in April 1961, General Maxwell Taylor reviewed U.S. paramilitary capabilities at President Kennedy's request and submitted a report in June that recommended strengthening high-level direction of covert operations. As a result of the Taylor Report, the Special Group, chaired by the President's Special Assistant for National Security Affairs McGeorge Bundy, and including Deputy Under Secretary of State U. Alexis Johnson, Deputy Secretary of Defense Roswell Gilpatric, Director of Central Intelligence Allen Dulles, and Chairman of the Joint Chiefs of Staff General Lyman Lemnitzer, assumed greater responsibility for planning and reviewing covert operations. Until 1963 the DCI determined whether a CIA-originated project was submitted to the Special Group. In 1963 the Special Group developed general but informal criteria, including risk, possibility of success, potential for exposure, political sensitivity, and cost (a threshold of \$25,000 was adopted by the CIA), for determining whether covert action projects were submitted to the Special Group.⁸

From November 1961 to October 1962 a Special Group (Augmented), whose membership was the same as the Special Group plus Attorney General Robert Kennedy and General Taylor (as Chairman), exercised responsibility for Operation Mongoose, a major covert action program aimed at overthrowing the Castro regime in Cuba. When President Kennedy authorized the program in November, he designated Brigadier General Edward G. Lansdale, Assistant for Special Operations to the Secretary of Defense, to act as chief of operations, and Lansdale coordinated the Mongoose activities among the CIA and the Departments of State and Defense. The CIA units in Washington and Miami had primary responsibility for implementing Mongoose operations, which included military, sabotage, and political propaganda programs.⁹

President Kennedy also established a Special Group (Counter-Insurgency) on January 18, 1962, when he signed NSAM No. 124. The Special Group (CI), set up to coordinate counter-insurgency activities separate from the mechanism for implementing NSC 5412/2, was to confine itself to establishing broad policies aimed at preventing and re-

⁷ Leary, *The Central Intelligence Agency: History and Documents*, p. 63.

⁸ *Ibid.*, p. 82.

⁹ See *Foreign Relations, 1961-1963*, volume X, Cuba, 1961-1962, Documents 270 and 278.

sisting subversive insurgency and other forms of indirect aggression in friendly countries. In early 1966, in NSAM No. 341, President Johnson assigned responsibility for the direction and coordination of counter-insurgency activities overseas to the Secretary of State, who established a Senior Interdepartmental Group to assist in discharging these responsibilities.¹⁰

NSAM No. 303, June 2, 1964, from Bundy to the Secretaries of State and Defense and the DCI, changed the name of "Special Group 5412" to "303 Committee" but did not alter its composition, functions, or responsibility. Bundy was the chairman of the 303 Committee.¹¹

The Special Group and the 303 Committee approved 163 covert actions during the Kennedy administration and 142 during the Johnson administration through February 1967. The 1976 Final Report of the Church Committee, however, estimated that of the several thousand projects undertaken by the CIA since 1961, only 14 percent were considered on a case-by-case basis by the 303 Committee and its predecessors (and successors). Those not reviewed by the 303 Committee were low-risk and low-cost operations. The Final Report also cited a February 1967 CIA memorandum that included a description of the mode of policy arbitration of decisions on covert actions within the 303 Committee system. The CIA presentations were questioned, amended, and even on occasion denied, despite protests from the DCI. Department of State objections modified or nullified proposed operations, and the 303 Committee sometimes decided that some agency other than the CIA should undertake an operation or that CIA actions requested by Ambassadors on the scene should be rejected.¹²

The effectiveness of covert action has always been difficult for any administration to gauge, given concerns about security and the difficulty of judging the impact of U.S. initiatives on events. In October 1969 the new Nixon administration required annual 303 Committee reviews for all covert actions that the Committee had approved and automatic termination of any operation not reviewed after 12 months. On February 17, 1970, President Nixon signed National Security Decision Memorandum 40,¹³ which superseded NSC 5412/2 and

¹⁰ For text of NSAM No. 124, see *ibid.*, volume VIII, National Security Policy, Document 68. NSAM No. 341, March 2, 1966, is printed *ibid.*, 1964–1968, volume XXXIII, Organization and Management of U.S. Foreign Policy; United Nations, Document 56.

¹¹ For text of NSAM No. 303, see *ibid.*, Document 204.

¹² *Final Report of the Select Committee To Study Governmental Operations With Respect to Intelligence Activities*, United States Senate, Book I, Foreign and Military Intelligence, pp. 56–57.

¹³ For text of NSDM 40, see *Foreign Relations, 1969–1976*, volume II, Organization and Management of U.S. Foreign Policy, 1969–1972, Document 203.

changed the name of the covert action approval group to the 40 Committee, in part because the 303 Committee had been named in the media. The Attorney General was also added to the membership of the Committee. NSDM 40 reaffirmed the DCI's responsibility for the coordination, control, and conduct of covert operations and directed him to obtain policy approval from the 40 Committee for all major and "politically sensitive" covert operations. He was also made responsible for ensuring an annual review by the 40 Committee of all approved covert operations.

The 40 Committee met regularly early in the Nixon administration, but over time the number of formal meetings declined and business came to be conducted via couriers and telephone votes. The Committee actually met only for major new proposals. As required, the DCI submitted annual status reports to the 40 Committee for each approved operation. According to the 1976 Church Committee Final Report, the 40 Committee considered only about 25 percent of the CIA's individual covert action projects, concentrating on major projects that provided broad policy guidelines for all covert actions. Congress received briefings on only a few proposed projects. Not all major operations, moreover, were brought before the 40 Committee: President Nixon in 1970 instructed the DCI to promote a coup d'etat against Chilean President Salvador Allende without Committee coordination or approval.¹⁴

Presidential Findings Since 1974 and the Operations Advisory Group

The Hughes-Ryan amendment to the Foreign Assistance Act of 1974 brought about a major change in the way the U.S. Government approved covert actions, requiring explicit approval by the President for each action and expanding Congressional oversight and control of the CIA. The CIA was authorized to spend appropriated funds on covert actions only after the President had signed a "finding" and informed Congress that the proposed operation was important to national security.¹⁵

Executive Order 11905, issued by President Ford on February 18, 1976, in the wake of major Congressional investigations of CIA activities by the Church and Pike Committees, replaced the 40 Committee with the Operations Advisory Group, composed of the President's Assistant for National Security Affairs, the Secretaries of State and Defense, the Chairman of the Joint Chiefs of Staff, and the DCI, who retained responsibility for the planning and implementation of covert

¹⁴ *Final Report of the Select Committee To Study Governmental Operations With Respect to Intelligence Activities*, United States Senate, Book I, Foreign and Military Intelligence, pp. 54-55, 57.

¹⁵ Public Law 93-559.

operations. The OAG was required to hold formal meetings to develop recommendations for the President regarding a covert action and to conduct periodic reviews of previously-approved operations. EO 11905 also banned all U.S. Government employees from involvement in political assassinations, a prohibition that was retained in succeeding executive orders, and prohibited involvement in domestic intelligence activities.¹⁶

¹⁶ Executive Order 11905, "United States Foreign Intelligence Activities," *Weekly Compilation of Presidential Documents*, Vol. 12, No. 8, February 23, 1976.

Vietnam, January 1973– July 1975

Neither War nor Peace, January 27–June 15, 1973

1. **Transcript of Telephone Conversation Between the
President's Assistant for National Security Affairs (Kissinger)
and the Vietnamese Ambassador (Phuong)**¹

Washington, January 27, 1973, 11:15 a.m.

AP: Hello, Dr. Kissinger, Amb. Phuong here.

HK: Yes, how are you?

AP: And congratulations on your work and signing in Paris—you
watching it on television?²

HK: I watched part of it.

AP: Yesterday I was asked to a television interview—

HK: To what—

AP: —26

HK: You're supposed to do what on the 26th?

AP: I had a television interview—

HK: Oh you had a television interview?

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 18, Chronological File. No classification marking.

² Secretary of State Rogers signed the "Agreement on Ending the War and Restoring Peace in Vietnam" in Paris on January 27. For the full text of the Agreement, see Department of State *Bulletin*, February 12, 1973, pp. 169–188. Live television coverage of the ceremony began in the United States at 9:30 a.m. The Agreement had 23 articles in 9 chapters. In Chapter I, Article 1, all countries agreed to respect the independence, sovereignty, unity, and territorial integrity of Vietnam. Chapter II, Articles 1–7 concern the cessation of hostilities and withdrawal of troops; Chapter III, Article 8 the return of POWs and captured and detained civilian personnel; Chapter IV, Articles 9–14 the exercise of the South Vietnamese people's right to self-determination; Chapter V, Article 15 the reunification of the country and the relationship between North and South Vietnam; Chapter VI, Articles 16–19 the joint military commissions, the ICCS, and the International Conference; Chapter VII, Article 20 Cambodia and Laos; Chapter VIII, Articles 21–22 the relationship between the United States and the Democratic Republic of Vietnam; and Chapter IX, Article 23 the date of entry into force of the Agreement. Four protocols were annexed to the Agreement: on the removal of mines from North Vietnamese waters, on the functions of the International Supervision and Control Commission, on the cease-fire, and on the return of military and civilian POWs.

AP: Yes, last night.

HK: Oh good.

AP: Asked me about the bombing and the peace with honor and I said this is what the mission set and—but I think—amount of compromise—we did some things and the other did get some things. And then thanked the American people for the support—I thanked the American (?) leadership and Mr. Nixon who has been working hard for the agreement—

HK: Well that's very generous of you and I appreciate it.

AP: And I think we have to do something here later—

HK: No question. And that is our policy as you know.

AP: This morning I was very worried about the—Tay Ninh—

HK: It's not true.

AP: But it looked like we have recaptured it.

HK: I don't think it fell.

AP: I got a cable that says it has been recaptured.

HK: I checked it and it's not true.

AP: I am very glad about that because if we lost anything today, that would be very, very bad.

HK: Yes, well I would assume you would try to recapture it.

AP: Before morning?

HK: No maybe before the day after tomorrow—

AP: Yeh (laughs). You know that Minister Lam will be coming in in plane—

HK: Oh good.

AP: And I have asked Gen. Scowcroft to ask for an audience with Mr. Nixon for Monday.

HK: Monday isn't possible because the President will still be in Key Biscayne.

AP: I see.

HK: But we will almost certainly be able to do it Tuesday³—

AP: Tuesday—in the morning or?

HK: I will let you know.

[Omitted here is discussion unrelated to Vietnam.]

³ January 30; see Document 3.

2. Minutes of Washington Special Actions Group Meeting¹

Washington, January 29, 1973, 11:36 a.m.–12:30 p.m.

SUBJECT

Vietnam Planning

PARTICIPANTS

Chairman	CIA
Henry Kissinger	Richard Helms
State	George Carver
U. Alexis Johnson	William Newton
William Porter	AEC
Marshall Green	James Schlesinger
Defense	NSC
Lawrence Eagleburger	B/Gen. Brent Scowcroft
R/Adm. Daniel Murphy	Richard Kennedy
JCS	John Holdridge
Adm. Thomas Moorer	James Hackett
V/Adm. John Weinell	

SUMMARY OF CONCLUSIONS

It was agreed that:

—The JCS will provide Mr. Kissinger with a list of the most serious ceasefire violations.

—State will prepare a draft statement on the ceasefire violations for possible use by Mr. Ziegler.

—An effort should be made to destroy some of the mines by February 10 to prevent the North Vietnamese from alleging U.S. delays in the minesweeping as a possible excuse to delay ceasefires in Laos and Cambodia.

—State will instruct General Woodward to propose the Canadian Red Cross as our candidate to inspect the POW camps.

—The daily sitreps on Indochina will be prepared as of 8 p.m. Saigon time the preceding day.

Mr. Kissinger: Dick (Helms), do you want to give us a rundown on the situation?

Mr. Helms read a prepared statement (copy attached).²

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Helms's briefing, "The Situation in Indochina," January 29, attached but not printed.

Mr. Kissinger: Who is starting the new incidents?

Mr. Helms: As I pointed out, the North Vietnamese are putting plenty of heat on Tay Ninh, hoping to get it for the PRG's capital. On the other hand, the South Vietnamese are maintaining pressure in MR-1 by attacking across the Cua Viet River north of Quang Tri City. Also, the enemy has set up road blocks around the country and the South Vietnamese are busy clearing them and reopening the roads.

Mr. Kissinger: What sort of forces do we know they have around Tay Ninh?

Adm. Moorer: One regiment of the Seventh North Vietnamese Division is attacking Tay Ninh. They have been very heavy attacks but (General) Weyand says the South Vietnamese are holding well. We have intercepts that indicate the Seventh Division has been ordered to continue on the offensive in MR-3. There have been 140 separate efforts by the North Vietnamese to occupy hamlets since the ceasefire, but the South Vietnamese have held or recovered all but fourteen of them as of this morning.

Mr. Kissinger: All of this just in MR-3?

Adm. Moorer: Yes.

Mr. Kissinger: What's your estimate, George (Carver)?

Mr. Carver: Their instructions are to continue fighting until the ICCS teams arrive on the scene. They want badly to seize a provincial capital for the PRG. The Viet Cong don't want to raise their flag in some lousy swamp. It would make them look pretty bad with the whole world looking on.

Adm. Moorer: The South Vietnamese have increased their tactical air sorties by almost a hundred, up to 260 a day. (General) Weyand says he believes the South Vietnamese can handle the situation. There are no major problems and if they can clean up a few areas they will be in good shape. We have reports of a large number of small cargo ships heading for North Vietnam and Soviet cargo planes coming in to Hanoi, presumably bringing in high priority items. The rate of infiltration is holding steady, but to put it in perspective, this time last year it was two and a half times what it is now.

Mr. Johnson: Is there any evidence of communist movement out of Cambodia?

Mr. Carver: No, not yet.

Mr. Johnson: I saw a press report that indicated there was.

Mr. Carver: We have no confirmation of that.

Mr. Kissinger: So, what do you think they are up to?

Mr. Helms: They apparently thought they could grab Tay Ninh with a good bash right after the ceasefire, while everything is in dis-

array, but they have been surprised. The South Vietnamese army has given a good account of itself.

Mr. Carver: They have fought better than the North Vietnamese expected.

Mr. Kissinger: The key question is how long will they keep it up?

Mr. Helms: It's obvious they thought they could get what they want quickly. Since their effort has failed, I suspect they are now assessing the situation and will make the decision shortly on what to do next.

Mr. Carver: They'll probably keep the pressure on Tay Ninh until the ICCS team arrives on the scene.

Mr. Kissinger: Should we say something very sharp about this?

Mr. Johnson: I think we should. We can make a statement at State if you wish.

Mr. Kissinger: We could say something to the effect that we are declaring a one day moratorium on the ICCS because of the continuing fighting.

Mr. Johnson: You mean adopt that posture publicly?

Mr. Kissinger: Yes. Is Bob McCloskey still available for briefings? He's the best briefer you've got at State. He did an excellent job the other day.

Mr. Johnson: Yes, McCloskey is still available.

Mr. Kissinger: Perhaps we can have him make a statement that some confusion in the early stages of a ceasefire is understandable, but that the ceasefire has to be observed and we fully expect the other side to live up to its commitment to do so. Or perhaps it would be better to have Ziegler do it. What do you think?

Mr. Johnson: It may be better for Ziegler to do it.

Mr. Kissinger: O.K., we'll have him do it. Can you get a draft statement ready for Ziegler to use?

Mr. Johnson: Sure, right away.

Mr. Helms: I agree. I think a White House release is the best approach.

Mr. Johnson: There are three possible ways that we can get this message to them. We can do it by means of a public statement here, have (Heyward) Isham do it in Paris or have General Woodward do it in Vietnam.

Mr. Kissinger: If we do it in Paris, we should do it through our channel. But I think it would be better to do it in the White House.

Mr. Johnson: O.K., we'll prepare a contingency statement for Ziegler's use.

Adm. Moorer: According to the latest report we have received, there have been no new ceasefire violations in recent hours.

Mr. Kissinger: But the old ones are continuing?

Adm. Moorer: That's right.

Mr. Kissinger: Can you send me in the next couple of hours a list of the most serious violations thus far?

Adm. Moorer: Sure.

Mr. Johnson: My impression is that things are going just about as we expected, isn't that right?

Mr. Kissinger: Sure, but we should say something about these violations. We don't want to just ignore them. George (Carver), what do you think?

Mr. Carver: I think they're trying to slice the baloney as thin as possible. They'll do everything they think they can get away with, and they want something better than a swamp for the VC capital.

Adm. Moorer: We have reports that they have lost 1,700 men since the ceasefire.

Mr. Kissinger: With a total of two broken legs on the South Vietnamese side?

Adm. Moorer: They've taken some losses, too. They lost eight tanks in the last two days.

Mr. Kissinger: That means we now have something to replace. Do we have teams out there to work on providing replacement equipment for the South Vietnamese?

Adm. Moorer: Sure, that's taken care of.

Mr. Kissinger: What about Laos?

Mr. Green: Souvanna Phouma is going to New Delhi.

Mr. Kissinger: What for?

Mr. Green: To ask the Indians to reinstate the ICC.

Mr. Johnson: I would like to get a decision on Paris as the site for the International Conference. We want to send a cable to Paris today and try to get a reply from the French by tomorrow. I have no formal reply as yet from any of the countries being invited.

Mr. Kissinger: But we have sent word to them?

Mr. Johnson: Oh, yes.

Mr. Kissinger: I want to wait until Bill (Sullivan) returns before getting too deeply into the International Conference questions.

Mr. Johnson: Yes, we'll do that, but we want to get ready.

Mr. Kissinger: That's O.K., they're going to approach people about the conference and we will, too.

Mr. Johnson: Are you going to make an announcement tomorrow?

Mr. Kissinger: No, it's too early.

Mr. Johnson: I'm looking forward to disappointing Fulbright. He'll be very disappointed if everything works out.

Mr. Kissinger: So will three-quarters of the press. What about the ICCS? Is the PRG delegation still sitting in the airplane in Saigon?

Adm. Moorer: Actually, there were two separate flights. The delegation on the ICC plane from Hanoi came in O.K., it was the advance party that came from Paris via Bangkok that refused to disembark.

Mr. Johnson: Are they off the plane?

Adm. Moorer: Not yet. They're still sitting in the C-130s at Saigon.

Mr. Johnson: Our C-130s?

Adm. Moorer: That's right.

Mr. Johnson: Our planes went into Hanoi?

Adm. Moorer: Well, these came from Bangkok, but there was a flight that did go into Hanoi.

Mr. Johnson: How did you arrange for the C-130s to enter Hanoi?

Adm. Moorer: Oh, we set it all up directly with the North Vietnamese. Our man, Gen. Wickham, worked out the technical details directly with them and it was all handled very quickly. There were no problems at all.

Mr. Kissinger: Did they fly into Hanoi over the sea?

Adm. Moorer: Right. There were no problems.

Mr. Kissinger: Where did they land, at Gia Lam?

Adm. Moorer: Yes, they did.

Mr. Kissinger: How does it look?

Adm. Moorer: They said it was pretty beat up, but operational. These people who are sitting in the plane at Saigon refused to sign landing cards. There is a meeting of the deputy chiefs of delegations scheduled for tomorrow, but the PRG and DRV representatives are still on the plane.

Mr. Porter: The PRG representatives offered to fill out blank sheets of paper with all the information the GVN requires, after which the GVN could fill in the headings, but the GVN rejected that proposal.

Mr. Kissinger: The GVN rejected it?

Mr. Porter: That's right.

Mr. Johnson: (referring to cable)³ Here is the GVN position on the matter. It is a very reasonable statement.

Adm. Moorer: But that was put out at 11 p.m. last night. It's now 11 a.m. and they're still sitting in the airplane. We've put portable toilets on for them.

³ Telegram 1155 from Saigon, January 28; National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-90, Southeast Asia WSAG Meeting, 1/29/73.

Mr. Kissinger: Why did you do that? If they have no toilets they'll reach agreement sooner.

Mr. Porter: We're likely to have the same problem when the South Vietnamese go to North Vietnam. I'd be surprised if the North Vietnamese didn't do the same thing to them.

Mr. Kissinger: So would I. Now when the Four Party Military Commission phases out it will leave behind a team responsible for tracing the missing in action. That team will stay behind in North Vietnam. I don't know if Le Duc Tho ever focussed on that. I doubt that he did.

Adm. Moorer: I would just like to report that the U.S. element of the Military Commission is fully prepared and ready to go.

Mr. Kissinger: I appreciate your efficiency.

Mr. Schlesinger: There won't be any deactivation of the mines until the Tay Ninh problem is over, will there?

Adm. Moorer: It will take some time to deactivate all the mines.

Mr. Schlesinger: I just want to make the point that we may want to use the mines as a trump card.

Mr. Kissinger: That's right, but at the same time I would like to see some of them deactivated before the 10th of February so they can't use that as an excuse to delay the ceasefires in Laos or Cambodia.

Mr. Johnson: Have we discussed the list of prisoners in Laos with them?

Mr. Kissinger: They tell us they have it in Hanoi and we will receive it in two days, but we don't want to say that publicly.

Mr. Johnson: What should we tell the wives? We're getting a lot of calls from them.

Mr. Kissinger: Just say they have promised to provide it and we fully expect to receive it.

Adm. Moorer: It was as of yesterday that they promised to deliver it in two days.

Mr. Kissinger: That's right, we should have it in another day or two. Were there any surprises in the list of POWs in North Vietnam?

Adm. Moorer: It was pretty close to what we expected. We're hoping for forty more on the list of those in Laos.

Mr. Eagleburger: Our list had 591 and the one they gave us consisted of 555, plus 55 who died in captivity. Some of the 555 were not on our list, although not many. There remain 56 who were previously carried as POWs but are not on either of the lists they gave us.

Mr. Kissinger: What percentage of the POWs died in the camps?

Adm. Moorer: Of the 55 they have listed, the percentages are about 30% of the Army prisoners, 30% of the Marines and approximately 9% of the airmen.

Mr. Kissinger: What were the totals?

Adm. Moorer: 555 POWs and 55 dead.

Adm. Murphy: The information they have given us about prisoners in North Vietnam is quite accurate. We don't know what we will get from Laos. We have only six known prisoners in Laos, although we hope there may be forty or forty-one. We have known very little about the caves where they keep the prisoners in Laos. We just got the first photos of those caves recently and our impression is that they are pretty big. We think they are holding a lot more than six prisoners there.

Mr. Johnson: We expect none from Cambodia?

Adm. Moorer: They said there are none in Cambodia, and we have no record of any there.

Mr. Johnson: The Japanese have asked us about several of their newsmen who were captured in Cambodia while working for American news agencies, and there are also some other third national civilians believed to be prisoners there. I assume we should tell any countries interested in possible prisoners of theirs in Cambodia to pursue that matter directly with the North Vietnamese?

Mr. Kissinger: They claim there are no foreign prisoners in Cambodia.

Adm. Murphy: I think what they say is that there are no American prisoners there.

Mr. Kissinger: Perhaps that's right.

Adm. Moorer: I've been told that the North Vietnamese may want to use our planes to send 318 more of their people from Hanoi to Saigon. Is there any problem with that?

Mr. Kissinger: It's a lot better than having their planes flying into Saigon. If they let you fly in over the Gulf, it seems probable that you will be able to take the prisoners out on direct flights to Clark.

Adm. Moorer: That's not important.

Mr. Kissinger: What about the ICCS? When can we get them out to the field?

Mr. Johnson: They've had their first meeting and the reports indicate that they are working pretty well together.

Mr. Kissinger: They're supposed to be in the field shortly. I notice in the cables that our friend Blinky (DRV Deputy Representative Luu Van Loi) is going to be with the DRV delegation. He's that pain in the neck who gave us a lot of trouble in Paris. He wears smoked glasses and blinks all the time. Lam (SVN Foreign Minister Tran Van Lam) says he is trying to tie things up as much as possible.

Mr. Porter: Is he that DRV colonel named Loi?

Mr. Kissinger: No, the one I'm referring to is the permanent head of the DRV Foreign Ministry. That colonel may be his brother. Do we know when they will get out into the field?

Mr. Johnson: I'll find out. There are 150 in-country already.

Mr. Kissinger: Are you getting your FSOs out to the field?

Mr. Porter: They're all on the way.

Mr. Kissinger: I knew Alex (Johnson) would get that all done before leaving.

Mr. Johnson: I'm sending my own son back to Vietnam so I can find out what is going on there.

Mr. Kissinger: What is the Four Power Commission doing?

Adm. Moorer: They have held their first meeting, but the DRV and PRG delegations were not at the table, so General Wickham proposed an adjournment. The DRV and PRG delegations are still sitting at Tan Son Nhut Airport.

Mr. Kissinger: I would say they have not yet achieved national reconciliation and concord. What about the Long Binh idea?

Adm. Moorer: I don't know. I'll look into it.

Mr. Kissinger: We will have to have some discussions about the International Conference when Sullivan gets back.

Mr. Johnson: The agreement provides for the International Red Cross to inspect the POW camps, but it is vague about letting any Red Cross members other than those of the U.S. or North Vietnam do it.

Mr. Kissinger: The Four Power Commission should determine which Red Cross will handle it.

Mr. Johnson: We want to move quickly on getting the Red Cross into the picture. I assume we don't want the DRV Red Cross in South Vietnam, so we don't want to propose the U.S. Red Cross for inspections in the North. The Canadian Red Cross would be a good solution, since the Canadians have planes going out there anyway. We can propose the Canadian Red Cross through General Woodward and I assume they will nominate the Polish or Hungarian Red Cross.

Mr. Kissinger: I think that's all right.

Mr. Johnson: (to Marshall Green) Do you want to get out a cable on that?

Mr. Green: To General Woodward?

Mr. Johnson: That's right.

Mr. Helms: I have to go say farewell to Senator Fulbright. I saw him the other day and he told me he wants to send a letter to the President on the reconstruction of Vietnam. He expressed the view that it would be easier to arrange it through the Congress and I think he may be right. The indications from the Hill are that Congress is very un-

happy about the idea and we may have real problems getting the votes we need for it.

Adm. Moorer: We sure may! Senator McLellan is adamantly opposed.

Mr. Kissinger: Well, Mansfield is for it but McLellan is strongly against it. He asked me if Congress approves the funds, how do they know we won't impound them.

Adm. Moorer: You asked for daily reports on the situation in Indochina and we are getting reports in for this purpose from the military regions. We suggested they submit their reports as of 8 p.m. Saigon time. That will be 7 a.m. here. So if you agree, we will report each morning as of 8 p.m. Saigon time the day before.

Mr. Carver: As I understand it there are to be three separate reports, from State, Defense and CIA. There is bound to be some overlap in those reports.

Adm. Moorer: There will be some overlap, but that's no problem. I just want to get agreement on a cut off time so that all the reports will cover the same time period.

Mr. Helms: That's absolutely essential if they are to be meaningful.

Mr. Kissinger: 8 p.m. Saigon time is O.K. with me.

Mr. Eagleburger: I have a cable from (Ambassador) Swank reporting that Fernandez (Gen. Sosthene Fernandez, Cambodian Army Chief of Staff) is asking for support.

Mr. Johnson: Yes, I have it right here. He wants U.S. support on Routes 4 and 5, and the same on the Mekong River. He also wants guidance on what to say publicly. We are preparing a draft reply and will have it over here in thirty minutes.

Mr. Kissinger: Are we generally sympathetic to his request?

Mr. Johnson: Yes, we are.

Adm. Moorer: We have the capability to assist him, but we can't do it after the fact. If he wants units escorted along Routes 4 and 5, it has to be arranged before they get attacked. They should be escorted from the outset. Will we (JCS) get a copy of your reply to Swank?

Mr. Johnson: Oh, yes.

3. Memorandum for the President's Files by the President's Assistant for National Security Affairs (Kissinger)¹

Washington, January 30, 1973, 9:30–10 a.m.

SUBJECT

Meeting with South Vietnamese Foreign Minister Tran Van Lam, Tuesday, January 30, 1973, at 9:30–10:00 a.m.

PARTICIPANTS

The President
Dr. Henry A. Kissinger

Foreign Minister Tran Van Lam
Ambassador Tran Kim Phuong

[After a brief photo opportunity, the President greeted Foreign Minister Lam, who was on his way back to Saigon after signing the Ceasefire Agreement in Paris on January 27.]²

The President: We must have an even closer relationship as peacetime allies. The settlement will last only as long as our two governments go forward together. You can count on our continued military and material support and economic support. And spiritual support. We recognize only one government in South Vietnam. The Republic of Vietnam will be recognized and assisted. The key to U.S. policy in Indochina is our continued alliance and friendship with Vietnam. I have sent the Vice President to show that we are standing firm with our allies.³ You have stood firm. We respect you for it. The American press shouldn't discourage you. They don't represent the American people. You should know you have a friend in this office.

We all have a responsibility to cool it now, however, China and the USSR will be urged to restrain their friends.

Foreign Minister Lam: We are gratified by your approach. Sometimes we gave a hard time to Dr. Kissinger. But we perfectly understand the necessity of sticking together. We had to show we tried to get the maximum we could. But it finally depends on good will between us.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 104, Country Files, Far East, Vietnam, GVN Memcons, November 1972–April 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held in the Oval Office. Brackets are in the original. For an audio recording of this conversation, see *ibid.*, White House Tapes, Conversation No. 844-03.

² See footnote 2, Document 1.

³ Agnew toured Southeast Asia from January 30 to February 9. See footnote 1, Document 7.

The President: There is no good will on their side. I have no illusions about that. We must create a necessity. A carrot and a stick.

Foreign Minister Lam: I would like on behalf of President Thieu and our National Security Council to apologize for any difficulties we may have caused you. Your statement regarding Saigon as the legitimate government is very helpful to us.

I would like to present another point, having to do with the site of the International Conference. In Paris we had been assured there would be no demonstrations, but there was one on the day of the ceremonies. We told Schumann it was very hard for the prestige of France. The other side have not insisted on Paris. We prefer elsewhere. In my opinion we prefer some other site.

The President: The French must give us an assurance, and unless there is no demonstration we can't go there. To have a demonstration on this historic occasion will be counter to the spirit of occasion. Schumann is a crook.

Foreign Minister Lam: The Secretary General of the UN is among the participants. Therefore it should be in a UN spot.

The President: Let me emphasize this: You have the third largest army in the world. You must be self-confident. I was glad you had a celebration on the day of settlement. We have a stick and a carrot to restrain Hanoi. After all this sacrifice—now is the important point. The key is our strength and our alliance.

Foreign Minister Lam: You will be proud of our people. The problem is how to split the NLF from the NVA. We should scrupulously keep the Agreement. We should always put the other side in the position of the bad guy. Can you get French support at the Conference.

The President: Pompidou is a good man. Let us play the game on the Conference very carefully.

Foreign Minister Lam: How about a conference with President Thieu?

The President: I would like to have President Thieu visit in San Clemente at the Western White House. Tell him to propose any date convenient to him. Any time he says after March 1st. Anytime between March and June.

4. National Security Study Memorandum 167¹

Washington, January 30, 1973.

TO

The Secretary of State
The Secretary of Defense
The Director of Central Intelligence

SUBJECT

Preparations for the International Conference on Indochina

The President has directed that a study be prepared on an urgent basis concerning the convening of and U.S. participation in the International Conference on Indochina stipulated in Article 19 of the Agreement on Ending the War and Restoring Peace in Vietnam.

The study should include consideration of:

—How the conference should be organized.

—The anticipated and preferred duration of the Conference.

—The objectives of the Conference and what the U.S. would hope to achieve.

—The alternatives for a supervisory relationship with the International Commission of Control and Supervision which could be sought from the Conference.

—A possible continuing mechanism for such supervisory responsibilities after the conclusion of the Conference itself.

—The relationship of the Conference to the issues of Laos and Cambodia and the existing mechanisms created by the 1954 and the 1962 Geneva Accords.

—The possible relationships between the International Conference and other conferences proposed (e.g. ASEAN Conference, the proposed conference of 10 Southeast Asian countries, the conference proposed by the Japanese on post war economic assistance and relationships).

The study should include a proposed game plan and negotiating instructions for the U.S. delegation to the Conference.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-195, NSSM Files, NSSM 167. Secret; Sensitive. According to the attached correspondence transmittal sheet, the Vice President, Scowcroft, Odeen, Kennedy, Holdridge, and Negroponte also received copies.

The study should be prepared under the direction of the Chairman of the NSC Interdepartmental Group for East Asia and be forwarded not later than the opening of business February 2, 1973 for consideration by the NSC Senior Review Group.

Henry A. Kissinger

5. Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)¹

Washington, January 31, 1973.

[Omitted here is discussion related to the scheduling of Nixon's forthcoming summit in the Soviet Union.]

Nixon: What about—oh, I see some leak to the effect that—that Thieu and I will meet in Hawaii.

Kissinger: Well, that must have been—

Nixon: [unclear]—

Kissinger: —from the Vietnamese—

Nixon: Yeah.

Kissinger: —or from the Agnew party.

Nixon: Yeah. Well, I'll simply say that I, I hope at some time to meet with him.² Don't you think so?

Kissinger: That's right.

Nixon: Say it publicly. One other point: with regard to the resupply of North Vietnamese and VC in South Vietnam, how, how do they do it? I mean, if Cambodia is closed, and Laos is closed, and the DMZ—

Kissinger: They will—

Nixon: —allows only civilian modalities—

¹ Source: National Archives, Nixon Presidential Materials, White House Tapes, Conversation No. 43–6. No classification marking. According to the President's Daily Diary, Nixon spoke to Kissinger on the telephone from 10:10 to 10:18 a.m. (Ibid., White House Central Files) The editor transcribed the portion of the tape recording printed here specifically for this volume.

² The President was referring to the news conference he held later that morning; see *Public Papers of the Presidents of the United States: Richard Nixon, 1973*, p. 53–63.

Kissinger: Well—

Nixon: What—what's the deal?

Kissinger: They will get—this is something: the legal entry points have yet to be determined, but—

Nixon: Right.

Kissinger: —there will probably be two seaports and one point at the DMZ.

Nixon: And, as I understand it then, that, on the basis of the agreement, that they can supply people over those seaports. Is that right?

Kissinger: Well, all they can do is to re—is to re—is to—

Nixon: I know.

Kissinger: —replace weapons.

Nixon: But, replace weapons that are—

Kissinger: They cannot—

Nixon: —worn out, used, et cetera, et cetera. Right—

Kissinger: They have no legal right to bring in anything else.

Nixon: Anything new. I know, I know. I know. [Laughs]

Kissinger: Nor—nor, for that matter, have they got a right to bring in uniforms and things like that, technically speaking.

Nixon: Yeah. I know, I know. The—we all know that if the agreement is kept—and there's nothing, nothing wrong with the agreement; it's just a question of whether they keep it.

Kissinger: That's right.

Nixon: You could add 15,000 clauses; it wouldn't mean a thing.

Kissinger: Exactly.

Nixon: This agreement is just—is, is a totally airtight agreement if it's kept.

Kissinger: Exactly—

Nixon: No question about it.

Kissinger: Exactly—

Nixon: No question. I just wanted to know that. These are questions Ron [Ziegler] thought might come up, and I, I want to—

Kissinger: Right. I wouldn't, incidentally—I sent you a note yesterday—volunteer anything about their murdering activities there, in the context of their—of attacking Hanoi, if it's done in the context of replying to people who are accusing us of m—of carpet-bombing.

Nixon: Well, that's, that's the only way I was going to use it.

Kissinger: Right.

Nixon: Big no—

Kissinger: Because they'll—

Nixon: —because if they say that we’re—if they say we’re killing civilians, we’ll say, “Well, now, there are a lot of civilians killed in the South.”

Kissinger: That’s right.

Nixon: Which we’ve got to do. We can’t be—

Kissinger: So, in that context, it can be done. And, I think if one volunteers too harsh an attack on them, it—

Nixon: I don’t intend to, but I’ve got to answer that in case they—

Kissinger: Oh, yes.

Nixon: —say that we’ve killed people in the North.

Kissinger: Absolutely.

Nixon: Because, we’ve been—I mean, we have to realize here that, shit, we have to be rather gingerly, but they haven’t been too [laughs]—I mean, they’ve, they’ve gone from—

Kissinger: They’ve been pretty restrained in their public comments about us—

Nixon: Restrained—restrained. Right, right. But, I mean, on the—in terms of the—I’ve been very restrained in terms of the—what is achieved, and all that sort of thing. But, be that as it may, we shall see. Well, those are the only things I have. You have anything else on that? Anything else you think—?

Kissinger: On, on the military activities, now—

Nixon: They’ve receded, I see.

Kissinger: They’ve receded. The biggest fight is now going on in an area where the South Vietnamese tried to grab some territory³ right after the cease—right at the cease-fire. They tried to seize a naval base—

Nixon: Yeah.

Kissinger: —along the shore—along the coast, north of the Cua Viet River. And the North Vietnamese are trying to re—retake that. That’s the only big fight that’s now going on.

Nixon: But, it’s really going quite well, isn’t it?

Kissinger: Well, the South Vietnamese—

Nixon: Even—

Kissinger: —have fought extremely well.

Nixon: Even—but what—no, not on that. But, I meant—I meant the cease-fire is going quite well.

Kissinger: That’s right.

Nixon: I mean, the very thing—

³ Sa Huynh, Binh Dinh Province, Republic of Vietnam.

Kissinger: It's the activity inside of—

Nixon: —the very thing that we said, that it would recede—

Kissinger: Yes.

Nixon: —even the press—

Kissinger: Everyday is getting—

Nixon: —reluctantly [laughs] concludes that it's going down.

Kissinger: Exactly right.

Nixon: They're going to have one hell of a time with this thing. They're going to have one hell of a time. I mean, you know, assuming that some of this does recede.

[Omitted here is discussion of the Soviet Union.]

Nixon: Now, with regard to the Cambodian unilateral cease-fire, is that in force and still in force? And we, according to the—looking at the news—the summary this morning from the, the intelligence, we are not bombing in Cambodia because of that. Is that correct?

Kissinger: That is correct.

Nixon: And, that's 72 hours, and the enemy is respecting it up to this point?

Kissinger: Up to this point, yeah.

Nixon: In Cambodia. But—so, it might be extended another 72. I just have—

Kissinger: Oh, no. This will, this will be extended indefinitely. Lon Nol's is indefinite. We just stood down for 72 hours, to see—

Nixon: Yeah.

Kissinger: —how it would work.

Nixon: No. And if it's—

Kissinger: And, as long as it holds, we will observe it.

Nixon: Um-hmm. And, as far as Lao—Laos is concerned, we can just say, "We have reason to believe there will be a negotiated cease-fire on a—"

Kissinger: "In—in a reasonable time—in a reasonably short time."

Nixon: Yeah, that's right. Ok.

Kissinger: Right.

6. **Transcript of Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)**¹

Washington, January 31, 1973, 10:28 a.m.

K: Mr. President.

N: Hi, Henry. One point. I'm going to do the briefing on this thing, and then Ron may catch it later. But I may get a question as to whether you're going to Saigon. I think I should just say no, the Vice President is in Saigon discussing matters, and that Ambassador . . .

K: And you might consider . . .

N: And Ambassador Sullivan will go there after your trip.

K: Right.

N: How does that sound to you?

K: That sounds . . .

N: I don't think we should leave it that, uh.

K: That I might.

N: That, well, because the way it is here in the thing that somebody prepared for Ron, one of your people apparently. This is all we have on Dr. Kissinger's schedule at the present time. Well that immediately will put pressure on you to go to Saigon. And that will, well, you know what I mean—you don't want to go to Saigon.

K: No, no.

N: Well, I'll just say Sullivan will go to Saigon.

K: That's very good, Mr. President.

N: Is that all right? And I'm just going to say, no, you have no plans to go to Saigon. The Vice President is consulting with the leaders of the South Vietnamese government and you are going to Hanoi. How does that sound?

K: That sounds very good, Mr. President. You might . . .

N: It gets you totally off the hook on it.

K: And when you talk about Thieu, meeting with Thieu, if you could put it into March, or not before March.

N: Oh, yes, yes.

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 18, Chronological File. No classification marking. According to the President's Daily Diary, Nixon was meeting with Ron Ziegler in the Executive Office Building when he placed the telephone call to Kissinger. (Ibid., White House Central Files)

K: It would help with the North Vietnamese.

N: Oh, I would say, yes, later this spring—sometime this spring.

K: Sometime this spring.

N: I think this spring, that's better.

K: That would be the best.

N: Because I sure as hell don't plan to have it, believe me, until about the first of April. That's when I'm thinking of, you know.

N: Because there's no reason for us to. He'll get along.

K: Right.

N: You see, the point is, once we get it staffed and so forth then we can announce when he's coming. Okay, I thought that was the case. You see, we've got a good excuse. We have already told the Foreign Minister we had Mrs. Meir coming and all that.

K: That's right.

N: All right, fine, Henry. Thank you.

K: Right, Mr. President

7. **Backchannel Message From the Ambassador to Vietnam (Bunker) to the President's Assistant for National Security Affairs (Kissinger)**¹

Saigon, February 1, 1973, 1020Z.

364. Ref: WHS3133.²

1. The Vice President left this morning after two useful and productive days in Saigon. The visit was extremely well received by President Thieu and the GVN and came at an opportune time psychologically, bringing assurances of support in a period of continuing hostile action and violations of the ceasefire (obviously there have been violations by both sides although most RVN actions have been in response to enemy attacks).

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, From Ambassador Bunker, Saigon, Through April 1973. Top Secret; Sensitive; Immediate; Exclusively Eyes Only.

² In backchannel message WHS3133 to Saigon, January 31, Kissinger wrote to Bunker: "We are very much in need of a report on the activities of the Vice President, and also of the reaction of President Thieu to my trip to Hanoi." (Ibid., Backchannel Messages, Box 415, To Ambassador Bunker, Saigon, Through April 1973)

2. The visit also undoubtedly had a steadying influence although the confidence of the GVN that they will be able to deal with the military situation has grown steadily. Throughout the two meetings which the Vice President had with Thieu, the latter was relaxed, exhibited an air of confidence and was obviously pleased. His main concerns in much of the discussion were related to the need for continued and substantial economic assistance, especially over the near term to cope with the urgent problems of rehabilitation and reconstruction.

3. Upon arrival, the Vice President and I met for an hour for a general review of the situation, following which he met with senior Mission officials, including Generals Weyand, Vogt, and Woodward. The Vice President was given a review of the military situation and of the status of the ICCS and Four-Party Joint Military Commission. Mossler and Cooper provided him with a review of the economic situation and the immediate as well as longer range economic problems which South Vietnam would face.

4. The Vice President's first meeting with President Thieu took place at 1830 followed by dinner at the palace at 2000. In addition to Thieu, Vice President Huong, Prime Minister Khiem, Acting Foreign Minister Thu and Nha were present. Our side included Whitehouse, Negroponte and General Dunn. At the dinner which followed, the Vice President had an opportunity to meet the Chairmen of the Senate and House, Chief Justice, and the Ministers of Economy, Finance, Public Works, Agriculture and Land Reform and National Development.

5. The meeting concentrated largely on economic questions with reference primarily to the needs for the remainder of the present fiscal year and for the ensuing fiscal year. Thieu said that he sees the Vietnamese economic problems as involving two phases:

1) Rehabilitation, recovery, and reconstruction covering a period of one year.

2) A longer phase of economic development requiring planning over a four or five year period.

The first phase he sees divided into two six months periods:

—In the first six months, the government must move ahead rapidly on programs of rehabilitation and reconstruction, assure security for the people, and maintain political and psychological stability so that people can go about their work with confidence. Economic stability must be maintained by measures to control inflation and prices. All these steps are important, especially in preparation for elections which Thieu hopes can come sooner rather than later.

—The second six months will involve a continuation of reconstruction and measures to meet the problem of demobilization which will require provision of employment for the demobilized military personnel. (Negroponte took notes and will provide more detail.)

6. On Wednesday morning, the Vice President met with the members of the Mission Council for a further review of the current situation, including political developments, VC, and VCI activities and further briefing by Mossler and Cooper in preparation for his meeting with the GVN Ministers which followed. Present for the GVN were the Ministers of Economy, Finance, Agriculture and Land Reform and Public Works and Planning. The discussion in general followed the outline which had been developed by Thieu in the previous day's meeting with the Vice President, but went into considerably greater detail. This will be reported separately.

7. In his final meeting Wednesday afternoon with President Thieu, the Vice President remarked that he had been much encouraged by what he had learned of the progress which had been made since his previous visit. He referred to the excellent meeting with the economic ministers and complimented Thieu on the competence and expertise of these young economic experts. The Vice President then emphasized the importance of creating a favorable image of the GVN and of Thieu himself in the United States. This will be helpful in the coming struggle with Congress over aid, a subject which is always hotly contested, especially military assistance. Consequently, anything that can be done to create a positive image will be helpful. The Vice President assured Thieu that the President is fully aware of the need to assist the Vietnamese economy as the government undertakes the tasks of rehabilitation and reconstruction as well as the need for development in order to provide jobs for the demobilized military personnel. He assured Thieu that the U.S. has no intention of withdrawing its presence from Asia or retreating on its commitments and cited the continuing presence of our air power in Thailand, the B-52's in Guam and the Pacific Fleet.

8. Thieu commented that problems in the months ahead depend greatly on the attitude of the Communists. He hopes that political solutions can be found quickly followed by elections. He repeated his customary recital of the danger posed by the presence of NVA troops in South Viet-Nam, providing the means to conduct guerrilla warfare should they wish. He admitted that the GVN is now strong, but adverted to the fact that until now the Communists had had to fight on four fronts, whereas now with their withdrawal from Laos and Cambodia and with U.S. forces leaving, they will have only one front. It will be difficult, if not impossible, for the U.S. to react unless there is a return to a large scale conventional war. Nevertheless the threat of U.S. reaction will be an important factor in dissuading the Communists; and the Soviet's influence on Hanoi can also be important as a deterrent. Thieu said that he pledged to engage in sincere and substantive talks in order to reach a political solution; stalling would not serve the interests of the GVN.

9. The Vice President commented that when elections are held, it is important that the international supervisory organization should be in place so that there will be no question of the fairness of the elections; it is also important to avoid frictions with the press. He agreed that the NVA could be difficult, but believed South Viet-Nam to be in a much stronger position than it had ever been.

10. Thieu agreed that if peace is maintained in Laos and Cambodia, problems in South Viet-Nam would be greatly lessened and would be manageable. If the situation develops favorably in South Viet-Nam, the GVN's military outlay must be reduced and steps taken to create employment for the demobilized personnel. He remarked again on the importance of speeding recovery in the next six months.

11. The Vice President then informed Thieu that an announcement would be made of your forthcoming visit to Hanoi that evening, Saigon time, and explained that the purpose of the visit was to discuss economic assistance, but most importantly to try to influence the DRV to act responsibly. We hope also to influence the Soviet's attitude toward South Viet-Nam. The important thing now is to get the ICCS teams in place and to make the ceasefire effective.

12. Thieu exhibited no concern on being informed of your visit to Hanoi. In fact, the tone of both meetings was extremely cordial and I think the whole exercise has been most useful and reassuring to Thieu and the GVN.

13. The Vice President asked to meet for a few minutes alone with Thieu in order to talk with him about things he believed Thieu could do when in the United States in order to improve his own and the GVN's image.

14. In addition to these meetings, the Vice President had a working luncheon Wednesday which included Generals Weyand and Vogt, other members of their staffs, and Lt. Gen. Minh, MR 3 Commander. He also had a working dinner which included all members of the Mission Council and which provided an opportunity for further briefings and discussion. The Vice President departed at 0930 today for Phnom Penh.³

15. Warm regards.

³ Agnew discussed the visit to Southeast Asia with Nixon in San Clemente on February 10, 10:05–11:30 a.m. (Ibid., Box 1026, Presidential/HAK Memcons, January–March 1973) Agnew's written report on the tour, February 9, is *ibid.*, RG 59, Records of the Executive Secretariat, Entry 5037, Box 170, Visit of Spiro Agnew to Southeast Asia. See also Department of State *Bulletin*, March 12, 1973, pp. 294–297.

8. **Memorandum From Richard Kennedy and John Holdridge of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)**¹

Washington, February 5, 1973.

SUBJECT

Analytical Summary of Response to NSSM 167: Preparation for the International Conference on Indochina

Conference Organization

The International Conference on Vietnam (ICV) will convene on February 26 in Paris. The 13 participants will be: The 4 parties to the Peace Agreement (the U.S., GVN, DRV, and the PRG); the 4 members of the ICCS (Canada, Indonesia, Poland, Hungary); the PRC; the USSR; England; France and the Secretary General of the UN. The level of representation will be that of Foreign Minister.

—*SVN Attitude Toward the PRG as an Equal Participant:*

- We face a potentially serious problem with the GVN who may balk at attending the ICV with the PRG as an equal participant.
- We must approach the GVN early on about this matter, prepared to use whatever persuasive pressure necessary.

[NSC Comment: State foresees a potential serious problem in the GVN's willingness to attend on an equal basis with the PRG. We believe this may be unduly pessimistic. Since the PRG's attendance is already fixed in the Agreement, it is unlikely that the GVN will balk at attending, but they may wish to make a unilateral statement of non-recognition or raise other procedural points. In any event, it would be good to nail this down with Saigon as soon as possible.]

—*Conference Chairman:*

- Our preference for Chairman is UN Secretary General Waldheim.
- The Vietnamese Communists may resist our choice of Waldheim and propose that France chair the ICV, which would not be in our interest.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 112, Country Files, Far East, Vietnam Negotiations, Hanoi Trip, February 1973. Secret; Sensitive. Sent for action. Brackets are in the original. The memorandum summarizes the interdepartmental group paper prepared in response to NSSM 167, Document 4. The paper, February 2, is in the National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-195, NSSM Files, NSSM 167. A covering memorandum to the paper, February 3, from Jeanne Davis, states: "This paper will serve as the basis for discussion at the Senior Review Group meeting on Tuesday, February 6, at 3:00 p.m." No record of that SRG meeting has been found.

- We should refuse a French Chairman.

[NSC Comment: State may be exaggerating the DRV's unwillingness to accept Waldheim as Chairman, as long as his role is to be limited to that of presiding officer. If the DRV does refuse to accept him, we should be prepared with an alternative—such as a rotating chairmanship.]

Conference Duration

—Since we view the primary purpose of the ICV as endorsing agreements already reached, we wish to limit the number of substantive additions to the agenda.

—If we can agree ahead of time on agenda items and expected results with the DRV, the USSR, the PRC—as well as a consensus among others—the ICV may be limited to 5–7 days.

- While we believe Hanoi will want a short conference, we should plan for one lasting 2–3 weeks if agreement on ICV issues cannot be reached.

[NSC Comment: The paper states that Hanoi will probably want a short meeting due to its disinclination to have the UN or other international bodies become involved in Indochinese affairs. However, we also need to bear in mind that the Conference will provide a favorable sounding board for DRV and PRG propaganda. It will also give the PRG maximum international exposure. Therefore it is possible that Hanoi would not be averse to a conference lasting longer than 5–7 days.]

Conference Objectives

—Article 19 of the Agreement sets forth the objectives of the ICV as:

- to acknowledge the signed agreement;
- to guarantee the ending of the war, the maintenance of peace in Vietnam, the respect of the people's fundamental rights, and the South Vietnamese people's right to self determination;
- to contribute to and guarantee peace in Indochina.

—Barring unforeseen developments, we expect Hanoi and its supporters to contend the ICV need only issue a simple endorsement of the Agreement.

—However, we should seek ICV action—beyond a simple endorsement—on the following three additional points:

(1) Relationship Between the Conference and The ICCS

- We wish to establish a direct, continuing relationship between the ICV, or its participants, and the ICCS. We also wish, if possible, agreement to share expenses of the ICCS among ICV participants. Our purpose is to provide the ICCS with an external political authority to which

it can report on ceasefire violations—and other matters—related to the Agreement in place of the Agreement scheme which creates the closed mechanisms of the ICCS reporting to the parties it is supervising.

- We would also like the ICV to agree to a continuing role for Waldheim as a permanent authority of the ICV.
- The main *disadvantage* of this proposal is that Hanoi will probably resist it. We could compromise, if necessary, by letting the ICCS report directly to the ICV participants.

(2) *Relationship of the Conference to the Issues of Laos and Cambodia*

- We would like ICV action to pledge to respect the sovereignty, integrity and neutrality of Laos and Cambodia and to endorse any internal political settlements that may have been concluded by those countries—notably Laos—by the time the Conference is held.
- Our most immediate interest is to utilize the ICCs established by the 1954 and 1962 Geneva Accords on Cambodia and Laos. However, in the absence of Laos and Cambodia, we should *not* seek ICV action on the ICC issue.

(3) *Cooperative Action in Rehabilitation and Reconstruction*

- The ICV should seek participants to pledge cooperative action to assist in the rehabilitation and reconstruction of all Indochina and to establish an appropriate framework within which assistance programs can be effectively developed, and in which Japan, the UN or others can participate.

[NSC Comment: One important factor left out in State's paper is the lineup of the Conference, which puts six parties definitely against us, not including France, five on our side, also not including France, and Waldheim, this highlighting the potentially critical nature of the French role in any majority vote situation. Can we, to any extent, expect support from France, given its past performance?]

Treaty of Paris

—Our tactical objective should be to incorporate these points in a single ICV document accepted by all participants. A draft document, entitled The 1973 Act of Paris is at Tab D.²

[NSC Comment: We agree that our tactical objectives should be the adoption of a single document, similar to the draft State has appended, which not only endorses the basic Agreement but also encompasses our other objectives, especially the establishment of a direct, continuing relationship between the ICCS and the Conference.

² Draft document, undated, attached but not printed.

In Article II, should the 1954 and 1962 Geneva Agreements be specifically mentioned (they are not now)?

Article IV specifically mentions an International Consultative Group. Is it wise to bind the parties so soon to any particular organization?]

Relationship of the ICV to Other Proposed Conferences

—The ASEAN foreign ministers will hold a meeting on February 15 to discuss, *inter alia*, a possible 10 nation Southeast Asian Conference—including the 5 ASEAN nations plus North and South Vietnam, Cambodia, Laos, and Burma.

- This February 15 meeting poses no particular problem for us, and we should not oppose it,
- However, we should take necessary actions to see that any larger SEA Conference *not* be convened until well after the conclusion of the ICV.

Game Plan

—In trying to reach agreement before the ICV on issues to be dealt with, our major efforts should be directed at Hanoi and Saigon.

- The matter of the ICCS/ICV relationship will probably be the most difficult item to agree on with Hanoi so we should submit our proposals to Hanoi as early as possible.

- Next we should consult our allies participating in the Conference, starting soon with the GVN where the principal stumbling block will probably concern the status of the PRG.

—Then we should consult other “friendly” ICV participants, notably the UK and Canada, on the ICCS/ICV relationship.

—We should keep Waldheim advised in a general way of ICV preparations.

—During the preparatory stage we should consult closely with Laos, Cambodia and Thailand.

—At an appropriate time before the ICV we should brief selected other governments on our objectives and expectations, first priority going to Japan to encourage its post-ICV involvement in Indochina reconstruction.

—We should consult ASEAN states to assure the February 15 meeting does not take action that could damage ICV preparations or objectives.

—At an appropriate time during the ICV we should consider how friendly non-participating states or groups (e.g., ASEAN) can most effectively associate themselves with ICV results.

Further discussion of our game plan—including instructions to our delegation—will develop from our pre-conference consultations.

9. Minutes of Washington Special Actions Group Meeting¹

Washington, February 6, 1973, 4:38–5:30 p.m.

SUBJECT

Vietnam Planning

PARTICIPANTS

Chairman	JCS
Henry Kissinger	V/Adm. John Weinell
State	CIA
Kenneth Rush	James Schlesinger
William Porter	George Carver
Marshall Green	William Newton
William Sullivan	NSC
Defense	B/Gen. Brent Scowcroft
William Clements	Richard Kennedy
R/Adm. Daniel Murphy	John Holdridge
	James Hackett

SUMMARY OF CONCLUSIONS

It was agreed that:

—State will cable Saigon instructing Ambassador Bunker to raise with the South Vietnamese the issue of legal ports of entry for South Vietnam. Ambassador Bunker should urge the South Vietnamese to propose without further delay the ports they wish designated for the importation of military supplies and equipment into South Vietnam, and report their reaction ASAP. Any developments in this matter should be reported to Mr. Kissinger at once.

—State will cable Vientiane instructing Ambassador Godley to press Souvanna Phouma to agree to an early ceasefire.² The cable should also stress our desire to avoid losing additional territory in Laos.

—CIA will prepare for Mr. Kissinger by February 9 an assessment of enemy intentions over the next three to six months.³

—DOD will prepare contingency plans providing military and political/diplomatic options for possible U.S. responses to enemy

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Instructions to Godley were sent in telegram 22116 to Vientiane, February 6. (Ibid., Kissinger Office Files, Box 30, HAK Trip Files, February 7–20, 1973)

³ Scowcroft sent CIA Intelligence Memorandum, “Hanoi’s Intentions Over the Next Three to Six Months,” to Kissinger in Hanoi in WH30381/Tohak 62, February 10. (Ibid., Box 29, HAK Trip Files, February 7–20, 1973)

ceasefire violations, both during the 60 day troop withdrawal period and after that period.⁴ A WSAG meeting to review the contingency plans will be scheduled shortly after Mr. Kissinger's return from his trip.

—Anything the WSAG participants believe should be raised by Mr. Kissinger in either Hanoi or Peking should be sent to General Scowcroft for transmittal no later than February 9 and 12, respectively.

Mr. Kissinger: Jim (Schlesinger), do you want to let us know where we stand today?

Mr. Schlesinger read a prepared statement (copy attached).⁵

Mr. Kissinger: Have the North Vietnamese gained anything?

Adm. Weinle: They have cut Route 14.

Mr. Carver: They've cut both Routes 14 and 1.

Mr. Kissinger: Is that significant?

Mr. Carver: It will be if they can hold them. They have to get about ten miles of roadway in the form of a saddle and then hold onto it. If they can do that, it will be a real problem for the South Vietnamese.

Mr. Schlesinger: That's right. The cities in the highlands are cut off.

Mr. Kissinger: What cities?

Mr. Carver: Pleiku, and also Kontum. The roadblocks continue to be a problem.

Mr. Kissinger: You mean Route 9 is cut?

Adm. Weinle: Route 9 is in MR-I, but it is cut. I think you mean Route 19, which is the road from the coast to Pleiku. It's not cut, but the roads to the south of Pleiku as well as those to the north, to Kontum, are blocked.

Mr. Kissinger: Does the South Vietnamese commander in MR-II carry out orders to open blocked roads?

Mr. Carver: He does a lot better than the commander in MR-III.

Mr. Kissinger: That's saying absolutely nothing. The one in MR-III was ordered a number of times to open Route 13, but he did nothing.

Mr. Porter: Maybe he was ordered to do nothing.

Mr. Kissinger: I only know what we were told. It's almost like the SRG meetings! With this increase in enemy activity in Laos, how many sorties are we flying there?

⁴ Richardson sent the Department of Defense Contingency Plan to Kissinger under a covering memorandum, February 26. (Ibid., Box 232, Agency Files, Defense, January–April 1973)

⁵ Schlesinger's briefing, "The Situation in Indochina," February 6, attached but not printed.

Mr. Schlesinger: About 300 a day.

Mr. Kissinger: Including B-52s?

Adm. Weinel: We flew 49 B-52 sorties there yesterday. Keep in mind that figure is in sorties and there are more than one aircraft per sortie.

Mr. Kissinger: Who controls the insurgents in Cambodia?

Mr. Carver: They are essentially controlled by North Vietnam, but there is a lot of finagling and fooling around by the Chinese and others. Various groups are frying their own fish in Cambodia.

Mr. Kissinger: What fish are the Chinese frying there?

Mr. Carver: It's reasonable to believe that many members of the Khmer Rouge have been members of the Chinese Communist Party rather than the Communist parties of Cambodia or North Vietnam, and therefore their loyalties may lie more in that direction.

Mr. Kissinger: What I want to know is what the Chinese want the Cambodian Communists to do. Are they in favor of a ceasefire in Cambodia or not?

Mr. Carver: We don't know.

Mr. Kissinger: I don't care who they are loyal to, I just want to know who is for what in Cambodia.

Mr. Carver: I'm afraid we really don't know.

Mr. Kissinger: This situation in Cambodia is difficult to get on top of. Who is going to influence whom?

Mr. Schlesinger: The old Khmer Rouge have the greatest influence among the various groups.

Mr. Carver: The anti-Sihanouk element in the Khmer Rouge is most likely controlled by North Vietnam.

Mr. Sullivan: That's not necessarily true.

Adm. Murphy: I'm not sure they are.

Mr. Schlesinger: We have evidence that the insurgents view with considerable concern any meeting we might have with Sihanouk.

Mr. Kissinger: I'm not surprised. I have found no constituency anywhere for me to meet with Sihanouk. Neither the Russians nor the Chinese are interested in that. Do the Joint Chiefs have anything to add?

Adm. Weinel: There has been a decided downfall in the number of incidents in South Vietnam. The statistics show they are down about 70%, but in reality it may be better than appearances indicate because all of the incidents are not being reported.

Mr. Rush: I don't understand that. If they are not being reported, why would the situation be better than appearances? You mean the reverse, don't you?

Mr. Sullivan: I don't understand it, either.

Adm. Weinell: I am talking about the incidents initiated by the South Vietnamese. They probably aren't reporting the incidents they initiate, so our position may be better than it looks.

Mr. Kissinger: How is it better if there are more incidents than are reported?

Adm. Weinell: I take back my comment. I'll just say that incidents are down substantially.

Mr. Kissinger: Of course, that doesn't preclude their husbanding their forces for a push after we are out.

Mr. Carver: Or a last minute push just before the ICCS teams arrive on the scene.

Mr. Kissinger: That's right.

Mr. Porter: Do we know where the upper crust of the PRG leadership is located?

Mr. Carver: Perhaps in Loc Ninh (northern Binh Long Province).

Mr. Sullivan: They have been reported in the rubber plantations around Loc Ninh.

Mr. Kissinger: Can we get an assessment of their intentions?

Mr. Carver: For what period of time, and when do you want it?

Mr. Kissinger: Say from three to six months, and I will need it by Friday⁶ night for use in Hanoi and by next Wednesday for use in China.⁷

Mr. Carver: O.K.

Mr. Kissinger: What's the status of the Laos negotiations?

Mr. Sullivan: The Pathet Lao have agreed to an immediate ceasefire.

Mr. Kissinger: Did you send out that cable we discussed last night?

Mr. Sullivan: Yes, it went last night.

Mr. Kissinger: What's (Ambassador) Godley's view?

Mr. Sullivan: He would still like to hang on awhile longer, but he hasn't answered the cable yet.

Mr. Kissinger: If he hangs on we will lose more ground in Laos, won't we?

Mr. Sullivan: Sure, we may even lose the Bolovens Plateau.

Mr. Kissinger: Then what's his rationale?

Mr. Sullivan: Souvanna has been anxious to enhance the ICC in Laos or perhaps to get some better members on it, or to get the North Vietnamese to withdraw behind the old 1962 ceasefire line. He thinks

⁶ February 9.

⁷ February 14. Kissinger visited Beijing after leaving Saigon on February 15.

he can improve his position by continuing the fighting, but actually his forces keep losing. Souvanna has been talking with the King and should be returning just about now, so we may have a decision soon.

Mr. Kissinger: We'd better get some word to Godley in a hurry.

Mr. Sullivan: The cable we sent last night was as clear as possible.

Mr. Kissinger: Can we send him another message? Tell him I'm not coming out there with anything that will change the situation. Make it clear that we don't want them to lose any more territory.

Mr. Sullivan: All right.

Mr. Carver: Souvanna wants two things, first, to make a strong pitch for the 1962 partition line and second, to beef up the ICC mechanism, which was a farce in 1962. I don't blame him for trying to do that. If he can get agreement on the 1962 line, any losses he takes now won't matter.

Mr. Schlesinger: We have information that he expects the ceasefire in Laos to be signed on February 12 or 13, which means another week of losses.

Mr. Kissinger: That's exactly what we agreed on. Have we heard anything about the ICC in Cambodia?

Mr. Sullivan: The Indians have been dragging their feet. They are reluctant to call the ICC back into session unless all of the participants are agreeable. What they really mean is that they don't want to act unless Sihanouk and the Chinese show some support for it. I'm sure the Indians will act quickly if the Chinese show a positive attitude.

Mr. Kissinger: That's the sort of thing I can take up in China. What about the ICC in Laos?

Mr. Sullivan: There's no problem there.

Mr. Kissinger: If there is anything that any of you think I should take up in China, please get it to General Scowcroft by Monday (February 12). We have good communications and he will get it out to me. How is the minesweeping going?

Adm. Weinell: We began at 2 p.m. GMT yesterday (February 5).

Mr. Kissinger: Doing what?

Adm. Weinell: Minesweeping. We began work on clearing the channel and moving our vessels into position.

Mr. Kissinger: Do I have the paper I asked for that explains all this?

Adm. Weinell: Yes, sir, we sent it to you.

Mr. Kennedy: Yes, we have it.

Adm. Murphy: I have some maps related to the minesweeping here.

Mr. Kissinger: Can I take the maps to Hanoi?

Adm. Murphy: Sure, I'll leave them with you.

Mr. Kissinger: (to Mr. Kennedy) Be sure to bring the maps and minesweeping report with you. I want to drag my feet on the first day and spend it discussing things like this.

Mr. Kennedy: Yes, sir.

Mr. Sullivan: I will also have a chart and lists of POWs and MIAs that we can raise with them that first day.

Mr. Kissinger: That's good.

Adm. Weinell: The chief of the minesweeping effort, Admiral McCauley is already in Haiphong directing the operation.

Mr. Kissinger: Just be sure you don't remove too many. I want to tie it to the release of the POWs.

Adm. Weinell: We understand.

Mr. Kissinger: Do we have a schedule for the release of the POWs yet?

Mr. Sullivan: They have told us they plan to release some 27 POWs held by the PRG on February 12 at An Loc. We expect to receive the schedule of planned releases by the North Vietnamese tomorrow (February 7). Indications are that they may release the first group on February 10.

Mr. Kissinger: That's the day I arrive in Hanoi! I don't want them at the Hanoi airport when I arrive.

Mr. Clements: I'll bet that's what they plan to do.

Mr. Sullivan: We have no indication they intend to tie the release to your arrival, and we have made it clear that there is to be no connection.

Mr. Kissinger: So long as it's clear. (to Admiral Murphy) Are you in a position to stop the troop withdrawals if we have any problem on release of the POWs?

Adm. Murphy: Oh, yes. We can do that, easy.

Mr. Kissinger: What about the MIAs?

Mr. Sullivan: I'm taking a list along to go over with the North Vietnamese.

Mr. Kissinger: Is the Defense Department doing any contingency planning on what we should do about ceasefire violations?

Mr. Clements: Yes, we're working on it.

Mr. Kissinger: I want to schedule an early WSAG when I return to consider the contingency plans. We have to be ready for any massive violations they may pull. Are you including a political/diplomatic scenario in addition to the military planning?

Adm. Murphy: Yes, we're setting it up both ways, so there will be different courses of action that can be taken.

Mr. Kissinger: And you're doing it to consider violations both within and after sixty days?

Adm. Murphy: That's right.

Mr. Schlesinger: All indications are that they plan to lie low for sixty days.

Mr. Carver: Our main concern for the first sixty days is not out-breaks of fighting but the movement south of supplies and personnel. I doubt they plan any major attacks during the sixty day period, but it could bode ill for us if they keep moving in men and equipment, building up for later assaults. The last personnel were seen entering the pipeline on January 16, but trucks are still on the trail.

Mr. Kissinger: They are still moving in supplies?

Mr. Carver: Yes. New lines of trucks have entered the trail twice since the ceasefire, most recently on February 2. Of course, we have no proof that they are going to South Vietnam. Some of the trucks they put in the pipeline before the ceasefire have been receiving orders to divert to Cambodia.

Mr. Kissinger: Dick (Kennedy), make sure that is reflected in the paper the boys are doing for us, will you?

Mr. Kennedy: Right.

Mr. Kissinger: What about the ports of entry?

Adm. Murphy: They haven't been established yet.

Mr. Kissinger: If they are putting things in the pipeline they should see us bringing stuff in, too. When are we going to get those ports of entry designated?

Mr. Carver: The South Vietnamese haven't raised it yet.

Mr. Kissinger: But that's ridiculous. We can't have the Government of Vietnam without legal ports of entry to bring supplies into the country. If the South Vietnamese can't agree on what ports they want, we'll designate some for them. Why haven't they raised it in the Four Power meetings?

Mr. Sullivan: They don't want to raise it. They think it hurts the other fellow more than it hurts them.

Mr. Kissinger: It doesn't hurt the North Vietnamese if they are moving stuff down the trail!

Mr. Sullivan: Do we know for sure that they are?

Mr. Carver: Well, the trucks haven't actually gone into South Vietnam yet, but they are moving that way.

Mr. Kissinger: Can we get some kind of word to the GVN on this matter? We have to get our ships into South Vietnam. We can't let the agreement result in a blockade of our own ally. The only thing any Vietnamese understands is outright brutality. They never respond to ex-

pressions of good will, but they don't hold a grudge when you brutalize them. Can we get an answer from the South Vietnamese on this before I go to Hanoi, so I will know whether I have to threaten them and what I have to threaten them with?

Mr. Sullivan: I'll see what we can do.

Adm. Murphy: We have ships enroute to South Vietnam now.

Mr. Kissinger: Don't divert any ships!

Mr. Clements: No, we won't do that.

Adm. Murphy: We want to get that ammunition in to replace the stocks the South Vietnamese have been drawing down. We also have shipments of food underway.

Mr. Sullivan: The food is no problem; it can enter anyway.

Mr. Kissinger: I also have Congress to worry about. If we don't send anything in for a couple of weeks they will think that's the way it's supposed to be. Then when we do send in a ship with munitions Mansfield will be out there climbing all over the ship. The resupply effort should be regular and routine; we don't want it to appear that we are stopping something and then starting it up again.

Mr. Sullivan: According to the agreement, resupply should be routine but on a periodic basis.

Mr. Kissinger: We can make it periodic every day.

Adm. Murphy: We can handle that requirement.

Mr. Kissinger: My nightmare is that we will find ourselves with no legal ports of entry and then this will get confused with our regular resupply of ARVN and an effort will be made to cut off our assistance. Let's get a message out to (Ambassador) Bunker telling him to get the South Vietnamese moving on this or get a reason from them why they don't want to move. We can't let the North Vietnamese blockade South Vietnam by refusing to designate a legal port of entry. If the PRG won't agree on a port, we'll designate one ourselves. If we designate Saigon today we will be in violation of the agreement, but if we propose it and they drag their feet, then we will be able to act. Get off a cable to Bunker tonight and tell him to take the issue up as soon as possible with the South Vietnamese and let me know their answer. They have a million other things to worry about in Saigon and I suspect they just haven't focussed on the significance of this issue. When will the field teams be in place?

Mr. Sullivan: In about 15 days. The Four Party teams, at least the U.S. and South Vietnamese elements, are pretty much in place already. We thought we'd better get them out to their positions without waiting for the PRG and DRV units. They can catch up later.

Mr. Kissinger: Is it true that some of the team members just learned to drive? A friend told me he saw that reported on television.

Mr. Sullivan: Could be.

Adm. Weinel: One of the ICCS teams had its first combat experience. A group left Hue to scout for quarters in Quang Tri City but never got there. They ran into a barrage of fire that looked like 130s.

Mr. Kissinger: Was anyone hurt?

Adm. Weinel: No.

Mr. Kissinger: Well, if there is anything you feel I should know, get it to General Scowcroft. As I say, we have good communications and he will get it to me.

Mr. Carver: Are you leaving Friday?

Mr. Kissinger: No, tomorrow (February 7).

Mr. Carver: But you want me to get the papers on our assessment of enemy intentions to you on Friday?

Mr. Kissinger: Yes, for my meetings in Hanoi. Also, if the ports issue is raised, I want to know about it. They may get nervous when they see U.S. supplies going in, but if they are moving trucks down the trail it will be beneficial for them to see our supplies.

Mr. Porter: They'll tell you their trucks are going down to pick up their men and bring them out. I hope they don't pull the old "serious intent" line on you. That's all I heard for over a year in Paris, that they were demonstrating their "serious intent."

Mr. Kissinger: That won't get them anywhere.

Mr. Schlesinger: Do you plan to raise in Hanoi the issue of the diversion of their units from South Vietnam to Laos?

Mr. Kissinger: How many units are involved?

Mr. Carver: We have indications that three regiments have moved across the border into Laos.

Adm. Weinel: The 308th and 88th Regiments are now in Laos. I don't know about the third one.

Mr. Kissinger: They can't legally go back into South Vietnam. They may have violated the spirit of the agreement by going into Laos, but the important point is now that they are outside South Vietnam they can't go back in without being in flagrant violation of the agreement. Have they sent any new units into Laos?

Mr. Kennedy: Yes, they have, into the North of Laos.

Mr. Sullivan: They have moved an anti-aircraft unit from the southern panhandle into the Ho Chi Minh trail area, but we don't know yet where it's going from there.

Mr. Kennedy: The reports I have seen indicate a major logistical push into North Laos. It's the biggest thing up there since 1968.

Mr. Clements: Is that a violation?

Mr. Kissinger: No, but it is hardly a demonstration of good will and serious intentions.

Mr. Porter: They'll have an interesting set of answers for you when you raise these questions.

Mr. Kissinger: I have an advantage. Since I'm the guest, I speak first.

Mr. Carver: We have a report from our station chief in Laos that the F-111s diverted from South Vietnam were very effective at Bouam Long. That city was under siege and we had trouble with air strikes because of bad weather, but apparently the F-111s did a very good job there.

Mr. Kissinger: You mean the F-111s hit something? What is the importance of Bouam Long?

Mr. Carver: If they took it, it would be a threat to our rear.

Mr. Kissinger: Are your planes getting enough targets in Laos?

Mr. Carver: Right now they have all the targets they can hit.

10. Backchannel Message From the Ambassador to Laos (Godley) to the President's Assistant for National Security Affairs (Kissinger)¹

Vientiane, February 7, 1973, 0742Z.

682. Ref: White House 30262 and White House 30267.²

1. Saw Souvanna 1100 today. Told him of your plans and he suggested dinner 8:15 for you, Sullivan, notetaker and myself. I asked who would be there on the Lao side and he said he did not repeat not yet know but agreed with my suggestion that Sisouk be among those present.

2. I then raised the question of unconditional immediate ceasefire and he said what worried him was whether the North Vietnamese would stop fighting, which was what he planned to ask you to obtain for him in Hanoi. I told him I thought that had already been obtained by you in Paris with the North Vietnamese promise to withdraw plus the fact that since the North Vietnamese do not admit they have troops

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 411, Backchannel Messages, Southeast Asia, 1973. Secret; Immediate; Eyes Only.

² In backchannel message WH30262 to Vientiane, February 5, Kissinger relayed to Godley details of his forthcoming trip to Southeast Asia. Kissinger urged the Ambassador to encourage the Lao Government to negotiate a cease-fire agreement in backchannel message WH30267 to Vientiane, February 6. (Both *ibid.*)

in Laos a Pathet Lao agreement to an immediate ceasefire is all that is required. I then read carefully to the Prime Minister your White House 30267. I elaborated on the military situation, pointing out that in practically every area of Laos the enemy was either advancing or was poised to destroy friendly forces. I told Souvanna that he had to risk the North Vietnamese not repeat not continuing to fight, for his only other alternative was losing additional territory.

3. Souvanna accepted this and said he would convoke [*contact*] Phoumi Vongvichit first thing tomorrow morning and try to arrange for a ceasefire that would occur February 11 or 12. I requested that he inform me as to the details of the discussion tomorrow with Phoumi and he said he would.

4. I then asked him what were the points that he rejected in Phoumi's piece of paper that they discussed yesterday morning. Souvanna said there were four points, the first being the role of the Communist neutralists in future governments. Souvanna said that he would not recognize the Communist neutralists and that they either had to be considered real neutralists or Pathet Lao. The second point was the withdrawal of Thai and American forces. Specific references to Thai and Americans was unacceptable to Souvanna in that there was no mention of North Vietnamese forces. He therefore proposed the withdrawal of all "foreign" forces. The third point was a reference in the PL draft to cessation of American bombing. The Prime Minister proposed cessation of all bombing. The final point was the overflight of Pathet Lao territory, which was prohibited in the PL draft but which Souvanna said was essential in order that the RLG could resupply its civilian and/or military enclaves in Pathet Lao territory. Souvanna also said that whereas previous drafts had mentioned the withdrawal of all foreign forces from Laos in 90 days he told Phoumi he thought this period should be reduced to 60 days.

5. I reiterated the necessity for an early ceasefire and he said I could assure you that he would do his utmost in this domain. I left with him a copy of the piece of paper that DCM Dean left yesterday with Pheng Phongsavan, which was reported in Vientiane 0907.³

6. *Comment:* You mention in paragraph 1 your concern over reports emanating from Vientiane that the RLG negotiators are spurning the Pathet Lao offer of an immediate unconditional ceasefire. To the best of my knowledge, the Pathet Lao have continued to link military considerations to a political framework to be implemented after a cease-

³ Godley reported on his meeting with Pheng Phongsavan in telegram 907 from Vientiane, February 6. (Ibid., Kissinger Office Files, Box 30, HAK Trip Files, February 7–20, 1973)

fire. Hence, every indication points to the Pathet Lao so far not having separated the broad political considerations from the strictly military aspects of the ceasefire. If the North Vietnamese negotiators in Paris told us that they would tell the Pathet Lao to sign a strictly military ceasefire with the RLG, this line was not yet been clearly reflected in the LPF negotiation tactics with the RLG. You will note from FOV 26,771⁴ that the RLG draft agreement to be tabled at a secret negotiating session does not repeat not deal with political considerations. Hence, the line we have urged RLG to accept is reflected in their negotiating posture.

Rereading the reports on Souvanna's conversation with the President, we agreed with Souvanna that there should not be a lengthy gap between the effective date of the ceasefire in Vietnam and those of ceasefires in Laos and Cambodia. This requires, however, that the Pathet Lao disassociate the political aspects of a ceasefire from a strictly military ceasefire agreement.

You will note from Vientiane 0907 that we conveyed in strong terms the points made in State 022116,⁵ specifically urging the RLG to negotiate on a basis of a ceasefire in place rather than insisting on a withdrawal to the June 1962 position within a specified period after the signing of a ceasefire.

I should add that even a strictly military ceasefire agreement raises some basic political problems such as what parties will be represented in the Joint Lao Military Commission. The Pathet Lao are pushing the pro-Communist Deuanist neutralists as the representatives of the neutralist side and this position is completely unacceptable to Souvanna. To some extent the composition of the Joint Lao Military Commission will determine the status of the Deuanists in a future political settlement and this is one of the reasons for the difficulties the RLG and LPF are experiencing in coming to terms on a military ceasefire.

Godley

⁴ Not found.

⁵ See footnote 2, Document 9.

11. Memorandum of Conversation¹

Hanoi, February 10, 1973, 3–6:22 p.m.

PARTICIPANTS

Pham Van Dong, Premier
Nguyen Duy Trinh, Deputy Premier and Minister of Foreign Affairs
Le Duc Tho, Special Adviser to DRV Delegation to Paris Conference on Vietnam
Nguyen Co Thach, Vice Minister of Foreign Affairs
Phan Hien, Member of DRV Delegation to Paris Conference on Vietnam
Tran Quang Co, Member of DRV Delegation to Paris Conference on Vietnam
Nguyen Dinh Phuong, Interpreter
Notetaker

Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs
Ambassador William H. Sullivan, Deputy Assistant Secretary of State for Far
East Asia and Pacific Affairs
Richard T. Kennedy, Senior NSC Staff
Winston Lord, NSC Staff
Peter W. Rodman, NSC Staff
David A. Engel, NSC Staff, Interpreter
Mrs. Bonnie D. Andrews, Notetaker

[The Premier, Deputy Premier, and Le Duc Tho greeted Dr. Kissinger and his party at the entrance to the President's House. The group took seats in the reception room. Photographs were taken, and Dr. Kissinger and the Premier began their conversation.]

Dr. Kissinger: I read an interview you gave in 1965 with Harrison Salisbury.² It was a profound analysis of the situation.

Pham Van Dong: Now we have other subjects to talk about.

Dr. Kissinger: We have come here to start a new relationship. We have had too many armistices in the past, never a peace.

Pham Van Dong: I fully agree with Dr. Kissinger's views, and I hope Dr. Kissinger's visit will bring about an initial important contribution to this.

Dr. Kissinger: That is our firm intention.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 113, Country Files, Far East, Vietnam Negotiations, Hanoi Memcons, February 10–13, 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held at the DRV President's House. Brackets are in the original. Kissinger's party arrived at Noi Bai airfield at 10:30 a.m. Le Duc Tho then escorted Kissinger to the Government Guest House in Hanoi, where the two men discussed procedural matters. A memorandum of that conversation, February 10, 11:10 a.m.–12 p.m., is *ibid.*

² *New York Times* Assistant Managing Editor Harrison E. Salisbury's series appeared in January 1967.

Pham Van Dong: I hope this happens. Of course, very great efforts are required, and perseverance.

Dr. Kissinger: It requires patience, too, for each side's difficulties because it requires a big change for each side.

Pham Van Dong: So we understand, this question, and this time we will also talk about these questions. We should make an effort to arrive at some solution, and then continue to solve the problems.

Dr. Kissinger: We should set ourselves a goal and then decide what steps have to be taken over a period of time.

Pham Van Dong: Quite right.

Dr. Kissinger: Our goal is the normalization of our relations. I don't want to have to negotiate with the Special Adviser again in difficult circumstances. He's very difficult. [Laughter]

Pham Van Dong: He told me there were some difficult moments, and also some moments that were not difficult.

Dr. Kissinger: I was asked about your colleague on television the other day, and I said "in difficult periods, he was one of the most difficult men I have ever met, but when he wanted to settle he was one of the easiest to settle with that I have ever met."

Pham Van Dong: So we understand Comrade Le Duc Tho. But all of us are the same. [Laughter]

Dr. Kissinger: That's what I was afraid of.

Pham Van Dong: We have a saying: "Better discontent first than to lose affection later." And in European languages also there is a similar saying.

So we should bring a new relationship.

Dr. Kissinger: Exactly, and we should concentrate on establishing a really new relationship.

Pham Van Dong: Yes, on the basis that we make joint action on a number of questions, and accomplish our obligations to implement everything we have pledged to do. With long-sight and broad vision.

Dr. Kissinger: That is most important, that we have broad vision.

Pham Van Dong: There have been changes in the world, and also changes in the situation of this region. It is our earnest desire to have such a relationship with the United States as Dr. Kissinger just mentioned.

Dr. Kissinger: I told the Special Adviser many years ago, when we were still at war, that one day the DRV could see in the U.S. a country that was interested in its development and its independence, rather than an enemy. Because we have no interest in military activity here. I think the time has now come to implement this.

Pham Van Dong: And this is also our thinking, that some day will come when the U.S. will adopt an appropriate attitude to this region

of the world. And we will have an opportunity to talk about this question.

Dr. Kissinger: We are prepared to do that.

Pham Van Dong: Because we shall envisage on what basis now the relationship of our countries should be founded. It should be a solid basis, a reasonable basis, and a mutually interested basis. Otherwise it is not possible. Otherwise, what we have achieved until now—the Agreement we have signed—would be only a temporary stabilization of the situation, a temporary respite. That is not our intention.

Dr. Kissinger: It has happened too often.

Pham Van Dong: [Laughs] But I think we shall not do that this time.

Dr. Kissinger: I agree.

Pham Van Dong: A great price has been paid for that. We should draw correct conclusions from that.

Dr. Kissinger: And we shall also draw correct conclusions from the historical evolution, and look correctly at the long term interests of ours and other countries in this region.

Pham Van Dong: In this connection, this is also what we are realizing. And we will exchange views on that, to see whether we have the same vision of the situation and the prospects. It is very important.

Dr. Kissinger: And if not, whether nevertheless we can adopt policies that are parallel.

Pham Van Dong: It should be parallel policies, but it would be better if the policies can meet!

Dr. Kissinger: [Laughs] The only reason I said we should have the same policies is that the Special Adviser has been trying to teach me Leninism for four years, and keeps telling me I am a poor student. [Laughter]

Pham Van Dong: Never mind!

Dr. Kissinger has stressed in his books on foreign policy that geographical conditions should be taken into account, and historical conditions, too. And everyone should have clear views of their own possibilities.

Dr. Kissinger: I agree with you. [Laughter]

Pham Van Dong: We Vietnamese living in this area will remain here forever. But you are from the other side of the ocean. Should we take account of this fact too?

Dr. Kissinger: Very much. It is a very important fact.

Pham Van Dong: I think we can talk about this.

Dr. Kissinger: That is why we are no long-term threat—despite recent events—to your independence.

Pham Van Dong: But we should think this over. And first of all we should consider the implementation of the Agreement. It is very important.

Dr. Kissinger: I agree. It is the first item of business.

Pham Van Dong: So we have an agenda.

[At 3:15 p.m., the group moved to the conference room to begin the formal meeting. Additional photographs were taken. The conversation then resumed.]

Pham Van Dong: Dr. Kissinger, today on behalf of the Government of the Democratic Republic and on my personal behalf, I welcome you as the representative of the President of the United States, and the Deputy Assistant Secretary of State, and all the members of your party.

I welcome Dr. Kissinger and your party to Hanoi to continue the discussions with us on the very important questions of mutual concern. It is the first official meeting and talks between us after the signing of the Paris Agreement. And it is our hope that this meeting and these talks will bring about initial fine results, which will open up other new things and other talks which we will continue to do in the future. Because we are facing very important, very difficult, and very complicated questions that need efforts on both sides to solve.

Once again, welcome to Dr. Kissinger and his party.

Dr. Kissinger: Mr. Prime Minister, Mr. Special Adviser, and Mr. Foreign Minister. On behalf of my colleagues, on behalf of my Government, I would like to thank you for the very gracious reception we have received, and for all the arrangements that have been made for us. We consider this meeting of historical importance. It is the first time a senior American delegation has been received in Hanoi in the existence of the DRV. [The Premier nods yes.] We have both undertaken this step after overcoming great difficulty. We have come to respect you as tenacious and courageous adversaries.

[Mr. Phuong corrects Mr. Engel's translation.] I understand his accent is not that of Hanoi. [Laughter]

And we have come here now because we have come to the conclusion that if we look at an historical period it is not natural for the DRV and the United States to be enemies.

We clearly endorse different ideologies, and it would be idle to pretend otherwise, but we have proved in our relationship with other countries that this need not be an obstacle to good relations and cooperative action. In the long term, from an historical perspective, a strong and independent self-reliant Vietnam is in no way inconsistent with American national interests. We slid into war against each other partly through misconceptions on each side. We thought the war was directed from one central office that was not in Indochina. And

perhaps you drew certain lessons from your history that were not exactly accurate. But whatever the conditions under which we are acting, our interest in Indochina is the maintenance of the independence and sovereignty of the countries of Indochina, and that, we understand, is not opposed to your interests.

We are prepared to make a major and serious effort to normalize our relationship with the Democratic Republic and deal with you each on a basis of strict equality and without special benefit for either side. This means that we must implement the Agreement correctly and carefully. Beyond the Agreement, it means we should increase our contacts and keep each other informed about our intentions. We will deal with you honestly and fairly. It is inevitable that there may be occasional disagreements. But if we understand our long term objectives, and if we remain committed to this aim, we can overcome these disagreements. And then this meeting can be recorded as the start of an historic period of a new and better relationship between our countries. That is the attitude with which the President has asked me to come here.

Pham Van Dong: I highly appreciate the views which Dr. Kissinger has just expressed. But allow me to return to one point. I think it is necessary to make some comment.

I think that what has just happened between us—and Dr. Kissinger referred to it as a misunderstanding—in this connection we have repeatedly expressed our views. And on our part I think what we have done, we ought to have done that. That is, to wage a war to defend our national fundamental rights. However, I agree with you, Doctor, on that point, that this war was not something necessary, something necessary to happen. If the U.S. had not had the policy which it had in the past—but it is something past, something bygone, and we should draw some conclusions about that for the present and the future. And we should, in the spirit we have just mentioned outside and we continue in this room, shift from war to peace, to shift from confrontation to reconciliation as stipulated in the Agreement, and to bring a new relationship, a solid relationship, on a basis agreed upon by the two parties and aiming at the long-term goals as Dr. Kissinger has just mentioned. As far as we are concerned, we will firmly follow this direction—that is to say to implement the signed Agreement, to implement all the provisions of the Agreement. And we should remember that our two countries are those which have made very great effort to bring about the Agreement. And I think that in order to have firm and strict implementation of the Agreement our two governments should make an important contribution; also all the signatory parties have the obligation to respect and implement the Agreement. I think that the implementation of the Agreement is a decisive factor in the change of relationship between our two countries.

As far as we are concerned, as far as the Provisional Revolutionary Government of the Republic of South Vietnam is concerned, as far as the Vietnamese people are concerned, we shall respect and strictly implement the Agreement which has been signed. And we will do our utmost to demand that the U.S. and the other parties implement strictly the Agreement too. And I fully agree with Dr. Kissinger about the importance he has attached to the implementation of the Agreement. And I think it is a good thing if we begin our talk here today with this point of view in mind.

Dr. Kissinger: I agree, Mr. Prime Minister, that we should begin with the implementation of the Agreement and then move on to our bilateral relationships. We have prepared an analysis of the implementation of the Agreement, which in your terminology may be somewhat subjective, [Laughter] because it leads us to the conclusion that we have implemented the Agreement somewhat more strictly than has your side.

Pham Van Dong: [Laughs] I disagree with you on that point.

Dr. Kissinger: I thought we would have an initial disagreement. But I thought we would have a frank exchange of views. We are prepared to consider what comments you have, and if you are prepared to do the same thing . . . Now how should we proceed, Mr. Prime Minister? Who should listen to whose complaints first? [Laughter]

Pham Van Dong: Our politeness calls for the guest to speak first. [Laughter]

Dr. Kissinger: I have prepared my statement according to the chapters of the Agreement. I can make my comments on one chapter first and then perhaps the Prime Minister can make his comments. Or else I can make all of mine first.

Pham Van Dong: Please speak first, Doctor, and express your views on all the chapters.

Dr. Kissinger: [Laughs] Well, on Chapter I, I think there have been no violations that we can record.

Pham Van Dong: [Laughs] It is a good beginning. But on our part we have many remarks on that.

Dr. Kissinger: On Chapter I? [The Premier nods.]

On Chapter II, which deals with ceasefire, withdrawals, and replacements, I would like to make the following comments: The U.S. has strictly observed the ceasefire and has conducted no military operations in North Vietnam since January 15 and in South Vietnam from January 28. We have ceased all reconnaissance activities against the territory of the DRV, and as we have promised, we have moved our aircraft carriers a considerable distance away from the Democratic Republic. I understand one aircraft carrier has been moved, by common agreement, to support the mine sweeping operation.

We are concerned, however, about the number of ceasefire violations which are occurring within South Vietnam. We know that your side made an effort prior to the ceasefire to seize as much territory as possible and that this effort in fact continued after the ceasefire. Our reports indicate that there have been over 200 major violations and about 1900 minor violations. There is no point in reading to you a long list of violations which has been given to me. I have a whole book here of reports, and we would be glad to discuss them with your experts.

Le Duc Tho: We have also a book ready!

Mr. Kissinger: The Special Adviser always operates on the basis of strict reciprocity! But what I have prepared is a summary of the military reports which we have received, and I thought it might be of interest to you. It is the same as what we have received in Washington, except that the classification has been removed so I am not committing any illegal act by giving them to you. [Laughter] If your interpreter needs help with the bureaucratic English we will be happy to help. [Laughter] I have trouble understanding it myself. [Dr. Kissinger hands over three copies of compilation of major ceasefire violations, Tab A.]³ During the trip will you please tell me if the Special Adviser really understands English? I have always suspected it but never had it confirmed.

We recognize that it is difficult to end a war which has taken this particular form and we also recognize that some of the situations are ambiguous. Also, because we have withdrawn our advisers from the districts it is not easy for us to get independent reporting. But still, making all these allowances, it seems to us that there is a persistent pattern of attacks—indirect attacks, artillery attacks—which must threaten the ceasefire if they are continued.

In this connection, another problem that concerns us is that the parties are obligated under Article 5 of the Ceasefire Protocol to do their utmost to remove obstacles to civilian movement within fifteen days of the signing of the Agreement. Instead, since the ceasefire, many roads have been blocked and the road blocks have not been removed. For instance, Route 1 in several places—near the border of Quang Ngai and Binh Dinh Provinces, in Phu Yen Province, for example, and elsewhere. Routes 14 and 19 to Pleiku. Route 20 near the border of Lam Dong and Long Khanh Provinces. So we believe that out of these meetings removal of these road blocks should emerge.

Now let me turn to Article 2, mineclearing. We take our obligation in this respect very seriously. We regret the delay occasioned by the need to assemble the necessary equipment. Our experts tell us that they

³ "RVN Major Cease-Fire Violations," undated, attached but not printed.

will begin clearing the Haiphong Channel on February 26 and will then complete that within 40 days. Our experts tell us that they have received very good cooperation from your experts.

So what I want you, Mr. Prime Minister, to understand is that we take our obligation very seriously. If you are satisfied with the work of Admiral McCauley, then the experts should continue to meet, and if you have any difficulty you should communicate directly with me through our established channels and I will make an effort to remove any obstacles.

But I would find it helpful if you communicate with us, Mr. Prime Minister, if you would be very concrete in your comments because I frankly do not understand much about mine clearing. [Tho laughs] So I would like specific comments so we can issue appropriate orders. I know even less about mine sweeping than I know about Leninism. [The Premier laughs.] So it really would help to get your concrete proposals.

With respect to Article 5, the withdrawal of forces, we have given you the numbers we will withdraw every 15 days, which will roughly be a quarter of the total forces. We have, in fact, withdrawn 10% more than we needed to in the first 15-day period. But that is not a major issue.

The Republic of Korea forces are also withdrawing at the rate that we have agreed to in the Protocol. One difficulty, as you know, is the fact that your side is harassing the roads over which they are withdrawing. And therefore, strict observance of the ceasefire would ease this problem.

I have also told you, Mr. Prime Minister, about our aircraft carriers, with respect to which we will strictly carry out our understanding.

Now we come to Article 7, the reintroduction of troops and war matériel. I understand that the issue of legitimate ports of entry has been resolved as far as the Saigon side is concerned. But there are a number of matters which quite frankly concern us very much.

According to Article 7 of the Agreement, after the ceasefire military equipment can be reintroduced only on a replacement basis, periodically, under the supervision of the ICCS and the Two-Party Commission. Now we have received indisputable evidence that, for example, on February 6 large supplies were introduced over the beach into Duc Pho Province; and that 175 trucks crossed the DMZ over Route 1068 on February 6. Also we have indications that over 200 tanks are heading in the direction of South Vietnam through Laos and Cambodia, and some across the DMZ. And this, of course, raises serious questions in our minds. There is no way that these can be legally brought into South Vietnam from Laos and Cambodia at all, since the Agreement says those countries cannot be used as bases. And there is no way

they can be introduced into South Vietnam at all after the ceasefire, because the only way is replacements and there have not been that many losses.

Again, I have a whole list of day by day infiltrations. But I do not think any purpose would be served, since you must know what is being done. We are prepared to observe strictly the requirements of Article 7. But it would be difficult to maintain this if the provisions with respect to replacement are not strictly observed by your side as well.

Here are the figures on the tanks. [He hands over a map given to him by Ambassador Bunker which listed estimates of current tank infiltration: 223 tanks heading for South Vietnam, plus 25–30 in Southern Laos and 27 in Cambodia.]⁴

Le Duc Tho: You are always obsessed with the tanks at An Loc.

Dr. Kissinger: Because our experts told us it was impossible that you had tanks across Laos. Now our experts are agreeing with you.

Pham Van Dong: Now your experts want to be relieved.

Dr. Kissinger: I am using only information which we can document. And we have not made a formal protest because we wanted to have an open discussion with you.

Now these are the comments I have on Chapter II. Should I proceed to Chapter III?

Pham Van Dong: Please.

Dr. Kissinger: With respect to the prisoners and civilian detainees: First let me turn to U.S. Prisoners of War. I have explained to Special Adviser Le Duc Tho on many occasions our extreme concern with respect to prisoners and, therefore, the fact that the American people will not have any ambiguity with respect to this. As we go over the lists of prisoners, the list from the DRV was reasonably consistent with our own records. But the list from the PRG and above all, the Pathet Lao list, have raised very serious questions. There are 80–100 cases of men lost in South Vietnam, Cambodia, and Laos on whom we have clear evidence of survival on the ground. This evidence includes voice communications in advance of capture, or publication of names or photographs by your side after capture. We are prepared to provide information on these cases, including information about dates and locations and indications of survival. We brought 19 of these cases with us, including a number from Laos, in which we even have pictures of their capture that were published by the Pathet Lao, and some are pictures published by you. And for this reason we cannot consider the lists satisfactory.

⁴ Attached but not printed.

Now let me turn specifically to the Laos list. There are approximately 350 military and civilians listed as captured or missing in Laos. Of these we believe that 215 were lost under circumstances in which we believe some information should be available. The LPF list of ten personnel lost in Laos, which you provided to us on February 1, cannot be considered complete. If I can be frank, Mr. Prime Minister, I believe that all of them were Americans captured in Laos by your forces, not by Pathet Lao forces. We have brought you our records of the people of whom we have evidence that they were captured in Laos, together with the evidence—and in two cases there are photographs—of their capture. [Dr. Kissinger hands over Laos compilation, Tab B, to the Prime Minister.]⁵

We have a similar list, which we will hand you this evening, of South Vietnam and North Vietnam.

Now in addition, we have other evidence; on 3 October 1967, the Pathet Lao Radio announced that between 17 May and 16 September 1967 they had “captured about a dozen U.S. pilots”. On February 2, 1972, Soth Phetrasy stated that “some tens of prisoners” were being held by the Pathet Lao. The French phrase used was “quelques dizaines”. Also, the LPF acknowledged only nine Americans on the list of February 1. This represents 2.5% of the prisoners and missing personnel in Laos. In contrast, the DRV list represents 45% and the PRG list represents 20% of the total we have listed as [POW’s or] missing.

For all these reasons, we must ask you urgently to reexamine the Laos list, or give us an accounting, or explain the discrepancies.

There are other aspects of the American prisoner problem. We were unhappy about the fact that delivery of mail to our prisoners—discussions did not start about it until February 5.

We would like to ask you—it is not a complaint but for humanitarian reasons—for the DRV and the PRG to provide information on the cause of death and the place of burial of those who died, both for those who died after capture and are on the list, and those who died before capture and are not on any list.

We would also appreciate if it graves registration teams could operate in North Vietnam and PRG areas of South Vietnam, and in Laos, to search for dead and missing and to examine aircraft crash sites.

With respect to Vietnamese civilian detainees, Article 8(c), we are very much aware of your special concern for this problem. One difficulty is that the PRG has not yet given a list of its civilian detainees or places of detention. But nevertheless we have made a major effort in

⁵ “Information Pertaining to POW/MIA Situation in Laos,” undated, attached but not printed.

Saigon to begin the release of civilian personnel. We have been told that President Thieu either has announced or will soon announce the release of 5,000 civilian detainees in the very near future.

On Chapter IV, the political settlement in South Vietnam, we think it is too early to make a judgment. We have no special complaint.

I think the two parties have begun to talk. I hope the Special Adviser has noticed that Ambassador Lam is in the hospital. [Tho laughs.] We take you very seriously.

Le Duc Tho: But at the same time there has been a proposal that the two parties should resume talks in Saigon, Tan Son Nhut. They have not agreed.

Dr. Kissinger: I am not saying there is no difficulty, but I am saying the process has begun. But maybe you have comments. I am making a list of our complaints.

On Chapter V, of course, my comment with respect to your truck movement across the DMZ would be a clear violation of Chapter V.

With respect to Chapter VI, we have made a major effort to move your delegations and to provide necessary equipment for them. I understand that you have some difficulties to report with respect to Chapter VI and the treatment of your personnel, and we will take your views very seriously and I will listen to it very attentively. But if I can be very frank, having had some personal experience, I think that the Deputy Chairman of your delegation [Luu Van Loi] does not have a personality that eases conflicts. [Laughter]

Pham Van Dong: I think that it is a very tenacious prejudice on your part. [Laughter]

Mr. Kissinger: Based on experience! And if he writes the reports on which you base your judgments, I am a little uneasy.

Pham Van Dong: [Laughs] Be calm, be assured.

Mr. Kissinger: I am listing all our complaints. Chapter VII, on Laos and Cambodia, I propose we discuss it separately.

Pham Van Dong: I agree.

Mr. Kissinger: Chapter VIII, on postwar relations. We shall also discuss separately the problem of reconstruction. But I will say that I believe in our public pronouncements you have behaved correctly, and will do the same thing.

Chapter IX, we have no criticism or complaint. [Laughter]

Le Duc Tho: There are no violations.

Mr. Kissinger: There are no violations. Your Foreign Minister signed the Agreement properly!

I have put forward these comments in a constructive spirit, because we must try to solve them. And I am prepared to listen in a similar spirit to your comments and criticism.

Pham Van Dong: I propose a short break and then we resume. We have a great deal of work.

[The meeting broke at 4:40 p.m. The Premier and Dr. Kissinger continued their conversation informally in the reception hall, along the following lines:]

Mr. Kissinger: We have experience with your tenacity, and now we will go in a positive direction.

Pham Van Dong: It is necessary to have peace. It is our hope. Our whole meeting proves it. We will be constructive in this meeting and we will prove that fact.

Mr. Kissinger: We are also making a very major effort. And we must discuss such matters as our communications. We can have really confidential exchanges. If we get in better contact we can keep each other better informed.

You have made the Special Adviser a great T.V. star. In Paris.

Pham Van Dong: It is true? [Laughter]

Mr. Kissinger: But actually when you were smiling we were not making much progress.

Pham Van Dong: So the journalists were wrong. Without any bad intention. But you see what was written about the negotiation. They were suspicious.

Mr. Kissinger: Yes.

Pham Van Dong: Even after signing they were suspicious.

Mr. Kissinger: I think we should make the Agreement successful. It is important to be concrete but I agree that we should have a relationship that will take them by surprise.

Pham Van Dong: It is my wish.

Mr. Kissinger: And we should look at the future seriously.

Pham Van Dong: Any problems should be realistically solved.

Mr. Kissinger: And we will be judged by our ability to solve them. We must be honest with each other. Then we can analyze each problem.

Pham Van Dong: In our language we have a saying, "We should see the trees but we should also see the forest." Do you agree with me?

This is the one question.

Mr. Kissinger: I think it is important that we find a way of promoting the Agreement about Laos.

Le Duc Tho: How is the climate here to you?

Mr. Kissinger: Very pleasant.

Pham Van Dong: This is a good season here.

[The group reconvened in the conference room at 5:10 p.m., minus Mr. Co and the other North Vietnamese notetaker.]

Mr. Kissinger: [pointing to his briefing book] I am going to read this whole book to you, cover to cover.

Pham Van Dong: It will take us one month.

Le Duc Tho: So we have printed the Agreement. [He shows Dr. Kissinger a printed booklet of the Agreement.]

Mr. Kissinger: In Vietnamese? All the Protocols.

Pham Van Dong: Mr. Special Adviser and gentlemen, today allow me to present to you our general views. Of course, we attach particular importance to implementation of the Agreement. But at the same time I will raise a number of other questions, for the information of Mr. Special Adviser and gentlemen, of questions of our concern. To see whether we have the same vision of these, and to see how we can solve the problems we have to solve. In this spirit, sir, I would like to speak to you about five points.

First, regarding how to maintain and to consolidate the peace, a durable and lasting peace. This is a very fundamental point, in which all the parties are concerned and all the parties should attach importance to it, and to do their utmost to contribute to that, to contribute to and maintain a durable and lasting peace. The Paris Agreement is actually an agreement on Ending the War and Restoring Peace. So the respect of and the implementation of the Agreement will consist in fulfilling and implementing this important provision of the Agreement. On our part we will make tremendous efforts, great efforts, to carry it out. And today I would like to reaffirm this official stand of our Government and you can be assured of our determination in doing so.

Our Vietnamese people, we have been struggling for scores of years to achieve freedom, independence, and peace. Now we have obtained fundamentally this aim. We will be determined to maintain and consolidate peace and independence in South Vietnam and eventually to peacefully reunify our country.

Secondly, all of the provisions, the whole of the Agreement, must be implemented. That is to say, to implement all the provisions regarding the national fundamental right of the Vietnamese people, the right to self-determination of the South Vietnamese people, and the reunification of the country. These are very important provisions in Chapters IV and V of the Agreement. We know that all parties should exert a great deal of effort to implement these provisions.

We are greatly concerned about what is happening now in South Vietnam. Those are violations of all provisions of the Agreement, particularly the aforesaid provisions. There is all the more reason for the parties to respect and implement all provisions of the Agreement. On our part, the Government of the Democratic Republic of Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam solemnly declare that we will have full goodwill and seri-

ousness to implement the Agreement. But it involves here the deep aspirations of the entire Vietnamese people, and the South Vietnamese people in particular, and we also urge the United States Government and the Government of the Republic of Vietnam to also have goodwill and seriousness to implement the Agreement. Otherwise the maintenance and the consolidation of peace will be greatly endangered. This is what the world public opinion is concerned about, and this concern is well-grounded. We should remember the historical lesson of the violation of the 1954 Geneva Agreement between the then Saigon Administration, and the then Saigon Administration was supported and pushed forward by the U.S.

Why do we think it necessary to stress on this point to you? Because all of these points are related to the policy of Washington towards Vietnam, particularly toward South Vietnam. Is it true that the signing of the Agreement has put an end to a period of war and intervention and introduced a period of peace? In our talks we have been referring to a turning point in the relations between our two countries. And this turning point calls for a very important change of direction of our policy.

Today I would like to frankly tell you, Dr. Kissinger and gentlemen, we wonder whether the policy of vietnamization of the war still continues in South Vietnam. If so, what change have we witnessed and what will the situation lead to? We think that the situation has undergone basic changes; it is an irreversible situation. It is completely different from the situation after the signing of the 1954 Geneva Agreement. It is also completely different from the situation in 1960, and completely different from the situation in 1969. It is now a new situation in South Vietnam, in Vietnam as a whole, in Indochina, and in the world as a whole. The general trend of all countries in this region, the general trend of the world as a whole, is to stand for peace, national independence, and the full respect and implementation of the Paris Agreement.

I say this to show that we, the Government of the Democratic Republic of Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam, we have great determination to see that the Agreement be strictly implemented, to see all the provisions of the Agreement be implemented, to see all the chapters come true. And here I emphasize Chapters III, IV, V, and Chapter VIII.

Mr. Special Adviser has just listed a number of so-called violations by our side. We will give consideration to this. We will inform each other in this connection. Because it is our desire to see the Agreement strictly implemented. There are points raised by Dr. Kissinger that astonished me myself. Let me consider these points, and return to them and tell you why I should be astonished.

Here I would like to place emphasis on measures to be taken to implement the Agreement. The military provisions as well as the political provisions, because all the provisions form a complete whole that cannot be dissociated from each other. And speaking of the general spirit of the Agreement, the political provisions have particular importance. These are the provisions of Chapter IV regarding the formation of the National Council for National Reconciliation and Concord, and to advance to the organization of free and democratic general elections, so as to create an organ of power to stabilize the situation in South Vietnam and to consolidate a durable and lasting peace.

However, we have one question to raise: Do the rulers in Saigon want the same thing? It is a very basic question, a very complete question indeed. We are aware of the statements made by the Saigon leaders when the Agreement was not yet signed, and when the Agreement was signed, and until now. These statements prove what is contrary to the provisions of the Agreement.

So I raise this question to you gentlemen, and I hope to know your answer to this question. In a word, the Paris Agreement on Ending the War and Restoring Peace in Vietnam calls for an end to the policies that started the war and to adopt policies that will insure peace. And we do not think the Agreement is only a temporary respite. Therefore, on our part we will do our utmost to implement the Agreement, to have a durable and lasting peace, responding to the interests and aspirations of the Vietnamese people and the peoples of this region of the world.

Thirdly, the third point, regarding the U.S. contribution to healing the war wounds and the reconstruction of the damaged economy of Vietnam. This is provided for by Chapter VIII of the Agreement, and acknowledged in the note President Nixon addressed to me.⁶

In our mind, we think this is an obligation of the U.S. in view of the destruction caused to our country by the U.S. I think this is an obligation including many aspects. Today I would like to lay stress on the moral and honor aspect. How should we evaluate the destruction caused to our country? It is known to everyone that heavy damage has

⁶ Reference here is to the note Kissinger read aloud to Le Duc Tho when the two met in Paris on January 13. Focused on American aid to North Vietnam, Kissinger committed to formal delivery of the note on January 30. (See *Foreign Relations*, volume IX, Vietnam, October 1972–January 1973, Document 274) Kissinger later wrote that he and Le Duc Tho agreed to the January 30 date “to underline the fact that it [the commitment of the United States to supply over \$3 billion to heal the wounds of war] was voluntary and distinct from the formal obligations of the [January 27] Agreement.” In return North Vietnam promised to hand over a list of American prisoners in Laos. When the North Vietnamese failed to deliver the list on January 30, the United States refused to give up the note. When the North Vietnamese handed over the list on February 1, the United States gave the message to the North Vietnamese. (Kissinger, *Years of Upheaval*, p. 33)

been caused by bombs and shells to the system of communication in our country, to our seaways, highways, airways, many villages, railways; to the industrial system—including manufacturing, power stations, metallurgical factories, and many other installations; in broad large rural areas with many numerous hydraulic constructions, many public utilities; and other works serving our culture, such as hospitals, schools, museums. I think these destructions cannot be counted in money by these installations.

It is known now that many countries are asking us what they can do now to help heal the wounds of war. We will strongly develop economic relations with other countries on the basis of mutual respect and confidence.

Therefore, today I would like to emphasize on the free disposal of the amount of money to be actually spent, so that we can partly rebuild the destroyed works. Of course, the greater part of the equipment and installations will be bought from your country. And we can agree on other uses and amounts.

This is a very significant question between our two countries. We should solve this so as to wipe out the past and open a new period in the relationship between us. It is not here a pretext to seek what has been obsolete and no longer appropriate. That we will never accept. We would like to build up, to establish, long-term economic and commercial relations with the U.S. on this basis, on the basis of mutual respect. We seek a solution to this point.

Fourth, there remains another question not less important, the question of normalization of relations between the DRV and the U.S. This is the necessary logic of the new situation. Many close allies of the U.S. have adopted an appropriate attitude, and that is to establish normal relations with the DRV.

The normalization of relations between us involves two aspects. First, this is the natural result of the implementation of points which the two parties will jointly implement. At the same time, this will create favorable conditions for the two parties to go forward to fulfill their respective obligations. This consolidates and develops the new relationship, a normal relationship, between our two countries. Therefore we are prepared to discuss this question and to find a specific solution to this question too.

Fifth, there still are some very important questions that arise now. Now on what basis should we envisage the change of direction to the positive prospect I have just described regarding the relationship between our two countries? There should be a practical and solid basis for such efforts and positive prospects. Then, what is this basis? In our view we think this basis should be a realistic and correct assessment of the present situation and the situation in the foreseeable future. This is the formation of independent, peaceful, sovereign and neutral states

in the spirit of the 1954 Geneva Agreement, stable states sufficiently strong to defend themselves and to cope with invasion from outside. So this is some necessary irreversible and irresistible historical trend.

The DRV government fully historically realizes this trend. It supports this trend. It is in our practical and long term interest. And I think that after this war, the U.S. is also concerned about such a trend. Anyone should take into account geographical and historical conditions, taking into account our own abilities and the abilities of other people so as to establish most appropriate conditions for peace and to support the natural independence of other peoples. And the policies and views not appropriate for the present situation should be given up and be avoided.

So I have presented to you five points.

—The first point, the maintenance and consolidation of peace in keeping with the Paris Agreement.

—The second point is the implementation of all the provisions of the Agreement.

—Third, the U.S. obligation to contribute to healing the war wounds and reconstruction in North Vietnam.

—The fourth point is new and normalized relations between our two countries.

—Fifth is our vision of the situation in this region.

So I have raised with you very important questions regarding our two countries. The new conditions created by the signing of the Paris Agreement call for solutions of very important questions. We would like to have a positive solution to these questions. And it is our wish that we can together with the U.S. solve these questions. I have presented rather clearly and frankly these problems to you. I think that this is necessary, for your comprehension and mutual confidence.

Thank you for your attention, Mr. Special Adviser and gentlemen.

We will discuss later the questions of Laos and Cambodia.

Mr. Kissinger: Mr. Prime Minister, I have listened with great attention to your exposition, which gave a very frank and comprehensive statement of your views. We will study it with the greatest care. But let me make a few preliminary comments.

First, there is no difference between us in the formal statements of your principles. We agree completely that the peace should be maintained and consolidated. We agree that all the provisions of the Agreement should be implemented. We have agreed in the Agreement and also in the note which the President has sent to you that we will help in the reconstruction of North Vietnam. We agree that our relations should be normalized, and we agree that Indochina should be composed of sovereign, neutral, independent states with the capacity of defending themselves. And with no foreign troops on their territory.

So we agree on the principles. But I am sure the Prime Minister will agree with me when I say that it is the application of the principles that often causes problems—a fact which my colleagues in the universities do not always understand. [Laughter] I will take the Special Adviser to Harvard with me when he visits America—for my protection. [laughter]

Le Duc Tho: Maybe the American universities have not understood that, but Mr. Special Adviser has.

Mr. Kissinger: I am sure that the Prime Minister knows that many wars have been fought in the name of consolidating peace. As Clausewitz said, “the aggressor is always peaceful; he would like to enter a territory unopposed.” [laughter] Therefore, we should when we seriously discuss these principles see if we can also agree on what we understand by the structure of peace. And in fact the Prime Minister came to that point when he discussed his fifth proposition.

Secondly, with respect to the second point, that all the provisions of the Agreement must be respected. We will do our utmost to observe the obligation of the Agreement. But it is also important that all the parties understand, especially with respect to the political provisions, that we are talking about a political process which needs time for maturing. If the Agreement is used offensively, as a constant means of pressure, it will draw all the parties in—because we too have our principles involved. So we have to act as statesmen, with a long view, and have some patience.

With respect to your third point, about the American contribution. We will discuss this problem in detail, I suppose tomorrow. After our discussion of Laos and Cambodia. But I would like to make a general observation today, Mr. Prime Minister. I have the impression from my conversations with the Special Adviser that the Politburo of the Lao Dong party may be highly experienced in political warfare but not with the American political system. I would put it differently but I cannot.

Pham Van Dong: Of course, we cannot be expert in this field. [laughter]

Mr. Kissinger: I do not say this as a criticism. But it is therefore important that you have some confidence in us as to how to manage this particular contribution question, I mean how to obtain it from our Congress. I know that trust in others is not the most developed Vietnamese characteristic! [The Premier smiles and nods a denial.] And I must say, looking at your history, it is even understandable.

But we must spend some time tomorrow discussing what we can do immediately and what we must have some time to arrange. You will have noticed that in every public statement I made I have emphasized the importance of the American contribution to reconstruction. The American President called attention to it. But you have also noticed we have had enormous domestic opposition, and you have to

let us manage our domestic opposition. If you press us too hard you will jeopardize what we want to do and what we will do.

The Prime Minister said to me when we were speaking outside that, whatever happens, you will stay here and we will be 10,000 miles away. We know this is a fact. So you should not think of this with the attitude that we are trying to trick you. We have a common problem. You should therefore approach it with the attitude that it will happen, that we will carry it out, but that we should work together. We will talk to you about how it should be handled. We have put some booklets together for you that explain the background. And we will even suggest to you when you should mobilize your less precise-minded but very emotional friends in the U.S.—but not yet, it is too early. [laughter] Don't inflict Cora Weiss on us prematurely. [laughter]

But, seriously, when we discuss tomorrow we can give you advice too on which groups will be of help and which groups can do you damage. You can ignore our advice.

The problem of economic reconstruction is a very concrete one and we have to work it out. There is no disagreement in principle. We will present to you our analysis of the situation and then we will suggest how together we can deal with it. We stand by everything that has been said before.

With respect to the Prime Minister's fourth point, the normalization of relations, we will discuss with you concrete stages through which the process should go. And we have specific suggestions on how to accomplish this. We agree with the Prime Minister's sentiment, that this should be our objective, and that we should set up and elaborate our means of communication. First at the highest levels, so that we can be sure that we act with full realization of each other's policies, and then even at the technical levels. So we accept the Prime Minister's ideas, and our conversations here will be primarily a technical discussion on how to accomplish it.

With respect to your fifth point, the future of Indochina—that Indochina should be composed of independent, neutral and sovereign states. This is our policy. And it will be our basic policy. We would only say that each of the states should also recognize its fallibility and no state should claim that it alone knows the content of sovereignty, independence, and neutrality.

So we have achieved theoretical agreement on these five points, and we have pointed out some of the ambiguities and difficulties. And we are prepared to discuss them in whatever order the Prime Minister proposes to discuss them, or to move on to other topics.

Pham Van Dong: Yes, we will probably return tomorrow to the questions of implementing the Agreement, and after that the question of Laos and the question of Cambodia, and then the U.S. contribution to the healing of the war wounds, and then the normalization of rela-

tions between the two countries and the methods of communications. As to the views regarding the countries of this region, we can discuss this whenever we wish.

Mr. Kissinger: This will emerge from the practice of how we act with respect to the countries of the region. May I say one thing with respect to, especially Laos, but Laos and Cambodia: We have the firm intention of using our visit here as an opportunity in America to make clear that a new phase has begun in our relationship. This cannot be very convincing if clear understandings and clear provisions of the Agreement are not being implemented. And therefore there is some urgency to meeting the deadlines we have agreed to.

Pham Van Dong: I agree with you on that point.

Mr. Kissinger: We will be prepared to discuss it with you tomorrow if that is the Prime Minister's preference.

Pham Van Dong: Tomorrow then.

Mr. Kissinger: All right then. My Laotian expert points out correctly that if we don't do it in the morning, it will be the 12th before we know it. For all we know they may have signed a ceasefire this afternoon.

Le Duc Tho: And so since we have had an understanding with you previously, we will discuss this question with you tomorrow and there will be a rapid settlement. The other understandings will be quickly settled as quickly as we have today. [laughter]

Mr. Kissinger: The Special Adviser must remember that his powers of persuasion are greater than mine. [laughter]

Le Duc Tho: It is not necessarily true.

Pham Van Dong: So we adjourn now, and I hope Mr. Special Adviser and your party that you should have a good first night in Hanoi and a good sleep. Tomorrow we will meet at 10:00.

Ambassador Sullivan: Hanoi time.

Vice-Minister Thach: Indochina time.

Mr. Kissinger: The Special Adviser, knowing my tendencies, put 9:00 on my schedule so I would be here at 10:00. Let me express our appreciation for the manner in which we have been received for the seriousness of our discussions, and for the spirit in which they have been carried out.

[The meeting adjourned at 6:22 p.m.]

[After the reception and dinner that evening, the U.S. sample compilation of known POWs not on the DRV and PRG lists was handed over, Tab C]⁷

⁷ Attached but not printed.

12. Memorandum of Conversation¹

Hanoi, February 11, 1973, 10:08 a.m.–1 p.m.

PARTICIPANTS

Pham Van Dong, Premier
Nguyen Duy Trinh, Deputy Premier and Minister of Foreign Affairs
Le Duc Tho, Special Adviser to DRV Delegation to Paris Conference on Vietnam
Nguyen Co Thach, Vice Minister of Foreign Affairs
Phan Hien, Member of DRV Delegation to Paris Conference on Vietnam
Tran Quang Co, Member of DRV Delegation to Paris Conference on Vietnam
Dinh Nho Liem, Ministry of Foreign Affairs
Nguyen Dinh Phuong, Interpreter

Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs
William H. Sullivan, Assistant Secretary of State for East Asia and Pacific Affairs
Richard T. Kennedy, Senior NSC Staff
Winston Lord, NSC Staff
Peter W. Rodman, NSC Staff
David Engel, NSC Staff, Interpreter
Miss Irene G. Derus, Notetaker

Pham Van Dong: How shall we work today, Mr. Adviser?

Dr. Kissinger: I thought, Mr. Prime Minister, we would finish our discussion on the implementation of the Agreement, then turn to Laos and Cambodia, and then turn to economic reconstruction. And then today or tomorrow morning on the International Conference, then tomorrow normalization.

Pham Van Dong: I would like to suggest that regarding the International Conference, Mr. Thach and Ambassador Sullivan should work out beforehand to save time for us. This is what we should do.

Dr. Kissinger: I think the Prime Minister has more confidence in his Foreign Ministry than we do. [Laughter]

I have great confidence in Ambassador Sullivan. I agree. I think it is a good idea. I think perhaps they can meet today.²

Pham Van Dong: Now, regarding the implementation of the Agreement. Before the Special Adviser Le Duc Tho presents the cases of violations happening in South Vietnam, I would like to speak a few words.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 113, Country Files, Far East, Vietnam Negotiations, Hanoi Memcons, February 10–13, 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held at the DRV President's House. Brackets are in the original.

² Sullivan and Thach discussed the conference at the DRV President's House on February 12, 11 a.m.–1 p.m. A memorandum of that conversation is *ibid.*, Other Hanoi Memcons, Sullivan.

Yesterday I listened very attentively to what Dr. Kissinger told us and we considered the questions you raised yesterday. And today we think it necessary to express some remarks on these points—particularly in the face of the very serious cases of violations by your side.

Regarding North Vietnam, yesterday Dr. Kissinger mentioned the question of the delay in the removal of the mines in North Vietnam. Actually this is a delay that we cannot understand, and this is what we urge the United States mainly, together with us, to solve this question as soon as possible. Mr. Special Adviser said that this is a technical question. [Laughing] I think that techniques should serve the implementation of the Agreement! There is no reason that delays should happen because of the technical questions, and I think that this can be done very rapidly and this should be done very rapidly now.

Moreover, Dr. Kissinger raised two questions on which I would like to express a few remarks. First, you said that after January 28—that is the day when the ceasefire comes into force—there would be no U.S. air activities over North Vietnam. But actually there has been air activity, reconnaissance activity, over North Vietnam.

Dr. Kissinger: What?

Pham Van Dong: Air reconnaissance in the air space of the Democratic Republic of Vietnam.

Dr. Kissinger: I don't want to interrupt you, Mr. Prime Minister, but can you give me the dates and places and times?

Pham Van Dong: Yes, I will furnish you with details.

Dr. Kissinger: We will look into this very seriously. And every time if there is such an event, if you notify me. There shouldn't be. And I will investigate each event and I will give you a report as we receive it, through our channel in Paris. This will be an official communication, but a confidential one. I will send you a report as soon as I return.

Pham Van Dong: I agree this way of doing. Regarding the U.S. warships moving far from our coasts, this is a question we still suspect. [Laughing] I say so because we have no means to ascertain, to locate, the position of your ships. Moreover, in the sea the ships are moving all the time. But I suggest these questions to draw your attention.

Dr. Kissinger: You can be sure we are carrying this out. Except for the one carrier about which we notified you, with your agreement. I also want to tell the Prime Minister while we are talking about aircraft carriers, that as a sign of good will we are reducing the number of aircraft carriers in this area by April 15 by half. I told this to the Special Adviser many months ago, that we would do this. This is not an understanding.

Pham Van Dong: Mr. Adviser, let me speak about the violations in South Vietnam. It is known to everyone that in South Vietnam there

have been very serious violations and general violations being committed by Saigon rulers. And I think that this is also known to the U.S. too. Because the Saigon authorities actually do not want peace. They do not want such Agreement on Ending the War and Restoring Peace, and reluctantly they did sign the Agreement. And as I told you yesterday, Mr. Adviser, that before the signing the Agreement and when the Agreement was signed, and after the signature of the Agreement, the Saigon authorities made a statement, and after the statement they come to actions that violate the Agreement very seriously and very violently.

On this subject, Mr. Le Duc Tho will express our views and give evidences. And we will adopt an official attitude regarding these violations.

But here I would like to point out the bad treatment given by the Saigon authorities to our people and to the people of the PRG participating in the Four-Party Joint Military Commission. There has been now a shock in the world public opinion regarding this action. What can justify such actions on their part? Who can justify such actions? And these violations, these actions, evidenced that the Saigon authorities do not want to implement the Agreement. And so in order to prevent the activities of the Four Party Joint Commission the best way is to commit violations as they like. They went so far as to use hooligans to mishandle our people and the people of the PRG.

I would like here to ask you one question, Mr. Adviser. Such actions carried out by the Saigon authorities, have they any relation to Washington or not? To my view, Saigon is closely related to Washington. This you know better than I do. No one can think that without the green light given by Washington the Saigon authorities can commit these actions. Who can deny this fact?

The Saigon authorities even stated that if this state of violations—the so-called violations of the Agreement—increased, then it might lead to the return of American troops. And there are some supporting statements from Washington too. What does it mean? We wonder whether you want to return to the situations of the 1960s. I think that those are questions that need some answers. We are honest people and we will remain honest people. Therefore, we would like to know these facts, to be honest with you.

Here I should say a very simple statement. That statement is reflected in one saying of the Vietnamese language and also in other foreign languages too: That is, to shout for help while you put fire to houses; a thief crying stop thief.

I think I have briefly but rather fully expressed my views regarding the great seriousness of the violations committed by the Saigon authorities.

As for us, we will definitely implement the Agreement, and we think that this is a correct course of action beneficial to you too. Therefore, I think we should discuss this question, and by any means to redress the situation.

Dr. Kissinger: Should I make a few comments, Mr. Prime Minister?

Pham Van Dong: Yes.

Dr. Kissinger: Before the Special Adviser overwhelms me. [Laughter] I see he has a long list. I don't know how the Special Adviser behaves in the Politburo but with me he is always on the attack. [Vietnamese laugh]

The Special Adviser [the Premier] has raised really three questions: One, the alleged violations in South Vietnam; secondly, the American relationship to these violations; and third, the long-term intentions of the U.S. with respect to the Agreement.

First, with respect to the violations which the Prime Minister has mentioned. As I have quite candidly pointed out to the Prime Minister yesterday, his reporting officer [Colonel Loi] may both produce persecutions and suffer from an exaggerated impression of being persecuted. But leaving aside the fact that we are both dependent on reports—perhaps you get too many and in the absence of our advisers we get too few . . .

Pham Van Dong: [Laughs] It is a very dangerous statement.

Dr. Kissinger: [Laughs] It is a subjective statement.

Le Duc Tho: And you also lack means of communication.

Dr. Kissinger: And it is difficult for us to get full reports.

Because one of the penalties we pay for the withdrawal of our advisers, first from the districts and soon from the provinces, is that we no longer have firsthand information.

But still, leaving this aside, let me state our position. We cannot approve actions of hooligans against members of commissions that are created by the Agreement to End the War and Restore the Peace in Vietnam. I can tell the Prime Minister that we have already made an official inquiry at the Foreign Ministry in Saigon about this incident. I have also asked Ambassador Sullivan, when he goes to Saigon after we leave here to investigate personally the charges of inadequate accommodations by the DRV delegation and to use our maximum influence to see to it that you are treated in a manner that is consistent with the spirit of the Agreement. We shall communicate our actions and the results of this through our confidential channel.

This then is also an answer with respect to the American attitude about the Agreement.

We made the Agreement very seriously, and we have made a fundamental decision to do our utmost to bring about peaceful conditions

in Vietnam and in Indochina. I think that your side has consistently overestimated the detailed influence we have over every action by Saigon. If you listened to the Saigon radio and read the Saigon newspapers about me, you would realize that our influence is not complete! We in any event will use our influence that the Agreement is seriously implemented. We shall investigate your complaints and give you our honest judgment, because we want to deal with you on the basis of complete honesty.

Now the Prime Minister also asked indirectly about our future intentions. And one difficulty in communicating is that the people who talk most in America know least. Especially the journalists whom the Special Adviser confused so successfully for four years. [Le Duc Tho laughs]

But let me therefore tell you authoritatively what we intend. And I think you have some experience with us in this respect. We seriously want to implement the Agreement. We seriously want to improve our relationship with the Democratic Republic of Vietnam and we want to put our relationship with your government on an entirely new basis. And for this reason, we shall handle the most important part of our relationship directly from the White House—something we do with very few countries.

On the other hand, it is also important that there is a condition of tranquility now in Indochina. For example, if these military actions in South Vietnam continue—of which I gave you a list yesterday—then obviously the replacement of arms will be greater than if they do not continue. And we will be drawn into military support which otherwise would not occur. I speak now of equipment. If this movement of tanks and this movement across the Demilitarized Zone which I pointed out yesterday—and for which I would very much appreciate an answer—continue, then our ability to implement Article 7 at all is going to be drawn into question. If there is a massive attack, we face the danger of a repetition of the events of 1972—as I told the Special Adviser for many years before 1972.

But our fundamental intention is to normalize our relations with you. What we would like to see is a condition where in a year it would be unthinkable that we two speak to each other about military threats against each other. History will not stop with this Agreement. There will be an evolution in Indochina. If the evolution proceeds by peaceful means, the United States will never use force to interrupt it. The U.S. will not oppose the normal political forces. I think frankly that if we establish a relationship of confidence, this evolution can occur in a direction that is beneficial to all of the people and that is not inconsistent with your principles.

This is the perspective as we see it now. We shall work with great energy on the improvement of our relations. We shall not look for excuses to resume a military contest. [The Premier nods]

I don't know whether this answers your question, Mr. Prime Minister.

Pham Van Dong: I should like to wait. [He laughs, and turns to Tho.]

Le Duc Tho: So I have negotiated with you, Dr. Kissinger, and since my return here I have been following the implementation of the Agreement. When we terminated our negotiations in Paris, I told you that all the parties signatory to the Agreement must strictly implement the Agreement. That is the requirement to insure the relationship between our two countries not only in the immediate but for long-term period to come. And also this is the way to insure lasting peace to Indochina and in this region.

Then I added that we had had many experiences in this connection in the past. When we were working on the Agreement, Mr. Special Adviser repeatedly told me that you had no complete authority over the Saigon Administration. So I answered that in fact to some extent there is some contradiction between the Saigon Administration and the United States but the final decision is made by the United States. Therefore, in spite of the objection of the Saigon Administration, finally they will have to sign the agreement.

Now regarding the implementation of the Agreement. In fact, Saigon has some actions to oppose the Agreement, but the ultimate responsibility lies with U.S. As far as we are concerned, since the signature of the Agreement our Government and the Central Committee of our Party issued a statement and made many statements, verbal statements, which are known to you, of what course we are now taking, what policy, what direction we are going forward. Our policy now is to hold aloft the banner of peace and the banner of national concord and reconciliation; to achieve independence and democracy for South Vietnam and then gradually to advance toward the peaceful reunification of the country, so as to maintain lasting peace. That is why in connection with specific questions—for instance, the question of the prisoners—since the signature of the Agreement we have implemented all the provisions of the Agreement. Including the understandings we made with you regarding the prisoners question, we have implemented all the provisions. But there are many violations on the part of your side, particularly on the part of the Saigon Administration.

Dr. Kissinger: Are there any by the U.S.?

Le Duc Tho: I would like to speak about the U.S. responsibility only. As to the troops withdrawal, the ceasefire, I acknowledge that the U.S. has faithfully implemented the Agreement. But I would like to emphasize on the main responsibility of the U.S. But it is not my intention here to come here and to exchange lists of cases of violations by the other side. My intention is to present this so that we realize the

problem and so we can take necessary measures to prevent the recurrence of such violations.

As our Prime Minister has just said, what the question is here is the policy followed by the Saigon authorities. Their policy is to oppose the Agreement, but once the Agreement is signed they are opposed to the implementation of the Agreement. This policy is reflected in the statements made by the Saigon authorities on many occasions. They even issued orders and directives for the repression of our people and they launched nibbling attacks against the areas under the control of the PRG.

Dr. Kissinger: Why is it they lost 332 hamlets in the first few days of the ceasefire? They nibbled backwards.

Le Duc Tho: The question is that when the war was still going on, the ceasefire wasn't effective yet, then both sides were free to carry out activities. But once the ceasefire became effective, then if one side launches attacks against the other then the war will gradually develop and return to this.

Dr. Kissinger: I agree.

Le Duc Tho: But once the ceasefire became effective, neither side has the right to launch attack against the other side. That would be a violation of the Agreement. But here the Saigon authorities launched military operations with the size of one battalion or four battalions; even in some cases they mobilized even a brigade, for instance in the case of Cua Viet, with the incorporation of armored vehicles and aircraft, or in the case of Tay Ninh Province they mobilized air operations to bring into the battle.

Dr. Kissinger: No, I think that one use of my being here is so we can talk honestly with each other. In Cua Viet I think you have a point. In Tay Ninh you tried to take the city just before the ceasefire, and after the ceasefire, and of course they had to react. You tried to do in Tay Ninh what they tried to do in Cua Viet. Both were wrong. This is my honest opinion.

Le Duc Tho: No, but regarding Tay Ninh the PRG forces launched attacks against Tay Ninh before the ceasefire became effective. But when the ceasefire became effective Saigon should have stopped their attack but the Saigon forces tried to recapture Tay Ninh.

Dr. Kissinger: Exactly the same as Cua Viet. The Saigon forces took Cua Viet before the ceasefire and then you attacked afterwards and knocked out 27 tanks, which is a violation, and you pushed them back. I think it is exactly the same situation and frankly this is why we haven't said so much about Cua Viet, because we recognize the problem. As long as I am here, I think . . . when the diplomats talk to each other in Paris they can speak in a very complicated way, but I think while I am here we should be very honest with each other.

Le Duc Tho: No, besides the major violations, the significant cases of violations, there was continuous artillery shelling by the Saigon side, and some places up to 2,000 rounds of shells, 3,000 shells daily on the areas of the positions of the PRG forces, particularly in Quang Tri, and the plain of the 5th zone, and the Mekong River. Moreover, there are cases of repression of people who went to a meeting to maintain the peace, in spite of the provisions of the Agreement that prohibit reprisals and terrorism against the people after the ceasefire became effective. Moreover, there were many police operations around Hue city, hundreds of police operations to terrorize and to arrest, to round up the population. Then the harsh control of the population within camps of concentration continues, that prevents the free movement of the population. There is no insurance for the democratic liberties of the people and the prohibition of terrorization against the people, in spite of the provisions of the Agreement. And I have just pointed out some cases, important cases, of violations, but there are many, many cases of violations. The point is, what measures are to be taken to prevent such violations? This is more important.

Dr. Kissinger: What does the Special Adviser suggest?

Le Duc Tho: I think that now either side must now strictly implement the provisions of the Agreement—regarding the ceasefire, to put an end to all military actions, to put an end to all terror operations, and arrestations among the people. So either side should immediately issue orders to immediately put an end to such actions. And then each side should facilitate the deployment of the men of the ICCS, of the Four Party Joint Commission and the Two Party Joint Commission to the various localities, to facilitate the work of the various Commissions. This is also very important.

But now the activities of the ICCS and particularly the activities of the Four Party Joint Commission are meeting with tremendous difficulties.

First, regarding the procedures of work, they are creating difficulty regarding the activities of these commissions. The procedures create a difficulty for the activities of the Commissions. They are located in military camps, and the military camps have regulations that outsiders cannot enter the camp and insiders cannot go out of the camps. So these delegations of these commissions are not in a position to carry out their activities. They have not enough means of transport for their movement. And particularly the means of living are not sufficient for them. Their rations are not sufficient.

Dr. Kissinger: Their food?

Le Duc Tho: Their food. Even the American press is speaking about their lack of food. They are also prevented to go out and to buy food. I was in prison. I have now the impression that they are also in prison

now. I read to you a dispatch from our Commission: "One of the Americans, a UPI journalist, who supplied food to our delegation in Hue, says this. This American complained to other journalists. He came to the camp and saw it. No means at all. There were mats on the floor but even he does not want to lay his skin to sit on these mats. Food is not sufficient. He expressed his views, that suppose now he and the other Vietnamese were fighting and now the fighting ends and the other Vietnamese came to his house, he would not put the Vietnamese in a pigsty." So he concluded that the DRV military delegations are meeting with real difficulties and their living conditions are very bad. They are prevented to move freely and they are prevented to get in contact with other people, with journalists. Some journalists had contacted them and then their press cards were withdrawn.

There was even the case of a major violation, such as at Ban Me Thuot. The delegation and eight persons were wounded; the chief of the delegation was wounded too. The Central Four-Party Joint Commission wanted to send a team to investigate but the team could not go to the place because of the prevention of the military police. So those actions have paralyzed the Four-Party Joint Military Commission, particularly the delegation of the DRV and the delegation of the PRG.

It is unimaginable that the Joint Military Commission is meeting with such difficulties and has received such treatment. You will see when American delegations come into North Vietnam to deal with the question of prisoners, you will see what treatment we will reserve to them. And therefore we think that you are responsible to some extent for such actions by the Saigon authorities.

So, in a word, to strictly implement the ceasefire and to prevent such violations, I think that both sides should issue orders for a complete end to military actions and create favorable conditions for the activities of the Four-Party Joint Commission and the International Commission, and promptly set up the Two-Party Commission, so that these Commissions can carry out their activities. And moreover, to arrange more convenient accommodations for the Four-Party Joint Military Commission, and not to leave them in military posts or military camps. It is not convenient for their activities.

Now, regarding the troop withdrawal, the dismantlement of the military bases and the removal of obstacles on the road.

Regarding the withdrawal of U.S. forces and the dismantlement of American military bases: Under the protocol, the withdrawal of U.S. forces and the removal of U.S. military bases should be carried out under the control of the Four Party Joint Commission and the International Commission too. But such control is impeded now. They cannot carry out that control.

Regarding the removal of obstacles on the roads, it is in keeping with the protocol that such obstacles should be removed, but to be removed to allow the movement of the civilian population, not for the recapture of territory. But the Saigon Administration availed themselves of the removal of obstacles to enlarge their role, to capture ground, and then the PRG forces have to oppose them and then there are clashes.

Dr. Kissinger: Even places where they never were before? We are under the impression that the PRG is putting up obstacles where they never had obstacles before. My complaint yesterday wasn't about old obstacles—which they are also removing—but I am now concerned about new obstacles.

Le Duc Tho: But the obstacles are put because of the Saigon authorities trying to enlarge their area of control; therefore the PRG has to put up obstacles to prevent them. This is the actual situation. But if there is respect of the Agreement by both sides, then this will not happen.

The fourth question is about the introduction of armaments into South Vietnam, Laos and Cambodia. When the war was going on, the question does not arise at all. But after the ceasefire became effective we respected the Agreement. So we respect the provisions of the Agreement regarding the prohibition of introducing of troops, armaments, war material into these countries. [Thach corrects him] Into South Vietnam. But here it is civilian supply to these troops.

Dr. Kissinger: Are you bringing that in in tanks now?

Nguyen Co Thach: To the local population, to the civilian population.

Dr. Kissinger: Are you bringing your supplies in tanks now? I wondered whether you discovered a new way. [Laughter]

Le Duc Tho: Since the ceasefire we will implement the provisions of the Agreement. But on February 5th the spokesman of the U.S. State Department declared that the U.S. would continue to give military supplies to Laos and to Cambodia under Article 20 of the Agreement.³ Article 20 of the Agreement prohibited such supplies; it prohibited the introduction of troops and war materials into these countries. But if now the U.S. does that, then it would be a violation of the Agreement. Moreover, then we will have to do the same toward our friends, and the Agreement will be violated. So we both should respect the Agreement.

³ The statement was made at the February 5 Department of State daily press briefing that the provision in the Agreement referred to the withdrawal of foreign troops from Laos and Cambodia, not military aid. See *The New York Times*, February 6, 1973.

Now regarding the return of captured military personnel and Vietnamese civilian detainees.

Regarding the question of prisoners, we know your concern about American prisoners and civilians, not only in Vietnam but also in Laos and Cambodia. I have explained to Mr. Adviser at length regarding the question during our negotiations and in our private talks. So it is definite question that we will implement the Agreement regarding the American prisoners, military personnel and the civilians, captured in Vietnam, and we have agreed with our ally in Laos that all American prisoners, military and civilian, will be released. Mr. Adviser said that we correctly implement the Agreement but the Pathet Lao seems to hold back some prisoners. But I can tell you that we have discussed the questions with our ally and we have agreed with them that all of the prisoners will be released. You should understand that definitely all the prisoners will be released and the list we gave you is complete. But there are prisoners who died or who escaped from prison and after so many years of war they are living in jungle areas. So the investigations will be continued, and we will supply.

Regarding the prisoners of war of the two South Vietnamese parties, the Saigon Administration published the number of prisoners of war as 40,000, but now the list they give was 28,000 only. Now they gave the list of prisoners to be released in the first stage: they will release only 2,000. So it is not in keeping with the protocol that [which requires that] one-quarter of the total number of prisoners should be released within the first 15 days.

Dr. Kissinger: Are you sure? They told us they would release 7,000.

Nguyen Co Thach: They gave us the number, 2,000 prisoners of war. Even if they release 7,000 it is not correct, because the total number is 40,000.

Le Duc Tho: But 10,000 prisoners they said will not be returned, under the pretext that these 10,000 people have rallied to the Saigon side. It is not correct. It is contrary to the Agreement, because all those people should be returned.

Regarding the civilian detainees, they say that they are holding only 2,000 civilian detainees. It is too small a figure they gave, in comparison to the total number they are holding.

Dr. Kissinger: Where do you get all these figures? They told us they were releasing 5,000, so they must have told you more.

Nguyen Co Thach: This is the figure they gave during the meeting of the two South Vietnamese parties.

Le Duc Tho: They told us within the Joint Military Commission that they are holding only 2,000. They say that they did release a number of them, just release and not return them. You said that they would release 5,000 but so far we have no information on that. Under the

Agreement those civilian detainees should be returned, and not just to set them free.

Regarding the removal of mines. In this connection, when I was still in Paris the discussion of this question dragged on. There are some technical difficulties in this, but the main reason is that they dragged on the discussion, moving very slowly, so it would need 70 days for the removal of mines in Haiphong.

Dr. Kissinger: Forty, I am told.

Le Duc Tho: It will take thirty days to bring their equipment, ships, means for removal, and it will take forty more days for the removal so it is 70 days.

Dr. Kissinger: I understand.

Le Duc Tho: But for all other places it will need six months for the removal. As to the mobilization of means for the removal, they will proceed from one area to another. For instance, after the removal in Haiphong they will move to another area instead of carrying out the removal simultaneously in all areas.

So this is what we have to raise, the specific cases to raise regarding the implementation of the Agreement that is not strict implementation.

By the way, I would like to raise another question related also to the Agreement; that is the two-party talks in Paris. Now they are discussing the procedures.

Dr. Kissinger: You mean the two Vietnamese parties?

Le Duc Tho: Yes, the two South Vietnamese parties. They are discussing the procedures. They have agreed on some questions. But we should draw the experience we have got regarding the Four-Party Joint Commission. Now the Saigon side also proposes to shift the two-party talks to the Tan Son Nhut base.

Dr. Kissinger: Wherever you want them. I thought yesterday you wanted them there.

Nguyen Co Thach: In Saigon, at Tan Son Nhut base.

Le Duc Tho: They wanted them in the concentration camp.

Dr. Kissinger: President Thieu lived in a concentration camp and Vice President Ky. I think he wants Madame Binh close to him.

Le Duc Tho: I pointed out this question to show the difficulties. Regarding the procedures only, they have met with difficulty already, let alone the substance they have to discuss. So our Prime Minister has expressed the general views and I myself have pointed out specific cases. We have no intention to debate them here, but we would like to point them out so that both sides pay attention to the situation to insure correct implementation of the Agreement. Because since the signing of the Agreement and the coming into force of the ceasefire, there have been many cases of violations on the Saigon side. But I think that

in the coming period we both will endeavor to stop all violations. Maybe they will not be completely ended, therefore when some cases happen I will inform you. And if some cases come to your knowledge you will inform us so that we both pay attention to this. So I have finished now. Regarding the specific cases of violation I will give you also a list of them for your information. [In a subsequent private meeting, Tho gave Dr. Kissinger the list at Tab A.]⁴

Dr. Kissinger: Mr. Special Adviser, let me make a few comments on what you have said. I would like also to ask some questions. First, I want to repeat that we will investigate very seriously every violation you report to us, and if the reports are accurate we will do our utmost to remedy them.

Now, with respect to military actions I agree with the Special Adviser that we should issue orders that they should cease. Of course, our forces have stopped their military action. So we will use our influence with the Saigon Government and we will use the lists you give us. But we would also like you to see to it that both the PRG and the “so-called North Vietnamese forces” stop their actions. So we agree with your proposal.

Le Duc Tho: I agree, Mr. Special Adviser, but I make the following concrete proposal. The order should be issued by the Four-Party Joint Military Commission; it will discuss and will issue the order. No, each party in the Commission will issue the order. I repeat, the Four-Party Joint Commission will discuss the question and the various parties will issue the order.

Dr. Kissinger: We agree. Are you sure that Colonel Loi agrees? Will Colonel Loi agree? [Laughter]

Le Duc Tho: Yes, he will agree. Have you any other questions?

Dr. Kissinger: Yes, I have some more points. They will discuss this on Tuesday, the 13th, or Wednesday the 14th, because we have to communicate with Washington and then Washington with Saigon. We cannot communicate directly from here to Saigon.

Le Duc Tho: The 14th then.

Dr. Kissinger: The 14th then. Let me recommend the 15th, because Sullivan will get there on the 14th and he can supervise it for us.

Le Duc Tho: That is all right.

Dr. Kissinger: [Confers with Sullivan]: No, he gets there the 13th. So the 14th.

⁴ “Violations of the Cease-Fire by the Army of the Republic of Vietnam From January 28 to February 9, 1973,” undated, attached but not printed.

Le Duc Tho: Yes. But I would like to recall to you that, besides that, favorable conditions should be created for the activities of the Four-Party Joint Military Commission and the ICCS.

Dr. Kissinger: I come to this next. With respect to the conditions of the ICCS and the Four-Party Commission, we strongly favor that their working and living conditions are adequate to their position and in conformity with their dignity. I will charge Ambassador Sullivan with making a personal investigation when he comes to Saigon. We have no interest in impeding the work of either Commission, and we strongly favor, as you remember from our talks in Paris, adequate facilities to make them able to perform their regular mission. Now where they should live we will have to consider, but they should have freedom of movement to perform their tasks. They must have decent living conditions and decent working conditions, and this we promise you we will look into and bring about if it does not exist. And if this UPI reporter reported correctly we will see to it that it is remedied immediately.

Le Duc Tho: Now regarding the wounded people, our people. Now Saigon authorities acknowledge it and express their regret. These people should be well treated because some of them are seriously wounded.

Dr. Kissinger: There is no excuse and this should not happen again. We will give no encouragement whatever to acts of hooliganism.

Le Duc Tho: And if this continues it will arouse deep indignation among our population.

Dr. Kissinger: I think, well, it should not continue. Now introduction of military equipment with respect to Laos and Cambodia. We will strictly observe the 1954 and 1962 Agreements and the Agreement to Restore Peace in Vietnam. But I would like to point out, if I may, that of the tanks that I mentioned to you yesterday, twenty-seven are going to Cambodia—yours. And we still have no explanation where the other 229 are going to go, but wherever they are going they are in violation of the Agreement.

Le Duc Tho: If there are tanks they are old tanks, which started before the ceasefire within this area. Before the ceasefire, not newly introduced tanks.

Dr. Kissinger: But they can't be introduced into either Vietnam or Cambodia after the ceasefire.

Le Duc Tho: No, those tanks had been in the area before the ceasefire.

Dr. Kissinger: We have diverted some ships that were heading for Vietnam in observance of the Agreement, so it cannot be . . . I must tell you in all seriousness that if these movements continue the whole Article 7 will be destroyed.

Pham Van Dong: I think that what Dr. Kissinger said yesterday and he insists today has no ground at all. Maybe it is based on incorrect information or purposefully made incorrect.

Dr. Kissinger: It is based on our information. We are not getting it from others.

Pham Van Dong: For instance your statement yesterday that there was war material transported on the shore over Duc Pho. I can now answer you definitely now there is no such action, therefore there are some facts here which are not sufficiently grounded. After the cease-fire becomes effective we have no military transport at all.

Dr. Kissinger: How about the 175 trucks enroute over Route 1068?

Le Duc Tho: We can assure you that we strictly implemented Article 7 prohibiting all introductions of troops, armaments and war materials into South Vietnam. But regarding civilian supply—rice, foodstuffs—to the population of the liberated areas in South Vietnam, we shall continue. There is no reason we leave this population in hunger, so it is something very normal.

Dr. Kissinger: That is a lot of rice, 175 trucks. But one way of solving the trouble—and in fact an essential way of solving the problem—is to designate rapidly the legal points of entry.

Le Duc Tho: I agree with you.

Dr. Kissinger: We have proposed three, the GVN was proposed three, and I have not received a report from Saigon whether they have been accepted or not.

Le Duc Tho: When the protocols were under discussion it was decided that 15 days after the entry into force of the ceasefire the two parties would discuss the question of points of entry. But two or three days ago we reminded the PRG about this question, and they did discuss this at the Two-Party Joint Commission.

Dr. Kissinger: Because we have to send some replacement equipment in and we want to do it under international supervision. But if they cannot agree we will just have to designate a point and invite the International Commission to come there.

Le Duc Tho: The two South Vietnamese should agree on that point and they will have the same number of points of entry. Moreover, this question has been provided for by the protocol already, and in our view this is not a difficult question.

Ambassador Sullivan: If those trucks come through a legitimate point of entry, a designated point of entry, then we will know it is civilian goods on board and we won't be suspicious that there are military goods on board.

Le Duc Tho: So the two South Vietnamese parties should discuss and decide on the points of entry.

Pham Van Dong: And at the same time a series of important problems should be settled regarding the liberated regions under the control of the PRG.

Dr. Kissinger: Yes, but if there are no legitimate points of entry then all of the provisions become ridiculous. Because you can simply say it's civilian, not send it through a legitimate point of entry, and the whole Agreement becomes ridiculous.

Le Duc Tho: That is the reason why the points of entry should be immediately decided upon. And therefore we recently reminded the Two-Party Joint Commission to discuss immediately this question, because under the protocol this question should be decided within 15 days after the ceasefire.

Dr. Kissinger: Exactly.

Le Duc Tho: And I think you, too, should tell the Saigon Government.

Dr. Kissinger: We told them. They only want three places, and they have already given them.

Le Duc Tho: Now this is before the ceasefire. Now after the ceasefire the other side should forward proposed points of entry.

Dr. Kissinger: But our side has put forth points of entry and your side has not put forth points of entry. Because this would remove . . .

Pham Van Dong: This will be discussed within the Four-Party Joint Commission.

Dr. Kissinger: Let us settle it on the 14th when Sullivan is in Saigon.

Pham Van Dong: Regarding this question I would like to add a few words, regarding the implementation of the Agreement. The questions we have discussed here, if they are implemented, they will have practical significance. But I would like to speak in a more comprehensive way, regarding the respect of and the implementation of all the provisions of the Agreement. Definitely all the provisions of the Agreement and of the protocols must be implemented and within the time frame provided for in the Agreement. And also the bodies provided for in the Agreement should be also respected. Yesterday, I have addressed this question. Today I would like only to lay emphasis on it.

First, all the parties should voice or should evidence their desire to implement and to respect the Agreement, for the reason that they have signed the Agreement, but also for the reason that they are concerned with this implementation. Because this involves the whole interest of the implementation. It is a very basic point. Without such a desire to implement the Agreement it would be very difficult. As far as we are concerned, we say that we have such a desire. We also say that we doubt the desire on the other side, on the side of the Saigon

authorities, and I also say that Saigon is related to Washington. So this is a correct theory about that.

Secondly, the whole Agreement must be implemented, all military provisions and all political provisions. In other words, all Chapters of the Agreement. Chapter II, Chapter III, Chapter IV, Chapter V, and the other chapters. And all these chapters are related to Chapter I. There are provisions that must be implemented within 60 days, other provisions must be implemented within 90 days. So if now within 60 days or 90 days all the provisions in the Agreement and in the protocols have been implemented, then it would be a very big step that would insure the continued implementation of the Agreement.

Therefore we both should make very big effort in this. So the third point is that to insure the implementation of the Agreement, all the parties concerned—that is to say, the four parties and we here, the two parties—should be determined and take appropriate measures to insure the implementation of the Agreement within the framework of our responsibilities.

And after presenting your views, Dr. Kissinger, you asked me what is our view. I could not give a definite answer yet. Just like your statement after the presentation of Mr. Le Duc Tho. So I said you should have to wait; actually you should wait and see. For instance, you say that you have some influence over the Saigon Administration, so far I understand you, to some extent only. I don't know whether I have correctly understood you. If so, it would be an open door for violations. Is it correct or not?

Dr. Kissinger: It is not an open door for violations.

Pham Van Dong: Or half open and half closed door?

Dr. Kissinger: Neither half open nor half closed. But it means we cannot assume full responsibility for the actions of another government, any more than you have been willing to assume responsibility for the actions of your allies. But we will exercise our influence.

Pham Van Dong: Theoretically it is so.

Dr. Kissinger: No, practically it is so; theoretically it is not so important. But this does not mean that the Saigon Government has the right to violate the Agreement. It has full responsibility to carry out the Agreement.

Le Duc Tho: And of course I think that Washington should bear all responsibility regarding all of what we are talking about here. It is easy to understand, because you and I have worked out the Agreement. Therefore the implementation is the responsibility of all four parties but the major responsibility lies on you and I.

Dr. Kissinger: We have a major responsibility in carrying out the Agreement. But there is a major contradiction in your assessment. You cannot both want us out of Vietnam and expect us to exercise unlim-

ited influence in Vietnam. We had more influence in Vietnam in 1966 when we had 500,000 troops there. But I was under the impression that the Prime Minister made a big effort to change that situation. [Laughter] So I think we have to face the realities of the situation. We will assume a major responsibility but you will also have to deal with Saigon directly on some issues.

Pham Van Dong: It is correct. I agree that Washington has a great responsibility, the main responsibility. How big it is, it is up to you to conceive it, but I will remind it to you.

Dr. Kissinger: But may I make one point, just so that you see what your colleague had to put up with for three years. I am speaking very frankly. I have not yet made up my mind about your strategy. In my judgment you have two possibilities. Being Vietnamese you can probably think of five, but I am less complex so I can only think of two.

The two possibilities are these: You can use the Agreement as an offensive weapon, constantly pressing again the margin, maybe beyond the margin, and trying to maneuver us into the position of being constantly on the defensive. Or—I am talking as a professor, because I don't know whether the Special Adviser has told you, he has promised me I could give some lectures at Hanoi University after he has visited America. It is an unwritten understanding. Or, you can carry out this Agreement in a spirit of conciliation, and rely on historical evolution to achieve your objective.

If you choose the first alternative, we will be—you and we—in some position of confrontation, and it will be like after our previous settlement. If you choose the second alternative, you and we can become cooperative and we can go to normalization and even—unbelievable as this may seem—to friendship. And then we can talk honestly to each other, inform each other of our major concerns, and take them seriously into account. And many of these questions will be taken care of by the real forces that may be at work in Indochina. And then we don't have to talk to each other like lawyers, trying to find out who is responsible for this or that. We can deal with each other as statesmen, with a big objective.

Because, as I said to you yesterday, Mr. Prime Minister, the independence, sovereignty, strength and security of the DRV is absolutely consistent with our national policy, and one on which we can cooperate. Two years ago we had to communicate with Peking with handwritten messages passed through a third entity, and we were even more suspicious of each other than you and we. Now, except when the Special Adviser passes through Peking, we have a serious dialogue. He always agitates them against us! [Tho smiles; the Premier does not react.] But seriously, I think that you and we can establish a relationship of equality and confidence, and we will treat you seriously and with great respect, which you have earned.

And I say this only as a digression, to indicate that in my view this is the most important result that could emerge from this trip. We will do what we can with respect to everything the Special Adviser has mentioned, and we will use our influence. But the most important thing is to understand what each of us can and cannot do, and what we can do together. And this is our serious attitude.

Pham Van Dong: This is what I wanted to speak about, leading to the implementation of the Agreement. Because I think that the strict implementation of the Agreement is of very great importance; it will have great importance, decisive importance, in the establishment of our relationship and the consummation of relations between our two countries. And it will help settle many other questions. It is the spirit we are having. We will resolutely stick to the Agreement and use the Agreement or urge all the other parties to observe the Agreement. This is how I understand your first view. And thence I go to the second view, that is to say the good relationship between our countries. I see no contradiction in our view. [Laughter]

Le Duc Tho: Mr. Special Adviser said that there are two possibilities. Actually we say that there are two possibilities but in our conception the two possibilities are slightly different from your two possibilities. Our first possibility is that the Agreement is violated, is sabotaged, and the second possibility is that the Agreement is strictly implemented. As far as we are concerned, we adopt the second possibility and maintain the Agreement. But the maintenance of the Agreement is offensive against what is sabotage or undermines the Agreement, to maintain the Agreement. It is not, as you think, the kind of using the Agreement to launch an offensive, to create some dangers or put someone in danger or other. In a word, it is to maintain the Agreement, to correctly implement the Agreement; it is our aim, our objective.

As to the contradiction you put regarding our desire that you withdraw from South Vietnam and our desire that you have great responsibility over Saigon, actually it is true. It is some practical reason that you withdraw from Vietnam but you still have influence and responsibility with the Saigon authorities.

Dr. Kissinger: When I said offensive, I did not mean only military offensive; I meant political and psychological. I meant we both must show restraint. We should not constantly try to push and outmaneuver each other for little advantages, because we are no longer at war.

There is no point answering every detail of the Special Adviser's presentation. We will look into every case he raised.

With respect to mine sweeping we will see whether some speed-up is possible. And again we will communicate with you.

With respect to the civilian prisoners, I just don't understand it, because we were told that 5,000 would be released and we had used our

influence to bring this about. I will have to check this. I don't understand the comment that the Special Adviser made. Also I understand . . .

Le Duc Tho: Please ask them again.

Dr. Kissinger: We will ask. Also I understand that your side has not turned over a list of civilian detainees or where they are held, and this is necessary to get the talks started.

Le Duc Tho: Regarding the question there is some practical difficulty because they are scattered all over the country and now they have to find out where the people have been arrested, where they are being held. So the PRG is . . .

Dr. Kissinger: We are not complaining. We are simply pointing out that we cannot use our influence until the conditions have been met that are provided for in the protocol. But even without this we are under the impression that 5,000 detainees will be released in the very near future and that this was a result of our intervention.

We will look into the two-party talks problem.

So we take seriously every comment you make to us. What I wanted to convey to the Prime Minister is not that we don't take it seriously but we have to have understanding with each other now.

Pham Van Dong: [Laughs] I agree—and a few practical deeds.

Dr. Kissinger: I agree.

Pham Van Dong: We should continue to make efforts.

Dr. Kissinger: And show good will towards each other. We were not required to reduce our aircraft carriers but we have done that, pulled them out altogether.

There is one last point, which concerns our prisoners. Some of our concerns would be eased if you could obtain for us from your friends in Laos and if you could give us from your own information some account of what you know about those who died, who crashed, who escaped, or whatever else you know, and the sooner the better.

Pham Van Dong: Mr. Le Duc Tho has explained this question to Mr. Special Adviser on many occasions. In this connection we have a very serious and frank attitude. You can be confident in us. There are no other ideas at all—what do they say, no back-ideas in the mind. We are thinking of helping you when we deal with this question. But I agree with you that we will continue to find out about this question and to have some information about it and help you.

Dr. Kissinger: It will help very much to create the climate for the economic question. [The Premier laughs] We will talk about this later, today or tomorrow. But we have a very serious problem on domestic opinion and Congressional opinion. And our newspapers are not as responsive to government, or as politically alert—"politically conscious" is the phrase—as yours.

Pham Van Dong: Here I should say immediately—and we will come to it later too—I disagree with you to the way you are posing the problem. I think that this question is a question of the obligation of the U.S. This question should be dealt with as one article, one provision of the Agreement. We should not make it dependent on anything else. This will be good and correct.

Dr. Kissinger: Let us discuss it separately, because it is a very complicated issue and it must be handled on a very practical basis. Because there are two levels: the relations between you and us as governments—and there we can approach it within the framework of the Agreement. And the second problem is our relationship with our Congress, and there we have to discuss with you how to do this. This is not a governmental matter but a realistic question of management. But I will frankly discuss with you about the situation when we turn to economic reconstruction.

I have a whole book on the subject, which I will read from cover to cover. [Laughter]

Pham Van Dong: I don't think that we should do that. I told you yesterday that we don't understand what is the legal aspect or customary aspects of the Government of the U.S. I always think it is the internal affair of the United States.

Dr. Kissinger: Yes, but you have to understand it.

Pham Van Dong: If it is a necessity that we have to understand it, then you should explain to us so we can understand, but it is always an internal affair of the United States.

Dr. Kissinger: Yes.

Pham Van Dong: Because what is important and what we have to solve now is a matter between our two governments.

Dr. Kissinger: But you see, we cannot tell you to install a capitalist system and tell you it's a domestic problem how you do it. There are some domestic realities that have to be understood as a practical matter, and we just want to explain them to you. They are not governmental problems—but we will have a full discussion on the subject.

Pham Van Dong: I think that here we should go forward to bring about a definite solution to a number of points.

Dr. Kissinger: I agree.

Pham Van Dong: Otherwise we don't know whether you are fully prepared to settle this question.

Dr. Kissinger: Which question are we talking about now?

Pham Van Dong: The U.S. contribution to the healing of the war wounds.

Dr. Kissinger: We will discuss it concretely.

Pham Van Dong: And this question will be settled basically, simply, and positively.

Dr. Kissinger: Positively, but it requires complicated management. Certainly positively.

Le Duc Tho: I have spoken to Mr. Adviser on this question very lengthily in the negotiations.

Dr. Kissinger: Oh yes.

Pham Van Dong: Therefore I would like to emphasize only one point: This question should be settled fairly, without conditions attached—not make it dependent on other questions, not to use it to attain anything else. And this question also should not be settled in a manner like the manner in which the U.S. has solved the question of aid to many other countries. So far as we understand, the U.S. has granted aid to many countries, particularly after the end of World War II, and we also understand that in the legal juridical field, the U.S. has some particular legal aspects. But here what we are dealing with now is U.S. obligations in view of the destructions caused by the war. It is a completely different question. In our view it is a matter of U.S. obligation. Of course we should discuss it. But no conditions should be put in settling this question.

What conditions I have in mind I have already told you, but let me now recall it. First, we would like to have the free use of the amount that the U.S. reserves for this purpose. But the free use I have in mind is to buy whatever we want but of course to buy this material and equipment from the U.S. I think that to pose this problem is a simple way of posing the problem. There is no complexity in it. As to the details, they will be discussed at the Joint Economic Commission. If so is our understanding, we will be able to settle this question during this visit of yours.

Dr. Kissinger: Let me suggest that after we discuss Laos and Cambodia this afternoon we have a full and frank discussion, and we can certainly settle it in principle during my visit here. This is our intention. Or do you want to continue now? On my schedule it said 10:00 to 1:00.

Pham Van Dong: Let us adjourn now.

Dr. Kissinger: See, I follow the Special Adviser's instructions. I was trying to be polite. When he comes to America he will follow mine.

Le Duc Tho: We will resume our discussion at 4:00, then at 3:00 we will have sightseeing tour for one hour.

Dr. Kissinger: Good, I look forward to it.

Le Duc Tho: If the tour will take more than an hour, then we can resume at 4:30.

Dr. Kissinger: It is up to you. [Laughter]

[The Meeting adjourned at 1:00 p.m.]

13. Memorandum of Conversation¹

Hanoi, February 11, 1973, 4:35–7:43 p.m.

PARTICIPANTS

Pham Van Dong, Premier
Nguyen Duy Trinh, Deputy Premier and Minister of Foreign Affairs
Le Duc Tho, Special Adviser to DRV Delegation to Paris Conference on Vietnam
Nguyen Co Thach, Vice Minister of Foreign Affairs
Phan Hien, Member of DRV Delegation to Paris Conference on Vietnam
Tran Quang Co, Member of DRV Delegation to Paris Conference on Vietnam
Dinh Nho Liem, Ministry of Foreign Affairs
Nguyen Dinh Phuong, Interpreter

Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs
William H. Sullivan, Assistant Secretary of State for East Asia and Pacific Affairs
Richard T. Kennedy, Senior NSC Staff
Winston Lord, NSC Staff
Peter W. Rodman, NSC Staff
David Engel, NSC Staff, Interpreter
Mrs. Bonnie D. Andrews, Notetaker

[The Premier, Foreign Minister, and Special Adviser greeted Dr. Kissinger at the entrance.]

Pham Van Dong: Vous avez fait visité à notre musée historique.

Dr. Kissinger: Oui. Il était très interessant. C'est la première fois pour lui! [Referring to Le Duc Tho] Il fait l'histoire; il n'a pas assez de temps pour la voir.

Vous avez une histoire très longue.

Pham Van Dong: Oui.

Dr. Kissinger: Très dure. Et héroïque.

Pham Van Dong: Merci. Et aussi très humaine. Très humaine.

[The group then entered the conference room and took their seats.]

Pham Van Dong: Et demain, le musée d l'art. C'est aussi très interessant.

Ambassador Sullivan: Every excavation we saw, the Special Adviser said he was in prison there.

Pham Van Dong: He was in prison everywhere. We were all in prison.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 113, Country Files, Far East, Vietnam Negotiations, Hanoi Memcons, February 10–13, 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held at the DRV President's House. Brackets are in the original. Kissinger and Le Duc Tho toured the Hanoi History Museum and other cultural sites before the session.

Dr. Kissinger: Your lives have all been hard ones. Life in prison is not an easy one.

Pham Van Dong: Especially in French prisons.

Mr. Kissinger: But I do believe that in extreme experiences—not because it is gay but because it is elemental—one learns the real qualities of people.

Pham Van Dong: I agree. But if the term in prison is shorter it is better. Three years is enough. You should not advise other people to be in prison. [Laughter] Let us now discuss about Laos and Cambodia. Mr. Adviser, I give the floor to you first.

Mr. Kissinger: We have really the following problems. The most immediate is the ceasefire in Laos. Then there is need for a ceasefire, of a less formal nature, in Cambodia. And then we should begin the implementation of the withdrawal of forces and war material from these countries. We are prepared to cooperate in all of these and to take a constructive attitude.

We have an understanding that there must be a formal ceasefire in Laos. And then there should be one in Cambodia because its absence will keep drawing all the parties into the conflict. And finally it is important that we implement the withdrawal of all forces and that we not introduce any new forces or material into Laos and Cambodia. These are the matters that I want to discuss with the Prime Minister.

Pham Van Dong: Regarding these two problems our comrade, Le Duc Tho, has explained to you in Paris, and the situation in Laos is developing.

Dr. Kissinger: But the problem has two aspects. First of all there have been heavy attacks by your side and indeed the introduction of new forces of your side into Laos, including the 308th Division. Secondly, the ceasefire was supposed to be concluded by the 12th, which is tomorrow and, therefore, it is not developing according to the Agreement and it is developing in a manner which is inconsistent with the spirit of the Agreement.

Pham Van Dong: Regarding the first point, I believe that the Special Adviser's statement is groundless.

Dr. Kissinger: Which is the first point?

Pham Van Dong: The so-called North Vietnamese big attacks in Laos and the so-called 308th Division newly introduced into Laos.

Dr. Kissinger: Did I get the division number wrong? Or was there no division introduced?

Pham Van Dong: If you ask me this question, the moral is I don't know the answer. Regarding the second point, I think this is an affair between the two Lao parties. We will do our utmost to present the situation to them and to tell them that there is the necessity to change the

direction, the course of action. But the affairs of Laos must be decided between the people of Laos.

Dr. Kissinger: If I may say, Mr. Prime Minister, in our discussions in Paris we accepted the fiction of the “so-called North Vietnamese forces” in South Vietnam. But there was a clear understanding that there were real North Vietnamese forces in Laos and that they would be withdrawn. There have been in recent weeks heavy attacks in Laos. It is not a Lao national characteristic to fight with the intensity with which the forces have fought in these attacks. They are more in the intensity of the North Vietnamese. And it is very difficult in establishing a new relationship that everytime we give you conclusive proof of certain actions that you simply deny that anything is going on at all.

Pham Van Dong: But all of this involves the affairs of the Laotians.

Dr. Kissinger: Except the North Vietnamese troops which are there do not just affect the affairs of the Laotians. That involves the North Vietnamese. If the Lao were fighting only among themselves, the battle would develop much more slowly.

Pham Van Dong: In fact I do not think so. Because this statement applying to the Lao is not correct. We do not make such a statement regarding the Lao.

Dr. Kissinger: I do not want to debate national character and I do not consider peaceful inclinations a national liability. But I want to say that we have a very clear understanding that there would be a cease-fire within 15 days and also that foreign troops would be withdrawn. Which applies also to us. And we wanted to discuss on this occasion the implementation of this matter.

Pham Van Dong: I would like to make this statement to you, Mr. Adviser, and I think my statement is very important. That is to say the two Laos parties are now discussing in Vientiane and their negotiations are developing. As far as we are concerned, we respect the right of the Laos people to self-determination and the right of authoritative Lao people to resolve the problems. We Vietnamese, we are a people very resolute to defend our independence and our sovereignty and it is known to everyone. And therefore we affirm that the right to independence and sovereignty and self-determination of the Laos and Cambodian people must also be respected. It is one of our basic policies. If now some intervention is made in the internal affairs of the Lao and Cambodian people it would be a grave mistake of our policy. The Vietnamese people shall live forever side by side with the Lao and Cambodian peoples. This is all the more reason why we have to maintain very good relations with the Lao and Cambodian people, and this good relationship begins with the respect for the independence and the sovereignty of these people. However, we will do our utmost to present the situation to our comrades in arms in Laos, so that they decide their

own course of action. And I think that the question of ceasefire is on its way to becoming true.

Dr. Kissinger: But, for example, the Pathet Lao are demanding that the ceasefire includes a phrase specifically singling out the U.S. aggression in those words. Now those words are impossible, and we cannot encourage our friends to accept such a phrase. In a war where there are many foreign forces it is incorrect to single out one country and inconsistent with a desire for a rapid ceasefire and with an attempt to establish a new relationship.

Pham Van Dong: I think that it is no problem in this regard, because the other side will know to say what they want to say. And I think that for everything they can find out a solution. And what Comrade Le Duc Tho has told you, his statement will be put into practice. It is a fact.

Dr. Kissinger: It means we have about seven hours. Or maybe 24 hours.

Pham Van Dong: We have never broken any things we say.

Dr. Kissinger: Well . . . let me then simply point out that we attach very great importance to it, that we have publicly committed ourselves to this, and that therefore if there should be difficulties it would be found to have a serious impact on our public opinion and on the whole context of public acceptance of the Agreement.

Pham Van Dong: But there is one fact. You have just come from Vientiane. No doubt you are aware of the situation. If there are any difficulties, the difficulties should come and will come from Mr. Phouma's side.

Dr. Kissinger: I cannot accept this. We have told Souvanna Phouma . . . The side which is retreating is not usually against a ceasefire. It is rare in history that the retreating side opposes a ceasefire. But we have spoken very earnestly with him and I know that he is willing to have a ceasefire.² I have examined the issues and I have concluded that the basic question is that the Pathet Lao are making exorbitant demands which go beyond the analogous provisions of the Vietnam Agreement.

Pham Van Dong: I am not very well aware of these facts. But to my knowledge maybe the ceasefire is linked to political problems. But in this connection they should talk together because these are the affairs of the Laotians. The political problem should be discussed, should be solved, by the Lao because they will have to live together. Every-

² Kissinger stopped in Bangkok and Vientiane, where he met with Souvanna Phouma, before proceeding to Hanoi. He sent Scowcroft a report on his meetings in Hakto 27, February 11. (Ibid., Box 29, HAK Trip Files, February 7–20, 1973, HAKTO 1–117) Scowcroft passed on the text of the message to Nixon in a February 11 memorandum. (Ibid., Memoranda for the President)

one would like a ceasefire. But how the ceasefire will go along with the settlement of the political problems or how is the prospect of the settlement—these are extremely important questions. Therefore the Laos have to discuss these questions together, and on our part we will not interfere with these prospects. Let them discuss to have full discussions, to have careful discussions, and then when the ceasefire happens all the parties will respect the ceasefire and will continue to settle all problems and there will be no violations. It is our attitude.

Dr. Kissinger: Once again, Mr. Prime Minister, we are talking about two separate problems. First, both of us have obligations under the Agreement to use our influence to promote a ceasefire. So to this degree we are obligated to intervene. Secondly, we admit that the political solution is very complex. We are not prescribing a particular political solution. We do not at all reject the proposition that after the ceasefire the two Laotian parties should continue to discuss the final political settlement just as they are doing in Vietnam. But we do reject the proposition that the negotiations can be indefinitely prolonged and still be consistent with the spirit of our Agreement and of our understanding.

Pham Van Dong: We cannot foretell about this because in fact this is the affairs of the Laotians. But please don't interpret that is an attitude on our part to seek an excuse to refuse this. This is our policy. We cannot do anything contrary to the interests of our friends or contrary to their rights. Because if we did that we would not be ourselves.

Dr. Kissinger: But then we would not have had to make an understanding.

Pham Van Dong: The understanding is that we should use our influence and discuss with our allies. To discuss does not mean to interfere. It is not to make pressure on them. It does not mean that we will settle their problems on their behalf.

Dr. Kissinger: We are not asking that you settle in on their behalf, but we believe that considering your relationship and the nature of the forces in Laos that you're entitled to a little weight.

Pham Van Dong: It may be so. It may be that we don't know how to use our influence. But you should understand.

Mr. Kissinger: If you don't know how to use your influence there is no sense making agreements with you about your influence. Besides, that isn't your history.

Pham Van Dong: [Laughs] I think that in this connection we understand our effort and we understand our affairs better than you.

Dr. Kissinger: I am not telling you how to conduct your affairs. I am just saying that we made a certain understanding in Paris, and in fact made certain concessions on the assumption that the period of the ceasefire in Laos would be shortened. If now we are being told that those concessions do not have reciprocity, and that all you are obli-

gated to do is consult with your allies then that affects the nature of the Agreement.

Pham Van Dong: I have answered to your question saying that the statements made by Comrade Le Duc Tho are being put into practice. I just repeat our attitude, our policy. You should not misunderstand my views or any views I express today. Moreover, reality will testify to this.

Le Duc Tho: Let me add a few words. Our Prime Minister has just voiced one principle of our policy, that is respect for the independence and the sovereignty of our allies. We had an understanding with you during the course of our negotiations. This should have been [had to be] agreed to by our allies; so our allies have agreed. And as our Prime Minister has just said, there is no change to that. Now the question is, how to put the ceasefire into practice. Mr. Phouma's side raises the question of ceasefire, and then our ally will discuss with Mr. Phouma's side on the date of the ceasefire. And they also have agreed on a number of principles in regard to the ceasefire, for example, the cessation of all bombings, the date and time of ceasefire. And the two parties will issue the orders for the ceasefire, and after the entry of force of ceasefire the two parties should strictly enforce the ceasefire. And I think that now [if] Mr. Phouma's side will raise this question, our allies will agree with that. This is one question. And I think that your side will do that and then a ceasefire will come into effect.

So we had an understanding with you only on this question. Now regarding the political problems and other problems, this comes under the province of our ally Pathet Lao and comes under their authority. So the understanding I reached with you in Paris is regarding only the ceasefire, and now the way to put the ceasefire into practice should be as I have said. Then the question of withdrawal of foreign troops, this is still another question, and this question was not discussed in Paris.

Mr. Kissinger: That is only required by the Agreement! [Laughter]

Le Duc Tho: Then after the ceasefire the Pathet Lao and the Phouma side will discuss about the state of the hostilities, the state of the foreign troops, how they are, and then they will settle the question, to maintain the ceasefire and to maintain peace. So those are the questions we discussed. The question is now how you and us will put the understanding on the ceasefire into practice. The first step is that we put into practice what we understand. We keep our words as the Prime Minister had told you.

Pham Van Dong: There is nothing for you to worry about.

Dr. Kissinger: Well, I am of nervous disposition, as the Special Adviser knows. [Laughter] And if I may, I would like to discuss each of his three problems: First, the ceasefire in Laos; secondly, the political solution in Laos; and thirdly, the withdrawal of foreign forces. I recognize that these are three different problems. Before the Prime Minister gets

too impatient with me I will comment about point number two, the political solution. We accept your principle about non-intervention with the political solution in Laos, and we agree with you that this should be settled by the Laotian parties. So I need to say no more about that.

Now let me turn to the first point, the ceasefire in Laos. We agree that it should be put into effect immediately and that political discussions can then proceed. But we believe it should have a certain formality. That is to say, there should be a document that defines what the obligations of the two parties are. Along the lines of Chapter II of the Agreement on Ending the War and Restoring Peace in Vietnam. Not the same provisions, but along the same line. And then of course Mr. Thach and Mr. Sullivan can work out a protocol. [Laughter] They have done it once before.

Ambassador Sullivan: 1962.

Dr. Kissinger: Now if this is what the Special Adviser has in mind, I agree with him, and we will recommend to the Lao parties that they should proceed along these lines to work out a solution.

Le Duc Tho: The document will be prepared regarding the ceasefire. There should be provisions regarding the ceasefire to make it clear and explicit.

Dr. Kissinger: We have no objection to this. No political conditions attached.

Pham Van Dong: I think that we have sufficiently discussed the Laos problem. If anything good will happen it will happen.

Dr. Kissinger: But I don't have the revolutionary optimism of the Prime Minister, nor his fast mind. This permits me to discuss it a little longer. I must understand exactly what we have.

Pham Van Dong: It is not concrete enough. [Laughter]

Dr. Kissinger: So could I sum up what we have agreed upon? But I still have a third point about Laos, so we cannot leave it so easily. Ceasefire—my understanding now is that we shall recommend to the Prime Minister that he should propose that the military questions should be settled first and that there should be an agreement on an immediate ceasefire. Afterward the two Laotian parties will conduct negotiations for a political settlement and the two parties settle this among themselves. Is that a correct understanding? Is that correct?

Pham Van Dong: Yes.

Le Duc Tho: I think that here we are settling the question of a ceasefire, and not the "military questions" in general.

Dr. Kissinger: What is the difference? The difference eludes me.

Le Duc Tho: What I meant is that we are dealing here with the question of ceasefire, how it is to be put into practice: it should be in-place; there should be measures to prevent hostilities. As to the other military questions, for instance the withdrawal of foreign troops, that is a separate issue.

Dr. Kissinger: This is a separate issue, to which I will now address myself.

Le Duc Tho: As to the other political problem, after the ceasefire the two Lao parties will continue the discussions.

Dr. Kissinger: I agree.

Le Duc Tho: Then we will proceed as the Adviser said. You will recommend to Prime Minister Souvanna Phouma as you said, then we will have orders to have a ceasefire.

Dr. Kissinger: I just want to make sure I understand, so that we are not going to confuse each other. There are two ways for a ceasefire to come about: one, with orders being given by the two sides; the other, with a written agreement. We want a written agreement. Then there are orders.

Le Duc Tho: So it is a document, or an agreement, written down, and then each party will issue the order.

Dr. Kissinger: All right, this is settled. Let me turn now to the other question, the withdrawal of foreign forces. In the Prime Minister's message of October 20³—drafted by Special Adviser Le Duc Tho—it says: "After the ceasefire in Laos, the foreign countries in Laos will arrange the modalities of implementing Article 15(b) [Article 20(b)] of the Agreement on Ending the War and Restoring Peace in Vietnam." Article 20(b) says all foreign military forces must withdraw. Therefore, we believe that as soon as the ceasefire is arranged, then the withdrawal of foreign forces must be implemented.

Le Duc Tho: In the message sent on that date regarding the foreign forces in Laos, it says that after the ceasefire in Laos all the parties will arrange to settle the question in Laos. What modalities will be arranged, etc., involves all the parties in Laos.

Mr. Kissinger: What do you mean concretely by that?

Le Duc Tho: Concretely it means that this question does not only involve only the foreign forces but all three parties, because this involves the Lao.

Dr. Kissinger: So you are saying that after the ceasefire, if one of the Lao parties disagrees and decides it wants foreign forces to stay, then those foreign forces must stay?

Le Duc Tho: It is not what I mean. The question of the withdrawal of foreign forces has been provided for by the Agreement, but this question should be settled in discussion with the two Lao parties. So the settlement of this question should call for the discussion of the Laos parties. It cannot be settled only by the foreign forces in Laos.

³ The message was delivered on October 19, 1972. See *Foreign Relations, 1969–1976*, volume IX, Vietnam, October 1972–January 1973, Document 30.

Dr. Kissinger: It is a curious theory of international relations. I can understand that you say the internal affairs must be settled by the Lao parties. But surely the foreign forces have the right to withdraw without the concurrence of the Lao parties.

Le Duc Tho: No, this case involves the Lao parties because the activities were carried out on Laotian soil. There should be a meeting for all parties to meet and discuss this question. This will be done with the consultation with our ally. It cannot be that now suddenly all the foreign forces will withdraw.

Dr. Kissinger: Why not? That was our understanding all along.

Le Duc Tho: No. It is a matter of principle that all foreign forces should be withdrawn. When discussions will be held, what forces should be withdrawn . . .

Dr. Kissinger: All forces should be withdrawn.

Le Duc Tho: It is a principle upon which discussions are necessary. It is agreed that it will happen. Then the discussions should be held with the respective allies. There is no reason that the activities have been carried out in Laos and now suddenly the forces will be withdrawn. Now because these forces are at the request of our allies to carry out common responsibilities there. Therefore, there should be discussion with them to discuss modalities of the withdrawal. These are specific questions that should be discussed with our allies. So now we agree on the principle that after the ceasefire in Laos we will exchange views on how to consult with the parties in Laos to implement our Agreement. We will never violate what we have said.

Dr. Kissinger: Yes, but what have you said? If I understand, you said that after the ceasefire you will talk to your allies. We are not interested in your talking to your allies; we are interested in the withdrawal of your forces. You are already talking to your allies.

Le Duc Tho: Here we do not discuss the question of withdrawal. It is a matter of principle. But here we discuss the modalities of withdrawal. We have agreed with you on the principle of the withdrawal but we need to discuss with our allies. In the message sent to you it also says that after the ceasefire the modalities will be applied.

Dr. Kissinger: Yes, but that means the Agreement . . . Unsigned messages cannot undo the basic Agreement. The Agreement requires that they will refrain from using the territory of Laos. Then it says that foreign forces will totally withdraw. It does not say after three years from now. It does not say after discussion with the Pathet Lao, after discussion with Sihanouk. It says they will withdraw. That is the obligation. According to the Agreement.

Pham Van Dong: So this is the obligation. It is clear and explicit. But it does not mean that we have to carry out the obligation as early as today. We must discuss with our allies about the time of withdrawal,

the modalities. Because it involves the other parties. We can't do it today.

Dr. Kissinger: Yes, but what time frame do you have in mind? It is a little late today. How soon after the ceasefire do you envisage.

Le Duc Tho: To my mind, I think that immediately after the ceasefire, then the experts of all the parties concerned, including the Pathet Lao, should meet to discuss the modalities. But here, our Prime Minister, myself and you cannot discuss the modalities.

Dr. Kissinger: No. I am not saying we should settle it here. But we could say within 30 days or 45 days or 60 days. We could give ourselves a time limit.

Le Duc Tho: I think that we should leave this question to our experts. Then immediately after the ceasefire our experts will meet. Then the Lao parties will discuss and we will discuss with our allies and you will discuss with your allies.

Dr. Kissinger: We have already spoken with our ally. Our ally approves of the withdrawal of your forces.

Le Duc Tho: But discussions between the two Lao parties will come to a different settlement on the problems.

Dr. Kissinger: But there are two separate questions: the resolution of the political questions by the Lao parties, and the withdrawal of foreign forces. The resolution of the political questions does not require the presence of foreign forces. To say otherwise would imply that the foreign forces are there to bring pressure on the political discussion.

Le Duc Tho: So I think that the political affairs of Laos come under the internal affairs of Laos. Let them discuss it. As to the withdrawal of foreign forces, we should discuss with our allies and you too. We will decide when they start; they can start after the ceasefire.

Dr. Kissinger: I don't care when they start. I want to know when they will end.

Le Duc Tho: We should say here that after the ceasefire then discussions should start, and then when the discussions are held they will decide how long the discussions will take place.

Dr. Kissinger: But "modalities" means methods of withdrawal. It doesn't mean the time; it doesn't mean anything else.

Le Duc Tho: The modalities of the withdrawal concern the time period for the withdrawal, because each batch will be withdrawn, and the timing of each batch, how long the interval. Even your troops in South Vietnam, a very small number, take time for withdrawal. You have discussed with me the length of time—four months, six months. But definitely we will implement what is written in the Agreement.

Dr. Kissinger: I must say this, even at the risk of not being very popular in Hanoi, which would grieve me deeply: Do you gentlemen

seriously believe you can keep your forces in South Vietnam and Laos and Cambodia and expect us to implement every provision of the Agreement, including Article 8, and start a new era in our relations? Can you really believe this? I assure you that this is not possible. On South Vietnam, I do not need any comments because we have discussed that fully.

Le Duc Tho: No, you see in our discussions we have clearly told you the Vietnam problem we can settle it with you. But the question of Laos and Cambodia cannot be the same. It comes under the competence of Laos and Cambodia. It is up to them to settle their problems.

Dr. Kissinger: But including the withdrawal of your troops.

Le Duc Tho: But we agreed with you on the principle of the ceasefire in Laos and the withdrawal of all foreign forces. Regarding the obligation in Vietnam, all the parties should respect it, and whatever is done regarding Laos and Cambodia including the understanding between us, we will keep it. But what we have settled concretely is only the question of ceasefire in Laos. We have agreed on the settlement of the question of ceasefire in Laos. Our allies have agreed to the question of ceasefire. Now regarding the question of withdrawal, we will respect this obligation. All other foreign troops should respect this obligation. But we say that after the ceasefire becomes effective, then we should discuss this question. Let us now decide a date for the discussions. We should start discussions to implement this. Let us now decide this, in keeping with what we have decided in Paris.

Pham Van Dong: I think that this is what we have discussed about the Laos question up to now.

Dr. Kissinger: It doesn't say anywhere in the Agreement that Chapter VII is only a principle and doesn't have to be implemented until after further discussion. Unless you want us to say with respect to other provisions that they are only principles and we will be glad to discuss them further. Then we have no Agreement anymore. These are not only principles. These are obligations.

Le Duc Tho: So let me add one more sentence, and then I would propose a little break and we resume later. Here we say it is not only a matter of Principle but also it says that the parties will arrange the modalities to implement this; it is said that after the ceasefire in Laos the parties will arrange the modalities in Laos.

Dr. Kissinger: This is what is in your note but it is not in the Agreement.

Le Duc Tho: It complements the Agreement and you said you were satisfied. And it further concretizes the principles.

Pham Van Dong: Let me add the following: What has been written here is very clear.

Dr. Kissinger: But I don't read Vietnamese.

Pham Van Dong: And the spirit of this sentence is also clear. And we definitely carry out whatever commitments we made. This is my statement. All this will need discussion between the parties concerned and the parties will arrange discussion, because these are their affairs. We will respect what we have engaged. There is another problem: In Laos who are the foreign forces? Why is it said here about us? Why not speak about other foreign troops?

Dr. Kissinger: Everybody should withdraw. I agree.

Pham Van Dong: Why do you mention only us? So let them sit together.

Dr. Kissinger: Why not let them withdraw? We can arrange for the withdrawal of all forces associated with our side. We can discuss it with you.

Pham Van Dong: Then the other parties will say the same thing.

Dr. Kissinger: You can do the same for your side. You can withdraw your forces. Who else is there?

Pham Van Dong: We don't know all of them. These are Lao affairs.

Le Duc Tho: Here we say, after the ceasefire the parties will arrange the modalities of the ceasefire. On the question of ceasefire, we settled the question of ceasefire, we with the concurrence of our allies, and you with your allies. Then after the ceasefire we will determine the modalities. But regarding the withdrawal, after the ceasefire we should set a date.

Dr. Kissinger: You are saying that the two Lao parties should discuss the modalities of the withdrawal?

Le Duc Tho: Of course.

Dr. Kissinger: In what time frame?

Pham Van Dong: Let them decide in their time.

Dr. Kissinger: If we two decided among each other on a time period for a ceasefire, then why can't we decide among ourselves on a time period for withdrawal?

Pham Van Dong: Let me propose a little break.

Dr. Kissinger: It is a very serious matter. In America it will affect the public acceptance of the Agreement.

Pham Van Dong: Then we have to stick with what we have agreed. I know this is a very serious question. These questions were discussed in 1962 and were settled. The same in 1954. There isn't anything new in this problem. But there should be a correct solution. Putting this question here is not practical now.

Dr. Kissinger: We have written out our ideas of the modalities. It includes a time period for discussion. Why don't you look at this

during the break? [He hands over US paper, “Modalities of Implementing Article 20(b)”, at Tab A.]⁴

Pham Van Dong: We are not prepared for that. You have prepared for that. Let us have a few minutes for this and discuss it. Do you have any more copies of this? [Dr. Kissinger gives another copy.]

[The meeting recessed from 6:12–6:40 p.m.]

Dr. Kissinger: I have this fixation with Laos. And if I could just sum up. I just want to say a few more words. First, we have agreed that Souvanna Phouma will make a proposal for a separate ceasefire, and you will recommend to your friends that they will agree to this. And we have agreed to formulate this in language that is not offensive to either side. Assuming that we can get to our airplane in the weather, we will get that message to him tonight.

We have had a little difficulty with airplanes from Gia Lam to the other one. Also, we have had a little trouble with the nerves of our couriers who fly in those little planes. But that is a separate problem.

Now, a second issue we have not settled is the time frame envisaged for the withdrawal. The Special Adviser thinks Souvanna Phouma has proposed 60 days and the Pathet Lao has proposed 90 days. We think Souvanna has proposed 30 days. But the question really is, from what we should count these days—whether we should count them from the date of the ceasefire or from the date of the political settlement. We think very strongly that it should be counted from the day of the ceasefire and we would rather add a few extra days. If we make it from the day of the political settlement we will be implying that the foreign troops are there for political pressure—which I know the Special Adviser would never intend to do.

So for reasons which I have explained privately to the Prime Minister, this is a very serious question, and I think we should envisage a time period here which we should recommend to the allies, and I think we should date it from the time of ceasefire, and we should use our influence with our friends so there will be a political settlement within that time frame.

Le Duc Tho: So we have settled the question of ceasefire. We have agreed with each other.

Dr. Kissinger: Right, Mr. Special Adviser. For the tenth time. [Laughter]

Le Duc Tho: Now, regarding the time period for the withdrawal, the two Lao parties are discussing this question and it is proposed that after the agreement on ending the war and restoring peace in Laos, it is within 90 days as the Pathet Lao proposes or 60 days as Souvanna

⁴ Undated, Tab A is attached but not printed.

proposes, or 30 days as you understand. I think that they will agree on this question and it is best they do that. I think we should let them agree on a political settlement. And we should not worry about counting from the ceasefire. We should discuss this with our allies so they can start as early as possible.

Dr. Kissinger: Mr. Sullivan is sure there is an error. Sullivan, you said 60 days from the time the war was ended. I think Mr. Thach wrote the Pathet Lao proposal.

Le Duc Tho: This is the proposal made by our respective Lao allies. We do not intend to make pressure on them. They will agree on the time period.

Dr. Kissinger: All right. But the question is, from what does the time period begin?

Le Duc Tho: The Lao parties propose that the time period should be counted from the date of the settlement.

Dr. Kissinger: All right. Mr. Special Adviser, this is like the Two-Point Elaboration that did not elaborate anything.⁵

Le Duc Tho: The Two-Point Elaboration belongs to the past now.

Dr. Kissinger: I know. But we don't want to have another one.

Le Duc Tho: We are concrete now.

Dr. Kissinger: No, you are not yet sufficiently concrete, Mr. Special Adviser. And the reason is because until now there was no problem because the negotiations in Laos linked together the ceasefire and the political solution. Therefore one did not have to face the question of from what time to start the withdrawal. But now we are separating those two aspects, and therefore, it is not self-evident that one should start counting from the second instead of from the first agreement. In fact, we believe one should start counting from the first agreement. But we can agree that both sides should encourage their friends to reach a political settlement within that time frame.

Le Duc Tho: The two Lao parties have agreed that after the signing of the Agreement on Laos, then the foreign troops will be withdrawn within either 90 days, according to the Pathet Lao, or 60 or 30 days according to Phouma's proposal. And the two parties should come to a political settlement as rapidly as possible. It is according to the aspirations of the Laotian people.

Dr. Kissinger: We are not opposed to political settlement. The question is, we are also in favor of a rapid withdrawal. But the real

⁵ For the DRV's February 1972 elaboration of its negotiating position in Paris, see Henry Kissinger, *Ending the Vietnam War: A History of American Involvement in and Extraction from the Vietnam War*, pp. 264–265; and Luu Van Loi and Nguyen Anh Vu, *Le Duc Tho-Kissinger Negotiations in Paris*, pp. 208–209.

question is from what time do we count the withdrawal. If we said it should be from the time of the ceasefire, certainly a political settlement would be completed long before the completion of the withdrawal.

Le Duc Tho: But there is no assurance of that, because the two parties are now discussing the problem.

Dr. Kissinger: But the Special Adviser cannot have it both ways. He cannot say, "Don't worry about the withdrawal because a political settlement is easy," and then say "There cannot be a withdrawal because there is no assurance of a political settlement." You cannot have both of these statements. And also . . .

Le Duc Tho: What I mean is that the time period for the troop withdrawal should be counted after the settlement by the parties in Laos. It will be certain. But now if it is counted from the ceasefire, there is nothing to say about whether the political settlement will come soon or if it will drag on. Moreover, the two Lao parties have agreed on that, and this is their right.

Dr. Kissinger: I think—I am not sure—we could convince Souvanna Phouma to count the withdrawal from the beginning of the ceasefire. Do you think so, Bill?

Ambassador Sullivan: Yes. I agree.

Dr. Kissinger: Sullivan is convinced.

Le Duc Tho: I think that Mr. Phouma's proposal is correct. We have nothing to persuade him. The Pathet Lao has agreed to that. The only question is 60 days or 90 days.

Dr. Kissinger: I don't think that is quite correct. As I explained to you—the Special Adviser is trying to confuse me—that proposal was made when the political solution and the ceasefire were linked to each other in one package. Now that they are separated we should base it on the understanding, which links it to the ceasefire. And I don't want to think the Special Adviser wants to leave the impression that the North Vietnamese forces are there to make pressure on the affairs of a neighboring country.

Le Duc Tho: It is correct to say so. First of all it is a question of ceasefire. Then the political questions will be continued to be discussed, and Mr. Phouma and the Pathet Lao have agreed that following the political agreement the question of withdrawal will be discussed. It is their proposal, so let them agree to that. Previously the Pathet Lao settled parallelly the political and military questions; now the Pathet Lao recognize that the political questions will continue to be discussed after the ceasefire. Mr. Phouma also agrees that after the ceasefire the political discussions will continue. Now, what we can agree is that both sides should agree with our respective allies that they should come to a political agreement very soon.

Dr. Kissinger: Like when? Like 10 days after the ceasefire? [Laughter]

Le Duc Tho: It is up to the two Lao parties. We should not go into the agreement between the two parties.

Dr. Kissinger: But the Special Adviser has educated me so much to be concrete that I have difficulty understanding phrases like “very soon.”

Le Duc Tho: It is concrete enough, because the two Lao parties have proposals of 60 and 90 days after the ceasefire.

Dr. Kissinger: I have learned that when the Special Adviser argues as if he is missing the point, it is not because he doesn’t understand it, but because he understands it all too well. It is his affection for the Ho Chi Minh Trail which clouds his judgment. [Laughter]

Let me say a few words. Let me sum up our differences and come to a conclusion. The difference between the Special Adviser and me is that the Lao parties have discussed one single agreement which included both a military and political agreement. This agreement foresees that, according to the Pathet Lao, foreign troops should withdraw within 90 days, or according to Souvanna Phouma 60 days according to you, but 30 days according to what Souvanna told me. I don’t dispute the difference in time; this they can settle among themselves. As long as they come between 30 and 90 days. It shouldn’t be more than 90 days. The way the Special Adviser and I settled the American withdrawal.

But then the question is from what time should we count it. There are two or three ways—from the ceasefire or the political agreement. The Special Adviser is afraid if he counts from the time of the ceasefire there may never be a political settlement. I am afraid if we count it from the time of the political settlement that there will never be a withdrawal. I am speaking honestly. So the problem could be settled very easily, and we could agree to count it from the time of the political settlement, if we would not have to fear that then the political negotiations would be endless. So I propose that we count the withdrawal—whatever the two parties agree—from the time of the political settlement, but that the political settlement occur no later than 15 days after the ceasefire.

Le Duc Tho: So you mean to fix a time period for the political settlement?

Dr. Kissinger: Yes.

Le Duc Tho: Now I understand your proposal. I propose that we stop our discussion at this point.

Dr. Kissinger: All right.

Le Duc Tho: Because if now we decide this, our allies will have another proposal. We have to exchange views with our ally.

Dr. Kissinger: All right, that's fair enough. But we will finish the discussion before we leave Hanoi. Not tonight.

Le Duc Tho: But you will be leaving the day after tomorrow.

Dr. Kissinger: Yes. But you are very persuasive.

Le Duc Tho: But we should have time to discuss with them. And they are not here.

Pham Van Dong: Let me add: Frankly speaking, I am unwilling to discuss the problem of Laos so much in detail and so deeply. There is no reason that we debate things here when the two Lao parties are discussing things in Vientiane. And the political process that has been suggested, I am afraid it is not realistic. The political situation is complicated. The situation we have in South Vietnam is clearer; in Laos it is very difficult. The 1962 Agreement has not been implemented in a very good way because of the political problems. If now we decide a deadline for the two Lao parties to achieve a political settlement, and if they don't achieve it, then what will happen? And I therefore think we should suggest it to them and let them discuss.

The question of the ceasefire is definitely settled. The question of withdrawal of troops, in principle it is settled. For the time being, let them discuss. The political question let them discuss. We will welcome it if they can come to an early settlement. But if they delay in settling, the two previous problems are being settled too.

Dr. Kissinger: What two problems?

Pham Van Dong: The question of ceasefire and troop withdrawal.

Dr. Kissinger: They are not being settled if they can't agree?

Pham Van Dong: I think that if the political problem drags on, they will agree on a settlement. Because the logic of the question is that the ceasefire and troop withdrawal are linked. And as to the political problems, they are not necessarily linked.

Dr. Kissinger: I agree with the Prime Minister. I am in complete agreement with you. I think he should discipline the Special Adviser. [Laughter]

Le Duc Tho: The question here should be discussed here by our friends. It is therefore discussed and settled with Phouma in this way.

Dr. Kissinger: But in what way should it be discussed? I agree with the Prime Minister. I agree that the two problems of the ceasefire and withdrawal are linked. I don't think . . .

Le Duc Tho: But the Pathet Lao insist that it come only after the settlement of the ceasefire, and I think that this proposal will encourage the two parties to settle the issue quickly.

Dr. Kissinger: But this is really a way of using outside forces to bring about a political solution.

Le Duc Tho: What I said is that the proposal is based on what is proposed by the two Lao parties.

Pham Van Dong: This is also the first time I listen to the view that the foreign troops are used to settle the political settlement. So as I proposed, we should stop the discussion of this question here, so we may exchange views with our allies.

Dr. Kissinger: Fine, but in what sense, Mr. Prime Minister?

Le Duc Tho: The difference is our allies. There are many solutions possible. We can make one suggestion or another to our allies.

Dr. Kissinger: But if we make one suggestion to our allies and you make another to your allies, they will never agree.

Le Duc Tho: The direction should be clear and should be decided by our allies.

Dr. Kissinger: It depends. I agree that the objective should be made clear.

Le Duc Tho: So we further discuss this question tomorrow.

Dr. Kissinger: Cambodia, anybody? I am used to 17-hour sessions.

Pham Van Dong: Shall we adjourn now. It is 7:30.

Dr. Kissinger: I am afraid we will still be here two weeks from now. Cambodia tomorrow, then economic. But at some point we must discuss the communiqué.⁶

Pham Van Dong: I propose that Mr. Thach and Mr. Sullivan discuss the communiqué first.⁷

Dr. Kissinger: All right. They can meet this evening.

Nyugen Co Thach: It is all ready.

Dr. Kissinger: It is all drafted. Can you pick it up in an hour? I want to review it once more. We will give it to the protocol officer at the Guest House. We had planned to leave Tuesday⁸ noon, but we could leave later in the afternoon. We have that much margin.

Pham Van Dong: We would like to do our job in a more expeditious way, so that you can keep your departure time. For example, the question of Laos can be left to the Lao. And more reason for the Cambodia problem.

Dr. Kissinger: It is the only foreign troops that concern us. If we can leave it to them, that's fine.

⁶ For text of the joint communiqué, issued on February 14, see Department of State *Bulletin*, March 5, 1973, pp. 262–263.

⁷ Kissinger and Sullivan met with Thach to discuss the communiqué at the DRV Government Guest House on February 12, 11:15–11:45 p.m. A memorandum of that conversation is in the National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 113, Country Files, Far East, Vietnam Negotiations, Other Hanoi Memcons, Sullivan.

⁸ February 13.

Ambassador Sullivan: Do you have a copy of the communiqué?

Nyugen Co Thach: Yes.

Dr. Kissinger: We will give the communiqué to the protocol officer. What time do we meet in the morning?

Pham Van Dong: At 9:00.

Dr. Kissinger: Okay

Pham Van Dong: There are two questions left now: Cambodia and the economic.

Dr. Kissinger: And normalization of relations.

Pham Van Dong: So, three questions.

Dr. Kissinger: We have the paper on normalization. Maybe you could read it. Just to speed up the discussion. [Hands over US paper, "Normalization of US-DRV Relations", Tab B.]⁹

Le Duc Tho: You have a paper on healing the war wounds?

Dr. Kissinger: Yes. But first I want to discuss it.

[The meeting adjourned.]

⁹ Undated, Tab B is attached but not printed.

14. Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Laos (Godley)¹

Hanoi, February 11, 1973, 1453Z.

WH30414/Hakto 32. 1. We had lengthy discussion afternoon February 11 with Pham Van Dong and Le Duc Tho on question of Laos. The talks covered three general areas:

- A. Cease fire
- B. Political settlement
- C. Withdrawal foreign forces

2. On cease fire, DRV agreed to separate cease fire from political settlement, if Souvanna formally proposes such separation. DRV also

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 29, HAK Trip Files, February 7–20, 1973, HAKTO 1–117. Secret; Sensitive; Flash. Sent through Scowcroft in the White House for transmittal to Godley.

agreed that document to be signed between RLG and Pathet Lao should contain no rpt no statements offensive to any party at interest to the agreement. This means A, that cease fire must be formally instituted, rather than merely de facto, and B, that all reference “U.S. aggression” or even singling out U.S. in termination of aerial bombardment must be eliminated. We and DRV agreed to send messages to our respective allies which would stipulate that agreement will speak merely of “cessation of all aerial bombardment” rather than identifying it by nationality.

3. On political settlement, we and DRV agreed that it should be left entirely to Lao parties to work out, but that we should each encourage our allies to settle expeditiously.

4. On withdrawal of foreign forces, we have not rpt not yet reached agreement on modalities. We proposed that time frame for withdrawals should be linked to cease fire. Le Duc Tho proposed that it should be linked to a political settlement. We suggested 30 days as appropriate maximum delay. Le Duc Tho said that Pathet Lao preferred 90 days. It is clear from Le Duc Tho’s attitude that he wishes to use presence of DRV forces as lever against political process. At this point in discussion, DRV caucused with each other and decided to reconsider their position. We will resume discussions February 12.

5. You should urgently see Souvanna and advise him:

A. DRV agrees that cease fire should be separated from political settlement. If Souvanna formally proposes this, Pathet Lao will accept.

B. Cease fire should be a formal document and not rpt not de facto.

C. Document should contain no rpt no offensive language and cite language in para 2.

D. Political settlement should be worked out as rapidly as possible.

E. We will have further advice with respect to timing of foreign troop withdrawals after February 12 meetings and will cable soonest.

6. Please report soonest results your conversation with Souvanna.²

7. Warm regards.

² Godley confirmed delivery of the message to Souvanna in backchannel message 696 to Kissinger, February 13. (National Archives, Nixon Presidential Materials, NSC Files, Box 411, Backchannel Messages, Southeast Asia, 1973)

15. Memorandum of Conversation¹

Hanoi, February 12, 1973, 9:05–10:40 a.m.

PARTICIPANTS

Le Duc Tho, Special Adviser to DRV Delegation to the Paris Conference on Vietnam
Vice Foreign Minister Thach
Nguyen Dinh Phuong, Interpreter
Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs
Winston Lord, NSC Staff
David Engel, NSC Staff

Le Duc Tho: Mr. Special Adviser, today I would like to raise with you some questions. Before you came, it was decided that we would first discuss the implementation of the Agreement; secondly the questions of healing the war wounds and normalization of relations between the two countries;² and then the question of the International Conference. Yesterday you raised the question of Laos and Cambodia. So this is a new item you added to the agenda. But we are prepared to discuss these problems. But these problems include some complicated questions. I therefore think that when you discuss with our Prime Minister you should confine the topics to your aforesaid questions, first the implementation of the Agreement, secondly the healing of the war wounds, and thirdly, normalization of our relations. As to the question of the International Conference, we will leave that to Mr. Thach and to Ambassador Sullivan to discuss this first.

As to the question of Laos and Cambodia, when we were in Paris we discussed the understanding and came to an agreement in Paris. Therefore, this question should be discussed between you and I. Yesterday we solved one question already, that is to say the question of the ceasefire. So we have now agreed on what we had agreed on previously. I discussed this with you and came to an understanding with you and whatever understanding we reached at the time we will carry out. So I discuss with you as I previously had discussed. Naturally, re-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 113, Country Files, Far East, Vietnam Negotiations, Hanoi Memcons, February 10–13, 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held in a private room at the DRV Government Guest House. Brackets are in the original.

² Kissinger and Pham Van Dong discussed North Vietnamese economic reconstruction at the DRV President's House on February 12, 11:01 a.m.–1:03 p.m. A memorandum of that conversation is *ibid.* The record of the discussion on the normalization of U.S.-DRV relations, February 12, 5:05–6:20 p.m., is also *ibid.*

garding the questions of Laos and Cambodia, when you raise them we are prepared to discuss them. But these questions we should also discuss with our allies and have their agreement. And we cannot coerce them or decide before their agreement. This is their right to do that. This is what I have been telling you all the time.

Now, regarding the question of Laos. Yesterday we expressed our views to you. Now today do you have anything to say about the question of Laos? Finally you propose that we should set a date for the settlement of political problems. You set a deadline for this.

Dr. Kissinger: Yes.

Le Duc Tho: In other words, to settle the conclusion of the overall agreement and counting from that date you settle the question of troop withdrawals. As to the time period of troop withdrawal we will leave that to the two Laotian parties to discuss.

Dr. Kissinger: I agree.

Le Duc Tho: So my intention is that now and you and I exchange views on that question, and afterward I will discuss it with our allies. We should obtain the agreement of our allies because previously we discussed with our allies about the question of ceasefire and actually we discussed with them only that question. The question you raised yesterday we had not had an opportunity to discuss with our allies. So I propose that now we exchange views on that question so we can discuss and consult with our allies.

Secondly, regarding the question of Cambodia we have been talking about this question lengthily already.

Dr. Kissinger: But with no precision. (laughter)

Le Duc Tho: You always want something concrete.

Dr. Kissinger: I learned that from the Special Adviser.

Le Duc Tho: For me some things are worthy to be learned but some things are not worthy to be learned.

Dr. Kissinger: I now know the Special Adviser can be very concrete when he wants to be.

Le Duc Tho: I have talked to you lengthily about questions on Cambodia, but I have not known your views regarding this question.

Dr. Kissinger: Should we finish Laos first and then we can discuss Cambodia? First, it is up to the DRV government and Politburo to decide whom I should talk to about what subject.

Le Duc Tho: With me.

Dr. Kissinger: Of course, it is always a personal pressure for me to speak to you, Mr. Special Adviser. (laughter)

Le Duc Tho: The intention of Premier Pham Van Dong concerning his discussion with you is on the aforesaid matters.

Dr. Kissinger: This is fine. I was just responding to your question. You said at first that I should discuss Laos with the Prime Minister.

Now what is the problem? We have two possibilities with Laos. We can either count the time of withdrawal from the time of ceasefire, which is really what the understanding requires. In that case the Laos parties can talk without any advice from us. Or we can recommend to the two Laos parties that they settle within the time period we recommend, say within 10 days, and that they settle withdrawal between them, but this should be somewhere between the proposal of Souvanna Phouma, which I think is 30 days, and the proposal of the Pathet Lao, which is 90 days. But we don't take a position exactly where this should be. These are the two possibilities as I see them.

Le Duc Tho: Yes. You handed to us a paper on which there were modalities for troop withdrawals.³ It is very complicated. Therefore, I suggest we leave it aside and leave it to the Laos parties to discuss. Previously we exchanged our views on the questions of the ceasefire and on the questions of the troop withdrawals . . . (Thach interrupts) So from the ceasefire to the settlement of the agreement we will recommend to our allies [a time period]. As to the other questions, we leave this to the discretion of the other parties.

Dr. Kissinger: What will you recommend, Mr. Special Adviser?

Le Duc Tho: There are two questions. We will exchange views between you and I and recommend to the Laos parties, since the question of the ceasefire we have settled.

Dr. Kissinger: We have settled, but your friends have not gotten the word because yesterday they refused to separate the ceasefire.

Le Duc Tho: They have not known yet probably because it was yesterday morning, and they probably knew yesterday night.

Dr. Kissinger: I am sure you carry out your promises. I have confidence in the Special Adviser.

Le Duc Tho: I will keep whatever I promise to you.

Dr. Kissinger: You make them in a way that no one can understand. (Laughter)

Le Duc Tho: But you promised me about the question of healing the war wounds.

Dr. Kissinger: The Prime Minister said there was no linkage, and that it is a separate problem. (Laughter)

Le Duc Tho: It is what Pham Van Dong told you. You and I know differently, because we talked about the question in Paris already. I remind you that I keep my promises—15 days.

³ See footnote 4, Document 13.

Dr. Kissinger: (looking at his watch) Not yet. I'll make . . . Let's talk about Laos and Cambodia. Then I want to make a realistic comment to you about healing the war wounds because if you do not trust me on healing the war wounds, it will turn into a disaster. You must let us do it in our own way, and when you come to America, you will see that we did it in your interest.

Le Duc Tho: Let me pass over it very briefly. Our interest is to have a lasting peace and a long-term relationship with the U.S. In settling the Vietnam problem we wanted to follow this direction, and now we agree with you on some questions of the Laos problem, it was also in the same direction. If now we have shown good will, a great deal of good will to you, you should do the same for us . . .

Dr. Kissinger: We will.

Le Duc Tho: . . . to maintain good long-term relations.

Dr. Kissinger: That will be our intent and policy.

Le Duc Tho: And when we respond to your requirements and keep our commitments you should do the same, too, because only in this way can a good and long-term relationship be maintained.

Dr. Kissinger: I agree.

Le Duc Tho: Let me speak about the Laos question. I think it is very realistic to adopt the second direction. I should say that today we exchange views with you and then have discussions with our allies because this question has just been raised by you yesterday. I thought that when you came it would only be a question of ceasefire. When you gave us a list before the visit here, it was only the question of ceasefire, so we have not yet had an opportunity to exchange views with our allies.

Dr. Kissinger: Can I tell the Special Adviser something? I asked my new secretary what she thought of the Special Adviser. She said he looked very sincere and very defenseless. "You should be gentle with him." I said he may be sincere, but he is not defenseless.

Le Duc Tho: So I think we should now come to an understanding about the deadline for settling the overall agreement.

Dr. Kissinger: I agree.

Le Duc Tho: Then we will consult our allies about that and let them decide the time period for troop withdrawal.

Dr. Kissinger: But it can't be longer than the Pathet Lao's proposal.

Le Duc Tho: We will let them decide.

Dr. Kissinger: It can't be longer. They can't change their minds.

Le Duc Tho: On this basis they will decide. So now regarding the deadline for the settlement of political problems, yesterday you proposed 15 days. Today you raise 10 days. I think it is impossible to achieve it this rapidly.

Dr. Kissinger: We did it in four days.

Le Duc Tho: After taking so long a period we came to a result. But after we came to an agreement we needed three months more.

Dr. Kissinger: That was because your government kept overruling you.

Le Duc Tho: For instance, on the question of the formation of the government in Laos, it is very difficult to come to an agreement. Therefore we should persuade our allies as soon as possible. At least it should take 45 days.

Dr. Kissinger: And only then the withdrawals start?

Le Duc Tho: Yes.

Dr. Kissinger: That is impossible. That is unreasonable. The Agreement says that troops should be withdrawn after the ceasefire and the understanding says that after the ceasefire they discuss modalities. It doesn't say political agreement.

Le Duc Tho: Even the discussion of modalities will take some time. I agree that if they can come to an agreement on political problems, I agree that they do that, but I am afraid they will not be able to do that. Even in 1962 it took over one year before they started discussing the settlement of the problem and when they started to settle the problem it took over one month to come to an agreement. Sometimes regarding the timeframe you and I both wanted to have a quick settlement but we couldn't meet the schedule. You proposed many schedules but on many occasions the schedule couldn't be met. When now we set the time frame we should endeavor to keep the time frame.

Dr. Kissinger: But in the Agreement it says nothing about the withdrawal of troops being dependent on a political settlement in Laos. Article 20 (b) says they shall withdraw foreign troops which, in most agreements, means after the signature. Now we said there would be a ceasefire and the understanding says there will be withdrawals after the ceasefire. Now you are delaying withdrawals until after a political settlement. This makes it very hard to convince us of your sincerity since on the whole Agreement with our people we have said there would be withdrawals of forces from Laos and Cambodia. We didn't sign the Agreement in order to keep foreign forces in Laos and Cambodia. We have always made this clear. It is a new theory of international relations to say that it is interfering in the domestic affairs of other countries to withdraw your troops. Up to now it has always been the opposite.

Le Duc Tho: But the Agreement just raised the principle of withdrawal.

Dr. Kissinger: It doesn't say that. What if I say that it just raises the principle of American troop withdrawals. (Tho and Thach confer.) We understand some delay.

Le Duc Tho: You will carry out the Agreement. You raise questions about the Agreement and I have some views, but let us discuss. We are at the point that we agree that there should be a settlement of the problem. You propose 15 days and we propose 45 days. Let us agree on that point and leave the discussion of details to the Lao parties.

Dr. Kissinger: But I can't agree to 45 days.

Le Duc Tho: But the experience we have had shows that we can't discuss political problems in 15 days. If now they can settle the problem in 15 days, we agree.

Dr. Kissinger: Our experience with you is that you settle everything on the last day. You are releasing prisoners on the 15th day. The ceasefire, if it happens, will be on the 15th day and on the ceasefire you told me that it might be earlier. You are not in the habit of paying in advance.

Le Duc Tho: So I think if it is not 45 days, it at least should be 30 days. Roughly 30 days—maybe sometime earlier or sometime later. If they do that in 10 days, I agree. So you see when we set a time limit we direct an effort to meet the time limit.

Dr. Kissinger: I think if we send Thach to Sam Neua, he would be so bored that he would settle in 15 days.

Mr. Thach: Five days.

Dr. Kissinger: He will make a big effort.

Le Duc Tho: At the most one month. The sooner the better.

Dr. Kissinger: It won't be sooner. 20 days is reasonable. That is 3 weeks. You can't spare Mr. Thach that long as you need him for other things.

Le Duc Tho: You see 15 days more for a ceasefire for a war is meaningless. The reason I propose this is to leave our allies some margin for maneuver.

Dr. Kissinger: They are maneuvering too much already. (Not translated.)

Le Duc Tho: To arrange things. They should endeavor to do this earlier.

Dr. Kissinger: Let me understand the exact proposal. The ceasefire will be within the next days. That is agreed to.

Le Duc Tho: Yes.

Dr. Kissinger: Then you propose within 30 days there would be a political settlement.

Le Duc Tho: An overall agreement.

Dr. Kissinger: As part of the overall agreement. Foreign troops will be withdrawn in the time period between the 30 days proposed by Souvanna and the 90 days proposed by the Pathet Lao. But where shall it be negotiated?

Le Duc Tho: We have no objection to the decision of the Lao parties. They will discuss within the framework of the proposals the Lao parties have made.

Dr. Kissinger: But it won't be a new one.

Le Duc Tho: I agree. You are very tough.

Dr. Kissinger: You are so defenseless.

Le Duc Tho: My defense is known to you.

Dr. Kissinger: You have subverted my secretary. I am glad I didn't know the Special Adviser in his younger days. My secretaries would have deserted.

Le Duc Tho: So we have settled the Laos question.

Dr. Kissinger: Let me talk one minute with Ambassador Sullivan, who is the expert on Laos. (He starts to leave and Tho continues the conversation.)

Le Duc Tho: We have exchanged views. Now I have to consult my Prime Minister. You consult your ally, too.

Dr. Kissinger: Provisionally we will keep it at this, and I will tell you definitely this afternoon.

We also must talk about Cambodia. I want to talk very seriously and to get concrete. I know you are very suspicious concerning the healing of the war wounds, and we will make a very big effort with our Congress. I will explain the problems when I talk to the Prime Minister, and we have some concrete ideas. But the political reality is that if we cannot point to some concrete performance in implementation of the Agreement, in Laos and Cambodia especially, it will be impossible. It doesn't make any difference what we recommend. I have already appeared before Congress as you probably know. I appeared before the Senate and the House and recommended the program. I have never done this for any country. It is a very unusual event. So you can be sure that we will make a very big effort, but there are real constraints.

On Cambodia something must happen. We believe Lon Nol is ready to talk to you and we would encourage this. And we would encourage negotiations between the parties in Cambodia. But now military actions have started again, and we also have no indication when there is planning for troops to be withdrawn.

Le Duc Tho: Let me talk about this. The Cambodian problem contains many difficulties, as you know. How can we directly talk to Lon Nol?

Dr. Kissinger: You can talk indirectly to him.

Le Duc Tho: Even indirectly. There is the sovereignty of the National Union Government. It is up to them to decide when to talk and not to talk. We ourselves cannot talk. This way of doing things is impossible. It is impossible to do it this way. It is a very difficult prob-

lem. When we met in Paris I pointed out the difficulties to you and you acknowledged them. If it is as easy as the Laos problem, we can exchange views between you and I, and we can settle the problem. Even talking to Prince Sihanouk is not easy.

Dr. Kissinger: We had him for a few years and now you do. You can have him for a few years, and then he will come back to us. I agree with you. It is not easy to talk to him. There is no natural law that says the Communist side must conduct its affairs through a royal prince (laughter). I never read that in Lenin.

Le Duc Tho: Lenin is very flexible. It is a principled theory, but flexible. Personally with Prince Sihanouk there is no difficulty for us to talk to him. But there are many factors which make it difficult, not easy.

Dr. Kissinger: Like what?

Le Duc Tho: You understand already.

Dr. Kissinger: Sihanouk said publicly here that you told him that I would talk to the Chinese. (Le Duc Tho indicates puzzlement, and Dr. Kissinger repeats.)

Le Duc Tho: I did not say that.

Dr. Kissinger: He said it.

Le Duc Tho: He is very exuberant in talking. Sometimes he heard from other sources about that. You see it is a difficult problem. When I raised difficulties, you said that you would talk to the Chinese.

Dr. Kissinger: I will talk to the Chinese, but I don't know what to say since I don't know your intention.

Le Duc Tho: Our intention is that sovereignty lies with the Government of National Union.

Dr. Kissinger: And therefore you say there won't be peace until Lon Nol is overthrown.

Le Duc Tho: You asked this question of me in Paris.

Dr. Kissinger: That is what you are saying. You are saying that there will be a continuing civil war which you will assist. So how are you actively contributing to peace?

Le Duc Tho: Let me tell you about this. In my vision of the general situation, once the Vietnam problem and the Lao problem are solved, so the objective conditions will lead to settlement of a Cambodian problem.

Dr. Kissinger: In thirty-five days.

Le Duc Tho: It depends on you.

Dr. Kissinger: How?

Le Duc Tho: You asked me whether the other day you should talk to Prince Sihanouk. I said you should. The settlement of the Cambodian

problem will involve the return of Sihanouk because between Sihanouk and Lon Nol there is a question of death and life.

Dr. Kissinger: So you are saying we have to kill Lon Nol, or he can kill himself?

Le Duc Tho: You asked me a question, and I am frankly speaking. I told you my personal views. I am just raising the real situation, the actual situation. For the solution of the Cambodian problem will depend on you and Sihanouk.

Dr. Kissinger: But how?

Le Duc Tho: As far as we are concerned, when it is settled what we told you we will carry out.

Dr. Kissinger: And until then you will keep your troops there?

Le Duc Tho: It is just like the Laos question. How do we do that if the settlement is not yet done?

Dr. Kissinger: There is nothing in the Agreement which says that foreign troops stay in Cambodia until there is a political settlement. It would have been easy enough to say, and we would never have accepted it. It would have been easy to say that there are two problems in Cambodia. One is the settlement between the Cambodian parties. I can understand you can't bring that about. The other is the withdrawal of foreign troops. That is a separate problem.

Le Duc Tho: Your concern is too mechanical. So you see the settlement of the Cambodian problem will call for some negotiations. As far as I understand it, Prince Sihanouk is ready to meet you. Are you willing to meet him? How can one settle the issues?

Dr. Kissinger: But that's a separate issue. Are you saying you are entitled to put your troops in any country you want to until they settle their internal affairs?

Le Duc Tho: No. You see it is incorrect to say as you just said it, because you have your forces there and bombing.

Dr. Kissinger: We will stop immediately. First, it is not true. We didn't bomb for twelve days. We will stop bombing when there is a ceasefire. If your allies stop bombing we will stop bombing immediately. Secondly, you are obligated by Article 20 b to withdraw your forces from Cambodia. Nothing in Article 20 b says that this takes place after a political settlement. And if your forces stay, you will violate the Agreement, and we will treat it as a violation of the Agreement.

Le Duc Tho: We do not violate the Agreement. All these questions relate to our ally in Cambodia. It is not so easy as with the Laotian allies. And even with the Laotian allies we have had discussions.

Dr. Kissinger: They are two separate problems.

Le Duc Tho: It is the same.

Dr. Kissinger: The presence of your forces depends on your decision. Your forces are not prisoners there.

Le Duc Tho: But it is related to the settlement of our ally. We have commitment to our ally, and our ally has not begun negotiating now. Even when we were in negotiations I pointed out to you the difficulties.

Dr. Kissinger: You said it was difficult to put into writing. You said you could do more than you could write. Now you are doing nothing. What you are doing is you are demanding the overthrow of Lon Nol.

Le Duc Tho: I have no right to demand that. The Royal Government of National Union . . . In Paris you asked me privately. I told you privately my personal thinking that it would be very difficult if one did not talk to Prince Sihanouk or if Prince Sihanouk did not return to Cambodia. I have no power or right to overthrow Lon Nol.

Dr. Kissinger: But you have the power to withdraw your forces; not only the power, but the obligation.

Le Duc Tho: You are not realistic. After a settlement we will carry out our obligations.

Dr. Kissinger: Nothing in the agreement says after the settlement. It would have been easy to put in that it takes place after the settlement.

Le Duc Tho: But there is nothing in the Agreement that says when. It is only a principle. We have also discussed with our allies, and I told you privately already, but when we met Sihanouk or when we met our Cambodian friends, we told them that you should enter into negotiations. But it's their right to decide. And moreover when we finished the Agreement and sent a message to you, and President Nixon said he was satisfied . . .

Dr. Kissinger: That was totally different. We talked about the ceasefire. There was nothing about the withdrawal of troops which we thought was taken care of by the Agreement. There are two problems—the problem of ceasefire and the problem of withdrawal of forces. You said about the ceasefire that you would actively contribute, but the withdrawal of foreign forces was not discussed.

Le Duc Tho: I disagree with you. We negotiated a couple of months in Paris about that. You said that we are obligated to settle the problem of Cambodia but . . .

Dr. Kissinger: That is a different question. We are willing to leave a settlement open, but we are not willing to leave foreign forces open. I must tell you that this is a severe difficulty for us. We will not accept this.

Le Duc Tho: We did not settle this problem with you, and when we finished the Agreement we said in a message about the question of Cambodia, when asked by President Nixon, that this is a very complicated question.

Dr. Kissinger: The President was speaking about the ceasefire.

Le Duc Tho: Not just the question of ceasefire.

Dr. Kissinger: There was nothing about the withdrawal of forces from Cambodia, which is settled in the Agreement.

Le Duc Tho: The Agreement had the principle of no foreign troops or war matériels being introduced into the country. But this should be done after the settlement. We can't come to a solution to this problem if we talk here, because it is a complicated question.

Dr. Kissinger: You can come to a solution concerning the withdrawal of foreign forces. You can't come to a solution of the internal Cambodian problems.

Le Duc Tho: I have been telling you, explaining to you, lengthily on this question. We have a commitment to our ally. We cannot leave our ally defenseless.

Dr. Kissinger: Why shouldn't your ally defend itself? And should there be a ceasefire, then your ally is not defenseless.

Le Duc Tho: It is up to the Cambodian people and our ally.

Dr. Kissinger: You said that you would make an active effort to bring about peace in Cambodia. This did not concern forces. That is a separate matter. Now you tell us that Sihanouk will not talk to his opposition. So there cannot be peace. So you are telling us your forces will stay indefinitely.

Le Duc Tho: I think here you should find out a solution with the Cambodians because you are fighting them and you should find out. So in a word we cannot solve this problem. When I talked to you I said that you should talk to the Chinese.

Dr. Kissinger: But all the supplies come from here.

Le Duc Tho: I told you after the ceasefire in Vietnam and Laos we would never do that.

Dr. Kissinger: What?

Le Duc Tho: We would never introduce troops and war matériels, and when there is a settlement we will withdraw.

Dr. Kissinger: But until there is a ceasefire in Cambodia you will introduce war matériels?

Le Duc Tho: You just decided to continue to give military aid to the Cambodian Government the other day.

Dr. Kissinger: How about the provision that you can't use base areas in Cambodia?

Le Duc Tho: We will respect that.

Dr. Kissinger: After the ceasefire in Cambodia?

Le Duc Tho: After the settlement we will implement this provision.

Dr. Kissinger: But not now.

Le Duc Tho: There is no settlement yet in Cambodia.

Dr. Kissinger: In the absence of a settlement in Cambodia you will use base areas in Cambodia.

Le Duc Tho: We have no bases in Cambodia.

Dr. Kissinger: What does Article 7 mean?

Le Duc Tho: It is definite that we will not violate Article 7. It is under the control of the ICC and the Joint Military Commission. We will not introduce anything.

Dr. Kissinger: The Agreement also says that you cannot use base areas in Cambodia and Laos against each other. It doesn't say after the settlement. It says now.

Le Duc Tho: We will not use Laos and Cambodia now to introduce armaments and troops into Vietnam. Moreover there is the control mechanism.

Dr. Kissinger: Mr. Special Adviser you engaged in clandestine acts in South Vietnam. Let's not fool each other. You know 1,000 ICCS people will not be able to control that border.

Le Duc Tho: If you say so what reason do you and I have to discuss and set up the ICCS? Moreover our general policy is not to do that.

Dr. Kissinger: I must say I am very upset about what you say about Cambodia. I can tell you now that it is totally unacceptable to us. This is a very serious affair for our relations. This is a fact.

Le Duc Tho: I cannot accept your point of view as you just said. As to the relationship of our two countries, it completely depends on you. As far as we are concerned, we do want good relations with you starting at this point. If you don't want that . . .

Dr. Kissinger: We want a good relationship. We want strict implementation of the Agreement. Why did we write withdrawal of foreign troops into the Agreement if it has to be negotiated again as part of another settlement? That is absurd. We would not have agreed to something that has to be agreed later as part of another settlement.

Le Duc Tho: You are right there is such an agreement. But how and the kinds of modalities—these need discussion.

Dr. Kissinger: If it is necessary to take this attitude about every article in the agreement then it would never be implemented.

Le Duc Tho: You say so to have a pretext not to implement it.

Dr. Kissinger: I am not saying that.

Le Duc Tho: Your approach to the problem is not right. You pose that the Vietnam problem, the Laos problem, the Cambodian problem as a complete whole, as a simultaneous problem.

Dr. Kissinger: No. I agreed to separate them. You can't say we have to settle with Sihanouk as the only possibility when we recognize Lon

Nol. That's impossible. You know that's impossible. What is your active participation?

Le Duc Tho: If you refuse to talk to Sihanouk, that is your decision.

Dr. Kissinger: Why should we talk to him? Why doesn't he talk to the other parties in Cambodia?

Le Duc Tho: Our active contribution was when we talked to our friends, that he should talk to you.

Dr. Kissinger: That's not new. It has been said before. That's no active contribution. That's not new. You have always said this. Every time I was in China he offered to see me.

Le Duc Tho: But you are unwilling to meet him.

Dr. Kissinger: What active contributions are you offering? We can get without you the ability to talk to him. Besides it is an internal Cambodian problem. Why should we negotiate it?

Le Duc Tho: Because you overthrew him.

Dr. Kissinger: Let Sihanouk talk to his opponents.

Le Duc Tho: It's up to them. We can't force them to talk. You say as if we can do everything.

Dr. Kissinger: But you can do a lot more.

Le Duc Tho: How do we settle the problem? With our allies to settle the problem in Laos we accomplished this. Regarding Cambodia we advised Sihanouk he should settle and enter into negotiations to settle the problem.

Dr. Kissinger: He has offered to talk to me. Do you think that is a great concession?

Le Duc Tho: I don't understand. Because each person has his own way. Like in 1966 you wanted to settle that with me.

Dr. Kissinger: In 1966?

Le Duc Tho: 1966–67. You found a way.

Dr. Kissinger: I didn't even know you existed, Mr. Special Adviser.

Le Duc Tho: You can't coerce me to do that.

Dr. Kissinger: I am not trying to coerce you. I have too much experience. I am not coercing you. You told me after the Vietnam settlement that the Cambodian war would end very rapidly. You said that your troops would withdraw from Cambodia. That was not dependent upon our settlement. These are two separate problems. I showed understanding of your difficulties on the ceasefire, but I never made allowances for the withdrawal of troops. This will be considered a total act of bad faith by everybody in America. Not just by me. This is a fact.

Le Duc Tho: Let me say one sentence and then go. We've held matters up for too long.

Dr. Kissinger: You always speak on your side.

Le Duc Tho: In Paris I told you on many occasions that you didn't put yourself in our place. You don't look at our side. We also have our difficulties. The war in Vietnam is ended. The war in Laos is ended. There is no reason for us to continue the war in Cambodia, speaking for ourselves.

Dr. Kissinger: Why don't you end it?

Le Duc Tho: You speak in a very simple way. It is not so simple. We can't decide it alone. In Paris you realized it was a complex problem.

Dr. Kissinger: On the ceasefire, not withdrawals.

Le Duc Tho: There always should be a ceasefire between the parties and then troop withdrawal. It cannot be with a war going that you tell us that we should withdraw. You should see that the Vietnam problem was settled. Regarding the Laos problem we should get a way to find a settlement. Why is the Cambodian problem not settled? Because it is a very complicated problem. There are many complexities, and you talk in a very simple way. Prince Sihanouk came here to talk, so he left on the 7th. So there is difficulty. You don't understand the problem. You are too simple.

Dr. Kissinger: I understand. Maybe I am too simple, but I know what is possible and impossible. And I know that it is impossible to convince Americans that clear obligations in an agreement can be abrogated without any proposed evolution. If there is a proposal, that is one thing. In Laos we can show understanding.

Le Duc Tho: The Cambodian problem is difficult. The problem of Cambodia is difficult in the sense that there is not yet negotiations for the time being. You are unwilling to talk and we can't push it.

Dr. Kissinger: They can negotiate with each other. We have pushed our friends. They are willing to talk to you and others, and they don't like to talk either. Why should we be the principal party in the negotiations in Cambodia? It is absurd.

Le Duc Tho: Mr. Lon Nol can't talk to us. He must talk to his opponents. Like in Laos, Souvanna Phouma talked to his opponents.

Dr. Kissinger: OK. For the same reason I don't want to talk to Sihanouk. Let him talk to his opponents.

Le Duc Tho: We encouraged Mr. Sihanouk to enter into negotiations, but he is not so easy. We can't tell him positively you do this, and you do that. We say if possible you should enter into negotiations. It is not so simple a problem as you think. If it were like Laos . . .

Dr. Kissinger: Our judgment frankly is that Sihanouk has no following in Cambodia. The Khmer Rouge has some following and Penn Nouth may have some following, but Sihanouk has no following.

Le Duc Tho: That is a wrong assessment.

Dr. Kissinger: But that is up to them. I see no reason why the U.S. should conduct negotiations with Sihanouk about the internal arrangements of Cambodia.

Le Duc Tho: It is up to you.

Dr. Kissinger: You are giving us impossible conditions. We favor internal negotiations in Cambodia.

Le Duc Tho: We do not demand that you should talk to Sihanouk. But in Paris you asked me, and I explained my personal views, but it completely depends upon you.

Dr. Kissinger: You say then that the Civil War continues, and the troops will stay, and war matériel will go into Cambodia. All in total violation of the agreement. That is unacceptable to us.

Le Duc Tho: Your logic does not conform to the logic of reality. We wonder whether you want negotiations or not. If you do there are many channels. You can find out many ways, solutions and calculations, and put them into practice.

Dr. Kissinger: So can you, and you have taken obligations.

Le Duc Tho: We will carry out our obligations. You will carry out your obligations. At the beginning there were so many difficulties between you and I.

Dr. Kissinger: But we have just found a massive one. We cannot stand prosperity.

Le Duc Tho: Let us adjourn now.

Dr. Kissinger: I do not want to understate the seriousness of this problem.

Le Duc Tho: I'll stand up. It is not a problem that is easy to solve.

Dr. Kissinger: If it is easy, you do not want to deal with it.

Le Duc Tho: Your recommendation is too simple. It is difficult. You should understand me. Only when you understand me, can we find a solution. We made an effort. It is too complicated. Let me tell you that you came on the 10th and on the 7th he left. Sihanouk did not want to go. And you say it is easy.

16. **Message From the President's Assistant for National Security Affairs (Kissinger) to the President's Deputy Assistant for National Security Affairs (Scowcroft)**¹

Hanoi, February 12, 1973, 2025Z.

Hakto 44. Please pass the following report to the President. *Begin text.*

1. I began our third day in Hanoi with an almost 2-hour workout with Le Duc Tho on Laos and Cambodia.² One interesting aspect was that the Politburo had almost certainly overruled Prime Minister Pham Van Dong who had been generally conciliatory on these questions the previous afternoon.³ Tho's positions therefore were quite tough. After an intense discussion, however, we reached agreement that there would definitely be a ceasefire in Laos by this Friday.⁴ Tho also proposed that there be a political settlement within 30 days after that and that the withdrawal of foreign forces, including North Vietnamese, would take place no later than 90 days after that. The provision on withdrawals has some hookers in it which we will need to straighten out. We will have to talk to Souvanna Phouma. However the discussion represents progress since it gives us a cease fire and some timetable for North Vietnamese withdrawals.

2. The going was much tougher on Cambodia. Tho would not agree to any timetable for the withdrawal of North Vietnamese forces until there is a political settlement. On the latter we still have no mechanism for getting the various factions together to negotiate. I rejected his suggestion that I talk to Sihanouk. He said Sihanouk was very difficult and wouldn't talk of it to Lon Nol. I will pursue this issue further tomorrow and in China, but it is particularly complex because of the various political groups in Cambodia, and on the issue of troop withdrawals we will undoubtedly have to use economic aid as a lever.

3. We then spent two hours with the Prime Minister, mostly on economic aid.⁵ This discussion proved much easier than I had feared, I opened with a long pitch on our congressional problems and described various approaches to economic assistance. They were impatient with our internal problems and it is difficult to judge to what

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, HAK Trip Files, Box 29, February 7–20, 1973, HAKTO 1–117. Top Secret; Sensitive; Exclusively Eyes Only.

² See Document 15.

³ See Document 13.

⁴ February 16.

⁵ See footnote 2, Document 15.

extent they are finally beginning to recognize the obstacles we face and the need for careful management. The remainder of the discussion went smoothly, however, and we avoided many of the shoals that I expected. They accepted our basic approach of shifting all discussion into a joint US-DRV Economic Commission; they did not try to raise the target figures we had agreed upon; we agreed that we would not mention any total sums; and they concurred in other procedures which should make congressional approval easier.

4. After a tour of the Museum of Art I had a brief session with the Prime Minister on future US-DRV relations, a few issues on the Joint Communiqué and the international conference. We are still working on the communiqué.⁶ It should turn out to be very satisfactory although not as extensive as our opening draft. We agreed that the basic approach to future bilateral relations should be gradual and we can thus key this process to their performance on the agreement and on Indochina in general. On the international conference we agreed on joint invitations to the participants to be sent out on February 15.

5. After the afternoon meeting, the Prime Minister and I had a relaxed hour's conversation, mostly on the course of the war and the negotiating history. He then hosted a dinner for the entire delegation including technical and support personnel. The dinner mood was very easy and cordial. The Prime Minister gave a very warm toast, reaffirming his country's strong desire for good relations and stating that our talks had gone better than they had expected.

6. The North Vietnamese reaffirmed to me that they will release 20 extra prisoners out of turn in conjunction with my visit. They gave me a list of men which I have sent to Washington for notification of the families. Haldeman and Scowcroft are working out an announcement. *End text.*

Warm regards.

⁶ See footnote 6, Document 13.

17. Memorandum From the President's Deputy Assistant for National Security Affairs (Scowcroft) to President Nixon¹

Washington, February 14, 1973.

The following is the report of Dr. Kissinger's final meetings in Hanoi:

This will give you some more details on my economic discussions in Hanoi in addition to the information contained in my third day report² from there.

Your message to me pointing out the difficulties of getting aid for the DRV in any event, and the impossibility if their forces remain in Laos and Cambodia, was most helpful.³ As you know from my earlier reporting I had already made clear to the Prime Minister in plenary and private talks that they could not expect assistance from us and better relations while keeping their troops in Laos and Cambodia as well as South Vietnam. Indeed I refused to discuss economic questions at all until we had gone through two meetings on implementation of the Vietnam Agreement and two more on Laos and Cambodia.

As a result, economic aid came up at the end of our agenda and our talks on this subject lasted only two hours. I spent the first hour explaining in some detail the legal and constitutional requirements of Congressional authorization and appropriations. I pointed out how our actual aid levels in recent years always fell far short of our request. I stressed that it was hard enough to get money for our friends, let alone for those with whom we have just been at war. At the same time I reaffirmed your intention to seek aid as part of an Indochina effort, because it reflected our traditional policy, was part of our undertakings to the DRV, and was in our own self-interest. I explained various bilateral and multilateral approaches. Finally I handed over a series of papers on these aspects, including a compilation of skeptical and negative Congressional comments.

Against this background, as I have reported to you, the last hour went smoothly. They did not try to raise the ante. They agreed that all discussions should take place in the Joint Economic Commission,

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 29, HAK Trip Files, February 7–20, 1973. Top Secret; Sensitive; Exclusively Eyes Only. A notation at the top of the memorandum reads: "The President Has Seen." Kissinger sent the original report to Scowcroft in message Hakto 59, February 14, 0900Z. (Ibid., HAKTO 1–117)

² Document 16.

³ Not further identified.

including yearly target figures and approval of specific programs and projects. They agreed not to mention any totals and we decided that both sides would establish the Commission by March 4; we still have to select the members and site. At no time did we discuss specific figures, incur new undertakings, or break any new ground. All technical discussion was left to the Joint Commission.

I used your message in my final meeting with Le Duc Tho the morning of February 13 which concerned mostly Laos and Cambodia, as well as procedural matters.⁴ I again emphasized the unavoidable link between our aid and their performance with respect to those two countries. Our discussions on Laos apparently had some impact. We have just received word that the Laos agreement is sewed up and includes a timetable for troop withdrawals within the period that Le Duc Tho and I discussed.

On Cambodia we made little progress beyond registering your great concern. Part of the problem is due to the various factions involved and Sihanouk's intransigence which Hanoi cannot fully control. However, I made clear that the difficulty of reaching a political settlement should not be linked to the withdrawal of their forces which was required by the Vietnam Agreement. I will discuss Cambodia in Peking. This is going to be very difficult to resolve. Our economic aid remains our best lever as I mentioned in a previous message.⁵

In short, the economic discussions went better than anticipated. They came last, were unspecific, and involved no new undertakings. I continue to believe that assistance to Hanoi is in our interest as leverage. My discussions with the North Vietnamese have clearly established the link. They should now know unambiguously that they will have to choose between pressing their Indochina aims in an illegal manner and getting help in rebuilding their country.⁶

⁴ A memorandum of Kissinger's final conversation in Hanoi, February 13, 8:55–10:55 a.m., is in the National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 113, Country Files, Far East, Vietnam Negotiations, Hanoi Memcons, February 10–13, 1973.

⁵ Nixon underlined the last sentence of this paragraph. A handwritten notation in the margin reads: "K Emphasize to Congress."

⁶ Nixon underlined "assistance to Hanoi is in our interest as leverage" and highlighted the last sentence of the paragraph.

18. Message From the Deputy Assistant Secretary of State for East Asian and Pacific Affairs (Sullivan) to the President's Assistant for National Security Affairs (Kissinger) in Beijing¹

Saigon, February 14, 1973, 1415Z.

369/Tohak 161. 1. Following is summary report of my first twenty-four hours in Saigon. It is written prior to dinner which Foreign Minister Lam is giving this evening, at which there will be several senior officials concerned with problems of negotiations between GVN and PRG. I will report separately anything significant which develops from that session.

2. My first comment should be upon appearances of Saigon. City is festooned with flags and banners. Banners generally exhort people to vigilance and insist upon scrupulous cease-fire observance by Communists.

3. Second observation concerns general attitudes displayed by GVN officials I have met and to large measure shared by U.S. military. They all display considerable skepticism about Communist intentions and are inclined to treat Communist representatives as well as Communist statements with enormous reserve. Ambassador Bunker is valiantly attempting to induce more forthcoming attitudes into both these sectors of his constituency.

4. My first meetings here were with senior U.S. officials at Ambassador Bunker's residence last evening. Discussions generally concerned military situation, performance of Four-Party Joint Military Commission and ICCS. Essentially military situation appears most satisfactory from GVN perspective. Both JMC and ICCS making halting progress, with prospects that they will eventually move more effectively.

5. Next meeting was morning February 14 with U.S. officials responsible for liaison with ICCS. It is clear that U.S. military and civilian agencies have been the primary crutch on which ICCS and JMC have leaned in order to begin their activities. Performance of U.S. officials, particularly military, in this field has been absolutely first class.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 30, HAK Trip Files, February 7–20, 1973, TOHAK 141–200. Top Secret; Sensitive; Immediate. The message was sent to the White House for transmittal exclusively to Kissinger who arrived in Beijing on February 15. Sullivan sent a second report on his final meetings in Saigon and visit to Phnom Penh in message 704/Tohak 184, February 15. (Ibid.) Message 711/Tohak 206, February 16, contains a summary of Sullivan's conference in Vientiane. (Ibid., TOHAK 201–250)

6. Next meeting was with Foreign Minister Lam, accompanied by Bunker. Discussion concerned two primary subjects: a) negotiations with the PRG, and b) international conference. On former Lam laid out logical scheme of action which GVN intends to pursue. Their principal negotiator with the PRG will probably be Vice Prime Minister Vien. They have suggested Rangoon as preferable locus of negotiations, although PRG prefers Paris. Lam himself is prepared to arrive in Paris a few days early for international conference in order to resume preliminary contacts with Madame Binh. They have in mind a National Council of Reconciliation composed of about thirty members. They understand and intend to keep the initiative in pressing for rapid political settlement, recognizing that the PRG is unprepared for serious move toward elections.

7. Concerning international conference, Lam seems relatively well prepared but had no particularly helpful suggestions concerning chairmanship. I floated both US-DRV co-chairmanship and rotating chairmanship among ICCS members without getting any particular response. He seems prepared to accept PRG presence, name plate and title. However, he talked in terms of refusing to sign final act of the conference. Instead he proposed issuing a statement supporting the act. Bunker and I both took violent exception to this suggestion, thereby extracting Lam's proposal for a compromise action in which signatures would be on separate sheets of paper. We told him this seemed feasible and that we would be prepared to support it.

8. My next session was lunch with Generals Woodward and Wickham, with John Vogt present. They reported on morning meeting of JMC, in which Communists did table cease-fire proposal, but failed to introduce points of entry. I encouraged Woodward to make arrangements for JMC and ICCS to observe U.S. and ROK departures, in accordance with Protocol provisions. He agreed. I alerted Vogt to possibility of cease-fire in Laos and he raised number of questions concerning U.S. air reaction if cease-fire is violated. I advised him that answer to that problem would have to come from the President.

9. I then paid surprise visit to DRV/PRG concentration camp, accompanied by Engel and U.S. Liaison Officer. GVN Military Police refused to permit my vehicle to enter camp. They even attempted (unsuccessfully) to prevent Engel and me from walking in on foot, which we did after waiting five minutes for vehicle clearance. In camp we met Generals Hoa and Tra, plus your friend Blinky. I gave them all greetings from Le Duc Tho. They then poured out list of complaints, most of which centered upon their isolation at Tan Son Nhut. I told them that this was natural result of GVN suspicion concerning their intentions. So long as cease-fire not complete and points of entry not established, suspicion would continue. I advised them to clear up those

two points and examine whether GVN attitudes would improve. Immediately after my visit, which lasted fifteen minutes, PRG telephoned U.S. news media informing them of my visit and saying that I “realized that the offices of the PRG delegation are not appropriately arranged.” I have since had Embassy press spokesman correct the record and have also explained my visit to President Thieu. As a matter of fact I feel the accommodations at Tan Son Nhut are quite adequate. The only genuine grounds for complaint is the rigidly enforced isolation.

10. My next visit was with Ambassador Gauvin of the Canadian delegation. I encouraged him to deploy ICCS teams into secure locations in addition to the seven regional points. He agreed to discuss this with Woodward and take action soonest. He seems energetic, somewhat garulous, but well regarded by our people. His military officer, Maj. Gen. McAlpine, gets high marks on all sides.

11. Ambassador Bunker and I, accompanied by Engel, then spent one hour and a half with President Thieu.² He seemed in very good spirits, much more relaxed and confident than I have seen him in the last year. He listened with considerable attention to my report on Hanoi. He took no exceptions to any steps we had taken nor to the communiqué, of which I handed him an advance copy. He made following observations of interest.

A) He considers there are three assurances against renewed DRV attacks: 1) Sino-Soviet restraint; 2) U.S. economic aid; 3) U.S. air presence in Thailand.

B) He intends to maintain initiative on the political front and understands need for good press and good image with U.S. Congress.

C) He felt genuine settlement in Laos and withdrawal of DRV troops from Laos was real possibility. However he doubts prospect for settlement in Cambodia and believes DRV forces will remain there.

D) He expects critical points concerning DRV intentions to appear at the end of three months after cease-fire and at the end of six months after cease-fire. If both those points pass successfully, he believes prospects for peaceful continuation are solid.

E) He is in process of releasing 5,000 civilian detainees.

F) He is also in process of releasing 7,000 POW's.

G) He is convinced Communists hold far more GVN prisoners than they have admitted.

² Telegram 2295 from Saigon, February 14, contains Bunker's detailed report on the meeting with Thieu. (Ibid., RG 59, Central Files 1970–73, POL 27–14 VIET)

12. I then raised with Thieu need for early action on cease-fire and control of equipment and supplies being infiltrated into South Vietnam. I gave him text cease-fire resolution from JMC and urged him to support it parallel with demand that legitimate points of entry be established by PRG. He made note of both items and said he would consult with General Dong. I also encouraged Thieu to permit Communist delegations on JMC to have more mobility and to be less isolated. I suggested that their exposure to obvious prosperity of Saigon could be very healthy and perhaps even subversive influence. Although he did not commit himself to take these steps he agreed in principle with suggestion that such exposure could improve his public relations with press and with U.S. Congress.

12. Overall impression I gained is one in rather marked contrast to Hanoi. GVN officials are proceeding with cockiness albeit too heavily handed in their dealings with Communists. They have made no complaints whatsoever concerning agreement, actions we have taken, or even actions Communists have taken. In general fears and worries they expressed in October seem to have evaporated completely.

13. Warm regards.

19. Message From the Ambassador to Laos (Godley) to the President's Assistant for National Security Affairs (Kissinger) in Beijing¹

Vientiane, February 17, 1973, 0741Z.

710/Tohak 225. You asked me to give you my frank assessment of the status of the ceasefire talks and their prospects, so that you could perhaps protest to the North Vietnamese on their failure to live up to commitments made to you in Hanoi (White House 30569).²

The only message we received from you on your discussions in Hanoi is White House 30414³ in which you report that the "DRV agreed to separate the ceasefire from a political settlement if Souvanna for-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 30, HAK Trip Files, February 7–20, 1973, TOHAK 201–250. Secret; Sensitive; Eyes Only. Sent to the White House for transmittal to Kissinger. Also sent Eyes Only to Green and Sullivan.

² Dated February 16; *ibid.*, Box 411, Backchannel Messages, Southeast Asia, 1973.

³ Document 14.

mally proposes such separation." As we have reported in several previous messages, the RLG formally proposed to the Pathet Lao negotiator in Vientiane such a course but was rebuffed every time.

This morning, February 17, Dean again asked Pheng Phongsavan whether Pheng had suggested to Phoumi divorcing military from political aspects in the ceasefire, as Pheng had been instructed to do by the Cabinet on February 16. Pheng replied that in compliance with the Cabinet's instruction, he had formally submitted this proposal again on February 16 but that Phoumi had categorically refused to separate political settlement from ceasefire agreement.

In view of the North Vietnamese commitments to us on this subject, I can only conclude that (A) the North Vietnamese have failed to make their position known to the Pathet Lao, or (B) their influence is insufficient to persuade Pathet Lao to accept this position, or (C) that Phoumi Vongvichit is not faithfully implementing instructions from Sam Neua. In any case, the end result remains the same—the LPF have not separated these two issues in the secret negotiations in Vientiane.

The second point in your message from Hanoi reported on Le Duc Tho's statement to you that the time-frames for the troop withdrawals should be linked to a political settlement. You suggested 30 days as an appropriate maximum delay for troop withdrawal and Le Duc Tho said the Pathet Lao prefer 90 days, presumably for both the troop withdrawal and the political settlement. Again, the Pathet Lao position taken in the secret negotiations in Vientiane late this week does not rpt not reflect the North Vietnamese position as set forth above. In the draft agreement Pheng and Phoumi negotiated earlier this week, foreign troop withdrawal and the establishment of a coalition government were both to occur within 60 days after the signing of the ceasefire. Since then, the Pathet Lao have withdrawn their commitment and are now asking for the formation of the coalition government 30 days after the signing of a ceasefire and withdrawal of foreign troops 90 days after signing ceasefire agreement. Again I do not see that the purported North Vietnamese influence is reflected in the Pathet Lao position.

Dean saw Pheng one-half hour before Pheng and Phoumi were to see Prime Minister this morning in an effort to iron out differences holding up agreement. Pheng said he briefed Phoumi on the severe criticism Souvanna has come under from the right (reported my 708)⁴ and Pheng thought that perhaps this will make Phoumi a little more conciliatory. As Souvanna and Pheng go into meeting with Phoumi this

⁴ Dated February 15; National Archives, Nixon Presidential Materials, NSC Files, Box 411, Backchannel Messages, Southeast Asia, 1973.

morning, following is status of some of the outstanding differences dividing the two sides:

(A) LPF categorically refused to separate the military aspects from a political settlement in the ceasefire agreement.

(B) Phoumi is still insisting that Pheng sign on behalf of "Government of Vientiane" while RLG wants its representative to sign either for "The Royal Government" or "The Lao Government."

(C) Pathet Lao want formation of new coalition government no later than 30 days after ceasefire and foreign troop withdrawal 90 days after ceasefire. RLG wants to link these two by having both occur within 60 days after signing of ceasefire.

(D) On formula for the new coalition government, Pathet Lao want Prime Minister's position to be included in the total number of seats from which Pathet Lao and its allies are to receive their 50 percent. RLG is adamant that Prime Minister's position must be in addition to the other Cabinet members, which, on the assumption that Souvanna would lead the next government, would in fact give non-Communist elements more than 50 percent in a future government.

On other issues, the PRG has won some points while on others the RLG has made concessions. (A) Pheng said that the Prime Minister is no longer blocking a reference to the U.S. and Thailand in the agreement along lines of paragraph 1(b) of draft agreement (Vientiane 699).⁵ (B) Phoumi has agreed to delete paragraph 3(d) in draft agreement which specifically requires unanimous approval by the two parties for acceptance of arms by RLG. This is an improvement, because the last portion of paragraph 3(c) in the draft agreement permits the RLG to accept weapons as foreseen by the Geneva Agreements of 1954 and 1962. (C) On aerial surveillance, the provision will be typically Lao and somewhat ambiguous. We understand that "armed flights and espionage will be prohibited" but that "overflight of LPF territory for resupply purposes will be authorized." Finally, (D) the problem of a Vice President in a future coalition government, which is so objectionable to the rightists, does not appear to be an insurmountable obstacle according to Pheng. He thinks the LPF will drop its demand for this position.

Dean will meet with Pheng later in the day, to get an insight into what happened at the meeting with Souvanna and we will report on it ASAP.

⁵ Dated February 13; *ibid.*

20. Backchannel Message From the Ambassador to Laos (Godley) to the President's Assistant for National Security Affairs (Kissinger) in Beijing¹

Vientiane, February 20, 1973, 1000Z.

719/Tohak 284. *Summary:* Unless there is a last-minute hitch, a "global ceasefire" covering both the military and political aspects of a Lao settlement will be signed in Vientiane tomorrow afternoon, February 21. If this timetable is kept, the ceasefire will become effective noon, February 22. *End summary.*

1. Following is scenario of what happened in Vientiane February 20 as reported to Dean by Pheng and confirmed to me over the telephone by Prime Minister.

A. At this morning's Cabinet meeting at 1000, Cabinet rejected Souphanouvong's offer of an unsigned strictly military ceasefire proclaimed unilaterally by each side to its own combatants and its allies. Cabinet instructed Pheng to propose written ceasefire agreement calling for (1) end to fighting on the ground, on water and in the air; (2) an end to hostile military action; (3) withdrawal of foreign troops; and (4) an exchange of prisoners of all nationalities.

B. At 1130 this morning, Pheng met with Phoumi to present RLG reply to Souphanouvong's offer and also to discuss RLG counter offer. Phoumi rejected RLG proposal and Pheng rejected Souphanouvong's offer. The two negotiators then agreed to discuss the three remaining outstanding issues holding up the signing of a global accord. Pheng and Phoumi settled the outstanding differences as follows:

1. The RLG would sign for "The Government Vientiane" (in the Lao language there is no preposition between "Government" and "Vientiane" and it will be interesting to see how this will be translated into French).

2. The position of Prime Minister will not be included in the overall complement of Cabinet portfolios, from which the Pathet Lao and their allies will receive fifty percent of the seats. No repeat no Vice Prime Minister will be named.

3. On the time frames, the two negotiators agreed to form the new provisional Government of National Union within thirty days after the signing of the ceasefire agreement. Within sixty days after the formation of that government, all foreign forces will have to be withdrawn

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 411, Backchannel Messages, Southeast Asia, 1973. Secret; Sensitive; Eyes Only; Flash. Sent to the White House for transmittal to Kissinger. Repeated Flash to Ambassador Green.

from Laos. Thus, for example if the new government is formed within ten days after the signing of the ceasefire agreement, foreign forces would have to be withdrawn within seventy days after the signing of the ceasefire. The exchange of prisoners would also be completed within sixty days of the formation of the new Government of National Union.

C. The Prime Minister has given his approval to this compromise and Phoumi and Pheng will see Prime Minister at 1600 this afternoon to initial draft agreement. A special Cabinet meeting has been called for 1700 to discuss the terms of the ceasefire agreement. Pheng said that if everything goes smoothly, the two negotiators would meet tomorrow morning to prepare the final text of the agreement in Lao which would be formally signed by the two negotiators in presence of a number of dignitaries tomorrow, February 21, probably in the afternoon. If this timetable is kept, ceasefire would enter into force at 1200 hours local time Thursday, February 22.

2. Prime Minister has promised to keep me informed and Dean has appointment with Pheng later in the evening.

21. Message From the President's Assistant for National Security Affairs (Kissinger) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Beijing, February 20, 1973, 1020Z.

Hakto 111. Please pass following message to Guay for immediate delivery to customer for Le Duc Tho.

Quote: To: Special Adviser Le Duc Tho

Fm: Henry Kissinger

1. As I leave Asia on my way back to Washington, I am sending you this message, which I will supplement in greater detail within the next few days. I want to assure you that the primary focus of our current efforts both with your Asian neighbors and domestically, in the United States, will be upon those steps which will be necessary to normalize our relations, to establish a new and mutually beneficial rela-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 29, HAK Trip Files, February 7–20, 1973, HAKTO 1–117. Top Secret; Sensitive; Exclusively Eyes Only.

tionship between our two countries. You are fully aware that these steps are complex and will require the most careful correlation between us.

2. It is our conviction, as you agreed with us in Hanoi, that the successful development of this relationship which we both seek will require a scrupulous implementation of all provisions of the Paris Agreement by the signatories. It is also our conviction that the Agreement must be considered an instrument for conciliation, rather than an opportunity for political warfare.

3. In pursuit of these convictions, we have taken a number of actions designed to improve the implementation of the Agreement and we will take others within the next weeks. We have, for example, persuaded the GVN to agree with the resolution presented by your side in the Joint Military Commission concerning new ceasefire orders in South Vietnam. We have taken action to assure better food and other living conditions for your personnel on the Joint Military Commission. We have furnished air transportation to expedite the return of your prisoners of war, and we have exerted maximum influence to obtain the release of 5000 civilian detainees.

4. On the other hand, we have encountered much suspicion by the GVN concerning the intentions of your personnel and those of the PRG on the Joint Military Commissions. I must tell you in all candor that we can do very little to relieve this suspicion while your armed forces are seeking military advantage in such places as Quang Ngai and while the illegal infiltration of war material continues.

5. In the latter connection, I note that the PRG has named three points of entry under Article 7. Two of these are on the Lao and Cambodian borders. We are naturally disturbed to contemplate the significance of these designations in relationship to your future intentions with respect to DRV forces in Laos and Cambodia. We would be partly reassured in this concern if you will state that you intend to use these points of entry for air transportation only. We note, however, that there is currently no airfield at Xa Mat. In any event we want to express our strong view that any introduction of military equipment through Laos and Cambodia is in direct violation of Article 20 (a) of the Agreement to End the War and Restore Peace in Vietnam.

6. We are also disturbed to note that, despite our various understandings, the Pathet Lao have not put forward or accepted ceasefire proposals which conform precisely to those understandings. Their latest suggestion for a ceasefire detached from political conditions was not for an agreement, but rather for unilateral but simultaneous declarations of ceasefire. We do not consider this satisfactory. In our view, and as Article 20(b) of the Agreement clearly provides, the withdrawal of foreign forces should be unconditional. We agreed to an understanding on practical grounds for a minimum delay to permit the

activation of a ceasefire—but this deadline has long since passed. Your side is therefore in clear violation of both the Agreement and its associated understanding.²

7. On the other side of the ledger, I sympathize with the concern you have expressed over the apparent delays in clearance of mines in DRV coastal and inland waterways. Upon my return to Washington, I will look into these matters and will report my findings to you.

8. We have come too far in our long effort towards peace to permit the Agreement to be jeopardized by petty considerations or temporary tactical advantages. We wish this Agreement to succeed and it must succeed if we are to enter a new era of lasting peace in Indochina and Southeast Asia. We look forward to welcoming Special Adviser Le Duc Tho to Washington probably in June. *Unquote.*

² In message Hakto 115 from Beijing, February 20, Kissinger instructed Scowcroft: "Please contact Guay immediately and tell him to delete paragraph 6 on Laos in the message to Le Duc Tho transmitted in refel. If necessary because of time pressure you can call Guay and refer to the paragraph number without, of course, mentioning the subject matter." (Ibid.)

22. Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)¹

Washington, February 20, 1973.

Nixon: The way I would get at it is to, frankly, take them on, one by one, and say, "Now, damn it, let us—let's be cold turkey with you." You can't say this, but we've got to have some leverage. If these clowns start something, we can cut it off. That's really what it gets down to.

Kissinger: Exactly.

Nixon: I mean, suppose, for example, that they do not withdraw their forces from—as—you know, like my wire to you when you were

¹ Source: National Archives, Nixon Presidential Materials, White House Tapes, Conversation No. 43–127. No classification marking. According to the President's Daily Diary, Kissinger spoke with Nixon on the telephone from 7:30 to 7:41 p.m. (Ibid., White House Central Files) The editor transcribed the portion of the tape recording printed here specifically for this volume.

over there;² if they do not withdraw their forces from Cambodia and Laos, they get no aid. Right?

Kissinger: Exactly.

Nixon: What other—what other leverage have we got? The purpose of this is the leverage to get them the hell out. I think that's a very strong point to make to them on a confidential basis. Don't you think so—?

Kissinger: Well, I think that—I think—I'm not so worried about selling the right-wingers, but the—the conservatives—ah, the liberals are, of course, totally—

Nixon: [Laughs]

Kissinger: —corrupt, morally.

Nixon: I know, but what are you going to say to them? Are—

Kissinger: I'll put it on human—I'll say—I'll put it on human—humanitarian grounds to them. I mean, I'll just—I don't say that's our reason, but I'll tell them that—

Nixon: Well, it's also a—I think with them, too, I'd be a little more pragmatic. I think we'd say, "Look, this is the only way that we can have any leverage to keep the peace in the area." That's what they want. They should. Or, may—then, maybe, they'll vote against it, huh?

Kissinger: Well—

Nixon: [Laughs]

Kissinger: —that's one of the problems with these people.

Nixon: [Laughs] They don't want the peace, do they? They don't want it to keep; they just want it to fail. Is that—is that the thing?

Kissinger: They, basically, want it to fail. That's my reluctant conclusion—

Nixon: Well—

Kissinger: But think we can put it on a basis, to be honest—

Nixon: But, on the other hand, I think—

Kissinger: —and not humanitarian, necessarily. We could say—

Nixon: If you say "humanitarian," it'll look like reparations, and that sort of thing—

Kissinger: No, I mean, what we could say is, "We have to find something to work with the North Vietnamese on to—"

Nixon: That's right.

Kissinger: —[unclear]—

² Not further identified.

Nixon: Give ‘em a stake in the peace. I’d just simply—that what we’re looking—what we want to do is to give the Viet—Viet—the North Vietnamese and the South Vietnamese a stake in the peace.

Kissinger: And we can’t do that.

Nixon: We can’t do that if we have no communication and no participation.

Kissinger: Exactly.

Nixon: I think that’s the thing.

23. Minutes of Washington Special Actions Group Meeting¹

Washington, February 23, 1973, 10:14–10:48 a.m.

SUBJECT

Vietnam Planning

PARTICIPANTS

Chairman

Henry A. Kissinger

State

William Porter

William E. Sullivan

Defense

William Clements

Lawrence Eagleburger

Major Gen. Alexander M. Haig

JCS

Adm. Thomas H. Moorer

Vice Adm. John P. Weinell

CIA

James Schlesinger

Jack Horgan

William Nelson

William Newton

NSC

Brig. Gen. Brent Scowcroft

John H. Holdridge

Col. T.C. Pinckney

James T. Hackett

SUMMARY OF CONCLUSIONS

It was agreed that:

—CIA and DOD will prepare and submit a report to Mr. Kissinger every Monday, commencing on February 26, which will provide details of NVN infiltration of men and supplies into South Vietnam or the pipeline, and details of enemy ceasefire violations. The report should be prepared in three parts. Part A should include information on the vol-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

umes and dates of entry of men and matériel entering South Vietnam after January 27. Part B should include the same information on men and matériel entering the pipeline after January 27. Part C should be a detailed report of enemy ceasefire violations in South Vietnam. All parts of the report should be as detailed as possible. Based on the information requested above, the report should also assess the enemy's capabilities and intentions. Any differences between CIA and DOD on either information or interpretation should be clearly indicated.

—Our delegation to the International Conference on Vietnam should be prepared to make public at the Conference a comprehensive and detailed list of NVN violations of the ceasefire agreement, including infiltration violations.

—State will instruct Ambassadors Godley and Unger to inform the Governments of Laos and Thailand that we will continue to provide U.S. air support in Laos on request.²

—CIA should submit a report on the various Khmer Rouge groups to include a breakdown of them, an assessment of who controls or influences them and an estimate of their intentions.³

—The Thai SGU's should not be pulled out of Laos and continued attention should be given by DOD to the problem of funding them.

Mr. Kissinger: I thought we might have a review of the situation at this point. Jim (Schlesinger), do you want to go ahead?

Mr. Schlesinger read a prepared statement (copy attached).⁴

Mr. Kissinger: Have any of these infiltrators been put into the pipeline after January 27th?

Mr. Schlesinger: I believe so, although it's difficult to be precise about that.

Mr. Kissinger: When that sort of thing happens, I want to know about it and we want to protest it. It's very important that we protest any infiltrations that began subsequent to January 27, but we need accurate and detailed information to do so. Of course, we are pushing against the margins of the agreement when we let the Koreans dump their equipment in South Vietnam, so we have to be tolerant of the stuff

² Kissinger instructed Godley in backchannel message 957, February 22. Godley relayed to Kissinger the Lao request for U.S. air strikes in backchannel message 725, February 22. (Both *ibid.*, Box 411, Backchannel Messages, Southeast Asia, 1973)

³ Holdridge sent the requested report, "Factions Among the Khmer Insurgents," March 1, to Kissinger under a covering memorandum, March 5. The CIA prepared a second paper, "Cambodia," February 27, on measures that might improve the Cambodian situation. (Both *ibid.*, NSC Institutional Files (H-Files), Box H-90, Folder 10)

⁴ Schlesinger's briefing, "The Situation in Indochina," February 23, attached but not printed.

the North Vietnamese had in the pipeline prior to the 27th. But I want to know what they began moving in after that date and we want to hit them regularly on these violations. Can I have a weekly report from CIA and Defense on infiltration violations? I want detailed reports once a week of everything that's moving. With that information in hand, we can tell them we know they're moving certain numbers of men and supplies south in violation of the agreement and that we expect them to stop doing it. The attitude of the government in this regard should be one of extreme vigilance. I want you to keep close track of what's moving and when.

Adm. Moorer: A number of these infiltrators are specialists.

Mr. Kissinger: Specialists in what?

Mr. Schlesinger: They are specialists related to the supplies that are moving south. There is a lot of equipment moving and they are sending along technicians to operate and maintain it.

Mr. Kissinger: How much equipment are they moving south?

Mr. Schlesinger: A great deal; 500 tanks, 1,250 trucks, ordnance and artillery. This is the heaviest movement south since before the invasion last year.

Mr. Kissinger: Do you know for sure that there are 500 tanks?

Mr. Schlesinger: No, I'm not sure. (to Mr. Nelson) Is that information from sensors?

Mr. Nelson: Yes.

Adm. Moorer: The information is from sensors, although there are some gaps in the system. We have put others in, but they won't be active until June.

Mr. Kissinger: You can drop more, can't you?

Adm. Moorer: Sure.

Mr. Kissinger: I want a report right away, so we can protest this infiltration.

Adm. Moorer: When do you want it?

Mr. Kissinger: Let's have it Monday (February 26). I want to report every Monday.

Mr. Schlesinger: Do you want one combined report or separate reports from CIA and Defense?

Mr. Kissinger: I want one report if you agree on the information, but I'd better have separate ones if you don't.

Adm. Moorer: It would be better to do one report, but we'll have to get together on the timing.

Mr. Kissinger: We raised the issue of the 175 trucks when we were in Hanoi and do you know what they said? They told us they were moving food and civilian goods south to help the refugees. Of course,

we know they have never broken an agreement and are acting in good faith.

Mr. Porter: Yes, they are forever acting in good faith. We have a report that Madame Binh may raise the issue of ceasefire violations in Paris. Should we raise these issues there also, and if so, should we do it publicly?

Mr. Kissinger: Yes, by all means, do it publicly. You will need a long sheet of charges. Let's detail all of their ceasefire violations and infiltrations. We want publicity for these charges.

Mr. Porter: I'll have to go back to my old style of speechmaking. I thought I was all finished with that, but I guess it's never done. Sometimes it's necessary.

Mr. Kissinger: Le Duc Tho did say that what we would do would be more impressive than what we would say. (to Mr. Schlesinger) You say they are moving heavy artillery south, but we have to know how much there is, when it is moving and where it is going. With those details, we can hit them on the violations. Actually, there are three violations here: they are not supposed to bring in military equipment, they are not supposed to bring it in through a third country and they are not bringing it in through approved entry points.

Adm. Moorer: Here's an intercept we have received which says that NVA forces are to continue expanding and attacking. It adds that with the stop in air attacks they have better opportunities to launch offensive actions.

Mr. Kissinger: Where is that from?

Adm. Moorer: It's an NVA intercept.

Mr. Kissinger: What's going on in Cambodia?

Mr. Schlesinger: It's as confused as ever. The insurgents hold routes 1, 2, 3 and 10, which include the main arteries between Phnom Penh and both the populous southeastern part of Cambodia and South Vietnam. In addition, they have interdicted a portion of Route 15 on the east bank of the Mekong. This is causing the Cambodians a serious problem, because it is a threat to their supply convoys coming up the Mekong from South Vietnam. We don't anticipate any reduction of insurgent activity in Cambodia in the near future. The Cambodian Army is trying to regain the initiative but is hampered by poor field leadership and command and control deficiencies.

Mr. Kissinger: Are there any NVA forces active there?

Mr. Schlesinger: No.

Mr. Kissinger: (to Adm. Moorer) You have the air power ready to go if we need it?

Adm. Moorer: Yes, sir. We're ready to go. We've even got everything coordinated with State.

Mr. Porter: We coordinated it right here before the meeting.

Mr. Kissinger: The President has made clear that we have to be ready to go with a hair-trigger response in Laos and Cambodia when and if they need air support. The South Vietnamese can take care of themselves.

Adm. Moorer: We got a bleat out of the Thai about suspending the bombing in Laos.

Mr. Kissinger: My notes here say that no new troops and equipment have been detected entering the pipeline since January 16. Is that true?

Mr. Schlesinger: I don't think so.

Mr. Kissinger: We don't have a leg to stand on if this is true. We can't complain much about the stuff that was in the pipeline on January 27. We have to know if they began moving stuff in after that date. If they did, it is a violation of the agreement. What I need is a report in two parts. Part A should be a list of what entered into South Vietnam after January 27 and Part B should be a report on how much went into the pipeline after that date. We also need a list of ceasefire violations. What is the ICCS doing?

Mr. Sullivan: The Poles and Hungarians are still not up to strength. The Canadians are out there doing pretty well and are encouraging the others to get to full strength.

Mr. Porter: When are they going to get to Khe Sanh?

Mr. Sullivan: Well, they don't want their people getting shot. We have to send in the Four Power Joint Military Commission (FPJMC) before we can get the ICCS into Khe Sanh.

Adm. Moorer: They are setting up a full-fledged military airfield at Khe Sanh, with defensive missiles. We have good pictures of the whole thing.

Mr. Kissinger: Is that a violation?

Adm. Moorer: I doubt it. They'll probably claim they had it all hidden away in caves and brought it out after the ceasefire.

Mr. Kissinger: You don't doubt their word, do you? They are so full of good intentions. By Monday I want a complete list of the men and matériel they are infiltrating. Bill (Porter), don't piddle around at Paris with a few minor complaints; give them the whole list.

Mr. Sullivan: The buildup at Khe Sanh would not be a violation unless we can prove they brought the stuff in after January 27.

Mr. Kissinger: What about the FPJMC?

Mr. Sullivan: They haven't been very active. We lost a helicopter and part of a team went to investigate, but they didn't accomplish much.

Mr. Kissinger: Don't forget, we'll be out of it (the FPJMC) in thirty days.

Mr. Sullivan: But it will be replaced by the Two Party Military Commission and it's shaping up pretty well. The South Vietnamese have put a fellow named "Phu" in charge of their element. He's very energetic.

Mr. Kissinger: Who's causing the most violations of the agreement, the South Vietnamese?

Adm. Moorer: Yes, the South Vietnamese. They're trying to open the roads and clear out enemy pockets.

Mr. Schlesinger: There's no question about it, the South Vietnamese have been creating more violations, but they're beginning to taper off.

Mr. Sullivan: They've been down a lot in the last few days.

Mr. Kissinger: Can someone make an analysis of these supply movements? I want to know what the North Vietnamese are up to. Are they getting ready for a major offensive?

Adm. Moorer: No, not that. It appears to be mainly a resupply effort.

Mr. Kissinger: Can we have an assessment of their intentions?

Mr. Horgan: Yes, we'll do that.

Mr. Kissinger: We've discussed troop withdrawals.

Adm. Moorer: Yes. We have 600 coming out today. They're all ready to leave and we may as well bring them out. They're just standing around waiting to go.

Mr. Kissinger: Regarding the Thai SGU's, I don't want you to pull them out of Laos.

Mr. Sullivan: If they don't get air support, they'll go out themselves.

Mr. Kissinger: They're getting it, aren't they?

Adm. Moorer: If (Ambassador) Godley asks for it, they'll get it.

Mr. Sullivan: You mean if Souvanna asks for it.

Adm. Moorer: I mean if Godley asks for it. He understands that and so does (General) Johnny Vogt.

Mr. Kissinger: We'd better tell them again to make sure they understand it. The President made it very clear this morning when he said he wanted us to be ready for violations in Laos with a hair-trigger response.⁵ (to Mr. Sullivan) You'd better get out a message and tell them again.

Adm. Moorer: We sent out a message on this. General Vogt knows what we want.

⁵ According to the President's Daily Diary, Nixon held a breakfast meeting with Kissinger, Rogers, Sullivan, and Porter to discuss the International Conference. (National Archives, Nixon Presidential Materials, White House Central Files)

Mr. Kissinger: I know, but I want Thanom (Kittikachon) to know that the Thai SGU's are not to be pulled out.

Mr. Sullivan: No, they won't be pulled out, providing we can get the funds for them.

Mr. Kissinger: What's the situation?

Mr. Eagleburger: After July 1 (1973) we're in trouble.

Mr. Clements: Once we get Senator Stennis back we'll be O.K. That committee (Senate Armed Services) is really drifting, but Stennis will get it straightened out.

Mr. Kissinger: I just want you to know that we don't want an excuse to withdraw the Thai SGU's from Thailand. You should continue your efforts to get the funds.

Mr. Eagleburger: That's understood.

Mr. Porter: We want to keep all of those units in place. We may change the personnel, but there should be no withdrawal of units.

Mr. Kissinger: I have no ideas regarding Cambodia. If any of you have any ideas, please share them with us.

Mr. Schlesinger: What kind of ideas do you have in mind?

Mr. Kissinger: Any thoughts or suggestions of any kind. We should have a breakdown of the various Khmer Rouge groups. I understand there is a Moscow-oriented group there. Can we have a breakdown of the Khmer Rouge groups and an assessment of who controls or influences them, with an estimate of their intentions?

Mr. Clements: Would that include an assessment of the impact of the settlement in Laos on the situation in Cambodia?

Mr. Kissinger: Yes.

Mr. Clements: How does the Laos settlement look?

Mr. Kissinger: As the President said this morning, if the North Vietnamese get out it's a good settlement, if they don't it's not.

Mr. Clements: Do you think they will get out?

Mr. Kissinger: They're obliged to by the terms of the agreement, and as we all know, they've never broken an agreement. What about those contingency plans for Vietnam?

Mr. Clements: We'll have them for you soon.

24. Backchannel Message From the Ambassador to Laos (Godley) to the President's Assistant for National Security Affairs (Kissinger)¹

Vientiane, February 24, 1973, 0748Z.

732. Ref My 731.²

1. Since dispatching reftel Prime Minister called to say he had Vang Pao in the office and Vang Pao was seeking U.S. air support. Prime Minister asked that we receive Vang Pao and listen to his problem and if we felt air support was required we should take such a request as coming from him, the Prime Minister.

2. Subsequently Vang Pao called at Embassy and in rational terms discussed the situation of GM 28, which is located a few kilometers due south southwest and southeast of Xiengkouangville in high grounds overlooking Route 4. These forces were in these positions at the time of the ceasefire but since then have been under continuous enemy artillery fire and ground pressure. Some of these forces have been pushed back and the friendly situation in the area is, as of this moment, fluid.

3. I told Vang Pao that I was extremely reluctant to seek U.S. air support unless it was absolutely essential for it was in everyone's interest for us to do what we could to maintain the ceasefire no matter how fragile it might be. I asked Vang Pao if he could not withdraw his troops a bit to the south and if there were not some other positions on which they could establish a defense. Vang Pao, CAS COS and I went carefully over the maps and it was quite apparent that there are no defensive positions to which they could withdraw except one about 20 kilometers south. Such a retreat, according to Vang Pao, would mean surrendering land dear to his people.

4. Vang Pao agreed wholeheartedly to the basic point of minimizing U.S. air at this time. He also agreed that his intelligence on GM 28's situation is currently poor. (Vang Pao left Long Tieng early yesterday morning and is currently out of date.) He spoke of using F-111's but I suggested rather B-52's be used for they have a greater signal

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 411, Backchannel Messages, Southeast Asia, 1973. Secret; Sensitive; Eyes Only; Priority. Repeated Eyes Only Priority to Bangkok for General Vogt.

² In backchannel message 731 from Vientiane, February 24, Godley wrote: "We are watching local situation as carefully as possible with a view to U.S. air support. Our position is that we should endeavor to avoid using U.S. air support except in instances where enemy clearly violates ceasefire and U.S. air would be truly effective. If such instances develop we will ask for air and I shall certainly inform you." (Ibid.)

carrying capacity than F-111's and I was reluctant to see small jets re-introduced to the Lao air space. Vang Pao accepted this. (Vang Pao observed that TACAIR other than F-111's is relatively ineffective now due to the dense ground haze and smoke.)

5. Situation is therefore that Vang Pao will assess with CAS personnel the situation of GM 28 and if necessary will submit about three boxes to support that unit if it is still under enemy attack.

6. I subsequently spoke to the Prime Minister, who is leaving Vientiane at 1300 today for Luang Prabang where he will remain until Monday. I told Prime Minister of my conversation with Vang Pao and he agreed with our conclusions but reiterated that the air reaction should be "moderate" and essentially of the message carrying variety.

7. The foregoing is not repeat not a request for air. It is merely to alert you and General Vogt of the situation. If we do need the air, I would hope it can be forthcoming as soon as possible. General Vogt might therefore wish to alert his higher headquarters.

8. General Vogt informed me this morning that TACAIR is limited due to other activities. He might wish to comment to me on the availability of B-52's.

25. Editorial Note

The International Conference on Vietnam convened in Paris on February 26, 1973. Foreign Ministers from Canada, the Democratic Republic of Vietnam, France, Hungary, Indonesia, Poland, the People's Republic of China, the Provisional Revolutionary Government, the Republic of Vietnam, the Soviet Union, United Kingdom, and the United States attended the meeting. Secretary of State Rogers, chief U.S. delegate, outlined U.S. objectives in his opening statement. He called upon participants to respect the January 1973 agreement, strengthen the ICCS, and create procedures for handling future discord in Vietnam. For full text of the Secretary's speech, see Department of State *Bulletin*, March 26, 1973, pages 337–339. Telegrams from the U.S. delegation in Paris that contain summaries of conference activities are in the National Archives, RG 59, Central Files 1970–73, POL 27–14 VIET.

On March 2, the representatives formally pledged to respect the "aspirations and fundamental national rights of the Vietnamese people," "strictly respect and scrupulously implement" the January accords, monitor and support ICCS efforts, and undertake consultations necessary to uphold the peace. The parties also agreed to "respect the

independence, sovereignty, unity, territorial integrity, and neutrality of Cambodia and Laos." For full text of the Final Act, see Department of State *Bulletin*, March 26, 1973, pages 345–346. It was also published in *The New York Times*, March 3, 1973. Secretary Rogers briefed President Nixon on conference developments during a telephone conversation on March 4, 11:22–11:35 a.m. (National Archives, Nixon Presidential Materials, White House Tapes, Conversation No. 37–45) The Secretary also sent copies of his public remarks and the final agreement to the President under a cover memorandum dated March 7. (Ibid., RG 59, Central Files 1970–73, POL 27–14 VIET)

26. Memorandum From John Holdridge and Richard Kennedy of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, March 7, 1973.

SUBJECT

Reconnaissance Teams to Verify North Vietnam Troop Withdrawals

CIA has proposed some lightly armed reconnaissance teams to be infiltrated into several areas in Laos to monitor NVA withdrawals from Laos and the activities on key infiltration/exfiltration routes between North and South Vietnam and Laos (Tab A).² They would work against the most frequently used resupply routes through Laos. They would be instructed to avoid contact with enemy forces. They would be inserted by Air America helicopters (without escort) and would not be resupplied while in the operational area. They would operate, for example, in the Mu Gia Pass area and in other such key infiltration areas.

We believe this would give us the kind of information about NVA activity that we really need and without which our intelligence can only be tenuous based on COMINT and sensors. We believe the oper-

¹ Source: National Security Council, Nixon Administration Intelligence Files, Subject Files, Box I-010, Vietnam, January–October 1973. Secret; Sensitive; Exclusively Eyes Only; Outside the System. Sent for action.

² "Vientiane Station Plans for Operations to Verify North Vietnamese Troop Withdrawals," March 6, attached but not printed.

ation will be of relatively low risk and has a potential for considerable gain.

We recommend your approval.³

³ Kissinger initialed his approval. A handwritten notation in the margin reads: "Originators advised of approval, per Louise Hoppe, 3/15/73."

27. Transcript of Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)¹

Washington, March 7, 1973, 12:37 p.m.

[Omitted here is discussion unrelated to Indochina.]

P: Good. Now on this other thing—the strike—we're going to try to plan that for the weekend.

K: Or early next week.

P: But let's be damn sure now that we really have something to hit. I just don't want to fly a lot of stuff over there.

K: Well, we're hitting in Cambodia now.

P: That's good. But step it up. I mean, I see no reason not to really whack the hell out of them in Cambodia.

K: the question is whether we should hit also on the Ho Chi Minh Trail.

P: On the Trail, I understand. But if they're continuing to violate the thing, I think we've just got to—but if there's enough. But you know, these Trail things, you remember—the point is not to use an F-105 to hit one truck. None of that crap!

K: No, no, but they are going day and night now. So we could fly during the daytime. We could do a 24-hour thing and we'd probably raise a lot of hell. I mean, it would be basically a shot across the bow.

P: It wouldn't stop it but it would maybe frighten them a little.

K: Which is what we want.

P: Yeah, yeah, yeah. Okay, I'll look it over. Thank you.

K: Right, Mr. President.

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 19, Chronological File. No classification marking.

28. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, March 9, 1973.

SUBJECT

Ambassador Bunker's Cease-fire Assessment

Attached at Tab A is a generally up-beat assessment by Ambassador Bunker of the Vietnam cease-fire after the first 30 days.² The report—summarized below—describes a spotty record of cease-fire implementation of the initial shake-down period but notes some grounds for hope (e.g., ICCS progress and improved GVN attitudes). Although reluctant, the GVN understands it must be loyal to the Agreement; however, there are strong reasons to doubt the Communists' sincerity. The DRV/PRG, for example, is blatantly violating Article 7 of the Agreement (illegal infiltration of men and supplies). Most ominously, Ambassador Bunker notes that the other side clearly is holding open the option of resuming the war and is doing its best to render ineffective the inspection mechanisms—both ICCS and JMC—provided by the Agreement.

Concerning the military situation, the assessment notes the GVN activity has been limited to a largely successful counterattack to recover areas lost to the Communist cease-fire offensive and—with a few exceptions—has not attempted to capture traditionally VC controlled areas. Ambassador Bunker believes that the continuing level of violence will end and a supervisory mechanism can take hold once all military units receive clear-cut orders to halt offensive operations and an effective two-party commission is set up to determine areas of control. President Thieu, he states, realizes the need for strong action to enforce the cease-fire.

Politically, both sides apparently lack confidence in their ability to win an electoral struggle with the other. The GVN is engaged in intense political organization activity and the Communists are holding open the possibility of renewed warfare.

Concerning the cease-fire inspection mechanism, the Ambassador reports that the ICCS has made substantial progress—due mostly to

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 163, Vietnam Country Files, Vietnam, January 1973–April 1973. Secret. Sent for information. A handwritten notation at the top of the memorandum reads: "Noted by Pres."

² Bunker's assessment is not attached. The Ambassador relayed the report to Kissinger in backchannel message 386 from Saigon, March 2. (Ibid., Box 415, Backchannel Messages, From Ambassador Bunker, Saigon Through April 1973)

Canadian leadership—in establishing its machinery, and he believes it is in a position to deter cease-fire violations once the fighting stops. GVN cooperation with the ICCS is markedly better and the Communist delegations—while slow to move—have not played an outright obstructionist role.

However, Ambassador Bunker states that the Four-Party Joint Military Commission has so far failed to develop into an effective enforcement mechanism. The Ambassador places primary blame on PRG/DRV obstructionism. President Thieu, he reports, has promised action to remedy GVN harassment of Communist delegates and has now assigned better personnel to the JMC. The Ambassador adds that Saigon's attitude toward Communist delegates is partially explained by reliable intelligence reports indicating the DRV/PRG does not intend to honor the cease-fire agreement.

Ambassador Bunker concludes that the other side still intends to release our POWs by the end of the sixty day period but will continue to link this with political issues. However, the release of Vietnamese POWs has not been conducted by either side in the spirit of the Agreement and the question of civilian detainees remains wholly unresolved.

29. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, March 14, 1973.

SUBJECT

Response to Continued North Vietnamese Infiltration and Logistics Activity in the South

The North Vietnamese are continuing their heavy rate of personnel infiltration and logistics movements through Southern Laos into Cambodia and South Vietnam. These actions are in clear violation of both the letter and the spirit of the January 27 Agreement. We cannot

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 163, Vietnam Country Files, Vietnam, January 1973–April 1973. Top Secret; Sensitive; Eyes Only. Sent for action. A stamped notation at the top of the memorandum reads: "The President Has Seen." A handwritten note attached to the memorandum reads: "Henry—The JCS Need 48 Hours Notice. Brent."

say for sure precisely what their motivation may be, but there are three likely possibilities:

—they may believe that we won't react while they still hold a large number of our POWs and thus they are free for the next three weeks to continue a major replacement and resupply operation to position themselves and keep their options open for the future;

—they may be simply testing us to see how far they can go because they have not yet made up their minds on whether to pursue their objectives politically or revert to military actions; or

—they may have decided to resume offensive action, possibly in the fall.

Whatever their motivations, their actions are a clear challenge. We have protested these actions in our private channel and demanded an explanation of them and their cessation. We have given the North Vietnamese a clear signal that they cannot continue this course with impunity, but they have not responded and we have seen no evidence of a cessation.

The issue is whether and how we should respond and if we are to do so, the timing of our response.

—On the diplomatic side, efforts through the Four-Party Joint Military Commission and the ICCS would be largely unavailing. Neither of these bodies has been able up to now to successfully undertake on a timely basis investigations of major violations. Attempting to follow this route or to move publicly to bring the weight of opinion to bear against the North Vietnamese, if it were to accomplish anything at all, which I doubt, would be time consuming and allow the infiltration to continue on a massive scale for many more weeks at least.

—On the military side, the North Vietnamese are exposed both in the trail area of the Laotian Panhandle and in the northern reaches of South Vietnam's MR-1. In both areas they are operating in daylight and the traffic is so heavy as to be congested. They clearly are taking advantage of the fact that all air action against them has ceased. A series of heavy strikes over a 2 or 3 day period in either of these areas would be very costly to them in both personnel and material.

The WSAG has considered a range of options and concluded that diplomatic steps should continue, including reaffirmation to the North Vietnamese of our serious intent.² It concluded also that we could have no assurance that the North Vietnamese would not continue to push up against the limits of the Agreement. They will posture themselves

² The WSAG convened on March 6, 11:24 a.m.–12:12 p.m., and March 13, 10:03–11:24 a.m., to consider U.S. options. Minutes of those meetings are *ibid.*, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973.

in a way which would make massive offensive action once again a viable option for them unless they clearly understand that such a course will generate a prompt and violent response from the United States. Thus, some reaction will be important.

Of the military options, it was agreed that a strike against the trail complex in Southern Laos would have the most immediate effect with the least risk. We have the precedent of our earlier B-52 attack in Laos just after the Laos ceasefire.

—Such a strike would, by its very surprise, have a devastating effect. It would dramatically inhibit the infiltration of both personnel and equipment.

—It would signify clearly that we will not tolerate continued violations and will react decisively to them. It is precisely this sort of U.S. reaction on May 8 and again in December which caused the North Vietnamese to reexamine the course on which they were then bent. If they now believe that we may not react and we fail to do so, we will encourage increasing and even more blatant violations. If we react we will demonstrate the costs which they must expect to bear if they abrogate the Agreement. It will help to make clear once again that they have a stake in keeping the Agreement.

—The argument against taking this step is that it will be seen as an evident breakdown of the ceasefire and perhaps of the Agreement itself. There will be recriminations. But in my judgment if we do not react, the Agreement may well break down precisely because we did not. The recriminations in that event will be no less severe.

If we are to undertake such an operation, the question is whether to do it before all our POWs have been released or wait until after the release has been completed.

—The argument for reacting before all the POWs are released is that this will demonstrate that you will not permit a challenge to go unanswered and that you are determined to see that the agreement is adhered to.

—The argument for waiting is that we can be sure that the POW release will not be held up because of our action. If the POWs were held back after we had conducted air strikes, there would be serious domestic reaction.

—On the other hand, if we wait until the fourth increment of POWs has been released at the end of March, the strikes would be coincident with or immediately follow President Thieu's visit.³ We thus would be seen as reacting to Thieu's pressure and be pictured as captive to his

³ Thieu planned to visit the United States between April 2 and 5.

policies. The benefit of independent reaction would be substantially diluted.

—If we act immediately after the third prisoner release, which will be completed by the end of this week, we can minimize the risk of a hold on the remaining POWs. There will be a 2-week period prior to the final release. There will be time after the strikes to reestablish the arrangements for that final release and for our coincident final withdrawal. Meanwhile we would cease all withdrawals as additional leverage to bring about the final release. There is a risk that release of the last increment of POWs will be held up but I believe it is minimal. Each time that we have reacted decisively in the past, the North Vietnamese have pulled back. They did not hold up the second prisoner release on the grounds of our B-52 attack in Laos though the attack occurred just prior to the scheduled release.

I recommend that you approve planning now for a 2–3 day series of intensive U.S. air strikes against the trail area of Southern Laos to be conducted immediately after release of the third increment of POWs is completed on March 16. Your final decision would be given after the POW release and in light of developments between now and that date.⁴

⁴ Nixon initialed his approval.

30. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Laos (Godley)¹

Washington, March 15, 1973, 0019Z.

WH30735. 1. As you will have seen from intelligence reports, there continues to be a disturbingly high level of movement of men and equipment on the Ho Chi Minh Trail. All evidence indicates that this movement is following the patterns established prior to the Agreement on Viet-Nam and that distribution is being made to Communist units in Laos, Cambodia, and South Viet-Nam.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 411, Backchannel Messages, Southeast Asia, 1973. Secret.

2. This traffic is in clear violation of Articles 7 and 20 of the Viet-Nam Agreement, as well as contrary to the general spirit of the Vietnamese 1973 Agreement. We have registered our vigorous objections through confidential communications with Hanoi and have publicly stated our concern. If there is to be any prospect for a serious implementation of the agreements which the Communists have undertaken, we clearly can not rpt not tolerate the continuation of these violations.

3. We are currently considering executing some air strikes against traffic on the Ho Chi Minh Trail, probably over a two-day period, within the next seven to ten days. We would plan to hit vehicles, supply depots and transit points, all of them on Lao territory.

4. We consider it important that Souvanna should be aware of the action we contemplate, although we do not rpt not wish our ability to execute these strikes to be contingent upon his consent. From a public perspective, it would obviously be best if we were to carry out the action at his request, and we would welcome such a request if he is prepared to make it.

5. On the other hand, if he takes his traditional position that the Ho Chi Minh Trail is a North Vietnamese–United States affair which is beyond his control, we would at very least wish him to express his approval of our action, even if he declines to make a specific request for it.

6. You should, therefore, approach Souvanna as a matter of urgency, share with him some of our intelligence indicators, advise him of our contingency thinking, and obtain his concurrence in our execution of these air strikes if events prove them necessary. His request for them would be welcomed. At very least, public expression of his acquiescence is wanted.²

Warm regards.

² Godley reported on his meeting with Souvanna in backchannel message 747, March 15: "After finishing para six I reiterated that we would hope he would indicate his agreement with our action rather than mere acquiescence. He said he would publicly indicate his agreement." Godley added: "With all due respect to the Prime Minister, I do not believe you should count on his public agreement." (Ibid., Box 412, Backchannel Messages, Southeast Asia, 1973)

31. Transcript of Telephone Conversation Between the President's Assistant for National Security Affairs (Kissinger) and the White House Chief of Staff (Haig)¹

Washington, March 15, 1973, 9:33 a.m.

K: Hello.

H: Hi, Henry.

K: Al, do you suppose you could get those idiots you've got over there, Weyand and Woodward, are taking a sort of cavalier attitude about this Agreement and they're giving us all that bullshit that if the two-party commission never comes into being so much the better.

H: Yeh.

K: Now I don't know why these fools cannot get it through their heads that they are working for the U.S. We know the goddamned agreement will probably not work, but we've got to be in a position where if it doesn't work, it will be the result of the other side.

H: Yeh. Exactly. Well, I'll uh—we'd better get a little something off to Weyand then.

K: Oh, excuse me for a minute. (Pause) Hello.

H: Yes, Henry. Do you want me to . . .

K: Could you get it across to these guys that we have to have meticulous observance if we're ever going to do a tough thing.

H: Yes, absolutely.

K: And they cannot egg on the South Vietnamese to do these silly little moves when we are playing a major league game.

H: Right.

K: We've got to have a record so that we can clobber them for big stakes.

H: Well, that's right.

K: Not harass them for stupid little ones.

H: Right. Right.

K: Do you think you can get to Woodward and Weyand?

H: Yes, easily. Sure, I'll just send them a service message which they'll get right away. Nobody else will see it.

K: Now what is your view on the Laos bombing?

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 19, Chronological File. No classification marking.

H: Well, I think we're getting very close to where we're going to have to do something dramatic, Henry, with this thing.

K: Now the question is do we do it still while there are prisoners there or right after?

H: I'd be inclined to do it before. I feel your logic is not the softest logic. If you do it before you've really conveyed the impression that god damn it you mean business.

K: Yeh.

H: Although it'll get more criticism, I don't think a helluva lot more.

K: Well, that's my instinct. They might hold the prisoners but then we'll just have to bomb them in the north.

H: That's right. If they're going to do that, they're not going to do it based on Laos bombing. Your being tough and promptly tough is invariably what is needed.

K: Yeh.

H: Now I don't know what you've been conveying through the other channel but I assume that you brought that about to the point where it's counter-productive anymore.

K: I don't think the others can intervene in day-to-day tactics.

H: Yeh, no I mean even with our customer—the Hanoi people. You're still using that other Paris channel?

K: Oh yeh.

H: But you've used that to the point where it's counter-productive.

K: Well, I mean we've warned them and warned them and we can give them a few more days.

H: Well, I think I'd give them a few more days but I think I'd be at the point where you just have to do it.

K: Yeh.

H: And the longer—you know if it drags out too long then it becomes increasingly dangerous. And you see the same argument now that people use—don't do it until you get them all out—will then be turned immediately to now you've got them all out, you can't risk getting any more in and that'll even be tougher.

K: OK, fine.

H: All right, Henry.

K: Good, many thanks. Let me know when you've sent that message.

H: Yes, I will.

K: Good, thank you.

32. Memorandum From William Stearman of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, March 15, 1973.

SUBJECT

CIA Assessment of Thieu's Prospects

The CIA Station Chief in Saigon has submitted a very optimistic assessment of President Thieu's prospects for the near term in South Vietnam (Tab A).² The report stresses that Thieu presently is in a very strong position, and the Communists present no political threat in the near future; however, in the longer term, economic uncertainties and resulting popular malaise probably will represent Thieu's greatest challenge.

We share the Station Chief's confidence in the viability of the Thieu government—provided it receives adequate foreign assistance—but believe that he has underestimated the psychological, political and economic strain posed by the continued presence of the NVA in South Vietnam. The highlights are summarized below.

—Thieu's popularity and political grip has never been stronger. His traditional allies, the military and the bureaucracy, remain as firm in their support as ever. No threat to his rule is likely to materialize within the army as long as he projects a credible image as a firm anti-Communist leader able to secure U.S. support. Despite its inadequacies, his centralized and personalized administration will be a major asset and widespread anti-Communism will certainly offset any shortcomings in Thieu's grass roots organization.

—Political parties—regardless of their line-up—do not pose any immediate danger to Thieu. His nationalist opponents are divided and ineffectual. There is little prospect for opposition unity or for violent confrontations with the authorities during the cease-fire period.

—Short of another main force offensive, the Communists are in no position to pose a direct and significant threat to the Thieu administration. Their urban infrastructure has been paralyzed by the GVN's pre-cease-fire rallies.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 163, Vietnam Country Files, Vietnam, January 1973–April 1973. Secret. Sent for information. Kissinger's initials appear at the top of the page.

² Central Intelligence Agency Intelligence Information Cable, TDCS DB-315/02299-73, March 13, attached but not printed.

—Considering the Communists' relative weakness, Thieu will not need to concede anything significant, such as the modalities for national elections. The Communists therefore will probably abstain from any conceivable election contest whose conditions will likely favor Thieu's position.

—However, the transition from war to peacetime politics will not be easy for Thieu. Economic problems—demobilization, resettlement, austerity—may prove his greatest challenge. GVN efforts to reduce dependence on U.S. aid will be unpopular and will certainly become a major political issue.

33. Telephone Conversation Between President Nixon and the White House Chief of Staff (Haig)¹

Washington, March 20, 1973.

Nixon: Hi, Al. I wondered if you had any further thoughts on it after—in reviewing the intelligence on the things? From what I see, I don't see anything changed from what you told me.

Haig: No.

Nixon: It doesn't seem to—in fact, if anything, it seems to have tapered off considerably. But I don't know. But maybe the first reports were wrong; maybe the second are wrong. [Laughs] What's your view?

Haig: Well, my view is that there is slightly less reason for, for quick action. But I think we ought to hold off on that decision another 24 hours.

Nixon: Um-hmm. The problem that I have with it, actually, is this: that I don't know whether the action, at this point—whether the provocation is adequate. That's—you see what I mean? I don't—I never—

Haig: Right.

Nixon: —never have any damn doubt about action, but you just can't just get up and do something because of a whim, or what appears to be a whim.

¹ Source: National Archives, Nixon Presidential Materials, White House Tapes, Conversation No. 37–170. No classification marking. According to the President's Daily Diary, Nixon spoke to Haig on the telephone from 4:23 to 4:39 p.m. (Ibid., White House Central Files) The editor transcribed the portion of the tape recording printed here specifically for this volume.

Haig: No, I think we ought to, ought to watch it very carefully. I know that they're intensely trying to look for any changes in the status quo, one way or the other.

Nixon: You mean the intelligence people?

Haig: Yes, yeah. We just haven't gotten anything, and I don't think we really have enough to make a decision here—

Nixon: Yeah. What is—now, I haven't bothered Henry. He's in Mexico, isn't he?²

Haig: Yes, sir.

Nixon: Yeah. And—

Haig: He's there, and he's—he's watching the thing. I've talked to Scowcroft—

Nixon: Yeah.

Haig: —and he said that Henry's inclination is to—just to watch it. Although he's still inclined to think we're going to have to do something.

Nixon: Yeah.

Haig: I just finished 45 minutes with Ambassador Phuong, who—

Nixon: Yeah.

Haig: —just came back from Saigon.

Nixon: Yeah.

Haig: And, I was quite encouraged by the discussion. One, he said that, that they're very confident—the South Vietnamese. Two, that the morale of the South Vietnamese military is high and, and, and strong. And, three, that he doesn't believe that they have any intentions of seriously upsetting this thing, but that he thinks they're going to just keep pressing in every direction to see what they can get away with.

Nixon: Yeah. I see. The problem I have, Al, actually is that it gets down to the point that I don't want to be influenced in this by the sort of the bravado type of thing, which, you know—

Haig: That's right.

Nixon: —psychosis, which Henry goes through at times. You know? I mean, having, you know—the idea that, well, we've said we might do something, and now we've got to do something. Well, we don't have to do a goddamn thing, you know. [Laughs] You understand what I mean?

Haig: [unclear]

Nixon: Now, if—so, we mustn't do it simply because—in order to prove that what he has told Dobrynin and others and so forth that

² Kissinger was in Acapulco, Mexico, from March 17 to 26.

we've got to demonstrate. You see, even if, on the other hand, there is an action—I mean, if there's—we just got to have some pretty solid stuff. But—

Haig: Well, I don't—

Nixon: And, actually, I don't know. From him—from his sitting down, there, I don't know whether his judgment isn't going to be all that good on it, as on an up-to-date matter.

Haig: No, I don't, sir. I don't either, and that's one of the odd—oddities of this current moment.

Nixon: Yeah, it is. Isn't it?

Haig: If he really—

Nixon: Yeah?

Haig: —feels that something must be done, then he should be back here—

Nixon: Yeah.

Haig: —when it is done. That, I have no question about. But, I would say that—what I would do, sir, is I'd just watch this again.

Nixon: If there's nothing, certainly, then, we'll wait 24 hours and—

Haig: That's right. We have, we have time. We have four or five more days, and, and it wouldn't make an awful lot of difference if it happens in the, in the midst of the other thing.

Nixon: Um-hmm.

Haig: If, if—

Nixon: Yeah, the whole point is that—yeah, there are other reasons, though, to—we may have to take the, take the good of it at—well, while we can. I—if I really thought—look, here's the other point that we have to have in mind, Al, that, that—so we say we'd do this in order to indicate that, maybe, we'd do something later. Well, now, there's been enough written, and it's quite on the mark, by even our friends, like an Alsop³ and others, that—to the effect that, well, after we get everybody out, and after we've withdrawn everything, then you damn near have to get congressional approval to do something.

Haig: Yes.

Nixon: You—you see that, don't you?

Haig: Yes.

Nixon: You see, because we have a cease-fire, right?

Haig: That's right.

Nixon: And for, for them just to up and say, "Now, because of this and that," you say, "For what purpose are you doing it?" Well, you're—

³ Joseph Alsop, journalist and syndicated newspaper columnist.

for the purpose of [laughs]—you see? I’m—I think we have a—I think we’ve got a problem there that may not have occurred to Henry. I—it’s always occurred to me. I mean—

Haig: It’s a real problem.

Nixon: And, of course, we have, as you know, we’ve assured Thieu that we would do things. But, do you have any serious doubts in your own mind that we’d really—we would really have to go to their aid, in this case, with—if—let’s face it: one of the reasons we were able to do what we were able to do is because they had the prisoners, and we had some troops there. Now, when they’re all out, when all the prisoners are out, you’re going to have one hell of a time.

Haig: That’s right.

Nixon: I mean, without going to the Congress, right?

Haig: No, I agree with that, sir—

Nixon: Hitting the North, now—now in the—in—in—in the event—in the event there’s a massive reinstitution, and so forth, of the—of, of military actions, that’s something else again. But—but I’m speaking now that, that, that the idea that, well, by doing something now, that indicates we might be trigger-happy late—later. I don’t think that argument is quite as strong as Henry has—see, he’s thinking as to how it used to be, and not as to how it will be, I think.

Haig: Well, that’s right, although there is something to be said for that, that logic. That, that [unclear]—

Nixon: That at that—I know, if we do something now. But my point is: it was more believable before, because we had people there. But, at, at a time when we don’t have anybody there, it’s going to be damn tough.

Haig: Yes. Absolutely.

Nixon: That’s the point. I mean, it’d mean—they’re, they’re smart enough to know that we will have to get some sort of approval. Well, in any event, I haven’t decided. We’ll take a look at it, and, and—

Haig: Yes, sir. I really don’t think it’s that crucial in terms of timing, because it’s not going to be that clean a difference.

Nixon: Well, look, it isn’t that clean of difference because it’s—

Haig: I think the whole thing will rest on our ability to justify, through provable violations that are serious in character.

Nixon: Well, the provable violations—what, what he’s basing everything on, at the present time, is the infiltration of equipment, correct?

Haig: That’s right, sir.

Nixon: Now, on that—

Haig: Individual replacements.

Nixon: What?

Haig: Phuong told me he didn't think—he thought these are—these were replacements to replace other people that are going to go back home.

Nixon: Well, they aren't even allowed that, I guess, under the thing, are they?

Haig: No, they're not—

Nixon: Yeah—

Haig: —but it certainly makes the character of the—

Nixon: Yeah. [Laughs]

Haig: [unclear]

Nixon: It doesn't increase the threat, does it?

Haig: No.

Nixon: All right. Well, we'll keep in touch. But, it is—I say, it is rather curious that—if Henry feels as strongly about it, that he's there rather than here, too.

Haig: Well, it's a nice insurance policy, and that's what he's thinking of. Of, you know—

Nixon: You mean an insurance policy in the sense of—

Haig: No longer [unclear]—

Nixon: —warning them?

Haig: Yes.

Nixon: Yeah, yeah.

Haig: It's just that simple, I think.

Nixon: Yeah. But, you—but, you're not convinced that it's worth doing, yet?

Haig: No, I'm not. If, if—the indications are it's less of a problem [unclear]—

Nixon: Yeah, than we—than it was last week?

Haig: That's right.

34. **Conversation Between President Nixon and the President's Deputy Assistant for National Security Affairs (Scowcroft)**¹

Washington, March 20, 1973.

Nixon: I was—sit down. I was wondering what the situation is with regard to our—infiltration, and so forth. [unclear] Henry's back [unclear].

Scowcroft: Yes, sir.

Nixon: [unclear]

Scowcroft: Yes, there, there has.

Nixon: The point is—the question is: what are the provocations, exactly?

Scowcroft: Yes, and I think, I think the reduction is based on the climate season—

Nixon: Right.

Scowcroft: —rather than on—

Nixon: Yeah.

Scowcroft: —any representations that we have made.

Nixon: Yeah. Yeah.

Scowcroft: As near as we can figure out, their infiltration has been, this year, just like it was last year. And that there has been no—in other words, the cease-fire—the agreement, had no effect at all on what they've done. It is, apparently, tapering off.

Nixon: Yeah. What is it—has he—have you had any message from Henry as to what his present feeling about it is?² He's there?

Scowcroft: Yes. Yes, I have. He is inclined to think that maybe we should delay a day, instead of—I think [unclear] Thursday and Friday—Friday and Saturday.³ He's afraid, I think, that if we don't do something now, that we'll be in worse shape next fall. And that this is, perhaps, the best time to send them a signal that's unmistakable. There is a consideration that—about the Laos situation, and Ambassador Godley has, has pointed out to us that the 23rd is the date that the new Laotian Government is supposed to be formed.

¹ Source: National Archives, Nixon Presidential Materials, White House Tapes, Conversation No. 885–6. No classification marking. According to the President's Daily Diary, Nixon met with Scowcroft in the Oval Office from 5:45 to 5:59 p.m. (*Ibid.*, White House Central Files) The editor transcribed the portion of the tape recording printed here specifically for this volume.

² See footnote 2, Document 33.

³ March 22–25.

Nixon: That's right.

Scowcroft: That—

Nixon: It'd be a pretty good—pretty bad time to hit them then.

Scowcroft: That's what he says: that some Laotians want you to encourage a postponement to the 25th, or the 26th. There, apparently, may be some acceleration in the last POW release. The PRG have now recommended the—or, proposed the 25th—

Nixon: Yeah.

Scowcroft: —for theirs.

Nixon: The 25th?

Scowcroft: The 25th. That's Sunday the coming week. Now—now, Henry doesn't really think that a strike would interfere with the POW release.

Nixon: Of course, nobody knows.

Scowcroft: I think that the closer the two are together, the more difficult it makes it for them to, to go ahead with a release. But, I—

Nixon: But, in any event, he's had some second thoughts about the terms, at least as far as the timing.

Scowcroft: Yes, he has. And, as a matter of fact, I—I've got here just, just a very brief paragraph, here.⁴ He says: "I believe Godley makes a good point with the possibility of time fouling—fouling up the Lao-tian negotiations. However, none of the considerations advanced last week have really changed," which is, which is true. "I don't believe the North Vietnamese decision on withdrawal will depend on one series of strikes. Another danger is that they will delay release of the POWs. The counter argument is that they would tend to be much more ruthless next fall. The President should be made aware of the Godley argument. We should not, in any case, go before Thursday night. My recommendation, on balance, would be that we go then."

Nixon: That's right.

Scowcroft: "The other possibility would be to do it next week, after the POWs are out."

Nixon: Well, except that what Henry's overlooking is the fact that it's—I mean, this makes this one less effective, too. With the—the use of the—after they are out, the, the, the support, here, for any kind of strike is way down.

Scowcroft: It's way down, and I think it also—

⁴ Message Hako 3 from Kissinger to Scowcroft, March 20; National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 31, HAK Trip Files, March 12–16, 1973.

Nixon: And it breaks the cease-fire, don't you think?

Scowcroft: That's right.

Nixon: Even though it's in Laos.

Scowcroft: That's right.

Nixon: The point is, therefore—also, the argument is that if you just—if you hit now, is that the idea being that, well, if you hit now, with the POWs still there, that sort of puts them on notice that, maybe, we might do it again. That's going to evaporate, in, in my opinion. I mean, we have to be candid about what—what's really going to happen, due to the fact that the Congress will, will insist upon an approval of any major strike—I mean, with any strikes—after the withdrawal is complete.

Scowcroft: I think I—that's at least right—

Nixon: That's now. But you maybe be able to do this, depending how the Congress will vote on the use of American air power. In other words, to help South Vietnam. Cambodia, we can get away with, for a while. Laos, not after the—if they get a cease-fire there, now. But, as far as the use of American air power against North Vietnamese forces coming into the South, unless there is a raw, naked invasion [unclear] it'd be terribly—it would be impossible, really, to get it without a Congressional uproar. You see, that's the, the point of that. The, the argument that you can make—the, the arg—it's, it's a very nice argument to say that, "Well, by, by hitting now, we demonstrate that the President is the kind of guy who will use power." Fine. It may demonstrate we'll use it now, but it does not necessarily demonstrate we'll use it later.

Scowcroft: No, the circumstances are—

Nixon: That's the problem.

Scowcroft: —are very different.

Nixon: And the circumstances will be substantially changed, and that's, that's something we have to consider. So, the real question is whether it's worth doing just by its own sake.

Scowcroft: Yes. I, I think that—

Nixon: By its own sake. Not because of the calling card for next November, but by its own sake; whether it's really worth sending these planes over to knock out a few trucks and tanks, or whatever the hell they've got on those roads.

Scowcroft: Uh—

Nixon: I know. That's the question.

Scowcroft: In terms of its military effect, I don't think it is worth it.

Nixon: That's the point.

Scowcroft: You know, we'd—

Nixon: We've hit for years—

Scowcroft: —we'd hit them on the road for the first day or two, and, and—

Nixon: Yeah.

Scowcroft: —they would hurt modestly, but—

Nixon: Look, we've done it for years.

Scowcroft: —you know, we're, we're talking about a few more days of something to, to make up for what we'd lose in a—what they would lose in a—

Nixon: A strike. Right.

Scowcroft: —strike. I—I feel that, that if we're going to strike, it, it really needs to be before the last POW release. So—

Nixon: Yeah, well, I think [unclear]—

Scowcroft: I think afterwards, as you say—

Nixon: Afterwards, I, I think all hell would break loose—

Scowcroft: Well, I do too—

Nixon: —here, for, for the strike. They'd say, "What the Christ are you doing it now for?"

Scowcroft: That's right.

Nixon: Well, unless it was tied directly into something, something in Laos, like—

Scowcroft: Well, and that—and that's not likely. We're not likely to have any one, one incident around which we could coalesce—

Nixon: So—

Scowcroft: —support for a strike.

Nixon: —basically, let's face it: this infiltration is not directed against Laos; it's directed against South Vietnam.

Scowcroft: That's right. That's right.

Nixon: So, my point is: why do you do it, then? If you do it now, for what purpose? To let them know that, watch out, you're going to lose it again? I guess you can't. I don't know. I don't know whether it's going to be very believable after the rash of stories that are [unclear] come out, without question. [unclear] the last American leaves there, the whole feeling of Congress and the country would be, "Now, for Christ's sakes, we're out of Vietnam. Let's don't go back in." [unclear]—

Scowcroft: There's no—there's no—

Nixon: That's right. And, I just don't—I don't—I don't buy that argument. You know my thesis, and all, but that's, that's going to be the fact. [unclear]—

Scowcroft: There's no, no question about that.

Nixon: And—

Scowcroft: I think—

Nixon: See, Henry's often—always is [unclear] thinks, well, we did it in December, and we're clear. It was quite risky then. And it did work [unclear] difficult things.

Scowcroft: Um-hmm.

Nixon: Well, this time we wouldn't—that we were interested in. To whit: POWs. That was a major difference [unclear]. Then, get a settlement.

Scowcroft: Yeah. That's right.

Nixon: But, now, why are we doing it?

Scowcroft: Um-hmm.

Nixon: To guarantee the settlement? Of course, we've told Thieu we'd do it and all that. But, we've also told the American people that we've gotten them ready to defend themselves, and they've got an air force and all the rest, and they [the American people] say, "Why the hell don't they [the South Vietnamese] do it?"

Scowcroft: Well, that, and—though, there's no question about that. I think, on the other side, the argument would be that they obviously are pushing against the agreement. They're, they're testing—

Nixon: That's right.

Scowcroft: —to see what they can get away with; to see how far they can go. And, that if we hit them now, we will have registered something with them that—

Nixon: Indicating that, maybe, we can be pushed too far.

Scowcroft: That's right. And that, maybe, it would forestall them doing something later on, which they otherwise would do, having decided that they can get away with almost anything, because we didn't react, this time.

Nixon: Right. That's the argument.

[Omitted here is further conversation regarding Vietnam and Kissinger's schedule.]

35. Memorandum From the Director of Central Intelligence (Schlesinger) to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, March 21, 1973.

SUBJECT

Report on Use of Covert Channels to Convey a Message to Hanoi

1. We have taken appropriate steps to implement your request of 13 March² that the Agency use its covert channels to convey convincingly to the North Vietnamese leadership the message that the U.S. Government will not tolerate the communists' massive violations of the Paris Agreements and will not let continued violations go unpunished. This message was passed on 16 March to well-placed North Vietnamese officials in both Vientiane and Paris under circumstances which should assure that it will reach the proper quarters in Hanoi.

2. Our disinformation program was designed specifically to lead the North Vietnamese to conclude that we were deliberately leaking our plans to them in such a way as to enable them, in effect, to save face vis-à-vis the American officials with whom they are engaged in on-going negotiations. By passing an identical message simultaneously in two widely separated portions of the globe, we sought to underscore the seriousness which we ascribed to this warning.

3. [1 paragraph (15 lines) not declassified]

4. [10 lines not declassified]

James R. Schlesinger³

¹ Source: Central Intelligence Agency, Executive Registry Files, Job 80–B01086A. Secret; Sensitive; Eyes Only. Colby recommended signature of the memorandum on March 20.

² Kissinger made this request at the March 13 WSAG meeting. The minutes are in the National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files) Box 117, WSAG Meeting Minutes, Originals, 1973.

³ Colby signed for Schlesinger above Schlesinger's typed signature.

36. Minutes of Washington Special Actions Group Meeting¹

Washington, March 28, 1973, 3:13–4:08 p.m.

SUBJECT

Southeast Asia

PARTICIPANTS

Chairman
Henry A. Kissinger

State
Kenneth Rush
William Porter
William Sullivan

DOD
William Clements
Lawrence Eagleburger
Gen. Alexander Haig, Jr.

JCS
Adm. Thomas Moorer
Vice Adm. John Weinell

CIA
James Schlesinger
George Carver
William Nelson
NSC
Brig. Gen. Brent Scowcroft
Richard Kennedy
John Holdridge
James Hackett

SUMMARY OF CONCLUSIONS

It was agreed that:

—A working group on Cambodia will be established immediately to prepare a list of options on the situation in Cambodia for the President's consideration. The paper should include specific recommendations on possible U.S. courses of action with regard to adjustments of U.S. personnel in Cambodia, the composition of the Cambodian Government and military actions in Cambodia. Ambassador William Sullivan of the State Department will chair the working group. The objective should be, at a minimum, to prevent communist control of the waterways leading to the delta and otherwise to achieve results in Cambodia that will not lead to a serious new threat to Vietnam.²

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² During a discussion of Indochina on March 13, the WSAG agreed that the United States must prevent a major Communist offensive in 1973. It concluded: "The best military option appears to be a resumption of bombing the trails in Laos as soon as possible after the third tranche of POWs is released, possibly followed later by bombing of the DMZ and the area between the DMZ and the South Vietnamese lines, if necessary. The final decision will be made by the President." Minutes of that meeting are *ibid*.

—There are no restrictions on the movement of CIA personnel in Cambodia. The limitations on such movement caused by the restrictive 200-man ceiling on U.S. personnel imposed by the Cooper-Church amendment should be addressed by the working group as part of the review of U.S. personnel in Cambodia mentioned in the preceding paragraph.³

—State will make clear to the Polish and Hungarian governments that their desire for Most Favored Nation status and other economic benefits depends on the impartiality of their ICCS representatives.⁴

—The working group on Vietnam will prepare a paper listing military actions that South Vietnam might take in response to the cease-fire violations, for use in the discussions with President Thieu during his visit to San Clemente.

—There will be no public statements downplaying enemy infiltration.

Mr. Porter: Have you received the paper we sent over concerning the bombing of Cambodia?

Mr. Kissinger: Yes, but we had to do the justification of the Cambodian bombing ourselves.

Mr. Porter: Then it must be right.

Mr. Kissinger: Perhaps we should get some of the lawyers who kept the Thai regiments out of Cambodia working on it. Jim (Schlesinger), do you want to give us a quick rundown on where we stand?

Mr. Schlesinger read part of a prepared briefing (copy of complete CIA briefing attached, Mr. Schlesinger read to the double line on page 4, at which point he was interrupted).⁵

Mr. Kissinger: When will they launch the offensive?

Mr. Schlesinger: They will be ready in several weeks time.

Mr. Kissinger: What has (Ambassador) Godley found out?

Mr. Sullivan: Phoun Siprasouth (one of the representatives of the Laotian Patriotic Front—LPF) was expected back in Vientiane yesterday, but he didn't show. Now we understand he will be arriving there today (March 28).

³ CIA program plan, "Augmentation of Phnom Penh Station," April 11; Central Intelligence Agency, Executive Registry Files, Job 80-M01066A, Box 4, Cambodia, January–June 1973. The Cooper-Church amendment to the Supplementary Foreign Assistance Act of 1970 barred funds for the introduction of U.S. troops into Cambodia, including military advisers, without congressional approval.

⁴ Documents on the U.S. approach to Poland and Hungary are in the National Archives, RG 59, Central Files 1970–73, POL VIET 27–14.

⁵ Schlesinger's untitled notes, undated, attached but not printed.

Mr. Kissinger: Can someone talk to Souvanna Phouma?

Mr. Sullivan: Walter Cronkite did yesterday.

Mr. Kissinger: I didn't see that, what did he say?

Mr. Sullivan: He's very optimistic. He said he expects the LPF representatives to come back and for the government to be formed in the very near future.

Mr. Porter: Things look pretty bad in Cambodia.

Mr. Kissinger: Can someone give us an assessment of whether the Cambodian leadership is acting the way they are because of our pressure or their own paranoia? I can understand their situation. There are communists all around the capital trying to seize control and the American Ambassador comes in and tries to force the President to take the suspected plotters into the government. What are they to think? We did that in 1963 in South Vietnam and I don't want it to happen again. We don't want to overthrow anyone until we have someone to take his place.

Gen. Haig: I wonder if we aren't putting too much emphasis on the wrong thing. We're worrying about the composition of the government when enemy action is cutting off and isolating the capital.

Mr. Kissinger: How bad is it?

Adm. Moorer: Highways 1 and 4 are both interdicted and the Mekong River is cut, too. Only Highway 5 to the rice producing area is open.

Mr. Kissinger: Our behavior has been like that of a maiden aunt. We've been giving the Cambodians advice on how to constitute the basic political structure of their government when they have a knife at their throat. I don't have any precise strategy for this situation, but I hope someone in this distinguished group has some ideas. What instructions is (Ambassador) Swank operating under?

Mr. Sullivan: We haven't sent him any instructions in three weeks. He's been playing it by ear since the bombing of the palace. Perhaps we should send him some guidance. The last instructions we sent him, on trying to get Lon Nol and Lon Non out of the country, were aborted by the bombing.

Mr. Kissinger: Do you have any instructions ready to go?

Mr. Sullivan: I don't know what to send. Al (Haig), do you have any thoughts?

Gen. Haig: The situation is very, very serious. If they have the river blocked, we're in serious trouble.

Adm. Moorer: With the Mekong River blocked and Highway 1 to Saigon and Highway 4 to Sihanoukville both blocked, Phnom Penh is really isolated. It's hard for us to do much about it; thanks to Senator Church, our forces can't cross the border.

Mr. Kissinger: Does anyone have any proposals?

Mr. Schlesinger: We sent one to you last week but haven't heard anything.

Mr. Kissinger: That's no longer feasible; it had to do with getting Sirik Matak into the government.

Mr. Schlesinger: No, not that. I'm referring to our suggestion for an on-the-scene assessment of the situation. I think we need such an assessment badly. Why don't you send Haig to Cambodia?

Mr. Porter: Are you going to leave him there to run things? It's no good if he comes back; he would have to stay out there and run the army if he is going to accomplish anything.

Gen. Haig: Thanks a lot.

Mr. Kissinger: We've had enough assessments already.

Mr. Schlesinger: I'm convinced you won't be able to get Lon Non out of the country while he is in office.

Mr. Sullivan: Our Cambodian Desk also suggested we send a White House emissary to Phnom Penh, but they were clever enough not to suggest anyone in particular.

Mr. Kissinger: They must really think this one is a loser! The pre-eminent agency of the government is suggesting a White House emissary?

Mr. Schlesinger: I think we should send someone.

Mr. Kissinger: What about winning the war?

Mr. Schlesinger: We can't do that until we get the government straightened out.

Mr. Clements: What size forces would be necessary to open those roads that are cut?

Adm. Moorer: The Cambodian government has the enemy outnumbered 2 to 1 everywhere, but they launch hit and run strikes that effectively close the roads and waterways. We can get convoys of trucks in with area support by gunships, but the communists are spreading up and down the rivers and the situation is getting worse.

Mr. Kissinger: If Cambodia goes communist, can South Vietnam survive?

Adm. Moorer: If the communists range along that long border between Cambodia and South Vietnam, it would be very hard for South Vietnam to survive. An unfortunate characteristic of South Vietnam is its very long border with Cambodia and Laos.

Mr. Carver: South Vietnam will be in a very tough spot if the communists get control of the waterways and start bringing in supplies on the rivers again. I agree with the Director (of CIA) that we must have a more cohesive government in Phnom Penh.

Mr. Kissinger: How much time do we have?

Mr. Carver: Sixty to ninety days at most. Lon Non has the military commanders in a state of apprehension. The Cambodian generals are all nervous, each thinking he may be next on Lon Non's list. It's having a very serious effect on military effectiveness. None of the commanders want to stick their necks out or take any initiatives.

Mr. Kissinger: Can we get a working group formed to prepare a few options for the President's consideration instead of wringing our hands at every WSAG meeting or sitting around like a group of assistant professors trying to devise methods of re-constituting other governments? We need some realistic options. Perhaps we should put Lon Non in charge; that's one of the options. We don't want the whole situation to fall apart in Cambodia.

Mr. Schlesinger: Are we (CIA) still restricted in Phnom Penh?

Mr. Kissinger: You haven't been restricted in Cambodia for at least two months.

Mr. Nelson: The big problem is that we are operating under the restriction of the Cooper-Church ceiling of 200 Americans in Cambodia.

Mr. Kissinger: What is the effect of that limitation?

Mr. Nelson: We're operating now at the 200 limit. If we want to send in more intelligence people, we will have to take some others out of the country.

Mr. Kissinger: Can't you put them in on TDY?

Mr. Nelson: The 200 ceiling includes TDY's.

Mr. Kissinger: We've used TDY's before.

Mr. Sullivan: Cooper-Church has been very narrowly defined in this regard. We've been through this issue before. We argued that TDY's should not be counted under the ceiling, but our request was specifically denied.

Mr. Nelson: We can do some juggling. We could take the less essential members of the MEDT Group out.

Mr. Sullivan: We have about 70 of them there, although 100 are authorized. I think they can be moved to Thailand.

Adm. Moorer: We should move out those who are working on cultural and economic matters until the war is settled.

Mr. Kissinger: I would like some recommendations as soon as possible on adjustments of personnel, what you would suggest we do concerning the composition of the government and what military actions we might consider in Cambodia, so that the President can take some actions on Monday (April 2).

Adm. Moorer: The problem we have in Cambodia is that we just don't have enough people there. Can we make some adjustments soon so we can get some more operational people in there?

Mr. Kissinger: Moving people around involves the passions of the bureaucracy to an intense degree, which the loss of Cambodia doesn't. The working group should make some recommendations on personnel adjustments.

Adm. Moorer: Who has the action on that?

Mr. Kissinger: Someone has to be chairman of the group, although no one seems very anxious. Bill (Sullivan), how about you?

Mr. Sullivan: I knew it!

Mr. Porter: We have no problem handling this. Maybe we should also try some other approaches. We might try to get Russia and China involved in some kind of conference on Cambodia. I don't know if they will agree, or whether it will accomplish anything if they do, but we can't stay where we are, the present situation is untenable. We may end up with something in Cambodia like we now have in Laos, which may not be so bad, comparatively speaking.

Mr. Kissinger: If something develops in Cambodia that permits the communists to use Sihanoukville, that will be unacceptable. In that case, we won't be able to hold South Vietnam. We'll be right back where we were in 1970.

Mr. Porter: But South Vietnam has some responsibility for its own defense. We don't know what we may get in Cambodia; we may even get Sihanouk back again.

Mr. Kissinger: We need a result that meets our objectives. I could make a deal with Chou En-lai tomorrow to bring back Sihanouk, but we don't want to do that.

Mr. Porter: In all my years of experience I've never seen a situation as bad as this, except perhaps for the situation in Laos a few years ago.

Mr. Sullivan: Not even Algeria?

Mr. Porter: I take no responsibility for what happened in Algeria. Actually, things haven't turned out so bad there.

Mr. Kissinger: We've been meeting here for four years and we've been through it all. I'm not looking for alibis from you for losing this whole thing. There are a hundred ways we could make it look good while turning it over to the communists, but that's not what we're here to do. I don't want them to get the waterways to the Delta. What can we do to prevent it?

Mr. Schlesinger: There is some interest in a possible coup.

Mr. Kissinger: By whom?

Mr. Schlesinger: By the military, or someone in the military.

Mr. Kissinger: You'd better finish your hearings before you start getting into these ideas. O.K. then, we will get a set of recommendations for the President's consideration by Monday. Bill (Sullivan), you

will chair the working group, and you have no excuse for not knowing what the general strategy is.

Mr. Sullivan: I may know the strategy, but I don't have any answers.

Mr. Kissinger: We'll rely on your Irish ingenuity. What is the situation regarding infiltration?

Mr. Schlesinger: We are not detecting any new large units entering the trail.

Mr. Kissinger: How come?

Mr. Schlesinger: Well, for one thing, it is the end of the dry season and it may be the normal tapering-off that occurs at the time, but we really don't know.

Mr. Kissinger: Is total infiltration down, or have they just switched the rules and begun moving it across the DMZ or in some other way?

Mr. Schlesinger: The total appears to be diminishing.

Mr. Carver: It is diminishing, but they may not need any more right now. There are about 20,000 men still in the system and when they reach their destinations the enemy will be back up to his peak strength of last year, so it may not be necessary for them to send any more in now.

Adm. Moorer: But the logistics keep moving. On the 24th of March the logistics movement was the heaviest it has been at any time this year.

Mr. Kissinger: The logistics are continuing?

Mr. Carver: That's right, it's very heavy.

Mr. Kissinger: We have been talking about infiltration, but you are talking about personnel and supplies as different things. When you refer to infiltration do you just mean people?

Mr. Carver: That's right. The movement of supplies is different. There has been a lot of truck movement.

Mr. Kissinger: I don't know how you differentiate these things. How much movement of supplies has there been?

Adm. Moorer: Our estimate for March 24 was 1,000 tons of rice and 3,000 tons of other supplies.

Mr. Kissinger: Have we protested the violations of the DMZ?

Mr. Kennedy: Yes, we have.

Mr. Kissinger: I haven't seen anything on that.

Mr. Porter: It's difficult to say anything publicly. How are you going to prove it?

Mr. Kissinger: We have some evidence, haven't we?

Mr. Porter: The trouble is that the evidence is such that it is not acceptable. We had that same problem in Laos.

Mr. Sullivan: We provided the evidence to the Canadians, but they don't think they can use it because it is from intercepts or sensors.

Mr. Kissinger: If I were sitting in Hanoi infiltrating men and supplies through the DMZ and no one protested to me, I would think it was being accepted. Are we sure of the evidence?

Mr. Carver: Those roads they built in that area were not public works projects.

Mr. Kennedy: We have protested the infiltration.

Adm. Moorer: General Van (ARVN Chief of Staff Gen. Cao Van Vien) has told us that military operations will be initiated in the near future in MR-1 and in the Plain of Reeds area of MR-4.

Mr. Kissinger: This whole town is looking for alibis instead of trying to get the enemy to implement the agreement. If we don't protest to them on the infiltration, they will assume we don't object to it. I don't care what the press says about it; the *New York Times* and *Washington Post* have never been with us, anyway. Have the Hungarians and Poles been told that Most Favored Nation status will not be approved for them unless they show a more positive attitude on ICCS?

Mr. Porter: We've had several sessions with them, first here and later in Europe.

Mr. Sullivan: No threat concerning MFN was ever made.

Mr. Porter: Well, the issue of MFN applies to only one of them.

Mr. Kissinger: They both want plenty from us.

Mr. Sullivan: The head of the Polish delegation is being called back to Warsaw as a result of our démarches.

Mr. Kissinger: We are going to get action on this one way or another. We'll call them to the White House and tell them right here if you won't do it. If the North Vietnamese get away with this infiltration now there will be even more later on this year. The leaks to the newspapers that infiltration is down are the opposite of what we are here to do. There are to be no public statements or leaks that infiltration is down.

Mr. Porter: You gave them a hell of a diplomatic clout on infiltration. What else can we do?

Mr. Kissinger: We have to convince them that something else will follow. I don't want to have to extort action from a reluctant department every time the President wants something done. Anytime the WSAG wants a meeting with the President, I'll arrange it. Bill (Sullivan), I take the answers we have received on the extension of the Four Party Joint Military Commission to be a categoric turndown by Hanoi.⁶

⁶ The Commission, as previously scheduled, disbanded on March 29.

Mr. Sullivan: So do I.

Mr. Kissinger: What about the Two Party Joint Military Commission?

Mr. Sullivan: It should be constituted automatically when the FPJMC disbands. Some more PRG people are coming in to participate in it. Actually, it will be in-being contiguous with the departure of the FPJMC, so there will be no gap between them.

Mr. Kissinger: Will we be out tomorrow?

Adm. Moorer: All of our people have to be out by March 31.

Mr. Sullivan: Except for thirty people on the team that is working on the MIAs.

Adm. Moorer: That's right.

Mr. Kissinger: What about the ICCS?

Mr. Sullivan: There is no relation between the ICCS and the military commissions. The ICCS isn't too effective, but it is there.

Mr. Kissinger: What are the Canadians going to do after sixty days?

Mr. Sullivan: We think they will take a good look at the military situation at that time and if there is a lot of military action going on, they will probably pull out.

Mr. Kissinger was called out of the meeting at this point.

Mr. Schlesinger: (to Mr. Sullivan) What do you think of the situation in Cambodia?

Mr. Sullivan: I think Sirik Matak shot his gun and is all finished. Everyone I talk to, including the Cambodian military, is concerned about Lon Non. The military leadership is very concerned about what he may do. I don't know how much Lon Nol really depends on Lon Non, do you (CIA) have any feel for that?

Mr. Carver: He's got Lon Nol convinced that he's merely protecting his elder brother against all sorts of plots and enemies.

Mr. Nelson: He (Lon Non) acts very decisively.

Adm. Moorer: In that case, maybe we should sign him up.

Mr. Sullivan: The Thai think he's a big problem, too. Thanom suggested we offer Lon Non a lengthy training course that will get him out of the country. They prefer Hang Tung Hak (the Cambodian Prime Minister). They never did think much of Sirik Matak.

Mr. Nelson: That's right. The Thai were opposed to our alleged approaches to him.

Mr. Kissinger returned to the meeting.

Mr. Schlesinger: Do we have any U.S. volunteers in Cambodia?

Mr. Kissinger: Volunteers? What do you mean, the Peace Corps? I don't think we have any volunteers there.

Mr. Clements: The Thai have great interest in the situation in Cambodia.

Mr. Kissinger: Of course they do, and they will turn against us if it all goes bad there. Then the Indonesians will follow suit. We have a lot more at stake here than just Cambodia. I want a paper from the working group with recommendations on what we should do in Cambodia. I also want a paper on what we should discuss with Thieu (during his visit to San Clemente) regarding military actions the South Vietnamese might take in response to the ceasefire violations. Perhaps the Vietnamese Air Force could do something about those missiles at Khe Sanh. Are we going to get a briefing book on Thieu, Dick (Kennedy)?

Mr. Kennedy: Yes.

Mr. Kissinger: Is there any other business?

Mr. Schlesinger: There is another subject I want to discuss with you.

Mr. Kissinger: O.K., but I'll see Ken Rush first. We'll do it by rank.

37. Telephone Conversation Between President Nixon and the White House Chief of Staff (Haig)¹

Washington, March 30, 1973

Nixon: As you know, I'm leaving for California soon, and I just read a very ominous memorandum from Henry about his concern about the North Vietnamese buildup, and all that sort of thing, and so on.²

Haig: Right, sir.

Nixon: And at what's happening in Cambodia. Now, you may recall when we made the decision last week not to do the Trail, Henry, at that time, was sort of pushing for it, but then he backed off some when they had that 23rd day—oh, you know, in Laos. I still think it was wise that we probably didn't do that. I don't know that we had the provoca—I mean, the—I mean, I don't think we had the public provocation set up obviously. But I don't know. What do you think?

¹ Source: National Archives, Nixon Presidential Materials, White House Tapes, Conversation No. 44–120. No classification marking. According to the President's Daily Diary, Nixon spoke to Haig on the telephone from 4:23 to 4:39 p.m. (Ibid., White House Central Files) The editor transcribed the portion of the tape recording printed here specifically for this volume.

² Document 29.

Haig: I think that last week's timing was not—

Nixon: It wasn't the right time.

Haig: It wasn't right. It just—

Nixon: Yeah, yeah.

Haig: It was an awfully tough one and—

Nixon: Yeah.

Haig: —a tightly balanced one.

Nixon: Right. Everything is that. In any event, that doesn't mean you can't do it. But, what is your present evaluation, Al, as to yourself as you look at the whole situation?

Haig: I'm getting increasingly concerned about Cambodia.

Nixon: Cambodia? But what about the—what about the thing—you see, these intelligence reports, you know, the thing you had talked about, now, they, they seem to be going almost overboard in the direction of indicating that everything is going to hell in a hat. I'm not—I don't know that it—you know, they've—I, I—it's just hard for—you—you know, you've been analyzing them. I don't know. What—what do you see in the thing—?

Haig: Well, I—

Nixon: —and, incidentally, what the hell is the South doing? Good God, they've got a hell of a big army. I mean, yes, sir, are they—aren't they doing a little fighting themselves?

Haig: Yes, they are—

Nixon: The number of incidents is actually down some, is it not? Or, not much, but—?

Haig: No, the incident rate has been slowly and very mildly decreasing.

Nixon: But only mildly, right. I noticed; that's what I meant. Some, but just very slowly. Yeah.

Haig: But I think the, the danger is that there are a combination of reasons for it in Cambodia. There have been a series of violations across the board in Laos, South Vietnam, and, of course, no action at all in Cambodia, although we didn't expect that, initially. The areas that worry me the most are the, are the broad applications of the overall agreement in Laos, and in South Vietnam, with infiltration, incidents, refusal to, to investigate. And this—when you combine that with what could be happening in Cambodia, it is reason for some concern. I—I really—I think it is. But I don't think it's a—it's an immediate thing in the sense of we've got a crisis.

Nixon: Yeah.

Haig: I think we have an obligation to take a look at every kind of leverage we can—

Nixon: Yeah.

Haig: —apply to this.

Nixon: You see, the problem we've got, Al, here, is on the—that we, we mustn't get into is the, the sort of the crisis mentality that, that like on Cambodia, that, well, we'll start to, start to bomb on the—well, we're bombing the hell, there, out of it already, you know.

Haig: That's right.

Nixon: Good God, I don't know. Are they hitting anything? What is the situation—?

Haig: Well, there are indications that they're hitting it so hard that they're driving a lot of the North Vietnamese into South Vietnam. You know, in that—

Nixon: That's not good.

Haig: —[unclear] area. Well, no. That's good, I think.

Nixon: It's good to get them out of there, huh—?

Haig: It disrupts them, and it keeps them under pressure. And, it takes some of the heat off of Lon Nol.

Nixon: To what extent do you feel that—would you feel right now that we ought to start hitting the—well, I don't mean like today, but maybe next week—start hitting the Panhandle again?

Haig: I—I wouldn't discount that. No, I wouldn't, sir. I think—the thing that I'm not aware of is what we've said to our customer up there in Hanoi. If we've given him good, strong warnings, I think—well, if we do anything, it's got to be—we've got to make a lot of things evident to him that we're nearing the breaking point.

Nixon: Yeah. Well, of course, I, I put a very strong warning in that speech last night.³

Haig: That's right.

Nixon: And they can't just ignore—ignore that.

Haig: No.

Nixon: I think—I—strong warnings have gone, I can assure you. Private warnings—

Haig: Yes.

Nixon: —goddamn strong.

Haig: Well, then, I—I, I think we should take a very careful look at all of the possible leverage we have. And, we don't have to—it shouldn't be done in a crisis atmosphere, but in a very steely way.

³ Nixon addressed the Nation about Vietnam and domestic problems the evening of March 29; for text of the speech, see *Public Papers of the Presidents of the United States: Richard Nixon, 1973*, p. 234–238.

Nixon: See, we got this problem; you have to face it. We've got it growing, building up with the goddamn Congress, now. They all want to stop us doing anything in Cambodia.

Haig: That's right.

Nixon: Now—

Haig: We can't do this justified on the Cambodian situation. The only way we'll ever get away with anything, if there's a decision to do it, is in the context of a sacred agreement—

Nixon: Well, the fact—I think we've got to do it, not to save Cambodia, but because they broke an agreement.

Haig: Exactly right.

Nixon: Exactly.

Haig: That's—

Nixon: And that we are keeping an agreement, and that they violated an agreement, and we're, therefore, continuing ahead. I think as long as it's air operations, that people will generally support it, too.

Haig: Yes, I do too. I don't think it—there would be a problem with—you know, if we had decided that earlier, that, if we hit Laos, or something. Hell, that's not going to be much of a stir.

Nixon: Yeah, if—except that, before the POWs are out, the one problem, rather symbolically, that would have been very bad is that it—before they were out—that you'd lose some planes and have some more.

Haig: Yeah.

Nixon: You know?

Haig: And, I think a lot of people will—would say, "Well, you're dumb—"

Nixon: Yeah.

Haig: "—to have done it that—"

Nixon: That's right.

Haig: "—that way."

Nixon: But now, now, again, at this point, we can just have to take a damn hard look if these guys are willing to.

Haig: I think so. I think this—if it were, over time, to really seriously erode, the price would be incalculable. It just would be very serious. And that we've always played for enough time for other events to—just to—

Nixon: Overrun it, yeah.

Haig: —pull away from our, our obligations worldwide. And that's what we've got to have. We've just got to have that.

Nixon: You can't have it collapse, like, immediately.

Haig: No.

Nixon: That's the point. And, you sure, sure as hell can't have it collapse. Well, as you know, we've been very tough with the Russians, and they claim they're pulling the string, but I don't know. I doubt it.

Haig: It—there sure isn't an awful [laughs]—much sign of any, anything—

Nixon: Well, it's—and, it, it, it maybe, maybe they're pulling the string at the pipeline, but they're—pulling the string, but the pipeline is so full, that it hasn't had any effect yet.

Haig: Yes. Yeah. Well, I think we should do a very thorough job. Actually, Henry's kicked one off in the WSAG.⁴ I'm not confident that it'll be the best thing in the world, but—

Nixon: You mean a, a study?

Haig: Yes. It's a—he's formed a little interdepartmental group—

Nixon: Yeah, I know.

Haig: —to solve it.

Nixon: They won't come out. That won't do much. But, anyway, we've got to get something, and we'll have to—we got to line up our, our forces within the government on this, Goddamnit.

Haig: This is right.

Nixon: As we can't have any, any flinching once we—

Haig: That's—

Nixon: Now, now, one thing that's been mentioned, as probably Henry's talked to you, that I might, might, might want you to go out there to Cambodia and take a look.

Haig: Well, that'd be fine.

Nixon: I don't know what the hell you—but what the hell are you going to find out? I mean, what can we do? They can't—

Haig: It's just the—

Nixon: They've got to get Lon Nol the hell out of there, some way or other, but you can't overthrow him. But, but—

Haig: I don't think we should rush on it in the context of the recent flurry on the Hill. It'll just look like a—

Nixon: Yeah.

Haig: And it will—

Nixon: I get your point.

Haig: —increase that syndrome, that we're doing it for Cambodia.

Nixon: Right.

⁴ See Document 36.

Haig: We don't want that.

Nixon: You could go out and look at both.

Haig: That's right.

Nixon: That's what—you might just visit all the areas. That's the way, I think, you're—I mean, if you took a trip, I think you should visit all.⁵

Haig: That's right. So, it's just—

Nixon: Right.

Haig: —just an overall assessment.

Nixon: That's right. Fine. Well, certainly, if the DRV continues this kind of asshole stuff, which I—we, we, we [laughs]—we're off the hook on the aid thing. That's for damn sure.

Haig: Oh, yeah.

Nixon: And that's, that's—I don't know if they want it or not. But, if they, if they do want it, good God, they are—they aren't going to get it. Not—not as long as they're rolling—doing this. And another thing, too, is that these POWs are now gonna be talking about how they've been lacerated, and—

Haig: Well, you see, that's right. And that's going to build up a hell of a—you know, among the average American, yesterday's television, and this morning's, is going to raise a hell of a lot of hackles with these monkeys, because this was brutal treatment. And, I don't think you're going to find a lot of people that are, are going to be patient with—patient with their, now, violating these agreements.

Nixon: If they're in violation, no way.

Haig: That's right.

Nixon: No way.

Haig: That's why we have to—that's the theme we have to use, and we have to start drawing attention to it where it's happening. We did that last week. You gave a good shot last night. We're looking at every possible military preparatory—

Nixon: Right.

Haig: —[unclear]—

Nixon: Right.

Haig: —in character. And that's what we're doing over here right now. We're working on a paper—

Nixon: Right. Right, right. That's—what's Abrams' evaluation? Or, is he—about the same as yours?

⁵ Haig visited Bangkok, Vientiane, Phnom Penh, and Saigon April 7–11.

Haig: I, I think so. I think so. He—he's concerned about it. He knows we can't have the thing happen quickly, but he's also—he, he doesn't panic and doesn't—

Nixon: He also knows—I guess what we got to also realize, Al, is that if Vietnamization meant anything, good God, the South Vietnamese, looking at their situation, ought to be able to do something here. I don't know.

Haig: They could. There's no question about that. And they're, they're—

Nixon: Hell, they've got—

Haig: —not going to get upset here in a, in a six-month period. It just couldn't happen. They're—

Nixon: Yeah, Henry was saying that he's—in his memo this morning, I think he's gone a little bit overboard. Here he says that he thinks that there might be even a North—a big Communist offensive in April. Hell, that's, that's three weeks—two weeks away.

Haig: Well, the Intelligence Community is—what CIA came in with—they said there could be—

Nixon: Yeah?

Haig: —an offensive in April.

Nixon: Jesus. I just—I don't—

Haig: Thieu will probably make that point to you.

Nixon: Yeah, so? So, what does he want us to do, send our forces back in?

Haig: No, I don't think so.

Nixon: No.

Haig: No, I don't—

Nixon: He wants us to bomb?

Haig: I'm not sure that he wants anything other than, maybe, understanding if he takes some action.

Nixon: Yeah.

Haig: I—I don't think we'll get any panic from him.

Nixon: Well, as a matter of fact, I don't give a damn if he takes some action. I mean, as far as the cease-fire is concerned now, and—if they're breaking it, he can break it. I mean—and, he could take some rather effective action, couldn't he?

Haig: Oh, yes. He could, he could take those missiles out of Khe Sanh, and he could put a—

Nixon: With his own air, couldn't he?

Haig: With his own air. He could put some heavy strikes in around that MR-3. In Tay Ninh, they've been constantly taking on this little ARVN unit there, and pounding the hell out of them. They won't let

any investigators in, and, you know, but it's not—none of this is major. It's the—it's the compounding of the whole—

Nixon: Yeah.

Haig: —the whole picture.

Nixon: Cambodia, the real problem there, basically, is getting a government, Al. Good God, we're putting money in, and we don't have any advisers there. That's—

Haig: That's right.

Nixon: I don't know.

Haig: The same strategic considerations that drove us in '70 are—could appear if that country went Communist.

Nixon: Of course. Of course. Well, ok, Al. Thank you.

Haig: Yes, sir.

Nixon: Bye.

38. Memorandum for the President's Files by the President's Assistant for National Security Affairs (Kissinger)¹

San Clemente, California, April 2, 1973, 10:53 a.m.–12:33 p.m.

SUBJECT

The President's Meeting with President Nguyen Van Thieu of the Republic of Vietnam and Special Assistant, Nguyen Phu Duc

PARTICIPANTS

The President
President Nguyen Van Thieu
Nguyen Phu Duc
Dr. Henry A. Kissinger

After escorting President Thieu into his office, President Nixon asked President Thieu for his analysis of the situation in Indochina.

President Thieu began by pointing out that the Communists had been forced to launch an attack in an election year as an attempt to change the situation in their favor. The failure of this offensive then

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 104, Country Files, Far East, Vietnam, GVN Memcons, November 1972–April 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held in the President's office in the Western White House.

caused them to sue for peace. Now the North Vietnamese needed time to rebuild their army. They had to rebuild their forces; this is why they were infiltrating from the North. They were preparing something else and infiltration was continuing. They were even refilling their units with prisoners of war released by the GVN. They had built a logistic zone north of the DMZ. All of the North Vietnamese were being put into NLF uniforms. They had rebuilt their sanctuaries along the borders of Cambodia and Laos. They were also attacking GVN posts to try to seize more hamlets and were putting a special effort into the northern part of MR1 in order to acquire control over more population for a possible election. The Communists thus seemed to be prepared for two possible solutions, President Thieu concluded: either a political or a military one.

Since the ceasefire, President Thieu continued, they had done more to grab territory in Cambodia. But in Laos they were quite restrained. Marshal Lon Nol had sent a special envoy to President Thieu to convey his views. If they had conducted a good pacification program the Cambodians would have succeeded, President Thieu believed. The other side felt very strong. President Nixon then asked how President Thieu foresaw the evolution of the situation in Cambodia. President Thieu replied that the best position for them was to deal with one man. President Thieu emphasized that the North Vietnamese had to withdraw from Laos and Cambodia. The Pathet Lao and Khmer Rouge were completely dependent on the North Vietnamese.

The strategy of the Communists was to gain time, President Thieu concluded, because they were not yet ready for either a political or a military contest. Therefore they were dragging their feet on elections in South Vietnam, and they may have needed to gain time even for their military purposes. President Nixon remarked that the GVN side should take the initiative on proposing elections. President Thieu said that he did not want the Communists to be able to pick one issue at a time. Therefore, he would make a package proposal of everything. He was ready to accept an election immediately. He did not want to give them time. Demobilization of forces within South Vietnam was very important, and he would emphasize this issue.

President Nixon commented that President Thieu should know that we had had great difficulty with the Canadians to get them to stay in the ICCS. We had also called in the Hungarians and the Poles to tell them that the future of our bilateral relations depended on their carrying out their ICCS obligations responsibly. He, therefore, urged President Thieu to cooperate with the ICCS and the Two-Party Commission. The enemy always used the big lie technique. The American press was furious at the outcome of the war and would be looking for things to discredit us. We both had to be sure that in the eyes of this country the Communists were at fault for anything that happened.

President Thieu commented that he had been very satisfied with the performance of his soldiers after January 27. There had been no increase in desertions or mutiny; on the contrary, discipline had been maintained and the soldiers fought very well. President Thieu felt that the present infiltration was not decisive. An enemy offensive was not yet possible. In three or four months, if present infiltration continued, we would be in trouble. Had the enemy concentrated in one place, he might have won. President Thieu expected the enemy would try to hold down the best ARVN troops in one place, such as Quang Tri, and then attack in the Highlands.

President Nixon assured President Thieu that we conditioned our better relations with the Chinese and the Russians on the scale of their arms deliveries to North Vietnam. The Russians had responded and promised that there would be no further military supplies to Hanoi. The price of what we were doing for them was military cooperation in Indochina. President Nixon then told President Thieu about the long session he had had with Brezhnev at the dacha during the Moscow summit in May,² and how he had made this point forcefully. This would be an important issue of US-Soviet relations.

Before the January ceasefire, President Nixon continued, he had given President Thieu the firmest assurance of our desire to support him in the new conditions of peace. He wanted to repeat this assurance now and to make three points: 1) President Thieu should do all he could to keep the Communists on the political defensive. 2) Our common enemies wanted President Thieu to say that the United States would have to come back in. 3) In the event of massive Communist offensive the American reaction would be sharp and tough. The Communists were presently trying to nibble at us. American public opinion was very important in all of this.

The conversation then turned again to Cambodia. President Thieu remarked that it was important to find one Khmer Rouge to negotiate with. President Nixon asked if he had any confidence in the Cambodians. President Thieu replied that there were only two factions in Cambodia: the Communists and the Army. The Vietnamese were very disappointed in Lon Nol. The Vietnamese had trained most of the Cambodian army but the Cambodians had not done an adequate job. Our side had to do what it could to weaken the other side. President Thieu did not know what could be done to repair the situation. Sirik Matak and In Tam were good men. There were two questions about restoring the situation in Cambodia: Could it be done? and Who could do it?

² See *Foreign Relations*, 1969–1976, volume XIV, Soviet Union, October 1971–May 1972, Document 271.

President Nixon thanked President Thieu for his analysis. He emphasized our assurance of support and expressed his view that President Thieu personally was the key to the strength of our side.

39. Memorandum for the President's Files by the President's Assistant for National Security Affairs (Kissinger)¹

San Clemente, California, April 3, 1973, 11:02 a.m.–12:05 p.m.

SUBJECT

The President's Meeting with President Nguyen Van Thieu of the Republic of Vietnam and Special Assistant, Nguyen Phu Duc

PARTICIPANTS

The President
President Nguyen Van Thieu
Nguyen Phu Duc
Dr. Henry A. Kissinger

The conversation began on the subject of the release of civilian detainees in South Vietnam by the two South Vietnamese parties, as covered by Article 8 (c) of the Paris Agreement. President Nixon asked how this was proceeding. President Thieu replied that over the course of fifteen years of war there were many prisoners. Everyone now in jail in South Vietnam was in jail as a result of the laws and the Constitution, but the GVN had released many thousands of them. Many key people of the Communist infrastructure were still imprisoned. The problem would be discussed between the two South Vietnamese parties in Paris, but the GVN could not agree to trade five thousand for only 200 in return as the Communists were demanding. After Tet 1973, the GVN had released five thousand civilian prisoners who had been arrested under martial law.

Dr. Kissinger commented that it was important to have all these releases on record so that we could send a message to Le Duc Tho stressing that we had complied with our obligations and demanding that they live up to theirs. President Thieu agreed, and said he would

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 104, Country Files, Far East, Vietnam, GVN Memcons, November 1972–April 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held in the President's office in the Western White House.

release another thousand civilian detainees to the other side and would give the United States a list of the five thousand who had been released in February.

President Nixon repeated the points he had made the day before. That the United States considered the survival of South Vietnam to be essential to our own foreign policy. In case the GVN needed assistance, we would act as the situation required. We should use our influence with the DRV, the PRC and the USSR. Vietnamization had clearly succeeded, and this must be shown. The South Vietnamese could hold the enemy unless the enemy had outside help. President Nixon then agreed to the military package of replacement assistance which had been worked out between the two sides. The main point he wanted to get across in this private talk was that we had made a solemn agreement with the North Vietnamese and the other side must abide by it.

There was a brief discussion of the Cambodian situation. Unfortunately the Cambodians did not fight, President Thieu observed. There were no good targets for the B-52s.

President Nixon then turned the discussion to economic assistance for South Vietnam. President Thieu explained his country's economic requirements. His government's objective was rapid economic development. He, therefore, wanted an increase in total funds so that the amount needed later would be less. Dr. Kissinger then discussed the table of data from the study by the Vietnam Special Studies Group.² He indicated that we could find ways of doing it.

President Nixon advised President Thieu not to ask for the full 200 million dollars from the Congress all at once. He advised President Thieu to emphasize the destruction from the war and the need to rebuild. He should indicate his willingness for demobilization of military forces right away in South Vietnam. He should point to how this aid would reduce South Vietnam's dependence on the United States. The problem was a pure PR problem. President Nixon then ordered the 160 million dollar figure and assured President Thieu we would do everything we could. He said he would tell our new ambassador, Graham Martin, to ride very heavily on the economic side. Martin knew what President Nixon wanted, and did what President Nixon said. Some of our opponents, the President continued, had created the impression that the Communists were all good guys and that Saigon was all bad guys. This was the problem.

² A memorandum from Odeen to Kissinger, March 29, contained the VSSG approach to Vietnamese economic development, including a table of data entitled "Alternative Increases in Economic Support." (Ibid., Box 163, Vietnam Country Files, Vietnam, January–April 1973)

Mr. Duc then said that the economic budgetary support should be complemented by development funds. President Nixon agreed, and ordered expedited consideration of South Vietnam's development projects. Mr. Duc asked about export support and investment guarantees. President Nixon urged President Thieu to present a maximum program to Mr. McNamara at the World Bank.

President Nixon then asked what President Thieu's schedule was in Washington. President Thieu replied that he would be addressing the National Press Club. He had meetings scheduled with a number of Congressional leaders and also a meeting scheduled with Mr. McNamara. President Nixon observed that perhaps Julie Eisenhower could receive President and Mrs. Thieu.

The conversation then returned to the economic question. Mr. Duc asked about the possibility of getting 785 million dollars for 1974. President Nixon replied that we would agree to it as a goal, but not as a commitment. We would use the GVN's numbers as a target. Mr. Duc expressed appreciation for this. He predicted that SVN would become self-sufficient in a shorter time than the Republic of Korea. President Thieu remarked that it really made no difference whether this assistance came in the form of loans or grants or soft or long-term loans. Mr. Duc mentioned that President Thieu planned to establish a committee for national reconstruction to plan the allocation of resources. President Thieu said that he thought such a committee would be most efficient if directly headed by him. There would be more coordination and better efficiency.

President Nixon then mentioned that President Thieu would likely be asked about US aid to North Vietnam. President Nixon's own position was that he was willing to consider aid to North Vietnam if they live up to the agreement. President Thieu commented that the leadership in Hanoi was a very doctrinaire group. President Nixon asked if there were any revisionists in the Hanoi politburo. President Thieu replied that perhaps Le Duan was. But almost all the members of the politburo had committed themselves to conquering Indochina all of their lives.³

³ President Nixon and President Thieu released a joint statement at the conclusion of their talks on April 3; see *Public Papers of the Presidents of the United States: Richard Nixon, 1973*, pp. 251–254.

40. National Security Decision Memorandum 210¹

Washington, April 11, 1973.

TO

The Secretary of State
The Secretary of Defense
The Secretary of the Treasury
The Secretary of Agriculture
The Director, Office of Management and Budget
The Administrator, Agency for International Development

SUBJECT

South Vietnam Economic Support

The President has decided that the U.S. will provide sufficient assistance to permit the level of imports necessary for rapid recovery of the economy, the initiation of major reconstruction and refugee resettlement efforts, and an acceleration of economic development to begin moving the Vietnamese toward self-sufficiency. At the appropriate time Congressional authority will be sought for a level of funding for next year sufficient to assure continuation of essential economic stability and rehabilitation in South Vietnam.

The President has directed the following actions based on the VSSG Working Group study² to assure adequate timely support during the next months:

—The PL-480 program should be increased to at least \$170 million in 1973, providing whatever commodities are available and are needed by the South Vietnamese;

—A development loan of at least \$40 million should be made from FY 73 funds;

—Department of Defense piaster purchases for official purposes should be increased by an estimated \$40 million for this calendar year to a total of at least \$136 million; such DOD purchases are for local procurement, operating and maintenance activities, military construction, AID/DOD realignment, RD cadre and other official programs (accommodation and civil piaster purchases are additional and wherever possible surplus property should be turned over to the GVN);

—AID will reprogram \$5 million of FY 73 funds from technical assistance to supporting assistance and the Vietnam project program for FY 73 will be reduced to provide \$3 million additional import financing in 1973.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-239, NSDM Files, NSDM 210. Secret; Exdis. Copies were sent to the DCI and Chairman of the JCS.

² See footnote 2, Document 39.

The U.S. will actively and strongly support GVN efforts to involve other donors including the international financial institutions in financing reconstruction, development and stabilization. Such assistance should be on grant or concessional terms to the maximum extent possible.

The GVN will be urged to continue taking all feasible steps to encourage an inflow of private foreign investment. At the appropriate time U.S. agencies such as the Export-Import Bank and OPIC will be encouraged to facilitate U.S. private investment and to fund development in South Vietnam.

The VSSG Working Group should monitor economic developments in South Vietnam and the provision of U.S. assistance to assure that the U.S. assistance is responsive to South Vietnam's requirements. Studies on options for additional support should be pursued to permit timely implementation should further action be required.

Henry A. Kissinger

41. Memorandum From the President's Deputy Assistant for National Security Affairs (Scowcroft) to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, April 11, 1973.

SUBJECT

Options to Counter North Vietnamese Violations

As promised, Admiral Moorer has provided you with two books concerning military options for dealing with North Vietnamese violations of the ceasefire agreement.² In the smaller book, which has been prepared by Admiral Weinell and himself, Admiral Moorer considers a number of possible options and recommends a scenario which includes the following steps:

—Concentrated air strikes in Laos for three days.

—Mining of principal North Vietnamese ports (includes coastal anchorages used by Chinese).

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 1334, Unfiled Materials, NSC Unfiled Materials, 1973. Top Secret; Sensitive.

² Both books, including cover memorandum CJCS M-35-73, April 10, attached but not printed.

—Air strikes to isolate Hanoi and destroy military targets there.

His conclusions concerning each of the options considered are of interest:

—U.S. air support should be given to South Vietnamese units only when necessary to prevent a major/local military defeat (e.g., an attempt to capture Hue).

—U.S. air strikes against Khe Sanh/MR-1 military targets would be worthwhile only as a weak signal of things to come.

—Concentrated all-out air effort against LOCs in Laos would be an excellent signal to Hanoi and an ideal precursor of stronger measures.

—Destruction of the port of Haiphong would have very high psychological impact and could be accomplished using standoff weapons.

—Mining of principal ports would produce the largest military and psychological returns for the smallest investment. Loss of life on both sides would be an absolute minimum.

—Isolation of Hanoi and destruction of its war-making facilities should be held out as the ultimate option. It should not be used until the mining option has failed to produce desired results.

The more comprehensive plan in the larger book has been prepared by a group of more junior officers and considers eight options in a framework of varying objectives and circumstances. The options considered include:

—Ceasing mine-clearing operations.

—Increasing aid to South Vietnam.

—Unconventional warfare operations in Indochina (except North Vietnam) and short duration air strikes in South Vietnam.

—Air and naval actions in South Vietnam and Laos.

—Mining key North Vietnamese ports and seeding fields in selected coastal areas.

—Standoff attacks against North Vietnam using naval gunfire and extended range guided weapons.

—Tac Air campaign against North Vietnam.

—Tac Air and B-52 campaign against North Vietnam.

Largely driven by domestic/political considerations, the plan recommends resort to the last two options, which would produce a POW situation, only if the survival of South Vietnam is threatened and it is desired to maintain the South Vietnamese right of self-determination until political stability is realized or intervention by North Vietnamese ceases.

The document includes several interesting assessments concerning the current situation:

—Available evidence indicates that Hanoi's intention is to maintain a politically oriented strategy through the remainder of 1973. It is unlikely to be able to launch a coordinated major offensive prior to October 1973.

—The South Vietnamese should be able to contain the North Vietnamese threat if leadership, will, judgment, and other intangibles are strong.

There are several nuggets of information buried in the document, which suggest areas we should investigate if we are to properly prepare for possible contingencies:

—A production decision is needed now to be able to produce 540 guided bombs per month by January 1974. The rate would increase to approximately 1200 bombs per month by April 1974. Reprogramming of funds is necessary to accomplish necessary production rates and would require Congressional approval.

—The B-52D force has wing strength problems and no models of this type are available to replace losses during the December air campaign or anticipated losses in a new campaign.

I suggest you authorize me to check on both of these issues unless you are personally going to follow up with Admiral Moorer.³

A standoff capability provides unique advantages in reducing POW losses. Even though Hanoi could not be reached by present weapons from the safe haven of coastal waters outside of SAM range, a large area of North Vietnam is within range of these 40–55 NM weapons. We should check on current inventories of these weapons and current constraints on their production.

The D model is the high bomb capacity B-52 which has been modified for additional conventional ordnance. We should determine the facts of structural weaknesses and current inventories and may want to consider converting more G models to Ds.

³ Kissinger did not mark either the Approve or Disapprove option.

42. Minutes of Washington Special Actions Group Meeting¹

Washington, April 16, 1973, 10:03–11:45 a.m.

SUBJECT

Libya and Indochina

PARTICIPANTS

Chairman
Henry Kissinger

State
William Porter
William Sullivan

Defense
Lawrence Eagleburger
Gen. Alexander Haig
R/Adm. Daniel Murphy

JCS
Adm. Thomas Moorer
V/Adm. John Weinle

CIA
James Schlesinger
George Carver
William Nelson
William Newton

NSC
B/Gen. Brent Scowcroft
Richard Kennedy
James Hackett

SUMMARY OF CONCLUSIONS

It was agreed that:

[Omitted here are conclusions unrelated to Indochina.]

—State will immediately prepare a telegram to Ambassador Godley in Laos explaining the President's philosophy of the conduct of the war and asking the Ambassador to consult urgently with Souvanna Phouma.² The Ambassador should discuss with Souvanna Phouma the following possibilities: (a) an expansion of the U.S. air strikes in the Tha Viang area to include the entire Route 7 and Plaine des Jarres complex, (b) an expansion of the strikes into the Ho Chi Minh trail area of southern Laos and northern South Vietnam, or (c) both the Route 7 and Ho Chi Minh trail areas. The Ambassador should seek Souvanna Phouma's reaction to these options, including his specific approval of or opposition to each of the choices, and cable that reaction, together with the Ambassador's own recommendations, to Washington as urgently as possible. The aircrews will be kept on alert until a reply is received from Ambassador Godley.

—The agencies will clear all press announcements of U.S. air strikes in Laos with the White House in advance of their release.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-91, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Telegram 70697 to Vientiane, April 17; National Archives, RG 59, Central Files 1970–73, POL 27 LAOS.

—DOD will remove all members of the minesweeping element from North Vietnamese soil immediately and on April 17 State will notify the North Vietnamese in Paris that the minesweeping has been suspended.

—The decision has been made to fly an SR-71 flight over North Vietnam as soon as the weather is clear. State will prepare a suggested response to the expected North Vietnamese protests by April 17.

[Omitted here is discussion unrelated to Indochina.]

Mr. Kissinger: O.K. Jim (Schlesinger), want to give us a brief briefing on Indochina?

Mr. Schlesinger read a prepared statement (copy attached).³

Mr. Schlesinger: I will just add that there is considerable doubt within the Cambodian Government that Lon Nol will follow through on the things he promised to do the other day.

Mr. Kissinger: You all know that the President ordered air strikes in Laos.⁴ The question now is whether to extend them into the Laotian panhandle and South Vietnam or only the panhandle and not South Vietnam. However, if we do attack further, we should do so massively in order to get our message across.

Mr. Schlesinger: The indications are that the attack will come at the end of April.

Adm. Moorer: You're referring to a South Vietnamese attack, aren't you?

Mr. Schlesinger: That's right.

Mr. Kissinger: Our concern is to do something massively; we get as much heat from our domestic critics for something big as we do for these little piddling attacks.

Mr. Sullivan: Except in Laos, there's not much heat from our strikes in Laos.

Mr. Kissinger: That's true.

Mr. Carver: The Poles put out word to their cadre that the agreement was a one-for-one deal.

Mr. Kissinger: The Poles did?

Mr. Carver: That's right.

Mr. Kissinger: We have two messages from the field. There is one from Godley that says we should check with Souvanna Phouma before we hit the trails; and the other one, from Bunker, says that

³ Schlesinger's briefing, "The Situation in Indochina," April 16, attached but not printed.

⁴ The air strikes took place on April 16. For a detailed discussion of events before and after the strikes, see Kissinger, *Years of Upheaval*, pp. 316–327.

the South Vietnamese activities are all defensive. It seems that Bunker doesn't have access to your intelligence, Jim (Schlesinger).

Adm. Moorer: Bunker's cable may be based on the reports that the 304th and 312th North Vietnamese Divisions are withdrawing from South Vietnam.

Mr. Carver: Those units may have gone out of the country just for reorganization and resupply. In any case, the supplies are still coming into South Vietnam at a heavy rate. They are building up around Khe Sanh and in the A Shau valley.

Adm. Moorer: I don't argue about that.

Mr. Kissinger: Before we do anything, we have to check with Godley and see what Souvanna will agree to.

Adm. Moorer: I would like to make a few comments. This is where the bombing in Laos took place yesterday (pointing to map), around the town of Tha Viang in the north-central part of the country. We sent in twenty B-52s and 23 F-111s in yesterday's strikes. Now Godley says the situation is extremely fluid and confused, and he doesn't have any more targets at this time.

Mr. Kissinger: He doesn't have any more targets? What is Godley thinking?

Adm. Moorer: I don't know. What he told me is that friend and foe are all confused in the valley around Tha Viang and that we shouldn't bomb there until the situation is clarified. We have to have clear targets before we bomb. There are plenty of good targets in the Ho Chi Minh trail around here (referring to map), but if we strike in that area of the trail we will have to hit the missiles at Khe Sanh.

Mr. Kissinger: You can't bomb in the Laotian panhandle without hitting the missiles in South Vietnam?

Adm. Moorer: No, that's not what I said. We can't hit those targets in the trail that are within range of the missiles at Khe Sanh without first taking out the missiles. And the best targets in the panhandle are those that are within range of the missiles.

Mr. Kissinger: Most of the good targets are in the missile area?

Adm. Moorer: That's right.

Mr. Kissinger: Bill (Sullivan), that's not in violation of Article 20. The agreement says they can't use neighboring territory to launch attacks against South Vietnam, but it says nothing about using forces in South Vietnam to launch attacks in Laos and Cambodia.

Mr. Sullivan: That's right.

Mr. Kissinger: What we want to do is use U.S. power massively, not to expend it on these little problems like Tha Viang. Can we get our strategy across to our ambassadors? Can we explain to them that if we get kicked in the teeth by the North Vietnamese on an agreement we have represented to the American people as a peace with honor, we want to

attack the enemy massively and make it clear to them that we won't stand for it? Do you think Souvanna will object to our bombing the trail?

Gen. Haig: When I was in Laos, I asked Souvanna what his view would be of a resumption of the bombing of the trail. He said he didn't want that. He feels that Laos is out of the fighting with a very fragile ceasefire and he doesn't want it to come apart. So I asked him what he thought about our bombing Cambodia and South Vietnam. "Ah," he said, "that I welcome."

Mr. Kissinger: For us to piddle away our air power in these isolated areas of Laos is a waste. The situation in Tha Viang is a bore. Why should we commit our air power over a tactical situation in a small town miles away from the Plaine des Jarres? We want to hit them massively. We have to be responsive to the President's desires. We want them to think that if they push us too far, then we can't be controlled.

Mr. Carver: I think it's important to remember that no matter what action we take, large or small, we give them a message when we do so. This limited bombing gives them a message that we are prepared to bomb in Laos. On the other hand, they may read into it that we are not prepared to bomb in North or South Vietnam. The question what message we want to convey is very important.

Mr. Kissinger: I've been on the phone with the admirals, with the Secretary of Defense and the Deputy Secretary, explaining what we want, and here we are, twenty-four hours after the bombing, out of targets and quitting.

Adm. Moorer: We didn't quit. The Ambassador asked us to stop.

Mr. Kissinger: Can we explain to the Ambassador what we are trying to do?

Mr. Sullivan: Sure, we can do that, but can we recommend air strikes on the trail?

Mr. Kissinger: If you recommend military action to the President, it has to be seen in a bigger concept than this Tha Viang exercise.

Mr. Clements: (to Adm. Moorer) If you want to strike the trail, what is the best target area?

Adm. Moorer: I think we should strike the missiles at Khe Sanh and the most lucrative targets on the trail, which are in the vicinity of the missiles. The area from Khe Sanh over to Chepone is full of good targets.

Mr. Clements: Are those targets above or below the missiles?

Adm. Moorer: Both.

Mr. Kissinger: We take no less heat for striking everything. If the decision is made to strike the trail, we will probably hit everything. We thought if we authorized strikes on Tha Viang they would slop over forty miles or so in all directions. General Vogt asked for authority to bomb for a week. We gave him three days instead, and then after 24

hours we are told he's out of targets. Why did he ask for a week? What did he expect to hit for a week? He must have had some targets in mind. The President said O.K. for 72 hours and now after 24 hours I have to go to him and tell him we have no more targets.

Adm. Moorer: The Ambassador told us to stop.

Mr. Kissinger: We're prepared to work the area of northern Laos around the Plaines des Jarres and stay away from the trail, if that's what you recommend. I talked yesterday with Clements, Richardson, Admiral Weinell and a lot of other people and I thought it was all clear. What was Vogt thinking, can anyone explain that to me?

Adm. Moorer: General Vogt apparently thought we wanted to bomb enough to enable friendly forces to retake Tha Viang, while Ambassador Godley just wanted to disperse the enemy troops that were massing there, to prevent further attacks.

Mr. Kissinger: I shouldn't be in this position, anyway, of discussing tactics. It is this President's wish, if he uses forces in the current situation in Indochina, to use it massively and effectively. He authorized it yesterday for that purpose and he asked me to call a WSAG meeting this morning for the same reason. They have to feel that if they get us triggered we will act and they will be unable to control us.

Gen. Haig: I'm not sure I agree with Jim Schlesinger that they are planning a massive attack in Quang Tri or anywhere else. I think they plan to nibble away with little actions until they gradually erode South Vietnam's control of the country.

Mr. Sullivan: I agree with General Haig, and I think that the Route 7 package in northern Laos makes sense. Tha Viang is in a valley and the roads leading into that valley are important lines of supply for them. I suggest we go to Godley with some homespun philosophy about the President's desires and ask him to talk with Souvanna Phouma and get him to approve strikes on the Route 7 package.

Mr. Kissinger: There are three questions here, (1) should we expand air operations in Laos, (2) if the answer is yes, should we expand operations in northern Laos around Tha Viang and Route 7 or in southern Laos in the trail area and (3) if in southern Laos, should we also strike in South Vietnam. We already have word from both ambassadors in the negative. If we are going to go against the advice of both of them, we may as well do it massively. Is word out yet that Tha Viang is under attack?

Adm. Moorer: Not yet, but we can have CINCPAC announce it.

Mr. Kissinger: No, keep CINCPAC out of it. Let's do it here. I don't want to go into a long explanation of our actions; what I want to do is announce the North Vietnamese attack on Tha Viang.

Mr. Clements: We have a draft press announcement right here, all ready to go.

Mr. Kissinger: When are you going to release it?

Adm. Moorer: We can do it right now. (Jerry) Friedheim meets the press at 11 a.m. and it's now 11:10. He's out there now. I can have the text passed to him.

Mr. Kissinger: Why haven't you already done it?

Mr. Clements: I wanted to discuss it here this morning.

Mr. Kissinger: (looking at the draft press release) Why say all of this? You don't have to mention the number of enemy troops and tanks, just say that the town is under enemy attacks.

Adm. Moorer: (changing the draft) O.K.

Adm. Murphy took the press release outside to the Situation Room to telephone the text to DOD.

Mr. Kissinger: We received an insolent message from the North Vietnamese yesterday.⁵ If we stop the bombing now and then start it up again, it will be a whole new situation. We thought when we approved 72 hours of strikes yesterday that we would have 72 hours of strikes.

Mr. Clements: I'm surprised by Godley's attitude.

Mr. Sullivan: That's a shallow valley and people can get all mixed up in there. It's difficult to bomb in that situation. What I want to do is strike the LOCs moving into the valley, mainly the Route 7 area.

Mr. Kissinger: How fast can you get word to Godley?

Mr. Sullivan: We can get a cable there in one hour.

Adm. Moorer: Do we have to wait for him to see Souvanna Phouma?

Mr. Sullivan: That's right, we do. That means we'll have to wait at least six hours.

Mr. Carver: If we hit those supplies on Route 7 it would be a good clear sign to them.

Mr. Kissinger: That's what we want to do, give them a clear signal. When we authorized the strikes on Tha Viang, I thought we could spread them all around the Plaine des Jarres.

Mr. Nelson: Tha Viang is not on the Plaine des Jarres.

Mr. Kissinger: We're also going to stop clearing the minefields.

Adm. Moorer: We can do that. We made six of ten planned passes with the styrofoam ship, then we told them it broke down and had to be repaired before we could do any more. We haven't done anything there lately.

Mr. Kissinger: Can you get everyone off the beach and back aboard ship before we notify them that we are stopping the minesweeping?

Adm. Weinle: That's no problem, there are only seven men on the beach at this time.

⁵ The text of the North Vietnamese note is in backchannel message WH30946 to Saigon, April 15. (National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, To Ambassador Bunker, Saigon, Through April 1973)

Mr. Kissinger: We're going to notify them in Paris tonight. No, we can wait until tomorrow. Can you get all of our men off the beach right away, by tonight?

Adm. Weinell: Yes, sir.

Mr. Kissinger: (to Mr. Sullivan) After the meeting, I'll show you the insolent cable the North Vietnamese sent us yesterday.

Mr. Sullivan: Should we ask Souvanna's approval on both the Route 7 package and the Ho Chi Minh trail?

Mr. Kissinger: We may not want to hit them both.

Mr. Sullivan: I know that, but we should at least raise it with Souvanna and then if we want to hit them both, we will have the option of doing so.

Mr. Kissinger: That's O.K. with me.

Adm. Moorer: We're prepared at any time to put Steel Tiger into action. We've got 87 B-52s and 500 tactical aircraft ready to go.

Mr. Kissinger: What's Steel Tiger?

Adm. Moorer: That's the plan for hitting the missiles and everything.

Mr. Kissinger: Let's get an answer from Souvanna Phouma immediately.

Adm. Moorer: Our people can be all suited up and ready to go by 7 p.m. tonight.

Mr. Kissinger: So we're either going to stop now after 24 hours, or do more in Laos, or hit Laos and South Vietnam simultaneously. Bunker's against striking in South Vietnam. He thinks that would break the ceasefire. We may want to give them another ten days or so before we hit in South Vietnam. Do we have that SR-71 flight going?

Mr. Schlesinger: The weather is poor and it will be for the next 72 hours.

Mr. Kissinger: That's typical.

Mr. Porter: Have you decided to go with that flight?

Mr. Kissinger: Yes, the decision has been made, but in view of the bad weather you now have 72 hours to make a reclama. Do you object to the flight?

Mr. Porter: We (State) think the results are not worth the outcry it will cause. It would be a clear violation of the agreement.

Mr. Carver: I want to point out that we have no guarantee that we will have clear weather after 72 hours. It could be bad for a week or more. The only thing we know for sure at the moment is that it is not going to be good for the next 72 hours.

Mr. Kissinger: The weather is bad over North Vietnam?

Mr. Schlesinger: That's right. They're having monsoon rains.

Mr. Kissinger: I didn't know this was the monsoon season.

Mr. Carver: It's pretty sloppy there in April and May.

Mr. Kissinger: We've flown these missions over North Korea. What do you say when they protest?

Mr. Porter: I just learned about the flight a minute ago. I'll give you a paper on it tomorrow. The best course of action may just be to say nothing.

Adm. Moorer: I think that's the best.

Mr. Sullivan: What do we tell the PRC?

Mr. Kissinger: I'll take care of the PRC. The only time we can get the PRC to apply pressure on the North Vietnamese is when they think we are out of control. The PRC doesn't care whether or not we exercise restraint in Vietnam.

Mr. Porter: Canada will be a problem. The political effect in Canada will be adverse to us.

Mr. Kissinger: Would the Department of State please take a look at the likely results six months from now if we do nothing to stop the North Vietnamese? What do you think will happen if the whole agreement comes apart after six months? What will it do to our foreign policy if we lose all of Indochina?

Mr. Porter: I have no argument with that.

Mr. Clements: Should we hold our press comments until after the strikes are completed?

Mr. Kissinger: We can say that we struck military targets in Laos in response to a request from Souvanna Phouma for help in defending against communist attacks. Can we see over here what each agency spokesman is going to say?

Mr. Clements: Sure.

Mr. Kissinger: And State?

Mr. Porter: Yes.

Mr. Kissinger: Ziegler has been instructed to say that we were asked by Souvanna to conduct the strikes and we acted in response to his request. He will refer all questions to Defense. What's the situation on the supply lines to Cambodia?

Adm. Moorer: The convoy arrived safely in Phnom Penh yesterday, except for one ammunition barge that was sunk. Route 4 is now open and we are making an effort to keep it open. The South Vietnamese are taking losses trying to keep the Mekong open, but they're working at it. We're trying to convince the South Vietnamese, especially their 4th Corps Commander, that it is essential to their survival to keep Highway 4 and the Mekong River open.

Mr. Kissinger: I want to repeat that the President has no intention of bugging out of Vietnam. The Departments must be at least as imaginative in thinking up ways to save South Vietnam as they are in worrying about Libya.

Mr. Clements: Should we consider recalling the Paris Conference to consider the violations?

Mr. Kissinger: That's a contingency we certainly should keep in mind, but I want to take some steps with the PRC and the Soviet Union first.

Adm. Moorer: Should we keep our pilots on alert?

Mr. Kissinger: Yes, until we get a decision. Can we do anything without word from Souvanna?

Mr. Sullivan: I don't think we should.

Adm. Moorer: What about hitting the Ho Chi Minh trail? Do we need word from Souvanna on that, too?

Gen. Haig: Yes, we do.

Adm. Moorer: (to Mr. Sullivan) Bill, let me know as soon as you get a reply from Ambassador Godley.

Mr. Sullivan: I sure will.

43. Minutes of Washington Special Actions Group Meeting¹

Washington, April 17, 1973, 8:35–9:27 a.m.

SUBJECT

Indochina and Libya

PARTICIPANTS

Chairman

Henry Kissinger

State

William Porter

William Sullivan

Defense

William Clements

Lawrence Eagleburger

Gen. Alexander Haig

R/Adm. Daniel Murphy

JCS

Adm. Thomas Moorer

V/Adm. John Weinell

CIA

James Schlesinger

George Carver

William Nelson

William Newton

NSC

B/Gen. Brent Scowcroft

Richard Kennedy

James Hackett

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-91, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

SUMMARY OF CONCLUSIONS

It was agreed that:

—Defense will prepare a new military plan by COB April 17 for air strikes that will be concentrated on the enemy supply complex in northern South Vietnam.² The plan will include strikes in Quang Tri Province, including the Khe Sanh base and missile complex, the Ho Chi Minh trail area of southern Laos and the DMZ, including the North Vietnamese portion of the western end of the DMZ. The emphasis will be on the logistics centers in northern South Vietnam, with other military and transportation facilities as secondary targets. This plan will be an alternative to the existing plan which emphasizes air strikes in Laos, with residual strikes in northern South Vietnam.

—It will be decided on April 18 whether to fly an SR-71 flight before the weather clears or wait for better visibility.

—State will revise its reply and scenario for dealing with the DRV note protesting U.S. and GVN violations of the Agreement.³

—[2 lines of text not declassified]

—Henceforth, Defense will fly EC-130 missions over international waters off the coast of Libya in the normal manner.

[Omitted here is discussion unrelated to Indochina.]

Mr. Sullivan: Where would you strike?

Mr. Kissinger: Since we would be doing it against the recommendation of everyone, we could do what we please. Don't laugh, I'm serious.

Adm. Moorer: When Tha Viang was bombed, the enemy forces concentrating there dispersed and most of them took off for the woods. That's why there were no good targets after the first day. It now looks as though the next enemy threat may occur at Sala Phou Khoun. Should we plan to hit them there on the same basis?

Mr. Kissinger: The next time we keep going. We aren't going to stop after 24 hours.

Mr. Sullivan: We should tell Godley what we have in mind.

Mr. Kissinger: What was the effect of the bombing at Tha Viang?

Mr. Schlesinger: The Thai irregulars went back across the river.

Mr. Kissinger: What is the name of the town that's now threatened?

Adm. Moorer: Sala Phou Khoun. It's across the river. The enemy is forming up there now.

² "Contingency Plans, Southeast Asia," April 19; Washington National Records Center, OSD Files: FRC 330-78-0002, 385.1, Viet.

³ See footnote 5, Document 42.

Mr. Kissinger: What's important about it?

Mr. Sullivan: It is significant. It's on Route 13 and if the enemy can hold it, he will cut the main road from Vientiane to Luang Prabang.

Adm. Moorer: A key question is whether they are going to attack in Quang Tri as Schlesinger says they may do. The situation at Tha Viang has petered out and I think it may be better to hold the bombing in abeyance until the next cause célèbre comes along.

Mr. Kissinger: (to Mr. Porter) What do you think?

Mr. Porter: That we should wait, as Tom (Moorer) says.

Mr. Kissinger: (to Mr. Clements) What do you think?

Mr. Clements: I agree, but I think the next time we should hit the missile sites.

Mr. Kissinger: Do nothing but hit the missile sites?

Mr. Clements: No, hit everything, including the missile sites.

Adm. Moorer: Not just the missiles themselves, but the whole missile complex.

Mr. Kissinger: I am aware that the JCS is fascinated with the idea of bombing the missiles, but what we want to do is destroy the enemy supplies.

Adm. Moorer: I know you want to hit the supplies. We do, too, but it's necessary to suppress the enemy aircraft and missiles in order to do so. Our losses go right down if we do. We don't want any aircraft losses or POWs if it can be avoided. When we are given only two or three days to hit the enemy, it takes us that long to suppress the missiles and aircraft, and then we are out of time. That way we don't have time to get many of the supplies. We don't like these three day strikes. If we're going to go, we want to go for seven days or more. That way we can have two days for the suppression of air defenses and then use all the rest to hit the supplies.

Mr. Kissinger: The missiles only protect the supplies and it's the supplies we want to hit. I don't care whether you hit the missiles or not.

Adm. Moorer: After the suppression strikes, the missile firings go way down.

Mr. Kissinger: I know you can suppress the missiles, but the strategic objective is to get the supplies. If the strikes last more than three days, we have domestic problems. The first day our critics are confused, but after three days they start getting rough.

Mr. Carver: Khe Sanh has a number of things that make it an attractive target. In addition to the missiles, it is a major supply base, with a lot of POL, troops and everything else. It is protected by an entire AAA division, with both missiles and radar-guided anti-aircraft

guns. The missiles and AAA are there precisely because it is such a big supply base.

Mr. Kissinger: I thought the A-Shau Valley was loaded with supplies.

Mr. Carver: The A-Shau Valley and Khe Sanh are connected. They are building up the whole area.

Adm. Moorer: I propose striking the AAA emplacements, the missile complex, the airfield, the supply depots, the storage area and the whole thing at Khe Sanh.

Mr. Carver: They have built roads all through the area. This is not just a buildup; the result will be the de facto annexation of most of Quang Tri and Thua Thien Provinces.

Mr. Clements: The missiles have gotten a lot of publicity.

Mr. Kissinger: Publicity makes no difference; success is what makes the difference. Our opponents scream about everything we do, no matter what town we hit or what the justification. Now they are crying about the poor Cambodians.

Adm. Moorer: Let's go tomorrow against Khe Sanh.

Mr. Kissinger: No, we need a pretext.

Adm. Moorer: We are ready to go tomorrow with 80 B-52s and 500 tactical fighter-bombers.

Mr. Kissinger: What about that area in MR-3?

Adm. Moorer: Tong Le Chan? We're ready to go there any time. The targets are all set.

Mr. Porter: Souvanna Phouma is very definitely on record now that any strikes on the trail would violate the ceasefire.

Mr. Sullivan: If we resume bombing North Vietnam, he would expect strikes on the trail, but otherwise not.

Adm. Moorer: If we go into the DMZ that may satisfy him.

Mr. Schlesinger: For all practical purposes Khe Sanh is part of North Vietnam now.

Mr. Kissinger: We have never protested their virtual annexation of Khe Sanh, have we?

Mr. Sullivan: No, we haven't.

Mr. Kissinger: I understand the consensus of this group is to await another pretext.

Mr. Carver: You're going to get one all right, and fairly soon. There will almost certainly be some kind of enemy attack in the Quang Tri area.

Mr. Kissinger: Would Souvanna criticize us if we bombed in Quang Tri Province and slopped over into Laos?

Adm. Moorer: Perhaps we could do some groundwork with Souvanna on that possibility.

Mr. Clements: What do you think, Al (Haig)?

Gen. Haig: I think Souvanna's scared that we may leave him naked. Anything that assuages that concern should help us.

Mr. Kissinger: If the enemy attacks in Quang Tri, why don't we strike the whole area?

Mr. Carver: We can do that. There may also be a North Vietnamese attack against Hue.

Mr. Sullivan: Why not bomb southern North Vietnam?

Mr. Carver: Quang Tri is administered out of Vinh. The whole area from Quang Tri Province through the DMZ and all the way up to Vinh is part of the administrative complex controlled from Vinh.

Mr. Kissinger: I hope you gentlemen stop short of Peking in your recommendations for air strikes. Some day I am going to write a book about the bureaucratic method; you oppose something most effectively by urging the person who has to make the decision to go all the way.

Adm. Moorer: I would bomb them and at the same time mine the whole North Vietnamese coast. The mining would seriously impair their long range outlook, and we could do it with no losses. They wouldn't be able to get a ship in for a year. They were extremely anxious about the removal of the mines and re-seeding with new mines would cause them a lot of concern.

Mr. Kissinger: Do you have a plan to re-seed the mines?

Adm. Moorer: Sure, it could be the next step. They have a large number of ships inbound right now. The ratio of supplies that is coming in now is higher than it's ever been.

Mr. Kissinger: If we bomb them in South Vietnam, we want to hit them hard. We pay the same price domestically no matter how severe the bombing is.

Adm. Moorer: We're ready!

Mr. Kissinger: Where would you hit them?

Adm. Moorer: We would get the most targets by hitting the Ho Chi Minh Trail. Those are the most lucrative targets, and then afterwards we could bomb the supply depots in South Vietnam. You may want to do something different for the best political effect, but that's what I would recommend for the best military results.

Mr. Kissinger: If we decide to go, we want to do it effectively. We need two plans for the President's consideration, one which puts emphasis on air strikes in Laos and another with emphasis on strikes in South Vietnam. In either case, you should include the possibility of the strikes sloping over to the other. Can we have that by the end of the day?

Adm. Moorer: Sure, I can get something to you today that will set it out conceptually, but that isn't enough time to do it in detail.

Mr. Kissinger: The plan we have now is weighted four to one on strikes in Laos. It's fine, but let's also do one weighted four to one on strikes in South Vietnam, then the President can take his choice.

Adm. Moorer: O.K.

Mr. Kissinger: Since we already have the one for Laos, we only need the one emphasizing strikes in South Vietnam.

Mr. Sullivan: What do you think our major difficulties will be if attacks are made in South Vietnam?

Mr. Kissinger: The possibility of new POWs and the domestic uproar that will develop.

Mr. Sullivan: More uproar than about the Cambodian bombing?

Mr. Kissinger: Absolutely. (to Adm. Moorer) Did we get all those men back on the minesweepers?

Adm. Moorer: Yes, all the men are on board the ships.

Mr. Porter: Has the word been passed to the North Vietnamese about the suspension of the Joint Economic Committee Meetings?

Mr. Kissinger: Yes. All right, let's get that additional plan that provides for air strikes in Laos, but with an emphasis on strikes in South Vietnam.

Mr. Schlesinger: But you plan to wait for justification before using it?

Mr. Kissinger: That's right. I'll convey to the President the consensus of this group that the pretext given us by Tha Viang has expired and that we should wait for a new one.

Mr. Sullivan: You have our proposed reply to the DRV note protesting alleged U.S. and GVN violations of the agreement.

Mr. Kissinger: Yes, I have it here, but I don't want to defend them against our charges of violations. I want it to say that there have been flagrant violations of the agreement on their part and that we protest them.

Mr. Sullivan: It does say that, right here (pointing to text).

Mr. Kissinger: You have their defense first and our charges afterward. You should reverse the order.

Mr. Sullivan: O.K., we'll turn it around.

Mr. Schlesinger: Henry, we're not out of pretexts yet. We may be worried about some of the subtleties of the Tha Viang situation, but we have not yet run out of the pretext. We've made a public case of the enemy violation at Tha Viang and that is still current in the public mind.

Mr. Kissinger: Are they going to do something else or aren't they? If they aren't, we may not want to strike them.

Mr. Schlesinger: COSVN has been passing the word for some time that Richard Nixon is not prepared to resume the bombing of the North.

They think they can operate with impunity and so long as they believe that, they will continue their infiltration and preparations.

Adm. Moorer: (holding a copy of the *Washington Post*) We can take advantage of these headlines this morning (about U.S. bombing in Laos) and say we are prepared to do it again, if necessary. The air strikes at Tha Viang have already given them a good signal.

Gen. Haig: We should think strategically, in the broadest possible context, and not get involved in these tactical details. We are thinking too tactically here.

Mr. Kissinger: You may be, but we are not.

Mr. Carver: The things that used to drive them crackers were the pre-emptive probes. They like to prepare their attacks in great detail, very carefully, and anything that broke them up in the preparation stage caused them a lot of stress. Since the ceasefire, the South Vietnamese can't launch those pre-emptive probes, but if we strike before they have a chance to attack, it will be very disruptive for them.

Mr. Sullivan: I don't want to sound too hawkish, but I think giving them a total sanctuary of everything north of the DMZ is a bad precedent.

Mr. Kissinger: How far north would you go?

Mr. Sullivan: To the end of the administrative complex at Vinh.

Adm. Moorer: Let's go to Hanoi. That will be a good signal to them.

Mr. Carver: If you bomb the DMZ and slop over to the western end, they'll get the message all right.

Mr. Kissinger: Last year we had to fight the bureaucracy all the way on the bombing of the North. The President finally went to Dong Hoi with the raids and then all the way to Hanoi. Now the bureaucracy wants to lead the way.

Adm. Moorer: They are convinced we aren't going to bomb the North again. They have their planes all lined up in a row on the runways in North Vietnam. They are beautiful targets.

Mr. Porter: But they won't leave them there for long if they detect our planes coming north.

Adm. Moorer: Maybe so, but I think we can get quite a few.

Mr. Schlesinger: COSVN predicts an uprising in the South and a new offensive this year. They are passing the word that the U.S. is out of the war. They keep saying that Richard Nixon will not intervene again in Vietnam.

Mr. Kissinger: Could we have a plan today that gives us more targets in South Vietnam and which includes slopping over into North Vietnam in the western half of the DMZ? Let us worry about the publicity.

Mr. Clements: What's the advantage of waiting?

Mr. Kissinger: We may be able to position the strikes better. If we are fairly certain they are going to attack, we will be able to hit them more effectively.

Adm. Moorer: If we strike them just before an attack, it would be ten times more effective than otherwise.

Mr. Kissinger: Do we concur that what they are doing is conducting probing actions as part of an overall strategic concept?

Mr. Carver: I think so. They probe here and then there, and after a while you have what amounts to a general offensive underway.

Gen. Haig: (to Mr. Kissinger) You've taken certain diplomatic actions, you've stopped the mine removal and the Joint Economic Commission talks, now is it better to wait to see what their reaction will be to those steps or to hit them militarily too, in conjunction with the diplomatic signals? I think now is the time to strike, to reinforce the other signals.

Mr. Clements: I agree with that.

Mr. Carver: The record has shown that the efficacy of verbal warnings to the North Vietnamese has not been great.

Mr. Sullivan: Breaking off the Joint Economic Commission talks is not verbal; that's a major diplomatic action.

Mr. Kissinger: Stopping the mine removal is a signal, too.

Adm. Moorer: Actually, in a few more days there will be no more live mines left. They've all been set to deactivate, although the North Vietnamese don't know that.

Mr. Kissinger: (to Adm. Moorer) I have a paper my staff prepared; I'll give you a copy to work from. If what Jim (Schlesinger) says is true, it doesn't matter whether we strike now or later.

Mr. Porter: What is the status of the reconnaissance flights?

Mr. Kissinger: Yes, are they still delayed by the weather?

Mr. Schlesinger: It's bad today.

Mr. Carver: It's sloppy this time of the year. I don't know when we will be able to go.

Adm. Moorer: We're ready to go at any time, but we would like to get the intelligence, too.

Mr. Kissinger: Don't you think we should?

Adm. Moorer: Sure, if we're going to do it we may as well get some pictures.

Mr. Kennedy: Whether we got pictures or not, it would be another signal to them if the plane flew over the North. That would be one more signal added to the suspension of the minesweeping and the Joint Economic Commission.

Mr. Kissinger: What kind of signal would a flight of a recon plane in bad weather convey?

Adm. Moorer: They wouldn't know what it would mean. They may think it would be getting information from infra-red sensors, or something.

Mr. Kissinger: We may go tomorrow night regardless of the weather. We'll decide that tomorrow (April 18).

Mr. Nelson: *[4 lines not declassified]*

Mr. Kissinger: *[1 line not declassified]*

Mr. Nelson: *[1 line not declassified]*

Mr. Kissinger: *[1 line not declassified]*

Mr. Nelson: *[1 line not declassified]*

Mr. Kennedy: Only if we have problems with all of MASF.

Mr. Kissinger: (to Mr. Sullivan) Can you have a draft for us to look at by the end of the day? (referring again to the US/GVN reply to the DRV note on ceasefire violations).³

Mr. Sullivan: We can prepare a model and send it out to the GVN for approval.

Mr. Kissinger: Let's have it ready to go by Thursday (April 19).

Mr. Sullivan: O.K.

Mr. Kissinger: Now, I want a new plan that will include strikes on Quang Tri, Khe Sanh and the Ho Chi Minh Trail, with some slopping over into North Vietnam. (to Adm. Moorer) I don't want you to be obsessed with Khe Sanh; I want you to make plans to get the logistics complex in and around the DMZ. If you want to strike Khe Sanh in connection with carrying out that objective, that's O.K. with me. I have no objection to that.

Adm. Moorer: It can be done that way.

Mr. Kissinger: We want two plans for the President's consideration, one emphasizing strikes in Laos and the other with an emphasis on South Vietnam. Are we pushing the MAP deliveries to Cambodia?

Adm. Murphy: Yes, sir.

Adm. Moorer: We are moving them, especially 105s and things that are needed to keep the roads open.

Mr. Kissinger: Is the airlift operating?

Adm. Moorer: Yes, sir, it's operating well.

Mr. Kissinger: This reminds me of the glorious days of the India/Pakistan WSAGs.

³ Kissinger presented the reply based on the referenced draft to the North Vietnamese two days later. See Document 49 and footnote 3 thereto.

44. Transcript of Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)¹

April 21, 1973, 11:40 a.m.

P: Hello?

K: Mr. President.

P: Henry, are you in New York?

K: No, I'm in Washington. I'm in the office.

P: Oh, fine. Is it good weather?

K: Perfect, lovely weather. A great day.

P: I just wanted to be sure the country was still running here.

K: The country is in good shape.

P: What is the situation on anything from the North Vietnamese?

K: Well, we have an answer from the N. Vietnamese. They have agreed to a meeting between Le Duc Tho and me. It is much less insolent.²

P: Yeah.

K: And, . . .

P: Agreed to a meeting when, Henry?

K: On May 15. And, I had also demanded a meeting between Sullivan and Tac before that. And they have agreed to that and that will take place next week.

P: Where will that take place? In Paris?

K: In Paris. And that makes it a little tougher for them to take military action in that period of time.

P: Right. They still claim that they are not doing anything in violation.

K: No, No. They are now criticizing us for having broken off the Joint Economic Commission and pulling back the mine sweepers.

P: That's good. And, did they mention the Laotian bombing?

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 19, Chronological File. No classification marking. Nixon was in Key Biscayne; Kissinger was in Washington.

² Although Kissinger characterized the North Vietnamese note as "insolent" in Document 42 and tells the President the note is "much less insolent" here, it is clear in context he is referring to the same note. For information about the note itself, see footnote 5, Document 42.

K: No. Oh yeah, just in passing. It's a much . . . Mr. President, if we didn't have this god damn domestic situation, a week of bombing would put them . . . this Agreement in force.

P: Yeah. Well, we'll still do it.

K: Yeah.

P: Right. What did you have an idea . . . have you sort of laid in motion for the NSC meeting for Thursday?

K: Thursday, Mr. President.

P: If you want it Wednesday that's soon enough. I'll probably be back Tuesday.³

K: Well, why don't we give it a day then to work . . . If the situation deteriorates, Mr. President, we can have it Wednesday.

P: Sure.

K: But, otherwise, perhaps if you and I could have a chance to go over it on Wednesday and then Thursday to meet.

P: Yes sir.

K: I mean, there's no urgency now to take a decision on . . .

P: The fact that you've got them somewhat restrained because of the messages . . .

K: Well, again, we did all these things against the position of everybody, but calling back our negotiators, withdrawing our minesweepers, and flying a reconnaissance plane, plus the bombing of Laos . . . that was pretty starchy stuff. And one good thing about Watergate, it puts it all on page 20.

P: laughter. That's right. It even puts down the 10% increase in the inflation on page 20.

[Omitted here is discussion unrelated to Vietnam.]

³ April 21. The President returned from Key Biscayne on April 24. No NSC meeting was held on his return.

45. Memorandum from William Stearman of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, May 1, 1973.

SUBJECT

Saigon Station Chief's Assessments

In response to your April 2 request in San Clemente, Saigon Station Chief Polgar has personally sent you two field assessments. One is an appraisal of the possibility of an imminent Communist offensive (Tab A)² and the other is on the situation in Vietnam at X plus 90. (Tab B)³ These assessments are summarized below:

—For the next three months or so, fighting will continue in South Vietnam with varying intensity and occasional high points including multi-regimental level, but the scope of fighting will fall short of a nationwide major unit offensive.

—Despite countrywide reports predicting a large-scale resurgence of Communist military activity in the near future, neither the enemy's posture nor his current strength levels indicate that these predictions are valid.

The Situation in Vietnam at X Plus 90

—While there is not yet a "cease-fire," there is a "less fire" situation. While 8,500 Communist and 2,500 GVN troops were killed in the first 30 days of the cease-fire, comparable figures for the last 30 days are 2,500 and 1,500 respectively.

—A renewal of major unit fighting by the NVA on a nationwide scale is by no means a certainty.

—During the 90 days, the GVN has gained more than the Communists. The Government is strong, and GVN armed forces have gained despite the absence of direct U.S. support.

—There is some small movement toward a "modus vivendi" in the South and faint reflections of a changing spirit.

¹ Source: National Archives, Nixon Presidential Material, NSC Files, Box 164, Vietnam Country Files, Vietnam, May–September 1973. Secret; Sensitive. Sent for information. Kissinger initialed the memorandum.

² Intelligence Information Cable, TDFIRDB 315/03916–73, "Appraisal of Situation: Field Appraisal of Possibility that VC/NVA Forces Are About To Launch a General Offensive," April 25, attached but not printed.

³ Intelligence Information Cable, TDFIRDB 315/04102–73, "Appraisal of Situation: At X Plus 90 in South Vietnam," April 30, attached but not printed.

Comment

George Carver, in his covering memorandum, said he believes that a substantial increase of military action in South Vietnam is “somewhat more likely—and may be more imminent—” than Polgar’s two reports indicate.⁴

While I find Polgar’s assessments to be somewhat on the optimistic side, I do agree that major Communist offensive operations are not likely in the immediate future. I am, however, less sanguine than he about Hanoi’s longer-range military intentions.

⁴ Carver’s cover memorandum, May 1, attached but not printed.

46. Memorandum from William Stearman of the National Security Council Staff to the President’s Assistant for National Security Affairs (Kissinger)¹

Washington, May 9, 1973.

SUBJECT

Bunker Assessment of Vietnam Cease-fire at X plus 90

Ambassador Bunker has cabled the President his assessment of the situation in Vietnam 90 days after the cease-fire (Tab A).² The Ambassador reported that there is still no cease-fire and no visible movement toward a political settlement. The situation, nevertheless, is far better today than before the signing of the Paris Agreement. The Ambassador, however, warns that the cease-fire is at a critical point and that we must now take steps to maintain momentum in search of a stable cease-fire. This may require continued pressure on both the DRV and the GVN. Otherwise, the situation could gradually deteriorate into large-scale fighting. Bunker scores both the North Vietnamese and the GVN for

¹ Source: National Archives, Nixon Presidential Material, NSC Files, Box 164, Vietnam Country Files, Vietnam, May–September 1973. Secret; Nodis. Sent for information. Kissinger initialed the memorandum.

² Telegram 7880 from Saigon, May 5, attached but not printed. The telegram is printed in Douglas Pike, ed., *The Bunker Papers: Reports to the President from Vietnam, 1967–1973*, pp. 852–862.

cease-fire violations but lays heavier emphasis on Hanoi's open disregard of many of the Agreement's provisions. He notes that the NVA will not mount a major offensive in the next few months. The current NVA buildup, he believes, may only represent Hanoi's own version of "Project Enhance" and could lead to the slow working out of a balance of forces and eventually to a more stable cease-fire.

Summarized below are the highlights of Bunker's report:

—Concerning the GVN/PRG political talks, the GVN's approach shows a new buoyance following Thieu's trip and its April 25 proposal gave it a clear edge in the talks.³ However, Saigon should drop its demand for an NVA pull-out before the proposed elections and should offer concessions on the PRG's privileges and immunities.

—The Polish and Hungarian ICCS delegations persist in protecting the PRG/DRV. PRG harassment has limited ICCS movement, aborted investigations and prevented some deployments.

—The Two Party Joint Military Commission and the Four-Party Joint Military Team have made scant progress.

—There has been some progress on the civilian detainees issue. Agreement was reached on exchanging 750 GVN detainees for 637 civilians held by the PRG. The GVN has offered to return any of the 21,007 "common criminals" if the PRG proves they are Communist cadre. The Ambassador has urged Thieu to perform on his offer to allow inspections of prison facilities, and also to release non-Communist oppositionists.

—The enemy's military objectives for the near future are limited and local, but he may resume large-scale fighting at some future point if he fails to achieve his political goals.

—The level of violence dropped in April, casualties on both sides are down, and artillery and air activities are greatly reduced.

—The rural security/population control situation has not changed since the cease-fire. The GVN has held its own in MR-3 and in most areas of MR-1 and 2. There has been a general decline in the Delta but no major losses have occurred.

—ARVN has improved its effectiveness and is capable of defending the country from all but a massive attack supported by a major power. Vietnamization has succeeded, and Hanoi has been forced to reassess its reliance on force as its primary measure to political ends. Continued GVN progress depends on ARVN efforts to maintain disci-

³ For a discussion of the proposal, see "Saigon and Vietcong Offer Proposals for Settlement," *The New York Times*, April 26, 1973, p. 89.

pline, develop leadership and raise morale; and on the GVN's success in attacking corruption and maintaining popular and international support.

—The GVN is capable of defending itself against any foreseeable threat from Cambodia unless Hanoi regains the use of Kompong Som port.

—Thieu's political position is in some respects stronger than ever, and the Communists have made no political headway since January 28.

—The GVN's economic recovery from the offensive appears to be moving ahead with a stable financial situation, effective policy management and less-than-expected inflation. San Clemente relieved GVN officials of many of their anxieties but they are considerably concerned over decreased dollar earnings and Congress' failure to appropriate increased aid for FY '73. Much depends on the FY '74 appropriations.

47. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Washington, May 12, 1973, 2133Z.

WH31202. 1. When we undertake a serious and important effort to resolve a common problem, we do not expect an answer from our ally which is insolent and patronizing. While there were some positive aspects to the memorandum which Fon Min Lam gave you on 12 May²—such as on delineation of zones of control, points of entry, and liaison flights—you should see President Thieu immediately and inform him that we cannot repeat not proceed in our next round of negotiations on the basis of the position set out in that memorandum.

2. You should explain to him forcefully the considerable risks President Nixon is undertaking, both in terms of his confrontations with the U.S. Congress and in terms of the international position of the

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Eyes Only. The message carries the instruction: "Deliver opening of business."

² Whitehouse sent a detailed South Vietnamese memorandum on the forthcoming Paris talks to Kissinger in backchannel message 419 from Saigon, May 12. It conveyed Lam's severe misgivings about the Kissinger-Le Duc Tho meetings. (Ibid.)

United States, by his continuing effort to enforce the Paris Agreements in a manner consistent with the interests of South Vietnam and President Thieu's government. You should state that the very least we expect, in consideration of these risks, is that President Thieu should instruct his staff to cooperate with us, especially in matters which merely involve a scrupulous implementation of agreements already reached and obligations already undertaken.

3. We cannot repeat not accept instruction or interpretation of the meaning of various articles in the Agreement or its protocols from the GVN, which consistently refused to cooperate with us in their negotiation and which therefore has no repeat no knowledge or experience of their negotiating history. Consequently, we must insist that we are in a better position than the GVN to interpret these articles.

4. If the GVN has nothing more constructive to offer than this memorandum, we have no repeat no alternative but to go ahead on an independent basis to negotiate with the DRV, taking into account our own interests, those legitimately expressed by the GVN, and the larger interests of peace in Indochina. We have developed the draft of a "Memorandum of Understanding" which we will send you by separate cable.³ This will constitute our negotiating position. You will see from this draft that it incorporates all GVN interests which have been legitimately expressed in the Palace memorandum and ignores the specious elements of that paper.

5. We accept the designation of Dr. Vien's delegation as the appropriate liaison with our group in Paris. We realize that Phong has recently been in Saigon and therefore may be considered current with the President's thinking. However, we are also acutely aware that there are no repeat no members of that delegation who have an intimate knowledge of GVN actions on the military commissions or other such details. We trust the Vien delegation will be provided with rapid and effective Saigon decisions on the items under discussion so that we can avoid the sort of uncoordinated negotiations which were forced upon us by GVN behavior last fall and winter. However, you should make it clear to Thieu that, in the absence of such decisions and such cooperation, we must go ahead in any event with the DRV and achieve the best arrangements we can in the circumstances.

6. Warm regards.

³ See footnotes 2 and 3, Document 50, for discussion of the memorandum.

48. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, May 14, 1973, 0800Z.

421. Ref: WH31202.²

1. I met with Thieu at noon and made the presentation you requested. Thieu took it very calmly and was full of good humor. To my astonishment he agreed right away that the memorandum³ was not very forthcoming and even accepted that some of its positions were a step back from positions his people had already taken in other forums.

2. Thieu said that the key point for the GVN was to get zones of control delineated and that he was ready to go to considerable lengths to persuade the other side to enter into serious high-level discussions on this subject. While these zones remained vague there could be nothing but confusion and misunderstanding. "If you don't know where my leg is you are going to stumble over it." Once the zones were established then many other points could become simple; violation could be determined, freedom of movement could be assured, the ICCS could do its job better, etc.

3. Thieu asked if you had sent me any specific comments. I said that you had not, that as I had said you simply wished him to know that the memorandum could not be the basis for true negotiations. I added that I expected to get additional information from you but gave as my own view that such steps as expressing willingness for his high command to reissue cease-fire instructions, a willingness to move the PRG into better quarters, a willingness to make local arrangements at the regimental commander level and willingness to ease up on patrolling and pacification operations in contested areas were some changes which should be made in their position. Thieu replied that he was ready to do "many things" to get serious talks started on zones of control. "If they want a cup of tea before they get down to business I will give them a cup of tea." The question of talks at the regimental commander level was, he said, irrelevant until general agreement at a high level on zones of control had been reached. It was not until General Vien and their commander had agreed on the overall picture that

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Immediate. Sent with the instruction: "Deliver at opening of business."

² Document 47.

³ See footnote 2, Document 47.

local arrangements could be made. The trouble was that the other side would keep on stalling. If they would start talking about zones of control he would be very flexible. On pacification operations Thieu bridled a bit and said ARVN was merely defending itself and responding to enemy mortar fire but that again this was a reason for getting the zones clarified.

4. I pointed out that time was short and that his staff would have to get cracking on a revision of the memorandum. Thieu said he would instruct Foreign Minister Lam to get in touch with us right way and start working on a new paper.

5. *Comment.* I am surprised at the cheerful way in which Thieu washed his hands of the memorandum. We will see what instructions he gives Lam but would guess that the thrust from here on will be an effort to establish linkage between the other side's willingness to discuss zones with further GVN qte concessions unqte. I also take as a good sign that he is giving Lam the ball whereas the memorandum was clearly a Duc/Nha confection.

As things stand now the GVN is linking the zones issue to the following steps outlined in para 5 of WH 30984.⁴

- A. (Local commanders)
- B. (Military operations)
- C. (Privileges and immunities)
- H. (Democratic liberties/freedom of movement)

On the other steps:

- D. (Point of entry) No problem.
- E. (POW/detainees) We can probably get agreement on further releases.
- F. (NCRC) GVN will probably stick to its present Paris position.
- G. (Withdrawal of NVA) It is not yet clear how the GVN will handle this one.

6. Warm regards.

⁴ Backchannel message WH30984 to Saigon, May 4, outlined steps Kissinger wanted the GVN to accept during the Paris talks. (National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973)

49. Memorandum of Conversation¹

Paris, May 17, 1973, 10:08 a.m.–3:15 p.m.

PARTICIPANTS

Le Duc Tho, Representative of the Government of the DRV

Nguyen Co Thach, Vice Minister of Foreign Affairs

Phan Hien, Ministry of Foreign Affairs

Col. Hoang Hoa

Dong Nghiem Bai

Phan Ngac

Nguyen Dinh Phuong, Interpreter

Two Notetakers

Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs

Ambassador William H. Sullivan, Deputy Assistant Secretary of State for East Asian and Pacific Affairs

Ambassador Graham Martin, Ambassador-Designate to the Republic of Vietnam

Helmut Sonnenfeldt, NSC Senior Staff

Mr. George Aldrich, Deputy Legal Advisor, Department of State

Mr. William L. Stearman, NSC Staff

Mr. Peter W. Rodman, NSC Staff

Mr. David A. Engel, Interpreter

Miss Irene G. Derus, Notetaker

Kissinger: This is like old times. I'll hand you a document and if you will sign it we'll take a walk. I know you came with good will and a serious attitude. How is my old friend, Minister Xuan Thuy?

Le Duc Tho: He is all right and he's working all the time.

Kissinger: I noticed he was in Peking agitating against me. [laughter] As I have already told you outside, I have the difficulty that I no longer know how to address you. I am still a Special Advisor but now apparently the community of Special Advisors no longer exists.

I would like to express my personal pleasure of seeing what I remember as the Special Advisor again. Mr. Le Duc Tho and I have done important work together. We have done important work together and I think we owe it to our two countries and to the peoples of the world to strengthen what has been achieved and to bring about its strict implementation.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 114, Country Files, Far East, Vietnam, Paris Memcons, May 17–23, 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held at St. Nom la Breteche, Paris. Brackets are in the original. Kissinger chaired a WSAG meeting in Washington on May 15, 4:11–4:42 p.m., to prepare himself for the Paris meeting. Minutes of that session are *ibid.*, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973.

Among the many clauses of the Agreement last year, among the many goals we set ourselves, perhaps the most important from a historical point of view was to bring about the normalization of relations between the Democratic Republic of Vietnam and the United States of America. This still remains one of our chief goals, and we have both agreed that the conditions for it would be provided by the strict implementation of the agreement.

I have noticed in the brief conversations I had with Mr. Le Duc Tho that peace has not mellowed him. So I am certain that we will have our usual animated discussions. [laughter]

Le Duc Tho: So you have foreseen the situation.

Kissinger: Well, I have learned a little about objective reality. [laughter] But I think we should remember that we are still in a condition of peace; that our objective should be to strengthen it, and that we should not slide back to the conditions that first brought us together. We are prepared to meet with you in this spirit, to deal with you with good will, and hopefully to end these meetings with progress both towards implementing the Agreement and the normalization of our relations.

I would like to now ask Mr. Le Duc Tho how we should proceed, whether he should like to make some general observations. And then we can decide who will attack first. [laughter]

Le Duc Tho: Every side has the right to keep one's initiative in attacking the other side.

Kissinger: But we should do it in some sort of orderly procedure. [laughter] And I think that at an appropriate moment the first sign of progress will be to eliminate Vice Minister Thach and Ambassador Sullivan so that the serious people can get down to business. [laughter]

Le Duc Tho: You have finished, Mr. Special Advisor?

Kissinger: Yes. I still have to read this book from cover to cover, but this is just a short personal introduction.

Le Duc Tho: Please let me speak a few words as an opening speech. After the conclusion of the Agreement I thought that we would meet this time in a better atmosphere. But to my regret we are meeting here again—the people are the same, the scenery is the same—but to my regret the situation has not developed in the best way.

Kissinger: The Special Advisor isn't complaining about the people? It is getting to be like a reunion of war veterans. We should have a reunion every October 12 or October 8.

Le Duc Tho: I would think that afterward in the future, when everything is settled, then we should fix that date when we should all meet together to recall the past experiences.

Kissinger: Especially the Two-Point Elaboration² that didn't elaborate anything. [laughter]

Le Duc Tho: We should recall many things! The situation at present is developing with many events but, however, I have come here to meet you again. This is an expression of my good will really, to find out means to put an end to this bad situation. But I believe that I am coming here not to be subjected to you making pressure on me, and you should understand me well. And I would hope that you will show the same spirit of good will and serious intent, and, if so, I am confident that once again we will succeed in bringing about a good solution to the problem.

Because our objective is nothing but bringing about a peaceful solution to Vietnam and to the whole area. And afterward we will establish a better relationship between our country and your country. This position of ours has no change at all. As you have just said, on the basis of scrupulous implementation of the Agreement then we will achieve the normalization of relations between our two countries. It should be our objective and it is indeed our objective. So we shall indulge in our work now. And as a sign of courtesy I give you the opportunity of attacking me. [laughter]

Kissinger: I have explained to Ambassador Martin, who is new to this process, that when we meet in an American house the Special Advisor, as a sign of courtesy, lets me speak first, and when we meet in a Vietnamese house, because of the traditional Vietnamese hospitality to guests, the Special Advisor also lets me speak first. [laughter] But wherever we meet, the Special Advisor speaks last.

Let me make a few observations. But before I turn to that, let me take up a comment that Mr. Le Duc Tho made. I don't want to show any disrespect and I would like to call him Mr. Deputy Prime Minister, but I don't know whether he considers that a promotion or a demotion.

Le Duc Tho: (laughs) No, it is not a promotion nor demotion.

Kissinger: I have to point out to my old colleagues one melancholy fact—that everyone associated with these negotiations on both sides has been promoted except I. Everybody.

Le Duc Tho: That is the reason why I see changes in your side.

Kissinger: That is right. Let me introduce the new individuals on our side. Ambassador Martin is here with us. He will go to Saigon, but he is here so that he understands exactly what we have agreed on and can use his maximum influence to bring about its implementation.

² See footnote 3, Document 13.

Le Duc Tho: [to Martin]: So your responsibility is rather heavy. And I would hope that you will strictly abide by the provisions of the Agreement.

Ambassador Martin: I will do the best I can, according to the instructions I receive.

Le Duc Tho: But the instructions should be correct ones [laughter]. And the instructions should be given as to the strict implementation of the Agreement.

Kissinger: No, we are here to work out an understanding about the strict implementation of the Agreement on *both* sides. Ambassador Martin will be instructed to carry out precisely and in detail what we have agreed on here, and he is attending these meetings so that he understands exactly what we have agreed on here. And you can assume that these will be his instructions. And we will expect the same scrupulous adherence on your side.

Mr. Stearman has replaced Mr. Negroponte, who is one of the casualties of our negotiations, because his physical constitution was not up to his moral intention. Mr. Negroponte has been transferred to Latin America to recuperate from the onslaughts of the Special Advisor and the two Ministers.

Le Duc Tho: It is wrong to put this blame on me. [laughter]

Kissinger: Wrong to put the blame on you?

Le Duc Tho: Wrong to put the blame on me.

Kissinger: Well, our physical endurance isn't up to that of our North Vietnamese counterparts. The only American negotiator who ever did anything after he met with you was Ambassador Porter, and that is because he refused to meet with you. And, of course David Bruce, but it took him a year to recover.

Mr. Rodman you remember.

Mr. Sonnenfeldt you have seen once before. In the meantime he is handling European affairs for me, and what we call East-West relations, and I want to convince him that he is dealing with a more tranquil area and easier people.

Mr. Engel you remember, and Miss Derus, who is the only Polish member concerned with these activities who takes an objective view. In fact we believe that it would improve the implementation of the Agreement if she replaced one of the Polish members of the ICCS in Saigon. So now you have met our new associates.

Le Duc Tho: As for our side, they are all old people known to you already.

Kissinger: [Indicating a gentleman at the end of the table] I don't think I met this gentleman before.

Le Duc Tho: So our ranks are steady.

Kissinger: Well, I miss Mr. Loi. [laughter] I don't think we will have discovered all the subtleties of any agreement we may make until Mr. Loi has a chance to study it and make his comments.

Le Duc Tho: Before my going here I told Mr. Loi that no doubt Dr. Kissinger and Ambassador Sullivan will remind me of the presence of Mr. Loi.

Kissinger: Did he blink when you said this to him? [laughter]

Le Duc Tho: He is blinking all the time.

Kissinger: Well, Mr. Special Advisor and gentlemen, we suggested this meeting last month because we were concerned that the Agreement on which we had worked so hard and for which we had hope was in serious danger. We signed the Agreement with the serious intention of bringing an end to the fighting throughout Indochina and to bring about the normalization of relations between your country and ours. And, as I told you many times, we intended and still intend to pursue that course of normalization with the same seriousness and the same intensity that we have pursued it with other countries.

The Special Advisor mentioned the possibility that we are here to exercise pressure. But I think we have enough experience with each other now to realize that pressure by neither side can be useful.

Le Duc Tho: [laughs] So it is a good thing if you have understood that.

Kissinger: By either side. Every time either side has tried to use military pressure, there has been a violent reaction from the other side, and the situation became more difficult. So we should not meet here—and we do not meet here—with the attitude of planning military moves. We should meet here, on both sides, with the attitude of accelerating the process that we started last year, and consummated this year, towards a peaceful settlement of Indochina and particularly towards a rapid normalization of relations between our two countries.

Now our two countries over the last months have exchanged many notes of many allegations. You know our view about the violations which we believe have been committed by your side, and which we can demonstrate have been committed by your side. I do not think any useful purpose is served by my reading a long list repeating what we have already communicated to you and what Ambassador Sullivan has taken up with his co-saboteur, Vice Minister Thach.

You know that it is our view that you have not complied with Article 20 of the Agreement.

You know that we have evidence that you have moved thousands of tons of war material into South Vietnam in violation of Article 7 and Article 15 of the Agreement. It is a contribution to the history of

relations among states to find 350 tanks, 300 pieces of long-range artillery and several battalions of anti-aircraft guns and missiles classified as civilian goods not subject to the restrictions of Article 7.

We have told you that we believe you have not carried out Article 3 and that you have impeded the work of the International Control Commission as well as the Two-Party Joint Military Commission.

Now I have here a document which lists all the violations that we believe have been committed on your side and which we would appreciate you would study. I see no purpose in spending time reading it at this meeting. These are only the highlights. We have a longer document with further details, but I don't want to overtax Mr. Phuong's translation overnight. [He hands over the document listing the violations, Tab A]³

But, Mr. Special Advisor, I recognize that you, too, have some complaints.

Le Duc Tho: Many complaints.

Kissinger: And I was to add a phrase you would have appreciated, but I am now going to debate whether I will make it, since you interrupted me. I was going to say something that the Special Advisor has never said about me in four years. I was going to say that some of your complaints are even justified.

We recognize that the Agreement, the implementation of the Agreement, requires improvement on both sides, and this is why Ambassador Martin is here with me. But we also believe that the much more serious violations have occurred on your side.

But I am not here to debate this. I am here because both of our countries have an important decision to make. In the early days of the Agreement it was possible to overlook many violations because it was difficult to make the transition from years of warfare to peace. But if the violations continue now, then much more serious questions are raised. We did not sign the Agreement simply to bring about the return of our prisoners. If we wanted that, it was not necessary to make such a complex instrument taking so many months of negotiations. We believe that the Agreement which we negotiated over so many months and with such great care must be strictly implemented. We cannot possibly be indifferent to the violations of provisions which we solemnly signed and which were internationally ratified.

I have told you many times, and I repeat it now, that we will not be an obstacle to the pursuit of your objectives by peaceful means. We will not be an obstacle to the pursuit of your objectives within the

³ "Communist Violations of the 27 January Vietnam Agreement," May 17, attached but not printed.

framework of this Agreement. And we will not conduct a policy which is directed against the legitimate interest of your country. But we will not ignore, nor can we accept, systematic violations of the Agreement.

But the more important mission that I have here is not to catalog the transgressions of the past. And I would recommend that we do not spend an excessive amount of time charging each other with specific acts of violations. We are here to make a serious effort to make concrete arrangements to bring about a strict implementation of the Agreement on both sides. We are prepared to carry out immediately those parts of the Agreement that remain unfulfilled which remain in our control. We are prepared to use our influence to bring about the implementation of those provisions where there has been a deficiency which is subject to our influence. We hope that you will adopt the same procedure, throughout Indochina, in Vietnam as well as in Laos and Cambodia. And if we work in this spirit, then by the time we both leave here we will have taken a major step forward and we can then realize all of the hopes that we held when we initialed the Agreement and when I met the Special Advisor in Hanoi.⁴

Now I am sure that the Special Advisor has a slightly different perspective produced by a more subjective approach, which he will want to put before me [laughter]. And then I think after we have had that exchange we might begin to work on the concrete details.

Le Duc Tho: I have just listened to your rather general statement, and particularly you wrongly accuse us of mainly violating the Agreement. Therefore I will answer to your statement. Now let me express a few ideas of mine.

Kissinger: Of course, if the Special Advisor reads his entire statement I will go back and read my entire statement. [laughter]

Le Duc Tho: Actually I have come here in the face of a situation fraught with very serious developments. And therefore I think our aim, our purpose to come here, is to find out measures to be applied and to settle this situation. But you said that we have violated the Agreement systematically and the violations were mainly committed by our side.

Kissinger: I would hate to think it wasn't systematic, because if it wasn't systematic I would hate to think what you would do if you did it systematically. [They smile.] If this was accidental, then I hate to think of what you are capable of.

Le Duc Tho: Because you used those words, therefore I have to reply and mention the U.S. violations, and violations committed by the Saigon Administration. I have carefully listened to the views expressed

⁴ See Documents 11–17.

by Mr. Special Advisor so now I have to express my views and pose specific problems that we have to discuss to find out measures for the settlement of these problems. And finally I will reply to your views and make some comments on the views you have just expressed.

During this meeting between you and me, the basic question is to determine whether after the conclusion of the Agreement we have ushered in a period of genuine peace so as to establish normal relations between us, or shall we continue to be hostile to each other. Shall we follow the goal of maintaining peace in this area or shall we continue the war? Only a clear determination of our orientations will help settle the problems that we are raising. And that is a very fundamental and very important question.

During the ten years of war you have spent a great deal of money and the loss of great deal of human lives to interfere and to be engaged militarily in our country. But finally you have to put an end to this war and pull out your troops from our country with a peace agreement. You have pledged to respect the South Vietnamese people's right to self-determination and to refrain from imposing any government or specific personality on South Vietnam. But in practice over the past three months we wonder how much your pledges explicitly laid down in the Agreement are still valuable. You are still continuing your own policy without any change. After the conclusion of the Agreement, President Nixon stated that he would support the Saigon Administration as the only legal administration in South Vietnam.⁵ But that administration had been set up by the U.S. itself. You want to deny the role of the Provisional Revolutionary Government of the Republic of South Vietnam.

In the course of the meeting between President Nixon and Nguyen Van Thieu, President Nixon stated that he would continue to implement the Nixon Doctrine in South Vietnam and would maintain U.S. commitments toward the Saigon Administration,⁶ and still the U.S. wants to stick to South Vietnam. As a result of the U.S. policy, many essential provisions of the Paris Agreement on Vietnam have not been scrupulously implemented.

Kissinger: May I interrupt to point out to the Special Advisor that we are doing something historic again. We are serving tea in coffee cups in honor of the Agreement. It is a psychological experiment to see if it will taste like tea to you.

Le Duc Tho: Yes, the cups are old cups but the tea may be new. But the main things is the cups.

⁵ President Nixon made this statement during an address to the nation on January 23; for text, see *Public Papers of the Presidents of the United States: Richard Nixon, 1973*, pp. 18–20. See also *Foreign Relations, 1969–1976*, volume IX, Vietnam, October 1972–January 1973, Document 331.

⁶ See Documents 38 and 39.

Kissinger: So you think you are drinking coffee: it will taste like coffee to you.

Le Duc Tho: What I have just said is that the basic causes that make the situation very serious. Not let me raise now the specific problems that in our view the U.S. and the Saigon Administration have systematically violated the Agreement.

With regard to South Vietnam, after the troop withdrawal, the U.S. still leaves behind tens of thousands of military personnel disguised as civilians in South Vietnam.

You publicly announced that you would give nearly as much military aid as during wartime. You brought in tens of thousands of armaments into South Vietnam and you publicly admitted this introduction of weapons into South Vietnam.

Kissinger: When was this, after the Agreement?

Le Duc Tho: Yes, after the conclusion of the Agreement. You organized the three American Consulates in the three military regions of South Vietnam, but actually those three Consulates are three camouflaged military commands in the military regions in South Vietnam.

The order of the ceasefire has not been respected by the U.S. and the Saigon Administration. Immediately after the ceasefire became effective the Saigon Administration launched thousands of encroaching operations and mopping up operations, launched continuous air attacks against regions under the control of the PRG. And of late the U.S. sent its aircraft to bomb the regions of Loc Ninh and Xa Mat. This is a new development in U.S. intervention in South Vietnam by force. Previously the Four-Party Joint Military Commission issued an order of ceasefire but the Saigon Administration refused to respect this order of ceasefire. Recently the delegation of the PRG in the Two-Party Joint Military Commission proposed that the two parties will jointly issue an order of ceasefire, but once again the Saigon Administration refused this proposal.

Kissinger: You have the date?

Le Duc Tho: A few days ago.

Kissinger: Well, we will find it, don't worry about it.

Le Duc Tho: May 15.

Kissinger: The day before yesterday.

Thach: May 11.

Le Duc Tho: May 11. In our view, the ceasefire is not a difficult question to be implemented if the two parties are willing to do so. If not as you said, that it is a difficult question to shift from the conditions of war to the conditions of peace. I still remember that in the past, whenever there was some festival or some national day, then the two parties agreed to observe the ceasefire.

Kissinger: Except in 1968. A slight problem in '68 when the word didn't get to all the units of the North Vietnamese . . .

Le Duc Tho: That is another story. [laughter]

Kissinger: That is like the Two-Point Elaboration.

Le Duc Tho: This falls under the military field. [laughter] Therefore, in our view, since we have concluded an Agreement and if we are willing to observe the ceasefire, within 24 hours there will be a ceasefire. But actually the U.S. and the Saigon Administration still intend to maintain a state of war to a certain extent in South Vietnam.

Therefore, for instance, on May 13 Nguyen Van Thieu stated he would continue his program of pacification. All democratic liberties and national concord measures have been trampled under foot by the Saigon Administration. The population is still subjected to coercion, purges, and are forcefully herded into strategic hamlets. And as a result the situation has become very tense in South Vietnam.

There has been no return of Vietnamese civilian personnel. You have promised that you would use your influence over the Saigon Administration so that a great part of these civilian personnel will be returned within two months after the ceasefire and the remaining number of civilian personnel would be returned in the third month after the ceasefire. When Mr. Advisor visited Hanoi you told me that within a few days' time 5,000 civilian personnel held by South Vietnam would be returned, but now three months have elapsed and only a few hundreds of personnel are returned to the PRG. When you left Hanoi, your words went away with you.

The conference between the two South Vietnamese parties have held tens of sessions but there is no progress at all.

Kissinger: Excuse me, I missed the last one. After the 5,000 when my word went away with me. This is the last thing I heard. I was so shaken by that.

Le Duc Tho: When Mr. Advisor visited Hanoi.

Kissinger: That I heard—but after that.

Le Duc Tho: The conference between the two South Vietnamese parties have held tens of sessions but without any progress at all because of the unreasonable demands put forward by the Saigon Administration.

In the past, the Saigon Administration created many cases of provocation and intimidation against the Four-Party Joint Military Commission which prevented the activities of the Four-Party Joint Military Commission, and now the Saigon Administration refuse to apply the immunities and privileges to the delegation of the PRG at the Two-Party Joint Military Commission. As a result the Two-Party Joint Military Commission cannot yet deploy its forces and carry out its mission.

With regard to the Democratic Republic of Vietnam, an independent and sovereign country, you have continued to allow reconnaissance flights over the Democratic Republic of Vietnam in spite of the messages you sent to me promising that if those reconnaissance flights occurred you would punish those who ordered those flights. In fact, those promises are only hollow promises.

You also invoked one pretext or another to prolong indefinitely the mine clearing operations, so that after several months only a few mines have exploded, and now you have stopped the mine clearing operations.

Regarding the Joint Economic Commission, which has not completed its set program of work, you have unilaterally stopped the meetings of the Joint Economic Commission. Moreover, many personalities in the U.S. Administration, including Secretary Elliot Richardson, have repeatedly strengthened to resume the bombing of North Vietnam.

It is clear that your intention is to use the mine clearing operation, the work of the Joint Economic Commission, and threats as bargaining trumps to make pressure on us.

You want even to use other people to make pressure on us. I think you should not use . . .

Kissinger: Like who?

Le Duc Tho: Probably you understand.

Kissinger: No, we wouldn't do that. We tried it, but the Laotians absolutely refused to do it. [laughter]

Le Duc Tho: I think you should not use dollars as a means to bargain with us. The participation of the U.S. in healing the war wounds of Vietnam is an obligation of yours. This is in our interest, in your interest, in the interest of both sides. It should be pointed out that you have overused threats and pressure against us. Over the five years of our negotiations this has proved to be vain efforts. We remain unswerving. We are people who respect reason, respect the truth, and we are right to demand that you too, you should respect reason and the truth.

With regard to Laos, although the Agreement on Laos has been concluded, the discussions on the protocols are being protracted without any settlement.

Kissinger: It is a little tough to negotiate when your negotiators are never there. That creates certain specific difficulties.

Le Duc Tho: You have given air support to the troops of the Vientiane administration, launching encroaching operations against the regions under the control of the Pathet Lao in violation of the Agreement on Laos.

With regard to Cambodia, you have stepped up very fierce air attacks in Cambodia, and the U.S. Senate and the House of Represent-

atives are opposed to the air attacks in Cambodia by the Nixon Administration.

Kissinger: May I recall to the Special Advisor a rule we discussed three years ago that should be enforced? You have been consistently wrong in your assessment. You will be wrong again. But other than that let us not discuss it.

Le Duc Tho: Let me finish the first sentence. Considering the bombing of Cambodia as an illegal act, therefore, the Senate and the House of Representatives refuse to appropriate funds to carry out these attacks in Cambodia.

I just point out this fact that the stepped up bombing of Cambodia is a wrong deed: not only we are opposed to that but even the American people are opposed to the bombing in Cambodia. This is what I wanted to mention.

Kissinger: The American people are our problem, not the Special Advisor's. And if he remembers, he has not always been right in his assessment.

Le Duc Tho: Whether I was wrong or right, you are aware of that.

Kissinger: But we do not need to delay on that. We will continue to other matters.

Le Duc Tho: Because this is related to your stepped-up activities in Cambodia, therefore I mention this fact. All those violations of the Paris Agreement on Vietnam and the happenings in Laos and in Cambodia are evidence, undeniable proof that make one doubt the value of your commitments and your respect of the provisions of the signed Agreement. However, you said that we have violated, systematically violated the Agreement and flagrantly violated the Agreement. In doing so you have confused right and wrong. You do not make difference between white and black. You have violated the Agreement and you demand that we implement the Agreement. This sounds paradoxical. All parties must scrupulously implement the signed Agreement. This is a correct point of view.

The situations have become now very serious. The lessons of the implementation of the 1954 Geneva Agreement on Vietnam and the 1962 Agreement on Laos are being repeated. The responsibilities are entirely on the U.S. side and the Saigon Administration.

Now we are facing two paths. The first path is that you will continue your neo-colonialist policy. You will continue to violate the Agreement, thus making the situation more and more serious. The second path will be that we must scrupulously respect the Agreement and put an end to the period of hostilities and to shift to a period of peace so as to establish normal relations and friendly relations over the long term between each of us.

If you follow the first path the consequences will be unpredictable because in South Vietnam the war is still going on, and war has its own laws. It will develop from small battles to bigger war, and you will step-by-step continue to interfere in Vietnam and then to face the danger of returning to the war a second time. I think you have drawn necessary conclusions regarding the mark left behind in your country by the Vietnam war over the past ten years, and you know how the political and economic situation in your country has been affected by the Vietnam war. President Nixon himself admitted that the golden time of the U.S. after World War II can no longer be seen even in dreams.

Kissinger: Which times?

Le Duc Tho: The golden times.

Kissinger: The golden times have always been in the past! No country has ever lived in the golden age. When the Special Advisor and I teach our joint course on philosophy we will have a few lectures on that subject—about the nature of the Golden Age.

Le Duc Tho: Yes, actually now our concepts of the golden time differs.

Now let me continue. The Vietnam war greatly influenced and affected the situation in the U.S. and greatly affect the international situation, and even affected the relationship between big powers. In Southeast Asia the situation after the war has also changed. The military blocs set up by the U.S. exist now only nominally but not actually. The countries which were your allies such as Australia and New Zealand are opposing your war policy in this region. Even the Philippines are demanding to review a number of agreements signed with U.S.

Kissinger: We are sending Sullivan there; this won't last long. [laughter]

Le Duc Tho: In Thailand all the broad movement is developing to demand the withdrawal of U.S. from Thailand. I think that you should realize all these developments I have just mentioned and you should not return to the old route and continue to be involved militarily and continue to interfere in South Vietnam; this will bring about a new era in Vietnam for a second time. If you continue to apply your policy on a position of strength, to implement the Nixon Doctrine and to implement neo-colonialism in South Vietnam, then your course of action does not conform to the changing situation at present. And, if so, there is no reason that we will remain idle. Our people will have no other way to follow than to continue our struggle. This is a vital path for our people in the face of the continued hostilities carried out by the Saigon Administration with your backing and encouragement.

We earnestly do not want to continue the war. We earnestly want to scrupulously implement the Agreement that has been signed. We

earnestly want peace, and this is very clear. But you do not let our people to live in peace and therefore our people are compelled to struggle to live, and no doubt victory will once again belong to the Vietnamese people. We Vietnamese we are a people subjected too much to aggression and oppression. We will continue our struggle, and if we continue our struggle we will have hardships and sufferings, but we will lose nothing but the chains which you still intend to put on our peoples' necks. But if we continue our struggle we will gain freedom and independence. That is the reason why our people think there is nothing more precious than independence and freedom.

We think you have considerable intelligence and wisdom to choose your path to follow in keeping with what Mr. Advisor told me in the course of our negotiations, in keeping with what the U.S. has pledged to respect regarding the implementing of the Agreement, and in keeping with the promises you made to me when we initialed the text of the Agreement and even what you have just said today. We think that this course of action conforms to reality, conforms to the general trend of the world today. I think that this is conforming to the reality and conforming to the general trend of the world today.

And in our view, the second path I have mentioned above is the best way, the way we have promised to follow. The way that is in the best interests of both sides. If peace is generally really restored in Vietnam and in Indochina, this will contribute to the stabilization of the situation in the U.S. and this will offer an occasion for you to contribute to the reconstruction of Vietnam and Indochina on a new basis, on a basis of mutual respect and non-interference in each other's internal affairs and beneficial to both sides. On this basis, you will have interests in Indochina, and in this region. But if on the contrary, if you continue the war as you are doing now in South Vietnam and continue to violate the Agreement this development will not happen.

We fully understand our position in this region. An independent and peaceful Vietnam will be a stabilizing element in this area. You should clearly realize this position of Vietnam and approach the problem correctly. Peace in Vietnam and Indochina is not only in the interests of the U.S. in this area but it will be a propitious influence to the countries in this area, in the interest of everyone, including the United States. And this will be a propitious influence over other regions, in the interests of other peoples, including the United States. So peace in Vietnam and Indochina is in the interest of both sides. In the course of our negotiations, particularly since October 1972, we have repeatedly told you about this policy of our country. This policy remains unchanged. We reaffirm this policy now.

With regard to North Vietnam, we want peace to reconstruct our country devastated by so many years of war. If we do not want peace

then we would not have signed the Agreement with you. We do want normalized relationship with you. Even when North Vietnam was still hot with U.S. bombing and shelling, we received you in the capital of our country, and had talks. We have carried out the negotiations with you in the economic field on a great scale. We do want that the relationship between our countries be based on a long term, not only for five years or ten years, but for a longer term. The relations between our two countries will not only be normalized but gradually lead to friendship and establishment of diplomatic relations.

At your invitation I do want to visit your country, to further tighten the friendship between our two countries on a new basis but in a new situation. But if the situation continues to develop as it is developing now, how can I visit your country now? Without a desire for peace there cannot be such actions as I have just mentioned. To our regret, these activities do not develop rapidly and smoothly, because you have hampered the development by your very serious violations of the Agreement.

With regard to South Vietnam, we have no other objective or desire than to recognize the reality that there are in South Vietnam two administrations, two armies, two zones of control and three political forces. The two South Vietnamese parties must respect each other and not try to eliminate each other, so as to ultimately realize peace and national reconciliation and concord and generally democratic political competition, and eventually to organize general elections to determine a genuinely democratic and neutral system for South Vietnam without foreign interference, and to advance toward the reunification of Vietnam by peaceful means and not by force. Those are the objectives of our government and of the PRG of the Republic of South Vietnam. Those objectives remain unchanged. Those are also the explicit provisions of the Agreement.

But the Saigon people have deliberately violated those provisions, ignored these realities, denied the political reality of South Vietnam, and want to continue the war and to eliminate the role of the PRG. But the Saigon Administration people will never succeed in doing so. In the past ten years, with over half a million U.S. troops, the Saigon people could not realize their goal. How in the present condition can they succeed in doing so? They will be resolutely struck back by the PRG, and they cannot avoid heavy defeat. Because they run counter to the aspirations for peace, for national concord of the South Vietnamese people. With the policy of continued war of the Saigon Administration, how can peace be really restored in South Vietnam?

We earnestly desire peace and a scrupulous implementation of the Paris Agreement. But this will depend not only on us but also mainly depends on the United States and the Saigon Administration. If you

now give up your present policy and strictly implement the Agreement, and then the Saigon Administration will do the same—and first of all if you strictly respect the provisions of the Agreement that I have mentioned above, then there will be peace, then a new era will be opened up for our two peoples. And only on the basis of respect and strict implementation of the Agreement by both sides can we realize what both of us have been expecting, on both sides. This is the best way. There is no other way.

On the basis of the clear determination of the path we have to follow, then we can endeavor to find out the orientation and the concrete means to settle the problems that we will raise. We have come here with good will and a serious intent, prepared to settle specific problems so as to bring good results to these discussions, so as to arrive at better relations between our two countries. I hope that you will approach with the same attitude.

I have finished my statement. Now I will point out the specific problems that we have to solve.

In view of the Agreement and the protocols on implementation of the Agreement during the recent period, we think there are two categories of problems. The first category of problems directly regards North Vietnam and the second category of problems directly concerns South Vietnam. In the first category of problems there are the following urgent problems. First, the continuation of mine clearing in North Vietnam by the U.S.; second, the resumption of meetings of the DRV/US Joint Economic Commission; and third, the complete cessation of reconnaissance flights by the U.S. over North Vietnam.

The second category of problems, regarding South Vietnam—there are the following pressing problems: First, the implementation of the provisions on ceasefire; second, the complete return of military men and civilian personnel, Vietnamese civilian personnel, captured in South Vietnam; thirdly, questions in connection with Chapter IV of the Agreement, on the right to self-determination of the South Vietnamese population, including two questions—first, the immediate enforcement of democratic liberties and national concord in South Vietnam, and second, the formation of the National Council for National Reconciliation and Concord.

Besides those questions you have mentioned Article 20 regarding the question of Laos and the question of Cambodia. If you want to exchange views with me at any point on these problems, I am prepared to discuss.

Kissinger: You know my concern with the Ho Chi Minh Trail.

Le Duc Tho: I have fully understood your concern, and you are also aware of my concerns too.

So I have finished my statement and I have pointed the problems that need our discussions, and I propose one by one we discuss these questions. In case you want to raise other questions, go ahead and then we discuss those. Those are problems we ourselves have raised: if you want to raise any questions. As to the views you expressed at the beginning of our session here, in the course of our discussions I will reply to you. I propose a little break now, and after that we resume.

Kissinger: I would first like to point out that the Special Advisor is well prepared for his lectures at Harvard, because his presentation was within the 50-minute time frame which lectures at Harvard require. Of course, it is not yet clear whether I can go back to Harvard, but I know he will always be welcome.

Now on our future discussions, I agree with the Special Advisor that we should take a break; then I will make some comments on his presentation. I agree with his work program, together with any points we want to make. I think we should go point-by-point through all the complaints either side has, analyze specifically what the objections are of either side to the performance of the other, and see if we can't find concrete remedial measures. Either side should be able to propose and then find concrete remedial measures. This will be our objective.

Le Duc Tho: I agree with you.

Kissinger: Shall we take a little break, Mr. Special Advisor?

Le Duc Tho: I earnestly want to visit Harvard University but it depends on you!

Kissinger: Let me say this, Mr. Special Advisor. If we have this discussion with the attitude that everything has to be done by us, it will be totally useless. Both sides have a responsibility.

Le Duc Tho: But the main responsibility is on you. [laughter]

[The group broke at 12:05 p.m. for lunch. Dr. Kissinger and Le Duc Tho conferred privately at the table—Dr. Kissinger broached the idea of a joint memorandum of understanding. Le Duc Tho said he would consider it.]

[The formal meeting resumed at 2:00 p.m.]

Kissinger: Mr. Special Advisor, may I propose a plan of work for today and for the rest of our visit here?

I propose that we work this afternoon until 3:30, because I must see the French Foreign Minister at 5:30. Incidentally, not about our work here. [laughter] Although, as I have pointed out to the Special Advisor, it is going to be very difficult to complete our work without the assistance of Mr. Schumann. He always made very moving and eloquent statements after both of us saw him. But I have to say he was more confused after the Vietnamese side saw him than after I saw him. I always gave him last month's proposal, but I always had the impression you gave him last year's proposal.

Le Duc Tho: You have a deep impression of Minister Schumann.

Kissinger: And of our colleagues from the other side here. Tomorrow morning, I have to see President Pompidou. These meetings are to prepare President Nixon's meeting with the French leaders in Iceland at the end of this month. So if it is agreeable to the Special Advisor, I propose that we meet tomorrow afternoon, any time from 2 o'clock on.

Le Duc Tho: Three o'clock, I propose.

Kissinger: Yes. As you say, it is up to you. [laughter] At three o'clock then. And then we should make a plan of work which we meet every day for some hours. I cannot possibly stay beyond Tuesday.⁷ The Special Advisor is very disciplined, and I say this only so that he can prepare his plan of work and we can mutually agree on it.

Now I think we should plan to have, at the end of this meeting, a clear understanding of the two sides of what is required for the strict implementation of the Agreement, and perhaps a written understanding of what the specific measures are that each side should take.

Now let me make a very few observations about what the Special Advisor has said. I was glad that he did not challenge the implementation of Article 23 of the Agreement. [laughter] So at least we have made some progress. Now I agree with the Special Advisor that we are now at a very important juncture. Both sides have to decide whether we should head for a prolonged period of peace or whether we should slide into a new cycle of violence, which will have inevitably the same consequences we have had in the past; namely that our two countries will confront each other once again. As far as the United States is concerned, our policy is to bring about a period of peace, of normalization, and eventually of friendship. And if we can bring this about, the ultimate evolution of events in Indochina will take place in a completely different atmosphere.

So the important question both of us have to answer is, as I have already said in Hanoi—do we want to use this Agreement as an offensive weapon or do we want to use it in building a new relation between our two countries? If the former, then we will repeat what we have already experienced in the past, with serious consequences. If the latter, that is to say if we begin a period of peace, the United States is prepared to make a major effort, recognizing that the strict implementation of the Agreement is a prerequisite.

I think both of our sides have this responsibility.

Now with respect to some of the specific points that the Special Advisor made, let me—there is no sense in rebutting every last one of

⁷ May 22.

them because we are here to do positive work, not to criticize each other's presentation. So I will point out some misconceptions in the Special Advisor's presentation insofar as they affect U.S. actions, and then I will turn to some positive proposals.

The Special Advisor pointed out or alleged that there were tens of thousands of American personnel in South Vietnam disguised as civilians. We are familiar only with some 8,000 Americans in all of Vietnam, of which 206 are military; 156 of these are guards in the American Embassy in Saigon and the rest are military attachés. But this is a point we can be specific about in any understandings we reach.

The Special Adviser spoke of the bombing of South Vietnam. I don't make exorbitant claims for the accuracy of the United States Air Force. They have been known to miss their targets. But they rarely miss their country. And they are not authorized to attack in South Vietnam at this moment.

Now I have a long list of other points which I would be prepared to contest, but I don't think it serves any useful purpose, because we are not here to discuss the merits of accusations about the past but rather to see what we can do about the future.

At the end of his presentation the Special Advisor said there are two categories of problems; those that concern North Vietnam and the U.S., and the other set that concerns, in addition to North Vietnam and the U.S., also the South Vietnamese parties. There is also a third category of problems that concern the other countries of Indochina, Laos and Cambodia, which we believe must also be discussed.

Now I accept all the points that the Special Advisor raised as needing improvement in the implementation of the Agreement, and I will accept his suggestion that we add to those the points that we want to raise. And, therefore, let me stop talking about the past and let me make some specific suggestions to the Special Advisor, going through the Agreement article by article stating what we are prepared to do—and what we propose that you do. If we can come to an understanding about this, then we can express this in an appropriate memorandum and use that as the basis for our further work. So rather than break it down according to the categories you have, Mr. Special Advisor, if you permit me, let me go through the Agreement article by article and propose to you what I think should be the outcome of our discussion. First . . . [one of the DRV side hands Le Duc Tho a copy of the Agreement] I thought the Special Advisor knew it by heart. [laughter]

Le Duc Tho: No, I can't know it by heart.

Kissinger: Especially Article 20.

First, with respect to Article 2. The U.S. will be prepared to stop, immediately upon our reaching an agreement, all aerial reconnaissance over the Democratic Republic of Vietnam. Also, in accordance with

Article 2, the U.S. will be prepared to resume mine clearing operations within an agreed period of days and to complete it successfully within another agreed period of days.

In accordance with Articles 2 and 3, there should be established within a fixed time period a complete ceasefire throughout South Vietnam.

Fourth, again in accordance with Article 3(b), the two sides should, within a fixed time period, agree on the delimitation of areas controlled by each. You remember how many days we spent on zones of control? We are finally accepting it.

Fifth, again in order to improve the implementation of Article 3, local military commanders of the two South Vietnamese parties at appropriate levels should be authorized to meet to carry out the provisions of the ceasefire protocol.

Six. We have nothing to suggest about improving Articles 4, 5 and 6, so I now turn to Article 7. With respect to Article 7, the introduction into South Vietnam of troops, military advisors and military personnel should cease immediately.

Point 7, again in conformity with Article 7, the clandestine introduction into South Vietnam of arms, munitions and war materials must cease immediately, and the introduction should be limited to replacements. I might add, incidentally, that military combat equipment cannot be used to transport civilian goods. So you cannot introduce razor blades in the barrel of 130 mm guns.

Eighth, the points of entry should be designated by both South Vietnamese parties immediately, and all military equipment should come through those points of entry.

Now I turn to Article 8. First with respect to Article 8(a), any captured personnel under the provisions of that article that have not been returned should be returned immediately.

Tenth point. I now turn to Article 8(c). The Vietnamese civilian personnel covered by that article should be identified immediately and returned as soon as possible, and each party should make available to the other without delay all information available concerning the fate of all missing persons covered by this article.

I am giving you the basic ideas. This is not expressed in formal language.

In point 11, with respect to Article 11, we believe that the two South Vietnamese parties should inform each other and the other parties of the Paris Agreement of the measures they are taking to implement that article.

Point 12, referring to Article 12, we should call on the two South Vietnamese parties to establish the National Council of National Rec-

conciliation and Concord as soon as possible and to designate the personnel for it as soon as they can agree.

Point 13. Again, we should call on the two South Vietnamese parties to move as rapidly as possible towards an agreement on the internal matters called for under Article 12(a).

Fourteen concerns the strict implementation of Article 15 of the Agreement involving respect for the demilitarized zone. And it points out, and we propose, that military equipment can transit that zone only if introduced into South Vietnam only as replacements permitted pursuant to Article 7 of the Agreement.

I now turn to the section which has always been particularly close to the Special Advisor's heart, the one dealing with the international control machinery. [laughter] I know he will give special attention to bring about its efficient operation. Of course we wouldn't want your Hungarian and Polish allies to be bored in South Vietnam.

First, we propose that we agree here that in conformity with Article 17 the Two-Party Joint Military Commission should be fully staffed within an agreed period of time and its teams should be deployed to all places where the teams of the ICCS are to be deployed, including the designated points of entry.

With respect to Article 17—this is my 16th point—the Two-Party Joint Military Commission should be immediately accorded appropriate privileges and immunities similar to the privileges and immunities enjoyed by the Four-Party Joint Military Commission.

Seventeen. We propose in conformity with Article 18 that the International Commission of Control and Supervision should be authorized to carry out all necessary travel between its headquarters and its teams and among its teams and that all military personnel in South Vietnam should be informed of this.

We have an 18th point about Cambodia and a 19th point about Laos, the essence of both of which is that with respect to Cambodia we believe a ceasefire must be established rapidly, and with respect to both of them a fixed time for the withdrawal of foreign forces must be set.

With respect to Article 22, or 21, the U.S. will be prepared to resume the meeting of the Joint Economic Commission within an agreed time period and to agree that its work should be completed within an agreed short time period.

As the Special Advisor can see, we have gone through this Agreement with great care, and we have made a serious effort to meet your concerns. We will be prepared to come to an understanding based on this general approach, or to embody it in a formal written document. I believe we have answered every one of the points which you have

raised. And I believe we have given you a basis which will bring about the strict implementation of the Agreement and a rapid improvement in the relations between our two countries.

Of course we would have to agree on the time period in each of these various categories. We believe that is a soluble problem.

Le Duc Tho: I propose that I will ask a few questions, and after you answer them we will postpone until tomorrow. Because I will think over the proposal in the presentation you have just made.

Kissinger: I wish to point out to the Special Advisor that if he has a more favorable proposal with him he should not be bashful about proposing it. I see he has a few more documents with him.

Le Duc Tho: The first question is about the time limit you have mentioned here. Because the time limit you mentioned is not yet concrete.

Kissinger: It is non-existent! [laughter] I have carefully avoided making it concrete, Mr. Special Advisor.

Le Duc Tho: Regarding the reconnaissance flights, you mentioned that would be stopped immediately after an agreement here, but on what date? And regarding the mine clearing operation.

Kissinger: We are prepared to stop the reconnaissance flights immediately.

Le Duc Tho: But in what time limit?

Kissinger: With respect to the first question, we would be prepared to end those immediately upon reaching an agreement. With respect to the second question, we are prepared to give you tomorrow a concrete time period, which will be short. And shorter than any time period we have given you previously. The time it would take us to assemble our mine clearing force and the number of days it would take to complete the work. But I can tell you now we will be ready to resume minesweeping within six days of our coming to an agreement.

Le Duc Tho: The same for the time fixed for the ceasefire—you have not mentioned the specific date on which the ceasefire must be observed. The same for the determination of the zones of control.

Kissinger: We haven't given you any fixed times for anything and we would be glad to get your suggestions on these dates. The time frame for those matters that are within our control, such as reconnaissance flights and mine sweeping, we will suggest to you. On things like ceasefire, there is a question of getting in touch with various commanders, and we have to do it by mutual agreement, but we are prepared to propose a very short time period.

But I agree with the Special Advisor that the time period by which the ceasefire must go into effect should be shorter than the time period for the delimitation of zones of control, but not too much.

Le Duc Tho: Regarding Article 21 too, you have not fixed just when the Commission should resume its work, when its work should be completed. In a word, all these time limits have not been settled.

Kissinger: No, but I say again all this will not be a major obstacle to a negotiation. On matters under our control. Especially if the Special Advisor can curb his normal impetuosity. Would you like to know our time limit for Article 20? I don't want to keep you in suspense.

Le Duc Tho: Also regarding the return of the captured military personnel and civilian personnel. If you want to put a specific time limit you can. But in a word you have raised many questions but in general they have not been specific. It sounds just like a repetition of the Agreement. So, therefore, my view is that you should speak in more concrete terms, and then I will express my views.

And secondly, there are matters you said are under your control and others that are not under your direct control; therefore if we discuss and come to agreement here then later you will retract and invoke the pretext that South Vietnam will not respect the agreement. What happens then? For instance, if now we agree on the question of the ceasefire or the question of the zones of control or the deadline for the release of captured military personnel or political detainees, or regarding the work of the two South Vietnamese parties, or regarding the immunities and privileges of the delegations—supposing we come to good results in our talks here but afterward regarding the implementation of the agreement you will invoke the pretext of the non-implementation by the South Vietnamese, then our agreement will not be implemented. And I think that regarding problems concerning the U.S. and the DRV, those are not very great problems, and they can be easily solved. But regarding problems concerning South Vietnam, if now we come to an agreement here but later you will say the South Vietnamese will not agree to that, will you then guarantee the implementation of the agreement we have reached here between the U.S. and DRV? Because if the agreement reached here will not be implemented, then the situation of the violation of the Agreement will remain unchanged.

What I wanted to do here is to discuss with you and to come to a real settlement that will be implemented by all parties. So, at the first hearing of your statement, I feel that it may be discussed and come to a solution, but what I want to know is the specific time limit regarding those questions and regarding the problems concerning the South Vietnamese. We must solve these questions, because otherwise we can't come to a settlement and the Agreement we reached last year will not be implemented. The lack of specific time limits and more concrete terms in your proposal . . .

Kissinger: He was all right until things started making progress. Maybe we should have Sullivan and Thach do some technical things.

We were making good progress as long as these two were doing protocols. Do you want me to answer, Mr. Special Advisor, or do you have more comments.

Le Duc Tho: Those are my preliminary comments.

Kissinger: I have noticed that the Special Advisor didn't press me on specificity with respect to Article 20.

Le Duc Tho: [laughs] You may propose some specific proposals. So I have expressed some views and you can reply to my comments to me today or tomorrow.

Kissinger: Let me make a brief comment today and then we can discuss it in greater detail tomorrow. Obviously a proposal to improve the implementation of the Agreement must, in a sense, parallel the Agreement and use some of its same language; that is inherent in the situation. Obviously if either side wants to violate the Agreement, saying the same thing again will not prevent violation of the Agreement. But we wouldn't be here if we did not want to improve the implementation of the Agreement and if we did not want to turn the relationship of our two countries toward normalization. And therefore the mere act of reaffirming the solemn commitment of both of our countries to a new understanding would have its significance. Obviously if either side wanted a confrontation, we wouldn't have to meet here.

Now with respect to the specific time limits, we will make specific proposals and you should make specific proposals. And I honestly believe that if we meet each other in a constructive spirit we will solve these, because it is in both of our interests to reach agreement on realistic time limits that can be implemented rapidly.

Now with respect to the third point, which in effect says how do either of us know if the friends of the other side will carry out the agreement? We are both realists, and we have to recognize that this presents a difficulty—for us in South Vietnam; for you in Laos and Cambodia. We know that Madame Binh is so docile and easy to get along with that there will be no difficulty for you in South Vietnam. [Tho grins]

Now we both have to recognize the difficulty. Now if we come to an understanding—and Ambassador Martin is here for that reason—we will make a very major effort to bring about its implementation. Some of the provisions, like the ceasefire, should be implemented very rapidly. Other provisions, like the political process, we have both recognized—when we talked privately—will take a little longer. But neither of us will be able to fool the other. If we now come to an understanding, we will see soon enough whether it is being implemented—and if we wanted to break the understanding we wouldn't be here in order to sign it. So we believe that agreement between the two of us would give us an opportunity, and an obligation, to bring

about the implementation of those things we can do ourselves and of those things that our friends should do.

Le Duc Tho: Let me add one more sentence and we will discuss tomorrow. Because we have got experience about the understandings we reached with you before the signing of the Paris Agreement. For instance the understanding regarding Article 8(c), you promised me that; but so far the promise has not come true. Then today you said the agreement we reach here depends also on your ally, therefore I wonder whether the agreement we reach here will be implemented. Will you guarantee the agreement we reach here will be implemented?

I provisionally believe in your statement this time, that you come to Paris for the purpose of coming to real settlement of the problem.

Kissinger: I think the Special Advisor is really getting a little mellow!

Le Duc Tho: So therefore I hope that you will come to an understanding that will come true and it will match words and deeds. And I would like to stress the fact that we cannot say that we come to an agreement here but the implementation of the agreement still depends on our allies; then it will come to no result. Because the question here is the implementation of the Agreement. We have signed the Agreement; now we make review of the implementation of the Agreement, and we must ensure the implementation of the Agreement by both sides. By all the parties. And in this spirit we will continue the discussion.

Kissinger: Mr. Special Advisor, I accept the proposition that we have the responsibility to bring about the implementation of what we agree to. But I cannot accept the proposition that we have to reassure you alone. Because after all, in our view, Article 7, Article 15, parts of 8(c) and 20 have been totally violated by your side. We can ask, how do we know that when you sign this document that will be carried out anymore than the Agreement you signed?

We start from the assumption that this time when we sign it it means you will implement it, because the loss of confidence would be so great if we sign another document and that too is immediately violated, that there would be no possibility of reviewing it.

Le Duc Tho: [laughs] First of all I would like to point out that the alleged violations of the articles you have just mentioned I must reject, but I will reply to you later. I agree with you that this time if we succeed in coming to an agreement, then the agreement must be implemented by all the parties, and it should not be that we will have to do again the task for a third time.

Kissinger: I agree with you.

Le Duc Tho: So we will postpone and meet again tomorrow. At Gif.

Kissinger: Good. Three o'clock tomorrow at Gif. That means the Communist Party of France will get tapes.

Le Duc Tho: You were always haunted by this thought of bugging. [laughter]

[The meeting then adjourned]⁸

⁸ Kissinger sent a summary of the conversation to Nixon in message Hakto 8 from Paris, May 17. Kissinger wrote: "My first meeting with Le Duc Tho went somewhat better than I had expected. His mood was affable and his conduct at the table was businesslike. There was a minimum of polemics and he retreated quietly on a couple of occasions when I called him for inappropriate comments. I had two private talks with him apart from the sessions at the table. In these talks, he insisted that Hanoi wants and needs peace." Kissinger concluded: "At this stage I would judge that chances are pretty good we can emerge early next week with a written understanding which will specify steps to be taken to restore the agreement." (National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 35, HAK Trip Files, Paris Trip, May 1973, HAKTO 1-46) In message WH31265/Tohak 51 to Paris, May 18, Scowcroft replied: "The President was very pleased with the report on your first meeting. He wrote the following comment on the memo: 'Hit them hard on MIA's accounting and on withdrawal from Cambodia as conditions for aid.'" (Ibid., Box 36, HAK Trip Files, Paris Trip, May 1973, TOHAK 1-60)

50. Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger) in Paris¹

Saigon, May 18, 1973, 1557Z.

429/Tohak 73. Ref: WH31283.²

1. I believe Phong is giving you an accurate and truthful version of the basic problem here. The GVN is concerned with the form of

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 36, HAK Trip Files, Paris Trip, May 1973, TOHAK 61-125. Secret; Sensitive; Flash. Sent to the White House for transmittal to Kissinger.

² In message WH31283/Hakto 15, May 18, Kissinger relayed to Ambassador Whitehouse the results of Sullivan's meeting with Phong in Paris where Phong's major objection was that the U.S.-DRV draft memorandum of understanding obligated South Vietnam to act as a signatory without proper consultation. Kissinger instructed Whitehouse to stress the "extremely limited time we have on the congressional front, point out that a failure on our part to produce an understanding with Hanoi at this juncture could be disastrous for the GVN." (Ibid., Box 35, HAK Trip Files, Paris Trip, May 1973, HAKTO 1-46)

the memorandum and does not wish to get caught in the American stooge trap. On the other hand the substance of its position makes no sense.³

2. At this stage and pending further instructions I do not believe it would do much good to see Thieu merely to tell him that we are flexible and to stress the importance of reaching an understanding. I expect that by late morning Saturday⁴ (local time) you will have more precise guidance for us. Atmosphere here is sufficiently electric to warrant having a little substance to chew on with Thieu. Unless instructed to the contrary I will hold off seeking an appointment with Thieu until your re-draft or some version thereof can be the basis for discussion.

Warm regards.

³ Whitehouse sent a detailed GVN memorandum on the U.S.-DRV negotiations to Kissinger in message 247/Tohak 69, May 18. Whitehouse concluded: "As we left I told Lam that I had come without instructions but was confident that you and the President would be extremely disturbed by the position taken by the GVN and that I would probably be requesting an appointment with President Thieu tomorrow." (Ibid., Box 36, HAK Trip Files, Paris Trip, May 1973, TOHAK 61–125)

⁴ May 19.

51. Message From the President's Assistant for National Security Affairs (Kissinger) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Paris, May 18, 1973, 2200Z.

Hakto 18. Please pass following message to the President.

1. Although outwardly pleasant in his general demeanor towards us today, Le Duc Tho turned tough and insolent in his presentation of DRV proposals for remedial measures for implementation of Paris Agreement.² His proposals amounted to a renegotiation of significant portions of the Agreement and protocols and were reminiscent of attitudes he displayed last December.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 35, HAK Trip Files, Paris Trip, May 1973, HAKTO 1–46. Top Secret; Sensitive; Exclusively Eyes Only.

² A memorandum of conversation of Kissinger's May 18, 3–6:45 p.m. discussion with Le Duc Tho is *ibid.*, Box 114, Country Files, Far East, Vietnam, Paris Memcons, May 17–23, 1973.

2. Among other measures, he suggested new ceasefire arrangement, which would result in GVN withdrawal from all areas it reclaimed after Communist land-grab immediately following signature of Agreement last January. Additionally, he seeks secure points of entry for supplies and secure lines of communication across GVN-controlled territory.

3. He denied that DRV had been illegally infiltrating supplies, but gave us to understand that they are prepared to stop it. He was, however, surprisingly frank about DRV and PRG forces in Cambodia.

4. On Laos, it appears we may be able to get a solution and an assurance of withdrawal. On Cambodia, however, he remains intransigent. I nevertheless have impression he has not yet shown his full hand.

5. On economic aid, it is quite clear that they want it badly, but as yet unclear what, if anything, they are prepared to pay for it. This would seem to be major card we have to play. However, I did, once again, warn of serious military consequences if they fail to reach satisfactory understandings with us.

6. Finally, you should be aware that we are having significant problems with Saigon, which is behaving very much as it did last fall. We have written a draft memorandum of understanding,³ which has had to be broadly revised to meet Saigon's objections, and which may not yet be fully satisfactory to President Thieu and his advisers. I have given it to Le Duc Tho today and he will give me his reaction tomorrow.

7. We meet again at 3:00 p.m. tomorrow.

End text.

³ The draft memorandum of understanding is attached to the May 18 memorandum of conversation.

52. Memorandum of Conversation¹

Paris, May 19, 1973, 12:05–1 p.m.

PARTICIPANTS

Dr. Nguyen Luu Vien, RVN, Deputy Prime Minister, Chief Delegate to Paris
Two-Party Talks
Dr. Tran Van Do
Nguyen Xuan Phong, Minister
Lt. General Dang Van Quang, Presidential Assistant for Military and Security
Affairs
Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs
Ambassador William Sullivan, Ambassador Designate to the Philippines,
Assistant Secretary of State for East Asian and Pacific Affairs
Ambassador Graham Martin, Ambassador Designate to South Vietnam
George Aldrich, Deputy Legal Adviser, Department of State
Heyward Isham
Peter W. Rodman, NSC Staff
William L. Stearman, NSC Staff

[Before Dr. Kissinger's arrival, Ambassador Sullivan briefed the Vietnamese on the DRV's ceasefire proposal.² He remarked that we had cabled our draft to Saigon for Foreign Minister Lam and that the Foreign Minister had been pleased. Dr. Kissinger then entered.]

Sullivan: I was just telling them that Foreign Minister Lam was pleased with our draft. Lam was pleased.

Kissinger: I understand there are no other problems in Saigon—but I have had that idea before.

Quang: The draft has been changed many times, so I don't know what the reaction is now. In Saigon I saw an earlier one.

Kissinger: The major point we would like to make to you is this: first, there is nothing in any of the drafts in our conception that is different from the basic Agreement. We are trying to get a document to get the Agreement implemented. Second, if we can get such a document, it will ease the pressures enormously in America, because it will retroactively justify everything we have done in the last four months. Whereas if we don't, there will be a series of Congressional restrictions.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 105, Country Files, Far East, Vietnam, GVN Memcons, May–June 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held in the library of the American Ambassador's residence. Brackets are in the original.

² See Document 49.

I see no major objections to this draft in substance. Saigon's objection was to the form, that we and the DRV were settling everything. But we have taken care of that.

Vien: We agree the Agreement should be implemented, but in the original draft there were certain things that could be misinterpreted.

Kissinger: We have given you the text of the new draft, and also in Saigon.

Sullivan: We received a telegram from Saigon: Charles Whitehouse showed the new draft to Lam, who expressed pleasure with the editing we had done.

Kissinger: We are waiting for any further comments from Saigon.

Vien: We are waiting for instructions from Saigon.

Kissinger: Mr. Phong knows this is an old experience we have.

Vien: Lam told us to ask you about the part of your proposal that concerns South Vietnam.

Kissinger: We obviously agree with our own proposal; we thought it was reasonable.

Vien: What do you think will be the chances?

Kissinger: They will probably insist on putting them together. We don't know whether Le Duc Tho wants an agreement or wants a breakup. We will know today. But I think he will accept this approach. What do you think, Bill?

Sullivan: I think he will accept the basic approach but he will want considerable changes in substance.

Vien: If Le Duc Tho wants them together, will you accept?

Kissinger: No, under no circumstances.

Vien: What do you want to achieve in South Vietnam?

Kissinger: I think the Two Party Joint Military Commission should be activated, the political talks should continue, and orders for a cease-fire should be issued. Our view is that the cease-fire should be ordered by the two sides separately but using the same text.

Sullivan: That is your view, General?

Quan: A common text.

Sullivan: Can you fix a time for the cease-fire?

Vien: I do not want to go back to where the stationing was on January 27.

Kissinger: That is impossible. If we can't agree on where the stationing is now, how could we do it for where it was January 27? We won't even propose it to you.

Sullivan: They proposed that the Two-Party teams be located on the frontiers of the two zones.

Kissinger: Did we propose that to Saigon?

Sullivan: No.

Kissinger: We should. It might be better. We need an answer from Saigon soon. Is it better to have them at the points in the protocols, or at points between the zones?

Quang: We have to determine the zones first.

Sullivan: Yes, but if we determine the zones, which would you prefer?

Kissinger: Le Duc Tho proposed that the Two-Party teams be moved. Which is better from Saigon's point of view? If they are on the borders, I can conceive that the issue of their privileges and immunities in the provincial capitals and other towns won't arise.

Vien: The fundamental issue is to delimit the zones.

Kissinger: Yes, that we understand. If we can't delimit the zones, the question doesn't arise. One can argue that this creates an incentive to delimit zones if you agree to put them at the borders.

We will accept whatever, but our instinct is that it is better to have them at the zonal borders so that they can't raise the issue of the cities, and second, it gives them an incentive to delimit the zones as soon as possible.

Sullivan: We gave Saigon this proposal and asked for a counter-proposal.

Kissinger: We should get a specific answer on this.

Vien: I think it is more logical to have them at the demarcation lines.

Kissinger: I think it is better to have them at the demarcation lines, except at the points of entry.

Quang: Do you see any hooks? [laughter]

Sullivan: I am sure the maps of Saigon won't be the same as Hanoi's.

Kissinger: But that problem exists anyway. I look forward to seeing Mr. Le Duc Tho this afternoon.

Vien: How do you think our negotiators at La Celle St. Cloud will receive the recommendations?

Kissinger: There aren't that many recommendations. One is that elections be held in a certain number of months—which is your recommendation. There is a recommendation that the National Council of National Reconciliation and Concord be formed. There may have to be a time limit attached to that, say 45 days, but that would be linked to the elections.

They have one other proposal: that the Two-Party Joint Military Commission headquarters be at the borders too, not in Saigon. That may be better too.

Aldrich: They put it in an alternative: either Saigon or the borders.

Kissinger: But wouldn't we be better off having them at the border? They don't want it in Tan Son Nhut—they either want it in the city or on the borders.

Quan: You asked Saigon about this?

Kissinger: But not specifically. We should.

Quan: It is important that Saigon understands the issue.

Sullivan: We will send another detail.

Vien: How do you imagine the prisoner issue will be handled?

Kissinger: That both sides have to agree first on identification and only after that do the releases happen. We frankly don't think this will happen quickly. There has to be an agreement.

Vien: There are people who are the real Communist cadre, and who would be released only to conduct agitation—but whom they don't want back.

Kissinger: Then you don't have to release them if they don't want them back.

[Mr. Do arrives.]

Vien: How are we to insure that reprisals and discrimination will not occur?

Kissinger: I will leave that to the two South Vietnamese parties. I am sure Mr. Duc and Nha can find a formula that even they don't understand. I am not aware that there are acts of reprisal going on now.

Aldrich: The Agreement already says they should insure it.

Kissinger: This adds nothing; it just says they should inform each other what they are doing to enforce it. I am sure Mr. Duc will do a good job with that article.

Vien: "The National Council of National Reconciliation and Concord should be established as soon as possible." Is it necessary to fix a date for this?

Kissinger: I hope not, but that is something that may become necessary. But we will agree to it only if they agree to a date for the elections.

Vien: You said 45 days.

Kissinger: 45 days for the Council and maybe 120 days for elections.

Phong: Because we have already proposed August 26 elections.

Vien: The Communists don't want to take their prisoners back.

Kissinger: In your zone. But they will take them back in their zone. They tell me they object to your releasing them in your zone. You released 5,000 civilians prisoners this way. If you want to release civilian

prisoners in the PRG zone, they will agree to that! I will get you that agreement this afternoon.

Vien: There are two problems—the problem of numbers and location. We don't accept their list as definitive. There are people we judge as underground.

Kissinger: We have to get a clear answer on this. I know there is a problem of numbers—this is why we ask for lists. The second problem is the problem of the place of return. This has to be cleared up. I thought you didn't want to release them. Now you tell me you want to release them in their zone. That is what they want. If you are willing, I can get a lot of other things.

Tell me: if Le Duc Tho asks me if you will release them in their zone, can I say yes? Can I agree to a clause: Within 30 days or 60 days all political prisoners will be released in the PRG zone? You will accept that?

Do: Yes.

Kissinger: Can I go to Le Duc Tho this afternoon and say within 60 days all your political prisoners will be introduced into your zone?

Vien: With the presence of the ICCS.

Kissinger: With the band playing the national anthem of both sides.

Vien: The difficulty is of numbers. We are ready to release them in their zones but their list is too small.

Kissinger: I will make a big concession this afternoon! On the place of return we will give them what they asked for. You will release them as soon as you both agree on identification.

[The meeting ends.]

53. Message From the President's Assistant for National Security Affairs (Kissinger) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Paris, May 19, 1973, 2105Z.

Hakto 25. Please pass the following message to the President:

1. Today's session with DRV was a genuine working meeting, in which we appear to have made some progress towards an understanding.² Le Duc Tho was in the mood for straight talk and went through the various items which were tabled in a generally constructive way.

2. He tabled a draft communiqué and a ceasefire order which were written in extreme terms; but he backed off them in the give and take. I can now see the possibility of making a bridge between his opening position and ours. This will mean the probable emergence of a document which may lead to an enforcement of a ceasefire in South Vietnam, a precise date for a Laos withdrawal, but nothing concrete on Cambodia.

3. On ceasefire I think we are close to agreement with Saigon. However, I will meet with their representatives tomorrow to try to pin this down. One of the features of the DRV proposal which I find interesting is their willingness to have Two Party teams stationed at points on the boundary of the zones of control to be defined for each side. I interpret this to mean that they are giving up (at least temporarily) their effort to use their teams for political purposes. This could mean a willingness to accept a sort of internal partition in South Vietnam. In fact, one of their people described it today as "just like Panmunjom."

4. Tomorrow we will adjourn the plenary talks. A drafting session led by Sullivan and Thach will attempt to produce an agreed document from the papers now on the table. The primary stumbling block I see in this is still Cambodia. Le Duc Tho continues to claim that he cannot control that situation. However, Sullivan will hang tough on that issue and I will give it one more try on Monday when the plenaries resume.³

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 35, HAK Trip Files, Paris Trip, May 1973, HAKTO 1–46. Top Secret; Sensitive; Exclusively Eyes Only; Immediate.

² Kissinger and Le Duc Tho met at La Fontaine au Blanc, St. Nom la Breteche, Paris, May 19, 3:12–7:25 p.m. A memorandum of conversation with the attached Memorandum of Understanding is *ibid.*, Box 114, Country Files, Far East, Vietnam, Paris Memcons, May 17–23, 1973.

³ May 21. See Document 55.

5. As of now, I feel it is possible we can produce a paper by Tuesday which we will be able to define as a restoration of the basic Paris Agreement.

54. Memorandum of Conversation¹

Paris, May 20, 1973, 6:35–7:05 p.m.

PARTICIPANTS

Lt. General Dang Van Quang, RVN Presidential Assistant for Military and Security Affairs

Nguyen Xuan Phong, Minister

Dr. Henry A. Kissinger, Assistant to the President for National Security
Heyward Isham, Deputy Chief Delegate to the Paris Conference on Vietnam
Peter W. Rodman, NSC Staff

Dr. Kissinger: I have only two issues on my side. Do you have anything for me?

Phong: In Saigon, our Government has forwarded two memoranda to us.

Dr. Kissinger: We have seen those.²

Phong: And also with respect to the ceasefire proposal.

Dr. Kissinger: Right. On the ceasefire, we have this practical problem. Saigon said it would agree to the ceasefire in a ten-day period, which was our idea. As a practical matter, we will be here in Paris for two or three days and the communiqué can be after another two days—using the excuse that I have to get back to Washington. Then 48 hours from the date of the communiqué. Could you find out from Saigon whether this is enough for your dispositions?

Phong: Your draft memo?

Dr. Kissinger: Yes. The joint appeal.

Phong: You know what Saigon feels.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 105, Country Files, Far East, Vietnam, GVN Memcons, May–June 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held in the library of the American Ambassador's residence. Brackets are in the original.

² Ambassador Whitehouse transmitted the two untitled Vietnamese memoranda, which outlined the GVN position, to Kissinger in messages 432/Tohak 99, May 19, and 433/Tohak 100, May 19. (Ibid., Box 36, HAK Trip Files, Paris Trip, May 1973, TOHAK 61–125)

Dr. Kissinger: Saigon wants a four-power conference. You know we are going through what we did in October. If we can come back with something, our critics will be on the defensive. It is a fact of life. If we don't, there will be two resolutions next week. Duc should curb his enthusiasm for four-power meetings. We have no interest in this. We can live with the old agreement. If they break this agreement, it strengthens our moral position. The ceasefire is not a new obligation.

Phong: We stressed this in our cables, the need for agreement.

Dr. Kissinger: There are two problems. First, the ceasefire timing, can it be six to seven days from now? Second, there is no possibility whatsoever to get North Vietnamese agreement to a four-power conference. So, do you want no agreement at all, or the document we have discussed with you?

Phong: Saigon knows that. Regarding the ceasefire, Saigon goes along with the appeal, but parallel and not joint.

Dr. Kissinger: That's agreed to.

Phong: Another objection is this: a recommendation from you is okay, but not from Hanoi. Would it be a joint recommendation from you and North Vietnam to both sides?

Dr. Kissinger: Yes.

Phong: That is true with the other matters, the stationing of teams?

Dr. Kissinger: You have our draft memorandum of understanding. That is what we are following.

Phong: The one with A, B, and C. [Tab A]³

Dr. Kissinger: Yes. The DRV does not accept that; they want it to follow the outline of the agreement. We are sticking to the old position. But what is Saigon's position if Hanoi insists on one document?

Phong: Saigon won't go along at all.

Dr. Kissinger: [Laughs] Mr. Phong, we have so many problems in Washington, if you want to commit suicide, it is up to you.

Phong: [Laughs] We didn't before!

Dr. Kissinger: But you came close. If you could get a rational answer from Saigon on the document: if the substance is okay, but the form is one document.

Quang: Right now your draft is the document.

Dr. Kissinger: They are going through the document for substance. The provisions are the same. We are sticking to our position. I don't know how it will come out.

We don't ask you to accept Le Duc Tho's content. But if the content is as it is in ours, can you accept the form of Le Duc Tho's?

³ Draft memorandum of understanding not attached. See Document 51.

Phong: No, Saigon won't accept it.

Dr. Kissinger: Can you explain the rationale? Why should a communiqué that covers the same points as the Agreement not be acceptable if it is in the same form as the Agreement?

Phong: I can tell you what Saigon says on that: They refer to Article 9 of the Agreement, the self-determination of the South Vietnamese people, and Articles 5 and 6 of Final Act.⁴

Dr. Kissinger: It will not be understood in America why the form that was acceptable in the Agreement isn't acceptable for the implementation of Agreement. It is not self-evident.

Phong: It is not self-evident.

Dr. Kissinger: We are holding out for our position. Your position is senseless. We will sign it if the content is acceptable. You have no right to object, because we can recommend and you can simply not accept our recommendation.

Maybe Le Duc Tho will tomorrow agree to our position.

If they don't accept our memorandum form, then the alternatives for us are to follow the form of Paris Agreement or have no communiqué at all.

Phong: You will follow the form of the Agreement?

Dr. Kissinger: That depends. We can't say "with concurrence of Saigon" if we don't have it. But you can't stop us from recommending.

If Le Duc Tho signs our preamble we have no problem. If Le Duc Tho refuses to sign our preamble and we refuse to sign theirs, then as a political science expert I would say there was a deadlock. Then we either sign theirs or we have no communiqué.

Right now I am better off without a communiqué, because all the liberal papers will say we only did it to distract attention from domestic problems.

But it may not come to that. What I want from Saigon is an opinion. Before we leave for our meeting tomorrow.

Phong: Is there any chance for a ceasefire alone?

Dr. Kissinger: No. What we are trying to do is to get it all in the language of the Agreement. How can you object to something you already signed? Every disputed point, except the ceasefire appeal, we are trying to get in the language of Agreement.

⁴ Article 5 of the Final Act of the International Conference asserted the right of the South Vietnamese to self-determination; Article 6 concerned the modalities of informing the four parties of the Agreement about its implementation. See Document 25.

Phong: There are a number of sensitive things. The political sections, for example, as an agreement between you and the North Vietnamese.

Dr. Kissinger: But in form of recommendations, or “with concurrence of the GVN.” We are putting it all in the language of the Agreement now. That is the easiest way to settle it. In some places we have shortened the time period. Instead of “do their utmost in 90 days,” it says “do their utmost in 45 days.” I am sure Mr. Duc will do his utmost in the next 45 days.

The North Vietnamese said Duc was coming here. Or was that just psychological warfare against me?

Phong: [Laughs] It’s just dreaming. Saigon would prefer you to do the rest quietly. The ceasefire is OK, but couldn’t you do the rest privately? Because it looks like Saigon is taking instructions from Hanoi and the U.S. Maybe there will be no communiqué.

Dr. Kissinger: That is not possible. If we do it as an understanding and North Vietnam publishes it, then what happens?

Phong: It then becomes just a piece of paper.

Isham: Why isn’t that worse? Your position is that you want to implement the Agreement.

Phong: The main point of our memoranda to you is that we want South Vietnamese political matters to be resolved between the South Vietnamese parties. We want that principle respected. That is the main point; all the rest are details.

Isham: You also expressed disappointment at Mr. Hieu’s intransigence in Paris. Now you have a chance to put him in a bad position.

Phong: Why don’t we play up that point? Article 9. That is a basic thing.

Dr. Kissinger: I think you have a point, that we should try to mention in Article 9.

Phong: Because we have a political problem at home, with the impression that things are done over our heads.

General Quang also thinks that your draft on purely technical military matters is quite balanced and acceptable. It is only the political aspect of the same thing.

I am sure the North Vietnamese also maintain publicly that South Vietnamese matters always belong to the PRG.

Dr. Kissinger: But will you try to get some understanding from Saigon?

Phong: Yes. You are meeting tomorrow?

Dr. Kissinger: Yes, at 3 o’clock.

Phong: If they respond fast, we will get an answer tomorrow morning.

Dr. Kissinger: OK. What you have to remember is this: We are trying to enforce the Agreement, to preserve the Agreement, trying to get a moral basis in America. No one expects us to get anything, so if we came back with nothing, there would be no criticism. But if we came back with something against all expectations, it would give us some breathing room.

They should keep that in mind. That is the reality.

[The meeting then ended.]

55. Memorandum of Conversation¹

Paris, May 21, 1973, 3–7:40 p.m.

PARTICIPANTS

Le Duc Tho, Representative of the Government of the DRV

Nguyen Co Thach, Vice-Minister of Foreign Affairs

Phan Hien, Ministry of Foreign Affairs

Col. Hoang Hoa

Dang Nghiem Bai, Ministry of Foreign Affairs

Pham Ngac

Nguyen Dinh Phuong, Interpreter

Two Notetakers

Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs

Ambassador William H. Sullivan, Deputy Assistant Secretary of State

for East Asian and Pacific Affairs

Ambassador Graham Martin, Ambassador-Designate to the RVN

George Aldrich, Deputy Legal Adviser, Department of State

William L. Stearman, NSC Staff

Peter W. Rodman, NSC Staff

Richard P. Campbell, NSC Staff

David A. Engel, Interpreter

Mrs. Bonnie Andrews, Notetaker

Kissinger: Did you bring us the four signed copies of the draft?
[laughter]

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 114, Country Files, Far East, Vietnam, Paris Memcons, May 17–23, 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held at La Fontaine au Blanc, St. Nom la Breteche. Brackets are in the original.

Le Duc Tho: First of all, I would like to raise the question of the continuation of the reconnaissance flights over North Vietnam. I think you should put an end to this. You and I are talking here and if your reconnaissance flights go over North Vietnam, then our anti-aircraft will shoot down the planes, and if we get the pilots there will be more prisoners and more difficulties. I think this should be stopped.

There was a statement by our foreign minister. I wish you would pay attention to this.

Kissinger: Well, in keeping with our understanding the other day we have given the strictest orders that there should be no reconnaissance flights while we are here, and I think that is being taken care of. But I will reaffirm this as soon as we break up this meeting.

Le Duc Tho: I would just like to bring this fact to you because if this happens while we are talking it is not a good thing.

Kissinger: I agree.

Le Duc Tho: And now yesterday Minister Thach and Ambassador Sullivan met. Before he went to the meeting I told Minister Thach everything I had to talk about. So all the easy questions have been solved by Ambassador Sullivan and Minister Thach so they have left behind the hard core and give us the trouble.

Kissinger: That is the usual procedure.

Le Duc Tho: I am not so talented in solving these things, so I leave to the Special Advisor these difficult things we are facing now.

Kissinger: Well, Mr. Special Advisor, I agree we should go through the Agreement point by point. Although I have seen the Special Advisor when he wanted to go rapidly and I know he could do it.

Le Duc Tho: Before we go into the specific questions, please let me express my ideas. And afterwards we will examine the specific questions to see what solutions you will be bringing about.

We can say that both of us are making a tremendous effort in general, so we could reach the Agreement and its protocols. The structure of the Paris Agreement and its Protocol took a great deal of time and effort on our part to achieve. Now, considering the structure of your draft memorandum of understanding I feel that you are trying to change the structure of the Agreement. You divide the two categories of responsibilities, for those questions regarding the U.S. and North Vietnam and those regarding South Vietnam. These questions are divided. Regarding the questions regarding South Vietnam you propose only recommendations to them and if so it is up to them to reach agreement on more. And in the future if our agreement will not be implemented then you may say it is on account of the non-implementation of South Vietnam. And we can say the same and we can say it is on account of non-implementation by the PRG. Therefore, we can say there

is no responsibility for the implementation at all. Because you can always say that if our agreement is not implemented that it is because South Vietnam does not implement, and we can always say it is because the PRG does not implement.

But, in fact, you and I are the main responsible [*sic*], even in the talks in October last year and January this year. And I think this is our own, our common responsibility. These are the reasons we have proposed the format, the structure of our document.

Now the second question I would like to raise is, since now we have an Agreement and protocols, we will review the implementation of the Agreement and see which articles have been well implemented and which have not, and regarding those articles which are not well implemented, we should see how we can get implementation of these articles. Therefore, we should not change the principles of the articles of the Agreement, the basic articles and the protocols.. We should only point out the means, the measures, and the specific time periods regarding the number of questions on which we want better implementation.

The third question I would like to raise is that you should not link the question of the healing of the war wounds with other questions. The U.S. contribution to the healing of the war wounds is an obligation of the U.S. to our people, and it is beneficial to both parties which would lead to the normalization of relations between our two countries and lead to friendly relations between our two countries.

I propose that on the basis of these remarks we will follow chapter by chapter which questions we can agree with each other and which we cannot. These are my general remarks before we begin specific questions.

Kissinger: Mr. Special Advisor, first let me make a comment about the format. Of course, there were two formats of the final Agreement—one in the form of a two-party agreement and the other in the form of a four-party document, and if I remember correctly an enormous amount of time was spent on devising the formula for the four-party document as well as for the two-party document.

Now, also, the Agreement contains Article 9 in which the Government of the DRV and the Government of the U.S. agree to undertake the following principles for the exercise of the South Vietnamese people's right to self-determination. It is for all these reasons that it seems to us appropriate for us to distinguish between those matters in our responsibility to implement and those which according to the principles of the Agreement should be for the two South Vietnamese parties. Now I believe that there are only two ways around this difficulty. One is to convene a four party conference—to call Minister Xuan Thuy back and we will call back Ambassador Porter, and we will resume the discussions at Avenue Kleber. In fact, I have to make an aside here to you, Mr. Special Advisor, that Ambassador Porter has been so well

trained by Xuan Thuy that now when he attends meetings at the White House he walks out of them.

I haven't given the second solution yet. The Special Advisor can't turn it down until I have given it. [laughter] One of the rules of our negotiation is that no proposal can be refused until it is stated. The second procedure is to follow the outline we have here but to have a signal of what we have agreed to, and to take that obligation towards each other.

As for the work of the Joint Economic Committee, it is obvious that the dates of many of the required activities will tend to coincide and we do not state a formal linkage. Secondly, Article 21 of the Agreement states the intention of the United States, not an obligation, and certainly not the amount. As I said, we are prepared to proceed on both of these.

Le Duc Tho: Have you finished?

Kissinger: Yes.

Le Duc Tho: First of all, you said you proposed to divide into two categories of problems—I don't agree to that—depending on the responsibility of the parties, on the responsibility toward North Vietnam and responsibility toward South Vietnam. Actually the Agreement has been signed and negotiated by you and I, and actually the settlement of the war in South Vietnam was done between the U.S. and North Vietnam. Now, we have to solve the question of violations of provisions of the Agreement. I think that responsibility toward North Vietnam and toward South Vietnam—it is illogical. For instance, regarding the military questions, you still continue to replace the armaments for South Vietnam; you still have military personnel disguised as civilian personnel in South Vietnam. You still have civilian people serving in military branches in SVN. Therefore you have some responsibility towards the military questions in South Vietnam.

Kissinger: It is a lucky thing that you don't have that problem.

Le Duc Tho: But we also have the problem of replacing arms for the PRG.

Kissinger: But you have no military personnel in South Vietnam!

Le Duc Tho: So your responsibilities are greater than ours. [laughter]

Kissinger: Your problem is that you have civilian personnel disguised as military. That is why you are sending them so many civilian supplies.

Le Duc Tho: No, we have civilians there and we are sending civilian supplies and we have to send them continuously.

Kissinger: So what you are undertaking is to stop doing what you are not doing. So after we sign this communiqué you will continue not doing what you are not doing.

Le Duc Tho: It is not true what you said, because it is stipulated in the Agreement that the introduction of troops and armaments are prohibited by the agreement. We abide by the provisions. Even another example, the ICCS, it is the responsibility for all the four parties and not just the South Vietnamese.

So your division of responsibility is not logical. Moreover, it is not in agreement with the Agreement that we have agreed to, that we have signed, that we have implemented. The responsibility for implementing the Agreement is the responsibility for all four parties—not that such and such a party has such and such responsibility and such and such parties have other responsibilities. And, in fact, the U.S. and DRV have the main responsibility. As to your second solution, that we will have an understanding that both sides use their utmost influence over the South Vietnamese parties—we have experience with such a solution. We have experience with 8 (c)—a promise to use utmost influence, but it had no effect at all.

Therefore, the purpose of our meeting is to review the implementation of the Agreement. We base ourselves on the spirit of the Agreement, the principles of the Agreement. And we will work for measures for insuring better implementation of the Agreement. In fact, there are only now the questions of time periods which are over now and we have to set new time periods. Therefore, your approach is contrary to the Agreement. So you want to divide responsibility and you don't realize the common responsibility of all the four parties. If you divide in such a way the responsibility, suppose now that something happens in South Vietnam—you will say it is because of the responsibility of Saigon. We would say it is because of the PRG. And we would feel free to take our action. Therefore, we maintain our stand. The reason is that we stick to the principles of the Agreement. There is no other way.

Kissinger: In that case, the answer is to convene a four-party conference, and then they can follow the old outline of the Agreement.

Le Duc Tho: But when we discussed the Agreement and protocols, the biggest difficulties we had to face. And these negotiations were conducted between you and I and without the four parties. And now to compare the other questions, there are only minor questions compared to that. We have only to look at the time limits.

Kissinger: But the Agreement in Article 9 says the political future of South Vietnam should be left to the South Vietnamese parties. And that is what we want to do.

Le Duc Tho: Yes, you are right. But it explicitly said in the Agreement already, that these questions must be settled by the South Vietnamese by themselves and the South Vietnamese parties will do their utmost to solve these by ninety days.

Kissinger: And they will be inspired by our work and recommendations and by our understanding to use our maximum influence.

Le Duc Tho: The use of our influence is another matter. But regarding the political questions of South Vietnam I have never thought about solving those political questions on behalf of the South Vietnamese with you. Even regarding the question of civilian personnel captured by the other party, I think that this question comes under the competence of the two South Vietnamese.

Kissinger: But how can we express that thought? If we can express that thought, I think we can probably find a solution.

Le Duc Tho: So I think that for Chapter III of the Agreement, Article 8 (c), Chapter IV, Article 11, Article 12, we will leave to the South Vietnamese for a solution. It is explicitly agreed already in the Agreement.

Kissinger: Can we just sign a communiqué and leave those articles to them? And that they should be strictly implemented?

Le Duc Tho: It is in the Agreement, and they are doing that job. Now, regarding the cease-fire. There should have been a cease-fire on January 28 but now the hostilities are still going on and we have to set a date to put an end to the fighting.

Kissinger: I agree to that.

Le Duc Tho: Regarding the replacement of armaments, it is the responsibility of the four parties.

Kissinger: I agree with that, particularly since it comes from the other two sides. As long as you transport civilian goods in tanks, this will be the case.

Le Duc Tho: But as long as the war goes on in South Vietnam, the other side by this fact will have torn the Agreement. So there will be difficulties to get another party to strictly abide by the Agreement. Therefore, the other day I told you, once the hostilities are ended we can say there are no longer problems about Article 7.

Kissinger: You've also told me there are no problems *now* about Article 7.

Le Duc Tho: At present, there are no problems yet, but if the war continues, then Article 7 will be torn then.

Kissinger: I hate to think what will happen when you really tear it.

Le Duc Tho: If the war is ended, and if South Vietnam has real peace, then no problems will arise about Article 7.

Kissinger: I understand the point. But that doesn't change the basic problem.

We agree to the cease-fire. [To Sullivan:] You put the cease-fire under B. [to Tho:] You see, Mr. Special Advisor, we have been meeting for only 45 minutes and already you have totally confused us.

Le Duc Tho: No, you are not confused yourself. You make the problem confused.

Kissinger: If I understand the Special Advisor . . . here we are debating the real meaning of the Special Advisor's subtle approach. Did I understand the Special Advisor correctly when he said that the clauses that should be obligatory included the cease-fire because they involve—he had some convoluted reasoning about American forces in South Vietnam which don't exist—but he wanted the cease-fire obligatory? After that he said certain other things would happen automatically, like Article 7. Now what has confused my colleagues is whether the other articles—those dealing with the political future of South Vietnam and dealing with prisoners—can then be left to the other parties.

Le Duc Tho: It is very clear in the Agreement already on those subjects. It is said in the Agreement very clearly, and when we settled the problem with you, the Agreements are the responsibilities of both of us. Regarding the military provisions we are completely responsible for those. But regarding the political questions of South Vietnam, we are responsible for the general principles but how the specific questions are to be solved is left to the South Vietnamese parties. We will not interfere in the solution of the political problems of the South Vietnamese. This stand of ours remains unchanged. And actually the two South Vietnamese parties are negotiating now. And regarding the political questions of South Vietnam, you and I, the U.S. and the DRV, have also the responsibility of push forward the implementation, to promote the implementation of those provisions.

Kissinger: Don doc? Quick kick?

Le Duc Tho: So, generally speaking, it is a common responsibility. But those responsibilities have some limits.

Kissinger: Well, can we express that in our communiqué? That is what we are trying to accomplish.

Le Duc Tho: What is your view then, Mr. Advisor?

Kissinger: Well, I think we can probably find some solution to the problem of a cease-fire if we are not put in a position that we are prescribing to our South Vietnamese friends what their future should be.

Le Duc Tho: The provisions of Article 12 are very clear, and of Article 11 are very clear. Article 9 is very clear too.

Kissinger: Then we don't have to repeat them necessarily. We can drop them and just refer to them. Let's just say Articles 9, 11, and 12 should be strictly implemented.

Le Duc Tho: No, for example, the question of the National Council, in the Agreement it says it should be formed within three months.

Now the period is over; we have to set some sort of time limit for its formation.

Kissinger: Actually if we want to be very precise, it doesn't say anything about when it should be formed. It says they should do their utmost within ninety days. It doesn't say the Council shall be formed within any specific time period.

Le Duc Tho: Article 11 has never been implemented; we have to repeat it to have it implemented. Secondly, the National Council for National Reconciliation and Concord has not been achieved. We have to describe it to have it implemented. The democratic liberties have not been implemented anywhere in South Vietnam. We have to repeat them. There are points of Article 12 that have not been implemented—the National Council, the signing of an agreement on internal matters—and we repeat them. And we will review the implementation of the Agreement and those points which are violated we must remind, repeat them.

Kissinger: When the Special Advisor teaches philosophy at Harvard—which I hope will be soon because we are looking forward to seeing him there—he will have to explain to us why repeating something contributes to its implementation. But, I will leave this to his lectures, to give myself an excuse to visit him there. If we can express the idea that the implementation of these political provisions is to be left to the parties, then I think we can probably find a solution.

Le Duc Tho: One has to repeat then those because human beings are often forgetful.

Kissinger: That is our attitude toward Article 15.

Le Duc Tho: And when I teach the students at Harvard, I have to repeat the lessons to refresh their memory. [laughter]

Kissinger: What about the second part of my statement?

Le Duc Tho: The spirit of Article 12 is very clear. Regarding the political problems of South Vietnam, those problems will be solved by the two parties. But they have not solved these questions in the past. We have to repeat it because they often forget things. And the spirit of Chapter IV coincides with what you just said but they have not been implemented.

When we come here our mind is very simple. We think we will have to review the implementation of the Agreement, those articles which have not been implemented, we think we will have to review the articles and find measures to improve the implementation.

Kissinger: We agree.

Le Duc Tho: I think you have a very complicated mind. We will not do anything contrary to the Agreement or the protocols.

Kissinger: Well, Mr. Special Advisor, we are perfectly prepared to go through the provisions of the Agreement to see how that could be better implemented. You seem to me to have agreed that some of the implementation is more in the hands of the South Vietnamese parties than others, particularly the political provisions. It seems to me it should not be an insuperable difficulty to find a way of doing that.

Le Duc Tho: Chapter IV reflects the idea of letting the two South Vietnamese parties settle the political problems. The Agreement is very clear, and when we negotiated the Agreement we had these principles in mind. And, actually, the two South Vietnamese parties now are negotiating on these questions. But when reviewing the implementation of the Agreement, I don't want to change what we have agreed to. What changes we have to do now is only to fix new time periods. Such a time period that is over now and we have to extend, and those provisions that are violated, we will repeat those provisions of the Agreement. For instance, Article 7, regarding the transport of armaments; you wanted to repeat this article because you have been introducing a great quantity of armaments into South Vietnam. [laughter]

Kissinger: The Special Advisor reminds me of the person who murders both his parents and then throws himself on the mercy of the court as an orphan.

Le Duc Tho: I have not understood your idea. [laughter]

Kissinger: Well, Mr. Special Advisor, I think we have explained to each other our respective points of view on the format. I think perhaps we should defer that and see what our views are on the specific provisions. And then if we can arrive at an agreed text, we can discuss again the format. I want the Special Advisor to remember that under our format the Special Advisor's name will be mentioned three times in the text. [laughter]

Le Duc Tho: But my name is linked to yours. My name is there as many times as yours.

Kissinger: That is why I do it. I was too modest. My father likes to read my name three times in every document.

Le Duc Tho: Unfortunately, my father is dead now and he would have read my name twice. Because I am associated to you. Whatever you are, I am.

Kissinger: That's a threat!

Le Duc Tho: If your father reads your name five times my father would have read it too.

Kissinger: So as a sign of good will I propose we have both our names written several times. Both our names written together.

Le Duc Tho: So please go through the articles now.

Kissinger: All right. Well, we have agreed on Article 1. Is that right? [Working draft is at Tab A.]²

Le Duc Tho: I agree with the wording in the understanding: "Immediately, completely and indefinitely."

Kissinger: Article 2, on mine-clearance, our navy tells us 5 and 30 is realistic and indeed the only possible commitment they can make.

Le Duc Tho: I agree that the mine-clearance should be gathered within 5 days after we reach an agreement. As to the time period for completion of mine-clearance you should reduce your number and I will increase my number. [Laughter]

Kissinger: It is like the old days. I feel almost sentimental.

Le Duc Tho: 25 days.

Kissinger: I will have to check it in Washington. There is no sense in promising something I might not be able to deliver. I will let you know tomorrow when we sign the document.

Le Duc Tho: Because the mine-clearing has been prolonged too much. So it should be completed the sooner the better.

Kissinger: I agree. It is really only a technical question. I will get an answer tonight.

Now, our article 3, we simply wanted, as a sign of goodwill and serious attitude, to point out to you that since you have a point of entry at the DMZ and no right to cross it, you will be under a handicap without this article.

Le Duc Tho: Do you follow your order and not the order of items in our draft?

Kissinger: We will follow the order that Minister Thach and Ambassador Sullivan used yesterday. Oh I see, you followed your order but our text. Well, since you don't have that article anyhow in yours, it doesn't matter where we put it.

Le Duc Tho: When Ambassador Sullivan and Minister Thach discussed yesterday we follow the order in our draft but we based it on the two documents. But we think it would be better to follow the order in our draft because this follows strictly the order of the Agreement, which is easier to have in mind.

Kissinger: All right. The next one is the cease-fire. OK, we will reserve on that point until we get to it.

Le Duc Tho: Yes.

Kissinger: You will agree to your proposal?

² Draft memorandum of understanding attached but not printed. Article 1 dealt with the cessation of U.S. aerial reconnaissance over the Democratic Republic of Vietnam; article 2 addressed the resumption of U.S. minesweeping; article 3 concerned the points of entry of military supplies.

Le Duc Tho: We will discuss item by item.

Kissinger: [laughs] Yes, but item by item of your draft, and our language. OK, but we are reserving on how to organize it later.

OK, on the ceasefire, I understand that we are agreed. Except for the difference produced by whether it is a recommendation or an instruction. Is that correct?

Le Duc Tho: And the date. And the level of who will issue the order.

Kissinger: I thought it was the high commands of the two parties. What level do you want it?

Le Duc Tho: To be more effective, we prefer that it be issued at a more governmental level.

Kissinger: But the high command is the language we used in the Protocol, and I would hate to see the Minister repudiate his own work.

Le Duc Tho: I agree with you. [laughter]

Kissinger: Is it true that Mr. Aldrich is also legal advisor to your organization?

Le Duc Tho: I am the man who solved problems and you are also my legal advisor.

Phan Hien: Do you have a document we can see?

Kissinger: Well, this is one, with all the disagreements in brackets. [He hands over copy of US working draft at Tab A.]

Le Duc Tho: What is your view about the level who should issue the date?

Kissinger: The date? I think midnight Sunday, Indochina time.

Sullivan: This is a SVN operation. It must be in South Vietnamese time.

Kissinger: Oh yes. It must be in South Vietnamese time. Well, we used Greenwich Mean Time in January so why don't we use it now too?

Le Duc Tho: What time is that, what date?

Kissinger: Sunday, the 27th—my birthday. But I don't get a present.

Le Duc Tho: So you will be delaying by 5 days or one week?

Kissinger: No. Let me explain the reality. I don't have the impression that we are going to finish this document tonight.

Le Duc Tho: To be sure.

Kissinger: Assuming we are going to finish it tomorrow, we have to compare texts Wednesday. I have to go back to America. I can not announce it until I return to America. So we thought we would announce it at 10:00 a.m. Friday morning in America,³ and let it be ef-

³ May 25.

fective 48 hours afterward. Or have the orders go out 24 hours after we announce it, and go into effect 24 hours after that. Do you think your units can hold out in Sa Huynh that long?

Le Duc Tho: 24 hours after the announcement, then the order will be issued?

Kissinger: And 24 hours after that it will be effective.

Le Duc Tho: So the order will be issued Saturday.

Kissinger: Yes. To be effective 24 hours later.

Le Duc Tho: I agree.

Kissinger: He is becoming mellower.

Le Duc Tho: Your argument has logic.

Kissinger: So we will put it in Greenwich Mean Time. And we will let Sullivan and Thach work it out. I think it is 7:00 Greenwich Mean Time. Or whatever it is. Whatever is midnight Sunday in South Vietnam. It is in that area.

Le Duc Tho: It is not Saturday, then it is Sunday.

Kissinger: The order will be given Saturday and it will be effective Sunday.

Le Duc Tho: The order will be given the 26th of May.

Kissinger: Right, and become effective the 27th.

Le Duc Tho: At what time will the order be issued Saturday?

Kissinger: Twenty-four hours after we make our announcement. I propose 10:00 a.m. Washington time. We can do it at 11:00 a.m. on Friday for the communiqué if you prefer.

Le Duc Tho: It should be at 10:00 because in our country there are no more broadcasts.

Kissinger: That is why I proposed 10:00.

Le Duc Tho: The order of ceasefire should be identical.

Kissinger: How are we going to get that done?

Le Duc Tho: We have given you a draft of the order [Tab B].⁴

Kissinger: That is too concrete. [laughter]

Le Duc Tho: So please consider our draft.

Kissinger: Well, we will . . . I think Thach and Sullivan can work it out. It is a practical problem. The simpler the better.

Le Duc Tho: I heard Ambassador Sullivan sigh. [laughter]

Kissinger: All right. What is next? The military commissions? I understand that we are essentially agreed on that.

⁴ Draft cease-fire order at Tab B is not attached.

Le Duc Tho: Regarding the delimitation of areas of control, you propose 30 days.

Kissinger: Yes.

Le Duc Tho: You propose 30 days for the delimitation.

Kissinger: That is right.

Le Duc Tho: We find the following difficulties in this connection. First, after the ceasefire, the two South Vietnamese parties must discuss the return of the armed forces to the positions they occupied January 28.

And then they have to determine the corridors and routes, and then the delimitations of their areas of control. I am afraid that this work can not be completed in one month.

Kissinger: So what do you propose?

Le Duc Tho: I propose that they do this "as soon as possible." I have no objection to 30 days, but I am afraid they will not be able to complete their work within 30 days. This is some practical situation.

Kissinger: Well, I understand the Special Advisor's point. And I only wonder where they are going to put the Two-Party teams under this arrangement.

Le Duc Tho: Now they have a provisional delimitation of zones of control. Therefore, they have to send their teams there as the Four-Party Military Commission decided before. Because where conflicts of offense happen, they are known to the two parties.

Kissinger: Now let me understand this.

Le Duc Tho: On this basis the Two-Party Joint Military teams should be located.

Kissinger: Are you saying that the Two-Party Teams should be located where the Four-Party Teams were located provisionally, until the areas are delimited? And after that they should move from there to the borders of the zones? I just want to be sure I understand. I am not disagreeing.

Le Duc Tho: In a word, now the two parties will agree on the points of conjunction of the two areas of control and the points where conflicts happen very frequently, and they will locate the Two-Party Joint Military Commission and the teams there.

Kissinger: I think we should get our two saboteurs together to work out how to express it.

Sullivan: It is impossible.

Kissinger: It has almost no concrete meaning, but we can express it. As I understand the Special Advisor, he says the teams must move provisionally to a border that is not demarcated and stay until it is demarcated. All right. I think that can be done.

Le Duc Tho: But there are zones where the border . . .

Kissinger: That is OK. And we accept “as soon as possible.”

Le Duc Tho: There are places where it is already clear. Quang Tri.

Kissinger: Sa Huynh.

Le Duc Tho: The Saigon people will have to return to us Sa Huynh.
[laughter]

Kissinger: All right. “As soon as possible.” On the rest, we are agreed.

Le Duc Tho: Agreed.

Kissinger: Where is that draft? Eight?

Le Duc Tho: Article 8 of the Agreement, our point 5.

Kissinger: What happened to your point 4?

Le Duc Tho: We have agreed on point 4.

Sullivan: We are agreed.

Kissinger: That means you have also agreed about Article 7. Article 7 is agreed?

Le Duc Tho: We agree with Article 1, but are you putting Article 15 in with Article 7?

Kissinger: Well, eventually we have to put Article 15 with Article 7 so that all the roads that you are building across the demilitarized zone won’t be wasted. [They confer]

Le Duc Tho: I agree to your proposal regarding Article 15 but you should agree to mine on another article later. [laughter]

Kissinger: Each will be discussed on its merits! I will agree to every reasonable proposal. All right. Article 15 will then be listed in association with Article 7.

Minister Thach: But with the reservation of our Special Advisor.

Kissinger: No, he suddenly realized he couldn’t move anything across the demilitarized zone, unless we made it possible with this agreement. So it is a great concession we made to you.

Just for clarification, could we read what we have on Article 7?

Aldrich: In the paper we handed you, it is paragraphs 4, 5, and 6 of Section B: “In conformity with Article 7, the two South Vietnamese parties [should] [shall] not accept the introduction of armaments, munitions and war material into South Viet-nam. However, the two South Vietnamese parties are permitted to make periodic replacements, as authorized by Article 7, through designated points of entry and subject to supervision by the Two-Party Joint Military Commission and the International Commission of Control and Supervision.”

At this point we would insert the language concerning Article 15: “In conformity with Article 15, military equipment may transit the

demilitarized zone only if permitted to be introduced into South Vietnam as replacements pursuant to Article 7 and then only by direct route to a designated point of entry."

And finally, a new paragraph, "24 hours after the entry into force of the ceasefire, the Two-Party Joint Military Commission [should] [shall] discuss the modalities for the supervision of the replacement of armaments, munitions and war material permitted by Article 7 at the three points of entry already agreed upon for each party. Within 15 days of the entry into force of the ceasefire, the two South Vietnamese parties [should] [shall] also designate by agreement three additional points of entry for each party in the territory controlled by that party."

Le Duc Tho: I agree. But regarding Article 15 of the Agreement I agree to the spirit, but there are some minor changes to be discussed by Ambassador Sullivan and Minister Thach. No major changes, no changes in substance.

Kissinger: Minister Thach has no minor problems. He has a special obsession about the demilitarized zone. It was his native place originally.

Le Duc Tho: I solved this question very easily.

Kissinger: The next question is regarding Article 8.

Le Duc Tho: Regarding Article 8, we have agreed on the military personnel and now only remains civilian personnel.

Kissinger: Right.

Le Duc Tho: Regarding Article 8, I propose only to delete the word, "identified" and write the same word as in the Agreement.

Kissinger: Which is what?

Le Duc Tho: As in the Agreement. There is no word "identified." Because if we should wait for the identification, it will take tens of years before they are identified and then the Vietnamese detainees will remain forever in prisons. I propose also that we delete the words "do their utmost" and I propose "as soon as possible," and I propose 45 days. Because they have been doing their utmost for too long and their work is not completed yet. And we should say the two parties should do it "as soon as possible" and they should say within 45 days. So, I agree with you—45 days.

Kissinger: Could you read the whole text to me so I know exactly what you have accepted? Whatever he is giving to you, you are tough enough without it. [Referring to drink being given Le Duc Tho] So, don't drink too much of it.

Le Duc Tho: It is mineral water. So in the draft you have just given us, point 7 (a): "Any captured personnel covered by 8 (a) who have not yet been returned [should] [shall] be returned without delay and in any event within no more than 45 days." Point (b): "All Vietnamese

civilian personnel covered by 8(c) [should] [shall] be returned as soon as possible. The two South Vietnamese parties [should] [shall] accomplish this within 45 days."

Kissinger: First, let me say we discussed yesterday the draft that the Minister and Ambassador Sullivan worked out. We can drop the word "identified" if you accept the sentence worked out by Sullivan and Thach. "All Vietnamese civilian personnel covered by Article 8 (c) [should] [shall] be identified immediately and returned as soon as possible. The two South Vietnamese parties [should] [shall] do their utmost to accomplish this within forty-five days."

(b) "All the provisions of the Agreement and the Protocol regarding the return of captured and detained Vietnamese civilian personnel should be scrupulously implemented." So if we take that sentence, we will drop "identified."

Le Duc Tho: But within how many days?

Kissinger: Wait a minute, I haven't finished. I think we should not change the original Agreement and therefore we cannot go beyond the phrase "do their utmost." I know the Special Advisor would not want to amend the Agreement.

Le Duc Tho: But it is not a change of the Agreement to delete these words "do their utmost."

Kissinger: But why not?

Le Duc Tho: "To do their utmost to accomplish this" and "to accomplish this" are the same.

Kissinger: Within forty-five days. We are prepared to return to the original text of the Agreement.

Le Duc Tho: There is no mention of Article 15 in the Agreement.

Kissinger: Yes, Article 15 is in the Agreement!

Le Duc Tho: This wording, "to do their utmost," is a vague phrase. We should get rid of it.

Kissinger: But it gives a sense of enormous energy. Because since we know that Vietnamese always observe an agreement scrupulously, to say "they do their utmost" on top of it adds something more.

Le Duc Tho: I think that the two South Vietnamese parties will discuss this question. Therefore, if we should delete this statement, "do their utmost," it is to be more positive, more active.

Kissinger: Nothing is more positive than "do their utmost."

Le Duc Tho: But your phrase "do their utmost," in your conception is the weakest.

Kissinger: That just shows the skeptical turn of mind of the Special Advisor.

Le Duc Tho: Because through experience we must be suspicious.

Kissinger: Well, we can stop just after “as soon as possible.” That is a positive statement.

Le Duc Tho: “And the two South Vietnamese parties should accomplish this within forty-five days.” We agree to that. [laughter]

Kissinger: Well, why don’t the Minister and the Special Advisor sign the document then?

Le Duc Tho: What is your view now?

Kissinger: Well, my view is that we should stick to the text of the Agreement.

Le Duc Tho: So you have really stuck to the wording of the Agreement regarding Article 15! As you added a very long sentence to it.

Kissinger: But it has no practical significance since you’re not doing anything in the demilitarized zone anyway. [laughter] This has a practical significance.

Le Duc Tho: If the practical meaning is so, but the text of the Agreement is important to us.

Kissinger: Yes, but this is an article that really belongs to the two South Vietnamese parties and it is really difficult for us to go further than the Agreement.

Le Duc Tho: So, I propose to leave it aside for the time being.

Kissinger: Shall we take a ten minute break? We have been talking for two hours. We have the films [of the initialling ceremony and Hanoi trip] set up. It will only take fifteen minutes.

Le Duc Tho: If you will give it to us I will screen it at home.

Kissinger: But I have never seen it.

Le Duc Tho: Okay, then I agree.

Kissinger: Okay. We may show you a few elephants on the Ho Chi Minh Trail.

[The meeting recessed at 5:10 p.m.—The films were shown in the living room.]

[Dr. Kissinger and Le Duc Tho then conferred privately on Cambodia, along the following lines:]

Kissinger: We believe that there could be a political settlement as there was in Laos with initially two zones of control. Then we could examine the possibilities of Sihanouk as Chief of State.

Le Duc Tho: Sihanouk should be Chief of State of a unified country. There should not be a division into zones of control.

Kissinger: But we believe there must be a political settlement.

Le Duc Tho: Naturally. We have solved the Vietnamese problem and have contributed to the solution of the Laos problem. Therefore, concerning the Cambodian problem there must be a political solution.

There is no other way. But the decision has to be taken by the Cambodian parties themselves.

Kissinger: We both have some influence with those parties.

Le Duc Tho: Some influence. Maybe you have a great deal of influence, but we have just some influence. Our allies are very independent.

Kissinger: But they still depend on you for their supplies.

Le Duc Tho: That is not quite true now. It was true previously while the war was still going on in Vietnam, before the Paris Agreement. But now they can do most of their own supplying themselves. Most of the weapons they have they have captured from the Lon Nol people.

Kissinger: We have solved many problems together. It seems to us that in Cambodia we must bring about a situation in which a political evolution can take place. Then we can stop the bombing, and all U.S. military activities in Indochina would be ended.

Le Duc Tho: We also earnestly want a settlement. For our part we have talked with our Cambodian allies about a peaceful settlement in Cambodia but they are sovereign. This is their decision to make. So as I have told you, we have settled the Vietnam problem and seen a settlement of the Laotian problem. There is no reason for us to want a continuing war in Cambodia.

Kissinger: You said that in January and nothing has happened.

Le Duc Tho: Those are the difficulties we have to face. I have explained them many times. We have no interest in the present situation in Cambodia continuing. Your assessment of the situation in Cambodia coincides with certain points in Sihanouk's statements. You have made some progress.

Kissinger: I wouldn't go that far. If the war in Cambodia is not ended it is going to present insurmountable difficulties for us in doing what we want to do regarding normalization of relations. There will be sharp debates and we will have to accuse you of many things.

Le Duc Tho: It would not be correct for you to accuse me. On the contrary, I should accuse you.

Kissinger: We shouldn't accuse each other and we should move towards normalization.

Le Duc Tho: And we should go to a peaceful solution of the Cambodia problem.

Kissinger: I agree but we have to do this with some sort of schedule in mind. We should give ourselves an objective.

Le Duc Tho: I understand.

Kissinger: If the Special Advisor speaks to his students they will listen.

Le Duc Tho: They are not my students; they are allies.

Kissinger: We and you will speak to the Chinese and between the two of us we can meet a schedule.

Le Duc Tho: I have always explained to you that we should take measures to bring about a stabilization of the situation in the whole area and bring about a new era of DRV–U.S. relations.

Kissinger: That is why we should give ourselves a schedule.

Le Duc Tho: Sometimes schedules do not depend on us.

Kissinger: We had a schedule on Laos but it wasn't kept very well.

Le Duc Tho: But the situation is different. Each problem is separate. Laos and Cambodia and Vietnam. As I told you, we realize you have difficulties; you know about these. But we also have our difficulties.

Kissinger: And you know yours and you can solve them.

Le Duc Tho: It is very difficult; it is not easy to solve.

Kissinger: I understand.

Le Duc Tho: Regarding Laos we could come to an agreement with our allies very easily.

[The formal meeting then resumed at 6:00 p.m.]

Le Duc Tho: Shall we resume, Mr. Special Advisor.

Kissinger: Yes.

Le Duc Tho: As to the visit of the National Red Cross Societies to the places of detention, we propose that they visit immediately. But, if you think later, then we propose ten days after we reach agreement here. Your proposal is thirty days. I think it is too long. Because in the Protocol it is provided for fifteen days.

Kissinger: First, there are two differences. The first thing is to designate them according to the terms of the Protocol.

Le Duc Tho: They have decided this question—the Canadians and the Polish.

Kissinger: Oh? We think the Polish will never find the camp. I have never heard of that.

Le Duc Tho: They have decided that, the Canadians and Poles. The obstacle now is that we propose that the two South Vietnamese parties go along with the National Red Cross Societies but the Saigon people disagree to that. Therefore, we propose that we put here “the visit of the National Red Cross Societies.” As to whether the South Vietnamese parties go along with them, we leave this question to the South Vietnamese parties to decide.

Kissinger: I don't understand.

Le Duc Tho: We proposed that in within fifteen days they will visit places of detention.

Kissinger: But then he said if each of the parties don't go along . . . I don't go along . . . I don't understand that.

Le Duc Tho: Because during the discussion of the two South Vietnamese parties it was proposed that the two South Vietnamese parties would go along with the National Red Cross Societies, but the Saigon people did not agree. So I want to say here that the Red Cross Societies will visit within ten days. As to the other questions, we will leave that to the two South Vietnamese parties to decide.

Kissinger: Well, why don't we say fifteen days?

Le Duc Tho: I agree.

Kissinger: I have given you 15 days. You now owe me ten days on something. [laughter] We will use your language and instead of "immediately" we will say fifteen days. All right?

Le Duc Tho: [nods yes] Now point 6, Article 11. This question should have been carried out three months ago, immediately after the signing. But now this time period has lapsed and no democratic liberties have been applied in South Vietnam. Therefore, we want to repeat Article 11, so that they can be applied by the two South Vietnamese parties. We will repeat the words of the Agreement without any change.

Kissinger: Yes, but the words of the Agreement are very clear. I can't see why we just can't refer to Article 11?

Le Duc Tho: If we have to repeat this, it will take only a few lines more. We have enough papers to do this. You are too parsimonious. [laughter]

Kissinger: Yes, but if we repeat it as in your draft, it seems like something new, and it shakes people's faith in the inviolability of the Agreement.

Le Duc Tho: All right. I agree. We will go with the specific wording of the Agreement.

Kissinger: That's your original proposal! There are three stages in negotiating with the Special Advisor. First, he makes a proposal. Second, he agrees with Minister Thach's formulation. Third, he agrees with his own reformulation of Minister Thach's formulation.

Le Duc Tho: So I propose to stick to the words of the Agreement here, to avoid any dispute.

Kissinger: Well, I think people will be so fascinated by what we issue that when we refer to Article 11 they will run to every bookstore in Saigon to look up Article 11. [laughter]

Le Duc Tho: So, we maintain our proposal. On Article 15, you wanted to have it very concrete, and it is something very new. Article 11 is in the Agreement, and you are unwilling.

Kissinger: Well, let's leave it for the time being and come back to it.

Le Duc Tho: I wonder what is the reason you have to put it aside? Because it is just the same words as in the Agreement.

Kissinger: Well, for one thing, it should make clear that we are just quoting the Agreement. We should say "in implementation of Article 11, which reads as follows." But this is just for consideration. [laughter] I provisionally consider it. I have written it down but I have not accepted it.

Le Duc Tho: Now, let us come to Article 12. And your suggestion here is the time period. Previously it was said in the Agreement that the South Vietnamese parties should do their utmost to form the National Council of National Reconciliation and Concord within three months. Now we propose that they form the National Council as soon as possible but within thirty days.

Kissinger: Now wait a minute. You accept our phrase? Let me understand it. You say "establish it as soon as possible." You mean within thirty days? Is this your proposal?

Le Duc Tho: So our original proposal is that: "In implementation of Article 12 of the Agreement, the National Council of National Reconciliation and Concord consisting of three equal segments should be formed as soon as possible, no later than thirty days after the entry into force of the strict ceasefire and the enforcement of democratic liberties, with a view to promoting the two South Vietnamese parties' implementation of the Agreement, achievement of national reconciliation and concord, ensurance of democratic liberties, and with a view to organizing genuinely free and democratic general elections under international supervision. The general elections will be held no later than six months after the entry into force of the strict ceasefire referred to in paragraph B.1, the full ensurance of democratic liberties, and the formation of the National Council of National Reconciliation and Concord. The two South Vietnamese parties will sign an agreement on the internal matters of South Vietnam as soon as possible, and within two months at most after the publication of this communiqué."

Kissinger: This is a different formulation than what we have and that is simply much too specific on the political questions. First, on the National Council, if you read Article 12 (b) there is no exact deadline for its coming into being. Because it refers to the political settlement, not to the Council. Secondly, this is adding many clauses. I think the Minister got carried away with himself, because all the articles we got rid of in October he has managed to put in this communiqué. I think that they just initialed another Agreement.

Le Duc Tho: So our proposal is as follows: "After the ceasefire comes into effect, the two South Vietnamese parties will discuss and agree on the formation of the National Council of National Reconciliation and Concord as soon as possible." And, then, the other point is

just like Article 12, and only for the time limit for the settlement of internal matters we propose 30 days. But you propose 15 days. We propose 30 days.

Kissinger: Who will take 38 days?

Le Duc Tho: We proposed 60 days. Now we agree 45 days.

Kissinger: OK. I understand 45 days. Now let me say what I think you are saying. Let me sum up my understanding of what you have just said. I have honestly the impression that if Minister Thach would go out to dinner we would settle this thing very quickly. My understanding is as follows: that after the ceasefire the two SVN parties will meet “as soon as possible” to set up the National Council.

Le Duc Tho: They are meeting now!

Kissinger: Well, OK, they will set up the Council as soon as possible, and they will also do their utmost to settle the internal problems within 45 days. Did I understand correctly?

Le Duc Tho: “After the ceasefire the two SVN parties will set up the National Council for National Reconciliation and Concord composed of three equal segments as soon as possible.” There is no word “do their utmost” in this sentence.

Kissinger: I understand.

Le Duc Tho: Then “they will do their utmost to settle on internal matters within 45 days.”

Kissinger: That is OK. We accept that.

Sullivan: But on the other . . .

Kissinger: Don’t argue with me. I am going to teach him negotiating. We accept the two sentences that Mr. Phuong has just announced.

Le Duc Tho: Regarding the general elections, I agree with the time period of six months on the condition that first, after the ceasefire and the democratic liberties are insured, then the National Council should have been formed, and then six months after the carrying out of these things, then there will be general elections. Because it is our view that without a ceasefire, without the insurance of democratic liberties there cannot be free and democratic general elections. After the ceasefire the democratic liberties should be assured so that everyone can express their views, and then the Council can be set up, and six months afterward there could be elections.

Kissinger: I had asked the Special Advisor if that was based on his experience in Hanoi with elections. But our view, Mr. Special Advisor, is the following: when we say six months, the establishment of the Council is a fixed date; that one can understand. The assurance of democratic liberties is a process, that is even being argued about in our country. And, therefore, we think the six months should date from the time of the formation of the National Council of National Reconciliation and Concord.

Le Duc Tho: Here I should mention about the democratic liberties. In the Agreement it is mentioned that “immediately after the ceasefire the democratic liberties should be insured,” and the formation of the National Council and then the organization of the elections.

Kissinger: Well, we are willing to refer to the paragraph on insurance of democratic liberties in a separate paragraph. But the date should have a specific thing to date from. We are willing to say within six months of the formation of the National Council. But these won’t be the same dates anyway.

Le Duc Tho: What we want is that after the ceasefire then the National Council should be formed and the democratic liberties should be insured. And after carrying out all these things, then six months afterward the general elections will be organized.

Kissinger: Yes. We understand. We have a separate paragraph about democratic liberties. We are not arguing about that. But we are saying that when you talk about elections it should be from some specific date. First you have the ceasefire and then formation of the National Council, and then six months after that you should have the elections. And since it is in any event the duty of the National Council to provide free elections, then they can decide when the democratic liberties have been fulfilled and when the elections should be organized.

Le Duc Tho: This is what I have in mind. After the ceasefire—it will be on a fixed date.

Kissinger: Right.

Le Duc Tho: Then on Article 11, immediately after the ceasefire all democratic liberties must be insured. Then there will be the formation of the National Council, and then six months later there will be the elections. This is the order of provisions I have in mind.

Kissinger: I agree but it is two separate things. This is already in the Agreement like that. What we are saying in this paragraph, we should only talk about the ceasefire and the National Council, which are fixed dates, and the National Council has the responsibility to see to that the elections are free.

Le Duc Tho: Although the democratic liberties are dealt with under Article 11, here we would like to say that one condition for the organization of the general elections is that the democratic liberties should be insured.

Kissinger: It doesn’t say that in the Agreement.

Le Duc Tho: It is not said in the Agreement, but what we want is that the insurance of the democratic liberties set in Article 11 be applied before the organization of the general elections.

Kissinger: I understand, but the National Council already has the responsibility to do that. They themselves will know what to apply. It is implicit in the term “free and democratic elections.”

Le Duc Tho: But here we should state that the insurance of the free and democratic liberties should precede the democratic elections. And this is in conformity with the Agreement.

Kissinger: In the Agreement it only says the Council should organize free and democratic general elections, and we are prepared to say that.

Le Duc Tho: But the democratic liberties must precede general elections, so that all the citizens, the electors, can freely express their own views. And only after the application of democratic liberties can free elections be held. And moreover, the democratic liberties must be insured immediately after the ceasefire.

Kissinger: But that is already part of the Agreement. After all, it is the duty of the National Council to organize free and democratic elections; that presupposes democratic liberties.

Le Duc Tho: But what we want is immediately after the ceasefire the democratic liberties should be applied.

Kissinger: But we have already put this into the text, provisionally.

Le Duc Tho: But we would like to add that before the organization of general elections then the democratic liberties should be implemented.

Kissinger: But that is the job of the National Council, and I wouldn't want to interfere in the job of the National Council, which will proceed in a spirit of concord.

Le Duc Tho: So I propose the following then: Immediately after the ceasefire, under Article 11 the democratic liberties should be implemented immediately. Then the formation of the National Council of National Reconciliation and Concord; the two SVN parties will set up this Council as soon as possible. We have proposed within 30 days but you have not yet agreed to it. Then regarding the general elections, we will leave that to the two SVN parties to decide when the organization of the general elections will take place. [The two sides confer.]

Kissinger: What we are debating here is that what you are trying to get us to do is to support the PRG position at St. Cloud. Did I misunderstand? Did I misunderstand the intention here? [Laughter]

Le Duc Tho: You are right.

Kissinger: And, of course, we have the opposite intention.

Le Duc Tho: It is two different intentions.

Kissinger: That has slowly dawned on us. Our minds are not as fast as Vietnamese minds! So we now have to find a more neutral formulation, or else leave it up to the parties at St. Cloud. I have met the Chief of the South Vietnamese delegation, and he is a man of great brilliance. He has a very complex mind. So, really, Special Advisor, this is our problem here. And now that we understand each other here, should we try to solve the problem?

Le Duc Tho: Let me express our views. So our intentions are different now. So we should try to find a solution.

Dr. Kissinger: Exactly.

Le Duc Tho: So "In conformity with Article 12, the two SVN parties shall set up the National Council as soon as possible." We propose 30 days and you disagree, so we propose "as soon as possible." Then "the National Council should be composed of three equal segments"—just as in the Agreement. As to the internal matters of the South Vietnamese, we will leave those to the people of SVN to settle among themselves, within 45 days.

Kissinger: "Do their utmost, and no democratic liberties and no elections."

Le Duc Tho: As to the democratic liberties, we write it as Article 11. As to the elections it comes under the rubric of the internal matters of SVN, and we will leave it to the SVN parties.

Kissinger: I think the Special Adviser has understood us but I don't think Mr. Thach has sufficiently understood the problem. The problem is that the South Vietnamese want a date for elections, and the PRG want a date for democratic liberties. We agree to what you said on the National Council. This we accept. And then we could say "the South Vietnamese parties will discuss the internal matters including democratic liberties under Article 11 and free elections under Article 12 as soon as possible and within 45 days."

Le Duc Tho: Article 11 is explicitly written before that and immediately applied. As to the internal matters of SVN, we will stick to the words of the Agreement. Now the two SVN parties will settle their own matters. In other words, we maintain Article 11 and 12 of the Agreement; the only change is to change 90 days into a 45 day period.

Kissinger: Then why don't we just say Article 11 and 12 should be strictly implemented?

Le Duc Tho: No, we have to write it in more detail. A number of points should be repeated because a number of points have been violated. It is not contrary to the Agreement. It is the best solution possible considering the two different intentions. [Both sides confer.]

Kissinger: Do you still have a deadline on the internal matters?

Le Duc Tho: 45 days. Originally it was 90 days. Now the 90 days are over. It is your proposal.

Kissinger: The 45 days?

Le Duc Tho: Your proposal.

Kissinger: Otherwise nothing is our proposal.

Le Duc Tho: You proposed 60 days. We disagreed and proposed 45 days.

Kissinger: You proposed 60 days. No, we accepted your proposal.

Le Duc Tho: You reduced it to 45 days.

Kissinger: That was a mistake. We meant 45 days.

Le Duc Tho: Anyhow, you want to increase the time period?

Kissinger: We would like to put all the political provisions on the same level of urgency.

Le Duc Tho: What do you mean?

Kissinger: What I mean is that we should put all the political provisions into one article of our communiqué. That would facilitate . . . Then we could even consider following your format.

Le Duc Tho: But what is your draft?

Kissinger: We don't have it here. [A cable from Saigon is brought in. Tab B]⁵ Can I see the message since it is addressed to me? We have to take a few minutes break to study this.

Le Duc Tho: What is about your message?

Sullivan: We will ask you to compose the answer!

[The meeting broke briefly from 7:10–7:25.]

Le Duc Tho: I think the time is over now, and I am a little tired. I will express my views and we will resume tomorrow morning. The details can be worked out by Ambassador Sullivan and Minister Thach and there are only one or two problems left.

Kissinger: [Laughs] One of them is called Cambodia.

Le Duc Tho: I would like to clarify my views regarding Articles 11 and 12. In brief, we maintain Article 11 as it is written in the Agreement. We maintain it as it is written in the Agreement except where it says that the two SVN parties will do their utmost to sign an agreement on matters of internal matters in SVN in 45 days.

Kissinger: All right.

Le Duc Tho: Now, regarding Article 17, the two parties have agreed to the Two-Party Joint Military Commission. Regarding Article 20, we write . . . I agree to your writing in the document.

Kissinger: Now wait a minute, you are going too fast for me. What is it you are writing on Article 20?

Le Duc Tho: What you had in your document.

⁵ Two South Vietnamese memoranda are at Tab B. Ambassador Whitehouse sent the memoranda, which rejected the U.S.-DRV formula under discussion in Paris, to Kissinger in messages 437/Tohak 128, May 21, and 438/Tohak 129, May 21. (National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 36, HAK Trip Files, Paris Trip, May 1973, TOHAK 126–210) In message 440/Tohak 134, May 21, Whitehouse reported to Kissinger: "We are facing all the suspicion and stubbornness with which you are only too familiar and it is obvious the GVN finds it hard to believe that the DRV is sincerely seeking an early, effective and enduring cease-fire." (Ibid.)

Dr. Kissinger: This is what we took from your document.

Le Duc Tho: As to the understanding it is another matter.

Kissinger: OK. I understand now.

Le Duc Tho: Regarding Article 21, I agree that the work of the Joint Economic Commission should be completed by June 15. Regarding Article 18 . . .

Kissinger: I know he would leave the most important for last.

Tho: Regarding the ICCS I will write it as it is written in the Agreement, and we agree to the sentence you have added.

Dr. Kissinger: OK.

Le Duc Tho: That "the two SVN parties should/shall issue necessary instructions to their personnel and take all such other measures to insure their safe movement." It is as to the spirit of the sentence; as to the wording, Minister Thach and Ambassador Sullivan will discuss.

Kissinger: All right.

Le Duc Tho: So I have expressed my views regarding all the points of the joint communiqué. In my view, we are issuing a joint communiqué signed by you and I. We have three understandings: One, regarding Laos, we will write the understanding as I have presented it to you the other day. We will achieve the political problems of Laos: "The DRVN and the U.S. have been informed by the Lao parties that the formation of the Provisional Government of National Union will be achieved at the latest at 30 days after May 1973, in conformity with the Agreement on Laos." But we will do our utmost.

Regarding Cambodia, I have explained to you lengthily on this question, and I maintain what I have said.

We have another understanding, regarding the civilian personnel. We maintain your commitment before we signed the Paris Agreement. It is nothing different. [He hands over three DRV draft understandings: on Laos, Tab C; on Cambodia, Tab D; and on Vietnamese civilian detainees, Tab E.]⁶

Kissinger: And what is the third.

Le Duc Tho: Laos and the captured civilian personnel. I propose now to adjourn and after dinner whatever should be discussed will be discussed by Minister Thach and Ambassador Sullivan.

Kissinger: I suggest that they have dinner here together.

Le Duc Tho: All right.

⁶ Draft Understanding on Laos, May 21; Draft Understanding on Cambodia, May 21; and Draft Understanding on Vietnamese Civilian Personnel Captured and Detained in South Viet Nam, May 21, are attached but not printed.

Kissinger: Mr. Special Advisor, Mr. Sullivan and I have just voted to send Mr. Thach home and keep you here. Because you are easier to work with.

Le Duc Tho: I will discuss with you tomorrow.

Kissinger: May I make two quick observations? I know you are in a hurry to get away. First, it is important for us to get part (c) of our draft in the communiqué [about MIA] because of the emotional concerns of our population regarding this question. If necessary, we can make it as a separate document between us.

Secondly, on the political matters, I think we understand each other's problems, and maybe Mr. Thach and Ambassador Sullivan should have another talk before we come back to it. I think we have narrowed our differences but there are still important differences.

Le Duc Tho: Regarding the political questions?

Kissinger: Yes, regarding the political questions, Article 11 and Article 12. I recognize that you have made an effort and we will take it into account. But there are still important problems to discuss. Now, on Laos, 30 days is too long, as I have told you on a number of occasions. And on Cambodia we have had an opportunity to discuss it privately in the other room and I would like to lay very great stress on the central importance of the considerations we put forward to you. We have to maintain our position with respect to it. But we can leave that to tomorrow.

Now, in planning our work, Mr. Special Advisor, I can probably prolong my stay until Wednesday,⁷ but it is absolutely the last day for me. I must be back Wednesday night. So we should keep that in mind. And we need to come to the understandings tomorrow, and we would need a day to compare texts also.

And now I should let you go. Unless you wish to reply.

Le Duc Tho: Let me speak a few words. Regarding the missing. I have told my views to Minister Thach and he will discuss them with Ambassador Sullivan. Regarding the political questions, I maintain my views, but if you want to discuss anything further, Minister Thach and Ambassador Sullivan can discuss them. I think it is the only possible solution to the difficulties I have told you.

Regarding Laos, tomorrow I will further express my views regarding our difficulties in this—why there must be such a time period because it is necessary because a shorter time period will not be so sure and we may have to prolong it later. I have to return and to agree with

⁷ May 23.

our allies and, therefore, it will take some time. But it is not my intention to prolong a few days more if our allies agreed to that.

As to the Cambodian question, we know it is a matter of interest to you, but we have difficulties. And I can say that in the course of the negotiations it has been the problem which has taken the greatest amount of time. And I don't think there is another solution possible other than what we have written to you in our messages. We have made a great effort and we will continue to make an effort in this direction.

And, I propose that tomorrow morning we will meet at Gif at 10:30.⁸

Kissinger: 10:30 is good. All right. If there is a problem we will call each other.

[The meeting adjourned for the evening at 7:40 p.m.]

⁸ Kissinger and Le Duc Tho met at 108 Avenue du General Leclerc, Gif-sur-Yvette, Paris, May 22, 10:30 a.m.–4:40 p.m. Minutes of that session are in the National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 114, Country Files, Far East, Vietnam, Paris Memcons, May 17–23, 1973.

56. Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Paris, May 21, 1973, 2205Z.

Hakto 33. Please deliver following letter from the President to President Thieu immediately. We cannot accept any excuse for a delay.

Begin text.

Dear Mr. President:

In our correspondence before the Paris Agreement, and when we met in San Clemente, I emphasized my determination to stand by your country and to see the Agreement enforced. This is the effort in which we are now engaged.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 35, HAK Trip Files, Paris Trip, May 1973, HAKTO 1–46. Top Secret; Sensitive; Exclusively Eyes Only; Flash. Sent through Scowcroft with the instruction: "For immediate transmission as a Presidential letter to President Thieu. Should go via Whitehouse."

I am writing to you with some concern because I am afraid that the reactions of some of your subordinates to the negotiations being conducted in Paris may produce a dangerous situation. As you know, I sent Dr. Kissinger to Paris in order to negotiate with the North Vietnamese an improved implementation of the ceasefire agreement. I need hardly emphasize the importance of this enterprise in the present climate of American opinion. As you know, I have publicly pressed for the strict implementation of the Agreement and have both American prestige and American willingness to engage itself behind me. It would never be understood in America if the negotiation failed as a result of avoidable obstacles.

In this context, I am frank to say that your subordinates' procedural objections seem belated and obstructive. It has been known in Saigon since the middle of April that Dr. Kissinger would meet with Le Duc Tho. It is hard to understand why it was left for the last minute to raise procedural objections which make it impossible to sign a two-party document. It is absolutely impossible for us to bring about a four-party conference, as has been suggested. This has been repeatedly rejected by the other side. It would also have the practical consequence of forcing us to recognize the so-called PRG.

As for the substantive objections, some strike me as so frivolous that I am certain they were sent to Paris by subordinates and not sufficiently read by higher officials. For example, I do not see how the GVN can seriously object to an end of U.S. reconnaissance flights over North Vietnam when this was always part of the Agreement and when these reconnaissance flights were reinstituted only after major DRV violations. This kind of objection cannot be taken seriously by my negotiators.

Let me now turn to a more serious issue. I have asked Dr. Kissinger to send you immediately the latest document which is in the process of being discussed.² As you will see, it has these essential elements:

1. A new order for a ceasefire simultaneously but separately issued by the two South Vietnamese parties.
2. The effective coming into being of the Two-Party Joint Military Commission at points which effectively remove them from the populated areas of South Vietnam.
3. The implementation of Article 7 of the Agreement.
4. The reaffirmation of certain political provisions which leave the negotiations entirely to the South Vietnamese as provided for in Article 9 of the ceasefire agreement.

² The revised joint communiqué was sent to Saigon in message WH31391, May 22. (Ibid.)

The document now being negotiated has the practical consequence of putting the establishment of the National Council of National Reconciliation and Concord into the indefinite future, of leaving the settlement of the internal questions entirely to the South Vietnamese, and of removing the NLF element of the Two-Party Commission from your populated areas. In this context, the objection to placing the Two-Party Commission teams along the demarcation lines existing in South Vietnam is quite literally incomprehensible to me. Are you better off with NLF officials in provincial capitals? We will not insist on this provision, but we fail to understand your staff's objections.

The most important concern we have now is that your side in fact carry out the agreed-to joint ceasefire announcement, which, if present plans materialize, should occur on Saturday, May 26, for implementation on Sunday, May 27. According to present plans, a joint communiqué may be issued on May 25 between our side and the DRV.

I want to reiterate that our only desire is to strengthen the Agreement and to reaffirm our solidarity with you. I cannot believe you will put me into the position of having to explain to the American people a reason for the breakdown of negotiations, which would lead to an immediate cut-off of funds for Laos and Cambodia and ultimately for Vietnam.

When we talked together at San Clemente, I told you of the growing difficulties in obtaining adequate aid levels from the Congress. Nevertheless, I told you I would exert every effort to secure not only an aid level adequate for your immediate needs, but also enough additional aid to give an added momentum to the economic growth your just-announced program should put in motion. This effort to secure additional economic aid for Vietnam has been going well. It has clearly been given first priority. But I must frankly warn you that I can think of nothing that would so surely wreck this effort as to have even the appearance of disagreement between us just at this moment in time. I am certain you will keep this consideration very much in mind as you reflect on the contents of this message.

Sincerely yours.

End text.

57. Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Paris, May 22, 1973, 1007Z.

Hakto 36. Please deliver immediately to Palace the following letter from President Nixon to President Thieu:

Dear Mr. President:

In my last letter to you,² I gave you a number of reasons which have compelled me to instruct Dr. Kissinger to accept the terms of the communiqué which he and Le Duc Tho have negotiated in Paris. As you will note from the preliminary draft text which has been sent to you, we have agreed with the North Vietnamese on several measures which we believe the two South Vietnamese parties should undertake to improve the implementation of the Paris Agreements for which all four of us bear responsibility.

From the point of view of the world as a whole, from the point of view of domestic opinion in the United States, and in practical terms as far as South Vietnam is concerned, the most conspicuous single action on which we have agreed is the appeal for a new set of cease-fire orders by the two South Vietnamese parties. I addressed the urgency of this in my last letter to you.

In order to explain to you more fully the rationale behind our actions and the perspectives in which we view this entire matter, I am asking Ambassador Sullivan to go to Saigon from Paris to brief you personally. He is scheduled to arrive there the evening of Wednesday, May 23. I would appreciate it if you can arrange to receive him on Thursday so that we can achieve the earliest identity of views.

Sincerely,

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 35, HAK Trip Files, Paris Trip, May 1973, HAKTO 1–46. Top Secret; Sensitive; Exclusively Eyes Only; Flash. Sent through Scowcroft with the instruction: "Please send immediately to Saigon. No need for processing in Washington."

² See Document 56.

58. **Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger) in Paris¹**

Saigon, May 22, 1973, 1645Z.

448/Tohak 176. 1. Under cover of a letter to me from Foreign Minister Lam we have received the text of the following letter from President Thieu to President Nixon.

Begin text.

Dear Mr. President:

I have just received today your message² and would like to assure you that I share your concern as well as your determination to see the Paris Agreement and its protocols strictly enforced by all the parties concerned, towards an improved implementation of the cease-fire.

All the memoranda sent to us by Dr. Kissinger have been carefully weighed by myself and the principal members of my government, and our views have been extensively conveyed to your government in our memorandum of May 11, approximately on the deadline proposed in the U.S. Embassy note of April 5, that is six days before Dr. Kissinger met with Le Duc Tho. We have also replied very promptly to subsequent memoranda from the U.S. Embassy, within the periods of time requested, although these important matters normally would have required longer consideration.

In any case, as early as May 11, we have pointed out in our memorandum, at point C, that "The DRV has no right to interfere in the internal affairs of SVN, the more so that it has pledged, in Article 9 of the Paris Agreement, to respect the South Vietnamese people's right to self-determination."

Therefore, the point we raised on the "format of understanding" with the other side did not come belatedly. Besides, may I point out that this is not merely a procedural question. It is in fact an important point of substance relating to the principle of self-determination of the South Vietnamese people. This is apparently the reason why Le Duc Tho has tried so strenuously to impose his "format" of understanding. In another respect, I would like to tell you in all candor that the proposed memorandum of understanding includes clauses on the internal political questions of SVN. These questions, included in a document

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 36, HAK Trip Files, Paris Trip, May 1973, TOHAK 126–210. Secret; Sensitive; Eyes Only; Flash. Sent through the White House.

² See Document 56.

not to be signed by our government, will have very detrimental effects to the RVN, both before Vietnamese and international public opinion.

As for the proposed establishment of the TPJMC teams “on the boundary line of two zones controlled” by each South Vietnamese party, aside from its variance with the Paris Agreement, it could provide substance to the Communist claims that there are 2 “territories” under 2 “governments” within SVN, while the Paris Agreement, Article 3, established only the concept of areas of stationing of opposite armed forces, in a limited military sense.

Your message mentioned a latest draft which is in the process of being discussed with Le Duc Tho, which you have asked Dr. Kissinger to send to us promptly. I am awaiting the receipt of that document before I could reply further on other points of substance.

Let me assure you, Mr. President, that I take very much to heart the close cooperation between our two governments, and I remain deeply grateful to you for what you have done for the RVN. The questions now being negotiated, however, will decide the future of our country. I hope therefore that you would understand that we have to be most careful about them, especially while the Communists have been systematically violating the agreements.

Sincerely, Nguyen Van Thieu

End text.

2. Warm regards.

59. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, May 24, 1973.

SUBJECT

Results of Negotiations with the North Vietnamese, May 17–23, 1973

1. *Summary of Results:* Yesterday I concluded six days of negotiations in Paris with Le Duc Tho.² We have agreed to meet again in Paris

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 114, Country Files, Far East, Vietnam, Paris Memcons, May 17–23, 1973. Top Secret; Sensitive; Exclusively Eyes Only. The President circled Kissinger's name at the top of the first page and wrote: “Excellent job against great odds.”

² Kissinger and Le Duc Tho's final session occurred at La Fontaine au Blanc, St. Nom la Breteche, Paris, May 22, 10:30 a.m.–5:05 p.m. Minutes of that meeting are *ibid.*

on June 6 to conclude a signed communiqué, the text of which is now agreed, as well as several private understandings. Ambassador Sullivan has gone to Saigon to explain the draft communiqué to President Thieu and obtain his concurrence, either to signing it as a four-party communiqué, or to our signing it with the DRV and stating in the communiqué that we are doing so with the concurrence of the GVN. The single, outstanding issue between us is Cambodia. I made it clear to Tho that we would not be prepared to sign the communiqué unless we receive a satisfactory understanding on this subject. The time between now and June 6 should permit us to exert pressure on North Vietnam concerning Cambodia through the Soviets and Chinese. The prospect of a final meeting on June 6 should also help us deter rash Congressional action with respect to Cambodia in the interim.

2. *Our Objectives:* We proposed these negotiations in order to achieve a variety of objectives. In brief, these were:

(a) *Concerning Vietnam*—To bring pressure to bear—hopefully effectively—against continuing, serious North Vietnamese cease-fire violations, massive infiltration of arms and, to a lesser degree, of troops, the blatant disregard of the demilitarized character of the DMZ, and restraints on ICCS operations, including attacks on ICCS aircraft.

(b) *Concerning Laos*—(i) To obtain a commitment from the DRV that the Pathet Lao will stop their stalling tactics and form the new government in Laos within a relatively brief period of time; (ii) to obtain a commitment from the DRV to withdraw their troops from Laos by a fixed date in the reasonably near future; and (iii) to obtain a commitment from the DRV to assist us in obtaining information concerning the fate of all Americans missing in action in Laos.

(c) *Concerning Cambodia*—(i) To obtain a cease-fire at the earliest possible date; (ii) to bring about negotiations among the Cambodian parties for a political settlement along Laotian lines; (iii) to obtain a commitment from the DRV to withdraw their troops from Cambodia by a fixed date in the reasonably near future; and (iv) to be able to cease U.S. bombing in Cambodia at an early date as part of this understanding.

3. *Our Accomplishments:*

(a) *Vietnam*—Tho and I have agreed on the text of a communiqué which constitutes a clear net gain for our side. It reiterates the obligations of the Agreement not to introduce troops into South Vietnam and not to introduce arms except as replacements through designated points of entry and subject to inspection. It reaffirms the DMZ and states that arms and war material may transit it only enroute to a designated point of entry. It contains a reiteration of the right of movement of the ICCS, as set forth in the Paris Agreement, and an obligation on the two South Vietnamese parties to ensure the safety of ICCS

movement. It requires the PRG and GVN to issue identical cease-fire orders effective June 9. Perhaps most important, it contains several provisions (including a requirement that the teams of the Two-Party Joint Military Commission move out of provincial capitals, where the PRG obviously hoped to proselytize, to places where the two areas of control adjoin) which indicates a decision by the Communists to deemphasize the political struggle in GVN-controlled areas and concentrate instead on stabilizing the cease-fire and consolidating their own areas of control. In this connection, Tho agreed, in effect, to bury indefinitely the National Council of National Reconciliation and Concord, thus ending any further claims to coalition government.

In order to obtain the commitments, we had to agree to resume compliance with the Paris Agreement in those areas where at the end of April we had cut off compliance to put pressure on North Vietnam—i.e., stop aerial reconnaissance over the North, resume mine clearance, and resume the meetings of the Joint Economic Commission. In other words, we gave up nothing of substance. We also had to refer to a number of provisions from the Agreement on the internal political process in South Vietnam, but we managed to write those in such a way that they should be of minimal propaganda value to the Vietcong, and acceptable to President Thieu. We also had to agree to repeat our private undertaking of January,³ with a new time limit, to use “maximum influence” to promote the release of South Vietnamese civilian prisoners within 45 days. This commitment will in all likelihood be as difficult to fulfill now as it was earlier.

(b) *Laos*—With respect to Laos, the draft communiqué says only that Article 20 of the Paris Agreement (which requires the withdrawal of all foreign troops) shall be scrupulously implemented. However, we have also agreed on the text of a private understanding that would: (i) reaffirm the “strong desire” of the U.S. and the DRV that the current negotiations in Laos will succeed promptly; (ii) state that the Lao parties inform us the new government will be formed by July 1 at the latest; (iii) commit the United States and the DRV to exert their best efforts in that direction; and (iv) in conformity with the February Lao-tian cease-fire agreement, require withdrawal of all foreign troops within 60 days after the new government is formed. We thus are operating again with a fixed deadline.

³ Reference is to one of the four protocols annexed to the Paris Agreements, specifically to the “Protocol concerning the return of captured military personnel and foreign civilians and captured and detained Vietnamese civilian personnel.”

With respect to Americans missing in Laos, the draft communiqué repeats a provision from the Paris Agreement in which the parties agree to help each other get information on the missing in action and the dead. That provision contains no geographical limitation, and Tho agreed that he would not contradict us if we state publicly that it obligates the DRV to assist us in these matters with the Pathet Lao. He said the DRV, in fact, would help us but that they couldn't say anything publicly about it.

(c) *Cambodia*—Tho maintained that the DRV wanted to see the war end quickly in Cambodia but that it could not do more to bring this about than it had already promised. I told him I would not be authorized to sign the communiqué unless we obtained a satisfactory understanding on Cambodia. I gave him a draft understanding that calls for a temporary cease-fire, withdrawal of foreign troops within 60 days, and best efforts by the United States and North Vietnam to promote a permanent cease-fire and an early political settlement among the Cambodians. Realistically, I do not expect to get that much. The key to success lies in pressures we can exert between now and June 6 through the Russians and Chinese. Fortunately, your forthcoming meeting with Brezhnev and the Chinese concerns about it give us some leverage. In any event, the prospect of a conclusive meeting beginning on June 6 should make it possible to defer, at least until after that meeting, any unfortunate legislation aimed at further restricting our actions in South-east Asia.

60. Backchannel Message From the Deputy Assistant Secretary of State for East Asian and Pacific Affairs (Sullivan) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, May 24, 1973, 0830Z.

455. 1. Whitehouse and I had one hour session with Thieu morning May 24. Lam and Duc were present.

2. I went over U.S. political/congressional situation in some detail and explained need for constructive GVN action to forestall

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Secret; Flash. Sent through Scowcroft.

congressional cut-off on Cambodia, which would in all probability be followed by similar congressional revolt against aid for GVN. Thieu seemed not only fully aware of problem but inclined to be sympathetic.

3. I then discussed our objectives in Paris talks as primarily directed towards (A) Article 7, (B) Article 20, and (C) cease-fire. Thieu emphatically agreed with these objectives and dilated at some length on the need to clean up Cambodia. He asked whether we had anything concrete on Cambodia. I told him we did not, but that we had made clear there would be no aid while DRV troops remained there.

4. Thieu next asked whether we had any Chinese assurances re Cambodia. I told him cursorily of Chou conversation with Bruce² and said we intended to follow it up. Thieu expressed opinion this would be key element in our effort.

5. We then turned to draft which we have been negotiating in Paris. Thieu told me he had worked earlier in morning with Khiem, Lam and Duc on two-party text which we had supplied them. They had converted all "should" articles to U.S.-DRV "appeals". They had also made a few minor changes in text.

6. At this point, I told them of our arrangement with DRV for four party document, stressing that there could be no rpt no real four party conference. I said DRV would accept idea of four party document provided GVN accepts text we have worked out with DRV without change. This produced much palaver, which resulted in consensus that four party document was preferable, provided PRG not named and provided signatures were on two separate pages. They also want to participate in at least one session before signature, so that they will appear to have participated in developing document, as well as signing it.

7. Once this premise established, I then gave them three copies of text which resulted from your final session in Paris,³ again repeating the injunction that it would have to be accepted in its totality if there is to be an agreed four party document. Thieu finessed this condition by saying that he and his collaborators would have to study our text.

8. I then reviewed with Thieu various considerations advanced in President's letter which we regarded as favorable to GVN. I listed deferral of NCRC formation, indefinite time frame for agreement on internal matters, and withdrawal of TPJMC as indications that PRG was

² Ambassador Bruce met with Zhou Enlai on May 18 and discussed, among other things, Indochina and Cambodia. See *Foreign Relations, 1969–1976*, volume XVIII, China, 1973–1976, Document 33.

³ See footnote 2, Document 56.

preparing to abandon political fight. I also thought insistence on cease-fire and agreement on delimitation of zones of control reflected intention to withdraw into defensive perimeters rather than press for military advantage.

9. Thieu agreed with general logic of these observations, but gave them a more ominous interpretation. He felt these PRG actions indicated an intention to carve out an area of control, contiguous to Communist areas in Cambodia and Laos, build them up into base areas, and prepare for a massive future assault against GVN territory. The lack of movement in the political process would then be blamed on the GVN (as it was when 1956 elections aborted) and used as an excuse to justify the attack. He therefore took no joy in the developments which we perceived.

10. Whitehouse, Bennett and I are to meet this afternoon with Lam, Duc, Thuan and a supporting cast of thousands in order to go over the text. They will doubtless demand many changes, and we will enter the familiar second Saigon phase, which at some point will probably have to be punctuated by the brutal bolt from highest authority.⁴

11. Warm regards.

⁴ Following the afternoon meeting, Sullivan reported in backchannel message 456 from Saigon, May 24: "Tedious GVN argumentation, which was led by Duc, concentrated most negatively on eight different paragraphs, with most of their proposals being trivia." Sullivan continued: "I tolerated this lengthy boredom (and an endless Vietnamese meal) because it is clear the GVN wants to give the press the impression that I am willing to spend as long with them in my negotiating sessions as I do with Thach. I regret that I have only one liver to give to my country." In backchannel message WH31445 to Saigon, May 25, Kissinger replied: "My concern in dealing with this trivia is that, as you well know, the possibility of reaching a satisfactory resolution of the Cambodia situation is substantially lessened if we spend all of our time on Vietnam nitpicks." (Both in National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973)

61. Backchannel Message From the Deputy Assistant Secretary of State for East Asian and Pacific Affairs (Sullivan) to the President's Assistant for National Security Affairs (Kissinger)¹

Vientiane, May 26, 1973, 0849Z.

794. 1. Whitehouse and I spent one hour with President Thieu this morning immediately prior to my departure for Phnom Penh.² Duc was also present.

2. I began by explaining that I had received a number of proposals from the GVN for improvements to our document. I pointed out that the document itself was the product of about 40 hours of intense negotiation with the North Vietnamese and did not pretend to be the optimum we would have produced if it had been purely a U.S. product. Therefore, while it clearly could be improved to GVN advantage, Thieu had to understand that such improvement could only be extracted from the DRV at a price, and that the price might be too costly for the effort. Therefore, rather than looking at the paper from the point of view of its perfectability, Thieu should examine whether it contained anything which would be seriously damaging to GVN interests.

3. In response, Thieu gave a general overview of the document from his perspective, stating that it was too vague, did not establish precise enough obligations (especially for the Communists), and that it omitted any reference to the requirement for elections in the political paragraphs. Stripped of all the verbiage, his remarks amounted to a request to insert a specific reference to elections in paragraph 7.

4. I told Thieu I had done this in a "fix" which I had given Lam last night. Thieu said he had seen that text, but had not had a chance to read it. (Obviously not true, since his copy was lying on the table, covered with notes.) I take this to mean that he would eventually buy the "fix", even though he would prefer a much more specific paragraph.

5. We then went through the various changes GVN had proposed and I ticked off those which were possible and those which were impossible. The only demurrer they made to this effort was a request that

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 412, Backchannel Messages, Southeast Asia, 1973. Secret; Flash. Repeated Immediate to Saigon for Ambassador Whitehouse.

² From Saigon, Sullivan traveled to Cambodia, Laos, and Thailand to discuss the communiqué and its regional implications. Summaries of those meetings are in backchannel message 793 from Vientiane, May 26 (*ibid.*), and Sullivan's memorandum to Kissinger, May 27. (*Ibid.*, Box 286, Agency Files, Department of State, January–May 1973)

we seek to add a phrase about “respect for the DMZ” in our paragraph on Article 15.

6. Once again, Thieu repeated his willingness to have a four-party document and his desire to have the GVN seen as “participating” in the development of the communiqué. He did not rpt not specifically give me his concurrence in the text as it now stands or in the “fixes” which I prepared on paragraphs 7 and 8. Instead, he fell back on statement that he wanted to study these paragraphs and would be in touch with Charlie Whitehouse. We therefore are far less precise in our current position than I had hoped we would be on my departure. However, I don’t think our positions are unbridgeable.

7. I did not, incidentally raise the question of a four party document which includes a reference to the PRG. In your last message to me, you suggested I get GVN acquiescence in such a paper. This confuses me since I had already, on the basis of previous messages, gotten their acquiescence to the preamble drafted by Aldrich which you told me Le Duc Tho has accepted. If there is to be another type preamble which mentions the PRG, it will be difficult to explain to GVN, which will probably insist on a clause disclaiming recognition.

8. It would be my recommendation that we send Le Duc Tho a message containing the changes we are prepared to endorse and see what we can sell that way. If we get something which we can report to Thieu as responsive to his requests, then we will have to resort to the Presidential letter to saw it off before we actually go back to Paris. I will develop the draft of a message from you to Le Duc Tho on the plane and give it to you when I arrive in Washington.

9. Warm regards.

62. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Washington, May 30, 1973, 2301Z.

WH31467. 1. Please deliver following letter from President Nixon to President Thieu.

Begin text

May 30, 1973

"Dear Mr. President:

"Once again I am writing you in connection with the draft communiqué which Dr. Kissinger and Le Duc Tho are negotiating in Paris. I wish to inform you of the action we have taken following the discussions which Ambassador Sullivan had with you and your representatives in Saigon last week.

"We have examined with great care the various changes which your government has proposed in the draft communiqué. On the basis of the negotiations which have brought the draft text to the form which was given to you on May 24, we know that some of your proposals would be completely rejected by the North Vietnamese, or would be accepted by them only at a price which would be higher than either you or we would be willing to pay. Others, which are of less intrinsic significance, might possibly be acceptable to them, but at the cost of long and tedious delays.

"In the light of these considerations, I have directed Dr. Kissinger to seek the agreement of Le Duc Tho to a number of the proposals you have made, either in the precise language you have suggested, or in modified versions which have been already discussed with you and Foreign Minister Lam. Ambassador Whitehouse can provide you the precise details of the proposals as we have put them forward.

"I am not at all sanguine that we can obtain North Vietnamese concurrence in these changes. If we can obtain their concurrence even in part, the text would obviously be improved from your viewpoint. On the other hand, even if we obtain none of them, I feel very strongly that the text is, on balance, a document which is helpful to your government and is useful to both of us. If it were a unilateral document, without North Vietnamese input, we would, of course, prefer to see it

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April 1973–July 18, 1973. Secret; Sensitive; Exclusively Eyes Only; Immediate.

more positive and to have it contain more precise obligations for implementation of the Agreement.

“However, given the circumstances of its negotiation, I believe it is the best we can obtain and that it contains nothing which could remotely occasion adverse effects for your government. It will be enormously helpful to me to have the communiqué issued with the signature of your representative alongside that of Dr. Kissinger. We need an action of this kind if I am to be able to obtain from the Congress the sort of legislative cooperation which will be required to carry out the programs for peace and stability which you and I discussed in San Clemente.

“Consequently, I seek your assurance that you will accept the text of the communiqué as it emerges from our negotiations with the North Vietnamese and that you will designate a representative to meet with the other three parties in Paris June 7 in order to sign the document on June 8.

Sincerely, Richard Nixon”²

End text

2. President much appreciates great job you are doing.

Warm regards.

² After a June 1 meeting with Lam, during which the Foreign Minister adopted a conciliatory posture, Whitehouse relayed to Kissinger in backchannel message 470 from Saigon, June 1: “The President’s letter has clearly been of overriding importance in bringing about this more reasonable approach on the part of the GVN.” (Ibid.)

63. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, June 2, 1973, 0145Z.

471. 1. The following is the text of a letter to President Nixon from President Thieu which I was given by Foreign Minister Lam a few minutes ago.

Begin text.

Dear Mr. President,

Thank you very much for your letter of May 30,² and the information you kindly gave me on the draft joint communiqué which Dr. Kissinger and Le Duc Tho are negotiating in Paris.

On the basis of your assurance that you would not accept anything in the communiqué which could remotely occasion adverse effects for our government, I would like to explain to you more fully our concern on two major questions in the draft communiqué:

1) According to the letter and spirit of the articles in the Paris Agreement on the exercise of the South Vietnamese people's right to self-determination (Chapter IV), we consider that the general elections are the main and ultimate purpose of the political process. The establishment of the NCNR and the question of democratic liberties are to be viewed as subsidiary to the elections, and cannot be taken separately from the elections, or over-emphasized out of context of the Paris Agreement.

2) The Communists pretend that there are "two governments, two territories" in SVN. They are [garble—proposing] now to secure the appearance that they are "administering" a territory under their concept of "areas of control", by proposing contrary to the provisions of the cease-fire protocol, that the TPJMC are to be located on the boundary lines of the "two zones", in order to consecrate their idea of two territories under two governments in SVN.

This is a Communist stratagem which I believe that we should avoid.

For the same reason, we would like to leave out the specific mention of "Loc-Ninh and Saigon" in relation to regular liaison flights, to oppose Communist pretensions that they have an official capital in SVN, parallel to Saigon.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Secret; Flash.

² See Document 62.

Foreign Minister Tran Van Lam will communicate to the United States Embassy our concrete proposals along those lines, on the above mentioned points which we consider of fundamental importance to the RVN.

I earnestly hope for your understanding, help, and support on these matters which, under somewhat benign appearance, could vitally affect the future of SVN.

Sincerely, Nguyen Van Thieu.

End text.

2. Warm regards.

64. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Washington, June 5, 1973, 0148Z.

WH31530. 1. Please deliver the letter from President Nixon to President Thieu which is attached at Tab A.

2. The revised agreed text referred to in the letter is at Tab B. You should provide this text of communiqué to the GVN.

Warm regards.

Tab A

"Dear Mr. President,

"Thank you very much for your letter of June 2² in which you express the concern of your government about two elements of the draft communiqué which Dr. Kissinger and Le Duc Tho are negotiating in Paris. The first has to do with your desire to have a specific reference to the electoral process in the communiqué. The second has to do with the Communist effort to give geographical substance to their political pretensions by describing their 'territory' and locating their 'capital.'

"In the light of your letter and also of the comments expressed to Ambassador Whitehouse by Foreign Minister Lam, I have instructed our negotiators to seek changes in the draft text of the communiqué.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Exclusively Eyes Only.

² See Document 63.

The results of their efforts have been sent to Ambassador Whitehouse, who can provide you with the revised agreed text. I think you will see from that text that your essential requirements have been met and that the price which has been paid for them, in the form of Communist amendments to the text, is acceptable.

“With particular respect to your two elements of concern, you will note that we have included a sentence on elections, and we have made the territorial question much vaguer than in the previous draft. The mention of Loc Ninh was not eliminated, because your own representatives to the Two Party Joint Military Commission included it in the text of their press announcement on May 16.³ However, its mention has been subordinated in the text to the issue of the Two Party Joint Military Commission, and it has been separated from the mention of Hanoi in order to avoid any suggestion of parallelism as a capital city.

“In view of these changes, I would appreciate receiving your assurance that a representative of your government will join Dr. Kissinger on June 7 and 8 in Paris to sign the joint communiqué in the format which has been agreed between our two governments.”⁴

Sincerely,”

[Omitted here is Tab B, Text of the Draft Communiqué.]

³ The press announcement was transmitted in telegram 8692 from Saigon, May 17. (National Archives, RG 59, Central Foreign Policy Files)

⁴ On June 6 Thieu responded to Nixon: “After having examined this draft very carefully, I must say that the points I raised in my last letter have not been adequately taken into consideration, while the other points have been changed or added which make the latest draft even more detrimental to us than the drafts of May 24 and May 25 as proposed by Ambassador Sullivan while he was in Saigon.” (Backchannel message 485 from Saigon, June 6; *ibid.*, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973)

65. **Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)**¹

Paris, June 6, 1973, 2107Z.

WH31580. 1. We have reached an extremely critical impasse in our efforts to produce a satisfactory result from our current negotiations here in Paris.²

2. For your information only, we have been unable to achieve a satisfactory breakthrough on Cambodia, and for that reason I have slipped the entire schedule of our work on the communiqué by 24 hours. It was only after I did this that we received the unbelievable letter from President Thieu suggesting that he would refuse to authorize his representative to sign the communiqué.³ It was therefore fortuitous that we postponed, but I do not wish the GVN to think our delay is due to anything other than their own intransigence.

3. We are sending you a stiff Presidential letter,⁴ and GVN Ambassador Phuong is being called in to the White House. It is inconceivable that your clients wish to commit suicide in such a stupid way.

4. We must repeat must have a favorable answer from Thieu June 7 at 0800 Paris time. I have no choice, given the current situation, but to initial the communiqué later that same morning. If I initial, and Thieu reneges, he is finished. He must understand that the Congress would kill him off with dispatch and delight, because they would at long last have found a palpable issue. We would have to make public the fact that Thieu scuttled the communiqué.

5. You must therefore extract an affirmative response from Thieu in the morning as a matter of utter necessity. This response must, as an imperative, cover the willingness of the GVN representative to sign the communiqué on the morning of June 9. It should also make clear to us whether the GVN wishes to have a four-party meeting on June 8 prior to the issuance of the communiqué as they previously requested.

6. The fact is that we have no chips to play on Cambodia and will therefore have to accept the best deal we can get. We will not, incidentally, provide the GVN with any documents on this subject.

7. Warm regards.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Secret; Flash. Sent through the White House.

² Kissinger returned to Paris the evening of June 5.

³ See footnote 4, Document 64.

⁴ See Document 66.

66. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Paris, June 6, 1973, 2130Z.

WH31581. It is imperative that you deliver the following letter from the President to President Thieu immediately. By way of emphasis Generals Haig and Scowcroft will meet with the South Vietnamese Ambassador in Washington this afternoon and this will be followed by a brief meeting with the President. The original of the letter will be given to the Ambassador.

Begin text

June 6, 1973

Dear Mr. President:

I was astounded to receive your letter of June 6² which seems to suggest that you will refuse to instruct your representative in Paris to sign the joint communiqué which Dr. Kissinger has negotiated with Le Duc Tho. As I made clear to you in my letter of June 5,³ the text of the communiqué is final and is not subject to further detailed revision.

It is therefore absolutely unrealistic to suggest, as you do in your letter, that a great number of paragraphs in the text be reopened and that further efforts be made to change the language. I would like to remind you that every change you have previously requested has been included in one form or another. Moreover, the suggestions which you have made do not reflect certain fundamental facts which have been explained to members of your staff.

For example, you complain that the question of democratic liberties, which arises from Article 11 of the Agreement, appears in the communiqué prior to the paragraph on the political process, which arises from Article 12 of the agreement. It is impossible for me to comprehend the basis for this complaint, when it is clearly stipulated in the preamble of the communiqué that the subject matter it contains appears in the sequence of the relevant articles of the Agreement. And in the Agreement which you signed Article 11 precedes the discussions of the political process in Article 12.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Exclusively Eyes Only. Sent through the White House with the instruction: "Deliver immediately."

² See footnote 4, Document 64.

³ See Document 64.

Moreover, the language which the communiqué employs is drawn from the language which your own representatives insisted should be inserted into the Agreement last winter. It is, therefore, doubly difficult for me to comprehend your current objections to it.

There are many other points of this nature. The last sentence of paragraph 8(c) to which you object is drawn from Article 7(b) of the ceasefire protocol which the GVN has signed.

Similarly, your expressed preference for Le Duc Tho's wording on the prohibition of introduction of military personnel and war material into South Vietnam ignores the fact that this wording makes no provision for the legitimate replacement of war material in accordance with Article 7 of the Agreement. Had we accepted it you would have been cut off from any U.S. military assistance.

I feel I must tell you, Mr. President, that we are now at a point where the text must be viewed as final. The decision you must make is to instruct your representatives in Paris to join with Dr. Kissinger in signing the communiqué as it currently exists, despite the minor misgivings which you express, or else to refuse to sign, to scuttle the Agreement, and to face the inevitably disastrous consequences. In the latter case I will have no choice but to make a public explanation of the reason for the failure of the talks with obvious consequences for congressional support. Phrased in these stark terms, which are my honest appraisal of the situation, the choice seems obvious to me. We have been through too much together to have our whole common enterprise collapse in this way on these points. I count on your broad understanding of your own interests and of ours to give me your urgent positive answer no later than noon Saigon time on June 7.

Sincerely,

His Excellency Nguyen Van Thieu

President of the Republic of Vietnam

Saigon

End text

Warm regards.

67. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger) in Paris¹

Saigon, June 7, 1973, 0720Z.

490. 1. The following is the letter from President Thieu to President Nixon. We received it in draft from Lam who said the signed original would follow.

Begin text.

June 7, 1973

Nguyen Van Thieu, President of the Republic of Viet-Nam

Dear Mr. President,

I have just received your letter today,² and must confess my surprise that you were astounded that I have conveyed to you the views of our government on the draft joint communiqué you sent to us for consultations, instead of simply sending a representative to Paris to sign it under its present form.

Much to my regret, I cannot concur with you when you mentioned that "every change" I have previously requested "has been included in the draft in one form or another". As an example, one of the two major points I brought up in my letter of June 2³ has not been dealt with at all: on our opposition to the Communist claims of two territories in South Viet-Nam, the communiqué still maintains, under exactly the same wording, the Communist proposal to establish a new rule, not provided under the Paris Agreement and its protocols, to have the TPJMC teams located "where an area controlled by one of them adjoins an area controlled by the other" in Article 12b of the draft communiqué.

As for the other important point I brought up in my letter of June 2, regarding the elections in South Viet-Nam, I must point out that this question is specifically mentioned in Article 9 of the Paris Agreement. Therefore, if the sequence of the articles in the Paris Agreement should be the criterion in the listing of questions in the communiqué; free and democratic elections under Article 9 should be mentioned before the question of democratic liberties provided under Article 11 of the Paris Agreement.

Besides, when mention is made of the NCNR under Article 12 of the Paris Agreement, I feel that the role of the NCNR to "organize the

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Exclusively Eyes Only; Flash. Sent through the White House.

² See Document 66.

³ See Document 63.

free and democratic elections provided for in Article 9b" should be also recalled, if indeed the purpose of the communiqué is to promote the faithful implementation of the Paris Agreement.

On the other points raised in your letter, I regret to say that many of them are not accurate. You mentioned: "the last sentence of paragraph 8c to which you object is drawn from Article 7b of the cease-fire protocol which the GVN has signed."

In fact, the last sentence of Article 8c of the draft communiqué we seek to delete reads "in the territory controlled by that party," while Article 7b of the cease-fire protocol reads: "South Vietnamese party which is in control of that point." There is a great difference between "territory" and "point", and we would like to adhere to the language of the cease-fire protocol.

As for Le Duc Tho's wording on the prohibition of introduction of military personnel and war material into SVN, his draft article is not completely to our liking as a whole. However it does make a reference to the legitimate replacements under Article 7 of the Paris Agreement, in point c, of paragraph 4 in Le Duc Tho's draft, under this form: "24 hours after the entry into force of strict cease-fire, the TPJMC will immediately discuss the modalities for the replacements of armaments and for their inspection."

These facts relating to the points raised in your letter indicate that there is some undue haste relating to the negotiations in Paris.

From our standpoint, these negotiations deal with the future of our country. They are vital for us. I earnestly hope therefore that you would understand that we must express our views on these questions, and that these views deserve to be taken into consideration in the shaping of the communiqué, even though this would involve some additional time for reflection and additional efforts by your negotiators.

At this stage, I suggest that one of the following procedures can be adopted:

- 1.—Ideally, if our views are taken into consideration, the GVN will be very happy to sign the communiqué, and give whole-hearted adhesion to its clauses.

- 2.—If our views are discarded, and you insist on the 4 party signatures, I think that, in this case, the clauses on which no consensus can be reached, should be left out of the communiqué.

- 3.—If you consider that the present draft should be maintained in its entirety, without any modifications, the most appropriate procedure, in my view, would then be the return to the formula of 2 party signatures between the USG and DRV, as proposed to us by your representatives last month, with the clause of "appeal" to the South Vietnamese parties.

As I said to you on previous occasions, I take very much to heart, Mr. President, my close cooperation with you and remain deeply

grateful to you for what you have done for the cause of freedom in Viet-Nam. I am strongly convinced, however, that the views I present on the questions being negotiated are reasonable, and that many people would understand them.

Sincerely,

End text.

2. Warm regards.

68. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger) in Paris¹

Saigon, June 7, 1973, 1220Z.

493. Ref: Saigon 0492.²

1. I met with Thieu for over two hours. Duc and Nha were present. The tone of the meeting was one more of sorrow than of anger although Thieu seemed very determined to stick to his guns regardless of the consequences.

2. As I had earlier with Lam, I discussed the situation under four basic headings. First, the fundamental problem facing South Viet-Nam created by the PRG's apparent intention to establish another state in the south and the obvious unwillingness of the Communists to participate in elections which they were sure to lose. Second, the problems the GVN had with the communiqué which I tried to dissociate from the foregoing fundamentals, pointing out that the objections in President Thieu's latest letter³ would not have bearing on future Communist policies or the manner in which the GVN went about resolving its differences with the PRG. Third, I explained once again the political problem in the U.S., stressing the urgency of our obtaining the GVN's concurrence with the communiqué and the critical effect this could have on our future ability to assist them. Finally I noted the stated in-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Exclusively Eyes Only; Flash. Sent through the White House.

² The Ambassador relayed his plan to meet Thieu in backchannel message 492 from Saigon, June 7. (Ibid.)

³ See Document 67.

tent of COSVN to comply with the new ceasefire notwithstanding the localized military conflicts which were likely in the next few days.

3. President Thieu talked at great length about the risks he had been willing to assume in January with the continued NVA presence. He reviewed developments in South Viet-Nam since that time stressing Communist infiltration and continuing cease-fire violations. He took the line that the communiqué is highly advantageous to the Communists and does not give the GVN the assurances it requires on the cessation of infiltration or on the early implementation of the political provisions. All of the things demanded of the U.S. and the GVN are precise and those demanded of the Communists are fuzzy. He protested against the rapidity with which his government was required to make decisions and objected to the tight deadlines which were imposed on him. He discussed at great length his fear that the Communists would establish a second South Viet-Nam while rejecting elections and would subsequently demand a coalition government or a "super government" to reunify the country. He kept reiterating that the text of the communiqué was unbalanced and unjust.

4. In the discussion which followed, I defended the communiqué virtually paragraph by paragraph and also commented on the details raised in his letter to President Nixon. This discussion boiled down to his belief that the Vietnamese see things in this language differently than we do, being closer to the problem and vitally affected by it. President Thieu made clear at the end that no decision would be made until he had received a reply to the suggestions he has made.

5. After leaving the President's office, I was intercepted by Bennett with your 31598.⁴ Together we passed this information to Duc who undertook to see the President immediately. I made it crystal clear that if no reply was forthcoming by 2100 local time, you would break off the talks and place the blame on Saigon.

6. At this stage and following the long conversation with the President and subsequently with Duc, I cannot forecast what action the GVN will take, but I am convinced that Thieu and his advisers are vividly aware of the consequences of their coming actions.

7. Warm regards.

⁴ In backchannel message WH31598 to Saigon, June 7, Kissinger wrote Whitehouse: "Our meeting with DRV has been postponed until 1500 Paris time, at which point we must either initial the document in order to have a four-party signing ceremony, or else break off the talks, return to Washington and announce that Saigon scuttled an accord which we considered satisfactory." (National Archives, Nixon Presidential Files, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973)

69. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Paris, June 7, 1973, 1423Z.

WH31608. 1. Situation Room: Please repeat this entire message by Flash precedence to Charles Whitehouse in Saigon for immediate delivery so that he understands the full scope of the tactic in which we are engaged.

2. We want him to deliver the text of the enclosed letter to Thieu tonight in Saigon. It is a letter which is based on the first wireless file reporting of the Saigon spokesman, Mr. Truc, which indicated flatly that there would be no signature. We realize that subsequent wire reports modify this statement somewhat, but we have deliberately chosen to act on the worst possible version for shock effect.

3. Our moves in Paris will take into account three possible outcomes:

(A) No communiqué at all,

(B) A two-party communiqué omitting "with the concurrence of", and accompanied by a public appeal. This text would make all actions mandatory by repeated use of the word "shall".

(C) A four-party communiqué in its current form.

4. Charlie should explain that there is no longer a question of textual changes or other modifications of the document. It is now merely a question of the course of action Thieu will take and on which he must decide Friday² at the latest.

5. Following is text of Presidential letter, which should also be delivered in Washington to GVN Ambassador using same procedure as yesterday.

Begin text:

Dear Mr. President,

Before I actually received your letter of June 7,³ before I could even consider a response to the points you raised in it, and while my negotiators in Paris were preparing for a session with the North Vietnamese, I was dismayed to learn that your government had announced in Saigon that you would refuse to be a signatory to the document under discussion between Dr. Kissinger and Le Duc Tho.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Exclusively Eyes Only; Flash. Sent through the White House with the instruction: "Deliver immediately."

² June 8.

³ See Document 67.

On reading your letter, I was further troubled that you should accuse me of “undue haste” in these negotiations. The facts are that we consulted with you in April concerning our intentions, we briefed your representatives daily in Paris during our talks in May, we sent Ambassador Sullivan to Saigon to consult with you while the talks were in suspense, and we have been in almost daily correspondence with you since their resumption. All your views were taken into account and we have achieved the best consideration of them which was possible in a document which any objective observer will readily recognize as being favorable to your interests.

However, by your action, you have left me no choice as to the manner in which we must now proceed. I have instructed Dr. Kissinger to propose to Le Duc Tho that the two of them should sign the text of the communiqué as it now stands and that we and the North Vietnamese should issue a public appeal to the two South Vietnamese parties to carry out its terms. If Le Duc Tho refuses to do this, we will of course end our Paris talks in failure. If we fail, we will be forced to make a public explanation of our failure, which will involve the issuance of the aborted document, the record of our negotiations, and the record of our consultations with you.

If Le Duc Tho agrees to our proposal (and I assume he will) this will mean that the entire world will look immediately to you to issue the cease-fire order and to take the other measures stipulated in the communiqué. It will mean that all your actions will be scrutinized, not as voluntary steps being taken because you wish peace, but rather as concessions which you appear to be making with reluctance. It is a totally unfavorable posture you have chosen for yourself and your government.

I regret also to inform you that your action has thwarted any realistic prospect we might have had for an agreement on Cambodia. The position you have chosen for yourself deprives the North Vietnamese of any possible motive to achieve an understanding with us on this key issue.

It is impossible for me to calculate the consequences which your action will have on public and congressional opinion in the United States. These consequences will certainly be negative for you and it is quite likely that they will be disastrous. That fact is a cause of most serious regret to me and it saddens me to contemplate that the enterprise in which we have shared so much should seem doomed to collapse in this manner.

Because of these considerations, I have instructed Dr. Kissinger to delay the signing ceremony in Paris until Saturday in order that you may have time to reexamine your position. He will continue to hold open to Le Duc Tho the possibility of a four-party signature at that

time. However, if your position remains unchanged at that time, he will proceed in accordance with the instructions I have described in the preceding paragraphs.

Please let me have your answer to this letter by 0800 Paris time June 8, so that we can act in accordance with your decision.

Sincerely, Richard Nixon.

End text

6. Warm regards.

70. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger) in Paris¹

Saigon, June 8, 1973, 0700Z.

497. The following is the text of letter from President Thieu to President Nixon which we have just received.

Begin text.

Saigon, June 8, 1973

Nguyen Van Thieu, President of the Republic of Viet-Nam

Dear Mr. President,

Thank you very much for your letter I received early in the morning today.²

First, I would like to assure you that the GVN has not made any announcement on the negotiations being conducted in Paris. Some newsmen however have extrapolated a general explanation made at a routine press briefing that the GVN would strictly abide by the Paris Agreement.

In these negotiations, you stated that all the views of the GVN were taken into account and that the draft communiqué, under its present form, is favorable to the RVN interests. I regret that I cannot concur on this, and I have explained our views to you in some details in my recent letters.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Exclusively Eyes Only; Flash. Sent through the White House.

² See Document 69.

You informed me that you have instructed Dr. Kissinger to propose to Le Duc Tho that the two of them would sign the text of the communiqué as it stands, and that they would jointly issue a public appeal to the two South Vietnamese parties to carry out its terms. You drew my attention to the inconveniences of this procedure which would make the GVN actions in accordance with the communiqué as concessions made with reluctance rather than voluntary steps for peace.

I am aware of these inconveniences, and consider this formula as far from being an ideal one. As I pointed out in my letter yesterday,³ I would have liked much better to have the necessary modifications to the present draft so that the GVN could join in the signing of the communiqué. Without the modifications we deem indispensable, I consider it absolutely impossible for the GVN to sign the communiqué as imposed on us by the DRV.

In the “appeal” formula, however, we can in my view avoid the inconveniences you mentioned by a declaration of adhesion of the GVN to the communiqué, with some reservations on the points I brought up with you.

As I said in my letter yesterday to you, I am strongly convinced that the views of the GVN on the questions being negotiated are very reasonable, and that many people would understand them.

We have displayed much restraint on this question—as your government has been doing—and we shall continue to do so. However, if Hanoi chooses to make a public explanation of the records of these negotiations, we shall welcome this opportunity to show the absurd attitude of North Viet-Nam which systematically violates the Paris Agreement and wants to impose on us unjust clauses in the communiqué. Any objective observer will then see that practically all the clauses of the draft communiqué are in favor of North Viet-Nam, which assumes no clear obligation under it. Besides, the large infiltration into South Viet-Nam of North Vietnamese troops and war material in violation of the Paris Agreement has not been even dealt with.

There are fundamental issues in the draft communiqué, in particular with regard to the Communist attempt to separate the elections from other items in the political process, and to establish the principle of two territories in South Viet-Nam contrary to the Paris Agreement and its protocols.

In requesting modifications to their draft, we are trying to preserve the long term chances of survival for a free South Viet-Nam, a purpose for which our two countries have fought together and have made so

³ See Document 67.

many sacrifices to defend. Therefore I fervently hope for your understanding in the present conjuncture.⁴

Sincerely, Nguyen-Van-Thieu

End text

Warm regards.

⁴ In backchannel message WH31636 to Saigon, June 8, Kissinger responded: "Thieu's latest letter makes it clear there can be no four-party signature on the communiqué." Kissinger continued: "We therefore intend to agree with Le Duc Tho this afternoon on the two-party text as it now stands, and I will initial it." In backchannel message WH31640 to Saigon, June 8, Kissinger sent Whitehouse another Presidential letter for Thieu that concluded: "The four-party signature of the communiqué is the only acceptable course to us. I asked you to consider, in formulating your answer to this letter, whether you really feel that a rejection of that course for the reasons you have advanced is worth giving total satisfaction to all those who have opposed everything we worked together to achieve in our common endeavors, and for which so many thousands of our countrymen have already given their lives." (Both in the National Archives, Nixon Presidential Files, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973) Nixon informed Thieu on June 9 that the North Vietnamese had rejected the proposal; see footnote 2, Document 75.

71. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Paris, June 8, 1973, 2120Z.

WH31649. Please pass following message to Charlie Whitehouse in Saigon as an oral rpt oral communication from the President for immediate transmittal to President Thieu:

Dear Mr. President:

I wish you to know that I appreciate the fact that the choice which has been placed before you as a result of developments in our negotiations with the North Vietnamese entails a difficult decision for you. I understand you will be meeting with your advisers on the morning of June 9 to face this decision. As you enter that meeting, there are several considerations I feel I should bring to your attention.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Secret; Sensitive; Exclusively Eyes Only; Flash. Sent through the White House with the instruction: "Deliver immediately."

The first consideration concerns all those various matters which I have raised with you in our earlier communications as they affect public and congressional opinion in the United States. I repeat, once again, that no matter how strongly you or your advisers may feel about some of the matters which trouble you, they can not compare in magnitude with the problems which will beset you by your refusal to sign the communiqué. The mood in our country is such that I can predict that the consequences of that refusal will be disastrous.

The second consideration, which I want to convey to you in total confidence, is that we have an arrangement concerning Laos which will involve the withdrawal of North Vietnamese forces from that country over a period of sixty days beginning July 1. We feel this is of paramount importance to you and should not be lightly dismissed as one of the elements which will be lost if this communiqué is not signed.

Finally, I want to inform you that we are engaged in a complex three cornered negotiation on Cambodia. We have made some progress in this effort and we hope to be able to exploit it further in order to forestall some of the shortsighted steps which our Congress is prepared to take with respect to that country. We will need some time for that purpose and this communiqué will buy it for us.

Mr. President, these are the thoughts which I wish to impart to you on this fateful morning in our relations. I hope they will prove of value to you in your deliberations.

Sincerely,
Richard Nixon

72. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger) in Paris¹

Saigon, June 9, 1973, 0630Z.

500. 1. The following is the text of a letter from President Thieu to President Nixon replying to President Nixon's two latest messages.²

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Exclusively Eyes Only; Flash. Sent through the White House.

² See Document 69 and footnote 4, Document 70.

2. *Begin text.*

Dear Mr. President,

I have received your two letters which reached me last night and early this morning and heard reports from Foreign Minister Tran-Van-Lam on further explanations by Ambassador Whitehouse.³

The draft communiqué under its present form is very much to our disadvantage. It is very unbalanced and unjust.

Nevertheless I think that it is possible for us to avoid the narrow choice between only two different forms of disaster whether or not we sign the present draft joint communiqué.

With this in mind, I am willing to nominate a representative to sign the communiqué if the Articles 10, 11 and 12 of the June 5 English draft⁴ are left out.

In case the Communist side insists in incorporating in the communiqué clauses on the political solution in place of Articles 10 and 11, I shall accept to have the full quotation in the communiqué of all the Chapter IV of the Paris Agreement on the exercise of the South Vietnamese people's right to self determination.

Furthermore, I am willing to accept a clause indicating that free and democratic general elections in South Viet-Nam should be held in no later than 6 months following the cease-fire referred to in Article 3 of the communiqué.

As for Article 12, we feel that, if it cannot be modified, it should be left out because it establishes a principle contrary to the Paris Agreement.

I think that, in this way, there can be a communiqué and at the same time you can avoid for us the disastrous consequences of the disruptions of our society, and of two territories under two governments in South Viet-Nam.

I value very highly your friendship and understanding, and consider that if any confrontation should occur, it will be only between Hanoi and us.

Sincerely,

End text.

3. Warm regards.

³ See Document 71.

⁴ Attached to Nixon's June 5 letter to Thieu; see Document 64.

73. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger) in Paris¹

Saigon, June 10, 1973, 0945Z.

505. 1. In what follows I have set down my appraisal of the situation here as Thieu approaches a final decision on whether or not to sign the draft communiqué.²

2. The question of adherence to the draft communiqué is viewed by most of the principal actors in the GVN in a highly emotional light. These men are deeply disappointed by the Communists' non-compliance with the Paris Agreement and extremely upset by the emergence of a "three Vietnams" situation. To them this is a major retreat from the Geneva Accords of 1954 and a giant step forward for the North Vietnamese in their efforts to subdue South Vietnam. Illogically, they do not see it as the inevitable result of their military failure to eject the NVA from the south but blame it instead on the Paris Agreement itself.

3. I think GVN disappointment in the Paris Agreement is understandable for many reasons. The GVN believed when they signed that the Agreement would lead to a freezing of the military situation—and eventually to the attrition of NVA forces remaining in South Vietnam—and that this would set the stage for a political solution in South Vietnam. They were told that North Vietnamese infiltration through Laos and Cambodia would stop. They were also told that, if there was massive violation of the Paris Agreement, we would mete out dire punishment to the North Vietnamese.

4. None of these things has happened in the more than four months since January 27. Instead, the Communists have strengthened their forces by infiltration and have stockpiled large quantities of weapons in the south in obvious preparation for a future offensive. They have emplaced large numbers of anti-aircraft weapons in areas of SVN they control, have repaired and extended airfields, and have built a network of roads in remote areas. In this way North Vietnamese power is entrenching itself permanently in large areas of SVN and the GVN is powerless to do anything about it.

5. Similarly, the articles of the Paris Agreement dealing with Laos and Cambodia have been systematically violated with the result that

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Immediate. Sent through the White House.

² Kissinger requested Whitehouse's personal assessment in backchannel message WH31677, June 10. (Ibid.)

the threat to the GVN's western frontier appears greater than ever before and the Ho Chi Minh Trail, now largely free from air attack, can be used freely by North Vietnamese trucks and armor. Moreover, the long-term implications of the strengthened Communist position in Laos and Cambodia are not lost on Saigon's leaders. In fact, Lam told us this morning that the only way to respond to this was to "hit them hard."

6. In the face of these major and blatant violations of the Paris Agreement, the U.S. response has seemed very mild and quite ineffective in persuading Hanoi to live up to its commitments under the Paris Agreement. Thieu and his advisers of course understand the problems that President Nixon faces domestically in responding strongly to Hanoi's subversion of the Paris Agreement, but they cannot escape feeling that the peace we sold them with so much vigor last autumn has left them with less than they had before and the North Vietnamese with more. These reflections cause them to look on the draft communiqué with suspicion and doubt.

7. Several times in my conversations with Vietnamese during the past two weeks I have been told that the draft communiqué should provide for the North Vietnamese to remove from the south the troops and weapons they have brought in since January 27. Not to do so, they say, puts the stamp of approval on past violations of the Agreement and constitutes an invitation to Hanoi to continue its infiltration tactics. Such arguments ignore the realities of power in the present situation, but they clearly show the deep sense of hurt felt by many here at the way the ceasefire has worked out.

8. As they contemplate the decision before them, South Vietnamese leaders are not reassured by the intelligence indications. They have numerous reports showing that Hanoi is planning another "land-grab" offensive timed to coincide with signing of the communiqué. There are also reports detailing Communist plans to build up a strong "third Vietnam" in the south. Their fears are further stirred by Communist propaganda surrounding PRG "National Day" a few days ago and the ceremonial presentation of credentials by "Ambassadors" from some eight countries in Dong Ha in South Vietnam's Quang Tri Province.

9. The question of general elections has become an emotional one here because they see a political settlement with the PRG as the only way of averting the rise of a third Vietnam. The PRG representatives at La Celle St. Cloud have been engaged in an obvious filibuster designed to delay elections indefinitely, and the GVN has drawn the conclusion, with reason, that the Communists intend not to honor the basic political provisions of the Paris Agreement. Here too they feel put upon: while the terms of the Agreement providing a political solution

are ignored, the Communists continue to beat their drums about alleged GVN violations of the articles concerning political prisoners and democratic liberties.

10. An even more basic factor in the GVN's current mood is its judgement of developments in Washington. I think Thieu came back from his trip to the United States buoyed up by his meetings with the President and by his own success in presenting the GVN cause to members of the formidable American Congress and the critical American press. On his return he began at once to draw up a grand design of economic development based on the hope, strengthened during his trip, that adequate American economic aid would be forthcoming. It has then been a serious blow to these plans to learn of the disarray in Washington created by the explosion of the Watergate affair. Thieu is not an experienced observer of the domestic American political scene, and I fear that from what he has read in our press and heard from his advisers may have led him to take a too tragic view of the effect that Watergate has had on President Nixon's ability to maintain his policies on Indochina. He and his advisers may wonder whether the proposed communiqué will be enough to retrieve the present critical situation in our Congress.

11. There is also a tendency in Saigon to place an almost superstitious trust in the luck of the Vietnamese and of President Nixon. South Vietnam has been saved so many times by United States action, even when things appeared hopeless, that Vietnamese are tempted to feel that, whatever they do, some miracle will save them. When describing to Lam and others the parlous state of congressional support for the administration's Indochina policy, I have often felt that my listener discounts my words and takes mental comfort in the thought that President Nixon will win through again, as he has so often before. In short, I doubt that GVN leaders are wholly convinced of the gravity of the present situation in the Congress.

12. The leadership here is also suspicious of your negotiations with Le Duc Tho. They resent drafts which are in concrete, short deadlines, the muscle applied through Presidential letters and the apparent warmth of your relations with the other side. They believe you put more negotiating heat on Saigon than you do on Hanoi and are prone to accept Le Duc Tho's intransigence while castigating theirs.

13. A helpful factor in the present situation, and one that may finally determine the GVN's decision, is a new cockiness among the military. Having stopped the 1972 onslaught and turned back the various Communist attempts to expand their holdings under cover of the cease-fire, these men are not inclined to view the future in tragic terms. They are, of course, alive to the threat posed by Hanoi's military preparations, but they never believed that Hanoi would live up to its Paris

commitments anyway. In their eyes, South Vietnam's only insurance is its military strength, and they are confident that this will remain adequate as long as US support continues. They know that South Vietnam could not survive long were this cut off and they have no patience for men like Duc and Nha who see as much danger in signing a communiqué with a word out of place as in the possibility of losing US aid as a result of refusing to sign.

14. It is probably foolhardy to try to predict how Thieu will in the end decide. As a soldier he has a soldier's practical instincts and I believe that these will overcome the suspicions and doubt which I have tried to describe in this message and which have been so vivid in recent days.

15. Warm regards.

74. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Washington, June 10, 1973, 1626Z.

WH31685. I have read your assessment² and discussed it with the President.³ We would like you to call on Lam at his earliest convenience (but, in any event, before the NSC meeting) to make the following points as coming from the President (you should not repeat not leave any paper with Lam):

1. We understand GVN dissatisfaction with many of the events that have taken place in SVN since the ceasefire went into effect. Regretfully, circumstances beyond our immediate control have limited our freedom of action to respond to those events.

2. Should the GVN refuse to sign the communiqué as it now stands, we foresee the following consequences:

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Exclusively Eyes Only; Flash. Sent with the instruction: "Deliver immediately." Kissinger returned to Washington late in the evening of June 9.

² Document 73.

³ Kissinger spoke to the President, who was in Key Biscayne, on the telephone from 10:14 to 10:36 a.m. (National Archives, Nixon Presidential Materials, White House Central Files, President's Daily Diary)

—The USG will not be in a position to give meaningful diplomatic support to the maintenance of the ceasefire agreed last January.

—The USG will be forced to explain publicly its view of the position taken by the GVN. Since we believe that position to be unreasonable, we will have to say so, and to detail our reasons for that view.

—The USG will have to cease its efforts to draw other countries into efforts to enforce the ceasefire.

—Our Congress will be virtually unmanageable on issues relating to Vietnam, both with respect to aid to the GVN and U.S. military operations in Indo-China. There is now before the Congress a series of votes pending on legislation that would make it impossible to conduct any U.S. military operations in Indo-China. If Saigon refuses to accept the communiqué, these votes will certainly go against us. In contrast, if Saigon accepts the communiqué, we can almost certainly defeat the worst of the pending legislation.

3. On the other hand, should the GVN see its way clear to agree to sign the communiqué in its present form, we see the following results:

—No damage to the GVN deriving from the communiqué, and no imposition of inhibitions not already present in the January 27 Agreement.

—The USG will be able to remain diplomatically engaged in efforts to develop international support for observance of the ceasefire. We will do our utmost in this regard.

—The legal basis for maintaining pressure on Hanoi to observe the articles of the January 27 Agreement will be substantially strengthened.

4. In short, we would see failure to sign the communiqué as a catastrophe—a catastrophe for which we will assume no responsibility.

FYI only: While I personally agree with many of the criticisms levied against Hanoi's failure to carry out the January Agreement, I cannot go into an explanation by cable. *End FYI.*

Warm regards.

75. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, June 11, 1973, 0905Z.

507. 1. Latest Thieu letter was delivered at 1659 local time.

2. *Begin text.*

June 11, 1973

Dear Mr. President,

I have received your letter of June 10,² and thank you for the further efforts you instructed your negotiators to make in Paris.

Last month, when the GVN requested the 4 party signature procedure, it was with the clear understanding that the contents of the communiqué should be agreeable to us (reference: GVN memorandum of May 29).

The communiqué establishes clauses for the GVN to carry out. Therefore it is difficult for us to accept a text which had been previously "agreed" without our consent, and that the choice before us is only to go along with it as such, without modifications, or to bear the responsibility for the failure of the talks.

This draft communiqué, in my opinion, should be viewed in the context of the negotiations between our side and the Communist side since last year. The GVN signed the Paris Agreement last January even though it was to our disadvantage. It was to our disadvantage because, in comparison with the 1954 Geneva Agreement, it established unilateral obligations for the RVN in the rapport between NVN and SVN.

The military as well as the political clauses on SVN have no parallel application in NVN, and there is no ICCS supervision in NVN of the application of Article 15d. Furthermore, and most importantly, the Paris Agreement did not deal adequately with the question of the NVA which invaded and remained in SVN in violation of the Geneva Agreement.

However, the GVN signed the Paris Agreement to display our utmost cooperation with you, to make possible the release of U.S. pris-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive, Exclusively Eyes Only; Flash. A copy was sent to Ambassador Sullivan in Paris.

² Nixon's letter to Thieu was transmitted in backchannel message WH31675 to Saigon, June 9. Nixon informed Thieu that the DRV had rejected GVN suggestions for changes in the communiqué. Nixon then urged Thieu to instruct the GVN delegate in Paris to sign the communiqué. (Ibid.)

oners of war and to enable the withdrawal of all U.S. forces from Viet-Nam at the formal conclusion of a cease-fire. The GVN did so on the basis of your formal assurances that, in case of violations of the Agreement by NVN, there will be “extremely violent reactions” of the United States against NVN.

Afterwards, Hanoi did violate the Agreement. It continued large infiltrations of troops and war material into SVN after the cease-fire. On the other hand, it has not withdrawn its troops from Laos and Cambodia, as it has pledged unequivocally to do, under Article 20 of the Paris Agreement. At San Clemente recently, you confirmed to me the unconditional character of that pledge under Article 20.

In the face of these blatant violations, the United States had some reactions in the form of the suspension of the demining operations in NVN, and suspension of the talks on economic assistance to NVN. However, these rather mild reactions to Communist violations in SVN are to be ended under the present draft communiqué. This will be interpreted as an implicit acceptance by the United States of infiltrations from NVN into SVN without further reactions. These infiltrations will disrupt the balance of force in SVN after some period of time.

On Laos and Cambodia, the present difficult negotiations indicate that Article 20 is no longer considered as unconditional, and political concessions are likely to be made in exchange for unreliable Communist promises of withdrawal at a later stage.

You mentioned in your letter of June 9 that the signing of the draft communiqué on South Viet-Nam would buy time to forestall some of the shortsighted steps which the U.S. Congress is prepared to take with respect to Cambodia.³

In my evaluation, in the present situation, the Communist violations of the agreements in SVN and in Cambodia should be brought more to public attention in order to draw the attention of the U.S. Congress on the necessity not to bind your hands in the face of that danger.

If, on the contrary, we make too many concessions to the Communists to obtain the signing of the communiqué, I think that this appearance of the amelioration of the situation would produce effects contrary to what could be expected of it by inciting the Congress to formalize the termination of all U.S. involvement, in the belief that it has become less necessary than before.

With respect to SVN, we have accepted the drawbacks of the Paris Agreement as mentioned above because we see in that Agreement the

³ Thieu was referring to the oral message in Document 71.

prospect for a general settlement through prompt democratic and free elections, while the territory of the RVN will remain undivided.

With these major considerations, we would accept to sign the draft communiqué, as another manifestation of our utmost cooperation with you, in spite of the fact that it is very unbalanced and disadvantageous to us, if only the question of elections is mentioned in a more appropriate fashion in the communiqué, and there is no indication or implication in the communiqué that there are two territories under two governments in SVN.

In that spirit, and in order to reflect strictly your view that the communiqué “neither adds to nor detracts from arrangements under the January 27 Agreement”, I propose that Articles 10 and 11 of the June 5 English draft on political problems in SVN be replaced by this short article:

“The two South Vietnamese parties shall strictly and expeditiously implement Chapter IV of the Paris Agreement on the exercise of the South Vietnamese people’s right to self-determination”.

As for our preoccupation that the Communist side will exploit the present wording of the draft communiqué to claim that there are two territories under two governments in SVN, I am glad to have a clarification from Ambassador Whitehouse who indicates in his talking paper today that the reference in paragraph 8 c of the communiqué to “the territory controlled by that party” “merely describes the location of the points in terms of military control”.

In conformity with that concept, and to avoid possible misinterpretations, I propose this small modification to the wording of that part of paragraph 8 c, which should read: “the area under military control of that party”.

Also, the wording of Article 12b of the present draft should read: “where an area under the military control of one of them adjoins an area under the military control of the other”, instead of “where an area controlled by one of them adjoins an area controlled by the other”.

If the small modifications proposed above are adopted, we shall accept to sign the communiqué.

Sincerely, Nguyen Van Thieu

End text.

3. Warm regards.

76. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, June 11, 1973.

SUBJECT

Negotiations on a Vietnam Communiqué June 7–9, 1973

Summary

We have had a difficult week in Paris, largely because of our recalcitrant ally, the GVN.

In my sessions with Le Duc Tho from May 17–23, we had agreed on the text of a draft communiqué and an understanding on Laos. What remained was for Ambassador Sullivan to obtain GVN concurrence to the communiqué and for me to pry a satisfactory understanding out of Tho on Cambodia.

Sullivan and I returned to Paris last week with reasonable assurance of Thieu's agreement to a four-party signature, provided we were able to persuade the DRV to accept certain modifications—which we did. I was less confident that we would be able to get much on Cambodia. As it turned out, we were able to obtain Tho's agreement to an acceptable understanding on Cambodia. But we were not able, despite several tough exchanges with Saigon, to persuade the GVN to accept the communiqué. Saigon changed its position several times during the course of the week on a number of important issues covered in the document. When we were unable to obtain DRV concurrence to all these changes, the GVN refused either a four-party signature or a two-party (U.S.-DRV) signature accompanied by a statement that the U.S. was signing with the concurrence of the GVN. Tho, in turn, refused to sign anything less than a four-party communiqué.

Given this impasse, Tho agreed to my request for a 48-hour delay. We are now pushing hard in Saigon for a reversal of their position. We have until late Monday afternoon (Paris time),² since we are committed to have Sullivan inform the DRV in Paris of Saigon's position at that time. If the GVN comes along, I shall fly to Paris on Monday evening for a Tuesday signature ceremony and then return immediately to Washington. If Saigon remains immovable, there will be no

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 115, Country Files, Far East, Vietnam, U.S.-DRV Joint Communiqué. Top Secret; Sensitive; Exclusively Eyes Only. Sent for information. Printed from an uninitialed copy.

² June 11.

communiqué. Hanoi will blast the U.S. and Saigon publicly, and we will have entered a new and difficult era in our relationships with the GVN.

What We Set Out To Do

Our objectives in these negotiations in May and June were:

—On *Vietnam*, to put pressure on North Vietnam to cease its violations of the January agreement.

—On *Laos*, to get a DRV commitment to the early formation of a new government, the withdrawal of DRV forces, and assistance in establishing the fate of our MIA.

—On *Cambodia*, to obtain a ceasefire, negotiated political settlement, and withdrawal of Hanoi's forces.

What We Achieved

The Joint Communiqué (at Tab A)³ represents a new political commitment by the parties to implement the Vietnam Agreement and protocols. It highlights specific provisions that have been of concern to the parties, sets new time deadlines where old deadlines have lapsed, and in some cases sets out detailed steps to facilitate implementation of provisions that have not been implemented.

—We now have a new and detailed ceasefire order requiring strict cessation of hostilities at noon Saigon time, June 14.

—There will be meetings between local commanders of forces in direct contact in order to avoid incidents.

—The communiqué includes explicit steps to control the movement of military equipment replacements, as envisaged by the Agreement, in order to curb illegitimate infiltration.

—There is a clause reaffirming respect for the DMZ.

—The DRV has agreed to facilitate cooperation with us and with the Pathet Lao to determine the fate of the dead and MIA.

—The communiqué sets new deadlines to encourage implementation of the political provisions of the Agreement, in accordance with South Vietnamese self-determination.

—There is a provision explicitly requiring greater protection and assistance and freer movement for the ICCS, and there are also measures to improve the functioning of the Two-Party Joint Military Commission and its teams.

—The communiqué reemphasizes the requirement for the scrupulous implementation of Article 20, which requires withdrawal of foreign forces from Laos and Cambodia. In a private understanding on Laos (Tab B)⁴ the U.S. and DRV recognized a specific deadline for a political settlement and new government in Laos (July 1) and for the withdrawal of all foreign troops (60 days thereafter). We also obtained, for the first time, a separate written understanding that the U.S. and DRV

³ The draft Joint Communiqué attached but not printed.

⁴ Draft Understanding on Laos attached but not printed.

“will exert their best efforts to bring about a peaceful settlement of the Cambodian problem.” (Tab C)⁵

In consideration of these various measures, the United States has agreed to cease aerial reconnaissance flights over North Vietnam, resume mine clearing operations, reconvene the meetings of the U.S.-DRV Joint Economic Commission, and, in a private understanding, to use our maximum influence with Saigon to promote the return of Vietnamese civilian detainees. All of these U.S. obligations are repetitions of obligations we undertook in January.

In short, we have a document which we can use to retake the initiative in our Indochina policy. With the Soviets and Chinese, the communiqué and understandings on Laos and Cambodia give us new devices to press them to exert their influence over the DRV. Domestically, these documents make it evident that you are making the January Agreement work and that you have an effective policy which opponents will interfere with at their peril. Naturally, we cannot be sanguine about scrupulous implementation by Hanoi. But the situation indeed seems to be stabilizing on the ground, and we and the GVN have only to gain from a document that strengthens our ability to enforce the Agreement.

Saigon's Position

We went to extraordinary lengths during the course of these negotiations to accommodate the GVN's concerns:

—Unlike October, when Saigon genuinely had little time to react to the specific terms of a draft ceasefire agreement, our consultations on the communiqué began five weeks ago. Ambassador Sullivan went to Saigon after my May 17–23 round of Paris talks and consulted with Thieu personally; Ambassador Whitehouse has been in daily contact with the GVN leadership since then.

—Even though we had reached tentative agreement with the DRV on the text in May, we succeeded this past week in incorporating important changes which Saigon had insisted upon. These included clauses highlighting elections (a central element of the GVN's political program) and respect for the DMZ, and diluting the provisions mentioning delimitation of areas of control by the Two-Party Joint Military Commission (which now leaves the process more clearly under Saigon's own control).

As in November–January, the clear result of the June negotiation is a document improved in our favor, and no small embarrassment to Hanoi because it had to accept changes at Saigon's insistence. Schedules we had agreed upon with the North Vietnamese for the completion of

⁵ Draft Understanding on Cambodia attached but not printed.

the communiqué have been slipped four times since May because of our efforts to accommodate Saigon.

The GVN's two current outstanding demands, as well as numerous others over the course of the negotiations, were presented by us to the North Vietnamese and proved impossible to obtain. Saigon has been slow or unresponsive in responding to our requests for advice during my sessions in Paris. On a number of points the GVN has shifted its position continually over the five weeks of consultations.

The GVN's current demands are twofold: (1) an explicit call for general elections in six months, and (2) deletion of a provision mentioning that the Two-Party JMC headquarters and teams may be located at points on the boundaries between areas controlled by the respective parties if the parties in the JMC so decide:

—The GVN proposal of a six-month deadline for elections goes beyond the January Agreement, and was therefore impossible to get the DRV to accept.

—The GVN's objection to the paragraph on JMC locations is theological. It claims to see the paragraph as sanctifying "two territories and two governments" in South Vietnam. But the concept of areas of control comes from the January Agreement and Ceasefire Protocol. The reference to the concept here is only indirect, since the clause deals only with the points at which teams and headquarters are to be located; it is not a call for delimitation of zones. To the extent that there are two zones in South Vietnam, it is the necessary implication of a standstill ceasefire. In any case, the actual delimitation of areas would be a process over which Saigon would have a total veto. And—to demonstrate how frustrating this consultation with Saigon can be—the GVN earlier told us on several occasions that it *avored* highlighting this process of delimitation of areas of control in the communiqué.

In short, there is no excuse for Saigon's behavior. The document reiterates provisions already signed by the GVN in January. The issues the GVN raises are essentially trivial—certainly so in comparison to the grave damage done to our common interest if we get no communiqué. For months, Hanoi has carried the public onus of non-compliance—with its blatant infiltration, sabotage of the ICCS, violation of the DMZ, and refusal to leave Laos and Cambodia. Now Saigon is in danger of putting itself forward as the obstacle to peace, thus making it even more difficult for us to continue to support the GVN. Moreover, sabotage of the communiqué now will mean that Hanoi has much less incentive to observe any of its commitments with respect to the ceasefire in South Vietnam or political settlements in Laos and Cambodia.

Impact in the U.S.

There is little question that, should Saigon refuse to sign, and should that refusal become public knowledge (as it will), the GVN's position here in the U.S. will be hurt. On the other hand, our own po-

sition will remain relatively untouched; we were prepared to sign a two- or four-party communiqué; we fought hard for the changes the GVN wanted, even when we doubted the wisdom of some of its suggestions; we even sought changes when the GVN reversed its own earlier position. Further, we have been firm with the DRV in insisting that compliance with the January Agreement must be achieved, and emphasized that all we were seeking with the latest communiqué was a reiteration of commitments already undertaken, and a reaffirmation of an intent to abide by them. We have abided by the terms of the January accord, and expect the DRV to continue to do likewise.

Thus, our own record in the public debate that is likely to follow any break in the talks with Tho is unassailable. But Saigon's position in the U.S. could be badly tarnished. That is a fact we have emphasized to the GVN; it is the factor which may, in the end, tip the balance in Saigon to favor going ahead with a four-party signature next Tuesday.

77. Transcript of Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)¹

Washington, June 11, 1973, 8:30 a.m.

P: Hello.

K: Mr. President.

P: Hi, Henry.

K: I just want you to know we have heard from Saigon and they have caved about 2/3 of the way. So now we need another 24 hours to make them come the rest of the way. Whitehouse thinks I should go over tonight as long as we told them that I am going to sign tomorrow and then they will have to yield by the time I get there.

P: Well, that sounds all right. In other words, just launch it out.

K: They have already given in on most of the way. Another possibility is to ask for 24 hours, but I am afraid Hanoi will break off.

P: You can ask for that when you are over there better than here.

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 20, Chronological File. No classification marking.

K: We would have to ask for the 24 hour delay today.

P: Oh, I meant—well, you know the situation better than I. But I think going over is a good idea, then if the darn thing doesn't come through just handle it from there.

K: There is an 80%–90% chance that it will come through. I just talked to Charlie Whitehouse and he thinks it is as good as done.

[Omitted here is discussion unrelated to Vietnam.]

78. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Washington, June 11, 1973, 1459Z.

WH31692. Please deliver following Presidential message to President Thieu immediately.

Text follows:

Dear Mr. President:

I have read your most recent letter² with great care and given it the most serious study. I appreciate how difficult this whole issue has been for you and your government. I share many of your general concerns about the evolution since the signing of the Paris Agreement. I only wish conditions had permitted us to respond more completely to those concerns.

As you know, my negotiators and I have scrupulously attempted, over the course of these negotiations, to obtain the changes to the communiqué that you have requested. We have, as you also know, successfully made many of these changes though perhaps not as fully as we both wished.

But this is not the issue before us. We now face a deadline we have changed three times and which cannot be changed again. I have, therefore, instructed Dr. Kissinger to return to Paris this evening so that he can initial the communiqué at noon tomorrow Paris time, and participate in the Four-Party signing ceremony at 4:00 p.m. the same day. Dr. Kissinger will be instructed to initial in any event.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive, Eyes Only; Flash. A copy was sent to Ambassador Sullivan in Paris. Sent with the instruction: "Deliver immediately."

² See Document 75.

Nevertheless, I have instructed Ambassador Sullivan, who is now in Paris, to seek to obtain the agreement of the other side to changing the word "territory" in paragraph 8c to "area." This change should meet the major concern you have expressed to me.

Mr. President, I see no possibility of obtaining the other changes you suggest. It is clear to me that the other side will never agree to drop paragraphs 10 and 11 of the communiqué. We have tried three times; we have failed three times. I am not prepared to instruct my negotiators to try again.

Nor, Mr. President, would it be useful to propose the changes in paragraph 12b that you have suggested. The language you propose, "... an area under the military control of one . . .", is inconsistent with the language found throughout the ceasefire protocol. For example, Article 2 reads, "... extend each party's area of control . . ." Article 3 speaks of "... areas under their respective control . . ."

As you know I do not agree with your interpretation of the communiqué. But in an effort to meet your oft repeated concerns, the U.S. Government will be prepared, if you authorize signature of the communiqué, to issue a public declaration this week stating that the political provisions of the communiqué do not qualify the January Agreement in any way, and that Chapter IV remains the basis for a political settlement. Similarly, we would interpret "territory" or area as being an area under the military control of the other side. Finally, we would emphatically reiterate that your government is the only legitimate government of South Vietnam, and that we do not and shall not recognize two governments on the territory of South Vietnam.

Mr. President, the time for further fruitless debate between us is clearly past. The press in this country is already blaming Saigon for the delays that have plagued us thus far. The Congress is about to consider a series of legislative proposals that would make it virtually impossible for us to conduct any military operations in Indochina; if we cannot resolve our differences now that legislation will certainly pass. Further delay—or adamant refusal on your part to sign the communiqué—would only lead to the disastrous consequences I have so often described to you.

The choice is up to you whether you wish now publicly to disavow my negotiator, who is publicly known to have returned to Paris to sign a communiqué, or whether you are prepared to accept the assurances I have given you of our continued readiness to see that the January Agreement is enforced.

I ask that you now instruct your representative in Paris to sign the communiqué. I must have your answer by 8:00 a.m. Paris time. I ask, as well, that instructions be sent to your representative in Paris so that he can carry out the agreed schedule. We can then go forward with the united front that has marked our course over the past many years.

Sincerely, Richard Nixon

End text.

For Whitehouse: There is some variation in paragraph numbers between the text Thieu quotes and our latest draft (the Vietnamese text you have is up to date). You will need to point out the correct paragraphing when you deliver this letter. We have used the paragraph numbers contained in Thieu's letter in our own reply to avoid confusion.

Warm regards.

79. Memorandum of Conversation¹

Washington, June 11, 1973.

PARTICIPANTS

Tran Kim Phuong, Ambassador of the Government of the Republic of Vietnam

Dr. Henry A. Kissinger, Special Assistant to the President for National Security Affairs

Mr. William L. Stearman, National Security Council Staff

Dr. Kissinger: I think Nha and Duc are the ones that have been causing us problems.

Ambassador Phuong: Nha is not the problem. The problem is that the North Vietnamese are trying to negate this Agreement.

Dr. Kissinger: It is our view that there is nothing in the Communiqué that makes any difference one way or the other. It only reaffirms clauses of the original Agreement. When we proposed meeting with Le Duc Tho, we intended to take strong military action. We were prevented from doing this by the Watergate business. If your government refuses to sign the Communiqué, you will be blamed for everything that goes wrong afterward. The Congress will vote restrictions on any military aid in Indochina. We are gaining time until we can turn the present situation around. It is a different situation from that which existed last fall. This gives us a diplomatic basis to work with. It is important to get Peking and Moscow to cut off military supplies to North Vietnam. We recognize your situation, and I won't get involved in any more negotiations in the future.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 105, Country Files, Far East, Vietnam, GVN Memcons, May–June 1973. Secret; Sensitive. The meeting was held in Kissinger's office.

Ambassador Phuong: Thieu objects to Article 12 (of the original Communiqué draft).

Dr. Kissinger: On delineation of territory, I think Duc and Nha are misleading Thieu. You proposed a delineation of territory (in the Joint Military Commission) last April, and Thieu proposed it to us on May 4 and 14. On May 9, I discussed this with General Quang and he wanted it too. Where does this go beyond the Agreement? It mentions only in two places that the stationing of the Two Party Joint Military Commission teams can be at one of three places. Either those specified in the Agreement, or where an area of control joins another area—that is *area*—or any other place. You do not have to agree with the other side where teams should be stationed because the Communiqué does not say where they should be stationed.

Ambassador Phuong: But does it have to be published in the Communiqué. In Saigon it looks like a de facto partition. Thieu was thinking in terms of only military control.

Dr. Kissinger: We agree. We have not changed our position on this.

Ambassador Phuong: Why did you refuse to include a timetable for elections in the Communiqué?

Dr. Kissinger: Last September we asked for a timetable on elections, and it was thrown out at your request. Last November and December Le Duc Tho proposed elections in six months, and we rejected this at your request. How can we put this in now that we have refused it? It would be a change in the Agreement.

Ambassador Phuong: Our objections in this respect are because of the references of a National Council.

Dr. Kissinger: I think this kills the National Council. You can insist on elections.

Ambassador Phuong: The Communiqué first mentions democratic liberties then the National Council which is to agree to this and that, and then we have to do our best to implement this.

Dr. Kissinger: But the Communiqué says “as soon as possible.”

Ambassador Phuong: We would have to agree to democratic liberties in the National Council.

Dr. Kissinger: If you formed a National Council without agreeing on elections, you would be crazy. Then there is nothing in the Communiqué that says you can't. This could stress that agreement on internal affairs as referred to in paragraph 10 (b) includes both agreement on elections and the National Council.

Ambassador Phuong: “Democratic liberties” create problems for us as we are more vulnerable on this respect.

Dr. Kissinger: We are just quoting from the Agreement.

Ambassador Phuong: Thieu wants to include all of Article IV of the Agreement.

Dr. Kissinger: It is too late for this as we are down to final issues now; although I understand the point.

Ambassador Phuong: We still have no definite word from Saigon.

Dr. Kissinger: I talked to Whitehouse. We have no idea what happened. Something must have gone wrong in communications, since initially we thought you were satisfied. We were planning to have a final session in which you would participate.

Ambassador Phuong: I don't know what happened either. It seemed that we were getting closer and closer.

Dr. Kissinger: I think the people in the Palace were deliberately making trouble. In respect to the May 24 draft² reference to the location of teams, we weakened and changed it. Although it is really to your advantage to have clearly delineated zones of control since if they attack under these circumstances, we are in a much better position vis-à-vis our opposition here. We thought there were only minor things to be faced in regard to the Communiqué. I wouldn't have started these negotiations if I had known what was going to happen. You know what will happen if you don't sign. That is all Congress will need to vote against you.

Ambassador Phuong: Yes, I understand and I reported to Saigon about the situation here.

Dr. Kissinger: It certainly makes no sense for us to have quarreled this time since we have so many difficulties. However, I sympathize with Thieu, and we would have done more if it hadn't been for the Watergate. Now either you are going to sign with us, or if you don't, they won't sign. We will have to explain why you didn't.

Ambassador Phuong: I am still waiting for a reply from Saigon.

Dr. Kissinger: Thieu initially welcomed our not asking for elections in six months. I have just heard from Sullivan that the other side agreed to substitute the word "area" for "territory" in the English version of the Communiqué. No one is going to read the Communiqué as meaning that we intend to divide South Vietnam unless you say so. Most people are going to wonder what all the excitement is about.

Ambassador Phuong: The Vietnamese are very worried about anything which implies the division of South Vietnam.

Dr. Kissinger: You know what the consequences are going to be if Thieu turns us down in Paris. We must prevent this in any case. I will never negotiate on this issue again. Let's let Nha and Duc do the negotiating.

² See Document 60.

Ambassador Phuong: Did you have good communication with our people in Paris?

Dr. Kissinger: Vien apparently hadn't even read the Agreement. And only Phuong really seemed to have understood everything. The only objection Lam initially has raised was in connection with the Communiqué's containing "recommendations." Lam wanted a Four Party Communiqué and at your request we agreed. You seemed to initially have only minor objections, and we did not see any problems when Sullivan came back from Saigon. When the text came back from Saigon, we were astonished. Suddenly everything was open again. You must urge them on our behalf to sign. If not, it is going to be disastrous. When Brezhnev comes here we will raise the question on cutting off military supplies (from the Soviets), and we have already discussed this with the Chinese. If we split over the Communiqué, they (the Soviets and Chinese) will have no reason to limit their supplies to North Vietnam. We should work out some system of communication to work out the differences we have been having. If you attack the Communiqué, we will be forced to support Hanoi and not your unilateral position on the substance of the Communiqué. The President is very upset about your government's accusation that we produced a "disaster." Our main problem right now is to see that things go well tomorrow. Right now we are faced with a possibility of a Congressional Amendment to cut off all aid to Indochina. This has been held up until after the negotiations. If we can get through July, then comes our August recess. By September we should be in a better position. I grant that our domestic problems are none of your doing, but you should appreciate our present position. You know what we have gone through this time.

80. Conversation Between President Nixon and the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Washington, June 12, 1973.

Nixon: Well, I guess Henry's having a hell of a time. Huh?

Scowcroft: He's having a hell of a time.

¹ Source: National Archives, Nixon Presidential Materials, White House Tapes, Conversation No. 937–15. No classification marking. According to the President's Daily Diary, Nixon met with Scowcroft in the Oval Office from 11:17 to 11:31 a.m. (Ibid., White House Central Files) The editor transcribed the portion of the tape recording printed here specifically for this volume.

Nixon: Yeah. Has he—has it broken up yet, or—?

Scowcroft: No, they're still meeting. They're still meeting. So—

Nixon: What are they meeting about?

Scowcroft: Well, the, the GVN came in with, with two propositions.

Nixon: Yeah, I heard.

Scowcroft: One was to insert the article from the agreement about elections into the communiqué.

Nixon: I know.

Scowcroft: And, the other one was a complaint about the, the terminology of zones-of-control.

Nixon: Yeah.

Scowcroft: Joining zones-of-control.

Nixon: Yeah.

Scowcroft: That, I think, they'd fall off on. My guess is that what, what Henry's working on is to try to get a statement on elections inserted into the communiqué, in hopes that the GVN would then buy it. It's fairly innocuous. You know, we've—I've quoted—the communiqué, now, does contain other quotations [unclear].

Nixon: Sure.

Scowcroft: But, of course, elections is one that the DRV is, is sensitive about right now.

Nixon: Well, there's not going to be any elections. They know that.

Scowcroft: Of course—of course not.

Nixon: So why even say it?

Scowcroft: Well—

Nixon: Why do they object? We could easily put it in ways that it could be handled, simply. We could say this communiqué, in no way—it, it abrogates any of the subjects that are covered in the previous communiqué, and not mentioned in this one. Now, that's it—

Scowcroft: And—and, as a matter of fact, it does contain language like that. And, of course, both sides are equal on the idea. I called Ambassador Phuong again today, and I said, "You know, look: whether it's in, or whether it isn't in, the agreement is still completely valid—

Nixon: And the President will say so.

Scowcroft: —"and"—that's right—

Nixon: Why don't you just—?

Scowcroft: —"and we have given them those"—

Nixon: Yeah. All right, why don't you tell him—or, call him on the phone and tell them that you've talked to me, and that I will make a public statement to the effect that the article with regard to elections is, is in—

Scowcroft: [unclear]—

Nixon: —or something like that. And I will say it in a public statement that I—that the President, himself, will say that the article with regard to that is in.

Scowcroft: [unclear]—

Nixon: I will write to President Thieu a letter to that effect, too. And I'll tell him that—tell him they've got to get this thing done.

Scowcroft: Well, it, it, it really mystifies me why they're hung up on these two points; neither one of which means anything in comparison to what—

Nixon: I know [unclear] the reason for this in their relations, and not ours. Well, it's in ours because we don't want them to fall, but you know very well that there has got be—the Congress will go up the wall—

Scowcroft: No question.

Nixon: —and they'll play right in to the hands of our enemies if Hanoi is able to blame South Vietnam for failing to agree to strengthen the agreement on everything, like MIA, and everything else like that.

Scowcroft: That's right.

Nixon: And good heavens! And the Congress doesn't want to give them aid any way—either side.

Scowcroft: That's right.

Nixon: Either side.

Scowcroft: That's right.

Nixon: And we're going to have a terrible fight. And if he thinks for one minute that he's just going to sit there and get it, he's out of his mind. So, they're, they're looking down, they're looking down the gun barrel right now.

Scowcroft: There's, there's no question on it. And—and we know, for example, that Ambassador Phuong has reported quite accurately—

Nixon: Yeah.

Scowcroft: —the conversation with you, and the ones that we've had—

Nixon: Yeah, yeah. How come—?

Scowcroft: I think it's just hard to figure out what's in their minds.

Nixon: Yeah.

Scowcroft: They just seem to be—

Nixon: Would it be helpful—I don't know; maybe it isn't helpful. If you want, though, you can tell the Ambassador that the President will make a statement to that effect, or the White House will make a statement to that effect. Or do you think it's worthwhile?

Scowcroft: Well, I'll—

Nixon: Don't do [unclear] this goddamn thing.

Scowcroft: Let me—let me see what—where we are. I suspect, you know, that, that by the time he could get back there—

Nixon: Yeah, yeah, yeah.

Scowcroft: —with a message and get turned around in Paris—

Nixon: Yeah, yeah, yeah.

Scowcroft: —it's probably going to be—

Nixon: Too late.

Scowcroft: —over one way or another. But, I'll, I'll hold that, and if it looks like, if it looks like that's—that will turn the trick, then we can do it. But, it's—but it's either, it's either—that's what Henry's working on now, or, or trying to figure out some formula for a two-party document that we could agree to without [unclear], but, I, I don't think that—

Nixon: They couldn't agree with [unclear]—

Scowcroft: I don't think so. And, and, and that's—

Nixon: [unclear]—

Scowcroft: —that's of no real value to us, anyway, because—

Nixon: No.

Scowcroft: —because it's the other two parties that, that have to commit themselves.

Nixon: Well, suppose we don't get it. Then we go back to one of the previous agreements, huh?

Scowcroft: That's right. That's right.

Nixon: It just says that we were unable to reach agreement; we'll continue to work on it.

Scowcroft: That's right, that's right. I think—

Nixon: It'll be a, it'll be a—all the sophisticates will say you've made a terrible, terrible thing. It isn't terrible. No, no, no—I mean, it is—it's too bad among certain areas, but as far as the public interest in this is concerned, believe me, it is zilch.

Scowcroft: Ok.

Nixon: They don't—clearly don't want to hear about the war. They don't want to hear about Paris. [unclear] They want that we've got the POWs back, and our troops out of there, and [unclear] over. Good heavens. They think, "Thank God." You know, let's face it.

Scowcroft: Oh, there's no question about that.

Nixon: So, we, we don't need to be as desperately concerned as we were in January—December and January.

Scowcroft: Oh, oh, it's an entirely different—

Nixon: I'd much like to get it done, but if we don't get it done, we don't. Then, we go on to meet with Brezhnev.

Scowcroft: That's—I, I think the chief problem if, if we don't get it done is, is going to be with the Congress, and it's going to be—there's going to be growing opposition to South Vietnam, and [unclear] to our doing what we can to help them.

Nixon: All over Southeast Asia. It isn't just Cambodia.

Scowcroft: Of course.

Nixon: South Vietnam, Laos, Thailand, everything. The Congress wants to get out, alone.

Scowcroft: They want to get out, and this will be another argument to get out: "We've tried, and we can't do any more. Let's just get out and cut our losses." I think that, that will be the impact.

Nixon: So, in the end they would have won the battle that we've fought for four years to keep that in play. In other words, their battle all along has been to sink the whole thing, get out and let it go down the drain.

Scowcroft: Well, then, of course, that would be the tragedy if this—

Nixon: That's right.

Scowcroft: —this—

Nixon: Tragedy.

Scowcroft: —contributes to it on such—

Nixon: Hmm. On the other hand, I think that [unclear]. The GVN's going to survive for a while, don't you think so?

Scowcroft: Oh, yes, sir.

Nixon: They should—

Scowcroft: Effectively, sir. They're—they're quite strong. I think their army has now quite a, quite a of good deal of esprit. I think they—

Nixon: Yeah.

Scowcroft: —they think they can handle it. And I think they're in pretty good shape for now. But, over the long term, if we can't shore them up, it's—it's hard to be really optimistic.

Nixon: I know. They've always known that. On the other hand, we've been—we've gone the extra mile.

Scowcroft: Oh, there's no question about that, no question on that. And, this communiqué, how much it would help, it's, it's difficult to say. But—so, I think there's still an outside chance that we might get something there. They wouldn't still be meeting if it would really help us. And, as I say [unclear]—

Nixon: It's, now, about 4:30 in Paris—five hours difference, you say?

Scowcroft: It's five hours difference. So, it's—

Nixon: 4:25.

Scowcroft: 4:25. So, there's no question that they're, they're grappling with, with the substance, and I guess it—my guess is, it's on this one point on that—which is of no significance, one way or another, really.

Nixon: Yeah, with either one.

Scowcroft: It just doesn't matter whether it's in, or whether it's—

Nixon: Well, the zones-of-control, I understand. They think that's a partition. [laughs] It couldn't—of course, it's a partition. Wasn't it?

Scowcroft: Well, they're, they're so confused on that. It is a, it is a partition—but it's, in fact, a partition, right now. They came out, last month, and started pressing for defining "zones-of-control."

Nixon: The GVN did?

Scowcroft: They did. And—so, then, we, we said, "Fine, that's, that's a good idea." And now, now, they're afraid at legitimizing the split of the country in—into two parts. But, it's very carefully caveated in the communiqué. The two parties have to agree on who controls what, and that, they'll never be able to do. They've agreed on where they'll station these two-party teams, it doesn't have to be along the zones-of-control. So, it, it really does not tie them down anymore. It's a psychological problem.

Nixon: Yeah.

Scowcroft: And I can understand the concern on, on that point.

Nixon: Sure—

Scowcroft: By—by comparison to what they're risking.

Nixon: They'd better take a hard look at the American psychology, at the moment, which is a, basically, a new isolationist bug-out psychology—not only with them, but for Europe.

Scowcroft: Exactly.

Nixon: That's our problem we have—

Scowcroft: Exactly.

Nixon: These enormous cuts in defense that they're talking about is—I mean, there is a feeling of withdrawal in this country, which, except for us, would lead us to a disastrous policy of weakening ourselves, and of isolationism that—and, frankly, giving the Russians a free hand to do it—[unclear exchange]

Scowcroft: That's right. I don't think there's any—

Nixon: We're fighting a desperate battle—

Scowcroft: And if—if it weren't—as you say, if it weren't for your strength, we'd already be way down the road.

Nixon: Yeah. Yeah.

Scowcroft: And I think it would just be a disaster.

Nixon: Yeah.

Scowcroft: But how do you convince the GVN?

Nixon: Well, we've tried to. I couldn't have said it more bluntly to the Ambassador.

Scowcroft: You couldn't have.

81. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Acting Ambassador to Vietnam (Whitehouse)¹

Paris, June 12, 1973, 1917Z.

WH31728. 1. Please have following text of Presidential letter sent without delay because we need a complete turnaround with Saigon prior to 0100 Washington time June 13.

2. Dear Mr. President,

Your letter of June 12² came as a sharp and very painful blow to our friendship and mutual confidence, and to our common interests. In the light of the sacrifices we have made and the risks we have run in your behalf it seemed inconceivable that you would respond in such negative fashion. I cannot hide from you the strain on our relationship caused by the fact that you would totally ignore the offer of assurances I was prepared to make if you signed the communiqué in its current form.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Eyes Only; Flash. Sent through Scowcroft.

² Thieu's June 12 letter demanded additional changes to the joint communiqué; Whitehouse sent that letter to Kissinger in backchannel message 511 from Saigon, June 12. (Ibid.) Kissinger instructed Whitehouse in backchannel message WH31715 to Saigon, June 12: "You are to see Thieu or highest available authority immediately and tell him in strongest terms that the President is outraged at the position taken by the GVN, and at the utter failure to even refer to the public assurances we had offered. Our negotiator has been publicly humiliated; the publication of the text of the communiqué is an outrage while the negotiations are still going on. It is a total breach of faith." (Ibid.) The contents of the draft communiqué were leaked in Saigon. See *The New York Times*, June 13, 1973.

Nevertheless, because the consequences of failure of the negotiations risk making a mockery of so much heroism and suffering, I instructed Dr. Kissinger once again to delay his initialing of the text and to seek some satisfaction on your “minimum” conditions, even though I do not consider them of sufficient intrinsic merit to justify the risks you have pressed me to take or the attitude you have adopted toward my government.

Dr. Kissinger spent a long and bitter session with Le Duc Tho in Paris today.³ In this session, he has been unable to achieve any change whatsoever in the paragraph concerning the location of the Two Party Joint Military Commission teams.

That paragraph, as it now stands, commits you to nothing concerning the team locations and preserves entirely your authority to control their location by stipulating that you must agree to the selection of their locations in the Commission itself. You do not have to agree either that any areas adjoin or that any teams should be stationed there. It is therefore inconceivable and unacceptable to my government or US public opinion that this paragraph should be made an issue of success or failure in these negotiations.

On the other hand, my negotiators have succeeded in obtaining a significant change in the paragraph concerning the South Vietnamese people’s right to self-determination by obtaining a verbatim inclusion of Article 9 (b) of the Agreement in that paragraph. You suggested in your letter that this text precede the paragraph on democratic liberties, presumably because of the numerical sequence of articles in the Agreement. However, it is my sincere feeling that its location in the paragraph on self-determination is better. In that location, it is tied in directly with the functions of the National Council, and by having it precede the sub-paragraph on the Council, makes clear that the functions of the Council are subordinate to the election process. Moreover, by disengaging it from the paragraph on democratic liberties, it deprives the Communists of the tactic of using their own interpretation of democratic liberties as a block to the holding of elections. I am attaching the text of that paragraph.⁴

Mr. President, this is frankly more than I thought we could achieve on your behalf. But, in order to accomplish this, I have had to give my personal word to the North Vietnamese that this is the last change we

³ The memorandum of the June 12 conversation is in the National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 114, Country Files, Far East, Vietnam, Paris Memcons, May 17–23, 1973.

⁴ Kissinger sent the revised text to Whitehouse in backchannel message WH31729 to Saigon, June 12. (Ibid., Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973)

will seek. If you refuse to accept these results and continue to decline to instruct your representative to sign the communiqué, you will have repudiated my entire policy of constant support for you, your government, and your country.

If you choose this course, Mr. President, you will have determined the future of my administration's policy with respect to Viet-Nam. I will be forced to follow American congressional and public opinion by supporting only marginal humanitarian necessities with respect to your people and will be able, with justice, to forego all the hard decisions and tasks which would have been involved in the military and economic programs we discussed in San Clemente. Needless to say, it will be the end of our effort elsewhere in Indochina. I will regard such a choice as being directed at my personal judgement and my personal commitments.

This has ceased to be a matter between negotiators, or lawyers, or experts. This is now a matter directly between the two of us. The choice is yours. Please give me a positive, unequivocal answer before 0100 Washington time June 13, so that I can confirm my instructions to our negotiators. I have ordered Dr. Kissinger to sign, together with Dr. Vien, at 1600 Paris time June 13 and to return to Washington that same evening. Prior to that time, he must initial the text with Le Duc Tho and our staffs must prepare the documents. Please understand that I will regard any qualifications, requests for further changes, delays, or other deviations from a simple affirmative agreement as a direct and deliberate decision to end the existing relationship between the US and the GVN.

Dr. Kissinger has been instructed to return to Washington by tomorrow evening. No further delay or evasion for whatever reason is acceptable. I expect that your representative in Paris will be adequately instructed by the morning of June 13 Paris time.

End text.

82. Backchannel Message From the Acting Ambassador to Vietnam (Whitehouse) to the President's Assistant for National Security Affairs (Kissinger) in Paris¹

Saigon, June 13, 1973, 0540Z.

519. 1. The GVN has folded. As he handed me the following letter, Lam informed me that instructions had been sent to Dr. Vien to sign the communiqué this afternoon. The reference to a last supreme effort is clearly only a matter of saving face.

2. *Begin text.*

June 13, 1973

Dear Mr. President,

I have received your drastic letter today,² and on the basis of the reasons you mentioned relating to paragraph 12b I decided to make a great sacrifice in no longer insisting on the modifications I requested previously in that paragraph.

Concerning the political provisions, the Communist side could not refuse to mention Article 9b of the Paris Agreement on free and democratic general elections, because it is the most important clause in Chapter IV of the Paris Agreement. However, the Communists still attempt to separate the issue of general elections from the question of democratic liberties, in order to exploit them to subvert and undermine our society, concurrently with the persistent and mounting threat of the NVA in South Viet-Nam.

Therefore I most earnestly ask you to make a last supreme effort to obtain the inclusion of Article 9b at the beginning of paragraph 10.³ I am attaching the text of paragraph 10, with the above mentioned inclusion.

In dropping our demand for the modification of paragraph 12c, we have already made a great sacrifice. As for the place of the mention of Article 9b, under its benign appearance, it relates to a fundamental issue of very great significance to us.

In the name of our long standing solidarity, I am instructing Dr. Vien to sign the communiqué, whether or not you will be successful in obtaining the very last change I request.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 415, Backchannel Messages, Bunker/Whitehouse, April–July 18, 1973. Top Secret; Sensitive; Flash. Sent through the White House.

² See Document 81.

³ DRV officials in Paris refused the change.

In case you will not be able to have that modification, I shall appreciate it greatly if you will make a public declaration, stating the points you described to me in your letter of June 12,⁴ and adding the points you made to me that we understand “areas of control” to mean “areas under military control”, and that Chapter IV of the Paris Agreement will remain unaffected by this communiqué.

Sincerely,

Signed: Nguyen Van Thieu

Attachment

Proposed Paragraph 10:

A/—The South Vietnamese people shall decide themselves the political future of South Viet-Nam through genuinely free and democratic general elections under international supervision.

B/—The two South Vietnamese parties shall implement Article 11 of the Agreement, which reads as follows:

“Immediately after the cease-fire, the two South Vietnamese parties will:

—Achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal, discrimination against individuals or organizations that have collaborated with one side or the other;

—Ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership and right to free enterprise.”

End text.

3. Warm regards.

⁴ Thieu is referring to the letter of June 11, Document 78.

83. Memorandum of Conversation¹

Paris, June 13, 1973, noon–1:15 p.m.

PARTICIPANTS

Le Duc Tho, Representative of the Government of the DRV
Nguyen Co Thach, Vice Minister of Foreign Affairs
Phan Hien, Ministry of Foreign Affairs
Colonel Hoang Hoa
Pham Ngac
Tran Quang Co
Nguyen Dinh Phuong, Interpreter
Notetaker

Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs
Ambassador William H. Sullivan, Deputy Assistant Secretary of State for East Asian and Pacific Affairs, Ambassador-designate to the Philippines
Mr. George H. Aldrich, Deputy Legal Adviser, Department of State
Mr. Lawrence S. Eagleburger, Deputy to the Assistant to the President for National Security Operations
Mr. Peter W. Rodman, NSC Staff
Mr. Richard S. Thompson, Department of State, Interpreter
Mrs. Bonnie Andrews, NSC Secretary

Dr. Kissinger: Would the Special Adviser like to speak first? I see he has a little speech prepared.

Le Duc Tho: I have prepared nothing. I am waiting for your answer you promised, because this is something that you owe to me.

Dr. Kissinger: Mr. Special Adviser, we have exchanged views with Saigon very strenuously all night long, and I am happy to now inform you that the text of the communiqué is now complete. [Tab A]² We can complete the initialing at this meeting and we can meet exactly the schedule on which we agreed yesterday. And a great deal of the credit is due to the big effort that was made yesterday by the Special Adviser, without which it would not have been possible.

So our work has after all, come to a successful conclusion. And I propose now that we discuss the remaining technical details, and re-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 114, Country Files, Far East, Vietnam, Paris Memcons, May 17–23, 1973. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held at 108 Avenue du General Leclerc, Gif-sur-Yvette. Brackets are in the original.

² Joint Communiqué, June 13, attached but not printed. For the published text, see Department of State *Bulletin*, July 9, 1973, pp. 50–53. It was also published in *The New York Times*, June 14, 1973.

view quickly the understandings, and exchange ideas on any other subject which we need. Then, if the Special Adviser agrees, we should initial here and follow the rest of the schedule as agreed.

If this meets with the Special Adviser's approval, I propose we proceed with the schedule.

Le Duc Tho: So now since we have agreed on the text of the Joint Communiqué and the schedule, we should stick to those agreements, and I agree we can exchange views on the remaining technical questions, the questions you proposed, and then we will initial the document as you proposed.

Dr. Kissinger: First, there is one technical question connected with the work of the Joint Economic Commission. According to the Communiqué it should begin to work on Sunday. We propose it begin its work on Monday, and we will be prepared to resume on Monday.³

Le Duc Tho: I agree with you.

Dr. Kissinger: Should we review the understandings? And also the cease-fire order? [Tho nods yes.] Should I read it? Or how do you want me to do it.

Le Duc Tho: Please.

Dr. Kissinger: I will read first our understanding on the return of Vietnamese civilian personnel. It is in two paragraphs. [He reads aloud from Tab B.]⁴

Paragraph one is "The United States side reaffirms the statement of Dr. Henry A. Kissinger, Assistant to the President of the United States, on October 17, 1972, that the United States will use its maximum influence to secure the return of captured Vietnamese personnel detained in South Vietnam. In the spirit of national reconciliation and concord between the two South Vietnamese parties, the US will exert this influence to promote the return of the greater part of such detainees within 30 days of the signing of the Joint Communiqué on June 13, 1973 and the return of all such detainees within forty-five days, in accordance with paragraph 9(b) of the Joint Communiqué."

"Paragraph 2: The United States will use its maximum influence to ensure that the treatment of the above-mentioned detainees when they are in jail be immediately in conformity with Article 8 of the Protocol regarding the return of captured and detained personnel of the parties." [Mr. Aldrich hands over copies of Tab B.]

That is now agreed.

³ June 18.

⁴ Understanding on the Return of Vietnamese Civilian Personnel Captured and Detained in South Viet-Nam, June 13, attached but not printed.

Le Duc Tho: Agreed.

Dr. Kissinger: All right. And I have given you some copies of the agreed English text. Shall I read the cease-fire order?

Le Duc Tho: Please.

Dr. Kissinger: Now may I ask one favor of the Special Adviser? When he gives his press conference tomorrow that he reads the correct statement? He had such an eloquent statement prepared for the case of a breakup. [Laughter] [Tho points to his papers.] I knew it!

All right, the cease-fire order. [He reads the text of cease-fire order at Tab C:]⁵

“Considering that, since the conclusion of the Paris Agreement on Ending the War and Restoring Peace in Vietnam, armed hostilities have not ceased in South Vietnam, thus impeding implementation of other provisions of the Agreement, and,

“In order for the Agreement to be fully implemented and to ensure a lasting and stable peace, “The High Command of [blank in original] issues the following order to all regular and irregular armed forces and armed police under its command:

1. Strictly observe a cease-fire beginning 1200 hours Saigon time, June 15, 1973.”

We recognize that the PRG will put in Indochina time, but it is necessary for clarity for the commanders on our side. In the agreement it is 0400.

“2. Strictly observe the provisions of Articles 2 and 3 of the Agreement and Articles 2, 3, and 4 of the Protocol on the Cease-Fire in South Viet-nam; and

“3. Scrupulously implement all other provisions of the Agreement and its protocols.”

And we recognize that the PRG will say “Indochina time.” But then they will have to say 1100 Indochina time. Becuase we don’t want them to take Sa Huynh after the ceasefire. [Laughter]

You will get the colonel [Colonel Hoang Hoa] under control, Mr. Special Adviser?

Shall I read the understanding on Laos? Shall I do that? [He reads Tab D:]⁶

⁵ Draft Text of the Cease-fire Order to be Issued by the High Commands of Each of the Two South Vietnamese Parties, June 14, attached but not printed.

⁶ Understanding on Laos, June 13, attached but not printed.

"Paragraph 1. On the basis of respect for the principles of the 1962 Geneva Agreement on Laos and the Agreement on restoring peace and achieving national concord in Laos signed on February 21, 1973,⁷ the United States of America and the Democratic Republic of Viet-Nam reaffirm their strong desire that the current negotiations between the two Lao parties will promptly come to a success.

"2. The United States of America and the Democratic Republic of Viet-Nam have been informed by the Lao parties that:

(a) The formation of the Provisional Government of National Union would be achieved by July 1, 1973 at the latest.

The U.S. and DRV will exert their best efforts in that direction."

And that last section is a new paragraph.

"(b) Within a period of no more than 60 days after the date of the establishment of the Provisional Government of National Union, the withdrawal from Laos of all foreign military personnel, regular and irregular troops, and the dismantling of military and paramilitary organizations of foreign countries, including the 'special forces' organized, trained and commanded by foreign countries, must be completed.

"(c) After the return of all persons, regardless of their nationality, who were captured, and those who were imprisoned for cooperating with the other side in wartime, each Lao party has the obligation of getting and supplying information to the other party about the missing in action in Laos.

Le Duc Tho: I agree.

Aldrich: This one I don't have a copy for. It is the draft from June 6.

Kissinger: All right. I shall read the understanding on Cambodia. And I am glad you agree to a ceasefire by June 15 which will coincide with the Vietnam cease-fire.

[Dr. Kissinger reads Tab E:]⁸

"1. On the basis of respect for the principles of the 1954 Geneva Agreement on Cambodia that recognizes the Cambodian people's fundamental national rights, i.e. the independence, sovereignty, unity and territorial integrity of Cambodia, the USA and the DRV reaffirm that the settlement of the Cambodian problem falls under the sovereignty of the Cambodians.

"2. The USA and the DRV reaffirm the obligations of Article 20 of the Paris Agreement, which requires the withdrawal of all foreign troops, military advisers, and military personnel from Cambodia."

Le Duc Tho: Please read again. [Mr. Thompson rereads paragraph 2 in Vietnamese.]

⁷ See Document 20.

⁸ Untitled Cambodia agreement, June 8, attached but not printed.

Dr. Kissinger: I think it is your paragraph.

Le Duc Tho: Please go ahead. Because this is the understanding, the draft which you gave to us. It makes many big differences.

Kissinger: Paragraph 3. Here, we gave something to Minister Thach but in his usual obstructionist way he refused to commit himself. I will read you what we gave to Minister Thach.

"3. The USA and the DRV will exert their best efforts to bring about an end to the fighting in Cambodia and a peaceful settlement of the Cambodian problem."

Le Duc Tho: Have you finished? I agree with you regarding the understanding on Cambodia. I agree with you on the first paragraph.

Regarding the second paragraph we propose the following amendments. "The United States and the Democratic Republic of Vietnam reaffirm the obligations under Article 20 of the Paris Agreement. The foreign troops, military advisers and military personnel shall be withdrawn as required by Article 20 (b) of the Agreement." The reason is that the DRV reaffirms the obligation of Article 20 of the Paris Agreement, the whole Article 20. It is one obligation. And then, "all foreign troops, military advisers, and military personnel shall be withdrawn as required by Article 20 (b) of the Agreement."

Dr. Kissinger: I accept.

Le Duc Tho: It is clearer.

Dr. Kissinger: I accept. You have been sufficiently concrete. Now, if I know the Special Adviser, he will think there is something wrong with it. I should have struggled for 1/2 hour for this. Now you are in trouble Mr. Minister. I should have struggled for 1/2 hour.

Le Duc Tho: For once you should have admitted that I have spoken concretely enough.

Kissinger: I will have it typed.

Le Duc Tho: We will have it typed.

Kissinger: In English?

Le Duc Tho: Yes.

Kissinger: All right.

Le Duc Tho: Now regarding the third paragraph, we propose to delete the words "an end to the fighting in Cambodia" before "a peaceful settlement." Because that means that the fighting should be ended before reaching a peaceful settlement in Cambodia. Therefore, we propose the following: "The United States and the Democratic Republic of Vietnam will exert their best efforts to bring about a political settlement in Cambodia." You can use the word "political" or "peaceful settlement" in Cambodia. As regarding Vietnam and Laos, there should be a political settlement before the fighting is ended. On this question I have expressed my views to you on many occasions. It is our last ef-

fort. So that we will exert our efforts in that direction. And we are always thinking that the settlement of the Cambodian problem falls under the sovereignty of the Cambodians. I have talked with you on that question very lengthily and on many occasions.

Kissinger: But never very concretely.

Le Duc Tho: Sometimes in saying so, the actions will be better than the words. But sometimes when we say concretely, the actions will be impeded.

Kissinger: But it would be better to have one clause in the agreement where the actions are better than the words. It would be a historic achievement.

Le Duc Tho: It depends on the document we have.

Kissinger: Well, Mr. Special Adviser, what we propose in paragraph 3 is exactly what we proposed in Vietnam and Laos—that there be a ceasefire before a political settlement. In both places the political solution was left to follow the ceasefire.

Le Duc Tho: Now it is not true. There should be settlement of the problem before a ceasefire can be observed. In Vietnam we had to talk, have an agreement, and then a ceasefire is observed.

Kissinger: But maybe the Special Adviser wants the fighting to continue after there is a settlement.

Le Duc Tho: The experience in Vietnam has been shown to you, and that is why both of us have to review the implementation of the Agreement.

Kissinger: Well, it seems that what we have said is consistent with what we had in Laos and Vietnam.

Le Duc Tho: Here it is contrary to the agreements in Vietnam and Laos. The settlement must be negotiated among the parties as in Laos and Vietnam and then there will be a ceasefire. I have talked to you on this question lengthily many times so you know my feelings. Now my views have dried up.

Kissinger: Now that is a modesty which is unwarranted of the Special Adviser. Especially on Cambodia. Because the Special Adviser always foresees everything and is always prepared for every contingency. [Laughter]

Le Duc Tho: So I have foreseen this contingency and have prepared the document in this way.

Kissinger: Mr. Special Adviser, did I understand you correctly that a peaceful settlement must be negotiated among the parties as in Laos and Vietnam?

Le Duc Tho: What I would like to say here is you and we will exert our efforts to bring about a peaceful settlement in Cambodia, but

as to who will talk to which party—this is up to the Cambodians, just as in Laos.

Kissinger: But we agree that somebody needs to speak to somebody in Cambodia. [They confer.] Mr. Thach, you will be excluded from this discussion, with all due respect. We finally got Mr. Vien under control when you arrived. So, do you want to go ahead and reply?

Le Duc Tho: I have expressed all my views.

Kissinger: All right, let me then speak. What will settle the issue in Cambodia is not what we say in this understanding. And I pay close attention to what the Special Adviser has said, that if we say too much it may make it more difficult to settle. But it is a reality. So I accept the change. I accept the wording, using the word “peaceful” rather than “political.” But I do want to call the Special Adviser’s attention to something—to the fact that rapid implementation of paragraphs 2 and 3 of this understanding is extremely important to the normalization of our relations and the implementation of the other provisions of the Agreement.

Can Minister Thach get this retyped? Or we can. Either way. So we will exchange these.

So we have now completed the understandings.

Le Duc Tho: I have taken into consideration your views regarding the “political” solution. I would prefer a “political” solution.

Kissinger: How about “a peaceful settlement of the political and military problems in Cambodia?”

Le Duc Tho: There is another understanding that we ask for, to insure the activities of the Two-Party Joint Military Commission in Saigon and other places. Immunities and privileges have been mentioned in the Joint Communiqué but here we would like to have something additional. Because the Communiqué is not sufficient.

Kissinger: Let me hear what you have.

Le Duc Tho: It is an amendment of an agreement which Sullivan gave us. [Tab F].⁹ [He reads Tab G]:¹⁰ “In order to facilitate the working of the Two-Party Joint Military Commission, the United States will ensure that the Government of the Republic of Viet-Nam will provide adequate quarters and favorable means of operation for the PRG in Saigon proper and in other locations of the regional JMC’s and local teams, and that the PRG delegation will be able to operate from these quarters with the privileges and immunities specified in paragraph 12(b) of the Joint Communiqué.”

⁹ Untitled, undated U.S. draft attached but not printed.

¹⁰ Untitled, undated draft announcement attached but not printed.

Kissinger: Did you say “ensure” or “endeavor to ensure”?

Le Duc Tho: You can use whatever words you like. “Best efforts.”

Kissinger: Mr. Special Adviser, you were so insistent that we leave Vietnam that our influence in the provinces is not what it used to be. And, of course, if you wanted, we could return and then we could give you guarantees. I think we could do it at this time with 100,000? We don’t need 500,000 this time. It is a sign of our good will.

Le Duc Tho: Yes, you had to withdraw all your troops under the Agreement.

Kissinger: Except for the protection of the PRG.

Le Duc Tho: But you still have influence over Saigon. And it is your responsibility for the implementation of the Agreement.

Kissinger: We expended the last ounce of influence we had at 2:30 this morning. From now on it will be safer for Ambassador Sullivan and me to visit Hanoi than Saigon.

Mr. Adviser, let me propose the following. We can’t say “ensure” because we don’t have that capacity. We will say “endeavor to ensure.”

Le Duc Tho: I agree.

Kissinger: And instead of “favorable means of operation” we will say “means of operation” or “adequate means of operation.” We will say “adequate.” Otherwise we accept what you propose.

Le Duc Tho: I agree with you.

Kissinger: All right. And the rest is agreeable.

Le Duc Tho: Now we are finished with the understanding. Now there is an announcement to be made by Ambassador Sullivan and Minister Thach after this meeting. [Tab H]¹¹

Kissinger: [reads it] All right. I agree with this text. But because of the time pressures we have I also wonder whether the most efficient procedure would be for me and the Special Adviser to step outside and say we have initialed a document and a formal press release will be issued at 2:30. We would say a formal press release would be made at 2:30, or 3:00, from our respective offices.

Le Duc Tho: I agree. We will go outside and tell the press.

Kissinger: And what we will say is that the Special Adviser and I have just initialed a communiqué which will be signed by the four parties at 4:00 p.m. at Avenue Kleber and by the two parties at 7:00 o’clock at Avenue Kleber.

Le Duc Tho: I agree.

¹¹ Untitled, undated draft announcement attached but not printed.

Dr. Kissinger: And a formal press release will be issued by the two delegations at 2:30 this afternoon.

Le Duc Tho: I will let you speak to the press.

Kissinger: But you will be there with me.

Le Duc Tho: Yes. Now I leave you to speak to the press today.

Kissinger: And you will reply tomorrow.¹²

And can I say there will be a one party signature at 8:00 o'clock?
[Laughter]

Le Duc Tho: And the text of the Joint Communiqué will be published at what time?

Kissinger: I propose at 1600, at the signing. Let's say 1700. That way there isn't too much commotion among the press. Don't you think it is best to . . . [Discussion among the North Vietnamese] Can we change it in Washington?

Ambassador Sullivan: They have the same problem in Hanoi.

Kissinger: Well, let's say 1600. We will hand it out right after the signing ceremony is finished. That way the press won't run around. It takes only 15 minutes to sign. We will say 1600 but won't hand it out until after the signing ceremony. Because if it is published in Hanoi it will take 1/2 hour before it reaches here. And in Washington too.

Le Duc Tho: So, 1600.

Kissinger: We will say 1600 and hand it out afterward. It only takes 15 minutes to sign. Unless I refuse to sign it at the last minute. [Laughter] That is a new one. We haven't pulled that one on you. You haven't foreseen that contingency.

Le Duc Tho: I have foreseen that contingency.

Kissinger: All right. I am planning to have a press conference at 5:30. Because I will be leaving right after the next signing. And I will do my utmost to have it in a very constructive spirit. Because I believe the most significant achievement of this communiqué is not only the implementation of the Agreement but that it opens up the way to the rapid normalization of relations between the United States and the Democratic Republic of Vietnam.

Le Duc Tho: So we put what time for the initialing in the announcement?

¹² The transcript of Kissinger's June 13 press conference, held in Paris, was published in *The New York Times*, June 14, 1973. Le Duc Tho spoke to the press and delivered a statement on the communiqué on June 14; see *ibid.*, June 15, 1973.

Kissinger: 1300? Whenever you are ready. I am ready to initial now. We forgot to bring the documents but I am ready to initial! Have you foreseen that contingency?

Le Duc Tho: No, but we have foreseen every realistic contingency.

Kissinger: Shall we initial now?

Le Duc Tho: Do you have any other questions to raise?

Kissinger: Yes, Mr. Special Adviser. We have discussed the problem of normalization. We have agreed that we will make all efforts for the strict implementation of the Agreement and the understandings, in order to bring about the normalization. We will then get in touch with each other when either side thinks it appropriate, to establish permanent delegations in the capital of the other.

Le Duc Tho: I agree.

Dr. Kissinger: And when that is completed, the Special Adviser will visit the United States, to give further impetus to the process of normalization. We believe for reasons we discussed yesterday, that this is an important objective.

Le Duc Tho: You are right, what you have just said. We have discussed the question of normalization of our relationship. And I think that on the basis of scrupulous implementation of the Agreement then we will propitiously advance toward normalization of relations. Whatever questions we have, we will exchange messages, and when permanent delegations are not yet established, you and I will get in touch through messages in habitual channels.

Kissinger: And after the permanent delegations are established we will still be in touch. I will miss the contact with the Special Adviser otherwise.

Le Duc Tho: And at the press conference I think that you and I should speak about the joint communiqué and not go outside it.

Kissinger: I agree.

Le Duc Tho: We should not speak about the understanding about Laos and Cambodia. Regarding the normalization of relationship, we should speak just a sentence about it, not about future developments.

Kissinger: I agree. And we will not refer to the plan for delegations.

Le Duc Tho: This is the future developments. We should not speak about it now.

So this time you and I have come to an agreement and we have achieved a joint communiqué. And this is our great effort. In the desire to see the Agreement strictly implemented and leading to normalization of relationship. But the main question is the implementation of the Agreement. Through the experience we have gotten over the past four months, we have reached an Agreement but very often the implementation is not consonant to the terms of the Agreement. Since now

we have had a Joint Communiqué, I think all of us have to strictly abide by the Agreement and the Joint Communiqué.

Therefore, after we sign the agreement I still foresee the possibility of strict implementation of the Agreement but I also foresee the possibility that we will have to meet again to review the implementation of the Agreement. It is my wish that the second possibility will not occur. Because if one side does strict implementation of the Agreement, then the other should do the same. It would not do if one side does and the other does not. Therefore, all of us have to strictly implement the Agreement. And I wish, I hope, that the situation will not develop in a bad direction, and if we meet next time then we will not have to review the implementation of the Agreement. And next time we meet, we will give impetus to the normalization of relations.

I am finished.

Kissinger: Mr. Special Adviser, I share the sentiments you have expressed. We have had a difficult negotiation and we have brought it to a successful conclusion. But it is now important that we now not only sign the document but that the Agreement be strictly implemented. We will do our best efforts in that direction. And we hope that you will do the same thing. We all have a responsibility not only to carry out the Agreement but to avoid the impression that could be misunderstood. I refer specifically to the movement of wild animals in a southward direction. Specifically, elephants. This is a matter we take very seriously. I pay attention to what the Special Adviser said, that under conditions of peace certain necessities disappear.

I share the feeling of the Special Adviser that we should now move energetically towards normalization of relations. We will maintain our close contact. I hope when we meet next time it will be on the basis of having only positive matters to discuss. And that our next meeting will mark a breakthrough in the normalization of relations between the Democratic Republic and the United States. We shall do our best to move in that direction.

May I say it will always be a pleasure to deal with the Special Adviser.

Le Duc Tho: We, both of us, should implement Article 7 of the Agreement. As I told you the other day, we should do it in such a way that the war in South Vietnam will be ended, and then we should not have to speak about Article 7. It is important. But if the war continues, we cannot say anything else. That is important.

Kissinger: I think we understand each other. Shall we now initial?

Le Duc Tho: I propose a few minutes break, to prepare for the initialing.

[The meeting broke briefly at 1:15. The Official Photographers were admitted from both sides, and the initialing took place from 1:20–1:30 p.m.]

84. **Conversation Among President Nixon, the President's Assistant for National Security Affairs (Kissinger), the White House Chief of Staff (Haig), and the White House Press Secretary (Ziegler)¹**

Washington, June 14, 1973

Nixon: Hello, Henry.

Kissinger: Hello, Mr. President. Thank you for your cable.

Nixon: [Laughs] You got it, did you?

Kissinger: It was received—

Nixon: I also cabled the White House. It's not quite as—

Kissinger: Oh, marvelous—and Sullivan.

Nixon: I sent a wire to him, but that's [unclear]. But I—but yours, I thought, you could pass on to the staff.

Kissinger: Yes.

Nixon: But, Al, this, of all—I told Al last night, of all the things you've done, it was the toughest, because you had no cards. I mean, you went to this thing with a broken flush. And the other thing, you were looking, and, and you were looking at a—basically at, at four aces. And you knew damn well he had four aces. And, by golly, you, you pulled it off. I don't know how you did it.

Haig: That's right.

Kissinger: Well, I must—

Nixon: All I did was write the most nasty cables to Thieu that he's received since [unclear]—

Kissinger: Well, but, Mr. President—

Nixon: But, boy, we—I, I—I'm sure you don't mind, that after Scowcroft brought him in, I gussied him up a little. [unclear] you were there when the Ambassador [unclear]. I hated doing it 'cause he's a nice guy. [Laughs] He went out of here shaking like a leaf. I told him, I said, "Look, if we [don't] get this, our leaders are going to say [unclear] won't have any aid [unclear]."

Kissinger: No, I think you, again, put yourself on the line, and that put it over in Saigon. But, they were in a suicidal mood in Saigon.

[Omitted here is discussion of Kissinger's forthcoming press conference.]

¹ Source: National Archives, Nixon Presidential Materials, White House Tapes, Conversation No. 940–2. No classification marking. According to the President's Daily Diary, Nixon met with Kissinger, Haig, and Ziegler in the Oval Office from 9:34 to 10:51 a.m. (Ibid., White House Central Files) The editor transcribed the portion of the tape recording printed here specifically for this volume.

85. Memorandum of Conversation¹

Washington, June 15, 1973.

PARTICIPANTS

Tran Kim Phuong, Ambassador to the Republic of Vietnam

Dr. Henry A. Kissinger, Special Assistant to the President for National Security Affairs

Mr. William L. Stearman, National Security Council Staff

Dr. Kissinger: This is the last time I am going to get involved in negotiations on Vietnam.

Ambassador Phuong: It might be necessary to do this again—to negotiate again in the future.

Dr. Kissinger: No, I am washing my hands of this.

Ambassador Phuong: But will people let you?

Dr. Kissinger: I don't think it is a good idea for us to negotiate any more with North Vietnam. This is something you should do. We might have to just long enough to get the Cambodia matter settled.

Ambassador Phuong: Will Sihanouk get into power? This is probably the only solution.

Dr. Kissinger: We don't really have a solution. The problem in Phnom Penh is they have never been able to form an adequate government.

Ambassador Phuong: How about the various factions on the other side? Couldn't you get a deal with them without Sihanouk?

Dr. Kissinger: Which is really better the Khmer Rouge or Sihanouk? Is it better to have the faction controlled by Hanoi or Sihanouk? We simply haven't made up our minds on this matter.

Ambassador Phuong: We are worried about the Church-Case Amendment.² Maybe this will be changed in the House. If the House accepts this Amendment it will be bad.

Dr. Kissinger: We hope the House won't accept it. So far the House has held it up in conference.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 105, Country Files, Far East, Vietnam, GVN Memcons, May–June 1973. Secret; Sensitive. The meeting was held in Kissinger's office. Brackets are in the original.

² The Case-Church Amendment to the defense authorization bill required congressional approval for any combat-related expenditures in Indochina. It was initially passed on June 14 but was subsequently modified to allow the continuation of bombing in Cambodia until August 15.

Ambassador Phuong: How long will this be held up? One month, two months?

Dr. Kissinger: We are trying. You know the Communiqué is not doing you any damage.

Ambassador Phuong: They are worried in Saigon that the Communists will use the Communiqué to fulfill their strategy. I read the Le Duc Tho press conference which makes clear that the Communist side is emphasizing democratic liberties.

Dr. Kissinger: They would do this anyhow.

Ambassador Phuong: But it is strengthened by the Communiqué.

Dr. Kissinger: You could use the Communiqué. You are stronger. This time it seemed that the other side was more interested in a cease-fire than you. Le Duc Tho was less sure of himself and less confident. Incidentally, Saigon should not take it seriously when I am seen smiling with Le Duc Tho. I have no illusions about Le Duc Tho. He is a treacherous bastard!

Ambassador Phuong: I spent some anxious moments here after you left for Paris.

Dr. Kissinger: The risks you were running in Saigon were insane. You should not let kids like Nha run your policy.

Ambassador Phuong: Duc was mostly to blame. Nha was not much involved in this.

Dr. Kissinger: Tell them in Saigon we won't negotiate again, for better or for worse.

Ambassador Phuong: I had the definite feeling that the problems were mostly caused by Duc. He concentrates on commas and periods.

Dr. Kissinger: Arguing about things the way the GVN did was ridiculous. There was nothing in the Communiqué about areas of control that wasn't basically in the Agreement. How can one delineate areas of control without having adjoining areas of control?

Ambassador Phuong: I made clear to Saigon that in Article 12 [of the original Communiqué draft] we are in full control of everything. This was the chief substantive contribution that I made.

Dr. Kissinger: I was afraid that people would tell us that the Communiqué did not mean anything. Thieu told Ambassadors Bunker and Whitehouse that he wanted zones of control. We were also told the same by Quang. We said in our press conference that we supported your proposals in internal talks.

Ambassador Phuong: I wanted to thank you for your efforts with Congress which I appreciate very much. I phoned Saigon to tell them that you went from your plane to Congress, which shows your concern.

Dr. Kissinger: I was successful in the House.

Ambassador Phuong: I am worried about the Senate.

Dr. Kissinger: Yes, that is a disgrace.

Ambassador Phuong: I realize that you have little time now. There is something I would like particularly to raise with you. I understand Saigon's misgivings. Saigon is not sure what the Russians and Chinese will do. I understand the extremely sensitive danger in respect to these negotiations and that you cannot tell us anything precise, but I do think that Thieu's chief worry concerns continued Soviet and Chinese arms shipments to the Viet Cong which would enable them to start another offensive.

Dr. Kissinger: I am sure it is Hanoi's intention to start another offensive.

Ambassador Phuong: There should be some way to tell Thieu more about this [the Chinese and Soviet role] in order to help eliminate his suspicions and misgivings.

Dr. Kissinger: When Martin comes out he will more fully brief him.

Ambassador Phuong: If you could only tell him more. It is not necessary to give him a paper on this, but if you could explain more clearly it would help in dispelling Thieu's suspicions, and therefore his whole approach to the Agreement and to Hanoi could be changed.

Dr. Kissinger: I will give Graham some facts in this regard. We are certainly not working with the Russians to reunite Vietnam under Hanoi, and China does not want a unified Indochina. Why should we play the stronger against the weaker? In any case, I will either give more information to Martin or to you.

Congressional Restrictions, General Warfare, June 19, 1973–February 25, 1975

86. Memorandum for the Record by the Special Assistant for Vietnamese Affairs of the Director of Central Intelligence (Carver)¹

Washington, June 19, 1973.

SUBJECT

Meeting on Cambodia

1. At 1600 on Tuesday, 19 June, Acting Assistant Secretary Godley convened a session on Cambodia in general and Ambassador Swank's 17 June Nodis (Phnom Penh 5987)² in particular.³ The group included Sullivan, Rives (State's Cambodian Desk Officer), Bill Stearman and Al Adams from the White House, Dennis Doolin and Brigadier General Hanket (plus two others whose names I did not get) from the DOD and myself.

2. Godley opened by asking if we shared Swank's gloomy appraisal of the probable consequences of an end to U.S. bombing. I made the point that "bombing" had become a somewhat misleading generic label for three different types of activity: B-52 strikes, tacair combat support and aerial resupply. The consequences of terminating the B-52 strikes (alone) would be much less serious than the consequences of ending them all. This view was strongly endorsed by the rest of the group, but both Sullivan and Godley seemed convinced that there was no chance of splitting the pie. Sullivan in particular argued that hard nose counts—allegedly by Speaker Carl Albert and Appropriations Chairman Mahon—indicated that the House was certain to endorse the Eagleton Amendment,⁴ which

¹ Source: Central Intelligence Agency, NIC Files, Job 80–R01720R, Carver Files, GAC Chronological Files, June 1973, Box 8, Folder 9. Secret; Sensitive.

² Telegram 5987 from Phnom Penh, June 17; National Archives, RG 59, State Archiving System.

³ Godley's nomination is still held up in the Foreign Relations Committee, principally by Fulbright, who apparently plans to keep it on ice at least until the question of Congressional action to stop the bombing is resolved. Sullivan's nomination to be Ambassador to Manila is also being held up by Fulbright, who has told Sullivan the Committee will not even consider it further until after the House vote on the Eagleton Amendment. Martin, as you know, has been confirmed. [Footnote in the original.]

⁴ Senator Thomas F. Eagleton (D-MO) introduced an amendment to the supplemental appropriations bill before Congress. The draft amendment stated: "None of the funds herein appropriated under this act, or heretofore appropriated under any other act, may be expended to support, directly or indirectly, combat activities in, over or off the shores of Cambodia or in or over Laos by United States forces." (*Washington Post*, May 30, 1973)

would shut off funds for all air operations, within the next few days. The President might be able to delay up to ten days in signing the amended bill, but he could hardly veto it because it provided funds to a wide variety of essential U.S. Government programs.

3. Although those who spoke to this matter—including Godley, Sullivan and the two White House representatives—seemed positive that such adverse House action was unpreventable, I am still not entirely persuaded. Congressional liaison has never been this Administration's strong suit (at least up until now). Nonetheless, particularly if Laird will lend a backroom hand, I still think the Administration might be able to cook a deal with the House leadership where in return for "voluntary" cessation of B-52 strikes, the House refrained from imposing an ironclad bar on all other forms of air activity. This is not the Agency's business but privately I think it at least worth a try.

4. Even if early termination of all air support to Cambodia is assumed as a given, the group still believed Swank's assessment bordered on the hysterical. This was not Godley's initial view, but it was virtually the unanimous opinion of everyone else and he appeared to be persuaded. All of us agreed that the kind of unravelling process Swank described probably would take place over time in such a situation, but we felt the time was more likely to be measured in weeks rather than days or even hours.

5. There was considerable discussion of the evacuation contingency. I made the point that if we were to think of evacuation it would be far more realistic to assume that the airfield would not be useable since in any situation requiring evacuation, it would almost certainly be in hostile hands or subject to continuing harassment by fire. General Hackett strongly seconded this argument and went on to explain the DOD planning that envisaged employing helicopters which landed near the Embassy rather than fixed-wing aircraft operating out of Ponchentong. There was, however, a problem with the DOD contingency planning since the present plans envisaged the use of marine units (including a battalion landing team) which had been on a carrier, but was now disembarked at Subic since the carrier was earmarked for use in mine clearing operations around Haiphong. In extremis, forces would have to be assembled from somewhere and probably staged out of Thailand. This would run into Congressional snarls but the group felt that arrangements could be quietly laid on with the Congressional leadership to permit employment of U.S. air and ground forces to evacuate U.S. personnel in a crisis situation.

6. On the policy aspects of evacuation, the group felt that despite the obvious desirability of minimizing risks to U.S. personnel, any extensive "thinning out" of the U.S. mission at this time would be politically ill-advised, since such a move would be read as a clear signal of "no confidence" which, of itself, might help precipitate the unravelling process we wanted to prevent if at all possible.

7. [1 paragraph (7 lines) not declassified]

8. After a certain amount of general discussion, the DOD representatives and I succeeded in persuading Godley that most of Swank's action proposals were political nonstarters which, if attempted, would compound the atmosphere of panic and impending collapse rather than contribute anything to improving the situation.

9. There was some oblique discussion of the Lon Nol problem but those aware of current top-level thinking about it were reluctant to carry on that conversation in this forum.

10. The upshot of the meeting was that Swank will be sent a hand-holding cable to keep him calmed down until early next week when we will know how Congress had in fact acted or is likely to act. Though it was not explicitly so stated, this holding action on Swank will also permit time for further consideration of other gambits.

George A. Carver, Jr.

87. Transcript of Telephone Conversation Between the President's Assistant for National Security Affairs (Kissinger) and the Director of Central Intelligence (Schlesinger)¹

June 26, 1973, 1:45 p.m.

K: Hello.

S: How are you doing?

K: OK.

S: The House, as you probably know, has voted through the Continuing Resolution and just added the _____ amendment which precluded any military action in any of the four countries without explicit authorization of Congress. The cutoff of activities in Cambodia is at midnight on the 30th. A Continuing Resolution is something that is normally not even considered for veto so we are going to have to face up to the question of a partial evacuation of Americans out of Phnom Penh.

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 20, Chronological File. No classification marking. Kissinger was in San Clemente; Schlesinger was in Washington. All blank underscores are omissions in the original.

K: Yeh, I just think that a partial evacuation together with a cutoff will lead to a total collapses in Cambodia.

S: It points in that direction. I asked Bill Colby to run out to the station to see what their expectations are going to be.²

K: Yes.

S: We lost it.

K: By 24 votes.

S: Well, it was a 60 vote margin on the critical vote. Something like 232–170. It is just getting weaker and weaker each day and the Continuing Resolution was passed by 385–90. As a result even a veto could be contemplated for a Continuing Resolution—it could be overridden. It also puts us into a very (tough) position for funds after the Fiscal Year.

K: It is getting impossible to do anything in Indochina.

S: That is right. We can't _____ the bombing should the North Vietnamese resume the bombing [*fighting?*].

K: Or the mining.

S: Well, the mining I have to check on. That may be sufficiently gray area that it is possible, but the Resolution was pretty well _____.

K: That finishes us.

S: That's right. We have run out of string on this one. I trust the North Vietnamese will stay put and the responsibility for the pending collapse of Cambodia should be pinned on the Congress. Normally they bitch at the Executive Branch. They should be made to recognize it is their responsibility. I think it should bring over in time some improvement of the public.

K: Yes, but it doesn't help us anywhere.

S: Not in Cambodia.

K: So the Continuing Resolution applies only two months.

S: Yes, but they will _____ on to _____ after that. What I am hoping here is the debacle in Cambodia will _____ them into their place.

K: OK, I will talk to the President and let you know tomorrow.

² See Document 89.

88. **Memorandum From William Stearman of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)**¹

Washington, June 28, 1973.

SUBJECT

Embassy Efforts to Avoid a "One Party" Senate Election in South Vietnam

Attached at Tab A is a report from the CIA describing efforts we made in Saigon to avoid the threat of a "one party" Senate election in South Vietnam scheduled for August.² To our knowledge none of these activities were cleared by the NSC, and this report represents our first word on what appears to have seen a major intrusion on internal GVN politics. The effort included CIA encouragement—[*less than 1 line not declassified*]³—for the formation of two new political parties and stimulation of negotiations among politicians to form Senate lists.

The Agency and the Embassy clearly were responding to the possibility that only Thieu's Democracy Party would contest the planned election for one-half of the Senate's membership. Other parties were not expected to participate as a result of a tight filing schedule which, they claimed, did not provide sufficient time to negotiate formation of lists and their fears that the election would be loaded in Thieu's favor. In a memo of June 16 (2 days before the filing cutoff), the Agency had alerted us to the possibility of a one party election but had not indicated the actions it was then taking to avert this contingency. (In any event the memo was OBE by the time we received it. The filed date had passed and four slates registered.)

Although no opposition or independent slates filed for the election, four groups (two associated with Thieu and two unknown, probably GVN-inspired lists) registered. The Embassy has commented that Thieu's lists are certain of victory and that he therefore will control the formerly independent Upper House. Significantly, the Embassy has also apportioned the blame for this largely no-contest election to both the administration and the politicians, who had ample warning of the legal filing schedule yet—apparently without harassment—failed to compose their own differences to file a joint Senate slate.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 164, Vietnam Country Files, Vietnam, May–September 1973. Secret; Eyes Only. Sent for information. Kissinger's initials appear at the top of the page and he wrote: "They can't do this on their own."

² A memorandum from Shackley to Godley and Kennedy, "Efforts to Avert a 'One-Party' Senate Election in South Vietnam," June 21, attached but not printed.

89. **Memorandum From William Stearman of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)**¹

Washington, June 29, 1973.

SUBJECT

CIA Report on Impact of "Eagleton Amendment" in Indochina and Thailand

At Tab A is a memorandum from George Carver containing the views of CIA Station Chiefs in Cambodia, Laos, South Vietnam [*less than 1 line not declassified*] on the impact of the "Eagleton Amendment" on these countries.² These views are summarized below.

Cambodia

Here the crucial question is whether or not logistical support to the FANK could be continued under the terms of the Amendment. If such support can be continued, the impact of the Amendment would be as follows:

—The physical impact on FANK would be serious, but not necessarily fatal.

—If it does not fall prey to defeatism, FANK should have the capability of protecting Phnom Penh and keeping Routes 4 and 5 and the Mekong open; however, the additional forces needed for these missions might require the effective surrendering of such beleaguered cities as Svay Rieng, Prey Veng, Takeo, Kampot and Kompong Thom.

—Panic, disorder, anarchy or a wave of anti-Americanism in Phnom Penh, though possible, are not probable in the near term. Trouble would come from small enemy raids or rocket attacks.

—There is not likely to be a disastrous disintegration of FANK, although its morale would suffer from a lack of U.S. combat air support.

—A political crisis could develop leading to In Tam's resignation and to a Sirik Matak government.

Communist negotiating demands would probably not change. They would regard the bombing halt as a major victory and would in-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 209, Agency Files, CIA, 1973. Secret; Sensitive. Sent for information. Kissinger's initials appear at the top of the page.

² CIA memorandum, "Impact of the 'Eagleton Amendment' Throughout Indochina and Thailand, as Seen by CIA Station Chiefs," June 28, attached but not printed.

tensify military and propaganda efforts against the GKR. They would soften up Phnom Penh by infiltrating cadre and sapper teams and by cutting off its communications. Should they estimate that it would take too long to effect Phnom Penh's collapse, they might concentrate on taking isolated GKR cities (e.g., Takeo and Kampot) thus placing their side in a strong position to dictate the terms of a coalition government to a supine GKR.

If, however, the Eagleton Amendment were to be interpreted as prohibiting logistical support for FANK, the results would be:

—A rapid disintegration of FANK, probably within ten days.

—A psychological and political impact on the nation as a whole "nothing short of disastrous" and food riots in Phnom Penh and other urban centers resulting from an implied cessation of rice deliveries.

Laos

—The military situation will not be significantly affected.

—An absolute proscription of U.S. bombing in Laos would undoubtedly encourage Pathet Lao intransigence in the talks and may increase the RLG's willingness to compromise on fundamental political and military issues.

South Vietnam

The Amendment will encourage the Communists and strengthen their belief that we have given them a free hand in Southeast Asia.

—By the same token, this will contribute to weakening the GVN.

—There is not likely to be any immediate change in Communist tactics and policies in South Vietnam; however, it will be easier for them to consolidate their position in the country (through increased freedom of action in Cambodia) and the onset of new pressures against the GVN will probably be hastened.

Thailand

—If the North Vietnamese did not launch heavy attacks in Laos and Cambodia, the Thai would probably react calmly. However, the Amendment would call into question the dependability of U.S. protection and would reinforce those calling for a rapid détente with China. Some Thai leaders might also publicly question the retention of USAF units in Thailand.

—On the other hand, should the North Vietnamese launch heavy attacks on Thai volunteers in Laos, the reaction from the Thai leadership would be quick and angry, and heavy casualties would probably result in the withdrawal of Thai units. The inability of the USAF to rescue and extract these units would create considerable anti-U.S. sentiment in Thailand and a definite cooling of U.S.-Thai relations.

Comment

For the most part, the projections of the various Station Chiefs seem plausible enough; however, in assuming a worst case situation (i.e., logistics cut off), the Phnom Penh Station Chief has not taken into account the possibility of alternatives (e.g. charter or VNAF airlifts) to U.S. logistics support which could ameliorate the hopeless situation he projects.

90. Memorandum From William Stearman of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, July 2, 1973.

SUBJECT

Current Situation in Vietnam

Overview

The June 13 Communiqué² has resulted in the lowest overall levels of fighting since the January 28 cease-fire. However, the implementation of other aspects of the Communiqué still leaves much to be desired. (A separate report on this is being prepared.)³ While we are adhering to schedules in respect to mineclearing and the JEC talks, the Vietnamese parties seem far from implementing the Communiqué in respect to such matters as infiltration, deployment of joint teams, release of prisoners and MIAs—to name only a few. In general, however, both sides now seem to be moving towards a stabilization of the military situation and increasing economic and political competition.

Military

Since the new “strict” cease-fire went into effect on June 15, the overall level of fighting throughout South Vietnam has reached the low-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 164, Vietnam Country Files, Vietnam, May–September 1973. Secret; Sensitive. Sent for information. Kissinger’s initials appear at the top of the page. According to the attached correspondence profile, he noted the memorandum on July 11.

² See Document 83 and footnote 2 thereto.

³ Memorandum from Stearman to Kissinger, July 4; National Archives, Nixon Presidential Materials, NSC Files, Box 164, Vietnam Country Files, Vietnam, May–September 1973.

est levels since the January 28 cease-fire. The principal exceptions to this trend have been in MR-II, where ARVN forces have been trying to retake villages northwest of Kontum which were lost just before June 15, and in Chuong Thien Province (MR-IV) where the Communists have tried to expand their holdings and where the ARVN has been conducting an active "defense." However, even in these areas fighting has slackened in recent days.

The latest COSVN directives call for a minimum of military action and for increased emphasis on political struggle and economic viability. Since the GVN also seems to be seeking only minor adjustments of the present military status quo, prospects for relative stability and a continued low level of fighting are probably good in the coming months.

Infiltration

Despite the decreased level of combat, there has been little change in North Vietnamese infiltration activities since the Communiqué. Large amounts of war supplies are still illegally crossing the DMZ into northern MR-1—although rains have forced a drastic reduction of infiltration via the Ho Chi Minh trail. The North Vietnamese are continuing a major "transportation offensive" into Quang Tri Province (which they are actually annexing). For example, 4,300 vehicles reportedly transited a DMZ-associated checkpoint in northeastern Quang Tri in the period June 14–20. (Although the 15 day period has now elapsed, the other side still has not designated additional points of entry and has not yet introduced any war matériel through a designated point of entry under supervision.)

Personnel infiltration into South Vietnam since the Communiqué seems to be confined to small special purpose groups.

Two Party Joint Military Commission

The TPJMC has made little progress in implementing those parts of the Communiqué affecting the Commission due to varying interpretations of the Communiqué reflecting basic policy differences between the two sides.

Meetings of local commanders (which were to occur within 24 hours of the cease-fire) have not yet taken place. The GVN insists on beginning such meetings at the division commander level and then working down the chain of command. The PRG insisted on meetings at the squad and platoon leader level but has now shifted up to the company commander level. The GVN has proposed inspection of cease-fire positions by TPJMC teams, but this has been rejected by the PRG.

There is still fundamental disagreement on team deployment. The GVN insists on initial deployment to the 26 sites specified in the Agreement with possible later deployment to the Communiqué border sites when zones of control have been delineated. The PRG insists they will

deploy only to the new sites to be designated on the borders of areas of control.

On privileges and immunities, the GVN has taken the position that these should be granted when the PRG agrees to deploy to the team sites designated in the Agreement.

The GVN on June 18 began discussions with the PRG on selecting a new headquarters in Saigon proper which would be jointly occupied by both delegations. The PRG “noted” this proposal, but has not yet replied.

Four Party Joint Military Team

The other side is clearly stalling on its undertakings in respect to Paragraph 8 (e) (MIA’s) of the Communiqué. We are no nearer than before to our objectives of repatriating the remains of those who died in captivity, obtaining an accounting for MIA’s and investigating crash sites in contested and Communist-controlled areas.

The other side is, inter alia, using the MIA issue to further other objectives. For example, the PRG representative told his U.S. counterpart on June 27 that the PRG could guarantee the return of some U.S. remains if we would put pressure on the GVN to release civilian detainees. The PRG is also insisting on visiting and maintaining graves in GVN territory in an obvious attempt to establish a presence in Government-held areas. (The GVN insists on disinterment and removal of remains to PRG areas.)

Most recently, the other side has refused to sign flight safety certificates instituted after a minor explosion in the luggage of a North Vietnamese passenger on the June 8 JMT liaison flight from Hanoi to Saigon. This has effectively suspended U.S. liaison flights between Hanoi and Saigon since we will no longer fly this route unless the DRV/PRG passengers will certify they aren’t carrying dangerous objects in their luggage. (Polish and Hungarian ICCS passengers have not hesitated to sign these certificates.) Our Embassy believes the DRV is using this issue to pressure the GVN into accepting liaison flights by North Vietnamese aircraft.

Detainees

So far there has been little movement towards releasing more civilian detainees. To date, the GVN has released more detainees than has the other side (714 versus 385). There is presently disagreement on places of release, and the PRG has reduced the number of those it is willing to release.

While the GVN has told us that the TPJMC has reached agreement in principle on National Red Cross visits to places of detention, the modalities of such visits remain to be worked out. The main difficulty

is PRG insistence that there are no detention camps in its area. The GVN objects to inspections restricted only to its detention facilities.

ICCS

Little has changed in respect to the ICCS. Plenary sessions continue to be suspended (as they have been for weeks) because the Communist members insist that the principle of unanimity must apply to the investigation process if results of investigations are to be forwarded as ICCS documents. (This is contrary to Article 3 (b) of the ICCS Protocol.) The Hungarians and Poles continue to be as obstructionist as ever, and the PRG continues to restrict safety guarantees for ICCS flights; moreover, Communist forces have, since the Communiqué, continued to fire on ICCS helicopters (e.g. on June 17 and 26).

The search for a replacement for Canada goes on with Malaysia indicating it could only provide 50 to 60 people for an ICCS delegation (of the some 300 required). Should Malaysia persist in its position, we have instructed our Chargé in Saigon to consult with the GVN on another candidate.

The GVN is about to table a draft on safety assurances for ICCS travel.

Negotiations

The GVN/PRG bilateral talks resumed on June 28 (the first meeting since May 30). Although both sides presented "new proposals," their presentations differed little from earlier offers. The GVN repeated its proposal to create four commissions (for democratic liberties, elections, NCNRC and armed forces) and updated its previous timetable for removing restrictions on democratic liberties, withdrawal of non-SVN forces, NCNRC formation and elections (to be held December 25, 1973).

The PRG's proposal called for the early formation of the NCNRC which would monitor the cease-fire and democratic freedoms and organize elections "when an effective cease-fire has been applied and democratic liberties fully guaranteed."

The DRV flatly rejected the GVN proposal for bilateral GVN–DRV talks on reunification and other matters involving relations between the two countries.

Internal Political Developments

The political situation in South Vietnam has changed little since the January cease-fire. Over the past six months, Thieu has strengthened his control of the country's political institutions through aggressive electioneering by his party (the Democracy Party) at Senate and village council levels. The Democracy Party captured up to 90% of the village council positions so far elected this year and Thieu's slates certainly will take control of the once-obstreperous Senate when elections

for one half of its members are held in August. A victory in the Senate elections will allow Thieu to press his efforts to amend the constitution to permit a third presidential term and to continue the appointment versus election of province chiefs.

The expansion of the Democracy Party has occurred at the expense of the non-Communist opposition which remains as divided and ineffectual as ever. The moderate opposition has organized two political parties under the 1972 party's law—the Catholic-based "Freedom Party" and a collection of moderately critical former parties called the "Social Democrats." (These two groups plus the Democracy Party so far are the only legal parties under 1972 political parties law.) These parties, however, were unable to agree on candidate lists for the Senate election and therefore have forfeited the contest. The An Quang Buddhists remain quiescent and internally divided. Former Vice President Ky plays tennis, and General Big Minh speaks of forming a "third force" but appears no closer to success than four years ago.

In addition to strengthening his political hold, Thieu understandably is intent on maintaining the GVN internal security apparatus and the vigilance of the general population. He has repeatedly warned his people to keep up their guard and has continued to apply the full range of security measures, including a low-key Phoenix program and a ban on all contact with the enemy, from economic dealings and commanders meetings, to refugee return.

Thieu's tactics have not aroused much controversy among the general public. South Vietnamese appear deeply skeptical of the cease-fire and fearful of the Communists. Although somewhat more hopeful that the "new" cease-fire will bring peace, the public continues fully to accept the GVN's wartime restrictions as necessary; there has been no outcry against the Democracy Party's eclipse of the opposition politics. However, the public is still deeply troubled by the issues of corruption and administrative efficiency. Although Thieu has promised action and has spoken out far more strongly on both scores, his efforts so far have yielded few results.

In summary, we see no threat to Thieu's power which continues to grow and little internal pressure for the GVN to ease its policy of tight population control *viz-à-viz* the Communists. Ultimately only long term economic considerations—such as the GVN's ability to pay its large military and police forces—can cause the government to modify its current policy.

91. Memorandum From the Chairman of the Joint Chiefs of Staff (Moorer) to Secretary of Defense Schlesinger¹

CM-2777-73

Washington, July 5, 1973.

SUBJECT

US Support of the Government of the Khmer Republic (GKR) (U)

1. (TS) Current plans call for cessation of US combat air efforts in the Khmer Republic effective 15 August 1973. Our objective between now and 15 August is to weaken enemy matériel and personnel strengths and leave the GKR in the strongest possible position relative to the insurgents when our operations cease.

2. (TS) The requirement for an increase in sorties is a military response to a military situation which has emerged in Cambodia. The weather has been unusually good facilitating tactical reconnaissance and permitting us to build up an unusually large target base. Insurgent strategy has changed in the past 2 to 3 weeks. The enemy has begun to close in on Phnom Penh, leading to increasing concern for security of the city itself as well as the LOC. Finally, the enemy has moved to a "scorched earth" policy. We believe that an increase of B-52 sorties to about 60 sorties per day to include daylight strikes, and additional TACAIR sorties are required as a proper military response in this situation. We recognize that the worsening of weather with the advent of the monsoon season may make it impossible to effectively employ the desired increase in sortie level.

3. (TS) The above increase will serve to enhance LOC security and at the same time improve the situation in the vicinity of the capital itself and improve civilian morale. The enemy accelerated campaign since January 1973 has been designed to collapse the Cambodian Government by sealing off all key LOC leading into Phnom Penh. The key LOC in order of priority are:

- a. Mekong River corridor (bulk POL and ammunition).
- b. Route 4 (MAP and general cargo—except ammunition and POL).
- c. Route 5 (rice and foodstuffs from the Battambang area).

FANK forces are primarily committed to secure these routes and associated population centers. Other secondary LOC provide for the

¹ Source: National Archives, RG 218, Records of the Chairman, Records of Thomas Moorer, Box 091, Cambodia, June–December 1973. A handwritten notation at the top of the memorandum reads: "Original hand carried to Gen. Wickham by Mr. K, 5 July–1220."

movement of internally produced foodstuffs. US air support at the present level has allowed the FANK to be marginally successful in countering enemy LOC blockage, but the constant shifting of the FANK General Reserve and harassment of territorial forces has not permitted the institution of recently approved security measures. The enemy has increased his interdiction efforts in the last month against the LOC north and northeast of Phnom Penh while his actions against Route 4 to the south have closed to within 12 miles of Phnom Penh. The "scorched earth" campaign around Phnom Penh is part of a concerted effort to eliminate government influence and control in the Phnom Penh area. According to COMUSSAG, since the recent surge of fighting began in early June, photography has revealed that a total of 26 villages have been burned out in this area.

4. (S) Current MAP and GKR programs for the FANK should significantly improve its capabilities in the near future. Increased US support should serve to relieve enemy pressure on the FANK, thus facilitating the progress of these programs and allowing the FANK increased time to regroup throughout.

5. (TS) Specifically, an increased weight of US air effort will:

a. Materially assist a FANK operation to secure the west bank of the Mekong, leading eventually to an acceptable level of corridor security, while maintaining at least the same level of support to forces deployed in other areas.

b. Take advantage of recently increased US reconnaissance and targeting to reduce enemy will and capability to continue the struggle.

c. Aid FANK implementation of Route 4 security plan while providing added air support to current convoy efforts.

d. Support FANK efforts to repair bridges and establish adequate security measures on Route 5 so as to insure continued flow of rice and other critical foodstuffs.

e. Decrease the enemy capability to threaten the LOC north and northeast of Phnom Penh in order to reduce the need for diffusion of critical FANK manpower. This will allow the GKR to improve its position along key LOC.

6. (TS) Should a deterioration of the military or political situation bring about a collapse of the present government and result in a communist-dominated coalition, the enemy could obtain complete sanctuary status in Cambodia to include use of Kompong Som Port for entry of war matériel. This would:

a. Enhance immeasurably the threat to the Republic of Vietnam.

b. Erode the Royal Laotian Government resolve to resist.

c. Expose the Thai border to communist forces which could escalate present Thai insurgency beyond manageable proportions. This could result in an increased demand for US assistance, or a Thai accommodation with the Communists, which in turn would precipitate the loss of US bases in Thailand.

7. (TS) Cambodia is an essential element in the overall DRV scheme for domination of SEAsia. The objective of this essential increase in US support will be to preclude such domination by weakening the insurgents and strengthening the GKR to the greatest extent possible in the time remaining.

T. H. Moorer

92. Minutes of Washington Special Actions Group Meeting¹

Washington, July 10, 1973, 3:12–4:36 p.m.

SUBJECT

Indochina

PARTICIPANTS

Chairman
Henry A. Kissinger
State
Kenneth Rush
William Porter

Defense
William Clements
Robert C. Hill

JCS
Adm. Thomas H. Moorer

CIA
Gen. Vernon Walters
William Colby
George Carver
NSC
B/Gen. Brent Scowcroft
Richard Kennedy
Lawrence Eagleburger
William Stearman
Jeanne W. Davis

SUMMARY OF CONCLUSIONS

It was agreed:

—to prepare a paper detailing what U.S. activities are still possible in Indochina under the Congressional cut-off of funds;²

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² NSC memorandum, "Additional Assistance for Cambodia," July 11; *ibid.*, RG 218, Records of the Chairman, Records of Thomas Moorer, Box 091, Cambodia, June–December 1973.

—that a Working Group would prepare a package of what more the U.S. could do to assist Cambodia militarily, economically and politically in the next five weeks.³

—That General Weyand would look into the possibility of Thai and South Vietnamese support for Phnom Penh.

Mr. Kissinger: I'd like to review where we stand in Indochina and where we will be by August 15. Could we have the CIA briefing?

Gen. Walters briefed from the text at Tab A.⁴

Mr. Kissinger: (referring to comments in the briefing) You should remember that the President was the last member of the Administration to accede to the Congressional ban on funding. How long do you think it will be before another major offensive?

Gen. Walters: Another six months.

Mr. Kissinger: It looks as though George (Carver) disagrees.

Mr. Carver: My colleagues feel a little more strongly on six months than I.

Mr. Kissinger: You think it will be earlier?

Mr. Carver: I haven't made up my mind. If the North Vietnamese believe our hands are tied, their confidence will be increased.

Adm. Moorer: They haven't complied with the agreement in any way in the logistics area.

Mr. Carver: And they're building a new superhighway to run supplies down.

Mr. Porter: They're waiting until they see the form and shape of an aid program.

Mr. Kissinger: Does CIA have any estimate of a Soviet or Chinese supply effort to the North Vietnamese.

Mr. Carver: We have had no pictures of the border lately. We only flew two missions and they were a long time ago.

Mr. Kissinger: I thought we were flying one a week?

Mr. Carver: No. We've had cloud cover, but we flew the missions primarily to exercise their radar and send them a signal. We will be flying an off-shore mission in the next five days, however, which will give us photography of the coastal area.

Adm. Moorer: The minesweeper people say the traffic is continuing.

³ An interagency working group convened at the Executive Office Building on July 11. A record of that meeting and memorandum of major conclusions are in the National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973.

⁴ Walters's briefing, "The Situation in Cambodia," July 10, attached but not printed.

Mr. Carver: We'll give you our best guess.

Mr. Kissinger: How do you explain Sihanouk's appeal for arms and ammunition?⁵

Adm. Moorer: They're getting short.

Mr. Kissinger: Aren't the North Vietnamese supplying them?

(Mr. Colby arrived and Gen. Walters left the meeting)

Mr. Carver: Yes, but they want more from wherever they can get it.

Mr. Kissinger: Did I understand you correctly that Cambodian commanders are now pocketing the pay of actual troops, not just that of the phantoms?

Mr. Colby: Yes.

Mr. Kissinger: What do you think will happen on August 15?

Mr. Colby: We have prepared a paper on that (circulated the paper at Tab B).⁶

Mr. Kissinger: (referring to the paper) I get from this that you don't expect the negotiations to succeed before August 15.

Mr. Colby: I don't know much about actual negotiations. In the absence of a negotiation, they will keep pushing, but they will try to get what they want through a negotiated solution rather than a mass military movement.

Adm. Moorer: The Cambodian Ambassador told me this morning that the Communist leaders are sticking right by Sihanouk—that Sihanouk has no real influence and is being used as a front with the Communists telling him what to say.

Mr. Colby: Sihanouk has reestablished some relations with the North Vietnamese.

Mr. Carver: They're keeping Sihanouk on a short leash and they're using him to support their claim that they are not revolutionaries—that they're supporting the legitimate government. The price for Sihanouk is to do what he's told.

Adm. Moorer: The Ambassador claims Sihanouk won't last—that he has no real power base.

Mr. Porter: The Communists have assured him of tenure for life.

Mr. Kissinger: On August 15 will the whole thing come apart?

Mr. Carver: I'll answer a question with a question. Can we keep up the resupply?

⁵ In a speech in Beijing, Sihanouk appealed to third world countries for arms and ammunition for the Khmer insurgency. (Telegram 133714 to East Asian posts, July 9; National Archives, RG 59, Central Foreign Policy Files)

⁶ CIA Memorandum, "Implications for Communist Conduct of the Congressional Restrictions on U.S. Military Activities in Indochina," July 10, attached but not printed.

Mr. Colby: I think the situation will ooze away.

Mr. Kissinger: What is the answer on resupply?

Adm. Moorer: The Pentagon lawyers say we can conduct unarmed reconnaissance, airlift of rice and medicine, and air delivery of replacement MAP equipment.

Mr. Kissinger: But air delivery of other equipment is illegal?

Adm. Moorer: Well, we couldn't airlift bombs and drop them before we landed.

Mr. Colby: Could you airlift to beleaguered units in the field?

Adm. Moorer: Food or medicine, but we can't drop ammunition to a beleaguered garrison. At least that's what is in the minds of Congress.

Mr. Kissinger: Are we asking them?

Adm. Moorer: No. But in deciding whether something could be interpreted as a violation, the question is whether to try to solve it in advance or to wait until we're caught.

Mr. Kissinger: Whom would we go to on the Congress for an opinion?

Adm. Moorer: Senator Mondale, Mahon, McClelland.

Mr. Clements: Don't do it without consulting Mahon.

Mr. Colby: The question is involvement of US military force in hostilities.

Adm. Moorer: It depends on the definition of hostilities. Airlift support is not hostilities.

Mr. Porter: What if you're shot at?

Adm. Moorer: It's okay if you don't shoot back.

Mr. Porter: You can't supply a beleaguered garrison without getting shot at.

Mr. Kissinger: Why not? Let's get a paper within the next 48 hours or an indication of what possibilities there are and what bases have to be covered to make some of these things possible. If it requires talking to Senators Mahon and Stennis, let's do it.

Adm. Moorer: Include unarmed recce, including Comint and Elint.

Mr. Kissinger: Then what?

Mr. Carver: If the situation does unravel, it should be at a rather slow rate.

Mr. Kissinger: What is a slow rate?

Mr. Carver: Five or six months?

Mr. Kissinger: After which, Phnom Penh falls?

Mr. Colby: Prior to which they might work out some settlement, leading to the departure of some leaders to the Riviera and the assumption of power by the other side.

Mr. Kissinger: This would happen in the best of circumstances?

Mr. Colby: Yes.

Mr. Kissinger: What if we should continue the bombing?

Mr. Colby: It would stretch out the time.

Adm. Moorer: If we continued bombing, they couldn't move into Phnom Penh permanently. They couldn't interdict Phnom Penh's LOC. Otherwise they could try to cut off supplies of rice and oil with a view to causing an internal collapse. If they try a frontal assault, they would lose heavily. They're complaining about their losses and their supply problems now.

Mr. Kissinger: After we stop the bombing, you think it will take from 3 to 6 months to unravel?

Mr. Colby: That's about right.

Mr. Kissinger: What incentive do the North Vietnamese have not to await that process.

Mr. Colby: Maybe they could negotiate taking over a going operation, rather than start at the bottom.

Adm. Moorer: They can't replace all the bureaucratic structure.

Mr. Kissinger: Then they would be talking about a facade coalition.

Adm. Moorer: They'd almost have to, to make it work.

Mr. Kissinger: You mean effective domination by the Communists with just enough of the present structure to run it.

Mr. Colby: With Sihanouk.

Mr. Kissinger: You consider that the probable outcome?

Mr. Colby: Yes.

Adm. Moorer: With the three Communist leaders in the front row with Sihanouk, but holding the real power.

Mr. Colby: It would be similar to the Lao Government in 1962 but with the Pathet Lao in a stronger position.

Mr. Kissinger: Something like the Lao Government in '62 wouldn't be so bad.

Mr. Colby: You had some rightists, some Pathet Lao, with a small, thin edge of Souvanna Phouma. The Souvanna moved away from the Communists and associated himself with the Government side.

Mr. Kissinger: The tactical question would be whether this should be brought about through direct negotiation with Sihanouk, negotiation with the Cambodians in Cambodia, or let the situation unravel and let the Cambodians bring it about with their opposite numbers.

Mr. Carver: From the point of view of South Vietnam, the longer Hanoi has to wait for unrestricted access in Cambodia, the more difficult it is for them to move in South Vietnam. The longer they have to wait, the less chance they have of improving their political prospects

in South Vietnam, which are now fairly bleak. This argues for stretching out the Cambodian unravelling. If we don't care, it can happen faster.

Mr. Kissinger: Stretching it out means we do nothing diplomatically?

Mr. Carver: We should not do the negotiating. We should let Sirik Matak, In Tam and Cheng Heng—not Lon Nol—do the negotiating. We can use Lon Nol's status and the 180,000-man army as chips.

Mr. Kissinger: Without a cease-fire?

Mr. Carver: Yes. The Phnom Penh Government is trying to bargain for a cease-fire. But the importance of Cambodia to the U.S. is its impact on South Vietnam.

Adm. Moorer: Also, the North Vietnamese are holding up in Laos waiting to see how Cambodia comes out.

Mr. Colby: If we leave it to the Phnom Penh Government, they have a disinclination for any positive negotiation. We have to go around them—see what we can do with Sihanouk. Chou En-Lai is the real supporter of Sihanouk.

Mr. Kissinger: Why not stretch it out by talking to Sihanouk and try to get a cease-fire in return. Then the situation could unravel during the negotiation process.

Mr. Colby: Sihanouk wouldn't give us a cease-fire to negotiate with without assurances for himself.

Mr. Porter: Didn't we make this pitch before and he wouldn't play?

Mr. Colby: No, not a simple ceasefire so as to negotiate.

Mr. Porter: What about a ceasefire in return for a cessation of bombing on July 23?

Mr. Colby: My guess is no.

Mr. Carver: It's not just "bombing". It's B-52, tactical air and re-supply. Without all these, FANK's ability to fight will collapse. If we can supply them, FANK's ability to hang on remains.

Mr. Kissinger: Are they willing to fight?

Adm. Moorer: If Lon Nol were out, Fernandez in, and the troops were paid, they will fight.

Mr. Carver: Yes.

Mr. Kissinger: Can we do this by August 15?

Mr. Colby: There are too many 'ifs'. I think the situation will ooze away.

Mr. Carver: I agree with Admiral Moorer. We can make FANK a force that the Communists will pay a price to dissolve.

Mr. Kissinger: For three years we have been maintaining a low profile. Will the Cambodians be able to get done what is needed without the Americans to tell them what to do? In four weeks, can we get

Lon Nol out, Fernandez in, and get the troops paid? Can we do it in four weeks when we couldn't do it in three years?

Mr. Carver: No.

Mr. Kissinger: Should we get into a negotiation with Sihanouk hoping to drag it out that way? I assume we're agreed that the principal objective would be to drag it out.

Mr. Carver: The two things are not mutually inconsistent. It would still be better to strengthen Phnom Penh.

Mr. Kissinger: If talking to Sihanouk will be bad for Phnom Penh, how much better off would they be if we don't talk to Sihanouk. It makes no sense to talk to Sihanouk without a hope of getting somewhere.

Mr. Colby: The road to decision-making in Southeast Asia is paved with 'ifs'.

Mr. Kissinger: We can live with the 'ifs' if we have an understanding of what the odds are. If it takes three problematical factors to stretch out the situation for six months, and if one of these factors is not there, how much does this knock off the odds? If we can get six months, this would get us into the dry season and that would be good. But if there is a collapse in Cambodia by September because the U.S. Executive branch and the Congress got themselves in a position where their hands were tied, this would be disastrous. If we can avoid that, it would be demonstrably preferable. But what game can the Chinese play if the U.S. deprives them of the arguments they can use? If we're bombing, and Chou can deliver a bombing halt, he has something the North Vietnamese and Sihanouk can understand. But if he has to invent something, that's something else. The Chinese would prefer a neutral, non-North Vietnamese dominated Cambodia, but they're not going to give up their position in the Communist world. They would even take Sihanouk as an independent force leaning toward them.

Mr. Colby: If a negotiation puts Sihanouk in, this would give him a real role. If the Khmer insurgents take over, Sihanouk will be outside.

Mr. Kissinger: What price would the Chinese be willing to pay to get Sihanouk in? There's an element of negotiation here. It is in Sihanouk's interest to be brought back partly by the U.S.

Adm. Moorer: The first thing to do is try to get Lon Nol out and get a good chain of command.

Mr. Kissinger: We can do that? When is (Ambassador) Swank coming out?

Mr. Porter: In two weeks.

Mr. Carver: We have to get Lon Nol out and get the troops paid.

Mr. Colby: We should do whatever we can to strengthen the regime.

Mr. Kissinger: Yes, on either track—in any event. What concrete steps should we take and in what time frame?

Mr. Colby: With Lon Nol, we should just go up and say “go!”

Mr. Kissinger: Who will do it?

Mr. Porter: The Ambassador should do it.

Mr. Kissinger: If we begin by getting rid of Lon Nol, the whole thing may be understood as a US effort to unravel the situation.

Mr. Colby: Not if we get word to the other leaders.

Mr. Kissinger: Can we get word to the other leaders on what we would do if Lon Nol were out?

Adm. Moorer: We can make Lon Nol leave on the basis of medical requirements.

Mr. Kissinger: But he has said he doesn’t want to leave.

Adm. Moorer: We could have a package of assistance we could give them before August 15.

Mr. Carver: But we can’t give them a chain of command—they have to do that themselves.

Mr. Kissinger: We have to have a concrete program. If our only reaction to the Congressional cutoff is to get Lon Nol out, it would be misunderstood.

Mr. Clements: We have to give some commitments to the people we would put in his place.

Mr. Kissinger: Dick (Kennedy), let’s get a Working Group to consider what we can concretely do in the next five weeks, including assistance, air support, etc. What we could go to the other three leaders with, saying it won’t work unless Lon Nol leaves the country. We would continue existing aid, of course. Each agency designate one man for this. We’ll have another WSAG meeting first thing Thursday (July 12).

Adm. Moorer: Our degree of success would be a major factor in deciding whether or not to go with Sihanouk.

Mr. Kissinger: If we’re going to make a move with Sihanouk, it would be better to do it before August 15. We’re all agreed that strengthening Phnom Penh is desirable whatever scenario we decide on. It puts us in a better bargaining position. We don’t have to decide whether to move toward Sihanouk before August 20. I’m not sure we should talk to him unless we know the probable outcome of the negotiation. I don’t want to go to the Communist camp.

Mr. Colby: You may want to have a previous discussion with the Chinese.

Mr. Kissinger: They would have to tell me what the outcome would be.

Mr. Porter: We could get him out of China.

Mr. Kissinger: I’m not sure we want to.

Mr. Colby: You’d have less press coverage in Peking.

Mr. Kissinger: Do we have two CIA positions: one Colby and one Carver?

Mr. Colby: I favor trying with Sihanouk. There's a remote chance Sihanouk can be built up to actual power with a tendency toward less than a total Communist state.

Mr. Rush: We agree.

Mr. Clements: We do too.

Mr. Kissinger: Will talking to Sihanouk disintegrate Phnom Penh?

Mr. Colby: It will be a shock to them, but they won't disintegrate.

Mr. Carver: They won't disintegrate, but if you can get Phnom Penh to do the talking we will be better off. If they won't, we can fall back on ourselves.

Mr. Kissinger: If we can hold Phnom Penh together and talk to Sihanouk, okay. If not, we must weigh what is the most we can get out of six months. An argument for the Sihanouk option may be whether we can use the negotiation to delay the takeover. A second possibility is the long-shot of Bill Colby's. Sihanouk may get more in the front of the action than now appears possible. The Chinese may have an interest here. Is there a Soviet interest? An Indian interest?

Mr. Porter: Sihanouk is interested in getting control of FANK as a balance to the Khmer Rouge. It's the only way he can protect himself against the Communists.

Mr. Kissinger: Those are two arguments for Sihanouk. The third is the disintegration of a great country and the picture of our being run out of Southeast Asia.

Mr. Colby: Any negotiation in which we play a role would be better than being booted out.

Mr. Clements: Is it possible that Sihanouk is the avenue toward which we would turn? The people we get to replace Lon Nol will ask.

Mr. Colby: We'll have to level with them.

Mr. Kissinger: First let's get Lon Nol out and get some positive indications of support out to the other leaders before we start lecturing them on Sihanouk. They need an infusion of confidence first. Then we can do the other.

Adm. Moorer: Who will put it up to them?

Mr. Kissinger: Is General Weyand still there?

Adm. Moorer: He knows Lon Nol well, but he doesn't know In Tam or Sirik Matak.

Mr. Kissinger: I understand you are pulling Tom Enders out of Phnom Penh, too. He's a good man.

Mr. Porter: He wants out. We're replacing him with a good man.

Mr. Rush: Peter Flanigan wants him on the CIEP staff.

Mr. Porter: And we have a good man in mind to replace Coby Swank—Matt Looram.

Mr. Kissinger: Can we get by Thursday a paper on what we could do to strengthen Phnom Penh militarily, economically and politically. How about Laos?

Mr. Colby briefed from the text attached at Tab C.⁷

Adm. Moorer: They're building a two-lane road coming down each side of the mountain—one lane on each side, 50 miles apart. It's an all-weather road.

Mr. Kissinger: They have no intention of getting out of Laos.

Adm. Moorer: No, they have violated every aspect of the agreement in this regard.

Mr. Kissinger: And they know we have no sanctions. Let's get (Ambassador) Graham Martin out to Saigon as fast as possible—this week. Has the impact of the Congressional action on South Vietnamese morale been serious?

Adm. Moorer: Yes. Vien, their senior military man, says we have been left without leverage on North Vietnam. He says, in the circumstances, they will have to take any action necessary. General Weyand is going to talk to them in detail.

Mr. Kissinger: What are Weyand's instructions?

Adm. Moorer: To get the South Vietnamese reaction to the Congressional action; to reassure SVN of our full support; to examine procedures to see if we are responding quickly enough to replace equipment; to talk to each regional commander.

Mr. Kissinger: And to get in as many supplies as possible.

Mr. Clements: We're doing that.

Adm. Moorer: They're not hurting for lack of supplies.

Mr. Clements: We're also looking at the contract people.

Mr. Kissinger: If the other side is not complying with the agreement, why would we want to remove our contract people.

Adm. Moorer: We're not; we're doing what you said.

Mr. Kissinger: Can we get an estimate of the food supplies for Phnom Penh after August 15 and any problems we foresee?

Adm. Moorer: They have 17–19 days supply in the city. Consumption is 600 tons a day. The ability to replace food depends on keeping Highways 5 and 4 and the Mekong River open. It depends on the capability of the insurgents to interdict these routes.

⁷ Colby's briefing, "The Situation in Laos," July 10, attached but not printed.

Mr. Colby: That's part of the oozing process.

Adm. Moorer: They can't pull down the curtain on all three routes at once. There is a supply cycle of pull down, then build up.

Mr. Carver: Closing the Mekong between now and September would be difficult.

Mr. Kissinger: Can you get in a lot between now and September?

Adm. Moorer: Yes, we can get in a lot of rice. There's some question of the storage capacity for POL.

Mr. Kissinger: Let's look into that.

Adm. Moorer: It depends on how much the insurgents put into interdicting the river. They have been active on both sides.

Mr. Porter: The Vietnam side too?

Adm. Moorer: Yes, but we got on the Vietnamese about that and there has been no more difficulty.

Mr. Clements: In Cambodia, are we considering just letting it fall apart under the edict of Congress.

Mr. Kissinger: You mean do nothing after August 15? Do you recommend that?

Mr. Clements: No.

Mr. Kissinger: How long can they last without aerial supply?

Mr. Carver: There will be a quick unravelling if we are unable to assist a beleaguered garrison—two or three months.

Adm. Moorer: This relates to the chain of command question. When they begin to defect, that's the beginning of the end.

Mr. Colby: We could spot the towns where the supplies would go.

Adm. Moorer: The insurgents have left some towns alone.

Mr. Carver: The Government tried to assist two towns, and they were knocked out.

Mr. Clements: We're on a short fuse here. If we try to make a deal with Sihanouk for the long term, where are we headed? What are we trying to accomplish? Is this in the interest of the US or in the interest of the Chinese in the long term?

Mr. Kissinger: We don't give a goddamn about the Chinese. We want to delay the North Vietnamese having unrestricted use of Cambodia for as long as possible. If we get through the dry season, that will be nearly a year. If we can get Sihanouk into a position where the Communists have to take him into account, he might be able to add to the delay. This gives South Vietnam more breathing space. There may be a coincidence of interests between the US and China. But if the situation in Indochina unravels, after our having lost 50,000 men, this is a major international factor. If we can use the Chinese to work with us, fine. But we're not interested in pulling their chestnuts out of the fire.

Mr. Clements: Can we get the Thais to help?

Mr. Kissinger: That's a good question. I should have asked that. Is there anything we can do through Thailand?

Mr. Colby: They'd be a menace if they heard Sihanouk's name. They've been conspicuous enough in Cambodia.

Mr. Porter: If we mix the Thai in, this would keep the North Vietnamese in Cambodia.

Mr. Kissinger: They may stay anyhow as long as it serves their purpose.

Mr. Porter: I agree with Bill Colby.

Mr. Clements: Is there no area of accommodation?

Mr. Colby: We don't have dollars enough to pay the Thai.

Mr. Carver: The Thais would want a piece of Cambodian territory.

Mr. Kissinger: Is there anything the Thai and the South Vietnamese could do to shore up Phnom Penh?

Adm. Moorer: So far as provoking the North Vietnamese is concerned, they'll move when they are ready.

Mr. Kissinger: Could we get General Weyand to look into this problem?

Mr. Porter: I have no objection.

Adm. Moorer: When Embassy Saigon was concerned about supplying ammunition to Cambodian forces across the border, the South Vietnamese said they were willing to do it.

Mr. Porter: How much got to the Cambodians?

Adm. Moorer: We sent a paper to State on May 17.

Mr. Kennedy: This was brought up at an earlier meeting. It was a small unit, and the unit went away.

Mr. Kissinger: In principle, we are anxious to look for excuses to be helpful. For three years we were told we should keep a low profile. There are no awards for restraint. (to Mr. Rush) We want to get a look at the cable you plan to send out. Try to get it over for clearance tomorrow.

93. **Memorandum From Rob Roy Ratliff of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)**¹

Washington, July 11, 1973.

SUBJECT

Covert Psychological Warfare Operations Against North Vietnam

At Tab A is a status report on CIA's on-going psychological warfare operations against North Vietnam.² The efforts to encourage observance of the ceasefire agreement and to urge North Vietnam to abandon military adventurism in favor of reconstruction now employ one gray and one black radio. A new black radio is proposed. Other radio efforts have been dropped as they became outmoded, and the mailing of letters to DRV officials abroad was terminated due to lack of response.

"Mother Vietnam," a gray radio which began over a year ago, has been especially effective. It features a female announcer who exudes warmth and compassion in her appeals for unity while denouncing the senselessness of continued conflict. It has stimulated ralliers and deserters; Radio Hanoi monitors it and sends complete transcripts to the Central Committee of the Lao Dong Party; and the North Vietnamese people have been warned against listening to the CIA-affiliated radios, especially "Mother Vietnam."

The new black radio, "The Voice of Nam Bo Liberation," (Tab B) will be directed against the National Liberation Front and attempt to produce tensions between Southerners among the Viet Cong and North Vietnamese.³ It will repeat a one-hour program eight times per day.

All of the radio facilities are managed by the Republic of Vietnam with CIA covert assistance. An estimated \$379,000 was spent last Fiscal Year and \$390,700 is planned for the current year.

State, Defense, JCS and CIA 40 Committee principals *concur*; however, Under Secretary Porter has unspecified "reservations" and

¹ Source: National Security Council, NSC Intelligence Files, Subject Files, Box I-10, Vietnam, January 1973–October 1973. Secret; Eyes Only; Outside System. Sent for action. Stearman and Kennedy concurred.

² Memorandum for the 40 Committee, June 14, providing a report on covert psychological warfare operations against North Vietnam and the National Liberation Front, June 18, attached but not printed.

³ Memorandum for the 40 Committee, June 21, proposing a new black radio for psychological operations against the National Liberation Front, June 21, attached but not printed.

recommends that these activities *be reviewed quarterly*. CIA is prepared to respond to any State request for information, but it does not appear necessary to have the full Committee review these covert psychological warfare operations against North Vietnam quarterly. We will continue to receive periodic progress reports.

*Recommendation*⁴

That you approve the continuation of CIA's covert psychological warfare operations against North Vietnam including a new black radio.

⁴ Kissinger initialed his approval, July 18.

94. Memorandum From the Chief of the U.S. Delegation to the Joint Economic Commission (Williams) to Secretary of State Rogers¹

Washington, July 26, 1973.

SUBJECT

US–DRV Joint Economic Commission: First Phase of Negotiations

1. *General:* With the first phase of its work concluded, the JEC has recessed, probably for an extended period. Negotiations took place in Paris between March 15 and April 19 and again between June 15 and July 23. During the entire period the DRV side was headed by Minister of Finance, Dang Viet Chau, and included Deputy Chairman of the State Planning Commission, Le Khac. In March and April they were joined by Nguyen Co Thach, Vice Minister of Foreign Affairs. The DRV negotiators demonstrated consistent determination and personal competence. Relations with them were consistently cordial, except for a brief expression of DRV recrimination related to the April–June suspension of talks by the U.S. My associates on the U.S. Delegation were John Mossler (AID) and Donald Syvrud (Treasury). Dang Viet Chau and I met 42 times—in 15 JEC plenary sessions and 27 private meetings—for well over a hundred hours of negotiating time. Additionally, Mossler and Syvrud participated in 19 technical meetings.

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 27–14 VIET. Secret; Sensitive; No Distribution.

2. *U.S. Negotiating Objectives:* The announced purpose of the JEC was to discuss implementation of Article 21 of the Paris Agreement concerning a U.S. contribution to DRV post-war reconstruction. Our overriding political objective was to impress upon and convince the DRV that a direct and reciprocal relationship exists between DRV compliance with Article 20 of the Agreement, concerning Laos and Cambodia, and implementation by the U.S. of the promise contained within Article 21. In practical application of this objective we sought to formulate:

—a general five year program of commodities, equipment, and limited third-country procurement to serve as a guide to planning annual proposals for reconstruction assistance, and long-term incentive to promote peaceful settlements in Indochina;

—a specific first-year program to respond primarily to certain humanitarian requirements, such as needs for shelter and agricultural rehabilitation, as well as to provide a stimulus for early DRV compliance with the Paris Agreement, chiefly Article 20.

3. *Principles Governing the Negotiations.* It was made clear to the DRV, through initial statements and frequent subsequent repetitions, that the U.S. would be guided in the negotiations by certain essential principles. These were:

(a) that DRVN obligations under the Paris Agreement are interrelated and inseparable from the prospect of U.S. reconstruction assistance. Hence, the U.S. would not heed any DRV assertion that the U.S. has a special or absolute obligation under Article 21;

(b) that benefit to the civilian population of the DRVN is to be a main criterion in the selection of programs;

(c) that reconstruction of facilities damaged or neglected during the war is to be an important criterion of proposals developed;

(d) that the nature of any and all conclusions reached by the JEC is that of a recommendation to our respective governments as an agreed basis for planning, and that actual implementation must of necessity await approval of funds by the Congress.

(e) that every effort would be made to minimize adverse effects of proposed programs upon U.S. prices and the U.S. balance of payments.

4. *Conclusions Reached by the JEC:* During these negotiations the JEC tentatively agreed on various proposals reflecting the desiderata listed above. Areas of these agreed conclusions were:

(a) outlines of a proposed five year program, with special emphasis on shelter, consumer goods, and agricultural production, as well as elements of general reconstruction such as transport;

(b) specific dimensions of a proposed first-year program, with priority placed on shelter, clothing, pharmaceuticals, and construction

materials for rebuilding and including some items for third-country procurement;

(c) modalities of implementation for the proposed first-year program (these modalities consist in the main of established U.S. aid procedures and arrangements);

(d) understandings concerning certain future institutional arrangements if and when funds become available for implementation, such as establishment of a U.S.–JEC representation in Hanoi with diplomatic privileges for its personnel, the nature of a Bilateral Country Agreement which we would seek to conclude, and the importance which information by the DRV about program execution would assume for us.

5. *Present Status of the Negotiations:* The tentative proposals listed above are solely in the form of JEC working documents, and no agreed conclusions have been reached. It also was left understood that eventual agreement of the proposals within the Joint Economic Commission would be contingent upon DRV compliance with specific obligations related to Article 20 of the Paris Agreement. Subsequent to such agreement, further steps might consist of presenting the first-year program to Congress and later, assuming funds became available, making first preparations for program implementation.

Maurice J. Williams

95. Transcript of Telephone Conversation Between the President's Assistant for National Security Affairs (Kissinger) and Secretary of Defense Schlesinger¹

Washington, July 30, 1973, 9:30 p.m.

K: Hello.

S: Hello, Henry.

K: Jim two things. I have a backchannel from Graham Martin² who was in Phnom Penh and who feels we should switch bombing to the frontier and concentrations along the frontier.

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 21, Chronological File. No classification marking. Blank underscores are omissions in the original.

² Backchannel message 534 from Saigon, July 30; *ibid.*, NSC Files, Box 416, Backchannel Messages, Martin, July 19–December 1973.

S: OK, you mean the B-52s?

K: Yes. He also claims there are restrictions on our bombing.

S: I know not about that. The Embassy had restrictions on bombing in the south.

K: For what reason?

S: I never figured that one out. I think we discussed it with you in San Clemente.

K: And I overruled it then.

S: I think so. Well, I'll check on it. I assumed it was called off but they may still be using it in the field.

K: Can we make sure. There are only two weeks left.

S: _____

K: In the next two weeks and fast.

S: You're sure you want that. There has been a proclivity to lay low in the frontier. Any way let me look into it.

K: I know I want it. What is the proclivity?

S: I think the attitude may have been that the purpose was to show up the Cambodian bombings not to beat the hell out of the _____ of South Vietnam.

K: But South Vietnam is the ballgame.

S: Yes, but we have got some kind of ceasefire with these bastards. Suddenly we open up with B-52s. Let me look at this problem and get back to you shortly.

K: But today.

S: Yes.

K: Jim, about our Friday conversation, could you let me know as soon as possible what you are doing so we can get word to _____ and also if there is any information. We got to prepare ourselves properly.

S: OK. Very good. I will go to John Foster.

K: Can you let me know by the end of the day tomorrow?

S: That is going to be hard on the first question because we don't know what we are going to do on the sanctuaries.

K: You don't have to give an answer on what we are going to do; what I want to know is what _____ and what procedures we are ginning up to get ourselves ready. We would like to give a positive response and attitude.

S: OK.

96. Information Memorandum From the Deputy Assistant Secretary of State for East Asian and Pacific Affairs (Hummel) to Secretary of State Rogers¹

Washington, August 2, 1973.

Status of Lao Negotiations and What Can Be Expected from the Lao Protocols

Premature press reporting over the weekend gave the impression that the Lao negotiations had been completed and that the protocol signing and formation of a new coalition government would take place this week. It now appears that the jostling for advantage within the agreed terms during the final drafting will last until next week. Investiture of the new coalition government would take place about ten days to two weeks later.

All major issues have generally been settled and it appears that the terms are somewhat better than anticipated. Critics of the February Agreement² who were expected to attempt to block a final signing of the protocols have thus been robbed of their most potent issue—that Souvanna is “selling out”. Souvanna’s actions to neutralize his critics, coupled with the sudden LPF readiness to reach agreement, have combined to enhance the prospects for the settlement and new government.

After it is formed, the most immediate trouble could arise from the presence of LPF troops brought in to “neutralize” the capitals of Vientiane and Luang Prabang. It would be easy for disgruntled elements of the Lao Army to create an incident which would justify their claim that the presence of LPF troops is intolerable.

Souvanna has assured us that our interests in matters such as MIA resolution, provision of military assistance, foreign force withdrawal, etc., have been protected. We will not be certain of how well, until the text of the agreement is completed and available.

Once the new government is formed we will be required to make basic decisions on our aid program. Phoumi has sought assurances that the benefits of our aid will not be limited to RLG areas. The Chargé has avoided a direct response primarily because the LPF originally seemed to be seeking to establish a sealed zone which would formalize the division of the country. This stance has now relaxed somewhat. Souvanna can be counted upon to take every possible action to re-establish unity and may seek to use our aid as a tool in doing so.

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 21–Laos Internal Talks. Secret. Drafted by Kelly, EA/LC; cleared by Rives, EA/LC.

² See Document 20.

This would be in our interest. In addition to encouraging unity, channeling country-wide aid through the PGNU would make it more difficult for Congressional critics to preclude aid to the LPF as in the case of North Vietnam.

The question of military aid is more complex. Integration of the two military forces will probably be among the last steps taken. In the interim the Lao Army has received about as much material as it can absorb. Ammunition stocks are adequate. With the Ministry of Defense in RLG hands we will probably be able to continue to provide consumables. We will have to await the final text to know if the LPF is to have an effective veto over our military assistance.

The only presently known portfolio assignment on the LPF side is LPF Chairman Souphanouvong as Deputy Premier and Foreign Minister. As such he will probably rapidly come to assume a role as spokesman for Laos. While this is bound to affect our former relationship with the RLG (in the person of Souvanna), the conciliatory attitude shown by the LPF negotiators in discussions with Chargé Dean indicates that the LPF will not make excessive use of the available forum to denounce the U.S. and seek our removal from Laos. With the hostilities ended and the coalition government formed, the Soviet Union and China will be free to resume their competition for influence in the area and neither Souvanna nor Souphanouvong will have any hesitation in cooperating or seeking to benefit therefrom.

Several issues will be papered over by the expected agreement, but the dramatic LPF willingness to compromise has given Souvanna better terms than anticipated. Souvanna is taking advantage of this development to neutralize effectively his critics who would forestall coalition. The prospects are good that the government will be formed and, in its own Lao way, begin to function effectively. If the North Vietnamese withdraw sufficiently to satisfy appearances, Laos will be effectively "neutralized." At this point, however, it would be wise for us to limit our comments to expressing satisfaction over the rapid progress recently reported.

97. **Transcript of Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)**¹

August 3, 1973, 10:17 a.m.

P: Hello.

K: Hello, Mr. President.

P: Hi, Henry. How are you?

K: OK. Sorry to disturb you.

P: That's all right.

K: I wanted to check with you about one matter. We have drafted a letter to send to the Speaker and to the Majority Leader about the bombing,² not asking for its extension, but . . .

P: Yes, I know.

K: but making the point of the impact of it ending and saying that we will fulfill all commitments that we can within the law. So it makes a clear record of what our position is. We didn't want to send this obviously without discussing it with you.

P: Well, we discussed it before, you remember.

K: I know we did, but I just wanted to make sure that it's . . .

P: Did you talk to Bryce or . . .

K: Yes, it's been all discussed with the Congressional people, and with Bryce.

P: Bryce, and Laird, I suppose, yes.

K: Well, Laird would like to leave well enough alone.

P: Well, sorry, we're still gonna send this. In other words, Laird didn't want to make the record, huh?

K: That's right.

P: Well, we're gonna make the record. Bryce has no objection to making the objection, has he?

K: No, he has no objection. And Timmons and the others think it's a good idea.

P: Why do they think it's a good idea?

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 21, Chronological File. No classification marking. The President was at Camp David; Kissinger was in Washington. Blank underscores are omissions in the original.

² Identical letters were sent to the Speaker of the House and the Majority Leader of the Senate about the end of United States bombing in Cambodia, August 3; see *Public Papers of the Presidents of the United States: Richard Nixon, 1973*, p. 686.

K: Well, because they can't then claim we sold them out in partnerships.

P: In other words, we put the responsibility on them.

K: I have the distinct impression now a lot of newsmen are calling him about the implications of this.

P: That's right.

K: And they are not at all so sure of themselves now. This was a great game as long as we were the villains.

P: Yeah. I'm all for the letter. I'm just trying to think of whether we should do more.

K: No, the danger, Mr. President, if you ask for an extension and then get voted down, then the signal is even stronger.

P: I know, I know, so we can't do that. Well, I think a letter—when should it go?

K: Well, it has to go today.

P: All right.

K: While they're still in session.

P: All right. And Bryce is the only one that needs to look over the language. He knows the sensitivities of these people. Let him take a quick gander. He won't get into the substance. Because I'm here, and I won't be able to look it over, see.

K: Right. I will go over it.

P: Just with Bryce. When you start doing it by committees, that's no good.

K: Right.

P: You've already drafted the letter?

K: That's right. We have the text here.

P: Good. And the text of it, basically, is . . .

K: The text of it is that.

P: I mean the substance.

K: The substance of it is that with the support of the American people you have managed to bring peace to Indochina and Laos, and we were in the process of doing this in Cambodia. The congressional action³ has the effect of withdrawing this military support while these negotiations were in progress, and you want to point out that the consequences of this are very serious. And it has already weakened the negotiations with the prospect of it and will make them almost impossible . . .

³ Reference is to the Eagleton Amendment; see footnote 4, Document 86.

P: Just say, it is my responsibility to point out to the members of the Congress that the consequences are very serious and that . . .

K: Then it has a paragraph that says you want to point out to Congress that as far as you are concerned it does not mean an abandonment of our moral responsibilities and commitments, that you will do everything within what is permitted by law to strengthen the Cambodian government, and at the same time you want to warn the North Vietnamese not to mistake this and that the American people will stand behind peace, or something like that.

P: Yeah, well, the peace agreement.

K: Yeah. So it's a strong letter.

P: We know that the American people are firmly committed to enforcement of the provisions of the peace agreement. Good. You don't need to show it to anybody. I got the sense of it. Send it off.

K: Right.

P: You see the point is—uh, I can't understand Laird's point of leaving well enough alone. What the hell does he mean?

K: Well he thinks it was a great triumph for him to get the August 15 thing.

P: (laughs) Oh, you mean the idea that we got it that far. Is that what you mean?

K: Well, he wants to take credit for having gotten us out of there. And, you know, he's been trying to do that all the time.

P: No, I understand. I get it now. OK, Henry, send it off.

K: Right. You had a note from Heath which was just a holding action, saying when he gets back from Ottawa he's going to deal in detail with it. I had a tremendous reaction last night from that International Platform Association.⁴

P: Oh, good.

K: Which is sort of middle America. These are the lecture bureaus from all over the country.

P: Chautauqua, and all the stuff.

K: And I spoke in the sense that I mentioned to you that foreign policy, we can't have a moratorium in the quest for peace and that we must not let our domestic divisions tear us apart. And it was a tremendous ovation, and I had to fight my way out of there.

P: Good.

K: It just shows that basically you have a lot of strength in the country.

⁴ In a speech in Washington before the International Platform Association on August 2, Kissinger urged that Watergate should not diminish support for a bipartisan foreign policy; see *The New York Times*, August 3, 1973.

P: Yeah, ha, ha, right, right. Well, this Cambodian thing is really, really shocking then. That was one where I must say we just got schnookered there, where Laird and Ford, of all people, you know, Laird misled me.

K: Absolutely.

P: He got his telephone call, you know, to Ford, goddamn it, he didn't say that was what it was about.

K: Of course, I know that.

P: And I was _____.

K: But it was the John Dean week, Mr. President, and you wouldn't have won it anyway. But you were . . .

P: I guess we wouldn't have won it, would we?

K: No. You would have been smashed.

P: Yeah.

K: So . . .

P: All right. We'll make the record.

K: Right, Mr. President.

P: We'll hope the poor little Cambodians can hang on for a little longer than we think.

K: Well, if they can hold on for longer than we think, then we can make it.

P: Yeah, you never know about these things, you know, and to heck . . .

K: One other thing, Mr. President, in this connection. The second man in Cambodia we have there, who is now Chargé because we finally got rid of the Ambassador—would like four more military attachés in a sort of semi advisory capacity. And Defense and State are crying, and we would like to order this.

P: Order it.

K: Right, Mr. President.

P: Of course, order it. Absolutely, there should be no crying and no bitching around. Immediately.

K: I think if we have to go down, the record must show that we did everything.

P: Four attachés is nothing anyway. Immediately, and the very best they've got.

K: Absolutely.

P: And there's no crapping around.

K: Right.

P: OK, Henry.

K: Thank you.

98. **Memorandum From Richard Kennedy of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)**¹

Washington, August 6, 1973.

SUBJECT

Assistance for Cambodia

Actions Completed or Underway

Military Assistance

—First quarter MAP funding has been increased from \$33 million to \$43 million.

—The field has been instructed that all U.S. air support should continue until August 14 and after that date unarmed reconnaissance, psyops, airlift, and administrative flights will continue.

—Embassy Saigon was to request the GVN be prepared to provide airlift support if necessary, but prefers to wait until need arises. Ambassador Martin is certain the airlift would be provided if required.

—Equipment delivery has been expedited. The following major items have been delivered: 7 T-28s, 5 C-123s, 20 60 mm mortars, 143 30 cal. machine guns, and 12 105 mm howitzers.

—We are carrying Khmer FACs until August 15.

—We will provide targetting data to the KAF after August 14.

—Instructions are being prepared explaining when ARVN equipment transfers to FANK are permissible and directing Embassy Saigon to make arrangements with the GVN.

—Three Quad 50 guns are being shipped urgently from the U.S. to Cambodia, and additional weapons are being sought to increase the firepower of Khmer Navy escorts.

Economic

—20,000 tons of rice have been delivered; another 10,000 tons is available by August 15 from Thailand.

—Five electric generators will be delivered by August 15, another four by October 30.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-94, WSAG Meeting, Vietnam, August 1973. Secret. Sent for information. Kennedy prepared this memorandum for the August 7 WSAG meeting. For minutes of that meeting, see Document 100.

—Phnom Penh's POL storage capacity will be expanded with three additional storage barges and filled by August 15.

—We are trying to expedite tank truck delivery (manufacturers' estimates are seven months but AID is seeking quicker delivery).

—Providing \$25 million for AID CIP, \$9.5 million for ESF during July–December 1973, and \$2.6 million under PL-480.

Diplomatic and Other Actions

—Vigorously developing support for not seating either Cambodian faction at the Algiers non-aligned conference.

—Strongly supported GKR efforts to reconstruct the ICC through approaches to the UK, USSR, Canada, Poland, and India. The Canadian reply was strongly negative, the UK negative. Others have not responded.

—Strongly supporting a Cambodian ceasefire.

—Psyops

- The *U.S. program*: Over 40 million leaflets were dropped the week of July 9–15; Khmer language radio broadcasts 43½ hours per week.

- We are supporting the *GKR effort* by printing leaflets and recruiting posters and by improving the GKR National Radio with a new transmitter at Battambang.

Possible Further Steps

—Expedited training of KAF forward air controllers and other military experts is being appraised.

—The possibility of transferring to the KAF civilian Khmer pilots flying for Air Cambodge is being checked with Embassy Phnom Penh.

—GKR hiring third country pilots, trainers, and advisors from its own resources is being evaluated.

—CIA is preparing a paper on more U.S. intelligence personnel.

—Defense is examining the feasibility of providing more technical assistance to FANK, such as payroll inspectors.

—GVN air and naval escort for Mekong convoys is extremely important but legally difficult. Defense believes it is possible using Cambodian MAP funding.

The above items are addressed more fully at Tab A.²

² Tab A, untitled and undated, attached but not printed.

99. **Memorandum From William Stearman of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)**¹

Washington, August 6, 1973.

SUBJECT

CIA Reclamation on Lon Nol Departure

The CIA has sent you two memorandums which urge Lon Nol's departure as a negotiating gambit (from Mr. Colby at Tab A)² and suggest contingency plans be made to deal with the possibility that Lon Nol is removed by his own colleagues (from George Carver at Tab B).³ We are not persuaded by Ambassador Colby's reasoning for the need for the Marshal's end, but concur with Carver's suggestion for contingency planning, although we do not think a coup is imminent.

Colby Memo

Colby's memo at Tab A recommends the following three-step scenario to promote negotiations in Cambodia:

—We insist that Lon Nol depart.

—We propose to the Chinese a tradeoff—Lon Nol's departure and an immediate bombing halt in exchange for a cease-fire and negotiations.

—We tell the remaining High Council members that they must redress shortcomings and enter negotiations with the "Sihanouk camp."

In support of these recommendations, Colby argues that Cambodia probably will fall if Lon Nol remains, but that there is a slim chance that with China's good offices, the Marshal's departure could begin a negotiating process. He emphasizes that a negotiated solution, "even if paper thin" will enhance our chances of obtaining something less than an outright Communist Cambodia and that it would better preserve our credibility in the eyes of other nations. The paper also lays considerable stress on Chinese desires for a negotiated settlement, and the pressures which Lon Nol's departure would create on Peking, Hanoi and the insurgents to negotiate.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-94, WSAG Meeting, Vietnam, August 1973. Secret; Sensitive. Sent for information.

² Colby's memorandum, "Cambodia—Negotiations and New Leadership," August 2, attached but not printed.

³ Carver's memorandum, "Deterioration in Cambodia," August 4, attached but not printed.

We do not concur in Colby's recommendations for the following reasons:

—The Chinese recently have demonstrated little interest in helping us open Cambodian negotiations. Colby, we believe, overestimates their willingness to cooperate.

—The recommended tradeoff for negotiations—Lon Nol and a bombing halt—is too little, too late. Our bombing will, of course, halt in 10 days, anyway, and the insurgents are rigidly sticking to their demand for the removal of all High Council members.

—Swank, Martin and Enders all recommend that Lon Nol remain in place to preserve a bargaining chip and avert a debilitating succession struggle.

—In fairness, Colby himself mentions a number of factors which taken together argue against his conclusions. He acknowledges, for example, that the insurgents have little incentive to negotiate and are persevering with a hard line; that Lon Nol's departure will not necessarily result in a more effective GKR performance and that it could lead to political disruptions. (Colby believes these problems would be manageable and that we could pressure the remaining leaders to work together.) Finally, Colby admits that the results of the negotiations would not necessarily be good, as Sihanouk's terms would be very stiff.

—We question Colby's assumption that a negotiated "paper-thin" settlement would better serve our general interests. We wonder whether U.S. credibility in Saigon, Bangkok and Peking would be more undermined by a hastily contrived "fig-leaf" settlement imposed on the GKR or by loyal support to the end.

—Lastly, we raise a critical consideration not noted in Tab A—whether our chances of Congressional support for Vietnam are better served by a contrived peace or a GKR collapse laid at the Congress' doorstep. While we are not experts on Congressional attitudes, we would not discount the possibility that a GKR defeat could raise a guilt phenomenon among certain legislators and provide us greater justification to counter Hanoi's violations by additional assistance to Saigon.

Carver Memo

George Carver's memo at Tab B argues that the situation in Phnom Penh is steadily deteriorating and that we need contingency plans to deal with the increasing possibilities of Lon Nol's removal by his own colleagues. Carver's memo summarizes and encloses several negative reports from Phnom Penh which hint that Sirik Matak may plan to oust the Marshal and indicates that Lon Nol and the FANK G-2 staff still are living in a dream world. Carver adds that an attempt to preserve Lon Nol against determined opposition from his colleagues would probably be doomed to failure.

While we doubt a coup is imminent, we concur in Carver's recommendation as a useful preparation and share his apparent view that we not support Lon Nol if any independent, unified attempt is made by the High Council to remove him. However, this does not mean that we should encourage coup plotting in any way, but only that we accept a *fait accompli*, if and when it occurs. Obviously, we can live with Lon Nol's departure if his own colleagues effect it but—as noted above—we should not ourselves promote it as the political risks are high and the negotiating dividend minimal.

Concerning Carver's concern over a coup and the GKR situation, we have the following observations:

—Contrary to Carver's view of coup prospects, a principal troop commander told clandestine sources August 1 that he has backed off from earlier coup plans because such action would be counterproductive and worsen the military situation.

—The FANK G-2 paper⁴—which Carver encloses as an example of naiveté—is remarkably realistic about the consequences of a bombing halt. Its conclusions:

“It is feared that the halt of United States bombing can only change this state of affairs. The psychological shock will be considerable and the morale of FANK, already not very high, will be affected and there will be many defections. These will be more numerous and the capital may find itself cut off from the outside world and will be faced with an exceptionally grave crisis. . . . It is more and more evident that after 15 August, the GKR and FANK can only and should only count on their own resources. The only salvation resides in the combative ability of the Cambodian armed forces.”

—FANK scored some gains over the weekend in clearing Route 1 east of Phnom Penh and advancing to the Prek Thnact River south of Phnom Penh.

You may, at the August 7 WSAG, wish to discuss the necessity of contingency planning on the U.S. posture towards any possible anti-Lon Nol coup.

⁴ The G-2 paper, “FANK Analysis of Perspectives After 15 August,” July 28, attached to Carver's memorandum.

100. Minutes of Washington Special Actions Group Meeting¹

Washington, August 7, 1973, 3:06–4:17 p.m.

SUBJECT

Cambodia

PARTICIPANTS

Chairman
Henry A. Kissinger
State
William Porter
Arthur Hummel

Defense
William Clements
Robert Hill

JCS
Adm. Thomas Moorer
Vice Adm. John Weinle

CIA
William Colby
George Carver
NSC
Brig. Gen. Brent Scowcroft
Lawrence Eagleburger
Richard T. Kennedy
William Stearman
Jeanne W. Davis

SUMMARY OF CONCLUSIONS

It was agreed that a Working Group would prepare a paper on what might be done, within Congressional limitations, to provide additional assistance to the Cambodian forces and the Phnom Penh government.²

Mr. Kissinger: Where is George Aldrich?

Mr. Porter: He wasn't available. He is at the American Bar Association meeting. Also, I need him to get to work on these four questions that (Ambassador) Martin asked us—they're corkers.

Mr. Kissinger: (to Mr. Colby) Could we have your briefing?

(Mr. Colby briefed from the attached text.)³

Mr. Kissinger: (referring to a comment in the briefing concerning South Vietnamese attempts to reopen roads north of Saigon) Is that our friend Minh? He may be good at some things, but opening roads is certainly not one of them. He is the best guarantee of a ceasefire I know.

Mr. Colby: He has one function only and that is to protect Saigon.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-116, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive; Codeword. The meeting was held in the White House Situation Room.

² Not further identified. During a July 24 meeting, the WSAG agreed to explore ways Thailand might assist the government in Phnom Penh; it also concluded that there should be no drawdown in U.S. forces in Southeast Asia. Minutes of that meeting are *ibid.*

³ Colby's briefing, "Cambodia and Laos," August 6, attached but not printed.

Mr. Kissinger: What about this infiltration of administrative types? What losses did administrative people suffer?

Mr. Colby: They are not replacements. They are being sent south to take over administrative jobs.

Adm. Moorer: We have also seen about 4,000 vehicles on the Tang Kouk railroad. They appear to be construction equipment—bulldozers, graders, etc.—but this area is carrying its maximum capacity right now. Also, in Haiphong Harbor they have the highest number of ships we have ever seen—13 oceangoing vessels, 35 coasters and numerous trawlers and auxiliary vessels. They are pouring supplies in.

Mr. Kissinger: What sort of supplies?

Mr. Carver: Adm. Moorer's point is well taken. The bucket came down about 24 hours ago from our July 15 photo mission. It shows 4,000-odd trucks in the parks where Chinese supplies have normally been stationed. This was only a monaural photograph. We will get a better view when we get the stereo pair in the next few days.

Mr. Kissinger: If these are civilian supplies, they are okay, but if this is military equipment it's a different situation.

Mr. Carver: They don't draw a clear distinction between civilian and military equipment.

Mr. Colby: There are probably some tanks.

Mr. Carver: It is true, of course, that they don't need 4,000 trucks for internal reasons. They probably plan to augment their supply shuttle into the south.

Adm. Moorer: We haven't been able to identify any purely military equipment. It seems to be bulldozers and graders.

Mr. Kissinger: It will make a lot of difference diplomatically if they are moving a lot of equipment into the south.

Adm. Moorer: The North Vietnamese don't distinguish in this way. They probably need this equipment to run down the LOC.

Mr. Kissinger: Our assumption has been that they would not start an offensive unless they had a big back-up of supplies. They did not say they would not send civilian supplies.

Adm. Moorer: They are getting some by sea also.

Mr. Kissinger: Can we see it?

Adm. Moorer: Probably at Haiphong.

Mr. Carver: We will be lucky if we do, with satellite coverage every 7 weeks and with cloud cover and the number of ships in port on any given day.

Mr. Kissinger: Can't we schedule these satellite flights more frequently?

Mr. Carver: They are not time sensitive.

Adm. Moorer: And we don't have a spare for crisis situations.

Mr. Kissinger: Why not?

Mr. Colby: We have three a year. We always have a spare.

Mr. Kissinger: Why don't we have more?

Mr. Colby: Because of the money.

Mr. Kissinger: How much?

Mr. Colby: Each one costs \$20 million.

Mr. Kissinger: And we can't find \$20 million in a \$17 billion budget?

Mr. Clements: This has been very carefully considered and I thought it was agreed that this was adequate.

Mr. Kissinger: In the absence of a crisis.

Mr. Colby: Of course we have the new project.

Mr. Kissinger: But that won't be ready until 1976. That is not related to a crisis situation.

Mr. Colby: We really don't get that much from satellite photography. We need over-flight.

Mr. Hummel: You mean the U-2R with the new camera?

Mr. Carver: We are just seeing what we can get under the new ground rules.

Mr. Kissinger: I don't think it's safe for the U.S. not to have a spare photographic satellite.

Mr. Colby: We can give you coverage anywhere in the world within a 30-day gap.

Mr. Kissinger: But the conditions of an emergency can't be programmed. I am talking about one vehicle which we could launch in an emergency situation to take a look at it. Suppose there were a Middle East crisis. We don't have a vehicle to send up.

Mr. Colby: We can give you pictures of the Middle East that are only two or three days old.

Mr. Clements: I think Henry is talking about a short fuse—a situation of a week or ten days.

Mr. Colby: It takes a certain number of days to screw these things together and to get the fuel into them. That's why we are going for the 1976 solution.

Adm. Moorer: I think it should be tied to DefCon. When we get a DefCon and the military starts its moves, I think a satellite should go up.

Mr. Kissinger: But we don't have anything to put up.

Mr. Colby: Yes, we do—we have a pipeline.

Mr. Clements: If the 30-day period is not acceptable, then we should consider what to do.

Mr. Kissinger: I have nightmares about the danger of someone taking a run at us while we are in the midst of our own cultural revolution—our own emergency situation. (to Mr. Colby) Could you get us a chart of available photo coverage: what we could do in a short time; what we have on standby. Could we get a comprehensive view by the end of the week?

Mr. Colby: No problem.

Mr. Kissinger: Do we plan to use the SR-71 to get a picture of North Vietnam?

Mr. Carver: Yes.

Adm. Moorer: But we have to overfly.

Mr. Carver: We will be covering Haiphong at maximum photo range—25 miles—and we may get some. If we were overhead, of course, we would get better photography. We won't get too much from offshore photography.

Mr. Kissinger: I will talk to the President about this. We flew the SR-71s over North Korea.

Mr. Colby: They will be picked up.

Mr. Kissinger: So what? We are all shell-shocked here.

Mr. Carver: I am not shell-shocked—I am just giving you the options.

Mr. Kissinger: We don't fly the SR-71s legally. The North Koreans haven't agreed to it.

Mr. Hummel: We have been flying them offshore over the DMZ and the Japan Sea.

Mr. Kissinger: I will discuss this with the President.

On Cambodia, if the fighting is now concentrated around Phnom Penh why are the insurgents gaining there? You have told me that they were hitting in places where government forces were spread thin, but government forces are concentrated around Phnom Penh.

Mr. Colby: They have the initiative. They are broken up into small units and the government just does not mount an effective opposition. The government forces are very good but the bickering among the leadership does not help.

Mr. Clements: Aren't the insurgents taking heavy casualties?

Mr. Colby: Yes, from the bombing.

Mr. Kissinger: But that will end August 14.

Adm. Moorer: (using a map) Could I just add a little to Bill Colby's briefing. Only in the last three or four days have the FANK forces taken any initiative. This seems to be the result of our Embassy's conversations.

Mr. Kissinger: Is Enders in charge? Can he act on his own now?

Mr. Porter: (Ambassador) Swank is away. He is in Bangkok for a week's leave but will be going back to Phnom Penh.

Mr. Kissinger: We told you we wanted him brought home. Bring him home for consultation. Can Enders act?

Mr. Porter: Yes, he is in charge.

Adm. Moorer: (returning to the map) Government forces were able to push back to the river and the activity on Highways 2 and 3 has died down. One brigade of the First Division has moved in between the Mekong and Bassac Rivers. Two brigades today kicked off on an operation to move to Highway 1 and join with another force there. The river is now being protected by artillery, and convoys will be coming in on August 9 and August 13. For the first time government artillery is under coordinated control and for the first time they are using their artillery—155 and 105mm—properly. Also they have cleared Highway 5 and have kept it clear. The water is rising now too which will give the insurgents some difficulty in ambushing the trucks. Another insurgent force is about three kilometers from the airfield and the government troops have now moved against them. They have brought in three air force battalions at the airfield for security. They are now getting out about 11 kilometers—out of the range of the 105s. The insurgents over-ran a town on Highway 6 between Skoun and Kampong Cham. Two thousand troops were lost, captured or just disappeared. Government forces are flying seven more battalions into Phnom Penh to augment its defense. This will give them 23–24,000 men in their perimeter defenses as against the insurgents' 18,000. Also the rain is beginning to have an impact. FANK now has two offensive operations going at the same time for the first time in weeks. The insurgents have changed their strategy from hitting the LOC to hitting the city. There are several reasons for this. One, they are having command and control and supply problems. Two, it is more difficult for the U.S. to bomb in a populated area. Three, their new scorched earth policy, where they have devastated 26 villages, has pushed large numbers of refugees out of the villages. Four, they feel some duress since they want the Lon Nol Government to collapse so that they can move in before August 15. They believe if they do not get in by August 15 some outside negotiation will take place which they cannot influence.

Mr. Kissinger: Why don't they just wait for August 15 when they will have won?

Adm. Moorer: They are afraid of being preempted by outsiders. Also, they are taking very heavy casualties.

Mr. Kissinger: (to Mr. Colby) Why do you think they are doing this?

Mr. Colby: They are keeping the pressure on. They have to in order to create tension within the leadership.

Adm. Moorer: They are doing the very best they can.

Mr. Carver: They are telling the leadership that, even with American bombing, the noose is tightening. If this is so without bombing, what will it be like when the bombing ends?

Mr. Kissinger: What will Phnom Penh do after August 15?

Mr. Colby: If the leadership continues to bicker, the troops will decide the hell with it.

Mr. Kissinger: If Phnom Penh goes we want it to be absolutely clear that the U.S. was not responsible for its fall. We don't want anyone to sit back and wring their hands. We want energetic people who will try to do something about this. If the situation in Phnom Penh falls apart, we want to be sure that they did it to themselves and that there was no lack on our part.

Mr. Porter: There is no question that you have a great many energetic people pursuing this activity.

Mr. Clements: The leadership is already breaking up.

Mr. Colby: It could happen at any time. When Sirik Matak says he is prepared to get rid of Lon Nol by any means, that's strong language—a real shocker.

Mr. Carver: You have a real psychological leadership problem. With more troops and guns and supplies they could hang on for four to six months. But on any given morning any two members of the High Council can decide that it is a lost cause and throw the others out.

Mr. Kissinger: Then what?

Mr. Colby: Then you have a negotiation with the government in a very weak position. That's why the enemy is pressing—they want them on their knees.

Mr. Kissinger: Then Sihanouk would come back?

Mr. Colby: As a figurehead. Sihanouk's natural base is in the government.

Mr. Kissinger: Right. Sihanouk's utility diminishes, the stronger the Khmer Rouge get.

Mr. Colby: He is useful to the Khmer Rouge. He can take over the authority of government without turning it out and replacing it completely. It would be a problem for the Khmer Rouge if they had to rebuild the whole government structure. If they can take over an existing structure under Sihanouk it will save them trouble. Sihanouk can provide the linkage.

Adm. Moorer: The key is the Council sticking together. The insurgents are not having an easy time.

Mr. Colby: Without the bombing they may last for up to three months; with bombing it might be six months.

Mr. Kissinger: I thought you said without the bombing they could last up to six months. I won't hold you to that, though. Now you say a maximum of three months?

Mr. Colby: That's a personal statement. But the indicators of their coming apart at the seams are right in front of you. The divisions are reasonably well organized and armed. They are not the best troops in the world but they are there.

Adm. Moorer: It isn't a matter of their capability—it is a question of cohesion and leadership. The insurgents have some of the same problems.

Mr. Carver: The insurgents are also Cambodians which is our greatest hope of survival.

Adm. Moorer: The insurgents want to bring about the downfall of the government by themselves.

Mr. Kissinger: I am not aware of any outside influence for negotiation.

Mr. Colby: But there might be a negotiation which was more favorable to the government.

Mr. Kissinger: If there is no collapse, will there be a rice shortage?

Adm. Moorer: They've got a 49-day supply and two more convoys coming.

Mr. Colby: They are not too badly off.

Adm. Moorer: There is a rice shortage in all of Southeast Asia but it has nothing to do with the war. U.S. exports are short and Japan is short. We have a paper on this that I will send over to you.

Mr. Kissinger: How about GVN protection of convoys?

Mr. Porter: We have a cable over here which takes care of the problem in an unencouraging way. There are serious legal questions. It is contrary to the intent of the Congress and might trigger the Case Amendment.⁴ The cable has been here since August 3 and it should be sent.

Adm. Moorer: There is also a question whether the Mekong River is an international waterway. I was queried by Fulbright on what the South Vietnamese could do in Cambodia. The Congress is pretty negative on this—Mansfield, Fulbright and Symington.

Mr. Porter: So are the lawyers.

Mr. Kissinger: I want to get all departments off the wicket that we are bombing neutral Cambodia. We are bombing North Vietnamese

⁴ See footnote 2, Document 85.

troops in neutral Cambodia who are killing Americans. And we are doing this with the approval of the Cambodian government.

Adm. Moorer: When Fulbright took the line with me that this was a violation of sovereignty, I told him there was no violation of sovereignty when the Chief of State had acquiesced in the action.

Mr. Kissinger: And when the North Vietnamese were killing Americans in his country. It is the most amazing doctrine that forces can use neutral territory to kill Americans and can be completely free of reprisals. This just has not sunk in on the public mind.

Adm. Moorer: It is a part of the whole double standard.

Mr. Kissinger: I have been shocked at the testimony of some government witnesses. We are not bombing Cambodia. The Congress questions whether the President has the right to bomb a neutral country without telling the Congress. First, we told the Congress. Also, we are *not* bombing Cambodia—we are bombing North Vietnamese who are killing American soldiers on neutral territory. The Cambodian government asked us to. What the hell are we apologizing for? We are just not getting this across in our testimony. We are bombing only a strip of territory which is occupied by the North Vietnamese—in Cambodia. Let's say we are bombing North Vietnamese with the acquiescence of a neutral government. I don't understand the current doctrine of international law where one side can use neutral territory and the other has no right to protect itself. We are too apologetic. We are like beaten dogs.

Mr. Clements: You sit in the grandstand on Thursday and watch Tom Moorer and me testify.⁵

Mr. Kissinger: Let's use the phrase that we are bombing North Vietnamese troops who are using neutral territory to kill Americans and that we are doing this with the approval of the Cambodian government.

Adm. Moorer: They just won't accept the fact that we have the right to do anything. Everything we do is evil and everything the other side does is okay.

Mr. Clements: We have no apologies to make.

Mr. Porter: Can we get a decision on the Mekong cable?⁶

Mr. Kissinger: Not here. I want more discussion. We will get it before the end of the day.

Mr. Hummel: It has DOD clearance.

Adm. Moorer: The only way is to let Cambodian MAP pay for it. It is illegal to use MASF funds. Let South Vietnam transfer the equip-

⁵ Admiral Moorer and Clements testified before the Senate Armed Services Committee on August 9.

⁶ Not further identified.

ment back to the U.S. The U.S. can give it to the Cambodians and let them pay for it with MAP.

Mr. Kissinger: There may be some way around this. Can we give naval vessels to Cambodia through MAP?

Adm. Moorer: We are stretching this every way we can.

Mr. Kennedy: Why not loan them ships?

Adm. Moorer: They have to operate them.

Mr. Stearman: They could use the Cambodian crews on the coastal Swifts to man river escort vessels.

Mr. Kennedy: And get the South Vietnamese to take over the coastal patrols.

Mr. Stearman: And shift the Cambodian crews to the Mekong.

Mr. Hummel: I understand that was discussed yesterday and it is being looked into. If South Vietnamese equipment were in U.S. hands it could be turned over to Cambodia. (Ambassador) Martin is suggesting air cover for the convoys on humanitarian grounds. The lawyers say 'no' if it is done on a reimbursable basis. If it isn't reimbursable, it is okay.

Mr. Kissinger: If we do not reimburse them for this, could we reimburse them somewhere else?

Mr. Porter: Martin wants to be sure that this could not result in a cutback elsewhere. He is seeing Thieu Saturday morning.⁷

Adm. Moorer: Thieu says he will do everything "practical." The Congress is being completely unreasonable. Senator McClellan thinks that by stopping the bombing there will be no more aid of any kind for Cambodia.

Mr. Kissinger: I don't know how dangerous we are as an enemy but we are murder as an ally. Let's think about this convoy protection.

Mr. Clements: What if we could clear out the insurgents around the river and get artillery there?

Mr. Carver: In the dry season they could control both banks beyond rocket range.

Mr. Kissinger: How about loaning them some boats?

Adm. Moorer: We will look at it, but I think they have all the boats they can handle now without a training program. Perhaps we could shift the areas covered.

Mr. Kissinger: What can we do now to enhance the period of survival? If they can last more than three months, I am convinced there will be negotiations.

Mr. Carver: It depends on the cost.

⁷ August 11.

Mr. Colby: It is a circular situation. If we want to them to get with it we will have to look for a new program and new leadership. And we don't have a search for new leadership because we are hung up on the old leadership. We are so hamstrung by the limitations.

Mr. Kissinger: Within the limitations let's see what a program would look like. As I have said so often, there are no awards for losing elegantly. Our Congressional adversaries want to prove that 1970 was wrong. If 1970 was wrong then everything was wrong and we have thrown 50,000 casualties down a rathole. We have to stand up and take the heat before the Congressional committees.

Mr. Hill: Adm. Moorer and Art Hummel took the heat and came right back at them the other day. They didn't give an inch.

Mr. Kissinger: I admire them for it. But our concern is that they hang on in Phnom Penh as long as possible—first, to demonstrate that we didn't sell them out. Second, if it works, there will be a negotiation and, third, to protect South Vietnam. When I met Lee Kuan Yew at Kennedy Airport the other day at his request he was panicky. He is normally a very cool, calm man. If he thinks the situation will collapse we are in bad shape.

Mr. Carver: If Cambodia goes by collapse and by giving the Communists what they want, and if they sign an agreement in Laos, North Vietnam has its flanks secured.

Mr. Kissinger: And the Congress has removed any doubt that we would come in if they should launch a big offensive against South Vietnam.

Mr. Porter: Could some of our intelligence people stay with the Cambodian units?

Mr. Kissinger: (to Mr. Kennedy) Let's get a working group to see what we might do within Congressional limits in the spirit of the discussion here. I don't know what it might be, but for the U.S. to write off the area is not in our interest. China would have no choice except to side with Hanoi. And their instinct would be to counterbalance Hanoi.

Mr. Clements: In those circumstances, why wouldn't Thieu lose his reluctance to help? He could buy some time.

Mr. Kissinger: Would he lose more by going in than staying out? If he could gain a year, that would be one situation. But if he would gain one to three months, he would have to ask himself whether it would be worth the risk. If the outcome were the same, why waste his resources in a losing cause?

Adm. Moorer: He would lose in the Congress anyway.

Mr. Kissinger: We are facing a very bitter situation. The Congressmen may be crazy but it is our duty to do what is right.

Mr. Colby: But we need leadership in Cambodia to go with a program.

Mr. Kissinger: Put that in the paper we're doing. We have been taking the attitude that if a situation is not perfect, we won't do anything. I have been willing for three months to throw Lon Nol into the negotiation. We could have settled it in mid-June when we had the Chinese engaged. But the Chinese are not crazy—they know our situation. If someone could show us that we could remove Lon Nol and gain three to six extra months, that's a different situation. I consider Lon Nol expendable.

Mr. Carver: One reason for the bickering among the leadership is that some members of the Council think Lon Nol is actually insane.

Mr. Kissinger: If Lon Nol were out, do we assume Sirik Matak and In Tam would go after each other?

Mr. Colby: Sirik Matak perhaps.

Mr. Kissinger: I have a silver bowl from Sirik Matak which was on the table of my office when the Chinese Ambassador came in to see me. He hasn't been there since. (to Mr. Porter) We want to get your cable cleared. We will get the working group together and have another meeting of this group on Friday (August 10). I am not blaming the people here, but the White House position is to do what is right. If Congress wants to brutalize us, they will. But now we have four weeks while Congress is not in session. Some people even in Congress are getting worried about the situation.

Mr. Colby: The President's letter did a lot of good.⁸

Adm. Moorer: Senator Fong really bore down on me saying he wanted to get all of the Americans out so we would not have any excuse to go back in to rescue them. When Fulbright asked me if we would use military force to get them out, I said "of course; would you want us *not* to protect Americans worldwide?" Fulbright said "no." Symington apparently knew about (Ambassador) Swank's message about taking Americans out.

Mr. Porter: He has recommended a thinning out of Americans. There is a cable over here for clearance.

Mr. Hummel: Two months ago we asked him to consider whether we could cut the numbers that might have to be evacuated. It was a contingency plan.

Mr. Kissinger: We will look at it and try to get it out this evening. We should have a contingency plan.

Mr. Hummel: He was suggesting thinning out non-essential people—AID accountants, for example.

Mr. Kissinger: Dick Kennedy will convene a working group and the WSAG will meet again on Friday.

⁸ See footnote 2, Document 97.

Mr. Kennedy: We will meet in my office at 10 o'clock tomorrow morning.

Mr. Porter: What about the solatium for the accidental bombing?

Mr. Clements: We agree.

Mr. Kissinger: (to Mr. Kennedy) Let's look into the facts.

Mr. Porter (to Mr. Clements) Then you will do the execute message?

Mr. Clements: Yes.

101. Transcript of Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)¹

August 9, 1973, 3:13 p.m.

[Omitted here is discussion unrelated to Indochina.]

K: Well, we've got another cable from Graham Martin today² whom we were called that son of a bitch and he is very optimistic about South Vietnam. He thinks even Cambodia might be held off.

P: Hmm, wonder why? You never know. You never now. These things are not going to go that quickly unless there is a hell of a psychological crack but basically let's face it, the Khmers don't have any Air Force.

K: No that's right. It's a question of . . . Well we could still continue bombing. We'd probably even win because right now . . .

P: I know. I know that because I could tell from even reading the thing this morning they were doing rather well, the little guys. You know they, in their molasses-like way they took this back or they rolled this back. You know what I mean.

K: That's right.

P: And we all know it because frankly I was glad to see you got those _____ up to 48.

K: That's right.

P: That's alright. Let them hit a few things. As long as we're there let's don't go out with a whimper. So, on Cambodia he feels that maybe even that they will hang on a while does he?

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 21, Chronological File. No classification marking. Nixon was at Camp David; Kissinger was in Washington. Blank underscores are omissions in the original.

² Telegram 13672 from Saigon, July 29; *ibid.*, RG 59, State Archiving System.

K: That's what he thinks. Yes.

P: He didn't give any basis for it did he?

K: Well, he went over there.

P: I know he went over but he didn't give his reasoning.

K: That's right.

P: He didn't give any reasons for . . .

K: No, no he didn't give any basis for his reasoning, that's what I meant.

P: He didn't tell anybody probably. We don't know. And incidentally, what frankly he guesses is as good as our guess, I don't know. Let's just pray for the best.

K: It's entirely a question of psychology. They have the resources to hang on.

P: Why sure. They have the resources without the bombing Henry. You know that.

K: Well, if we had had a decent Ambassador there—that's one of my mistakes there. I should have insisted on getting that son of a bitch . . .

P: I know, I know.

K: I don't mean this year. This year wouldn't have made any difference.

P: Let me see. But right now—

K: But two years ago.

P: But right now though they have, in terms of military resources, ground forces and so forth, they are not inferior to the Khmers are they?

K: Oh no, they are superior to the Khmers.

P: That's my point.

K: But they don't have the discipline and the dedication.

P: That's the point. I understand. So therefore, the chances of the Khmers going in and cutting them up and so forth and then their collapsing are considerable. But let me say this. That isn't going to mean the fall of South Vietnam and it'll frighten a lot of people. It'll frighten the Thais and it'll frighten a lot of others but I don't intend to get—we can't get discouraged about any of those things.

K: Well, in this one you were right. The longer we could have held on in Cambodia the surer the situation in South Vietnam would have been. But even with that he thinks South Vietnam can hold six years which he says there is realistically but would get into the next Presidential period. His major concern is that the new President in 1976 have your conviction. After that he thinks it doesn't make any difference what happens.

P: Yes.

K: I mean he put it as coldly as that.

P: You mean he thinks it could hang for six years.

K: That is what he thought.

P: I think he's right. We've started a legacy there. Let's not . . .

K: Mr. President, if you had had the support that Ike had after the Korean war, that thing would be in—76 would be seen as a triumph and I must tell you honestly I didn't think it could hold beyond 1974, much beyond 74.

P: Yes. Well we'll see. You want to remember too that the North has its problems. They are trained and it may be the Russians aren't helping them quite that much and the Chinese haven't got that much to put in there. You know what I mean. Let's face it.

K: I don't think either of them are putting in a hell of a lot.

[Omitted here is discussion unrelated to Indochina.]

102. Minutes of Washington Special Actions Group Meeting¹

Washington, August 10, 1973, 3:09–4:21 p.m.

SUBJECT

Cambodia and Thailand

PARTICIPANTS

Chairman

Henry A. Kissinger

State

William Porter

Arthur Hummel

George Aldrich

Defense

William Clements

Robert Hill

Benjamin Forman

JCS

Adm. Thomas H. Moorer

Vice Adm. John Weinell

CIA

William Colby

George Carver

NSC Staff

Brig. Gen. Brent Scowcroft

Richard T. Kennedy

Lawrence Eagleburger

William Stearman

Jeanne W. Davis

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-116, WSAG Meeting Minutes, Originals, 1973. Top Secret; Codeword. The meeting was held in the White House Situation Room.

SUMMARY OF CONCLUSIONS

1. Cables were cleared, as revised, on the following:

—to Saigon and Phnom Penh on Mekong River escort;

—to Saigon on Congressional considerations involved in Mekong escort;

—To Phnom Penh, Saigon and CINCPAC on training assistance for [*less than 1 line not declassified*];

—to Saigon and Phnom Penh on GVN material support to [*less than 1 line not declassified*];

—to Phnom Penh, Saigon and [*less than 1 line not declassified*].

2. It was agreed to provide PIO's with information on the improved situation around Phnom Penh for publication within the next few days.

[Omitted here is a conclusion unrelated to Vietnam and Cambodia.]

Mr. Kissinger: (to Mr. Colby) May we have your briefing?

Mr. Colby briefed from the text attached at Tab A.² He also briefed on the results from the first bucket of photography over North Vietnam [*2 lines not declassified*].

Mr. Kissinger: (referring to photographs) What altitude are these taken from?

Mr. Colby: [*2 lines not declassified*].

Mr. Kissinger: So they are not receiving heavy military equipment from the PRC or the USSR?

Mr. Colby: There is no evidence that they are.

Mr. Kissinger: You mean they are telling us the truth? That would be a major development. (to Adm. Moorer) In your minesweeping operation, isn't one of your mines going to blow up a ship some day?

Adm. Moorer: Probably—it will probably be the dredge.

Mr. Kissinger: I would hate to think that our one perfect military operation is the deactivation of the mines.

Mr. Clements: I would stay off that dredge. That dredge sucks up sand off the bottom like a big elephant snout. It could suck up one of those mines and BOOM.

Mr. Kissinger: If the dredge sank wouldn't that block the harbor again?

Mr. Colby: If we ruin the dredge the entrance will silt over again.

²Colby's briefing, "The Situation in Cambodia," August 10, attached but not printed.

Adm. Moorer: (to Mr. Kissinger) If you want we could have those mines back in 12 hours.

Mr. Kissinger: (to Mr. Colby) How often do you schedule overflights of North Vietnam?

Mr. Colby: We have another one due the middle or late next week; it will take two or three days for the read-out. Then we have one scheduled for September 1 and another one for September 20. [3 lines not declassified]³

[1 page not declassified]

Adm. Moorer: We have counted 5,000 trucks up there. It looks like the Pentagon parking lot.

Mr. Colby: We estimate there might be as many as 23,000.

Mr. Clements: (to Mr. Kissinger) [1 line not declassified].

Mr. Kissinger: In the usual way, but it will only take one or two days, won't it? (to Mr. Porter) Do you agree? If so, let's go ahead and do it if there are no SAMs on the islands.

Mr. Porter: I don't see anything wrong with it.

Mr. Kissinger: Now may we look at what can be done about Cambodia. We have a draft cable here for (Ambassador) Graham Martin in reply to his requests. I understand the consensus is that we cannot replace SVN losses sustained in providing escort to Mekong River convoys. Martin points out that we owe the Vietnamese 29 fixed wing aircraft and 31 helicopters which they have lost and have not been replaced.

Mr. Porter: If they want to protect the Cambodian convoys they will have to do it on their own.

Adm. Moorer: We can't use MASF funds but we could use Cambodian MAP for replacements.

Mr. Kissinger: You can use Cambodian MAP to replace South Vietnamese equipment?

Mr. Aldrich: Only if Vietnam transfers the equipment to us and we then transfer it to Cambodia. Then we can replace it.

Mr. Clements: But those Cambodian MAP funds are tighter than hell.

Mr. Porter: Cambodian MAP is not unlimited.

Mr. Kennedy: We have a request in now to increase the amount by \$10 million.

³ A paper entitled "New Satellite Photography of North Vietnam," August 21, is *ibid.*, Box H-94, WSAG Meeting, Cambodia, August 1973.

Mr. Kissinger: Why have the Vietnamese not asked for replacement of those aircraft?

Mr. Hummel: We don't know why.

Mr. Kissinger: Do they understand that they can?

Mr. Carver: They are having their own problems with pilots and maintenance. Maybe they don't need them.

Mr. Stearman: Also, it would be expensive. It costs \$34 million to replace 60 aircraft.

Mr. Kennedy: Maybe they don't want to draw down their MASF.

Mr. Kissinger: As long as they understand they can.

Mr. Kennedy: The cable will refresh Martin's memory in this regard.

Mr. Kissinger: I have no trouble with the cable. Are there any objections?

Mr. Porter: We would like to add another paragraph at the end asking our people to give us their estimate as to the North Vietnamese reaction in Cambodia if South Vietnam gets into the act there. CIA does not think there will be a problem, but we would like to ask for an estimate.

Mr. Kissinger: I have no problem with that. I have no impression that Thieu is that eager to do this.

Mr. Porter: I think he will be reluctant in the light of the Congressional attitude.

Mr. Kissinger: I don't think this cable will trigger a Thieu decision to escort the convoys.

Adm. Moorer: My lawyer says we could replace the equipment with MASF if the Mekong is an international waterway.

Mr. Aldrich: But the point is that Vietnam would be assisting the Cambodians with supplies. That's a hard case to make.

Adm. Moorer: What else would you be going down the river with rice for?

Mr. Kissinger: You mean they can't help the Cambodians—they can only sail around in the open sea?

Mr. Aldrich: That's Fulbright's proviso. We can't help South Vietnam give assistance to Cambodia.

Mr. Kissinger: This cable won't trigger convoy escort.

Mr. Clements: Thieu will be ultra-cautious.

Adm. Moorer: We are taking the most conservative interpretation of the limitations.

Mr. Kissinger: Our overwhelming fear is that Congress may cut off all the funds. I would be willing to take a liberal interpretation otherwise.

Adm. Moorer: It would be a real blow in the belly if we lose over-all funding.

Mr. Kissinger: That's the real worry—not the legal interpretation.

Mr. Clements: If we skate on too thin ice we are asking for trouble.

Adm. Moorer: We would have to talk to the Congress about it. They are in such a genial mood these days.

Mr. Kissinger: (to Mr. Kennedy) Have they all seen our addition to the cable on escort?

Mr. Kennedy: We had a slight addition to paragraph 6 d.

Adm. Moorer: (Referring to the draft cable) These Swift boats only have 50 calibre machine guns and no armor. They could not defend themselves against shore batteries.

Mr. Carver: The Swifts carry a mortar.

Adm. Moorer: They have twin 50 calibre machine guns, a 181 mortar, no armor, a high silhouette, and an aluminum hull. Also, there are no river bases equipped to maintain them. They would be extremely vulnerable and MEDT does not recommend their use.

Mr. Kissinger: In the new draft concerning Congressional attitudes, we are merely saying what was in the original paragraph 7 only stronger. The worst problem is psychological. We only want to assure South Vietnam that we are still behind them.

Mr. Clements: I like the statement “we are not able to assure Thieu . . . etc.”

Adm. Moorer: The Swifts were only designed for coastal patrol—to prevent the North Vietnamese from using small boats to get ashore.

Mr. Hummel: (Referring to the revised draft on Congressional attitudes) What would this do?

Mr. Kennedy: We would plan to send this as a separate telegram replying to Martin's paragraph 7. This is our proposed substitute for the draft sent over last night by Marshall Wright.

Mr. Porter: This is better than the Wright draft.

Mr. Kissinger: (to Mr. Porter) Are you all right? This is an historic moment.

Mr. Hummel: Shall we send it out?

Mr. Porter: Yes, mark it cleared.

Mr. Kissinger: Has everyone seen the draft on training assistance for [*less than 1 line not declassified*]?

Mr. Clements: How can we do this within the limits of the funds available?

Adm. Moorer: Article 7 of the agreement prohibits the reintroduction of all foreign forces, according to paragraph 2 of this message. But trainees are not a force.

Mr. Kissinger: You could also argue that the Cambodians are not soldiers. I am beginning to see where we got the term “sea lawyer.”

Mr. Aldrich: Article 7 says “military personnel.”

Adm. Moorer: Are they military personnel?

Mr. Porter: They would have to be, whether they can fight or not.

Adm. Moorer: This telegram says “foreign forces.”

Mr. Kissinger: As one of the drafters of Article 7, your argument would be hard to justify. Of course, if massive violations continue, I don’t know how strictly we should observe Article 7. But I am not sure now is the time to try it. I am primarily concerned that we don’t pull out American forces too fast. (to Adm. Moorer) Under your argument we could put in 50,000 Americans and say they are trainees. We may come to that point if the violations are too severe. Are any Cambodians being trained in South Vietnam now?

Mr. Forman: No.

Mr. Kissinger: (to Mr. Clements) You say we can’t [*less than 1 line not declassified*] for financial reasons? Don’t we have enough funds?

Mr. Clements: We will run damn short of money.

Mr. Kissinger: We either have to use [*1 line not declassified*]. Which would you choose?

Adm. Moorer: The illegal.

Mr. Kissinger: The illegal we do immediately; the unconstitutional takes a little longer. That’s a joke, you understand. How much money will it take—let’s get an estimate.

Mr. Kennedy: There is a CINCPAC conference on Monday that will be looking into this.

Mr. Kissinger: Let him proceed—let the message go.

Mr. Kennedy: We have made a few non-substantive changes which we will take up separately with everyone.

Mr. Porter: That’s okay.

Mr. Kissinger: With the few changes which everyone will see. How about the resupply procedure outlined in the State cable? Can we live with that with the Congress?

Mr. Aldrich: Legally there is no problem. But to the greater extent you do it, the more attention it will attract in Congress. They will see it as a way to get around their limitations.

Mr. Kissinger: Our hearts are pure and our conscience is clear.

Adm. Moorer: And they’re out of town.

Mr. Forman: We intend to send an implementing message giving some additional guidance.

Mr. Kissinger: What quantities are you talking about?

Mr. Kennedy: They can't be large except in those situations where the Cambodians get close to the Vietnam border. Or if they supply South Vietnam boats on the river or get the boats themselves. They are actually doing it now.

Mr. Kissinger: So we are talking about very small amounts. Can we defend this with the Congress?

Mr. Clements: It will fall out about as you would expect. Some of them, like Mahon, will say okay; others will raise hell.

Mr. Kissinger: Won't we have some idea in a month what the situation in Cambodia will be even if it should drag on for a while?

Mr. Colby: Yes, we will have an indication.

Mr. Kissinger: What about pilots for Cambodia?

Mr. Kennedy: We just received another message on the LDX (attached at Tab B).⁴

Mr. Porter: We have been through DOD on this.

Mr. Clements: It has not come to me yet.

Adm. Moorer: This last sentence—Fulbright asked me about this—who funds it? That's where you will get an argument. How can we separate this from MAP? Fulbright would argue that if Cambodia can pay for this then they can cut MAP.

Mr. Clements: Are these [*less than 1 line not declassified*]? I am suspicious.

Mr. Kennedy: They are [*less than 1 line not declassified*]. They were trained for Laos.

Mr. Porter: Who funds them? Could it come from Khmer funds? They have some cash of their own if they care to use it.

Mr. Hummel: There are international contributions to FEOF. The whole thing is fungible and we are the main contributors.

Mr. Carver: [*1 line not declassified*].

Adm. Moorer: The problem is to prove that it didn't.

Mr. Clements: We could provide a cover—that would be relatively simple.

Mr. Kissinger: What, the White House ordered it?

Mr. Clements: If the funds are co-mingled, okay, if it would be that much help.

Mr. Kennedy: It would provide pilots in the interim period while we train Cambodians.

⁴ Attached but not printed.

Mr. Kissinger: The critical period will be for the next few weeks. It is partly a psychological problem.

Mr. Stearman: Also, they have planes that can't fly if they have no pilots.

Mr. Kissinger: (to Mr. Hummel) You handle it. That's all for today except for the daily injunction to the Embassy that we don't get awards for losing in a low profile. Who is talking with the Cambodians these days?

Adm. Moorer: Johnny Vogt has been like a bulldog. He hasn't quit a second. Highways 4 and 5 and the Mekong are all open now. The rice and oil situation is pretty good.

Mr. Kissinger: It may fall apart next week.

Adm. Moorer: They have cleared up the West Bank. Now they are working on the area between the Mekong and Bassac Rivers. When the bombing stops the Cambodians will be in pretty good shape.

Mr. Kissinger: They must be made to understand that we will do the best we can for them under the congressional restrictions.

Adm. Moorer: The insurgents are being chopped to ribbons—four to five hundred a day. The government is moving out to defend the airfield. The situation today is far better than it was four weeks ago.

Mr. Kissinger: It is hard to tell whether this is because of what we did or because the other side is pulling back.

Mr. Colby: It is partly our bombing and partly the other side catching its breath.

Adm. Moorer: But as of the 15th the pressure on Phnom Penh had decreased and the other side was moving away.

Mr. Kissinger: Let's get that word out through the PIO's.

Adm. Moorer: If they come back in, it will be clear that it was the lack of bombing that made it possible.

Mr. Kissinger: Most people don't understand how much things have improved. Let's get out some of the details to the public no later than Monday.⁵

Mr. Hummel: Murrey Marder⁶ is printing some pieces on Sunday and has been talking to me about them. I will try to get this in.

Mr. Kissinger: If he uses that I would like to see it! (to Mr. Hummel) If you are in touch with him, get this to him.

⁵ August 13.

⁶ Diplomatic correspondent of the *Washington Post*.

Mr. Hummel: I won't be responsible for any part of the story that doesn't come out right. (to Mr. Kissinger) It would be better if you could get it to Marder.

Mr. Kissinger: (to Mr. Hummel) I know Marder and I understand your position. If he calls me I will do it, but since he has already been in touch with you, it would be better for you to do it.

[Omitted here is discussion unrelated to Vietnam and Cambodia.]

103. Transcript of Telephone Conversation Between President Nixon and the President's Assistant for National Security Affairs (Kissinger)¹

August 12, 1973, 2:30 p.m.

[Omitted here is discussion unrelated to Indochina.]

P: Nothing new on the international front? Nobody's shot anybody yet?

K: No, nothing of any consequence. The, oh, Sihanouk sent a telegram to Mansfield in which he said that if we stop sending military aid to Cambodia, then he will make peace with us. You know, that's exactly the ploy they used to pull in South Vietnam.

P: Well, now, how can he make these when he doesn't control the Khmer Rouge?

K: Well, but what does it mean? What does peace mean if . . .

P: That means his peace, well . . .

K: If we've got to stop military aid. But of course it's the inevitable thing. You stop bombing and they go to the next thing.

P: (laughs) Yeah.

K: And once you stop military aid to Phnom Penh, it's gonna collapse. But he said he would then establish diplomatic relations with us.

P: Well, hell, how can he? He's not there.

K: Well, they'll bring him back for that purpose. And I suspect that this is what the Democrats are now going to try to do when the Congress comes back.

¹ Source: National Archives, Nixon Presidential Materials, Henry A. Kissinger Telephone Conversation Transcripts, Box 21, Chronological File. No classification marking. Nixon was at Camp David; Kissinger was in Washington.

P: Stop all military aid to Cambodia?

K: Yeah.

P: Then have Sihanouk come back as the head of a Communist government. Is that it?

K: That's right. That's what it would amount to.

P: What do we say to the Chinese?

K: Well, I don't think we should—I think, Mr. President, we should say nothing. What can we say? We have no bargaining chips left.

P: No, I know. But my point is, if they ask us what we think of such a proposal.

K: We say, this is a surrender. This is a unilateral . . . uh, we will promote a negotiation. I mean, if they drive us too far we will publish our proposal that we offered Sihanouk to come back as head of a coalition government, and then we proposed that . . .

P: I'm not sure he's got that strength in Cambodia, anyway.

K: Well, he doesn't have any strength in Cambodia, but I think the Khmer Rouge will use him for this purpose as a . . .

P: As a way to get the aid, that's right.

K: . . . as a way to get the aid stuff. That's the only thing of any significance.

[Omitted here is discussion unrelated to Indochina.]

104. Memorandum From Richard Kennedy and William Stearman of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, August 31, 1973.

SUBJECT

CIA Action Proposals for Cambodia

Bill Colby sends you suggested measures to be taken in Cambodia if the GKR weathers the next few weeks of military action. (Tab A).² After this period prospects for the survival of the GKR will be

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 1338, Unfiled Material, NSC Unfiled, 1973 (7). Secret; Sensitive; Outside the System.

² CIA memorandum, "Action Proposals for Cambodia," August 28, attached but not printed.

good enough to consider additional remedial action. The paper, summarized below, suggests such action.

The Problem

—The Khmer Communists may now be undertaking the military offensive to destroy the GKR as a functioning entity. Our mission in Phnom Penh—and Sir Robert Thompson—believe the Communists will not succeed. CIA gives the Communists a fifty-fifty chance.

—The GKR's problems are not rooted in lack of resources, but in ineptitude resulting from poor leadership and the lack of coherent programs.

—Should the GKR check or stalemate the Khmer Insurgents in the months ahead, Vietnamese Communists might still tip the scales militarily. This could rekindle Khmer nationalism and hatred for Vietnamese invaders, which would make a political settlement more attractive to Hanoi.

Proposed Measures—to be taken over the next two or three months—to improve the effectiveness of the GKR in prosecuting the war:

—*Declaration of Martial Law* by the GKR with real penalties for crimes (hoarding, taking bribes, deserting, etc.) impeding the war effort. Steps should also be taken to render military officers, even at the highest level, subject to military discipline.

—An “*Arm the People*” program to be started in the Phnom Penh area—and later extended—so the people will feel they are participating in collective defense. The U.S. would have to provide weapons.

—A “*Pay the Troops*” program. Late or no pay to Cambodian troops has greatly hurt FANK morale.

—A *top-level advisor to the GKR*. Lon Nol asked President Nixon, on August 6, for such an advisor.³ He would help surface effective leadership in the GKR and coordinate the type of internal GKR political, military and propaganda programs the situation now requires.

—Expand present efforts to *exploit the enemy's weaknesses*. All fire fights and frictions between the KI and Vietnamese Communists must be systematically publicized by all available media. (CIA is already broadcasting one black and two gray radio programs in Khmer and Vietnamese languages designed to cause such friction.) Additional suggested proposals are:

- *Exploit Khmer fears of Vietnamese expansionism* by: (a) surfacing “captured” NVN directives providing for the creation of NVN-

³ The Embassy in Phnom Penh sent Lon Nol's note in telegram 8076, August 6, with the request to pass the message to the White House. (National Archives, RG 59, Central Foreign Policy Files)

controlled regions in Cambodia; (b) fabricating documents of KI complaints of inadequate deliveries of munitions from the NVA/VC.

- *Exploit KI doubts about Sihanouk* by surfacing fabricated messages showing he is prepared to double-cross the communists.

Our comments on Colby's proposals follow:

—This paper is dated and needs to be made current.

—Ongoing psywar activity to exploit friction between the KI and Vietnamese Communists should be intensified. Also, CIA should exploit available intelligence and, if necessary, fabricate documents toward this end. We do not recommend such operations involving Sihanouk since our involvement would be assumed.

—The GKR penalizing for crimes and enforcing military discipline in the officer corps is sound, but we question that the GKR can effectively enforce full martial law. Our emphasis should be pressing the GKR to effect reforms—and tighten controls—with perhaps limited martial law.

—The "Arm the People" program would probably accomplish little and run the risk of losing weapons to the enemy. The GKR should concentrate on inducting more soldiers into FANK. As an alternative means to engage the populace in the war effort, we should explore social mobilization programs that would involve Cambodian civilians in medical, school rebuilding, and other such endeavors.

At Tab B is a memorandum from you to Colby⁴ requesting that he continue and intensify present CIA psywar efforts to exploit splits between the KI and the Vietnamese Communists and to undertake new operations toward this goal but none specifically directed against Sihanouk. The memorandum also asks Colby to refine and make more specific other measures proposed in his paper and circulate the results as a WSAG paper to its principals.

Recommendation

That you sign the memorandum at Tab B.⁵

⁴ Unsigned, undated memorandum to Colby, attached but not printed.

⁵ In a handwritten notation at the top of the first page of the memorandum, Kissinger wrote: "No—I don't sign directives like that. Let CIA propose them for approval."

105. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, September 6, 1973, 0645Z.

15960. Pass SecDef, JCS, and the White House. Subj: MASF to MAP Is Not for Viet-Nam. Ref: A. State 160286, B. SecDef 9255 DTG 111654Z Aug 73, C. Saigon 15958.²

1. In response to reftels, the DAO and other elements of the Embassy have worked urgently to put together the requested presentations for FY 75 (ref A) and for FY 75–79 (ref B). The FY 75 material for the Department is contained in ref C. The main elements of DAO's 5-year projection are now scheduled to reach CINCPAC Sept 7.

2. We have addressed this question as requested but as our work progressed, it became increasingly clear to me that in the existing and foreseeable conditions, achievement of the US objectives in Viet-Nam would simply be impossible if we were either confined by the dollar guidelines given in ref B or by the constraints of a conversion to MAP from MASF. The structure of MAP was not intended for the situation in Viet-Nam. To try to cope with this major concern of American policy within the OMB dollar ceilings and the inevitable and inescapable restrictions of MAP procedures, is folly of such proportion that it verges on stupidity and I simply will not participate in a process which will lead us down the primrose path of self-deception until it may be too late to do what must be done.

3. I have, therefore, instructed the staff to project MAP requirements on the basis of what is needed without reference to the dollar guidelines. The resulting figures, among other things, emphasize the absolute necessity of keeping MASF, at least for the next two years. The crucial importance of this to the completion of our national objectives in Viet-Nam, and the critical next two years, merits the consideration and judgment of highest levels of this government. We simply must make a major effort to keep our assistance to Viet-Nam under flexible and prompt-reaction procedures of MASF. I consider this quite within the realm of the possible, but we have to seriously start to work on it—now. There are well-disposed elements in Congress but we can't get their votes by not asking for them or asking two hours before the vote is taken. Even Representative Clarence Long of Maryland recently in both Saigon and Phnom Penh said that although he has been

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Secret; Exdis.

² Telegram 160286 to Saigon and Vientiane, August 13, and telegram 15958 from Saigon, September 6, are *ibid.* Defense message 9255, August 11, was not found.

a strong opponent of continuing our military assistance and military sales programs, he will vote for military assistance for Viet-Nam and Cambodia.

4. These are some of the reasons for keeping MASF:

A. MAP was not intended, and is totally impractical, for a country engaged in sustained hostilities and under threat of a renewed major aggression as Viet-Nam currently is. The cumbersome programming and funding procedures of MAP preclude timely resupply even on the limited one-for-one basis contemplated by the Paris Agreement.

B. MASF screens and lowers the visibility of our continuing military assistance to Viet-Nam, thereby making it more difficult for the North Vietnamese and others to engage in their routine distortions in relation to Article 7 of the cease-fire. The more open procedures of MAP give a continuing greater exposure of our ongoing assistance programs, and the necessary Congressional testimony and debate would give the Hanoi propagandists a field day.

C. Headquarters costs, PCH&T, and training covered by the DOD budget in the case of MASF must be met by MAP funds thus diminishing world-wide amounts available for investment and O&M.

D. MAP for Viet-Nam would create two major personnel problems:

(1) The skills for MAP administration are found almost exclusively in uniformed personnel who have staffed the MAAGs. These could not be brought to Viet-Nam in significant numbers because of the limitation on DAO uniformed personnel in relation to cease-fire;

(2) It is questionable whether a staff adequate for administration of the world's largest MAP could be accommodated at all under our DAO personnel ceilings. JUSMAG Korea, for example, with a program equal to perhaps 25 per cent of the program contemplated for Viet-Nam, consists of over 400 authorized spaces.

E. A large Viet-Nam MAP would be continuously vulnerable to "raiding" by MAP administrators to meet shortages in other country programs.

F. Additions to a requirement of some \$1.34 billion for Viet-Nam to the current request of some \$650 million for all other countries creates such an obvious distortion that it would encourage disproportionate Congressional cuts which Vietnam would have to share with others to the loss of all. This would be true even if Viet-Nam MAP were, as some have proposed, a separate line item in the MAP legislation.

G. And, perhaps, most importantly, the transfer of Viet-Nam military aid from MASF to MAP would signal to the enemy a lessened US commitment to give full support to the GVN and could encourage the North Vietnamese to mount another major offensive action or try to raise the level of subversive violence within South Viet-Nam.

5. Over the years, notably in the offensive of 1972, the enemy has taken crippling losses. Despite his continuing belligerent position he has a number of weaknesses and vulnerabilities. At the same time, the GVN is slowly consolidating its political position and has shown itself militarily able to handle the North Vietnamese when it has the necessary equipment and other defense resources. US objectives in Viet-Nam are well on the way to achievement. Therefore, I simply will not accept the fact that something so vital to the final consolidation of that achievement can be so lightly thrown away simply because we do not make the effort we are capable of making on the Hill. No one department can do it alone, but a concerted well-planned, well-coordinated effort by the White House, State and Defense can certainly get MASF for Viet-Nam extended to the end of FY 1975.

6. But it won't get done if we keep wringing our hands and telling each other how difficult it is and we must prepare for a fall back to MAP as a contingency. If one really senior level person who knows the Hill is given a clear direction that it is MASF not MAP for Viet-Nam and is given the capable assistance of one thousandth of the man hours we have already wasted in this exercise, there will be no doubt of the outcome.

7. I make no apology for the bluntness of this message. It's time we adjourned "The Children's Hour" and got back to serious business. My assignment from the President was to keep this country afloat, viable, and increasingly capable of standing on its own feet. I take the President's instructions seriously. It can be done. I intend to do it. And I must have MASF at least through FY 1975. If the rest of the Washington bureaucracy takes the President's instruction as seriously as we do here, we will get it.

Martin

106. Memorandum From the Director of Central Intelligence (Colby) to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, September 12, 1973.

SUBJECT

Coup Possibilities in Cambodia

1. In the past week there have been two reports on the views and comments of Major General Sosthene Fernandez, Commander-in-Chief, Cambodian Armed Forces (FANK), and Brigadier General Dien Del, Commanding Officer, FANK Second Division, concerning the possibility of a military coup in Phnom Penh. This is not the first time these two senior military officers have raised the possibility of a coup. In the past they have been critical of the existing leadership during periods of significant military/political pressure on themselves and the GKR. In order to provide additional information on this subject, the CIA Station Chief in Phnom Penh was requested to prepare an appraisal of the possibility of a coup. You will find his report, dated 10 September 1973, as an attachment to this memorandum.²

2. We are in basic agreement with this appraisal. It does not appear that a coup is imminent, however, it will be necessary to continue to monitor the activities of the senior military commanders and to be aware of the degree of their frustration. It has been our impression that selected Cambodian military leaders, in particular Major General Sosthene Fernandez, have been taking soundings as to the U.S. Government's willingness to back a coup. However, General Sosthene and the others have been repeatedly told in categorical terms that the U.S. does not and would not foster any coup efforts, and that FANK must address itself to the military situation which requires its full and undivided attention. Although General Sosthene and the others are very much aware of the U.S. position, this does not preclude the possibility that, if the Cambodian military leaders are faced with significant deterioration on the military, political or economic front, they might undertake a coup without the U.S. Government's blessing.

W. E. Colby³

¹ Source: Central Intelligence Agency, NIC Files, Job 80-M01066A, Box 12, Cambodia, July–December 1973. Secret; Sensitive; Eyes Only. A copy of this memorandum was sent to Hummel.

² CIA memorandum, "Coup Possibilities in Cambodia," undated, attached but not printed.

³ Printed from a copy with this stamped signature and an indication that Colby signed the original.

107. Minutes of Washington Special Actions Group Meeting¹

Washington, September 20, 1973, 3:51–4:16 p.m.

SUBJECT

Cambodia

PARTICIPANTS

Chairman	CIA
Henry A. Kissinger	William Nelson
State	George Carver
William Porter	NSC
Arthur Hummel	General Brent Scowcroft
Defense	Richard Kennedy
William Clements	William Stearman
Robert Hill	James Barnum
V/Adm. Ray Peet	
JCS	
Adm. John P. Weinell	

SUMMARY OF CONCLUSIONS

It was agreed that:

—we would request Congressional authority (under the Defense Procurement Authorization Act) to draw on DOD stocks under the MASF authority;²

—that Defense would prepare a memorandum asking for White House support on the above;³

—intelligence flights over Laos would continue at the 1–14 September level until there is evidence of North Vietnamese withdrawals.

Mr. Kissinger: Would you like to brief us? (to Mr. Nelson)

Mr. Nelson: Briefed from the attached text.⁴

Mr. Kissinger: (Referring to a statement in the briefing that the performance of government ground, naval, and air elements at Kompong

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-116, WSAG Meeting Minutes, Originals, 1973. Secret; Nodis. The meeting was held in the White House Situation Room.

² Schlesinger requested congressional authority in a letter to Senator Stennis, September 27. (Washington National Records Center, OSD Files: FRC 330–78–001, Viet 091.3, 1973)

³ Not found.

⁴ Nelson's briefing, "Cambodia," September 20, attached but not printed.

Cham should have some tonic effect on military and civilian morale) Do you think FANK resistance was helped because of the rainy season?

Mr. Clements: No! FANK did a damn good job up there. I'd like to . . .

Mr. Carver: I think the rains are having an ancillary effect, but FANK did a good job. Kompong Cham was a real plus for FANK.

Mr. Kissinger: Bill (to Mr. Clements), what was it you wanted to say?

Mr. Clements: Bob (Mr. Hill) and I just got back from there, as you know. Dennis Doolin was with us too. One of the first things we did was to visit with (General) Vogt at his headquarters. Our reports show that FANK morale picked up at Kompong Cham. Government troops fought well, better than any of us around this table thought they could. Communist casualties were high; government casualties relatively low. There's only one thing that Vogt can fault them on; they just can't get with this conscription thing. They want to start at the age of twenty-five. It's a hell of an issue there, and we've got to get them to dip down into the lower ages. Vogt also said that the Thais are willing to help out more on training. They're going to stress the 60 to 90-day training cycle—particularly artillery training. Their artillery is terrible. Some of Vogt's men had to physically go in and get some 155s out of the warehouse. They didn't even know where they were. When they were finally located, they had no sights. The ramrods were in another place. This (FANK) organization needs more artillery. They're in terrible shape there. But, FANK came out of there (Kompong Cham) with a sense of confidence and needed optimism that they heretofore have not shown. Let me make one final point. They (FANK) have come around, and I credit John Vogt and his command. They have done far more than they get credit for. They're flying in there daily briefing them on what's going on.

Mr. Kissinger: They're doing a good job, no?

Mr. Clements: You're damn right. They're doing an outstanding job, particularly on tactical intelligence. In my opinion, the only reason Phnom Penh and the government has survived is because of this.

Mr. Kissinger: We better not get you on another trip until after my confirmation.⁵ You're too optimistic.

Adm. Weinle: Are we sure he's absolutely within his right going into Cambodia?

⁵ The President nominated Kissinger to be Secretary of State on August 22. The confirmation hearings began on September 7 and continued until September 21.

Mr. Clements: John (Vogt) is sure he's acting within the letter of the law.

Mr. Kissinger: I know the WSAG makes decisions but it's no out for internal defense matters.

Adm. Weinel: I guess they get around it by calling it temporary duty. The significant thing lately is not the insurgent problem, but that the government is running out of ammunition.

Mr. Clements: That's the number one issue. They're shooting up \$500,000 to \$750,000 worth of the stuff a day. At that rate, they will be running out by the end of October. The problem, as I see it, is how—what strategy to use on Congress.

Adm. Weinel: A supplemental appropriation is the only way, right?

Gen. Scowcroft: Senator Stennis told Schlesinger that the best way would be to declare excess stocks.

Mr. Clements: Brent, you can't do it that way.

Adm. Weinel: By declaring from excess stocks, you'll get only five percent of what is required. It's just not a winner.

Mr. Porter: Can't we use the stuff in other Southeast Asian countries, like Taiwan or Korea?

Adm. Weinel: But are we in the right to do it that way?

Mr. Porter: It seems to me that we ought to ask for the supplemental appropriation or shake what we need out of those other countries.

Mr. Kissinger: It is absurd that we find ourselves in the position of having cut off the bombing, and then cutting off their ammunition as well. That would be a disgrace, and we can't let it happen.

Mr. Clements: We have to address the problem and make an all out effort to get it through Congress.

Adm. Peet: We've picked up some support in the Foreign Relations Committee.

Adm. Weinel: We've got to get that \$150 million authorization or they will be out of ammunition by 1 November. We don't have time to monkey around on this thing.

Mr. Kissinger: As I see it, we have two choices: get it through a supplemental appropriation, or from Korea, Taiwan, and Vietnam and pay them back.

Adm. Peet: But if Congress doesn't act by 1 October we'll be in trouble. We could try for special authorization to draw down DOD stocks. This would release about \$150 million.

Mr. Kissinger: Will they (Congress) approve that?

Mr. Kennedy: It will be hard, but we can make it.

Mr. Kissinger: It will be the end of September soon. What can the White House do to help?

Adm. Peet: Timmons has held it up.

Mr. Kissinger: (To General Scowcroft) Get Timmons to get this thing off the blocks. Why is the excess route no good?

Adm. Peet: Number one, it's illegal, and number two, it's a very small amount.

Mr. Clements: I think we ought to put the responsibility where it belongs—on Congress.

Mr. Kissinger: We need the ammunition, and we don't have time to play games.

Mr. Clements: If we put it right, I think they (Congress) will buy it.

Mr. Kissinger: Do you need White House support?

Mr. Clements: Yes.

Mr. Kissinger: Give us a memo tomorrow, and we'll send it up. Do you agree, Dick?

Mr. Kennedy: Absolutely! I told Korologos Tuesday⁶ we needed to push this.

Mr. Kissinger: Any problems coming in the General Assembly? I want to be able to supply satisfactory answers while I'm up there.

Mr. Hummel: The first thing up is the vote in the credentials committee. We figure it will divide 5 to 4 on our side. Most of the South-east Asia countries have indicated their support for the GKR.

Mr. Kissinger: I didn't think we had a chance with the Chinese intervening.

Mr. Hummel: The Chinese won't be asked to join.

Mr. Kissinger: Is this a Chinese scheme to bring peace? There will have to be a reaction.

Mr. Hummel: Yes.

Mr. Clements: I have two quick things: Number one, reconnaissance in Laos.

Adm. Weinell: The question is not how much, but what kind.

Mr. Carver: We've already cut back, the question is, do we go back to the 1–14 September levels?

Mr. Clements: We're already doing SR–71 flights and a few drones. U–2's are not involved, are they?

Mr. Carver: The only authority we have is Buffalo Hunter drones. There are some SR–71 flights along the periphery.

⁶ September 18.

Mr. Kissinger: The President has said that he wants intelligence flights over Laos to continue at the 1 to 14 September level until we have evidence of North Vietnamese troop withdrawals.

General Scowcroft: Defense has been told about this.

Mr. Kissinger: Defense is not carrying out orders.

Mr. Clements: This is not true. We are maintaining flights at the September levels.

Mr. Kissinger: I want them to do what they were doing the first two weeks of September. We'll cut down only when we are sure North Vietnamese troops are withdrawing.

Mr. Clements: I agree with you one-hundred percent.

Mr. Kissinger: The US is not going to carry out an agreement without compliance from the other side.

[Omitted here is material unrelated to Vietnam.]

108. Memorandum of Conversation¹

New York, September 26, 1973, 4:40 p.m.

PARTICIPANTS

Nguyen Phu Duc
Acting Foreign Minister of the Government of Vietnam

Tran Kim Phuong
Ambassador of the Government of Vietnam

Henry A. Kissinger
Secretary of State

Graham Martin
Ambassador to the Republic of Vietnam

Arthur W. Hummel
Acting Assistant Secretary of State

Robert J. McCloskey
Ambassador to Cyprus

William L. Stearman
Staff Member, National Security Council

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 105, Country Files, Far East, Vietnam, GVN Memcons, June 1973–August 1974. Secret. The meeting was held at the Waldorf Towers. Kissinger was attending the UN General Assembly session.

Mr. Duc: Let me congratulate you on becoming Secretary of State.

Sec. Kissinger: There was nothing else I could do once you were appointed Foreign Minister.

Mr. Duc: Have you made any plans yet to go to Peking?

Sec. Kissinger: We have set no definite date, but I plan to go sometime the last two weeks of October—perhaps the last 10 days in October. In any case, I will let Ambassador Phuong and Ambassador Martin know when the date is firm.

Mr. Duc: When I spoke with Cambodian Foreign Minister Long Boret he referred to an interview with Sihanouk in which Sihanouk said nasty things about Peking and Hanoi. Will you be seeing Sihanouk in Peking?

Sec. Kissinger: Sihanouk has said he does not want to see me. I won't see him. I would only see him if he gives me an exact commitment to the outcome of any talks we would have. I am not going to be Sihanouk's straightman for a press conference in which he would tell the world how he told me off. Basically the outcome depends on the Cambodian situation. If the military balance is established, then there can be negotiations. If not, there will be no negotiations. In either case, it is possible that Sihanouk will have become irrelevant. If, on the other hand, he can act as a balance wheel (in a coalition) and if China would support him, maybe it would be possible (for him to play a role). In talking to the Chinese Permanent Representative, he seemed to be more eager to discuss Cambodia than I. The U.S. must not show too much anxiety (about Cambodia).

Mr. Duc: As you remember, the Communists were putting a great deal of pressure on Phnom Penh prior to August 15. Why did the situation change?

Sec. Kissinger: Partly because it is the rainy season. The Communists also suffered heavy losses, and the Cambodians are doing better. Ambassador Martin, in whom we have a great deal of confidence, was one of the few who told us that the situation would not be lost after August 15. We now have a few months of time to strengthen Cambodia.

Mr. Duc: Until November?

Sec. Kissinger: Until the end of November or December. It is in our interest to prolong the Cambodian situation as long as possible.

Mr. Duc: It is also in our interest that Cambodia has as long a respite as possible and has political stability. The main problem is the North Vietnamese presence.

Sec. Kissinger: I agree. With our Congress, we are in great difficulty at present. In any case, North Vietnam will get no economic aid (from the U.S.) as long as North Vietnamese troops are in Cambodia.

Mr. Duc: Do you have more leverage than that?

Sec. Kissinger: No, we can't do much more.

Mr. Duc: We will have to deal with that (situation).

Sec. Kissinger: Our best efforts must be in South Vietnam. You must get as many military supplies as possible, and we need not pay excessive attention to restrictions (under the Vietnam Agreement).

Mr. Duc: What are the chances (of getting more military assistance)?

Sec. Kissinger: We are at a low point now. We will become more active once we have organized our efforts in the Department.

Mr. Duc: Is there a danger of shifting from MASF to MAP?

Sec. Kissinger: We will resist this attempt. I will talk to (Senator) Stennis about this tomorrow. We have no interest in having your military aid in the Foreign Relations Committee. There will be a lot of noise about it, but you will get the greater part of the aid you need.

Amb. Phuong: Congressman Passman has been very helpful.

Mr. Duc: What do the Russians intend to do in respect to Vietnam?

Sec. Kissinger: We are exerting maximum pressure on the Russians and the Chinese to stay out of (the) Vietnam (situation). Not much heavy equipment has been coming into North Vietnam.

Mr. Duc: How much less?

Sec. Kissinger: About 10–20% (of what came in before). Photos show next to nothing new coming into North Vietnam from China and the Soviet Union. (Jokingly to Duc) Should we try another negotiation with Le Duc Tho? Never again! Unless you beg me to do it on bended knee. I would like to see Duc and Xuan Thuy in one room negotiating.

Mr. Duc: In view of the latest Communist activities in Vietnam, what do you think they intend to do?

Sec. Kissinger: They are trying to bring airplanes into South Vietnam. If they do, you should bomb them.

Mr. Duc: Ambassador Sullivan just said in Manila that there may be another Communist offensive in Vietnam this year.

Sec. Kissinger: As much as I like Sullivan, I must say that he has no information that would justify coming to this conclusion. I don't see any possibility of an offensive until next March or April. We see no evidence of a massive infiltration effort.

Mr. Duc: They have infiltrated 70,000 since January and 400 tanks.

Sec. Kissinger: That is not enough to start an offensive.

Mr. Duc: There have been continuing violations by the other side, and there has been no withdrawal from Laos or Cambodia. What can be done about this?

Sec. Kissinger: If it were not for domestic difficulties, we would have bombed them. This is now impossible. Your brothers in the North

only understand brutality. The situation depends on the balance of forces. The Communists have not gotten strong enough for an offensive. The Soviets and the Chinese have been strongly opposed (to an offensive). There is no evidence that they (the Communists) can defeat you. They are exhausted and in difficulty. If there is a massive offensive, we will do our best to overcome Congressional difficulties and do something. Our Congress has acted most irresponsibly, and I consider the bombing cut-off disastrous. This clearly changes the attitude of the North Vietnamese. On the other hand, the Vietnamese suspiciousness is playing into our hands. They don't completely understand the restrictions placed on us by Congress. President Nixon has fooled them so often that they are probably more concerned than you believe. It is important that you show confidence and behave strongly. (Jokingly) Treat them like you treat me.

Amb. Martin: The Foreign Minister has almost doubled his budget.

Mr. Duc: (to Sec. Kissinger) I learned my lessons in negotiations from you.

Sec. Kissinger: Duc automatically says no. During the recent Paris talks, the North Vietnamese made a proposal so outrageous that I wanted Duc's support in turning it down. As it turned out, however, Duc liked the proposal. Seriously, I realize that your problems were different from our problems, and the three months you gained (October–January) were important.

Mr. Duc: I appreciate your saying that. Do you see any significant differences between the Chinese and the Soviets?

Sec. Kissinger: I came away from the January negotiations with the feeling that we would have to bomb the North Vietnamese again in early April or May. On the other hand, I came away from the June negotiations convinced that they had given up on a military victory and were set for a long pull. They didn't have the same self-confidence. On the Chinese and Soviets, I talked to the French Foreign Minister and what struck him was that they (the Chinese) complained about Cambodia, but they never said that South Vietnam had to be united. The Chinese are probably not unhappy that there are four states in Indochina. The Soviets are interested in bases in Indochina and are not interested in a divided Indochina. On the other hand, they are also not interested in jeopardizing their interests with us in order to defeat you. In recent photography we saw no major supplies coming in (to North Vietnam) from any other countries.

Amb. Martin: It seems the North Vietnamese trip to Moscow and Eastern European countries was not productive.

Mr. Duc: After the Laos Agreement are the North Vietnamese going to withdraw?

Sec. Kissinger: You know how meticulous they are about observing agreements, although there are some signs of withdrawal of North Vietnamese forces.

Mr. Stearman: We have a recent report that there is a new North Vietnamese infiltration group headed for northern Laos.

Mr. Duc: The rule of unanimity in the new Laotian Government will certainly paralyze it.

Sec. Kissinger: I think the country is going to be divided vertically with the Pathet Lao controlling most of the territory, and the government side controlling most of the people. You will be able to take care of the military situation in South Vietnam.

Mr. Duc: They are building a new Ho Chi Minh trail inside North Vietnam.

Sec. Kissinger: Despite the development of the new trail in the South, you will be able to take care of the military situation.

Mr. Duc: This, however, means the Communists will enjoy greater freedom of movement in moving supplies.

Amb. Martin: (to Mr. Duc) What do you consider to be the future of the ICCS?

Mr. Duc: It cannot do very much. I talked to the Polish Foreign Minister, and he insisted that it must comply with the rule of unanimity.

Sec. Kissinger: I think they (the Poles) are embarrassed about this. Are you considering attacking the North Vietnamese bases in Cambodia?

Mr. Duc: I am not a military man.

Amb. Martin: We will have to see how this situation develops. What is our interest in respect to the ICCS? Should we keep pressure on for full implementation (of ICCS obligations)?

Mr. Duc: We should keep the pressure on to prevent minimizing the role of the ICCS by reducing the budget and personnel. And we should have an understanding on the structure so it is not paralyzed. What would happen if the PRG applied for aid from the IBRD consortium?

Sec. Kissinger: We would totally oppose this.

Amb. Martin: In any case, there would be no way of getting aid to the area (under PRG control). You have said that you would have no objection to this (assistance to the PRG area) if this did not involve recognition.

Mr. Duc: Some governments now consider that the PRG is a government because it had signed (the Agreement and the Act of Paris).

Sec. Kissinger: McNamara would certainly not approve (of IBRD aid to the PRG). All of my talks with McNamara have been in the con-

text of aid to Saigon. I will get McNamara's views when he returns from Nairobi and pass them on to Ambassador Phuong.

Mr. Duc: What chance is there of admitting two Vietnams into the UN?

Sec. Kissinger: The Communists will ask for the admission of three Vietnams. You don't want that. We won't even get the two Koreas in. North Vietnam would reject such a proposal or insist on PRG admission.

(Mr. Kissinger noted that the Iranian Foreign Minister was waiting to see him and the meeting ended.)

109. Minutes of Washington Special Actions Group Meeting¹

Washington, October 2, 1973, 10:03–10:50 a.m.

SUBJECT

Cambodia

PARTICIPANTS

Chairman

Henry A. Kissinger

State

Kenneth Rush

Curtis Tarr

Arthur Hummel

Defense

William Clements

Robert Hill

JCS

Adm. Thomas Moorer

V/Adm. John Weinle

CIA

Gen. Vernon Walters

George Carver

NSC

Gen. Brent Scowcroft

Don Stukel

William Stearman

James Barnum

SUMMARY OF CONCLUSIONS

It was agreed that:

... CIA would prepare an up-to-date estimate of Prince Sihanouk's in-country support and the extent of his popularity.²

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Not found.

[Omitted here is discussion unrelated to Cambodia.]

Gen. Walters briefed from the attached text.³

Mr. Kissinger: Why is that, because of the rainy season? (referring to the statement that most of Phnom Penh's supplies are coming via Mekong River convoys, which are having little trouble getting through.)

Gen. Walters: No, it's because the Mekong is wide open.

Adm. Moorer: It's not that they can't get upriver, they can't get rice in the first place (referring to the airlift of rice from Battambang).

Gen. Walters continued to brief.

Mr. Kissinger: Who's he referring to when he talks about the Phnom Penh Government? (referring to a statement by Sihanouk that he would be willing to deal with "any other Cambodians".)

Gen. Walters: Fernandez (General Sosthene Fernandez) probably.

Mr. Carver: It's rather unclear what Sihanouk is talking about. In my opinion I think he's doing a little public posturing, trying to put some distance between the Council members and others in the government. This may be the result of some clear planning, but it's unclear.

Gen. Walters continued to brief.

Mr. Kissinger: Why did they (the insurgents) try to bring about the collapse of the government by 15 August?

Mr. Carver: It's psychological. They have tried to do it before. They try to capitalize on the psychological letdown of government forces. They tried it at Kompong Cham, but it didn't work. FANK did a hell of a job up there.

Mr. Kissinger: A few weeks ago it was all gloom and doom around here. What is CIA's prediction now. A few weeks ago you said that it would take from six weeks to six months for the government to collapse. What's your prediction now?

Gen. Walters: Personally, I think CIA was more pessimistic than I would have been. I really didn't believe deep-down they (the insurgents) could do it.

Mr. Carver: The General's right . . .

Mr. Kissinger: Boy, you have two brilliant careers ahead of you, disagreeing with your own Agency's views!

Mr. Carver: Actually, we were not that far off. We were agreed that it was touch-and-go. But I thought they could last until the dry season. The swing factor in the whole thing was that the North Vietnamese didn't help out.

³ Walters's briefing, "The Situation in Cambodia," October 2, attached but not printed.

Mr. Kissinger: Why didn't the North Vietnamese put their forces back in?

Mr. Carver: We're not sure. That's still open to speculation. There's this mutual hatred thing between the Cambodians and the Vietnamese. Perhaps they were afraid to use North Vietnamese troops. It's a big nationalism issue.

Gen. Walters: We saw some evidence of this—nationalism—in Kompong Cham. Women and children were helping out, running ammunition.

Mr. Kissinger: To what extent has the rainy season contributed to the stalemate?

Mr. Carver: The rainy season broke the Communists' momentum. It's really a war of psychology that's going on over there. The government has 180,000 or so men under arms with plenty of guns. But, FANK won't move. It all goes back to Chenla II, in which FANK got clobbered. They've been afraid ever since. The catatonic effect of Chenla II has been with them for two years. Now, perhaps, they are starting to take hold.

Adm. Moorer: Kompong Cham was the best thing that has happened to them for a long time. Their morale is way up.

Mr. Kissinger: What do you think's going to happen, Tom?

Adm. Moorer: I don't really now, but I think they can hold until the end of the year. If the North Vietnamese come in full force, that's a different story.

Mr. Kissinger: If the North Vietnamese come in, do you think the South Vietnamese would too?

Adm. Moorer: I don't know for sure. There's North Vietnamese sappers there already, as you know. They were the ones who blew up the power house a while back. I don't think they will risk anything that would result in a lot of casualties. They don't want bodies all over the battlefield where they can be identified as North Vietnamese. Small stuff is okay, but they don't want it to be known that they are in Cambodia.

Mr. Kissinger: Does Saigon have contingency plans if the North Vietnamese move in?

Mr. Carver: No. As far as we know, they don't. They're not prepared for any major ground attack.

Mr. Kissinger: Because we have told them not to?

Mr. Carver: Partly.

Adm. Moorer: Because they know they would lose our support if they move in.

Mr. Kissinger: No, I mean do they have contingency plans to move in when the North Vietnamese move in?

Gen. Walters: The South Vietnamese must have some plans.

Mr. Kissinger: If North Vietnamese units move into Cambodia, would South Vietnam be willing to move in to help?

Adm. Moorer: I think they would be willing to move in if they are assured of US support. The big thing they are worried about is that we would cut off that \$900 million worth of aid.

Mr. Clements: That's right. I'm convinced they are willing, but not unless they have our okay. They're worried about that \$900 million.

Gen. Walters: I believe they have plans. It's too important to their own security for them not to.

Mr. Kissinger: What's that route to An Loc?

Mr. Carver: Route 13.

Mr. Kissinger: Is it open?

Mr. Carver: No, it's still closed.

Adm. Moorer: I think there would be little trouble getting the South Vietnamese to move, if they are assured aid wouldn't be cut off.

Mr. Kissinger: What do we do if the North Vietnamese move in? What makes the North Vietnamese believe, for example, that we will do anything, given the present state of play?

Adm. Moorer: I think the South has plans to move into Cambodia in force. The thing to do is to assist them in population control and beef-up the perimeter of Phnom Penh. Make it so they can't take the capital. We should talk to them (the South Vietnamese) and tell them to do it (invade) if there are no long-range political implications.

Mr. Kissinger: (to Mr. Rush) Ken, do you have anything to add?

Mr. Rush: No, only the funding problem, but you're going to discuss that today at lunch.⁴

Mr. Kissinger: Yes, let's skip that for now. What can we do about strengthening the government for the coming dry season?

Adm. Moorer: Give them money.

Mr. Kissinger: Money? What do you mean, money for ammunition, new equipment, the whole gamut?

Adm. Moorer: Money. They can't do anything, can't get equipment, ammo, anything without money.

Mr. Clements: There's the possibility that we might try putting more pressure on the Thais to get more rice into the country, in larger quantities. We can try to accelerate that program. We also might try to accelerate the training prior to the dry season, get them out in the field sooner.

⁴ See Document 110.

Mr. Kissinger: Is there any problem on getting equipment into Cambodia? Can we get the right amount, or do we have to borrow on future funds?

Adm. Moorer: We can't get it unless it's at the expense of other programs.

Gen. Walters: Besides, it would take 2–3 months for the artillery to get there.

Mr. Kissinger: Can we do part of it through MAP?

Adm. Moorer: Yes, if you decide what you want to take from the other countries. You would have to re-allocate everything and take away the equipment promised to those countries. We're operating under a continuing resolution. Look at the figures—\$52 million in the first quarter, \$70 million in the second quarter. At that rate, every other program would be in jeopardy. It would destroy our long-range programming.

Mr. Kissinger: It's been my experience that whenever we've gone back to them (Congress) for something, they tack something else onto the bill. If we fail in Cambodia, our opponents will say that our entire policy isn't working.

Mr. Clements: I agree.

Mr. Kissinger: Isn't there anything between everything and nothing?

Mr. Clements: I think there is some middle-ground.

Adm. Moorer: Look what we're up against. They need \$226 million the rest of the year. \$174 million goes for ammunition . . .

Mr. Kissinger: The other \$50 million is for the other items, I presume.

Adm. Moorer: Yes, in 15–30 days they will be desperate. They need: \$6.6 in military equipment; eight river craft; two 155mm howitzers. That's what they want now.

Mr. Clements: That's true, but those are priority items. There must be some middle-ground. The top priority is artillery.

Mr. Kissinger: How much does the artillery cost?

Mr. Clements: I don't know off-hand, but it's a low cost item.

Mr. Tarr: I think that all we can do at the absolute minimum is to provide them enough to survive.

Gen. Walters: That's right. As of today, they have only four days worth of artillery.

Mr. Tarr: They are using it up at the rate of \$800,000 a day.

Mr. Clements: Look, I was up on the Hill the other day, and John Tower and others advised me not to talk about an amendment. It just won't walk. There isn't a snowball's chance in hell of getting an amendment (to the Defense Procurement Authorization Act) through

Congress. We just have to devise some way around it. They say to wait until things cool off.

Mr. Kissinger: What, wait until the war cools off? What do they mean? You want me to wait until the war cools off to try to save that country? That doesn't make sense.

Mr. Clements: I'm just parroting what they told me. They said we'd be lucky to get a 70–20 vote. It just won't walk up there. Korologos, Stennis, Tower—all agree that it won't work.

Mr. Kissinger: Well, we'll leave this until I have lunch.

Adm. Moorer: After Kompong Cham, FANK is in the best shape it's been in a long time. We just can't let them down.

Mr. Carver: I agree, it would ruin them.

Mr. Kissinger: I'm prepared to fight Congress on this matter. It would be a national disgrace to cut off the bombing and then cut off their supplies. I know the President is prepared to fight Congress on this matter—even go public on it.

Mr. Tarr: Congress has the say since it's a continuing resolution.

Adm. Moorer: We could take MAP funds and put them in there. Otherwise, it's going to go from worse-to-worse.

Mr. Kissinger: And recoup later, huh.

Mr. Carver: If we let that Cambodian coalition down on the ammunition, our credibility with them will be zero—and elsewhere as well.

Adm. Moorer: That's right, it would ruin our credibility and cause serious problems in other countries.

Mr. Kissinger: Like where, Jordan?

Adm. Moorer: Everywhere—Korea, Turkey, Indonesia, Jordan.

Mr. Clements: It's not impossible to get an amendment. I don't think we really have any choice.

Mr. Kissinger: Why can't we get a supplemental appropriation?

Mr. Tarr: We can't until after we receive authorization.

Mr. Rush: The bill would have to be vetoed under Section 13, anyway.

Mr. Tarr: We could just hope that by the end of the fiscal year things (in Congress) would begin turning our way.

Mr. Rush: It seems to me we would be better to try to get it through a continuing resolution than through a new bill.

Mr. Tarr: A new bill wouldn't help now.

Mr. Kissinger: Yes, we'd lose in Congress and then all the ammo would be cut off. It just can't be done.

Mr. Clements: Well, after your lunch we'll know better what to do.

Mr. Kissinger: Yes. I suppose you've talked to them about rice.

Gen. Walters: It's going to take a giant effort if they get in trouble.

Mr. Tarr: We need to take \$60 million out of MAP funds now, even more for the next quarter. At least we'll give them a breathing spell.

Mr. Kissinger: It's a psychological matter. It's important to meet their requests while their morale is up.

Mr. Rush: We might as well give up on Cambodia if there is no MAP.

Mr. Clements: I don't think we have a choice.

Adm. Moorer: We should be able to work out some in-between position.

Mr. Rush: Are they wasting that much ammunition?

Mr. Clements: Sure, they're shooting it up like crazy.

Mr. Kissinger: We could send them some advisors . . .

Adm. Moorer: They're not firing it at such a high rate. With the end of the bombing, they pooled their artillery and are using it as a substitute for air power. With the bombing way down, they're using more ammo, and there is no way of converting the ammunition—bombs to shells. The transfer of ammo is our problem.

Mr. Clements: Henry, let me say one thing. When we were over there, we spent a lot of time at (General) Vogt's headquarters. Those guys are just doing an outstanding job there. They broke some of the artillery out that had been sitting around in depots, serviced it, and got that organization moving. They are doing a beautiful job. Vogt and his men ought to be commended.

Adm. Moorer: That's not for quotation, is it? (laughter)

Mr. Kissinger: On the credentials issue, how do we stand? Ken, (Mr. Rush) would you like to comment on that?

Mr. Rush: I'll let Art here talk.

Mr. Hummel: There are signs that the Chinese are lobbying for a serious challenge. The members of the Algiers Conference are also heavily engaged in lobbying on behalf of Sihanouk. The credentials committee route is out—the committee is stacked too much in our favor. They could push a resolution through the general committee inscribing the request as an agenda item. This is the most likely, and doesn't look good for us. If it (request that Sihanouk be seated instead of GKR) becomes an inscription item, it could be challenged on the floor. The Khmer are lobbying actively, and have a good team. Our fall-back position might be to insist that it be treated as an important question. We figure a split vote of, say, 50 to 51 percent. We might prevent the seating of Sihanouk this way, but it doesn't look good.

Mr. Kissinger: We would lose a vote if it is not an important question?

Mr. Hummel: I don't know—it's very flabby. Inscription of the item in the general committee might win. We just don't know how certain countries are going to vote and who will abstain.

Mr. Kissinger: Sihanouk's recent overtures. What are your judgements?

Mr. Rush: I really don't know what to make of them.

Mr. Hummel: I might add—perhaps you didn't know—about his approach to the Australians.

Mr. Kissinger: Yes, I'm aware of that.

Mr. Carver: We find ourselves in a position where our ally's morale is up for the first time in a long time. The question is whether the US should deal bilaterally with Sihanouk. I think that we ought to exert pressure behind the scenes to get the government to name an intermediary.

Gen. Walters: There's no question that Sihanouk is taking a less rigid position than before. Maybe it's time to fan out some feelers.

Adm. Moorer: Other than a few peasants scattered around, Sihanouk has no power base. I think his support would blow up like a balloon.

Mr. Kissinger: (To Mr. Carver) Have you people done an estimate lately on what Sihanouk represents?

Mr. Carver: Not lately. He has some peasant support, but little of it is organized. A lot of people like him, but wouldn't like him as their leader. Besides, many feel he is just carrying out orders from Hanoi.

Mr. Kissinger: (To Mr. Carver) Can you give us an up-to-date estimate of where Sihanouk stands?

Mr. Carver: Sure.

Mr. Kissinger: Bill (Mr. Clements) do you have any views?

Mr. Clements: No.

Mr. Rush: I think the other side is re-evaluating its position. I think they think that Phnom Penh may be about as strong as it's going to be, and may not be willing to let an opportunity like this go by. We have this indication from Moscow that Hanoi may be interested in talking.

Mr. Kissinger: From Moscow?

Mr. Rush: I mean from the Soviet ambassador in Hanoi. What do we have to lose if we take the initiative?

Gen. Walters: Phnom Penh. The morale of FANK, at the least.

Mr. Rush: Why? Not if you tell them about it.

Gen. Walters: If you tell them it lessens the danger, but they'll read the message that we're backing out.

Adm. Moorer: Look, we supported Lon Nol, and now we push Sihanouk. How's that going to appear to them?

Mr. Rush: Unless Phnom Penh holds out, the overall chances of saving Cambodia are not good anyway.

Mr. Tarr: It might be worthwhile for the Embassy to take a sounding on the feeling there toward talks.

Adm. Moorer: The problem is that we're dealing with faceless people. We don't know who is running the insurgency.

Mr. Carver: Three of the four High Council members want to talk. We ought to encourage them.

Gen. Walters: We could query the Embassy to see what the effect would be.

Mr. Kissinger: Let's think about that for a while.

Mr. Tarr: We have only nine months to act on this. Experience has shown the longer we wait the dimmer the prospects.

Mr. Kissinger: My experience has shown that if you show anxiety to Indochinese, you're dead.

Mr. Carver: Sihanouk's current pattern of behavior is similar to that of the past. When he's asking around—putting out feelers—he's feeling pressure from somewhere.

Mr. Tarr: We ought to take a long look at what we can do to get something enacted in Congress (referring back to ammunition funding).

Mr. Rush: The situation could change drastically in the coming months.

Mr. Kissinger: The question is, how do we make the approach? Let's do some thinking about it, but not talk about it. No statements now, Bill!

[Omitted here is discussion unrelated to Cambodia.]

110. Memorandum of Conversation¹

Washington, October 2, 1973, 1:15–2:55 p.m.

PARTICIPANTS

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs
Dr. James R. Schlesinger, Secretary of Defense
William Colby, Director Central Intelligence
Admiral Thomas Moorer, Chairman, Joint Chiefs of Staff
Lt. General Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

Kissinger: The purpose of this meeting is to talk candidly. I will tell you what I plan—I hope you will do likewise. We will use the machinery, but it is useful to exchange views. Anyone here has the option of saying something here only and it won't go to the State Department. Otherwise, I may tell Rush and you can tell Clements.

Schlesinger: We can't have people telling Congress how we are handling it.

Kissinger: Maybe you should begin.

Schlesinger: We can move 20–50 thousand tons from Laos. We have MASF there. We are moving forces out and we will discuss ammunition in excess of Lao needs.

There is money in the Air Force to fund F-5As which was cut from the budget. Stennis will get that restored in conference—that is free money. The Thais want OV-10s. The Thais have ammunition. We can swap, but we need a swap arrangement.

Kissinger: I would like to interrupt for a minute. Give Brent a list of any complaints you have about the State Department. One of the utilities of my dual position is to bring this whole thing together. I basically am on your side.

Schlesinger: So we can keep the ammunition flowing a long time but we need facade.

The reason I don't tell Tarr is that there are things in the law, but if we talk about it, they will be eliminated.

Kissinger: But they have to have money to shoot people up.

Schlesinger: If I can just get through the conference on F-5A, that will help. It should happen in a few days.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 2, Memcons. Secret; Nodis. The luncheon meeting was held in the Secretary's office, Department of State. Brackets are in the original.

Kissinger: This has been a big item though. If we suddenly go quiet, someone will get to the Congress. Give me a cover story and write me a memo I can show.

Keep discipline in your shop, Tom. How about equipment?

Schlesinger: If we get this Air Force money back, we can handle this.

Moorer: We have a million or so of spares in addition to ammunition.

Kissinger: On the diplomatic side—for you alone—in June I had the Chinese lined up for a 60-day Cambodian ceasefire and settlement. We had a ceasefire in place and a Laos-type government. The Chinese said they would recommend it to Sihanouk when he returned. That is when we passed the bomb halt, and then the Chinese said the situation had changed.

Moorer: The reason the Communists tried to take Phnom Penh before August 15 was they were afraid it would be solved before August 15 and they would be left out. Of course they were dumb in the way they went at it.

Kissinger: Now I will send a message to Le Duc Tho that we are prepared to discuss Cambodia along the lines we discussed in June. I will tell the Chinese that if Sihanouk has anything to say—we won't use Mansfield—we will listen to what he has to say. We shouldn't go to the Embassy in Phnom Penh and upset the Cambodians but sit tight. I don't plan any contact with Sihanouk.

Moorer: I would be wary of dealing with Sihanouk. I am not sure he can deliver.

Kissinger: There is a 90 percent chance I won't see him.

Colby: Sihanouk can't deal with the Lon Nol group.

Kissinger: I don't see a negotiation coming.

Colby: We don't need it if we can stall along.

The critical factor is the Phnom Penh leadership.

Kissinger: We have no compulsion to get into this negotiation.

Let's have our next meeting Wednesday. Brent will be the focal point for items to discuss.

Schlesinger: On Cambodian ammunition, there will be no paperwork. It will just be done.

Kissinger: But give me something I can tell Tarr. It is important we get weapons in. Can I count on that being done?

Schlesinger: Yes.

[Omitted here is discussion unrelated to Indochina.]

111. National Intelligence Estimate¹

NIE 53/14.3–73

Washington, October 12, 1973.

SHORT-TERM PROSPECTS FOR VIETNAM

Précis

The major judgments in this Estimate are:

A. Hanoi's actions are clearly designed to insure that it can again resort to major military action at some point to gain its objectives if other means fail. The chances of the communists gaining power through the political provisions of the Paris agreement are negligible; nor are their prospects good for achieving the GVN's collapse through a combination of political and clandestine warfare backed up by only moderate military pressure. Hanoi may not have made a final decision as to the timing of a major offensive. It must, however, believe that it will ultimately have to return to the battlefield to seek its objective of reunifying Vietnam. (Paras. 3, 54.)

B. The current military balance in South Vietnam is only slightly in favor of the GVN; with heavy infiltration and supply movements, it may have shifted to the communists' advantage by mid-1974. The political balance, however, is clearly in the GVN's favor and will remain so. (Paras. 6–19, 31–53.)

C. The forward positioning of communist forces and supplies and the improved road system give Hanoi the capability to kick off a major military campaign with little additional preparation, perhaps less than a month. (Paras. 13–15, 55.)

D. It is a close choice whether Hanoi will opt for a major military offensive during the current dry season (October 1973–May 1974). In making its decision Hanoi must assess the following factors:

—The likelihood and extent of a US response; the positions of Moscow and Peking, particularly the consequences to the North Vietnamese position if they can not be certain of enough material support to cover losses that would accompany prolonged heavy combat; the

¹ Source: Central Intelligence Agency, NIC Files, Job 79–R01012A, Box 469, National Intelligence Estimates, Folder 1, NIE 53/14.3–73. Secret. The Central Intelligence Agency and the intelligence organizations of the Departments of State, Defense, and Treasury and the National Security Agency participated in the preparation of this estimate. The Director of Central Intelligence submitted the estimate with the concurrence of all members of the USIB except the FBI representative, who abstained on the ground that it was outside FBI jurisdiction. For the full text of the estimate, see National Intelligence Council, *Estimative Products on Vietnam, 1948–1975* (Washington, D.C.: U.S. Government Printing Office, 2005), pp. 597–617.

military balance between its forces and the RVNAF; and the overall political and military situation in the South. (Para. 56.)

—The arguments for and against an offensive this dry season are presented in paragraphs 57–64.²

E. If there is not an offensive this dry season, Hanoi will continue to launch and no doubt accelerate carefully orchestrated significant localized, and limited-objective attacks in various regions of South Vietnam to seize territory and test the GVN's resolution. (Paras 67–68.)

F. In the event of a major communist military effort this dry season, however, the communists would initially make substantial territorial gains in MR-1 where they would probably commit their own air assets. If the fighting were prolonged, RVNAF's continued resistance in MR-1 would be in doubt without renewed US air support. Communist gains in the rest of South Vietnam would be less dramatic, and RVNAF should be able to blunt the communist assault. (Paras. 44, 65–66.)

G. Beyond this dry season, we believe the odds favoring a major communist offensive will increase significantly in the following dry season. (Para. 76.)

—Over the long run, Hanoi may place greater weight on trends it observes in the South than on the external restraints imposed by Moscow, Peking, and Washington. (Paras. 69–75.)

[Omitted here is the body of the estimate.]

² The Assistant Chief of Staff, Intelligence, USAF, believes that the case postulated in favor of a North Vietnamese offensive in 1974, *earlier rather than later*, merits greater weight than the case against such an offensive. His arguments in support of this position are presented in his footnote on page 16. [Footnote in the original.]

112. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, October 16, 1973, 1445Z.

WH32506. Refs: Saigon 0549, Saigon 0550.²

1. Thank you for timely advice and draft in reftels. I have sent it to Le Duc Tho as you drafted it, with one sentence added near end to further strengthen point. See attachment.

2. Warm regards.

Attachment: Message from Dr. Henry A. Kissinger to Mr. Le Duc Tho, Oct. 16, 1973

To: Mr. Le Duc Tho, Representative of the Government of the DRVN
From: Henry A. Kissinger

I have received your communication of October 13, 1973.³ If you will refer to my note of August 10,⁴ you will find a dispassionate and sincere effort on my part to record specific instances where a serious effort on your side to work with the RVN and with us to implement the provisions of the Paris Agreement and the June Communiqué might have allowed all of us to achieve some progress.

Yet in reviewing the current status, we find that the "PRG" delegation to the Two-Party Joint Military Commission has still not deployed to the agreed sites outside Saigon. This makes it impossible for the ceasefire machinery provided for in the Paris Agreement to function effectively. Furthermore, your representatives have not designated points of entry as required by the Paris Agreement and the Joint Communiqué. In the Four-Party Joint Military Team, representatives of your side have so far refused to account for those missing in action and to

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 416, Backchannel Messages, Martin, July 19–December 1973. Secret; Eyes Only.

² In backchannel message 549, October 16, Martin told Kissinger: "It is increasingly evident that the DRVN is planning a major assault in the Tay Ninh area." The Ambassador concluded that a note to the North Vietnamese "might just cause Le Duc Tho to have second thoughts." (Ibid.) In backchannel message 550 from Saigon, October 16, Martin sent Kissinger suggestions for the content of that note. (Ibid.)

³ Le Duc Tho's message, October 13, protested "the repeated, massive and very barbarous air bombardments carried out recently by the Saigon administration," and called upon Washington and Saigon to "correctly implement all provisions" of the Paris Agreement and Joint Communiqué. Kissinger relayed the text of the DRV message to Martin in backchannel message WH32501, October 15. (Ibid.)

⁴ The text of Kissinger's August 10 message to Le Duc Tho, drafted by Martin, is contained in backchannel message WH31902 to Saigon, August 10. (Ibid.)

permit the repatriation of the remains of the known dead. By refusing to assure that the exchange sites will be free of disturbance, your side has prevented the completion of the exchange of Vietnamese civilian prisoners.

What saddens me the most is the conviction that your note of October 13 is intended only to make a propaganda record to attempt to justify further violations on your part. We are, of course, well aware of the continued infiltration of your forces and your present evident intentions to mount extensive operations in the area around Tay Ninh. How can you complain if, in face of such continued assaults, the RVN takes reasonable measures to defend itself, which it most certainly will do? As far back as July 23,⁵ I responded honestly to your question on the activities around Kontum, warning you that, in my opinion, the GVN would never allow you to keep the bridgehead across the Krong Poko River and the villages of Polei Krong and Trung Nghia which you seized on June 7. Were the casualties you took in unsuccessfully continuing to try to hold them worth the effort? True, you overran the Ranger camp at Plei Djer-ing in revenge for that defeat. But again I ask whether it was worth it?

And now there is another incident, where an American working under contract for the ICCS, traveling in a clearly marked ICCS vehicle, was abducted by the Viet Cong on October 6 and is now being held by your friends in the hamlet of Phuoc An in An Xuyen Province. We have asked the GVN not to use force to try to release him. Instead, I wonder if, as evidence of the good will and serious intent you claim you bring to the question of the proper implementation of the Accords, you will prevail on your friends to release him.

In my message of August 10, I expressed my sincere hope that you and your colleagues would not mistake the complete seriousness of our commitment to the proper implementation of the Accords. I added that those who moved under the assumption that it would be safe to do so when my government seemed to be preoccupied elsewhere were almost always wrong. In your reply you interpreted this as a threat. It was not so intended. Rather, it was meant to convey a serious expression of a simple historical fact. As I said in the closing sentence of that message, the U.S. side is totally committed to scrupulous and effective implementation of all parts of the Paris Agreement. And I am sure that you never expected the U.S. side to idly stand by if it becomes clear that your side intends to totally ignore them. Time and again the DRV has misunderstood the American reaction, and we hope it will not do so again.

⁵ The text of Kissinger's July 23 message to Le Duc Tho, drafted by Martin, is contained in backchannel message 532 from Saigon. (Ibid.)

It may appear that I am totally absorbed in Mideast affairs, but I can assure you, Mr. Special Adviser, that you are always very much on my mind. *End text.*

113. Minutes of Washington Special Actions Group Meeting¹

Washington, November 2, 1973, 10:27–11:35 a.m.

SUBJECT

Middle East, Vietnam and Cambodia

PARTICIPANTS

Chairman
Henry A. Kissinger

State
Kenneth Rush

**Joseph Sisco
*Arthur Hummel
Robert McCloskey

Defense
William Clements
Robert C. Hill

JCS
Adm. Thomas H. Moorer
V/Adm. John P. Weinell

CIA
William Colby
**Samuel Hoskinson
*William Christison

NSC
Gen. Brent Scowcroft
**Harold Saunders
*William Stearman
*Lt. Col. Stukel
Jeanne W. Davis

*Attended only portion on Vietnam

**Attended only portion on Middle East

(See separate Summaries of Conclusions for Middle East and for Vietnam and Cambodia)

[Omitted here are conclusions unrelated to Vietnam and Cambodia.]

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive; Codeword. The meeting was held in the White House Situation Room.

SUMMARY OF CONCLUSIONS

Vietnam and Cambodia

It was agreed that:

... a note will be prepared from Secretary Kissinger to Le Duc Tho on apparent preparations in North Vietnam for a new offensive against the South;

... SR-71 mission should be flown over North Vietnam after the note has been sent but before the Secretary's trip to China;²

... preparations should be made for a U.S. carrier to go in the Gulf of Tonkin and come back out after the Secretary has left China.

[Omitted here is discussion unrelated to Vietnam and Cambodia.]

Vietnam and Cambodia

(Messrs Sisco, Hoskinson and Saunders left the meeting. Messrs. Hummel, Christison, Stearman and Col. Stuckel joined the meeting.)

Mr. Colby briefed from the text at Tab B.³

Secretary Kissinger: (referring to a news story which had been handed into the meeting) How did George Sherman know there was a WSAG on Vietnam today? That must have come from Defense. This isn't helpful.

Secretary Kissinger: (referring to a report in the briefing that the SVN 1st Division Commander had been replaced) Wasn't the 1st Division fellow pretty good?

Mr. Colby: He was their star.

Adm. Moorer: General Pham Quoc Thuan, who is replacing your friend General Minh, has been the senior SVN man on the Two-Party group.

Mr. Colby: He hasn't had a combat command since 1969—they thought he was no good.

Secretary Kissinger: Isn't that standard in the 3rd Corps? You have to be no good or corrupt.

Mr. Colby: You have to be able to fight a good defensive battle around Saigon and not be able to take over the government.

Secretary Kissinger: He has to be incompetent or so corruptible as to be impeachable. (to Mr. Hummel, referring to the departure from Cambodia of the Queen Mother.) Has the old lady left?

Mr. Hummel: She leaves tomorrow, November 3.

² Kissinger traveled to China November 10–14.

³ Colby's briefing, "Vietnam," November 2, attached but not printed.

Secretary Kissinger: (referring to a message handed into the meeting) Did (Australian Prime Minister) Whitlam offer aid to Sihanouk?

Mr. Hummel: It's rumored so.

Adm. Moorer: We'd like to see ammunition, POL and rice provided now in Cambodia during the time the (Mekong) river is clear—so we won't have to divert resources to fight their way up the river.

Secretary Kissinger: What's stopping you?

Adm. Moorer: Nothing really, but we are having some money troubles.

Secretary Kissinger: Doesn't every agency understand that we want a maximum effort in Cambodia?

Mr. Hummel: I don't think money is the problem for AID.

Secretary Kissinger: What about the rice?

Adm. Moorer: We're in pretty good shape now. Also there has been some Cambodian improvement in the air. They have almost doubled their sorties. They're flying the same old T-28s but they're flying 70 or 80 sorties a day. Also they're getting better in controlling from the ground. But the recruiting program isn't moving fast enough and they still have fundamental problems of leadership and coordination. I think the first thing the insurgents will do is try to open up northwest Cambodia sometime in December to try to get that rice. Then they will try what they did last time—to surround and cut off Phnom Penh.

Secretary Kissinger: We have the problem of scaring off Hanoi. We should have a look at some readiness measures. How about a SR-71 flight?

Mr. Colby: We would like a lot more coverage of North Vietnam.⁴

Secretary Kissinger: Could you do it before I get to China?

Adm. Moorer: Sure. We are standing down all perimeter reconnaissance while you are there.

Secretary Kissinger: Do you want to fly one now or after I get back?

Mr. Colby: We'd like both.

Secretary Kissinger: I want to send a note to Le Duc Tho. (to Bill Stearman) Will you draft me a nasty note. Then we can fly the SR-71. Do we have carriers in the area?

Adm. Moorer: Two.

⁴ During a brief discussion of Vietnam on November 6, the WSAG decided that SR-71 missions over North Vietnam should resume immediately. Minutes of that meeting are in the National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973.

Mr. Clements: They're not on Yankee Station, though.

Secretary Kissinger: Is the *Hancock* heading for the Persian Gulf?

Adm. Moorer: Yes, but it's not entering the Gulf. We have ample tactical air in Thailand.

Secretary Kissinger: They will notice it if we violate the understanding not to put a carrier in the Gulf of Tonkin. Could we have one go in and come out again? They will notice it and will scream.

Adm. Moorer: We'll take a look at it.

Mr. Clements: When would you want this?

Secretary Kissinger: How about next week? No, you had better defer it until I have left China.

Adm. Moorer: Okay.

Secretary Kissinger: The SR-71 can go anytime after they get my note.

Mr. Clements: Tom (Moorer), do you want to give them that DIA assessment?

Adm. Moorer: It's just that they feel they're not getting enough over North Vietnam.

Secretary Kissinger: What else can we do?

Mr. Colby: Given the ban on overflights—particularly if that extends to Laos.

Secretary Kissinger: Who's pushing to ban overflights of Laos? We won't stop overflying until they move their forces out. And we won't know whether they are moving their forces out unless we overfly.

Mr. Hummel: Another contingency might be the formation of a new government in Laos.

Secretary Kissinger: We have to try to scare them off.

Mr. Colby: The results of your trip to China will scare them better than anything else, particularly if they think you have made a deal.

Secretary Kissinger: What sort of deal?

Mr. Colby: To restrain the North Vietnamese, or at least the image of that.

Mr. Hummel: There is a reported South Vietnamese initiative in Paris to talk to the PRC, which is not exactly an expression of their firm resolve.

Secretary Kissinger: Leave that alone. If we tell them not to do it, they will be sure we are making a deal at their expense. Under no circumstances will the Chinese talk to the South Vietnamese. This will abort. They're not that eager to have Hanoi win.

Mr. Colby: There could be an advantage if the South Vietnamese are trying to leapfrog Hanoi.

Mr. Clements: (to Secretary Kissinger) Don't you think the North Vietnamese may take the opportunity to put pressure on South Vietnam?

Secretary Kissinger: Yes, from January on I expect an offensive. The South Vietnamese aren't short of equipment, are they? They're just short of competence.

Adm. Moorer: That's right.

Secretary Kissinger: How can the South Vietnamese withstand an offensive that we couldn't defeat with massive US air?

Mr. Colby: They will take a beating in the 1st and 3rd Corps.

Secretary Kissinger: Enough to topple Thieu?

Mr. Colby: No.

Adm. Moorer: The North Vietnamese are slowly increasing their capability in South Vietnam. They have those airfields right next to the DMZ and they have the highest number of tanks they have ever had in South Vietnam.

Secretary Kissinger: Will there be heavy North Vietnamese losses?

Mr. Colby: Yes.

Secretary Kissinger: There's nothing we can do. We can't get US air committed again.

Adm. Moorer: They will probably move in Cambodia after Christmas.

Secretary Kissinger: We can try to bluff them. That's our only hope.

Mr. Colby: We might get the Soviets and the Chinese to bring pressure on them.

Secretary Kissinger: You can't have happen what has happened in this country without paying a price somewhere. If we had been able to do what we wanted to in April, we could have solved the problem. Can we speed up military deliveries to the GVN?

Mr. Clements: We're running out of soap.

Adm. Moorer: They're not hurting for equipment.

Secretary Kissinger: I'm not too worried about the one-for-one replacement.

Adm. Moorer: South Vietnam has no shortages.

Mr. Clements: I'm talking about Cambodia.

Adm. Moorer: The aid program situation is a disaster. We have broken promises all over the world.

Secretary Kissinger: For a great nation to have gotten itself in these straits is unbelievable. People just won't be able to believe that we could do this to ourselves while our adversaries are pouring money out.

[Omitted here is discussion unrelated to Vietnam and Cambodia.]

114. Memorandum From Rob Roy Ratliff of the National Security Council Staff to Secretary of State Kissinger¹

Washington, November 13, 1973.

SUBJECT

Political Action Program in Laos

For 11 years CIA-supported irregular forces have been fighting in Laos. Now the scene is shifting to a peace-time situation, demobilized troops will be looking for jobs and leaders must compete in elections. The non-communist leaders with whom we have worked need financial assistance to strengthen and expand their political base.

CIA proposes to spend [*dollar amount not declassified*] this fiscal year helping selected political leaders. As direct political action, [*dollar amount not declassified*] would be used to support political activities designed to promote a unified, non-communist slate with popular support in the next national election. Socio-economic programs would use [*dollar amount not declassified*] in developing cooperatives, aid to veterans, and educational efforts to create economic viability as a base for political leadership and strength. In addition to its intrinsic worth, the program will provide opportunities for the U.S. to influence Laotian political leaders covertly. Funds are available in the Agency budget.

State, Defense, JCS and CIA 40 Committee principals concur in this proposal. Under Secretary of State Porter's approval is based upon the provision that the socio-economic program include measures to discourage opium growth or traffic.

Recommendation

That you approve the CIA proposal for a covert political action program in Laos at [*dollar amount not declassified*] for Fiscal Year 1974.²

¹ Source: National Security Council, NSC Intelligence Files, Subject Files, Box I-009, Laos, February 1969–November 1973. Secret; Eyes Only; Outside System. Sent for action. Stearman concurred. Memorandum for the 40 Committee, "CIA Political Action Program in Laos," October 26, attached but not printed. A handwritten notation on that memorandum reads: "Telephonically approved by the 40 Committee on 19 Nov. 1973."

² Scowcroft initialed his approval, November 19.

115. Memorandum From the Director of Central Intelligence (Colby) to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, November 23, 1973.

SUBJECT

Covert Disinformation Program Against North Vietnam

1. On 2 November you asked that we implement a covert disinformation program designed to lead the North Vietnamese to conclude that any new major offensive which they may launch in South Vietnam will result in massive U.S. military retaliation.² This program has now been launched, and we have already received indications that at least some aspects of it have hit their mark.

2. *[6 paragraphs (97 lines) not declassified]*

3. As a corollary to the above program, we have been looking for ways to cause the North Vietnamese leadership to doubt the reliability of China as an ally in time of war. *[13 lines not declassified]*

3. We will bring to your attention any further reactions which we may obtain from the above initiatives.

W. E. Colby

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 209, Agency Files, CIA, 1973. Secret; Sensitive; Eyes Only.

² See Document 113.

116. Minutes of Washington Special Actions Group Meeting¹

Washington, November 29, 1973, 3:21–3:49 p.m.

SUBJECT

Indochina

PARTICIPANTS

Chairman
Henry A. Kissinger

State
Kenneth Rush
Monteagle Stearns

DOD
William Clements
Robert C. Hill

JCS
Adm. Thomas H. Moorer
V/Adm. John P. Weinell

CIA
William Colby
William Christison
NSC
M/Gen. Brent Scowcroft
William Smyser
William Stearman
Col. Don Stukel
Jim Barnum

SUMMARY OF CONCLUSIONS

... Defense will look into the feasibility of using the Udorn base facilities for the maintenance and repair of Cambodian Air Force aircraft;

... SR-71 flights over Vietnam are to be increased to one every ten days, to commence as soon as possible;

... Defense is to prepare, by close of business Monday, 3 December, an analysis of the military equipment South Vietnam has requested, including the Wall-Eye missile.²

... Defense will look into the feasibility of training South Vietnamese in mine-laying techniques.

... a U.S. aircraft carrier will enter the Tonkin Gulf for a week.

Mr. Colby: Would you like me to brief?

Secretary Kissinger: Yes, go ahead.

Mr. Colby: Briefed from the attached text.³

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Secret; Nodis; Codeword. The meeting was held in the White House Situation Room.

² "Review of Material Requirements for the RVN," December 14; Washington National Records Center, OSD Files: FRC 330-78-001, Viet 091.3, 1973.

³ Colby's briefing not attached.

Secretary Kissinger: How long does that go on? (referring to high water in the Mekong hampering Communist attacks on resupply convoys).

Mr. Colby: A couple of months, give or take a week or two.

Adm. Moorer: It should start about 1 January. It's already late. The dry season has started.

Secretary Kissinger: Of all the great knowledge I have accumulated over these past years, the most significant is that I know when the rainy season begins in each country. That's heady stuff—great for a cocktail party!

Mr. Colby: (Finished the briefing) We have an Estimate (NIE) coming out . . .⁴

Secretary Kissinger: I saw the last one.⁵ Can you gist this one for me?

Mr. Colby: Basically, it presents various prognostications about what is likely to happen over the next several months. It boils down to the Communists putting the squeeze around Phnom Penh—cutting off the roads, like Route 5, which is closed, and Route 4, which is too.

Secretary Kissinger: And then they would presumably take over, right?

Mr. Colby: Yes, but we come down on the side that the government can survive, if it wants to.

Secretary Kissinger: Does the government hold anything but Phnom Penh?

Mr. Clements: Oh yes, they have control over lots of places, like Kompong Som, Takeo, Kompong Cham . . .

Adm. Moorer: They hold most of the major population centers.

Mr. Colby: Population wise, well over half the population is in government hands.

Adm. Moorer: That's why we have to feed them.

Secretary Kissinger: Otto Passman is always on me about the rice. He calls every day.

Adm. Moorer: That's because it's Louisiana rice—Louisiana's best. You can tell him it's on its way.

Secretary Kissinger: We're here today to discuss two problems—Cambodia and the general situation in Indochina, Vietnam in particular. On Cambodia, everybody here, I know, realizes the political diffi-

⁴ SNIE 57-1-3, "The Short-Term Prospect for Cambodia Through the Current Dry Season—May 1974," December 5; National Archives, Nixon Presidential Materials, NSC Files, Box 1338, NSC Unfiled Material, 1974 (2).

⁵ SNIE 57-73, "The Short-Term Prospect for Cambodia," May 24; *ibid.*

culties that would accrue from a Khmer Rouge military victory and that our policy is to stabilize the situation so that we can produce negotiations. All our support effort is geared to bring this about. Now, is there anything left to do that has not been done?

Mr. Clements: I don't think so, except that we need that \$200 million.

Mr. Rush: We know about that. Some \$250 million is to be used in Cambodia. The problem is that we don't have the replacements.

Mr. Clements: We still need that additional \$200 million.

Mr. Stearns: We have something to suggest. We could use Udorn as a supply and maintenance facility. We could work on about 190 aircraft a year. We figure it would cost DOD about \$3.5 million.

Secretary Kissinger: [illegible]

Mr. Stearns: About [illegible]

Secretary Kissinger: We can get that much money out of the Deputy Secretary of Defense's mess fund!

Mr. Clements: Three-and-a-half million for that?

Mr. Stearns: Yes, we can get 190 aircraft a year for that amount of money.

Mr. Clements: That's news to me. We'll look into that.

Secretary Kissinger: Yes, let's look into that.

Mr. Stearns: Three-and-a-half-million will get the Khmer Air Force about 190 T-28s.

Secretary Kissinger: Let's talk about the situation in Vietnam. I get the impression—after October 6—there is going to be an offensive in every part of the world. I guess everybody is agreed on that.

Mr. Colby: Our latest Estimate (NIE)⁶ says that it's going to be close. But that was our view a few weeks ago. We now think that the chances are less than half that an offensive, like Tet, will happen. This is based on more recent intelligence. We still think there will be a big increase in activity, however.

Secretary Kissinger: Yes. When I was in Tokyo last time, (Ambassador) Martin thought there was less than a 50–50 chance of an offensive. Nevertheless, we should do what we can to prevent it from happening.

Mr. Colby: Our estimate is based on the number of people they are putting through the pipeline.

Secretary Kissinger: You're right. There is no use in putting people in the pipeline if you are not going to do something with them.

⁶ Document 111.

Mr. Colby: The people in the pipeline is a projection. We haven't actually seen them, but at the rate that they are going down . . .

Secretary Kissinger: What can we do to make it clear to Hanoi that we are certain to intervene? What is it, two SR-71 flights that we have made?

Mr. Colby: Yes, that's right.

Secretary Kissinger: If we had a flight every ten days, would that be worthwhile?

Adm. Moorer: Yes.

Mr. Colby: In terms of intelligence, no. We'd get some additional coverage, but not much more than what we are now getting.

Mr. Christison: Except that in the coming weeks we're going to have good weather. We'd get better coverage—something we haven't had.

Secretary Kissinger: Let's start doing that.

Adm. Moorer: One SR-71 flight every ten days?

Secretary Kissinger: Yes, let's get started on that as soon as we can. Where are the carriers now?

Adm. Moorer: One is off the Straits of Malacca. One is at Subic, and one is at Yokuska, ready to go.

Secretary Kissinger: Can we put one in the Tonkin Gulf for a week—off the coast?

Adm. Moorer: Yes, no problem.

Secretary Kissinger: That would help. Now, in respect to equipping South Vietnam. Are we doing everything possible to help them prepare for the offensive?

Adm. Moorer: Yes, I think we are. You've probably seen their long shopping list.

Secretary Kissinger: Yes, I understand they are asking for some \$400 million worth.

Mr. Stearns: There are two lists. One long one for about two billion dollars worth. They have pared it down over there (Saigon) to \$200 million to meet the imminent threat.

Adm. Moorer: Yes, it's like this. (Adm. Moorer read from USDAO Saigon 20110.)⁷

Secretary Kissinger: This place reminds me of an African tribe the way things get around here. This morning I get a cable from (Amb.) Martin informing me that there is to be a WSAG today.⁸ I'm surprised he didn't ask what position I'm going to take.

⁷ Not found.

⁸ Telegram 20110 from Saigon, November 29; National Archives, RG 59, Central Foreign Policy Files.

Mr. Rush: I'm surprised he didn't ask for Israel's \$2.2 billion.

Secretary Kissinger: (to Mr. Smyser) How did he get that? (referring to the information on the WSAG meeting).

Mr. Smyser: I don't know, maybe from the AP (Associated Press) file.

Adm. Moorer: Many of the things he wants, Israel wants too. We have to make some decisions.

Secretary Kissinger: I've always had this secret desire to get Golda (Meir) into negotiations with (President) Thieu. What a scene that would be! They both deserve each other.

Mr. Clements: We ought to take a good look at that list—study it over.

Adm. Moorer: Yes. We should take a look at it. For example, they're asking for such things like the Maverick.

Secretary Kissinger: We should look it over, but don't study it to death. Time is important here. The re-equipment could make a difference early next year. Can you study it until, let's say opening of business Tuesday, (4 December)? And, give me your recommendations on what should and should not be considered. (to Adm. Moorer and Mr. Clements).

Adm. Moorer: We can do that. But we've got some problems. Do we go at the same tempo with our present equipment? We are also operating our own Air America C-130 tankers to supply fuel. We can't break loose any more. We're being fueled from the Singapore refinery, but that's being cut off. I understand there is a 40 to 50 day supply now, but what about the future?

Mr. Rush: How much POL is needed if the refineries are cut off?

Adm. Moorer: That's hard to tell. We'd just take what we need from the States.

Secretary Kissinger: And leave our military elsewhere crippled.

Mr. Clements: That's right! I was talking to the Shell Oil people the other day, and they were saying that we can move more petroleum through the Singapore refinery and relieve our pain. They trade off here and there—I don't know the details on how they do it, but it can be done. It's complicated, but can be done. We're being squeezed to death on this petroleum thing. Our military position all over the world is bad. And, its going to get a lot worse. Damn, that European situation is a sorry picture! We're having to cut back here and cut back there. We've already reduced our reconnaissance for December by 30 percent on account of the fuel thing.

Secretary Kissinger: And you don't know now if your 30 percent cut is enough, right?

Mr. Clements: Yes, that's right. We made a judgement on the fuel. We don't have anything firm to go on because we don't know what we will have.

Mr. Stearns: And that includes reconnaissance flights [*less than 1 line not declassified*].

Mr. Clements: It's not uniform. We tried to make it even, but can't.

Secretary Kissinger: Well, by close of business Monday, we'll have a look at the equipment request. The mine-laying capability of the South Vietnamese. Have you looked into that?

Adm. Moorer: Yes, we think that the Mark-56 mines are the best. They are the easiest to handle, simple.

Secretary Kissinger: Does it work?

Adm. Moorer: Sure. It's an effective method. You know, for one million dollars we closed off all ships going into Haiphong for nine months. That's damn cheap!

Secretary Kissinger: Yes, that was impressive. Can South Vietnam get up there? Do they have the capability to lay the mines?

Adm. Moorer: Yes. All they need to do is sink one ship. They would close it off.

Mr. Clements: But once the word got out that they were mining, it would get more difficult.

Mr. Christison: How do they get the mines up there, by airplane?

Adm. Moorer: Yes.

Mr. Christison: But they have good anti-aircraft defenses there now.

Mr. Clements: It can be done. They'll lose a few, but it can be done. Would A-7s do it?

Adm. Moorer: They don't have any.

Secretary Kissinger: Give them some . . .

Adm. Moorer: The problem is the range. It's a long way up there for the A-7.

Gen. Scowcroft: A-1s could do it. The A-7s don't know where they are going at night.

Adm. Weinell: We got away with it once—using surprise.

Mr. Smyser: It has been our experience that the South Vietnamese have had little success in gaining surprise, anywhere.

Adm. Moorer: There was a reason for doing it before.

Secretary Kissinger: Do the South Vietnamese have anybody who can do it?

Mr. Colby: They could splitoff a group and train them with no problem.

Secretary Kissinger: I think it should be done (training of South Vietnamese to lay the mines). If North Vietnam realizes that mine training is going on, it won't hurt.

Mr. Clements: We could have the carrier have an extra exercise.

Mr. Colby: I have a related item—SIGINT collection over Laos. We are preparing a paper—it has a set of options.⁹ I'm trying to get them to come up with an action paper. Anyway, it recommends that we go to a high-level SIGINT collection over Laos, supplemented by low-level coverage, either by South Vietnamese pilots or drones. The high-level and low-level would gibe—give us a continuing level of SIGINT coverage. But, we need a decision from you.

Secretary Kissinger: What kind of decision do you need?

Mr. Colby: State has some objections. Technically, the high-altitude flights would be in violation of the Agreement. It's a legal thing.

Mr. Stearns: We don't have any real problem.

Mr. Kissinger: There won't be any problem at my office!

Mr. Colby: We'll have the paper on its way.

Secretary Kissinger: When?

Mr. Colby: We'll have it to you tomorrow night (November 30).

Secretary Kissinger: Okay. Are there any other problems? On resupplying South Vietnam on a one-for-one basis, we're all agreed that we will stick close to that, but are not tied to it. You all understand that, don't you?

Mr. Clements: Yes, absolutely. The policy under which we have been working is a one-to-one basis, but we don't feel tied to it. We're trying to give them all the equipment they can use.

Secretary Kissinger: On the critically short items, I want it understood that we don't feel we have to stick to the one-to-one formula.

Mr. Clements: There are some types of equipment that were not heretofore given.

Adm. Moorer: Anti-aircraft for example. Here's some of the figures. They're authorized 200, they have 193 on hand.

Secretary Kissinger: They're supposed to resupply on a one-to-one basis, but they have violated that time and again. We're not going to be put in the position of honoring the Agreement if they are not.

Mr. Rush: We're giving them more than they can use now.

Secretary Kissinger: For example? They don't have the Wall-eye do they?

Adm. Moorer: No.

Secretary Kissinger: That's the sort of item we don't want to deny them just because they didn't have it before.

⁹ "Indochina Overflight Collection Options," November 30; *ibid.*, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-94, 11/29/73.

Mr. Clements: The problem is that it's at a sophisticated level.

Secretary Kissinger: Tell us what you recommend, and flag those items that would cause trouble.

117. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, December 7, 1973, 0942Z.

563. Ref: WH37474.²

1. I have just read the December 4–6 exchange with Le Duc Tho. In order to decrease to the minimum any possibility of leaks I had not planned to inform President Thieu until the meeting was firm and then only on the day of the announcement to insure that our friend, Nha, could not prematurely release it. However, last night General Quang asked Acting DCM Bennett whether there was any truth in the story from Paris in yesterday's *Le Monde* forecasting a meeting later this month between you and Ducky. Bennett said he knew nothing about it.

2. If Phuong has not yet been informed and if you do not plan to mention it to FonMin Bac when you see him today,³ I will adhere to my original plan. However, Thieu should have it first from me if I am to preserve and increase the increasingly good personal relationship with him. Therefore, please let me know in time how you are handling it there.

3. On the meeting itself, I cannot question your judgment on the factors which led you to go ahead with it. I think I can surmise what they were. But I do believe it essential that you maintain your determination not to be drawn into even a two day discussion at this time. As the *Le Monde* article clearly attests Ducky's main objectives are largely psychological. Although he may have hopes, he simply must be aware that there are absolutely no more concessions you can bring to the table at this point, except perhaps some motion on Article 21 although even he must realize the impossibility of Congressional approval of economic aid to the DRVN just now.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 416, Backchannel Messages, Martin, Saigon, July 19–December 1973. Top Secret; Sensitive; Exclusively Eyes Only; Immediate.

² Scowcroft relayed the details of the exchange of notes concerning the forthcoming Kissinger–Le Duc Tho meeting to Martin in backchannel message WH37474, December 7. (Ibid.)

³ See Document 118.

4. The crucial and determining factor in your evaluation of their intentions should be your own estimate of the validity of your understandings with the Soviets and Chinese precluding open-ended re-supply of military hardware to Hanoi. My own guess is that they will hold. If this is also your estimate, I believe the danger of failure of a major force attack by Hanoi is so great that it will not be undertaken, although we can confidently expect a rising level of violence between now and December 20, or whenever you decide to meet. I assume your staff was aware that December 20 is the PRG Liberation Day.

5. On the military side, our military colleagues have consistently underestimated both the capability and the will of the ARVN to resist, and always will. What happened in Dinh Tuong in the Base Area 470 operations, the tenacity in retaking Dak Song, and in Quang Tri late last year is more indicative of the present quality of new ARVN than the occasional reverses which are inevitable when the enemy has the initiative. In accordance with your private instructions to me I have encouraged the GVN to defend itself strongly. At the same time, we have been successful, working together, in reversing the propaganda advantage the other side has heretofore monopolized. Consequently, the strong GVN response has been regarded in most of the world press as a normal, wholly proper and natural response to DRVN aggression. On the ground the DRVN has made none of the gains they expected. Tom Polgar tells me the ICCS Polish and Hungarian contingents quite clearly recognize it is the GVN who are gaining, not the DRVN. While we should expect Hanoi to make a heavy investment in freeing up their lines of communication in the highlands, we should not overlook the fact that the cost is heavy and they cannot afford this kind of attrition as well as the GVN.

6. On the economic side I have no worry about an economic collapse. I do worry that resources now available will not permit an accelerating development momentum which will not only add to confidence but will attract other donor nations to greater participation. I am asking today for speedy decision to present \$150,000,000 supplemental for FY 74 economic aid program. I think we can get it, but if not the psychological effort of merely presenting it to the Congress will be well worth the effort. The IMF team leaving today will present an optimistic report and give high marks to the new GVN economic team.

7. The greatest single deficiency is in intelligence coverage, particularly technical collection. If you can insure the provision of the coverage I outlined in my 0555⁴ to you, it would help a great deal. The other critical need is greater mobility for shifting reserves in country

⁴ In backchannel message 555, November 19, Martin urged Kissinger to consider ways to improve U.S. intelligence gathering in Vietnam. (National Archives, Nixon Presidential Materials, NSC Files, Box 416, Backchannel Messages, Martin Channel, Saigon, July 19–December 1973)

and the provision of the small list of screened items we culled out of the last GVN military shopping list. I will go over all these with John Lehmann when he arrives on the 15th.

8. In sum, I believe the danger of a major force push this dry season to be minimal and highly improbable until infiltration of personnel now in process builds up in the late winter or spring. Therefore, you should enter this meeting with no sense of pressure and be tough as you wish to be. You said it all pretty well yesterday when you observed in your press conference that “we have succeeded with a settlement, not in guaranteeing necessarily a permanent peace, but in moving the decision to a Vietnamese decision, which is what we always said our objective was.”⁵

9. If you can get the various elements of the executive branch working together to implement our recommendations from here, you can let Ducky try for a “Vietnamese decision” any way he likes. And we, and the GVN, will come out of it all right.

10. Warm regards.

⁵ Kissinger’s news conference on December 6, most of which concerned the Middle East, was reported in *The New York Times*, December 7, 1973.

118. Memorandum of Conversation¹

Washington, December 7, 1973.

SUBJECT

Call of GVN Foreign Minister Bac

PARTICIPANTS

The Secretary
Vuong Van Bac, Foreign Minister of the Republic of Viet-Nam
Tran Kim Phuong, Vietnamese Ambassador to the U.S.
Robert H. Wenzel, Director, Viet-Nam Working Group

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 1027, Presidential/HAK Memcons, December 1973. Secret; Nodis. Drafted by Wenzel.

Foreign Minister Bac: Mr. Secretary, I would like to offer my congratulations on the public recognition you have received for your role in the Viet-Nam peace settlement.²

The Secretary: Mr. Minister, I appreciate your good wishes. I must say I would never want to negotiate again with the North Vietnamese. I may meet with them, but I wouldn't want to negotiate with them again.

I am delighted with your new position. I remember our association in Paris. You were the "tamest" of the Vietnamese group there. What has happened to Ambassador Lam?

Foreign Minister Bac: He is in Paris, recovering from his illness, awaiting a new assignment.

I would like to have the benefit of your views on the current situation in South Viet-Nam. We are quite worried about it.

The Secretary: It is a difficult situation. But our Ambassador in Saigon does not think there will be a general offensive. As for your government's request for additional military equipment, we are treating this matter very sympathetically.

Foreign Minister Bac: You mean the one-for-one replacement provision?

The Secretary: That's right. We're working it out.

(At this point the Secretary telephoned General Scowcroft of the NSC staff to assure that DOD was moving ahead in its review of the GVN military equipment list as quickly as possible and in a time frame relevant to the current dry season.)

Foreign Minister Bac: There is need for some equipment—anti-tank and anti-aircraft weapons, and F5E aircraft.

The Secretary: If you promise not to record this, I'll tell you one of my secret wishes—that is to get President Thieu into negotiations with the Israeli Prime Minister. That would be a match. Your President is a real pro. The Israelis also want anti-tank weapons. So let the Israeli Prime Minister and President Thieu negotiate to see who would get our anti-tank weapons. No, seriously, I appreciate your need for anti-tank weapons.

Foreign Minister Bac: Would it be possible for the U.S. to deliver the initial increment of F5Es by air?

(The Secretary at this point telephoned General Scowcroft to ask him to check into this.)

² On December 10 Kissinger accepted the Nobel Peace Prize for negotiating the January 1973 Vietnam peace accord. Le Duc Tho shared the Prize, but refused to accept the award.

Foreign Minister Bac: You'll recall that in Paris we discussed the need for restraint on the part of the Russians and Chinese.

The Secretary: We have sent notes to both of these parties. We believe the Chinese are exercising restraint. What the Russians are doing, I wouldn't bet on.

Foreign Minister Bac: I noted your press comments yesterday that the war powers legislation does not supersede existing legislation.

The Secretary: We did this to keep them from making the situation worse. Our major problem is our domestic situation. But we will do what can be done. We will give you some capacity to mine North Viet-Nam's harbors. We did not go through all this agony to have the cease-fire agreement broken. We will do what we need to do—reconnaissance over North Viet-Nam, the dispatch of a carrier to the Gulf of Tonkin—to keep Hanoi worried.

Foreign Minister Bac: The recent attacks by North Viet-Nam have renewed the heavy strain on our economy.

The Secretary: Your troops fought very well.

Foreign Minister Bac: Because of the continuing Communist attacks, we have been obliged to shelve our plans to demobilize in 100,000 increments. Thus our large military force continues to place a great burden on our economy, and the need remains for substantial foreign assistance.

Ambassador Phuong: We would be interested in knowing what portion of the authorized \$504 million of FY-1974 economic assistance for Indochina will eventually be allocated to Viet-Nam. We would like to have \$400 million.

The Secretary: (To Mr. Wenzel): Make sure this decision is discussed with me before it is made.

As Minister, I hope you will pursue an active foreign policy. You can count on our support.

Foreign Minister Bac: We will cooperate fully.

The Secretary: Ambassador Phuong and I have talked a great deal in the past. I feel strongly about our friendship.

Ambassador Phuong: It is true we have quarreled at times. But we know you are the one who is helping us.

The Secretary: I understand the differences that have arisen. This is natural. But let me say again we will do the maximum possible to preserve your independence and integrity.

Foreign Minister Bac: I will precede you to Saudi Arabia; I will be there on the 11th. I'm going there since we feel we must maintain the friendship of the Arabs.

The Secretary: I think you're right. But be careful concerning American public opinion; don't be too anti-Israel.

Foreign Minister Bac: What is your advice on my making a public declaration supporting Resolution 242.³

The Secretary: That would be fine. I've declared that too.

Foreign Minister Bac: In Saudi Arabia I will also look into matters of oil.

The Secretary: Where do you get your oil now?

Foreign Minister Bac: Our civilian needs are met from Singapore; but we don't know how long that will continue.

In the past we have neglected the Third World and have suffered as a result. How can we regain the sympathy of this group?

The Secretary: There's a limit. You can't separate from us too much. But I'm in favor of your approaches to Third World countries. You'll need voting support in the UN.

Ambassador Phuong: We would be interested in hearing about your discussions of Indochina with the Chinese during your recent visit to Peking.

The Secretary: Yes. We talked about the necessity of not settling issues by force. They agreed they would discourage military action by Hanoi. I do not have the impression that the Chinese hope for North Viet-Nam's domination of all of Indochina.⁴

Foreign Minister Bac: However, I note that NLF leader Nguyen Huu Tho received a warm reception during his recent visit to Peking.

The Secretary: The Chinese are playing the North Vietnamese against the VC. They have to keep their revolutionary credentials. They did not support North Viet-Nam's point of view. They want to see a peaceful settlement.

Ambassador Phuong: Do you think the Communist arms supply into North Viet-Nam has diminished?

The Secretary: That is our impression.

Mr. Minister, I wish you the best. Let us stay in close touch. Again, I have enormous respect for Ambassador Phuong.

³ UN Security Council Resolution 242, November 22, 1967, expressed the international community's interest in a durable Middle East peace arrangement.

⁴ For the records of Kissinger's November 10–14 meetings in Beijing, see *Foreign Relations, 1969–1976*, volume XVIII, China, 1973–1976, Documents 55–61.

119. Memorandum From the Director of Central Intelligence (Colby) to the President's Assistant for National Security Affairs (Kissinger)

Washington, December 10, 1973.

[Source: Central Intelligence Agency, Executive Registry Subject Files, Job 80–B01086A, Box 4, Vietnam. Folder 153. Secret; Sensitive; Eyes Only. 2 pages not declassified.]

120. Memorandum of Conversation¹

Paris, December 20, 1973, 9:30–11:55 a.m.; 2:15–4:15 p.m.

PARTICIPANTS

Mr. Le Duc Tho, Representative of the Government of the Democratic Republic of Vietnam

Phan Hien, DRV Foreign Ministry

Nguyen Dinh Phuong, Interpreter

Colonel Hoang Hoa

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Dr. Henry A. Kissinger, Secretary of State

Ambassador Graham Martin, American Ambassador to the Republic of Vietnam
Monteagle Sterns, Deputy Assistant Secretary of State for East Asian and Pacific Affairs

George Vest, Special Assistant to The Secretary for Press Relations

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William L. Stearman, NSC Staff

Peter W. Rodman, NSC Staff

David A. Engel, State Department, Interpreter

Mrs. Mary Stifflemire, White House

[Omitted here are introductory greetings.]

Le Duc Tho: So the duration of our meeting today is short. I know that our meeting today is not certain that it will yield some result, because our time is short. And the problem is complicated. So I have trav-

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 27–14 VIET. Top Secret; Sensitive; Exclusively Eyes Only. The meeting was held at the International Conference Center, Avenue Kleber. All brackets except those that indicate omitted material are in the original.

eled five days to meet you only one day. So you should understand that it is our desire to meet you.

Dr. Kissinger: I appreciate it very much.

Le Duc Tho: But to meet you and to come to some solution to the problem, I am always willing to meet you. But if I meet you and the situation becomes more serious, this is not something beneficial, this meeting.

Dr. Kissinger: I agree.

Le Duc Tho: Therefore in this time we meet we should push the situation in the better situation. But [since] last time when we met about the Joint Communiqué, there has been a set-back in the situation.

Now, please let me speak a few words, express to you some ideas. There are questions which I would like to present to you very clear, very explicitly.

Right after the signing of the Joint Communiqué, when we were leaving the conference room, I told you that the Joint Communiqué had been signed but probably you would violate it. I told you also that if you violated the Agreement then we would not stand idle and let you and the Saigon Administration do whatever you like. The situation in Viet-Nam has now developed as I predicted. Particularly the situation in South Viet-Nam has become extremely serious, as you are aware.

Whose is the fault? Therefore we should make it clear and make a clear difference between black and white, right and wrong. The situation in South Viet-Nam shows the war is still going on. There is not yet a day of peace here. We signed the Paris Agreement on Viet-Nam for the purpose of having peace, but actually there has not been peace. And there is no reason that when we sign the Paris Agreement to have peace then we continue the war. The cause of that situation is that the United States and the Saigon Administration which receives U.S. encouragement and assistance have violated almost all the provisions of the Paris Agreement when your signatures had hardly dried up.

I should frankly say that the signature you affixed on the Agreement and the Joint Communiqué have no longer any value. You never know to respect your honor and your signature. Your pledges are nothing but empty promises. All your fine statements about ending the era of hostility, normalizing our relationship and advancing towards friendly relations between our two countries, are mere hollow words. The dangerous developments of the current situation in South Viet-Nam are caused by the United States and no one else. After your failure in Viet-Nam you had to pull out all your troops from South Viet-Nam and to end your war of aggression in Viet-Nam, but you are still unwilling to fulfill your commitment to respect the Viet-Nam people's fundamental national rights and the South Vietnamese people's right

to self-determination as well as your commitment to end your military involvement and your intervention in the internal affairs of South Viet-Nam. On the contrary, you still want to continue the practice of the Nixon Doctrine through Vietnamization of the war, and therefore you are pushing the Saigon Administration to refuse to implement any provision of the Agreement and to continue the war.

If now you do not give up your scheme which is the cause of the present serious situation in South Viet-Nam, if you continue to Vietnamize the war, if you continue to violate the provisions of the Paris Agreement and the Joint Communiqué, if so, then I wonder whether this meeting between you and I will bring about any result or it will merely be a hoax to deceive public opinion. Even if the meeting will give some result, I wonder whether the result will be materialized or it will be only again on paper as it happened after the signing of the Joint Communiqué. This is a very big question indeed, but I wonder if it is possible for you to give a correct and serious answer.

Throughout my negotiations with you until we signed the Paris Agreement and then the Joint Communiqué, you repeatedly told me that the objective of the United States was to end the war, to end the era of hostility, and to advance towards the normalization of relations between our two countries. I told you on many occasions, and when we signed the Paris Agreement with you, it was our earnest desire to see the Agreement scrupulously implemented and on this basis to establish normal relations with you and step by step to go forward to friendly relations between our two countries.

I would like to recall here the fact—probably you remember too—after the signing of the Agreement you proposed a visit to Hanoi. I accepted this proposal, only a few days after the signing of the Agreement, when our whole country was still boiling with hatred. This testified to our good will. But immediately thereafter you have not honored your statements and your signature. You have reversed everything. Then how can relations between our two countries be normalized? Therefore, I wonder whether the normalization of relations between you and us still remains one of your objectives. If it still remains one of your objectives, then what is the crucial factor that will lead to the normalization of relations? In our view, if normalization of relations is still a commonly desired objective, we think that the primary thing to be done is to correctly implement the Agreement, because this is the basis for the normalization of the relationship between our two countries.

Let me ask you, if the war goes on in South Viet-Nam, if your obligation to contribute to healing the wounds of war in North Viet-Nam is not fulfilled, how can the basis be laid for the normalization of the relationship? Therefore I am of the view that after the signing of the

Agreement, in order to normalize our relationship, first of all you should scrupulously implement the Agreement. Above all there must be peace; there must be a ceasefire in South Viet-Nam; and you should fulfill your obligations to contribute to the healing of war wounds in North Viet-Nam. Only in this way can we shift to friendship in our relations.

On the contrary, if you continue to practice the Nixon Doctrine and to Vietnamize the war in South Viet-Nam, if you and the Saigon Administration, which you encourage and assist, do not correctly implement the provisions of the Agreement, then the South Vietnamese people have no other way than using every means to counter with the greatest determination the acts of war and the violations of the Agreement by the U.S. and the Saigon Administration and to get your side to strictly abide by the Agreement.

We will never stand idle and let you and the Saigon Administration do whatever you like. You have to bear responsibility for the consequences of the present serious situation. Your scheme will finally meet with failure once again. This is something inevitable. Whatever threat on your part cannot intimidate us. Of late you repeatedly sent aircraft to carry out air reconnaissance over North Viet-Nam and sent war vessels into our territorial waters. Your Defense Secretary also menaced us, but these threats are hackneyed to us.

Dr. Kissinger: We will have to get new speechwriters.

Le Duc Tho: Over the past 18 years you have intervened in and made an aggression against South Viet-Nam. You have threatened us both by words and by deeds. But you could not curb our firm will to fight for our just cause. We are not chicken-hearted people that you can intimidate. I told you that in the past, I tell you the same now, and I will tell you the same in the future.

Now we are facing only two paths. The first path is that you will continue to violate the Agreement, to practice the Nixon Doctrine through war Vietnamization, to support and encourage the Saigon Administration in making war in an attempt to wipe out the reality that there exist in South Viet-Nam two governments, two armies, two zones of control. If so, the situation there will prove more serious than ever, and finally he who sows the wind will reap the whirlwind. It is something certain. The army and the people of South Viet-Nam will never submit. They will devote all their energies to defend the Agreement and the achievements they have attained, and final victory will be theirs.

The second path is that you and the Saigon Administration will scrupulously implement the Agreement to end the war in South Viet-Nam. You will recognize the reality that there exist in South Viet-Nam two governments, two armies, two zones of control, and let the South Vietnamese people decide themselves their internal affairs in keeping with the Agreement and the Joint Communiqué.

At the same time you should carry out your obligation to heal the wounds of war in North Viet-Nam.

For our part, we will scrupulously implement the Agreement and the Joint Communiqué. Only in this way can peace be restored and relations between our two countries be normalized. This is something that both of us wish for and that is beneficial both to you and to us. I think this second path is the wisest, the best way. How the situation would develop depends on your choice.

I have finished.

Dr. Kissinger: I was glad to note from the Special Advisor's comments that his perspective on events has remained as unilateral as ever. And of course it will not surprise him that our perception of what happened after the Agreement is somewhat different. I confess I became a little uneasy during our negotiations last year when the Special Advisor did not want to use the words "will observe" the agreement in Laos on the theory that North Viet-Nam had of course always carried out the 1962 agreement strictly. I was afraid the same thing was going to happen in South Viet-Nam.

Let me speak first about the relations between the Democratic Republic of Viet-Nam and the United States. First, as I have often said to the Special Advisor, the United States would like to normalize its relationships with Hanoi. But we do not believe that this is a favor that the Democratic Republic is extending to the United States. It is either in our mutual interest or it will not happen. So we continue to be ready to normalize our relationship, we believe it is in the interest of both of our peoples, and we hope that the objective conditions to achieve this will come about.

Now, as for the specific conditions in South Viet-Nam, the Special Advisor says that the United States is Vietnamizing Viet-Nam. That is a strange criticism to make. It is true we want to turn over responsibilities to the Vietnamese. But whatever we have done has been strictly within the terms of the Agreement. The United States has replaced military equipment on a strictly one-to-one basis as provided for in Article 7. But the difficulty has been that since the first day of the Agreement there has been a consistent violation by the North Vietnamese side of Article 7, of Article 15, of Article 20, and of many other provisions of the Agreement.

During our talks in June the Special Advisor pointed out to me that all the movements we were observing concerned civilian goods, and I pointed out to him that for us it was very difficult to believe that Article 7 was being carried out when civilian goods were so valuable that they were being transported in tanks. Besides, we have found that the civilian goods that were being so transported . . . that the vehicles in which they were being transported were making the trip only once.

They never seemed to go back to get more merchandise. And some of it seems to be transported inside artillery pieces, which is an inefficient means of transportation.

So our observation is that there has continued to be a very great increase of military forces, in serious violation of the Agreement. And naturally we ask ourselves what the purpose of these forces is. When we spoke of returning to their native land, we thought of moving north, not south. And this creates the impression to us that the Democratic Republic is planning military pressure.

The Special Advisor knows also that the provisions of Article 15 have never been observed. He also knows that the demarcation of zones of control has never been carried out.

I do not want to go through the whole Agreement, but I cannot accept the proposition that it is the United States side and the Saigon Government which have violated basic provisions of the Agreement. If the United States has resumed some reconnaissance activities in recent weeks, it is precisely because the United States cannot accept any pressure such as has been implied by some of the statements of the Special Advisor here. We have enough experience with each other to know that military pressure cannot work and always produces a response.

We will not bring pressure on you, and we are confident that when you look back on the history of our dealings with each other you will not want to bring pressure on us.

The Special Advisor pointed out that we have two choices: to bring about peace in Indochina, or to have a continuation of the state of warfare. But really we have only one choice. Warfare has been tried for 10 years and it will be no more successful in the future than it has been in the past. So we must try to bring about peace.

Le Duc Tho: But how can we bring about peace?

Dr. Kissinger: The Special Advisor said that we should try to bring about a ceasefire, the healing of war wounds, and implementation of the Agreement. We agree with these objectives. And so the Special Advisor and we, who have surmounted many difficult problems, should look at it from the point of view of how we can bring about a turn in the direction of peace in Indochina. And it is with that attitude that I have come here for a preliminary exchange of views.

Ambassador Martin's feelings have been very much hurt by what you said to him, Mr. Special Advisor.² He is very sensitive. [Le Duc

² During the opening greetings, omitted here, Le Duc Tho suggested that Martin had failed to "exert an effort [in Saigon] to promote the true implementation of the Agreement and the Joint Communiqué."

Tho smiles] But he is one of our best men, and anything we do that is in a common interest he will do his best to implement.

Le Duc Tho: [laughing] He has done his best recently, to bring about very serious developments in this situation.

Dr. Kissinger: I think you misjudge him completely. But of course our belief is that you have brought about the serious developments, quite frankly.

Le Duc Tho: [laughs] Please finish your speech.

Dr. Kissinger: I have finished what I wanted to say at this moment.

Le Duc Tho: If now we review the situation since the conclusion of the Agreement, we should seriously tell that after the signing of the Agreement if the war continues in South Viet-Nam it is because the Saigon Administration with U.S. encouragement and assistance sticks to making war and continues to make war in South Viet-Nam. This is the real cause. The Agreement is aimed at ending the war. But if after the signing of the Agreement the U.S. and the Saigon Administration which received your encouragement and assistance, if they continue to make a war, then no peace will be possible. Because the Saigon Administration with your encouragement and assistance have launched continuous military activities, and this is known to the whole world. And I have told you that in the face of such a situation we will not stand idle and let the Saigon Administration do whatever it likes. And in the past, the U.S. had great huge quantities of troops and armaments in South Viet-Nam and we fought against you. There is no reason now that with the Saigon Administration alone, the Provisional Revolutionary Government will stop fighting against the Saigon Administration.

Dr. Kissinger: That is what we think too. We think the Revolutionary Government and your government is fighting against the Saigon Government—but not because our side is starting it. We think your side is.

Le Duc Tho: You have reversed the facts. I wonder if you speak what you are really thinking.

Dr. Kissinger: What I am really thinking, Mr. Special Advisor, is that 86,000 people have moved south since January.

Le Duc Tho: Now I can tell you, if we continue this course of talking, I can speak to you for months—how you have introduced troops and equipment, what quantity of armaments, of tanks, of planes into South Viet-Nam, and how many million dollars you have been spending to maintain the Saigon troops. I will not continue now; I will give you some documents.

You say that you have been replacing armaments on the basis of one-to-one, piece for piece, but who has controlled it? Therefore I think that the principal, the fundamental cause of the situation is that if there is no peace in South Viet-Nam no other problems will be solved.

Dr. Kissinger: May I say one personal thing to the Special Advisor?
Le Duc Tho: Please.

Dr. Kissinger: It is a pity that we deprived the Norwegians of our dialogue, because we could have had a fascinating debate at the Nobel Award, absolutely unique in the history of that ceremony. [laughter] Mr. Special Advisor, it is obvious . . . or did I interrupt you, Mr. Special Advisor? I don't want to interrupt your train of thought.

Le Duc Tho: I have not yet finished.

Dr. Kissinger: Excuse me. Please.

Le Duc Tho: Because the situation is that the war is going on and you are introducing armaments and war material to encourage the Saigon Administration to continue the war. In such a situation how can we stand idle? While you are not implementing the Agreement and you are demanding us to respect the Agreement and to let the other side violate the Agreement, it is something unacceptable. Therefore I think that now that [on] the question to be settled in order to ameliorate the situation in South Viet-Nam, you are right when you say that there is only one choice to make. I think also that there is only once choice. But I can frankly tell you that this way does not completely depend on us.

Now one question arises to be put before you. This question is whether the United States and the Saigon Administration really want to engage in the path of peace. I think that if really you want to choose this path, I think it would be easy to settle. But this cannot be expressed only in words but it must be materialized by concrete acts, by deeds. And I think that only in this way can we go forward toward the normalization of relations. We have no other desire than the recognition of the reality written down in the Agreement, the reality that there exist in South Viet-Nam two governments, two armies, two zones of control. Therefore we should create conditions for peace. And I am also of the view that only in this way can we bring about the normalization of relations between the United States and the Democratic Republic of Viet-Nam. And you are right when you say that the normalization of relations between our two countries is beneficial to both of us—to the United States and to the Democratic Republic of Viet-Nam.

Now please imagine that if the war goes on in South Viet-Nam and the United States will continue to assist the Saigon Administration in making war, and we, the DRV, we will have to continue to aid the PRG, and you know that we will not yield to you. We only submit to peace only, but we are determined to make war if need be. It is something very clear and evident. Therefore our view is that only in peace can other problems be solved. And then there will be conditions to facilitate the normalization of relations between our two countries. And then your contribution to healing the wounds of war will be beneficial

to the United States and to the Democratic Republic of Viet-Nam, and only then can we usher in a new period.

And if the war goes on where will we arrive at? But if the Saigon Administration, with your encouragement and assistance, continues the war in an attempt to wipe out the reality of two governments, two armies, two zones of control in South Viet-Nam, then we are determined to counter these maneuvers and we are obliged to make the Saigon Administration give up these objectives. We have been fighting over the past 18 years, we have been fighting against U.S. aggression for 18 years, and if we count also our struggle against the French colonialists, it is about 28 years now.

Dr. Kissinger: It has almost become a habit with the Special Advisor to fight. The Special Advisor has become so used to fighting that he finds it difficult to imagine peace.

Le Duc Tho: It is not true. We sign the Agreement with the purpose of having peace. You know that we have been at war for 25 years. There is our desire to have peace. That is the reason we signed the Agreement and this is the aspiration of our people. But our people have also another desire, an aspiration: our people will be determined to fight back against whoever wants to oppress our people, to subdue our people. Therefore once we are faced now with one problem—what to do to achieve peace. We have to discuss this.

Dr. Kissinger: I agree.

Le Duc Tho: And we should also discuss what to do to create conditions for the normalization of relations, and, as you said, to create objective conditions for the normalization. I don't know what you have in mind when you say "I agree."

Dr. Kissinger: It is just that I have learned from the Special Advisor that everything depends on objective conditions and not on subjective belief.

Le Duc Tho: But I want to know what you mean by the objective conditions.

Dr. Kissinger: Remember the Three-Point Elaboration by the Special Advisor?

Le Duc Tho: I do.

Dr. Kissinger: Are you finished?

Le Duc Tho: I have.

Dr. Kissinger: Mr. Special Advisor, in all seriousness, you have fought 25 years very heroically, as I have often said to you, and you know that while we sometimes joke with each other there is a great deal of respect on our side. No one has earned the right to peace more than the people of Viet-Nam, North or South. If our objective is peace, and if we are serious about it on both sides, and if our objective is to

end acts of war, we can find a way of doing it. If our objective is, however, just to gain a pause in our struggle and to improve our tactical situation and to gain tactical advantages, then neither of us can succeed. We have proved that to each other now for over 10 years. We know you will not yield to pressure. You have proved that through a long and distinguished history as a people and you have proved it through an enormously courageous history in the last generation. And in our own complicated way, we also will not yield to pressure. So if either side brings pressure, the other will resist.

Le Duc Tho: But who is making pressure? Who continues the war?

Dr. Kissinger: It is our impression, Mr. Special Advisor, that you have not observed the military provisions of the Agreement for one day since it was signed. I don't want to be insulting, but this is our impression. And that produces the objective tendency of pressure.

Le Duc Tho: [laughs] But I wonder if the objective pressure comes from your side.

Dr. Kissinger: The Special Advisor spoke about the introduction of war matériel. We have been prepared to deploy the teams, but it has been the other side that has not permitted the establishment of checkpoints. The Special Advisor said that the United States and its allies should respect the zones of control. Let me say first that we are prepared to do this, and to encourage it, and we believe that the Saigon Government is also. We should use the existing machinery to bring that about. We are prepared to bring about a strict observation, to encourage a strict observation of the ceasefire.

As regards the objective conditions for normalization of relations between us, when the Agreement is observed, including Article 20, all other problems will solve themselves very easily. And then all the objectives we have set for ourselves for normalization can be achieved.

One of the problems that concerns our families is better cooperation for the missing, for the finding and accounting for the missing in action.

So this is our present thinking, and I wonder if the Special Advisor has some concrete proposals which he might like to put forward, and if he also might be willing to consider a five-minute break.

Le Duc Tho: Please.

[The plenary meeting recessed at 10:55 a.m. After approximately five minutes, Secretary Kissinger, accompanied by Graham Martin and David Engel, walked down the corridor to meet privately with Le Duc Tho and Phan Hien. The private meeting, which lasted about 50 minutes, went as follows:]

Dr. Kissinger: If you are genuinely interested in the delineation of the zones of control and in stopping the fighting, we can arrange this.

We can do it through direct talks between the DRV and Saigon, and we can use our influence. Then we can use the existing machinery. But if all you are interested in is tactical maneuvers, neither of us can fool each other. We know each other too well. Or maybe you can fool me, but I certainly cannot fool you.

Le Duc Tho: If peace is to become an objective for both sides, there will be no tactical maneuvers.

Dr. Kissinger: I agree.

Le Duc Tho: But if you engage in tactical maneuvers you cannot ask us to stop fighting.

Dr. Kissinger: The same thing is true the other way around. It is true for both sides.

Le Duc Tho: That is right.

Dr. Kissinger: But seriously, Ambassador Martin is a very serious man. His judgment is that if you are interested in peace and zones of control, this can be achieved. Some progress can be made if we restrict our topics to those issues. If you are concerned about U.S. war materials and you are prepared to have inspection on your side, we are prepared to live strictly by the terms of the Agreement.

Le Duc Tho: If one wants to solve the situation in Viet-Nam, what is the crucial question? You have turned the two questions upside down by putting the questions of the introduction of war materials and zones of control first before the ceasefire. This cannot be achieved. And the crucial question, as I have said, is that of a ceasefire and the strict implementation of all ceasefire provisions of the Agreement. That is, first, to end the war and then to discuss zones of control.

Dr. Kissinger: Can we be specific? You emphasized strict observance of the ceasefire. What do you mean?

Le Duc Tho: We should stick to the provisions of the Agreement and the Protocols which are clearly stated. If these provisions are not respected, how can we have peace? After the ceasefire each side will remain in its zone of control. This is specified in the Agreement. Only then can there be control and the deployment of the teams.

Dr. Kissinger: I don't exclude that approach, but taking account of this difficulty; we are prepared to discuss your ideas today on how the ceasefire can be established, keeping in mind some provision for the temporary delineation of the zones of control and then going toward permanent teams. But I agree with you about ceasefire as the principal objective.

Le Duc Tho: But can the ceasefire be achieved immediately? We signed the Joint Communiqué specifying a ceasefire within 24 hours, but the Saigon side continued the fighting. The same thing happened after we signed the Agreement. This has caused a great deal of mistrust.

Dr. Kissinger: My impression is that even after the ceasefire last time there was a very significant reduction in military activities for some months. But last time we confused the issue by introducing lots of extraneous circumstances that created a great deal of suspicion and bad feeling on both sides and affected everything else. So if now we concentrate on more limited subject matter and discuss procedures which would bring about a sense of participation by those parties who have to implement the Agreement, then we can be more successful.

Le Duc Tho: First, about the South Viet-Nam problem. To have peace you must first observe a ceasefire in keeping with the Agreement and Protocols. I think we should limit ourselves to this problem first of all. When the ceasefire is effective it will create a favorable atmosphere and there will be no more clashes. The parties will discuss the questions of delineation of zones of control and how the teams will be located.

Dr. Kissinger: But how can you determine a ceasefire if there is no concept of zones of control?

Le Duc Tho: Under the Agreement and Protocols the forces remain in place in the zone under their control. You remember when we were still at war with each other there were occasional truces which lasted for a few days. The question is, do you really want a ceasefire? If so, a ceasefire can be effective. Then the control teams will be deployed. The zones of control are already clear except for some contested areas. If both sides have the common desire for a ceasefire, a ceasefire will be possible. But if you indulge in only tactical maneuvers, the fighting will go on.

Dr. Kissinger: You too.

Le Duc Tho: That is right. But the prime question is, will Saigon want to do this? It was clear after the Agreement was signed that Saigon did not want to do this. The restoration of peace will be beneficial to all.

Dr. Kissinger: I agree.

Le Duc Tho: Suppose there were peace in South Viet-Nam, then you could devote money that you have been spending for arms to build your economy. Our relations can be different.

Dr. Kissinger: I agree.

Le Duc Tho: That is the path we want to follow, but we wonder whether you and Saigon will follow the same path. There still remains distrust between you and us which was caused by past developments. So you should prove your desire to follow that path and go toward normalization of our relations.

Dr. Kissinger: If you are genuinely interested in a ceasefire which would lead very rapidly to the delineation of zones of control, if we set that as the principal objective and we do this with the full participation of those who have to implement it, it can be achieved. I agree

with your perspective. We should concentrate on reconstruction instead of war, normalization instead of conflict. We will sincerely cooperate in this effort.

Le Duc Tho: I have told you this many times. Your visit to Hanoi was an expression of our intention. To our regret this could not have been achieved this year. I think that looking at the general world situation, ending the war in Viet-Nam is in conformity with the aspirations of the world's peoples.

Dr. Kissinger: I agree.

Le Duc Tho: So what shall we do now? If we fail again for the third time, the fighting will continue. We have a Vietnamese saying, "Twice yes, but not a third time." There can be breaches of faith on two occasions but not a third time. We have already had two experiences with the Agreement and with the Joint Communiqué. If we can't settle now, it will be impossible. The distrust between us is already serious. If there is a third time it will be complete. You should start taking steps and we will see. You have not yet started, so how can we see?

Dr. Kissinger: Mr. Special Advisor, we honestly believe—and I tell you this in our small group—that we have been deceived. So the serious problem of distrust exists on our side also.

Le Duc Tho: We always feel we have been deceived.

Dr. Kissinger: You may have a real problem there, your perception of reality. I must say we have made progress in five years. You threaten us now in a much nicer way than previously.

Le Duc Tho: How can I threaten you? How can we exert military pressure on you?

Dr. Kissinger: What should we do. Do you have a concrete proposal with you? I think so.

Le Duc Tho: I have come here just for one day according to our agreement. So that is all I have to say. Speaking concretely, what can we settle now?

Dr. Kissinger: We shouldn't go through the same process as last time, where we had three-cornered negotiations for two months. I think the following things can be done: first, an immediate reduction of hostilities and, second, achievement of a permanent ceasefire coupled with the delineation of zones of control. We could both use our influence to move to a reduction of hostilities. Then I would like to send Ambassador Martin back to Saigon to get ideas of how a permanent ceasefire can be worked out using existing machinery. Then I will have him come to Washington for full discussions with me. Then we will give you our ideas on how to proceed. But I can agree with you now that that is a desirable and obtainable objective and it shouldn't take too long.

Le Duc Tho: You speak of reduction of hostilities. This surprises me. Now there are only two possibilities—either we stop the fighting

or we continue to fight. The Agreement and the Joint Communiqué have fixed the ceasefire. In South Viet-Nam they have to discuss and implement the ceasefire provisions of the Agreement and deploy teams to ensure a ceasefire and the delineation of the zones of control. The ceasefire is first, then they can discuss delineation. Not the reduction of hostilities, but a ceasefire.

Dr. Kissinger: Maybe I did not make myself clear. Until we have a complete ceasefire, both sides should exercise restraint informally. But if that bothers you, we can forget it.

Le Duc Tho: We are here to discuss the modalities of a ceasefire. If a ceasefire is the desire of both sides, it will be attainable. Immediately after a ceasefire and the control machinery is in place, we can discuss zones of control.

But another problem is the problem of the release of political prisoners. I think we should discuss just these two problems. As for the others, we will let the National Council solve them.

Dr. Kissinger: I agree.

Le Duc Tho: Discussion of these two questions is practical. Let us see what we can solve. After a ceasefire there must be implementation of democratic liberties. As far as North Viet-Nam is concerned, I raise only two points. First, after the ceasefire your reconnaissance should stop.

Dr. Kissinger: I agree.

Le Duc Tho: It should stop even before, because the DRV is a sovereign country. But the main problem is that of healing the wounds of war. This has to be done in order to normalize our relations and it is in our mutual interest. So let us realistically discuss these questions. I agree with you on procedures for discussions: let the two South Vietnamese parties discuss the details. You will have a responsibility for Saigon to carry out the agreements that we will reach, and we have the same responsibility toward our allies. This will avoid the complicated procedures of last time signing the Agreement and the Joint Communiqué, etc. There are many problems in the Agreement, but let us concentrate on these problems.

Dr. Kissinger: I think we should avoid discussion of any political problems. It will open up all the problems of last time. How should we use our time today?

Le Duc Tho: The morning is almost over. In the afternoon we have only two hours. I don't know how you intend to proceed.

Dr. Kissinger: I have the impression you have brought another paper with you.

Le Duc Tho: No, because you said we would meet for only one day. I know you have a lot of work to do. I told you that we should have a meeting over several days.

Dr. Kissinger: With the Middle East negotiations, I only have one day. I appreciate the great courtesy of the Special Advisor in traveling for five days for a one-day meeting. I consider it a sign of good will.

Le Duc Tho: I wish to recall that on the 19th the PRG released the last American they were holding. That is one day before our meeting.

Dr. Kissinger: I appreciate that. I had meant to refer to it.

Le Duc Tho: I am not talking about tens of thousands of political prisoners in South Viet-Nam but only of the 5,000 that Saigon promised to release but has not released yet, and especially the detention regime in South Viet-Nam. I read the report of Branfman to the House of Representatives which was a complete report of detention conditions.³ He said there were 200,000 political prisoners. He spoke of tortures, etc. This is intolerable. We cannot ignore it. It is a violation of the provisions of the Agreement. I don't now say that all these should be released. I am just now talking about an improvement of detention conditions. You promised this. I am taking advantage of Ambassador Martin's presence here since he is going to return to Saigon in a few days. Let us see what results there are. It is a humanitarian question.

Ambassador Martin: As you recall, Secretary Kissinger told you in June that he would instruct me to make a special point of the prisoners when I am in Saigon. As always, I carried out his instructions. I found that Saigon was willing to proceed with the exchange of 5,000 prisoners. I don't know what happened. Perhaps you do. There was never agreement on the points of return.

Le Duc Tho: There was no problem on points for return.

Ambassador Martin: Apparently your people in the Four-Party and Two-Party Commissions have not yet received their instructions. But you talked of the Branfman report. Also Don Luce and Cora Weiss⁴ have recently visited the DRV and the PRG zones of control. Perhaps it is thought that this is a good way to propagandize your charges. But these charges are almost wholly without any foundation. Concerning the numbers, we both know that is not true. What does concern me is that these activities of Branfman, Weiss and Luce will make it extraordinarily difficult for Secretary Kissinger to move on the question of economic aid for the DRV.

Le Duc Tho: My reply could be very long. There are many reports on the numbers of people being detained. The conditions of detention are obvious, not as you say. But I will give you documentation of this. Any man of good conscience must judge it intolerable.

³ In September 1973, after a seven-week investigation, journalist Fred Branfman testified on conditions in South Vietnamese prisons before a subcommittee of the House Foreign Affairs Committee.

⁴ American peace activists.

Dr. Kissinger: As I understand it, your concerns are ceasefire, the delineation of the zones of control, and the 5,000 prisoners. I suggest that since I must leave in a few minutes we meet again at 2:00 to discuss concretely how to proceed, and also perhaps discuss Laos and Cambodia—since I don't want to offend the Special Advisor and I know you would be offended if we did not cover that even briefly.

Le Duc Tho: It is your constant concern.

Dr. Kissinger: In 1939, the German Ambassador in London told Churchill, "The next war will be different because we will have the Italians on our side." Churchill said "That is only fair, since we had them on our side during the last war." I want to suggest to the Special Advisor that since you have had Sihanouk for three years, maybe you should give him to us for three years. Why don't you think about it for this afternoon?

[The private meeting ended at approximately 11:55 a.m. and Dr. Kissinger's party left the Hotel Majestic.]

[The formal meeting reconvened at 2:15 p.m.]

Resumption of Formal Meeting

Dr. Kissinger: Tomorrow I have to deal with three Arab countries as well as your allies.

Le Duc Tho: And also I am told that Syria will not attend.

Dr. Kissinger: That's right, only two Arabs.

Le Duc Tho: It will be easier than the Vietnamese [laughter]. It will not take five years to solve.

Dr. Kissinger: We hope that those parties don't fight as obstinately as the Vietnamese. [laughter]

Le Duc Tho: This morning at our private talks we have exchanged views on a number of questions. [Tho takes out paper.]⁵

Dr. Kissinger: See, I knew he had another paper!

Le Duc Tho: I am always prepared. [Pointing to Dr. Kissinger's briefing book.] You have a file even thicker than mine.

Dr. Kissinger: True, but that is all your misdeeds, while you have only a proposal.

Le Duc Tho: We have a very thick record of your misdeeds.

Dr. Kissinger: Of my misdeeds?

Le Duc Tho: Of your responsibility. [laughter]

Dr. Kissinger: Of my misdeeds. Perhaps the Special Advisor will give me the file when I write my autobiography.

⁵ Tho paper not attached.

Le Duc Tho: At this meeting with you, my intention is to review the general situation, and to find out measures which will ensure the strict implementation of the Agreement and the Joint Communiqué. And on the basis of the strict implementation of the Agreement and the Joint Communiqué we will shift to a new period to end the period of hostility.

Please now, let me raise the questions we are faced with, questions that we have to settle in keeping with the Agreement. These questions are concerning all the four parties, and the responsibility to implement the Agreement and the Joint Communiqué is the responsibilities of all the four parties. I will raise problems concerning North Viet-Nam, then problems concerning South Viet-Nam, to facilitate measures.

Now what problems concern North Viet-Nam? I think there are two. First, U.S. air reconnaissance activities over North Viet-Nam. I think that in this connection there is nothing to agree upon now because this is a question we had agreed upon previously. You should now put an end to these air reconnaissance flights over North Viet-Nam, because these actions are in violation of our sovereignty and in violation of all principles of international law. I think that those air reconnaissance flights must be ended.

Now the second problem is your responsibility with regard to Article 21. It is also a debt you have to pay to us after so many years of destruction of our country. The payment of this debt is beneficial not only to us but to you, because it will lead to the normalization of relations between our two countries. And it will redeem to some extent the honor of the United States, and to recompense to some extent the destructions caused to our people. But so far I have noted that you are procrastinating on these questions and you are putting political conditions for bargaining. This is contrary to your commitment that the U.S. contribution will have no political conditions attached. Therefore I think there is no reason for you to prolong this question because almost everything has been agreed upon on this problem.

The other day you said that the Joint Economic Commission should resume its activity. But since everything has been agreed, so if the Commission resumes now it is for signature of the documents. Therefore I think that if the Joint Economic Commission is to resume its work it is for the purpose of concluding the documents.

If you drag on all the questions and delay the implementation of the Agreement, no basis can be laid for normalization of the relationship. I think even if in his term, if President Nixon does not carry out his obligation, I think that for a future President we will insist upon the fulfillment of your obligation.

These are two questions concerning the Democratic Republic of Viet-Nam. The following questions concern South Viet-Nam.

First, I think it is of paramount importance to observe the ceasefire and to implement all provisions of the Agreement and the Joint Communiqué concerning the ceasefire, and the Protocols concerning the ceasefire. If the war goes on in South Viet-Nam, then the normalization of relations between us is impossible, and no other problems can be solved if the war goes on. If the Saigon Administration which received your encouragement and assistance accepts the ceasefire, then the South Vietnamese People's Liberation Armed Forces will be prepared to stop fighting. The army and the people of South Viet-Nam have no reason at all to continue the war. On the contrary, if the Saigon Administration continues the war with your encouragement and assistance, as I told you this morning, we have no other way to do it. Our people in South Viet-Nam will be determined to fight back, and defeat will certainly be on the side of the Saigon Administration which receives your support.

So the developments of the situation in South Viet-Nam depend on your side.

Now, for the second question. The second question, an important one, is the question of U.S. military personnel disguised as civilians left behind in South Viet-Nam by the United States. You undertook that you would pull them out within 10 months, the greater part of them, and within one year all of them. Now nearly that year is drawing to its close and the U.S. personnel still remain in South Viet-Nam in great numbers. To our knowledge, as we have informed you in our message to you, the number is over 20,000. In your message addressed to me you said this number was only 4,000. But for that much, for 4,000, there is no justification for their remaining in South Viet-Nam after the time limit that they would be withdrawn.⁵ In your last message you linked this question of U.S. personnel with the so-called question of North Vietnamese troops.

Dr. Kissinger: With the so-called question, or the so-called North Vietnamese troops?

Le Duc Tho: [laughs] You can call this question as you like. I think if you pose the question in this way it is incorrect. I do not like to elaborate on this point because I have dealt with these questions at length throughout our five years of negotiations. So you should now abide by the understanding, your commitment with us.

⁵ In backchannel message WH37462 to Saigon, November 24, Scowcroft sent Martin a copy of Le Duc Tho's message to Kissinger in which the former claimed that the United States now had 24,000 military personnel in South Vietnam disguised as civilians. Kissinger's reply—which rejected Le Duc Tho's assertion and maintained that U.S. personnel in South Vietnam, all civilian except for a small group of Marines at the Embassy, totaled fewer than 4,200—is included in Scowcroft's backchannel message WH37478, December 8, to Martin. (National Archives, Nixon Presidential Materials, NSC Files, Box 416, Backchannel Messages, Martin, July 19–December 1973)

The third question, the illegal introduction of armaments into South Viet-Nam. I have spoken about this question this morning.

Dr. Kissinger: What question?

Le Duc Tho: Illegal introduction of armaments into South Viet-Nam.

Dr. Kissinger: From the north?

Le Duc Tho: From Washington.

The third question is the question of Vietnamese civilian personnel captured in South Viet-Nam. I have spoken about this question at length too.

Dr. Kissinger: Oh yes.

Le Duc Tho: So I think I have nothing to add on this. I will give you documents about the number of the political detainees and about the prison regime in South Viet-Nam.⁶ I think that you should also implement your pledges to me in this connection.

As to the missing-in-action, I think that both of us should implement this provision. But I have an idea about this question, that you are unwilling to return the alive people, but you insist upon the return of the dead.

These are urgent questions which need solutions. As to the political problems of South Viet-Nam, these are also questions which we should discuss and come to an agreement, and the two South Vietnamese parties will also discuss them and implement them—the democratic liberties, the National Council of National Reconciliation and Concord, the question of general elections.

Finally, there is another question, the budget of the ICCS. I thought that the troop withdrawal would be completed within 60 days of the signing of the Agreement and the political problems of South Viet-Nam would take 90 days after the signing of the Agreement, and then the ICCS would have been dissolved and no longer exist. But now the existence of the ICCS is prolonged and the expenditure incurred by the ICCS is too big. Besides, the amount you have raised about the annual expenditures of the ICCS is \$35 million U.S. dollars a year. So each signatory party will have to contribute \$8 million per year. We ourselves, we cannot afford such an amount. Because frankly speaking we can't afford such an amount, let alone the PRG. How can it afford to produce such a great amount of money? So I think now that the United States will pay all of the expenditures of the ICCS.

Dr. Kissinger: Are you offering that as a concession? Well, I tell you, if we pay the expenditures we want a written understanding that the Hungarians and Poles have to do what we tell them. We thought

⁶ Not found.

they had voted with you because you had paid for half and those were the two that you owned.

Le Duc Tho: Frankly speaking, Mr. Secretary, it is impossible for us to give money indefinitely for the ICCS for an unlimited time. It is an unbearable burden for us.

Dr. Kissinger: I am amazed when I consider how much devotion the Special Advisor gave to that section, Chapter VI. I can tell you gave more thought to that than to almost any other Section. Certainly longer than any other Section.

Le Duc Tho: It is an impossible burden. It does not mean that we do not want the activities. You will lend us money then and you will deduct the money from the contribution for the healing of war wounds.

Dr. Kissinger: There is a provision in here drawn from the Prussian Constitution of 1864, that if the new budget is not agreed to, the old one continues.

Le Duc Tho: That is true, but even the old budget is impossible for us to pay this.

Dr. Kissinger: I understand. We will look into that and we will give you our views.

Le Duc Tho: Frankly speaking, when I negotiated with you this question I did not think that the amount of money was so big. If I had an idea of the amount of the money to be spent, I would have proposed that the U.S. cover all the expenses. But it is a big amount for us. And in the meantime you do not carry out the provisions on the U.S. contribution on the healing the war wounds, and in these conditions it is impossible for us. In particular, the PRG, they have no money.

Dr. Kissinger: It has no taxation base. [laughter on both sides.]

How is Madame Binh?

Le Duc Tho: She is now in the Soviet Union. It is one question I raise to you in a very frank way.

Dr. Kissinger: Mr. Special Advisor, I recognize that this does present difficulties. I will look into it as soon as I come back to Washington. We will approach it in a positive spirit, and I will let you have my views.

Le Duc Tho: Time is short, and I have a number of questions. We have to see which questions we can solve, which questions should be settled first and which questions should follow. So I have just raised the questions. Please now let me know your views and we shall see how we should proceed.

Dr. Kissinger: Mr. Special Advisor, I appreciate the spirit in which you have spoken. And I want to add again to what I said this morning, to repeat again what I said this morning. We both really have only one choice, and that is to make peace. And that will be our attitude.

I appreciate also that the Special Advisor mentioned the list of topics that concern him but put emphasis on those that are susceptible of relatively rapid solution.

First, on reconnaissance—among the issues that concern the DRV and the U.S., that is between ourselves—reconnaissance in the context of a ceasefire in which also the problem of infiltration is taken seriously will be no problem.

As for Article 21, I believe that as our work progresses here we can arrange a resumption of the Commission.

Now the Special Advisor also mentioned a number of issues that concern South Viet-Nam. One of the complaints I may make about the Special Advisor is that he always gets his allies incensed against me and they come to see me about the 24,000 military personnel that are in South Viet-Nam. We never send our allies in to complain against him.

We don't have 24,000 military personnel; we don't even have 4,000 military personnel. We have 4,000 Americans, most of whom are civilians permitted by the Agreement. As for the illegal introduction of war matériel, what makes it illegal, Mr. Special Advisor, is that you have refused to establish checkpoints, which therefore makes everything appear illegal. But the solution is to establish checkpoints, which is in your power to have established. But I really think your intelligence information about that is wrong, is very poor, because we have no people engaged in combat or paramilitary activities.

That leaves three problems which the Special Advisor mentioned, which are capable of solution. He mentioned two, but I will add a third. One is the strict implementation of the ceasefire. The second is delimitation of zones of control. The third has to do with the 5,000 Vietnamese civilians captured in South Viet-Nam.

With respect to the last point, I will have to await Ambassador Martin's return to Saigon and we will be in touch with you about it very quickly. Of course there will have to be some reciprocity, but we will put that . . .

About the ceasefire and delimitation of zones of control. Mr. Special Advisor, let me tell you my evaluation of the problem. Each time we have proclaimed a ceasefire, each side tried to grab as much territory as it could just before the ceasefire. And then whichever side lost territory spent the next weeks trying to get it back. So the ceasefire led first of all to an upsurge of military activity, and then to a period of more intense activity to try to undo the consequences of the ceasefire. So the ceasefire has had the paradoxical consequence of accelerating military activity.

Do you think we could get a window open, Mr. Special Advisor? We are obviously not suffering from an energy crisis in this room. If you agree, Mr. Special Advisor.

Le Duc Tho: [laughs] I agree.

Dr. Kissinger: It is warm.

Le Duc Tho: Because if I don't agree, then both of us will be asphyxiated [laughter].

Dr. Kissinger: Then we will go together. We will do something in common that we agreed to do. [Mr. Smyser gets up to open the window, which turns out to be locked. He goes out for assistance]

Now therefore it is important that before there is a ceasefire, or simultaneously with a ceasefire, there is some idea of the location of the areas of control.

I notice Mr. Hien has a piece of paper. Are we going to get this before the end of the meeting?

The Special Advisor never commits all of his reserves at once. I've learned this.

[Mr. Smyser returns with a Frenchman, who manages to open the window.] I think it will require a decision by the Conseil d'Etat.

Therefore, I believe finally, one of the difficulties has been, in the last ceasefire, that we spent so much time drafting the document with so little participation from the parties in South Viet-Nam which principally had to carry it out, that the incentive to carry it out was not sufficient.

So let me agree with the Special Advisor on the desirability of an early ceasefire, and one that this time will be strictly implemented. But let me also ask the Special Advisor how he would propose to solve the problem to prevent either side from trying to grab territory just before the ceasefire. In other words, how would we know who is where?

Le Duc Tho: Have you finished?

Dr. Kissinger: Yes.

Le Duc Tho: I have made preliminary statements today to Mr. Secretary, because it is not yet the moment to go into the problems because we have no time. Because the problem needs discussion to come to concrete agreement. Only in this way can we solve the problem.

So let me now make some comments on the views you have just expressed. I will answer you one by one in the order you have adopted.

There is no reason that these reconnaissance flights should continue, and there is no reason for you to link the reconnaissance flights over North Viet-Nam with what you call the infiltration of armaments from the north into the south. These reconnaissance flights constitute violations of the sovereignty of our country. So no country can allow itself to engage in such activities.

Regarding Article 21, we can discuss the resumption of the Commission. But everything has been agreed to at the Joint Commission.

There are some of the questions which were deferred for further discussions, but those questions on which agreement have been reached [*sic*], so the reconvening of the Commission should be only for the purpose of the signing of the agreed document.

Now regarding the question of U.S. personnel disguised as civilians, we have evidence, we have documents, we have reliable sources on this question. These documents come from U.S. Defense Ministry. I will give you the documents, to save time. And a number of . . .

Dr. Kissinger: But who wrote the document?

Le Duc Tho: Secretary Schlesinger, answering questions of the Military Committee, the Committee of the Senate.

Dr. Kissinger: Of our Commission?

Le Duc Tho: Yes, the figure he gave here is not 24,000, but it is not as little as 4,000. And there are ample reports from the U.S. press.

Dr. Kissinger: But you are quoting your own people. Cora Weiss wouldn't know what is going on.

Le Duc Tho: You are always thinking of Mrs. Cora Weiss, speaking about Mrs. Cora Weiss. [Laughter]

Dr. Kissinger: Madame Binh also. I am interested in women.

Le Duc Tho: I will give you the papers. Because you have undertaken to pull them out. Now there are only a couple of ten days or more left, and even for 4,000 military personnel, the time limit is over.

Dr. Kissinger: Wait a minute, Mr. Special Advisor. One thing that worries me is that you may actually believe these figures. I would not worry if I were convinced that they were only said for propaganda. Because the figures are absolutely wrong.

First of all, the 4,000 figure we gave you is not military personnel either. That is all Americans engaged in any activity that is even vaguely related to the Government. Very few are military personnel, very few—that's less than 500.

Le Duc Tho: In your message you told me that there are over 3,000 military personnel remaining in South Vietnam for the maintenance of equipment.

Dr. Kissinger: Civilian personnel taking care of equipment.

Le Duc Tho: But the maintenance of military equipment. So I don't know whether Mr. Schlesinger, the U.S. Defense Secretary made a wrong statement when he said that.

Dr. Kissinger: The military?

Le Duc Tho: The U.S. Defense Secretary, although the figure he gave was less than 24,000.

Dr. Kissinger: OK, I understand. I will look into it again.

Le Duc Tho: Regarding the introduction of war matériel into South Viet-Nam, you said that it was necessary to have some checkpoints. We have no objection to have checkpoints. But after the ceasefire, then the checkpoints will be decided and control will be organized.

Now, regarding the three questions. The ceasefire, I speak about the ceasefire first. When the war is still going on and there is not yet a ceasefire, the belligerent parties cannot be prevented from making an effort to make advance. What is important is that when the ceasefire becomes effective, then the parties should remain there, in place. And I remember one provision in the Joint Communiqué, that when the ceasefire becomes effective, then the troops of each side should return to the position they occupied before January 28. So the provisions of the Agreement and the Joint Communiqué are very clear. But after the ceasefire comes into effect, no party has the right to launch land-grabbing operations.

Dr. Kissinger: But what I am trying to prevent is land-grabbing operations before it goes into effect.

Le Duc Tho: It would be difficult because there is not yet a ceasefire order. So it is difficult to prevent them from engaging in military activity. But when the ceasefire order comes into effect, they have to stop. And those troops who have launched land-grabbing operations after January 28, they will have to return to their positions occupied previously to January 28.

So in my view, after the ceasefire, the zones of control will be delineated. All the modalities of the ceasefire must be respected, and then the control forces will be deployed, then the ceasefire will be effective. And then we will discuss about delineation of the zones of control, and other problems. Because there are many other problems in the ceasefire protocols.

Regarding the 5,000 political detainees: When you visited Hanoi you told me that they would be released in a few days time, and afterwards the two South Vietnamese parties have agreed on the stages of the release of these prisoners. But until now the releases have not taken place. So they have to be released. It is something agreed to. But thousands of other prisoners are to be released too. And I would like to say that not only prisoners captured before January 28 but also those captured after January 28, the parties should exchange a list of those prisoners, both military prisoners and civilian prisoners, and exchange.

So I have answered you point by point, the questions you raised.

Dr. Kissinger: Well, it doesn't answer the question of how to avoid the problem of each of the previous two documents, where there were extensive land-grabbing operations just before the ceasefire. Why could the two parties not be instructed to get together to make a preliminary delimitation as of some date, and on the basis of that, declare a ceasefire?

See, what I am trying to prevent is that one side starts a big offensive and then suddenly calls for a ceasefire.

Le Duc Tho: Because your proposal is contrary to the provisions of the Agreement and the Protocols we have agreed to. To avoid these other things, we will discuss all those other things before we come to the ceasefire.

Dr. Kissinger: Say that again?

Le Duc Tho: We should discuss all the questions relating to the implementation of the Agreement, then we agree on the order of a ceasefire, and then discuss the modalities of the ceasefire—the position of troops, the delineation of the zones of control, etc.

Dr. Kissinger: Well, it depends who is going to do this. Our view is it should be done between the PRG and the Saigon Government, in established machinery.

Le Duc Tho: No, I think that you and I should discuss all questions, including the question of a ceasefire then.

Dr. Kissinger: The Special Advisor and I?

Mr. Phuong: Yes.

Dr. Kissinger: I don't know whether my nervous constitution is up to discussing with four Arab countries and the Israelis and the Special Advisor all in one time frame. [Laughter]

Le Duc Tho: I have nothing to do with the Middle East. [Laughter]

Dr. Kissinger: But I do!

Le Duc Tho: Yes, you have to share your mind five or six ways. Your work is very tiring, very hard, and you have to travel a lot.

Dr. Kissinger: I have to tell the Special Advisor about the splendid organization of the new Department which I have the honor of heading. In early September a friend of mine from New York wrote me a letter congratulating me on my appointment to my new position. In the middle of November he received a reply thanking him for his helpful advice on the Middle East and he should approach me at any time if he has any advice on that subject! So if you ever get a document on Jerusalem, send it back to me, it's a mistake. [Laughter]

Le Duc Tho: I do receive a great many letters from the United States. All kinds of letters.

Dr. Kissinger: You do, Mr. Special Advisor? But I am sure you answer them more intelligently than I do. But may I make this suggestion, Mr. Special Advisor? We agree in principle that there should be an effective ceasefire. Let us make that understanding. And a ceasefire that should be fully implemented this time.

We will contact you within two weeks, within the first part of January, to give you concrete proposals on how to bring this about. And

we will both think about the modalities to meet each other's concerns. Because I agree with what the Special Advisor said to me when we met privately, that it should not fail a third time.

Le Duc Tho: I think that early in January when you make a proposal, you should not consider only the question of the ceasefire but all the questions I have raised to you.

Dr. Kissinger: I understand, and we can then decide which questions are more appropriate for the Special Advisor and me to discuss and which subjects would be more appropriate for the parties concerned to discuss.

And so we shall perhaps leave today's discussion on Viet-Nam at that. I will cover all of the items that the Special Advisor raised with me, in my reply.

But before we break up, I know the Special Advisor would feel sad if I did not give him an opportunity to express himself on his two favorite countries on which he has spent so much time and energy—Laos and Cambodia. We are utterly puzzled why the North Vietnamese keep building new roads in Laos when they are planning to leave it. But if the Special Advisor has any other points on Viet-Nam, we should listen . . . [He gestures to the Special Advisor to continue.]

Le Duc Tho: Regarding Viet-Nam, I would like to recall the question of military personnel disguised as civilians. You said that you would look into the question. But I would like to remind you that you should abide by the pledge you have given me that all military personnel should be completely withdrawn from South Viet-Nam and that no troops would be introduced, no new ones, into Viet-Nam. I recall the understanding, your undertaking, and remind you of that.

Dr. Kissinger: Yes, I understand this. But this is of course in the context of the implementation of the Agreement.

Le Duc Tho: [laughing] You link this matter. There has been an understanding on your part regarding the time limit.

Dr. Kissinger: Yes, but there has been an undertaking on your part not to infiltrate military personnel, and 87,000 have come down into South Viet-Nam.

Le Duc Tho: No, you cannot link one question with the other, because during our discussion you have made this undertaking and now the time limit is nearing a close, so the personnel should be withdrawn.

Dr. Kissinger: Well, first of all, we don't have any military personnel disguised as civilians.

Le Duc Tho: One side say that there are such personnel, the other side say there is not. It will take the whole day.

Dr. Kissinger: We have civilians disguised as civilians.

Le Duc Tho: The main thing is implementation of one's pledges.

Dr. Kissinger: I will see how much personnel would be covered by this understanding, and then I will give you a view. Because many of the figures I gave you this would not apply to.

Le Duc Tho: You should stick to the understanding, the commitment you have made in the paper.

Dr. Kissinger: Mr. Special Advisor, it is an interesting thing to say that an unsigned understanding must be strictly implemented, but that signed provisions of the Agreement can be completely ignored.

Le Duc Tho: By the Agreement and by your undertaking, the U.S. will cease its military involvement and its intervention in South Viet-Nam. If now you maintain those personnel, it will mean that you remain involved in South Viet-Nam.

Dr. Kissinger: But my point is that it is not possible to apply this Agreement only partially.

Le Duc Tho: No, this is one of the questions I have raised. But if you say so, I can raise so many other questions where you have not stuck to the provisions of the Agreement. But here it is the question that after the withdrawal of U.S. troops from South Viet-Nam there is no reason that the U.S. will still maintain its military personnel in South Viet-Nam. Because if so, you will continue to help the Saigon Administration make war.

Dr. Kissinger: I understand the Special Advisor's point, and I will look into it. I will have to review to what numbers it applies.

Le Duc Tho: Please consider it.

Dr. Kissinger: Yes.

Le Duc Tho: Now, about the resumption of the Joint Economic Commission. The other day you said about its resumption in early December. In my reply I said that we will decide the date of the resumption when we meet. But my view is that when the commission is reconvened it should preliminarily sign the agreed document. There is no point to reconvene the Commission if you will seek the prolongation of the work of the Commission and you are still unwilling to sign the Agreement. There is no point. But I think that there should not be further prolongation of the Commission. That is my view.

Dr. Kissinger: Our experts think that the work has to be reviewed to be adapted to current circumstances. Mr. Williams, who represented us, was on a trip when I left. I will meet with him next week when I return and I will propose a specific date and terms of reference.

Le Duc Tho: All right.

Dr. Kissinger: So, to sum up, we will propose to you our ideas. We have agreed in principle on the desirability of a new ceasefire. We will give our ideas on how we can bring it about, keeping in mind all our concerns.

We will give you our ideas on Article 8(c) and on Article 21.

Le Duc Tho: You are finished now, Mr. Special Advisor?

Dr. Kissinger: Yes. This is just to sum up where we stand.

Le Duc Tho: So I think that this time we have just raised the problems. Concerning certain of them, of these questions, you told me that you will consider them when you return to the United States. As to the discussions of the problems relating to the implementation of the Agreement, we will discuss them in another meeting.

Dr. Kissinger: All right.

Le Duc Tho: The discussions will cover all these questions, including the question of ceasefire. If we meet again to discuss these problems we should come to some real results, not only on paper but also [so that] the decision will be materialized. Because, as I have told you, I have been twice the victim of breach of faith. The third time will mean the breaking off, because no trust is left. So it is my hope that our coming meetings will give some positive results not only on paper but also concrete facts, concrete actions.

It is up to you to fix the date for our next meetings. But I cannot come here early in January, because I have just time to go back and to leave again. [Laughter] So I will be traveling always!

Dr. Kissinger: I thought the Special Advisor would be taking his Christmas vacation then.

Le Duc Tho: This Christmas I will remain here for a couple of days more before leaving. So you will give the date of our next meeting, but not in early January.

Dr. Kissinger: No, it cannot be early in January for me either. When we send you the other communication, we will send you an idea. Maybe we should arrange a preliminary meeting between Minister Thach and, for example, Ambassador Martin, to narrow the issues. Or anyone else you want to send.

Le Duc Tho: Let me think it over.

Dr. Kissinger: We will think about it, but when my own schedule for the month of January becomes clearer, we will make a proposal.

Le Duc Tho: Now this is my suggestion. Let us think whether we can find some closer place or our meeting.

Dr. Kissinger: Like Hong Kong?

Le Duc Tho: I have no idea, but we should think.

Dr. Kissinger: Hawaii?

Le Duc Tho: Let us think of it and we will exchange views.

Dr. Kissinger: I think it is useful to think of a closer place.

Le Duc Tho: Because it is a long journey to make, and it will take me a long time. If the meetings are frequent, then the time between the

meetings is short, then it is very tiring for me. It is my suggestion; we will exchange views on that.

Dr. Kissinger: Exactly. Now what should we say to the press today? Should we say we have discussed matters of mutual interest and have agreed to keep in touch for further discussions as warranted by events? Or is that too daring a statement?

Le Duc Tho: According to me, we should agree on the statement to be made.

Dr. Kissinger: That's right.

Le Duc Tho: The two sides have met each other and have exchanged views on questions of mutual interest in the context of the current situation. The two parties will maintain contacts with each other. The two parties agree to maintain this forum, this channel, for a further exchange of views.

Dr. Kissinger: Maybe "this channel" is better. Mr. Vest will read it back to us.

Mr. Vest: "The two sides have met today, and exchanged views on matters of mutual interest in the context of the current situation. They will maintain this channel for further discussions as warranted by events." [They copy it down.]

Dr. Kissinger: I wonder whether the Special Advisor noticed my comments about him on arrival.

Le Duc Tho: [laughs] I have read it.

Dr. Kissinger: I did not want my humor to go completely unnoticed by my old friend.

Le Duc Tho: Any statement of yours will receive my attention. [Laughter] I follow what you say.

Dr. Kissinger: Just don't give technical advice to other countries.

So, Mr. Special Advisor, we will both say this and we will say nothing else.

So we will be in touch very shortly. I would like to express our appreciation for your traveling this long distance to meet, and we take it as a sign of your serious intention.

I must say I cannot accept the proposition that it is our side that has broken faith. But we do not want to start that debate again. In any event we should now take steps at least to get the ceasefire firmly implemented so that the fighting at last stops in Viet-Nam. And I think each side should exercise restraint in the interval between meetings in their military operations.

Le Duc Tho: [laughs] I avail [myself] of this opportunity to tell Mr. Ambassador that later in the future if we come to an agreement your responsibility is very heavy, because whether we can carry on the Agreement here depends on you.

Ambassador Martin: My instructions are from the Secretary always.

Le Duc Tho: I wonder whether the instructions from Mr. Secretary are positive or negative. [laughter]

Dr. Kissinger: They are positive always. I wonder whether the Special Advisor will take account of my proposal in our private meeting regarding Prince Sihanouk.

Le Duc Tho: [laughs] No one can control him!

Dr. Kissinger: That is why I thought [you would] take him now for a few years. You have carried him since 1970, so now we should take him for a few years.

Le Duc Tho: Now I would like to ask this question. The other day you proposed that photographers should be admitted here.

Dr. Kissinger: Yes.

Le Duc Tho: We disagreed to that. The reason why, it is my view that when we can achieve something, some result, then we indulge in realistic propaganda. But you want to let the journalists photograph at the beginning of the talks; it is not something necessary. But you complained that we were not serious.

Dr. Kissinger: Oh, no. We thought you were serious.

Le Duc Tho: So it is true that we are serious but we want to be realistic.

Dr. Kissinger: No, I understand. The Special Advisor is black-mailing me again. The only way I can get a picture with him is to make an agreement. [laughter]

Le Duc Tho: Because it is something very merry, very gay, when we have photographs taken at this place.

Dr. Kissinger: Yes, I understand.

Le Duc Tho: Because you complained that I was not serious. But with you I can have a photograph taken at any moment.

Dr. Kissinger: If I agree to a ceasefire? Or just you and me, you mean?

Le Duc Tho: So when the ceasefire has been agreed to.

Dr. Kissinger: No, I don't fully understand the implications of what the Special Advisor is referring to.

Le Duc Tho: I mean we personally, there is no problem. But it is the negotiations.

Dr. Kissinger: Or it is to sit at a table. Well, if you want to, we can walk out together.

Le Duc Tho: We have not got any result yet. [laughter]

Dr. Kissinger: See! That is all right. I am disappointed. My father, who collects these pictures, is even more disappointed. But now you have given me an even greater incentive to agree than I had before.

So we shall be in contact with each other, and I think we should both have an understanding that we will use our influence for restraint while these discussions are continuing.

Le Duc Tho: We will get in contact with each other, we will discuss all the problems, and on the basis of these discussions we will settle all the problems.

Dr. Kissinger: That is true, and in the meantime, we will urge the parties to the conflict to exercise restraint so that their impetuosity will not complicate our work.

Le Duc Tho: Now what the Saigon Administration is doing every day is known to you.

Dr. Kissinger: And what the PRG is doing. And of course I suspect that your troops are carrying out orders. I would hate to think that 87,000 troops are without discipline.

Le Duc Tho: Now the military forces of the PRG are much more than 87,000.

Dr. Kissinger: I mean the new ones you have infiltrated.

Le Duc Tho: [laughs] No, they have to replenish their forces. It is in the competence of the PRG.

Dr. Kissinger: It is in violation of the Agreement.

Le Duc Tho: No, it is not in contravention of the Agreement, if the PRG replenishes its forces, just like the Saigon Administration has a draft.

Dr. Kissinger: Even if they draft them from North Viet-Nam?

Le Duc Tho: No, I don't know where they replenish their troops from, but what I know is that they have a right to replenish them.

Dr. Kissinger: Just so they don't come down from the north, because that would be a violation of the Agreement. I know the Special Advisor would not cooperate in that.

Le Duc Tho: No, they take them from South Viet-Nam. The population in South Viet-Nam is big enough.

Dr. Kissinger: But not in the part controlled by the PRG.

Le Duc Tho: There are people in the Saigon-controlled area who want to join the PRG army. [laughter]

Dr. Kissinger: And they go north first so they can come down south. [laughter] Well, I still hope the Special Advisor, with the restraint which is so characteristic of him, will urge caution on his friends, just as we will, because the consequences of an expansion of military operations are not well foreseeable. We will do the same. We ask nothing that we will not do ourselves.

Le Duc Tho: No, you are now returning to the reviewing of the previous situation. What is the cause of the situation in South Viet-

Nam during the past? If we had honored the Agreement as soon as it was signed, then we should have made a good deal of progress. And there was failure of the implementation of the Agreement, then we had to sign the Joint Communiqué, and it failed again. So I think that we should make another effort in the period to come. And if we fail again, then the situation will become much more complicated. And I told you that the situation, how it develops, depends on you and on the Saigon Administration. I will come to meet you once again for a last final effort.

Dr. Kissinger: I hope the Special Advisor meant that as a sign of the determination of his efforts, not as a threat, because I think we have enough experience with each other to know that it is always counter-productive.

Le Duc Tho: No, we are threatening no one. It is the United States which is threatening us on many occasions. You sent aircraft carriers into DRV territorial waters; your Defense Secretary made a statement that bombing of North Vietnam may be resumed. Since the conclusion of the Agreement we can say that we—the PRG—has only to counter the land-grabbing operations of the Saigon Administration.

So we are looking forward to the next meeting, to see whether we can solve it.

Dr. Kissinger: Mr. Special Advisor, we will try to work in a constructive spirit. We will be in touch with you and let us see whether we can bring about a ceasefire.

Le Duc Tho: It depends on you.

Dr. Kissinger: I am glad to know that the Special Advisor has not changed his basic approach to life. His ability to see anybody else's point of view is exactly what it was before.

Le Duc Tho: I understand your view. It is because I understand that I gave you that answer.

Dr. Kissinger: All right, we will be in touch with each other. And I think we had a useful discussion today. We have contributed to clarifying each other's purposes. We have agreed that we should both make a major effort to produce peace. That will be our attitude.

Le Duc Tho: [laughs] You often refer to making great effort. Let us see whether this time you are really making a great effort.

Dr. Kissinger: All right, Mr. Special Advisor, we will be in touch with each other. It is always a personal pleasure to see you again.

[The meeting then ended.]

121. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, January 12, 1974, 0510Z.

581. Ref: WH40015.²

1. I suppose one can only rarely, in the type of warfare going on here, classify military activity with wholly satisfactory precision according to dictionary definitions of "offensive" or "defensive."

2. In the larger sense I have no difficulty in placing everything that the GVN is presently doing in the latter category. There simply cannot be a return to a wholly unilateral observation by the GVN of the Paris Agreements while the DRV continues to openly violate them with impunity. Nor can there be a return to the "privileged sanctuary" concepts of a decade ago whereby the so-called PRG controlled areas cannot be touched while being used to mount large-scale operations against GVN areas and population. Were this the case, we would have to return to the old Templar formula in Malaysia which calculated a 14 to one ratio necessary to contain a guerrilla insurgency.

3. It is difficult enough for you to get the appropriations to keep the GVN even on a one to one ratio with the other side. Therefore, it has been necessary to press as hard as possible to clean up the GVN held areas, but occasionally to reply to particularly flagrant violations of the DRV with strikes into vulnerable PRG areas.

4. I think we must realize that were the GVN to remain wholly defensive within its own area, permitting the GVN to continue the build-up within the PRG controlled areas, there would soon develop a "besieged fortress" kind of psychology which would insure their defeat and a DRV victory.

5. I wholly agree that restraint is necessary for military as well as political reasons. The difficulty is drawing the line between the degree of "restraint" that is necessary for those reasons and the degree of "restraint" that would start the downward spiral resulting in loss of morale and of the will to withstand the onslaughts of the other side.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 416, Backchannel Messages, Martin Channel, Saigon, 1974. Secret; Immediate; Eyes Only.

² In backchannel message WH40015 to Saigon, January 10, Kissinger wrote to Martin: "I am puzzled by accounts beginning to appear that the GVN is undertaking, or making preparations for, substantial offensive military operations. I think there has to be some restraint exercised if the situation is not to get out of control. Would appreciate whatever light you can shed on the matter." (Ibid.)

In July the restraints we were exercising were clearly detrimental to the survival of the GVN. I think we are now back to about an even keel. I will try to see that we stay there.

6. Prefaced with the above observations, which I realize are a restatement of the obvious and understood by you as well or better as they are by me, a review of current “offensive” operations reveals that they are chiefly designed to cut infiltration routes, open land and water routes, and gain vantage points along the NVN supply routes along the western corridor.

7. MR-1. In MR-1, just west of Hue, ARVN forces are continuing operations to retake a series of small outposts and mortar positions which the enemy took in the past two months. The purpose is to deny to enemy a natural infiltration route to the lowlands west of Hue along the Song (River) Bo Corridor.

8. In MR-2—Plei D’Jereng Border Ranger Camp. ARVN is currently planning to begin an offensive operation on 14 January in Pleiku to retake the Plei D’Jereng Border Ranger Camp in a combined tank/infantry assault. The camp, located about 25 kilometers west of Pleiku City, was seized by the NVA/VC in November 1973. Prior to that date it has always been under GVN control. ARVN wants to reoccupy the camp and the surrounding area to prevent the enemy from moving men and matériel along the western corridor.

9. Duc Co area west of Pleiku City. On 14 January VNAF is to begin heavy bombing of NVA/VC storage areas and troop barracks in the Duc Co area, west and southwest of Pleiku City along the Cambodian border. Duc Co is the location of the NVN 320th Division. This offensive action is designed to damage the logistical build-up and enemy concentration in the area. ARVN has no intention to occupy the area.

10. Quang Duc Province. ARVN continues to “nibble” around the Bu Prang/Bu Bong outposts in an effort to cut off Communist road building activity, but no significant offensive activity is currently taking place. The situation for both sides is essentially as it was when action began there in January 1973—no gain.

11. MR-3. ARVN’s 25th Division is operating in the tri-border area of Gia Dinh, Binh Duong and Hau Nghia Provinces to clear the Saigon River corridor of enemy forces. This action threatens the security of enemy transportation and communication routes from Cambodia into enemy secret base areas. It will also push the enemy back from the Saigon perimeter.

12. The ARVN 5th Division is conducting operations to open Route 13 from northern Binh Duong Province into Binh Long Province, bordering Cambodia, where there are two isolated ARVN outposts.

13. The ARVN 18th Division has mounted a clearing operation in northeastern Binh Duong Province along Route 1A to push NVA elements up to the north from their present blocking positions along the route.

14. MR-4. ARVN aggressive operations in MR-4 consist of operations to interdict main infiltration–supply routes. One center of activity has been Dinh Tuong Province, where ARVN forces have concentrated action in the southern three districts, athwart three main infiltration corridors and adjacent to a VC/NVA base area. ARVN actions thus far have resulted in serious losses to two of the opposing VC/NVA regiments.

15. A second center of activity has been Kien Giang and Chuong Thien Provinces, where there are continuing combined military/police operations to interdict the main infiltration corridor from Cambodia into the Southern Delta.

16. In An Xuyen Province, the ARVN is conducting probing operations in the northern Ca Mau Peninsula, in the vicinity of the U Minh Forest, a traditional VC enclave.

17. In Ba Xuyen Province, ARVN is attempting to block the VC/NVA supply/commo route which links Chuong Thien with a route up into Dinh Tuong Province.

18. That about sums it up. In some ways the GVN is not being as “offensive” as I would like, but prudence dictates that they not be pushed either beyond their capabilities or beyond currently acceptable political and diplomatic parameters.

19. Warm regards.

Martin

122. Minutes of Washington Special Actions Group Meeting¹

Washington, January 25, 1974, 10:11–10:54 a.m.

SUBJECT

Indochina

PARTICIPANTS

Chairman
Henry A. Kissinger

State
Kenneth Rush
Monteagle Stearns

DOD
William Clements
V/A Raymond Peet

JCS
Adm. Thomas H. Moorer
V/A John P. Weinel

CIA
William Colby
Bob Layton
NSC
M/G Brent Scowcroft
Charles C. Cooper
William R. Smyser
William Stearman
Lt. Col. Donald Stukel
James G. Barnum

SUMMARY OF CONCLUSIONS

It was agreed that:

... CIA will prepare a paper on the current status of the Paracel and Spratly Islands and an assessment of Chinese intention in the area;²

... Additional (60 to 80) TOW (anti-tank) missiles will be supplied South Vietnamese immediately;

... Defense will prepare an analysis of the military equipment list requested by South Vietnam, along with its recommendations of South Vietnam's equipment needs.³

... Mr. Clements and Mr. Rush will approach Congress within the next week for a \$150 million supplemental appropriation for Cambodia and South Vietnam;

... A WSAG will be scheduled to take a look at the insurgency situation in Thailand.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-117, WSAG Meeting Minutes, Originals, 1973. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² In "Potential for Conflict over Certain Disputed Islands in the East and South China Sea," February 5, the CIA suggested: "Peking will view the recent South Vietnamese actions in the Spratlys as a direct challenge. The tit-for-tat exchange of statements by Peking and Saigon on the Spratlys obviously raised the danger of a confrontation. Even so, a military initiative there by Peking would be politically difficult and militarily risky. The odds are that Peking will avoid a military clash." (Ibid., Box H-95, WSAG Meeting, Vietnam, January 1974)

³ Not found.

Secretary Kissinger: Bill, (Mr. Colby), do you want to brief?

Mr. Colby briefed from the attached text.⁴

Secretary Kissinger: Why don't they recruit them? (In reference to the statement in the briefing that the Cambodian Government needs another 10,000 troops in order to increase its manpower reserves). It seems to me that ten-thousand wouldn't be hard to get.

Mr. Colby: They're trying, but it's tough to get people to join up.

Secretary Kissinger: How are they trying to recruit? I mean, what methods do they use?

Mr. Clements: Actually, they have done quite well. They have a more energetic program going now than they have ever had.

Adm. Moorer: They do it the same way as the British got their troops in the 1800s—they impress them. Except, now they "Phnom Penh 'em" instead of Shanghai 'em.

Secretary Kissinger: Where do they get them (the recruits)?

Adm. Moorer: Oh, everywhere, Kompong Som, Kompong Cham. Out of all the population centers.

Secretary Kissinger: It just seems to me that it wouldn't be hard to find 10,000 recruits.

Mr. Clements: They're doing it. Their effort today is much more ambitious than it was a few months ago.

Mr. Stearns: The Khmer Communists are having their problems recruiting, too.

Mr. Colby continued with his briefing.

Adm. Moorer: I would just add that within the last twenty-four hours, fifty-five rounds of artillery were fired into Phnom Penh. And, according to some recent intercepts, they plan to continue to harass Phnom Penh and the countryside around the capital. We don't think they can overrun the city in the immediate future.

(General Scowcroft was called out of the meeting at this point.)

Mr. Colby: Yes, we also think they (the government) can hold.

Adm. Moorer: The rice situation is in excellent shape too.

Secretary Kissinger: It seems to me that if the government can hold on during this dry season then we have no reason to believe they can't in the next.

Mr. Colby: What gives the government its real advantage is the fickleness of the Khmer Communists. They (the KC) are really running their own railroad, generally ignoring the advice of Hanoi.

⁴ Colby's briefing, "The Situation in Vietnam," January 25, attached but not printed.

Adm. Moorer: They have a real problem in coordinating their forces. For example, they get instructions to do something, say like on 25 December, and then nothing happens.

Secretary Kissinger: That's because it's Christmas. Nobody does anything on Christmas!

Mr. Clements: Henry, I want to reiterate what you said before. I think it is absolutely essential that they (the Cambodians) be assured of our continuing support. Without it, they're dead ducks, no question about it.

Secretary Kissinger: Oh, I think that's clear. Nobody here disagrees with that, do they? We really don't have a choice, do we?

Mr. Clements: No, but the method to give them the support is a real problem. It's a miserable mess to straighten out.

Secretary Kissinger: Yes, and now if we bring peace to the Middle East, we can't piggy-back our needs in Cambodia anymore.

Mr. Clements: We're still doing it. But, you're right, we won't have that piggy-back anymore.

Mr. Stearns: We have some left in the drawdown authority.

Mr. Clements: We ought to accomplish as much as we possibly can now, while conditions are favorable.

Secretary Kissinger: I have this thought that it might be easier to get something out of Congress now. The Democrats are becoming more hawkish. Maybe there is a better chance of getting something through.

Mr. Rush: We'll never know unless we try.

Secretary Kissinger: We must make them (Congress) more responsible. We have to put the responsibility (for continued peace in Indochina) on their back.

Mr. Clements: And early. Henry, we're almost out of soap. We're running out of money, and damn fast!

(Gen. Scowcroft returned.)

Mr. Rush: What worries me is the psychological impact it would have in Cambodia if we weren't to support . . .

Secretary Kissinger: Think of the psychological impact throughout Southeast Asia. It would be disastrous. What have been the repercussions in South Vietnam to the Paracels (Islands) thing?

Adm. Moorer: We (the U.S.) have stayed far clear of the matter.

Secretary Kissinger: We have never supported their (South Vietnam's) claim?

Adm. Moorer: That whole area is a problem. The Spratly Islands and the others in that area all have the same kind of problem—it's disputed territory. We have given orders to stay clear of the area. That's our policy, right?

Secretary Kissinger: What are those, the Spratly's? (Pointing to the map.)

Adm. Moorer: No, the Spratly's are south of the Paracels.

Mr. Colby: The problem is that the Spratly's are claimed by everybody.

Secretary Kissinger: We have never taken a position on these islands?

Mr. Rush: Are they occupied?

Mr. Stearns: Yes, we think there is a garrison on them.

Mr. Rush: Who has troops?

Mr. Stearns: There is a Philippine garrison on them, I think.

Secretary Kissinger: How did the fight get started? Who started the fight over the Paracels?

Adm. Moorer: A South Vietnamese patrol in the area observed some Chinese ships headed for the islands, went in, and put about seventy-five men ashore at Duncan Island. That's one of the southern islands of the Crescent Group. They were engaged by two companies of Chinese troops. The South Vietnamese were forced to withdraw to the other nearby islands. Four South Vietnamese ships and some eleven Chinese ships then engaged in a battle at sea as the South Vietnamese troops withdrew. The place has been an area of tension for some time. The Chinese have been sending regular MIG patrols over almost every day.

Mr. Colby: The key to the whole area is the Paracels. There are two groups of islands, the Crescent Group in the south, and the Amphitrite Group in the north.

Secretary Kissinger: What has North Vietnam's reaction been to all of this?

Mr. Colby: They've ignored it, said it's below the 17th Parallel and thus doesn't affect them. In general, they didn't take a position, didn't come out on either side.

Secretary Kissinger: They can't be very happy with the situation. They didn't say anything, but what do you think they feel? Dick (Mr. Smyser)?

Mr. Smyser: It put them in a delicate situation. They said nothing until after it was over, and then all they said was that they deplored the use of force.

Secretary Kissinger: I know what they said, but what do they really feel?

Adm. Moorer: I think they are worried.

Mr. Colby: North Vietnam might want to have that oil field.

Mr. Clements: Let's not get carried away on the possibility of oil in those islands. That is still a pie-in-the-sky. There is nothing there

now, it's all in the future. Oil there is not realistic now. It's only a potential.

Adm. Moorer: The French held the islands in the 1930s until the Japanese took them over during the War. In 1955, the French renounced their claim to the islands, and Japan did the same thing in 1951. South Vietnam and Communist China have claimed them ever since. The Philippines have a weak claim, but only on paper.

Secretary Kissinger: Can we get a paper on the Spratly's, Bill? What's there, what's likely to happen?

Mr. Colby: Yes, we'll give you one on the whole area.

Adm. Moorer: My instructions have been to stay clear of the whole area. That's what you want, right?

Secretary Kissinger: Any disagreement to that?

Mr. Rush: Not a bit.

Secretary Kissinger: Now, on the situation in Vietnam. I think we ought to take advantage of this period of quiet and build up South Vietnam's capabilities as best we can. We want to observe the terms of Article 7 (of the Agreement), but don't want to put excessive restraints on ourselves. After all, they are violating the Agreement. If they stretch the Agreement, we ought to be prepared to stretch some too.

Mr. Clements: Do you anticipate making a public announcement of this?

Secretary Kissinger: No, let them be the first to complain.

Adm. Peet: We already have some high-visibility items in there.

Secretary Kissinger: Like what?

Adm. Peet: TOW (anti-tank) missiles, for example.

Secretary Kissinger: I understand they need TOWs rather badly. Is there anything else? How many TOWs do they have, fifty?

Adm. Moorer: About 140.

Secretary Kissinger: Can we give them a substantial number more?

Adm. Moorer: Yes, we can go a few more, say 60 to 80. We're running close to the limit now, money-wise. We have only \$299 million left.

Mr. Clements: The money is our whole problem.

Adm. Peet: It would only cost \$5 or \$6 million for 60 to 80 TOWs.

Adm. Moorer: We're pushing up to that \$1.126 million limit now.

Secretary Kissinger: We're not spending that much money in Laos now, are we?

Mr. Rush: We can spend \$299 million more before we hit the legal limit?

Adm. Moorer: \$1.126 million is the legal limit.

Secretary Kissinger: How does giving them an additional 80 TOWs affect the \$300 million we have left?

Mr. Clements: The TOWs are no problem. We can handle that. But, money for the future is a problem. I see no way of responding to that list they (the South Vietnamese) gave us.⁵

Secretary Kissinger: I thought you scrubbed down that list to \$250 million—somewhere in that ballpark.

Adm. Moorer: We've looked at it, scrubbed it down. We're recommending such things like forty radios, six LSTs (landing craft) . . .

Secretary Kissinger: Why do they need LSTs?

Adm. Moorer: They use them for logistic support.

Mr. Colby: They have no need for them. They don't have the Paracels anymore.

Adm. Moorer: That's right, but we have 31 river boats and other items to give them. It's equipment they don't have, but can use. We have saturated them with equipment over the years. A lot of the stuff they can't even use. The equipment they have asked for wouldn't be of any benefit to them. They are saturated. We filled them up this time last year.

Secretary Kissinger: I thought they needed more TOWs.

Adm. Moorer: That is being taken care of.

Secretary Kissinger: How?

Adm. Moorer: We've started the training program . . .

Secretary Kissinger: Do they have the mines we talked about last time?⁶

Adm. Moorer: We have some earmarked for them. We put these devices in bombs and then fly them down to them when they need them.

Secretary Kissinger: Are these the ones that play the National Anthem?

Adm. Moorer: It's a simple device they put in the bombs. I think it's the Mark 52 . . .

Secretary Kissinger: I don't know what you call them, but they're the ones that get you so excited all the time.

Adm. Moorer: I still say that that was a real bargain for less than a million dollars (the mining of Haiphong Harbor).

Mr. Clements: How long does it take?

Adm. Moorer: What, to train people?

Mr. Clements: Yes.

Adm. Moorer: To train people on the Mark 52 takes time. What we plan to do is do the work—put the devices in there—at Subic Bay, then fly them to Vietnam whenever they want them.

⁵ See Document 116 and footnote 7 thereto.

⁶ See Document 116.

Secretary Kissinger: You can't just dump them in the China Sea can you? Is some special skill required?

Adm. Moorer: No, you can just dump them in. They sink to the bottom.

Secretary Kissinger: What do they do, walk around on the bottom and go off when you push a button or something?

Mr. Clements: How long will it take to train?

Mr. Stearns: By the end of February they should be ready.

Secretary Kissinger: What will the bombs accomplish? Will they seal off the whole port? What do they do?

Adm. Moorer: They're like mines. I'm not familiar with the details, but you make adjustments on them for what you want.

Mr. Rush: How long do they last?

Adm. Moorer: It depends on how you set them. Two weeks—depending on the temperature of the water—to a year, if you want.

Secretary Kissinger: If we do it, how long a time would we keep them there?

Adm. Moorer: I'd just let them sit there on the bottom indefinitely, until the batteries run out. A year or so.

Secretary Kissinger: In my estimation, there is nothing horrible enough for them. They (the North Vietnamese) are the biggest s.o.b.s I've ever met, and I've met a few in my lifetime. They make the Syrians look like choir boys.

Adm. Moorer: I wouldn't risk running a ship through there.

Secretary Kissinger: Can you mine other ports other than Haiphong?

Adm. Moorer: We plan to mine everything from Haiphong south.

Secretary Kissinger: I think those mines would give the North Vietnamese massive problems.

Adm. Moorer: Right!

Mr. Colby: North Vietnam's been a little lonely lately. Nobody's paying them much attention.

Secretary Kissinger: They are getting strong discouragement from somewhere.

Mr. Colby: They must be worried about being moved off of center stage.

Secretary Kissinger: I understand the Embassy scrubbed down the list and sent in another at about \$250 million. Is this list still too big?

Adm. Peet: We've scrubbed it down to about \$22 million.

Mr. Clements: I'd say put it at the \$22 million level, less than TOWs.

Secretary Kissinger: I have no judgment on that, but if we can create a situation where the possibility of an attack is less likely, then it is worth the money we have to spend.

Adm. Peet: We can even improve on these items . . .

Gen. Scowcroft: Are you talking about the appropriations limit or the ceiling on expenditures?

Adm. Peet: Both. The whole situation is a mess . . .

Secretary Kissinger: We always nit-pick when things are quiet, but when we are confronted with a crisis, we rush in asking for hundreds of millions of dollars. I'm more interested in seeing what we can do to prevent a situation from developing than jumping in after it has already happened.

Mr. Clements: We can move forward on the TOWs (60 to 80 more) with no problem.

Secretary Kissinger: Do it, but before the offensive has already started.

Mr. Clements: We can do it right away.

Secretary Kissinger: Can you (to Adm. Moorer and Mr. Clements) prepare a paper for us on what is in the \$200 million list so that we can compare it with what is needed?

Adm. Moorer: Sure, but I have it right here.

Secretary Kissinger: (to General Scowcroft) Have we seen the list?

Gen. Scowcroft: No.

Secretary Kissinger: Why are we rapidly running out of money if there is some \$300 million left to be spent?

Mr. Stearns: We already have expenditures on the books which will eat most of that up. The expenditures are already programmed.

Adm. Peet: The South Vietnamese are spending to the tune of \$1.6 million a day. If they keep spending like that and we can't get more money, we've had it.

Secretary Kissinger: If I could just get a list of the items you think are needed . . .

Mr. Clements: Fine, we'll do that.

Secretary Kissinger: Our desire is to get in there with enough equipment to deter an attack. The anti-tank weapons (TOWs) look to me like they would be helpful.

Adm. Moorer: We have all these lists, but no money for them. If we spend all the money today, in five months there will be nothing left. What we need is some operating capital.

Col. Stukel: Is it a ceiling position, or an authorization problem?

Adm. Peet: It's both.

Mr. Clements: We can't bet on Congress coming up with it, but if they don't, our tails will be in the cracks!

Adm. Peet: Could we get a supplemental of \$150 million just for the oil that we will need in the coming months?

Mr. Clements: Certainly. I think that's possible.

Secretary Kissinger: That would certainly help ease the situation.

Mr. Clements: It would help significantly. Whatever the mechanics, we have to get with Congress and get them to give us more. I think all three of us should work on them.

Secretary Kissinger: I agree, but you and Ken (Mr. Rush) should go first. I've already got too many sessions on the Hill coming up.

Mr. Rush: We also need an economic assistance supplemental.

Secretary Kissinger: In the next week, you (Mr. Clements) and Ken (Mr. Rush) start working on Congress. Wrap Cambodia and Vietnam together.

Mr. Colby: Could I raise another topic—Thailand? I'm not going to talk about letters . . .

Secretary Kissinger: [1 line not declassified]

Mr. Colby: [less than 1 line not declassified] The Ambassador sent in an assessment recently that takes an overall look at the insurgency situation. He predicts an increase in insurgent activity of about ten to fifteen percent a year. I think that is a little high, but it does raise some questions. I think we ought to take a look at it.

Secretary Kissinger: Yes. (to General Scowcroft) Schedule a WSAG on that soon.

123. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, January 31, 1974, 1704Z.

WH40353. Subject: Economic Assistance.

We have given very careful thought to your request for a \$250 million supplemental. There is no question that such funding is needed to improve economic conditions rapidly. However, it does not appear that Congress would give such a request early favorable attention. The neg-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 416, Backchannel Messages, Martin Channel, Saigon, 1974. Secret; Sensitive; Immediate; Exclusively Eyes Only. Sent with the instruction: "Deliver opening of business."

ative House vote on IDA replenishment this week indicates that Congress' initial reaction to foreign aid in general is more negative than usual.

Pursuit of a major supplemental tends to block our options to make more limited—but critically needed—funds available during the next few months. Moreover, should consideration of a supplemental be delayed it might be lumped with our FY-75 request and we would lose next year any funds we gain this year.

We realize, however, that existing funding levels are too low to be manageable. Therefore I am instructing AID Director Parker to proceed with an additional \$60 million loan during the next couple of months. We are also planning to seek a \$54 million appropriations supplemental to bring FY-74 appropriations up to the full authorization amount. This will only have to go to two congressional committees instead of four for a higher supplemental. It will be submitted together with requests for supplemental funds from other agencies this spring.

It has not yet been decided exactly how these funds will be divided between Vietnam and Cambodia, where requirements have increased very sharply, but you should have about \$450 million from the above actions plus the already appropriated funds and the earlier \$50 million loan.

I fully recognize that these funding levels will create real problems in Vietnam. We would like to do better and I welcome any ideas you may have for additional actions. However, a major supplemental carries the risk that Congressional opposition—or even inaction—could be a major psychological defeat for our Indo-China policy. Secondly, we shall have to make every effort to get virtually our full \$600 million request for FY-75. The above course of action allows us to concentrate our efforts on the Hill this spring on the FY-75 program. We shall need assistance from your mission in making the best possible case for FY-75 funds. I shall be involved directly in defending the request on the Hill.

I am sure you will find ways to make clear to the senior Vietnamese that we are doing everything we can to support their economy. This course of action may be less visible but it is more sure in delivering funds. You will want your people to work rapidly with AID/W so that announcement of the new loan will have maximum timely impact in improving economic confidence.

Warm regards.

124. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, March 12, 1974, 3–3:50 p.m.

The Secretary decided that:

We should present to Congress a long-term, e.g. 5 year, foreign aid program for South Viet-Nam which would phase down over the period. He wished to make certain Ambassador Martin approves the idea and understands it will mention low figures toward the end of the period.

[Omitted here are decisions unrelated to Vietnam.]

PROCEEDINGS

Secretary Kissinger: What I want at this meeting is to get from everybody a brief rundown on what they are doing of significance, and then I will take special items.

Bob.

Mr. Ingersoll: Well, the one item I wanted to mention, Henry, is the approach to foreign aid for Indochina this year. I have been talking to some Senators and Congressmen, and the sentiment is pretty low on even maintaining the level that we have had in the past year. My concern is that we need considerably more if we are going to meet the requirements, particularly for South Viet-Nam. I have talked to Fulbright and a few others about the possibility of presenting a long-term, say a five-year program, with a phase-down, so they can see it is declining, as an aid in getting this year's needs through. They are not optimistic. But they say it might help if we did present something like that. And I wondered what your opinion on this kind of an approach would be.

You are, of course, aware of the need for economic aid in Viet-Nam, to keep them stable.

Secretary Kissinger: I think this is essential. A five-year declining curve?

Mr. Ingersoll: That is what I was proposing to them. And they think it might help, if we present something like that.

Secretary Kissinger: I would be tempted to do it, because we could always go in for more in the last few years.

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 2, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates.

Mr. Ingersoll: And if we can sell the Congress on going along with the needs, we should begin to attract multilateral aid as we go along and they begin to see the viability of the economy. We are studying this now. If you would agree, we would like to go ahead and work up something.

Secretary Kissinger: But make sure we find out what Graham thinks.

Mr. Ingersoll: I talked to him about it when I was over there. He liked the idea as long as we didn't pull down anything from this year. And I wasn't proposing that. We are going to have to go in with a massive figure this year.

Secretary Kissinger: I think this year and probably next year.

Mr. Ingersoll: Yes. But in order to justify it, we have got to show a decline in the subsequent years.

Secretary Kissinger: I am tempted by the idea. I think it is probably the only way we can get a large amount this year.

Mr. Ingersoll: I can see no other way.

Mr. Lord: Does the Ambassador feel that the South Vietnamese would see the logic of this?

Mr. Ingersoll: He thinks so. I sent our economic man from Tokyo down to get some figures and he worked with him on it. The only caution that Martin makes is don't pull down this year. And that is not my intention.

Secretary Kissinger: Let's make sure he understands if we do it on a five-year period, it will be low on the out years.

Mr. Ingersoll: I talked to him about it, and I sent him a wire from Jakarta, or someplace, and had Edmund down there, and he worked with Edmund while he was there. So he knows what our approach is and he approves it. We will give him what we are planning so he is in tune with it. But I just wanted to touch base with you.

Secretary Kissinger: I think it is the only way we are going to get high figures in the next two years. And if I know my Vietnamese friends, they don't believe a word we say even for next year—but certainly four years from now, that wouldn't cause them any excessive pain.

Mr. Ingersoll: No.

Secretary Kissinger: All right.

[Omitted here is discussion unrelated to Vietnam.]

125. Memorandum From Charles Cooper of the National Security Council Staff to Secretary of State Kissinger¹

Washington, March 20, 1974.

SUBJECT

Economic Assistance for Indo-China

Four Congressional actions are required to maintain the minimum level of economic support for Indo-China essential during the next 12–18 months.

—A new AID development loan of \$60 million from worldwide funds.

—An FY-74 supplemental appropriation of \$54 million.

—A continuing resolution (CRA) effective in July allowing spending at about a \$700 million rate (compared with the \$500 million in appropriations this fiscal year including the above supplemental). This will be very difficult.

—Adequate FY-75 authorizations and appropriations, at least at \$700 million and preferably our full \$793 million request.

There are two policy issues to decide, one now and one later. This memo also suggests a scenario for your involvement with the Congress.

Development Loan. In January you decided to provide adequate economic support through June by making an additional AID loan and by seeking the \$54 million supplemental.² These decisions were taken to offset the effects of the Congressional cuts in our FY-74 request from \$632 million to \$450 million. The sharp increase in world prices and the slowness with which assistance from other donors has been forthcoming also makes this funding essential now.

AID Administrator Parker has consulted widely on the Hill on these issues. Senators Humphrey and McGee, who normally support Vietnam aid, argue that diverting the \$60 million from the worldwide program to Vietnam will make it difficult to get support for FY-75 AID

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-239, NSDM 210, Policy Papers. Confidential. Sent for action. Smyser and Kennedy concurred. Kissinger asked Cooper to prepare this memorandum during a March 19 meeting of the NSC Deputies. "It is impossible to imagine," Kissinger remarked during that session, "that we invest ten years and all of the lives and resources involved to let it all go down the drain for a \$100 million." Kissinger concluded: "I will do whatever is required. Lay out a game plan for me and get it to me quickly." (Ibid., Kissinger Office Files, Box 19, McFarlane Chronological File, January–March 1974, 2) Kissinger discussed Cooper's memorandum during his March 22 staff meeting. (Ibid., RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 3, Secretary's Staff Meetings)

² See Document 123.

appropriations. Humphrey has even hinted that he might not manage the AID bill next year in the face of such a loan. On the House side Passman argues the loan should be even larger, consistent with his basic philosophy that all aid should be in loan form. Passman was extremely helpful in his hearing on the supplemental today.

Parker is most reluctant to proceed and has developed a scenario to hold off the loan and use it as a bargaining tool to get the full \$54 million supplemental and an adequate continuing resolution (CRA). AID would keep the loan funds available and tell Humphrey we will go ahead with the loan only if the supplemental is delayed beyond early May or the CRA is too low. A cable reflecting Parker's view is attached at Tab D.³

Although the AID strategy appears desirable at first blush, there are some real shortcomings:

- The loan is the *only* piece of additional money for Vietnam over which we have full control. There is no legal requirement for additional Congressional approval. Everything else has to go through Congress and is therefore at risk as to amount and timing.

- The South Vietnamese need a sign of our support soon. Although all AID funds will not be exhausted until May, the Vietnamese do not believe they can wait until the last moment to take action. The good GVN economic policies of the past several years could be overturned next month if the GVN panics on the economic front.

- Even after Parker gives the go-ahead a month or more will elapse before funds are actually available to the Vietnamese.

- Delay may increase Congressional leverage more than it increases ours. As the moment for action on the CRA and the FY-75 level gets closer, Congress has a more immediate threat to take the money out of next year's level.

- Experience indicates that Congress has a short memory. The \$50 million AID loan made last July is basically forgotten.

Bill Timmons believes you must not underestimate Humphrey's strong feeling against the loan and that we should go ahead now *only* if you can bring Humphrey around.

If you can bring Humphrey on-board you should tell Parker to make the loan soonest—preferably this month—to allow the maximum time for Congress to forget about it before FY-75 levels are considered.

You should, therefore, talk with Senator Humphrey as soon as possible emphasizing the worldwide political importance of adequate Indo-China funding and trying to get him to moderate Congressional objections to the loan.

³ Telegram 54175 to Saigon, March 18, attached but not printed.

Should you decide to go ahead with the loan, you could relieve AID and Parker of some of the heat by giving Parker a piece of paper he can use on the Hill to take AID off the hook—a draft is at Tab A.⁴

Recommendation

That you

Call Senator Humphrey (Talker at Tab B).⁵

Instruct Parker to proceed⁶

Level of FY-75 Request. Ambassador Martin has proposed a \$250 million budget amendment to increase the amount requested for Vietnam for FY-75 from \$600 million to \$850 million. Martin also argues for catering to Congressional desires for reduced Indo-China assistance by promising an end to such assistance in two years if \$1.5 billion is provided in FY-75 and 76.

The issue is whether seeking an even larger increase in Indo-China funding for FY-75—with or without the promise of a two-year phase-out—helps or hurts our ability to get at least essential funding from Congress. Some in Congress who will support a bare-bones program are strongly opposed to funding foreign programs more lavishly than domestic programs. The real issue is whether you prefer to defend a bare-bones program or to increase the request to allow more room for maneuvering.

You should discuss the issues of a higher request and of a specified phase-out period, more like five years than two, with such key Congressmen as Humphrey, Inouye and Passman before making a decision.

⁴ Attached but not printed.

⁵ Undated talker for Senator Humphrey attached but not printed. Kissinger did not check either the Approve or Disapprove option; an illegible handwritten notation appears above this recommendation.

⁶ Kissinger checked the Approve option. In the attached memorandum to Parker, April 15, Kissinger stated: "The maintenance of reasonably stable economic conditions in Indo-China is essential in this critical period during which we are trying to build a stable structure of peace in that area. This essential objective is now threatened by the deterioration of the economic situation in South Vietnam for reasons beyond the control of the Government of Vietnam. AID funds available for South Vietnam from Indo-China reconstruction funds have now been virtually depleted because of the financial consequences of the steep increase in world market prices. Because of this emergency you should negotiate a \$60 million loan on maximum concessional terms from worldwide assistance funds as soon as possible to maintain economic viability in South Vietnam. This loan in no way diminishes the need for the supplemental funding we are seeking in FY-74 or the full request for FY-75 appropriations."

There is no need to decide this issue now, although the sooner the better. Ambassador Martin may be coming in for consultations in about a month and this issue can slip until he arrives. This gives you more time to consult with Congress and use the need for an increase in the budget as a lever to get support for the current request level.

Recommendation

That no change be made in the FY-75 request level at this time.⁷

Approve

Change from \$793 million to \$943 million

\$1,043 million

Continuing Resolution Authority. The CRA may be the name of the game this year. Congress is unlikely to complete action on foreign assistance before the November elections, and we may prefer that it not do so. This could well be another year in which we operate on CRA all year as in FY-73. Getting an adequate CRA level for Indo-China economic assistance (and MAP for Cambodia) may be not only the most difficult part of the struggle this year but also the most important. You should be laying the base for this struggle with the key members of the appropriations committees. We will suggest specific tactics as the June CRA action date approaches.

Congressional Scenario. The following early actions are recommended:

1) Talk to Humphrey this week as indicated above on development loan and overall question of increased aid requirement (Talker Tab B).⁸

2) Before leaving for Moscow you might call the key appropriation leaders (Passman, Mahon, McClellan, and Inouye) to seek their support for the four Indo-China funding actions and to urge particularly that they work to avoid any caucus action which would seriously tie your hands (Talker at Tab C).⁹

3) They will want you to go public in support of Indo-China funding. We could work with Peter Frelinghuysen to arrange a public House Foreign Affairs Committee hearing on assistance to Indo-China in early May.¹⁰

⁷ Kissinger did not check any of the options; a handwritten notation above this recommendation reads: "OBE."

⁸ Kissinger did not check either the Approve or Disapprove option.

⁹ Kissinger did not check either the Approve or Disapprove option. Undated talker for key Appropriations Committee members attached but not printed. Kissinger was in Moscow March 24–28 to discuss the scheduled summit.

¹⁰ Kissinger did not check either the Approve, Disapprove, or Other option.

126. Minutes of the Secretary of State's Principals and Regionals Staff Meeting¹

Washington, April 25, 1974, 3:13–4:16 p.m.

[Omitted here are decisions unrelated to Cambodia.]

Recent Cambodian military defeats and their significance. The Secretary asked that Amb. Dean be asked for his evaluation and what he plans to do and be told of our perception that the RKG must give up its losers before they're seized.

PROCEEDINGS

[Omitted here is discussion unrelated to Cambodia.]

Mr. Ingersoll: Well, there are two items, suggested by your staff. One is the Cambodian Government defeats in recent weeks—which has sort of reversed the psychological—

Secretary Kissinger: Is it my staff that's suggested these topics? There's no prohibition against Assistant Secretaries sharing that information that they consider most important.

Mr. Ingersoll: We do that; we do that. But sometimes we don't have any real hot topic. You fellows have good ideas on it, but this one—there seems to be a psychological reversal of the—

Secretary Kissinger: Just because the Deputy Secretary is running an empire all by himself doesn't mean everyone can do it. (Laughter)

O.K., Bob.

Mr. Ingersoll: Well, the psychological effect of these recent defeats by the Communists has been a setback to the government and it may also have some impact on the Cuson Bond's² visit to Europe and Africa.

Secretary Kissinger: What's the reason for these defeats?

Mr. Ingersoll: Well, the Communists were making a major effort to take Phnom Penh. They were defeated in January and February. They regrouped later and went after some of the provincial capitals and are really beating off small outposts. And it's in this area that they seem

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 3, Secretary's Staff Meetings. Secret; Nodis. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates.

² Not further identified.

to have been successful. I would say their success has been due to the same reason that they've had success before—possibly ineffective leadership on the part of the Khmers. Here's the specialist (pointing to Mr. Enders)—

Secretary Kissinger: What's the problem?

Mr. Enders: The problem, I think, since I've been away—the problem is the failure of the Khmer Government—particularly the Khmer High Command—to make a hard decision to evacuate threatened provincial capitals. There were two involved. One is slightly to the north of Phnom Penh. There's another one now off the Mekong River to the east—a place called Prey Veng. Both of them should have been evacuated. But in order to get them evacuated, one has to kick ass very, very hard and—

Secretary Kissinger: I hope you remember you're in a very respectable place here. (Laughter.)

Mr. Ingersoll: He's back from the front. (Laughter.)

Mr. Enders: It's really as simple as that. They're all of the things Bob mentioned.

Secretary Kissinger: But then why didn't you get them to evacuate the provincial capitals when you were there? No—I mean, seriously, is that something your successor should do?

Mr. Enders: It's something he should do. There was an agreement to evacuate one of them. The other one is now threatened. That's because we didn't push them hard enough. They've got to be pushed. Lon Nol agreed to that in late March.

I can't sit here, Mr. Secretary, trying to kibbitz my own successor, but that's my own feeling.

Secretary Kissinger: But, frankly, I'm not interested in maintaining lines of authority; I'm interested in maintaining Cambodia. Bob, you kibbitz the successor; they don't give any awards for losing the chain of command.

Mr. Rush: There's something very heavy in individual losses in these special towns?

Mr. Enders: Yes; it's dangerous—very dangerous. And they didn't have to lose the one that they lost because it was understood—

Secretary Kissinger: Why don't we ask him, first of all, to give us his evaluation—and what he intends to do about it? Secondly, tell him what our perception of it is.

Mr. Ingersoll: His concern has been that the leadership—and just as Tom points out—you ask them to do a certain thing; they don't follow through. They go to the opposite—they reinforce instead of evacuate.

Mr. Enders: But I think you should specifically mention in this cable that they should redefine the provincial capital, as Lon Nol agreed, from Prey Veng, reinforce the Mekong—and maybe it's too late to do that, but it was agreed. The other enclave—it was agreed; they had two enclaves to the north. One of them just fell. It was agreed the two of them could be put together. One of them was put together.

Mr. Ingersoll: They don't seem to make progress. They haven't been able to open any of the roads. They haven't been able to relieve some of the garrisons, even though they put superior forces in the field. It sounds like leadership.

[Omitted here is discussion unrelated to Cambodia.]

**127. Memorandum From Richard Kennedy and William Smyser
of the National Security Council Staff to Secretary of State
Kissinger¹**

Washington, May 16, 1974.

SUBJECT

23 April 1974 report on first-year Up-Country and Special Activities programs of the CIA in Cambodia

In the Cambodian WSAG on March 13, 1973,² you directed CIA to improve the intelligence available to us and to our Cambodian friends within Cambodia. Concurrently the Agency stepped up its efforts politically to weaken the Cambodian Communists domestically and abroad. Mr. Colby has now forwarded an optimistic assessment of the program (Tab B).³

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 210, Agency Files, CIA, 1974. Secret; Sensitive. Sent for action. Ober concurred.

² See footnote 2, Document 29.

³ Colby's memorandum to Kissinger, "First Year Progress Report on the CIA's Up-country/Special Activities Program in Cambodia (7 April 1973–7 April 1974)," April 23, attached but not printed.

1. *The Up-Country Program.*

[1 paragraph (9½ lines) not declassified]

2. *Special Activities.*

[2½ lines not declassified] Sihanouk may yet be pushed into some precipitous action by reports the Agency is aiming at him, describing him as a hapless tool of forces bent on destroying Cambodia as he knows it. The Agency is also coordinating with State to try to resist the challenge to GKR credentials at the upcoming 29th Session of the UNGA. The Agency believes its efforts (with those of State) helped to preserve the GKR seat at the 28th Session of UNGA although they could not prevent GRUNK from winning the Cambodian seat at the Non-Aligned Conference in Algiers.

Comment: The CIA operation in Cambodia has been to date imaginative, vigorous and highly professional and has considerable potential; however, the CIA report could lead one somewhat to exaggerate the overall impact of this operation. Mr. Colby, in his covering memorandum, to some extent balances the report's enthusiastic claims by saying only that "meaningful progress has been made" and "a great deal remains to be done." We agree, and concur in Mr. Colby's instructions to his officers to pursue their objectives with all possible vigor.

Recommendation

That you sign the brief acknowledgment and expression of appreciation to Mr. Colby at Tab A.⁴

⁴ Memorandum to Colby, June 8, signed by Kissinger, attached but not printed. A handwritten notation at the bottom of the page reads: "Dispatched, Recpt#3920, 6/8/74."

128. National Intelligence Estimate¹

NIE 53/14.3–1–74

Washington, May 23, 1974.

**THE LIKELIHOOD OF A MAJOR NORTH VIETNAMESE
OFFENSIVE AGAINST SOUTH VIETNAM BEFORE JUNE 30, 1975****Précis**

A major Communist offensive in South Vietnam is unlikely during 1974. The picture for the first half of 1975, however, is less clear, and there obviously is a substantial risk that Hanoi will opt for a major offensive during this period. But our best judgment now is that Hanoi will not do so.²

If unforeseen and dramatic new developments occurred, the Communists could easily shift course to take advantage of them.

—They have the capability to launch an offensive with little warning.

—We expect the North Vietnamese to reassess their situation this summer or fall.

—Changes both in South Vietnam and in the international situation, particularly in the US, will weigh heavily in their calculations.

—The North Vietnamese would also consider the views of the Soviet Union and China, but the influence of Moscow and Peking on any reassessment in Hanoi would not be decisive.

Should a major offensive occur, the Communists could retake Quang Tri City, and perhaps capture Hue in MR 1, Kontum and Pleiku cities in MR 2 and Tay Ninh City in MR 3. If the Communists persisted in their offensive, this initial situation would probably be followed by a period of inconclusive fighting and, over time, further GVN losses. ARVN might be unable to regain the initiative, and it

¹ Source: Central Intelligence Agency, NIC Files, Job 79–R01012A, Box 469, National Intelligence Estimates, Folder 3, NIE 53/14.3–1–74. Secret; No Foreign Dissem; Controlled Dissem. The Central Intelligence Agency and the intelligence organizations of the Departments of State, Defense, and Treasury and the National Security Agency participated in the preparation of this estimate. The Director of Central Intelligence submitted the estimate with the concurrence of all members of the USIB except the FBI representative, who abstained on the ground that it was outside FBI jurisdiction. For the full text of the estimate, see National Intelligence Council, *Estimative Products on Vietnam, 1948–1975* (Washington, D.C.: U.S. Government Printing Office, 2005), pp. 619–630.

² The Director, Defense Intelligence Agency, believes that the “best judgment” expressed in this paragraph is unduly optimistic. He believes that the chances are at least even that North Vietnam will undertake a major offensive during the first half of 1975. For his reasoning see the footnote to paragraph 15 on page 8. The Assistant Chief of Staff, Intelligence, USAF, and the Assistant General Manager for National Security, Atomic Energy Commission, share this view. [Footnote in the original.]

would be questionable whether the GVN would be able to survive without combat participation by US Air Force and Navy units. At a minimum, large-scale US logistic support would be required to stop the Communist drive.

Even if there is not a major offensive during the next year, current Communist strategy does call for some increase in the tempo of the conflict.

Furthermore, it is clear that at some point Hanoi will shift back to major warfare.

[Omitted here is the discussion section.]

129. Memorandum From the Director of Central Intelligence (Colby) to Secretary of State Kissinger¹

Washington, June 19, 1974.

SUBJECT

North Vietnamese and PRG Belief that Substantive Negotiations with the United States Must be Postponed Until After Resolution of American Internal Political Problems

1. The attached report² was obtained from a source who is an official of the Provisional Revolutionary Government stationed abroad. Although this source has reported what is believed to be accurate information in the past, his reporting reliability has not been definitely established.

2. According to the report, the DRV believes that President Nixon will not be in office much longer and that any agreement reached with you, even though entered into in good faith, would be “sabotaged” by other elements of the U.S. Government. The DRV therefore has decided that no meaningful negotiations can be held until the American “domestic political problems are resolved,” a position shared, according to the report, by the PRG. The report also indicates that the DRV and PRG are “keenly interested” in securing American economic aid, and that

¹ Source: Central Intelligence Agency, Executive Registry Subject Files, Job 80-M01048A, Box 18, Vietnam. Secret; Sensitive; Eyes Only.

² The CIA report, June 18, attached but not printed.

the DRV is prepared to go “to great lengths” to rationalize the acceptance of U.S. aid, but that talks regarding such aid must be postponed.

3. We are making no dissemination of this information other than in this memorandum to you.

William E. Nelson³

³ Printed from a copy that indicates Nelson signed the original above Colby’s typed signature.

130. Memorandum From the Director of the Defense Intelligence Agency (de Poix) to Secretary of Defense Schlesinger¹

TS–Sen–0121/DI–6

Washington, June 3, 1974.

SUBJECT

North Vietnamese Troop Presence in Laos

1. (S–Sen) The 1973 ceasefire agreements in Laos specified that foreign powers would remove their troops from Laos within 60 days after formation of a coalition government. As you know, that government was formed on 5 April.² Since then, Hanoi has withdrawn only one regiment. The allotted 60-day period is about to expire and North Vietnam still has 40,000–50,000 troops in Laos.

2. (S–Sen) Hanoi has shown no intention of complying with the troop withdrawal provision. They have disguised certain of their troop units as Communist Pathet Lao; others have been rotated from front line positions to rear areas to reduce their visibility. Hanoi continues to make full use of Laos as a logistic corridor to South Vietnam and has embarked on agricultural, reconstruction, and resettlement programs, all of which reflect an intention to remain in Laos.

¹ Source: Washington National Records Center, OSD Files: FRC 330–78–0010, Laos 320.2, 1974. Top Secret; Sensitive. A notation at the bottom of the first page reads: “Sec Def has seen, 6 Jun 74.”

² The Provisional Government of National Union was promulgated by royal decree on April 5. Souvanna Phouma was selected as the Prime Minister and President of the Council of Ministers, and Prince Souphanouvong headed the National Political Consultative Council.

3. (TS–Sen) I believe we should undertake some action that would convey to Hanoi US knowledge of their failure to comply with the ceasefire agreements and indicate our unwillingness to proceed with a unilateral withdrawal. Possible actions might include:

a. Delay reducing the manning level of the US Defense Attaché Office in Vientiane to the agreed upon 30-man military ceiling.

b. Delay further reductions, or even institute temporary increases, in US airborne reconnaissance activity over Laos.

4. (S–Sen) North Vietnam appears determined to maintain a military presence in Laos for some time to come. I doubt that the above actions could, by themselves, force Hanoi's full compliance with the Laos ceasefire agreements. They would however, without risk to US long term plans for force reductions in Southeast Asia, signal our insistence that the ceasefire agreements be executed in good faith. Moreover, these actions would strengthen our intelligence effort at a time when—as a result of the continued presence of North Vietnamese troops coupled with continued decrements to friendly forces—the military balance of power is swinging progressively more toward the communists in Laos. Under such circumstances, a strong, alert intelligence effort is particularly important.

V P de Poix
Admiral, USN

131. Memorandum for the Record¹

Washington, July 17, 1974, 10:50–11:20 a.m..

SUBJECT

WSAG Meeting on Indochina

PARTICIPANTS

Dr. Kissinger/NSC

Mr. Ingersoll/State

Mr. Clements/OSD

Mr. Colby/CIA

Mr. Stearns/State

Mr. Ellsworth/OSD

Ambassador Martin/State

Mr. Stoddert/State

Mr. Vest/State

Mr. Lord/State

General Brown/CJCS

LG Pauly/JCS

Mr. Shackley/CIA

Mr. Kennedy/NSC

Mr. Smyser/NSC

Mr. Stearman/NSC

RAdm Bigley/OSD

Mr. Colby gave a briefing on the Indochina situation including an assessment on Lao Prime Minister Souvanna Phouma's medical condition. Following this, Dr. Kissinger stated that the purpose of getting everyone together on Indochina was to again state that the basic U.S. policy is to preserve South Vietnam and to implore all agencies to fully support this policy, not just token support—we must do everything we can to assist.² Dr. Kissinger said that the survival of Vietnam is vital to the other things we are doing in the foreign policy field throughout the world. He went on to say that we cannot have lost 50,000 men in a country and write it off. Secretary Ingersoll interjected that our problem is on the Hill (Capitol) with funding support. Dr. Kissinger said we all must do what we can in that regard and he will do whatever he can to gain support from the Hill.

Dr. Kissinger asked Mr. Colby how many North Vietnamese had been killed this past year in South Vietnam and what his assessment was of the ability of the North Vietnamese to “knock over” South Viet-

¹ Source: Washington National Records Center, OSD Files: FRC 330–78–0010, Viet 092, 1974. Top Secret; Sensitive; Nodis. The meeting was held in the White House Situation Room. Prepared by T. J. Bigley on July 19. No minutes of this meeting were found.

² In a memorandum to Kissinger, July 18, Smyser wrote: “At some point the North Vietnamese must try to reverse the flow of events in South Vietnam. Nobody can predict when or how they will try, partly because it depends on developments in other areas of Indochina and in several major capitals. I suspect it must be within the next one to three years, and we are kidding ourselves if we think that any ‘decent’ interval will be persuasive to our electorate or others. If Hanoi so chooses, it will probably have to be a fight. In the meantime, we have little choice but to arm our friends for what is coming and hope perhaps to stop it.” (National Archives, Nixon Presidential Materials, NSC Files, Box 1338, Unfiled Material, NSC Unfiled Material, 1974, 3)

nam. Mr. Colby said the North Vietnamese had lost approximately 40,000 killed in South Vietnam this past year and using a figure of 3 to 1 for wounded vs killed, he estimated a little over 100,000 total casualties had been incurred by the North Vietnamese. Dr. Kissinger interjected that 40,000 killed in a country of 20 million population was equivalent to 400,000 casualties for the U.S. He mused that he did not understand how they could sustain these high casualties. Mr. Colby agreed and said that they had lost one million men in the past nine to ten years and that they needed some young fellow in Hanoi about 45 years of age, to convince them that they are on a “no win” policy. In Mr. Colby’s view, North Vietnam is not capable of “knocking over” South Vietnam. He said there may be increased levels of fighting but in view of the strength, both political and military, of South Vietnam, and the limits on outside support to North Vietnam, he felt there was no way that the North could be successful as long as the United States maintained its current level of support. Dr. Kissinger made the statement that the only thing that could cause the demise of the South was the lack of American support.

The discussion then went to various “signals” which could be given to Hanoi should they launch any kind of an offensive in South Vietnam. The possibility of deploying a carrier back in the Tonkin Gulf was suggested by Dr. Kissinger and concurred in by General Brown. Dr. Kissinger told Ambassador Martin that he would await Martin’s signal to determine when would be a proper time to make such a deployment. Dr. Kissinger then made the statement that he was speaking for the President as well as himself when he said that our policy regarding South Vietnam was serious.

Mr. Clements brought up the subject of the F5E program for South Vietnam and the reasons for having to deobligate the monies in FY74 which were earmarked for F5E procurement. (This issue has been a source of contention between Ambassador Martin and DOD in recent days and Mr. Clements obviously brought it up to clarify DOD’s position with Ambassador Martin.) Dr. Kissinger interjected in a humorous vein that we have a tough ambassador here so don’t treat him like an ordinary ambassador. Ambassador Martin said his concern was not the F5E’s per se, but was rather the psychological impact that this issue would have on the South Vietnamese. Ambassador Martin went on to say that we need to establish confidence in U.S. support in the eyes of the South Vietnamese.³

³ Martin was in the United States for consultations.

The discussion then turned to Thailand. Mr. Colby brought up the subject of NSSM 249,⁴ which is currently under review concerning force levels in Thailand. Mr. Colby stated that he did not concur with the proposed option to draw down the U.S. forces in Thailand to 7,000, or to 3,000 which was another option. General Brown indicated that this was all under review and that he was not up-to-speed on the exact numbers or the force levels which are under consideration. Dr. Kissinger indicated some concern in this matter and stated he was not in favor of a rapid draw-down in Thailand because of the "signal" it might give Hanoi, and that he was opposed to going below a 27,000 level in Thailand. (A Presidential decision has already been made to draw-down to 24,500 by the end of FY75.)

Mr. Colby then brought up the subject of the contingency study "North Vietnamese Strategy in Indochina—Proposed Counter Strategy" which had been authored primarily by CIA. The paper concludes that North Vietnam continues to pursue a strategy designed to secure eventual hegemony over all of Indochina, but with changed tactics since the direct U.S. military role has been reduced. The study recommends certain actions which encompass a campaign of propaganda and covert actions against the continued presence of NVA forces in Laos, and proposed to accomplish by covert and overt means splits between the Pathet Lao and the North Vietnamese. There was a very brief discussion on the paper and Dr. Kissinger asked if there were any objections to it and in the absence of such objections he approved the concept.

Dr. Kissinger chided Mr. Colby over his dire predictions of a year ago on the ability of Cambodia to survive this past year. Colby replied that he was mistaken and that Dr. Kissinger had a good memory. Dr. Kissinger kidded that you can never get into trouble making mistakes like that. (Dr. Kissinger is obviously pleased with the recent military successes of the Khmer government.)

The discussion then turned to the P3 reconnaissance flights from U-Tapao and the recent Thai request to Ambassador Kintner to terminate such flights.⁵ A brief discussion followed as to how this situation came about and what we could do to get the flights reinstituted. Ambassador Martin stated that he was sure that we could get these reconnaissance flights reinstituted, but that we may have to stand-down for a short period of time (3–4 weeks). Dr. Kissinger was clearly in favor of having these flights reinstituted but agreed to wait for further word from Ambassador Kintner as to what actions the latter was taking to get the Thai decision reversed.

⁴ Colby was referring to NSDM 249, "U.S. Deployments in Thailand," March 23; National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-245, NSDM Files, NSDM 249.

⁵ The Thai request was transmitted in telegram 11379 from Bangkok, July 12; *ibid.*, RG 59, Central Foreign Policy Files.

132. Memorandum From Jeanne Davis of the National Security Council Staff to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Washington, August 1, 1974.

SUBJECT

Talker for Briefing the Vice President, Friday, August 2, 9:45 a.m.

The staff suggests the following items for your briefing of the Vice President tomorrow morning:

[Omitted here is information unrelated to Indochina.]

Vietnam

Communist military strategy over the past three months has been to conduct intense but limited attacks within a relatively small geographic area, with the apparent intention of keeping ARVN off-balance and expanding areas of control. ARVN reaction to Communist attacks has generally been good, but limitations on artillery expenditures due to budgetary constraints and greatly enhanced NVA anti-aircraft capability have reduced ARVN effectiveness somewhat.

An all-out offensive is not anticipated during the remainder of 1974; however, we estimate the Communists now have sufficient supplies in the South to conduct 1972-level hostilities for over 18 months. Since the cease-fire, the North Vietnamese have infiltrated over 160,000 men, 400 tanks and 130 long-range artillery pieces, 16 SAM-2 launchers (with 6 missiles each), plus large quantities of supplies and ammunition into the South.

The cease-fire machinery remains generally frustrated and ineffective. The Communists are boycotting the Four Party Joint Military Team and the Two Party Joint Military Commission in Saigon and as a result, there is no on-going discussion of the resolution of the MIA problem. The International Commission of Control and Supervision is largely ineffective due mainly to the intransigence of the Polish and Hungarian members. The ICCS also has budgetary problems as the Communist side refused to contribute its share. We are now largely financing the ICCS.

President Thieu's political position remains strong and is likely to remain so for the time being. The economy remains a potential source of serious trouble. Should Congress approve only the current level of

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 1338, Unfiled Material, NSC Unfiled Material, 1974 (5). Top Secret; Sensitive.

economic aid (i.e. between \$300 and \$400 million) the present difficulties will deepen. (We are requesting \$750 million for FY 75.)

Cambodia

The FANK has won several significant victories recently and currently has the initiative in the fighting. Intelligence sources indicate that the Communists are suffering from morale problems and supply shortages which may allow further FANK successes.

On July 9, Khmer Republic President Lon Nol publicly made an unconditional offer to begin negotiations with the other side at any time and any place. One day later, Prince Sihanouk, speaking from Peking, rejected this offer and stated that he would never talk with any of "Lon Nol's clique." Intelligence sources, however, indicate that the Prince is interested in talks with the United States to achieve some type of settlement, although there is a serious question about how much authority the Prince has. Khmer Communist Party leader Khieu Samphan increasingly appears to be the real overt leader of the insurgents.

A credentials fight for the Cambodian seat in the UN General Assembly is expected this fall and present estimates indicate the GRUNK have enough votes to unseat Lon Nol's representative. We will urge all member countries to bypass the credentials issue to enable the Khmer parties to negotiate a solution and to avoid the dangerous precedent of unseating a recognized government in favor of an insurgency.

Laos

Prime Minister Souvanna Phouma's heart attack on July 12 brought a respite to political maneuvering between the Pathet Lao and the non-Communists in the coalition government in Laos. Prior to that, the Communists had largely dominated the government and had initiated several proposals which were obviously to their advantage. The non-Communists have now organized themselves and appear better able to stand up to any new Communist parliamentary advances.

Militarily, the cease-fire is working well and no significant military engagements have been reported. However, the North Vietnamese, in blatant violation of the Lao accords, still have approximately 47,000 troops in Laos, some of which are used to protect that part of their trail system through Laos.

The Pathet Lao still refuse to release civilian pilot Emmet Kay, the only known American still in captivity in Indochina. He will probably be used as a bargaining chip to obtain U.S. concessions such as an end to U.S. aerial reconnaissance over Lao territory.

[Omitted here is information unrelated to Indochina.]

133. Memorandum From William Stearman of the National Security Council Staff to Secretary of State Kissinger¹

Washington, August 7, 1974.

SUBJECT

Serious Communist Attacks may be Imminent

A series of intelligence reports just received indicate serious Communist attacks in MRs 1, 2 and 3 possibly within a week; however, a general offensive is not expected.

—On August 6, an element of the 325th Division in Quang Tri Province (MR1) was informed that “open fire time would be K-hour, D-day plus 2.”

—A local force unit in Quang Nam Province was instructed to prepare for a “general offensive.”

—Headquarters of the B-3 Front (Western Highlands in MR2) has just moved from southern Laos to South Vietnam.

—In MR-3, there has been a marked increase in tactical communications among the 5th, 7th and 9th Divisions and an advanced COSVN military headquarters which was established in April.

—The 308th Division in the Hanoi area (one of the six NVA reserve divisions in North Vietnam), since July 15, has had an inordinately high level of communication activity. This may well indicate that the division is on an alert status and may be preparing to move.

—General Van Tien Dung, who has probably replaced Vo Nguyen Giap as NVA Commander, has not been seen publicly since July 15 and missed an Army function in early August which he would have probably attended had he not been preoccupied with more urgent business.

¹ Source: Ford Library, National Security Adviser, Outside the System Files, Box 1, Chronological. Secret; Sensitive. Urgent; Sent for information.

134. Memorandum of Conversation¹

Washington, August 9, 1974, 7:10 p.m.

SUBJECT

The Secretary's Meeting with Vietnamese Ambassador Phuong

PARTICIPANTS

The Secretary

Vietnamese Ambassador Tran Kim Phuong

Mr. Nguyen Dinh Nam, First Secretary, Embassy of Viet-Nam

Mr. Arthur W. Hummel, Jr., Acting Assistant Secretary, EA

Mr. William Stearman, NSC Staff

Mr. O. Ammon Bartley, Jr., EA/VN

Secretary: We're meeting here today so that you can see the President and have pictures taken. Later I will take you in to the President. We want you to know immediately that we are very interested in the survival of Viet-Nam and that our policy continues.² By having you here shortly after President Ford assumed office, and by having pictures taken of your meeting, I wanted our common enemy to know of our continued strong support.

Ambassador Phuong: We have been very concerned.

Secretary (jokingly): Is it true that Mr. Nha has sent a letter of protest about my reappointment as Secretary?

Ambassador Phuong: Oh, I think Nha is all right now.

Secretary: Would you have liked to have had the war going on during Watergate?

Ambassador Phuong: I still remember our meeting here in April, 1973, just before Watergate.³

Secretary: At that time we had every intention of bombing in the North.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 105, Country Files, Far East, Vietnam, GVN Memcons, June 1973–August 1974. Secret; Nodis. The meeting was held in the Secretary's White House office.

² A personal message from Ford to Thieu, transmitted to Saigon in telegram 174064, August 9, began: "As I assume the office of President of the United States, one of my first thoughts concerns the savage attacks your armed forces are now successfully resisting with such courage and bravery. I do not think I really need to inform you that American foreign policy has always been marked by its essential continuity and its essential bipartisan nature. This is even more true today and the existing commitments this nation has made in the past are still valid and will be fully honored in my administration." (Ford Library, National Security Adviser, Kissinger–Scowcroft West Wing Office Files, Box 34, Vietnamese War, Camp David File)

³ See Documents 38 and 39.

Ambassador Phuong: Saigon is now very worried about what has happened here.

Secretary: What about?

Ambassador Phuong: The diminution of aid.

Secretary: We will make a major effort and a massive fight for restoration.

Ambassador Phuong: We really hope so. Last Monday's news sapped the morale of our troops.

Secretary: I know. We will make a massive effort in the Senate.

Ambassador Phuong: I hope so.

Secretary (looking at Mr. Stearman): Was it the whole House?

Stearman: Yes. The Senate Sub-Committee will start its mark-up on Monday or Tuesday.⁴

Secretary: I asked my geniuses yesterday to draft a letter to Senator McClellan. (Looking at Mr. Hummel) Was it done?

Hummel: Yes sir, it went up last night.

Secretary: I hope so. They wanted me to phone, but a letter does more good. Perhaps I will also phone.

Stearman: If the Hill is marked up at a low figure in the Sub-Committee, it won't go above that figure on the floor.

Ambassador Phuong: We must have a good mark-up. It would be very hard to go above the mark-up on the floor. The members have not been very friendly to us.

Secretary: Perhaps I can get the President to call McClellan.

Ambassador Phuong: We have had a big fight near Danang and possibly will have more fighting at Ben Cat. The 5th Division might also now be in Tay Ninh.

Secretary: Isn't this the rainy season?

Ambassador Phuong: Only in the Delta.

Ambassador Phuong: I'm afraid that Hanoi will misread the situation. We have been very worried about their intentions during the last year. Our Aid declines and they get stronger.

Secretary: I agree.

Ambassador Phuong: We would like to ask, now when you are talking to the Chinese and the Soviets.

Secretary: We warned the Soviets yesterday.

Ambassador Phuong: You did?

Secretary: Yes, we spoke to the Soviets yesterday (looking at Mr. Hummel). I don't want that shot around the world, Art.

⁴ August 12 or 13; see Document 136.

Hummel: No, sir.

Ambassador Phuong: We think you can pressure them to be restrained.

Secretary: I think they will be restrained for the next few months.

Ambassador Phuong: They'll be restrained?

Secretary: They'll be restrained, in my view, over the next year. They always worry about a new President fearing he may do something crazy.

White House Aide (entering the Secretary's office): Sir, the President is ready.

Secretary: I think we'll go in to see the President and get your picture taken.

The Secretary and Ambassador Phuong left the room at 7:25 p.m.

135. Memorandum of Conversation¹

Washington, August 9, 1974, 7:15 p.m.

PARTICIPANTS

His Excellency Tran Kim Phuong, Ambassador of the Republic of Vietnam

President Gerald R. Ford

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for National Security Affairs

Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

Ambassador Phuong: Let me give you my congratulations on behalf of my country.

President Ford: Thank you. And please give President Thieu my best wishes.

Secretary Kissinger: I told Ambassador Phuong that the fact he is one of the few you are seeing individually is a symbol of our concern for you.

Ambassador Phuong: I am very grateful to see that South Vietnam still has such a relationship with the United States.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 4, Memcons. Secret; Nodis. The meeting was held in the Oval Office. Brackets are in the original.

[The press was admitted for photos.]

Secretary Kissinger: The Ambassador and I went through many negotiations together.

President Ford: Were you in all of them?

Ambassador Phuong: In all but the last one. In Paris.

Secretary Kissinger: I had to negotiate with the North Vietnamese in the day and with the South Vietnamese at night. The press reports said I was out with the girls at night, but it wasn't true.

President Ford: Not with the girls? At least not since you've been married. How long did that last?

Secretary Kissinger: About four months, in phases.

President Ford: I went to the signing. Secretary Rogers took us along. I have a pen the Secretary gave me which was used in the signing. I have it framed.

[The press was dismissed.]

I assure you we will continue our policies and will try to continue them effectively. I know you have problems. Heavy military activity has been going on, especially the last three days. I was very disappointed in the \$1 billion cut to \$700 million. We asked for \$1.4. At last we beat Riegle who wanted it cut to \$375 million. But \$700 million is not enough.

Ambassador Phuong: It is not. With prices going up.

President Ford: Next week I hope to make personal contacts in the Senate to convince them the House figure is too low.

Secretary Kissinger: If you could turn McClellan around, that would make a big difference.

Ambassador Phuong: Our concern is that Hanoi could read this as a signal of your disinterest and increase its activity. Now you are meeting with the Soviet Union, maybe there is some way to get them to cut their supplies to North Vietnam. If they continue and we can't get supplies from the United States, it would be very serious.

President Ford: Can we get help from Humphrey?

Secretary Kissinger: He supports economic more than military aid.

Ambassador Phuong: He came back from his trip there very impressed. There was a very serious mark-up in the House—it was only \$450 million for Vietnam.

Secretary Kissinger: It is disgraceful., Mr. President, for a lousy \$200 million to let Vietnam go down the drain, after 50,000 Americans died there.

President Ford: We will do our best. Give President Thieu my best and my admiration to Thieu. We are proud of our relationship, and I assure you and the President that we will do our best to continue it.

136. Memorandum From the President's Deputy Assistant for Legislative Affairs (Korologos) to the President's Deputy Assistant for National Security Affairs (Scowcroft) and the White House Counselor (Marsh)¹

Washington, August 12, 1974.

SUBJECT

DOD Appropriations

The Defense Department Appropriations Bill is in trouble in the Senate. (Subcommittee markup begins Tuesday)²

The budget request was for \$87 (b) billion.

The House cut \$3.7 (b) billion out of it.

The Senate Appropriations Committee wants to come out with about a \$5.2 (b) billion total cut.

The doves want to put a spending ceiling on it of \$81 (b) billion when it gets to the Floor.

McClellan and the Committee also want to cut 25,000 overseas troops. Cranston has a 75,000 and 50,000 cut ready on the Floor.

Atop all this there is virtually no chance to restore the \$300 (m) million MASF money for South Vietnam—indeed there will be an attempt to cut that total down to \$500 (m) million when it gets to the Senate Floor. We will be lucky to hold to the House figure of \$700 (m) million.³

The point of all this doggerel is that the President tonight might should make a fervent plea not to handcuff him with massive Defense and troop cuts—in his first week in Office.⁴ My concern is that if we go for a cut of some kind the Senate not only will take the President's recommendation, but raise it a few billion, really hurting us.

Schlesinger and I both have talked with McClellan and Committee members and it looks gloomy.

I pass all this on for your information.

¹ Source: Ford Library, NSC Files, Box 6, Agency Files, Department of Defense, August 1974. Confidential. Sent through Timmons. A copy was sent to McFarlane.

² August 13.

³ It was reported on August 14 that the Senate Appropriations Subcommittee on Defense, headed by Senator McClellan, reduced appropriations for the Department of Defense by \$5.1 billion to \$81.9 billion. Economic aid to South Vietnam was capped at \$1.28 billion; the total figure for Cambodia was set at \$347 million. (*The New York Times*, August 14, 1974)

⁴ President Ford addressed a joint session of Congress the evening of August 12; for text of his speech, see *Public Papers of the Presidents of the United States: Gerald R. Ford*, 1974, pp. 6–13.

137. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, August 14, 1974, 0547Z.

10794. Department pass to other posts as desired. Subject: Lon Nol's Leadership and U.S. Policy.

1. *Summary.* Lon Nol has not developed into a strong leader over the past four years of war. His 1971 stroke sapped his energy and he failed to pick strong advisors, relying on relatives or cronies instead. Not particularly intelligent or well-organized, the Marshal has seen military reversals, economic disaster and political chicanery and violence undermine his popularity. Though no longer loved, he still has some measure of respect and can instill fear. His authority over the army, so far unchallenged, may not survive a serious future crisis. A skillful politician able to use the prestige of his office, President Lon Nol so far has been able to maintain the stability which underlies the Republic's successful response to the 1973–74 KC dry season offensive. The Marshal has been responsive to our suggestions for changes in economic, military or diplomatic strategy but has kept his freedom of action and has occasionally short-circuited implementation of those suggestions he has found unpalatable. Totally unacceptable to the other Khmer side, Lon Nol does not have the force to compel them to accept him as the Republic's interlocutor. American policy never wedded itself directly to Lon Nol, and we should therefore be prepared to accept the principle of his departure from power as part of an overall settlement of the Cambodian conflict. His departure should, however, be used to obtain a quid pro quo from the other side. *End summary.*

Leader of a Modern State

2. No one would pick Lon Nol to lead a modern state. His rise was an accident of Khmer history due, more than anything else, to Norodom Sihanouk's desire to keep a modest, manageable figure as leader of the Khmer right. Where others, notably Nguyen Van Thieu, have grown to match the job of Chief of State, Lon Nol has not. He was admittedly severely hampered by his 1971 stroke, which lessened his energy and made impossible the kind of fast-moving countryside visits that Thieu has used to build his popular base. Lon Nol has, moreover, become more dependent on a coterie of "yes-man" advisors and ill-equipped cronies devoted more to their personal aggrandizement than to the national interest. This group is unwilling to explain to him

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (1). Secret; Nodis.

the realities of Cambodia's situation, leaving the Marshal dependent on foreigners, usually this Embassy, for candid assessments. Lon Nol lavishly rewards loyal subordinates and permits them to carry on well past the point where their incompetence becomes manifest.

3. Lon Nol is not intelligent and his prose and conversation betray a disorderly mind. He does not think logically and must be led by the hand through a chain of reasoning. The Marshal tends to involve himself in details of matters he does not have the time to study and fully understand; consequently, he issues orders on tactical aspects of both the military and civil affairs that often do not square with the realities, thereby causing problems rather than solving them.

4. Unfortunately for Cambodia, Lon Nol, like Sihanouk, is deeply suspicious of would-be rivals. He used a succession of Prime Ministers, including the prestigious Khmer Krom leader Son Ngoc Thanh, as scapegoats to expiate continuing economic, military and diplomatic decline from 1970 to 1974. The Marshal eased out first the popular but ineffective In Tam in late 1971 (and again in 1973) and then Cheng Heng and the administratively talented Sirik Matak in early 1972, but found he could not make the ousters stick in the face of an accelerating decline in popular confidence (see below) and worsening governmental and military efficiency.

5. With the departure of Lon Non, the Marshal's activist, intriguing younger brother in 1973, Sirik Matak, In Tam and Cheng Heng returned to collaboration. The latter two fell again, leaving Sirik Matak now apparently satisfied with his role as high assistant to the President and the Marshal evidently convinced that Sirik Matak is no threat. If Lon Nol's past history is any guide, he would see the capable Prime Minister, Long Boret, as posing the most likely immediate challenge to his supremacy. Long Boret, however, is without a military base, is faced with overwhelming problems, and so clearly enjoys American support, that Lon Nol is still willing to work with and support him.

6. These weaknesses are not balanced by the Marshal's strengths. He is a hard worker and a patriot. Capable of vindictiveness, he is also compassionate. As a politician, Lon Nol surpasses all other GKR political figures. He knows how to size up his political opponents and allies and can pick the right combination of carrot and stick to move them. To control the military, Lon Nol uses the prestige of his office and his title of Supreme Commander. He still retains considerable authority over the military, and even the most outspoken Young Turk does not dare to face the Marshal down.

7. The Marshal uses this ability to handle politicians and the military to ensure reasonable stability under which technicians in the Cabinet and armed forces have the opportunity to bring order out of the administrative chaos in both civil and military affairs. The successful dry season defense and Prime Minister Long Boret's

successful balancing act in the economic and social fields are evidence of the Marshal's effectiveness.

Leader of His People

8. Lon Nol crosses into both the civilian and military segment of the elite. He was a judge and province governor before becoming a Lt. Colonel and military commander in 1952 and then rising to Lt. General and Commander-in-Chief of Royal Forces. Among the military Lon Nol draws support because he backs up his subordinates, rewards loyalty, and subtly mingles decisiveness with an ability to cushion individuals from the consequences of his decisions (Sirik Matak, by contrast, is more decisive, but cares less about saving others' "face"). The Marshal was, before his stroke, a physically powerful man; he enjoyed considerable prestige for successful operations against the Viet Minh while he was in Battambang. Many civilians respected Lon Nol for his judiciousness and his compassion.

9. Although he lacks the oratorical skills and charisma of a Sihanouk, Lon Nol was genuinely popular. Among the people he was known by the affectionate title "Ta Khmau" (the Dark Grandfather) because his bronze complexion is much closer to the color of the Khmer peasant than to that of the other, paler members of the Sino-Khmer elite. His widely-known devotion to astrologers and geomancers strikes a responsive chord in a country where passages de vie are celebrated on magically-determined dates and the average soldier fights with a buddha-image between his teeth believing firmly in its protection. Lon Nol also received a measure of the reverence accorded to Khmer rulers from the days of the god-kings.

10. Continued popularity, however, demanded a performance the Marshal could not sustain. By late 1971, a host of political and economic problems highlighted by the Chenla II military debacle began to emerge. Lon Nol escaped from blame as popular criticism settled on his entourage, especially his younger brother, Lon Non. The stroke had affected his popular image and he came to be viewed as a pitiable figure whose heart was still in the right place. In early 1972, however, more daring student elements began to question his leadership. Violence directed against students, manifest irregularities in the June 1972 Presidential election and a growing economic crisis sparked by interdiction of lines of communication drove elite confidence in Lon Nol to a nadir and popular unrest to a high. Younger military officers began desultory coup talk and major civilian figures voiced their despair.

11. Although most of the elite has given up on Lon Nol, popular confidence in him recovered marginally in 1973 with the formation of the High Political Council and stood up under the dry season attack and successful defense of the capital in early 1974. At this point, inflation and the destruction of Khmer rural life, along with the continued

toll of approximately 200 killed weekly, have engendered public apathy towards all Khmer military and civilian leaders. The people continue to endure, while civilian elements of the elite reluctantly confess that they can name no one to replace the Marshal and recreate the spirit that brought the Khmer into the war.

12. Younger military commanders with an exaggerated idea of their own worth talk about replacing the Marshal, but Lon Nol still maintains a certain authority and political skill that prevents such talk from being translated into action. These younger officers will not present a serious challenge to the Marshal's leadership, unless the Republic's fortunes, military or diplomatic, suffer a serious reversal, which they may.

Lon Nol and U.S. Policy

13. The United States has not publicly avowed support for any individual leader or group in the Khmer Republic. Lon Nol, as Chief of State, is useful as long as he can assure political stability under which the technicians can operate to improve military and civil effectiveness. The President has so far accepted our recommendations on critical economic reforms, national conscription, military management and diplomatic initiatives. Implementation is spotty, however, and Lon Nol has shortcircuited action on unpalatable reforms which he has accepted in principle.

14. Our assessment is that no available political figure or combination of figures is likely to provide the leadership needed to reverse popular apathy and reinstall the "Spirit of March 18, 1970." The other Khmer political leaders are as lackluster as Lon Nol; none, however, gives the promise of the relative stability that he has managed to maintain. The question of succession to the Marshal is under continuing review, but with a major diplomatic confrontation in New York shaping up and major economic problems to be faced, the Marshal's continued presence appears essential, assuming his health permits and he maintains his close cooperation with the Embassy and support for Prime Minister Long Boret.

15. The goal, of course, is a negotiated settlement. Lon Nol is anathema to the other side, whether it be Sihanouk who feels the Marshal betrayed him or the in-country Khmer Communist Party which remembers his repression at Samlaut in 1967 and views him as hopelessly corrupt and compromised with foreign powers. The other side is doubtless keenly aware of the possibilities for political chaos if the Marshal leaves. Their demand that he, and a handful of others, leave is reminiscent of the NVA/VC insistence that Thieu and his government be removed before they would start serious peace talks. This demand is a maximum position; it is probably negotiable. The other side, of course, should not be permitted to choose those who would represent the nationalist side in negotiations.

16. Lon Nol is no Nguyen Van Thieu, but he has shown himself of sufficient stature to serve as a major bargaining counter. The Marshal has told us at one point that he is willing to leave if his departure will help bring peace. We should certainly not let him stand in the way of a peace settlement. Before the United States asks him to make good on his word, however, his departure should be used to obtain a major concession from the other side in return.

Dean

138. Backchannel Message From the President's Deputy Assistant for National Security Affairs (Scowcroft) to the Defense Attaché at the Embassy in France (Oveson)¹

Washington, August 19, 1412Z.

WH42546. Please deliver following message from Secretary Kissinger to Special Advisor Le Duc Tho to your customer as soon as possible.

Begin text:

President Ford has asked me to call to your particular attention the following paragraphs from the address he delivered on August 12 to a Joint Session of the Congress and to the American people:²

Quote: Now, let there be no doubt or any misunderstanding anywhere, and I emphasize anywhere: there are no opportunities to exploit, should anyone desire. There will be no change of course, no relaxation of vigilance, no abandonment of the helm of our ship of state as the watch changes.

We stand by our commitments and we will live up to our responsibilities, in our formal alliances, in our friendships, and in our improving relations with potential adversaries.

On this, Americans are united and strong. Under my term of leadership, I hope we will become more united. I am certain America will remain strong.

To our allies and friends in Asia, I pledge a continuity in our support for their security, independence, and economic development. In Indochina, we are determined to see the observance of the Paris Agree-

¹ Source: Ford Library, National Security Adviser, Kissinger–Scowcroft West Wing Office Files, Box 34, Vietnamese War, Camp David File. Secret; Sensitive.

² See footnote 4, Document 136.

ment on Vietnam and the cease-fire and negotiated settlement in Laos. We hope to see an early compromise settlement in Cambodia.

End quote.

President Ford, as you must be aware, has been a firm supporter of President Nixon's policy in Indochina for five and one-half years. In the spirit of mutual respect and candor which has always characterized our exchanges, Mr. Special Advisor, I must convey to you that President Ford is a man with a keen sense of American honor. He also shares the view, as we all do on the American side, that the DRV has a positive path open to it—of peaceful settlement, reconstruction, constructive ties with the United States and the Western world, and a truly independent role in world affairs. The President is ready to engage with you on this path. It is up to you.

End text.

139. Memorandum of Conversation¹

Washington, August 21, 1974, 1:30–2:40 p.m.

SUBJECT

Secretary of Defense Meeting with Honorable Graham A. Martin,
US Ambassador to the Republic of Vietnam (U)

PARTICIPANTS

Department of Defense

Honorable James R. Schlesinger, Secretary of Defense
Honorable William P. Clements, Deputy Secretary of Defense
Honorable Robert Ellsworth, Assistant Secretary of Defense (ISA)
Honorable Terence E. McClary, Assistant Secretary of Defense (Compt)
Mr. Erich von Marbod, PDASD (Compt)
Mr. Morton I. Abramowitz, DASD (ISA)
MGen Howard M. Fish, Acting Director, DSAA
MGen John A. Wickham, Jr., Military Assistant to the Secretary of Defense
Colonel Jack R. Pilk, Assistant for Vietnam, OASD (ISA)
Mr. Raymond F. DuBois, Jr., OSD

Others

Honorable Graham A. Martin, US Ambassador to the Republic of Vietnam
Mr. James Devine, Political–Military Advisor, US Embassy, Saigon

¹ Source: Washington National Records Center, OSD Files: FRC 330–78–0011, Viet 091, 1974. Secret; Sensitive. The meeting was held in the office of the Secretary of Defense. Prepared by Jack Pilk, ISA, on August 31; approved by Ellsworth.

1. (S) Ambassador Martin noted that it was not coincidental that the *New York Times* series of critical articles on Vietnam appeared when the Senate was considering appropriations for military assistance for Vietnam.² The anti-Vietnam propaganda effort is well coordinated and orchestrated, whereas counter-efforts to portray the true picture suffered from a lack of central direction. In response to Secretary Schlesinger's query as to what could be done in this area, the Ambassador indicated the American Council for Vietnam was becoming increasingly effective. He was disturbed that CBS ran "The Sins of Their Fathers" again in July. It was a further example of a carefully designed plan to persuade the audience that we should not give any further assistance to the South Vietnamese. The turn-around of the *Washington Post's* editorial stance on assistance to RVN was helpful. The Ambassador had asked their editorial board to reconsider their views on the issue in the light of their recent editorials asking for intellectual honesty. Their soul-searching had a favorable result. The Ambassador also noted that this month would mark the 20th Anniversary of Operation Exodus, the evacuation of refugees from the Red River Delta to South Vietnam. Appropriate publicity should be given to the event. The Secretary asked MG Wickham to alert Mr. Friedheim. It was agreed that we all must continue to work for a more objective public relations effort.

2. (S) Secretary Schlesinger observed that Senator Pastore's position on aid to Vietnam would influence three or four other senators. He suggested that the Ambassador's efforts to persuade Pastore would be helpful. Ambassador Martin agreed but said that he meticulously avoided contact on the Hill unless he was informed that it might be useful. The Secretary stated that Senators McClellan, Stennis, Young and Thurmond would support a supplemental appropriation for Vietnam later in the year, but that we should not submit a request before the fall elections. Mr. Clements observed that a major pitfall for a supplemental would be heavy front-end spending of this year's appropriation. We must be able to demonstrate to the Congress that we have more control over the program. The Secretary pointed out that a supplemental would have to be based on well-supported clearly essential requirements. Defense should get Senator McClellan and Congressman Mahon to agree on our spending rate of this year's monies.

3. (S) Ambassador Martin agreed and observed that in the past we have had a communication gap concerning expenditures of MASF funds, confusion over what has been charged or spent. He praised the

² Apparent reference to articles in *The New York Times* on August 6 on a report by the staff of the Senate Foreign Relations Committee that was critical of the Embassy in Saigon.

South Vietnamese for their enormous progress in tightening up their logistics system and noted that we must be able to identify for them, with precision, what levels of support they can expect from us. They will then be able to come to us with their requirements on a priority basis. Once they have identified their priorities, a high-level Defense team should review them. In response to the Secretary's question on whether he was referring to a CINCPAC team, the Ambassador stated that it didn't matter to him whether the team was composed of CINCPAC or Washington representatives, but that it was important that the Vietnamese take the first cut at establishing priorities with a subsequent Defense review.

4. (S) The Ambassador said there was an obvious necessity for reorganization of the RVNAF force structure and that the Vietnamese are perfectly aware of the need. He discussed the subject with President Thieu last December. Thieu feels strongly that force structure revisions should appear to be a Vietnamese initiative, for internal acceptance purposes, and Martin agrees. Once again, after the Vietnamese have addressed the force structure issue, it should be reviewed by us. The Secretary agreed and asked if they would face the hard issues by cutting the forces which are most expensive to support, e.g., their Air Force. The Ambassador believed they would do just that because they are becoming very dollar conscious. They now measure ammunition on a value basis rather than by rounds. The Ambassador observed that the Vietnamese expend 10% of the amount of ammunition that US forces would use in comparable tactical situations. Mr. Clements said that documentation of facts such as these would be very helpful in presenting our case for a supplemental. The Ambassador said that he would cooperate to that end. The Secretary noted that the Ambassador would have a difficult task persuading President Thieu to live within the \$700 million support level without disheartening him. The Ambassador responded that he was sure that Thieu will be well aware of the problem. The toughest job would be in not permitting a sense of abandonment to filter through the RVNAF, to minimize the psychological impact.

5. (S) The Secretary stated that "grey area" costs, which were not clearly intended by the Congress to be charged to Defense Assistance to Vietnam, would be taken out of DOD's hide. We will wish to talk over with the appropriate Congressional Committees exactly how we intend to handle these costs. In this manner, we would gain their concurrence in the manner in which we intend to handle Vietnamese monies. The Ambassador stated that the statutes did not clearly define how defense dollars were to be used for Vietnam assistance. It seemed appropriate to him also that we should work it out with the Committee so as not to jeopardize future appropriations for Vietnam. He also

agreed that their complete concurrence was necessary. Mr. Ellsworth stated that we can have lawyers argue five or six sides of any case and that Defense should present a positive case to the Committee so that the Committee understands and agrees with what we are doing. Ambassador Martin suggested that perhaps we could get clarifications in the Conference Report. Mr. von Marbod noted that we have other options which are also being looked at. Mr. Clements pointed out that there were dangers involved in going before the Committee—that Defense might be painted into a corner. Ambassador Martin deferred to the judgment of DOD, while noting that we cannot live with both a greatly diminished program level plus the additional costs which were being levied on the program. Mr. Ellsworth stated that it was everyone's attitude in this room, plus the members of the Joint Chiefs of Staff, that we would get as much mileage as possible out of the Vietnam fund.

6. (S) The Secretary asked how Hanoi may react to our diminished assistance level. The Ambassador replied that Hanoi is uncertain of its position vis-à-vis the USSR and PRC. He stated that while Hanoi's economic assistance is relatively high (\$1.2–\$1.4 billion annually), its military assistance support is diminishing. He was not sure that Hanoi would “go for broke” militarily, but rather they might opt to keep the military pressure on at the present scale and let economics catch up with South Vietnam. They may not wish to expend their present military assets in a large scale effort because they are not sure they will receive continuing high aid levels and they may not wish to waste what they already have. The Ambassador stated that he was convinced that South Vietnam could carry the burden militarily so long as we provide the necessary matériel support. For example, he noted that while North Vietnamese forces might be able to overrun population centers such as Hue, that if the South Vietnamese had proper matériel assets they could recapture Hue without reentry of US forces. The Secretary noted that this was a politically attractive scenario. We should document such possibilities, highlighting that the tough political decision on reintervention of US forces will not have to be faced if the Congress provides support at the required levels.

7. (S) The Ambassador stated that if we maintain adequate support levels now, that future support requirements will be greatly diminished. The Secretary asked that a Vietnam Fact Book be initiated, centering around support levels and the ability to present our case to the Hill. The Ambassador stated that the Vietnamese economy had great potential but that our aid will be necessary for a while longer. He noted that we have to counter the concerted efforts being made to thwart our budget requests. He said there is no doubt that Vietnam can make it, but that the only way we're going to lose is back here in Wash-

ington. The Secretary stated that we ought to explore establishment of a new Vietnam Task Force. In this regard, we need to know how much money we really do need for Vietnam. Ambassador Martin estimated that an effective \$1 billion delivery program into Vietnam would do the job both for this fiscal year and next year. Given these amounts, we would be able to markedly decrease our support levels thereafter because the North Vietnamese would recognize the futility of continuing their military efforts in South Vietnam.

8. (S) Mr. Abramowitz stated that CIA has no evidence that Chinese and Soviet military assistance has significantly declined. They just don't know what levels of military assistance are received. He observed that the North could opt to maintain high levels of combat activity so that they might make a case for larger amounts of military assistance. The Ambassador said this was possible but the fact was that there is no evidence available of large-scale military assistance. The Ambassador stated that North Vietnam was still under the control of hard-line old-time communist leaders. Younger men with a more constructive outlook are in the second echelon of communist leadership. If we can convince that second echelon leadership that continued hostilities in South Vietnam are futile, we can be more hopeful about their future courses of action.

9. (S) In regard to the South Vietnamese economy, the Ambassador noted that they were somewhat chauvinistic concerning outside investments but that, nevertheless, there was an inherent dynamism in the South Vietnamese economy. In response to a question from Mr. Abramowitz on how the South Vietnamese would deal with the problem of North Vietnam's continued ability to disrupt the economy, the Ambassador replied that North Vietnam could not completely disrupt the economy. The Secretary asked about the prospects for oil development in South Vietnam. The Ambassador stated that the prospects looked good according to all the geologists. He said however, that he was not considering potential oil revenues in his calculations about the Vietnamese economy. Mr. Clements noted that significant oil revenues would not be achieved in any near time frame.

10. (S) Ambassador Martin concluded the meeting noting that it was his goal to get the United States out of Vietnam as quickly as possible, and that we should fulfill our commitments for support to the Vietnamese so they could stand on their own feet. At that time, if they couldn't hack it vis-à-vis the North, the US will have honored its assurances to an ally and the final results need not too seriously hurt us.

140. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, August 22, 1974, 1046Z.

11119. Subject: Letter From President Thieu to President Ford.

1. The assistant to the Foreign Minister for Political Affairs August 22 passed us for our information following letter from President Thieu to President Ford which will be delivered in Washington by Ambassador Phuong.

2. *Begin text:* Saigon, August 21, 1974. Dear Mr. President,

3. I am pleased to acknowledge your letter of August 10, 1974² and to renew my wishes for the full success of your mission, which is most important not only to America but also to the rest of the world.

4. As Your Excellency so aptly put it, we have traveled a long and hard road together during the past twenty five years. During this historic journey, many fine young men of both nations had given their lives and we shall see to it that their supreme sacrifice would not have been made in vain. This means that a genuine peace must be secured and that the sacred right of the South Vietnamese people to self determination must be preserved.

5. In that noble endeavour, I can assure you that the Government of the Republic of Viet-Nam has done its utmost to respect and implement the Paris Agreement. The only obstacle to peace and to a political solution of the Viet-Nam problem resides in the stubborn and bellicose attitude of the North Vietnamese who do not renounce to their scheme of forcible conquest of South Viet-Nam yet. To overcome that obstacle, we must show the Communist side that there is no hope for them either to break the will of the South Vietnamese people or to undermine the support of the U.S. for the Republic of Viet-Nam.

8. Your assurances about the continuity of American policy towards Viet-Nam and about the adequate amount of military and economic aid that we could get in the end are most helpful in that respect. I strongly hope that future actions by the U.S. Congress will further convince the Communist side of our common determination and steadfastness of purpose, thus bringing peace that much nearer. Sincerely, (signed) Thieu. *End text.*

Lehmann

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Confidential; Exdis.

² See footnote 2, Document 134.

141. Memorandum From Rob Roy Ratliff of the National Security Council Staff to Secretary of State Kissinger¹

Washington, August 27, 1974.

SUBJECT

Covert Psychological Warfare in Southeast Asia

CIA's covert psychological warfare effort against Communist forces in Southeast Asia has expanded since the last 40 Committee review (see Tab A).² Three Vietnamese-language and two Cambodian-language clandestine radio broadcasting facilities are used now, a recently acquired 10 KW mediumwave transmitting facility beamed at Cambodia opens in early September, and a 50 KW mediumwave transmitter near Hue may be acquired from USIA.

Programs broadcast on these facilities attack the morale and combat effectiveness of Communist troops, encourage anti-war sentiment among civilians in Communist areas, and exacerbate tensions and generate frictions. Are they successful? Refugee and rallier reports, continued Communist denouncements and warnings not to listen to the clandestine stations, and direct attacks on specific programs or stations are cited as evidence that the Communists are concerned about the impact on the target audience.

Clandestine radio is the only means of reaching the target audience on a sustained basis, and while there will always be charges of U.S. involvement, the fact that the Government of the Republic of Vietnam contributes to, supports and is involved in the effort lessens the potential impact of such charges.

This operation is budgeted for [*dollar amount not declassified*] for FY 1975 ([*dollar amount not declassified*] more than last year). It is coordinated with Ambassador Martin, who approves, as do the State, Defense, JCS and CIA 40 Committee principals.

Recommendation

That you approve the continuation of this clandestine radio broadcasting operation.³

¹ Source: National Security Council, Ford Administration Intelligence Files, Subject Files, Box 1-012, Vietnam, August-June 1975. Secret; Eyes Only; Outside System. Sent for action. Stearman and Smyser concurred.

² Memorandum for the 40 Committee, "Periodic Report on Covert Psychological Warfare Operations Against North Vietnam, the National Liberation Front and the Khmer Communists," August 13, attached but not printed.

³ Kissinger initialed his approval on November 11.

142. Memorandum of Conversation¹

Washington, September 5, 1974, 10:30–11 a.m.

SUBJECT

Visit of US Ambassador to Cambodia John G. Dean with Secretary of Defense Schlesinger (U)

PARTICIPANTS

Secretary of Defense James R. Schlesinger
US Ambassador to Cambodia John G. Dean
Principal Deputy Assistant Secretary of Defense (ISA) Amos Jordan
Principal Deputy Assistant Secretary of Defense (Comptroller) Erich von Marbod
Deputy Assistant Secretary of Defense ISA/EAPA Morton Abramowitz
Deputy Assistant Secretary of Defense ISA/SA MG Howard Fish
Military Assistant to the Secretary of Defense MG John Wickham
Assistant for Cambodia (ISA) Col Harry Ching

1. (S) *Funding for FY75.* Ambassador Dean opened the discussions with the statement his main concern for Cambodia at this time was for funding in FY75. He cited the fact that the military situation had stabilized and to maintain that stability it was projected several months ago that \$362.5 million would be necessary. However, with inflationary costs, an additional \$180 million is now required to meet rising costs. On returning to Washington he has become aware of Senate intentions to limit the level of assistance for Cambodia to \$347 million with a total military assistance ceiling of \$200 million within that amount. Ambassador Dean stated that although the Cambodians have done well, including holding the enemy at bay and retaking the provincial capital of Oudong, they are limited in what they can accomplish without adequate funds. In conversations with Congressional acquaintances since his return, Ambassador Dean stated the outlook in Congress for Cambodia looked gloomy. A prevalent feeling appeared to be that Congress would use sharp reductions in assistance in order to force a reassessment of US policy in Cambodia. He stated that the proposed ceiling was a strangle hold on the program and everything should be done to eliminate it. With it, there was no flexibility in the program. Without it, the possibility of a supplemental appropriation was feasible. With regard to Economic Assistance (Indochina Postwar Reconstruction—\$70 million; P.L. 480—\$77 million) Ambassador Dean

¹ Source: Washington National Records Center, OSD Files: FRC 330-78-0011, Cambodia 000.1-299, 1974. Secret; Sensitive. The meeting was held in the office of the Secretary of Defense. Prepared by Ching; approved by Jordan. Dean was in the United States for consultations.

again voiced concern. A P.L. 480 total of \$77 million is far below actual anticipated needs, expected to be around \$150 million. An example of growing concern was the fact that rice surpluses from the Northwest, originally expected to be 40,000 metric tons are now estimated to be down anywhere from 15 metric tons to no surplus at all.

2. (S–Sen) *Support from Neighboring Countries*. Ambassador Dean reflected briefly on the manner in which support has been begrudgingly provided by US personnel in Bangkok. If the actions he was implementing in Cambodia were a part of US policy, then the support which comes from Thailand should be willingly offered. He commented that support from Saigon was good.

3. (S) Ambassador Dean was asked what actions would be taken if funds were available. He replied that continuation of the current strategy is not the answer. Doing more of the same, doing it faster or more efficiently will not insure a solution, because time is not on the side of the GKR. Six months from now the problem will be worse; and in nine months it will be even worse. Furthermore the mood of the country and Congress strengthens this view. The solution lies in Washington and not elsewhere. There needs to be a refocusing on Cambodia. Ambassador Dean said he was heartened by the statement of President Ford on the seeking of an early negotiated settlement in Cambodia.² His presence here will hopefully act as a lightning rod, drawing needed attention to Cambodia.

4. (S) SecDef offered Ambassador Dean his assurance the DOD fully supports the Cambodia program by stating we are on his side and will try to get the funds Cambodia needs. Ambassador Dean concluded his visit with a brief private meeting with SecDef.

² See footnote 4, Document 136.

143. Memorandum From Secretary of State Kissinger to President Ford¹

Washington, September 9, 1974.

SUBJECT

Foreign Assistance Legislation

In response to your request,² I have prepared a report on the Administration's foreign assistance requirements and the adequacy of pending legislation for meeting these requirements.

As you know, Congressional support for foreign aid has eroded steadily over the past ten years. In the 93rd Congress, there has been a confluence of forces—competing demands for funds at home and continuing anti-Vietnam sentiment—that together have made the prospect for acceptable legislation very poor. The opposition is broadly based and includes both liberals and conservatives.

Military assistance for Vietnam is included in the DOD appropriations legislation (MASF). Authorization legislation is complete and the appropriations bill is now in conference.

The Foreign Assistance Authorization bill has been reported by the Senate Foreign Relations Committee. It will probably be taken up on the Floor during the week of September 23. When the House returns on Wednesday,³ mark-up will continue in the Foreign Affairs Committee. It is doubtful, however, that Chairman Morgan will take the bill to the floor until after the election.

The foreign aid bill poses serious problems in two areas: (1) insufficient funding levels, and (2) unprecedented restrictions on your flexibility for administering the overall program. Between the two areas, I consider the restrictive amendments to be the most damaging.

*Indo-China Military Assistance**Vietnam*

In FY 74, we provided approximately \$1 billion of military aid to Vietnam. For FY 75, we requested \$1.45 billion. This increase was pri-

¹ Source: Ford Library, National Security Adviser, Subject Files, Box 6, Foreign Assistance, Military Assistance Fund (1). Administratively Confidential. Sent for information. A stamped notation at the top of the page reads: "The President Has Seen." According to the attached correspondence profile, Ford noted the memorandum on September 12.

² Not further identified.

³ September 11.

marily to offset inflation and to permit the necessary replacement of equipment on a one-for-one basis as provided in the Paris agreement. The Congress authorized \$1 billion for FY 1975; however, the appropriation bill now in conference as passed by both Houses contains only \$700 million.

A \$700 million level of military assistance will drastically reduce the effectiveness of South Vietnam's forces. It will result in an overall reduction of ARVN capabilities to 40% of the FY 74 level and Vietnamese air force capabilities to 50%. In addition, even assuming the most stringent rationing and no increase in the level of violence, the following will occur during FY 75:

- There will be an approximate 50% overall reduction in aircraft utilization. The Air Force has already grounded 11 squadrons of aircraft and reduced flying time by 36%.

- Operations by sea-going vessels will be reduced by 30% and by riverine vessels by 82%.

- Medical supplies will be completely expended by the end of May 1975.

- Fuel for ground forces will be exhausted by late April 1975.

- By the end of FY 75, the ARVN will have only one-quarter of the minimum ammunition reserve necessary to meet a major offensive.

- Unutilized aircraft and ground equipment will deteriorate rapidly.⁴

The Defense Department has already taken several steps to economize where possible. It has curtailed the purchase of F5-E aircraft and has reduced the cost of maintaining the ammunition pipeline. DOD will continue to explore other avenues for saving money; however, it is believed that technical and bookkeeping adjustments will not suffice to recoup the amount of funds necessary to maintain adequate security in Vietnam. Both Defense and Embassy Saigon insist that Vietnam must receive at least \$1 billion in military assistance this fiscal year to defend itself adequately; therefore, it will probably be necessary to request a supplemental appropriation to bring the current appropriation level of \$700 million up to the \$1 billion level authorized by Congress. Defense also is exploring the alternative of reprogramming funds from other Defense accounts to provide the full \$1 billion. We do not yet know whether this will prove to be a feasible course of action. Even should reprogramming be possible, however, it would necessarily have to come at the expense of other defense programs.

⁴ Ford highlighted all these points.

Cambodia

Military aid to Cambodia is provided under the military assistance program funded by the foreign aid bill. In FY 74, Cambodia received \$375 million. We requested \$362.5 million for FY 75. The Senate Foreign Relations Committee has placed a ceiling of \$347 million for all types of assistance to Cambodia, with a ceiling of \$200 million on military aid. The Defense Department estimates that this would provide ammunition until about February 1975, the normal commencement of the dry season, which is the period of heaviest combat activity. In past years, we were able to supplement the appropriated amount by exercising your authority to draw down on stocks of U.S. ammunition, for transfer to Cambodia with later repayment from subsequent year appropriations. Both Committee bills have eliminated this authority for FY 75, however. In addition, they have eliminated your authority to transfer funds from one Cambodian account to another.⁵

Laos

The \$55 million in military authorization for Laos is adequate under present circumstances.

*Indo-China Economic Assistance**Vietnam*

Economic assistance is provided to Vietnam for the purpose of rebuilding the economic infrastructure and restoring the agricultural base to a self-sustaining level. Without it, shortages and inflation create destabilizing pressures on the internal political stability of the country. The level of economic support for Vietnam provided in both the House and Senate bills (\$420–450 million) will not be sufficient to halt the current serious downward trend of the economy. Ambassador Martin believes, and I concur, that the minimum level of economic aid required to maintain stability in South Vietnam is about \$600 million.⁶

A \$600 million level of aid is required to produce the necessary economic expansion and development. It will provide:

- funds to purchase sufficient amounts of POL and fertilizer, without which agricultural production would decrease;
- the commodities necessary to increase industrial production from its present level of 55% of capacity;
- money necessary to expand industrial and rural credit;
- the financing of an export zone and an industrial zone in Central Vietnam; and

⁵ Ford highlighted the last three sentences of this paragraph.

⁶ Ford highlighted the last two sentences of this paragraph.

—funds to begin the “city to farm” resettlement program in which unemployed urban workers (many of whom were idled by the U.S. withdrawal) will be staked to land in rural areas.

At an aid level of \$420 million, none of the above can take place, and the economy will continue to contract: there will be a continued reduction of real imports; industrial and agricultural production will decline; exports will decrease; and unemployment will continue unrelied in the cities. Even though this level is greater than that of FY 74 it will not buy as much, due to inflation which has doubled the price of some critical commodities—POL, fertilizer—and increased almost all others.

Cambodia

For FY 75, we requested \$135 million in economic assistance to Cambodia. This was considered a survival level, and included no funds for new investment. The Senate bill contains \$70 million for Cambodia. This amount would be barely sufficient to pay the freight on rice shipped under the PL-480 program. There would be no money for refugee relief, POL, and other basic commodities.

Laos

The \$45 million authorized for Laos is adequate under current circumstances.

[Omitted here is information unrelated to Indochina.]

Restrictive Amendments

Apart from the serious impact on our security assistance programs created by the reductions in funding levels discussed above, the Senate bill contains a number of restrictive amendments which seriously limit your flexibility for administering the overall foreign aid program. These are summarized in a series of tables at Tab B.⁷ They would, among other things, eliminate your authority to provide aid to countries to meet unforeseen contingencies when it serves US interests to do so; would restrict your authority to transfer funds between aid accounts; and would arbitrarily reduce the number of persons in the field administering the programs. In addition, the Senate bill establishes ceilings on the aggregate amount of all forms of aid that may be provided to Vietnam, Laos, Cambodia and Chile. It would also terminate the military assistance program in 1977, transfer military assistance to South Vietnam from the jurisdiction of the Armed Services Committees to the Foreign Relations/Affairs Committees, and prohibit military sales to developed countries of items available in commercial channels (except

⁷ “Restrictions on Presidential Authority,” undated, attached but not printed.

for Israel). I believe that each of these amendments represents a serious intrusion upon your prerogatives for conducting United States foreign policy and should be opposed.

When the mark-up continues in the House, we anticipate a number of restrictive amendments similar to those in the Senate bill that will seek to limit your authority (Tab C).⁸

Discussion

As outlined above, we are faced with legislation which, on the one hand, fails to fund necessary programs adequately and, on the other, seriously restricts your ability to administer the overall program.⁹ While we would, of course, prefer to eliminate the restrictive amendments and restore at least part of the losses in funding, an assessment of the strength of the opposition, particularly in the Senate, makes it clearly unrealistic to expect great likelihood of success. With regard to the funding levels, in the current pre-election climate, it is the unanimous position of the leadership that any effort to restore funds on the Senate floor would be unsuccessful; nevertheless, we should probably try in order to establish a case for a supplemental in the next Congress.

It will, as well, be difficult to gain the necessary support for overturning the many restrictive amendments. We should, however, make a strong effort in the Senate and in addition should urge Chairman Morgan to work for a clean House bill free of restrictions in order to improve the possibility of obtaining an acceptable bill in conference. It now appears that we will not have a House bill before the elections. In the event that the Congress returns for a lameduck session following the election, the bill would probably be passed by the House and be taken to Conference. At that point, should efforts by the House conferees fail to produce an acceptable bill, we should prevail upon Morgan to let the bill die and try for a better one in the next Congress.

At present, there appear to be two options:

(1) Accept the authorization levels recommended by the Senate Foreign Relations Committee, thus avoiding a floor fight on funding levels. We would, however, seek to eliminate the restrictive amendments on your authority contained in the Senate bill. This option contemplates a request for a supplemental appropriation in January. Since our continuing resolution authority (CRA) for the first quarter of FY 75 will end on September 30, we will need another CRA. After the Senate has passed its bill, we would hope to incorporate those into the CRA.

⁸ "List of Amendments Not Yet Acted Upon by HFAC," undated, attached but not printed.

⁹ Ford highlighted this sentence.

(2) Seek on the Senate floor to eliminate restrictive amendments (as in Option (1) above) and to restore Indochina economic assistance from \$550 million to \$750 million and the military assistance authorization from \$550 million to \$700 million.

Under either option, if the effort to remove the restrictive amendments fails, I believe we should seek to delay the bill through adjournment sine die.

To pursue any of the above options with reasonable hope of success it will be necessary for you to become personally involved with key Senators. The support of Senators Sparkman, Scott, Case and Humphrey will be key to any hope of success. Senators Humphrey and Allen at this time prefer Option (1).

144. Memorandum of Conversation¹

Washington, September 12, 1974, 8:30 a.m.

PARTICIPANTS

President Ford
Bipartisan Congressional Leadership
Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs
Major General Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

SUBJECT

Foreign Aid

President: I appreciate your coming and the cooperation you have given me. I was thinking last night of the many meetings I have been to, going back to LBJ, in this room on this problem. I want to talk on this problem for a minute and then Henry will talk. I meet with Henry every morning for over an hour. We face a number of difficult problems over the world. Whether it is Southeast Asia, the Middle East, or another part of the Mediterranean—Greece and Turkey, where Henry

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 5, 9/12/1974. Confidential. The meeting was held in the White House Cabinet Room. All brackets, with the exception of those describing omitted material, are in the original. According to the President's Daily Diary, the meeting ended at 8:55 a.m. (Ibid., Staff Secretary's Office File)

is in daily contact with Greece and Turkey—or the relationship with the Soviet Union where we are laying the groundwork for SALT and trade, or with Western Europe where we're trying to bring close co-operation, we are faced with problems and tough decisions. I wanted to get the Leadership together to lay out the problems with you.

That gets to legislation—we must have what we need. On the defense appropriation, I appreciate what you have been able to do. In aid assistance there is a problem. We must assure that what we are trying to do in Vietnam is not destroyed through lack of funding or that our hands are not tied in using those funds. There are amendments which would limit me in emergencies. We need flexibility and an adequate amount of money.

There is a prospect of increased military activity in Vietnam, and also in the Mideast. We went through a crisis in Cyprus. We hope there won't be anything else, but we must be prepared in case there is. Now let me turn it over to Henry and then I hope for a frank discussion.

Kissinger: I strongly support the President's statement about the opportunities we face in foreign policy. There is new leadership in Europe, and with our new situation, it has created a new atmosphere. The Soviet Union has gone out of its way to create a good atmosphere. In SALT we are facing the best prospects we have faced in some time. In the Mideast we are facing a difficult negotiation. It is difficult to phase them to show progress and prevent a blowup. We are pursuing a low profile with Greece and Turkey because passions run so high; we want to nudge them to negotiate so we will not be blamed for a collapse. We are making progress though. This is by way of background:

In Southeast Asia, there is a problem of money and restrictions. If we bug out of Vietnam, it would affect our whole foreign policy and the reliance that countries can place on us. If the amounts are too small, it matters little whether it is barely too little or much too little. In MAP, you know the requests and the appropriation.

President: I was discussing this a day or so ago. A soldier on patrol normally carries 8 grenades. Now they carry two. What does that do to the soldier's morale. Their morale inevitably sags and that at the least unsettles the situation in South Vietnam.

Kissinger: It is a vicious cycle. The psychology is as important as the military situation. Until June they felt good. Then their ammunition was reduced and their morale sagged. Then they gave up some outposts and their morale dropped more.

We think North Vietnam is on the brink of deciding whether or not to go the military route. To the extent we cut back, we encourage military action.

It is not a matter of economizing—we don't have enough. We have done what we can. Unused equipment disintegrates rapidly.

We realize the funds are agreed.

Mahon: There is one area, though. There is \$77 million for the F-5's which can be used.

Kissinger: We agree, but we will still have to come in for a supplemental. It's not enough.

On the economic side, the funds are totally inadequate. We gave a 5-year program and we said the worst way is to give just too little because you can never get a process of growth. \$600 million is the minimum to stabilize the situation. At the levels now the situation will be seriously jeopardized. Food and fuel costs have risen tremendously. This has to do with political stability. In June we were impressed with Ambassador Martin's report of progress. Now the impact of these cut-backs is turning the situation around. The situation is a disaster.

Stennis: The actual facts as I understand. The money until now has come out of Defense without a method to let it be traced. This year there are requirements for proper accounting. I suggested a personal Presidential representative to watch the spending. I think we should try it and we should give \$800–900 million. With tightening up it should be enough. They were firing like we did. They have reduced that. I think we should try this.

President: Do you recommend a military man?

Stennis: He must have military knowledge.

Aiken: One reason for the cut is they still have a million men under arms.

President: I would assume they have kept the levels up because there has been no reduction in the opposition.

Kissinger: On the contrary, North Vietnamese forces have tripled since the Agreement. North Vietnam has built a whole system of roads so that equipment can come in in a day or so. They [the ARVN] were doing OK until these cuts.

We maybe shouldn't have trained them in our tactics, but we have and it is now their own and it would be disastrous to change.

McClellan: How much more do you need?

Kissinger: \$200 million in military and \$150 in economic.

Mahon: We can provide Kissinger with this money right now. We have to try to hold the line now and try in the new session for more.

McClellan: So how much more are you going to ask for?

Hays: I have never seen the Vietnam aid debate more acrimonious. This is an election year. Fertilizer is a sore point here—you can't get it here. To talk two months before elections about more aid and more fertilizer is dreaming. Try to hold the line and come back after the elections. I think these are the facts.

President: I understand, but we are trying to lay things out frankly.

Hays: We could have done it earlier, but to reopen it now is really impossible.

Cederberg: I think we will not get a bill before the elections and will be working on a CR. The problem is the CR is low and doesn't include the Middle East.

[Omitted here is discussion unrelated to Vietnam.]

145. Memorandum of Conversation¹

Washington, September 13, 1974, 11:30 a.m.

PARTICIPANTS

Ambassador Graham Martin, Ambassador to Republic of Vietnam

President Ford

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for National Security Affairs

Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

President: We had a good meeting yesterday.² We sold that group, but it's hard to say how the numbers will come out.

Martin: The propaganda campaign is a real problem.

President: I agree.

Martin: The bureaucracy has the feeling we shouldn't dirty our hands in Vietnam. I have tried to take it on. I met with the *Post* editorial board. I discussed the issues, not the distortions—how we came out in Vietnam.

Kissinger: It is inconceivable we can spend \$1 billion in Israel and not the same in Vietnam where so many Americans have died.

Martin: It is remarkable what has happened in the last year, in the degree of acceptance of President Thieu. If we can get all \$700 million without any administrative restrictions, we can hold through the winter. We will need at least \$300 million before the end of the year.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 5, 9/13/1974. Secret; Nodis. The meeting was held in the Oval Office. Brackets are in the original. According to the President's Daily Diary, the meeting ended at 12:11 p.m. (Ibid., Staff Secretary's Office File)

² See Document 144.

Kissinger: The President made that point and Stennis seemed to support it.

President: Yes, he asked for a sort of interdepartmental group to manage the MAP. We sort of have an obligation to do it.

Martin: I have a suggestion—what about General Adderholt?

Kissinger: Stennis had in mind a Presidential emissary to go out and inspect.

President: Yes, if we send someone we will get Stennis behind us.

Martin: There is no way we can lose Vietnam except throw it away here.

Kissinger: Tell the President about the accounting system.

Martin: They have taken the “sense” of the Congress as in the new bill. If the Pentagon could be instructed to charge only what is legally required, we would be much better off.

Kissinger: I agree with Graham. Vietnam is enormously important in the international perception of the United States.

Martin: If I thought it was hopeless, I would tell you. We can make it. But if North Vietnam sees the loosening of support it will change their perceptions. There will be no peace for a long time, but someday they can accommodate to each other.

President: The trouble is that your story doesn’t get broad enough exposure, and the opposition is at it every day.

Martin: Doug Pike has done a study on the “anatomy of deception.” You should use him. We aren’t giving our friends ammunition to defend against Abzug and the others.

President: Please tell President Thieu of my admiration.

Martin: Can I tell Thieu you will fight for what is needed?

President: You surely can. That was my pitch yesterday and I was amazed at the reaction.

Martin: The Goldwater vote was instructive. The Senate did recognize an obligation.

President: The change in the *Post*’s policy shows what can be done. [See *Post* editorial attached].³

Martin: The *Globe* and *Post Dispatch* are moving.

I need \$1 billion and \$600 million. Then we can get more out of the Japanese and the international financial institutions. They are on the verge of a take-off.

³ *Washington Post* editorial not attached. On September 9, the newspaper printed an editorial that called for Congress “to accept the costs and uncertainties of a further commitment, even while trying to minimize them, and provide aid in a way calculated to serve the American interest in a stable and interdependent world.” (*Washington Post*, September 9, 1974)

On the Continuing Resolution of last year, we would be at \$435 million. In the House it can be done with a closed rule.

President: That would be hard now. We should consult with Mahon to get the right kind of long range. . . . And a new Continuing Resolution. The leadership was talking about continuing it to February 15 or November 30. I would rather have February.

Martin: We need to get above last year's levels.

President: If we could get them at least to the \$450 million level.

Kissinger: If we could get it at that without the quarterly restrictions.

Martin: Hays said he would help.

President: He can't control Rosenthal and Gross.

It would help if you talked to Mahon and McClellan.

[The conversation ended]

146. Memorandum From Richard Kennedy of the National Security Council Staff to Secretary of State Kissinger¹

Washington, September 21, 1974.

SUBJECT

Foreign Aid Bill Strategy

Developments on the Hill during the past two days indicate we are soon likely to see the Senate Foreign Relations Committee version of the Foreign Assistance Act reach the Senate floor. Moreover, in the House we may be facing attempts to amend the CRA to add restrictions. We will have to take a position on a number of objectionable amendments, the two worst being the elimination of the President's authority to drawdown DOD stocks and the elimination of the President's waiver authority under Section 614. I believe it essential that we marshal all the influence we have at our disposal to defeat these two proposals.

There are, in addition, several other amendments that we should push to have introduced and actions we may take on the floor that, while of a lesser priority, are nonetheless of great importance to our management of the overall program.

¹ Source: Ford Library, National Security Adviser, Subject Files, Box 6, Foreign Assistance, Military Assistance Fund (2). Confidential. Sent for urgent action.

The extremely adverse consequences of the Bill as it now stands make it imperative that we put up the strongest fight we can muster—even if we lose. I believe it absolutely essential that the record clearly indicate where we stand on these issues. (A complete list of all of the restrictions and other undesirable amendments is at Tab B.)²

In this regard, I am requesting your approval to provide the positions as indicated in the attachment (Tab A) as guidance for an interagency unified position on the Foreign Assistance Act.

Tab A

1. *Indochina:*

—increase the IPR authorization to \$700M (from \$550M) to provide more for South Vietnam and Cambodia;

—increase the ceiling on total aid to Vietnam from \$1,280M to \$1,390M;

—increase the ceiling on total aid to Cambodia to \$600M (from \$347M);

—eliminate all specific program ceilings within the overall country ceilings for both countries.

These positions are essential to prevent a serious deterioration of the economic and security situations in both Vietnam and Cambodia.³

2. *MAP Phaseout in Three Years:*

We oppose this amendment. This position is essential if we are to retain this valuable instrument of foreign policy influence.

3. *MAP Level:*

We want an increase to \$700 million. (Senate calls for only \$550 million.) This level is essential if we are to meet any basic commitments and have any margin of flexibility.

4. *The President's Waiver Authority (Section 614):*

We oppose the repeal of this authority. This authority is *absolutely* essential to give the President the ability to respond to very real and urgent security and foreign policy needs (Cambodia and Israel are examples. Without this authority, the President's hands would be tied in a crisis.

[Omitted here are recommendations unrelated to Indochina.]

² Not attached. A copy is *ibid*.

³ Kissinger initialed his approval under each of the four recommendations.

147. Memorandum From Rob Roy Ratliff of the National Security Council Staff for Secretary of State Kissinger¹

Washington, September 30, 1974.

SUBJECT

Covert Action in Vietnam

CIA submits two Vietnam covert operations for 40 Committee review:

—*Tab A—Vietnam Council on Foreign Relations.*²

[1 paragraph (11 lines) not declassified]

—*Tab B—Program Against North Vietnam.*³ For the information of the 40 Committee, CIA reports on actions planned in support of a WSAG decision of 17 July⁴ to warn the DRV leadership that their hostile actions will jeopardize the ceasefire and their efforts to rebuild their economy. A wide range of CIA assets will be used to support overt U.S. actions affecting the Indochina states [*less than 1 line not declassified*]. Costs, expected to be minimal, will be absorbed within available funds.

State, Defense, JCS and CIA 40 Committee principals approve continued support to the Council on Foreign Relations and noted the program against North Vietnam. Mr. Sisco advised his staff and CIA, however, that he thought the Council should be increasingly supported by the Vietnamese so that by next year “we can phase out completely, or at least sharply reduce, our financial support.”

Recommendation

That you approve continued support for the Vietnam Council on Foreign Relations at \$100,000 for Fiscal Year 1975, and that you note CIA’s program against North Vietnam.⁵

¹ Source: National Security Council, Ford Administration Intelligence Files, Subject Files, Box I-012, Vietnam, August–June 1975. Secret; Eyes Only; Outside System. Sent for action. Kennedy, Stearman, and Smyser concurred.

² Memorandum for the 40 Committee, “Status Report of the Vietnam Council on Foreign Relations,” August 23, attached but not printed.

³ Memorandum for the 40 Committee, “Proposed Covert Action Plan Directed Against North Vietnam and that Country’s Military Posture in the Indochina Region,” August 23, attached but not printed.

⁴ See Document 131.

⁵ Kissinger initialed his approval on November 11.

148. Memorandum of Conversation¹

Washington, October 5, 1974, 11:01–11:25 a.m.

PARTICIPANTS

President Gerald R. Ford

Vuong Van Bac, Minister of Foreign Affairs, Republic of Vietnam

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President

Tran Kim Phuong, Ambassador of the Republic of Vietnam

Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

Kissinger: Minister Bac was in Paris keeping an eye on me during the negotiation. Ambassador Phuong also.

[The press was admitted briefly to take photographs.]

President: We think you made a fine agreement.

Bac: It was mostly Dr. Kissinger. President Thieu and Madame Thieu send their best wishes and their wishes for the recovery of Mrs. Ford.

[The press was ushered out.]

President: I want to reassure you we will support President Thieu in every way—economically, politically, and diplomatically. Our problem is not us, but on the Hill.

Bac: We are very grateful for your efforts and U.S. efforts and we hope they can be kept at adequate levels.

President Thieu has asked me to give you this letter. [Tab A]²

President: Our people are not as enthusiastic about aid, but I will do my best to get adequate levels. The attacks on aid are not just aimed at Vietnam, but across the board. When I first came to Congress, the aid bill was \$7 billion.

Kissinger: Which would be \$15 billion now.

President: But there was strong support for it.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 6, 10/5/1974. Secret; Nodis. The meeting was held in the Oval Office. Brackets are in the original.

² In his letter to Ford, September 19, attached but not printed, Thieu speculated that "the increasingly defiant and bellicose attitude of the Communists resides in their believing that the United States is now wavering in its dedication to our common goal, namely a South Viet-Nam capable of defending itself and deciding its own future. The utterly inadequate amount of military and economic aid to the Republic of Viet-Nam which has been voted by the U.S. Congress might have induced the Communists to make such speculations." Thieu concluded: "Therefore, it is essential that the United States unmistakably demonstrates once again its attachment to a serious implementation of the Paris Agreement and its support for the Government of the Republic of Viet-Nam, if peace is to be restored in South Viet-Nam and in South East Asia."

Kissinger: And it shows if you start strong you can taper off.

Bac: We are making that point too.

President: What is the current situation in Vietnam?

Bac: It is difficult, but not critical. The economy measures are difficult. We have to cut down on our use of ammunition and so on, and that is costly in terms of casualties. The most intense conflict is around Kontum and the supply line.

Kissinger: The Vietnamese strategic problem is they must defend a 400-mile border and the Communists can hit anywhere.

President: How is the military morale?

Bac: It is good in the regular forces, but has been affected in the regional forces. What we don't know is whether we should use all we have now or be cautious.

Kissinger: We will try to get you what you need. You know of the American baseball manager, Leo Durocher, who said "Nice guys finish last."

President: How is the economy in Vietnam?

Bac: Our inflation is about 30 percent but it is not so catastrophic as the kind in Africa and Italy. The country is basically rich in resources, and in a year or two we should be self-sufficient in rice.

President: Are you close now?

Phuong: Yes, and in some areas the Communists prohibit collection and try to drain it off.

Bac: There should be good crops this year, and our oil prospects are good.

Kissinger: We may have to have a confrontation on oil prices! Negotiations with the North Vietnamese in the morning and the South Vietnamese in the afternoon is a wearing experience.

Bac: We should know soon whether oil is present in commercial quantities. The companies are sanguine, but that won't solve our current problems.

I'm trying to get increased aid now. I have visited Japan, and am going to France and Germany. All together last year we got about \$100 million. It was substantial, but not compared to US levels.

President: We will do our best. We admire President Thieu and want to be a good partner.

Bac: President Thieu just heard that you will visit Japan and Korea soon. We would like to invite you to visit Vietnam on the way.

President: That is unfortunately not possible on this trip. Please don't misinterpret this; it is only a time problem. Another time I will do it. We will do our best.

Bac: We know you are very busy. Maybe you could visit President Thieu along the way to Japan.

President: I will talk to Dr. Kissinger about it. But it is likely to be very difficult.

[The meeting ended with warm handshakes and farewells.]

149. Memorandum From William Stearman of the National Security Council Staff to Secretary of State Kissinger¹

Washington, October 15, 1974.

SUBJECT

Joint Chiefs of Staff Assessment on Cambodia

Attached at Tab A is an assessment on Cambodia completed by the Joint Chiefs of Staff (JCS) on August 28, 1974.²

The assessment, which covers the period from the present through the end of FY 75, concludes inter alia that:

—A military stalemate has been achieved with neither side capable of defeating the other.

—The Communists have greater tactical mobility and motivation, but this is offset by FANK firepower.

—Lon Nol is the only leader capable of exerting the necessary leadership on the Phnom Penh side.

—U.S. economic and military aid is essential to survival.

The assessment sees the U.S. as having three policy options vis-à-vis Cambodia: (1) increase our aid; (2) gradually decrease assistance; and (3) maintain assistance at proposed levels.

The JCS recommends that the United States Government continue to provide support at levels requested for FY 75, while simultaneously undertaking an intensive diplomatic campaign to effect a cease-fire and a negotiated settlement.

We concur in the basic conclusions and recommendations of the JCS assessment, though we are skeptical whether an intense diplomatic effort to start negotiations would bear fruit until the other side becomes convinced it cannot break the present military stalemate.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 2, Cambodia (2). Top Secret; Sensitive. Sent for information. Smyser concurred.

² JCSM-362-74, "Cambodia Assessment," August 28, attached but not printed.

150. National Security Study Memorandum 213¹

Washington, October 22, 1974.

TO

The Secretary of Defense
The Deputy Secretary of State
The Director of Central Intelligence
The Administrator, Agency for International Development

SUBJECT

Review of U.S. Assistance Policy and Programs for the Republic of Vietnam

The President has directed a comprehensive review of U.S. assistance policy and programs for the Republic of Vietnam. The study should examine current assistance policy and programs and possible alternative programs that could be pursued over the next five years.

The study should be accomplished in two parts.

Part I—Intelligence Appraisal

An intelligence appraisal of the internal and external military and political factors that may be major influences on the Republic of Vietnam during the next five years should be prepared. This appraisal should analyze anticipated enemy military, political and economic capabilities, objectives, and strategy in the Republic of Vietnam and the impact of other nations' probable actions toward Vietnam. The appraisal is intended to serve as the basis for a review of U.S. assistance policy and programs, their effectiveness and possible alternate courses of action.

This portion of the study should be performed by the intelligence community under the direction of the Director of Central Intelligence and be completed by November 5, 1974.

Part II—Assistance Programs Review

Drawing on the analysis prepared in Part I, the study should (a) identify GVN capabilities to meet the threat to its security, (b) identify U.S. military and economic assistance objectives, (c) assess the effectiveness of current U.S. assistance programs, (d) identify options for achieving U.S. assistance objectives over the next five years and (e) examine alternate sources of external assistance, where required. This

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 33, NSSM 213. Secret; Sensitive. The NSC Staff sent copies to the Chairman, JCS and the Director, OMB.

portion of the study should include, but not necessarily be limited to, consideration of the following:

—Projected alternative South Vietnamese force levels required to meet the threat identified in Part I and the impact of these levels on the viability of the Vietnamese economy and prospects for its development.

—An assessment of the GVN's ability to counter anticipated enemy strategy at various possible levels of military and economic assistance.

—The extent to which changes in GVN domestic economic policy or military strategy can make up for resource shortfalls in the face of the threat.

—Alternative organizational structures for administering U.S. economic and military assistance.

The study should present options for GVN economic policies and U.S. assistance policies which would complement each other and alternative aid flows from U.S. and third country sources to support those policies over the five year period. These options should be stated in sufficient detail to form the basis for appropriate programs to secure legislative approval and the support of other nations.

Part II of the study should be prepared on a closehold, need-to-know basis by an Ad Hoc Group comprising representatives of the addressees and the NSC Staff, and chaired by the representative of the Secretary of State.

The completed study should be submitted by November 29, 1974 for review by the NSC Senior Review Group prior to its consideration by the President.

Henry A. Kissinger

151. Telegram From the Department of State to the Embassy in Vietnam¹

Washington, October 26, 1974, 0237Z.

236790. Subj: President Ford's Letter to President Thieu.

There follows the text of President Ford's letter to President Thieu dated October 24.

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Confidential; Exdis. Drafted by the White House; approved by Wenzel, EA/VN.

Begin text

Dear Mr. President:

I very much appreciated meeting with Foreign Minister Bac and receiving from him your letter of September 19.²

American policy toward Vietnam remains unchanged under this administration. We continue strongly to support your government's efforts to defend and to promote the independence and well-being of the South Vietnamese people. We also remain confident in the courage, determination and skill of the South Vietnamese people and armed forces.

I fully understand and share your concern about the current situation in the Republic of Vietnam, particularly the growing Communist military threat which you now face.

I am also well aware of the critical necessity of American military and economic aid for your country. I give you my firm assurance that this administration will continue to make every effort to provide the assistance you need.

Although I would welcome the opportunity to meet with you to discuss ways and means to achieve a genuine and lasting peace in South Vietnam, prior commitments preclude such a meeting at this time. But I hope that such a meeting can be arranged in the future.

I agree with you that it is essential that my government clearly indicate its support for your government and for the full implementation of the Paris Agreements. I believe my public statement of October 9,³ my meeting with Foreign Minister Bac and Deputy Defense Secretary Clements's visit to Saigon⁴ all clearly demonstrate that we are standing firm in our commitments to you. We have also conveyed to other powers having an interest in Vietnam that we continue to support your government and that we favor a complete implementation of the Paris Agreements. I shall take advantage of other occasions to show my support for your government and for the peace that we achieved together.

Our countries have been through many difficult times together. It appears likely that we shall face other difficulties in the future. I am confident, however, that these problems can be overcome if we work together to meet them with strength and determination.

² See footnote 2, Document 148.

³ When signing the Department of Defense Appropriations Act on October 9, Ford said: "The bill has, however, a major drawback. The \$700 million funding for South Vietnam is inadequate to provide for all of their critical needs, if South Vietnam's enemies continue to press their attacks. It may, therefore, be necessary to approach the Congress early next year to work out some solutions to meet critical needs which arise." (*Public Papers of the Presidents of the United States: Gerald R. Ford, 1974*, p. 244)

⁴ Martin reported on Clements's visit to Saigon in telegram 12865, October 4. (Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, To SECSTATE, Exdis)

With best wishes for you and for the valiant people of the Republic of Vietnam.

Sincerely,

Gerald R. Ford. *End text.*

Signed original being pouched.

Ingersoll

152. Interagency Intelligence Memorandum¹

DCI/NIO 2423

Washington, November 18, 1974.

SUBJECT

Response to Part I of NSSM 213: An Intelligence Appraisal of Factors Influencing the Course of Events in the Republic of Vietnam Over the Next Five Years

Key Points

There are major differences of view within the intelligence community concerning the seriousness of the problems facing the South Vietnamese armed forces and the likely course of North Vietnamese policy toward the South over the next five years.

—The military performance of the RVNAF has been reasonably effective since the January 1973 ceasefire agreement. There has been some decline in recent months in RVNAF capabilities and effectiveness, but this decline has not yet reached significant levels.

—All intelligence agencies generally agree that Hanoi probably will not choose to mount a new 1972-style offensive in the current dry season (i.e., between now and June 1, 1975), although some escalation of NVA/VC military activity is likely.

—The Communists would probably emerge from such a limited campaign in the present dry season relatively stronger than they are now. Such a campaign would force the RVNAF to draw down its

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 33, NSSM 213. Secret; Sensitive. The intelligence community generated this report in response to NSSM 213, Document 150. On the same day, the Central Intelligence Agency issued an independent survey of political unrest in South Vietnam, "Political Discontent in South Vietnam," 1147/74, November 18, which concluded: "In the final analysis, political stability in Saigon will depend on things over which the present political opposition [to Thieu] has little control—the course of the war, economic developments, and future U.S. aid levels." (Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 18, Vietnam, 3)

military stocks and put the RVNAF in a more vulnerable position, but all agencies agree that it would not lead to a critical military situation during this dry season.

—There are varying interpretations as to how such a campaign would affect the future military balance in Vietnam. DIA, and the US Army and Air Force intelligence representatives believe that a campaign of this scope would significantly erode RVNAF capabilities to withstand future Communist military pressure. CIA and State/INR do not believe that such a campaign would significantly change the present military balance.

—Looking beyond this dry season, it is only prudent to assume that the North Vietnamese may launch an all-out offensive within the next few years, although one office, CIA/OCI, believes there are certain emerging factors that could restrain the North Vietnamese from all-out action during the five-year period of this NSSM.

—All the other intelligence agencies see few constraints that would limit North Vietnam's military options, at least for the next several years.

—If there is an all-out North Vietnamese offensive—one to which a major part of Hanoi's strategic reserve is committed—the whole intelligence community believes that the South Vietnamese would suffer heavy reverses.

—At a minimum, massive US logistic support would be required to prevent a decisive GVN defeat. At least a symbolic use of US combat air support would probably also be required.

—Even if there is no all-out offensive, most of the intelligence community believes that the process of decline in RVNAF effectiveness will accelerate after the current dry season, unless there is a major increase in US military aid above present levels.

—CIA/OCI and the NIO/SSEA, however, believe that the RVNAF can hold its own in a strategic sense so long as military aid to both sides remains in the same relative balance as at present.

—In the political area, all intelligence agencies agree that the current political agitation in South Vietnam poses no immediate threat to the Thieu government. Over the longer term, an indefinite continuation of hostilities and economic decline would cause pressure to mount for Thieu to step aside in favor of a new government which would be prepared to make negotiating concessions to the Communists.

Note: The economic prospects of South Vietnam over the next five years, and the impact of various US aid levels on these prospects, are not discussed herein, but will be considered in another memorandum to be produced shortly.²

[Omitted here is the detailed Discussion section of the paper.]

² Document 157.

153. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Ford¹

Washington, November 23, 1974.

SUBJECT

Possible Intensified North Vietnamese Military Activity

There are now appearing a number of indicators pointing to the possibility of increased offensive action by the North Vietnamese, perhaps beginning as early as December. It would be useful, in your talks with Brezhnev,² to indicate your concern over these developments.

Among the more substantial indicators are the following:

—The overall physical support structure (e.g., LOC's, supply stockpiles, POL, etc.) for a major offensive is largely in place.

—A major North Vietnamese logistics push to the south began on a "crash" basis in mid-November.

—The MR 559 transportation directorate, a major NVA HQ, has moved from southern NVN into SVN (Cam Lo) for the first time.

—NVN, in mid-October, began its second conscription drive within four months. On the basis of past patterns this represents an extra drive in 1974.

—Preliminary information on infiltration shows that over 9,000 men probably are bound for COSVN in November/December, double the number detected during the same period last year.

—Over the past two months, an unidentified (possibly 338th) division has been detected subordinate to NVA I Corps, raising the number of NVA strategic reserve divisions in NVN to seven (from six). Additionally, an intelligence report indicates that the NVA 968th Division, carried in the Lao panhandle (and, in effect, an eighth "reserve" division), might be employed in the central highlands of SVN.

—A number of communist troop realignments, such as movement of NVA 5th Division elements into MR-4 and restructuring of MR-3 forces, can be read as preparatory to an offensive. Reassignment of NVA 75th Artillery Division assets in MR-3 from general to direct support of NVA divisions in region is strong indicator of preparations for major offensive.

These and numerous signs point to the strong possibility of substantially heavier fighting in SVN in near future, but at levels less than

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 18, Vietnam (3). Top Secret; Sensitive; Exclusively Eyes Only. Sent for information.

² Ford met with Brezhnev in Vladivostok on November 23 and 24.

all out offensive which would require committing major portion of strategic reserve.

In your discussion with Brezhnev, you could make the following points:

—We have received reliable information that North Vietnam has recently taken a number of steps which clearly point to a major escalation of North Vietnamese military action in South Vietnam during the current dry season.

—We have, for example, hard evidence of an explicit North Vietnamese plan for greatly increased military activity to begin in December in South Vietnam.

—There has also been a major and sudden increase in the infiltration of men and equipment into the south. This latter action represents a major violation of the Paris accords.

—I am compelled to call these disturbing reports to the Chairman's attention. The United States as well as the Republic of Vietnam continue to lend full support to the Paris accords. We assume that similarly the Soviet Union maintains its support of the Paris agreement. Thus, we urge the Soviet Union to take immediate steps to deter North Vietnam from pursuing its plan to escalate the war and to adopt a policy of reason. The continuation of the actions which North Vietnam is now setting in train can only result in grave consequences.

154. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, December 11, 1974, 0921Z.

15327. Subj: Viet-Nam Weekly Ceasefire Assessment, Dec 4–10, 1974.

Part I—Summary

A. There was a quantum jump in fighting this week, resulting in the highest incident level of the year countrywide. The large increase was centered in MR-4, which registered its highest incident level since

¹ Source. National Archives, RG 59, Central Foreign Policy Files. Confidential. Repeated to Bangkok, Bien Hoa, Can Tho, Danang, Paris, USDel JEC Paris, USIA Washington, Jakarta, Nha Trang, CINCPAC, CINCPACFLT, CINCPACAF, CG FMFPAC, CDR USSAG, CINCUSARPAC, USDAO Saigon, USDel FPJMT, Tokyo, Budapest, Canberra, London, Phnom Penh, Tehran, Vientiane, Warsaw, Wellington, and Beijing.

the ceasefire and a jump of more than 450 percent over last week, and in MR-3, up over 275 percent from a week ago. As a function of the heavier fighting, GVN casualties more than doubled, and NVA/VC killed almost quadrupled. It is worth noting that our reports from the Delta indicate that GVN forces have conducted themselves more effectively in the face of this highest level of activity this year than when coping with the high level of activity last July during the NVA/VC summer offensive. Fighting remained at a moderate pace in MR-1, but the intensity was higher in MR-2.

B. In MR-1, GVN forces increased their efforts, still without success, to retake Mo Tau Mountain and the Nui Bong Hill. Otherwise north of the Hai Van Pass the fighting continued to be centered in the area south and southeast of Hue. A VC effort December 5 to destroy the Trinh Minh The bridge just outside of Da Nang was thwarted.

C. The biggest battles in MR-2 were again in Binh Dinh Province and again related to the high ground commanding the An Lao valley. The fighting was intense and centered west of Bong Son City, with GVN forces continuing to repulse NVA/VC attacks. In another significant Binh Dinh fight, RF forces retook important positions northwest of Binh Khe December 7. The Kontum/Pleiku area was again relatively quiet except for some increase in the fighting in the Thanh An area southwest of Pleiku City.

D. Action was markedly higher throughout MR-3, but particularly so in Tay Ninh Province. The incident level in the region was the fourth highest since the ceasefire, with December 6 registering the highest number of incidents for one day since the ceasefire. The main action in Tay Ninh consisted of strong NVA/VC assaults northeast of Tay Ninh City. The territorial force defenders withstood the heavy onslaught well, and inflicted heavy casualties on the NVA/VC forces. The upsurge in activity has resulted in something around 10,000 new refugees in Tay Ninh. There was moderate sapper activity in the area around Saigon, and a Communist push in the Hoai Duc rice bowl area of Binh Tuy Province.

E. The great increase in fighting in the Delta occurred mainly in the southern and central portions, although there was a fair increase in the northern Delta towards the end of the period. Vinh Binh and Vinh Long Provinces in the central Delta, and Chuong Thien in the south, were the hardest hit. Elements of the 5th NVA Division moved into Kien Tuong Province in the north from across the border in Cambodia, reinforcing earlier MR-4 staff judgments that the Communist tactic might be to create a flurry of activity in the central and southern Delta as a diversion to enable the 5th Division to mount attacks in the north.

[Omitted here is detailed discussion of the military situation.]

Lehmann

155. National Intelligence Estimate¹

NIE 53/14.3–2–74

Washington, December 23, 1974.

SHORT-TERM PROSPECTS FOR VIETNAM

Précis

—Communist military forces in South Vietnam are more powerful than ever before.

—The South Vietnamese Armed Forces (RVNAF) are still strong and resilient and have generally acquitted themselves well since the ceasefire, but the decline to the present level of US military aid threatens to place them in a significantly weaker logistic posture than the Communists.

—Hanoi has a variety of military options, but the evidence points toward a marked increase in military action between now and mid-1975 designed to:

- defeat the GVN pacification program;
- inflict heavy casualties on the RVNAF;
- gain control of many more South Vietnamese; and
- force the GVN into new negotiations at disadvantage.

—At a minimum the Communists will sharply increase the tempo of fighting by making greater use of their in-country forces and firepower.

—In this case, their gains would be limited, but RVNAF stockpiles of ammunition and other critical supplies would probably be depleted by April or May below the 30-day reserve required for intensive combat.

—We believe that the Communists will commit part of their strategic reserve to exploit major vulnerabilities in the South Vietnamese position or to maintain the momentum of their military effort.

¹ Source: Central Intelligence Agency, Executive Registry Subject Files, Job 80–M01066A, Box 11, Vietnam (9). Secret. The Central Intelligence Agency and the intelligence organizations of the Departments of State, Defense, and Treasury and the National Security Agency participated in the preparation of this estimate. The Director of Central Intelligence submitted the estimate with the concurrence of all members of the USIB except the FBI representative, who abstained on the ground that it was outside FBI jurisdiction. For the full text of the estimate, see National Intelligence Council, *Estimative Products on Vietnam, 1948–1975* (Washington, D.C.: U.S. Government Printing Office, 2005), pp. 633–643.

—Such a commitment would carry a greater risk of major defeats for top RVNAF units and a further compounding of GVN manpower and logistic problems.

—Without an immediate increase in US military assistance, the GVN's military situation would be parlous, and Saigon might explore the possibility of new negotiations with the Communists.

—It is even possible—in response to a major opportunity—that the Communists would move to an all-out offensive by committing all or most of their strategic reserve. But our best judgment now is that they will not do so.

—Hanoi prefers to achieve its dry season goals through a military-political campaign that avoids the risks and losses of an all-out offensive.

—Hanoi probably hopes that by setting limits on its military operations there would be less likelihood of a strong reaction from Washington and that frictions with Moscow and Peking would be minimized.

—At currently appropriated levels of US military assistance, however, the level of combat that we do anticipate in the next six months will place the Communists in a position of significant advantage over RVNAF in subsequent fighting.

[Omitted here is the Discussion section.]

156. Minutes of Washington Special Actions Group Meeting¹

Washington, January 7, 1975, 10:35–11:54 a.m.

SUBJECT

Vietnam and Cambodia

PARTICIPANTS

Chairman	JCS
Henry A. Kissinger	Gen. George S. Brown
State	Lt. Gen. John W. Pauly
Robert Ingersoll	CIA
Philip Habib	William Colby
Winston Lord	William Christison
Robert Miller	Ted Shackley
Defense	NSC
William Clements	M/Gen. Brent Scowcroft
Morton Abramowitz	William Stearman
Erich von Marbod	W.R. Smyser
	Lt. Col. Donald McDonald
	James Barnum

SUMMARY OF CONCLUSIONS

It was agreed that:

—Defense and the JCS will provide, within 48 hours, their best judgement of how much supplemental aid we should request for South Vietnam and Cambodia;²

—State and Defense will explore with their legislative people, and the NSC Staff with White House officials, what would be the best timing for requesting the supplemental appropriation for Vietnam and Cambodia;

—Secretary Kissinger will check with the President on recommendations to move a carrier task force into the Gulf of Tonkin, and to deploy additional B–52s to Guam or Thailand or both;

—JCS would instruct General Jones to visit South Vietnam during his present tour of Southeast Asia;³

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H–Files), Box 18, WSAG Meeting Minutes, Originals, 1/7/1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Document 160.

³ The instructions, according to telegram 262 from Saigon, January 8, were relayed to Jones in a JCS message of January 7. (National Archives, RG 59, Central Foreign Policy Files) Jones was in Saigon on January 11.

—President Thieu would be told, through Secretary Maw, of our decision to seek a supplemental appropriation;⁴

—State would draft a strong note to the members of the Paris Conference conveying our concern about the situation.⁵

Secretary Kissinger: Bill, would you like to brief?

Mr. Colby briefed from the attached text.⁶

Secretary Kissinger: They have breached or reached? (In reference to a statement in the briefing that the Khmer Communists have breached Phnom Penh's outer defenses in several places.)

Mr. Colby: Reached (*sic*). Finished his briefing.

Secretary Kissinger: What I would like to discuss today is what we think can be done to improve the situation in Vietnam and Cambodia. I had a talk earlier today with the President, and he said that he wants to take a forward-leaning position consistent with legislative considerations. The President wants to do as much as possible to restore the situation in South Vietnam and Cambodia.⁷ He is very positive about that. He indicated that he is prepared to support a supplemental appropriation for those countries if we think it is needed. He did say that he thought it would be wise to touch base with (Congressman) Passman and Mahon on the timing. I also think that we should tell (President) Thieu that we are asking for a supplemental appropriation. I think it would be good for his confidence and also send a signal to the North Vietnamese. Is General Jones still in the Pacific?

General Brown: Yes, I think he is still there.

Mr. Clements: Nunn is there now.

Secretary Kissinger: Who?

⁴ Under Secretary of State Maw visited Saigon January 6–8. In telegram 3608 to Saigon, January 8, Kissinger assured Thieu: "The President is firm in his resolve to provide as much additional assistance as is necessary at the earliest possible time. We will be meeting with the congressional leadership in the near future to inform them of our intention to request such supplemental military aid and to persuade them that it is needed promptly." (Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, From SECSTATE, Nodis)

⁵ On January 11, the United States sent a note to the UN Secretary General and the guarantors of the Paris Agreement charging North Vietnam with truce violations. The text was published in *The New York Times*, January 14, 1975.

⁶ Colby's untitled briefing, January 7, attached but not printed.

⁷ The President and Kissinger met that morning; a memorandum of conversation is in the Ford Library, National Security Adviser, Memoranda of Conversations, Box 8, 1/7/1975. In his statement on signing the Foreign Assistance Act of 1974 on December 30, 1974, President Ford expressed his conviction that the levels of economic and military aid to both South Vietnam and Cambodia were inadequate. See *Public Papers of the Presidents of the United States: Gerald R. Ford, 1974*, pp. 778–780.

Mr. Clements: Senator Nunn.

Secretary Kissinger: I don't know if that's a plus or a minus.

Mr. Clements: Overall, I think it's a plus. He's a pretty good guy.

Secretary Kissinger: Yes, Nunn is a good fellow.

Mr. Clements: I think it would be a good idea for General Jones to go to South Vietnam during his trip.

Secretary Kissinger: Yes, I do too. I think it would be a good signal to the North Vietnamese.

General Brown: We can get ahold of him and tell him to go as soon as we leave here.

Mr. Habib: Who's going to tell Thieu? (Carlyle) Maw is there now, he could do it.

Secretary Kissinger: He's there now?

Mr. Habib: Yes.

Secretary Kissinger: Could you (Mr. Habib) draft up something for me to send Maw by this afternoon? We'll want to be careful about what he is to say to Thieu.

Mr. Habib: Yes, we can get the story out today.

Secretary Kissinger: Yes, let's get the story out to him today. Brent (Gen. Scowcroft) You can fill Phil (Mr. Habib) in on our conversation with the President after the meeting.

Mr. Clements: Do I understand that you plan to talk with Passman and George (Mahon) about the timing?

Mr. Habib: Passman is in the Far East right now and won't be back until late next week, I believe. By the way, can I tell him that he got part of the rice he was asking for?

Secretary Kissinger: Sure, tell him today. I thought he already knew. I have no interest in holding it up.

Mr. Clements: Henry, in our supplemental request . . . When the decision is made to go, we would like to know prior to that time. We would like to clue (Senator) Stennis in first.

Secretary Kissinger: Oh, yes, we'll let you know. Stennis has promised to support us on a \$300 million request.

Mr. Habib: Can we identify the exact amount we want to request first? I'm not sure we are all agreed on exactly how much we want to ask for.

Secretary Kissinger: What was the \$300 million for? Vietnam only?

Mr. Habib: Yes, but I don't think that figure is sacrosanct. That is just sort of a round figure—a minimum, I believe.

Mr. Clements: That \$300 million figure dovetails pretty close to what we believe will be required. Now, Graham (Amb. Martin) wants \$500 million.

General Brown: Let's see now, \$1.4 billion was programmed and the authorization was \$1.0 billion.

Mr. Ingersoll: Is \$300 million enough?

Mr. Clements: It's the minimum.

Mr. von Marbod: It's the absolute minimum, but if you will allow me, Mr. Secretary, we feel that we will be in a better position to request more as the situation in South Vietnam matures.

Secretary Kissinger: Yes, but that also has the opposite effect that our opponents in Congress will say that we can go to hell. I mean, they will just say let Vietnam go down the drain today rather than later.

Mr. Colby: Do you think that a supplemental request will have that much impact on the North Vietnamese?

Secretary Kissinger: I don't think you get any impact by *asking* for a supplemental. You have to let them know that we are *going* for a supplemental. It has been my experience that the North Vietnamese only understand an actual event. They do not understand an intent. They won't pay attention if you just indicate that you intend to do something. You have to do it and present it to them as an accomplished fact.

Mr. Habib: Do you think we can get any indication from the (Congressional) leadership on the chances of having a supplemental approved?

Secretary Kissinger: Never!

Mr. Clements: You can get a sense . . .

Secretary Kissinger: The only way you can get the North Vietnamese to understand is to use affirmative language. We have *requested* a supplemental, not that we *intend* to request a supplemental. It's the only way.

Mr. Habib: You can say that Vietnam is in desperate straits and that we may need \$600 million in FY75 to bail them out.

Secretary Kissinger: You don't gain a god-damn thing by showing uncertainty. What we do need to do is go up there and tell them (Congress) that the cuts they made last year have resulted in a deterioration of the situation and that it is their god-damn fault. You have to make it clear to Congress that they have to take full responsibility for the fact that 50,000 men died in vain. That they understand.

Mr. Lord: How can \$300 million be enough? That figure was based on needs before the present level of fighting.

Secretary Kissinger: What is it we are asking for?

Mr. Clements: Our best judgement is that \$300 million will get us by. If you think we need to ask for more, then I think we should ask for it.

Mr. Habib: I don't think that we'll have a better opportunity than now to ask for more.

Secretary Kissinger: I don't anticipate that we will have trouble asking for more. George (Gen. Brown), what is your judgement?

General Brown: We think the \$300 million is a minimum. The thing is that if we think we need more, we ought to ask for it now. Next year it will be even tougher to get, in my opinion.

Secretary Kissinger: My impression is that the President will ask for whatever figure we think is needed.

Mr. Colby: It is a message to the North Vietnamese . . .

General Brown: We'll take a specific look at what we need and let you know this afternoon.

Secretary Kissinger: We'll get in touch with the leadership (Congressional) on the timing. I don't know when the best time is to go forward with the request. We'll just have to see.

Mr. Clements: The timing is of some concern to us. We're afraid that the supplemental and all the controversy that will go with it will get mixed up with our budget request and the whole thing will come unglued.

Secretary Kissinger: We can handle that. We have to tell Thieu, and that will also give a signal to the North Vietnamese. We'll ask for the supplemental.

Mr. Habib: One thing, are you thinking of asking for the Cambodia and the South Vietnamese supplementals together, or as different packages?

Secretary Kissinger: I don't know, what do you think?

Mr. Clements: Well, there are two different committees involved.

Mr. Habib: The Cambodia package is the more critical. The figures we are working with now are impossibly low.

Mr. Clements: That's true. I think that the manner in which we handle the leadership will be the critical factor.

Secretary Kissinger: I think we should lay it out as soon as possible. We have taken the stand that we are going to support the independence and integrity of South Vietnam, and I think we should let them (Congress) take the responsibility for its survival or demise.

Mr. Habib: And we are going to ask for \$75 million for economic aid to Cambodia as well?

Secretary Kissinger: (to Mr. Clements) Can you give us an estimate of what you will need on the military side?

Mr. Clements: Well . . . There is already a Presidential Determination on the request for the drawdown.

Secretary Kissinger: (to General Scowcroft) Do we have it here?

General Scowcroft: Yes, we have it here.

Mr. Colby: You do have a clearer case on the request for Cambodia.

Mr. Habib: The timing on the Cambodian request is more urgent than on South Vietnam.

Secretary Kissinger: Let me worry about that (the timing on the Cambodian package) later. It strikes me as very curious that the notion of a military stalemate means you can throw your ally to the wolves. That is a new political theory.

Mr. Habib: I only bring it up as a problem that has to be considered.

Mr. Clements: How much in terms of dollars do you need, Phil?

Mr. Habib: We need \$75 million on the economic side—that's Cambodia. On the military side we have a series of different estimates. But even with the additional \$75 million they won't have enough. That would bring it up to \$350 million. They need a total of at least \$400 to \$500 million.

Secretary Kissinger: Okay. Can we get from you (Gen. Brown and Mr. Clements) your best judgement, within 48 hours, on: (1) how much of a supplemental you need for South Vietnam, and (2) what is needed in Cambodia. We'll explore with the legislative people what would be the best timing to introduce the supplemental. When we make the actual request we will regroup here to work out the specifics. I think that the President should first talk with the leadership to get their sense of the timing. Is there anything else? Should General Jones stop by? Where is he?

Mr. Smyser: He's in the general area until the 20th, I believe.

General Scowcroft: He's due into Thailand on the 15th or the 16th.

Secretary Kissinger: Good. I think he should go. George (Gen. Brown), will you take care of that?

General Brown: Sure.

Secretary Kissinger: Are there any other things that you think we could do?

Mr. Clements: We could increase the number of reconnaissance flights.

General Brown: We've already done that. There is something like 52 flights of all types scheduled for January.

Mr. Clements: There are some other things here that our people have recommended, but I don't know if you want to consider them or not.

Secretary Kissinger: Like what?

Mr. Clements: Sending a task force into the Gulf. The *Enterprise* went by the Gulf, but did not go into it.

General Brown: It would be an opportune time to send a carrier into the Gulf. We've been talking about an exercise in Thailand. Or, we could move some B-52s back and forth from Guam to Thailand. That would send a signal.

Secretary Kissinger: I'd be in favor of that.

Mr. Habib: Do you want to wait until after the elections to do that?⁸

Secretary Kissinger: Why? What is all this concern about the elections?

Mr. Habib: Well, it's just that we don't want to disturb the election . . .

Secretary Kissinger: Who are we for (in the elections)?

Mr. Habib: That's difficult to say. There are 41 parties vying—a mixed bag.

Secretary Kissinger: Why all this concern about the elections and what we do?

Mr. Habib: It boils down to a question of the bases. There are a number of parties that are just looking for an issue, and the bases might just be the excuse they are looking for. I think we should wait for a few weeks—it's not that long until the elections are over.

Mr. Smyser: I think we should wait until after the elections . . .

General Brown: And the threat from North Vietnam may be more pointed by then. It'll have more impact.

Secretary Kissinger: Do we have the foggiest notion, really, of what impact it will have on the Thai elections?

Mr. Habib: Well, it's just deemed to be a political issue with potential conflict. The Embassy, and others, feel that the base issue would feed the radicals opposed to us and give them something to flog us with. I don't think we should give them anything that would help them.

Mr. Clements: I agree, Henry. When I was out there in September, they made this very point. Everybody recommended that we wait on the base issue until after the elections.

Secretary Kissinger: Yes, but you were briefed by the very people who were making the recommendation.

Mr. Clements: That's true, but I still think we should wait. There are about thirty parties out there looking for a good issue; this could be it. I don't think we should take the chance.

Secretary Kissinger: Can six B-52s really become an issue?

Mr. Colby: Yes, it could.

⁸ Thailand held a general election on January 26.

Mr. Clements: Everybody agrees that some of these radical groups will pick it up and make an issue out of it. The newspapers there will make a big to-do about six B-52s.

Secretary Kissinger: It's been my experience that when we move timidly, we lose. When we are bold, we are successful. If we send more B-52s to Guam will the North Vietnamese pick it up?

General Brown: Sure, they'll know right away.

Mr. Clements: But sending them to Guam won't effect the same purpose as it would to send them to Thailand.

Mr. Habib: If we wait until after the elections—that's only until February, and the North Vietnamese are not supposed to go into full swing until February.

Secretary Kissinger: And then we are into the rainy season.

Mr. Abramowitz: Of course, we don't know how they are going to form their government. That may take a long time.

Secretary Kissinger: I'll raise the question of the B-52s with the President tomorrow.

General Brown: We could do more in the Gulf (of Tonkin). We could put another carrier in there.

Secretary Kissinger: Where is the *Enterprise* now?

General Brown: It's in the Straits of Malacca.

Mr. Clements: We could divert it and send it back up.

Secretary Kissinger: I was told it (the *Enterprise*) was in the Tonkin Gulf.

Mr. Habib: No, it stayed south of the 17th Parallel.

Secretary Kissinger: On whose orders?

General Brown: I don't know.

Secretary Kissinger: I thought it was in the Gulf of Tonkin.

Mr. Stearman: No, it was off the coast of South Vietnam.

Secretary Kissinger: That I didn't know.

Mr. Clements: We could divert it.

General Brown: I'm told that the orders read, "in the vicinity of . . .", which means, "do not go north of the 17th Parallel."

Secretary Kissinger: I was under the impression it was in the Gulf.

General Brown: We can leave the *Enterprise* where it is and put something else in, like the *Midway*.

Mr. Habib: Yes, but what effect would this have on our supplemental request?

Secretary Kissinger: They (Congress) are certainly not going to give us the money if we act like a bunch of pacifists.

Mr. Habib: We certainly need the money. I'm just thinking of the headlines, "US moves in carriers."

Secretary Kissinger: What, have we lost our ability to move carriers around without being questioned?

Mr. Habib: Well, you know about the carrier story that broke today.

General Brown: To answer your question, yes, we have lost our ability to move carriers around.

Secretary Kissinger: Why? Is there nothing sacred anymore?

General Brown: There are a number of reasons. One thing is that we have to notify the littoral states of our movements.

Secretary Kissinger: Why do we have to notify littoral states?

Mr. Habib: International law or something.

Mr. Stearman: Hanoi knows of our every move. They are the ones who let it out first about the *Enterprise*.

Mr. Clements: I think we should do it (send in a carrier(s)). If we don't send that signal to Hanoi, then we become vulnerable to questions of why we didn't.

Secretary Kissinger: I'll check the question of the B-52s and the carriers with the President. I think if we . . . If North Vietnam makes the judgement that they can take South Vietnam there is nothing much we can do. We have to scare the North Vietnamese out of that judgement. Even that may not do it, though. Are there any other measures we might take?

General Brown: We could move some F-4s into Clark Air Force Base for exercise purposes. They could go on exercise for 8 to 10 days.

Mr. Colby: If you do put a carrier into the Gulf, you will get better SIGINT coverage in the north.

Secretary Kissinger: How?

Mr. Colby: Better coverage, more flight time.

Secretary Kissinger: Let me check all this with the President tomorrow.

Mr. Habib: I don't think we ought to do anything to jeopardize the money.

Secretary Kissinger: Alright. What else here. I've got a list of State proposals here (Tab C of briefing book).⁹ I have serious questions about communicating with Hanoi at this time. I think it would be a mistake. It would just be a way for them to get our attention.

⁹ Department of State paper, "Contingency Action on Vietnam," undated, attached but not printed.

Mr. Ingersoll: I don't think we should make any contact with Hanoi now.

Secretary Kissinger: I think a meeting with Le Duc Tho now would be very bad. Contacting Moscow and Peking? I don't think that would be productive.

Mr. Habib: That is just a listing of what we might do—suggestions, not recommendations.

Secretary Kissinger: I'm just against yielding when we are under attack. Resumption of GVN–PRG talks? What would that do?

Mr. Habib: There is no chance of those being reconvened. There is one additional possibility—some sort of communication to the twelve endorsers of the Agreement. We could express our concern about the offensive and point out that the North Vietnamese are violating the Agreement.

Secretary Kissinger: I'm sympathetic to something like that.

Mr. Habib: I think a letter of some kind to each of the twelve endorsers might do it. We could express our views as to the seriousness of the situation.

Secretary Kissinger: It would have to be slightly threatening.

Mr. Habib: Yes. We have already been working on something, and if you accept it, we will circulate it for your (the table's) concurrence.

Secretary Kissinger: That's a good idea, I agree.

Mr. Clements: We could have a conference of the signatories to the Agreement. Such a conference at the right moment could do a lot of good.

Secretary Kissinger: What do you mean? My God, look who would be at such a conference. How can such a conference result in more positive than negative good? We don't have an ally among them. What could we ever get out of such a conference? A conference cannot be in our interest. France, Great Britain, nobody supports our view. Iran will not support us. They are not hostile, but they would just pray to God that the whole problem would go away.

Mr. Habib: How do we provide for the contingency that we don't get the money.

Secretary Kissinger: We don't consider defeat now.

Mr. Lord: We should have some sort of contingency.

Mr. Habib: I hope you will permit us to look into the alternatives in the event we don't get the money.

Secretary Kissinger: Look. How to lose in Vietnam is easy, winning is something else. If South Vietnam loses, we will just have to adjust to that. We can have a WSAG after we don't get the money to plan our strategy, but I don't want you thinking now that we can't get it. There is plenty of time later.

Mr. Clements: I agree, Henry. I'm optimistic about our getting the money. The North Vietnamese are really helping us right now.

Secretary Kissinger: It's going to be tough to get the money, I'm sure of that. If things start to unravel we will have the time later to plan our moves.

Mr. Clements: To change the subject for a moment—the Thai elections. When I was there in September, there was a strange sense of the possibility of a military coup if things didn't turn out right. Do you have any rumblings, Bill?

Mr. Colby: We think they will go through with the selection process. The army, of course, will be behind the scene, watching closely. If the situation begins to unravel, there might be an indirect take-over—a civilian at the head, but the military as the real power.

Secretary Kissinger: By the way, have we given those mines (MK-36 DST) to the Vietnamese yet?

General Brown: No. We've given them some training, but have not yet delivered the mines.

Secretary Kissinger: How about the LSTs?

Mr. Habib: That's another question. We would like to civilianize those.

Secretary Kissinger: But that would be breaking Article 7, wouldn't it?

General Brown: Yes.

Secretary Kissinger: Is there anything else we're doing in violation of Article 7?

Mr. Clements: Just the LSTs.

Secretary Kissinger: I just can't see how anybody can claim that we must stick to Article 7 when the North Vietnamese are violating it every day.

Mr. Stearman: It's the impact our violation of Article 7 will have on the Hill. That is what Defense is so worried about.

(Secretary Kissinger was called out of the meeting at 11:39, returned at 11:46)

Secretary Kissinger: Okay. Now, we'll get from Defense and the JCS their best judgements on the military requirement for Vietnam and Cambodia. We'll also get your recommendations on when the supplemental should be put forward. I will check with the President tomorrow on what type of military signals he would prefer. Thieu also has to be informed.

Mr. Clements: We'll have to get something out to the *Enterprise* if we want her to turn around.

Secretary Kissinger: Can we wait until tomorrow to do that?

General Brown: Yes, there is enough time.

Secretary Kissinger: Are there any other carriers that we could send?

General Brown: The *Coral Sea*. It's somewhere around Subic Bay.

Mr. Ingersoll: The *Coral Sea* would be best.

Mr. Clements: Yes, that would be the best one. Then, we don't have to explain the *Enterprise* business.

Secretary Kissinger: Why is Embassy Saigon making statements without checking here first?

Mr. Habib: Those statements on the *Enterprise* were attributed to a "diplomatic source." The Pentagon actually denied it first. The Embassy denied it only after the Pentagon had made a statement.

Secretary Kissinger: I thought our policy was not to discuss military maneuvers. I thought we just had no comment or used the statement that we do not discuss military maneuvers. That is our basic position. Now, can we stick to that and not make up other stories?

Mr. Clements: Sure.

Secretary Kissinger: One final issue. To what extent do we want to be inhibited by Article 7. I'll take this up with the President, too.

General Brown: We would rather have the LSTs than the mines.

Mr. Von Marbod: The LSTs are more urgent—they can use them. I doubt the South Vietnamese would ever use the mines anyway.

Secretary Kissinger: Why choose between the two? Why not both?

General Brown: I think the LSTs would have more impact on the situation.

Mr. Abramowitz: If we go for a supplemental, we can make the case that we have abided by Article 7.

Mr. Habib: Let us give you some alternatives on the LSTs. We can civilianize them as coastal transport. AID is the one that is holding it up. All of us here agree that it can be done. AID, however, is arguing that they would be accused by Congress of violating the Agreement and would therefore lose their appropriations. You, as head of AID, could make that final decision.

157. Interagency Intelligence Memorandum¹

DCI/NIO 25–75

Washington, January 7, 1975.

SUBJECT

Supplemental Response to Part I of NSSM 213: The South Vietnamese Economy and US Aid

The Key Points

—South Vietnam has adjusted well to a variety of unsettling changes over the past decade and is likely to avoid substantial political unrest from economic factors alone in the near future. Nevertheless, real incomes of the military, public servants and most city-dwellers have been cut sharply and much of existing industry is severely depressed.

—A marked deterioration of security conditions would obviously create a situation requiring more US economic (as well as military) aid. Even assuming no significant decline in security through 1980, however, major US economic support will be necessary at least until then to assure the political survival of the Government of Vietnam (GVN).²

—A gradual phase-down of US economic aid to \$100 million or less by 1980 would place the survival of the GVN in serious jeopardy, though the government would not necessarily collapse quickly.

—Should US support drop sharply to an annual level of \$100 million or less much before 1980, it is doubtful that the GVN's present political and economic structure would survive.

—There are different views among observers on precisely what amounts of US aid are needed to permit at least a slow rate of economic progress. Since the South Vietnamese population grows at about 3 percent a year, a 3 to 4 percent rate of growth in GNP would be necessary to allow even a small (less than 1 percent) increase in per capita incomes.

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 33, NSSM 213. Secret; Sensitive. The intelligence community generated this report in response to NSSM 213, Document 150. It supplements the November 18 response, Document 152.

² US economic assistance in FY 1974 amounted to some \$650 million, including appropriations of some \$350 million in aid grants, a \$50 million development loan, and \$250 million in PL-480 shipments of agricultural products from the US. For FY 1975, non-PL-480 economic aid will be limited by Congress to \$450 million, and PL-480 shipments are unlikely to exceed \$100 million because of South Vietnam's advances in agricultural production. Here and throughout this memorandum all values are in 1974 dollars. [Footnote in the original.]

—The Central Intelligence Agency believes, assuming no further decline in security conditions, that this objective would require average US economic aid of some \$700 million annually.

—The Department of the Treasury believes that per capita incomes could at least be maintained roughly at the 1974 level from now through 1980 with average annual US economic aid on the order of \$500 million.

—The Department of State/INR and the Defense Intelligence Agency believe that security conditions will deteriorate further and preclude any early economic recovery or sustained growth, and that substantially more than \$700 million per annum in US economic aid will be required for the foreseeable future.

—All agencies of the intelligence community agree that the GVN over the next 5 to 6 years can best cope with reduced aid levels by giving priority to expanding agricultural output in order to replace food imports and develop exports.

—The Department of the Treasury sees 1974 as an important turning point in achieving rice and sugar self-sufficiency and believes this strong performance can be repeated without substantial additional growth in imports if security conditions are no worse than in 1974.

—The Central Intelligence Agency and the Department of State/INR believe that the circumstances surrounding the 1974 crops were exceptional, and that higher imports of fertilizer and other producers' goods will be necessary to assure continuing agricultural expansion.

—Regardless of how much aid is pumped into South Vietnam from 1975 to 1980, security conditions, large-scale relocations of population, and a greater degree of integration into the world economy have permanently changed key features of Vietnamese society. Any program designed to return South Vietnam to the peasant economy of the early 1960s in the interest of reducing the country's dependence on US aid would have little prospect of success.

[Omitted here is the Discussion section.]

158. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, January 8, 1975, 1230Z.

267. Subject: US Reaction to North Vietnamese Offensive in South Vietnam. Ref: A. Saigon 0221, B. Saigon 0231.²

1. With the fall on January 7 of Phuoc Long Province and its capital to North Vietnamese troops we have arrived at a turning point in the history of the Paris Agreement. What has so long been clear to us within the government and to perceptive observers outside is now clear beyond any possible doubt to the whole world: in the cynical belief that no one outside South Vietnam really cares, North Vietnam in open defiance of the Agreement is determined to use whatever military force is required to gain its objective of conquering SVN. The US reaction to the North Vietnamese conquest of Phuoc Long Province is thus of critical importance for the success or failure of our policy in Indochina.

2. The GVN firmly believes that we are in a new situation which calls for a stronger, better organized diplomatic and public relations response than in the past to Hanoi challenges and we have been in close consultation as to how we can improve our joint efforts. The GVN declaration of January 8 which was read to the Diplomatic Corps and briefed to the press (ref A) and the GVN appeal for relief assistance to UN agencies (ref B) are the first in a series of moves under consideration. We will report further as their plans take shape.

3. As for steps which the US should take, we urge first of all that a statement be made from a high level, from the White House if possible, emphasizing the gravity with which the US views North Vietnamese actions. While Ambassador Anderson's comments January 3³ were helpful so far as they went, we are now in a situation in which an entire province together with its capital has been seized. Anything short of a high level official statement of the United States position would appear here and at home as virtual connivance in North Vietnam's actions. (We heard in Saigon this morning on Dao Radio relay

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Secret; Immediate.

² Telegram 221 from Saigon, January 8, contained the text of the South Vietnamese declaration on the fall of Phuoc Long. (Ibid.) Telegram 231 from Saigon, January 8, contained the text of the South Vietnamese note to the ICRC, UNHCR, UNICEF, and the League of Red Cross Societies requesting assistance for the humanitarian emergency in Phuoc Long Province. (Ibid.)

³ Department of State spokesman Robert Anderson condemned the attack during a press briefing, January 4. (*The New York Times*, January 5, 1975)

of a broadcast by Marvin Kalb saying that peace never came to Vietnam; that this was only another of Nixon's lies; and that the Paris Agreement was a contrived lull to get American forces out and to allow for a decent interval before the North Vietnamese take over. Kalb went on to say that although Washington makes perfunctory statements, no senior official has spoken out and that in the State Department officials are actually relieved that Congress has imposed restraints. Net result, said Kalb, is that, while a lot of people are yet to die, a Communist take-over is inevitable. This all is of course a gross misinterpretation of our government's position, but this kind of talk is bound to be increasingly heard unless rpt unless we make declarations and take actions which palpably demonstrate that we view Hanoi's challenge for what it is—a deliberate effort to destroy that for which so many Americans sacrificed so much—the right of the South Vietnamese to freely choose their own form of government.

4. Second. We must circularize a note to the parties to the Act of the Paris Conference, which we would also make public, in which we note that we take the gravest view of Hanoi's violations of the Paris Agreement over the past two years.⁴ We believe Hanoi must cease its offensive actions, disgorge its captured territories, and tell its southern branch, the "PRG", to return to the negotiating table in Paris and Saigon. We would ask each recipient to make a public statement supporting our position and a *démarche* to Hanoi asking it to cease its military offensive and abide by the Paris Agreement. We also recommend that we ask all friendly governments having diplomatic relations with Hanoi (such as Australia, Holland, India, Indonesia, Sweden) to make a similar approach to the DRV.

5. But most important of all the things which must be done is for the Department to mount a campaign to bring the whole truth to the American people about the current realities in Vietnam. Only by such a concerted effort can we overcome the deliberate organized campaign of lies and distortions about Vietnam which Don Luce, Fred Branfman and their colleagues in the Indochina Resources Center are conducting to discredit our Vietnam policy and persuade the Congress to reject it. For this purpose we believe there must be set up within the Department a task force under a leader with the sole mandate to get out to the American people the whole truth about Vietnam. The Department has ample resources to accomplish this. Among the more obvious actions that we should now be taking is an organized speakers program (directed to important fora to ensure media play) to ensure that our policy and the

⁴ See footnote 5, Document 156. The Department of State released the text of the note on January 13. (*The New York Times*, January 14, 1975)

situation on which it is based is explained by ranking Department officials to the public. This is to be followed up by lower ranking officers visiting college campuses, schools, churches, foreign affairs oriented clubs and institutions, and anywhere people interested in foreign affairs get together. (Some notion of how to start could be gained by looking at the itinerary of Indochina Resources Center speakers.) The Department itself is of course well aware of the many capabilities at its disposal which could be used in this work.

6. We must set the above actions in motion soon and especially we must launch our campaign of truth about Vietnam as soon as possible in order to pre-empt the plan of Don Luce and company to stage a propaganda carnival in commemoration of the January 27 second anniversary of the Paris Agreement.

Martin

159. Memorandum of Conversation¹

Washington, January 8, 1975, 9:24–10:48 a.m.

PARTICIPANTS

President Gerald R. Ford

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs

Lt. General Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

[Omitted here is discussion unrelated to Vietnam.]

President: One quick thing on Vietnam.

Kissinger: We had a WSAG.² Here is the situation. The cuts last year put them on static defense. You know that the GVN needs mobility and firepower to survive. If we don't get a supplemental, the WSAG think it will unravel.

President: Let's ask for one.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 8, 1/8/1975. Secret; Nodis. The meeting was held in the Oval Office. All brackets, except those describing omitted material, are in the original.

² See Document 156.

Kissinger: And I would mention in the State of the Union that here is a people who agreed to peace on the assumption of our support.³

The only thing North Vietnam knows is massive brutality. There are signals we can give, but all it would cause is a little hell here. B-52's to Guam or Thailand. The problem in Thailand is elections—I don't agree. We could put a carrier into the Tonkin.

The Pentagon should stop signalling carrier moves. We could move F-4's to Clark.

Another problem is that South Vietnam doesn't have mines. They could mine if things get out of control. But the DOD lawyers oppose it on the basis of Article 7 of the Paris Agreement. That is insane. North Vietnam hasn't obeyed Article 7 at all. My people want to be able to claim we have obeyed Article 7.

President: I think we should do it.

Kissinger: One other thing. State wants a contingency paper in case we don't get the Supplemental, and we will face negotiations. But negotiations are useful only if there is a real military stalemate. [He described the "Ducky" example.]⁴ They are the toughest in the world to deal with.

³ The President delivered his State of the Union address to Congress on January 15. He did not specifically mention Vietnam or Indochina. See *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 36–46.

⁴ Not further identified. The reference is to Le Duc Tho.

160. Memorandum From the Deputy Secretary of Defense (Clements) to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, January 10, 1975.

SUBJECT

FY 1975 Military Assistance for Cambodia and South Vietnam

At the January 7 WSAG meeting you asked for DoD's recommendations on additional military assistance requirements for Cambodia and Vietnam.² This memorandum responds to your request.

Although our assessment of Cambodian requirements is subject to the conditions inherent in a combat situation, the need for additional resources is clear. We estimate total requirements in FY 1975 to range from \$488 to \$606 million. Timing of a move on legislation is urgent or the Cambodians will run out of ammunition. Action to increase the FY 1975 MAP for Cambodia no less than \$213 million above the present available \$275 million must be completed by early March. A detailed exposition of Cambodian requirements is at Tab A.³

In the case of Cambodia we need both increased authorization and additional appropriations. Raising the Cambodian authorization limitation of \$200 million alone is not likely to be sufficient and would in any event effectively eliminate the rest of our worldwide MAP program. I recommend we submit to the Congress a request for a supplemental appropriation for Cambodia. There are, however, legislative alternatives other than a supplemental which could be explored with the appropriate Congressional committees if deemed necessary.

For South Vietnam we propose a supplemental request of \$300 million for DAV. Tab B contains a detailed statement of Vietnam's requirements.⁴

In the case of South Vietnam, the problem is one of increased appropriations, and not of authorization, inasmuch as authorization of \$1 billion for DAV during FY 1975 has been enacted into law. Going for more than \$300 million would delay and reduce the probability of getting required resources. If combat activity becomes more severe than now, it would be necessary to go for an additional or higher level of

¹ Source: Washington National Records Center, OSD Files: FRC 330-78-0058, Viet 091.3, 1975. Secret.

² See Document 156.

³ "FY 1975 Military Assistance for Cambodia," undated, attached but not printed.

⁴ "Supplemental Funding for South Vietnam," undated, attached but not printed.

funding. Senator Stennis and others have indicated willingness to support an increase in funding up to the \$1 billion authorization level. There has been no discernible support, however, for a higher authorization level.

The timing of our request for Vietnam will be very important. We should keep our options open as long as possible. If the President chooses to address additional funding/authorization for Vietnam during his January 20th State of the Union Message, I believe that we should wait for the right situation in Vietnam and in the Congress to submit a formal request. Meanwhile, consultations with key leaders and committee chairmen would assist in determination of the best timing for submission of the formal request.

W. P. Clements, Jr.

161. Memorandum of Conversation¹

Washington, January 13, 1975, 9:25–10:20 a.m.

PARTICIPANTS

President Ford
Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs
Lt. General Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

Kissinger: I still think the moves in Southeast Asia are right, but Defense is so opposed to them that they would leak them and cause us an enormous problem with the Hill. Then you would have to say a thousand ways what you would *not* do. This is the worst way to deal with the North Vietnamese.

President: Who in Defense is opposed?

Kissinger: There was no opposition by Defense at the WSAG. It is at the top and designed to put some space between Schlesinger and Vietnam and put the heat on you and me.

The best way to make these moves is quietly.

President: Could we just leave out the F-4s?

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 8, 1/13/1975. Secret; Nodis. The meeting was held in the Oval Office.

Kissinger: I think any of these moves would give us the same problem. The softest would be the F-4s to the Philippines as a training exercise.

Scowcroft: Or the B-52s to Guam.

President: Why don't we move the B-52s to Guam?

Kissinger: And the F-4 to the Philippines. Make sure Defense says it is a training exercise.

On the Vietnam supplemental. There are several options: One is the \$300 million; Martin wants to go back to the original request.

The Cambodia economic aid we can do by just renewing the PL-480 from the ceiling. There are two ways to go on Cambodia military.

President: If you can avoid going to the Foreign Relations Committees right away, it would help.

Kissinger: You are the best judge of that. I would like \$700, but would rather have \$300 now than \$700 in June.

[Omitted here is discussion not related to Southeast Asia.]

162. Memorandum From the Deputy Assistant Secretary of Defense (Abramowitz) to Secretary of Defense Schlesinger¹

Washington, January 13, 1975.

SUBJECT

Signals to Hanoi (U)

(TS) The Chairman of the Joint Chiefs has provided you with several options for signaling to Hanoi our continued support for South Vietnam.²

(TS) I believe that each option should be carefully evaluated as to how it would likely be received by Congress and by the American public.³

¹ Source: Washington National Records Center, OSD Files: FRC 330-78-0058, 300-399, Viet, 1975. Top Secret. A stamp at the bottom of the page reads: "Sec Def has seen, 17 Jan 1975."

² Memorandum, CM-220-75, "Signal of U.S. Intent to Support South Vietnam," January 13, not attached. A copy is *ibid.*, FRC 330-78-0059, Viet 381, 1975.

³ This and the following paragraph are highlighted in the margin.

(TS) Unfavorable public or Congressional reaction to our efforts could be counterproductive since it might become apparent that we could not follow through with any action to back our “signals.” Further, adverse Congressional reaction could jeopardize passage of any Vietnam or Cambodia supplementals. We need a close look.

(TS) Providing Vietnam with the MK-36 destructor could be a particular problem in view of the prohibition of Article 7 of the Paris Agreement against new weaponry. If the MK-36 were used it would have to be deployed secretly, thus obscuring any signal. Moreover the sensitivity of this type of weaponry would probably require prior consultation with Congress. On balance, we do not believe any advantages in using the MK-36 would outweigh the risks.

(TS) There are additional factors which should be considered in evaluating several of the specific deployments proposed by JCS.

(TS) *Carrier Deployment.* Deploying the *Midway* to the Gulf of Tonkin could create problems for us with the Japanese on homeporting and transit rights. As you know, the *Midway* has already created controversy in Tokyo on the nuclear issue. Deploying to Vietnam a vessel which is already sensitive in Japanese politics could generate new problems for us in Tokyo, particularly now with the Diet again in session and our own uncertainties about the cooperativeness of the Miki Government in this regard. ISA believes that there are overriding political advantages in deploying the *Coral Sea*, even though it would mean leaving Subic with some maintenance incomplete.⁴

(TS) *F-4's.* Deploying F-4's to Clark from Japan could also generate problems for us in Japan similar to those cited for the *Midway*. While we could probably get around these problems, in our view it would be more prudent to move F-4 aircraft from one of our squadrons in Korea or CONUS prior to moving a Kadena unit to Clark AB. We would not object to deployment of one element of F-4C Wild Weasel aircraft from Kadena (to correspond to increases in B-52 rotation), since this would not represent a squadron-size deployment.

(TS) *B-52's.* The deployment of 6 additional B-52s to Thailand is a move which could provide a signal of our support. However, we should insure that the proper consultations between AmEmbassy and RTG officials are held, and that Thai approval has been received before execution of this action.⁵

Morton I. Abramowitz

⁴ This paragraph is highlighted in the margin and a handwritten notation reads: “Basically consistent with JCS and your views. W.” In all likelihood, “W” is Major General John R. Wickham, military assistant to Schlesinger.

⁵ This paragraph is highlighted in the margin.

163. Memorandum From the Director of the Office of Management and Budget (Ash) to President Ford¹

Washington, January 14, 1975.

SUBJECT

Additional 1975 Foreign Aid Needs for South Vietnam and Cambodia

In response to Dr. Kissinger's request,² the Departments of State and Defense have submitted their proposals for additional funds for Indochina and amendments to the recently enacted Foreign Assistance Act of 1974. This memorandum seeks your decisions on those proposals so that necessary legislation and budget supplementals can be prepared and transmitted to the Congress as soon as possible. An early decision is also needed so that the 1976 Budget can reflect your decisions.

South Vietnam

Defense recommends a \$300 million supplemental for 1975 military assistance for South Vietnam. State is silent on the amount of military assistance, but opposes, with the concurrence of AID, any request for additional economic assistance at this time on the grounds that chances of success are slim and that such a request might detract from the effort of seeking additional military assistance funds. State believes a request for increased military assistance to South Vietnam should be submitted by the end of January while DOD counsels awaiting more concrete evidence of the need for additional assistance.

	\$ millions			
	1974	1975	1975	1976
	Actual	Budget	Est.	Budget
Military Assistance	1018	1450	700	1293
Proposed Supplemental	—	—	300	—
Total	1018	1450	1000	1293

Ambassador Martin has proposed an increased request of \$700 million for military assistance and \$100 million for economic assistance. Of the \$700 million military assistance \$400 million would have to be authorized before being appropriated. The \$100 million in economic

¹ Source: Ford Library, Presidential Handwriting File, Box 22, Foreign Affairs, Foreign Aid, South Vietnam. Confidential. A stamp at the top of the memorandum reads: "The President Has Seen."

² See Document 156.

aid would also require prior authorization. Ambassador Martin argues that the larger program is necessary in order to prove the validity of the original budget requests.

Analysis. A \$300 million increase has the advantage of being within the \$1000 million already authorized and is assured of support from Senator Stennis. This amount would maintain ground ammunition stocks above the stockage objective at year's end even allowing for a 30% increase in consumption during the dry season. Should the North Vietnamese attack with the same intensity as during the 1972 offensive, no more funds would be required to defeat the attack, but some additional funding would be needed to bring ground ammunition stocks back up to the stockage objective afterwards. If no massive offensive develops, no funds beyond \$1000 million will be needed, and Defense does not believe more can be justified at this time.

I recommend that you approve a \$300 million military assistance supplemental for South Vietnam for immediate submission to the Congress. NSC concurs.

Decision:

Approve \$300 million military assistance supplemental³

Cambodia

The Cambodia military assistance situation is as follows:

- The Foreign Assistance Act has limited Cambodia to only \$200 million of the \$600 million total MAP authorization. Under the Continuing Resolution, that amount has already been obligated.
- Ammunition in country or in the pipeline will meet consumption requirements for only 30–45 days.
- Drawdown of \$75 million in defense stocks authorized by Presidential Determination will cover estimated requirements for an additional 50–60 days.

The Defense Department estimates that, unless funding beyond the \$275 million now available is obtained, ammunition deliveries will have to cease in late February, and the Khmer Armed Forces will be out of ammunition at current consumption rates by late March or early April. Accordingly, Defense recommends that relief be obtained by early March at the latest.

Defense estimates total 1975 requirements to range from \$488 to \$606 million, of which \$450 to \$572 million require budget authority.

The several options recommended by Defense, State and NSC are presented in the table below along with the 1974 actual level, 1975 budget request, and current Foreign Assistance Act authorization.

³ Ford initialed his approval here.

	\$ millions						
	1974 Actual	Budget Request	Congr Auth	1975	Option A-2	Option B	Option C
				Option A-1			
MAP funds	162	390	200	200	200	200	200
authorized							
MAP budget	—	—	—	—	175	222	297
amendment							
Drawdown	250	—	75	75	75	75	75
authorized							
Additional	—	—	—	175	—	—	—
drawdown	—	—	—	—	—	—	—
Total ⁴	412	390	275	450	450	497	572
Worldwide	695	985	675	850	850	897	972
MAP Total							

Option A. This option reflects the \$450 million total military assistance level recommended by State and corresponds to the “austere” level Defense believes necessary to fund ammunition consumption for the remainder of this fiscal year at the same rates as during the 1974 dry season.

The \$450 million level could be met by two means: (a) Under Option A-1, an amendment to the Foreign Assistance Act would be sought to increase the currently authorized worldwide drawdown authority of \$150 million by \$100 million and to eliminate the \$75 [million] limitation on Cambodia. The entire resulting \$250 million drawdown would be used for Cambodia. (b) Alternatively, under Option A-2, an additional \$175 million in regular MAP funds would be sought. This would require an amendment to the Foreign Assistance Act, eliminating or raising the ceilings on aid to Cambodia and increasing the total MAP appropriation ceiling by \$175 million. A budget amendment for that amount would be sought.

State prefers Option A-1 while Defense prefers A-2. Option A-1 has the advantage of not requiring appropriations action and, if successful, additional ammunition could be provided earlier than under Option A-2. However, Option A-1 could be criticized as backdoor financing, especially since the drawdown authority is designed to meet unforeseen emergencies. We believe the choice may depend on the preferences of friendly senators and representatives whose sponsorship will be critical.

⁴ Excludes certain items that count toward Cambodia ceiling but do not require expenditure of additional appropriated funds or drawdown authority. [Footnote in the original.]

Option B. This option providing a total of \$497 million would require an additional MAP authorization of \$222 million and a budget amendment of that amount.

Option C. This option providing a total of \$572 million would require an additional MAP authorization of \$297 million and a budget amendment of that amount.

Analysis. Option A corresponds closely, if inflation is considered, with 1974 levels and is based on 1974 dry season ammunition consumption experience. Moreover, improved fire discipline by the Khmer forces should make the same level of ammunition supply go somewhat farther this year. Option A is a defensible request that represents the minimum level considered prudent by Defense.

Option B at an increased cost of \$47 million over Option A is a lower risk option. It would permit a 10% increase (\$26 million) in ammunition expenditure over the 1974 dry season rate supported by Option A. This additional 10% is only about half that recommended by Ambassador Dean based on ammunition expenditures in the current fighting. Option B would also provide \$21 million for replacement of limited and very critical equipment lost in combat, to include artillery pieces, M113 armored personnel carriers, landing craft (LCM), patrol craft (PBR) necessary for the Mekong supply route, and helicopter gunships to escort Mekong convoys. Because the higher level of Option B could not be provided by increased drawdown authority alone (\$222 million would be required), it would be necessary to seek an increased MAP authorization and appropriation.

Option C would permit ammunition to be consumed at the highest rate ever achieved in any one month during the 1974 dry season during each of the last six months of fiscal year 1975. This would represent a 24% increase over actual 1974 consumption for the January–July period, and would permit limited replacement of equipment attrition and allow increased funding of operating and maintenance costs. Option C could prove necessary at some future date if ammunition expenditures remain at peak levels and interdiction of the Mekong requires a resort to expensive air delivery of ammunition. However, it would be difficult at this time to make the case for a 24% increase over 1974 ammunition consumption levels.

Recommendation. I recommend that you approve Option A with the choice between seeking additional drawdown authority (Option A–1) and seeking additional MAP authorization and appropriations (Option A–2) to be determined on the basis of congressional consultations to be conducted by State as soon as possible this week. State concurs.

Defense supports Option A as a minimum but would prefer Option B.

NSC strongly recommends Option B.

Decision:

Option A (\$450 million total program)

Option B (\$497 million total program)⁵

Option C (\$572 million total program)

Cambodia ceilings. Under all military assistance options it will be necessary to seek relief from the Cambodia ceilings in order to permit full utilization of an estimated \$34 million in excess defense items and permit inclusion of certain overhead costs that must be counted within the military assistance ceiling (\$200 million) and the overall country ceiling (\$377 million) even though they do not require expenditure of additional appropriated funds or drawdown authority. Relief from the \$177 million combined ceiling on economic and P.L. 480 assistance will also be necessary. An \$88 million minimum requirement for economic assistance leaves only \$89 million for P.L. 480 commodities, compared to the \$139 million required.

Recommendation. I recommend that you approve inclusion of a request to remove the Cambodia ceilings in the legislative package for South Vietnam and Cambodia. State and NSC concur.

Decision:

Approve request to remove Cambodia ceilings⁶

[Omitted here is a recommendation unrelated to Southeast Asia.]

⁵ Ford initialed his approval here.

⁶ Ford initialed his approval here.

164. Memorandum From William Smyser and Clinton Granger of the National Security Council Staff to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Washington, January 18, 1975.

SUBJECT

Presidential Decisions on Recommendations from the January 7th, WSAG Meeting on Indochina

According to the attached talking points (Tab A)² and summary of key points (Tab B)³ of the January 7th WSAG meeting,⁴ Secretary Kissinger intended to discuss the following measures with the President:

- Providing LSTs and mines to the RVNAF.
- Deploying the *Coral Sea* in the Gulf of Tonkin.
- Transferring six B-52s to Thailand, and
- Moving a squadron of F-4s to Clark.

We understand some decisions have been made but not implemented. There is currently a great deal of confusion within the bureaucracy about what we have already done and what we plan to do in the near future. We have been contacted and asked for guidance and clarification.

Since we are not clear ourselves on where these issues stand, will you please tell us the status of each of the following, as you understand it, and give us guidance on what we should do next?

- Provide six LSTs to the RVNAF, through AID or otherwise.⁵
- Provide destructor mines to the RVNAF.⁶
- Deploy the *Coral Sea* to the Gulf of Tonkin.⁷
- Transfer six B-52s to Thailand, before or after the election.
- Move a squadron of F-4s to Clark.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 1, Southeast Asia. Top Secret; Sensitive. Sent for urgent action.

² Talking Points, January 7, attached but not printed.

³ Summary of Key Points, January 7, attached but not printed.

⁴ See Document 156.

⁵ Below this line, Scowcroft wrote: "Thru AID—please monitor activity."

⁶ Below this line, Scowcroft wrote: "Hold."

⁷ Below each of the last three lines, Scowcroft wrote: "No."

165. Memorandum From the Director of the Defense Intelligence Agency (Graham) to Secretary of Defense Schlesinger¹

Washington, January 24, 1975.

SUBJECT

Adequacy of External Military Support to North and South Vietnam (U)

1. (U) As you know, both North and South Vietnam depend in great part on outside powers for their military supplies and equipment. Many people, therefore, are prone to compare the aid that Hanoi and Saigon receive and to develop a notion that the side receiving more should be militarily stronger. Since DIA must frequently supply estimative data on communist military aid to North Vietnam, I want to insure that this agency does not unwittingly propagate that kind of reasoning. Thus, in replying to requests for such information, we stress the points contained in the following paragraphs.

2. (S) Intelligence can identify broad trends in communist military aid to North Vietnam. We cannot speak precisely to the issue, however, because of gaps in our knowledge relating to:

—The exact quantities of military supplies and equipment the USSR, PRC, and Eastern European countries send to North Vietnam;

—The real cost of individual items;

—The real cost or extent of such supplemental programs as training, transportation, advisory services, installations, and maintenance; and

—How much economic aid (e.g., food, fuel, and vehicles) is diverted into military channels.

3. (C) Nonetheless, it is possible to draw a meaningful military aid comparison—though not in quantitative terms—by looking at the trends in the military situation in the South. In summary:

—The January 1973 cease-fire found communist forces in South Vietnam badly battered—their force structure eroded and their stockpiles depleted. Conversely, the South Vietnamese military were in reasonably good shape. The large stocks of supplies and equipment we delivered prior to the cease-fire enabled Saigon to more than hold its own militarily for about a year and a half.

—About mid-1974, Hanoi's policy of rebuilding its capabilities in the South, while simultaneously causing an erosion of GVN military

¹ Source: Washington National Records Center, OSD Files: FRC 330-78-0058, Viet 091.3, 1975. Secret.

resources, began to bear fruit. This happened because Hanoi's suppliers met its military needs while the U.S. could not do the same thing for South Vietnam. As a result, Hanoi became increasingly bold on the battlefield; Saigon, more and more reactive in an effort to conserve supplies and equipment.

4. (C) The shift in the military balance that began about mid-1974 has already reached the point where the South Vietnamese military have had no choice but to move into an increasingly defensive posture. This means abandoning many positions in contested territory in order to concentrate on the defense of vital population and rice-growing regions, and clamping rigorous constraints on the use of such critical items as ammunition and fuel. In essence, the strategic and tactical advantage has passed to the communists in South Vietnam. In addition, the size of their in-country stockpiles is such that not even a North Vietnamese decision to launch an all-out offensive would be constrained by logistic considerations.

5. (C) We thus know empirically that Soviet and Chinese military aid to North Vietnam is adequate to allow Hanoi to carry out military action in South Vietnam at about whatever scope and intensity it desires. On the other hand, we see that South Vietnam receives inadequate US military aid to counter the type of threat that it faces. At current levels of outside military support for both parties, we can only expect the communist logistic advantage to grow larger.

Daniel O. Graham
Lieutenant General, USA

166. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, January 25, 1975, 0830Z.

924. Subject: Letter to President From President Thieu.

1. This morning (January 25) President Thieu personally handed Ambassador letter addressed to President Ford, text of which given below. President Thieu told Ambassador he did not intend to make the letter public but that President Ford should feel free to do so if he

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, To SECSTATE, Nodis (2). Secret; Nodis.

thought this would be useful. At the same time Foreign Minister Bac has sent the Ambassador a copy of President Thieu's letter for forwarding to Secretary Kissinger. Original being pouched Department.

2. *Begin text:*

Dear Mr. President:

As we are approaching the second anniversary of the signing of the Paris Agreement of 27 January 1973, I wish to draw your attention to the very grave situation our country is facing as a result of the continuing aggression carried out by North Vietnamese troops in South Viet-Nam.

Indeed during the last two years, and despite the existence of the Paris Agreement, North Viet-Nam has vastly increased its military capability in the south, stepped up land and population grabbing operations and launched incessant attacks against outposts, bases, district towns which were indisputably under the jurisdiction and control of our government long before the Paris Agreement was concluded. The recent capture of the Phuoc-Long Province last week—certainly the most massive and the most blatant violation of the Paris Agreement—clearly shows that the North Vietnamese and their political instrument in the south, the “National Liberation Front,” have completely disregarded the agreement. It is quite evident by now that North Viet-Nam instead of seeking a political solution within the framework of the Paris Agreement, has again resorted to military adventures to impose their will over South Viet-Nam.

You are certainly aware, Mr. President, that this continued aggression from North Viet-Nam constitutes a most serious threat to the survival of South Viet-Nam as a free and independent country and destroys the chance for the South Vietnamese people to exercise their right of self-determination, a principle for the defense of which more than fifty thousand young Americans as well as hundreds of thousands of Vietnamese had sacrificed their lives. To uphold this principle, our troops have fought gallantly and well, and since the withdrawal of all allied troops they have shown determination and ability to go forward alone to preserve our independence and freedom.

Nevertheless as North Viet-Nam continues to receive large quantities of war material from Communist countries to pursue their armed aggression against South Viet-Nam, we must rely on the assistance of the United States of America for the supply of equipment and ammunition necessary to our defence. In most cases we have sustained setbacks solely because of the Communist massive application of fire power and armor; on our side our troops had to count every single shell they fire in order to make the ammunition last.

I understand that some sections of the American public opinion have been induced into believing that too much aid to the Republic of

Viet-Nam would only prolong the war and encourage us not to seek a political solution. The record clearly shows the opposite. Reduction of military assistance to Viet-Nam by the U.S. Congress has only encouraged the Communists. Thus, they have broken off all the negotiations in Saigon as well as in Paris and systematically rejected all our proposals for general elections. Taking advantage of the scarcity of our supplies and hoping that adequate aid for us will not be forthcoming, they are once again undertaking to destroy our government structure by force of arms with a view of imposing a solution of their own.

Two years ago we signed the Paris Agreement with the hope that the elaborate structure for global peace would effectively work. We also signed with the great conviction that should the Communists resort to the use of force again we will be provided with adequate means to defend ourselves.

Today I wish to appeal to you to take all necessary action to preserve the Paris Agreement. I am aware of and thankful for the numerous personal efforts and intervention you have made in our behalf since you took over the highest office of your great country. I am also very heartened by your decision last week to seek more supplemental military assistance for the Republic of Viet-Nam.

I hope that you will be successful in convincing the United States Congress and the American people that the cutbacks and restrictions in aid to the Republic of Viet-Nam could undermine its very survival and eventually make a mockery of the commitment of the United States to the defence of peace in Viet-Nam.

I trust that you and the Secretary of State will not spare any effort to preserve the Paris Agreement and to ensure that the countless sacrifices that our two nations have made will not be made in vain.

Sincerely yours,

Nguyen Van Thieu

End text.

Martin

167. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, January 27, 1975, 8–9 a.m.

PROCEEDINGS

[Omitted here is discussion unrelated to Vietnam.]

Mr. Maw: Has the leadership meeting been scheduled on Indochina yet?²

Secretary Kissinger: I think it has.

Mr. Maw: It has. There's a paper on your desk from the President.³

Secretary Kissinger: Yes. I was told about it. I'm not in favor of sending a Congressional delegation to Indochina. That's one of those gimmicks that doesn't do you a bit of good. People aren't going to vote on the basis of what they see in Indochina.

Mr. Habib: On the basis of what they see. To get a report back to Congress that sets forth the situation as seen by the group.

Secretary Kissinger: First of all, the leadership won't go; so they're going to send a bunch of young—well, I'll take it up with the President.

Mr. Habib: I wish you wouldn't dismiss it so quickly.

Let me just point out a couple to things, if I could. People were meeting on this thing while you were away,⁴ trying to get that paper for you before you came up with the proposal of the Congressional delegation, because it was felt that without it we didn't have a chance on the Hill—that with it, if the delegation would make the kind of report which would just simply state the fact they could come to any conclusion they want, but the fact itself—

Secretary Kissinger: Well, the whole thing is a classic misrepresentation which nobody has straightened out yet.

Mr. Habib: That's correct.

Secretary Kissinger: There's no question of principle involved here whatsoever. They appropriated 700 million. They make it sound as if we suddenly ran out of money, and we're asking for 300 million more. We authorized a billion, and we're therefore willing to live within

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 6, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates.

² See Document 168.

³ Not found.

⁴ Kissinger was in Europe and Martinique December 12–16.

the authorization. That is the fact. It isn't as if we're asking out of thin air—asking for 300 million more.

Mr. Habib: Let's not forget Cambodia. It's an entirely different case.

Secretary Kissinger: It is people who lost the debate in '71-'72 that are now trying to prove they were right all along.

Mr. Habib: That's correct; absolutely correct.

Secretary Kissinger: By sacrificing Viet-Nam. There's no other explanation.

Mr. Habib: And by arguing two things—No. 1, that we have violated the Agreement—which is true.

Secretary Kissinger: Well, we went through all of this for four years.

Mr. Habib: I think we're going to have to go through all of that again, or we're not going to get through an Agreement again.

Secretary Kissinger: Money—Thieu is not a Democrat. Their heart bleeds for the people that are dying there.

Mr. Habib: Who is behind the war? We are behind the war.

Secretary Kissinger: It's tremendous humanity, but the people who are going to die if the Communists take over.

Mr. Habib: And we're not trying for a political solution. But how are we going to get the money if we have no basis for defending it?

Mr. Vest: Sir, General Jones, Chief of the Air Force, brought Senator Nunn back from that trip.⁵ I talked to him the other day. And he said a lot of people might make a lot of difference in it.

Mr. Habib: Please don't dismiss it. Let me talk to you some more about it.

Secretary Kissinger: All right. Let me talk to the President about it. But there's kind of a sickening debate going on about it because we're not talking about American lives; we're talking about American honor. And we're talking about a few hundred million dollars given to people who we have made ironclad promises to so they could get American aid and where all the proponents of the war, through 1972, always said, without exception, however far on the opposition they were, they always took the view they were opposed to American lives being spent; and if we would stop sacrificing American lives, they would see to it that sufficient aid was given.

Aid was never in dispute, even by the opponents.

Mr. Habib: Well, I suspect that the line you're going to have to take when you submit yourself to questions by the Committees is that things

⁵ Senator Nunn visited Vietnam in early 1975. For his report and related proposals, see *Vietnam Aid—The Painful Options: Report of Senator Sam Nunn to the Committee on Armed Services, United States Senate*. (Washington, D.C.: U.S. Government Printing Office, 1975)

have to be ironed out. And if we agree to the President's putting together a group which they would agree to send, we could put together the kind of group—even if it doesn't include the top leadership—which would be across the board. I would take an across-the-board group and let them go to both places. They have a recess coming up; let them go during the recess.

Secretary Kissinger: Let me talk to the President about it.

Mr. Maw: The atmosphere on the Hill is—

Mr. Habib: It's terrible. I've talked to some of the people. They're going to kill us if we don't do something to turn it around.

Secretary Kissinger: It's not a misinformation; it's not a misapprehension. They know damn well what they're doing.

Mr. Habib: Well then, we better make it very clear.

Secretary Kissinger: And if you watched television this morning, every program has—I mean that systematic campaign.

Mr. Habib: Well, today is the peak day. It's been going on for several days on Viet-Nam, but I don't consider it as anywhere near what I would hope it to be.

[Omitted here is discussion unrelated to Vietnam.]

168. Memorandum for the Record¹

Washington, January 28, 1975, 9:30–11:30 a.m.

PARTICIPANTS

President Ford

Vice President Rockefeller

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs

James R. Schlesinger, Secretary of Defense

Gen. George Brown, Chairman, Joint Chiefs of Staff

Bipartisan Congressional Leadership (List attached)²

SUBJECT

Supplemental Aid Request for Vietnam and Cambodia

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 8, 1/28/1975. Secret; Nodis. The meeting was held in the White House Cabinet Room. Brackets are in the original. All blank underscores are omissions in the original.

² List of congressional attendees, attached but not printed.

The President: Two years ago, Mike [Mansfield] and I were together in Paris for the signing of the Paris agreements. Those agreements were predicated on certain assumptions, and we are now faced with developments that were not foreseen. Last year, we asked for \$1.4 billion authorization. That was cut in half, and as a result, we can't even supply them with the ammunition they need. The Vietnamese are fighting valiantly, they're not asking for our troops, and they deserve our support.

In Cambodia, the situation is similar. They have, under almost unbelievable conditions, pushed their supply boats up the Mekong. They are in dire straits.

Therefore, I am signing today a supplemental message asking for appropriation of \$300 million in military assistance for South Vietnam and authorization of an additional \$222 million for Cambodia.³ I think these countries deserve our support. I know it is unpopular and will meet with resistance. But I do not think we should let these countries sink slowly because we are not prepared to give them adequate support. I feel very strongly about this.

Now, I would like General Brown to tell us about the military situation.

General Brown: In Vietnam, there have been Communist advances in the lesser-populated areas of the country. The GVN is saving its regular forces to defend the major areas. Communist infiltration levels are high. They have increased their troops and equipment and ammunition in South Vietnam substantially since the Agreements.

The South Vietnamese are aggressive, but they have given up some isolated territory. They have cut their ammo use on the ground by over 50% and their Air Force operations by 50%. The brown-water Navy is _____% laid up, and their blue water operations have been reduced by 20%.

We estimate that hostilities will increase in the central area. If Hanoi sees further signs of weakness we believe it would commit its reserves to take advantage of the new situation.

In Cambodia, the Communist dry season offensive has begun. The outer Phnom Penh defenses have been breached in some places, and the Mekong is partially interdicted. That is all.

³ President Ford's January 28 Special Message to Congress requested a supplemental appropriation of \$300 million for military assistance to South Vietnam, legislation to eliminate the ceiling on both military and economic assistance to Cambodia, and an appropriation of \$222 million for military assistance to Cambodia, which would require an amendment to the fiscal year 1975 budget. See *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 119–123.

The President: Thank you. Henry?

Secretary Kissinger: I would like to stress one thing. The press is talking about new commitments; we are talking about keeping an old commitment. If we are not going to do enough, there is a question of whether we should do anything at all. No case can be made for giving less than adequate aid and aid that Congress has already authorized. Do we want to risk the failure of all that was done, at a sacrifice of 55,000 men and blood and treasure for want of enough money to enable them to defend themselves?

We are not on our way in. That we must recognize. The American role was always envisioned as getting the Vietnamese to defend themselves. The overwhelming objective of the national debate was to disengage our military forces and return our prisoners. There was no objection to the principle of supporting a government that was prepared to defend itself by its own efforts. They are now defending themselves. The South Vietnamese agreed to go it alone on the basis that we could give them the wherewithal to do it. They have a chance to defend themselves. That chance exists. That chance depends on American assistance. All the material General Brown described was brought in in violation of Article 7.

There is only one problem—the North Vietnamese attacks. The GVN was resisting these attacks very well before our aid was cut last summer. No new equipment could be sent, and only inadequate ammunition. They, therefore, had to cut back their ammunition expenditure. This in turn led to an increase in casualties, and therefore a deterioration of the military situation.

North Vietnam is claimed to have unlimited willingness to lose men and treasure to take over the South. This cannot be. If they see they can't win, they will negotiate, just as they did with us.

So the question is, are we going to let go to waste all that we have committed thus far, for an unwillingness to provide \$300 million?

There has been a lot of talk about comparative levels of aid going to the two sides. First of all, they are hard to compare because our information is inadequate. Secondly, by the nature of the war, there are different needs on the two sides. The Communist totals do not include transportation, training, parts, and so on, which are a large part of our aid, and the South Vietnamese, as defenders, also have greater needs.

But these are not the issues. The core issue is whether we are giving them enough to resist North Vietnamese aggression.

In Cambodia—in fact, in both countries—we are seeking a negotiated settlement. We can't discuss it in this broad a group, but we will to selected Democrats and Republicans, what we are doing to promote this. The Communists will never negotiate if they think they can attain their goals without it. That we must always remember.

The President: Let me add one point. There was much discussion here about asking for more than the \$300 million. They do, indeed, need more. But I decided on a bare-bones request to get just the minimum needed.

I think in Vietnam we have an obligation to fulfill our commitment in the Paris Agreement. In Cambodia, we are trying to get a settlement. I will talk to the leaders on this in more detail.

There is unanimity within the Administration. Jim?

Schlesinger: In Cambodia, we face an immediate shortage of ammo and the fall of Phnom Penh this Spring. Vietnam is not this critical—there it is a question of a gradual erosion of capability and accompanying morale. This will be difficult to measure.

As Secretary Kissinger said, the aid comparison is hard to make. But the North has put in about \$200 million in equipment. We have put in no equipment—we couldn't afford to. Let me read the latest COSVN directive . . . This is the issue. [He reads from directive.]

President: Thanks, Jim. Strom?

Thurmond: Mr. President, as you know, I just returned from a visit there. I travelled around the country and I talked with everyone. I am convinced they can make it if we help them. Graham Martin says we don't have to help forever—maybe it'll be three years. They are finding oil there—the companies are spending millions.

Vietnam is the breadbasket of Southeast Asia. We would lose an awful lot if we let them go. The rest of Asia is watching what we do in Vietnam. We can spend this now and it is chicken feed compared to what we would have to spend later. The South can whip the North if we give them this aid or if the North didn't get outside help.

In Cambodia—the Government has 20 percent of the land, but 80 percent of the people. There are three classes of opposition—the soft and hard-core Communists and Sihanouk. The Ambassador says we can get a settlement if we can last out the dry season. It is highly to our advantage to us to do so. The people don't understand—mine don't—because they don't know. If they knew, they would back it. I'm convinced of that.

President: Strom, let me read a letter I just got from George Meany. [Reads letter.] I know this is controversial, but in good conscience I think this country has an obligation to move ahead on this. I hope we can act together for our best interest and, too, in support of our commitment to South Vietnam.

Stennis: I said last fall that I would support additional aid if there was proof of dire need. I will redeem my promise, but I've got to see proof. You will have a hard time with this, and then there will be a '76 bill—there is where the fight will be. We need proof.

Also, I would like to know what commitments were made by this government when the Agreement was signed.

Kissinger: First, I have not talked to Senator Thurmond, but what he said about the impact was accurate. It would be profound.

Secondly, in answer to Senator Stennis's question: We do not have a legal commitment to South Vietnam, but we certainly have a moral commitment based on their willingness to go it alone. There was a moral commitment that if the Government of Vietnam permitted us to get out and get our prisoners back, the Congress would provide what was required—though that was not defined. The general context of the debate in this country at the time we got out was that we are willing to commit money there, but no more lives. This is what the record shows.

President: That's right. I am convinced that if we don't carry out this moral commitment, the odds are highly in favor of a disaster in Vietnam. In Cambodia the situation is more acute, but we have things going on there which could bring an end to the fighting.

Byrd: What diplomatic steps are being taken to get the PRC and Soviet Union to cut back on supplies to North Vietnam?

Kissinger: We are talking to the PRC and the Soviet Union. We would prefer to brief one or two members on each side, because of the sensitivity of this.

Vice President: You have made the point that the principle is not really involved here because it is already authorized by the Congress. I worry because America's role in the world and its word is declining. Latin America has now cancelled a Foreign Ministers' conference because they think we have gone back on our word. Portugal is in trouble. If we don't stand with our friends, the free world is in bad shape.

President: Henry is going to the Middle East in a few weeks on a very difficult and delicate mission. We went through a tough period in '73. In that war we responded generously; I estimate that we spent about \$700 million a week, if you divided \$2.2 billion by four weeks. I hope Henry can succeed in his effort to avoid a repetition of that. But strength in one part of the world helps us in all other parts. We must have a global policy of standing by our friends. It means a great deal all over the world.

Ullman: What concerns us is their ineptitude and their lack of will to carry on. We see the divisiveness in the streets of Saigon. We are putting money in a place that is doomed to fail.

President: Our best advice is that in a free election there the Government would prevail. There is divisiveness there, but the Government would win an election. As Meany says, the alternative is far worse.

Speaker Albert: Mr. President, I want to cooperate in matters of foreign policy. But I can't help but say I want to reserve judgment on this. But my feeling is it will be almost impossible to get this through the House. I won't say what I will do, but when all your fellows are against you, what can you do?

The arguments are that South Vietnam is not tied to the rest of Southeast Asia, that that is just a fraud. Also that our aid is endless. I have heard since longer than I can remember that in 6 months or a year we would be out. But I agree with Secretary Kissinger that it is better to do nothing than too little.

Mansfield: Mr. President, I have always thought Vietnam was a mistake—that we sacrificed 55,000 killed and 160,000 casualties and from \$125 to \$150 billion—needlessly. My feeling is I will not vote any money for Vietnam or Cambodia and I can't go along—despite my admiration for you. The Vice President has said that if we don't stand with our friends we will have to go it alone. But our friends are in this country, not in Southeast Asia or the Middle East. No one can assure the Congress we won't have to continue this far longer than the 2–3 years that Strom says. My position is unchanged.

O'Neill: I think the American people feel that this country has deteriorated over the past 10 years because of Vietnam. Pollsters I spoke to said the Democrats won in November because of Watergate, inflation and Vietnam.

Speaker Albert: A Canadian Parliamentarian just told me that there is a better feeling toward the United States now that Vietnam is over.

Vice President: It was Henry Kissinger sitting at the end of the table who got us out. Never mind how we got in—we are all in it now. He is going around the world negotiating. If we lost Portugal and maybe Turkey, we are much worse off. If it looks like we say, "When we get what we want, to hell with them," we cannot negotiate anywhere.

Price: Secretary Kissinger said that the American people would support military aid if we could get our troops out. But the people are still worried about troops going back in. If we could get assurances on that point, I think the people might be willing to fulfill our commitment.

President: Let me assure you there is no thought of sending troops in. Just because we are not talking about military involvement, does not mean this is not a very serious debate. I feel very deeply about the importance of this meeting, and I send up my request with full hope you will consider its importance.

Scott: Mike [Mansfield] has been consistent. But if we are going to cut loose from Vietnam, it should be a conscious decision, and not by accident. The failing of democracy is that we get tired. We can't keep up with the persistence of the Communists. We have to show that we *can* do it. I support you, Mr. President.

O'Neill: The anti-Vietnam movement is starting up again. They say we are sending experts back in, that the Government of Vietnam has more land than they had before the cease fire, and that the Government of Vietnam is the aggressor.

Kissinger: The Canadians won't change their attitude whether our aid is \$700 million or \$1 billion. We should not turn this into another national debate on Vietnam. The basic facts are—that we are not going back in. The reason the fighting has gone on is because the North has refused to permit the ICCS to function, it has refused demarcation of areas of control, or any move which would have permitted the fighting to stop. The issue is not who is right or how we got in, but what we do now. This is a marginal amount and it should not reopen the whole war debate.

Michel: You say don't make it a debate on Vietnam. But we have 92 new members, we have a new situation, and they won't take it on faith. Maybe we can think of a way you can meet with them. That is the only way.

O'Neill: These new people are in politics because they have disagreed with the system.

President: Henry met with them and was very impressed.

Kissinger: I didn't talk Vietnam, but I was impressed. I would be happy to get them together with Jim [Schlesinger] and George [Brown] and talk with them to work it out.

Michel: And I would add that we should urge that no one get in a concrete position on this before the arguments are heard.

President: We will do this. I appreciate the seriousness with which you have discussed this. The ramifications are far greater than the \$300 million or the immediate issue. Thank you all.

169. Memorandum of Cabinet Meeting¹

Washington, January 29, 1975, 4:30 p.m.

President: First, I have two comments: Yesterday I sent up an Indochina supplemental. I want it clearly understood that this Adminis-

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 8, 1/29/1975. Confidential. The meeting was held in the White House Cabinet Room. Brackets are in the original.

tration is clearly, firmly, unequivocally behind that. We want it, we are going to fight for it and I want everyone behind it. I think it is vital and right, and I want no misunderstanding about that.

Second, we are in a delicate situation on energy. We are going to put it all in one bill to show we have a plan. And I want no talk about compromise.

Morton: Can we get a talking paper on Vietnam? It would help in talking to the issue.

President: There is a good article in the *Christian Science Monitor* by Goodwin about the consequences of a collapse in Southeast Asia. If they go down the drain, there will be a strong guilt feeling in the American public.

Morton: A question that was put to me was, would \$300 million do any good?

Schlesinger: In Cambodia we are asking only what we requested before. Phnom Penh will fall this spring without this aid. In South Vietnam, the decline is slower. They are having to ration down to hand grenades.

Kissinger: We asked for \$1.4 billion in authorization. They gave us \$7 billion in appropriations. So we are asking for almost half of it again. To agonize about each \$100 million is ridiculous, since if it is not enough, it might as well be nothing. The Administration's Vietnam policy was ratified in 1972 by a 62 percent vote. Now the McGovern philosophy is being put in retroactively by those who lost in 1972.

The Vietnamese are below the level at which they can effectively operate. Then their casualties go up. When their casualties go up their morale goes down. Then they lose more, then our opponents say they said so.

President: At the time of the Paris Accords, many people said, "Just get the troops out and we will give aid." Now they are backing off that. We have a commitment and we are doing it because it is right. We believe in it.

Vice President: Your negotiating authority and your ability to settle the Middle East will be seriously weakened if the President is not seen to be able to deliver on his commitments.

President: We can't be aggressive in one area and isolationist in another. The Middle East is no more important than Southeast Asia. We have to have global policy and we are going to push this through.

While we are here I want to extend my thanks to Claude Brinegar, Bill Saxbe, and Roy Ash for the fine work they have done. I am deeply grateful.

[There was then a budget discussion led by Roy Ash, and some discussion of deferrals and excisions.]

170. Memorandum From William Smyser of the National Security Council Staff to Secretary of State Kissinger¹

Washington, January 30, 1975.

SUBJECT

What does Hanoi want this Year?

According to most of our intelligence, Hanoi's objectives this dry season are limited to eroding the GVN's position and forcing it to implement political provisions of the Agreement according to Communist interpretation (e.g., formation of a National Council with a pro-Communist majority or at least an anti-GVN cast).

These objectives are no doubt based on Hanoi's 1974 assessment of Communist capabilities this dry season. While these objectives seem limited, we must assume that Communist forces will seize whatever they can.

If they see a chance to win a major military victory over the ARVN, they will do so. Either way, they expect to go into future negotiations with a significantly strengthened hand.

In sum, the North Vietnamese remain flexible and have not yet set a rigid upper limit on what they hope to achieve this year. I think it is true that they will not mount a major offensive on the 1972 scale, but that does not mean that they will not take advantage of every possible military or political opportunity that they can get.

I think we should point this out whenever we have the opportunity, since we must make clear that a decision to cut aid is not a limited-risk decision.²

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 19, Vietnam (6). Secret; Sensitive; Eyes Only. Urgent; Sent for information.

² Kissinger wrote at the bottom of the memorandum: "Agree—stress this point."

171. Memorandum for the Record¹

Washington, February 12, 1975.

PARTICIPANTS

Mr. Carl Maw, Under Secretary
Mr. Philip C. Habib, Assistant Secretary, EA
Mr. W. R. Smyser, NSC
Mr. William Stearman, NSC
Mr. Erich Von Marbod, DOD
Mr. Paul Walsh, CIA
Mr. John Murphy, AID
Mr. Morton Abramowitz, DOD/ISA
Mr. Robert Ellsworth, DOD/ISA
Brig. General Kiefe, JCS
Mr. Robert Miller, Deputy Assistant Secretary, EA
Mr. Robert Wenzel, Country Director, EA/VN
Mr. Samuel Goldberg, H

SUBJECT

Proposed Three-Year Assistance Program for Viet-Nam

Mr. Habib described the purpose of the meeting in terms of the need to define the aspects which must be considered in developing a three-year assistance program for Viet-Nam, in accordance with the President's *Chicago Tribune* interview of February 9.² Mr. Habib suggested that initially the group should explore the following elements: the amount of assistance which should be requested, to include breakdowns of military and economic assistance, and categories within each of those areas of consumables versus investment; the nature of the presentation of the program to the Congress, including the form of legislation to be requested, whether the program should be presented as a request for an initial one-year authorization/appropriation or a three-year request—with a special account, or included in normal Defense and AID requests—what role the upcoming congressional delegation to Indochina might play in connection with the proposal, and the timing of the presentation to Congress; in development of the proposal, what should be asked of the GVN regarding its contribution to the overall effort, militarily, economically, and politically; what role can other countries play, particularly the Japanese; the relationship of the

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 19, Vietnam (7). Secret; Exdis. The meeting was held in the Department of State EA Conference Room.

² Ford pledged to halt major U.S. assistance to Vietnam in three years if Congress appropriated sufficient funding during that three-year period.

outcome of our supplemental request for FY 75 funds to the three-year program; what changes would be required or should be sought in existing legislation related to our assistance, for example, in excess military equipment terms, additional charges (e.g., military salaries), and DAV legislative terms as compared to MAP terms; the need to develop a program which is valid in terms of the basic three-year thesis; and, an estimate of North Vietnamese reaction to such a program.

Mr. Habib asked Ambassador Martin to present a program breakdown which could be employed for discussion purposes at the outset.³ Ambassador Martin suggested a high option and low option breakdown as follows:

	High Option		Low Option	
	Mil	Econ	Mil	Econ
'76	1.7	800	1.7	800
'77	1.5	750	1.3	700
'78	<u>1.1</u>	<u>650</u>	<u>1.0</u>	<u>500</u>
	4.3	<u>2.2</u>	4.0	<u>2.0</u>
		6.5		6.0

The above options Ambassador Martin suggested would mesh generally with Secretary Kissinger's July 22 letter to Chairman Fulbright setting forth a proposed five-year assistance program to Viet-Nam. The range of \$6.0–\$6.5 billion is also in accordance with guidance received from Secretary Kissinger. Ambassador Martin also suggested that the \$400 million military assistance shortfall resulting from the Congress's cuts of the Administration's request for FY 75 could be front-loaded on the FY 76 request.

The question was raised as to whether we could present Congress with a request for a three-year "commitment" or, given general congressional resistance to multi-year commitments, present a "program" and seek first year appropriation only. Mr. Von Marbod noted a multi-year authorization would be possible, but probably only a single year appropriation could be obtained. Mr. Maw noted that there are precedents for both authorization and appropriation on a multi-year basis. It was noted, however, it was probably not realistic to seek such multi-year commitment from Congress, in appropriation terms.

Mr. Habib stated that there will be a real need to prove to the Congress that the elements of the program we put forward will create conditions in which the wherewithal will be available to the GVN, upon conclusion of the program, to survive within their own resource avail-

³ Martin was in Washington for consultations; he returned to Saigon on February 18.

ability. Mr. Ellsworth added that it will be important to be able to emphasize that the program will establish a GVN defense capability of sufficient credibility to encourage the North Vietnamese to return to the terms of the Paris Agreement. Ambassador Martin added that the program must show that, regardless of what North Viet-Nam does, the South Vietnamese will be able to carry on their own defense. In this regard, Senator Nunn's proposal to build up the South Vietnamese in the next few years, and subsequently provide U.S. assistance only on a matching basis with Soviet and Chinese inputs into North Viet-Nam,⁴ could be a possible additional element for the proposal to the Congress.

Mr. Abramowitz pointed out that in developing the proposal we should consider not only the aid elements, but include within the total package diplomatic elements which would lead to a termination of the conflict. Mr. Goldberg raised the issue of what position we should take in submitting the proposal to the Congress with respect to the period after the three-year program.

Mr. Habib stated that it will be important to build a "fence" around the three-year proposal, and adhere to a position that aid in subsequent years will not be necessary—provided the three-year appropriations levels are sufficient. Mr. Smyser agreed with this position.

Ambassador Martin, in assessing Soviet and Chinese intentions regarding aid to North Viet-Nam, perceived it as unlikely that the two major communist powers would see an advantage to increasing significantly the levels of their assistance to Hanoi. Mr. Walsh, however, added that while there is no evidence to suggest a Soviet/PRC disposition to accelerate the levels of assistance, neither is there evidence to suggest that they will refuse to sustain their current levels.

Mr. Habib stated that it will be important for us not to mislead the Congress as to the possibilities for a political settlement as a result of the three-year program proposal. Mr. Smyser agreed, and added that we should put the proposal forward as a positive idea with the objective of unburdening ourselves once and for all of the Viet-Nam drain. Mr. Goldberg said the program is the only chance we have with the Congress to obtain reasonable levels of aid, and that the concept of a finite period of time and sum of money is essential to garner congressional support. Furthermore, every effort must be made to involve the Congress in a manner in which the program appears as a congressional initiative.

With regard to the mode of presentation to the Congress, Ambassador Martin hoped that it could be put forward as a multi-year program, with the military assistance element continuing to be under the

⁴ See footnote 5, Document 167.

DOD budget. It was agreed that Cambodia should not be included in the proposal, given the emergency nature of the Cambodian situation and the entirely different circumstances surrounding the Cambodian problem. Mr. Habib stated we should attempt to employ the President's response to the February 6 letter from 82 Members of the Congress—which suggested a dialogue between the Executive and Legislative branches—as a lead-in to the process of developing a three-year proposal. Similarly, we should explore what it is that we would like to result from the forthcoming trip by various Members of the legislature to Viet-Nam, with particular regard to the three-year program. Both the response to the letter and the congressional commission can thus serve to engage and enlist the support of the Congress.

Turning to the economic assistance element of the proposal, Ambassador Martin noted that his breakdown (provided earlier) would allow for \$2.2 billion. Mr. Habib pointed out that we must be prepared to present precise and carefully thought out breakdowns of project and non-project assistance within this figure. Ambassadors Habib and Martin agreed the program should demonstrate that at the end of the three years the Vietnamese will be economically self-sufficient and in a position for economic takeoff. Mr. Murphy thought that a separate Viet-Nam assistance package, not wrapped in the regular aid program, would be the preferable means of presentation to the Congress. He suggested that if a program for Israel materializes along these lines, the Viet-Nam program could be combined to make a more saleable package.

Mr. Habib sought Mr. Walsh's judgment on the probable North Vietnamese reaction to the three-year program proposal. Mr. Walsh suggested that if the program is to work, we would have to assume some very optimistic developments regarding security in South Viet-Nam. Ambassador Martin observed that North Viet-Nam has certain problems, in that if it engages in sustained activity which will consume its existing stockpiles, full replenishment from the Soviet Union and PRC may not be forthcoming. Ambassador Martin expressed a conviction that the South Vietnamese, if they are assured of high levels of support over the next three years, will hold their present positions successfully. Mr. Smyser added that the North Vietnamese would suffer cadre problems if they did not pursue an active military posture for the three years of the program's duration. Mr. Abramowitz suggested that if the North Vietnamese opt to increase the level of fighting, it would oblige us then to increase even further our assistance levels. Mr. Miller noted that NSSM 213, currently in draft, anticipates a major North Vietnamese military drive in 1976,⁵ and that the proposal under

⁵ Reference is presumably to the response to Part II of NSSM 213 (Document 150). For the response to Part I of NSSM 213, see Documents 152 and 157.

discussion would be well-equipped to deal with such an offensive, and might even oblige the North Vietnamese to change their plans.

Mr. Habib asked Mr. Walsh to develop a CIA estimate of the probable reaction of the North Vietnamese, if such a three-year program should be adopted. The report was requested by the end of this week, or early next week.

In closing the session, Mr. Habib cautioned that we should not speak publicly of the magnitude of the program until a certain preparatory process—such as was suggested in the earlier discussion vis-à-vis the Congress—has been completed. Mr. Habib stated that his Bureau would commence to put together an outline of what is involved in developing the proposal, and an overview of the elements which should be included. The outline will be circulated to participants of this meeting. Mr. Habib noted, as Mr. Smyser had previously suggested, that we are at this stage dealing with a proposal for consideration of our superiors, and that the President will make the decision as to whether the program is to be submitted to the Congress.

172. Memorandum of Conversation¹

Washington, February 15, 1975, 10:30 a.m.

PARTICIPANTS

President Gerald R. Ford
Graham Martin, U.S. Ambassador to Republic of Vietnam
Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

The President: I wanted to chat a few minutes before you go back to that hot spot. How about your evaluation?

Ambassador Martin: It depends on what happens now. If we can pursue your *Chicago Tribune* proposal of a three-year appropriation,² I think we can do it. Grants will be difficult in the recession. Until the ammo cut back in May, the initiative was clearly with the GVN. Thieu sensed the Washington mood better than I did. The initiative thereafter

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 9, 2/15/75. Confidential; Nodis. Brackets are in the original. The meeting was held in the Oval Office.

² See footnote 2, Document 171.

started to slip to the North. I think Hanoi didn't decide on the offensive until after the vote on the \$700 million. There has been some unravelling and they have cranked up a massive propaganda offensive including the January 27th demonstrations here. Our information indicates the focus here is on the 27th activities and on the Congress. If we could show the foreign connection to these demonstrations it would be very useful.

If we could get this Congressional trip out there I think it would be good. I haven't lost a visitor yet except Abzug. But we need some of the leadership, and I gather they are opposed.

The President: Jack Martin told me that Mansfield is opposed and I gather the Speaker also.

Ambassador Martin: Flynt is good. I'm sorry that Case and Fасcell backed out.

[The President discussed Case and Turkey aid with General Scowcroft.]

Ambassador Martin: It would be good if you could talk to Symington.

The President: I think it would be bad if I do. If they turn it down and go public, it looks bad. I don't know Stuart on a very personal basis.

This is not a bad list.

Ambassador Martin: I think it would be a mistake to cancel the trip.

The President: I agree with that. Cambodia looks bad.

Ambassador Martin: Yes, but don't count them out. Even if they do collapse, it won't make that much difference in Vietnam.

It won't even be the end if we don't get the \$300 million. But they will be using bodies instead of ammunition.

The President: What would be the effect of a Saigon bombing of Hanoi?

Ambassador Martin: There would be a short-term psychological benefit—like Doolittle said—but no lasting benefit.

The President: What about the Toan appointment?³ I've been reading about that.

Ambassador Martin: His predecessor hadn't had that much experience and he was getting cold feet. I thought he should be replaced, and Thieu said Toan was the only one he had. He is aggressive.

The President: What about the charges of corruption?

³ On February 5, President Thieu named Lieutenant General Nguyen Van Toan to replace Lieutenant General Du Quoc Dong as commander of the III Corps area around Saigon.

Ambassador Martin: Yes, in the context of that area. He is a bit excessive, but what we need is victories. He can do that.

The President: I talked to Sam Nunn. I plan to read his report.

Ambassador Martin: He has a variant of your plan. I think your idea is better so we don't get accused of gimmickry. I think the synergistic effect of a big program like this is great. I haven't even taken account of oil, and the finds look good.

There is some debate among your advisors about anything which might cause trouble. But Thieu is an attractive personality and I think he would refute the opinions about him if he came back here.

The President: I entertained him here on his last trip. Is there any danger of a coup?

Ambassador Martin: No. It is well in hand. But he would get 80 percent of the vote.

The President: I will talk to Henry. What about Ky and Minh?

Ambassador Martin: Ky is a farmer north of Nha Trang. He is not in politics any more. Minh is a rallying point, but he is very indecisive. A coup would come out of the army.

The President: What about the problem of demonstrations?

Ambassador Martin: This is a moderate non-Communist group which has its own arms and Thieu feared they might be co-opted into a neutralist movement. It is not a serious problem.

If the GVN could get assurance of supply, the North Vietnamese would have a serious problem. They are not getting all the aid they want. Kissinger's diplomacy has been successful there. The Chinese don't want Hanoi to dominate the whole area and greatly fear Soviet influence on the North Vietnamese. But the Soviet Union doesn't want to contribute to a PRC-dominated Hanoi.

In the 1973 ceasefire, they had 20 times the arms and supplies the GVN had, because we had ruined the supply lines. So even if they didn't get resupplies they are far better off.

On the economic side, we could see the kind of advance Taiwan and Korea had. Inflation now is only nine percent. They have cut imports drastically and have to import now only oil and fertilizer. They could export a million tons of rice in three years—for \$900 million. Modernizing the fishing fleet would bring in \$150 million more. Timber more. There is also a big pool of skilled educated labor. Other countries, once the economy starts moving, will start to fill the gap. That is why we can stop after three years.

So if we could take \$6.5 billion and divide it, \$4 billion for the military and \$2.2 billion for the economy, we could walk away in three years.

The President: We keep being pressed—is there anything new on MIAs?

Ambassador Martin: No. Only when the North decides it can't use them for bargaining.

The President: It is a tragedy.

Ambassador Martin: I think we should encourage them to keep pressure on Hanoi.

The President: Maybe we could use them to help get our program through. Maybe Thieu's trip could be generated by the Congressional group. Jack Kemp could ask Thieu to come back here to tell his own story.

173. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, February 18, 1975, 1100Z.

3041. Subject: Ideas for First Substantive Meeting With Sihanouk. Reference: State 029484 and 029574.²

1. From the messages (reftels) I was asked to transmit to Lon Nol 10 days ago, it is clear that we plan to talk directly with Sihanouk about a political settlement for Cambodia. I am sure our policy makers are giving a lot of thought to what to say to the Prince when the American emissary has his first substantive meeting with him. On the basis of my nearly one year in Cambodia and from talking to people who know the Prince well, as well as my personal contact with him many years ago when I was stationed in Indochina (1953–56), I suggest that the following ideas be kept in mind when talking with Sihanouk.

2. The Prince [*less than 1 line not declassified*] is highly emotional about the USG role in Cambodia both before and during the war, holding us responsible for everything that has gone wrong from his point of view. Whoever has the first substantive contact with Sihanouk must be prepared to listen silently to a lengthy and violent diatribe about

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (2). Secret; Priority; Nodis; Cherokee.

² In telegram 29484 to Phnom Penh, February 8, Kissinger instructed Dean: "You should request an immediate meeting with Lon Nol and tell him that we are considering having American officials in Peking seek a meeting with Sihanouk. The purpose of the meeting will be to explore the possibility of an early compromise settlement in Cambodia." (Ibid., State Department Telegrams, From SECSTATE, Nodis) Telegram 29574 to Phnom Penh, February 8, contained additional details for Dean. (National Archives, RG 59, State Archiving System)

American wrongdoings in Indochina. He might even be personally insulted by the Prince as he spews his venom out about alleged United States atrocities. Anybody who has a low boiling point should be prepared for such a scene but should not rebut individual allegations because otherwise, I fear, the conversation will never get beyond a shouting match to the important substantive discussion. I also wish to remind the Dept that Sihanouk has a [*less than 1 line not declassified*] obsession with the CIA, which he holds responsible for much of what has happened to him. His book, ghost-written for him by Wilfred Burchett in 1973, entitled "My War With the CIA," is ample proof of his deep-seated distrust of the CIA and the exaggerated role he ascribes to it in American policy direction and its execution in Cambodia.

3. Once the American emissary gets to the substantive discussion, I think it would be wise tactically to appeal to Sihanouk's [*less than 1 line not declassified*] ego. We should not reluctantly bargain with him, but convince him that we are trying to help him get back into Phnom Penh as Head of State with real powers, so that he rather than the Khmer Rouge will be in the driver's seat. In short, we must imply that perhaps we made a mistake in the past but we have now seen the light and that is why we are coming to him. We should stress that if the Prince comes back to Phnom Penh with the Khmer Republic's Army, Navy, Air Force, Buddhist clergy and government administration intact, he would be cast in the position of arbitrator with a real power base from which to operate. If, however, he insists on the dismantling of the entire republican apparatus he would open the door to a Communist take-over and weaken his own position. He would then be entering Phnom Penh on the tip of KC bayonets and would very soon find himself no longer useful to the KC and could even be quickly discarded. In the interest of strengthening his own position and for the sake of the future of Cambodia, he must return quickly to Phnom Penh while there is still a viable structure on this side. Later he can make changes to bring the new Cambodia into line with his own vision for his country.

4. We should make it clear to the Prince that the United States is basically the only party which can assure him a smooth transition because we would try, and probably succeed, in bringing about the departure of those Khmer personalities who are offensive to him. We could also keep under control the military and civilian elements who have been engaged in the fighting for this side, so that they would not sabotage the agreement which can be worked out with Sihanouk. I played a very similar role in Vientiane in 1973, when I kept the extreme right at bay while a neutralist formula was worked out for Laos.

5. Hopefully one of the first steps Sihanouk would take as Chief of State in Phnom Penh would be the proclamation of a cease fire. The months following the end of the fighting will be difficult because

whoever governs Cambodia must find ways of feeding hundreds of thousands of people, if not millions, until the next crop is planted and harvested. It will take at least one year, perhaps longer, for Cambodia to become self-sufficient in food again. We have some PL 480 rice already in the pipeline and Congress would probably be willing to authorize the financing of additional shipments under the new circumstances to feed the hungry and needy. It could require as much as \$200 million to pay for the rice shipments and not many countries are in a position or have the means to make such a contribution. We could. In addition to rice, we could supply Cambodia with POL, spare parts and selected raw materials to make Khmer factories and production facilities operational again. This assistance, if offered to Sihanouk, would strengthen his own hand and make him less dependent on the KC. We should realize that he will probably want to lean heavily on those who supported him for the last five years, but our offer would permit him to pursue a more non-aligned, neutral policy which we understand is his goal.

6. If Sihanouk returns to Phnom Penh, his safety and that of all those who come with him must be assured. While some KC forces would probably have to enter Phnom Penh to provide security for Sihanouk and his entourage, Sihanouk's freedom of action would be greatly enhanced if some neutral military forces also were temporarily stationed in Phnom Penh. Sihanouk's considerable stature in the non-aligned world would probably make it quite feasible and likely that countries such as Senegal, Algeria, Sweden, and Singapore would be willing to send troop detachments to provide security for Sihanouk. These forces would be the best safeguard against a bloodbath which might occur as a result of renewed fighting in the capital between KC troops and die-hard republican elements. The USG certainly has the means to bring such foreign troops into the city rapidly and the UN resolution voted on November 28 last year³ could provide a framework for such an operation. I think I could convince the authorities on this side to make such a request to the UN Secretary General if Sihanouk would do the same.

7. The Prince may take the line that the USG should just pack up and go home and let the Khmers settle things among themselves. If he does, I suggest our emissary explain to him that this would not really be in his long range interest, nor in that of his countrymen. However, we should offer to reduce immediately our mission from 200 to a much smaller number whose principal function would be to help feed the

³ UN General Assembly Resolution 3238 (XXIX), "Restoration of the Lawful Rights of the Royal Government of National Union of Cambodia in the United Nations," adopted November 29, 1974.

population and avoid the collapse of the Khmer organizations presently existing on this side. I think the Prince would want to hear from us our offer to cut back drastically our mission, so that he has something to show to his Communist colleagues. We should not haggle over numbers.

8. In practical terms, Sihanouk's return to Phnom Penh might be handled in the following way. Lon Nol and a certain limited number of key Khmer leaders offensive to Sihanouk are made to depart from Phnom Penh. The no. 2 personality in the Khmer Republic (Article 32 of the Constitution), the President of the Senate, Saukam Khoy, would take over as acting Chief of State. Either he, with the approval of the existing organizations in the Republic, such as the Senate, National Assembly, armed forces, and the government, calls on the Prince to return or they acquiesce in it. I am not sure I can deliver on the former, i.e., a formal invitation to Sihanouk to return, but I think I can convince them not to oppose Sihanouk's return in view of the military-political-economic situation in the country and the proposition that the Prince's return will mean peace. The Prince's first act would be a call for a cease fire. It would be helpful if this act received the immediate endorsement of the UN Security Council. If Peking goes along with this scenario, it means that the Chinese prefer to see their man ensconced in Phnom Penh, rather than the Hanoi-dominated Khmer Rouge taking the capital by force. With Sihanouk Chief of State again, other key diplomatic missions such as the French, Chinese, etc., should send at the earliest possible moment Ambassadors to Phnom Penh; their very presence would be a restraining influence on extremists on either side and that weight is needed, especially immediately after Sihanouk's return when the situation is still fluid.

9. I am not sure what kind of coalition government the Prince would designate, but I think he should agree beforehand in Peking to include some representatives from the Phnom Penh side in the Cabinet. I doubt that we will have much influence in determining who would be included in such a government, but we could at that time propose names of reputable, efficient Khmers who have proven their worth in the past.

10. The Prince will probably insist that all humanitarian aid be given directly to the Khmer Government so that he and his colleagues get the credit that goes with the distribution of these resources. Our American voluntary agencies may be unacceptable to him. If this is the case, I think the International Red Cross could play a decisive role. I have talked to the head of the ICRC team here when we discussed the possibility of evacuation, and he told me that some of their team members would probably stay behind regardless of what happens. While the ICRC has not been as efficient as the American voluntary agencies in distributing relief supplies, they would probably be much more

acceptable to the Prince and it would still give us some influence over the resources we put at the disposal of a future government here.

11. So much for the talk with Sihanouk. What my argument boils down to is that we have only one card left to play in Cambodia (except for a bug-out) and that is Sihanouk. We should make a virtue out of an inevitability and build up Sihanouk, not reluctantly but willingly. I would like to believe that Sihanouk can be made to understand that it is in his own interest not to insist on the complete withdrawal of the USG, that to the contrary we can inconspicuously help him re-impose his authority on the country so that he is not a prisoner of the Communists.

12. The sooner agreement can be reached with the Prince, the better position the Prince will be in, and the better the chances are that a collapse of the existing institutions on this side and a Communist military victory can be prevented. We are buying time with a civilian airlift presently bringing in ammunition and POL for military. I doubt very much that the Mekong will be reopened in the next week or two and this fact will necessitate bringing in some rice from our PL 480 stocks in Vietnam to prevent rice stocks from falling below the critical level. The economic situation is disastrous. The government is not collecting any revenue and we are not getting any counterpart funds because our aid money is used to finance expensive transportation schemes to keep Phnom Penh alive. Also, the closing of the Mekong River has prevented the arrival of commodities whose importation generates counterpart.

The time we have bought and are buying, including hopefully that gained by the visit of the congressional delegation, must be used to work out an orderly settlement in Cambodia. I think I can speak for all of the key officials in this Mission that they would all be volunteers for staying on the job here, even under the most difficult circumstances, including the return of the Prince, if it would help bring about such a denouement to the Khmer conflict.

Dean

174. Memorandum From William Stearman of the National Security Council Staff to Secretary of State Kissinger¹

Washington, February 19, 1975.

SUBJECT

National Intelligence Estimate on Cambodia

The intelligence community has just completed an update of the National Intelligence Estimate on the "Prospects for Cambodia Through August 1975" (Tab A).²

The key points of the Estimate are as follows:

—The military situation in Cambodia is critical.

—The Khmer Communists (KC) have embarked on an ambitious dry season campaign aimed at closing the Mekong River.

—For the first time, the Cambodian Government (GKR) faces the threat of collapse from economic factors because food stocks will cover consumption only through mid-March if convoys do not make it up the Mekong.

—The KC will be unable to interdict the Mekong continuously, but delays and shipping losses will continue to be such that the "heavy" airlift now scheduled—600 tons per day—will be required to supply the GKR minimum ammunitions needs for at least the next few weeks.

—The Central Intelligence Agency and the Department of State believe that this heavy airlift will be required until the rainy season widens the Mekong in July or August.

—The Defense Intelligence Agency and the intelligence representatives of the U.S. Army, Navy and Air Force regard this judgment as overly pessimistic. They believe that the GKR will order extraordinary measures to regain security along the Mekong and that some essential convoys will get through.

—In either case, the risks to aircraft and crews will be substantial since Pochentong airport would become even more of a priority target for the KC.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 2, Cambodia (9). Secret. Sent for information. According to the attached correspondence profile, Kissinger noted the memorandum on April 8.

² NIE 57-1-75, "Prospects for Cambodia Through August 1975," February 13, attached but not printed. For the full text of the estimate, see the CD ROM supplement to National Intelligence Council, *Estimative Products on Vietnam, 1948-1975* (Washington, D.C.: U.S. Government Printing Office, 2005).

—Aside from this immediate supply problem, the GKR's ability to get through the whole of the dry season ending in August depends on its receipt of supplemental U.S. military and economic aid.

—If no additional aid is forthcoming, the military situation will deteriorate rapidly, starting in late March or early April at the latest. The economic situation will also steadily worsen. In such a situation, pressures against the GKR for a settlement, even on KC terms, could become overwhelming.

—If the GKR receives additional aid in this fiscal year, it should be able to get through to the end of the dry season. But this situation would offer little prospect of the GKR regaining the overall initiative and would allow the KC to further consolidate their control over most of the country.

—War-weariness is widespread in Cambodia and increasing numbers of Cambodians are coming to the belief that there is no relief in sight.

175. Telegram From the Department of State to the Embassy in Cambodia¹

Washington, February 21, 1975, 0136Z.

39172. Subject: Cambodian Negotiations. Refs: A. Phnom Penh 3063;² B. Phnom Penh 3041.³

1. This is to recapitulate for you the series of efforts made over the last months to bring about a negotiated settlement in Cambodia. Since Sept we have pursued various channels with the overriding objective of arranging a compromise solution. In Sept we broached the idea of an international conference on the question with the PRC and the USSR with no response. The Secretary also discussed with the PRC

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, From SECSTATE, Nodis (1). Secret; Immediate; Nodis; Cherokee. Drafted by Habib, EA; approved by the Secretary and Woods, S/S.

² In telegram 3063 from Phnom Penh, February 19, Dean asked that the Department keep him updated on developments surrounding U.S. overtures to Sihanouk. The Ambassador concluded: "Unless he [Lon Nol] and I are kept informed on which way the USG is moving on Cambodia, I think it will be difficult for us to keep the situation here glued together even long enough for any kind of a political settlement to be negotiated with the other side." (Ibid., State Department Telegrams, To SECSTATE, Nodis)

³ Document 173.

representative to the UNGA the general elements of a peaceful settlement on the basis of a sharing of power. What we were seeking was to gain Soviet and Chinese support for moves that would bring about an end to the hostilities in Cambodia and provide an ongoing political framework. We received no substantive positive response to these overtures.

2. During the Secretary's trip to China in late November he spoke to PRC officials with great specificity about the possibility of a peaceful settlement of the war in Cambodia. Once again he indicated our readiness to see a compromise settlement in which all elements could play a role, including Sihanouk, and said that we were not wedded to any personalities. The Chinese showed no more interest in pursuing the subject than they had previously and nothing was accomplished.⁴

3. In December the Secretary also attempted to facilitate a channel through UNGA President Bouteflika to representatives of the Khmer Rouge. The Secretary spoke to Bouteflika about the desirability of a peaceful settlement and the factors involved. Nothing came of that.⁵

4. As you are aware, in December and early January we made a major effort through the intermediary of the French. Manach reported that as a result of conversations with Sihanouk and the Chinese, he believed Sihanouk was prepared to see a peaceful settlement with a government being formed under his authority and composed of a coalition of various elements. The President discussed the matter with Giscard in Martinique and the Secretary met with high-level French representatives in Washington to lay out the elements of a settlement to be explored with Sihanouk, in accordance with the views he had expressed to Manach. Sihanouk agreed to receive a high level French intermediary armed with our views, but the Chinese were not willing to issue the necessary visa. Sihanouk then told Manach the visit would have to be "postponed" but it was clear that the postponement was indefinite. Sihanouk explicitly attributed this change of mind to opposition from the Khmer Rouge.⁶

5. Our latest effort, of which you are aware, was an attempt to establish direct contact with Sihanouk ourselves. We sought to do so through the Chinese, whose assistance is essential to the effort. They have so far given us no response. Thus, there are no new developments in our efforts either to establish contact with Sihanouk or to pursue the earlier French initiative.

⁴ See *Foreign Relations*, 1969–1976, volume XVIII, China, 1973–1976, Documents 93 and 97.

⁵ See *ibid.*, volume E-14, Part 1, Documents on the United Nations, 1973–1976, Document 18.

⁶ For a fuller discussion, see Kissinger, *Years of Renewal*, pp. 511–512.

6. With regard to our latest effort to make direct contact, it is conceivable that the Chinese were waiting for Sihanouk to return from Hanoi and it is still possible that we will receive a reply. But for the moment this is sheer speculation and provides no basis for policy decisions or actions.

7. You should understand that in these efforts we have made clear to the Chinese and to Sihanouk that we are fully in accord with the objective of seeing formed in Cambodia a government under his authority composed of all tendencies except Lon Nol. We have said that any settlement must offer assurance of durability, and that if an agreement could be reached on the objective of a settlement we were confident that a way to achieve it could be found. The absence of a positive response, for which we presume Khmer Rouge opposition is a key factor, indicates they they clearly prefer pursuing a military course.

8. In sum, in all of these cases our efforts were rebuffed. Under these circumstances lectures on the subject of pursuing a negotiated settlement are inappropriate. You may be sure that we will inform you of new reactions if they occur. But you must understand that we cannot create such developments overnight in the face of obvious Communist confidence in their military position on the spot, particularly with the closure, hopefully temporary, of the Mekong. What is needed from you to contribute to our negotiating objectives is a steady hand in Phnom Penh to shore up the GKR as a government and as a fighting force. Your role is of key importance both in terms of how the US appears to the Khmer and in terms of giving the congressional group (when it comes) an impression of steadiness and confidence.

9. This is all for your information only. If in your judgment you must tell Lon Nol something, you should tell him simply that so far we have been unable to make contact with Sihanouk in Peking, and do not know whether this is because of his trip to Hanoi or not.

Kissinger

176. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, February 24, 1975, 0920Z.

3361. Subject: Cambodian Negotiations. Ref: State 40612.²

1. At the end of my February 23 meeting with the Marshal I informed him that we are approaching the Indonesians and Japanese very privately, to exchange views on how the common objective of an early compromise settlement might be advanced. I also mentioned, without going into detail, the Secretary's efforts with the PRC which came to naught, the abortive French efforts to open up a dialogue with Sihanouk, and our own efforts to establish direct contact with the Prince which so far have led to no results. The Marshal listened silently.

2. After a moment of reflection, the Marshal launched into a long analysis of Sihanouk's relationship with the KC and with the population on the GKR controlled side. It was the frankest conversation I have ever had with the Marshal on this subject. Lon Nol said that Sihanouk is probably no longer a free agent and that the real power behind the Khmers on the other side is North Vietnam. He agreed with my view that Sihanouk is not Communist, but held him responsible for steering Cambodia into Chinese arms prior to 1970. According to the Marshal, only about 5 percent of the population on the GKR side presently support Sihanouk. In reply to a question, Lon Nol qualified this assessment, saying that if Sihanouk's return to Cambodia meant an end to the war, he would undoubtedly be well received by the population on the GKR side.

3. According to the Marshal, Sihanouk's main attribute is his prestige in the non-aligned world. He is a diplomatic asset for the KC. Domestically, however, the KC are not building up Sihanouk in their own zone and Lon Nol cited some examples of how the KC denigrate Sihanouk when some of the farmers talk with reverence about the former Chief of State.

4. At no time during this 40 minute conversation did the Marshal use offensive language about the Prince. He just did not think that Sihanouk had the power at the present time to do very much to bring the conflict to an end. In reply to a question as to whether the KC would be a more appropriate interlocutor, Lon Nol opined that the answer really lies in Hanoi.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (2). Secret; Nodis; Cherokee.

² Not found.

5. Towards the end of our conversation the Marshal said that he did not see how a political settlement could be achieved in Cambodia. He reiterated that at no time would he be an obstacle in a solution. However, he did not see anything the GKR could do by itself to move toward peace. Lon Nol said that on this side, the only ones who might find a solution are the Americans. I replied that we are searching for a way, but in the meantime the GKR and FANK must do their bit so that a better atmosphere is created which in turn will facilitate the effort to reach a political denouement to the conflict.

Dean

177. Telegram From the Department of State to the Embassy in Vietnam¹

Washington, February 25, 1975, 2352Z.

42865. Subject: Letter to President Thieu.

1. Please deliver to President Thieu the text of the following letter from President Ford. The original is being pouched. We do not intend to make the exchange of letters public.

2. *Begin text:* (Dated) February 24, 1975

Dear Mr. President:

Your thoughtful letters of January 24 and 25² come at a time when Vietnam is very much on my mind and on the minds of other people here and throughout the world. I share your concern about North Vietnam's failure to observe the most fundamental provisions of the Paris Agreement and about the heightened level of North Vietnamese military pressure. I wish to assure you that this government will continue to press for the full implementation of this Agreement.

Once again the South Vietnamese people and armed forces are effectively demonstrating their determination to resist Hanoi's attacks. Despite your existing limitations on ammunition and other supplies, I

¹ Source: Ford Library, National Security Adviser, Presidential Correspondence with Foreign Leaders, Box 5, Vietnam, Nguyen Van Thieu. Secret; Immediate; Nodis. Drafted by the White House; approved by Miller, EA; Wenzel, EA/VN; and Luers, S/S.

² On January 24, Thieu appealed to Ford to "denounce and severely condemn the violations of the Paris Agreement perpetrated by the communist side in Viet-Nam." (Ibid.) The January 25 letter is in Document 166.

was particularly impressed by the performance of your forces at the Phuoc Long Province capital and at Ba Den Mountain, where they were overwhelmed only by greatly superior numbers after being cut off from resupply and reinforcement.

Even though your offers to reinstitute negotiations have been rejected thus far, they clearly demonstrate that it is the Communist side—not the Republic of Vietnam—which is prolonging the war. We continue to believe that implementation of the Paris Agreement, with direct negotiations between the Vietnamese parties, is the quickest, most appropriate, and most effective way to end the bloodshed in Vietnam. We strongly support your efforts to resume negotiations and will make every effort to provide the assistance that is so necessary to your struggle until peace comes.

The path to peace is never easy. It has been extraordinarily long and difficult in Vietnam. But I remain hopeful that if we persevere we will yet reach our objective of a fair peace, a lasting peace and a peace which is consistent with the will of the South Vietnamese people—justifying the sacrifices of the Vietnamese and American peoples.

Sincerely,

Gerald R. Ford

End text.

Kissinger

Collapse and Evacuation, February 26–July 22, 1975

178. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, February 26, 1975, 0920Z.

3479. For the Secretary from the Ambassador. Subject: Current Cambodian Situation.

1. Without rehashing all of our assessments since last June of the probable course of events in Cambodia, which could be summarized as predicting that the whole situation was likely to go downhill after December 1974, I believe it incumbent to alert you that we may now be approaching the crunch point. I am not in the habit of “crying wolf” so it is only reluctantly that I wish to warn you that the fighting ability and morale of the FANK is deteriorating. Around Phnom Penh City the enemy has fixed FANK’s strongest division, the Third, in its normal sector in the southwest. This creates the possibility that the enemy will now try to launch a major offensive against our only remaining lifeline to the outside world—Pochentong Airfield—and against the primary ammunition storage depot nearby at Kantouk. There exist no remaining FANK reserves to throw into the fray against an enemy attack of this kind. Military reverses on the lower Mekong and in the provinces—for example, the fall of the historical capital of Oudong yesterday and of the rice center of Muong Russei a few days ago—has accelerated the decline in Khmer morale.

2. It is by no means certain that FANK’s forces can continue to contain the enemy around Phnom Penh and an enemy breakthrough somewhere on the perimeter is a distinct possibility. On the lower Mekong one of the two enclaves established by FANK fell yesterday (Sierra One), which means that only one government position (Sierra Two) remains south of Neak Luong all the way to the border with South Vietnam. It is now exceedingly difficult for the Khmer Navy to resupply that one outpost. Even the nightly convoys from Phnom Penh to Neak Luong have had a difficult time making the trip without severe losses.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (2). Secret; Immediate; Nodis; Cherokee.

3. We must be realistic and accept the fact that FANK does not at the present time have the forces to place on the banks of the lower Mekong in order to suppress enemy heavy weapons fire against any convoy which tries to run the gauntlet up from South Vietnam. There is no indication that such forces will become available anytime soon. What this means is the closure for the foreseeable future of the lower Mekong to navigation. Intelligence indicates that the enemy is now planning to seed with mines the Mekong north of Neak Luong.

4. The morale of both the Khmer civilian and military leadership is at an all-time low. They are aware of the USG's continuing determination to support them as exemplified by the airlift into Pochentong of military and civilian matériel and above all by the President's and your own strong pleas to the Congress to provide supplementary assistance for Cambodia.

5. I am not sure, however, that even a favorable vote on supplementary assistance can turn this situation around. As the military situation has been deteriorating the Khmers unfortunately have become more interested in pointing fingers at each other, trying to fix the blame on someone else, than in sticking together to face the common danger they share. Five years of warfare have taken their toll in war-weariness. Out of a sense of some desperation I tried to bring together about thirty Khmer military and civilian leaders at my house at a meeting scheduled for this afternoon to help them iron out their differences. The civilians have refused to attend. I am now trying to reschedule this meeting for tomorrow. In a separate message I will report the difficulties encountered in trying to arrange this meeting and give an outline of what I intend to say to the Khmer leadership, when they can be gathered together, to help them regain a sense of steadiness and self-confidence.² The Marshal is no longer a factor, as he now lacks the authority to bring the chief civilian and military actors together under his leadership.

6. Even if we muddle through for another couple of weeks until the supplementary assistance can be voted on, the prospects facing us for the coming weeks are a continuation of the military setbacks and of the inability of the Khmers to organize themselves effectively to cope with the mortal danger facing them. The Americans on the scene are doing all we can to help the Khmers, but we can not work miracles.

7. I think as far as the USG is concerned, our goal is to show the world that we have faced up to our obligations. We have done this through the airlift of civilian and military matériel and through the

² Telegram 3538 from Phnom Penh, February 27; National Archives, RG 59, Central Foreign Policy Files.

determined efforts of the President and the entire executive branch to obtain the supplementary assistance the GKR needs in order to survive. If this effort is successful and the Congress votes the necessary funds, it will further reflect our determination to help the Khmers. But I fear that despite everything the 200 man American Mission in Cambodia is doing right now, the news from the military front will not improve over the next few weeks.

8. The Khmers are fully are fully aware that they themselves are in no position to negotiate with the Khmers on the other side. For all practical purposes they have turned this task over to the USG. I reluctantly conclude that if any uncontrolled solution is to be avoided we must establish contact with Sihanouk despite all the obstacles in the way so that he can return to Cambodia while there is still an army, navy, air force and government in being in Phnom Penh. This would probably require the elimination in advance of the present leadership in Cambodia, but it is the only way a solution can be found which is anything other than an eventual collapse of the non-Communist side.

9. I fully understand the problems you are facing in getting an emissary to talk with Sihanouk at a time when the KC military are holding the upper hand in Cambodia. However, following a favorable vote on supplementary assistance, I should think that the Assistant Secretary for East Asian Affairs could obtain a visa to go to Peking in order to discuss with Sihanouk the means of working out a controlled solution. It really boils down to this: have we lived up to our commitment by merely providing the material means for the FANK and the GKR to survive or do we have some moral responsibility to help the Khmers on this side find a controlled settlement? If we do not pursue the latter course, and despite everything we do here on the spot and you do in Washington, I fear that Operation Eagle Pull will be the manner in which the United States departs sooner rather than later from Cambodia.³

Dean

³ Operation Eagle Pull was the name of the military plan to evacuate Phnom Penh. See footnote 2, Document 180.

179. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, February 26, 1975, 8–8:55 a.m.

PROCEEDINGS

Secretary Kissinger: Bob.

Mr. Ingersoll: Henry, I understand the WSAG meeting has been postponed. The difficulty on Cambodia is that we cannot—Passman cannot get the votes to get this out of the subcommittee.

Secretary Kissinger: What has one got to do with the other?

Mr. Ingersoll: Well, we were going to delay any action on Cambodia, waiting for the WSAG meeting. But I think we are going to have to do something today, to see if we can move this somewhat.

Secretary Kissinger: And besides, we promised the *New York Times* and the *Washington Post* that there is a WSAG meeting today. So we cannot postpone it. What happens to these WSAG papers? Are they shopped around town, so when they come into the meeting everyone present has already worked out his position with everyone else?

Mr. Ingersoll: I have no idea.

Mr. Sisco: If it is an options paper, as in the case of the Ethiopian paper, it was worked out at the bureau level, with their counterparts in Defense, as an options paper, not as a recommendation paper—that is correct. In other words, there are a number of people in other agencies, Henry, that would know about that kind of a paper.

Secretary Kissinger: What's the point of the WSAG meeting, then? What happens there that has not already happened previously?

Mr. Sisco: The paper is an options paper. There is no decision that has been taken.

Secretary Kissinger: What's the problem? Why can't we wait 24 hours to have a WSAG meeting?

Mr. Ingersoll: We can. We think some action has to be taken just in timing, that is all.

Secretary Kissinger: As far as I understand, Passman isn't going to mark up until next Tuesday,² until he gets back that Congressman whom we so brilliantly took away from him.

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 6, Secretary's Staff Meetings. Secret; Nodis. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates.

² March 4.

Mr. Maw: He says he cannot do it. This is the story we got last night from John Murphy.

Secretary Kissinger: Who is John Murphy?

Mr. Ingersoll: Deputy Administrator of AID.

Mr. Maw: I would like a separate count on the committee. I cannot believe that there are not enough members of that committee to put this thing through.

Secretary Kissinger: Passman is praying that Cambodia will fall before next Tuesday.

Mr. Maw: Well, he says now he is not going to mark up until he is certain he can get the votes.

Secretary Kissinger: Let's do this thing in stages, because my mind cannot encompass all the subtleties of your congressional strategy. What is it that makes it impossible for us to delay the WSAG for 24 hours? What great decision would have been taken at the WSAG?

Mr. Ingersoll: Nothing.

Secretary Kissinger: Can I get a hint?

Mr. Ingersoll: We were going to delay any action until the WSAG meeting. But now—

Secretary Kissinger: All right. Now I have delayed the WSAG meeting. But what action are you delaying until the WSAG meeting?

Mr. Ingersoll: Whether or not you continue to push for the \$222 million or go for lifting the ceiling.

Secretary Kissinger: That is not an appropriate subject for WSAG, anyway. WSAG is supposed to deal with policy, not with congressional strategy. But at any rate, what difference does it make, since there is no mark-up until we—

Mr. Ingersoll: I didn't realize it had been postponed that long.

Secretary Kissinger: Yes. He wants Chappell back.

Mr. Maw: He has a proxy from Chappell, so we are told.

Secretary Kissinger: Well, what is the suggestion? We don't need a WSAG meeting to determine whether to lift the ceiling or to go for the full amount.

Mr. Ingersoll: Well, that is all I was raising, to see whether or not you wanted to suggest that we go for just raising the ceiling or for the full amount.

Secretary Kissinger: We have already asked for raising the ceiling. The President—

Mr. Maw: That has not gone up to the hill.

Mr. McCloskey: That did not go up.

Secretary Kissinger: Why is that?

Mr. Maw: Once you say we don't want any money, just raise the ceiling, we will never get any money.

Secretary Kissinger: You thought the President—

Mr. Maw: He didn't send it up in time. If it had gone up two weeks ago, it would have been timely. Now if we send it up as a compromise for more money, we won't get any money. That is our problem today.

Secretary Kissinger: Yes. But why didn't it go up when we approved it?

Mr. Maw: I don't know. It just didn't get signed and didn't get up.

Secretary Kissinger: That is when I was going on my last trip.

Mr. Maw: That is right. It just sat there.

Secretary Kissinger: There were three separate conversations.

Mr. Maw: Three weeks ago. We couldn't dislodge it, and it didn't get signed until—

Secretary Kissinger: What do you mean, you couldn't dislodge it?

Mr. Maw: Our telephone calls to the White House did no good.

Secretary Kissinger: You should have told me. I can dislodge it in two hours.

Mr. Maw: We should have.

Secretary Kissinger: There is no sense horsing around with those incompetents. When a thing is stuck, you have to tell Brent or me.

Mr. Maw: I did tell Brent, and Brent couldn't get it out of the President. It was on his desk. The fact is it sat there for two-and-a-half weeks without—

Secretary Kissinger: Yes. But the President didn't care. He would have signed it. There must have been some slip-up. He agreed to it. So what is the question?

Mr. Maw: The question is now whether we go for simply a raising of ceiling or—

Secretary Kissinger: My experience on Vietnam matters has been that you buy absolutely nothing by compromise, until they are already—if at the last minute they want to knock off \$50 million, you can do it. But if you begin now and offer them compromises, you will get nothing.

Mr. Maw: That is exactly what happens.

Secretary Kissinger: That has been my experience in five years. At the very last minute, if they are already lined up, if one of them wants a face-saver, you can do it.

Mr. Maw: I think we ought to go up and take our own reading of the committee and not rely on others. Bob and I have to go up and talk to Passman today.

Secretary Kissinger: Well, I want to make sure that all contacts are known by McCloskey.

Mr. Maw: The President supposedly has talked to three Republican members of the subcommittee and was turned down by all three.

Secretary Kissinger: He talked to—who is that fellow from Pennsylvania—Coughlin?

Mr. Ingersoll: Conte.

Secretary Kissinger: Conte is from Massachusetts. He talked to Conte. He talked to Larry Coughlin.

Mr. Ingersoll: Shriver.

Secretary Kissinger: Well, he talked to him yesterday. He seemed to know him, and he seemed to get him on the phone. Coughlin.

Mr. McCloskey: One of the reasons that that piece of paper the President ultimately signed did not go up was that he was persuaded to call Conte, who imposed the ceilings on the Cambodian assistance.

Mr. Maw: And DOD got in the act and opposed it going up early, and consented to it going up when it was too late.

Secretary Kissinger: Yes. But I have to know these things, because then we can blast them loose. I was sort of torn about it. Now I think it is ridiculous. The issue isn't for these people the amount of money. It is a national disgrace not to send ammunition to allies that are besieged. It is unbelievable.

Mr. Ingersoll: They may not survive anyway. But at least—

Secretary Kissinger: That is a different thing, if they don't survive. But to make a country collapse because you won't send ammunition to it is a national disgrace. Then if you send the ammunition and they collapse, it is at least a different problem. All the people who opposed Cambodia in 1970 won't rest.

Mr. Ingersoll: I think that is what they were talking about yesterday morning. The mail is just flooding them right now.

Secretary Kissinger: That is these pressure groups. That doesn't protect you three years from now when the consequences are there. What is anyone in that area going to think when the United States won't send in ammunition to a country with which it has been associated? They can understand a country losing a war. But this is almost incomprehensible. That is a disgrace.

[Omitted here is discussion unrelated to Cambodia.]

180. Minutes of Washington Special Actions Group Meeting¹

Washington, February 27, 1975, 11:18–11:55 a.m.

SUBJECT

Cambodia

PARTICIPANTS

Chairman
Henry A. Kissinger
State
Robert Ingersoll
Carlyle Maw
Robert Miller
DOD
William Clements
Robert Ellsworth
Morton Abramowitz

CIA
William Colby
William Christison
Theodore Shackley
NSC Staff
LTG Brent Scowcroft
William Stearman
Col. Clinton Granger
W.R. Smyser
James Barnum

JCS
Lt. Gen. John W. Pauly

SUMMARY OF CONCLUSIONS

It was agreed that:

—Defense and the JCS would draw up additional plans for the evacuation of more than 600 people from Phnom Penh;²

—Additional armored personnel carriers, now located in Thailand, would be sent to Phnom Penh.

Secretary Kissinger: Bill (Mr. Colby) . . .

Mr. Colby: [Began to brief from the attached.]³

Secretary Kissinger: Are they going to widen when the rainy season comes? (referring to two key river narrows 25 and 40 miles downstream from Phnom Penh).

Mr. Colby: Yes, in July.

Mr. Clements: And that's a long time from now.

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 24, WSAG Meeting Minutes, Originals, February 1975. Top Secret; Sensitive. The meeting took place in the White House Situation Room. Brackets are in the original.

² A memorandum from Pauley to Wickham, March 1, which contained the Operation Eagle Pull plan, argued that "to have the best chance of successfully accomplishing the mission, the helicopter operation must be executed rapidly, with surprise, and in one lift cycle." (Washington National Records Center, OSD Files: FRC 330-78-0058, Cambodia, 1975)

³ Colby's briefing, "The Situation in Cambodia," February 26, attached but not printed.

Mr. Colby: [Continued to brief.]

Secretary Kissinger: Are the Communists taking serious casualties?

Mr. Christison: Yes, pretty heavy.

Secretary Kissinger: What do you mean by “pretty heavy?”

Mr. Christison: They are taking about 200 to 300 per day.

Secretary Kissinger: Dead and wounded or dead?

Mr. Christison: Killed.

Mr. Colby: [Finished his briefing.]

Secretary Kissinger: I don't know if Sihanouk is all that eager to talk. I mean, I think that he personally is eager to talk, but I don't think that he can talk. We don't have any evidence that he is all that ready to talk.

Mr. Clements: Where is he now?

Secretary Kissinger: He's in Peking. We've tried, but we have been unable to make contact with him. Well, I think we just have to look at the overwhelming evidence and face the facts that negotiations are not possible because of the military situation. The Communists are winning. They have no incentive to negotiate. We have tried all types of approaches. I think that unless the Communists run completely out of steam the chances of negotiations are very slight. If we could threaten them with something, perhaps they would agree to negotiate. But, why should the Communists negotiate? Why should they negotiate when our Congress is threatening to cut off aid? I think that whatever chances there are of negotiations, the Communists won't accept until Congress has acted. Does anybody disagree?

Mr. Colby: No.

Secretary Kissinger: The President's view is that we will not negotiate with Congress over the supplemental appropriation. We're not going to accept \$75 million as a compromise. We'll accept only a sum that we think is acceptable to get the job done.

Mr. Maw: Well, if the procedure that (Congressman) Passman has outlined . . .

Secretary Kissinger: I want to make it god-damn clear that there will be no compromises unless they are approved here, in the White House, in advance. I don't want every Department going around accepting their own compromises.

Mr. Maw: Passman is talking about a new appropriation of \$75 million plus authority to drawdown another \$75 million under MAP.

Secretary Kissinger: I don't know what the hell you're talking about. All I want to know is, is it enough?

Mr. Clements: I thought that the Passman strategm would get us \$150 million.

Mr. Maw: Yes, it will. Seventy-five million in drawdown authority and \$75 million in a new authorization.

Secretary Kissinger: Look, the probabilities are against us getting the Communists to negotiate. If we can get the money we want and can get a military stalemate, the Communists might see the light and agree to negotiate. We might be able to get a good agreement then. But, if we don't get a stalemate and some semblance of stability in Phnom Penh, we won't get negotiations. It makes a hell of a lot of difference whether the Cambodians are defeated because they simply couldn't do it militarily or because we cut off their military supplies.

Mr. Clements: I agree, Henry. That's just what we were talking about on our way over here today. Am I correct when I say that under Passman we'll get \$150 million and not \$75 million?

Mr. Maw: Yes, that's what it looks like.

Secretary Kissinger: Look, I don't give a damn what it looks like. I want the realities.

Mr. Clements: That much could get us to July . . .

Mr. Abramowitz: It also frees us to draw down supplies from other countries.

Secretary Kissinger: Yes, like Turkey.

Mr. Christison: One problem is that you will probably have to continue the airlift until July. That is expensive, and you would have to figure that into the overall cost.

Secretary Kissinger: I can't understand Congress' thinking. They think they can pacify us with a few million dollars. That is clearly inadequate. It makes no sense.

Mr. Clements: With the additional \$150 million and a free ceiling we're getting pretty close to what we need.

Secretary Kissinger: (To Mr. Colby) Do you think the Cambodians can hold out until July?

Mr. Colby: It would be pretty close. I just don't know whether they would be able to or not. It would be awfully close. Of course, you also have to think of the psychological impact in Cambodia of a cut-off. It would really destroy their morale and could lead to the disintegration of the government. If we had the money, we might be able to recruit some more men in Vietnam—the Khmer Khrom thing again.

Mr. Clements: From a historical perspective, Henry, you know we said eighteen months ago, right here in this room, that they couldn't last another six months.⁴

⁴ See Document 92.

Mr. Colby: The other side (Communists) are not all that strong, either. They've taken a beating, too.

Secretary Kissinger: Well, I don't think anyone is under any illusions about negotiations. There is no alternative as long as the Communists think they are winning. We have tried every conceivable method to get negotiations started, and have turned up nothing. I think Sihanouk has as much interest in getting negotiations started as we do, but I don't think he has any influence left. I think the Communists would only use Sihanouk as a figurehead anyway, and discard him when his usefulness is gone. I don't have any problem with trying to get Sihanouk involved in negotiations, but I don't think it will work. Those people that are cutting the aid up there on the Hill don't give a damn about Cambodia. What worries me is the impact this will have on Vietnam. If we accept the \$75 million as a compromise—if we ask for \$222 million and then settle for \$75 million—they will all yell that our figures are inflated, and this will hurt us on Vietnam.

Mr. Maw: Then you would reject the \$75 million and insist on \$222 million.

Secretary Kissinger: I'm just worried about the impact on Vietnam.

Mr. Maw: We will not accept less than \$222 million?

Secretary Kissinger: Congress will let it be known that they forced us to take \$75 million.

Mr. Clements: Then, what you are saying is that \$75 million is worse than \$150 million.

Secretary Kissinger: No, what I'm saying is that it will be easier for Congress to impose a \$75 million limit on us than approve a \$150 million package.

Mr. Maw: Well, I did tell Passman that we could not live with a compromise.

Secretary Kissinger: If Cambodia collapses, are our evacuation plans in good shape?

Gen. Pauly: Since the fleet is now in Subic Bay, our reaction time is lengthened from 48 to 96 hours. But, that can be taken care of quickly.

Mr. Abramowitz: You know, the number of people to be evacuated is very high . . .

Secretary Kissinger: Are we going to take foreigners out?

Mr. Ingersoll: Yes.

Mr. Maw: There are a lot of non-nationals on that list too.

Secretary Kissinger: The TV networks approached me the other day about helping get some of their cameramen and others out.

Mr. Miller: That would add to the overload.

Secretary Kissinger: How are we going to get them out, airlift?

Gen. Pauly: Yes, a one-time lift.

Secretary Kissinger: Can we get the TV people to reduce the number of people they have over there?

Mr. Clements: Henry, that 600 figure of the Joint Chiefs is what they are using as a base. They have their aircraft and evacuation plans geared to that 600 figure. Additional numbers would require additional aircraft and other things.

Mr. Stearman: The total is now 757 people.

Mr. Abramowitz: That's right, and that figure has to be cut down to 600.

Mr. Stearman: The aircraft is geared to getting 600 out, and all at one time.

Secretary Kissinger: How do they do it, C5As?

Gen. Pauly: Helicopters—twenty five of them.

Mr. Miller: The two earlier phases call for fixed-wing aircraft.

Secretary Kissinger: I can't believe that we can't handle more third-country personnel. Can't we get the Embassy (in Phnom Penh) to focus on this?

Mr. Ingersoll: I think it will be difficult to get another 150 out. We're already exceeding the 600 mark.

Secretary Kissinger: Are we taking out other embassy personnel?

Mr. Ingersoll: We think that we should.

Secretary Kissinger: Okay, tell the other embassies to get out.

Mr. Clements: You know, it could get hairy, especially if things happened fast.

Mr. Ingersoll: The thing could collapse very fast. I would like to get the embassies out of there.

Secretary Kissinger: No, I don't want foreign embassies to start leaving. They can reduce their personnel, but I don't want the whole embassy packing up and getting out. That would look like we have lost the whole situation. I don't want our people to start panicking everybody else. Can't we do it in a quiet way, say like ten percent?

Mr. Miller: Yes, I think we can do it that way.

Mr. Ingersoll: There are volunteer agencies, too.

Mr. Abramowitz: Yes, and others, like (reads from list).

Secretary Kissinger: Can't we get Embassy recommendations on how to cut down to the 600 figure?

Mr. Stearman: There are at least 50 Cambodians we will want to get out as well.

Mr. Clements: This raises a point. I think we have to take those important Cambodians that want to get out.

Secretary Kissinger: We can come back and get more, can't we?

Gen. Pauly: Yes.

Secretary Kissinger: How quickly can we get back?

Gen. Pauly: In two to three hours.

Secretary Kissinger: I don't want the Embassy taking a census. They will just panic everybody.

Mr. Miller: I think they have a good idea now on how many want and should get out.

Secretary Kissinger: Well, I have two worries. I think it's only right to save as many Cambodians as possible. How do you get plans drawn up without starting total panic?

Mr. Miller: We could get the Embassy to work this up.

Secretary Kissinger: I don't want the Cambodians to know about this.

Mr. Clements: Henry, we're going to have a severe problem with our people if we have to have a second "go." You're going to have to have more security personnel, more Cambodians will try to get on. You're going to have a mess. It would put our people (the security people) under a real strain.

Gen. Pauly: I agree one-hundred percent.

Mr. Clements: We could lose one hell of a lot of good people.

Mr. Maw: A mob!

Secretary Kissinger: (To Mr. Clements). Can we get a plan worked up for taking more than the 600 out? Would you need more helicopters?

Gen. Pauly: Yes. At the moment, all our assets are used up.

Mr. Clements: Let us work on that.

Secretary Kissinger: Okay, but do it overnight (by Friday, February 28).

Mr. Colby: The South Vietnamese might be able to help.

Secretary Kissinger: We must have more than twenty-five helicopters.

Gen. Pauly: We'd need eight to twelve more helicopters. It depends on the type. We'd probably have to go to Hawaii for more.

Mr. Clements: We'll submit a plan.

Secretary Kissinger: I think we should make a major effort to evacuate all the Cambodians we can. We will do our best to try to get negotiations started, but I'm not very optimistic. We don't even know who to negotiate with.

Mr. Clements: There's one other thing, Henry. We suggest that, from a morale standpoint and in order to keep Ponchetong Airfield open, we give some more armored personnel carriers to the Cambodians. There are about twenty the Air Force has in Thailand, and they could be shipped to Phnom Penh. We could replace them in Thailand at a later date.

Secretary Kissinger: Good, I'm strongly for it.

Mr. Miller: I think it would help ease their fears.

Secretary Kissinger: Okay, do it. How are you going to pay for it? No, don't tell me. I don't want to know. Just do it.

Mr. Clements: One other thing on Cambodia before we turn to Ethiopia. I think we ought to tell those other governments in East Asia about the seriousness of the situation and ask them to see if they could do something.

Secretary Kissinger: We have. All they say is restore the military situation. The basic fact is that if we could do one-quarter of what we did in Laos we would break the Communists' back and they would have to negotiate.

Mr. Colby: That's true.

Secretary Kissinger: Even if we could bomb we could get the Communists' momentum stopped and get negotiations. Okay, thank you.

181. Memorandum of Conversation¹

Washington, March 4, 1975, 12:30–1 p.m.

PARTICIPANTS

President Gerald R. Ford
Senator Frank Church (Dem.–Idaho)
Senator James B. Pearson (Rep.–Kansas)
Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs
Max Friedersdorf, Assistant to the President for Legislative Affairs
Mr. John O. Marsh, Jr., Counsellor to the President
Lt. Gen. Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

SUBJECT

Three-year aid program for South Vietnam

The President: My understanding is that you wanted to talk about trying to find a key to the amount and time of aid to Vietnam. I made the statement in the *Chicago Tribune*,² which you read, I'm sure. Based

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 9, 3/4/1975. Secret. The meeting was held in the Oval Office. Brackets are in the original.

² See footnote 2, Document 171.

on our analysis and Ambassador Martin's views, a three-year commitment would get them over the hump and give them a reasonable chance, except for cash Foreign Military Sales. Martin thinks \$6.5 billion should be the figure. We think maybe \$6 billion.

Senator Church: I saw two accounts, one with two years and one with three years. I thought it might be possible to work out a statutory scheme for phasing out both Cambodia and Vietnam. We thought we should come down and discuss with you. Now you are faced with ceilings and there is a strong chance that Congress won't grant relief. I wanted to break the stalemate and see if there is some way out of this open-ended subsidy of an ongoing war. I spoke with Jim on whether we could formulate something which would be acceptable. I think it has to include a phasedown to be credible.

The President: I agree. There must be an ironclad assurance.

Senator Church: If it were a phaseout backed by you, we might be able to sell it. But when you get to the detail—that is where the discussion begins. The first question is on economic assistance—because assistance is fungible. But I thought we should at least present it to you.

Senator Pearson: I did an analysis. I doubt if the additional aid will go, but there is a gnawing conscience at work on the Hill—not really connected to current arguments or a "commitment."

As I understand it, the Administration's idea is from 1976–78, \$6 billion, with only Vietnam involved. Frank is thinking '75–'77 for all Southeast Asia, and around \$2.5 billion. These all relate to each other. I think there is a chance in the Senate. I don't know about the House.

Senator Church: If it were linked with the base closing in Thailand—they have called for it, and Nunn says they are bases without a purpose. I don't see why we need them. If you did that, we could sweeten it.

The President: We would have to tie it in with worldwide MAP.

Senator Church: I think your proposal should be tied to the \$300 million for Vietnam.

Secretary Kissinger: If some relief is not taken in Cambodia within the next two or three weeks, Cambodia is through. I don't think we could work out a scheme like this by then. I haven't discussed it with the President. In Laos, for example, if we give economic aid to a friendly, coalition government, the Communists don't object.

Cambodia is the urgent issue. In 1973 we had a negotiating situation when the bombing halt killed it. If we can get them through the dry season, we can negotiate. It will be a lousy one, but something. But we can't wait on Cambodia.

The President: I feel an obligation. We must make a last massive effort to negotiate. If we can get to the wet season, there is a chance for

negotiation. Our people say that with the supplemental there is a chance to get through the dry season. I can fill you in on the House situation. Otto is marking up today with an amendment lifting the ceiling—with support by the Foreign Affairs Committee for a rule. Doc [Morgan] doesn't want to go through the Authorization process. That is the quickest in the House.

Senator Church: I don't think that would work in the Senate.

Senator Pearson: What is your reading of the Senate?

The President: I don't have one.

Secretary Kissinger: A negative vote would probably lead to a collapse in Cambodia. Doing nothing would let it unravel more slowly so we can get some people out.

Senator Church: I would guess it wouldn't go in the Senate. No one can be convinced it is not the last and won't be followed by more. That is why I wanted to tie it to a termination.

Senator Pearson: If that is not doable, I think Cambodia is better by itself than tied to Vietnam.

What would a phaseout look like to foreigners?

Secretary Kissinger: Honestly, I don't like it. I can't say at the end of three years we won't face a serious situation. The best is to do what is required each year. But rather than face this each year, this is an alternative. If the levels were adequate, this would be more bearable than for Congress to appear to be stabbing an ally in the back. If it is done over three years, our diplomacy and other countries could adjust to it. It is not the best way, but it is acceptable. I don't like it, but I don't like the whole debate.

Senator Church: I don't like the whole policy which got us there. But if we were to phase it out, wouldn't it alert the people out there to the necessity to bargain?

Secretary Kissinger: A three-year program which doesn't look like a sellout, I would support.

The President: I share Henry's view. I have always supported aid. I believe that under the circumstances, if we get a three-year program, adequately funded, it is the best way to save the American perception in the world, and the commitment to an ally. I will work with you. I don't know how the leadership would react.

How could we proceed?

Secretary Kissinger: I think we could hold on the \$300 million, but we must move on Cambodia. We maybe could piece together something on Cambodia which would avoid a flat money increase.

Senator Pearson: What would we put it on?

Max Friedersdorf: Maybe just handle it separately. It can't be hidden.

Senator Church: Unless Cambodia were a part of a phaseout, I couldn't vote for it. But I would still be willing to work on the Vietnam package.

Senator Pearson: There is no way to get Mansfield to support this.

Senator Church: Humphrey might.

The President: Who can we get to work with them?

Secretary Kissinger: Habib, Maw and Graham Martin.

The President: It is worth a try. We have nothing to lose.

Secretary Kissinger: Let's have them work together to see if we can put together a package.

Senator Pearson: I will take soundings if the concept is acceptable.

Senator Church: Then it would apply only to Vietnam?

Secretary Kissinger: I don't object to including Laos, but you may find . . .

182. Memorandum of Conversation¹

Washington, March 5, 1975, 11:15 a.m.–12:50 p.m.

PARTICIPANTS

The President

The Secretary of State

Senator Dewey F. Bartlett (Oklahoma)

Congressman John J. Flynt, Jr. (Georgia)

Congressman William Chappell, Jr. (Florida)

Congressman Donald M. Fraser (Minnesota)

Congressman Paul N. McCloskey (California)

Congresswoman Bella S. Abzug (New York) (arrived late)

Congressman John P. Murtha (Pennsylvania)

Congresswoman Millicent Fenwick (New Jersey)

Lt. Gen. Brent Scowcroft, National Security Council

Assistant Secretary of State, Philip C. Habib

President: Let me say at the outset that I am pleased to see all of you and I am sorry Bella did not get here. I think the group's going to Indochina is a great asset.² The ones who went were a good

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 9, 3/5/1975. Confidential; Nodis. The meeting was held in the White House Cabinet Room.

² The legislators visited Vietnam and Cambodia between February 22 and March 3.

cross-section of Congress and your views are indicative of that cross-section of views. I want to thank Assistant Secretary Habib for going and I am sure he was helpful to you. I ask that you give Dr. Kissinger and me your observations and any recommendations you may have.

Flynt: On behalf of my colleagues I will start but everyone will participate. We were manifestly shaken and impressed by what we saw. Fraser and I did not go to Cambodia. I had an earlier appointment with Big Minh, who used to be the commander of the forces in South Viet-Nam. He was going out of town and I went to see him. I am glad I did see him as that will be part of my report.

The first point I would like to make is that the questions of Viet-Nam and Cambodia must be treated separately. There are substantive differences in each case. The second point I want to make is that the Cambodian problem is of extremely short range.

On the Viet-Nam side of the coin, it is of longer duration. We talk in terms of two or three years. I would like to see them stand on their own feet in the next 2–3 years. That may be overly optimistic. As we have discovered over the years, publicly and privately, we have had a common goal. For years we fought side by side and even as that changed our objectives were the same. The history of Viet-Nam has been a series of mistakes, tragic mistakes. Our task is to convince the United States public and Congress not to make the last mistake, not to abruptly terminate sufficient military and economic aid which could become the most tragic mistake in a series of tragic mistakes. In my part of the country, where we have supported the situation, involvement has waned and been replaced by reluctance bordering on opposition. All of us have the difficult job of convincing Congress and the people that we cannot drop the ball. We have too much investment in lives, time and material. I wish we could report we have solutions. I have no panacea to suggest, but in concert with my colleagues I hope we can, by give and take, come up with a consensus.

President: Do you anticipate making a report to the leaders of Congress? That would be helpful.

Flynt: That is our intention, but we are limited by lack of sufficient staff. We did make a report to Otto Passman's Committee.

President: Did Otto listen or do all the talking?

Flynt: He listened because he wanted his colleagues to hear us.

President: I served twelve years on that sub-committee. Has he changed?

Chappell: No, he still dances around.

Bartlett: I will try not to cover the same ground as Mr. Flynt. I see a need for military aid in Cambodia quickly so that they can expand the perimeter and hope for a political settlement. Without that hope,

there will be a bloodbath. In South Viet-Nam I consider the over-all painful options. I have some concern about the three-year proposal because it gives the impression that all would be over in three years. There needs to be some kind of commitment that takes into account what comes in from Russia and China, taking into account the needs for defense. We should not be pro- or anti-Thieu in the coming election, but we should insist on the broadening of the base of the Government to bring about free elections. This would require the appointment to the Cabinet of leaders from the non-Communist group. Corruption should be ferreted out, there should be freedom of the press and proper use of the courts and police. This will help them to develop their resolve and will strengthen their capability to develop in peace.

(Mrs. Abzug entered at this point): I am sorry I am late.

Bartlett: I remember Mr. Sung said to me that at one time his dream was that Viet-Nam would be one nation without communism. That changed to a South Viet-Nam without communism and now he is thinking of a South Viet-Nam as a free institution, with guaranteed rights and including Communists.

President: Did you find Thieu agreeable to any of these suggestions?

Bartlett: All of my conversations on this subject took place on the last day we were in Saigon. They included discussions with Professor Huy and former Prime Minister Ky, both of whom agreed that Thieu should broaden his Government and bring into it all non-Communists.

Flynt: Chappell and I talked to President Thieu about an hour before we left. We were reluctant to do so but we had been asked to by several anti-Thieu, anti-Communist, but loyal South Vietnamese—one of whom was Professor Huy and one was General Minh. As best we could communicate to President Thieu, we suggested that he broaden his base and take advice from people personally loyal to South Viet-Nam but not strongly associated with him. We don't know whether he got the message.

McCloskey: I concentrated on the military situation. This was my fourth time in Viet-Nam and I was surprised by the success that was evident. Ninety-eight percent of what I saw was a success and I was surprised by the capability of the Vietnamese Army. They are holding off the North Vietnamese and the VC without the firepower of the B-52's and U.S. forces. I saw two regiments near Danang that were holding an area that five U.S. regiments previously held. But the South Vietnamese are outnumbered by the North and the North has the will to prevail and is putting its troupes down into the South. We were all impressed that South Viet-Nam would be successful if it were independent. The problem is that the will to fight and the terrain favors the North. There has been a shift to the VC in the Delta of 10% of the population.

On Cambodia, we agree to support your request because we believe that if the perimeter is cracked people will be butchered. We talked to the refugees who told us about people being killed. Atrocity stories about nails being pounded into the heads. I cannot tell you whether the perimeter will hold.

There is a difference in our figures and those of the Department of Defense on what is required. They are asking for the same amount of ammunition that is used in Viet-Nam, 650 tons per day whereas 1/6 of the men are engaged. That is why we decided to recommend \$116 million for Cambodia instead of the \$222 million requested. It is a close question of whether we can get through.

President: Logistically?

McCloskey: Both logistically and with votes. I would like to recommend that you withdraw the \$300 million request for Viet-Nam. Failure to get it will hurt us in Southeast Asia. Both sides look at what Congress does. The estimate is gloomy. The North Vietnamese are going to win.

President: Whether we aid them or not?

McCloskey: We gave them \$3.2 million in 1973, \$1.3 million in 1974 and \$1.3 million this year—if all goes through. There is no possibility of an increase. We will give you the votes to phase out the program, but not higher amounts. People in the South are shooting up ammunition at a rate seven times that of the North. The North is using a thousand tons per month and can use those thousand tons, but the South wants to use 54 thousand tons. We cannot support that level. We cannot support giving the South the same amount that the North gets from the Soviet Union and China. So it is difficult for the South to prevail. If we are going to get negotiations, Mr. Secretary, you should force them to a political struggle, because I see no hope over three years.

Fraser: On Cambodia it seems to me all that is left is to negotiate an orderly transition of power to the insurgents. We have the impression we are trying to get more than that. We should ask someone like the French or Waldheim and see what terms it would take for a surrender. If our expectations are high, we may be unrealistic. If I were satisfied that we were doing the right thing, I would consider it. Otherwise we are merely continuing the war and next year it would start all over again.

On Vietnam, we have no ability to affect the political situation or the situation in the villages, and we concentrate on the main forces. I received reliable reports that the VC infrastructure is coming back. It is a smoldering fire. Six hundred thousand people came under their control in one month—an overall 10% shift in population but actually a doubling of the population under VC control. The criticism of President Thieu is rising sharply and there are economic difficulties. Thieu

is associated with corruption, which is a major political factor. People who were for Thieu in 1971 are now against him.

I went over there to see what the situation is like. Now I am for a general phase out. I would be willing to support more aid if Viet-Nam were moving toward traditional values. The problem is the United States is supporting a regime without regard to our traditional factors. I don't like to tell a country what to do, but if they did move politically to open up it might be easier to get a political accommodation.

The Ambassador we have in Viet-Nam is a first-rate disaster. He is inflexible and is a total spokesman of the Thieu regime. I cannot believe he is an adequate representative for yourself or for the United States. I have talked to others about him and get the same impression. I think he is a problem.

Flynt: Along the lines of the last statement, I believe we must become more realistic on Viet-Nam. We received substantial reports from Embassy personnel that they are almost prohibited from sending reports to the Ambassador which he does not wish to hear. I must agree he is stifling information which he does not wish to hear. The same is true of the CIA. Pete McCloskey agrees.

Chappell: I saw the same things as the others, but I did not come to the same conclusions. I had a most significant visit with Mr. Buu of the Labor Federation. He lost a son in the war. While he opposes Thieu he told us he went all the way with any group that is against Communists. He is a strong anti-Communist. He expressed concern that Thieu was not keeping doors open to the dissidents. He realizes that some are not good, and lean to the other side. While he was critical he still wants to work with Thieu and he asked us to say this to him. We did and Thieu said he would talk to Buu.

President: Is organized labor a major factor in South Viet-Nam?

Chappell: They are an important influence. This man was extremely well-informed and a good contact. He said he had 1½ million members.

Flynt: That may be an exaggeration.

Chappell: Organized labor is still an important factor and can be influential.

Flynt: We have no disagreement on substance.

Chappell: I look at the military factors. I went to the front with General Truong who is very competent. I found high morale and high competence. The defenses were substantial and in general I feel South Viet-Nam has an undeniably strong will to defend itself against the Communists, and I am willing to vote to support them. This is a country which I feared was a welfare leech. I now think there is a good chance they can support themselves, having become self-sufficient in rice and there is oil exploration going on.

President: Do they have a refinery capacity there?

Chappell: Not yet. With oil exploration work in the countryside, and the increase in production, I say they are on an upward trend as far as their economy is concerned. We would make a serious mistake if we did not give aid which they need. They are not asking for an open end in aid. There are no troops in Viet-Nam as in Europe. Thieu said if we help him in the transition period, he will be able to take care of their needs, and I think he is right. So, while the last time I was reluctant to support aid, I now strongly feel we should do all we can. We need to get the facts before the country.

Cambodia is very critical. The best hope is for a negotiated peace, but we need to get help there quickly. It is useless to send food and medicine without ammunition. We found substantial willingness on the part of the soldiers to do the job. The generals are good and the soldiers have a determination to stay with it. Desertion has been decreasing instead of worsening. We should give now to get help to them, so that they can make it through the rainy season. If they can hold their position around Phnom Penh and then open the river, it just might work. We should then look at it again later on. I believe they will hold if we can keep the airport open.

We had the vote in the Appropriation Committee 7–6 or 8–5. I thought we had Coughlin. I had a feeling it was all right, but we will be stronger if we get it with the Authorization Committee and avoid a fight in the Rules Committee. We need to push in the Foreign Affairs Committee.

President: 7–6 or 8–5 in favor?

Chappell: Yes.

Fraser: According to a military briefing, South Viet-Nam may lose two or three provinces and Hue could be isolated. If that happens, it will look as if Viet-Nam is coming apart at the seams and that will lead people to want to write it off.

President: If that happened, should the result be that the United States do less or the United States should try to do more to prevent it?

Fraser: My impression is that there is not much difference. I am prepared to do a slow phaseout, but I was pointing out this could be a problem.

McCloskey: There are seven reserve divisions above the DMZ. Three are alerted to move. Truong said that if two of these move they would take Hue and threaten Danang. If they commit them, South Viet-Nam could lose three provinces.

Bartlett: One thing that impressed all of us was the fact that the refugees in Cambodia were all worrying about the savagery of the Communists and this influenced our thinking. So if there were a mil-

itary victory by the Khmer Communists, it would be bloody. We should carve out more for medical needs in military aid. We should meet their needs.

Kissinger: I have to leave because I am on my way to the Middle East. I would like to say one word before I go. First with respect to Cambodia, the tragedy we face is the dissension in this country which has produced the situation. Whereas if we can demonstrate that in June and July of 1973 we had negotiations in our grasp, we had China ready to work as a intermediary for the first time. You will remember this was the time of Watergate and there was no good communication with the Congress. Congress cut off the bombing. If they had held off for three months, we would have been in touch with Sihanouk. Within three days of the bombing halt the Chinese refused to pass messages to Sihanouk which we were handing over.

We never put enough in Cambodia to win a military victory. We never did enough to bring it to a conclusion. The events in 1973 were a tragedy. Right now the question is whether the United States can have it on its conscience not to send in arms to a people trying to defend themselves. We have been trying with the Chinese and others for months. I agree that it must be liquidated by negotiations. We have been trying since October. We had it in our grasp in July 1973.

Since October we are continuing our efforts. We know that Sihanouk has to come back. What is keeping Sihanouk from coming back is the Communists. If there was anything left to Cambodia that Sihanouk could get, he would get it. If we can get through the rainy season, the key will be Sihanouk. The question is whether or not the United States can pull the plug and have it on our conscience.

On Viet-Nam, it was my misfortune to negotiate that with the North Vietnamese for four years. They are hard cases. I wish I could agree to get a political solution instead of a military solution. It was not possible to negotiate a political solution with them without a strong military situation. They are the most devoted, single-minded abrasive Communists I have ever seen. I once took Le Duc Tho to a museum in Hanoi which he had never visited himself. All of the artifacts reminded him of prisons where he had been. We saw something from Vinh and he said that was a good prison but a miserable jailer. He is a dedicated revolutionary. They are hard cases and in some ways rather admirable. Le Duc Tho and all the others have fought all their lives. They will not give up, unless they have to. They must run out. Look at the political options they put forward. For years they said they would not accept Thieu and then they did. Now they say they will not accept the Government of Thieu again.

I agree with Don Fraser, in five years we may see Viet-Nam as we see Cambodia today. We can put in enough or not enough. The

strategy problem of South Viet-Nam is different. The North Vietnamese can concentrate on one province and make one victory and it sets up a roller coaster effect. Their casualties can go up, there can be riots which could make the Government become more repressive, and we would then say that they should broaden their base and then they would not. So if aid is given, we have to face the possibility of a phase-out. I do not like it, but if it has to be done it should be high enough to be relevant to the job. Vietnamization is over with. In Viet-Nam there is a chance. Maybe all the past has been wrong but in the process millions of South Vietnamese have been engaged. We have no legal commitment to give aid. But having negotiated it, there is a strong moral commitment. In 1972 and 1973 everyone said they would fight among themselves. We did tell them—there were no promises—the United States Congress would do enough to help them.

As far as the three-year program is concerned, I have designated Habib to work it out, but it must be done right. We have to give enough to succeed rather than produce a lingering death. The domino theory is unpopular, but when other countries look at it and see U.S. involvement in 1945 and then look at what has happened, other countries see the United States providing no arms for Cambodia and no help for South Viet-Nam, the impact will be strong. Whether we get the bill or not, I do not think we should shave it too close.

President: Henry is leaving, I will want to see him off. I will be back shortly. All of you know of my deep personal conviction. More of you have disagreed with me than have agreed with me. From the beginning I felt we should have a strong worthwhile policy of helping those who help themselves, including Viet-Nam and Cambodia. I have learned more. I have learned of our negotiating efforts. When Phil Habib went up to give the details to the leadership, Cliff Case called and urged me to expose the record to the public. He urged me to ask Congress to act now on Cambodia. I feel obligated to ask Congress to act now. With the help of Cliff and others, I hope we can act now. With all we have done, it will become a blot on the conscience of the United States. I have talked to Senators Church and Pearson. They took my statement on three years with an adequate program which would end our aid. I agreed to negotiate a figure. If we are going to have a three-year program, we need to do it and do it well. Not by drips. Otherwise there would be an adverse reaction in Southeast Asia. We will have domino effect whether we like it or not, so I will work on Cambodia and Viet-Nam and find an answer we think is right.

(The President and Secretary Kissinger left the room. After a few minutes the President returned to the meeting.)

President: Okay Bella.

Abzug: My trip was important to me. You know of my longstanding opposition. It gave me insights. The tragedy of Cambodia was that we visited on them a war of our doing. I see it in different terms, as a humanitarian obligation. I do not see it in military terms. Our negotiating stance must be to protect those who may be targets of retribution. That would be understandable. Our giving aid when faced with our own problems would not be understandable, but giving humanitarian aid would be acceptable. Congress is not ready but we should change the emphasis, not to have military slaughter which would be the greatest hardship. The situation is lost and I want to minimize additional slaughter. You continue a bloodbath by war, in other ways too. So we should address ourselves to the humane problem and protect them during the takeover. This makes it a realistic proposal. A moral obligation can be made on both levels. Protection in case of a changeover and humanitarian aid.

President: The only question is if we could declare humanitarian aid and shut off military operations. But, unfortunately we cannot make clear breaks by compartments.

Abzug: We can if we make a statement that we are going to resolve the problem in a peaceful way.

President: I don't know whether you have seen the chronological statement of efforts to negotiate. I can assure you they have been pursued and will continue to be pursued.

Abzug: There is a reality in suffering and I, who oppose, will do what I can. If we hand out military aid it will add to the suffering.

On Viet-Nam, the difficulty I have on the phase-out program is that it is unrealistic. Because I think continuing aid will stiffen the other side and their supporters. I think there is instability underneath and a reluctance on the part of the other side to deal with Thieu. There is also a reluctance to consider the Government without him, and unless an effort is used to obtain a broader-based Government without him, I think progress will not be viable. You can't tell me the other side will not accede. So our stance must be changed. Our Government can use our relations with Russia and China to make a different approach.

The Ambassador has not reflected a meaningful independent position. We have not been properly represented. We have to convince Congress and the people. And we need to show them a different approach. We behave as if it is still our war and seek a victory. We should try to bring about a solution that includes all elements. We will not accomplish that in a military approach.

Murtha: We need a victory there. From an historical standpoint the United States should have a victory there. Take Indonesia for example, which is rich in resources. If North Viet-Nam and South Viet-Nam were combined, they would have a dedicated army to dominate that area. We have a strong economic interest and we have given our word.

I went to visit the area where I was for a year in the Marines. General Truong said he was cut back to the bone because of limited supplies. The United States was spending 6,000 tons per day but the Vietnamese are using only 800 tons per day in the same area. The Vietnamese battalion will use up three radio batteries per month whereas we used to draw 9. They are using two hand grenades instead of 5 per man, so he has limited strength to defend. They strictly conserve on artillery. They worry about losing land and increasing casualties. The reason the North Vietnamese action is increasing is because the South Vietnamese have to restrict their actions. They cannot operate in sanctuaries because they have less mobility. It will be a disgrace if we do not give aid. In five years we will end up with an historical blot. Kissinger said to Thieu we would furnish aid. We have an obligation to fulfill it.

President: When were you in Viet-Nam?

Murtha: In 1966. I drove down to Hoi An and the security was good, and it is because of U.S. aid.

Fenwick: For many reasons, not only my campaign promises, but also for my convictions as well, I have been against military aid for many years. It was hard on this trip as I am shaken in my resolution. Cambodia is the third act of a tragedy. China is the key. So long as China furnishes bullets, we are going to have war. I know what efforts you have made. We must redouble our efforts until we find out what China wants.

We say that the Government is inept and corrupt, but that we will provide aid. I am prepared to do so under certain conditions, as part of a plan for peace. If we can hold off until the rainy season, I would vote for ammunition. If we could get people out in the meantime—such as civil servants, teachers, refugees—I would vote for ammunition. If it is part of some program which would use the Mekong to get out. If we could have a plan to take care of the pitiful people, teachers, lawyers, civil servants, refugees. I don't know what we could do for the millions of refugees, but that kind of responsible action I could conceive would receive acceptance.

Viet-Nam is more complex. I spoke to many dissidents. We did not ask every person if they wanted Communism in Viet-Nam, but of those we did ask, not one did. No dissidents, nor people in prison, etc. What are we going to do to resolve this? I have not made up my mind. I do not say we are going to give them any benefit by allowing Communism to take over. I am not prepared to support Thieu. As far as his press laws are concerned, we should request that he repeal them. The party law is such that it makes it difficult for the people to register a voice. One has the feeling that he only wants to have a one party election. I spoke to Ambassador Martin and he said there is some chance

that the appropriate law would be passed. We need an international election team to be present. Ambassador Martin says Thieu will win a free election. Why then won't Thieu do this?

Corruption is an issue. Thieu got rid of some people. There are other parties in Viet-Nam that are independent. There is an opposition in the legislature. The elements of some kind of a viable government are not lacking. There are no mass parties, only mass groups like the Buddhists, Catholics and the Cao Dai. We ought to put a person in charge of anti-corruption, maybe a political figure.

If you asked who could replace Thieu, that is an unsettling question because there is no one. I find myself sharing McCloskey and Fraser's view—that is we can't vote money without seeing a viable solution. We need a plan. For example in Cambodia, we should get in touch with the UN.

The PRG gave me their terms. Forget it. They asked us to get rid of Thieu and stop aid. They said the Paris Accords are not a reality. They will have to be renegotiated.

I cannot go along with the idea of a phased-out aid program. I cannot see where it leads. The reality is China, whether or not it supplies the arms.

President: If you have reservations about a phase-out, would you stop period?

Fenwick: Not so. I will regret my vote no matter which way I vote.

President: Let me reiterate. I am grateful that you went, including those who came back with unfavorable views. I am impressed with the suggestions. We will take them into consideration—some of the important suggestions. If we could sort them out as clear-cut, but I am afraid I feel the United States must make a maximum effort, including some of what you suggested. We need to be forthright and strong in Cambodia, moving toward negotiations. In Viet-Nam the three-year aid cut-off must be adequately financed. It has better than a 50–50 chance. As I look at the past, present and future, our country must be strong and forthright and at the same time as humane and flexible as we can be.

Flynt: Most of us want to support you as much as we can.

President: You will be influential.

Fraser: I have a suggestion. Would you find it useful to bring in as consideration for policy some people who could serve in an advisory role? Responsible people who come to the problem with a different approach and who can help, like Paul Warnke?

President: We will use very conceivable suggestion. It is a critical situation which is a broad national problem. We will not rule out any help on a national problem.

183. Memorandum of Conversation¹

Washington, March 6, 1975, 10 a.m.–12:50 p.m.

PARTICIPANTS

The President
Senator John J. Sparkman (D–Alabama)
Senator Clifford P. Case (R–New Jersey)
Senator Hubert Humphrey (D–Minnesota)
John O. Marsh, Counselor to the President
Max Friedersdorf, Asst. to the Pres., Leg. Affairs
Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

SUBJECT

Aid to Cambodia

[General Scowcroft arrived late]

President: I am afraid we don't have time and a different strategy must be tried. I understand you are thinking along the same line. Cliff called me . . .

Humphrey: We have been in close touch. We will have open hearings. I personally think Lon Nol is a dead duck. I have great sympathy for the Cambodian people. I think the only hope is for you or the Secretary to make a public effort for a ceasefire. These private efforts are not enough. I have talked to Habib and Larry. We know about them, but the Congress doesn't and the people don't.

Sparkman: Habib left me the same paper he made public. It looks like they are now trying to blame the Congress. I never heard of anything in '73. Did you, Cliff?

Case: No.

Humphrey: Let's not hash over the past. I think all we can do is find a way to let it down easily and make it not look like a cop out. We have to make a public appeal for a ceasefire. We have to tell Lon Nol he must step aside. We must form a new government to negotiate with Sihanouk and the other side. We would have to give enough aid not to have them collapse. But we don't have the votes. All we can do is waive the ceilings for a while.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 10, 3/6/1975. Top Secret. The meeting was held in the Oval Office. Brackets are in the original. On March 5 a House Appropriations subcommittee, chaired by Passman, deferred action on the administration's emergency military aid request. That delay decreased the likelihood of quick congressional action.

Sparkman: I disagree that we can ask Lon Nol to step down. I favor your proposal. I talked to Mahon the other day. I think an appeal for a ceasefire is okay.

Humphrey: But the Ambassador must tell Lon Nol he must be willing to step aside.

Sparkman: We can't be in the position of running that government.

Case: I think there must be a public push by the President or the Secretary. I don't think we can publicly push out Lon Nol. I think we must put out a summary of what we have done about Sihanouk—so that this is not a deathbed repentance. I agree the best we can get is lifting the ceiling. I think some words about Communist atrocities would be useful—those stories of putting heads on pikes. The press doesn't cover this sort of thing—only American imperialism.

President: Even Bella was shaken by the atrocities of the Khmer Rouge. Millicent Fenwick said she had always opposed aid but you should hear her fear that hundreds of thousands will be massacred. The record shows our efforts—it doesn't matter who is at fault. Bella said, "why not just give humanitarian aid?" I said "You can't sort it out this way. You also have to send military and other aid." I agree we need massive humanitarian aid if we can get the votes.

Humphrey: I agree.

Sparkman: Hatfield has a proposal for getting it in there under Title II.

President: Yes, but you have to give the people ammunition so that the thing won't collapse. Brent, what is going on?

[Scowcroft described the current situation.]

Humphrey: We've got to change the scenery. We don't have the votes. Get Long Boret in.

Sparkman: I don't think it can be done openly. I hate the Hatfield idea.

Humphrey: I think we have to remove Lon Nol, form a government of national coalition, and publicly call for a ceasefire.

Sparkman: I agree, but it can't be done publicly.

Case: If the President can say Lon Nol is not a barrier, that would help.

President: I am having a press conference.² We will sort out what to say. Let's give lots of humanitarian aid. But we have to give arms to keep them from collapse while negotiations are going on.

² See *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 320–331. The President began the news conference with a statement on military and humanitarian aid to Cambodia and Vietnam.

Case: But I think we need to put out we have been making the effort over the past.

President: That we can do.

Sparkman: Shouldn't we have the full committee today? I think we can get it through the committee following the President's statement.

[There was further discussion about dumping Lon Nol]

Sparkman: Why not? According to the reports, the President is willing to step aside and form a coalition.

Humphrey: Put it on the Khmer Rouge—they have said they had to get rid of Lon Nol to negotiate. The government has said they would change if that is necessary to negotiate.

President: We have to give them ammunition to hold the perimeter.

Sparkman: I agree with Humphrey, but it has to be handled this way:

—Lay out the negotiating record;

—Work out a program to bring an effort to lift the ceiling on economic aid and military assistance.

—Move to an open offensive—call for a ceasefire, call for a negotiation.

184. Memorandum of Conversation¹

Washington, March 11, 1975, 2 p.m.

PARTICIPANTS

President Gerald R. Ford

Dr. James R. Schlesinger, Secretary of Defense

Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

The President: How about Hersey?

Secretary Schlesinger: We can take up the sensitive ones first?

The situation in Phnom Penh is this: There is some problem holding the airport. We put a hold on Gayler who wanted to parachute in

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 10, 3/11/1975. Secret. The meeting was held in the Oval Office. All brackets, with the exception of those describing omitted material, are in the original.

supplies. I think if we get to the point, we should forget it. We will run out of money.

The President: Why do we run out any more so that way?

Secretary Schlesinger: We won't. It is just that this give us an excuse—if we have lost the airport.

The President: Is there a problem now?

Secretary Schlesinger: No. We are flying 130's and some DC-8's. They are more of a problem. The crews are reluctant. We sent [Maj Gen John R.D.] Cleland out there. He is more optimistic—they have a plan to recapture Tnol Leap. The problem is in their execution. Coordination is poor now.

The President: When will we know?

Secretary Schlesinger: Four or five days. If they don't take Tnol Leap, we will be subject to fire. One hit on an ammo plane and WOW!

The President: What do the JCS recommend?

Secretary Schlesinger: They would keep on as long as physically possible, but it is a political position.

The President: What is your recommendation?

Secretary Schlesinger: If we can't keep the airport open, that we execute Eagle Pull and withdraw.

The President: How much do you need to get by?

Secretary Schlesinger: About \$100 million.

The probability of their survival is 5–10%. If we get aid, it gives them a better than 50–50 chance to get through the dry season. If we are going to lose it, it is best to do it in a way which best helps our foreign policy.

The President: I don't think we should give the timid souls on the Hill the idea that we are quitting because they couldn't keep the airport open. We have to put it on the basis that they lost the airport because of the supply shortage.

Secretary Schlesinger: They have a severe psychological problem but no actual arms shortages.

The President: How about Vietnam?

Secretary Schlesinger: I think our chances depend in part on Cambodia. The mood is not good.

The President: Suppose they don't get the \$300 million?

Secretary Schlesinger: They will draw down their supplies, there will be a shrinkage of pacification, they will pull back from some areas. If they have to pull back from areas, it creates signs that are very bad for the long term.

The President: Are your people working on getting it?

Secretary Schlesinger: Yes. I have told Mahon we will go whenever he has a supplemental to put it on. Stennis is being urged to move the '76 along because if we got \$1.3 billion, it would be a shot in the arm to cover the loss of the \$300 million. The worst would be not to get the \$300 million and have the \$1.3 billion cut to \$750 million or so.

The President: The \$300 million is not in this supplemental coming up.

Secretary Schlesinger: No.

The President: Good, because I will probably veto it. That would be tough. I suppose the Senate could put it on.

Secretary Schlesinger: Preston was thinking of putting it on the pay supplemental.

The President: That would be good. Keep the pressure on. In the meantime, Church is working with Habib on a three-year deal. We are within range.

[Omitted here is discussion unrelated to Indochina.]

185. Memorandum From William Stearman of the National Security Council Staff to Secretary of State Kissinger¹

Washington, March 12, 1975.

SUBJECT

Ominous Developments in Vietnam

A number of recent significant military and political developments in Vietnam provide an ominous indication of North Vietnamese strategy and intentions for the months to come. The high level of military activity since March 10 reinforces this view. These new developments are:

—In December of 1974 the 23rd plenum of the Lao Dong Party Central Committee issued Resolution 23. This may have dealt with a new policy toward the South.

—In late February and early March, high level Soviet and PRC delegations visited Hanoi. Soviet Vice Minister of Foreign Affairs Nikolay

¹ Source: Ford Library, NSC Files, NSC Institutional Files, Box 17, Ominous Developments in Vietnam. Secret; Sensitive. Urgent; Sent for information. A handwritten notation by Scowcroft at the top of the memorandum reads: "HAK made aware." Kissinger was in the Middle East.

Firyubin led the Soviet group. The presence of the PRC delegation and Firyubin in Hanoi may be the result of a major Hanoi policy change relating to the war in South Vietnam.

—Communications intelligence indicates that as of March 10, North Vietnam is apparently deploying to the South an integral unit, the site and identity of which are unknown. This is in addition to the probable movement of elements of the 341st NVA Division from Quang Binh in North Vietnam across the DMZ into Quang Tri and the confirmed movement of the 968th Division from Laos into the central highlands.

—The forward element of COSVN has expanded its communications and is now in contact with at least three divisions and a number of independent units in the Tay Ninh–Parrots Beak Area. This forward element will probably be the senior tactical control unit in the expected coordinated Communist offensive in MR 3. Its existence is more evidence of forthcoming multi-regiment size attacks in that area.

—Infiltration groups are being dispatched during the current dry season at a rate double that for the same period during the 1973–74 dry season. If the current rate continues, this dry season's infiltration will rival the high level of 1968. (1975: 125,900–1968: 130,300)

—A large scale military recruitment program is being carried out in North Vietnam and the training period for these inductees has been reduced from 4 to 6 months to about 1 month. This shortened cycle now enables the NVA to recruit, train and dispatch infiltration groups in the span of little more than a month. Troops which started training in February are already on their way South.

—The NVA is continuing to ship large amounts of cargo and additional weapons into the NVN Panhandle, including some tanks and 130 mm guns. Destination of these weapons is unknown, but they are probably enroute to South Vietnam.

—MIGs have been returned to southern North Vietnam. MIG 17's are at Dong Hoi and MIG 21's are believed to be at Vinh. The MIG force will be primarily reactive in nature, although the MIG 17's may be used as ground attack aircraft with MIG 21s providing air cover.

—Communist troop indoctrination has stressed that fighting in 1975 will be very intensive. Slogans being used to exhort troops on to a high performance are:

- "Repeat 1968"
- "Attack as in 1972"
- "Achieve a victory like Dien Bien Phu"

When taken together, these signs indicate that the North Vietnamese spring offensive could be extremely intense and is probably designed to achieve a fundamental change in the balance of power in

the South. Many intelligence sources indicate that this fighting is a prelude to a new round of negotiations designed to achieve an implementation of the Paris Accords on North Vietnamese terms.

The probable NVN strategy will be to make its gains in the spring and early summer and then offer a cease-fire before the GVN is able to recoup many of its losses. Congressional pressure to accept such an offer would no doubt be great—since it would be seen as a chance to end the fighting and to reduce our military aid. As it is unlikely that the GVN will be ready to accept the NVN proposals, the Communists would probably seek to pressure us, through the Congress, into forcing Thieu to acquiesce. We may, therefore, soon be facing a situation in which heavy pressure will be placed on the Executive Branch to accept Hanoi's proposals. These will probably center around establishing the National Council of Reconciliation and Concord with some quasi-governmental powers and providing the Communists complete access to the GVN-controlled population.

186. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, March 13, 1975, 0850Z.

4556. Subject: E&E: Contingency Planning.

1. Embassy has begun contingency planning² to deal with eventuality of a negative vote by the US Congress on further assistance to Cambodia.³ It has been our assumption for some time, and we see no reason to change our estimate at this time, that in the event of such a

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (3). Secret; Priority; Nodis.

² A memorandum from Springsteen to Scowcroft, "Contingency Planning for Cambodia," March 8, contained an updated plan for the evacuation of U.S. personnel from Phnom Penh. (Ibid., Box 2, Cambodia, 11)

³ Telegram 56922 to Phnom Penh, March 13, 2324Z, informed the Embassy: "Hopes for emergency assistance for Cambodia were dealt a serious blow in the House today. Foreign Affairs Committee rejected all proposed alternatives to the bill proposed by the administration—including the Hamilton subcommittee proposal—by a vote of 15 to 18, then, pursuant to Wayne Hays' intervention, deferred a vote on the bill itself to give the Dept the opportunity to come back to the committee one more time." (National Archives, RG 59, Central Foreign Policy Files)

negative vote, morale on the GKR side would deteriorate so rapidly as to constitute a collapse.

2. In such a situation we would first of all want to reduce the overall number of persons for whom we would be responsible in an evacuation to the maximum extent possible by using USSAG/7 AF fixed wing aircraft or C-130 and DC-8 backhaul aircraft. We have drawn up a list of approximately 225 persons made up primarily of USG employees, American and TCN USG contract employees, and VOLAG personnel whom we would wish to include in this fixed wing evacuation just as soon as it could be arranged following receipt of news of negative action by the US Congress. When completed this operation would leave us with approximately 425 people of all categories for whose evacuation we would remain responsible.

3. At this point we need some guidance from the Dept as to how it would wish us to proceed from then on. One possibility would be to continue with the evacuation of the other 425 people by the same fixed wing aircraft. This would constitute an Eagle Pull evacuation using the same fixed wing aircraft involved in the first evacuation. Alternatively the second stage to evacuate the remaining 425 people could be executed with an Eagle Pull operation by helicopter. The choice would probably depend on local conditions, i.e., how the GKR and populace had reacted to the departure of the first group of 225.

4. For contingency planning purposes we need to have the Department's thinking on whether it would wish us to maintain some presence in this Embassy regardless of the outcome of the congressional vote and what the makeup of such a continuing presence should be. We believe the Dept would concur in our view that a negative congressional vote combined with the evacuation of, for example, one-third of those for whom we are responsible, would be likely to precipitate a situation on the GKR side which might well necessitate the total evacuation of our people. It is next to impossible for us to predict exactly, but we believe one essential aspect of our posture at that time ought to be to have in-country as small a number of people as possible for whose evacuation we would continue to be responsible.

5. Request Dept pass this message to CINCPAC and USSAG.

Dean

187. Memorandum of Conversation¹

Washington, March 14, 1975, 11 a.m.

PARTICIPANTS

President Ford
Secretary James Schlesinger, Secretary of Defense
Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

Schlesinger: I am having to see whether there isn't some other way to get some money. I looked at the 814 legislation—it looks tenuous and Nixon used it in Cambodia in 1970. The Hill wants to slither away from this. I say they won't give us the money.

President: The odds are against us. But I want them to stand up to be counted. We have to stand up and keep pushing—make a public record that we meant what we said. The bad results are their responsibility—not ours.

Schlesinger: Another ameliorating factor is this: We have rechecked our records and we found two million. Using it will cause some flak—I didn't want to do so without checking with you.

President: How did it happen?

Schlesinger: It was straightforward. In 1973 we built in an inflation factor which didn't materialize.

President: Do you have a problem testifying to it?

Schlesinger: No. It's only the appearance.

President: But if you don't, word will get out that we had it and didn't use it.

Schlesinger: Yes. But we will be accused of Pentagon shenanigans. I have put a hold on it for now. I would hold it until the votes are out. If it is negative, maybe we shouldn't use it. I could go to Mahon, McClellan and tell them.

President: It never hurts to be honest, even in a tough spot like this. We want to make every effort. We ought to go ahead and use it and tell them what has happened.

Schlesinger: Khmer morale is deteriorating some. Tuol Reap is being attacked and there is some progress. Under these circumstances, if the morale cracks it could crack very rapidly.

You are trying to balance steadfast American support with the safety of American lives.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 10, 3/14/1975. Secret; Nodis. The meeting was held in the Oval Office. All brackets, with the exception of those describing omitted material, are in the original.

President: How many are there?

Schlesinger: About 500. We have pulled the dependents. Dean recommends that when the vote comes, he pull out another 225. I think we can wait until the vote on Wednesday,² but it is getting dicey. The foreign community is shrinking.

President: Supposing we ended up with 250 Americans there. What would happen?

Schlesinger: It's like Harbin in China. They were held for two or three years and some were killed.

President: Are these military?

Schlesinger: Some. We are on the edge of the law. It is the verge of a combat situation. They are unloading ammo. Congress hasn't complained yet, but it is risky.

President: I don't think Congress knows which way to go. What do you recommend?

Schlesinger: I would be inclined to approve pulling the 250 out and such foreigners as we have on our list. Right now we have no dependents.

We should tell Dean the chances are poor. He has the responsibility. Also tell him from the President that if it's a matter of stability of the American community, he should tell you immediately. You could also tell State to help surrender the city. Or you can tell the GKR that we are with them as long as they want to fight.

[Scowcroft notes: Get Patton quote, out amount—Americans hate a loser. Sending troops in. Did Truman make an address at the fall of Seoul at the beginning of the Korean War?]

President: I am strongly inclined to the latter. I think we must stick to them. But make contingency plans to withdraw the 250.

Schlesinger: We could also move the Marines to Ubon to increase our readiness.

We also plan to use tear gas.

President: As I recall, our reservations on the treaty [Geneva Protocol] provide for that.

Schlesinger: That is true.

Scowcroft: Gradual attrition might be possible.

President: I like that if possible. And to hold Marines from Ubon, with your judgment if you have to move them.

[Much discussion of contingency planning.]

[Omitted here is discussion unrelated to Southeast Asia.]

² March 19.

188. Backchannel Message From the Deputy Chief of Mission in Vietnam (Lehmann) to the Ambassador to Vietnam (Martin) in Washington¹

Saigon, March 17, 1975, 1050Z.

673. Eyes only for Ambassador Martin.

1. I hope that from the numerous reports which have been transmitted to Washington through various Mission reporting channels in the course of last week it will have become evident that the current North Vietnamese offensive has transformed the post-January 1973 conflict into a full-scale conventional war. On the Communist side that war is being waged by a force inside South Vietnam consisting of no less than 20 North Vietnamese main force divisions (15 infantry, 1 artillery, 3 air defenses, 1 sapper), 4 brigade size units or separate regiments and some non-divisional supporting units—the entire force being backed by the logistics, training and replacement base in North Vietnam. As of this time elements of two of North Vietnam's seven strategic reserve divisions and one division from Laos have been introduced into the conflict and others are likely to follow.

2. As I read it President Thieu and others in the Vietnamese leadership recognize that they are faced with a serious situation, quite possibly calling for some very basic far-reaching decisions. The government has already decided to abandon Kontum and Pleiku Provinces. A similar decision to drop the An Loc enclave but try to extricate the troops there may also have been made but we are not yet sure. However, this seems to be only the beginning. We have growing indications that serious thought is being given to dramatic policy revisions which would call for abandoning major portions of the country in order to enable a truly workable defense of the remainder. We know that Deputy Prime Minister Hao (who is, of course, a southerner from the Delta) has argued strongly that resources at hand are insufficient to defend the entire present territory of the RVN. Hao proposes to abandon MR-1 and major portions of MR-2. We also know that Khiem is beginning to think along similar lines. We are trying to get more on a report that a number of younger military officers are urging such a course on the President. General Truong in MR-1 who is losing the airborne division to MR-3 which will be only partially replaced by new recently formed Marine units is contemplating the possible loss of portions of MR-1 in order to concentrate on the defense of Danang and Hue.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, Incoming, March 1975. Secret; Sensitive; Eyes Only; Immediate. Sent through Scowcroft. Martin was in Washington for consultations.

3. Apart from the very strong North Vietnamese military position one of the arguments being made in support of a decision for major territorial retrenchment is that despite the efforts of President Ford, the Secretaries of State and Defense, and yourself, the Americans cannot be counted upon. Hao, for example, in his argument cites the most recent action of the House Appropriations Committee in severely reducing the FY–75 IPR appropriation substantially below the authorization level.

4. Our indicators that top level Vietnamese thinking is developing along the lines suggested above are admittedly fragmentary. We have no firm indication yet of anything regarding the President's own thoughts other than the decision made by him and General Phu last Friday² to give up major portions of the Central Highlands in order to preserve the integrity of major RVNAF units and have them available for the defense of more important areas of the country and for the job of destroying enemy units. However, I thought you should be apprised immediately of the foregoing since indications of this train of thinking may soon show up more concretely in our intelligence and other reports.³

² March 14.

³ In backchannel message 675, March 19, Lehmann relayed additional information on the worsening military and political outlook in South Vietnam. (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, Incoming, March 1975)

189. Memorandum From the President's Deputy Assistant for National Security Affairs (Scowcroft) to President Ford¹

Washington, March 18, 1975.

SUBJECT

Saigon CIA Station Chief's Assessment of the Current Military Situation in South Vietnam

The CIA Station Chief in Saigon has just completed an appraisal of the current military situation there following the outbreak of North Vietnamese attacks on March 10.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 19, Vietnam (9) Secret. Urgent; Sent for information. According to the attached correspondence profile, Scowcroft discussed the memorandum with Ford on April 7.

The key points in this analysis are as follows:

—Developments of the past two weeks in South Vietnam leave no doubt that the Government (GVN) is facing a “general offensive” as traditionally defined to include coordinated, countrywide attacks by divisional-sized units aimed at bringing about a decisive change in the military and political situation.

—Elements of two strategic reserve divisions recently have moved from North Vietnam into the South and possibly other elements are on the way.

—The GVN as a result of U.S. aid cutbacks is in the position of having to defend itself with far fewer resources than ever before, a problem which has been seriously exacerbated by the latest round of fighting.

—The drawdown on GVN ammunition and POL stocks will soon be staggering.

—In their own guidance documents and briefings the Communists are describing 1975 as the year of decision in which large scale military activity will bring about decisive changes in the military-political balance.

—Moreover, Communist propaganda and secret documents clearly attribute the improvements in Communist fortunes to developments in the U.S. North Vietnam’s authoritative Party journal “Hoc Tap” recently interpreted the cutback in U.S. aid to South Vietnam as a sign of U.S. impotence and unwillingness to reenter the Indochina conflict and indicated that this had figured centrally in Hanoi’s decision to escalate the fighting in 1975.

—In summary, South Vietnam is in deep trouble because of North Vietnamese determination to bring about a military solution. Unless the present trends are reversed, within the next few months the very existence of an independent non-Communist South Vietnam will be at stake. The emergency will not be like that now faced in Phnom Penh, because South Vietnamese leadership is stronger and geographic factors are more favorable. However, the ultimate outcome is hardly in doubt because South Vietnam cannot survive without American military aid as long as North Vietnam’s war-making capacity is unimpaired and supported by the Soviet Union and China.

190. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, March 20, 1975, 1240Z.

3225. For the Acting Secretary. Subject: Approach to Thieu. Ref: State 062480.²

1. I had initiated request to see Thieu shortly before reftel was received. Latter, therefore, provided welcome and timely guidance.

2. I saw the President late this afternoon and told him that I personally thought I understood what he was doing and why but that if President Ford, the Secretary of State, the Secretary of Defense and other senior advisers were to be fully effective in their continuing strong efforts to provide not only the \$300 million supplemental but further military assistance funds they needed to know not my assessment but President Thieu's own description of his strategy and intentions.

3. President Thieu said Vietnam now found itself faced with a stronger enemy force than at any time, certainly since 1972. That force is being constantly reinforced with units or personnel [garble—from?] North Vietnam's strategic reserve divisions. Thus the enemy is able to concentrate strong superior forces in local areas of his choosing leaving his own forces at a distinct disadvantage. At the same time, South Vietnam is not getting the one for one replacement of military items provided for in the Paris Agreement.

4. In light of this situation, the President said, he could no longer fight what from a military standpoint had for the last two years been a "stupid" way to fight a war. He had to give up territory or face the prospect of having his own forces destroyed piece by piece, eventually producing a situation where because of effort to defend every part of the country he could no longer defend any of it.

5. In the Highlands he might have kept Pleiku and perhaps Kontum. However, with the roads from the coast blocked by the enemy this could have been done only at great cost and even then the strong local superiority of the enemy would eventually have made a defense of Pleiku a suicide mission. He had, therefore, decided to pull out what

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, To SECSTATE, Nodis (3). Secret; Immediate; Nodis; Cherokee.

² Telegram 62480 to Saigon, March 20, instructed Lehmann: "You should see Thieu as soon as possible to obtain from him his rationale for the withdrawal of his forces from Kontum and Pleiku and the drawdown of his forces in MR-I. You should tell him that we need a clear picture from him as to his intentions and strategy to deal with what is now clearly a general North Vietnamese offensive." (Ibid., State Department Telegrams, From SECSTATE, Nodis (1))

forces he could. Because of the close proximity of strong enemy forces he had considered speed and surprise to be essential. It had been a trade off between losing some equipment and aircraft and perhaps at the expense of a carefully organized and very orderly withdrawal or losing all of his forces because of inability to disengage themselves from an imminent enemy attack.

6. The loss of Ban Me Thuot, the President said, had definitely been a blow. It had happened because the North Vietnamese had been able to concentrate a force equivalent to two divisions plus supporting units. If the government had been able to hold Ban Me Thuot he might have used it as a base for the eventual recapture of Pleiku. Because of the heavy investment of resources which an effort to recapture Ban Me Thuot would take, and then with an uncertain outcome, he had decided to forego the attempt.

7. Turning to the rest of the country, especially the northern portion, and to the future the President said there is a soldier's way and there is a politician's way of looking at things. From the standpoint of the soldier what makes sense in the current situation is an effort to maintain the integrity of the country from Binh Dinh Province south, less the Highland provinces which had been given up.

8. But as a politician, he said, he had to think of matters differently. He said in his speech earlier that day that he would not abandon Thua Thien, i.e. Hue, and that he was determined to defend "our territory."² On the other hand, he has had to take away from General Truong the airborne division without adequate replacement. This made the present force ratio in MR-1 even less favorable to the government than it had been previously. Quang Tin and most of Quang Ngai Provinces are under present circumstances really not defensible. General Truong has been instructed to do his best with the forces he has at hand. Hue would not be abandoned but would be fought for. The President made it clear, however, that he did not think General Truong would be able to hold anything north of the Hai Van Pass. The President also made it clear that the defense of Danang had priority and that an enclave might emerge there. It would have to be decided later whether to try to hold that enclave. If it were to be useful as a beachhead for the future recapture of other territory that was one thing but if it were to be held simply as a suicide mission that would be another.

9. At the end of our discussion the President returned to the theme that until now the RVN had fought a war based on the premises of the Paris Agreement. This premise had made for a stupid war militarily,

² The text of President Thieu's speech was transmitted in telegram 3187 from Saigon, March 20; National Archives, RG 59, Central Foreign Policy Files.

with scattered units on the government's side trying to defend every piece of territory. The current North Vietnamese offensive has now ended any hope of continuing to fight on the premises of the Paris Agreement. Therefore, consideration of what is militarily most effective in defending as much as the population as possible and maintaining the integrity of the armed forces would henceforth be the most important consideration.

10. On US assistance the President said that he appreciates and is grateful for President Ford's determination to seek \$300 million supplemental this year. He pointed out, however, that the \$300 million would not provide for replacement of any capital items lost in combat. Thieu said he would like, for example, for form strike units to take the offensive to the enemy at places of his, and not the enemy's choosing but without replacement of major items he would not be able to do so.

11. In summary, Thieu had made a basic decision to trade major parts of territory, probably including all of MR-1, and large portions of MR-2, in order to provide for an effective defense of the remainder with the resources available. It is, in my view, a courageous decision.

Lehmann

191. Memorandum of Conversation¹

Washington, March 24, 1975, noon.

MEETING AT NOON, MARCH 24, ON INDOCHINA

PARTICIPANTS

The Secretary of State
The Deputy Secretary of State
General Scowcroft, NSC Staff
Mr. Smyser, NSC Staff
Mr. Eagleburger
Ambassador Graham Martin
Mr. Habib
Mr. Lord
Mr. Hyland
Jerry Bremer, Note Taker

¹ Source: Ford Library, National Security Adviser, Kissinger-Scowcroft West Wing Office Files, Box 34, Vietnamese War (2), Camp David File, March 24–December 11, 1975. No classification marking.

Mr. Hyland: We have just learned that Hue is being evacuated and that the troops from there will move south toward DaNang. Apparently the plan is now to hold DaNang, although we wonder if they will be able to. Several of the other cities south of Hue have already been overrun and are being given up. In addition there are considerable attacks coming out of the highlands. There is a refugee column here (pointing toward map) with several ranger units. They are stalled and completely without radio contact. In addition there are attacks developing toward Nhatrang where the South Vietnamese troops appear to be putting up a pretty good fight. The fighting is intensifying around Tay Ninh though there are reports that the government is considering giving up Tay Ninh. If they decide to hold it there will be a major and very bloody battle there.

The question is, first, will they be able to hold on to any enclaves in the north, and if so, will it have any strategic or political meaning since they may wind up with these coastal enclaves under very heavy attack.

We also need to know what kind of a political and strategic line Thieu is trying to draw out of this entire thing. Already in Military Region One there are rumblings from some of the commanders against Thieu. One final complicating factor is that we have no idea whatsoever what his supply situation is.

Kissinger: What I want to know is how did this all happen.²

Hyland: Well, it is clear that the South Vietnamese were contemplating giving up the highlands anyway, but they were not expecting the attack at Ban Me Thuot. When that came, Thieu decided to withdraw some of the northern troops, though this was preceded by a very confusing three-day debate within the South Vietnamese army. When these troops were finally pulled out it left Quang Tri undefended.

Kissinger: Could they have held Quang Tri with those units there anyway? And why didn't we know about this in advance?

Hyland: The situation did not become really unstuck until they lost Ban Me Thuot. An entire division was chewed up very badly there during that battle.

Habib: As soon as they lost Ban Me Thuot the South Vietnamese made an estimate that they could retake it. And they thought they could retake it while also holding out in the north. However, Thieu's estimate was wrong on this, they could not hold it. The forces were simply not able to retake it.

Martin: If I may go back a little to give a little perspective to this debate; late last fall, I think it was, we had an intelligence report which pointed out that the South was considering this withdrawal. No one

² Kissinger returned on March 23 after 18 days in Europe and the Middle East.

took it very seriously then, and I believe the plan included the evacuations of the highlands and the north. I frankly believe what happened was that this decision was finally taken when Tran Van Lam returned from the United States. When he was here in the United States he was not received by a number of important people up on the Hill and he conveyed a sense of unrelieved gloom when he went back to Saigon. I'm sure this influenced Thieu.

Kissinger: Bill, do you believe that?

Hyland: I think it is true that the withdrawal was heavily influenced by Thieu's view that he would get no further U.S. aid.

Martin: Yes, and on their general reading of the U.S. climate about the \$300,000,000 supplemental and on future years' appropriations. I mean, for Christ sake, you simply can't ask these people to make that country go, strung out as it is, even for half a billion. It just isn't enough money. We just have to give them the confidence that we're behind them.

Kissinger: I think that's why you should go back there, Graham. When can you go?

Martin: I can go back tomorrow, if you want, or the day after.

Kissinger: I think you should go back quickly. The President has decided that we are going to send General Weyand and Ambassador Bunker out there the day after tomorrow on a fact-finding mission.

Martin: Well, then I will go with them. I see no purpose in Bunker's going at all. What's he going for?

Kissinger: Well, the President thought it might be a symbolic gesture, but okay, we can just send Weyand.

Scowcroft: What about Maw?

Martin: What does Maw have to say that I can't say?

Habib: Well, he's in charge of figuring out what their needs are and he could report back to us on that.

Martin: I can do that as well as Maw.

Lord: It would be more assessing their specific needs.

Martin: We can give you that from the Embassy.

Kissinger: All right, we'll just send General Weyand and we'll do it fast. Then we'll have the President make a speech and go into an all out fight on this.

Habib: We will have to really move when Congress returns from their recess.

Kissinger: I agree. We will make an all out effort when they return.

Habib: I was cheered from our talk this morning with Rhodes and Albert that for the first time there was a favorable reaction up there

and I think there's a new mood. We have no options but to go full bore after the recess.

Kissinger: That's right. We should be straightforward and tell Congress we're going to go for more than the supplemental. We are not trying to show how nice or how moderate we are on this subject. We will go up there and ask for what is right and not worry if we get creamed. If we get creamed, we're going to be creamed asking for the right amount. When we do this we should do it the right way. Graham was right before and we should have listened to him. We should have gone for the extra \$500,000,000.

Martin: That's right. \$300,000,000 was never enough.

Kissinger: I was part of that decision and we were wrong. We should have predicted this disaster earlier.

Habib: Of course, DOD said that \$300,000,000 was enough.

Kissinger: Yes, but DOD was representing the views of the Secretary of Defense who's up there reading the mood on the Hill. That's entirely irrelevant. Schlesinger told the President two weeks ago that we didn't even need that \$300,000,000.

Hyland: DOD accepted the \$300,000,000 only as a political, not as a military, need.

Kissinger: What will Graham say when he gets back? Graham, do you think you could draft a letter from the President to Thieu, and we'll send it along with you. And you, Brent, tell Weyand what we want him to report. He won't make any money by saying how little they need. The President should say in his speech what we're doing. Shouldn't our press spokesman be referring to the violations?

Habib: He has been referring to them every day.

Kissinger: I think we probably ought to just give up on the Cambodia supplemental. Cambodia's finished.

Lord: No, we have to go for it for symbolic reasons.

Habib: We can't give it up.

Lord: Though I must say why anyone would continue to fight is completely beyond me.

Habib: They have the faith that they will get more and they're fighting for that reason.

Kissinger: Okay, we can come back to that later. In Vietnam, the only thing to do is to draw the issue quickly and make the public understand. Win, can your geniuses draft a decent statement for the President for me to look at?

Habib: We have one here.

Kissinger: Yes, but I need a consolidated draft that I can look at it. Make it tough, and short. Maybe 10 minutes long.

Martin: I just don't think the situation is in any way hopeless in Saigon now. If we can get an awareness among the U.S. public that this move is a consolidation on the part of the south and that they will still be there to fight, I think we can see it through.

Kissinger: Well that's precisely the message you're going to bring back with you. And that's why the President will go on TV.

Habib: The North Vietnamese attack has focused everybody's attention, and I think we have some receptivity now to our continuing aid. I think we can sell it to Congress. Also, I think that South Vietnam holding on depends almost entirely on the success they have in extracting their forces.

Kissinger: Graham must go back there and restore their confidence. You know, we went through some of the same kind of thing like this in 1972 on the offensive.

Martin: Yes, I remember very well.

Hyland: That is true, but the political situation now is radically different. The Communists, however this ends up, will have come out of it with a huge chunk of territory which they will argue and which many people will agree, represents a real revolutionary government. They have got considerable territorial control now.

Martin: Well, wait a minute. You're jumping to a conclusion. It's quite possible that they may hold out in DaNang, and that they could link it up to the south.

Habib: I just don't think we can accept that as a possibility, Graham. They will try to hold the heartland as they have said they would. But if they go about wasting their time dissipating forces in the north trying to hold it, I just don't think we should allow them to do that. Every military assessment I have seen has consistently misread both the North Vietnamese and the South Vietnamese capabilities. I think the situation is so grave that they will be lucky to hold on to the heartland right now.

Kissinger: Well, that's what General Weyand is going out there to find out.

By the way, are we still waffling around on the LSTs which I approved in January? I would like to know why they haven't moved on that.

Habib: Well, you approved them, but you approved them to be held on the back burner.

Kissinger: No, that was some other things, B-52s and other things that were to be on the back burner, not the LSTs.

Habib: Well, we'll go ahead as quickly as possible on those.

Hyland: We have to face the fact that when we talk about military aid we're not just talking about ammunition but about end items.

Smyser: There's also the indication that the north may introduce air and naval forces at some point.

Kissinger: Well, I'm sure they will introduce the air forces. With all due respect, how about mining the North Vietnamese harbors?

Scowcroft: DOD says that the south lacks that ability and that they would be clobbered before they got anywhere near them. They simply don't have the navigational equipment.

Kissinger: To have the U.S. as an ally is really a joy these days. The most dangerous thing a country can do. All through the years they kept telling me that the mining could be done and now they say it can't be done. I tell you I am convinced that North Vietnam will do absolutely nothing except under military pressure.

Hyland: Well, the only military pressure which will affect them now is U.S. military pressure. So, we will have to draw a line at some point.

Kissinger: To drop a few mines simply cannot be beyond the wit of man. Get us a leadership meeting when the congressmen start talking about it and Schlesinger will find a way to do it.

Habib: Well, Weyand can come back with recommendations, but it may involve the U.S. helping the Vietnamese arm and set the weapons. Even so, however, it may be impossible for the south to do it. I think the thing to do instead of asking Defense if the south can do it is simply to tell them that they have got to find a way.

Kissinger: I agree. Brent, you tell DOD that it is to be done. If we do not make it clear to the north that it is going to be painful for them to continue, they will just keep on going.

Hyland: We also face the question of the Paris accords. Do we denounce them? Do we consider them denounced?

Kissinger: I don't know, but don't anyone come to me arguing about Article VII or he'll lose his job.

Habib: On the Paris accords, I think the question is the utility of it for our Congressional support, or to get something else other than fighting organized to bring some pressure on the north. For example, we could call for a meeting.

Kissinger: Yes, but what would we get from that?

Habib: Well, the other side would refuse, and that might be useful in Congress.

Lord: I'm not so sure they would refuse, I think they would simply stall their answer and when they've got the maximum amount they can get on the ground, then they will agree to the meeting and say that everything they hold is theirs and everything the south holds is negotiable.

Kissinger: Phil, we simply will not play the congressional game. Our only hope with Congress is to call the game as hard as possible, as we see it.

Lord: There's no use in denouncing an agreement anyway. We can de facto do what we want but de jure we should not denounce the agreement.

Smyser: The press would be all over us if we did that.

Kissinger: We can say that with respect to military supplies they have violated Article VII. We gain nothing by denouncing them because we give up the ability to say they are violating themselves. Later, if they come to some political demands, like the National Council, we may have to tell them that they're crazy.

Habib: You can't say. It depends on what the situation is like in six months, or eight months, or who knows in three months. There may be new pressures on Thieu to get out and the pressures may also begin to turn against us. We're beginning to see that already. They're beginning to blame us.

Kissinger: They are right. And they're right in Cambodia, too. We put Cambodia now into the soup. Now, if we had given them this aid they needed, they probably could have lasted the year. I'm convinced of that now.

Hyland: They may still be able to.

Smyser: I'm not so sure. I think the military action over the past two weeks may be deceptive with the Khmer Rouge moving troops around we may see some pick-up in the military activity.

Habib: Yes, and there are also these pressures on Lon Nol now.

Kissinger: Why can't we get him to come here? Does he know he can come here?

Habib: Well, we have left that open. Dean has made it very open.

Lord: It would be better if he didn't come here so we would not be in the position of having been accused of pushing him out.

Kissinger: Larry, would you send Dean a message, since I've lacerated him so often, and tell him he's done a good job in the last couple of weeks.

Lord: I think we're very well postured now with Lon Nol.

Smyser: On the military front, you know there is this SR-71 flight on March 26.

Kissinger: What in the world can it do, break the sonic barrier?

Smyser: We could also send a carrier.

Kissinger: That will be in the press right away.

Scowcroft: Also, when it gets there, so what? Then what does it do?

Habib: No, that would very much hurt us in Congress.

Kissinger: What can we use with the north then, anyway?

Scowcroft: Oh, Minutemen, Polaris, etc.

Smyser: I think North Vietnam is still very much concerned with U.S. action and reaction to what they're doing.

Kissinger: What about moving an airforce squadron to Manila?

Martin: I just think it makes no sense to do anything unless we're prepared to carry through with it, and that we can't do.

Scowcroft: I agree. And moreover I think the north is now launched and they are committed to this and what we do is not going to have them pull back.

Kissinger: When was this offensive planned?

Hyland: Probably in December last year, but I doubt very much if they thought it would go this well. They may well be surprised with how well they're doing.

Martin: I think the major question is the question of whether there is the will power left. If you present this as a Dunkirk with the forces still in being, we can get support.

Kissinger: That's why we need you back in Saigon.

Martin: We also need more words about it. We need to discuss it, this Presidential speech is one thing, and I think, in addition, we have got to do something about this persistent denigration in the press of everything the South Vietnamese are doing.

Kissinger: How?

Martin: Well, we can speak out once in a while. I'll do some of this from Saigon and you can come here.

Kissinger: Okay.

Habib: The circumstances have changed and that is the importance of the current situation. These circumstances may get us more support on the Hill.

Kissinger: When should the President speak? There are two views. One, which is this week when Congress is not in session. I think Congress is coming back April 7th or 8th. So the second idea would be that he might speak on April 5th or 6th.

Habib: There should be some way to connect it with Weyand's return.

Eagleburger: I think he should do a five-minute speech tomorrow night, announcing the trip, and then say something next week when Weyand gets back.

Habib: You have a press conference on Wednesday, don't you Mr. Secretary?³ I think if you said something then it would be even more important than the President.

³ Excerpts from Kissinger's March 26 news conference were published in *The New York Times*, March 27, 1975.

Kissinger: I think the President must go first.

Habib: Yes, with a short statement.

Kissinger: You draft something for me, Phil.

Habib: Yes.

Martin: Is there any objection if we start making a direct relationship between what's happened in the Middle East and in Vietnam?

Kissinger: No, it's true. It hurt us with the Arabs. Asad said in his talks with me, "You look what you've done to Taiwan, Cambodia, Vietnam, Portugal, etc." (There was some debate between him and his Foreign Minister whether Portugal fitted into the category). But anyway, Asad said, "Therefore if you look at this, you will give up Israel, and so Sadat should simply not give in." On the Israeli side, they said, "We don't want to wind up like Thieu."

Hyland: Well, I think the question of the Presidential speech is one thing, but there is also a very profound issue which is, what in fact are we going to do other than ask for aid?

Kissinger: By tomorrow, I would like to have a list of things which need to be done. By the way, in the future I want Al Adams at these meetings. I want to know what has to be done in Vietnam and with the other countries. There is no sense in going to the Chinese or the Russians until we're ready to do something. After the harbors are mined, or something, then we can talk to Le Duc Tho. For Pete's sake, they can all fly DC-3's up there. They're bound to get through. The north is not expecting it. And we always did something they weren't expecting and found that this was very good. I suspect their air defense is in very poor shape.

Hyland: As a matter of fact, I'm afraid it's in pretty good shape.

Kissinger: Well, the Pentagon and CIA are always going to find that nothing is feasible on North Vietnam. It just won't. The military will find that everything is unfeasible.

I want Weyand to see the President before he goes. You, too, Graham.⁴

Hyland: We should consider whether the U.S. is going to take any military action. The question for the President is whether he wants to consult with Congress before changing the law.

Kissinger: We can't. It's against the law. It would be a disaster and a mistake. We couldn't get any money at all if we did that. If they hadn't passed that law, I personally would favor a three to four day strike against the north and then we'd tell Congress, but with that law our hands are tied.

⁴ Martin, General Weyand, Kissinger, and Scowcroft met with Ford on March 25. (Memorandum of conversation, March 25; Ford Library, National Security Adviser, Memoranda of Conversation, Box 10, 3/25/75)

Smyser: We might consider having the President send a message to the other Asians.

Kissinger: Okay. Tomorrow by open of business I want to see an integrated plan that includes the following:

1. The military steps that might be possible. Next, Graham, I want to see your draft letter to President Thieu and could you draft yourself some instructions.

2. A paper on the assorted diplomatic steps, such as Dick has mentioned.

3. A paper on Congressional strategy.

Also, I want to have a meeting on this every day.

Habib: I wonder if we shouldn't now go ahead and set up an inter-departmental task force to include the other agencies.

Kissinger: Well, we'll have an NSC meeting this week. When is it, Brent?

Scowcroft: Thursday.⁵

Kissinger: Well, after that we can set it up. Until then, let's keep it this way. I will also want a WSAG on Indochina on Wednesday.

(There then followed some disjointed conversations about air capacity in South Vietnam)

Kissinger: Can we meet again on this tomorrow?

⁵ March 27. The NSC met the next day; see Document 196.

192. Letter From President Ford to President Thieu¹

Washington, March 25, 1975.

Dear Mr. President:

I am very much aware of the difficult times you are now experiencing. I have asked Ambassador Martin to convey to you my admiration for your determination, your resolution and courage. I am convinced that in the end the South Vietnamese people, under your

¹ Source: Ford Library, National Security Adviser, Correspondence with Foreign Leaders, Box 5, Vietnam, President Nguyen Van Thieu. No classification marking. A handwritten notation at the top of the page reads: "To be delivered by Amb Martin."

leadership, will be successful in their fight to preserve their independence and free institutions.

I very much regret that events over the last twelve months—events which neither of us could completely control—resulted in a diminution of the American material support which your government had fully expected to receive. While I deeply regret the consequent military redeployments you felt compelled to take, I fully understand the reasons for these actions to reduce extended lines of communication and resupply and permit a more effective concentration of your military forces to defend the vital areas.

The essential problem now is to determine with precision the actions we both may take to present the best prospects for the future. Although you may have received a rather gloomy assessment of American public and Congressional attitudes on the prospects for adequate amounts of economic and military aid, I think the situation has now changed considerably. Your military redeployments portrayed the actual realities of the current situation in Vietnam far more graphically than words. Consequently, there is a growing awareness in this country of your urgent need for additional aid in adequate amounts.

You may rest assured that we will make every effort to secure from the Congress adequate amounts of aid for South Vietnam. We fully realize that this must be done promptly.

To insure that I am fully and completely informed and that our military aid requests are specifically designed to meet your actual current needs, I am asking your old friend, General Fred Weyand, to accompany Ambassador Martin on his return to Saigon. I am certain that you will review the current situation with him with complete candor and inform him fully on those items you and your military advisors believe to be the most crucial at this time.

I am also aware that some members of your staff have speculated from time to time that American interests elsewhere have lessened the interest of the United States in Vietnam. Ambassador Martin informs me that you understand this could not possibly be true since the way we discharge our commitment to the Republic of Vietnam inevitably affects the credibility of American interests everywhere. Therefore, our firm intention remains to help insure the Republic of Vietnam's economic viability and its capability to defend its own freedom and institutions.

Achievement of these aims will require maximum efforts on both sides. It also requires that we remain in close and intimate communication. I have instructed Ambassador Martin to forward directly for my attention any communications which you think necessary.

Our peoples have both surmounted even more difficult times in the past. You and your people may be assured of my continued firm

support and of my resolve to do everything I can to help the Republic of Vietnam. Once again, I am confident that our joint endeavors will be successful.

With my warmest personal good wishes.

Sincerely,

Gerald R. Ford

193. Backchannel Message From the Deputy Chief of Mission in Vietnam (Lehmann) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Saigon, March 26, 1975, 1050Z.

677. 1. Foreign Minister Bac has just given me the following letter dated Saigon, March 25, 1975, from President Thieu to President Ford. The Foreign Minister and I agreed that it was of the utmost importance that the letter be held completely confidential and that there be no leak. As to the second point in the letter—"to urgently provide us with necessary means to contain and repel the offensive"—we have learned that the JGS has compiled a shopping list of about \$380 million.

2. *Begin text:*

Dear Mr. President:

I wish to thank you and your kind letter of March 22nd, 1975.²

As I am writing to you, the military situation in South Viet-Nam is very grave and is growing worse by the hour.

The serious disequilibrium in the balance of forces in favor of the North Vietnamese as well as their strategic advantages, accumulated over the past two years, have led to the present critical situation, especially in MR I and II, as you have already known. Heavy pressures

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 19, Vietnam (12). Secret; Sensitive; Eyes Only; Immediate.

² On March 22, Ford wrote Thieu: "The current North Vietnamese offensive against your country is profoundly disturbing and personally anguishing. It is my view that Hanoi's attack represents nothing less than an abrogation by force of the Paris agreement." Ford added: "With regard to the provision of adequate military assistance to your armed forces, you can be sure that I shall bend every effort to meet your material needs on the battlefield." (Ibid., Correspondence with Foreign Leaders, Box 5, Vietnam, President Nguyen Van Thieu)

are also being exerted on all the rest of our national territory, and Saigon itself is threatened.

It has become evident that it would be extremely difficult for us to contain the advance of the Communist forces and to hold the line in order to push back the invaders.

Hanoi's intention to use the Paris Agreement for a military take over of South Viet-Nam was well known to us at the very time of negotiating the Paris Agreement. You may recall that we signed it, not because we credulously believed in the enemy's goodwill, but because we were certain of the common resolution of our two governments to make the agreement work.

As evidence of that resolution, firm pledges were then given to us that the United States will retaliate swiftly and vigorously to any violation of the agreement by the enemy and will provide the Republic of Viet-Nam with adequate military and economic assistance.

We consider those pledges the most important guarantees of the Paris Agreement; those pledges have now become the most crucial ones to our survival.

Mr. President, at this critical hour when the fate of the free South-Viet-Nam is at stake and when the horror of the enemy's offensive is descending upon the entire population of South Viet-Nam, I earnestly request that you take two following necessary actions:

—To immediately order a brief but intensive B-52 air strike against enemy's concentration of forces and logistic bases within South Viet-Nam, with intensity comparable to what was done in the most critical hour of 1972, and

—To urgently provide us with necessary means to contain and repel the offensive.

Only with these two actions can we stop North Viet-Nam from conquering South Viet-Nam by force in defiance of the Paris Agreement; only with these two actions can we prevent them from confronting us with an irreparable situation and a *fait accompli*.

Mr. President, once again, I wish to appeal to you, to the credibility of American foreign policy, and especially to the conscience of America.

I am heartened that upon assuming the Presidency, you were prompt to renew to us the assurance of the continuity of American foreign policy and the validity of its existing commitments.³ I am gratified for your determination to honor these commitments in full in your administration. As you so rightly noted, these assurances are particularly relevant to the Republic of Viet-Nam.

³ See footnote 2, Document 134.

Generations of South Vietnamese who will be living free from the horror of North Viet-Nam's domination will be indebted to your prompt actions, and to the steadfastness of the great people of America.

(Signed) Nguyen Van Thieu

End text.

Lehmann

194. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, March 27, 1975, 1040Z.

3624. Subject: Highlights of NVA Offensive—Summary for Period Ending Noon March 27.

1. *General.*

The situation in and around Danang has deteriorated considerably in the past 24 hours. NVA attacks began the morning of March 27 on GVN defensive positions south of the city, and one RVNAF unit has already been forced from its position. Within Danang, public order is deteriorating rapidly, and roads to the airport and Marble Mountain Pier are jammed with people. In MR 2, the 41st and 42d Regts, along with 420 of the defenders of An Tuc district, have broken through NVA forces which had them cut off and are presumably making their way to Qui Nhon. About 1200 of the Rangers in the Pleiku/Kontum convoy have arrived in Nha Trang, but the fate of those covering the rear of the column is not clear and it is feared they may have been destroyed by the NVA. In MR 3, Tay Ninh is quiet following the heavy NVA shelling in that province yesterday. The NVA/VC have mounted a new assault supported by tanks at Chon Thanh. Activity in the Delta remains widely scattered and has declined.

2. *MR 1.*

The situation in MR 1 has deteriorated rapidly in the past 24 hours. On the morning of March 27, tank-supported NVA troops launched an attack on elements of the 3rd Division in Trang Binh district (Quang

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Secret; Immediate; Noform; Exdis. Repeated to SecDef, Bangkok, USDel JEC Paris, Phnom Penh, Vientiane, CINCPAC, USSAG NKP Thailand, Bien Hoa, Can Tho, and Nha Trang.

Tin) and Que Son district (Quang Nam), both of which are part of the southern defense line of Danang. The troops in Trang Binh have fallen back. GVN forces at Fire Support Base Baldy came under attack as well, and they doubt they can hold their position.

2,500 members of the 146th Marine Brigade have been successfully evacuated by sea to Danang, and are presently being deployed to defend the city. 7,100 members of the 2nd Division and territorials at Chu Lai have been evacuated to Danang and are currently being reorganized. The 1st Division is continuing to work its way overland to Danang from Hue, and Marine rear elements are covering its withdrawal.

In Danang, police desertions are contributing to paralysis in the city. There is no traffic control, and roads to the airport and the Marble Mountain Pier are jammed. Gunshots are common in the city, and were fired during a confrontation around the World Airways 727 evacuating refugees from the airport. Subsequently, discipline was restored at the airport and a later 727 flight was loaded and took off in an orderly fashion.

Some battalion and regimental commanders from the 3rd Division (the only viable ARVN Division in Quang Nam and critical to the defense of Danang) are in Danang making arrangements for the exfiltration of their families and themselves.

3. *MR 2*

In MR 2, Binh Dinh is the focus of military activity. The 41st and 42d Regts, which had been cut off in Binh Khe by the NVA, managed to break through and, while further word is not yet available, are presumably on their way to Qui Nhon. 420 of the 1,600 defenders, who were cut off when An Tuc district fell, were located, airlifted to the position of the 41st and 42d Regts, and are probably with the two regiments.

About 1,200 Rangers from the Pleiku/Kontum convoy have made it to Nha Trang. The primary problem facing the MR 2 command is finding sufficient equipment to refit the returning troops. Some of the troops entering Nha Trang are relatively disciplined, but others, including at least one group of armed Rangers, are not responding to command control.

The fate of the military units covering the rear of the convoy, which include elements of the 6th, 22d, and 25th Ranger groups, is not clear. It is feared that they may have been destroyed by NVA forces.

4. *MR 3.*

The NVA have launched a new attack, supported by tanks, on the GVN forces at Chon Thanh. No other details are available at this time. The situation is quiet in Tay Ninh following yesterday's widespread shelling. The district capital of Binh Khanh in eastern Long Khanh has apparently been overrun. Radio contact was lost on March 26, and sev-

enty of the defenders have arrived at a nearby outpost. About 750 of the 1,400 RF/PF from the Hoai Duc area have returned to government lines. They came upon a large NVA/VC rear base during their return, and destroyed four trucks, six tons of assorted ammo, 100 AK-47s and a 75 mm recoilless rifle.

5. MR-4.

Activity in the Delta declined slightly and remains widely scattered.

6. ICCS.

All but two ICCS personnel have withdrawn from the ICCS Region II HQ at Danang. The remaining two plan to depart March 28.²

Warning Notice: Sensitive intelligence sources and method involved. No foreign dissemination.

Lehmann

² During a March 27 meeting with the President, 9:30–10:32 a.m., Kissinger told Ford: "On Vietnam, I think we are on the wrong wicket. They seem to have lost four divisions, except for the people themselves, who are now a rabble. They have lost massive amounts of matériel. Talking \$300 million in these circumstances is nonsense. A three-year program is nonsense—three years to what? Subject to Weyand's views, it looks like they have lost virtually everything and North Vietnam has suffered very little. You may wind up with this option: to pour in massive amounts of equipment, or to go for a one-year appropriation and see what happens. I say this with a bleeding heart—but maybe you must put Vietnam behind you and not tear the country apart again. The Vietnam agreements were based on two things: our threat of military support and the continuation of aid. In July '73 we stopped our support, and we also cut the aid below the minimum they needed. Now we are faced with a desperate situation. I think—I defended a three-year program—but I think it is beyond that." (Ford Library, National Security Adviser, Memoranda of Conversations, Box 10, 3/27/1975)

195. Special National Intelligence Estimate¹

SNIE 53/14.3–75

Washington, March 27, 1975.

ASSESSMENT OF THE SITUATION IN SOUTH VIETNAM

The situation in South Vietnam has rapidly deteriorated since President Thieu's decision in mid-March to shift to a strategy of military retrenchment. Following is an assessment of the situation and an analysis of South Vietnam's prospects for this dry season.

I. The Military Situation*The Northern Coast*

1. The situation is especially bleak in MR 1. The government has conceded virtually the whole region to the communists, and South Vietnamese forces are now moving to an enclave around DaNang. The remnants of two of the four South Vietnamese divisions in MR 1 are scattered, and the communists are harassing them as they pull back toward DaNang. It is questionable if the bulk of these troops will reach DaNang, and the government will be hard pressed to defend the city without them. The communists, on the other hand, have two fresh divisions west of the city, and they are preparing to attack DaNang. In addition, the North Vietnamese 320B Division—one of Hanoi's five remaining reserve divisions—is moving south.

The Central Coast

2. The government's military position in MR 2 has also deteriorated rapidly. The South Vietnamese have abandoned five highland provinces and large parts of several others, and government troops do not appear to be capable of standing up to the communists. The South Vietnamese 23rd Division and two ranger groups were badly mauled in the fighting in Darlac Province, and five of the six ranger groups withdrawing from Kontum and Pleiku are in disarray. Large quantities of munitions and fuel were abandoned at Kontum and Pleiku cities. Communist attacks on the retreating column destroyed or damaged hundreds of pieces of equipment, and South Vietnamese troops aban-

¹ Source: Central Intelligence Agency, NIC Files, Job 79–R01012A, Box 497, SNIE 53/14.3–75, March 1975. Secret; Sensitive. The Central Intelligence Agency and the intelligence organizations of the Departments of State, Defense, and Treasury and the National Security Agency participated in the preparation of this estimate. The Director of Central Intelligence submitted the estimate with the concurrence of all members of the USIB except the FBI and Department of Treasury representatives who abstained. The estimate also appears in National Intelligence Council, *Estimative Products on Vietnam, 1948–1975* (Washington, D.C.: U.S. Government Printing Office, 2005), pp. 645–650.

doned large amounts of hardware along the road—all of which was needed to defend the coastal lowlands.

3. The North Vietnamese are far stronger than the remaining government forces and are in a position to deal a decisive blow in this region. The government has just over one effective division in MR 2, compared to five North Vietnamese divisions; moreover, large numbers of replacements have arrived in the highlands from North Vietnam. Nha Trang, the military headquarters for the region, is lightly defended and probably will fall.

The South

4. The fighting has eased somewhat north of Saigon, but the situation remains serious. The government is in the process of withdrawing from Binh Long Province and has had losses in western Binh Duong Province. The communists have thus far avoided a frontal assault on Tay Ninh City, but several communist divisions and independent regiments are pressing against government troops from three sides. Since the city will be costly to support and defend and most of the population has already fled, serious consideration is being given to abandoning this provincial capital and drawing new defensive lines in the southeastern portion of the province. In addition, recent communist gains east of Saigon have forced the GVN region commander to divert some troops from the Tay Ninh front and Saigon, and this has limited his capabilities to launch a counterattack north and west of the capital.

5. In the delta, the situation is, for the moment, relatively stable. Many of the communist main force units suffered heavy losses in the fighting around the turn of the year, but they are now rebuilding. This stable situation, however, could quickly change should Saigon move any sizable forces from the delta to bolster the defenses of MR 3.

II. The Impact of Thieu's Strategy

6. Thieu decided to evacuate the highlands and concentrate his forces along the populated coast and around Saigon because he felt they were overextended, faced with a greatly superior North Vietnamese Army force, and confronted with the prospect of dwindling US aid. He clearly hoped to take the communists by surprise, extracting his forces intact and ready to fight before the communists could react. Thieu probably also calculated that by making his decision secretly and presenting it to his senior military commanders as a *fait accompli* he could forestall any coup plotting by them or a direct refusal to carry out his orders.

7. The result, however, was that Thieu took his own forces by surprise as much as he did the communists. His Joint General Staff and his regional commanders have all indicated that they had no prior briefing or consultation. US officials were also not notified. Without any

prior planning or clear indication of the limits of the withdrawal, the redeployments have been generally disorderly. In the northern two-thirds of the country, most government forces are cut off from each other and seized with an evacuation mentality. Under these conditions some units have refused to fight.

8. The senior military leadership clearly has been caught off balance by the direction which events have taken, and their reaction has been one of dismay and depression. These attitudes also are reflected through the ranks.

9. Grumbling against Thieu's leadership has grown in the wake of military reverses, but events have moved so rapidly that there has been little coup talk. It is widely recognized that a coup at this time would be disastrous.² But the situation is such that pressures for Thieu's resignation or forcible removal could quickly emerge.

10. A source of disorder lies in the refugee problem which has caught the government ill-prepared to cope with the massive numbers of refugees generated in MRs 1 and 2. According to the latest estimates, there may now be upwards of a million displaced persons crowded into DaNang awaiting evacuation to coastal MR 2. But the government has inadequate resources to accomplish this mass evacuation in a short period, and there is a serious risk of riots and fighting in the rush to evacuate. Moreover, those who are brought out may have to be moved again—thereby creating additional pressures on the government.

11. Apart from the reverses suffered in South Vietnam, there are external factors which could further undermine the GVN. The collapse of Cambodia, for example, would bring added psychological pressure on Saigon. The continuing debate in the US on the question of US aid to South Vietnam is also an unsettling factor. Thieu probably assumes that he will have to rely on what he already has; but if the South Vietnamese in general come to believe that the US will not respond with additional assistance to meet the new situation, this will fuel defeatism.

III. Prospects

12. The communists have the capability to exploit their gains, and we believe they will. In so doing, they will try to destroy the remaining government forces in MRs 1 and 2. At the moment, the situation in DaNang is chaotic. Considering the forces that North Vietnam can bring to bear against DaNang, the poor state of government defenses there, and the widespread panic in the city, its defenses could simply collapse. In any event, it will be lost within two weeks to a North Viet-

² The GVN move on March 27 to arrest "plotters" against the government was basically a warning to opposition elements; those involved did not represent any serious threat to Thieu. [Footnote in the original.]

namese attack, perhaps within a few days if the Marine division is removed. Thieu is already considering this move; his strategy has been to save his forces from being destroyed in overextended positions.

13. In MR 2, the thinly stretched government forces will be no match for the five North Vietnamese divisions. There are already indications that the communists are planning to attack several major population centers in the region. In the face of strong communist attacks, the South Vietnamese will be unable to maintain these enclaves.

14. In MRs 3 and 4, the government currently has a substantial edge in forces and is expected to maintain a strong defense line around the heavily populated and rice growing areas, but some retraction of defenses is probable. Tay Ninh City has been a major goal of the communists this dry season. The South Vietnamese have fought hard to hold the city thus far, and we believe they can continue to do so, although they may decide to abandon it because of the risks and costs involved in defending it.

15. In sum, the South Vietnamese withdrawals amount to a major defeat. As matters now stand, Thieu is faced with:

- re-asserting effective control over his commanders;
- extracting key force elements and equipment from MRs 1 and 2; and
- organizing a strong defense of the Saigon area and MR 4.

Communist momentum, however, will be hard to stop, and the North Vietnamese may be tempted to commit the remaining portion of their strategic reserve to exploit the situation. Even if they do so, we believe that the GVN's military strength in the southern part of the country will enable it to survive the current dry season, although additional losses are certain.

16. Logistic factors, for example, would probably bar a quick assault on Saigon since the communists now lack supply stocks in forward positions in MR 3 and their prepositioning will be time consuming. In addition, even the decision to commit the strategic reserve means that forces will have to be marshalled and deployed. In so doing, the communists will run into time and distance factors, and the complexities of assembling units and moving them over long lines of communication in an environment where rapid or orderly deployment is inhibited. Finally, the South Vietnamese forces in MRs 3 and 4—including the territorial forces—remain intact and able to give a good account of themselves.

17. Even so, the GVN will probably be left with control over little more than the delta and Saigon and surrounding populated areas. It would thus face further communist pressure from a position substantially weaker than our previous estimates, with the result likely to be defeat by early 1976. The communists will keep up their military

pressure to topple the GVN by outright defeat unless there have been political changes in Saigon that open the way to a new settlement on near-surrender terms.

196. Minutes of National Security Council Meeting¹

Washington, March 28, 1975, 3:15–5:15 p.m.

SUBJECT

Middle East and Southeast Asia

PRINCIPALS

The President
The Vice President
Secretary of State Henry A. Kissinger
Secretary of the Treasury William Simon
Secretary of Defense James Schlesinger
Chairman, Joint Chiefs of Staff General George S. Brown
Director of Central Intelligence William Colby

OTHER ATTENDEES

State:
Deputy Secretary of State Robert Ingersoll (only for Vietnam portion)
Under Secretary of State for Political Affairs, Joseph Sisco

Defense:
Deputy Secretary William Clements

WH:
Donald Rumsfeld

NSC:
Lt. Gen. Brent Scowcroft
Robert B. Oakley

[Omitted here is discussion unrelated to Southeast Asia.]

(At this point the discussion turned to Southeast Asia; Deputy Secretary Ingersoll joined the meeting.)

President: Bill, what is the situation on the ground in Vietnam?

¹ Source: Ford Library, National Security Adviser, NSC Meetings File, Box 1. Top Secret; Sensitive. The meeting was held in the White House Cabinet Room. All brackets, except those describing omitted material, are in the original.

Colby: The Vietnamese Government has enough to control the area around Saigon and the Delta for this dry season but they are likely to be defeated in 1976. Thieu tried to extract his troops from the highlands in time but his ploy failed. He was so afraid of leaks to the Communists that he told no one in advance, not even his own commanders who were caught by surprise. There was really only one battle. Thieu was aware of the superior comparative strength of the North Vietnamese in the highlands so he wanted to pull out of Pleiku and Kontum. He wanted to fight at Ban Me Thuot, but he could not do it. Among other problems, his C-130s were sidelined. So the move to the coast became a rout instead of an orderly withdrawal. Then they were attacked in Quang Tri and Thieu was indecisive about Hue, first he was not going to fight and then he was and then he finally decided not to. This caused the commander of I Corps to become confused and angry. And now the airborne, their best troops, are being taken out of Danang to Nha Trang and Saigon. Thieu also wants to bring the Marine Division out of the perimeter around Danang. If so, Danang will surely fall. Originally, Thieu wanted to defend the enclaves, like General Gavin.

Kissinger: Colby's estimate² indicates that Thieu's pullback was designed to put him into a position to cut his losses and stagger through until 1976. He decided to do this because he was not getting enough support from the U.S. It was due to a lack of spare parts and ammunition. The idea of pulling back was not bad but when the move began, the refugees clogged the road and the troops did not know how to move anyway. Thieu was trying to get ready. His estimate and ours was the same; an all-out attack next year would finish him unless he got more support. So he wanted to stagger through this year and hope for a change.

Clements: He did not tell us anything at all and did not tell his own commanders.

Kissinger: The move could only have been carried out by surprise.

Colby: The refugee figures have fluctuated up and down, with the highest point coming after the Tet offensive. Now we are back up to over one million refugees.

President: Can the Vietnamese be economically self-sufficient in the smaller area?

Colby: Yes, the Delta is the big rice area. This would have been the first year of economic self-sufficiency had it not been for the suddenly deteriorating situation. The refugees are placing a big burden on the government but it is interesting to note that they are all fleeing toward

² Document 195.

the government. That shows clearly how they really feel about the Communists.

Clements: But the army may leave some \$200 million in arms and military equipment in Danang alone.

Colby: And there is some grumbling about Thieu in the army as well as in political circles. We may hear more about this.

President: You are not optimistic about Danang being held?

Colby: It should fall within two weeks even if the Marine Division stays instead of being pulled back to protect Saigon.

President: What about the evacuation of civilians?

Colby: There have been terrible mob scenes, both at the airport where they stormed loading aircraft and at the port where they jammed aboard ships. Some of the military have even shot their way on to the ships. A small number has been loaded but law and order has broken down completely and it is almost impossible.

Ingersoll: Reportedly 6,000 refugees got off on one ship this morning and another one is loading now.

President: What are these rumors about Ky coming back?

Kissinger: Ky is a boy scout, a flamboyant pop-off; he can not do the job.

Colby: Chief of Staff Vien and Prime Minister Khiem are possible candidates to replace Thieu.

Kissinger: Thieu has shown himself far and away the most capable of all the Vietnamese leaders I have known since 1965. No one else could do as well. He holds things together. He made a mistake in ordering the withdrawal from the highlands but he had no good choice. We were unable to give him the support he needed.

Colby: I agree with Henry. No one else is up to Thieu. Khiem would probably be the next best bet but he is some way from being up to Thieu.

General Brown: I agree with Colby's estimate about Danang. It will be hard to hold 10 days. We have gotten all the Americans out. A second ship is loading. There are two airfields, the main one is Marble Mountain and a small one. There is an ARVN battalion protecting the small one from the mobs and some C-47 flights are getting off. The mobs took the main field and may take the second one.

Colby: There is little fighting in the Delta and around Saigon. Unless the North Vietnamese move their reserve divisions into the Delta from the North, Saigon and the Delta can probably be held militarily but the big problem will come when the stories about Danang start to circulate in Saigon.

Concerning Cambodia, Lon Nol is going to leave for Indonesia on April first. But there is no hope of talks with the Communists. They

will see Lon Nol's departure as weakness and will push harder. The new Communist proposal for a government would leave Sihanouk with no base at all, even if he was ostensibly the President.³

Kissinger: The war is now being conducted against Sihanouk. If it were a question of Lon Nol leaving and then our dealing with Sihanouk, it would be easy. But the Khmer Rouge want to erase all possible political base for Sihanouk and bring him back only as a front for themselves. The French told us at Martinique that Sihanouk wanted to negotiate but was unable due to the Khmer Rouge.⁴

Colby: The Cambodian airlift is suspended. The Communists could make the airfield unusable. The Government is losing ground east of the capital and also down along the river. The wet season starts in late May but the river will not come up until late July and by then it will probably be too late.

Schlesinger: We are getting the first reports that the Cambodian troops are beginning to lose their drive. They are worried about U.S. support and losing their commanders. With adequate resupply they would have lasted through the dry season. But the morale is no good. The debate in Congress has hurt them badly. It is likely to collapse in two weeks.

Kissinger: We have to make an evacuation decision. Ideally, from the political viewpoint, we should hold on until after your speech⁵ and after Congress makes a decision on our aid request. But if we wait it could collapse all at once before we can get our people out. But if we pull out, we will surely provoke a collapse. There are about 1100 people of all nationalities to be evacuated. We may need to decide next week.

General Brown: The situation has changed. The outlook is bleaker. We need to decide now to take them out or we could have a major problem. There is one brigade of Marines in the Pacific. We could use U.S. forces to take out the residents and try to beat the mob out with helicopters.

President: How long will it take to get them out?

General Brown: If we have to use helicopters downtown, it would take one day to get 1200 out. If we have the airfield, it would take less time. They can get there on their own. This is a very difficult operation.

Vice President: The Marines might have to shoot civilians and that would create a huge uproar.

General Brown: The mob will be hard to control. We might have to shoot refugees in front of the press.

³ Details of the proposal were reported in the *Washington Post* on March 8, 1975.

⁴ See Document 175.

⁵ See Document 217.

President: If you decide to use the airport, will you need to clear out the enemy?

General Brown: We may need air cover. If there is any firing on our people on the ground at the airport, we will attack. We will have aircraft in the air.

Clements: We can't tell whether or not the Khmer Rouge will fight us.

Kissinger: We need a joint estimate about the unravelling in Cambodia.⁶ If they can't hold, you need a chance to look at the situation. We need an estimate as to how long it can hold so we can decide on whether or not to order fixed wing aircraft in for evacuation.

Vice President: There is also the symbolism of Lon Nol leaving. This will have a bad effect on morale.

Kissinger: The Khmer Rouge will negotiate only unconditional surrender. They could get a negotiated settlement anytime but they refuse it. When Lon Nol leaves, it will demoralize the country. Long Boret will try to carry on but will fail.

Schlesinger: How long do we keep the Americans there after Lon Nol leaves?

Kissinger: We are pressing them to get out. Lon Nol wanted to stay but we had to press him to get out also, to calm the situation.

General Brown: We need a decision now on improving our intelligence capability. We can not wait for the Forty Committee, Mr. President. Will you authorize us to preposition intelligence collection aircraft now for us over North Vietnam if we need it?

President: Yes, that is okay.

[Meeting ended at 1715.]

⁶ "The Security Situation in the Phnom Penh Area," March 29, prepared by CIA, DIA, and INR, stated: "There does not appear to be an immediate danger of a general Cambodian Government (GKR) military collapse in the Phnom Penh area. The Khmer Communists (KC) probably will continue their strategy of steady but widespread ground attacks and shellings while waiting until supply shortages and war-weariness break the government's ability or will to resist. We believe that government forces (FANK) will, for the most part, be able to contain the Communists along the capital's outer defenses for the next week or so. Nonetheless, the Communists will continue rocket and artillery attacks against the city in general, and Pochentong Airfield, the US Mission, and American residences in particular." (Central Intelligence Agency, NIC Files, Job 79-R01142A, Box 4, Folder 6, Memorandum, Security Situation in Phnom Penh)

197. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, March 31, 1975, 1030Z.

5811. Subject: E & E Planning. Ref: A. Phnom Penh 4556; B. State 057526; C. State 064003; D. Phnom Penh 5176; E. State 67109.²

1. To adopt military format, believe it would be helpful to recapitulate essential points in exchanges we have had with Department in messages referenced above. Ref A recommended that in the event of a negative vote by the U.S. Congress on further assistance to Cambodia, we act promptly to reduce overall number of persons for whose evacuation we are responsible by moving out approximately 225 persons by fixed wing assets immediately. This recommendation was based on assumption that such a negative vote would cause morale on the GKR side to deteriorate so rapidly as to constitute a collapse and that an Eagle Pull extraction would then become necessary.

2. Ref B rejected this recommendation and instructed me to inform Lon Nol, following a decisive congressional vote against supplementary assistance, that the U.S. Mission will continue to function normally to administer the ongoing aid shipments and that we have no present plans to evacuate official Americans. In an FYI section this message noted that the mood in Phnom Penh after an aid cut-off may not permit us to hold to this posture on evacuation for very long, but that I should not order any evacuation without receiving final authorization from Washington except in extremis (meaning a situation where American lives are in immediate danger and I am unable to contact Washington).

3. Ref C asked my views for planning purposes on feasibility of beginning to reduce further the number of people included in evacuation plan, without detracting from our operations and without arousing or contributing to GKR concern, especially in absence of definitive action by the Congress.

4. Ref D expressed the view that we were receiving conflicting signals from the Department on E&E planning. I pointed out that we

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (6). Secret; Priority; Nodis.

² Telegram 57526 to Phnom Penh, March 14, is *ibid.*, From SECSTATE, Nodis (2). Telegram 4556 from Phnom Penh, March 13, is printed as Document 186. Telegram 64003 to Phnom Penh, March 21; telegram 5176 from Phnom Penh, March 21; and telegram 67019 to Phnom Penh, March 25, are in the National Archives, RG 59, State Archiving System.

had already made reductions of people included in our evacuation plan, that we could make further reductions in the persons over whom we have control (employees and VOLAG personnel) without detracting unduly from our operations, but if we did so it would arouse GKR concern and would degrade the posture of unflinching support and steadfastness that the Mission was under instructions from Washington to project. I also noted that the largest groups for which we are responsible are either not under our control or are groups whose size we can only estimate (VIP's and Khmer employees of the USG).

5. Ref E stated that there are no conflicting signals because we were only being asked for our views.

6. I believe conditions have changed significantly since the above exchanges so that we need to take another look at this whole question. The following are new factors to be considered:

(A) The U.S. Congress may simply fail to act on the administration's request, so that there may be no "definitive" congressional vote against further assistance to Cambodia. Even a favorable vote may provide too little and too late.

(B) The assistance pipeline is running dry. Today we have about a ten-day supply of rice in-country. As for ammunition, the following projections are extracted from a message prepared yesterday by MEDTC (200500Z Mar 75) which I am having repeated to the Department:

April 6—Ammo stocks at depots in-country will decline to an average of 15 days of supply (6,000 short tons).

April 11—All airdrops to enclaves must terminate due to lack of funds for further aerial delivery equipment.

April 20—Expanded bird air delivery of MAP supplies will terminate owing to lack of funds.

April 25—Ammo stocks on hand in Cambodia will reach zero rpt zero balance.

MEDTC estimates that FANK's will to fight could collapse between April 6 and 17. By the former date it will become apparent to FANK that ammo deliveries are not keeping pace with depot issues. By the latter date zero balances in certain critical lines will occur. MEDTC comments that FANK can reasonably be expected to crack well before the shelves are completely bare.

(C) Pochentong may be interdicted at any time. FANK has failed to retake Toul Leap, the KC have broken through the North Dike defense line and could bring Pochentong within mortar range shortly. That would mean the end of the airlift.

(D) The Neak Loeung-Banam enclave may fall any day now. This event would release perhaps as many as 8,000 KC troops to move north to attack the southern and southeastern perimeters of Phnom Penh,

which are only lightly defended. FANK has no reserves to strengthen such a threatened area of the perimeter.

(E) The Khmers are watching developments in South Vietnam, and many see a similar fate awaiting them. Both our military and SRF personnel who have close contact with Khmers are reporting an increasing level of anti-American sentiment. GKR and FANK morale may collapse even before or in the absence of negative action by the U.S. Congress.

7. I believe we need to reconsider our E&E posture. Ref B was written at a time when it was believed that the congressional decision would come when there were supplies still in the pipeline to be delivered and that we had the capability of delivering them. In light of our present circumstances, I wish to make two recommendations for the Department's consideration:

(A) That we begin now to move out of country selectively a small number but steady flow of personnel included in our evacuation plan with whose services we can dispense, for example, some of the TCN's who work on ammunition logistics. There would be a calculated risk that this movement would have an adverse effect on Khmer morale, but I would hope it would not have a major impact. Our overall presence would still be very large and highly visible. We can of course do nothing about reducing the numbers in categories over which we have no control.

(B) That we again give consideration to moving out some two hundred or more persons by fixed wing assets as the first step of an evacuation (as proposed in Ref A) on the assumption that we have been authorized to proceed with Eagle Pull. That means that once Eagle Pull has been authorized, the largest contingent possible would use fixed wing assets, taking advantage of surprise element. The balance would be extracted by helicopter. Obviously this scenario assumes availability of Pochentong airport. Securing of airport by U.S. military would not be required for this initial movement.

8. Request that this message be repeated to CINCPAC and COMUSSAG, as this re-examination of our situation grew out of discussions we had with Admiral Gayler and LtG Burns when they visited here March 29.

Dean

198. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, March 31, 1975, 8:12–9:03 a.m.

[Omitted here are a table of contents, list of participants, and discussion unrelated to Indochina.]

Mr. Habib: The North Vietnamese will now undoubtedly shift their pressure down the coast.

Secretary Kissinger: Has Da Nang fallen?

Mr. Habib: Da Nang has definitely fallen. And I think Qui Nonh will follow. We haven't had any report of any people visiting out there.

Secretary Kissinger: Why don't they fight any place?

Mr. Habib: What started out to be a phased withdrawal for defensive purposes turned into a rout, psychologically and militarily.

Secretary Kissinger: But, as I understand it, Phil, they are not being attacked very much.

Mr. Habib: That is correct. There have been only a few places where there have been any battles; but now there is a battle shaping up in Qui Nhon, and the latest reports indicate they are going to crumble. And what happens is—they're a good division and they're in place—but—

Secretary Kissinger: What did you say—they're a good division; they're in place?

Mr. Habib: They have a reputation for being good, the latest reports indicate to me.

Mr. Enders: Have you had any other leadership out close to the battle line with the troops?

Secretary Kissinger: Truong was on a goddam barge in the harbor.

Mr. Habib: There was no reason for him to stay in the city. The city was gone. The two divisions defending the city had just caved. One of them retired and had to get half of its troops out—the marine division. The other one just disintegrated.

Secretary Kissinger: My question is: "Why?"

Mr. Habib: Because they were told to withdraw. And when they were told to withdraw, it turned into a rout.

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 6, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates.

There's another factor that you have to remember about Vietnamese troops. That is, their families are right behind them. And what a lot of them did is get their families out, take care of their families.

There's a report now talking about Vietnamese troops, officers dying. The First Division Commander got killed. The First Division Commander got killed shot down in a helicopter over Da Nang. That isn't true at all. The first report is his helicopter ran out of gas at Quan Long. It carried him and his family and his staff officers and it crashed. So what you're doing—what you're seeing—is a disintegration of a fighting force.

Secretary Kissinger: Don't they know how much gas to put into a helicopter?

Mr. Habib: No. A helicopter can fly only so far in the first place. They have to take off in a hurry. Who the hell knows why? But the important thing to watch now—

Secretary Kissinger: Don't they have fuel gauges on their helicopter?

Mr. Habib: Yes. We gave them good helicopters. They lost a lot of them too up around Da Nang and other places. The thing to watch now is whether or not they'll be able to form a reasonable defense—III and IV Corps areas—and I think—

Secretary Kissinger: My conviction is no.

Mr. Habib: We'll wait for Freddy Weyand's report. My information, just from the sketchy information we have, is that there's a chance. Secondly, I think—

Secretary Kissinger: I don't see how half the remaining divisions can find all of the North Vietnamese divisions.

Mr. Habib: They can't. I say there's a chance of holding a lot. The rainy season starts in about a month. Then it really starts. And the next question one is to look at is survivability of the Thieu Government in terms of leadership. I think the pressure against it is going to be very great. The first signs of generals feeling unhappy about it is, to me, very significant.

Secretary Kissinger: Isn't there anybody else?

Mr. Habib: Well, there's always somebody else. I'm not saying that we should be in favor of it. Obviously this is not the solution, but those things get out of hand. The answer is—what will happen—

Secretary Kissinger: It would be sort of ironic if they overthrew this government because they wouldn't negotiate with the North Vietnamese, having overthrown the last one. Of course, it might negotiate with the North Vietnamese—

Mr. Habib: That isn't why this government is overthrowing it. We wouldn't have anything to do with this one, I hope. If it goes, I hope

it would go by virtue of its inaccuracies and failures, as indicated by the Oriental mind—

Secretary Kissinger: But do you have any question in your mind that we triggered them into this rout—they didn't have to move, they didn't have to move, they didn't have to have any attacks?

Mr. Habib: I don't buy that line. Thieu followed this line just because the senate democratic caucus voted. No way. I don't buy that line. There's a long-standing affair to this thing. Obviously, the absence of U.S. aid had weakened their expectations sufficiently that he decided, strategically—in terms of the strategic battle—to take his forces and redispense of them. Tactically, he failed.

Secretary Kissinger: Of course tactically he failed; but if he had been assured of adequate American support, there was no need to take their decision so rapidly.

Mr. Habib: Right. My guess is he probably would have had to take it anyway, given the strength of the North Vietnamese forces against him, because even if his forces had stood in place the probability is he wouldn't have had such a disastrous situation. But the probability is he would have been beaten because the forces against him were overwhelming—at considerable loss—and it would have slowed him down, which wouldn't have been what it is now—which is disaster facing them in the immediate future.

I agree with you completely on that, but there's no such thing as a trigger on this thing. At least, that's not the theory I buy. But it's going to be written about, after we have examined it more carefully, for the next decade or two.

On the other hand, the GVN has made a strong appeal for certain support on the refugee situation; and we should support that ourselves very strongly.²

There's a message from you to Scali to Waldheim.

Secretary Kissinger: Yes, I know.

Mr. Habib: I think we should do it.

Secretary Kissinger: Of course we'll do it. That takes no guts.

Mr. Habib: On the Cambodian situation, Lon Nol leaves tomorrow from Cambodia; and that probably will turn out to be a catastrophe because it's a catastrophe in the first place.

² Foreign Minister Vuong Van Bac sent a message to UN Secretary General Waldheim on March 29 requesting that he appeal to all UN members for assistance to Indochinese refugees. (Telegram 3753 from Saigon, March 30; National Archives, RG 59, Central Foreign Policy Files) Waldheim issued the appeal the evening of March 31. (Telegram 1038 from USUN, April 1; *ibid.*)

Secretary Kissinger: We are a disgrace to be an ally. As soon as somebody gets in trouble, they get the hell out of there.

Mr. Habib: Very strangely, they want to take the ICCS team out of there.

Secretary Kissinger: They're right.

Mr. Habib: And one of the reasons is they have to start thinking about how to take care of themselves.

Now, that's official from one of our people in the latest conversation. That's the sum total of what he was saying to them. And the PRG issued an interesting statement.³ Of course, they tried to psychologically take advantage of the situation. And their statement is if they get rid of the Thieu, the Government of National Concord—

Secretary Kissinger: Oh, come on! We've heard that.

Mr. Habib: I'm just telling you what their position is. We've heard all these words before—that they would then be prepared to negotiate.

Secretary Kissinger: If you put into place a government in which they have the dominant role, they would negotiate with that government—we went through that for four years. Their proposal was always to get a government into South Viet-Nam that they would control—that that government would then negotiate with whatever else existed. First the Viet Cong was going to get into the Saigon Government. Then that government, dominated by the Viet Cong, would negotiate with the PRG—that can only fool the *Washington Post*.

Mr. Habib: That was stupid as a negotiating position—aside from us, a long time ago—but what I'm trying to say is they're reviving it in a very clever way, designed to appeal to South Viet-Nam opinion.

Secretary Kissinger: I don't want our putting out all these clever psychological analyses.

Mr. Habib: We're doing analysis partly because we're not sufficiently informed about the situation.

Secretary Kissinger: You're sufficiently informed about the essence of the situation to put out the correct analysis.

Mr. Habib: Well, the correct analysis at this stage would be that the situation is deteriorating and is likely to deteriorate further.

Secretary Kissinger: There were three elements to that. First of all, the agreement was violated totally from the beginning. Secondly, we lost the ability to enforce it in July '73. And we then cut aid from then on every year by enough to compound the demoralization.

³ The PRG spokesman made the statement at a press conference in Saigon on March 29. (Telegram 3742 from Saigon, March 29; *ibid.*)

I'm not saying that these units could have stood up to the North Vietnamese anyway, but we'll never know.

Mr. Habib: They could have done enough to have preserved a substantial position. What they've done is lose a substantial position.

Secretary Kissinger: Not just over the last four weeks but over the period. For them, history began last May when they were getting nothing but fuel, ammunition and a few spare parts and no new equipment. And this gradual rundown is what compounded the demoralization.

[Omitted here is discussion unrelated to Indochina.]

Secretary Kissinger: O.K., Bill. Do you have anything to add?

Mr. Hyland: On Viet-Nam?

Secretary Kissinger: On anything.

Mr. Hyland: No. On Viet-Nam, one interesting sidelight I think is several clandestine reports that the Chinese were very unhappy with this offensive. They supposedly advised, after they were briefed on it, last January, the North Vietnamese not to do it.

Secretary Kissinger: Their contempt for us must be total at this point.

Mr. Hyland: The Chinese?

Secretary Kissinger: Yes.

When do you think the North Vietnamese decided to—

Mr. Hyland: I think they changed their plan in December. Up to December, the kind of offensive they had in mind was another kind of high point with creeping forward. Then they sent out a new resolution that said much more massive attacks. They vastly increased the infiltration, the training time.

Secretary Kissinger: What happened in December that changed their mind?

Mr. Habib: They had some successes and we saw the change. We could see it beginning in January. With the first movements of the reserve divisions, communications began—indicating some movement. They called up a bigger number of people for conscription, shortened the training time—as you say—and then—and then putting them down.

Mr. Hyland: Yes. And in MR-III—what was it, the Binh Loc Province?

Mr. Habib: Phuot Long.

Mr. Hyland: Yes, the Phuot Long—you let the regional forces make somewhat of a bit. But I think that was a tip-off to them that in the face of an offensive that he would give up substantial territory—as he decided to do—and that they would take advantage of that to push as far as they could push.

Now, even the intelligence indicates that they were surprised at how rapidly the situation unraveled. They're having a helluva time re-organizing just to catch up with the Viets.

When is Weyand coming back?

Mr. Habib: Well, he was originally supposed to come back Wednesday, but I heard over the weekend that he wouldn't come back until Friday.⁴ I suggested to Weyand, "How many days do you have to assess the situation?"

I would say he's had enough time. He ought to be back about Wednesday. That's plenty of time. The sooner the better. I think we've got to prepare for the Congress the following Monday.

[Omitted here is discussion unrelated to Indochina.]

⁴ April 4. See Document 208.

199. Memorandum From William Smyser of the National Security Council Staff to Secretary of State Kissinger¹

Washington, March 31, 1975.

SUBJECT

The Next Steps on Vietnam

The first purpose of this memorandum is to review what we have done about Vietnam over the last few weeks, to assay its impact, and to consider what we do next.

Its second purpose is to relate our actions to the President's upcoming speech² and to tie it all together with the domino theory. We need to think of all these things together if we are to have a good idea of what the President should say and of how we should prepare for his remarks.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 19, Vietnam (11). Secret; Sensitive; Eyes Only. Sent for urgent action.

² See Document 217.

As you know, we have done and said relatively little about the current NVA offensive, for three principal reasons:

1. *We got started slowly* because of: uncertainty about Thieu's policy, the widespread view (buttressed by the CIA estimate) that Danang would hold;³ and, general bureaucratic resistance (shown in the WSAG meetings).

2. *We have let our inability to act frustrate our power to speak.* Since Congress has imposed a number of restrictions upon the exercise of American power in Indochina, we have hesitated even to say anything to other countries or—for that matter—to the American public. You have made a positive statement in your press conference, as has the President.⁴ But there has been no speech and no declaration that would bring home that we regard this as an item of potentially major consequence.

3. *We have considered each possible action in a separate context and have not always looked at the total impact of all actions in Vietnam and here.* For example, we have sent no messages to Hanoi and to its major allies because we could not follow them up with actions; for the same reason, we have had no Asian or other diplomatic campaign; because of the economic message,⁵ there has not yet been a Presidential speech on Vietnam; there is so far no public Presidential letter to Thieu because the ones we did send, largely under Graham Martin's influence, were designed for internal impact. Charity compels me not to comment on the U.S. Navy's effort to help move the refugees but I know nobody who is impressed. Even the Presidential statement issued last week-end about aid to the Vietnamese refugees contained no appeal to the American people or to the world community for refugee relief. Neither have we had any military gestures to warn Hanoi, because of concern about Congress. The total effect of these decisions, each of which was made for what appeared to be sensible reasons, is different from the total effect that I think you would have wanted to achieve.

Because of all this, many Vietnamese and other foreigners believe that the U.S. Administration, like the Congress, does not care what happens to Vietnam. Many Americans are probably beginning to believe the same thing. This presents grave problems in terms of preparing the public for the Presidential speech.

³ See Documents 128, 155, and 195.

⁴ Apparent reference to Kissinger's news conference on March 26 and President Ford's news conference on March 6; see, respectively, footnote 3, Document 191, and footnote 2, Document 183.

⁵ The President's annual international economic report was transmitted to Congress on March 20.

It will not take long for people in Vietnam and here to say, partly from North Vietnamese inspiration and partly for domestic political reasons, that this is the “decent interval” theory at work. As I have written to you earlier, I do not believe there is a “decent interval.” There is no way we can wash our hands of Indochina and act as if nothing had happened.

Our next actions must be considered in the light of three purposes we want to accomplish, if possible.

1. To try to have some impact on the North Vietnamese offensive.

I do not believe the intelligence community’s assessment that the North Vietnamese will consolidate before they continue their offensive. This is a little like the earlier intelligence assessment (which I also challenged) that the North Vietnamese would only go for limited gains this year. The NVA will keep rolling until it has to stop or until it gets concerned about our reaction, and we should remember that there is a lot of material in place for the NVA to use as it goes on. As I wrote you in recommending messages to Hanoi’s allies, the North Vietnamese know the military and political value of shock. This does not mean they will take Saigon, though it does not exclude their having a crack at it. But it does mean that we cannot expect them to stop in order to give us time to get sorted out. I think that Habib and his group should take a look at this issue and urgently consider our next steps in that context, reviewing everything we have so far decided not to do.

We now have evidence that Hanoi regarded Phuoc Long as a test case for the Russian notion that we would not react to an offensive. When the Russians were proven right, the North Vietnamese reserve divisions began to move. We do not know what else is in the wind, though intervention of North Vietnamese naval and air forces remains possible.

2. To try to present the Weyand report in a way that will not undercut its purpose.

I do not know what the Weyand report will say, but I am sure it will ask for considerable aid, of which we have not forwarned the American people. We risk repeating 1968, when Westmoreland’s request for 200,000 troops caused the collapse of Johnson’s policy (and had to, because we did not need those 200,000 troops when we said that Hanoi had just destroyed its own best forces, as indeed it had). If the American people think that we are using the current South Vietnamese setback as an effort to get unjustifiable amounts of assistance, they will not respond, especially in the present economic context and, more important, with the lack of earlier evidence of our concern. Some forms of aid, like advisors, are simply not good ideas anyway, as I

wrote you earlier (Tab A).⁶ You can imagine how the Congress will react to the President's speech, since many Congressmen will believe that it will represent an effort to pin the monkey on their backs once again after the poor performance of the ARVN has taken it off.

I do not know of any group that can formally consider this issue, since the President's speech will be prepared at a very high level, but I recommend it for your attention in the discussions in which you will participate over the next week or two. My personal view is that it calls for some action or some further expression of concern before the President actually makes the speech.

I would urge you, however, to act as soon as possible on the two State memos now on your desk regarding a Public Information Program (Tab B)⁷ and Congressional Strategy (Tab C).⁸

3. *To try to minimize the "domino" impact.*

We can see, in Asia, the Middle East and elsewhere that the domino theory still holds despite its detractors. But we cannot just blame everything on that theory and on whoever started the dominos falling. We must think about what we can do, in Vietnam and elsewhere, to minimize the domino effect. Our aid request can, for example, have an impact. So can a decision to look away. But, though I am doing a separate memo on Asian impact, I cannot give the urgent judgment on global effect that you will need. I suggest that a small group, perhaps under Joe Sisco's chairmanship, should take an urgent look at this. Larry Eagleburger, Win Lord, Phil Habib, Hal Sonnenfeldt and Bill Hyland might be good State candidates for the group, and we could get several NSC people if you agree.

*Recommendations*⁹

1. That I be authorized, on your behalf, to ask Phil Habib and the Ad Hoc group to review again all recommendations or possible actions we might take to counter the North Vietnamese offensive and to help South Vietnam's refugees.

⁶ In his memorandum, "Item in Yesterday's WSAG," March 28, attached but not printed, Smyser wrote: "I was taken aback at yesterday's meeting by Colby's suggestion to return U.S. advisors to Vietnam. I am not sure whether Colby meant military or civilian advisors. Either way, I think it is a bad idea." The minutes of the WSAG meeting, March 27, were not found. A briefing book for the session is in Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 19, WSAG Meeting, Indochina, 3/27/1975. In "Volunteers for Vietnam," March 28, Colby outlined a proposal for a volunteer civilian force to "assist the GVN to regain and retain control over the situation." (Central Intelligence Agency, Executive Registry Subject Files, Job 80-M01066A, Box 11, Folder 8)

⁷ "Indochina: A Public Information Program," March 27, attached but not printed.

⁸ "Congressional Options on Vietnam Aid," March 19, attached but not printed.

⁹ Kissinger initialed his approval of both recommendations. He handwrote the instructions, "same group as above."

2. That you convene, under Joe Sisco's chairmanship, a small group to report to you on the kind of U.S. position regarding Vietnam that is least likely to collapse the dominos.

200. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, April 1, 1975, 1215Z.

5859. Eyes Only Assistant Secretary Habib from Ambassador. Subject: Current Military Situation and E&E Planning.

1. From sensitive sources we understand that the enemy has decided to make an all-out push for Phnom Penh. We understand that the enemy is going to bring in forces from Kompong Cham, Siem Reap and Kompong Chhnang in order to take advantage of any break in the FANK defense line near Pochentong Airport. According to these sources the objective of the enemy is to interdict Pochentong Airport to all traffic.

2. At the same time the news from the Mekong River town of Neak Luong would presage a collapse of the FANK defense there in the next few days. As of the time of writing this telegram (1900 hours April 1), the situation there is confused, but it is apparent that Neak Luong cannot hold out much longer. This would free 5,000 to 6,000 enemy troops from that site who could then reinforce the 11th and 12th KC Brigades which are already pressing FANK on the southern flank of Phnom Penh.

3. Under the circumstances I wonder whether it would not be prudent to reduce over the next few days the number of potential evacuees for whom we will have responsibility in the event of Eagle Pull. I am specifically thinking of third-country nationals working in the ammunition control field, AID employees and some voluntary agency workers. I would like to assure you that we will abide by the Dept's decision, but I believe we should take advantage of following assets to thin out our ranks while we still can.

4. I would appreciate an early reply.

Dean

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (6). Secret; Immediate; Nodis.

201. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, April 2, 1975, 8–9:15 a.m.

[Omitted here are a table of contents, list of attendees, and discussion unrelated to Indochina.]

Mr. Habib: There is so much to report. I have gone through it all with you. If you want to go through it for the others. We have started the evacuation on a gradually reduced basis in Phnom Penh of some ancillary people attached to the mission, mostly people for whom we are responsible.

Secretary Kissinger: Did Dean go to see Long Boret?

Mr. Habib: He went to see Sam Kon Khoy. Long Boret went off with Lon Nol, but he will be back within a couple of days.

Secretary Kissinger: I now see they have put the whole new government on the proscribed list, too.

Mr. Habib: That was done last week. It was quite obvious—

Mr. Ingersoll: That is only Sihanouk.²

Mr. Habib: Yes. Sihanouk is saying a lot of things these days. I think one can read him in different ways. What Sihanouk is trying to do is keep to the fore his own position in this whole operation. The only way he might save some residual role for himself. The role that he obviously is trying to carve out is sort of international spokesman for the Khmer Rouge. And they are letting him do it for the time being, because it doesn't cost them anything and gets them a hell of a lot of attention. He can get an American reporter to write what he says any time he says it.

So I think we are all right there at the moment.

The pressure on Phnom Penh will increase substantially within a few days.

The critical question in Vietnam remains whether or not they can stabilize the front.

Secretary Kissinger: Is there any sign that they can?

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 6, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates.

² Sihanouk released a statement in Beijing on March 31 after Lon Nol's departure from Phnom Penh for U-Tapao. (Telegram 575 from Beijing, April 1; *ibid.*, Central Foreign Policy Files) Lon Nol left Cambodia on April 1 and traveled to Indonesia and then to the United States.

Mr. Habib: We have no assessment.

Secretary Kissinger: Did you order Graham Martin to send us an assessment?

Mr. Habib: We sent a cable³ immediately yesterday. He telephoned Larry this morning.

Mr. Eagleburger: He said he would get it in this morning.⁴

Mr. Habib: And he asked what this was all about.

Secretary Kissinger: I know it is sort of unreasonable, when a country is collapsing, to ask the Ambassador what is going on.

Mr. Habib: We are going to have a little difficulty because the press is beginning to write that the Embassy is not reporting and young officers are beginning to complain that they are not permitted to send forward reports of the situation.

Secretary Kissinger: What does Graham Martin think he is doing?

Mr. Eagleburger: The call this morning was "Why do you need an assessment? I don't want to undercut the General's report."⁵ And I said that is not what it is intended for. "The Secretary would like to know what the hell is going on, and all we have are newspaper reports."

Secretary Kissinger: And I would like to get the political judgment, too.

Mr. Habib: That is a very difficult situation. We have been getting some CIA reports, which are quite good, I think. I am in touch with Colby and Knowles, and they did a separate little political analysis.

Secretary Kissinger: On whose side is Colby in this?

Mr. Habib: I don't know what you mean by "whose side." I think Colby is one of those who is tremendously disappointed at what he sees happening. I don't think he anticipated that the ARVN would cave the way it did.

Secretary Kissinger: And before nothing. That is what I don't understand. There hasn't been one battle yet.

Mr. Habib: You know, I am not much of a reader of history, as some of the people in this room are. But my experience—

Secretary Kissinger: In the record, put down "Sarcasm" in parentheses. (Laughter)

³ In telegram 73051 to Saigon, April 1, Kissinger requested Embassy input on evacuation planning and Martin's assessment on the situation in Vietnam. (Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Vietnam, State Department Telegrams, From SECSTATE, Nodis (2))

⁴ Document 204.

⁵ See Document 208.

Mr. Habib: I was terrorized and wanted to keep quiet—but once you get me started, we can go all day.

The military rout that occurred is a combination of the standard military rout, plus the peculiarities of the situation in Vietnam, which a lot of people do not understand. For example, a First Division soldier has his family right behind him. The Third Division soldier, in Hue, he had his family in Da Nang. So that these fellows fight, but when the thing gets to a certain point, they begin to *saue qui peut*, and *saue qui peut* has now gone on for two weeks, from Quang Tri to Na Trang.

Secretary Kissinger: Yes. But why didn't they fight for a day at Na Trang?

Mr. Habib: They did. As a matter of fact, the 22nd Division, which is a good division, was cut to ribbons north of Qui Nhon, and the First Airborne Brigade west of Na Trang in the past protected the city, and was overrun by an overwhelming force. There is no question that those two outfits fought. In fact, the 22nd Division began to get attacks from its rear from the RF and PF. That is the report. I don't know. Whether it is accurate or not, we have no real way of knowing.

You have a deteriorating situation in which you not only have a deteriorating situation militarily, but you obviously have one politically.

Now, the generals are beginning to move against Thieu.

Secretary Kissinger: That is clear. But is there any possibility of stabilizing the situation?

Mr. Habib: A possibility, yes.

Secretary Kissinger: I mean why should they be able to stabilize it when—you know, I can understand—

Mr. Habib: The approaches to Saigon are defensible. They have forces in being. They have one force which has fought well over in the—

Secretary Kissinger: Which is that?

Mr. Habib: That is the 25th, which was never one of their best divisions, but it has fought well.

Secretary Kissinger: It must be trapped.

Mr. Habib: You have the Airborne Division.

Secretary Kissinger: The worst mistake the North Vietnamese made in the '72 offensive was to trap that division in An Loc. If they had left a way out, it would have bugged right out.

Mr. Habib: Now, I don't think there is going to be much time to decide. The political situation is moving very quickly. There is a report this morning that the cabinet has submitted its resignation. That will not satisfy critics of Thieu. The critics of Thieu are saying that he has to go because of what he has done. Who would take his place—that is probably the one thing that is holding up his departure as of now. My

guess is that with the generals moving against him, that his days are numbered, and that what will probably take his place will be the sort of collegiate generals leadership that existed in '65, '66, '67, before the elections, where you had a sort of—

Secretary Kissinger: Which was a disaster.

Mr. Habib: It wasn't a disaster. You will recall that this group restructured Vietnam under Ky's Prime Ministership, and Thieu's leadership. Thieu was the head of government and Ky was the Prime Minister. But they were responsible to the generals as a board of directors—all the corps commanders, all the division commanders and other commanders.

In the present circumstances, I am not saying that that would work. But I am saying that looks to me as a possibility. That is one possibility.

Now, with a guy like Truong, on the other hand, who is very angry with Thieu for doing what he did to him up in I Corps—if he could be persuaded to politicize himself—

Secretary Kissinger: Just for my own education, do you think if they had not been ordered to retreat they would have fought where they were?

Mr. Habib: Yes. They were in position. And they are used to fighting that way. And they would have fought. Some of them would have been cut up. But they would certainly have saved a lot of time, if nothing else.

Mr. Hyland: They probably would have saved Hue.

Mr. Habib: They would have saved a lot of refugees. That could have been more orderly.

Mr. Hyland: We got a good analysis last night from the Agency as to what happened in the northern provinces.

Secretary Kissinger: I have seen it. I have not read it yet. What's the point?

Mr. Hyland: Well, they focus on the decision by Thieu to withdraw this division, in which he did not consult the General Staff or the Commander.

Secretary Kissinger: You mean the Airborne Division?

Mr. Hyland: The Airborne Division—it was vital to the defense of Quang Tri and Hue. Once that was started, everything had to be reorganized. And the Commanding General up there was told by Thieu to only defend Da Nang. So he made all his plans on the basis of falling back to Da Nang, bringing up divisions from Quang Ngai. And then the order was reversed, and he was told to turn around and defend Hue. He told Thieu it was impossible to turn these troops around without losing control. And Thieu said "I don't care. I want you to defend

Hue.” So he turned them around, and of course they lost control of them, and they got chopped up. And then what happened thereafter was almost inevitable.

I think it is a very good analysis, and pins it down fairly well.

Secretary Kissinger: But basically you think in MR-1, if they had just sat where they were—

Mr. Hyland: If they had kept the Airborne Division there, they would at least have been able to put up an orderly defense. They might have lost in the face of overwhelming forces. But it would not have been a rout. And once the rout started in Hue and Da Nang, then the rest of the coastal area, it was inevitable.

What is happening this week is not a fantastic surprise. No one expected that five battalions would be able to defend Na Trang against—

Secretary Kissinger: If they had fought, the North Vietnamese would have suffered enough casualties not to be able to pursue with all that rapidity.

Mr. Hyland: Of course. And the North Vietnamese might not have pursued at all. I am not even sure the North Vietnamese had any notion they would be able to take Quang Ngai, Na Trang, Qui Nhon.

Secretary Kissinger: Certainly not.

Mr. Hyland: In fact, when they pulled out of Pleiku, it took quite a while for the North Vietnamese to realize what was happening. And they didn’t catch them for several days. They did not catch the rear of the column for several days.

Secretary Kissinger: But that might have been a good move, if they could have gotten them out of there.

Mr. Hyland: If they had more aircraft and a little more planning, they might have gotten out in an orderly fashion there. But that is all over with now. I think the sense of panic and defeatism that is spreading in the country is the main problem.

Mr. Habib: Especially in Saigon. Saigon is an amazing city. As you know, it is fifty percent Chinese and fifty percent Vietnamese. And it is a rumor mill. And the VC know how to use that rumor mill. And now—

Secretary Kissinger: They don’t have to have a rumor mill. They just have to report—every refugee that comes in just has to report what he saw.

Mr. Habib: It even goes beyond that. The deliberate introduction of panic stories is obvious. The turn towards anti-Americanism is clear. There were a series of articles in the Saigon newspapers, respectable ones, in effect, strongly critical of the United States.

Secretary Kissinger: They are right.

Mr. Habib: The deterioration of government will lead to the deterioration of law and order, and you will get the kind of madness that grips people in those circumstances.

Secretary Kissinger: Bill.

Mr. Hyland: One of Thieu's problems is where to put all these refugees, because he's afraid if he puts them in any populated area the stories they spread and the atmosphere will be disastrous. He cannot put them in the Delta, and he cannot put them in Saigon, so he has them in the area of Cam Ranh Bay, which is now disintegrating.

Mr. Habib: He will have to get them out of Cam Ranh Bay. I think the North Vietnamese are going to go for the east. If they get to Vung Tau, then Saigon is in real trouble, because Vung Tau is the mouth of the river, and from the mouth of the river you can control the flow to Saigon, given the refugee situation and the supply situation.

Secretary Kissinger: If they get into Vung Tau, with what they can do from Cambodia and the Delta—it is just a question of whether they can do it before the rainy season.

Mr. Habib: I don't think under these circumstances the rainy season does any more than slow them. They are going down the roads. It is not like in the old days. They are already pressing against Quan Long, and that is only about forty miles from Saigon, up a paved highway.

Mr. Hyland: But they are also moving—one of the divisions, the Fifth Division, which is more or less scheduled for the Tay Ninh campaign—they are moving away from Tay Ninh and down towards Long Tanh—in coordination with the attacks that are going to start in the Delta during the next few days.

Mr. Habib: What they are expecting is what Thieu will do is take a division out of the Delta from the defense of Saigon. If he does that—

Secretary Kissinger: Look, we have gone through all of this. One division isn't going to do it.

Mr. Habib: Well, an integral division has great fire power, and it has got considerable ability to maneuver.

Secretary Kissinger: In 1972, when all of the troops in the north were fighting, and he moved a division up from the Delta, first of all the division he moved up from the Delta didn't do one lick worth of fighting, up in Third Corps. They turned out to be a disaster, for the reason you gave, because they were separated from their families. And what was described as a crack division in the Delta, you remember very well, turned into a disaster.

Secondly, without massive assistance in 1972, it would have cracked then. Let's not kid ourselves.

Mr. Habib: I didn't say it was going to be successful.

Secretary Kissinger: And this was at a time when they were facing about a third of the North Vietnamese Army, and when the North Vietnamese supplies got through only about a fourth of what they put into the pipeline, and it took them weeks to get it down there. I don't see how one division from the Delta is going to make one damned bit of difference.

Mr. Habib: My guess will be that will be nevertheless what he does, because he will have to do it.

Secretary Kissinger: Then the Delta will go to hell.

Mr. Habib: That is exactly my point. Ham Tan will not stand up if he weakens the divisional strength in the Delta.

Mr. Hyland: Someone should have advised him not to defend Na Trang and Qui Nhon.

Secretary Kissinger: The fact is we panicked the little guy. That is what started the whole thing. After that he acted like a maniac. Unless you think he deliberately committed suicide.

Mr. Habib: No. He made a strategic decision, and it was a tactical catastrophe. I keep looking at it that way.

Secretary Kissinger: Yes. But what made him make the strategic decision.

[Omitted here is discussion unrelated to Indochina.]

202. Minutes of Washington Special Actions Group Meeting¹

Washington, April 2, 1975, 10:43–11:28 a.m.

SUBJECT

Indochina

PARTICIPANTS

Chairman
Henry A. Kissinger

State
Robert Ingersoll
Philip Habib
Robert Miller
Carlyle Maw
DOD
James Schlesinger
William Clements
Robert Ellsworth
Morton Abramowitz

JCS
Lt. Gen. John W. Pauly

CIA
William Colby
NSC Staff
Lt. Gen. Brent Scowcroft
W.R. Smyser
William Stearman
David Ransom
James Barnum

SUMMARY OF CONCLUSIONS

It was agreed that:

—the evacuation of dependents of US personnel in South Vietnam and those US citizens who left the cities in the north will begin immediately;

—Embassy Saigon would prepare, by April 3, 1975, a detailed breakdown by categories and numbers of those Vietnamese the US should evacuate from South Vietnam. The breakdown is to be organized in order of priorities and should include recommendations regarding necessary arrangements with the GVN, transport, safehavens, and staging areas;

—Attempts would be made to stretch out the Cambodian airlift to April 17.

Secretary Kissinger: I'm going to have to get a new briefer. I don't like the briefings I've been getting lately.

Mr. Colby: (Began to brief from the attached text.)²

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 24, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Colby's briefing, "The Situation in Indochina," April 2, attached but not printed.

Secretary Kissinger: Are any South Vietnamese fighting?

Mr. Colby: Not many. There are a few units scattered around the country that are still putting up a fight, but not many.

Secretary Kissinger: Did any (South Vietnamese) fight at any point during this thing?

Mr. Colby: No, not really. It was the shock effect.

Secretary Schlesinger: There was very little resistance. In Tay Ninh Province there are still some pretty good fighters left. There are still some in the Delta too.

Secretary Kissinger: It seems to me that nobody in South Vietnam fought. It seems to me there was total collapse.

Mr. Colby: It was the psychology of the situation—the shock effect. The shock effect of collapse went ahead of the troops.

Secretary Schlesinger: There were some troops that stood their ground. The 22nd Division stood up moderately well. It was really rather hit and miss around the country. Some stood up, others didn't.

Secretary Kissinger: Of course, we'll never know what would have happened if they would have stood their ground.

Secretary Schlesinger: It was the shock effect of the swift withdrawal that led to the collapse of that house of cards. If they would have stayed their ground, perhaps they would have been able to hold on to Pleiku and Kontum Provinces. I don't know. I don't think, however, the situation would have been this bad had they stood their ground.

Mr. Colby: There were two main things that contributed to this situation: the pell-mell evacuation of Pleiku and Kontum Provinces, and the evacuation of Hue. (Continued to brief.)

Secretary Kissinger: Let me get a grasp on the situation. Is there anyplace—is there anywhere the South Vietnamese have a chance of establishing a line and of stopping the North Vietnamese?

Mr. Colby: Yes, north of Saigon here (pointing to a line on the map). Current plans call for bringing the remnants of the 2nd Division to here (pointing to map) and for establishing a line.

Secretary Schlesinger: That's hopeless!

Secretary Kissinger: My experience is that the South Vietnamese have not been good attackers in that area (north of Saigon).

Secretary Schlesinger: That whole effort is hopeless!

Mr. Colby: In addition, they are moving to bring some troops up from Bang Tau. It's the 18th Division, I believe.

Secretary Kissinger: Is that unit any good?

Secretary Schlesinger: No. In fact, it's the worst division of all. There's an airborne battalion from MR 1 that's not too bad.

Secretary Kissinger: As I recall, the 1st Division fought well in 1972.

Mr. Colby: Yes it did, and it fought well this time until the situation started to wobble. In addition, the South Vietnamese can call on (to defend Saigon) the 2nd Airborne Division now in the south, the 25th Division, which is not too bad, and three other divisions in the Delta. The question is, can Saigon afford to take these units out to help north of Saigon? I don't know. We've already had indications of increased activity in the Delta.

Secretary Kissinger: What do you think, is South Vietnam going to collapse before the beginning of the rainy season?

Secretary Schlesinger: Yes, I would give it 60 to 90 days at the outside. It could fall within 3 weeks.

Mr. Clements: I was talking to the Chiefs (Joint Chiefs of Staff) yesterday, and they pointed out that the rainy season will have no impact on the Delta. They were quite explicit about that. The rainy season affects fighting in the highlands, but not in the Delta.

Secretary Kissinger: Yeah, in 1972 they fought right into July.

Mr. Clements: Besides, they don't have any logistics problems bringing the stuff down from the north. There are hard-surface roads all over that area (around Saigon). It's just not the same situation.

Secretary Kissinger: Okay, we just have to be prepared for the collapse of the South within the next three months.

Secretary Schlesinger: I would say we should be prepared for collapse within three weeks. Smith (of DAO) says Saigon could fall in a matter of days. I think that's the worst-case situation. I would think that we have from three to four weeks. I wouldn't count on any more than 45 more days.

Secretary Kissinger: Are you all agreed on that? Bill?

Mr. Colby: Yes. It could come anytime.

Secretary Kissinger: Basically, then, nothing can be done.

Secretary Schlesinger: I can't think of anything. General Weyand (Army Chief of Staff), in my telephone conversations with him, is much more pessimistic than when he first got out there. He's quite grim about the situation. And, he's talking mostly to those who are optimistic.

Mr. Colby: I think there are only two possibilities left: some sort of temporary stability around Saigon, and total collapse within the next couple of weeks.

Secretary Kissinger: All of this was triggered by Thieu's strategy of withdrawal, right?

Secretary Schlesinger: Yes. There is one other aspect of the situation I would like to bring up. We have indications that the North Vietnamese 5th Division has been ordered to cut the roads south of Saigon

in the Delta area. What we will begin seeing is the break-up of the Delta region.

Mr. Colby: We also have indications that two more North Vietnamese Divisions being held in reserve are beginning to move south.

Secretary Kissinger: Well, let's go on to Cambodia. Bill would you like to brief?

Mr. Colby: (Briefed from the attached text.)

Secretary Schlesinger: Those 6,000 to 7,000 insurgents at Neak Luong will probably now move on toward Phnom Penh. It is our estimate that Cambodia has only eight to ten days left.

Secretary Kissinger: Phil (Habib) what do you think?

Mr. Habib: Ambassador Dean reports that the post-Lon Nol government's strategy now is to try to build up morale. They feel that their only hope is to make some sort of deal with the Communists. I don't think much of their chances.

Secretary Schlesinger: The airlift stops on April 12th. They don't have much time.

Secretary Kissinger: Why does the airlift stop on April 12th?

Secretary Schlesinger: We don't have anything more to give them after that. We're wiped out. They only have eight to ten days left.

Mr. Colby: I think that the impact of what the US says over the next few days will have a very serious effect in Cambodia.

Secretary Kissinger: Well, the President is going to make another speech next week—one final effort. There is just nothing that we can do. Are there any problems with extending the airlift?

Secretary Schlesinger: We can stretch it out.

Secretary Kissinger: To the 15th (of April)?

Secretary Schlesinger: Yes.

Mr. Stearman: We could stretch it out to the 17th.

Secretary Kissinger: Okay, I'll give Cambodia a week after that. Now, any evacuation problems? As you know, we have agreed to begin the evacuation of Phnom Penh. From everything I've seen, everything is in order. Is there anything more we can do?

Secretary Schlesinger: No. I think we should leave it to Ambassador Dean to decide on the timing of evacuating the rest. We should be down to about 100 persons before long.

Secretary Kissinger: We may have to go to (Operation) Eagle Pull if things get rushed.

Secretary Schlesinger: We're counting on Eagle Pull. There are some 500–600 Khmers we would like to get out.

Secretary Kissinger: Can't we get some of the Khmers out now? If we start taking them out now, there won't be such a rush at the end.

Secretary Schlesinger: Yes, we can do that.

Secretary Kissinger: How about the TV newsmen—third-country nationals working for the networks. I have a commitment to get them out.

Secretary Schlesinger: We can get them out.

Secretary Kissinger: Phil (Mr. Habib) call (Ted) Koppel (of NBC) and tell them to get the people they want out. Do it today. Tell him now is the time and that we can't guarantee their safety if they have to be evacuated at the last moment.

Secretary Schlesinger: We don't want any recurrence of the Danang fiasco.

Secretary Kissinger: I agree. Let's get the non-essential personnel out of there now. On Vietnam evacuation. I think (Ambassador) Martin should begin preparing a plan for evacuation.

Secretary Schlesinger: We should push him hard on that. We ought to clear out all non-essentials—and fast.

Secretary Kissinger: Okay, is anybody opposed to getting (US) dependents out?

All: No.

Secretary Schlesinger: Okay, we'll get to work on that.

Secretary Kissinger: I think we should do it like we did in Phnom Penh—let (Amb.) Graham Martin go to Thieu and tell him what we are doing, that is, evacuating all the people who got out of the north and all of the dependents.³

Mr. Habib: You're going to have third-country nationals . . .

Secretary Kissinger: We don't have to worry about them now. The best way to get started is to evacuate all those Americans who fled from the north—they are not useful in Saigon anyway—dependents, and transients. We can wait on the residents. Who are they, anyway?

Mr. Habib: Businessmen, people of US citizenship who live and work in Vietnam.

Secretary Kissinger: We have to be careful that our evacuation not trigger the collapse of the Thieu Government. I think there are good reasons for evacuating those from the north and the dependents. What is it, some 2,000 people? The Embassy should inform the residents that the situation is precarious and urge them to get out. Let's look at the situation in another 48 hours. In the meantime, get started.

Secretary Schlesinger: Technically, South Vietnam is a far worse situation than Phnom Penh . . .

Secretary Kissinger: Are there any Americans outside Saigon?

³ See Document 203.

Mr. Habib: Yes.

Secretary Kissinger: We should recommend to them that they pull back to Saigon. I would like to stage the withdrawals.

Mr. Habib: If the government collapses, we may not have the time. It could be very chaotic.

Secretary Kissinger: Do you have plans to get them out?

Mr. Habib: We will by the end of the day.

Secretary Kissinger: We have spent million of dollars over the past ten years so that the North Vietnamese could tear up South Vietnam. I think we owe—it's our duty—to get the people who believed in us out. Do we have a list of those South Vietnamese that we want to get out?

Mr. Habib: There is one, but it's limited.

Secretary Kissinger: Tell Graham Martin to give us a list of those South Vietnamese we need to get out of the country. Tell Graham that we must have the list by tomorrow (April 3, 1975).

Mr. Habib: The problem is that you have different categories of people. You have relatives of Americans, tens of thousands of people (Vietnamese) who worked for us . . . One thing I would recommend is that the Embassy destroy all personnel records when they leave.

Secretary Kissinger: The Communists will know who they are anyway. Let's get a look at the different categories of people who need to get out. There may be upwards of 10,000 people.

Mr. Habib: There are 93,000 already on the list.

Secretary Kissinger: Well, get that list. We'll try for as many as we can.

Mr. Stearman: It could reach a million people.

Secretary Kissinger: Well, that is one thing this Congress can't refuse—humanitarian aid to get people out.

Mr. Habib: It depends on the nature of the collapse.

Secretary Kissinger: Bill (Mr. Colby), we have to take out those people who participated in the Phoenix program.

Mr. Colby: Yes. We could talk about a negotiated release. (Negotiate with the North Vietnamese for people following a takeover).

Secretary Kissinger: Don't kid yourself. The North Vietnamese would never agree.

Mr. Habib: They did with the French in 1954.

Secretary Kissinger: They did with the French in 1954 because they were opposed by force. We have no cards to play. We have no leverage. We have nothing left. I guarantee you that we will get no cooperation whatsoever out of Le Duc Tho.

Mr. Stearman: One possible solution to the evacuation problem is to move some of the people to those two islands offshore.

Secretary Kissinger: Yes, that's a possibility. Let's get that list of people who have to get out and some ideas on where we should move them. We may have to ask Congress for military force to help rescue these people. I can't see how they could refuse.

Secretary Schlesinger: Yes, after a 45-day debate . . .

Mr. Colby: There is another issue I would like to bring up—the political situation in Saigon. We're getting rumors and rumbles about some move to oust Thieu. Some of these rumbles indicate a military move, some of them indicate a move from other quarters like the Buddhists and politicians. There's a possibility we could get some sort of coalition government—at least for a short period of time. Then, maybe we could bring that negotiated release into play.

Secretary Kissinger: My feeling is that North Vietnam wants a united Vietnam, not a coalition or provisional revolutionary government.

Mr. Colby: I agree, but there might be some type of political process . . .

Secretary Kissinger: Do you expect Thieu to be able to survive?

Mr. Colby: It will be very close. It depends on the shock wave . . .

Secretary Kissinger: It really doesn't make any difference whether Thieu survives or not. He'll be through in six months, anyway. Does anybody disagree?

Secretary Schlesinger: No.

Mr. Stearman: Ken Quinn says that there is a lot of sentiment to put General Truong in charge of the war.

Secretary Schlesinger: Aw, that's just imagery. He's a sick man.

Secretary Kissinger: Putting Truong in charge doesn't change the reality of the situation. Thieu's concept (withdrawal) wasn't wrong, the execution was bad. At least that's how I understand it. He tried to save \$75 million by rapid withdrawal, fight on a limited scale next year, and hope for more US aid in 1977. The trouble is, he never understood the problems of moving such a large body of troops with their families and everything.

Mr. Colby: The real question now is, do we try for a redoubt around Saigon or actively seek some sort of fig-leaf negotiations?

Secretary Kissinger: We can save nothing at this point.

Mr. Colby: Nothing but lives.

Secretary Kissinger: How?

Mr. Colby: Talk to the North Vietnamese. Offer up Thieu for a negotiated release of people.

Secretary Kissinger: The withdrawal of Thieu at this point is the same as that of Lon Nol. They will just put the next guy up. They will

just ask for the head of Thieu's successor. It's a question of compounding the disaster. If we pull the plug on Thieu and offer up Truong, they will just scream for his head.

Mr. Stearman: They want in on the action in Saigon.

Secretary Kissinger: They are going to get it anyway.

Mr. Colby: That's my point—a figleaf . . .

Secretary Kissinger: We are not going to be involved in any negotiations between North and South Vietnam. We are going to let the North and the South work it out—alone. The US will not negotiate South Vietnam's surrender as long as I am in this chair. I do not want any further discussion of that. We have an international position to maintain and I don't want it damaged by our negotiating South Vietnam's surrender. There is nothing that the US can gain by that. There is nothing that we can contribute. I've negotiated with these guys for four years. We got out, now let the situation be settled locally.

Now, we need to identify those who need to get out. And, I don't exclude asking other countries to help us out. After we identify those who need to get out, we will want to move fast. I'm open to the question of asking the Soviets and Chinese to help us get them out.

Mr. Habib: We could have a wider appeal—to UN Secretary General Waldheim, for example.

Secretary Schlesinger: A lot of good he will do.

Secretary Kissinger: It's all charades.

Mr. Clements: There is one thing I would like to bring up, Henry. What do we do about deliveries of military hardware over the short term?

Secretary Kissinger: Are we continuing to deliver hardware?

Secretary Schlesinger: Yes, there is some in the pipeline.

Secretary Kissinger: We should continue it.

Mr. Stearman: Graham Martin is going to come in with a shopping list. It could reach \$700 million.

Secretary Kissinger: I think we should go to Congress with a humanitarian list and a modified military list. Something for a six-month period.

Mr. Clements: That could be several hundred million dollars.

Secretary Kissinger: We should first ask for substantial humanitarian aid and a modified military program. The US cannot afford the spectacle of cutting off aid at this point. I think we should ask for the \$300 million supplemental and additional humanitarian aid.

Secretary Schlesinger: Congress will cut it back, anyway.

Mr. Stearman: Do you want to gin-up a public affairs program?

Secretary Kissinger: Not until the President makes up his mind what he wants to do. What do you mean public affairs campaign?

Mr. Stearman: Get everybody on board—coordinate a public position and an interpretation of events there.

Secretary Kissinger: Jim (Secretary Schlesinger), what do you think?

Secretary Schlesinger: I think it's alright, but it has to be done with some discretion.

Secretary Kissinger: Okay, thank you.

203. Telegram From the Department of State to the Embassy in Vietnam¹

Washington, April 2, 1975, 2321Z.

74933. Subject: Additional Assistance; Limited Evacuation. For the Ambassador from the Secretary. Ref: State 73051.²

1. You should inform President Thieu immediately that the President intends to make a major public effort to get additional assistance for Viet-Nam following General Weyand's assessment at the end of this week. In a speech, probably on April 10, the President will urge the Congress to act favorably on additional assistance for Viet-Nam within two weeks.

2. At the same time, you should tell Thieu that under present circumstances you believe it is prudent to begin to reduce the number of Americans in South Viet-Nam, at least temporarily. You should indicate that over the next few days you will be arranging for the departure of all dependents of official Americans as well as all official Americans who have already been evacuated from MRs I and II and who no longer have any function to perform in the country. You should stress to Thieu that the U.S. Mission will continue to function normally and that your efforts are simply designed to thin out the number of Americans in SVN to those fulfilling essential functions.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, From SECSTATE, Nodis (2). Secret; Niact; Immediate; Nodis; Cherokee. Drafted by Miller, EA; approved by Kissinger, Habib, Smyser, and Abramowitz.

² See footnote 3, Document 201.

3. Immediately following this you are to arrange for the departure from South Viet-Nam over the next few days of all remaining dependents of official Americans, including to the extent possible dependents of contractor personnel, and all official Americans who have been withdrawn from MR I and MR II. Although we recognize that these moves will inevitably become known and will create a certain amount of speculation, you should carry them out in a way best designed to minimize any adverse impact on the South Vietnamese. You should use commercial aircraft where possible for these departures as well as available military transport as necessary. If transportation is a problem, let us know as soon as possible.

4. You should suggest to non-official Americans that they consider sending out of South Viet-Nam their dependents and that less essential personnel should also leave.

5. Finally, I would like your early recommendations as to whether you should bring all or most Americans into Saigon from remaining field posts at this time in view of the situation.

Kissinger

204. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, April 3, 1975, 0258Z.

4109. Subject: E and E Planning. Ref: State 073051.²

1. The crux of our dilemma is the necessity to preserve the knife-edge balance between need to reconcile the need of moving ahead to reduce residual E&E problems to a minimum with the necessity to avoid any action which would set off or significantly contribute to a panic situation endangering American lives which would not only complicate our E&E problem but could have wider repercussions on the overall political-military situation. This having been said, the comments below address the questions raised in reftel:

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, To SECSTATE, Nodis (3). Secret; Niact; Immediate; Nodis.

² See footnote 3, Document 201.

2. A number of employees in all elements of the Mission have already applied to have their dependents proceed to safehaven and their orders are being issued as rapidly as possible. As this process continues we expect that others will voluntarily follow suit in the next few days. In addition we will be moving ahead with travel orders for employees from ConGens Danang and Nha Trang with a few exceptions of people who will be needed here. The latter step is entirely logical and can be readily explained. DAO is conducting a RIF in order to save DAV funds for military supplies. A number of American business enterprises in the country have already decided to begin departure of dependents and at least some of their non-Vietnamese staff. The combined effect of these actions is expected to reduce the US population in Vietnam from the current total of about 5,800 including all categories—governmental, private and dependents. We will have to determine on a day by day basis what additional steps to take. Embassy is in touch with PAA with view of increasing scheduled PAA flights. (Non-US diplomatic population in Saigon including dependents is less than 1,000 and some Missions are now reducing their numbers.)

3. We will have no Americans remaining in MR-2 within a day or two except, of course, the nine Americans missing in Ban Me Thuot. We are in process of thinning out in MR-3 and MR-4.

4. Para 1C of reftel raises issues of monumental proportions, which must be faced squarely. There are more than 17,000 locally hired Vietnamese employees in various categories (direct hire, contract, [garble]—with an average family size of 8 persons. We are talking about 136,000 people in this category alone. (These figures include local employees in MR-1 and MR-2, some of whom reached Saigon.) Assuming, conservatively, that about 50 percent would opt to leave Vietnam we are talking about 60–70,000 people. There could well be more. In addition, there are at least 1,000 Vietnamese who are close relatives of US citizens. Finally, there are an estimated 1,500 TCNs employed by the US Government and US media which have to be taken into account. A rough estimate of those “close relatives of US citizens, ranking GVN officials and their families, etc.” would exceed ten thousand. For planning purposes, we should use the figure of 100,000 for whose safety the USG will have a definite [garble—moral?] responsibility.

5. It is obvious that these numbers in the aggregate pose major practical problems of moving such large number of Vietnamese nationals and the problem of where these people are to go. If we are to emerge with the slightest vestige of honor, given the history of American involvement in Vietnam, the only right thing to do must be to move these people to the US and resolve any legal problem by special legislation later. The USG certainly has the capability to solve the practical problems.

6. At this moment we have in the area substantial seaborne transportation assets in form of the ships now being used in the refugee evacuation, including the 4 US naval ships now available. The carrier *Hancock* and accompanying ships are on the way and we understand are due to arrive about April 8. In an emergency situation under adverse circumstances we may, however, have considerable difficulty getting people to these ships. Consequently, our emergency planning continues to emphasize air evacuation from Tan Son Nhut. We could have a serious problem, however, in securing Tan San Nhut Airfield and access to it. We are in urgent communications with CINCPAC now to develop plans to insert on short notice a force to secure the airfield. We need to develop all plans on an urgent basis and while doing so should have available close by all possible military assets to provide flexibility which is absolutely essential in a possible situation the specific features of which are very difficult to define with any precision in advance.

Martin

205. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Saigon, April 4, 1975, 1220Z.

683. I will be grateful if you will give the following to the Secretary ASAP:

Personal and absolutely eyes only for Secretary Kissinger.

1. To emphasize the gravity of the point I am making, I am quoting an extract from a conversation yesterday between one of Tom Polgar's boys and Major General Loan, former Saigon Chief of Police (you may recall famous picture of him shooting captured VC) who is a close associate of Ky.

Begin quote: Loan warned that it would not be possible for the Americans to bug out leaving the Vietnamese to fend for themselves. In the event of an effort to evacuate Americans, he said he was sure that the Vietnamese Marines and other troops guarding Tan Son Nhut

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing (1). Secret; Immediate. Sent with the instruction: "Deliver immediately."

would prevent American planes from landing or taking off. Loan said that he had heard rumors that a division of American Marines would be sent here to help evacuate the Americans. This, he said, would not help—they would have more angry Vietnamese than they could handle. The only evacuation of Americans that could take place, according to Loan, would be in connection with the evacuation of all the Vietnamese who wanted to leave such as was done in the evacuation of North Viet-Nam. Loan volunteered the above—his opinion was not solicited. He seemed very serious with this warning and one had the impression he personally would support a policy of preventing the departure of the Americans unless it included provisions for evacuating all the Vietnamese who wanted to go as well. *End quote.*

2. The point is that the WSAG decision recorded in paras 2 and 3 of State 074933 slugged “For the Ambassador from the Secretary”² conveying “decision” that we immediately evacuate all dependents—a decision taken without prior consultation with me—is the kind of action that can result in the wholly needless death of a lot of Americans, plunge this city into total chaos and irretrievably throw away any chance we may have of salvaging anything at all of American policy interests in this area.

3. Weyand and his party, as well as every senior member of my staff, were appalled. In my message to you yesterday I asked that you see to it that some safety device be put on the “panic button.”³

4. There is a great compulsion these days to yield to the syndrome “don’t just sit there, do something,” but if there was ever a time for coolness and dispassionate judgment, there is a premium for it now. Therefore, it would be a great step forward if you would instruct my friend, Habib, to cool it a bit, to not react to panic pressures such as those from the voluntary agencies, and to couch communications to us in terms of a contingent authority which permits me to use my judgment on tactics and timing.

5. Another example, in addition to the dependent’s evacuation message, but far less serious, was Gayler’s message to JCS bringing up again question of continuing Hanoi liaison flights.⁴ JCS replied that State taking action to “terminate” flight and State informs CINCPAC and Saigon that “in response to query from DOD, we have agreed that Hanoi liaison flights should be quietly suspended.”⁵

² Document 203.

³ Not further identified.

⁴ Not further identified.

⁵ Telegram 75291 to CINCPAC, April 3; National Archives, RG 59, Central Foreign Policy Files.

6. If queried, before snap decision made, we could have informed State that GVN would have preferred to have kept this contingency open for possible usefulness if and when current situation can be moved to negotiation stage. This arbitrary action removes that contingency but, aside from satisfying Gayler's long standing desire to eliminate it, and Habib's compulsion to be "decisive," it has made no other contribution to U.S. policy interests. We have "quietly" suspended this week's flight and informed both the GVN and DRV the suspension was for "mechanical difficulties." I would appreciate your having the decision to suspend the Hanoi flights revoked and let us decide whether we resume, as U.S. interests seem to dictate. I would intend to keep it suspended for "mechanical reasons" for the time being.

7. In short, you either have confidence that my judgment on the scene is quite likely to be better than that of Habib and Ingersoll in Washington or you ought to recommend to the President that he put one of them out here and relieve me. In that case, perhaps I can make an even greater contribution by speaking out with complete candor on how we got in this current situation.

8. I think a great deal of the current situation can be retrieved and the situation stabilized. I am now engaged in a round of discussions with the Prime Minister, General Vien and the President. I have just seen Air Marshal Ky and obtained his undertaking to use his full influence to avoid the situation where Vietnamese will be fighting Vietnamese until I can carry on a series of talks with the political leaders. I plan to see the President again late this evening. Now that Weyand has departed I can move. Full report will follow this channel soonest.⁶ If you and the President wish me to continue, I shall continue to use my judgment on the scene on those quickly evolving matters which can only be decided here in the light of the actual realities on the ground, and I will be grateful if you so instruct Habib.

9. Both Weyand and David Kennerly can give you and the President a more intimate flavor of the actual realities here.

10. Warmest regards.

Martin

⁶ Martin's report is in backchannel message 684 from Saigon, April 4; Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (1).

206. Telegram From the Department of State to the Embassy in Vietnam¹

Washington, April 5, 1975, 0132Z.

77668. Subject: Evacuation. Eyes only for the Ambassador from the Secretary.

1. I am not at all pleased with the way we are approaching the difficult question of Viet-Nam evacuation. If we lose our composure—be it in Washington or wherever—we will lose much more as well—lives, national dignity and a common sense of confidence that we can manage whatever crises the future may hold. Everyone is under stress. But this need not lead to the disintegration of discipline and clear-headedness that I believe is engulfing us.

2. I have therefore established the following procedures for dealing with the question of evacuation:

(A) Any orders you receive will come from either me or Brent Scowcroft, and will be so identified.

(B) You are to be informed in advance of steps being contemplated in Washington. You should comment without delay once you have received advance warning that certain measures may be under consideration. To the extent possible, I will make no decisions in the absence of your views.

(C) Once orders have been issued by me you may appeal those instructions to me through Scowcroft before execution. If your appeal fails, you should execute the orders without complaint and without deviation unless extraordinary circumstances on the ground so dictate.

(D) The comprehensive plan for evacuation that I have asked you to submit urgently will serve as the basis of our overall plan and will proceed as outlined by you unless superseded in part or in whole by instructions from me.

Ingersoll

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, From SECSTATE, Nodis (2). Secret; Immediate; Nodis; Cherokee. Drafted by Eagleburger.

207. Telegram From the Station in Saigon to the Central Intelligence Agency¹

Saigon, April 5, 1975, 0530Z.

3852. Ref: Headquarters 4548.² Mr. Colby from COS.

1. Agree one hundred percent with your views in ref.

2. It has of course been constant Station and Embassy policy to make explicitly clear to all concerned that the United States and the Central Intelligence Agency in particular will not support any coup or other unconstitutional act against the Government of the Republic of Vietnam. We have also stated specifically to several potential coup planners, including Nguyen Cao Ky, that any attempt to remove Thieu along the lines of the 1963 experience would be just about the surest way to guarantee a complete and immediate end to American support and that a coup would result in military dissension and chaos as well as fatal weakening of any prospects of effective resistance against the Communists.

3. Actually, Nguyen Cao Ky for example has been making all the right noises. He has stated publicly and privately that he has no intention of mounting or participating in any coup. While he has held meetings (reported by Station) where legal moves to push Thieu from office were considered, he has informed the Prime Minister, the Chairman of the Joint General Staff and others of his activities. We sense a consensus in the higher levels of the Army against any coup attempts, and while there is a continuing and growing momentum in favor of new leadership there also seems to be general agreement that the change should be accomplished within the constitutional framework.

¹ Source: Central Intelligence Agency, Executive Registry Subject Files, Job 80–M01066A. Secret; Priority; Restricted Handling.

² Telegram 4548 from Headquarters, April 14, stated that “psychological pressures and even chaos could result in violence against President Thieu. With Diem precedent and current allegations against our agency, it would be both institutional and national disaster if there was any remote connection between us and such an event.” (Ibid.)

208. Memorandum From Clinton Granger of the National Security Council Staff to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Washington, April 5, 1975.

SUBJECT

Report on Vietnam

General Weyand has completed his tour of Vietnam, and his assessment for the President, in draft, is attached.² The final report was completed, but General Weyand declined to release it except to the President, although a copy has been delivered to Secretary Schlesinger—and could be available from General Wickham. Little change is anticipated from the draft to the final. The report to the President is objective, and reflects his considered judgment. I agree with his analysis, and assisted in some detail in the preparation of the report.

However, supplementing the formal report, General Weyand will make verbal comments to the President which will amplify some of the more generalized points in his reports. He has expressed concern over the political viability of President Thieu, and over capabilities of several of the senior generals in the Vietnamese Army; he will bring these points out to the President.

In addition, he will probably pass on some impressions similar to mine, which follow. The written report, as well as other reports being rendered by Ambassador Martin, reflect the necessity which both feel to seek a positive solution to an almost impossible problem. In my judgment, both General Weyand and Ambassador Martin may feel constrained to maintain the “can-do” American attitude in the face of adversity; my comments provide a more pessimistic balance.

The principal question is whether the GVN can survive in the short term. Without substantial assistance from the United States, I do not

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 19, Vietnam (14). Top Secret. Sent for information. Scowcroft wrote on the top of the first page: “Thanks, BS.”

² Weyand's draft report, “Military Situation in the Republic of Vietnam,” March 28, is not attached. The final report, “Report to the President of the United States on the Situation in South Vietnam,” with covering memorandum, April 4, is *ibid.*, Vietnam (13). Weyand wrote in his covering memorandum to the President that the “GVN is on the brink of a total military defeat,” but that with U.S. support the South Vietnamese could mount a defense. He recommended that an “additional \$722 million is urgently needed to bring the South Vietnamese to a minimal defense posture to meet the Soviet and PRC supported invasion.” He also urged that the United States begin planning for a “mass evacuation” of U.S. citizens and Vietnamese.

think the GVN will survive until the end of April. With a rapid replacement of key weapons by the United States, the situation could be sustained until mid to late May. This is, of course, under the assumption that the North Vietnamese will use their opportunities, and pursue their current military operations while they enjoy a very decided advantage. The intelligence at the time this was drafted—and it is a very fast moving situation—indicates that the NVA is rapidly shifting military assets south to maintain the initiative.

In gross terms, the GVN had 13 divisions before the NVA offensive. They now have only 6 divisions, plus fragments that have been withdrawn South from the northern provinces. The six are disposed with three in Military Region (MR) III, on the main approaches to Saigon, and three in MR IV defending the Delta. Against this the North Vietnamese have 11+ divisions in the northern provinces and as strategic reserve, and an additional eight in the south, for a total of 19. Again in gross terms, the ratio of combat forces is about 3:1 against the South Vietnamese.

The NVA have in excess of 600 Soviet or Chinese-provided tanks; the ARVN have only a little over a hundred left in their entire inventory. The NVA maneuver battalions (armor and infantry) are supported by adequate artillery, and have demonstrated ability to use their forces in conventional warfare in a highly professional manner. They have more than adequate ammunition stocks to support continued offensive action to a final conclusion.

The NVA remain highly disciplined in their operations, in spite of the relatively short training period of some of their replacements. Their command and control is excellent, permitting them to use their forces effectively in offensive operations.

The ARVN divisions in MR III and IV are intact, discipline is reasonably sound, but morale has suffered seriously from the unprecedented disasters in the north. They have been, and remain defensive minded, and with each NVA success their stamina for sustained operations will continue to shrink. Morale has been deteriorating at a rapid rate in the last week.

The NVA are operating as military units, with their families in North Vietnam. In contrast, the ARVN are concerned about the future of their families, and when fighting in areas where the families are located may be expected to place greater emphasis on family responsibility over responsibilities to a Government which may not be able to protect those families. I believe this one factor, more than any other, explains the rout in MR I and II. The NVA have a winner outlook, while the ARVN have a defeatist philosophy.

With this as a general background, I do not think that the ARVN will be able to sustain a defense of the remaining half of South Vietnam—unless the North Vietnamese do not press their advantage,

and permit the GVN time to rebuild their army. The probability of this is very low, since intelligence indicates that the NVA are moving to exploit success.

Given time to rebuild their forces, as outlined in General Weyand's report, and with equipment and supplies provided by a supplemental bill for \$722 million in FY 1975, the GVN would probably be able to defend the reduced land areas, especially considering the reduced lines of communication and the advantages of interior lines in a conventional war. This would require doubling their assets in a relatively short period. It is highly improbable that the NVA will pause in their current operations long enough for this reorganization and rebuilding of ARVN to be accomplished. It is more reasonable to assume that the North Vietnamese will use their total assets apparently having suffered little damage in their conquest of MR I and MR II—to maintain their initiative, and to seek a rapid military solution.

I have talked at some length with Lieutenant General Toan, the ARVN commander in MR III (based on having operated as a team when he was commanding the 2d ARVN Division in 1967. We exchanged views as old soldiers, having shared experiences in fighting a common enemy in the past). This is the man who will be charged with fighting the decisive battles in MR III, and his views would appear to be key in any judgment, and are indeed key to my opinions expressed in this paper.

—In response to questions on what he envisioned as the immediate future, General Toan briefed me on his intelligence, his dispositions, and indicated that his plans were to defend in place with his forces disposed as they now are. I asked if he had considered withdrawal of the 25th ARVN Division from the Tay Ninh area, or the 18th from the northeast approaches to Binh Hoa–Long Binh–Saigon, and what his plans might be. He said there were no plans for withdrawal, and reiterated his intent to fight in place “to the last drop of blood and the last bullet.”

—I asked his views on his capability to cope with the threat developing from the north. He indicated that his forces can handle the existing enemy in MR III, and could probably cope with an additional NVA division as well. However, he pointed out that more than one more NVA division would pose “serious problems.”

—In response to my question on what he considered the most serious aspect of the enemy threat, he cited the combined arms teams of armor, artillery and infantry. The enemy capability to use his artillery effectively has caused major problems, but General Toan saw the prime threat as the NVA armor. He desires additional tanks to counter this threat, but we did not discuss the effectiveness of TOW anti-tank missiles mounted on M113 armored personnel carriers as an alternative.

(I later determined independently that the ARVN have sufficient TOW launchers and M113 carriers to use the two together as an effective military tool, and that they had developed local adaptations to mount TOW on the carrier. However, the carriers and TOW are scattered through ARVN units, and the probability of a withdrawal and refitting is low.)

—He indicated that he needed additional tactical mobility, and wished for additional helicopters. However, while helicopters would be useful, the comment may well have been spurred by our associations in 1967, when I supplied helicopter airlift and gunship cover to his 2d ARVN Division.

—I talked about the problems created in the northern provinces by the presence of families of military personnel near the tactical positions of the GVN forces, and asked if he had any plans to withdraw the families in the more exposed positions to Saigon. He said he had no such plans, and that there was not really any place that they could withdraw to—and that the families would stand on position with his soldiers. While not very realistic, this probably indicates the mental attitude which will be evident when the pressure increases.

—In response to questions on the effectiveness of the South Vietnamese Air Force, General Toan had no kind words, indicating that the Air Force was ineffective, would not press in on targets in support of the ground forces in the face of enemy air defenses; dropped their bombs from extremely high altitude, and had even bombed General Toan's own troops recently.

—Discussions on the political scene and higher headquarters were very limited—General Toan did not want to discuss his views, but expressed himself in a few short profane terms.

We then discussed the probable scenario for future events in MR III. Our views coincided: expecting a major effort to isolate Tay Ninh and the 25th ARVN Division as a prime effort, with a large secondary attack toward the Bien Hoa–Long Binh–Saigon complex from the northeast.

This would probably lead to a rapidly disintegrating tactical situation throughout MR III, and could trigger a GVN effort to shift a division north from the Delta. However, one division would not have the added capability to lend real stability, and the vacuum in the Delta would cause a more rapid collapse there.

Saigon will probably become a city under siege at a very early point in time—possibly the last week in April.

One event which could alter the situation in all of the remaining South Vietnamese forces would be the replacement of President Thieu. There is a vast bitterness against Thieu for the reverses in the northern

provinces. Correctly or not, Thieu is being blamed for the military disasters in MR I and II.

My pessimistic view is that there is little the United States can do to alter the course of future events in South Vietnam, short of reintroduction of U. S. airpower in considerable quantity—and even that probably would not turn the tide on the ground.

At the same time, the U.S. has both a moral and pragmatic interest in making a maximum effort to salvage the situation in Vietnam. Our credibility as an ally will be measured by our efforts in the next weeks and, hopefully, months. While the probability of success may be low, it is essential that the U.S. project a clear picture of determination to assist the South Vietnamese. This will insure that the GVN has some marginal chance of survival, and will, more importantly, protect U.S. credibility worldwide.

In a practical sense, while we may speak of plans extending over a period of several years, we can accept almost any kind of a Congressional funding accommodation which will give us a high surge now. Without rapid funding in the short term there is zero probability of a long term future, and even with a large appropriation, the probability of having a problem to be concerned about by the beginning of FY 1976 may be only academic.

Finally, the evacuation of refugees could easily grow to a matter of millions of people. This is being addressed separately.

At Tab A is a draft of General Weyand's report.

209. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Saigon, April 7, 1975, 1450Z.

686. Ref: WH50640.²

1. Before proceeding to the questions, a few general observations might be useful. I have read all the analyses that have been made available to Saigon, the last being the joint DIA/CIA/INR paper on the military situation concluding that it is no longer a question whether Hanoi will win but only when.³ Unfortunately, I have a long memory. When I arrived in Saigon in July 1973, it was the unanimous opinion of the military intelligence briefers that (1) Phnom Penh would collapse on 16 August, the day American bombing would cease, and (2) that the RVNAF, now that the Americans had pulled out and no more bombing could be done by the Americans, would do well to last until the first of the year. The FANK not only did not fold, it took Kompong Tom back without American air. In Viet-Nam, there can be no question that through last June (1974) when the ammunition shortage really took effect, the military initiative was in the hands of the RVNAF and the Hanoi forces were hurting.

2. Therefore, I back off from that assessment, remembering that the intelligence community's greatest fear is that it will have been caught short in failing to predict a disaster. Looking at it, dispassionately and objectively, the military situation doesn't come over to me quite that bleakly. This is not to say it isn't grim, I know very well it is—but not that hopeless. Pure counting of divisions, in other words, theoretical enemy capability—3 to 1 in the Weyand report—does not give the whole picture.

3. For example, the Marine Division has now been reconstituted and is ready for action. The Second Division as a strength of 10,000 will

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (1). Secret; Immediate. Sent with the instruction: "Deliver immediately."

² In backchannel message WH50640, April 6, Scowcroft asked Martin for an assessment of U.S. strategy in Vietnam before the NSC convened on April 9. Scowcroft also posed specific questions to the Ambassador on status of the evacuation. (Ibid., Outgoing, 1)

³ The collaborative DIA, CIA, INR report, "Assessment of the Military Situation and Prospects for South Vietnam," April 4, concluded: "Taking all factors into account, the only question over the defeat of the Republic of Vietnam is timing—whether it will collapse or be militarily overwhelmed in a period of weeks or months." (Central Intelligence Agency, NIC Files, Job 79–R01142A) The CIA transmitted the report to Saigon on April 4. (Ibid., Job 80–R01720R)

be fully effective in one month. The 22nd Division, with the best staff and best commander, is adding to its 2,000, an element of 300 from the 3rd Division, 400 from the First Division, 6,000 fillers, and a RF force from Saigon in two weeks, and will be fully ready for field action in four weeks.

4. Even more importantly, General Toan and General Nghi, who has taken over remnants of II Corps, have quietly lifted the Airborne Division into Phan Rang by night, and I think we will see some very hard fighting during the course of the week. With the virtual cascade of leaks out of Washington these days we are not going to be as well informed about GVN aggressive moves as formerly, but perhaps we will have a clearly successful aggressive action for the President to cite in his speech. Also progress is being made in plans to upgrade the territorial forces into the regular ARVN structure. Even more importantly, significant progress is being made in preparing plans for Thieu to completely delegate operational responsibility to General Vien as General Weyand recommended.

5. All this leads me to concur in General Weyand's statement that the GVN should be able to hold the situation in MR 3 about as it stood on 3 April, with perhaps some recovery in MR II. We also believe the Delta will hold well for the immediate future.

6. Since Weyand's departure, we have had a lessening of tension and an increase of morale. Thieu's speech⁴ did contribute to a diminution of the wild rumors that infect Saigon, which are picked up by American press, spark a flood of background dope stories from Washington, which tend to heighten concern here, and cause us to spend too much time putting the rumors to bed again. For example, stories giving the essence of the hopeless prognosis of the DIA/CIA/INR military analysis were on the wires within 48 hours of the study's availability to the Washington bureaucracy.

7. People are awaiting the formation of a new government with hope in some cases. We have quietly encouraged all the responsible opposition to respond affirmatively if asked to serve. The response has been mixed, but the idea that differences must be submerged is gradually taking hold.

⁴ Thieu announced the resignation of Prime Minister Khiem and the Cabinet and his determination to resist Communist aggression on April 4. In that speech, Thieu said: "The American people as well as the American Congress must see now that they have got to do something for the people of South Viet Nam to keep from earning the label of traitors." He added: "The United States has not been replacing military supplies and equipment on a one-for-one basis as agreed in the Paris agreement." (Text in *Chicago Tribune*, April 5, 1975, pp. B1, B8)

8. Although we can never discard the possibility of a military coup, I believe the possibility is increasingly remote for the time being, although the coup rumors continue to flow in.

9. I am much less concerned this week than last about a crumbling of order and morale here in Saigon, but I live in constant fear of an unauthorized, uncoordinated action or statement from Washington that could tear the fragile fabric of confidence that is gradually being restored.

10. I was taught forty years ago the most dangerous activity an intelligence officer could undertake was to try to analyze the enemy's intentions—better stick to his capabilities. But I have been watching our friends from Hanoi with a certain intensity since 1936. It is simply not in character for them to make an immediate smash at Saigon. There are both constants of their own policy and the imponderables of our reaction which they have to mull over for a while. The Patton syndrome is not a facet of their characters. Danang, Hue, Kontum, Pleiku, Nha Trang were not taken in a sudden frontal assault. They were abandoned by the GVN. And the magnitude of the territory abandoned and now occupied by Hanoi also presents digestive problems.

11. Although I admit the possibility that the reserve divisions now being brought into the south could be rushed south for an immediate smash at Saigon before the RVNAF can regroup and refit, I think the probability unlikely. They, perhaps better than most Western analysts, understand the magnitude of Thieu's gamble and, despite the disastrous features of its implementation, Hanoi recognizes that it is a new ball game militarily and that they can no longer mass superior force to chew up isolated outposts one by one. As the shock wears off, the RVNAF is also beginning to realize that it is a new ball game and with the constitution of the new divisions, they will, for the first time, be able to meet the enemy in equal force. And most are rather eager for revenge—always a good motivation factor for a military force. So if we can keep the equipment and munitions coming on the scale General Weyand has recommended, the possibility exists that they are going to surprise hell out of the authors of that military analysis.

12. My belief is that the North Vietnamese know this. Although they will resume the pressure after taking a while to rethink the situation, there are other reasons to avoid a direct smash at Saigon. For three decades they have tried to avoid the image of naked military conquest. Until very recently—when the obvious could no longer be hidden—they never admitted the existence of North Vietnamese military units in the south. Obviously, the picture presented to the world of millions fleeing their control is not one they relish. With a city of three million, 99 percent of whom hate and fear them, there is no way they can militarily take Saigon without enormous carnage for all the world to see, although if I were running their strategy I would have already taken it, counting on the world to quickly forget as they did in Czechoslovakia and Hun-

gary. They are, to a considerable extent, prisoners of their deeply ingrained training to avoid public and direct responsibility for the image they could not possibly avoid if they now smash at Saigon.

13. They also are uncertain about whether, in the end, we would react at some point with U.S. military force early enough to prevent their military victory over Saigon but too late to prevent enormous damage to the economic and military infrastructure they have carefully built up in the past two years. Nixon may be gone, they may as yet be unsure of President Ford, but they have deep memories that, as they say, Henry has screwed them again and again when they thought victory was at hand. American public opinion is obviously changing. Although Washington will be the last to perceive and capitalize on this, Hanoi is not unaware that the shock of their naked aggression, and the picture of the millions who voted with their feet has done much to dispel the propaganda fog of distortion the Hanoi lobby has so carefully inserted into the American conventional wisdom. You may have seen that young State Senator John W. Decamp on the Cronkite show recently. He said the attitude of his colleagues in the Nebraskan Legislature has dramatically changed. He was already determined to run for the Hruska seat in the U.S. Senate next year and he now believes there is no way his logical opponent, a Nebraska dove, can head him. After escorting some orphans home, he turned around and came back to Viet-Nam not only to help but for maximum exposure as a dedicated proponent of much more aid to Viet-Nam. He will be attending one of the Department's foreign policy conferences in Washington soon and it would be helpful, perhaps, to the President's program if he were invited to personally report to the President on his observations in Viet-Nam. The point is—it is now politically sexy to be for aid to a small ally under savage attack by a bloody aggressor and, according to him, the most effective line is that this must not be the first time America simply abandoned an ally who we had encouraged to fight.

14. Another reason I believe Hanoi will wait before launching a smash against Saigon is their estimate that either Saigon or Washington will hand them the city by sheer ineptitude. And, based on recent performances in both cities, that is perhaps the most valid argument. I must leave Washington to you.

15. In Saigon, however, the mood is much different from last week. The opposition politicians are beginning to realize that they have nowhere to go. Some are considering whether they should join Can's Cabinet⁵ to help assure survival despite their distaste for Thieu.

⁵ In his speech Thieu announced the appointment of Nguyen Ba Can as Prime Minister.

Others cannot yet quite bring themselves to this point. We are very quietly encouraging the thought and if Can does not make it, the task of the next formateur should be much easier. The other point gaining acceptance in the conventional wisdom is that any change must be constitutional and that a coup is unthinkable under today's circumstances. The last new point gaining acceptance is that a negotiation, not for a coalition to provide a disguised takeover for Hanoi, but a negotiation to solidify the division on the present Nha Trang–Tay Ninh line would not be an unmitigated disaster if a true cease-fire and military evacuation of North Vietnamese forces to positions north of that line could be arranged. It is a bit too early for the military to accept this, but even within senior ranks, it is not treason to discuss it.

16. It is the above mix of factors which lead me to conclude we have time to redress the military balance, to make the case for the three year program as a matter of conscience, and to drive it home into the public consciousness that this is the only possible way we can ever get out of Viet-Nam without so eroding our position in the world that the costs will be infinitely greater than the amounts of the remaining \$700 million from the original FY 75 request and two billion a year over the next three years. I say it can be done if the resources that exist in the Executive branch can be repeat can be motivated to make a real fight out of it without tiptoeing with forelock in hand to avoid offending the Congressional doves. They are now vulnerable and the first place we should begin is with the current hearing before the Senate Judiciary Subcommittee on Refugees. I believe a polite, but forceful presentation of our position can easily be made in a way which will enlist national support.

17. Now to your questions.

1—Our objective should be to stabilize the current military and political situation (the latter with or without Thieu if his departure seems essential and can be managed by the Vietnamese without chaos). Then to devise a formula (the three year package if no one has a better idea) which will let us fix a definite date of departure in a way that will not destroy our credibility abroad or remain a divisive issue at home. With such an assurance to back them we might consider whether to urge the South Vietnamese, and demand, at the price of further steps on détente, that the Soviets and Chinese have Hanoi accept independence of RVN along Nha Trang–Tay Ninh line with enforceable machinery to ensure evacuation of North Vietnamese forces north of that line. For Hanoi this would be better than going back to the so-called ceasefire line of January 1973 since they constantly reiterate their devotion to the Paris Agreements.

But the short-range objective must be survival. We should, in answer to your second question, ask the Congress for \$493 million in additional economic aid for FY 1975, \$140 million for the extraordinary

costs of the refugees generated by the North Vietnamese massive invasion and \$353 million for the development projects to provide the economic infrastructure which will provide the jobs to make these people quickly self-sustaining. This would bring the total economic aid for FY 1975 to \$775 million.

2—In military aid I support fully the recommendations of General Weyand for an additional \$722 million for FY 1975 and in making it I would point out that this brings the total only to \$1.422 million, only \$22 million over the amount originally requested which, had it been appropriated would have avoided the whole unnecessary tragedy.

For the three year period—FY 76 through FY 78, I believe the original figures of \$2.2 billion economic aid and \$4.3 billion military aid to still be valid.

3—The best arguments to be made in support of our requirements for economic and military aid in terms of the current realities in Vietnam might well be taken from the comments of Secretary Kissinger and the President in their recent statements in California.⁶ We need the \$722 million supplemental for this year in order to provide for the equipment needs of the ARVN and above all for the shortages in ammunition which previous deficiencies in appropriations have caused. I would argue with these it is clear that the South Vietnamese who have lost 50,000 killed, more than in our whole experience, during the two years since the cease-fire can't possibly be said not to have the will to fight as recent combat actions after the necessary withdrawal have very clearly shown.

On the economic aid the case for the \$493 million additional aid would seem to require little justification for the \$140 million earmarked for the tragic suffering the massive North Vietnamese invasion has caused. The remaining \$353 million in the supplemental is to provide the economic infrastructure which will provide jobs for these and other Vietnamese. To argue that we will give "humanitarian" money for aid for refugees, but will provide nothing to give him a job to make him self-sustaining would seem to make a mockery of the word "humanitarian." On the longer range three year program the argument should continue to be that there is simply no way the United States can discharge its moral obligation without clearly giving the Vietnamese a guarantee of specific amounts of aid over a precise amount of time within which they can make the necessary adjustments for the future. Again the Secretary's language in his press conference at Palm Springs is an eloquent attestation of the moral responsibility.

⁶ President Ford held a news conference in San Diego on April 3; see *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 411–423. Kissinger held a news conference in Palm Springs on April 5; it was reported in *The New York Times*, April 6, 1975.

4—The minimum number of Vietnamese nationals to whom and to their families we clearly owe protection in the case of danger, numbers around 175,000. These include our local national employees, in-laws of U.S. citizens, Vietnamese employees of American concerns, including the communications media, American foundations, and voluntary agencies, religious leaders and Western educated professionals, such senior civil servants, government officials and military officers who with their families would feel their lives endangered, and the list of intelligence and other sensitive source contacts.

To the above categories, our obligation is clear and immediate. Judging from the experience in 1954, there will be several million others who will want to leave and this is a question to which Washington must give immediate attention and decision.

5—To evacuate even the lower number of Vietnamese will require either sealift or a jumbo airlift. The modalities of such an operation are extremely complex, and rely for their success on an ability to maintain ground security for the duration of the evacuation. My staff here is working on these options and coordinating with CINCPAC and other headquarters which control the military resources upon which we might eventually need to draw. As I have previously informed you I plan to have a comprehensive plan on the way to you by the end of the week.

18. There may be some reason why we have to throw this enormous, costly investment away at even greater future cost to the American people. But given a little imagination, ingenuity, and above all the determination to get the whole truth before the American people such reasons are not apparent to us here. We believe it can be done, but it is going to require a considerable amount of determination, a little bit of cold blooded determination that American interests can be achieved here. One of the requirements is that you keep the panic button firmly locked away.

Martin

210. Memorandum From William Smyser of the National Security Council Staff to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Washington, April 7, 1975.

SUBJECT

Options on Military Aid to Vietnam or Military Reinvolvement

Having read the Weyand report,² I think we have five options with regard to military aid and/or possible U.S. military reinvolvement. The first four options run from the lowest to highest; the fifth deals specifically with how to help refugees.

1. *Go for \$300 million supplemental immediately and say you may need more later.*

The principal advantage of this option is that it involves the least struggle with the Congress; its principal disadvantage is that it will barely sustain stocks and will not permit outfitting of additional South Vietnamese forces.

2. *Ask for \$722 million immediately.*

This will have more trouble getting through the Congress, though it may still be manageable. If we get the money, we could outfit the forces immediately. But our chances of getting it are even less than the \$300 million.

3. *Ask for \$300 million supplemental and add \$722 million in new request.*

The purpose of this would be to try to use the old supplemental to build up stocks and the new money to concentrate entirely on building new forces and giving them all the supplies they need. (I am still not clear, from reading the Weyand report, whether the munitions figure of \$198 million included in his \$722 million total is taken from the original supplemental or is supposed to be new money.) However, this would put our total military aid request above \$1 billion and would have very rough sledding on the Hill and perhaps in the country.

4. *Reinvolve U.S. forces in two ways: B-52's and mining of all ports used by the North Vietnamese.*

The principal advantage of this course is that, with the North Vietnamese now fighting advanced modern tank warfare, they are more

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 19, Vietnam (17). Secret; Sensitive; Eyes Only. Urgent; Sent for information. Scowcroft wrote on the top of the first page: "Thanks, BS."

² See Document 208.

dependent than ever on the kinds of troop concentration and of logistic lines that are vulnerable to B–52 strikes and mining. The principal disadvantage would be the negative Congressional and probably popular reaction in this country, which would be reinforced by the fact that our losses would be disproportionately higher than in similar operations in the past.

5. Reinvolving U.S. forces to help get refugees out.

The advantage of this would be that we could secure a perimeter behind which Vietnamese who want to flee communism would be permitted to make their escape to the U.S. or elsewhere. The disadvantages are that it would involve at least three U.S. divisions, considerable casualties, and some uncertainty about where the refugees would go. Both Vietnams might oppose this.

One might remark, as a final irony, that it may take more U.S. military effort to save Vietnamese refugees than to try to turn the war around. In fact, the principal argument that can be made for negotiations is that they might open the way to peaceful departure of refugees; however, I doubt that the North Vietnamese would agree to that.

211. Memorandum of Conversation¹

Washington, April 8, 1975, 9 a.m.

PARTICIPANTS

President Ford

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for National Security Affairs

Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

President: How is Eagle Pull coming?

Kissinger: It's down to 50 Americans.²

President: How long will they stay?

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 10, 4/8/1975. Secret; Nodis. The meeting was held in the Oval Office.

² Dean was authorized on April 3 to reduce the number of personnel for whom he was responsible to the minimum necessary to administer aid shipments. (Telegram 75058 to Phnom Penh, April 3; National Archives, RG 59, Central Foreign Policy Files)

Kissinger: Until your speech at least. If there's no action by the Congress by Monday or Tuesday,³ pull them out.

It is a disgrace. In all justice, I should tell you what Ron Nessen says—that you should lead the way out.

President: That is not the way I am. I couldn't do it. If I were to go to the Hill, we should wipe our hands of it. I can't do it.

I will ask for the \$700 million, economic aid and a deadline of May. We need authority from the Congress to evacuate.

Kissinger: We have two nutty Ambassadors. Dean wants to bug out. Martin wants a new version of the Easter Rebellion. He is supporting Thieu too strongly.

President: Supposing Ike, Kennedy, Johnson or Nixon were President, what would they have done?

Kissinger: Kennedy would have ratted out. Nixon may have bombed—he was vicious in these things. The Pentagon have continuously put some distance between you and them.

President: How about Johnson?

Kissinger: He wouldn't have bugged out. His advisers would have tried to bug out . . .

President: Without appearing to do so, Kennedy probably would have bugged out—with some famous statements which would disguise it.

Kissinger: I must say it would be popular to say we have done enough, give only humanitarian aid, negotiate with North Vietnam to take out those who want to go, and say if the North won't agree, we will do it by force. You could couple it with a statement saying it was a bad defeat, and we need a bigger defense budget because it's a dangerous world, and we need the Turkey money.

President: It goes against my grain.

Kissinger: Mine too. As Secretary of State, I am against it. As Assistant to the President, I am presenting all the options.

President: I don't feel I can do it.

Kissinger: Then say in the speech that you considered it, and you don't know how we can withdraw the aid from those who know the odds more than us and still want to go on fighting.

President: If the Congress want to vote this way, then the efforts of five Presidents, 55,000 dead, and five Congressional efforts are in vain.

³ April 14 or 15.

Kissinger: We should put the withdrawal option before the NSC—10 minutes by Weyand, and 10 minutes by Colby. Then I will present the withdrawal option, \$300 million in humanitarian aid, and the \$722 million. Then various evacuation options. On these, Martin is a gutsy guy, but he is heading for a debacle. He won't give us any planning. We have got to go in by the end of the week to Thieu and say frankly we may not get the aid and we now must be prepared.

On gifts—I think this is tawdry. The whole approach is wrong.

212. Minutes of National Security Council Meeting¹

Washington, April 9, 1975, 11:25 a.m.–1:15 p.m.

SUBJECT

Indochina

PRINCIPALS

The President
Secretary of State Henry A. Kissinger
Secretary of Defense James Schlesinger
Chairman, Joint Chiefs of Staff General George S. Brown
Director of Central Intelligence William Colby

OTHER ATTENDEES

State
Deputy Secretary of State Robert Ingersoll
Assistant Secretary of State Philip Habib

Defense
Deputy Secretary of Defense William Clements

JCS
Chief of Staff, U.S. Army General Fred C. Weyand

WH
Donald Rumsfeld
Robert Hartmann
John Marsh (at end of meeting)

NSC
Lt. Gen. Brent Scowcroft
W. R. Smyser

¹ Source: Ford Library, National Security Adviser, NSC Meetings File, Box 1, Chronological File. Top Secret; Sensitive. The meeting was held in the White House Cabinet Room.

President: The best way for us to proceed would be to have Bill Colby give the intelligence community's judgment. Will you please go ahead, Bill.

Colby: After a week's lull, the Communists have begun a new round of fighting, with Saigon as the ultimate target.

East of Saigon, a North Vietnamese division supported by artillery and armor attacked Xuan Loc, the capital of Long Khanh Province this morning, and heavy fighting is reported inside the town.

Xuan Loc sits astride Route 1, which links Saigon and the coastal provinces.

Fighting also has increased in the delta. The heaviest attacks occurred in the northern delta provinces of Dinh Tuong and Long An.

Elements of the Communist 8th division attacked Tan An, the capital of Long An Province, but have been pushed back.

Schlesinger: They cut Route 4.

Colby: They cut it, but they have been pushed back.

A Communist troop buildup in Kien Tuong Province had raised the possibility that the North Vietnamese were preparing to attack the provincial capital at Moc Hoa. Late reports indicate, however, that these forces have withdrawn, apparently in preparation for attacks closer to Saigon in Tay Ninh and Hau Nghia provinces.

The fighting is likely to intensify further in the near future. Our best clandestine source on Communist plans in the South has recently reported on new COSVN instructions which call for achieving final victory *this* year rather than 1976.

According to the agent, Communist gains have far exceeded their expectations for 1975 and have created the "most opportune moment" for total victory this year.

The COSVN instructions call for the Communists to press the attack and expand Communist territorial holdings during April by "liberating" Tay Ninh, Hau Nghia, and Binh Duong provinces.

The agent also claims that when "the time comes" the North Vietnamese will attack Saigon.

Another clandestine source reported yesterday that the Communists are planning a three-pronged assault from the south, west and north on the capital itself.

As the fighting moves closer to Saigon, the likelihood of confusion, public disorder and even panic will increase.

The past week of relative inaction has given the government some chance to consolidate its military position. Nevertheless, in terms of capabilities, the strategic balance decisively favors the Communists.

The North Vietnamese now have 18 infantry divisions in South Vietnam supported by numerous armor, artillery, and air defense units. Eight of these divisions are located in Military Regions 3 and 4.

Moreover, there are strong indications that a North Vietnamese Army corps headquarters and three more reserve divisions are moving to South Vietnam. Two of these divisions have already reached the DMZ and could show up north of Saigon in two to four weeks. In addition, two NVA Air Defense divisions are in South Vietnam, one in MR-3 where it could soon threaten Bien Hoa and Tan Son Nhut airports.

By comparison the South Vietnamese, at this moment, now have seven combat-ready infantry divisions. They are rebuilding three from personnel extracted from the north and plan to form two more by early summer.

On paper, the GVN's long-term prospects are bleak, no matter how well Saigon's forces and commanders acquit themselves in the fighting that lies ahead.

This is already beginning to become an accepted judgment within both civilian and military circles in South Vietnam.

At this moment, pressure continues to build among the civilian opposition and among some military commanders for President Thieu either to exert the vigorous leadership which has been conspicuously needed and missing, or step aside.

So far Thieu has shown considerable skill in keeping the opposition divided. He is aided by the fact that there is no single figure who his various political and military critics believe would provide more effective leadership.

While yesterday's bombing of the Presidential palace was an isolated act, it underscores the ever-present possibility of a single incident that would overturn Thieu and bring on political chaos.²

Thieu's new nominee for prime minister, Nguyen Ba Can, hopes to have a government formed by this weekend.

Can will try to encourage representatives from the civilian opposition to join the cabinet. There is considerable reluctance, however, especially among important Buddhist and Catholic groups, to be associated with a Thieu government.

² On the morning of April 8, a Vietnamese Air Force plane dropped two bombs on the Presidential Palace, sparking fears of a coup. Thieu addressed the nation immediately after and stated that the bombing was an "isolated incident" and not a coup attempt by the ARVN. (Telegram 4470 from Saigon, April 8; National Archives, RG 59, Central Foreign Policy Files)

In any case, we see no dramatic improvement likely to stem from this new government.

Another factor is U.S. aid. A prompt and large-scale infusion would tend to restore confidence. The converse is obviously also true.

The most likely outcome is a government willing to accept a settlement on Communist terms, i.e., surrender.

The Communists are repeating their willingness to negotiate with a post-Thieu government, in an obvious effort to encourage a political upheaval in Saigon.

At the same time, Hanoi is making it clear that it is not interested in a compromise but rather in a figleaf for a North Vietnamese takeover under military pressure.

In this regard, the new COSVN instructions mentioned state that negotiations or a tripartite government are merely stratagems to isolate the GVN.

We have few indications yet on how the Communists are setting up their new administration in the northern half of South Vietnam.

In at least some instances they seem to be maintaining the facade of a transitional national liberation government.

We believe, however, that there has been a basic downgrading of the Viet Cong's PRG in North Vietnamese thinking. Hanoi now sees no need for a lengthy intermediate stage of negotiation and coalition rule, and has little incentive to maintain the PRG as a separate political entity.

In sum, we believe Hanoi will take whatever action is necessary to force the war to an early conclusion—probably by early summer. The remaining questions have to do with Communist tactics and timing, and whether or not a political solution on Communist terms can be arranged prior to a final South Vietnamese military collapse.

Finally, Mr. President, there is the question of how these recent events may affect the attitudes of other nations toward us.

In general, the current debacle is seen not as a turning point, but as the final step on a particular path that most governments had long seen coming. They have, in short, seen the whole Indochina experience as a major setback for the U.S.

Many, especially in Europe, had long questioned America's judgment and the propriety of its involvement.

Others were disillusioned with America's ability to cope with an uncommonly complex situation.

Still others gradually lost faith in America's will to stay on a difficult course.

The circumstances of the Vietnamese collapse have dramatized these perceptions, but adjustments were already being made.

There will, however, be apprehension over the repercussions, and the American reaction to the dramatic finale.

Our allies have been disturbed, and our adversaries heartened, over trends in American attitudes toward:

- limiting the flexibility of U.S. foreign policy in meeting new challenges,
- reducing U.S. support for our allies and friends, and
- reducing the share of U.S. resources devoted to maintaining our military power and foreign policy.

Any signs that the American people are beginning a prolonged and bitter internal debate will heighten these concerns and intensify fear that we may be heading into a new era of isolationism. U.S. actions in the Middle East, in particular, will be closely watched in judging our future course.

Levels of trust, however, will be affected mainly by perceptions of U.S. behavior on issues of direct and compelling interest to the countries concerned.

Western Europeans and Japan, for example, do not expect a reduction of U.S. power relevant to their immediate concerns. And none of them consider U.S. aid to their security any less necessary than before.

A number of regional powers, such as Iran and Brazil, will continue their trend toward self-reliance rather than linkage with the U.S. in anything but major confrontations with the USSR.

Among those on the firing line, uneasiness will increase, and the drive toward self-reliance will accelerate.

The South Koreans and Nationalist Chinese will see greater parallels to their own situation, and will put pressure for maximum support as long as possible.

Southeast Asians, especially the Thai, will feel more exposed, but have long anticipated eventual U.S. withdrawal from the mainland. They may now advance their adjustment to growing Communist power.

Middle East countries will see U.S. interests there as compelling continuing involvement. However, there is one particular situation on which Vietnam developments could have a direct impact. Both Prime Minister Rabin and President Sadat have been very reluctant to place their respective nations' vital interests hostage to any agreement which was not self-enforcing, especially any agreement that was silent on matters which either regarded as being of major concern. The experience with the 1973 Paris Agreement could reinforce this already manifest reluctance.

Soviet, Chinese, and other Communist leaders, for their part, will not automatically conclude that other U.S. commitments are placed in question, unless:

The U.S. public reaction points to a repudiation of other foreign involvement, or

Internal U.S. recriminations are so divisive as to raise doubts of the U.S. ability to develop any consensus on foreign policy in the near future.

North Vietnamese leaders will exploit their victories to denigrate U.S. power, especially among third-world countries.

Hanoi may increase its support to Thailand's insurgency.

Its principal energies, however, at least for the next year or two, will be devoted to consolidating its control over Indochina.

Do you wish me to go on to Cambodia now or later?

President: Please go ahead now.

Colby: In Cambodia, it is difficult to see the government holding on for much more than another week.

Communist attacks in the Phnom Penh area have weakened government defenses north and west of the capital to the degree that they could collapse at any time.

Intercepted messages indicate that the Communists are calling in even more units from the countryside for an all-out attack against the capital's defenders.

The Communists are also placing additional artillery near the capital.

The insurgents will soon have their forces ready to begin the final push.

Meanwhile, the time is rapidly approaching when ammunition shortages will directly affect Cambodian Army capabilities.

By April 17 all ammunition earmarked for Cambodia will have been delivered. In-country stocks of some types of ammunition will be exhausted soon thereafter and all ammunition will be gone by April 25.

In the face of the steady battlefield pressure and uncertainty over U.S. assistance, morale in the army is plummeting.

The army high command is nearly paralyzed and is issuing only limited guidance to units in the field.

A number of key unit commanders in the Phnom Penh area have expressed the belief that the end is near and the fight may soon go out of the army completely.

A recent intercepted message revealed that government troops in at least one isolated enclave have contacted local Communist forces to discuss the possibility of surrender.

On the political front, most Cambodians now realize that President Lon Nol's departure has had little effect on the prospects for meaningful negotiations with the other side.

Prime Minister Long Boret returned to Phnom Penh yesterday saying that there were no prospects for a compromise solution or a cease-fire.

Boret met with Sihanouk's son, Prince Yuvaneath, in Bangkok. Yuvaneath admitted that he was not authorized to speak for his father but his claim that Sihanouk would not negotiate is undoubtedly correct.

The government may soon invite Sihanouk to return and try to tie the invitation to an agreement that Communist forces not enter Phnom Penh or hinder the flow of relief supplies to the city.

At this point, this sort of an orderly surrender is the best that can be hoped for.

President: Thank you, Bill. Are there any questions?

Schlesinger: We have an intercept that says an attack on Phnom Penh may occur on Friday.³ We do not have much time.

President: Fred, will you give us the benefit of your report?⁴

General Weyand: In preparing this report, I went back and referred to the report I did on a trip I took in July, 1973, about two years ago. In that report, I said that the position of the North Vietnamese and of the PRG had been dramatically improved since the start of the ceasefire. They were shipping major quantities of supplies to their forces.

On the other side, the leaders of the South Vietnamese army were aware that they were now engaged in a political struggle. General Truong's civic actions in MR-1 were especially impressive. The political struggle was engaged, and the GVN was determined to win it.

I found this interesting in the light of recent developments. The South Vietnamese continued the concept that this was a political struggle and they organized their forces to this effect.

I said then that the top South Vietnamese leaders thought the question was not if the Communists would attack but when. Those leaders were very sensitive to American support and they were counting on the intervention of U.S. air power in the case of such a Communist attack.

³ April 11.

⁴ See Document 208.

They are still in this mood. They clearly still cherish the hope that the U.S. will help them. There are many reasons why they responded as they did; that is one of them.

I found the situation critical. It is clearly going in favor of the other side. Hanoi has many options; the GVN and the U.S. have few.

The South Vietnamese have suffered heavy losses. Their morale was very low when we got there, but it has been improving since then. I believe your decision to send a team, whatever may be said about its composition, is clearly vindicated.

I believe the South Vietnamese are on the brink of total military defeat. I examined a plan that is intended to deal with the area that they now hold. They have been thinking of this for some time, once they saw that American support was dwindling and would continue to dwindle whereas North Vietnamese support would grow.

They have been rationing arms and ammunitions for some time. They have been trying to husband their resources. They have cut down the use of rifle ammunition and of grenades very dramatically.

They had made plans to complete their resources in an area which corresponds roughly to what they now have, though they had hoped to hold more of the coast, especially to the extent to which they had some expectation of finding oil. The Delta, of course, is their rice bowl and very valuable. The rest of the area, south of the present line, contains lumber and a lot of population.

I told Thieu this plan was sound but a linear defense was not appropriate to the type of situation that they face. They should find enemy divisions and destroy them wherever they are, and not just try to hold the line that it is not identifiable by some geographic feature. The big question is whether they now have time to get organized.

The issues they face are as follows:

First, to reconstitute their forces and to create four more divisions in order to defend against the larger North Vietnamese army.

Second, to upgrade their territorial forces to 27 regiments (which would have been done a long time ago if they had thought that they would face this kind of military challenge).

Third, to upgrade their ranger groups.

If they could do all that, they would be in pretty good shape. There is a limit to what the North Vietnamese can send down. The South Vietnamese could mass, and with the very strong air support that they have they could do a good job for a time.

We all agree that the long-range prospects are just impossible for them. The issue is: can we get the stuff to them in time and will the enemy give them time?

I have not tried to be too optimistic. However, there have been reports from some of the places where I testified that I said the GVN could win. They can, locally, but I do not believe they can push the North Vietnamese army back.

I have said that the South Vietnamese could and would fight. I have said this in part in order to help keep the South Vietnamese together. But their leadership is very doubtful. I have talked to Thieu. If he does what he says, it can go pretty well. As for the will to fight, I have said that in March, 1972, there were 16 North Vietnamese divisions down there. And they were defeated, though with American help. General Vogt and I concluded that they had the will to fight. But they had our support.

Last year they had 600 people a week killed and many wounded. So I think they have the will to fight. I do not think one should regard this panic as a sign that they have no such will. I have seen such panic in Korea in 1950 as well as in Burma. It is not pleasant, but it is not unprecedented. The 18th and the 25th divisions have been doing well. The question is the will of the people to resist or to accept a form of government that they consider alien.

The other question is the support of the American people. I assume they would support more assistance, having stuck with it this long. That is the way I dealt with it in my report. I have found support on our determination not to let force prevail over the will of the people.

I have recently seen some talk about secret commitments. In a visit last year to Vietnam, Cambodia and Thailand, I spoke of continuing American support. It is clear that they all expected American support, although Thieu was worried about threats in the Congress. Thieu clearly believes you have done all you could. He understands the Congress.

One thing that I had in the back of my mind as I wrote my recommendations was that we owe it to them to help them or at least we should not deny them the help if they need it. If I did not believe it, I would not be here. Neither, I guess, would the rest of you.

The question is whether the American people would accept the burden. As I have watched the orphan program and the refugee movement, I have concluded that the American people desperately want to help the South Vietnamese. Whether this sentiment translates into military assistance it is hard to say, but I believe it exists.

The price that I think it requires is \$722 million which would build four more divisions and upgrade other units. This amount subsumes the \$300 million that is now in the supplemental.

I also had recommendations on refugee assistance and on evacuation policy. You are aware of these.

President: Thank you, Fred. I read your report and I talked to you about it in California. I am impressed with its solid factual analysis.

Henry, may I have the options as you see them?

Secretary Kissinger: If I may wear my hat as Secretary of State for a time, I want to take issue with the estimate of the Director of Central Intelligence regarding the impact on our worldwide position of a collapse in Vietnam. It was his judgment that the world reaction would be negligible, based on the fact that everybody had been anticipating what would happen.

Let me say that, whatever their long run expectations, no country expected so rapid a collapse. I believe their reaction would also be affected if they did not even see an effort made.

We have reports that the Japanese, the Indonesians, and other Asian nations are watching closely, and they are forming judgments. It is not in their interests to say this publicly.

Especially in Asia, this rapid collapse and our impotent reaction will not go unnoticed. I believe that we will see the consequences although they may not come quickly or in any predictable manner.

So I cannot share the judgment expressed by the Director of Central Intelligence. I believe that, even in Western Europe, this will have a fall-out.

Let me now come to the options.

On military assistance, the first option would be to ask for no military aid but to follow the predominant mood in the Congress and do nothing. You could say that your predecessors have put in \$150 billion and that it has not worked, and that no amount foreseeable is going to work. You could say that you are concentrating on the economic and humanitarian side. You would have the advantage that you could be the first President since 1947 who will have had nothing to do with Vietnam.

President: Not as President perhaps, but as a member of Congress I have.

Secretary Kissinger: The negative aspect of such an option is that it would trigger an immediate collapse in Saigon and that this collapse would be caused by the United States.

It would give Saigon the least opportunity to negotiate. It would imperil 6,000 Americans, and it would make it impossible to evacuate any Vietnamese. The international implications would compound those that I have described. But, it would provoke the least dissension in this country.

Between that and the \$722 million that Fred has mentioned, you can about pick your own figure.

You can go for \$300 million saying that this is all that is immediately available. You can say that you will either try to get some more

later, or you can say that you will specifically try for the \$422 million later.

President: This would be easiest to get but, as Fred told me in California, it could not be justified in terms of additional forces.

Secretary Kissinger: That is correct. The \$300 million is designed to bring supply stocks up to the 60-day level.

Schlesinger: You should know that Mahon is marking up the \$300 million tomorrow. I told him he may want to wait until after the speech. You may want to send him a signal.

Secretary Kissinger: The problem with \$300 million is that it will be hard to defend. It is important to get the debate behind us and not to go on for months. So a case can be made that you either go for close to nothing or that you go for Fred's recommendation, since \$300 million is not enough.

If you say \$300 million and more later, you are simply bringing about months of Vietnam debate. But you could do it that way. It is possible that South Vietnam may collapse, and then you may not need to ask for the \$422 million. It is, of course, also probable that if you go for \$722 million, there will still be a collapse.

The advantages of the \$722 million are: First, that it's militarily defensible; second, that it would strengthen the South Vietnamese position for inevitable negotiations—as Fred says, South Vietnam can then negotiate with North Vietnam; and third, that it would put us in the best position to negotiate our extraction, with South Vietnam, North Vietnam, or both.

So I see three viable options:

- First, to ask for nothing or next to nothing;
- Second, to ask for \$300 million and indicate that there might be more to come;
- Third, to ask for the whole amount.

Next, we must deal with the options regarding economic assistance.

President: If we ask for \$722 million, can we say that this is all we ask?

Weyand: We think that the amount for 1976 that we have requested, which is \$1.3 billion, would be enough to carry us from there on.

President: Then, if the \$722 million is granted, and if it is effective, we would expect that about \$1.3 billion would do it.

Secretary Kissinger: As I understand it, the \$722 million would have to be followed by \$1.3 billion in order to have a chance for success.

There is also the question of economic assistance. It is also related to the military option. AID wants to stay within the limit of its origi-

nal authorization, so they do not want to ask for more than \$167 million. This was our appraisal as being what we needed before the attack, but it would appear unbalanced in comparison to the great increase in our request for military aid.

President: Does this figure include economic and humanitarian aid?

Secretary Kissinger: Yes.

Our Embassy has asked for \$450 million which has a lot of money for economic development that makes very little sense right now.

I am inclined to think that anything between \$170 million and \$450 million might make sense. We can say that anything around \$250 million or in that area would make sense, but there is no hard basis for any of these figures.

There is a hard basis for the Embassy figure, but we cannot defend it on the Hill under present circumstances.

Since we are talking of emergency assistance, it should be more than in the past. Certainly, anything between \$170 million and \$300 million can be put to use.

We need also to determine our stance on a Congressional resolution that some of our aid should go to support people living in Communist areas.

We have several options: We can oppose, we can be neutral, or we can be favorable toward such a resolution.

The major problem is that we would be supporting the rear area of a country that is attacking an ally. A case can be made for the argument that they have the Soviet Union and China to help them.

As Secretary of State, I think that this kind of idea presents an image of a sappy America getting creamed and at the same time helping those who are attacking it.

Schlesinger: What is your opinion as National Security Advisor?

Secretary Kissinger: As National Security Advisor, I have to be impartial, but that is a hard one. I will risk the recommendation that we should oppose such legislation.

President: I gather that Senator Kennedy tends to advocate it, wanting to administer the funds through the United Nations.

Secretary Kissinger: It amounts to the same thing: it relieves Communist resources and personnel. If the U.N. wants to do it without U.S. participation, that is its business. But for the United States to do this, while a war is going on, would be hard to explain to the American people and to foreign countries.

President: Have all the refugees come to the South Vietnamese area, or are they still in areas controlled by the North Vietnamese?

Colby: Some have come to the South Vietnamese area, but many are still in the North Vietnamese area.

Weyand: We are now talking of a refugee figure of about 400,000 in areas under South Vietnamese control as opposed to 1 million earlier.

President: Do we still hold Cam Ranh?

Colby: No.

Secretary Kissinger: It is a terrible tragedy. Nobody can deny the ineptitude of the South Vietnamese. But for the United States to send relief to Communist areas and to help them devote resources to the war seems very questionable.

President: In effect, we would be financing both sides.

Kissinger: You have these three choices. You can oppose the proposal for providing aid to refugees in Communist areas, or you can give the Congress the facts and let them decide, or you can support it. It is not a disgraceful argument.

With regard to evacuation of Americans and Vietnamese, there are three things that affect a decision. First, the number of people who might need to be evacuated; second, the political conditions under which they might need to be evacuated; third, the question of how to organize such an effort.

I have a list of potential evacuees. The maximum total of those included in this list is 1,700,000. They fall into eight different categories:

1. American citizens and their relatives;
2. The diplomatic corps;
3. The ICCS;
4. Third country nationals under contract to us;
5. The employees of the United States and their dependents. This latter category is estimated at about 164,000 people.

The total included in those five categories comes close to 200,000.

President: Of which, I understand, 6,000 are Americans.

Kissinger: There are about 5,400 and 500 dependents.

We would then have the other categories.

6. The Vietnamese relatives of American citizens.
7. Senior GVN and military officials and their dependents.

The total for this category is given as 600,000, which seems high.

8. Former Vietnamese employees of the United States intelligence and other agencies as well as their dependents.

One problem is that, even if you accept the level of 200,000 on the list, Graham Martin refuses to carry out the order to evacuate them.

Clements: Why don't you fire him?

Kissinger: Graham Martin's major problem is that he does not want to trigger panic by beginning any evacuation process.

Schlesinger: Conditions will get worse.

Kissinger: Once we get a Presidential decision, I shall see to it that Graham Martin carries it out. But we have not had a clear-out decision.

It depends a great deal on what the President recommends for aid to South Vietnam. If the President recommends nothing, then panic could create an immediate problem. If the President recommends support and asks for money, we can then tell Thieu that we are going to have to take out some Americans and it should not create the same result.

As for the Vietnamese, there are some problems. For one thing, they are scattered all over the place. We would have to get them to the aircraft. If we gave the order to evacuate, it might well be impossible to carry it out.

Schlesinger: We have to have the cooperation and the acquiescence of the Vietnamese.

Kissinger: This is the next point: We have to decide how to organize such an effort. This will require immediate consultation with Thieu, once we decide, or with whatever successor government there might be. But, whoever is in power in Saigon, we will need to coordinate. Your speech will have some effect on this.

We have looked, with the Department of Defense, at all available assets. It is clear that, with the numbers involved, this cannot be a one day operation like Eagle Pull in Cambodia.

By commercial aircraft, we could take out 600 a day. By military aircraft, we could take out 15,000 in a day. By ship, we could take out anywhere from 26,000 to 125,000 a day. Of course, ships have a longer turn around time of four to five days. So you have an evacuation that will take a week if you go to 240,000.

Schlesinger: It also depends on the cooperation of the North Vietnamese. They have anti-aircraft weapons. If those weapons are brought near Tan Son Nhut, they can make it very difficult.

Kissinger: So the issue depends first on your decisions, second on identifying the persons to evacuate, third on the cooperation of the GVN, and fourth on the cooperation of the North Vietnamese. I should add that this is one area where I believe the Soviet Union and the Chinese could be helpful.

In your decision you would have to deal with evacuation, with what to say to the GVN, with what you want the Department of Defense to do, and with what diplomatic efforts you want the State Department to make vis-à-vis these countries and others. I agree with the Secretary of Defense that it will be hairy.

President: To put into effect an evacuation proposal for our own people and for 200,000 others, would that not require violation of the law or the agreement of Congress if we need to use force.

Kissinger: My own personal view is that you would have to ask Congressional authority to take forces in. It is not like Cambodia. It will last longer. Even if we have the consent of the GVN, we will have to fight Vietnamese. If that is your decision, this will require U.S. forces.

First we have to decide what to go for. Then we can talk to Thieu. Then we can get the Embassy to thin out our personnel, removing those who were assigned to I Corps and II Corps as well as dependents and the like.

President: Do you have any observations on this, Jim?

Schlesinger: You have the innate power to protect Americans. I think the Foreign Relations Committee is anxious to cooperate and would not object to our use of force. Moose and Meissner, who have been out there, have been cabling back favorable recommendations on this issue.⁵

Kissinger: The problem is not under the War Powers Act, as I see it. It is under the Indochina Restrictions, where the issue becomes more difficult. Elsewhere, it would appear to be easy to use U.S. forces for this purpose.

President: Which of these was approved last?

Kissinger: We went through that at the time of this legislation and determined that the War Powers legislation superseded the other. But the Administration of your predecessor took the position at the time that it would not claim this.

However, despite this kind of issue, the question is whether it would be politically acceptable for us to do this. I question whether we should rely on Moose or Meissner.

President: It is great for people to say this, as they have in Turkey and Greece, to the effect that we can go ahead. But, of course, if it does not work it is we who are in trouble.

Schlesinger: On Turkey, the General Accounting Office says that it is all right.

President: If Congress wants us to do it, let them pass a Sense of the Congress Resolution.

Kissinger: Another problem is that in Vietnam it is not just a matter of evacuating American citizens but also of evacuating Vietnamese.

Clements: If we go to the Congress, we should have one package and go for it.

President: I think we should ask for a change in the law that we can use certain resources that we need for evacuation. Somebody

⁵ Senate Foreign Relations Committee staff members Richard Moose and Charles Meissner visited Phnom Penh and Saigon in early April. They presented their report to the Committee on April 14; see Document 232.

should be preparing it so that we can send it up by Friday. We should not just be limited to one division, or one other type of unit, or just to our personnel.

If we have a disaster, Congress will evade the responsibility. Let us get some language. I am sick and tired of their asking us to ignore the law or to enforce it, depending on whether or not it is to their advantage.

Brown: When this legislation came up, Admiral Moorer spoke specifically of this problem. He was told that the U.S. of course had the power to protect Americans.

President: Let's get that testimony.

Does anybody wish to comment on the general issues?

Schlesinger: I think we have a number of problems. The first one is Vietnam itself. We must recognize that it is gone. It is going now and it will go quickly depending on the North Vietnamese. With any aid we give them we are buying time, partly to get out the Americans.

We must try to see what it will look like in 90 days. It is desirable to avoid fragmentation of the people and an argument with Congress. We must state clearly in closed rooms that hope is slim, and that we are moving on a strategy of 60 days to 6 months. We should say that we are doing this to save the Americans and to protect the Vietnamese.

I think in your speech you should push for \$300 million and say that we will ask for more later. We will use the time to get the Americans out. Fred says we just have a chance and that it depends on the North Vietnamese. So far, the South Vietnamese have not been able even to regroup the unruly people of the Second division. We may be faced with a situation that will last only 30 days.

The important thing is for you to establish leadership and to give a call to the people. You could talk along the lines of Churchill's blood, sweat and tears. You could say that U.S. foreign policy is in the most difficult period since 1939. I would tick off Portugal and say that we insist on a free election. We should tell the Europeans we expect them to do more in their own defense. Also, we should speak of Turkey and of what must be done there.

I think that if you have a fighting speech, you will have a positive impact on the Congress. I think there are two kinds of people on the Hill: Those who want to get out of Vietnam and those who are just waiting for an inspirational message.

Let us not talk of détente or of past achievements. I am concerned for the country and for you. We need to challenge the Soviet Union. We should say that détente is not consistent with revolutionary actions in Portugal and with what they have been doing in Southeast Asia. We want to preserve détente but it cannot be a one way street. The speech should also have a tone of admonition to the Chinese, who have supported North Vietnam and the Cambodian Communists. We need

a Churchillian speech that would establish a fighting leadership, even if we have to postpone it for a few more days. When the speech was originally scheduled, we thought the situation was more manageable, but the situation has changed to the point where we need this kind of address. As for Vietnam, the situation is now hopeless.

Clements: I want to endorse what Jim says. I think the time has come to be candid. The people want the President to get out in front and to give us leadership.

The American people do not like what has happened. We should say that Vietnam is bad and has been for twelve years. Americans have been divided. Now let us look ahead and not get into acrimonious debates over the past.

We should not get into recriminations. We have to move forward. You can say that you are the man who will take them forward. We should not promise anything that we cannot do. In my judgment, there is very little we can do. All options are bad. It takes a strong leader to be able to cut your losses. But more important things lie ahead. I agree with the humanitarian side. But we should not get out in front on an idle threat or on some bluff that we cannot support.

Colby: If I may take advantage of the precedent set by the National Security Advisor, and if I may state my views on policy, it would be that you should put your stress on the Vietnamese people.

In 1954, 900,000 Vietnamese went to South Vietnam from North Vietnam. It will be important to speak of the free choice of the Vietnamese. We should ask Congress to commit money to carry out the pledge to let the Vietnamese, perhaps one to two million, leave, and to provide diplomatic support. Also, the forces could leave. This would give those forces something to fight for.

Americans could respond to their feelings. We would accept the fact that Vietnam has been a defeat, but go on to our concern with the people.

Brown: I would like to support what Jim Schlesinger says. I have been on a trip, to Indonesia, Singapore, Pakistan and other countries. In Pakistan, I was approached on whether we would let the Vietnamese fall. I cited the record.

There is great interest. People wonder if we will turn our backs on Asia. The main question is what we will do about Asia. I think \$722 million, even with Fred Weyand's objectives, would be wasted. We would have no hope. Perhaps \$300 million would maintain some effort on behalf of the Vietnamese and would say we are not turning our back on Asia.

The large sum would also have an impact on the equipment of our own units. We would have to send material that our own forces should use.

Clements: In any case, we cannot get the material there in time.

President: Bob, do you have anything you want to add?

Ingersoll: If you say what Jim suggests, you will have chaos in Saigon.

Schlesinger: You would not say it publicly. You would say it privately to the Congressional leaders.

Kissinger: It will certainly get out.

President: I am not going to tell the Congressional leaders that sort of thing. I will tell them my decision. We have an executive and legislative branch. I still think we have to make our own decision within the executive branch. We solicit their views, but I have to make the decisions. I do intend to make a strong speech. It will be looked upon as a strong speech.

I believe my speech has to be consistent. I cannot make a strong speech on certain areas of the world, and then, as I look at it, ask for \$300 million. No military estimate can justify it. If we are going to be blunt and say we will do nothing, that is one thing, but we have to use figures that are justifiable. Maybe Congress will not give it to us, but at least, on the record, we have to say what will do it.

Marsh: Congressman Don Fraser has just made a speech calling for Vietnam aid.

President: I will ask for \$722 million because we can justify it. At least the record will be clear. I will ask that it be done by a date certain, perhaps May 1, though we still have to decide that.

I will ask for humanitarian aid but not through the United Nations. Third, I will ask for authority, which I think is needed, to evacuate the Americans and others to whom we have an obligation.

I do not rule out at some point letting the North Vietnamese know that any interference with our humanitarian efforts will be met with strong measures. That is why I want flexibility.

It will be a strong speech in my own way, not perhaps in Churchill's. It will not be a phony.

I gather, Jim, that you have reservations. But this is the decision. This will be the only group that knows it. I have spent a lot of time on this, now and even earlier, going back to 1972. I think our policy, going back to Presidents Truman and Eisenhower, was the right policy. We did not always implement it well, and we may have made many mistakes. But it was the right policy.

But to go to Congress and ask for nothing, that is dubious. It is our best hope, if we can get it.

Thank you very much, gentlemen.

213. Memorandum From William Smyser of the National Security Council Staff to Secretary of State Kissinger¹

Washington, April 9, 1975.

SUBJECT

Review of Cambodian Evacuation Schedule

In response to my memorandum informing you of Prince Sihanouk's cable to Cyrus Eaton (Tab A),² you asked me to review our Cambodian evacuation schedule on the basis of that telegram. I see several options, outlined below. We should also get in touch with Sihanouk ourselves, on another matter, to see if he repeats the message directly to us.

You may recall that, in this telegram, Sihanouk told Mr. Eaton that the U.S. should evacuate its personnel and the Phnom Penh "traitors" while Pochentong was still open and that the GRUNK takeover of the airport was being delayed to give us that opportunity.

Sihanouk's cable may just be designed to increase the pressure on us to leave and to pull down the Cambodian Government. It could, however, also reflect his real views. I am confident that he would prefer to avoid a battle for Phnom Penh. If we want to work along his lines, we should cooperate.

It seems to me that we have four options. The first three involve evacuating Phnom Penh via Pochentong over the next three nights, before or after the President's speech; the fourth involves remaining as long as possible even if the airport is closed.

You had directed earlier that Ambassador Dean should not evacuate until after the President's speech Thursday³ evening. If you choose to change this, our mission would have to evacuate on Wednesday night, Washington time (Thursday in Phnom Penh) which would still give time for the President to take account of this in his speech. If, however, we wished to ask Dean to evacuate after the President's speech, and as soon as possible, our choices would be Thursday night (Washington time), which might be too soon in terms of your desire to sus-

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 6, Voyager Channel, April 1975, Outgoing. Secret; Sensitive; Eyes Only. Sent for immediate action. According to the attached correspondence profile, Kissinger reviewed this memorandum on April 11.

² Memorandum, "Call from Mrs. Cyrus Eaton re Telegram from Prince Sihanouk," April 7, prepared by Smyser, attached but not printed.

³ April 10.

tain our position until after the President's speech, or Friday night (Washington time) which would be the earliest time compatible with your instructions.

We must recognize that events may well force our hand. The airport could fall at any time and may well not hold out the three or four days required.

There is a way for us to check this out, to see if Sihanouk says the same thing to us that he said to Eaton. We have just received the Sihanouk recordings of Cambodian songs that he promised to send President Ford. I think it would be good to instruct USLO Peking to get in touch with Sihanouk's aide, Mr. Phung, to tell him that the President has received the records and thank the Prince, and that we would be interested in any further messages the Prince may have for us. If Sihanouk's message to Eaton is serious, he could repeat it to us directly.

Based on the above discussion, I have one recommendation on approaching Sihanouk, and I see four options for evacuation:

Recommendation

a. That you authorize USLO to get in touch with Prince Sihanouk's intermediary to tell him that the President appreciates the records and that we would be interested in any further messages the Prince may have for us.⁴

Options on Evacuation

a. Instruct Dean to evacuate Wednesday night (Washington time), before the President's speech.

b. Instruct Dean to evacuate Thursday night (Washington time) immediately after the President's speech.

c. Instruct Dean to evacuate Friday night (Washington time) with somewhat more leeway after the President's speech.

d. Leave Dean's instructions as at present, which means he will not initiate evacuation except on instruction but can evacuate in an extreme situation if he feels American lives would be jeopardized by further delay.⁵

⁴ Kissinger initialed his approval.

⁵ Kissinger did not mark any of the options.

214. Memorandum From Richard Solomon of the National Security Council Staff to Secretary of State Kissinger¹

Washington, April 10, 1975.

SUBJECT

A Message Proposing to Sihanouk (and the PRC) that the Prince Return to Phnom Penh under Chinese Protection to Negotiate a Transfer of Leadership

In Holdridge's meeting with his Cambodian contact in Peking today, Sihanouk's representative made three points: (1) that it is important to reach a solution in Cambodia before the fall of Saigon; (2) that the Prince is helpless in Peking but does not wish the Khmer Rouge to take over the country completely; and (3) that it is a good thing to keep the army now defending Phnom Penh intact as the Prince has the support of the soldiers and peasants. In conclusion, Sihanouk's representative asked for the U.S. position on a solution in Cambodia. (See the reporting cable at Tab C.)²

There is some ambiguity as to whether Mr. Phung's comments are a reflection of Sihanouk's position, or whether they are his personal views. One reading of the reply might be that the Prince is trying to help out his Vietnamese "friends" by arranging for a negotiated surrender in Phnom Penh in order to set the stage for a similar development in Saigon. A more likely reading is that Sihanouk is now casting about for some way of injecting himself into the situation in his country at the 11th hour in order to be more than just a figurehead, and is truly uncertain about how to proceed given his weak position.

On the basis of discussions with Dick Smyser and Win Lord, we feel there is only one way we might proceed to open negotiations which would hold some prospect of giving Sihanouk sufficient backing to enable him to build a position for himself. That is for the Prince to appeal to the Chinese for support in injecting himself into a negotiating situation designed to save Phnom Penh and bring about a transfer of leadership in the country. While we have little expectation that such a situation could be created at this late hour, we propose the following scenario which would build on what we presume to be the Prince's indirect comments on the 10th: Have Holdridge again engage his Cam-

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 3, Cambodia (15). Top Secret. Sent for action. A handwritten notation by Scowcroft at the top of the memorandum reads: "Action Complete, BS."

² Backchannel message 83 from Bush to Scowcroft, April 10, attached but not printed.

bodian contact, indicate that we would support a negotiated resolution of the present situation in Cambodia which would return Sihanouk to national leadership, and propose that the Prince ask the PRC to transport him back to Phnom Penh to negotiate a transfer of power. If we received a positive reply to this suggestion, we would then do what we can to arrange for negotiations with the authorities in Phnom Penh which would return the Prince to national leadership.

We obviously have little time left to pursue such a démarche (and we have little expectation that it would get anywhere), but there is little to be lost by proposing such an arrangement. In essence it would tell Sihanouk that if he is to save his own future he must now cash in all his chips with the Chinese (who would obviously have to intercede with the Khmer Rouge, and probably Hanoi, to stop the fighting at its present stage so that they could safely transport the Prince to Phnom Penh). By limiting our contact to Sihanouk and his representative, we would not put the Chinese in the position of “colluding” with us.

Given the military pressure now on Phnom Penh it may not be possible to bring this off—assuming a positive response from Sihanouk and his friends—while there is an American presence in the city. Given your other instructions to Ambassador Dean on evacuating his mission, there is a danger in suggesting to him that he should hold on to see if this démarche elicits a positive response. However, we believe you should inform Dean that we are trying this last approach to negotiations, that we have little expectation that it will succeed, but that if his physical security would enable him to remain in Phnom Penh for several more days there might be a possibility of him assisting in the opening of negotiations for a transfer of leadership if we receive a positive response from our contact in Peking. A message to this effect is at Tab B.

Recommendations

That you approve the message to Peking at Tab A:

That you approve the message to Ambassador Dean at Tab B:³

³ Kissinger did not initial his approval or disapproval of the messages attached at Tabs A and B.

215. Telegram From the Department of State to the Embassy in Cambodia¹

Washington, April 10, 1975, 1629Z.

81634. Subject: E&E. Ref: Phnom Penh 6105 and 6093.²

1. On the basis of your recommendation you are instructed to evacuate without delay (early am April 11 if possible) all Americans and others for whom we are responsible, including as many Khmer as possible under the circumstances. You should try to do so by use of fixed wing aircraft in manner you judge best. You should not rpt not call for Eagle Pull phase III unless in your judgment there is no other way to protect American lives.

2. As you know your first priority is to get Americans out safely, and then as many Khmer as possible. The latter of course have numerous GKR aircraft at their disposal.

3. We have noted your latest conversation with Saukham Khoy and his plans for ending the war in a humane way.³ If you believe that you and a handful of your staff should stay a while longer in order to help GKR through their last days you are authorized to do so. This should not be done at risk to you, your staff, or those Khmer whom you can get out with you.

4. Please inform us by Flash message of your plans.

Kissinger

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, From SECSTATE, Nodis (3). Secret; Nodis; Flash. Drafted by Miller, EA; approved by Kissinger. Repeated to Bangkok, Saigon, CINCPAC, and COMUSSAG NKP Thailand.

² The Embassy reported on the Cambodian military situation in telegram 6105 from Phnom Penh, April 10. In telegram 6093 from Phnom Penh, April 10, Dean recommended that Operation Eagle Pull be initiated no later than April 12. He then reported on the military situation around Phnom Penh. (Both in National Archives, RG 59, Central Foreign Policy Files)

³ Dean reported on the meeting in telegram 6094 from Phnom Penh, April 10. (Ibid.)

216. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, April 10, 1975, 2100Z.

6111. Subject: E&E. Ref: 81634.²

1. Re para one reftel, it is now too late (0400 hours local, April 11) to execute evacuation early an April 11. We are therefore planning to evacuate early a.m. April 12. CINCPAC J-3 confirms that *Hancock* will be available April 12, which would increase total helo assets and assure us single-lift helo capability.

2. Eagle Pull options one or two are not feasible for number of reasons:

(A) Unavailability of ground security force of sufficient size to secure Pochentong Airfield;

(B) Possibility that Pochentong will not be in friendly hands April 12 or will be under severe enemy attack by April 12;

(C) Probable necessity to use massive TACAIR to secure Pochentong, and inevitability that such TACAIR would be directed against friendlies as well as enemy, which would be highly inadvisable politically;

(D) Even if none of the above apply, massive evacuation via Pochentong would be likely to cause general panic in city, which would make operation impossible to execute without using force against civil populace.

(E) Contrary to scenario outlined in JCS 101821Z Apr 75,³ if Eagle Pull options one or two failed to be completed successfully because of pandemonium at Pochentong, it would then be impossible to move GSF and evacuees to LZ Hotel. Remember Da Nang.

3. In view of above, Eagle Pull option three is our only possible course, and if military situation deteriorates we have to move before Saturday. DCM, General Palmer, Colonel Batchelder and Admiral Gayler (whom we have just consulted by phone) are unanimously in agreement with this judgment of mine.

4. I therefore request all concerned to execute Eagle Pull option three at first light Saturday, April 12, with first chopper to arrive at LZ Hotel at 0900 hours local.

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Secret; Flash; Exdis. Repeated to Bangkok, CINCPAC, Saigon, and COMUSSAG. Passed to the Department of Defense.

² Document 215.

³ Not found.

5. Use of American TACAIR is less likely to be necessary under Eagle Pull option three than under the other options, though I cannot rule out the possibility that it would be required even under option three. Under option three my estimate is that it would be directed against the KC rather than against the FANK, which I could not guarantee under options one or two.

6. Re para two reftel, I understand that my instructions are to give first priority to getting Americans out safely “and then as many Khmer as possible.” This is obviously a drafting error, since once the Americans have left, the Khmers will be on their own, and there will be no opportunity for us to get Khmers out “then.”

7. Re para three reftel, I would be happy to stay, and more than a handful of my staff have already volunteered to stay with me, if there would be any way we could assist the Khmers to work out a peaceful resolution. Of course there would be some risks involved, and we shall weigh these risks tomorrow on the basis of meetings I plan to have with the leaders of the GKR. If they are still chewing their cud, I see no reason to stay with them to see what they may regurgitate, but I will make that assessment tomorrow.

Dean

217. Editorial Note

President Gerald Ford surveyed United States foreign relations during an address to a Joint Session of Congress on April 10, 1975, 9:04–10:05 p.m. The preponderance of the President’s speech, televised to a national audience, concerned Indochina. “A vast human tragedy has befallen our friends in Vietnam and Cambodia,” he began. “The chances for an enduring peace after the last American fighting man left Vietnam in 1973 rested on two publicly stated premises: first, that if necessary, the United States would help sustain the terms of the Paris accords it signed two years ago, and second, that the United States would provide adequate economic and military assistance to South Vietnam.” The President concluded that the United States had failed on both counts; the North Vietnamese, meanwhile, had “systematically violated the cease-fire and other provisions of that agreement.” The President continued: “In the face of this situation, the United States—torn as it was by the emotions of a decade of war—was unable to respond. We deprived ourselves by law of the ability to enforce the agreement, thus giving North Vietnam assurance that it could violate that

agreement with impunity. Next, we reduced our economic and arms aid to South Vietnam. Finally, we signaled our increasing reluctance to give any support to that nation struggling for its survival." After President Ford reviewed U.S. options, he asked Congress to appropriate \$722 million in military assistance and \$250 million in economic and humanitarian aid to South Vietnam no later than April 19. "Fundamental decency," he said, "requires that we do everything in our power to ease the misery and the pain of the monumental human crisis which has befallen the people of Vietnam." As for Cambodia, Ford concluded: "In January, I requested food and ammunition for the brave Cambodians, and I regret to say that, as of this evening, it may soon be too late." For full text, see *Public Papers of the Presidents of the United States: Gerard R. Ford, 1975*, Book I, pages 459–473.

218. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, April 10, 1975, 2212Z.

WH50657. You will be receiving by State cable instructions to evacuate the American community to a level of 1250.

2. Now that President has given his speech calling for substantial emergency assistance to Vietnam, you should see President Thieu immediately and explain to him the measures that we will be taking as a temporary precaution.

3. I am fully aware of your strong views on this issue but we simply cannot run risks of something unexpected occurring. I want you to know that the order for the immediate reduction comes personally from the President. He feels very strongly about the need for it and the appropriateness of the timing in connection with his strong speech.

4. On this one there is now no more flexibility. I know I can count on you.

5. Warm regards.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing (1). Secret; Sensitive; Eyes Only.

219. Telegram From the Department of State to the Embassy in Vietnam¹

Washington, April 10, 1975, 2337Z.

82577. Subject: E & E. For the Ambassador from the Secretary. Ref: Saigon 4527.²

1. I greatly appreciate the contingency planning transmitted ref-tel, particularly as I realize the complexity of the problem and the forced draft that you and your staff are working under. We will be studying your plans carefully in order to give you the best and most expeditious support possible.

2. In light of renewed fighting in MR 3 and MR 4, and intelligence reports that the North Vietnamese may be planning an attack in the Saigon area in the near future, I believe it is most urgent that we reduce the American presence in South Viet-Nam to the minimum personnel resources required to carry on the essential program. You should therefore as 'expeditiously as possible, and with appropriate regard for what you have described as the interrelationship of the political and military realities on the ground, proceed to reduce the American community to the approximately 1,250 you mentioned in para 1 (A) (B).

3. Concurrently, with your efforts to reduce official personnel, you should encourage the non-official American community to reduce their numbers by sending out dependents and less essential personnel.

4. Finally, we will in the meantime be working urgently on the massive and complex problem of evacuation of Vietnamese based on your study, with a view to coming promptly to the decisions which will have to be made here to support your effort.

Kissinger

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, From SECSTATE, Nodis (2). Secret; Immediate; Nodis.

² The Embassy provided the Department with a detailed evacuation plan in telegram 4527 from Saigon, April 9. (Ibid., To SECSTATE, Nodis, 3)

220. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, April 11, 1975, 0414Z.

6113. For the Secretary from Ambassador Dean. Subject: Ambassador's Meeting with Acting President Saukham Khoy Regarding Appeal to Sihanouk. Ref: White House msg 102345Z Apr 75.²

1. Accompanied by DCM, I met with Acting President Saukham Khoy 9:30 a.m. April 11. Prime Minister Long Boret also attended the meeting. Prior to discussion of substance of your telegram with the Acting President, he told me that he had talked yesterday with Long Boret, who had agreed in principle to step aside. Long Boret had asked to consult with the Steering Committee of the Socio-Republican Party before giving definitive reply.

2. In addition to talking to Long Boret, Saukham Khoy met last night with other Khmer political luminaries, and also with Chief of Staff Sak Sutsakhan. The Acting President pointed out to them that it was a question of hours, not days, and it was necessary to inject a new factor in the equation if a blood bath is to be avoided. He said students are clamoring for rapid change in Khmer leadership. Saukham Khoy told the assembled Socio-Republican leaders last night that the "individual personalities must sacrifice themselves to obtain a ceasefire and to avoid a blood bath." Some of the leaders present, for example Pan Sothi (Minister of Education), agreed that party politics have been overtaken by events and that rapid action is needed. Pan Sothi agreed to resign, as did the Minister of Finance, Khy Taing Lim.

3. After hearing out President Saukham Khoy I explained to him and Long Boret gist of your message (reftel). He clearly understood the message and appeared to be much more sympathetic to this scenario than did Long Boret. I stressed throughout the conversation that decisions of this nature must be made by the Khmers themselves, and that the signal from Sihanouk was tentative at best and we had no repeat no assurances that scenario discussed would be acceptable to Prince.

4. Saukham Khoy is taking the following actions during the next three to four hours: (a) calling a Cabinet meeting at which Long Boret and his group will resign; (b) appointing Chan Sau as the new Prime Minister; (c) unless Saukham Khoy changes his mind or is prevented by others from acting he intends to make public statement to international

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (6). Top Secret; Flash; Nodis. Repeated to Beijing.

² Message is attached at Tab B of Document 214.

press and radio in Khmer and French later in the afternoon inviting Prince Sihanouk to return to Phnom Penh to arrange an end to the war in a humanitarian manner. He will also call for a ceasefire to become effective as of a certain hour and date. He would also assure the safety of the Prince and his party in the name of the Phnom Penh authorities. He would point out willingness of all Khmer personalities to step aside in the higher interest of the Cambodian nation. Finally, he would make his appeal in the name of the suffering Khmer people to put an end to their suffering. Before making this declaration he plans to check it out with the Khmer civilian leadership as well as selected military leadership. This latter suggestion was adopted by Saukham Khoy as a result of Long Boret's suggestion, so that the military would not fall apart following this declaration inviting Sihanouk to return.

5. Saukham Khoy told me he will send his son to my office or to my residence to keep me informed of these developments, which I expect to occur in the next five hours.

6. Before leaving Acting President and Long Boret, I said that in the event this last minute effort should fail and the current Khmer leadership has to depart the country, I had plans to take a limited number with us if and when we have to depart Phnom Penh. I stressed with them again that I did not wish to play God and determine who under these circumstances should have access to our aircraft in order to gain safety abroad. I told them they should continue to send to my residence each morning at 6:30 a.m. one of their trusted aides who would hand carry a note from me back to them. If we had to leave, the Khmers would have no more than 2 hours to come to this Embassy to be processed for boarding our aircraft. They, Saukham Khoy and Long Boret, would have to make the decisions as to who should go with us in the event the worst happens. Both men understood my explanation fully.

7. Finally, Saukham Khoy stated that he is convinced the people of Phnom Penh have confidence in him personally and will accept whatever steps he takes to try to end the conflict, including specifically the appeal to Sihanouk to return here.

8. *Comment:* Should Saukham Khoy make a public declaration today inviting Sihanouk to return to Phnom Penh, the Prince is likely to get the word first from the AFP representative in Peking, as has been the case in the past with other declarations emanating from the GKR, for example Marshal Lon Nol's offer of unconditional negotiations of last July 9. We would hope that the Prince would not follow his usual practice of shooting from the hip without any reflection and issuing a statement of response instantaneously. Anything Ambassador Bush could do to preclude an immediate emotional outburst by the Prince would of course be helpful.

Dean

221. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, April 11, 1975, 0510Z.

6116. Subject: E&E. Ref: (A) State 81634;² (B) Phnom Penh 6111.³

1. Regarding the idea that a “handful” of the American staff should stay on a while longer in order to help the GKR go through their last days (para 3 reftel A), I believe this would be foolhardy unless we have clear indication from the KC side that they would respect the diplomatic status of these personnel. It is my understanding that the International Red Cross and UNICEF have somehow received some indication from the other side that they will not be harmed if they stay behind. Some, very few, officials of these two agencies are remaining in Phnom Penh on the basis of this guarantee. Unless we have obtained in advance the same guarantee for our personnel I think we would run the risk of turning over hostages to the KC and I would not be carrying out what I have been told (reftel A) to do, i.e., “Your first priority is to get Americans out safely.”

2. Since for a number of weeks I have been told to keep completely out of internal Khmer deliberations regarding the future of the GKR and how they might try to work out an arrangement with the other side, I fail to understand what the role of the “stay-behind” group would be, other than to report on what is going on.

Dean

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (6). Secret; Niact; Immediate; Nodis.

² Document 215.

³ Document 216.

222. Telegram From the Department of State to the Liaison Office in China¹

Washington, April 11, 1975, 0717Z.

82747. Subject: Cambodia. Ref: Phnom Penh 6113.²

1. You will have received reftel. If you have not already seen Phung, do so immediately and include gist of reftel in your presentation to him. If you have already seen him, then you should contact him again immediately and pass on the word.

2. You should then inform him that an immediate reply is needed to our original message. If it is affirmative, you can tell him that we believe position taken by Phnom Penh opens way for immediate arrangement along lines we have proposed.

3. In giving him Phnom Penh position, you should draw heavily on Saukham Khoy's readiness to accommodate, without getting into problem raised by Long Boret's apparent reluctance.

4. Let us know result of your contact. If in the end you receive an authoritative and generally affirmative reply, you should communicate it to us and Phnom Penh simultaneously by flash message. If vacillation appears, you should make it clear that time is running out for kind of arrangement Sihanouk envisaged, as described by Phung.

Kissinger

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, From SECSTATE, Nodis (3). Top Secret; Nodis; Flash. Drafted by Habib and approved by Habib, Lord, and Eagleburger. Repeated to Phnom Penh.

² Document 220.

223. Telegram From the Department of State to the Embassy in Cambodia and the Liaison Office in China¹

Washington, April 11, 1975, 1100Z.

82751. Subject: Cambodia. Ref: (1) Phnom Penh 6119,² (2) Peking 678,³ (3) Phnom Penh 6116⁴ Notal.

1. *For Phnom Penh.* You have done what you could and presented the case accurately. There is still no word from Phung in Peking. You should proceed with plans for total Eagle Pull as scheduled after informing GKR, if possible, of state of play described Peking 678.

2. *For Peking.* If you are able to get to Phung, include latest information from Phnom Penh (ref 1) in your presentation. If you should hear any news within next few hours, please inform Phnom Penh by flash message with info to Washington. Phnom Penh evacuation will begin at light of dawn April 12.

Kissinger

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, From SECSTATE, Nodis (3). Top Secret; Nodis; Flash. Drafted by Habib and approved by Habib, Lord, and Eagleburger.

² Telegram 6119 from Phnom Penh, April 11, contained information on the developing situation in Cambodia. (Ibid., To SECSTATE, Nodis, 6)

³ In telegram 678 from Beijing, April 11, Bush reported: "we have been waiting all day for an appointment with Phung, and the French have not repeat not been able to reach him. They are still trying." (Ibid., Box 15, People's Republic of China, State Department Telegrams, To SECSTATE, Nodis, 5)

⁴ Document 221.

224. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, April 11, 1975, 8:31–8:51 a.m.

PROCEEDINGS

(The meeting was convened at 8:31 a.m., Secretary of State Kissinger presiding as Chairman.)

Secretary Kissinger: I've got to make it a fairly short meeting. I want to make a few observations about yesterday evening's speech.²

I think we all know that Viet-Nam has been a national tragedy and that the phasing out in Viet-Nam and Cambodia is probably the last act of a national tragedy. And in doing this we have to keep in mind many factors. We have to keep in mind how we are perceived by the Vietnamese because that involves 6,000 Americans and hundreds of thousands of Vietnamese who had every reason to believe that they were working with a more or less permanent institution.

It matters how we're perceived by other countries, whether the United States just walks away and won't even give ammunition to people who have fought with them. And, finally, it depends on how we are perceived by our own people, not just in the headlines of the day but when the mothers ask themselves what they lost 50,000 people for.

So for all of these reasons, we have to do what is right, no matter how unpopular it is. And what is right at this moment seems to us to put ourselves into a position where no matter what happens in Viet-Nam, we retain some influence over events. If the President last night had said what so many Congressmen say he should have said—namely, "We've done enough; we can no longer give military aid," I think Phil Habib will agree there will be a total uncontrollable, chaotic collapse in Saigon starting this morning. Once the President decided he was not going to do nothing, he might just as well ask for what the rights on this are because the opposition on the Hill is not hinged on a figure; it's hinged on the principle. And it didn't make any sense to ask for the \$300 million which was already necessary when there was no emergency. He had done that. And the opposition on the Hill—I don't know whether Phil agrees with me—wouldn't have been significant if we had passed the supplemental immediately.

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 7, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates. List of attendees attached but not printed.

² See Document 217.

On the contrary, they would have said, "That's what you asked for in January. How could it possibly make sense under conditions of collapse?" So if you look at it from the point of view of the President and of an Administration that has a long-term responsibility, I think you will come to the conclusion—at least, we came to the conclusion—that we had these choices: We could do nothing. We could ask for the 300 million supplemental. We would ask for the 300 million supplemental and say, "We'll be back for the other 500 million in a few weeks if this 500 million stays." Or we could ask for the full amount now. "We want to get the debate over with. We won't ask for the 300 million now and then come back for 500 million later."

Phil Habib is going to be testifying between now and Christmas, and it does not change the nature of the situation in any significant respect.

I repeat: Whatever outcome around this table is preferred, there's a military outcome that's got to be that amount. If there's to be a negotiated outcome, it's got to be that amount, because only a negotiated outcome—because only some fear of the North Vietnamese that we might reenter might induce them to give slightly tolerable terms. If there's an evacuation, we'd have to go there too. So whatever option we were going to follow, we had no choice.

Moreover, the President feels very strongly, and I feel very strongly, that in this crisis of democracy which we are facing, the Executive must be perceived to have done the right thing and have asked for the right thing—and done something that it can justify.

Bob, you were at the NSC meeting³—

Mr. Ingersoll: Yes.

Secretary Kissinger: —and you know that these decisions weren't lightly taken. So I want you to understand that this is not just a minor matter to us and that in this vicious debate that is now going on in America how we are perceived by other countries is of no insignificant proportion.

Now, I happen to believe that the news reports we get about how other countries don't care and are glad we're getting out of South Vietnam are total balderdash. The countries that are most concerned have the least reason to tell us that they're concerned, especially in print. And, besides, the question is usually wrong because no one gives one goddam about Saigon; and if Saigon had gone ten years ago, there isn't a European who would know where it is much less—but the conclusion, as the United States winds up a ten-year effort, can only

³ See Document 212.

reflect on our wisdom, our competence, our reliability, our steadiness, our strength—all of which they depend on.

Well, I have said all of this because I know there are many people in the Department who have had very strong feelings against the Viet-Nam war. I'm trying to suggest that it's no longer now a question of whether you are for or against the Viet-Nam war for, in my judgment, it's going to come to a conclusion within the foreseeable future, but it has more to do with the dignity and self-respect of the United States—and, above all, with our ability to conduct an effective foreign policy after it is over—and whether we are perceived by other nations to be steady and strong and capable. And that's going to be our big task in this Department. We will have to conduct a somewhat sterner foreign policy now.

We're going to assess what we should do. That's not the issue. But what I do want for the immediate future is that all brilliant intellects that are assembled in this Department constrain their flights of fancy and concentrate on the gravity of the problem and not say that the sum the President should have requested is \$687.50 million or that he made a horrible mistake by going for this sum or plead all over the place about how they don't want a debate on the many variations of offers, of many ideas that we can think of. But, on the whole, every time that I argue the point, when I think the Department is really getting good morale, somebody leaks something that makes me question it.

But assuming this meeting had taken place before the Carlucci leak, I would say—I mean, we've done well in these months. Let's get your Bureaus behind this thing. And let those of us who have to testify do it with dignity and conviction because I think we did the best thing that could be done.

Now, when I say this, it's not addressed to Phil Habib, who's been a hero, and for whom this must be more heartbreaking than anyone else, because I remember him in 1965 when all of this started and he tried to put it together. And I think he deserves all our gratitude for what he's done. But for the many people in each of our Bureaus who no doubt have strong views on the subject, let them remember now that it's not a time for gimmicks. This thing is not going to go its course; its course is reasonably predictable. And what we are trying to do is to manage it with dignity and to preserve a basis for which we can conduct the foreign policy, in which people can have some confidence in us.

That's what's now at stake for us.

Phil, do you want to add anything to this?

Mr. Habib: No, sir. You've done it. I agree with everything you've said. We're going to get a very difficult time from the Hill, but I think—

Secretary Kissinger: You know, I just had breakfast with Hubert Humphrey and he said, "I was proud of you. That was the right thing to do, but I can't support you."

Mr. Habib: He won't support it.

Secretary Kissinger: You know, there's an ambivalent feeling.

Mr. Sisco: Well, Henry, a number of these people I think do have consciences, but I don't think that from Humphrey—

Mr. McCloskey: Why the hell didn't he do that last night?

Secretary Kissinger: They would have beaten us to death if we had come in with a figure of \$287 million and ten cents. Every argument that I heard on television last night was as valid against one dollar as against \$700 million—

Mr. McCloskey: That's right.

Secretary Kissinger: —because if we had given too much aid, then the amount is totally irrelevant.

Mr. Habib: I think we're going to get two principal arguments: No. 1, "We'll give you what you want for humanitarian purposes." That salves their consciences. The second thing they're going to do is say, "Of course, if you get rid of Thieu and you get a peaceful settlement—you know, something to tide you over—that would be a different matter." And as things get rougher on the ground as they will, we'll get more and more of the latter argument that's going to come up. There will be people who will try to find a way to negotiate for you a political settlement—which is nothing but, you know, but a turn toward the terms for the VC.

It may come to that. It is a way in which you can sort of cut it off with the least hardship—but that will be something that the Vietnamese will discover for themselves.

Secretary Kissinger: Phil, if we have learned anything, it is that people do not give you credit for carrying out what they said they wanted when you do it. For all of us who negotiated the agreement in 1972 [1973], if there was one message that everyone said to us it was "Just get us the hell out of there." If we were criticized for anything, it was for holding out for too stiff terms. Everyone said, "Just get us the hell out of there. We'll pay any amount. We'll do anything." Does it keep anyone today from saying, "The agreement was a disaster"?

I'm not concerned about the personal situation; I'm concerned about what the American people will think even the 85 percent who now want us out, when it's all gone and when their government has cooperated in killing off the people with whom it fought for ten years whom it put into office—whose country was torn up—the millions of whom it killed—I know all these arguments; we'll get all these arguments. And many of the people who make them deep down know they're wrong and are trying to vindicate themselves.

We have no choice except to persist. We've put a cutoff date on it. So at least the agony is terminal. And it's not compromisable because, you know, if they say to us, "Will you take 600 million?" you know damn well, Bill, no matter what they give us, the probability is that not 30 percent of it could get to Viet-Nam before the next phase occurs. Don't you think so, Bill?

Mr. Hyland: The next phase has already started.

Secretary Kissinger: We're not talking about it. We're not talking about money that is likely to be spent. We're talking about how the United States is likely to be perceived around the world after a ten-year effort, and that is not a matter of indifference. Right now, the Soviets are scared that in our frustration we will react violently. But then the Soviets catch on that we become so weak that not only do we react violently but we sort of wallow in our defeat and that far from lashing out at them we sort of draw the lesson, say "That's a pretty good thing, you know, once you get defeated."

I heard yesterday, "You've got to give aid to Israel because they win their wars, but we can't give aid to other countries that are losing their wars." Well, on that goddam theory it's a wonder that the Soviets are not in Bonn already. On that theory the Nazis would have taken over the world.

So it's not a minor problem. It has really now become a major moral issue, how we stand.

We're going to lose; there's not a chance of our winning on the Hill. And there would have been no chance of winning on the Hill no matter what we asked for—let's not kid ourselves.

Mr. Habib: If I had thought there were, I would have persuaded you to ask for less, but I don't think that's the issue.

Secretary Kissinger: Phil, you weren't getting a cent of the 300 million—

Mr. Habib: No.

Secretary Kissinger: —and if we had said immediately, "Give us the supplemental," the next question would have been: "Mr. Habib, will you kindly explain to us how \$300 million is essential when whatever is good could have been the right amount? And if you know it's not the right amount, why in God's name are you asking us to give an inadequate amount?" And if you had said, "We'll ask for \$400 million now and 300 million later," the mere fact that these Congressmen would have had to vote twice in three months would have been enough to drive them crazy. And if we had asked for 300 million and gone to Thieu and said, "Listen, boy, you needed 300 million in January and we've come now, after several weeks of study at an NSC meeting, and we have concluded that by some miracle the 300 million you need be-

fore an offensive is just the amount you need after an offensive,” that would have collapsed Saigon.

So we have no choices. And if we’re not going to get it, we might just as well not get the right amount.

Mr. Habib: I think we’re going to get something out of some of the committees, but a floor fight is bad. We ought to think about how we’re going to fight the battle in the committees first.

Secretary Kissinger: We’re not going to be vicious. We’re not going to accuse anybody of having been wrong. I have no intention, when this thing is over, of turning it into a vendetta and going around the country. I think people are going to feel badly when it’s over. I don’t think there are going to be many heroes left in this. But this Department, as long as I’m in it, is now going to stand for what’s right. We have no other choice in the world. We are in a very difficult situation. We have lost an enormous amount of prestige. Is there any Assistant Secretary who doubts this?

Bill, do you think in Latin America this is not an enormous reflection on us?

Mr. Rogers: It is.

Secretary Kissinger: And quite apart from this, they don’t give a damn who owns South Viet-Nam. If we had never been in there, I don’t think it would have made any bloody difference to them. It is an enormous reflection on us. We’ve got to put our foreign policy together now again. We’ve got to be a country again that people will be proud to be associated with, which I do not believe is the case today.

We’re a country that some countries have to be associated with. Unfortunately for them, in their perception, what do they have to be proud to be associated with us the way it was in the Kennedy period and the way it was even at some periods a few years ago? I don’t see that. And that means that this Department has to reduce its masochistic instincts—if I may say so—for a bit, and those of you who leak your Bureaus—I mean, we should try to instill some of this ideal for the next few weeks and not have everybody run around emoting and get across that we’re—

Mr. Habib: The problem for the Department is that they get sniped at from other places in town.

Secretary Kissinger: I know.

Mr. Habib: It’s disgraceful the way other people are sniping at us from other places in town. The White House people are trying to make it out as if they had a lock on wisdom all along. Defense—the Pentagon—is trying to tell us that if we don’t do certain things fast enough, God help us. If they have an accident, they’re going to blame us.

Secretary Kissinger: No doubt. The Pentagon has said, “It’s your fault.” I’ve heard it three times.

Mr. McCloskey: The story in the *Post* is that Dean called in and asked for the authority and was routed to the Pentagon.

Mr. Habib: And that we delayed. The Pentagon put out a statement to the wire services that they wanted to move faster and that we—the State Department—were delaying the matter.

Secretary Kissinger: Why was it delayed, as a matter of fact?

Mr. Habib: It was delayed because Dean came in with a message saying, “I can’t do it at this time,” and all his military advisers agreed.⁴ And I told that to Schlesinger. I talked to Schlesinger twice yesterday in accordance with your instructions. I said, “I have to trust the judgment of the man on the ground.” He said, “He needs 24 more hours’ time. I’m going to give him 24 more hours.”

Secretary Kissinger: You did the right thing, Phil. There is absolutely no question that what is going on in town now is that everyone is trying to position himself.

Mr. Habib: And I’m beginning to get calls from generals over there saying, “Why do you have to have helicopters? Why don’t you use the airport? The airport is open.” Christ, the airport is being shelled every minute! I said, “O.K., John. You’re the man.” Finally, I called Dean yesterday, I want you to understand.

Secretary Kissinger: Look, Phil. Everything you did you did on my orders, and I’m fully responsible—

Mr. Habib: Within the terms of your guidance.

Secretary Kissinger: —and I’m fully responsible for it, and what you did is absolutely the right thing.

Mr. Habib: At one stage evidently the military was sending messages out telling him to do it differently, and I said to him he was to abide. I called him on the telephone saying, “Look, you’re to abide by the orders from us.”

Secretary Kissinger: Everyone can say—I’ve gone through this Viet-Nam thing many, many times.

Mr. Lord: Someone has got to get control over the White House. This is distressingly familiar.

Mr. Eagleburger: We’re being described as the toughest people in town. It doesn’t happen very often! (Laughter.)

Secretary Kissinger: I haven’t seen today’s press.

⁴ Document 216.

Mr. McCloskey: There's none of that in today's press; but for two days before the speech there were stories about an intramural fight and that we were the heavies, personified by you, and the guys over there were in the white hats and they were trying to tell the President to be moral about it. (Laughter.)

Secretary Kissinger: That's true. And, after all, we all know what the President did. Moreover, it doesn't make a goddam bit of difference, because a year from now no one will know who was up, who was down—what the issue was. Believe me, a year from now all this crap that's being put out will not make any difference. All that will make any difference is whether somebody steered a steady course. And what this country needs now is to look at some people and be able to say, "By God, they tried to do the national interest." And if that's the worst charge they're going to make against the Department, we are well on the road to becoming the preeminent institution in this thing that we ought to be.

We've got a massive problem in the Middle East; we've got a massive problem in Southeast Asia. There's no way we can survive it by being tactical. I know all these guys around town and I know their position—that if one guy breaks a leg in the evacuation it will be our fault. We'll just have to take that.

O.K.; I've got to see the President.⁵

Mr. Ingersoll: Let me say one thing on this matter of parole. We've got people out who are going to this country. May we go to the committees and talk about that now?

Secretary Kissinger: Yes.

Levi is positioning himself too.

Mr. Ingersoll: I know.

(Whereupon the Secretary's staff meeting was concluded at 8:51 a.m.)

⁵ Kissinger met with the President from 9:12 to 10:10 a.m. They discussed, among other things, Sihanouk's possible return to Cambodia and whether the Ambassador should stay behind after the evacuation from Phnom Penh. The memorandum of conversation is in the Ford Library, National Security Adviser, Memoranda of Conversations, Box 10.

225. Telegram From the Department of State to the Embassy in Cambodia¹

Washington, April 11, 1975, 1522Z.

82878. Subject: Continuing Contacts with GKR.

1. The President has been watching the turn of developments closely. Given the latest moves in Peking and Phnom Penh, he wants to know whether you believe you could play a useful role by staying behind with a handful of people in support. He is informed of your previous judgment in this regard particularly that concerning KC guarantees but such guarantees do not appear feasible to us at this point.²

2. The President wants your considered judgment on whether you should stay. He asked that it be made clear that it is entirely up to you to decide on the basis of what might be accomplished by your staying.³

3. In any event, you should arrange some method of communicating afterward with remaining GKR. Let us know what the possibilities are in this regard.

4. We expect that even after your departure GKR would continue to seek to carry through on the possibility of making some arrangement with Sihanouk arising out of the recent exchange. In this case, we would want them to get the word to you and we would be willing to be as helpful as we can. This presumes that some organized GKR elements will remain in place after Eagle Pull.

5. We are also informing Sihanouk in Peking that if he takes up GKR offer and gets to Phnom Penh, we would need to know how to get in touch with him there. If you have any ideas in this regard, please let us know. You should tell this to the GKR leadership. We will inform Sihanouk along these lines two hours before Eagle Pull.

6. When you depart, establish yourself at Embassy Bangkok and report in. We will wish you to stay there on chance that things will develop in such a manner that you can return to Phnom Penh if arrangements with Sihanouk work out.

Kissinger

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, From SECSTATE, Nodis (3). Secret; Nodis; Flash. Drafted by Habib and approved by Habib and Scowcroft.

² See Document 221.

³ See footnote 5, Document 224.

226. Memorandum of Conversation¹

Washington, April 11, 1975, 4:30 p.m.

PARTICIPANTS

President Gerald Ford
Dr. Henry A. Kissinger, Secretary of State, and Assistant to the President for
National Security Affairs
Dr. James R. Schlesinger, Secretary of Defense
General George S. Brown, USAF, Chairman, Joint Chiefs of Staff
Donald Rumsfeld, Chief of Staff, White House
Phillip W. Buchen, Counsel to the President
John O. Marsh, Counsellor to the President
Lt. General Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

SUBJECT

"Eagle Pull"—Phnom Penh Evacuation

President: I would like to be brought up to date on where we are and what we are going to do. We will restrict ourselves to Cambodia. I am optimistic and I think we will make it.

Schlesinger: "Eagle Pull" will commence at 0900 local. They will be on the ground one hour and 20 minutes total. It will be completed by 11:30 p.m. our time if all goes well.

There'll be 33 helicopters, including three for search and rescue. The first twelve will hold 346 Marines.

President: Will Long Boret go?

Kissinger: "Eagle Pull" will collapse the Government. Even if Long Boret doesn't, enough of his people will go that it will collapse.

President: Do we know if there will be much fighting? There will be a crowd gathering, but there is a better than 50% chance of getting out without fighting.

Brown: There will be air cover but it will only return fire if fire is directed on the evacuation and only to protect the evacuation. The helicopters will come in a stream from the Carrier *Ubon* and peel off from hold points. We can do it all in one lift unless there are too many Khmer.

Schlesinger: We must do it all in one lift.

Brown: The Khmer have quite a lift capability of their own.

Kissinger: Do the Khmer think it is over or is this an American decision?

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversation, Box 10, 4/11/75. Confidential. The meeting was held in the Oval Office. Brackets are in the original.

Brown: It is a U.S. decision. Our intelligence thinks tomorrow will be the last day, but probably it would come on the 13th, an auspicious time.

President: There will be air cover?

Buchen: Yes. They will be under positive control all the time and under FAC.

President: By what authority is this being done?

Schlesinger: The rescue operation is to protect American lives, any fire is to protect American lives and Khmer evacuation is incidental to the American evacuation.

Buchen: Yes. The Khmer evacuation is incidental.

Marsh: We would use the same force anyway, wouldn't we?

Schlesinger: If we had gotten it down to 50 Americans, we would have used a much smaller force and got them out in 10 minutes.

Kissinger: I think we should say we are stretching the law so we don't run counter to the President's request of last night.²

Rumsfeld: Don't use "incidental"—because there are five times as many Khmers and it will be seen as a subterfuge.

Schlesinger: The original list contained 50 Khmer. That has swollen to 1,100. It is there we might be vulnerable.

President: I would think there would be a crowd gathered.

Schlesinger: We can use Red Cross agents. And they have C130's.

Buchen: Why do we take them out then?

Schlesinger: Ask State.

Kissinger: It was assumed that the airfield would be unusable. We didn't want to pull the plug by talking to them about evacuation.

[The statements to be read and given to Congress were reviewed.]³

President: There is no connection between this and the Vietnam evacuation. There is no connection at all. This is a unique situation.

Brown: Unless we give orders, the Marine Commander may load up with Khmer and leave the Marines, thus necessitating a second flight.

President: I agree. The Commander should be told that all Americans must be aboard the last chopper.

² See Document 217.

³ The Department of State released a statement the night of April 11 on the evacuation of U.S. citizens from Phnom Penh. The text was published in the *The New York Times*, April 12, 1975. On April 12, President Ford also released a statement and sent a letter to the Speaker of the House and President of the Senate reporting on the evacuation. See *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 475–477.

**227. Telegram From the Liaison Office in China to the
Department of State and the Embassy in Cambodia¹**

Beijing, April 11, 1975, 2215Z.

684. Subject: Contact With Sihanouk. Ref: State 082877.²

1. Holdridge met with Phung in Malo's apartment at 6:15 a.m. Peking time (7:15 a.m. Phnom Penh time) and conveyed two points contained in reftel. Phung was obviously disappointed over U.S. evacuation, and especially when he ascertained that Ambassador Dean would be leaving as well. As to maintaining communications with Sihanouk, he said he would convey message and hoped something could be set up later in Phnom Penh. In meantime he personally would continue to provide a link in Peking.

2. Phung then went on to note that he had met with Sihanouk at 2:00 a.m. that same night to discuss the message which Holdridge had provided him with earlier. According to Phung, Sihanouk said that the U.S. plan had come too late, and in addition he, the Prince, had no control over the Khmer Rouge. Sihanouk's judgment was that having come this close to military victory, the Khmer Rouge would not accept a ceasefire now. Phung had been told by Sihanouk to deliver this response to Holdridge immediately, but had not done so out of reluctance to disturb Malo in the middle of the night.

3. Phung added that Sihanouk would probably not be traveling to Phnom Penh for some time yet, certainly not in the immediate future.

The rationale presented by Phung for the delay was that Sihanouk would want to assess the general situation in Phnom Penh before returning, but it seems evident that the Prince's influence with the Khmer Rouge is so weak that he must await their invitation, which may or may not be forthcoming depending on their assessment of his usefulness to them.

4. Phung was greatly concerned about the possibility of his role as a contact with the U.S. leaking out. He claimed that Phnom Penh was filled with Khmer Rouge spies, and hoped that his part in recent developments could be kept quiet. We here certainly sympathize with him on this point, and request that if anything can be done at this late stage to safeguard Phung, it be done so immediately.

Bush

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 15, People's Republic of China, State Department Telegrams, To SECSTATE, Nodis (5). Secret; Nodis; Flash.

² In telegram 82877 to Beijing, April 11, Kissinger instructed Bush to inform Phung of the American evacuation from Phnom Penh. (Ibid., Box 14, People's Republic of China, State Department Telegrams, From SECSTATE, Nodis, 6)

228. Telegram From the Embassy in Cambodia to the Department of State¹

Phnom Penh, April 12, 1975, 0045Z.

6134. For the Secretary from Ambassador Dean. Subject: Continuing Contacts with GKR.

1. Saw Saukham Khoy and Long Boret between 7:00 and 7:30 morning April 12. I conveyed thrust of State 83356² to Saukham Khoy. He thought mostly women and children of Khmer VIPs would take advantage of our offer to depart with us this morning. He had not yet made up his mind whether to stay or leave.

2. Above all, I told him I am going to Bangkok and will remain in Bangkok and I would find ways to stay in touch with whatever elements of the GKR remain behind. I made similar pitch with Long Boret.

3. Also mentioned to both of them that President's message to Congress³ did not repeat not imply we were abandoning our efforts to obtain additional assistance from Congress for Khmer Republic.

Dean

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 4, Cambodia, State Department Telegrams, To SECSTATE, Nodis (6). Secret; Nodis; Flash. Repeated to Beijing.

² Telegram 83356 to Phnom Penh, April 11, contained information on the U.S. offer to evacuate certain Cambodian officials. (National Archives, RG 59, State Archiving System)

³ See Document 217.

229. Telegram From the Liaison Office in China to the Department of State¹

Beijing, April 12, 1975, 0245Z.

685. Subject: Note from Sihanouk.

1. Subsequent to Holdridge's session with Phung in Malo's apartment,² Malo got in touch with Holdridge to ask that the latter call on him at the French Embassy. When Holdridge did so, Malo presented a handwritten note from Sihanouk responding in concrete terms to the U.S. plan which had been forwarded to him the evening before. (Note is being sent to Department via septel).³ Malo explained that due to Cambodian peculiarities, Sihanouk had specifically instructed Phung not to hand over the note directly but to make it available through a third party, i.e., Malo.

2. Sihanouk's note does not add anything to what we already know, but it makes it all the clearer that Sihanouk has no influence over the Khmer Rouge and cannot in his judgment do anything that will run contrary to their wishes at a moment when they consider a military victory is within their grasp. It does, however, hold out hope for future relationship between the GRUNK and the U.S. once the U.S. severs diplomatic relations with the GKR, stops all aid to the GKR, and evacuates US personnel from Phnom Penh.

3. It appears obvious from Sihanouk's note that he wants to keep the door open for relations with the U.S., and that his response to the U.S. plan constitutes part of the political maneuvering in Peking in which the Prince is now engaging in order to build up his influence vis-à-vis the Khmer Rouge. With respect to this maneuvering, Malo told Holdridge when passing on Sihanouk's note that during the Prince's dinner with Soviet Ambassador Tolstikov the latter had assured the Prince of Moscow's full diplomatic, political, and military support, and had also offered a gift of medical supplies and large quantities of clothing to him personally for distribution in Cambodia. Sihanouk accepted the gift. In Malo's opinion, distribution of these supplies in Sihanouk's name rather than in the name of the FUNK or GRUNK would probably enhance Sihanouk's position politically.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 15, People's Republic of China, State Department Telegrams, To SECSTATE, Nodis (5). Secret; Nodis; Flash.

² See Document 227.

³ Telegram 686 from Beijing, April 12, contained the text of Sihanouk's note. (Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 15, People's Republic of China, State Department Telegrams, To SECSTATE, Nodis (5))

4. Incidentally, it has become obvious in Holdridge's contact with Malo that the French have been kept fully informed by Sihanouk and Phung of all developments in the U.S. contact with Sihanouk, including the details of the U.S. plan.

Bush

230. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, April 13, 1975, 1820Z.

702. 1. As I reported hurriedly on Friday,² when I saw Thieu he was very unhappy about the personnel drawdown. I think I talked him out of it and even got him to agree to facilitate the waivers from the overall travel ban to permit expeditious handling of the Vietnamese dependents of the DAO Americans who were leaving. He said the drawdown was beginning to be noticed throughout the country and could contribute to a sense of hopelessness, and even of panic. I said that we had taken every precaution to avoid that. He agreed that this was so. I said, however, if I did not rapidly proceed to strip the Mission down to an essential number, pressure could build from relatives in the United States on the Congress that would be harmful to GVN interests. I hoped, therefore, that he would agree that the course I had decided upon was the wisest one to follow in the interests of both our countries, especially since I expected that we would be withdrawing our personnel from Phnom Penh any moment. He asked whether there would be any announcement. I said there would be none from here, and I hoped there would be none from Washington. He thinks the decision is mine, and in the protection of the President and you I let him think so. I do hope there will be no announcement in Washington despite the pressure of the Church and Mansfield comments.

2. I gave him a copy of the portion of the President's address that related to Indochina. I noted the great courage of the President in endorsing every penny of the amount recommended by General Weyand.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, Incoming, April 1975 (1). Secret; Sensitive; Eyes Only; Immediate. Sent with the instruction: "Deliver immediately."

² April 11.

I said that I was certain that a total effort would be mounted to get the appropriation through, but it would be a very tough fight. He asked if you were going to testify for the bill. I said that you had promised me that you would and pointed to the eloquence of your remarks in the press conference at Palm Springs.³ He asked why the stress on evacuation in the President's speech and the request for legislation permitting introduction of force. I said that I really did not know, since I thought no legislation was necessary to introduce force to protect evacuation of Americans. I thought it might perhaps be intended to slow down Communist pressure on Saigon to give GVN forces a breather to regroup and reform. He did not reply.

3. I also gave him a copy of the note we had delivered to the parties to the Paris Agreements.⁴ He noted that we had not called for a meeting of the signatories. I said we would not have done so without prior consultation with him, but wondered what he thought could be accomplished just now by having such a meeting when the GVN was at its weakest ebb ever. If he thought such a meeting useful, I would immediately report this to Washington. He said perhaps after the military situation stabilized a bit, it might be considered, but only after the US had sought and received firm commitments from the Soviets and Chinese about the outcome.

4. I asked what outcome he had in mind. I had heard many comments from many levels of Vietnam society that settling for a free Cochin China would be desirable, perhaps a line from Nha Trang to Tay Ninh would be desirable now and much more defensible. It was obvious, I said that no matter what he said for public consumption, there was no chance for him to take back all that had been lost in the past month. What would he realistically settle for? Thieu replied that if a line could be drawn through Nha Trang to Ban Me Thuot and then to Tay Ninh, it would be a defensible line and a viable country, economically. I said that it would be hard to find many who would now agree that taking back Ban Me Thuot in the near future was a very realistic proposal. He agreed but said that should be the goal of any negotiation. In the meantime, it was necessary to fight very hard to arrest the momentum, actual and psychological of the NVA advance. He thought the first crucial battle would come at Xuan Loc, where the enemy would make a vast effort to clear the way to Bien Hoa. Yes, he

³ See footnote 6, Document 209.

⁴ The United States sent a diplomatic note on the situation in Vietnam to U.S. posts in Hungary, Indonesia, the United Kingdom, the Soviet Union, France, Poland, the People's Republic of China, Vietnam, and Iran and to USUN, to be delivered just prior to the President's speech on April 10. The note asked the governments to join the United States in calling upon North Vietnam to halt the fighting and honor the Paris Agreement. (Telegram 82184, April 10; National Archives, RG 59, Central Foreign Policy Files)

said, he thought General Toan would hold. Not only hold, but administer a crushing blow. Toan intended not only to defend but to use every effort to crush the forces attacking. Man-for-man, he said, the GVN was superior to the NVA forces, and if they could get them to attack en masse Toan would slaughter many of them. (As of tonight, this seems to be happening). They were all well aware, he said, that a considerable victory was necessary to prove to doubting Americans that the “will to fight” still existed unimpaired in the RVNAF. He very much wished that President Ford had not put such a short time fuse for congressional action. He hoped that if the necessary votes did not seem available by the 19th, some way be found to delay for another week the decisive vote. He also hoped that some way could be found, if Toan did as well as he thought he would, that his victories could receive some public attention in the United States. I said I was sure that Washington would help as much as it could to get the true story of what was happening before the American people and the Congress. Thieu said that more than 50,000 of the RVNAF complement had now made its way back to GVN lines and were being reformed as rapidly as possible. (Our latest estimate is that this figure is correct).

5. I asked Thieu how he assessed the morale in the armed forces. I said that, speaking quite frankly and honestly, I had heard much grumbling. Thieu said this was true, but he felt he had the loyalty of Toan, Nam (his III and IV Corps Commanders), General Vien and the most important of the senior officers. I said that, again if he would permit me to be as honest as I could be, that I did not think his support was all that monolithic. For example, I had heard complaint that the true chain of command ran not through him to Minister of Defense, the JGS, and then to the Corps Commanders, but directly from him through his assistant, General Quang, to the Corps Commanders. Thieu denied this. I said that whether it was true or not, the fact that it was believed to be true was unsettling. I reminded him that General Weyand had suggested that a clear delegation to General Vien, as Chairman of the JGS, to run the war would be helpful. I said that perhaps I might venture as a non-military man to make an additional suggestion, that it would be helpful that this be done in some way that might receive public notice. I said that the bombing attack on the Palace apparently was an isolated incident as claimed,⁵ but one could not be sure of that. I said that as he well knew I had meticulously refrained from any interference in internal affairs, but a coup attempt at this moment would be disastrous for Vietnam. I would be sorry for that but my main concern would be the danger to the Americans in my charge that would arise from the chaos that almost certainly would ensue. I assumed the delegation recom-

⁵ See footnote 2, Document 212.

mended by General Weyand made sound military sense, and I thought some way to make it public would make sound political sense. President Thieu said he had, in fact, made such a delegation and he would think about my suggestion about making it public.

6. I asked how Can was coming in trying to form a new Cabinet. Thieu said very well. Only a few decisions remained to be made. I asked whether he intended to give him a free hand in running the government. Thieu said he was. I asked whether, again, he intended to make this intention public, which might allay much of the criticism that he had never allowed General Khiem as Prime Minister to have a free hand. Thieu said Khiem had as much of a free hand as he had the courage to take, but he was always sending things over to him to decide. I said one way to cure that might be to send them back to him without decision but with firm instructions to decide himself, and soon. I said that if he did that with the new Prime Minister, he might get the idea that the President meant it.

7. I asked when the new government would be announced. The President said very soon. Normally, the Cabinet presented itself first and then several days later presented its program for the nation. This time, the Cabinet would present itself and its program for the nation at the same time. I said I hoped its program would strike as conciliatory a note as would be possible under the circumstances. I thought it would be vitally important for the program to enlist as broad a popular support as could possibly be achieved. I also hoped it could contain specific and quite clear indications of its willingness to negotiate with the other side. I said we both saw the same intelligence about their real intentions but it was imperative that the world have no doubt about the willingness of the new government to negotiate seriously. Perhaps then there would be a chance that public opinion and international diplomatic pressure could be brought to bear on the other side to lessen the momentum of their military attack, which was essential if for no other reason than to gain time. Actually, I thought the time had come to seriously consider a different set of negotiating objectives than those to which the GVN had previously adhered. Whatever was done, I said, should be done soon.

8. I asked Thieu when he was next going to speak to the nation. He said very soon, perhaps when the new government presented its program to him. I said I hoped very much that his speech could also be conciliatory, internally, to the other side, and perhaps even to the Americans. I said that in making the last suggestion I was in no way excusing what the Congress appeared to be on the verge of doing. My suggestion was based on my conviction that a slashing attack would only harden the positions of the opponents in the Congress. Words in sorrow but not in anger might stir a sense of shame and compassion. I said he might wish to say that President Ford spoke as one would expect the

leader of a great nation to speak, that the Vietnamese people warmly welcome his understanding words about Vietnam, that the Vietnamese people deeply hope that the Congress will respond as the representatives of the people of a great nation should respond now that the naked aggression of Hanoi can no longer be concealed by the flood of propaganda and distortion that has so long obscured the actual realities of Vietnam and that they will give us the means we need and were promised for our self defense. If they do not, we will be in great danger. Either way, I call on the Vietnamese armed forces to fight for the defense of their country with renewed valor and courage. If the Americans help us, we are sure to preserve our freedom. If they do not, we have no choice but to continue to fight—taking our weapons from the generous supplies given our enemies by their more constant and faithful allies. If the Americans do not help us, we should not feel anger. We should remember their help in the past. We should feel sorrow because a great nation that breaks its promises will in the end pay a far greater price than we will be called on to pay. He might wish to say, I told him, that after so many years of war, the people of South Vietnam yearn for peace, that on last November 21 you said that the Republic of Vietnam was willing to discuss, and implement without delay, the political solution called for in the Paris Agreement—including the setting up of the National Council of National Reconciliation and Concord.⁶ The Republic of Vietnam has not changed its position. It still asks the other side to implement the political parts of the Paris Agreement. But so long as the North Vietnamese Army continues its naked aggression against South Vietnam, there is no choice but to fight for survival. I suggested he might wish to emphasize an appeal to all South Vietnamese of all political groups and of all religions to set aside their individual differences in this time of supreme danger to the nation and unite behind the new Government of National Union being formed by Prime Minister Can. The President made notes. Whether he will be talked out of using these points by his speech writers remains to be seen.

9. I warned the President, as I had when I saw him on the occasion of General Weyand's last call, that time was running out. While morale was better, and the state of shock was beginning to wear off, there was a need for a far greater degree of leadership in Saigon than we had had recently. Perhaps the new Can government might improve things, but even with the obvious willingness of many of the opposition to subdue their blind intransigence and the fact that many would join either the government or the Advisory Council in their realization of acute dan-

⁶ Thieu's November 21, 1974, address to the Asian People's Anti-Communist League in Saigon called on the North Vietnamese to resume the negotiations called for in the Paris Agreement. (Telegram 14540 from Saigon, November 21, 1974; National Archives, RG 59, Central Foreign Policy Files)

ger, they had to be met halfway. Above all, there had to be not only a willingness, but some obvious progress toward negotiation. He replied that he hoped the presentation of the Can Cabinet would provide the opportunity to set many of the things I had mentioned in motion.

10. I said I understood the French Ambassador wanted to see him. He said he had refused in his anger at Giscard's intervention which was unforgivable.⁷ He had instructed him to be called in by acting Foreign Minister to receive GVN complaint. I said that, nevertheless, I thought he should receive Merillon. After all, he had expressed his displeasure by refusing to see him, sending him instead to Foreign Ministry. Now that he had been properly rebuked it would be quite proper to see him without loss of face. I left, expressing the hope that General Toan's efforts would be every bit as successful as he hoped and that, if so, we would try to see what we could do in Washington to see that the true facts were made available to the Congress and the public.

11. I pressed Thieu to see Jean-Marie Merrillon, because it was obvious he is carrying some kind of negotiating offer from the other side which he will present only to Thieu. I don't know what it is, and have had nothing from Washington or Paris about it. But whatever it is, good, bad, or indifferent, it might serve to get some movement, and any movement toward a negotiating track at this time seems to me to be useful. If we have anything going with anyone at all that would be useful to know also.

12. My pressure I put on Thieu for the "not with anger but with sorrow" approach to possibility of congressional rejection of additional military aid had obvious dual objective. First, it is true and just might influence some in Congress. Second, if he uses it, it just might lessen the anti-American antagonisms that might otherwise get sticky. If General Toan continues to be so successful at Xuan Loc, the NVA will smash somewhere else, but it will be a definite setback for them and I hope we can do everything we possibly can to get a recognition that the "will to fight" is still here. I still don't think they will make a direct assault on Saigon, but I damn well want to be fully prepared for it.

13. Sorry to be late with this report, but Brent Scowcroft keeps delaying in sending me the day stretcher he promised. Guess he needs all he has to keep working with you. It's two in the morning here. I'm going to bed.

14. Warm regards.

⁷ The Embassy reported that it had learned that a French Foreign Ministry official had met separately with the DRV Ambassador in Paris and the PRG representative to urge them to negotiate with the South Vietnamese Government. Both indicated they would negotiate with anyone in Saigon but Thieu. (Telegram 4614 from Saigon, April 9; *ibid.*)

231. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, April 14, 1975, 8–9:02 a.m.

[Omitted here is discussion unrelated to Indochina.]

Secretary Kissinger: Phil?

Mr. Habib: The Cambodian front still holds up, but it's fading very fast this morning. It looks like the Khmer Rouge are right on the edge of Phnom Penh. There are still some of the enclave cities held, and they continue to shoot at each other. How long it can go on, I don't know. We're air-dropping rice into Phnom Penh and into the other places; and we'll, unless you have some objection—I've told them go go ahead and put a small team of Air Force riggers to rig the parachutes into Saigon, to rig the planes that drop the rice on Phnom Penh, even though it's a technical violation of the Paris Agreement.

Secretary Kissinger: Well, what does it say in the Paris Agreement—you can't have riggers in Saigon?

Mr. Habib: Military personnel in Viet-Nam. But I didn't think you'd object.

Secretary Kissinger: Once they've been sold out?

Mr. Habib: Things like that I didn't think you'd object to, so I told them to do—

Secretary Kissinger: What is that—Article 4 of the Agreement.

Mr. Habib: Article 21, I think, or something like that. But, in any event, we've got rice; and most of it is in Viet-Nam, due for Cambodia, so we'll just keep dropping it.

In Viet-Nam, the battle in Xuan Loc is in a slight lull, but I think it's only temporary. It looks as if the North Vietnamese are positioning some forces to make a lunge into Saigon in a few days.

I don't know, Bill, if that's the way you read it; but that's the way I read it.

So far, the Saigonese are doing fairly well, but they must be taking a heavy loss. What do you think?

Mr. Hyland: Now it's turning into a decisive battle because of the road to Bien Hoa, which is open, and they will almost certainly attack Saigon. The ARVN holds, and it has heavy casualties so far. Then the North Vietnamese may have to regroup for a few weeks.

Mr. Habib: Or shift to another spot.

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 7, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates. List of attendees attached but not printed.

Secretary Kissinger: What groups are in there?

Mr. Habib: The 18th Airborne Brigade, plus an armored brigade he's taken away from one side.

Secretary Kissinger: But it shows what would have happened if they had stood and fought. I mean, they would have inflicted enough casualties up North to affect things later on, which we can't tell.

Mr. Habib: John Dean has come in with a cable from Bangkok.

Secretary Kissinger: Can I stand it?

Mr. Habib: No. You're going to throw it on the floor and stomp on it, I'm sure.

Secretary Kissinger: Oh—that he wants to negotiate with the Communists?

Mr. Habib: The Khmer Rouge.

Secretary Kissinger: Who the hell is he? He is accredited to the Phnom Penh Government. Why do we want him to negotiate with the Khmer Rouge?

Mr. Habib: Well, that's only one of several possibilities.

Secretary Kissinger: Well, I want to make sure that gets out in its pristine form. I said who the hell is he to negotiate with him? Why should the American Ambassador—if we want to negotiate with the Khmer Rouge, why is he the one to do it?

Mr. Habib: Well, I think, very frankly, the Cambodians themselves will negotiate with the Khmer Rouge.

Secretary Kissinger: That's fine with me.

Mr. Habib: And I think that's the way it should end.

Secretary Kissinger: Should we be like the French, that we can hardly wait to shift over to the other side and use the French for both of them?

Mr. Habib: I think the French—their action was uncalled for the very day—

Secretary Kissinger: I'm just asking why the Ambassador who was accredited to the last government should be the one that does it.

Mr. Habib: Well, I think it's out of a desire to see if we could be of some assistance—then feeding the people, taking care of them afterward, regardless of what the situation is in Cambodia. There's going to be a helluva problem in Cambodia for about six to eight months until they either get food out—

Secretary Kissinger: If there is a bad problem, you don't think they could come to us?

Mr. Habib: Well, I should imagine they would first go to Hanoi with the Chinese, who have plenty of rice.

Secretary Kissinger: And you don't think the Chinese should give them the rice?

Mr. Habib: I imagine they would. They might go to Phnom Penh—that's another matter.

Secretary Kissinger: We're perfectly prepared to consider it. But, (1), they're coming to us and any other Ambassador you want to designate, but not John Dean—not the one who was accredited to the last Phnom Penh Government.

Mr. Habib: We'll prepare a reply to show it. We were having—I'm testifying before the committees today, one on the refugee issue—

Secretary Kissinger: When is he coming back? I just want to prepare myself for testifying.

Mr. Habib: Who's coming back?

Secretary Kissinger: Dean.

Mr. Habib: Dean? I thought we'd keep them back for a little while. We've got to get those people out of Thailand. That's why I'm going over to the White House in a while to talk with Buchen. We've got to get a parole out of the Attorney General, which I think we can get. I talked to the Attorney General on Saturday. We've got to get him to parole these people into the United States, if they want to come here.

Secondly, we've got to break loose some of this refugee money so we can actually send them where they want to go.

Secretary Kissinger: I read your statement that you drafted for me for tomorrow.

Mr. Habib: I didn't draft it.

Secretary Kissinger: My staff. It's a good job. Now you're intimidating me. (Laughter.) There are still a number of changes I want in it. For example, I would like to point out what caused this panic—that this has a long history for an army that for over a year hasn't gotten any spare parts, whose casualties have been rising, which has rationed its ammunition to four shells per 105s and two for 155s a day is not likely to be the best fighting instrument, no matter what it was to begin with. It wasn't much good to begin with. And, at any rate, I want to point out that Thieu didn't just one day decide that the troops like the climate better on the coast.

Mr. Habib: On the other hand, you can point out that they didn't fight.

Secretary Kissinger: You made that point amply clear in that statement. But I'm not going to run away from what we did to them.²

Mr. Habib: Yes.

[Omitted here is discussion unrelated to Indochina.]

² Kissinger testified before the Senate Appropriations Committee on April 15 on the President's request for aid to Vietnam. He also discussed the drawdown of American personnel from the Embassy in Saigon. (*The New York Times*, April 16, 1975)

232. Memorandum of Conversation¹

Washington, April 14, 1975, 3:30 p.m.

PARTICIPANTS

The President
Senate Foreign Relations Committee
Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs
Dr. James R. Schlesinger, Secretary of Defense
Lieutenant General Brent Scowcroft, Deputy Assistant to the President for
National Security Affairs

President: I would hope we could consider this an executive session so we could have this a free and open session.

Sparkman: We just came from one.

President: We put a great deal of time and effort into the speech.² There was unanimity in the Administration with what I said and the policies I recommended. I was therefore able to speak with conviction about where we should go.

Sparkman: I thought the first 30 minutes of your speech, which covered the world—I don't know who wrote it but it was the best word structure I have seen and a great delivery.

I would like to hear from the two Secretaries.

President: Henry.

Kissinger: Perhaps I should talk about the political situation and Jim will discuss the military situation and the figures we are requesting.

It is clear the military situation in South Vietnam is extremely difficult. North Vietnam has the military superiority. They have occupied much of the territory. It is caused in our view by too little assistance and incompetent management of the retreat. But whatever the reason, we are trying to bring about a political situation and a negotiation which would exploit the new balance of forces. We have thought that the U.S. should not be a principal agent in these negotiations but should rely on the South Vietnamese or others such as France. We are prepared to support negotiating efforts and the elements that are prepared to negotiate. This is a process which will take a few weeks to sort out in Saigon.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversation, Box 10, 4/14/75. Secret; Sensitive. The meeting was held at the White House. Brackets are in the original.

² See Document 217.

With respect to the legal situation on evacuation. We want to reduce the number of American citizens as soon as possible but not so fast as to precipitate a panic. The Embassy has resisted evacuation, but we have ordered it to get down to about 1,250. I would appreciate no mention of it.

President: We had a similar problem in Cambodia. We started with over 400 and had reduced it to about 75 when the time for evacuation came. We were prepared for 600 Americans and 300 Cambodians. We had few, because the gutsy Cambodians chose to stay and die rather than leave. So we got it down in an orderly manner to a manageable figure.

Kissinger: We offered the Cabinet members in Phnom Penh a chance to leave and without exception they stayed even though they were on the assassination list.

The total list of the people endangered in Vietnam is over a million. The irreducible list is 174,000. This doesn't mean we could get them out; it would be just those in overwhelming jeopardy. We would have to assemble them where we could get to them and have conditions where we could move them.

There are two Acts of Congress: the War Powers Act and the Indochina proscription. We think under the War Powers Act the President has authority with respect to evacuating American citizens; with the Indochina Act we would appreciate clarification. We think there is no authority for evacuation of Vietnamese.

Schlesinger: Henry has touched the high points. There has been some improvement in the past few days. They have been fighting well in Xuan Loc and the Delta but whether it is temporary depends on North Vietnam and President's request. In the military area the North Vietnamese have eight divisions and the GVN seven. They are doing well but they are dipping into stocks of ammunition. Generally speaking, if the North Vietnamese bring up their forces they will have preponderance, but the South Vietnamese know the terrain and have their backs to the wall.

We have requested \$722 million which reflects the results of the Weyand mission.³ The difference reflects the hope on the GVN side to equip four infantry divisions. That is \$140 million. To convert the four ranger groups is \$120 million. For general munitions, \$190 million. If you would like more detailed data, General Weyand is here.

President: Let's see what the Committee wishes. The \$722 million is designed to meet the current situation and is totally different from the \$300 million. Fred's report reflects a different situation.

³ See Document 208.

Case: You are very good to see us, especially on such short notice. The reason for the meeting is that the Moose Mission just came back and briefed us.⁴ We have a consensus on the immediate actions: There should be urgent action to reduce American personnel to the point where they could be lifted out in one lift. We feel there is grave danger if this reduction is not being done in a timely manner. We fear the people on the ground would panic so we are not moving rapidly. We would go to them frankly and say this is how we would do it. Stew suggests a sea evacuation.

Kissinger: We waited to press him until the President's speech so it would not be in the context of pulling the plug. We now have a cable saying it is underway.

President: Not to be critical, Stew, but 4,000 on one ship would pull the plug. We could have taken over 600. I don't know how many more could be handled.

Percy: Couldn't we give orders for every plane outgoing to be full?

Javits: There are orders and orders. We think you should be sure through someone other than Martin that your orders are being carried out. Within any context of aid, the first priority must be to get Americans and deserving South Vietnamese out. It is your problem, but we think you should be sure that your orders should be carried out.

President: I assure you my orders will be carried out. This is a two-way street. We will do our part but we think we have a good schedule and program and want your cooperation. I think we have an obligation to do whatever we can for the people to whom we are obligated.

Baker: We felt an evacuation of the American citizens was so urgent that everything else—legality, Thieu's incumbency, everything else—was secondary to that. We appreciate your forthcoming attitude toward this problem in your speech. We wanted to tell you our concerns and hear from you your concerns. We hope when we have, we will have established a new era of negotiation between the Executive and Legislative branches. We will talk with you on the amounts, which should be designed to facilitate the evacuation of Americans.

Sparkman: How is the report?

President: I have read it. I don't agree with all of it but it is a forthright report.

⁴ See footnote 5, Document 212. The mission's report concluded that it might be too late for the safe evacuation of Americans, much less South Vietnamese, from Saigon. (*The New York Times*, April 15, 1975)

Sparkman: The Cambodian evacuation went well because of planning. We hope there is some planning going on in Saigon.

Schlesinger: The situations are not parallel. The Viet Cong infrastructure, the congestion, the high potential levels of violence—it could be complicated.

Case: We appreciate this. That is why we are concerned.

Percy: Could we get clarification on the 1,200—when they will be there and could they be pulled in one lift?

Kissinger: I don't have that today. I will have it tomorrow and I will let you know. On Thursday, the Ambassador was told to take it down as soon as possible, and to tell Thieu immediately.⁵

Percy: Is 1,200 the immediate minimum? It sounds like a vast number. The reason it was easy in Cambodia is that we put a ceiling on.

President: If there isn't some indication of aid, the situation could disintegrate rapidly.

Javits: I will give you large sums for evacuation, but not one nickel for military aid for Thieu.

Church: I would think that if money is required to facilitate getting the Americans out, that can be worked out. What has not been worked out is the Vietnamese evacuees. Secretary Kissinger has said maybe there are 175,000. Clearly there is no legal inhibition to bringing some out along with Americans, but 175,000, with American troops involved, could involve us in a very large war. This raises the specter of a new war, thousands of American troops holding on in an enclave for a long period.

President: It is not envisaged that this would be for a long period but as quickly and precisely as possible.

Biden: What concerns us is that a week ago Habib told us we would be formulating a plan. A week has gone by and nothing has happened. We should focus on getting them out. Getting the Vietnamese out and military aid for the GVN are totally different.

Kissinger: The plan for American evacuation is in pretty good shape. But we had a report that if we pulled out and left them in the lurch, we may have to fight the South Vietnamese. It was that we were concerned with and that is why we wanted to go to Thieu so we didn't do it in the context of a bug out. The second problem is getting American citizens out in an emergency. Third is the Vietnamese to whom we have an obligation. This is infinitely more complicated and large-scale. It requires cooperation from the GVN and maybe the North Vietnamese.

⁵ See Document 218.

Biden: I feel put upon in being presented an all or nothing number. I don't want to have to vote to buy it all or not at all. I am not sure I can vote for an amount to put American troops in for one to six months to get the Vietnamese out. I will vote for any amount for getting the Americans out. I don't want it mixed with getting the Vietnamese out.

President: There are three operations that are intertwined. There is getting out 4,500, the last 1,800 and the Vietnamese. The worst way to do it is to label it evacuation aid.

Symington: I am very familiar with Vietnam. In 1967 I decided it was hopeless. My people are asking if we are asking if we are holding Americans hostage for more aid. We know that is not so, but what worries me is the feeling we have been wrong so many times. We are all surprised at the collapse of South Vietnam. Why did we leave the 6,000 there so far? Where are the 175,000 going? Who is going to take them? These could all be dealt with if we could get the Americans out.

Pell: We could put these people in Borneo. It has the same latitude, the same climate, and would welcome some anti-Communists.

President: Let me comment on where they would go: We opened our door to the Hungarians. I am not saying the situation is identical but our tradition is to welcome the oppressed. I don't think these people should be treated any differently from any other people—the Hungarians, Cubans, Jews from the Soviet Union.

Clark: Is the request for military assistance primarily to arrest the situation and bring on negotiations, or for something else?

President: I think I stated it clearly: We wanted the sum to stabilize the military situation in order to give a chance for negotiations and to permit evacuation of Americans and deserving Vietnamese.

Sparkman: Do we have any obligations under the Paris Accords?

President: We signed with the understanding we could uphold it. The means were taken from us.

Sparkman: But our obligations . . .

Kissinger: The Accords had not obligations but authorities, that is, Article 7. President Nixon and others judged that permitting the United States to extricate itself would permit the United States to provide aid and enforce the agreements. Under the Paris Accords we have no obligation. To the GVN we said that if they let us get our forces out it would enhance our chances of getting aid for them and enforcing the agreement. It was in this context, not that of a legal obligation. We never claimed an obligation; we never pleaded an obligation. But some of us think there is a moral obligation.

Mansfield: My position is well known and I won't change. The caucus was concerned about the pace of the evacuation. Also that the witnesses should be the highest members of your Administration. We

are trying to comply with your request as soon as possible. If Hugh [Scott] agrees, we will not meet Tuesday and Wednesday⁶ so we can process these requests rapidly. There was concern about humanitarian aid and the desire to send it through non-governmental agencies and the UN.

Scott: I agree to the proposal. One thing we haven't discussed is the amounts. I think we need to discuss a figure.

Biden: I don't want to commit myself to any precise number. How much money depends on how many we try to get out.

Kissinger: This is a matter of extreme delicacy. We can't take them under crisis conditions. No one is thinking of a long period of time to get people out. We are thinking of ten days to two weeks.

Church: I think we should establish an emergency fund to allow you to deal with the situation and carefully draw the language about troops so as to insure there are limits.

President: We are not wanting to put American troops in but we have to have enough funds to make it look like we plan to hold for some period.

Glenn: The idea here is very different from what I envisioned. I and most Senators thought of a surgical extraction, not of a ten-day to two-week operation with a bridgehead. This is a re-entry of a magnitude we have not envisioned.

I think we have to keep this very quiet. I thought it was a one-shot airlift.

Case: This was essential to have been said. The only way we could do an operation of this kind is through negotiations between the North and South.

Glenn: I can see North Vietnam deciding not to let us get these people out and attacking our bridgehead. Then we would have to send forces to protect our security force. That fills me with fear.

Javits: Tell the press we are thinking of \$200 million.

President: If this is a meeting to plan an evacuation, this will panic the GVN totally.

[The meeting ended]

⁶ April 15 and 16.

233. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, April 15, 1975, 1840Z.

705. 1. I reported to you Thieu's comment that if it were absolutely clear that the request for military aid (\$722 million supplemental) was to be defeated, it would be highly preferable to find some way to delay the final vote.² Although he did not say so, it seems clear that he, as well as everyone else, is unsure of what comes next. So far, General Toan in MR III is doing a job all the experts thought absolutely impossible. He has inflicted well over 2000 casualties (KIA) in pushing back the elements of three NVA divisions from Xuan Loc. The total count now of the regular forces retrieved from MR I and MR II is climbing toward 60,000, over a quarter of the regular force, and they are either being fed into existing divisions or being reformed at a rate also deemed impossible by the experts. Many of the NVA troops killed and some captured are in their midteens, one yesterday said "he thought" he was 14. There is, therefore, a rough equivalency in numbers, and the qualitative decrease in fighting efficiency of the RVN troops as they are being reformed is offset in part, at least, by the inexperience and youth on the other side. There are, of course, more NVA divisions on the way south. Toan, however, can now mass to hit the enemy, an ability he relishes and has rarely had before. Below Saigon the NVA 5th is also getting mauled at both ends. So the forces that were programmed for attack on Saigon are not in as good shape as they were when the ambitious plans now showing up in our intelligence were made.

2. I am deliberately leaning over backward to keep myself a dispassionate observer viewing Vietnam as from a seat on the moon. I do not for one moment underestimate the situation's seriousness. If there is an adverse vote from Washington this weekend, I do not think that the RVNAF will necessarily fold. It will not be all that pleasant, however, to be an American in Saigon until the shock wears off. The juxtaposition of Eagle Pull to the crucial vote, the Gayler remarks about how perfect it was and how he could do it again in Saigon if necessary, the leaks in Washington, the remarks by Javits and Muskie on "Face the Nation" and "Meet the Press" that the President has authority to use small number of marines to evacuate Americans, but would need congressional authority before "troops could evacuate 200,000 Viet-

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, Incoming, April 1975 (1). Secret; Sensitive; Immediate.

² See Document 230.

name the administration fears would be punished by the Viet Cong for cooperating with the United States,” and Muskie’s echo that he “can see some difficulties with respect to evacuating South Vietnamese on any massive scale” are not precisely calculated to make my job of getting us out of here any easier. I am not sure that Javits’s remarks were not, in one way, a blessing in disguise. It may prevent us from ending up in a very ghastly way, with the Marines overwhelmed by an RVNAF so angered at our final desertion and the NVAF shooting down our transports. I hope, therefore, you keep clearly in mind, that the decision whether force would be finally required, is a very delicate one, and one which above all should not be made by the military.

3. There is one contingency, however, where I would want it. If there began to be a breakdown of internal order in Saigon before the bulk of the Americans were out, I will ask for it quickly. There are many reasons why this will be unlikely, not the least of which would be the desire of our pal Le Duc Tho to be invited into Saigon. If the Congress vote is negative in the end, there is still no need for immediate panic. In an Asian way, there will at last occur a situation which has not existed since my arrival, either the Generals or the Colonels will finally screw up enough cohesion and courage to point out to Thieu that the “mandate of heaven” has been removed. My remarks on this score in the recent issue of *Time* were carefully phrased. They have already been correctly interpreted here that our support has always been for the government, never the man, for legitimacy of transfer of power, rather than chaos if they are to have any hope of retaining enough internal cohesion to gain enough time for even a time-gaining negotiation with the other side. It is my sense that Thieu understands this also, and the attacks that will be made upon me in the American press as a devoted supporter of Thieu as the inevitable distortions occur in the press handling of the remarks will, in fact, ease his departure, since at the end we did not knife him in the back, which would have been equally resented by the Vietnamese who detest Thieu and other Asian leaders like our friend Lee Kwan Yew, whose remarks from Wellington give clear indication of the universal Asian reaction.

4. So, the press attacks will serve a useful purpose as I have often managed for them to do. The relatively few people about whose opinions I really care will not change their opinion of me. Even the sly, anonymous insertions of the perfumed icepick into the kidneys in the form of the quotes from my colleagues in the Department are only a peculiar form of acupuncture indigenous to Foggy Bottom against which I was immunized long ago. There are only two important considerations I keep in mind, the safety of the people under my charge and the integrity of U.S. policy.

5. Both these crucial objectives, especially the first, seem to me to demand that we not be diverted by any kind of pressure, press or con-

gressional, from coolly pursuing a course best designed to achieve them. This brings me back to the realities of the present situation. If there is to be a negative vote, then a delay of at least a week would be beneficial. Indeed, my surmise was that you were telling me between the lines that it was the sense of the meeting of the President and the Foreign Relations Committee³ that the vote would be negative. I have always assumed it would be, since we are just not that well organized to do the individual buttonholing on the Hill which would be essential to reverse the weight of the conventional wisdom about Vietnam which has been allowed to accumulate without any effective counter from the Department. And too many of your senior colleagues are simply not with you on the policy and this is well known on the Hill. I say this not in anger but merely as the dispassionate recording of an observed fact which has to be taken into account.

6. If the vote is to be negative, a little more time would be useful. I do not concede that it has to be negative, but that without an all-out effort, it will be. A very good case can be made for the President's program, but not unless the fight for it is an all-out one, and enough time elapses for it to be recognized that the "will to fight" is still there, and that, on the economic side, an extraordinarily persuasive case can be made that what is left of the former South Vietnam is more economically viable than before. Last night, the GVN Minister of Planning Hung came to see me with a message from the President again urging delay with assurance of a favorable vote. Hung then advanced an ingenious plan. Instead of the "three year-Vietnam-end of commitment program" consisting of six to six and one-half billion dollars of grant aid over a three year period, why not have an amendment offered as a substitute for the pending legislation authorizing a five billion loan—with a five or, preferably, ten year grace period, at three percent interest to be paid back over a 20–30 year period. If this were just an unworkable, unsound gimmick, I would not even report it, but Denny Ellerman, whom I stole from Brent Scowcroft as Economic Minister here, studied it today and concluded it was economically sound and perfectly feasible. The GVN could then buy its arms, make its own decisions as to how it divided between military and economic aid. With a ten year grace period, the repayments would be \$350 million a year, perfectly manageable from rice exports alone, let alone the ocean of oil which is surely there offshore. Before it is nipped to death by State and AID, please have Chuck Cooper and Bill Sharpe go over it in Treasury since as a loan they would have primary responsibility for judging its economic soundness and since both know Vietnam intimately. Even if it doesn't pass, it would help to buy the time we so sorely need just now. And I never give up hope that the Congress, when it has the whole truth before it, will make the sensible decision.

³ See Document 232.

7. Politically, things have simmered down for a brief bit. The Ky flyer has taken a nosedive when it dawned on Lam and others that he could no more negotiate with the other side than Thieu and perhaps not as well. The great difficulty for the past two years has been that all those who talk so glibly about dumping Thieu have never been able to assemble enough power either on the political front or the military backing to provide a viable alternative. He has consistently outsmarted and out maneuvered his opposition. Now, however, his time has about run out. He cannot get away from the responsibility of the rout the withdrawal turned into. My guess is that he would welcome a graceful way out. I am certain he will not run again in September, even if things become stabilized. That, in fact, is the quickest way to get rid of him. If either the present bill is passed, or the loan was authorized, I believe he would step aside even earlier than the end of his term. If neither happens, and Vietnam is totally abandoned, then he will be replaced quickly, but with consequences no one can clearly foresee. Except for a few of the wild-eyed opposition like Senator Mau, I know of no responsible Vietnamese who feels very comfortable about bringing Thieu down by extra-constitutional means. They are simply afraid that chaos would ensue with a rapid Hanoi victory which no one wants and of which everyone is deathly afraid. So I expect no serious action to overthrow him until after the Congress acts, unless there is an, to me, unexpected breakthrough by NVA military forces.

8. Admiral Benton has completed initial Talon Vise⁴ planning update in USSAG today and will present plan to me tomorrow. He is confident that, if called on to do so, he could by combination of sea and airlift, remove more than 200,000 in one day. I feel deeply that we owe a debt to those who are now directly on our payroll and to their families to get out of here those who may wish to leave in fear of their lives. I will report to you again after he reports his conclusions to me tomorrow. Not long after I returned, our local employees were on the verge of panic which would have been decidedly unuseful. I promised them that we would take out those who desired to go and their immediate families and that I would not leave until they did. I mean to get all the Americans out if you can control the panic button in Washington, and I intend to discharge that obligation to our locals. It is not an act of particular bravery on my part. I will simply slip through the wall next door to the French Embassy and ask my colleague if I can use the bedroom of his wife, wishing all the while that she were there and not in Paris. Not to take them would be one last act of betrayal that would strip us of the last vestige of honor. If we can absorb so suc-

⁴ The plan for the evacuation of Saigon was codenamed Talon Vise. It was changed to Operation Frequent Wind when the name was compromised.

cessfully all those Cubans, we can certainly absorb this hardworking group who would rapidly become self-sustaining and contribute to the strength of our country. I hope we can quickly confirm this simple and inevitable decision that as many of this group as desire to leave will be paroled into the US.⁵

9. Warm regards.

⁵ In backchannel message WH50679 to Saigon, April 15, Kissinger replied to Martin: "With regard to this evacuation business, I know what you are going through and I agree with your philosophy on it. However, you also must appreciate what the problems are back here. The President met today with the Senate Foreign Relations Committee. It was apparent from that meeting that their full concern is with evacuation of Americans and that the Senate wants to make sure that it's the President who gets stuck in the event any American gets hurt or killed. In light of the situation we are facing here, I simply must have by close of business Washington time on Tuesday, a detailed plan for reduction in as expeditious manner as feasible to 1500. I appreciate the long report of your conversation with Thieu." (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, Outgoing, April 1975, 1)

234. Minutes of Cabinet Meeting¹

Washington, April 16, 1975, 2:30 p.m.

President: There are several items to discuss. The one that is of overriding importance is Southeast Asia. Henry?

Kissinger: Let me summarize where we are, the thoughts behind your speech to the Congress last Thursday,² and where we go.

You know what is happening in South Vietnam now. We believe that the cuts in supplies being provided to the South Vietnamese and the upheavals in the United States, and so on, led to a North Vietnamese decision to go all out, in flagrant violation of the Paris Accords. Until January, our intelligence did not indicate this was to be an all-out push. This is a case where American domestic actions influenced a foreign government. In the face of his situation, Thieu ordered a retreat into more defensible enclaves. The retreat was carried out badly and led to these tragic consequences.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversation, Box 11, 4/16/75. Confidential. The meeting was held in the White House Cabinet Room. According to the President's Daily Diary, the entire Cabinet attended the session; the meeting ended at 4:11 p.m. (Ibid., Staff Secretary's Office File) Brackets are in the original.

² See Document 217.

The one question now being asked is how the United States will conduct itself now after 15 years of support—after even [in 1963] overthrowing a government that was suspected of wanting to deal with the North. If the President had opted just for humanitarian assistance, he would have had to do it in the knowledge that it would have created panic and negated our real commitment to the people who relied on us. The President opted for both economic and military aid, because it was the best course to take regardless of the outcome—whether it is an evacuation, stabilization of the military situation, or a negotiation which gives them at least a modicum of opportunity to have a say about their own fate. The only figure of any viability was Weyand's figure. The \$300 million figure, if we had simply made the same request, would have been met with the argument that it was the same as before the tragedy and thus was clearly inadequate. The issue in the Senate appropriation was not the amount but the concept. It is a matter of consequence to us and the world how we manage our exit.

What is the impact on the world situation? It is often said that those who say this affects us are producing the effect; they don't read the cables. It has a profound impact on others' perceptions of our judgment, our constancy, and the wisdom of the United States. Leaders who hardly know Indochina are asking what it means.

There is nothing we can do about the past, but it is important how we react to this. Will we withdraw? Will we give up our commitments and our leadership? The worst mistake we could make now is to say we are undertaking a global reassessment. What we are seeing in Vietnam are special circumstances of a commitment that was perhaps unwisely entered into, circumstances of executive weakness here, and so on, none of which could be predicted. To generalize from this would be disastrous in all areas. There can be a domino effect not related to Vietnam but to our competence in foreign policy. We must conduct our foreign policy with confidence and assurance, reiterating our commitments.

The basic foreign policy of this country is sound. Our alliances are good, our relations with the Soviet Union are okay. In energy, food, raw materials, we still have the decisive voice. Our problem is getting the authority to do what is needed. If we can get the moral authority that is required, we can have a year and a half of foreign policy achievements. So long as faith in the United States—that means faith in ourselves—remains, we can overcome. We have had a setback but we can overcome it and have a productive period of foreign policy.

President: Jim, would you update us on the military situation?

Schlesinger: Last Friday night we executed Eagle Pull in Cambodia.³ It went smoothly. It was delayed chiefly because of the surpris-

³ April 11. See Document 223.

ing decision of most of the GKR—even those on the death list—not to leave. Eagle Pull has been planned since 1970. Had there been an attack, we would have returned the fire. The President has that legal authority under the Constitution. The behavior of the Cambodians has been very brave.

In Vietnam, the North Vietnamese keep charging this is a civil war—that they have no forces in the South, and so on. For these reasons they may decide not to assault Saigon directly, but they probably will try to destroy the GVN army. It is fighting well but it is in a weaker position.

President: Thanks, Jim. Most of you know what I said last Thursday. We have been trying to get the military and economic aid and authority to evacuate South Vietnamese. Congress thus far has shown no meaningful cooperation. The Senate Foreign Relations Committee has proposed a \$200 million emergency fund for a not very flexible interpretation, with other provisions that are not very helpful. My judgment is that amount is as bad as nothing. I intend to stick to my request in dollars and authority. If the Congress sticks to its indicated attitude, it could lead to dire circumstances. We must be consistent. We asked for the right program. I hope the Congress comes through.

But I want no one here to talk about evacuation. That is a code-word in Saigon for a bug-out. It is my hope that we can get the dollars and the authority, to stabilize the situation and hopefully get negotiations started.

I want to thank Henry and Jim for their efforts. It hasn't been easy but they are carrying out the right policy and I think history will demonstrate the wisdom of our course.

Kissinger: I want to read to you the letter we received from Sirik Matak, one of the Cambodian leaders, to our Ambassador when our Ambassador invited him to leave with the evacuation: "Dear Excellency and Friend, I thank you very sincerely for your letter and for your offer to transport me towards freedom. I cannot, alas, leave in such a cowardly fashion. As for you, and in particular for your great country, I never believed for a moment that you would have this sentiment of abandoning a people which has chosen liberty. You have refused us your protection, and we can do nothing about it.

"You leave, and my wish is that you and your country will find happiness under this sky. But, mark it well, that if I shall die here on the spot and in my country that I love, it is too bad, because we all are born and must die one day. I have only committed this mistake of believing in you, the Americans."

Butz: What will we do about Cambodian aid after the government falls?

President: I think it is wrong for the United States to give to the Communists humanitarian aid which makes it easier for them to overcome our friends. That is especially true in Vietnam. It eases their problems as they overwhelm our friends. So for now, I would limit our aid to our friends.

Kissinger: In South Vietnam there is no question. The Soviets and Chinese, having supplied the ammunition, can also supply the rice. In Cambodia, if Sihanouk comes in, aid may help him, but we should wait and see. The war for the past three months was against not the GKR but Sihanouk.

Schlesinger: I think there are higher priority areas for the funds.

President: Turning to domestic affairs, let's turn to consumer protection legislation. A Consumer Protection Agency would be on the back of the Departments constantly.

[Jim Cannon, Virginia Knauer, and Alan Greenspan spoke.]

235. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, April 17, 1975, 0332Z.

WH50706. 1. I have reviewed with care your proposed scenario for reducing the numbers of US citizens in Viet-Nam. While I have great sympathy for your concerns about the impact on the political and military situation of a too rapid withdrawal, I must regretfully tell you that the U.S. political situation will not permit withdrawals at the rates you propose. The issue of the numbers of US citizens and their dependents in Viet-Nam is rapidly becoming the focal point of congressional debate on the President's request for military and economic assistance to Viet-Nam. We now face the definite possibility that both the House and Senate will zero in on the speed of our withdrawal, that this will become the total focus of the debate, and that as a result we will lose any chance of obtaining the money we have requested because of a totally phony issue.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, Outgoing, April 1975 (1). Secret; Flash.

2. With this in mind, I must ask that you accelerate your present schedule for reducing the number of US citizens in Viet-Nam both in time and numbers. I suggest at the outset that you focus on withdrawing as rapidly as you can all repeat all Mission dependents and as many of the contractor personnel and their dependents as possible. You should do your best to accomplish this move by the end of this week.

3. In addition I ask that you give me by COB Washington time on April 18 your proposals on how you would plan to get down to a total of about 2,000 US citizens (official and nonofficial) in Viet-Nam by the end of next week.²

4. I have just learned that the President has said publicly today that he has ordered the evacuation of all nonessential Americans from Viet-Nam.³ I know that this will make your task in Viet-Nam more difficult, but it also makes it that much more important that we be able to tell the Congress that we are doing everything we can to carry out the President's publicly stated promise.

² See Document 239.

³ On April 16 the President addressed the American Society of Newspaper Editors and later held a question-and-answer session; see *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 494–505.

236. Minutes of Washington Special Actions Group Meeting¹

Washington, April 17, 1975, 3:28–4:10 p.m.

SUBJECT

Vietnam Evacuation

PARTICIPANTS

Chairman
Henry A. Kissinger
State
Robert Ingersoll
Carlyle Maw
Robert McCloskey
Robert Miller
Defense
Amos Jordan
Morton Abramowitz
Secretary Schlesinger
JCS
Gen. George S. Brown
Lt. Gen. John W. Pauly

CIA
William Colby
Ted Shackley
William Christison
NSC Staff
LTG Brent Scowcroft
W. R. Smyser
William Stearman
Col. Clinton Granger
James Barnum

SUMMARY OF CONCLUSIONS

It was agreed that:

—Instructions would be sent to Ambassador Martin asking him to speed up the evacuation of Americans from South Vietnam;²

—The Joint Chiefs of Staff would prepare more detailed plans for the evacuation of South Vietnam preparatory to a WSAG on April 19.³

Secretary Kissinger: Bill . . .

Mr. Colby began to brief from the attached text.⁴

Secretary Kissinger: How long before the Communists will be in position for an assault on Saigon?

Mr. Colby: Three to four days. (Continued to brief.)

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 24, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room. Kissinger, Scowcroft, and Schlesinger discussed the meeting's conclusions with Ford in the White House Cabinet Room at 4:30 p.m. (Ibid., National Security Adviser, Memoranda of Conversation, Box 11, 4/17/75)

² See Document 237.

³ See footnote 4, Document 243.

⁴ Colby's briefing, "The Situation in Vietnam," April 17, attached but not printed.

Secretary Kissinger: Where are these North Vietnamese troops coming from? (In reference to a statement in the briefing that elements of a fourth division have moved into the Xuan Loc area.)

Mr. Colby: From the northern part of South Vietnam.

Secretary Kissinger: So, there are massive numbers of troops coming down.

Mr. Colby: Yes, that's right.

Secretary Schlesinger: They have already cut Route 1 (the only road out of the provincial capital of Xuan Loc), and the South Vietnamese 18th Division lost one of its regiments today.

Mr. Colby continued to brief.

Secretary Kissinger: It looks to me, then, that the 18th Division is trapped and that it will be destroyed at Xuan Loc.

Mr. Christison: We do have the hope that two of the regiments can break out, slip away somehow.

General Brown: Well, I don't know. They've lost one regiment already. I think the chances are very slim that anybody will get out.

Secretary Kissinger: That's the wrong thing to do, isn't it, trap an ARVN unit? They fight like hell when they're trapped.

Secretary Schlesinger: That's right. That 18th Division has already put up one hell of a fight.

Mr. Colby continued to brief.

Secretary Kissinger: Don't you think, though, that they would continue the war just as soon as (President) Thieu goes? (In reference to a statement in the briefing that the Communists appear to be peddling the line that if Thieu were replaced a less bloody outcome would be possible.)

Mr. Colby: I'm not entirely sure.

Mr. Christison: The North Vietnamese would like a capitulation by Saigon.

Mr. Colby continued to brief, turning to Cambodia.

Secretary Kissinger: Too bad, I was hoping that they would get Sidney Shanberg (*New York Times* correspondent still in Phnom Penh). (In reference to a statement in the briefing that a handful of US journalists were holed up in a Phnom Penh hotel.) That's a joke, now. Put it in the record that I am making a joke. I don't want to be haunted by that statement in the future.

Mr. Colby finished his briefing.

Mr. Christison: There is just one thing to add. We have just received a late cable. Long Boret (Cambodian Premier) apparently did not get out of Phnom Penh. According to the report, he went back to Phnom Penh this morning on a helicopter, got out of the 'copter to help some others on, and the pilot took off without him.

Mr. Ingersoll: According to the press, he's in Bangkok.

Mr. Christison: I don't know. This is a cable we just received, and it is not confirmed.

Secretary Kissinger: There's just no limit to the screw-ups in Indochina. He gets out of the helicopter and it takes off without him.

Secretary Schlesinger: One Huey helicopter took 26 Cambodians out today.

Secretary Kissinger: Today?

Secretary Schlesinger: Yes. That's real cost effectiveness!

General Brown: Twenty-six people in a Huey. They must have had them stacked in like firewood.

Secretary Kissinger: Well, could we talk first about reductions—the evacuation of Americans from Vietnam—and then we'll talk about evacuation of Vietnamese. (Ambassador) Graham Martin has been instructed, as you know, to get down to 1250 Americans by the 20th of the month. That's a reduction of about 4,000 in a week.

Secretary Schlesinger: I'm not sure he has a week, Henry. You know those plans are flying empty out of Tan Son Nhut. They are filling only two or three seats on those flights.

General Brown: They got some more out of there yesterday.

Mr. Stearman: The problem is that they are coming out of the woodwork everywhere. We have no roster of Americans wanting to get out.

Secretary Kissinger: Well, we have to leave some things to Graham's (Ambassador Martin's) discretion. I think he's getting the people out, don't you?

Secretary Schlesinger: It's a very slow process. Let's see, only 126 came out on Tuesday, 182 yesterday. That's not very many, and there is not a hell of a lot of time left.

Secretary Kissinger: Bill (Mr. Colby), what's your judgement?

Mr. Colby: I think we have one-to-three weeks maximum before Saigon collapses. The airport (Tan Son Nhut) could come under direct fire in a matter of hours. We could have another Phnom Penh problem.

Mr. Jordan: Yes, but we can't assume that the people will hang together (be all in one place) like they were in Phnom Penh. Everybody is scattered.

Mr. Colby: We could cut through some of the logjams that are preventing more people from coming out. That would relieve some of the pressure.

Secretary Kissinger: We should make sure that there are no empty seats, but I don't want to create panic. You know, this thing has to be done delicately. I don't think Graham is slowing down the evacuation, do you Bob?

Mr. Miller: No. According to the latest reports, more people will be coming out in the next three days. The problem has been all the administrative logjams—visas, documentation, etc. That's what is slowing the pace.

Mr. Shackley: The GVN is responding better now to our requests.

General Brown: I'd just like to put this thing in perspective for you to demonstrate the urgency of the situation. It's our opinion that if this thing goes to a military operation—use of U.S. forces to get people out—the odds of success are very remote. The only way now, as we see it, is for both air and ship evacuation.

Secretary Kissinger: What are you proposing, total evacuation now?

General Brown: No, but there shouldn't be any empty seats on those airplanes. Also, we have that Pan Am 707 on stand-by in Guam that is not being used. We should tell them to get going. Also, we can use the C-130s at Clark Air Force Base. I just shudder to think what will happen. In Phnom Penh we were lucky, but I think the odds . . .

Secretary Kissinger: The point is that Graham is trying to get down to the required numbers by the end of next week. Are you saying that he is not trying to?

Mr. Colby: The question is the risk, and that varies according to whom you are talking to.

General Brown: I think we are going to suffer losses getting people out. If there are 1,250 people to get out at 40 people a crack, that's 30 planes that we need to put on the ground, and that is without security forces to secure the landing area.

Secretary Kissinger: What are you talking about, helicopters in Saigon with U.S. security forces?

General Brown: No. We've been informed by one of the South Vietnamese generals—I can't remember who at the moment—that certain South Vietnamese airborne and marine units will provide us security in exchange for taking them and their dependents out.

Mr. Colby: My problem is that I think we should get some Vietnamese moving, and now.

Secretary Kissinger: (Ambassador) Martin should talk to Thieu about our plans.

Mr. Colby: The way we are going about it now, we're going to look pretty foolish when the crunch comes.

General Scowcroft: Yes, but the way Graham is going about it is designed to keep Saigon from disintegrating into chaos.

Secretary Kissinger: If Saigon disintegrates into chaos, nobody is going to get out. You have to balance off the risks. It's a tight rope that he is walking.

Mr. Colby: I think we should get at least a trickle moving.

General Brown: If Graham will fill all the seats on those planes, that will get some movement. I know the dilemma that Graham is in, but we have to get some people moving. We have put some of our resources up against several options, and it doesn't look good.

Secretary Kissinger: (Ambassador) Martin's sending in sensible cables. I think he's trying to move people out.

Mr. Colby: If only the U.S. could increase the pressure on the Vietnamese to accelerate the administrative process.

Secretary Kissinger: We'll get a cable off to Graham after this meeting. Now, evacuation of Vietnamese. What are our current plans? Do we have any plans?

General Brown: We only have a concept for a plan at this point. We haven't identified the security requirements, timing, and so forth at this point. It calls for the evacuation of 175,000 to 200,000 South Vietnamese. We have three options. The first calls for evacuation by ship and air by both commercial and by contract aircraft. This assumes GVN cooperation—the best case situation.

Secretary Kissinger: But how are you going to get 175,000 people together?

General Brown: Well, the Ambassador's plan—I really don't know. It's through special contracts and contractors.

Mr. Shackley: Identity cards have been issued to those who are to be evacuated. Those that need to be can be identified by the cards.

Secretary Kissinger: But you have no assembly points, right?

Mr. Shackley: That's right. We have identified a number of evacuation areas, but how people will get to those areas is another problem.

Secretary Kissinger: I can see us screwing up by having the civilians at one place and the helicopters at another.

General Brown: We would also propose that the South Vietnamese go to Vung Tau by their own means.

Mr. Jordan: There are already a lot of Vietnamese there.

Secretary Kissinger: How would they get to Vung Tau?

General Brown: By road or down the Mekong from Saigon.

Mr. Colby: Yeah, and the road will be choked and nobody will get there. There will be Hondas all over the place.

Secretary Kissinger: If there is no agreement with the North Vietnamese (for safe passage) it's going to be a goddamn mess.

Mr. Colby: You'll have half the city of Saigon at Vung Tau.

Secretary Kissinger: We need something more specific than what you (Gen. Brown) have there. How would you pick them up at Vung Tau?

General Brown: By ships. But this is wishful thinking, I think. That assumes there is no interference by the North Vietnamese or the South Vietnamese. I don't think we can count on that. Under Option 2,⁵ we would propose to move them out in three days using both sea and air assets. Our security forces would be aboard both the aircraft and the ships. Option 3 talks about using four brigades of U.S. troops to secure the airfields. We would have to put more combatants into Vietnam than there are Americans to evacuate. We'd helicopter them to aircraft carriers in the Gulf.

Secretary Kissinger: Do you have a military man in Saigon working with Ambassador Martin on the evacuation plans?

General Brown: Yes, Admiral Benton. He's not there now, but is due back to Saigon tomorrow. Admiral Gayler is going to Saigon tomorrow, also.

Secretary Kissinger: You said that one of your options assumed opposition. Opposition from whom? The North Vietnamese? The South Vietnamese?

General Brown: Anybody—could be either or both.

Secretary Kissinger: What do we do if the ARVN won't let us use the airfields?

Mr. Colby: Make that deal with those (South Vietnamese) airborne and marine units.

Secretary Kissinger: Is that report that they would strike a deal with us reliable?

Mr. Colby: Yes, I think it's pretty good.

General Brown: (Continuing to read JCS options) This plan commits C-141s, C-5s, and all of our helicopters. All of our forces in the Pacific would be involved. We put more combatants into Vietnam than the number of people we would have to evacuate. Also, that assumes the high possibility of combat with the North Vietnamese and ARVN.

Secretary Schlesinger: Yes, but we have no authority under the law to use U.S. forces other than to evacuate Americans. So, what you are saying there presupposes Congress will give us the authority to use U.S. forces to evacuate Vietnamese.

General Brown: Option 3 is an all-helicopter lift, Americans only. Helicopters would lift Americans from Saigon to carriers off Vung Tau. We would also have to have air cover and ground security forces. I think there is a high risk of mob violence, and there is also the threat of anti-aircraft fire (from the South Vietnamese). Helicopters can only get 4,500 people out per day. The first two options are only concepts of plans, they have no details.

⁵ Reference is to Department of Defense Options Paper, undated. (Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 19, WSAG Meeting, 1/17/75, Evacuation)

Secretary Kissinger: Option 2 is an air and sea evacuation from Vung Tau and envisages 200,000 people?

General Brown: Option 1 is Vung Tau. Option 2 uses Tan Son Nhut and Vung Tau. Option 3 is choppers only, and only Americans, which would require security forces.

Secretary Kissinger: From all the reporting I've seen, Option 3 is more likely to trigger violence against Americans than the others.

General Brown: Yes, that's right.

Secretary Kissinger: Option 2—that's only Americans, right?

Mr. Shackley: You would have to figure eight dependents for every ARVN soldier if you are going to use that airborne brigade and marine unit.

Secretary Kissinger: That's 96,000 on top of the 200,000.

General Brown: That's right.

Secretary Kissinger: Another option is possible negotiations, but if you do that, you have triggered the end right there, haven't you? Are there any other possibilities?

Mr. Christison: If you use those South Vietnamese units, you're going to have to promise to take everybody in the area, because they will all know what's going on.

Mr. Colby: It's a possibility, if the cohesiveness of the airborne and marine units can be maintained.

Secretary Kissinger: Who's dealing with them? Are you?

Mr. Colby: The Embassy.

Mr. Christison: About half the marines are in Vung Tau. There are two units near Xuan Loc, and one is in Saigon.

Secretary Kissinger: Jim, what do you think?

Secretary Schlesinger: I think we ought to get out what Americans we can, and soon. I don't think we can get many Vietnamese out, even under the best of circumstances, and if you do want to get Vietnamese out, you are going to have to tell the government.

General Brown: We can get a lot off the beaches at Vung Tau—like we did at Danang.

Secretary Kissinger: Dick Smyser, what do you think?

Mr. Smyser: If we tell the Vietnamese to go to Vung Tau, the government will collapse.

Secretary Kissinger: I think we should meet again on Saturday morning (April 19). In the interim, let's do our best to speed up getting Americans out. Can you (Gen. Brown) get those concepts into plans so that we know what we are up against? I will talk to Thieu. We'll meet again Saturday morning. We'll get a cable out to Martin speeding up the evacuation.

237. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, April 18, 1975, 0338Z.

WH50717. We have just completed an interagency review of the state of play in South Viet-Nam. You should know that at the WSAG meeting today² there was almost no support for the evacuation of Vietnamese and for the use of American force to help protect any evacuation. The sentiment of our military, DOD and CIA colleagues was to get out fast and now.

In addition, as I indicated in my message to you last night,³ the congressional situation is fast getting out of hand. Our task—yours and mine—is to prevent panic both in Saigon and Washington, and I know that you recognize this more clearly than almost anyone in the United States Government.

I appreciate your indication that you can and will meet my request that we reduce to approximately two thousand official and nonofficial Americans by the end of next week, but most now, in light of the situation in Washington, ask that this schedule be advanced. It is essential, despite the concerns that you have expressed and that I accept, for you to speed up the movement of American citizens out of Viet-Nam. We must be at or below the level of two thousand official and unofficial U.S. citizens by Tuesday, April 22. I ask that you move immediately to accomplish this and assure you that we are prepared to do everything we can to give you any additional assistance you need. You will be receiving a front channel message to this effect, plus certain other questions and instructions in tandem with this message.⁴

Warm regards.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, Outgoing, April 1975 (1). Secret; Sensitive; Flash; Exclusively Eyes Only.

² See Document 236.

³ Document 235.

⁴ See footnotes 2 and 5, Document 239.

238. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, April 18, 1975, 0359Z.

WH50718. I have discussed your Saigon 710 with the President. There is no objection to your proceeding as you indicate in paragraph 9.²

You will soon be receiving a full report on today's WSAG with further instructions on a variety of questions.³

In the meantime, I want you to know that in the unanimous view of the agencies represented, the situation in Viet-Nam is rapidly and irretrievably approaching the worst case. It is clear to me—and the WSAG confirmed it—that as a result, interagency pressure for immediate evacuation of U.S. personnel has now become irresistible. Without exception the view of those at the meeting is that we must evacuate our people—and do so as soon as possible.

This conclusion, I do not doubt, will shortly leak. The President, of course, will then be blamed directly for being indifferent to the saving of American lives. In short, we are faced with a very nasty problem.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing (1). Secret; Sensitive; Flash; Exclusively Eyes Only.

² Martin sent a lengthy appraisal of the situation in Vietnam to Kissinger in backchannel message 710, April 17. In paragraph 9, the Ambassador wrote: "If there is a negative vote, Thieu will be finished. I am seeing Bui Diem tomorrow. He and Don, now Minister of Defense, are most eager to get the negotiation process started. I shall still say that any change is their business but that it seems to me that the essential process of negotiations cannot be started with Thieu in power. I shall then, unless instructed to the contrary, go to Thieu and tell him the same thing, making it absolutely crystal clear that I am speaking only for myself, that I am speaking as a friend who has always told him the whole truth, and that is my conclusion, arrived at most reluctantly, that his place in history would be better assured with the recording of all the truly significant things he has actually accomplished, if he does not, by staying too long, be remembered for failing to permit the attempt to be made to save what is left of Vietnam as a reasonably free state. I will say that it is my dispassionate and objective conclusion that if he does not do this, his generals will force him to depart. I would say that it would seem to most of the world a much more honorable way to go, if his departure was at his own volition, telling his country he did so to preserve the legitimacy of the Constitution and the successor administration which would help them negotiate from a greater position of strength to preserve a free Vietnam. I would say it would be an act which could only be taken by a man of great courage who placed his country's interest first and foremost. I would make it quite clear several times that I was giving him only my personal assessment of the situation, that I had not been instructed to do so by either the President or the Secretary of State, who, I assumed, would continue to support the Government and the people of Vietnam to the best of their ability." (Ibid., Incoming, 1)

³ Kissinger relayed a brief account of the April 17 WSAG meeting (see Document 236) to Martin in telegram 88999, April 18; *ibid.*, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, From SECSTATE, Nodis (3).

Given the political dimensions of this problem at home and the realities of the battlefield in Viet-Nam, it is also beginning increasingly to appear that drastic action will be required if we are to have any chance of providing for those Vietnamese who have relied on us. I therefore would appreciate your judgment on the wisdom and feasibility of our initiating discussions with the Soviet Union and the PRC in order to work out some arrangement which would permit the departure of substantial numbers of Vietnamese who would be endangered and to whom we are most deeply obliged.

With respect to the vote in Congress, I think we will be able to ensure that there will not be a negative decision before Monday⁴ at the earliest.

You are doing a fantastic job.

Warm regards.

⁴ April 21.

239. Telegram From the Embassy in Vietnam to the Department of State¹

Saigon, April 18, 1975, 1115Z.

5271. Subject: Viet-Nam Evacuation. Ref: State 088999.²

1. We are glad to note that the interagency meeting yesterday was a sober one. It should have been, but it is necessary to avoid the tendency of always assuming the “worst case” which will lead to decisions which may endanger the situation here. We also assume the “worst case” and plan for it, but to make decision in Washington on automatic assumption of “worst case” can automatically bring it about.

2. With the lift available, we will reduce American community here to 2,000 by Tuesday.³ In doing so, we will cut some corners on procedures. There will be some cases where we will send out some

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, To SECSTATE, Nodis (4). Secret; Niact; Immediate; Nodis.

² In telegram 88999 to Saigon, April 18, Kissinger urged Martin to accelerate the evacuation of Americans from Vietnam. (Ibid., From SECSTATE, Nodis, 3) See also footnote 3, Document 238.

³ April 22.

undocumented aliens, some of whom have been requested by senior Washington principals, and others we deem it necessary to include in order to keep the flow of Americans going unimpeded. It would be useful not to have to take time to answer too many cables of explanation. Although the MSC ships are useful as a reserve, the use of airlift better suits our purposes, as long as it is available.

3. We have had good cooperation from the GVN in cutting the procedures for departure of Vietnamese dependents of Americans to absolute minimum. To ignore this wholly could trigger reaction which would impede and might stop the rate of flow we are now reaching. We are, however, sliding around the requirement for GVN documentation in many cases to speed up the departure flow.

4. We have noted the comments about “the President’s determination to fulfill his obligations for the safety of Americans as well for the protection of Vietnamese who have been associated with us.” As explained in para 3 in Saigon’s 5111⁴ we do not believe it feasible to try to assume responsibility to lift all the Vietnamese to whom the President refers directly from Saigon. We will instruct our own local employees to make their way to designated spots on the coast where they may be evacuated. Many may not make it, but we do owe those who do the chance to escape. We have been told by our American press that their principals have been informed in Washington that “after the fall of South Viet-Nam, we will negotiate for the release and safe exit of Vietnamese nationals who have worked for the Americans.” This caused several hours of excruciating “damage control” operations this morning to keep this story from breaking. If it had, the local repercussions would have been worse than Danang. Since you had already assured media their local employees in Saigon would be evacuated, we have arranged for the very quiet exfiltration of some of the media local employees and can get them all out. Another mistake like this in Washington could be enormously costly to us here. Perhaps such questions should be referred to us here.

5. Regardless of the time Congress may take on whatever consultation is necessary for the admission of our own Vietnamese employees, we will continue to advise them to try to get to designated points on the coast, where they will be picked up. Therefore, it is suggested that it would be useful for Washington to cease being overwhelmed by the magnitude of the problem and leave the planning to CINCPAC. Judging from the performance of Admiral Benton, there can be no question about the capacity of CINCPAC to do this. And there is no question of the Executive branch’s ability to arrange their quick absorption into the

⁴ Dated April 16; Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 21, Vietnam, State Department Telegrams, To SECSTATE, Nodis (4).

U.S. and other countries. John Thomas, present Director of ICEM in Geneva could, as he did as Director of Cuban Refugee Program, work out domestic arrangements in U.S. in very short time. If we fail to do this, the “racist” overtones of such a decision would enormously decrease what influence we might ever expect to have in Asia again.

7. With regard to your paragraph 4,⁵ I am assured the answer to both questions is affirmative. What is not so certain is how many of our local employees can get there. I again suggest we cease being paralyzed by the order-of-magnitude of the problem, leaving it in the most capable hands of CINCPAC to handle the evacuation of such of those Vietnamese to whom we are committed that are able to get there. I cannot recommend that we try to introduce enough American forces to permit their evacuation from Saigon.

8. There is nothing Thieu can do which would not be immediately known and thereby run the horrible risk of setting off the hysteria we must avoid at all costs for as long as possible. The questions you raise—identification, assembly, transport—are ones on which Washington consideration will be fruitless. The only questions we can really handle—in Washington or in Saigon—is that of identification and that we can handle here. When we get to that point all but a very few Americans will have left. Who must be gotten out first. Transport must be the problem of our locals to the coast. We will have secure area of embarkation and there we are confident CINCPAC can cope. General Smith has personally visited Vung Tau today at my request.

9. We have noted the statement that “we must face the true situation and begin to decide upon the choices available to us.” We have done that here, but we are not so sure about Washington. Part of facing the true situation is that there is nothing Thieu can do to help us in this particular problem. He cannot possibly broaden the categories of Vietnamese citizens excepted from the Vietnamese travel ban without triggering the panic we should be all striving to avoid. Even any attempt on his part to help us would prejudice the decisions of the Vietnamese who will actually effect this operation. I am not sure that any Vietnamese could be convinced just now “that we do not wish to proceed in a spirit of panic” as he reads the headlines out of Washington.

10. The one simple action that might be useful is to avoid a repetition of this morning’s action when instructions were attempted to be given by a Washington agency to the head of a Mission element from his agency. In this case, we were already doing under my authority part

⁵ In paragraph 4, telegram 88999 to Saigon, April 18, Kissinger wrote: “I would appreciate more details of what you have in mind for evacuation of Vietnamese. Is it realistic to believe that Vung Tau can be used for mass evacuation? Do you believe that certain South Vietnamese forces could be counted on to help secure evacuation zones for mass evacuations?”

of what was suggested. And the other point was not practical at the moment. Fortunately, we are a close knit family here and these end-runs will not work. But constant attempts could cause chaos if they continue.

11. I know very well that witnesses before congressional committees cannot be protected from a member who wishes instant TV coverage, but I cannot emphasize too emphatically that constant comment on evacuation in Washington is most unhelpful here, as is the understandable temptation to delve into detail which can best be handled here. I hope you can influence your colleagues to keep both these points very much in mind over the next ten days when coolness will be absolutely essential.

12. I am well aware of both domestic and congressional concerns, and I will keep them very much in mind, but my overriding concern is the safety of the Americans for whom I have the responsibility to the President.

13. I have set a target of 1,700 Americans remaining here by COB Tuesday, April 22nd, Washington time. While there may be some slight slippage on that goal, we should be under the 2,000 figure set in your cable. I would hope to reduce that considerably further in the following days.

Martin

240. Memorandum of Conversation¹

Washington, April 18, 1975, 9:12–10:15 a.m.

PARTICIPANTS

President Ford

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs

Lt. General Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

President: I thought we should have a meeting this afternoon to decide what to do on a vote.

Kissinger: I am testifying tomorrow before Doc Morgan's Committee.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, Chronological File, 4/18/75. Secret; Nodis. The meeting was held in the Oval Office. Brackets are in the original.

President: One of the weakest members is Peter DuPont. He should be good.

Kissinger: Broomfield is good.

President: But he is not a leader. There is no leader on that Committee. Phil Burton wants to see me about evacuation.

Kissinger: I would be careful. Those bastards want to hang you. They are just waiting to pin it on you.

President: That is what he wants to tell us, I am sure. That we get out.

Kissinger: Graham Martin is a noble American. He is trying to hold things together and get people out.

They are sticking with the figure of 1,250. I meant official ones; they thought it meant total.

All the Pentagon wants is to evacuate. It is tough problem. Whatever you do there will be some Americans left. We are planning a WSAG.² It might be better to have your meeting after the WSAG.

President: [Changes meeting time.]

Kissinger: Javits called last night. He says we are not moving out fast enough. He asked what we objected to in the bill. I said the amount and the conditions. He asked if we would compromise. I said I would talk to you. I don't see what we gain by compromise.

President: I think we should say we made an honest evaluation of the needs and we have the figures to back it up. They are an equal branch and can exercise their judgment. It has worried me that we can show progress every day on evacuation.

Kissinger: I send Martin a cable a day.

I wonder if we should call Dean Brown back to coordinate the refugees. It would be good public relations. He gets things done.

President: Go ahead. Let's get an announcement out.³

Kissinger: I will need to get Dean Brown first.

[Omitted here is discussion unrelated to Vietnam.]

² See Document 243.

³ Nessen announced on April 18 that retired Foreign Service officer L. Dean Brown would head a special task force to coordinate evacuation, humanitarian aid, and the flow of refugees. (*Washington Post*, April 19, 1975)

241. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, April 18, 1975, 1550Z.

713. Ref: WH50718.²

1. Much appreciate sentiment expressed last sentence your message.
2. For your information, and I don't think you really need it, I had concluded some time ago that the situation here would probably not work out. When I came back with the congressional group, and saw the total lack of organized follow-through by Department and executive branch, although some individuals did dedicated and effective job, my every instinct was that time was short. Everything else I have done since has been to play for time until we can get the Americans out, and arrange our leaving so that the manner of it would not add a further disgrace to the sad history of our involvement.
3. It may well be that Hanoi will make a smash at Saigon in order to be here on Ho Chi Minh's birthday on 19 May. I still think their current drive has as its primary aim the elimination of Thieu, installation of a weak successor regime, negotiation of a weak neutralist government which they can take over at their leisure, or which will invite them in to the acclaim of some, but to the total dismay of those here who would have no future but death or exile if they could make it. It is the latter group, particularly those in the military who feel particularly bitter, which causes me the most fear as we finish getting most of the Americans out.
4. Some of the recent messages from Washington have been slightly inconsistent. I am now proceeding on the assumption that you will wish to keep the Mission open as long as there is a chance that there can be a negotiated settlement. I would hope to get the American official presence down to about 750 within three weeks: 75 in State element, 75 in AID element, 5 in USIS, 100 in SRF, 250 DAO civilians, and about 20 misc, 100 contractors (AID & DAO), 75 marines and 50 DAO mil officers. Part of those contractors are Air America pilots, who I want as long as possible. Part of the Hill and public pressure is to panic us into yanking all Americans with the sure knowledge that such action would be the last psychological blow to send this country down the chute. When we get to the 750 point, which includes the Air Amer-

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (2). Secret; Sensitive; Immediate. Sent with the instruction: "Delivery immediately."

² Document 238.

ica group, we will be able to arrange a swift pull without much difficulty. I am pulling Bien Hoa tomorrow and I hope there will be no publicity about it for a while. I do not intend to risk another Danang, and we will be prepared to move with extreme rapidity, and will so move well before the actual necessity.

5. We will badger, cajole, threaten and even blackmail if we can the element of the private community which will cause the most trouble, the lotus eaters with Vietnamese dependents. We are getting a lot out but there are some who, having lived through Tet and the other major Vietnam offensives are inclined to regard this as yet another to be taken in stride. The business community will be no problem. They are prepared and ready to go at a moment's notice, as are most of the other responsible American private citizens here.

6. I am not surprised that "in the unanimous view of the agencies represented, the situation in Vietnam is rapidly and irretrievably approaching the worst case." All of them were saying not long ago that there would be no "general offensive" this year. 40 years ago when I got started in the intelligence business a very wise old man told me that if one predicts a disaster that does not happen, one gets a slap on the wrist. If one fails to predict a disaster that does happen, one is disgraced or fired. He also said that in the latter case, where they had been wrong, the estimates for a while would be heavily weighted on the extremely pessimistic side. There is a bit of that here. What is missing in most of the estimates or senior appraisals is "the time frame." I keep pinning them down here, and the most pessimistic estimate is that we have ten days before actual danger to Americans. The average is a month to six weeks, unless meaningful negotiations start. So I am prepared for the worst case, but wonder if we want to precipitate it by actions of our own until it is really necessary. History will judge whether we did so, or coolly played the hand out, ready to move at the first real indication that we should. I don't think we can really tell what decision should be made until I can see Thieu which I hope to do tomorrow or Sunday.³ In the meantime, we shall accelerate the stripping process with all possible speed.

7. I would also like to answer your question about the wisdom and feasibility of our working out some arrangement which would permit a Vung Tau evacuation of the Vietnamese to whom we are most deeply indebted after I see Thieu and after I talk with Admiral Gayler and General Smith tomorrow. You fully recognize that to make this approach we are giving a clear signal that even any hope of a negotiated settlement has gone. Perhaps that is so, but since I doubt that this initiative could be undertaken without leaks in Washington, I am reluc-

³ See Document 244.

tant to deny the South Vietnamese that last chance. If I find Thieu obdurate and in a “Gotterdammerung” mood, I will so recommend.

8. Thieu at my urging did see the French Ambassador whom I have not seen since, both of us thinking it unwise to exacerbate the deep suspicions of Franco-American collusion that is deepseated here. If you have had any reports from Paris, they would be most welcome before I see Thieu.

9. If we could settle for the old \$300 million, it would buy us a little more time here. If there is a chance of it, I hope you delay until the parliamentary maneuvers are exhausted or until you get it, and have we heard whether Jim Akins performed a small or large miracle.

10. Warm regards.

242. Backchannel Message From the President’s Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, April 19, 1975, 0307Z.

WH50727. Despite your best efforts and my own instincts, the perception in Washington of the military situation around Saigon and of Hanoi’s own intentions has reached the point where I must ask you to reduce total American presence to the level of 1,100 by COB Tuesday.² This is the number of people whom we estimate can be evacuated in one helo lift.

I give you this instruction reluctantly and with no little concern over the risks that this action may entail.

Nevertheless, it is clear to me that unless we take this action now, other agencies will lose no time in leaking that you and we are dragging our feet. Congress will then almost certainly promptly direct an evacuation of all repeat all Americans.

I know that this decision will come as a blow to you. It is so for me. I can assure you that once we reach this level, I shall not press you again for further reductions except on the day, God forbid, if and when you are instructed completely to close down the Mission.

Warm regards.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, 1974–1977, Box 3, Martin Channel, April 1975, Outgoing (2). Secret; Sensitive; Flash.

² April 22.

243. Minutes of Washington Special Actions Group Meeting¹

Washington, April 19, 1975, 11:05 a.m.–12:02 p.m.

SUBJECT

Vietnam Evacuation

PARTICIPANTS

Chairman
Henry A. Kissinger
State
Robert Ingersoll
Philip Habib
Robert Miller
Amb. L. Dean Brown
Defense
Robert Ellsworth
Amos Jordan
Morton Abramowitz
JCS
Gen. George S. Brown
Lt. Gen. John W. Pauly

CIA
William Colby
Ted Shackley
William Christison
NSC Staff
LTG Brent Scowcroft
W.R. Smyser
William Stearman
Col. Clinton Granger
James Barnum

SUMMARY OF CONCLUSIONS

It was agreed that:

—Ambassador Martin and Admiral Gayler would be asked for their recommendation regarding the immediate introduction of one brigade of U.S. Marines into Saigon;

—that the Working Group would prepare an option paper on relocation of Vietnamese refugees.

Secretary Kissinger: Bill . . .

Mr. Colby began to brief from the attached text.²

Secretary Kissinger: There is one thing for sure, CIA is not afraid to predict a total disaster. (Referring to a statement in the briefing that the collapse of Saigon is imminent.)

Mr. Colby: It's hard to say anything else. (Continued to brief.)

Secretary Kissinger: The North Vietnamese will be in position to close Route 4 when?

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 25, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Colby's briefing, "Vietnam," April 19, attached but not printed.

Mr. Colby: Any time now. (Finished his briefing.)

Secretary Kissinger: George (Gen. Brown), do you have anything to add? Can't you pull off some flanking maneuver or something?

Gen. Brown: Trouble is, there are no more North Vietnamese in North Vietnam. In response to the SAM (surface-to-air) missile threat, we have moved from Okinawa those type of aircraft that we can use against SAMs—just in case they are needed. We have also moved the amphibious forces so that they will be in the best position if they are called upon to help. By 0800 tomorrow, all but the last 10 helicopters will be positioned on the carriers, ready to go. By 0500 Monday, Washington time, the remaining 10 helicopters will be on board the carriers. That means we can evacuate substantial numbers of persons by tomorrow morning.

Secretary Kissinger: How many?

Gen. Brown: 1,700 in a single lift.

Secretary Kissinger: Does that include security forces?

Gen. Brown: No, well, that's four loading zones with 1,200 marines that could take out 1,700 evacuees.

Secretary Kissinger: And you are going to need two cycles, right?

Gen. Brown: At least. We figure we can lift out about 2,200 evacuees plus the security forces in two waves. Now, if we went to a 13-hour day, we could lift about 10,000 people out by helicopter. The basic scheme is to free-up the carrier decks and shuttle the helicopters from Saigon—the DAO Compound at Tan Son Nhut—to the decks of the carriers. It would take about two hours round-trip on each helicopter.

Secretary Kissinger: So, the plan is set. I had a long talk with the President last night, and he has ordered that the reduction of U.S. personnel will be done in one lift—two if security forces are needed.³ The final figures will be worked out in Saigon. We will not fix that figure here. So, your concept, George, has already been ordered. (Amb.) Graham Martin has been informed. He is in touch with Admiral Gayler and Admiral Benton. By Tuesday night we will be down to 1,400 to 1,700 people. It will be up to their collective judgement whether one or two lifts are needed. My impression is that only 1,400 will remain after Tuesday.⁴ That is now the decision. There will be no further reductions until the situation deteriorates further. All right, now the sec-

³ When Kissinger and Ford spoke on the telephone at 10:10 p.m., the President agreed to Kissinger's request to reduce the number of Americans in Saigon to 1,250, a number that could be evacuated in one lift. The record of the conversation is in the Library of Congress, Manuscript Division, Kissinger Papers, Box 387, Telephone Conversations, Chronological File.

⁴ April 22.

ond point I want to make is that we want to do everything within our power to prevent panic. I don't want any type of consultation on war powers.

Mr. Ellsworth: Our General Counsel says we have to go to the Congress on war powers.

Secretary Kissinger: He's overruled! I want no panic at either end. We will have the total support of the Congress.

Gen. Scowcroft: Our consultations took place one-and-one-half hours ahead of the lift in Cambodia.

Secretary Kissinger: There are a number of other things that the President is thinking of. The President has already ordered a reduction to the minimum number by Tuesday morning, our time.

Gen. Brown: Admiral Gayler has come in with a request that we deploy now, a brigade of Marines from Okinawa. The reason for the Marines from Okinawa is that they will have lighter equipment.

Secretary Kissinger: We'd better run that by the President.

Gen. Brown: We have not heard Ambassador Martin's reaction to that as yet.

Secretary Kissinger: Was the request made before Gayler left for Saigon?

Gen. Brown: Yes. He just got there (to Saigon).

Secretary Kissinger: My feeling is that the Ambassador would think that the worse thing we could do is bring in Marines. What do you think, Bob?

Mr. Ellsworth: My gut reaction is to favor it.

Secretary Kissinger: Well, I think we should get Graham's reaction first. Graham is getting as much heat around this town as I am. I told him that the only difference between us is that they will hang him a little lower than they hang me. I don't think Graham will go along with bringing the Marines in. Phil (Mr. Habib), tell Graham to talk it over with Gayler and ask them to come up with an agreed-upon position. Once we get their opinion, then we can act.

Amb. Brown: We haven't got much time.

Secretary Kissinger: When does he want to put the Marines in there?

Gen. Brown: Now, but I think it would be good to get the Ambassador's opinion first.

Secretary Kissinger: No, we can't put them in there now. If (Amb.) Martin agrees, okay, but if we do, we must have individual consultations, and that triggers the whole thing.

Mr. Habib: If we relate it to the evacuation of U.S. personnel only, we won't have to have consultations and there will be no challenges from Congress.

Secretary Kissinger: But that would still get us into a debate on the Hill. Our objective is to have a collapse under controlled conditions, if possible. I don't want to give the impression at this end of a total bug-out in South Vietnam. In order to do this, we need the total cooperation of all the departments of the government. I don't want to trigger an evacuation hysteria until the other end is set. That is why I am concerned about bringing in those Marines. I don't want a debate started in Congress. So, I would recommend that we find out first from Martin and Gayler how urgent they feel the problem is and apprise them of the problems sending in the Marines would cause from this end. If the North Vietnamese start attacking Saigon on Monday or Tuesday, we may have to get out everybody by Tuesday or Wednesday. I want to keep enough of a structure in Saigon in the event we can bargain. Anyway, Martin has been ordered to cut down to 1,300 by Tuesday.

Gen. Brown: That's going to require two waves, but that can be handled.

Mr. Ingersoll: That would be at the Embassy compound?

Gen. Brown: No, that's the beauty of the plan—it would be at Tan Son Nhut. But, the problem is that Tan Son Nhut is in the path of the North Vietnamese, and they may attack it. Our plan is to hold the people at the DAO compound at Tan Son Nhut.

Secretary Kissinger: Well, we have to find out the sense in Saigon. We have to rely now on the people in Saigon for their judgement. Phil, check with Martin and Gayler on the Marines. We'll meet again tomorrow morning for about a half hour. They should have their answer in by then. I think we should meet every day from now on. What do you think, 10:00 a.m. tomorrow?

Mr. Stearman: Do you want to talk about the evacuation of Vietnamese?

Secretary Kissinger: Yes, let's talk about that next.

Gen. Brown: There is one aspect of this thing I would like to bring up. We would like to move our back-up from Hawaii to the Philippines. This could trigger press speculation of an impending evacuation.

Amb. Brown: Do you have enough aircraft?

Gen. Brown: Oh, we have plenty of aircraft.

Secretary Kissinger: I think it would be positive to move something forward.

Mr. Habib: What kind of protection are you going to have for these helicopters?

Gen. Brown: Tactical Air, but only over the area of the actual lift.

Mr. Habib: I suppose we should . . .

Secretary Kissinger: My instinct is against it, but I will talk to the President this afternoon.

Gen. Brown: There is one other point. I suggest the Ambassador talk to the Vietnamese about getting those planes out of there. You know, in Cambodia a lot of those government planes were left on the ground and a lot of them were lost.⁵ I think there should be some plan to fly them to Thailand. At what point this should be done, I don't know.

Secretary Kissinger: That's a good point, but I want to clear all those cables on that. I agree that it is a good idea, George, but wait for 48 hours.

Now, evacuation plans.⁶ Let's see if I have this right. Option 1 calls for one helicopter airlift for the civilians, and one more for the security forces. This would take about 13 hours.

Gen. Brown: Oh no, far less time.

Secretary Kissinger: Okay, it would take about two hours for that. That is, two hours per cycle, or four hours altogether. What do you mean by cycle?

Gen. Brown: I use the term cycle to mean two times in. Each helicopter would have to make two runs. It would take about five hours to evacuate all personnel in two cycles.

Secretary Kissinger: Okay, and you can also take Vietnamese.

Gen. Brown: No, that's the next option—Option 4.

Secretary Kissinger: Option 4 is to lift 2,700 people in one lift with 1,200 security forces. Then we go from there on up to 10,000. Do we know who those 10,000 people are?

Mr. Habib: The Embassy has lists, but the question is, what portion do we take?

Secretary Kissinger: We'll just have to depend on the Embassy to sort that out—if we have to go to Option 4. The President might decide to take out dependents if we have to.

Gen. Brown: You're going to have to take out 1,200 security forces in any event.

Mr. Habib: The security forces stay to the end?

Gen. Brown: Yes.

Secretary Kissinger: Okay. Option 3 calls for evacuating by sea—no fixed wing aircraft. Where would they evacuate, Vung Tau?

Gen. Brown: Vung Tau and Newport, on the edge of Saigon. The Ambassador's scheme is to tell the Vietnamese to go to Vung Tau and we'll pull as many off the beach as we can.

⁵ The Government of the Khmer Republic fell on April 17.

⁶ An updated "JCS Evacuation Plan," April 19, is at Tab B of the WSAG briefing book prepared for this meeting. (Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 19, WSAG Meeting, April 19, 1975, Evacuation)

Secretary Kissinger: Those are not the only Vietnamese who are going to be there. There are a lot of Vietnamese there already, aren't there? According to Bill (Mr. Colby) the North Vietnamese are going to be in Vung Tau in a few days. That isn't a very good plan, is it?

Mr. Colby: Some Vietnamese would get out via Can Tho.

Secretary Kissinger: I just think Vung Tau is going to be impossible.

Mr. Habib: The Mekong River is capable of carrying ocean-going ships. People in the Delta area will be filtering out all over the place.

Secretary Kissinger: Has anybody identified those Vietnamese we want to evacuate?

Mr. Habib: That's the problem. There are going to be all kinds of people on the riverbank. Unless you start getting a clear idea now of who you want to get out, you're going to have a mess.

Mr. Stearman: If the North Vietnamese block Route 4, you can't get people out through Can Tho, can you?

Mr. Colby: That's right.

Mr. Brown: How long are those ships (four MSTs—civilian ships under military contract) going to hold in Saigon? I thought I saw where they were to leave tonight. There's no way they can get loaded today, is there?

Secretary Kissinger: One of our negotiating assets is that there is a government in Saigon, and that it exists. We start moving people out and the government collapses.

Mr. Colby: We could begin to move some out now.

Amb. Brown: You're talking only of handfuls.

Mr. Colby: We could leave one ship there at Saigon.

Gen. Brown: We earlier issued instructions to move those ships to sea. They were to leave no later than tonight. We have now countermanded those orders. They have been told to hold. The ships are there and will stay there until we instruct them differently.

Mr. Ellsworth: How many does each one hold?

Gen. Brown: About 1,800 people.

Secretary Kissinger: Now look, we can escalate the evacuation and we will look good three weeks from now. But, I do not want to trigger a situation in which we have mass chaos. Our best solution is to have an evacuation under a controlled situation.

Mr. Colby: We could release some of those people we want to get out now. It would relieve some of the pressure.

Mr. Habib: Some are already coming out on aircraft.

Mr. Colby: I think we should begin to move them slowly.

Gen. Brown: Another thing. You know, we're flying one plane every hour into Tan Son Nhut. A lot of them are coming out empty.

That's wasteful. I would like to cut back a little on the number of flights—say to about one every two hours.

Secretary Kissinger: That has to be coordinated on the ground out there. I didn't know you were flying in that many flights. Dean (Amb. Brown) are you coordinating this?

Amb. Brown: Yes.

Secretary Kissinger: I don't care how you get those people out of there. My only concern is that we get down to the 1400 by Tuesday. The President has set that target. Washington will not set the pace of the planes. The object is to get down to 1400 by Tuesday. How you do it is your problem.

Mr. Colby: The President is also concerned about the Vietnamese, and I think we have to begin moving them out. If we don't make at least an attempt to get them out, you are going to have more bitterness than you [text missing].

Amb. Brown: It seems to me that we have to make two decisions here today. You know, there are a lot of Vietnamese in this country who came here not of their own choosing, who want their relatives to come. Pressure is building up for us to do something about it. We need to make our minds up about who we want to get out. This could be anywhere from 10,000 to 75,000 people. I think we will want to give Graham the right to process these people in this category, and then consult with Congress. We must go to Senators Kennedy and Eagleton on this.

Secretary Kissinger: Why?

Amb. Brown: They want to be consulted everyday.

Mr. Habib: You know, the President has already instructed the Attorney General to parole those . . .

Secretary Kissinger: Look, this group does not have that responsibility. That responsibility rests in this building, and we will accept full responsibility. We want your cooperation and no panic. You can help us keep down the panic. I want you to avoid running all around town and giving the impression that there will be a total bug-out by Monday. I agree that we should get the high-risk Vietnamese out first. I would prefer to wait to tell Kennedy and Eagleton until Monday.

Amb. Brown: We could tell them about the general categories of people to be paroled.

Secretary Kissinger: Yes, and then you bring about the collapse of Saigon. I want to avoid the impression of a bug-out. I would prefer an option whereby we have the greatest chance of getting the most people out under controlled conditions.

Mr. Habib: There is a way. Those people who want their relatives to come to this country could petition for parole and then bring them out any way they see fit.

Amb. Brown: But this can be done only by public announcement, and this would signal a bug-out.

Secretary Kissinger: Our policy is to maintain the option of an evacuation under controlled circumstances.

Gen. Brown: How about the high-risk Vietnamese? How are we going to get them out.

Secretary Kissinger: We'll have to ask Martin if he can load one of those ships today and get it out of there.

Mr. Habib: He wants to evacuate people by air—not ships. Ships are too visible. We should keep those C-141s flying.

Secretary Kissinger: Martin wants to work out the numbers himself. It is an absurd arrangement to keep flying those planes on the off-chance there might be some people wanting to get out. That should be worked out between the Embassy and CINCPAC. That is not our job here.

Gen. Brown: We have those C-141s and Pan Am 707s on call.

Mr. Habib: Martin knows that.

Secretary Kissinger: All I'm saying is that it is up to the Embassy and CINCPAC to make sure that we get down to the 1400 by Tuesday. Make sure that that is done.

Gen. Brown: It's done.

Secretary Kissinger: Now, what is the other option?

Gen. Brown: Well, Option 1 is going on now. Option 2 is the use of special aircraft . . .

Secretary Kissinger: And Option 3 is to get the Vietnamese to some port, like Vung Tau. Vung Tau is not a good option, if what Bill says is true.

Mr. Jordan: If those ships out of Saigon are empty, they could pick up people as they are going down the Mekong.

Secretary Kissinger: And take them where? We are not in the refugee business.

Gen. Brown: Of these options, we believe that only two are viable—the 'chopper lift and fixed-wing aircraft.

Secretary Kissinger: How many people can you take out under controlled conditions?

Gen. Brown: By using C-141s and C-130s, we can take out about 10,000 in 13 hours, and that will build up as time goes on.

Secretary Kissinger: What's the maximum you could get out of Tan Son Nhut in one week?

Gen. Brown: 200,000. This presumes controlled conditions.

Secretary Kissinger: How long would it take you to get started?

Gen. Brown: Immediately.

Secretary Kissinger: There's no lead time?

Gen. Brown: It would go as soon as I gave the order.

Secretary Kissinger: And you could bring out 30,000 a day?

Gen. Brown: Yes.

Mr. Stearman: Would you need troops?

Gen. Brown: A division and a third.

Secretary Kissinger: Suppose we evacuated under an agreement, how many troops would you need?

Gen. Brown: 450 Marines.

Secretary Kissinger: Okay, let me sum up. By Tuesday night we will be down to the number of Americans—1400—that Martin has agreed upon, and it will be up to him to decide how many he needs to carry on his function. The mechanics of the airlift will be left up to Martin and Admiral Gayler, without direction from here. Ambassador Martin will identify those high-risk Vietnamese and work out plans for their evacuation. I don't think a beach operation will work. We'll keep those ships close-in.

Mr. Habib: The question is, where are we going to take those people?

Secretary Kissinger: That's a Working Group problem. Get the Working Group to look at the various options.

Gen. Brown: Could we move the WSAG tomorrow at 11:00? It would work out better for me.

Secretary Kissinger: Okay. Any objection?

244. Backchannel Message From the Ambassador to Vietnam (Martin) to Secretary of State Kissinger¹

Saigon, April 20, 1975, 1645Z.

718. 1. I saw Thieu this morning making all the points outlined in par 9 of my 710.² I took along the latest summary of the actual military order of battle and analysis of the comparative force each side could bring to bear. As you know, it is a very grim picture, and the conclusions are inescapable that should Hanoi choose to rapidly move

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (2). Secret; Sensitive; Immediate. Sent with the instruction: "Deliver immediately."

² See footnote 2, Document 238.

in for the kill that it would be difficult for Saigon to last more than a month even with the most skillful and determined resistance, probably not more than three weeks. I said that while it was my opinion that they wanted Saigon whole, not as a pile of rubble, one could not escape the possibility that they might elect the latter, if there was no move toward negotiations.

2. Thieu asked about the prospects for additional military aid. I said the answer seemed obscure to me. We might very well get an additional \$350 million, from the committees but even that was uncertain. I said that every day that went by was crammed with events here that began to lift the fog of propaganda that has for so long obscured the perception of the actual realities in Vietnam. Perhaps, they might even get the bill passed. I hoped very much that it would be, but the reality here and now on the ground was that it would preserve the opportunity for a better negotiating position, it could not arrive in time to change the balance sheet he had just read. As of now the balance of force arranged against him was overwhelming.

3. I said that anyone sitting in his chair, Independence Palace in Saigon, the White House, the Elysée Palace, the Kremlin, or in Peking, had one thing in common. They could never be sure that they were getting the whole truth. Some would shade reports for personal or bureaucratic advantage, others for fear of hurting him, others because they were afraid of him, others because they did not wish to be the conveyor of bad news. Whatever the reasons, it was difficult at times to correctly perceive things as they are. I said I was speaking to him as an individual only, not for the President or the Secretary of State, or even as the American Ambassador, but as one who for a very long time had watched events in Southeast Asia and who for the past two years had worked very hard at understanding the interweaving of the fabric of Vietnamese affairs. I said the older I got the more I knew I did not know it all, and a reasonable doubt was always present. But it was a difficult time, and perhaps my perceptions were as accurate as those of any other Westerner. A few things were very clear to me. The military situation was very bad, and the people held him responsible for it. The political class, both his supporters and his enemies, did not believe he could lead the country out of its present crisis. And it was my conclusion that almost all of his generals, although they would continue to fight, believed that defense was hopeless unless a respite could be gained through the beginning of the negotiating process, and they did not believe this could begin unless Thieu either left or took immediate steps to see that the negotiating process began. I said that it was my feeling that if he did not move soon, his generals would ask him to go.

4. Thieu listened closely. He asked whether his leaving would affect the vote in the Congress. I said I thought it might have changed a

few more some months ago, but would not now change enough to assure the needed continuing military appropriations. In other words to offer to resign if Congress assured a level of appropriations for South Vietnam to survive, was a bargain whose day had passed, if indeed it had ever existed, since his opponents would just as easily have accepted the distortions that would be fed to them about his successor, as they had about him. The important thing, perhaps, what effect it might have on the other side just now. I said I did not know the answer, but it was clear that most Vietnamese thought it would. I doubted it would make much difference to them. They were not opposed to him per se, but to any strong leader. They would insist on a much weaker man. But the important thing was time. For Vietnam, now time was the essential commodity. If the destruction of Saigon could be avoided, if an independent Vietnam could continue to exist, one might hope, even if reason recognizes the dimness of the hope, that things might improve. Thieu asked what I thought was the future of Laos. I said it had been very clear to me from the end of the 1962 Conference that Hanoi could take it over any time it suited its purpose, if the non-Communist side in Laos remained without outside support. The present arrangement could have been achieved years ago, had we been willing then to cede total control of eastern Laos.

5. The conversation went on for about an hour and a half. I will send in a full memcon when I have time. He fully understood the essential point of my personal appraisal that time was very short, that events were running too fast to ponder very long, and that if he did not move soon, events would overtake him. I made it absolutely plain that I was speaking purely personally, and that I was not, as an individual, nor was Washington, suggesting that he resign.

6. Thieu said he would do what he thought was best for the country. I said that I knew that he would. He will think about it. He may do it. He may very well try one of the maneuvers that have kept him ahead of his opponents, but the time for pulling rabbits from hats is rather short. On balance, my guess is that he will leave rather shortly one way or the other. If his generals give him a few more days he may well come up with a dramatic resignation that will be useful.

7. I went home, read the daily news digests from Washington, took a shower, scrubbed very hard with the strongest soap I could find. It didn't help very much.

8. Warm regards.

245. Minutes of Washington Special Actions Group Meeting¹

Washington, April 20, 1975, 11:10–11:48 a.m.

SUBJECT

Vietnam Evacuation

PARTICIPANTS

Chairman
Henry A. Kissinger
State
Robert Ingersoll
Philip Habib
Robert Miller
Amb. L. Dean Brown
Defense
Robert Ellsworth
Amos Jordan
Morton Abramowitz
JCS
Gen. George S. Brown
Lt. Gen. John W. Pauly

CIA
William Colby
Ted Shackley
William Christison
NSC Staff
LTG Brent Scowcroft
W.R. Smyser
Col. Clinton Granger
William Stearman
James Barnum

Secretary Kissinger: I'll give you one more chance, Bill (Mr. Colby). Can't you do a flanking movement or something, George (Gen. Brown)?

Mr. Colby began to brief from the attached text.²

Secretary Kissinger: What has happened to Tay Ninh? Isn't that the provincial capital we were going to hold at all costs?

Mr. Christison: It's all but lost. There is one regiment still there, however.

Mr. Colby continued to brief.

Secretary Kissinger: What do you mean, rebuilt? They never fought, did they? (Referring to a statement in the briefing that the city of Bien Hoa will now be defended by only two newly-rebuilt marine brigades.)

Mr. Colby: Yes, that's right. They are being reconstituted from other elements. (Continued to brief.)

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 25, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Colby's briefing, "Vietnam," April 20, attached but not printed.

Secretary Kissinger: Yesterday you said that Vietnam would collapse in two to ten days. Now you are saying two days. What do you mean?

Mr. Colby: The point is that Vietnam could collapse in one or two days—ten days at the outside. In the best case situation, it would take three weeks. (Continued to brief.)

Secretary Kissinger: What's Thieu going to talk about? (In reference to the report that President Thieu plans to give a speech within the next week.)

Mr. Colby: That he will fight to the end and blame the U.S. for the fall of Vietnam. It could have the bitterness of Sirik Matak's speech (following the collapse of Cambodia). (Finished his briefing.)

Mr. Smyser: Is Route 4 still open?

Mr. Christison: The information in the briefing is based on information as of this morning in a conversation with our people in Saigon. It could well be that the situation is worse now. Route 4 could be closed, but we just don't have that information at this point.

Secretary Kissinger: What would Thieu hope to gain from his address?

Mr. Colby: U.S. support. You know, he's in another world these days—quite irrational.

Mr. Shackley: He's been in a state of shock ever since the withdrawal. He's a slow, methodical person, and things are unfolding faster than he is able to comprehend them.

Mr. Habib: The problem is that his speech could whip up a lot of anti-US feeling, just the thing we are worried about.

Secretary Kissinger: Bob, (Mr. Ellsworth) do you have anything? I don't think we need to make any decisions today. I just wanted to get us all together, and I think we should meet every day. Dean (Amb. Brown), where do we stand on the parole question?

Amb. Brown: I think that tomorrow we will have to go forward with Congressional consultations on the high-risk Vietnamese. Some are moving out, but not enough.

Secretary Kissinger: What do you have to consult Congress about?

Amb. Brown: We have to consult with the Senate. The House is okay. This would be authority to pick up relatives and others without documentation. I think this is the key issue. If these people do start moving, we will have to go to Congress. It gets into a very grey area in terms of numbers. What I am worried about is whether it will screw up the aid bill.

Secretary Kissinger: The President has already asked for authority to evacuate civilians. What's the problem?

Mr. Habib: That was for the general category. We are talking now of high-risk Vietnamese. We have no parole authority for Vietnamese of the high-risk category.

Secretary Kissinger: Can we do it in a general way?

Mr. Habib: They (Congress) have asked for it in a specific way.

Amb. Brown: The problem is that the authority already granted does not include high-risk Vietnamese, and Congress wants us to consult with them on that.

Secretary Kissinger: Why?

Amb. Brown: They just want to know more.

Secretary Kissinger: I have no objections to general consultations with Congress. What I object to is creating the image of a mass evacuation out of Vietnam. Isn't there some way to tell Congress, in general terms, about the different categories?

Mr. Ingersoll: The President has to give the Attorney General . . .

Secretary Kissinger: Goddamnit, he has! I was there when he gave him the authority.

Amb. Brown: The problem is that the minute General Chapman goes to consult, it will be all over the newspapers.

Secretary Kissinger: It depends on how we tell the committees. If we tell them we are starting to evacuate Vietnamese, there is going to be unshirted hell to pay.

Mr. Smyser: We've been consulting with them all along. What Congress wants is more details on the different categories.

Secretary Kissinger: We can still get them to the Philippines, can't we?

Mr. Smyser: The trouble is that Clark Air Force Base is a sieve. There are stories out already about the influx into Clark.

Secretary Kissinger: Our problem for this week is not to try to cover ourselves all the time, but to get done what has to be done. The trouble is that Congress always tries to top us. They are always ahead of us. Our objective is to try to preserve the situation so that we can get the maximum number of people out under a calm situation. I have no objection to going to the Hill for consultations if it is carried out in a low-keyed fashion.

Mr. Habib: We could take small groups of high-risk people out and then seek approval. It's one way of getting them out. The general category has already been taken care of.

Secretary Kissinger: I don't think this is a problem.

Amb. Brown: The problem is the 200,000 Vietnamese that have been talked about. (Senator) Mansfield is saying that we shouldn't be responsible for 200,000 Vietnamese. It was in the press this morning. That's the problem.

Secretary Kissinger: That's purely hypothetical.

Mr. Habib: We need to get some of them out.

Secretary Kissinger: I'll talk to the Attorney General about it.

Mr. Colby: You also have to assure that there are way-stations for these people.

Secretary Kissinger: I'll call (Attorney General) Levi today. (Senator) Kennedy should have no objection. He's very reasonable. I know him well. I'll call him and explain.

Amb. Brown: Pressure to do something about the refugees is building up all over the country.

Mr. Habib: Even George Meany is talking about taking people.

Secretary Kissinger: If we just don't make a high drama out of this thing I think we can handle it. I'll talk to Kennedy, and I'll talk to the Attorney General.

Mr. Ingersoll: Are you going to talk to (Senator) Eastland too?

Secretary Kissinger: I'll talk to Kennedy first.

Mr. Colby: One thing I would like to bring up. Yesterday you said that Taiwan would not be a re-location center. Does that also apply to Vietnamese who already have relatives there, who want to go there, and whose relatives want them to come?

Secretary Kissinger: How many are you talking about?

Mr. Colby: Only a few.

Secretary Kissinger: If it is done unobtrusively and in small numbers I have no objection.

Mr. Shackley: We're only talking about 50 to 60 people.

Secretary Kissinger: I have no problem with that. Just so long as it doesn't get in the press.

Gen. Brown: Another problem is that various independent airlines are bringing people out and dumping them in places like the Philippines.

Secretary Kissinger: Do we care? What does that have to do with us? What airlines?

Gen. Brown: Flying Tiger, for one.

Amb. Brown: I just wanted to warn you—make you aware—of these little individual things that are beginning to crop up. The problem is that these independent outfits will depend on us to follow through. These businessmen are yelling, why didn't you take my janitor out? It's a cancer. So far (Amb.) Martin has told them no.

Secretary Kissinger: Martin told them no?

Mr. Ingersoll: That's right.

Secretary Kissinger: Well, we just have to trust Martin's judgement on things like that. Where's Admiral Gayler?

Gen. Brown: He's back in Hawaii. He and Graham (Amb. Martin) had some good conversations.

Secretary Kissinger: What about the movement of those U.S. Marines to Saigon?

Gen. Brown: It wasn't resolved. They didn't talk about it. Gayler's request is still in. We haven't acted yet. We're waiting for Martin's reaction.

Mr. Ingersoll: The cable didn't go out until this morning.

Secretary Kissinger: Why the hell not?

Mr. Habib: You're going to be mad if I tell you. There was a note on the cable, from your office, saying that this was not necessary.

Secretary Kissinger: What the hell!

Gen. Scowcroft: Apparently, there was a note on the cable saying that it was OBE.

Mr. Habib: It was a mix-up. They thought that the note was written after the WSAG meeting. Actually it was before the meeting. We got the cable up there so fast following the meeting that they thought the WSAG had not yet taken place.

Secretary Kissinger: So, we lost a day. Well, it probably is not a good idea anyway. We'll get their views tomorrow.

Gen. Brown: I have some good news. All of the recovery forces are now on station. Some C-141s flew today into Saigon at the Ambassador's request, and he has scheduled some more flights for today and tomorrow. Twenty-one aircraft will fly tomorrow, picking up 1,900 people.

Mr. Habib: I have one suggestion. I think we should help get the diplomatic missions in Saigon down to . . .

Secretary Kissinger: That's their goddamn problem! Have they asked for help?

Mr. Habib: The Australian Ambassador was in yesterday . . .

Secretary Kissinger: But have they asked for our help? We should stick to our own goddamn business. That's their problem.

Mr. Habib: But . . .

Amb. Brown: We should get the 1,900 people out first.

Secretary Kissinger: I want to remind you that the WSAG is not a State Department Staff meeting. It is an inter-agency meeting. We'll keep our intra-departmental squabbling to staff meetings. Bob (Mr. Ellsworth), anything you need? Bill (Mr. Colby)?

Okay. Now, as I understand it, we're down to one helicopter lift.

Gen. Brown: Yes, if we have to, we'll take out 1,000 people and recycle once.

Secretary Kissinger: Do you have the additional capacity to go to 10,000 if we need to?

Gen. Brown: If the decision is made early enough, yes.

Secretary Kissinger: Is Martin aware of the plans?

Amb. Brown: Yes, and he is preparing a list.

Secretary Kissinger: I've talked with the President, and he is pleased with the way things are being handled. George (Gen. Brown), if you are asked—you may have to plan on an all-day evacuation. I think the President will want to get the 10,000 out. My worry is the security of Tan Son Nhut Airport. You said it would take only 400 Marines to secure the airfield. Is that right?

Gen. Brown: Those 400 Marines are not security forces. They would be there only to help load the people onto the planes. They are not intended to be a security force.

Secretary Kissinger: Suppose we could achieve some sort of controlled evacuation. Do you still see the need for the Marines?

Gen. Brown: Yes, we would need them to help load. Now, that's based on a calm situation and under controlled situation. If there are mobs, that's something else. We would then look to the Vietnamese forces—those airborne and marine units—to provide the security, with the promise that we pull them out, too.

Secretary Kissinger: But those units are at Bien Hoa, aren't they? And, that place is about to be overrun.

Mr. Colby: That's right, but there are some units in Saigon.

Gen. Brown: The thing that worries me is that if we get mobs like we did at Danang, we don't get out of that airfield. If the situation deteriorates—there are mobs and chaos—we leave the planes on the ground and wave off the other flights.

Secretary Kissinger: Then you would go to the helicopters.

Gen. Brown: Yes.

Secretary Kissinger: And you can secure those zones?

Gen. Brown: Yes, with 1,000 Marines we can. Now I want to warn you, it could get very bloody. The orders go something like this: we start out with the least amount of force, like bayonets—civil disturbance type stuff. Then we go to tear gas. If it gets real bad, snipers shoot the mob leaders. I warn you, it could get real bloody if there are mobs.

Mr. Colby: An example of the problem is what happened to General Nhi up there in 2nd Corps. A bunch of his own rangers threw him off the helicopter. It could happen in Saigon too.

Secretary Kissinger: Where is he now?

Mr. Colby: On the road somewhere.

Gen. Brown: There are two things in our favor. Both lift zones have fences around them. Fences can be knocked down, but they are somewhat of a deterrent.

Secretary Kissinger: Are Martin and Gayler in accord with this?

Gen. Brown: There are no disagreements.

Mr. Ellsworth: You know, Henry, if you want to plan on taking out that 10,000, it is still not clear whether the authority we have to use force to get U.S. citizens out extends to Vietnamese. We ought to get a clarification on that.

Secretary Kissinger: That's a good point. We could mix half U.S. and half Vietnamese. That's a good point, Bob. I'll raise it with the President. How many Vietnamese are moving?

Amb. Brown: We just don't have any good figures on that.

Secretary Kissinger: How about those ships in harbor at Saigon?

Gen. Brown: They are still there.

Amb. Brown: One of the four moved out last night. It is carrying sensitive material, no passengers.

Secretary Kissinger: What about the files?

Mr. Colby: We've burned most of them.

Secretary Kissinger: How about the intelligence files?

Mr. Colby: We're burning them.

Secretary Kissinger: But how about the ones in the Presidential Palace?

Mr. Shackley: We haven't had a chance to get to those yet.

Secretary Kissinger: My worry is that the Viet Cong will get ahold of letters from Presidents Nixon and Johnson.

Mr. Shackley: We'll take another look at that and see what we can do.

Secretary Kissinger: I think we should get as many files out of the Palace as we can. What did you say, Bill, we have a maximum of three weeks before Saigon falls?

Mr. Colby: A maximum of three weeks, a minimum of one day.

Mr. Christison: The attacks this morning could be the start of the offensive to take Saigon. We don't know yet, but will have a better idea later today.

Mr. Shackley: There is also the increased threat of a coup. It could escalate the collapse.

Secretary Kissinger: Why would anybody want to run that government now?

Mr. Ellsworth: To make a deal with the Viet Cong. Get U.S. aid money.

Secretary Kissinger: That's the irony of the thing. Okay, we'll meet again tomorrow. I think we should meet every day. We'll let you know the time later, but it will be about 10:00 or 10:30.

246. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, April 21, 1975, 0608Z.

722. Ref: Saigon 0721.²

1. The President did not speak at three o'clock, but I since have learned that the President will speak at 7:30 tonight before a joint meeting of both Houses of the Assembly and the Supreme Court, all of whom will be convoked at the Palace. At the end of his speech he will announce his resignation.³ He is doing it in this manner because the Constitution provides for the swearing in of a President before Houses of the Assembly and the Supreme Court and this is one way he can find excuse to convoke them and permit Vice President Huong to be sworn in immediately, thereby preserving the constitutional succession. It is quite possible Huong will resign within a few days, permitting President of the Senate Lam to take over as the interim head of the government. Lam then becomes President and presumably will call for a new Cabinet with full powers to negotiate full settlement. Thieu has chosen the hour because it will minimize any possible panic effect. The daily newspapers will have already been published and out on the streets and the announcement of his resignation at approximately 8:30 will be only 30 minutes before normal curfew time. The speech will be nationally televised. While only a fool would predict with certainty the immediate effect our consensus here is that it will have a calming effect. Although Binh will resign as police chief within a few days, he and the military will maintain order and discipline in the city.

2. You may, therefore, wish to inform Dobrynin beforehand on what is scheduled to take place in order that you may try to convert this into an advantage in whatever it is you are trying to accomplish with Hanoi through the Soviets.⁴

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (2). Top Secret; Sensitive; Flash; Eyes Only. Sent with the instruction: "Deliver immediately."

² In backchannel message 721 to Kissinger, April 21, Martin explained that Thieu seemed reluctant to forecast his intentions for stepping down as President. Martin also reported the rumor that Thieu planned to announce his resignation at 3 p.m., April 21. (Ibid.)

³ A lengthy summary of Thieu's speech was transmitted in telegram 5405 from Saigon, April 21. (National Archives, RG 59, Central Foreign Policy Files) Excerpts were published in *The New York Times*, April 22, 1975.

⁴ See footnote 5, Document 258. In backchannel message 724 to Kissinger, April 21, Martin pleaded for information on U.S. initiatives to bring about a cessation of hostilities, including details on U.S. overtures toward the Soviet Union. (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (2))

3. I think it would be a great mistake at this stage for me to in any way attempt to interfere with something which has been now formally decided and about which too many people have been informed for there to be a change, which almost surely, because of the uncertainty it would create, would do more harm than good. I will report more fully, but I will only add that in the meeting he had at 11:30 this morning with the Vice President, former Prime Minister Khiem, Chairman of the JGS Vien, Gen. Quang, and Gen. Binh, Chief of the Police, he reviewed the comments made to him the other day by the French Ambassador briefly. He informed them in great detail of the conversation with me and of the analysis I had given which all those present confirmed as correct.⁵ He also made it quite clear that I had been speaking as an individual and that I conveyed no request from the United States for his resignation and when asked about various alternatives had replied that those were Vietnamese decisions which had to be taken by the President and his advisers in terms of Vietnamese values and in terms of their own concern for the future of the country. While I do not know what he will say this evening I would not expect it to be too rough on the United States.

4. Warm regards.

⁵ See Document 244.

247. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, April 21, 1975, 8–8:37 a.m.

[Omitted here are a table of contents, list of participants, and discussion unrelated to Vietnam.]

Mr. Habib: Thieu will be resigning this morning.

Secretary Kissinger: He's just resigned.

Mr. Habib: His succession—at least, the plan before the announcement was that he would resign and turn it over to Tran Van

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 7, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates.

Lam. Lam will presumably then appoint a Prime Minister, who will be acceptable to talk to the other side. I haven't seen the actual text of the resignation, so we haven't seen what he said yet.

Now, whether that plan is followed, the sequence then will probably be the PRG will then make that they make their conditions for—

Secretary Kissinger: That what?

Mr. Habib: That they make their conditions even more difficult.

Secretary Kissinger: That's right. He resigned 48 hours too early.

Mr. Habib: And the net result will be a fig-leaf turn-over.

Secretary Kissinger: Now we don't have any leverage left.

Mr. Habib: Well, the leverage, the only leverage, that the GVN has left that presumed the PRG's, DRV's desire to have a legitimate trend—

Secretary Kissinger: Some people spoke too freely to Bac.

Mr. Habib: Spoke too freely to whom?

Secretary Kissinger: Bac, the Foreign Minister. I'll show you—

Mr. Habib: I saw him and you saw him, and—

Secretary Kissinger: I'll show you the intercept. You know, there's no problem with the resignation. It's just a question of when it should be. You know the other schemes we were working on.

Mr. Habib: Yes. Well, I think now the shape of it will take place. It will be interesting to see whether or not the PRG will move quickly, because that's all that's left to see.

Secretary Kissinger: Now we have a Cambodian situation. We have a government we have little influence over, and it has no force against the government. And now events will take—

Mr. Habib: All it has to offer is the structure.

Secretary Kissinger: Well, we'll have a WSAG Meeting today, where I hope the State Department people will not specialize in talking to attack the Secretary. (Laughter). Attack the other Department. The Defense Department will be well equipped. (Laughter.)

[Omitted here is discussion unrelated to Vietnam.]

248. Memorandum of Conversation¹

Washington, April 21, 1975.

PARTICIPANTS

President Ford

Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs

Lt. General Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

Kissinger: Vietnam will be off our backs in two weeks, and Congress will be on our backs to give aid to Communist Vietnam and we will be resisting.

The President: I am glad you feel that way. I see no reason to give money to Waldheim to keep the bleeding hearts off our backs.²

Kissinger: The Americans are down to 2,000 now. We will be able to pull the remaining out because it takes two waves to do it. We have done it well. Had you led the charge for evacuation, we would have had chaos.

Schlesinger, after a lecture to me, agreed to send the battalion in if it's for reinforcement not for a signal.

I think we should reassert our aid request to the Congress.

The President: I agree. I don't think we will even get the \$200 million though.

[Omitted here is discussion unrelated to Vietnam.]

[Kissinger:] I asked Dobrynin Saturday for a two-week ceasefire and we would cooperate in the kind of government necessary.

I worried about Martin being Chinese Gordon and causing a panic to prove he had been right. So we have to treat him with care. I am afraid Martin accelerated Thieu's departure.

Scowcroft: His talk with Thieu must have been provocative because of his quick action and blast at you.³

Kissinger: Then we heard from Dobrynin yesterday. The battalion was designed to strengthen Moscow's hand with Hanoi. Brown thinks we need only one lift now.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, Chronological File. Secret; Nodis. The meeting was held in the Oval Office. According to the President's Daily Diary, the meeting lasted from 9:25 to 10:25 a.m. (Ibid., Staff Secretary's Office File)

² On April 18, UN Secretary General Waldheim appealed to UN members for \$100 million for humanitarian assistance to Indochinese refugees.

³ See Documents 244 and 246.

Martin should be told that our judgment is as soon as the airport comes under fire, the DAO personnel at Tan Son Nhut should immediately be taken out by C-130, not by helicopters. But reduce the non-essential personnel as soon as possible. He should not delay a move at Tan Son Nhut until it is irretrievably closed.

249. Minutes of Washington Special Actions Group Meeting¹

Washington, April 21, 1975, 10:34–10:55 a.m.

SUBJECT

Vietnam Evacuation

PARTICIPANTS

Chairman
Henry A. Kissinger
State
Robert Ingersoll
Amb. L. Dean Brown
Philip Habib
Robert Miller
Defense
Secretary Schlesinger
William Clements
Robert Ellsworth
Morton Abramowitz

CIA
William Colby
Ted Shackley
William Christison
NSC Staff
W.R. Smyser
William Stearman
Col. Clinton Granger
James Barnum

JCS
Gen. George S. Brown
Lt. Gen. John W. Pauly

Secretary Kissinger: Bill . . .

Mr. Colby began to brief from the attached text.²

Secretary Kissinger: I'm in a great position. Thieu accuses me of being too soft and the liberals in this country accuse me of being too tough. (In reaction to President Thieu's resignation speech).

Mr. Colby finished his briefing.

Secretary Kissinger: Are any South Vietnamese units still fighting?

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 25, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room. Brackets are in the original.

² Colby's briefing, "Vietnam," April 21, attached but not printed.

Mr. Colby: Yes. There is still some fighting going on south of Saigon along Route 4 and in the Bien Hoa area. But, it's a pretty hopeless situation.

Secretary Kissinger: There is no question that it is hopeless. The only question now is whether there is going to be anything left to negotiate over.

Mr. Colby: There is nothing left to negotiate except maybe to avoid panic and perhaps the destruction of the city (Saigon). The Communists can achieve a clear-cut military victory, and it looks like that is what they want.

Secretary Kissinger: Okay, we'll be down to 1,000 evacuees by tomorrow morning, right? Have you been in touch with (Amb.) Martin?

Mr. Habib: Yes, yesterday.

Secretary Kissinger: And they are coming out by fixed-wing aircraft (the remaining Americans) right?

Amb. Brown: Yes.

Secretary Kissinger: Is there anything else anybody wants to bring up?

Gen. Brown: We have one concern. We were going over the risks involved in a helicopter evacuation this morning. General Smith (DAO, Saigon) talked with General Vien (General Staff) to get ARVN's reaction to the helicopter lift and whether or not we can expect interference or mob action. Vien said that the incidents in Nha Trang speak for themselves. If you will recall, three generals were killed trying to get on helicopters at Nha Trang—their own men shot them.

Secretary Kissinger: Shot them?

Gen. Brown: Yes, dead. Vien thinks there is every likelihood of armed mobs, and no leadership. What I'm saying is that it could be a very hairy operation. I think the risk is even greater than Smith and Vien think. What we concluded this morning is that we think it would be ridiculous to think that we could continue an airlift all day (referring to a question from the April 20 WSAG as to the feasibility of evacuating 10,000 Vietnamese).³ We think that we will be lucky to get away with two cycles carrying the remaining Americans alone. We would have to do it quickly, with few landings, and at designated zones.

Secretary Kissinger: Can you reduce the number of landing zones?

Gen. Brown: Well, there are really only two zones—the Embassy compound in Saigon and the roof of the Embassy, and at the DAO compound at Tan Son Nhut.

Secretary Kissinger: Is the DAO compound safer than the Embassy?

³ See Document 245.

Gen. Brown: I would assume so. I'm just terribly pessimistic about this operation. You know, we do practice operations lifting people from areas all the time. But, this one is going to be in the city. We have no experience at that. In practices you don't have anybody shooting at you. Here you will. They are going to have to do it bare-chested. Now, we could get lucky like we were in Phnom Penh. But, I'm just very pessimistic about this.

Mr. Colby: One other possibility is that of leaving the remaining Americans there under some sort of understanding by all sides that they would be evacuated at a later date.

Gen. Brown: Yes, but then you are subject to blackmail, international humiliation, and all the rest.

[Secretary Schlesinger entered the room at this point—10:46.]

Secretary Kissinger: What do you want to do about it?

Gen. Brown: I think we should let Martin know of the risks involved and have no more than two cycles.

Mr. Colby: You've got that linkage through the Hungarians for negotiations and a more gradual evacuation.

Secretary Kissinger: There is nothing practical that we can do today. They are going to take out 1,100 more today.

Gen. Brown: You could take out a lot more than that.

Mr. Abramowitz: You could hold it to one cycle.

Gen. Brown: You could cut the size of the security force at the same time.

Mr. Stearman: If you cut to one landing zone you could cut the size of the security force too.

Mr. Clements: You could cut it to 500 people and only one landing zone.

Gen. Brown: Yes, if everybody were at one place. But, Tan Son Nhut and the Embassy are about four miles apart, as I recall. If everybody were at one place, we could do it, but they won't be.

Secretary Schlesinger: I think that Tan Son Nhut is on the verge of being closed down. We should get some C-130s there to take out those people at the DAO compound. They are not doing anything there anyway. What are they doing, dispensing military aid? I think we should get everybody away from that DAO compound.

Gen. Brown: We've already done that in part. All non-essential people have been moved out and they have set up a rear office someplace else. There are only about 60 people left at the compound.

Secretary Schlesinger: Well, you still have those people at the compound. Fly a C-130 in there and ship them all to Clark (AFB).

Secretary Kissinger: How many people are there at Tan Son Nhut?

Gen. Brown: Of the DAO people, there are 352 civilians, 169 military, and 68 dependents. The civilians are not all at Tan Son Nhut. They're spread out all over the place.

Mr. Clements: Henry, I think we ought to get those people out of there. It's not worth the risk.

Secretary Kissinger: I'll check with the President.

Mr. Clements: Getting those people out would sure ease our problems.

Secretary Schlesinger: Or, when Tan Son Nhut is on the verge of closing, take all the rest out in a C-130.

Amb. Brown: Are you saying that DAO should be closed down?

Secretary Schlesinger: I'm saying that there should only be an absolute minimum number of people there. What are they doing, anyway?

Secretary Kissinger: I'll get back to you in an hour on that.

Amb. Brown: Are you thinking of dropping the idea of getting those 10,000 Vietnamese out.

Gen. Brown: The Ambassador has a scheme whereby they would make their own way to Vung Tau.

Secretary Kissinger: That's insane. Vung Tau has been insane from the start.

Gen. Brown: Those three ships are still in Saigon. Some of those Vietnamese that Martin believes should go could be put on those ships.

Secretary Schlesinger: Are there any Marines on those ships?

Gen. Brown: No.

Secretary Schlesinger: You had better put some on.

Amb. Brown: The trouble with those ships is that they are right under the main bridge. People would see what is happening. You would have to do it at night.

Secretary Schlesinger: Look, there are all kinds of armed, undisciplined people running around Saigon, and they are going to see what is going on no matter what you do. You are going to have a mess. I believe at the last meeting you (Secretary Kissinger) said that we do not want the world to carry the image of U.S. troops shooting Vietnamese.

Mr. Colby: Your best hope of getting any significant number of Vietnamese out is through negotiations with the other side. If you can get some sort of negotiations over a set period of time, you avoid the mob problem.

Amb. Brown: In any event you have to move to the next stage. Where are you going to put all these people?

Mr. Smyser: You also have the problem that the Ambassador has told Embassy employees and their families that we will get them out. That could be upwards of 100,000 people.

Secretary Kissinger: That's impossible.

Mr. Colby: An agreement to spread out the . . .

Secretary Kissinger: Let me talk to you in private, Jim (Sec. Schlesinger), in my office.

250. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, April 21, 1975, 1615Z.

WH50736. 1. As a result of the WSAG meeting this morning,² it is our judgment that as soon as Tan Son Nhut Airport comes under fire the DAO personnel at the airport should immediately be evacuated by C-130 aircraft and not repeat not rely on the helicopter extraction. You should continue reducing nonessential DAO people as you are, and then evacuate the remainder by C-130 when in your judgment Tan Son Nhut is in danger of serious attack by fire and certainly before there is danger of it being rendered unusable.

2. You should know that we have had absolutely nothing to do with the French initiative.³ We would appreciate your keeping us informed about them to the extent you learn of them.

3. With regard to the Soviet Union, we have suggested a temporary (about two weeks) ceasefire in order to evacuate Americans and some Vietnamese and to discuss political arrangements. We have had some indication of serious interest but no substantive reply as yet.

4. Warm regards.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing (2). Top Secret; Sensitive; Flash.

² See Document 249.

³ On April 21 French diplomats launched an effort to establish a provisional government in Saigon to ease the transition to Communist rule. An undated NSC memorandum, "Communications from the French," is in the Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 20, Vietnam (21).

251. Memorandum of Conversation¹

Washington, April 21, 1975.

PARTICIPANTS

President Ford

Dr. Henry A. Kissinger, Secretary of State

Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

Kissinger: I said how can anyone vote against it. If it does some good, it will ease human suffering; if not it won't be spent.

It wasn't an unfriendly session, but basically it didn't make any difference what I said.² They must know I was right, but . . .

President: How do you analyze the Thieu speech?³

Kissinger: The longest version I saw was reasonable. He said he warned me in '72 that leaving North Vietnamese troops in the South was dangerous. He said we said we would cut off aid if they didn't sign. Both of these are true, but to ask them to withdraw when the North had agreed not to reinforce or add equipment, would have been impossible. I don't think Congress would have stood for continued fighting under these conditions.

President: I will get a question on did we force him out.⁴

Kissinger: Say no.

I would not get into details. I said a new government was not even formed. [Point out it happened in the evening and so nothing has happened since.]

Why give aid? The most humane solution requires as controlled a condition as possible. That requires a government with control and some self-confidence. The change of government already indicates a new situation. We should assist in this.

We are exploring with several parties. I wouldn't want to say more in this sensitive situation.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, Chronological File. Secret; Nodis. The meeting was held in the Oval Office. All brackets except those indicating omitted material are in the original. According to the President's Daily Diary, the meeting lasted from 6:41 to 7:21 p.m. (Ibid., Staff Secretary's Office File)

² Kissinger testified that day before the House Appropriations Committee.

³ See Document 246.

⁴ Later that evening, at 10 p.m., President Ford held an interview with CBS television journalists. Vietnam was one of the first items raised; see *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 539–559.

We have reduced our numbers without panic. We are at the bare minimum now for essential functions, but we will continue to cut back as functions become superfluous.

We can't blame the Soviet Union. This is not contradiction. We are talking two different things. The Soviet Union and the Chinese have to know when they introduce arms into dangerous areas they must assume the consequences. They know they would be used for aggressive purposes. But if we had done our part, the parties would have been balanced and the GVN wouldn't have collapsed.

All our commitments are on the public record. It was always understood.

President Nixon's correspondence is perfectly normal and reflects his intentions as President. Where they involve national commitments, they must go to the Congress.

[Omitted here is discussion unrelated to Vietnam.]

North Vietnam has said that Thieu was the obstacle to a negotiation. If so, his departure should help . . .

DeGaulle turned his back on Algeria and was a hero.

252. Memorandum of Conversation¹

Washington, April 22, 1975, 8 a.m.

PARTICIPANTS

President Gerald Ford

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
National Security Affairs

Dr. James R. Schlesinger, Secretary of Defense
Republican Congressional Leadership

Lt. General Brent Scowcroft, Deputy Assistant to the President for National
Security Affairs

The President: I have three subjects I would like to discuss this morning: Vietnam, energy and the budget.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, Chronological File. Top Secret. The meeting was held in the Roosevelt Room at the White House. Brackets are in the original.

Kissinger: Jim [Schlesinger] will update the military situation, but it is clearly hopeless. The North Vietnamese have the capability to force a military solution. Our objective is to achieve the most controlled situation possible for evacuation of Americans and Vietnamese. This requires the cooperation of many—the Congress has to understand the shoals between which we are trying to navigate. We have had a steady reduction in the American presence. We have tried not to leave so many that we couldn't get them out, and we have avoided pulling them out so fast that we create a panic. We will be down to one lift by tonight: one batch will leave from Tan Son Nhut by C-130 and one from Saigon by helicopter. We are evacuating the high-risk Vietnamese by trickles.

The diplomatic situation is delicate and we can't say too much. Hanoi has continued to say that Thieu is the only obstacle. I never believed it. They will probably start trying to unravel the government, although they may want to project an air of responsibility by negotiating for Saigon. We are in touch with several countries. Unless there are controlled conditions, it won't be possible to get out large numbers of Vietnamese. The evacuation from Saigon will be much trickier than the one from Phnom Penh. We are trying not to trigger a panic, but also not to jeopardize Americans. We could have the refugees from Vung Tau but our purpose is not to be indiscriminate but to rescue those who would suffer the most if we left them. The trouble in the ports would be to sort out the high-risk people from the mass of refugees. Any substantial evacuation of South Vietnamese would therefore depend on negotiations.

There is no question North Vietnam could take over Saigon and unravel the government by keeping to make demands for further change. The only glue holding the country together is the military. They have the only viable administrative structure. Huong will probably be replaced soon and his replacement soon after.

Some of the terms of the debate on aid are no longer relevant. The thought that aid is an open commitment is no longer relevant, as is the argument that it would prolong the fighting. What it does now is give North Vietnam some incentive to say in a negotiation they have stopped our aid, and to give the government some confidence to keep things under control. We think it is important to vote some part of the aid package to give us some control over these tragic events.

The President's objective from the outset was to achieve a controlled situation, and these events, while happening rapidly, were somewhat predictable. It is important we get out with the maximum dignity and unity.

Rhodes: What sort of government will it be? Will the Viet Cong be allowed to run it?

Kissinger: It is not clear yet. Sometime over the next two–three years North Vietnam will absorb it, but whether they will go through an interim PRG Government or move quickly to absorb it is not clear. The occupied areas are being administered by cadres from the North because there are no PRG cadre. My guess is they will move rapidly. The ones most unhappy over these developments will be the Chinese.

Scott: Right.

Kissinger: I can't imagine the Chinese wanting a large military power on its border, so the Chinese could be expected to want to support some sort of PRG government.

Rhodes: How about Cambodia?

Kissinger: The last months of the war were being fought against Sihanouk, not the government. Sihanouk has known for a long time that we would support his return. The obstacle to his return was the Khmer Rouge, not us. The Khmer Rouge wanted to prevent Sihanouk from coming back as anything but a tool. That is why they refused even a ceasefire and that is why they are exterminating every vestige of leadership. It may be even worse than what will happen in Vietnam. Cambodia will be a total Communist-controlled state. The question is who will be in control—Hanoi or Peking? Peking has long supported Sihanouk as a counterweight. They are aided by the hatred between the Cambodians and the Vietnamese.

Over the years it is obvious that there will be a conflict between the large Communist countries and the only hope for Laos and Cambodia will be to balance between them. North Vietnam will take over as much control of Laos as they wish; that is probably true of Cambodia also. The Hanoi leaders have done nothing but fight all their lives.

Cederberg: We have a tactical problem over the next few days. Yesterday I could see more military than economic aid would be a problem, so I recommended equal amounts. But I still think we will have trouble on the Floor, and I see no way to get it to the Floor before next week.

Case: We have a bill on the floor now.² One hundred million dollars could be used for anything at all. It would be a while to see what is needed. We might get it raised to \$200 million.

The President: I still believe we need some humanitarian aid and some military aid.

² McCloskey called Kissinger at 6:35 p.m., April 21, to inform the Secretary that the House Appropriations Committee voted in favor of military and humanitarian aid. Kissinger responded: "Great men, great men, \$230 million bucks for a dying country." (Library of Congress, Manuscript Division, Kissinger Papers, Box 387, Telephone Conversations, Chronological File)

Schlesinger: The situation is crumbling. The East is being pulled back. Bien Hoa will be under attack within two–three days. The Hanoi propaganda line has always been that the PRG is doing the battle, so that they may not want to assault Saigon. We have five carrier groups in the area. We can lift 1,700 and have about 2,000 now. Any evacuation from Saigon will be risky and could be interrupted or terminated by brute force. It will be a hairy exercise.

The President: The Ambassador is under orders to get down by the end of the day. We are getting the Americans and dependents down to the barest minimum.

It is my judgment we should try to get something through the Congress to help stabilize the military situation.

Tower: I have a bill in my pocket to add \$200 million in military aid.

Griffin: I would vote for it but I think it would be defeated. About half the Republicans would vote against it. I think the Democrats are on the hook now. If we were to add military assistance and get it defeated one would get the Democrats off the hook because a lot of Republicans would vote against it.

[There was much discussion—all negative. The President read a number of reports about foreign leaders' doubts about American constancy. He asked them not to use the quotes.]

Cederberg: What has happened to bipartisanship? The Democrats give us nothing. It is not like when you were minority leader.

The President: There is no leadership there at all.

Griffin: Mr. President: You have to keep pushing for aid, but you should know what the realities are on the hill.

[Secretary Lynn and Mr. Zarb each gave a short report on the economy and energy situations respectively.]

253. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, April 22, 1975, 1216Z.

727. 1. I saw new President Huong for about one hour late this afternoon. A detailed memorandum of conversation will be prepared and forwarded in due course,² but the essential impressions gained are as follows:

First, whatever others may have thought Huong does not think of himself as an interim President. He realizes Viet-Nam is in enormous peril. He is prepared to make concessions which few other Vietnamese politicians would feel able to do in order to preserve Saigon from "a bath of blood" and hopefully to maintain for as long as possible an independent South Viet-Nam whose foreign policies he understands will have to be radically altered in due course.

Second, he received Prime Minister Can this morning who tendered the resignation of the government. He told him to stay in place for a week while he considered what personalities might best serve Viet-Nam in the changing situation. He is very curious about what particular names in the Vietnamese political galaxy might be acceptable to Hanoi. He hopes to have some method of communicating with Hanoi, but knows of none except through the Four Party mechanism at La Celle St. Cloud. Ambassador Phong who was ordered to come back on Monday sent word he could not arrive until Wednesday³ and later word that he could not arrive before Friday. I suggested that the Four Party–Two Party system existing in Saigon including the liaison flights to Hanoi, might prove a useful and unobtrusive channel. He is considering this.

Third, he would like very much for Washington to be the interlocutor with Hanoi in working out the modalities of some new arrangement in government which Hanoi will accept and with which South Viet-Nam might live. I said I would convey his request, but that I thought there would be little disposition in Washington to again undertake such a domestically politically dangerous exercise and that in any event, given the array of enemy forces now marshalled in South Viet-Nam, time was of the essence. He said he was seeing the French

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (2). Secret; Sensitive; Eyes Only; Immediate. Sent with the instruction: "Deliver immediately."

² There is no evidence that Martin prepared a detailed memorandum of conversation.

³ April 23.

Ambassador tomorrow morning and would ask him to convey his forthcoming attitude to Hanoi, stating that he had to have time to form a Cabinet that would be reasonably acceptable to the people of South Viet-Nam and also acceptable to Hanoi. I will try to find out tomorrow morning what he actually says to the French Ambassador.

Fourth, he is still counting on the United States to provide sufficient military aid now to preserve intact the morale and capability of the ARVN without which any negotiation would be hopeless and capitulation inevitable. He asked me to express his gratitude to President Ford for the clarity and precision of President Ford's support and his steadfastness in defending past commitments on which Viet-Nam had depended. He hoped that the nakedness of the North Vietnamese attack might sufficiently change attitudes in Congress to permit the campaign being waged by the President and the Secretary to be successful.

2. My impression from the French Ambassador is that the French have advised Hanoi to not press an immediate military attack at the moment and to give a little time to determine whether the resumption of the political and negotiating track might not produce results much more favorable to Hanoi in terms of world public opinion. I gather it is the French opinion that their advice has been heard and the current lull in the fighting would seem to bear this out.

3. Regardless of bits and pieces of intelligence information about movements it would seem to be possible that while Hanoi may be moving forces into position they will probably give a little bit more time to see what will happen. I hope, therefore, you can continue to keep the panic button locked up and that we will not ourselves precipitate a final tragedy here by ordering actions which are not yet justified. There is, after all, a telephone between Washington and Saigon and if a decision appears urgent on the basis of so called evidence available to the WSAG its implications might be checked out with me before any instructions are issued.

4. By midnight tonight, we expect to be down under 1,500 for the total of American citizens remaining and probably down to 1,000 by midnight tomorrow. This was a totally impossible goal to be met but a dedicated staff has achieved it. By the following night, we will have reduced the essential number, including the Diplomatic Corps and others, which I would expect to take out in a one lift cycle. I have just talked today to Gen. Carey, the ground force commander, and I think everything is in order here. Therefore, I hope to God you get your colleagues on the WSAG to relax a bit.⁴

⁴ In backchannel message WH50743 to Martin, April 22, Kissinger replied: "Appreciate the report of conversation with Huong (Saigon 727). It is good to hear that he

5. Warmest regards.

Martin

thinks he has some staying power. We certainly should do everything possible to avoid any further unraveling of the government until we hear from the Soviets. Without some appearance of steadiness, there will be no chance at all to get anything going with the Soviets. As I told you the other day, we have no other diplomatic game going at the moment. The French are operating completely on their own." (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing, 2)

254. Minutes of Washington Special Actions Group Meeting¹

Washington, April 22, 1975, 10:59–11:32 a.m.

SUBJECT

Vietnam Evacuation

PARTICIPANTS

Chairman	CIA
Henry A. Kissinger	William Colby
State	Ted Shackley
Robert Ingersoll	William Christison
Amb. L. Dean Brown	NSC Staff
Philip Habib	LTG Brent Scowcroft
Robert Miller	Col. Clinton Granger
Defense	W.R. Smyser
William Clements	William Stearman
Howard H. Callaway	James Barnum
R/Adm. William Crowe	
JCS	
Gen. George S. Brown	
Lt. Gen. John W. Pauly	

SUMMARY OF CONCLUSIONS

It was agreed that:

—Ambassador Martin would be asked for his judgment as to when the last fixed-wing flight and helicopter airlift could be effected;

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 25, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

—Ambassador Martin would be asked whether he wants to use the six ships presently in Saigon harbor for evacuation purposes;

—Guam rather than Clark AFB would be used as the major processing center for evacuees.

Secretary Kissinger: Bill (Mr. Colby) do you have a briefing?

Mr. Colby: Began to brief from the attached text.²

Secretary Kissinger: What do you mean, “no upsurge of anti-Americanism?” Is it continuing to grow? (In reference to a statement in the briefing that no breakdown of law and order or upsurge in the steady growth of anti-Americanism is evident in the aftermath of the Thieu resignation).

Mr. Colby: Yes, anti-Americanism is continuing to grow. What I mean is that there has not been an explosion of anti-Americanism since Thieu’s resignation. There has been a steady growth of anti-Americanism, but no explosion. (Continued to brief.)

Secretary Kissinger: When do you expect this attack on Tan Son Nhut?

Mr. Colby: In a day or so. We do not have precise information as to the timing, but we expect it in a day or so.

Secretary Kissinger: Have we told (Amb.) Martin yet about what (Secretary) Schlesinger and I agreed to yesterday about those people at the DAO compound at Tan Son Nhut?

Gen. Brown: Yes, Brent (Gen. Scowcroft) sent a cable out yesterday³ telling them to get all but non-essential DAO personnel out of there, and that the remaining essential personnel were to be evacuated by C-130 when the airbase came under attack.

Secretary Kissinger: That cable was to have two parts. The second part was to say that those few essential people were to move closer into town.

Mr. Clements: That’s not in the cable.

Gen. Brown: Here’s the cable, and that’s not in there.

Secretary Kissinger: Can we amend it? (Reads cable.) How many people have seen this cable?

Gen. Brown: Only Bill (Mr. Clements), myself, General Pauly, Bob (Mr. Ingersoll), and Jim (Secretary Schlesinger).

Secretary Kissinger: I don’t see any need for these last two paragraphs. Can you impound the cables?

Gen. Brown: Sure.

² Colby’s briefing, “Vietnam,” April 22, attached but not printed.

³ Document 250.

Secretary Kissinger: I'm worried about those last two paragraphs.

Mr. Clements: We'll amend it before we leave here this morning.

Secretary Kissinger: I'll have Brent (Gen. Scowcroft) amend it to read that only the minimum number of DAO personnel—only the minimum number needed to man the equipment—would move into town. They can move into the Embassy, or something.

Mr. Colby continued to brief from the attached.

Secretary Kissinger: From what direction are the North Vietnamese going to move on Tan Son Nhut?

Mr. Colby: From the west, the southwest, and the northwest. (Continued to brief.)

Secretary Kissinger: Where's Habib today?

Mr. Ingersoll: He's on the Hill testifying.

Mr. Colby finished his briefing.

Secretary Kissinger: My instincts tell me that they (the North Vietnamese) will try to unify the country as quickly as possible. (In reference to a statement in the briefing that there is no good evidence as yet whether Hanoi will opt for a relatively quick reunification or choose to establish a Communist-controlled transitional regime.)

Mr. Colby: That's mine too. I think they will jump right over the PRG (Provisional Revolutionary Government).

Mr. Christison: There may be a period of one to three months when there will be some sort of transitional regime, but no longer than that.

Secretary Kissinger: Yes, they might allow a provisional regime to exist for a few months, but within a year they will have absorbed the South. By the way, how much is 200 grams of rice? I saw in some intelligence report that people with red tags (in North Vietnamese occupied areas of South Vietnam) got only 200 grams of rice per day.

Mr. Shackley: It's barely subsistence level. 200 grams is about a fifth of a pound.

Secretary Kissinger: Then they are starving them to death. This report says that the Communists have divided the people up and put tags on them. There are two categories of red tags—one category gets 200 grams of rice a day, the other gets 500 grams a day.

Mr. Colby: One of the problems is that they have their own rice shortage.

Mr. Stearman: They did the same thing in the 1950s. They just let a large number of people starve to death.

Mr. Christison: That report has not been confirmed. We are going to have to wait at least four months before we start to get any good intelligence out of the newly-occupied areas.

Secretary Kissinger: Yeah, I think they will go about consolidating their control systematically. It will take a few months. I think their first priority is establishing a civil administration.

Mr. Shackley: They are doing some selective killing now.

Secretary Kissinger: How much longer do you think Saigon has?

Mr. Colby: Very few days. They are not interested in any interim deals. What they want is a full military victory and humiliation of the U.S. Tan Son Nhut is about to go.

Mr. Clements: Are you saying they are going to make a real effort to take Saigon?

Mr. Colby: Yes, all the evidence points to that.

Secretary Kissinger: At what point do we trigger the evacuation?

Mr. Colby: The sooner the better.

Secretary Kissinger: Yes, I know that, but can somebody at this table tell me when the critical point is? What's the latest we can get those people out? How much time do we have?

Mr. Christison: You will have to do it either tomorrow or the next day.

Secretary Kissinger: If they attack the base, can we get those people out?

Gen. Brown: There is more of a risk in getting them out while an attack is going on. We'd like to use those C-130s. They are a good aircraft for that type of situation, and they hold more. We would like to use the C-130s and then the helicopters if we have to.

Mr. Colby: You could get that small number (of essential DAO people) out of there earlier than planned.

Gen. Brown: We did some good work last night. A number of C-130s left after dark. They were taking 200 an hour yesterday.

Secretary Kissinger: Well, we'll be down to 1500 Americans by tomorrow night.

Gen. Brown: Today we are going to use some of those C-141s.

Secretary Kissinger: How many Vietnamese have we gotten out so far?

Gen. Brown: Henry, we just don't have any reliable figures on that. Everybody has a different figure. According to my book here, we took out over 2,000 Vietnamese yesterday. 670 Americans were taken out.

Secretary Kissinger: Anybody have any ideas on how we could get more Vietnamese out?

Amb. Brown: The problem is where do you take them.

Gen. Brown: Yeah, some 5,000 are due into Clark (AFB).

Mr. Clements: There's 5,000 there already, and the Philippine government says we have to have no more than 200 there per day.

Secretary Kissinger: Dean (Amb. Brown) do a cable to Graham (Amb. Martin). See what his judgment is as to when is the last moment a flight could get out, when the helicopter lift should start. Get from Graham the trigger points for each. Check with Brent (Gen. Scowcroft).

Amb. Brown: Right.

Mr. Clements: Henry, you know we have those ships in Newport (Saigon harbor) and they are not being used.

Amb. Brown: You know, Martin now has parole authority for Vietnamese.

Do you want to use those ships? I could get to Martin on that.

Secretary Kissinger: We have to leave some things to Martin's judgment.

Gen. Brown: Four ships are there and two more are in-bound.

Secretary Kissinger: What are two more doing up there?

Gen. Brown: I have no idea.

Secretary Kissinger: It doesn't make any sense to have the ships up there if they are not going to load on Vietnamese, does it? What do you think, Dick?

Mr. Smyser: If Tan Son Nhut is closed, those ships may be the only way to get people out.

Gen. Brown: I'll find out who ordered those ships up there and why they are there.

Secretary Kissinger: We'll have to get to Martin about whether he wants to use those ships.

Amb. Brown: I'll talk to Graham about that.

Mr. Miller: They (the two new ships) could be carrying the remaining military aid supplies.

Secretary Kissinger: Look, you guys get together on these things. Are you all coordinating together?

Mr. Clements: Sure, we're working together on these things, Henry. We're coordinating.

Secretary Kissinger: Okay, we'll try to find out from Graham when the trigger points are. In my judgment, Graham probably believes that it would be dangerous to load those ships. We'll see what he says.

Amb. Brown: You know, once we're at the 1500 level (American citizens) we could start to peel down that number.

Mr. Clements: George (Gen. Brown) we received a cable this morning saying that only a small contingent of territorial forces now stand in the way of the Viet Cong from taking Saigon. Is that right?

Mr. Colby: There are two marine brigades still west of Saigon and remnants of other units scattered around. There are more than just territorial units standing in the way.

Secretary Kissinger: The North Vietnamese are not running out of steam are they? I mean logistically.

Mr. Colby: No, they sure are not. They are in good shape.

Secretary Kissinger: Are the South Vietnamese fighting?

Mr. Colby: There hasn't been much going on in the last 24 hours. It could be that they are just waiting for the final assault.

Secretary Kissinger: In your judgment then, during any given 24-hour period they could begin the attack on Tan Son Nhut.

Mr. Colby: Yes.

Secretary Kissinger: Graham is under clear instructions that if an attack starts on Tan Son Nhut, the DAO personnel are to get out immediately.

Gen. Brown: That's right, but he (Martin) still has 400 people at the DAO compound.

Secretary Kissinger: We'll get to Martin to find out when the trigger points are, if he wants to load the ships, and when the helicopter evacuation should be. Then we will have a guide to go by.

Amb. Brown: Will do.

(A telephone call came in at this point for Ambassador Brown, who was subsequently called out of the meeting.)

Mr. Clements: I agree, Henry, going to Guam (with the Vietnamese refugees) is our best bet. We can take much better care of them there.

Secretary Kissinger: But you are going to have only 5,000 people.

Amb. Brown: You're going to have a lot more than that.

Gen. Brown: We're going to have to have a tent city at Guam, but I think it would be better than Clark (AFB).

Amb. Brown: We can handle 50,000 at Guam.

Secretary Kissinger: I think I prefer Guam. What do you think, Dick?

Mr. Smyser: I think Guam makes better sense.

Secretary Kissinger: Okay, let's go to Guam.

Mr. Clements: Good!

Secretary Kissinger: We could take some of them to the Trust Territories.

Mr. Smyser: Using the Northern Marianas as a relocation center could have some negative political impact, but stress could be placed on the temporary nature of the center.

(Ambassador Brown returned to the meeting.)

Amb. Brown: President Thieu and his family have just landed at Clark. This is a telephone report. There are two C-130s. The report is that the General Staff is on the second plane. We're trying to get some confirmation now.

Secretary Kissinger: Wait! If they (the General Staff) is bugging out, that changes the whole situation. I mean, they don't have a govern-

ment then. It changes our whole planning. Get on the phone with Graham and find out what is going on. If the whole government is leaving, then we have no obligation to keep supporting them.

Mr. Stearman: It could be only the ex-government, not the new one.

Secretary Kissinger: If it is the General Staff, then no one is in charge, is there? Somebody get in touch with Graham. Our moral obligation ends when that government does.

Mr. Shackley: It depends on who's aboard. You could still have the new government in Saigon.

Secretary Kissinger: Let's get that cable out (on trigger points) and find out about Thieu. (The report later proved erroneous.)

255. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, April 23, 1975, 0400Z.

729. Ref: WH50745.²

1. Since Huong had no inkling until Monday that he was suddenly to become President, I do not think he has come to any firm decisions on the questions raised in your cable. Necessarily, his course will be partly determined by outside influences and pressures, many of which will be beyond his ability to control.

2. My impression is definitely that, as of today, his intention is to remain in office to facilitate negotiations leading to a solution.

3. I think he would prefer to deal with Hanoi, would not rule out the PRG as an interlocutor, but would prefer the USG or France.

4. I think that, whoever he may have in mind, he completely accepts the reality that the individual finally chosen must be acceptable to Hanoi.

5. His difficulty now is arranging a dependable channel of communication with Hanoi. Perhaps after he sees the French Ambassador, I may have a clearer idea of what these possibilities are.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (2). Secret; Immediate. Sent with the instruction: "Deliver immediately."

² In backchannel message WH50745 to Martin, April 22, Kissinger asked the Ambassador to assess Huong's intentions. (Ibid., Outgoing, 2)

256. Minutes of Washington Special Actions Group Meeting¹

Washington, April 23, 1975, 10:45–11:15 a.m.

SUBJECT

Vietnam Evacuation

PARTICIPANTS

Chairman
Henry A. Kissinger
State
Robert Ingersoll
Amb. L. Dean Brown
Philip Habib
Robert Miller
Defense
Secretary Schlesinger
William Clements
Morton Abramowitz
Robert Ellsworth

CIA
William Colby
Ted Shackley
William Christison
NSC Staff
LTG Brent Scowcroft
Col. Granger
W.R. Smyser
William Stearman
James Barnum

JCS

Lt. Gen. John W. Pauly

Secretary Kissinger: Bill . . .

Mr. Colby began to brief from the attached text.²

Secretary Schlesinger: Do you think there is any chance of the South Vietnamese making a deal? Or, do you think it would be just a facade? (In reference to a statement in the briefing that South Vietnamese opposition disunity would probably only further delay the formation of a government with some chance of dealing with the Communists.)

Secretary Kissinger: I don't know. We'll just have to see.

Mr. Colby continued to brief.

Secretary Schlesinger: The Communists haven't taken Bien Hoa airbase?

Mr. Colby: Not yet. (Continued to brief.)

Secretary Kissinger: How would they take them, by ship? (In reference to a statement in the briefing that the South Vietnamese hope to move a number of refugees from Vung Tau to Delta areas.)

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 25, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Colby's briefing, "Vietnam," April 23, attached but not printed.

Mr. Christison: Yes. Specifically, they will move them to Can Tho Province.

Mr. Colby continued to brief.

Secretary Schlesinger: Wait a second. Is that hard information? (Referring to a statement in the briefing that a US jet transport may have been the target of an SA-7 missile yesterday.) We have a report here that there has been some firing at U.S. aircraft and that the security around Tan Son Nhut has broken down.³

Mr. Christison: Our evidence is not conclusive. All we have is the statement of some personnel who were in the area, who believe that it was an SA-7. No damage was done.

Mr. Colby: There have been small-arms firings on U.S. planes several times over the past few days.

Secretary Schlesinger: On the way in or the way out?

Mr. Colby: Both ways.

Secretary Schlesinger: John (Gen. Pauly), you better check on that report to see if it is true.

Gen. Pauly: I will.

Mr. Colby continued to brief.

Secretary Kissinger: Yeah, like Cuba! (In reference to a statement in the briefing that Cambodia would be a neutral and non-aligned state.)

Mr. Colby continued his briefing.

Secretary Kissinger: What did you say at the last there?

Mr. Colby: That we have good evidence that the (Cambodian) Communists are moving ruthlessly against former government officials and military officers. They have instructed their cadres to, "secretly eliminate all senior enemy commanders and those who owe us a blood debt."

Mr. Christison: And these come from Communist messages. The messages are mean in tone. The reprisals are directed against former government officials and military officers, for the most part.

³ In backchannel message 728 to Kissinger, April 23, Martin wrote: "I agree with the judgment of the intelligence community that the North Vietnamese can begin effectively interdicting Tan Son Nhut Airport at any time. As I have previously reported they have had that capability for many months with SA 7s. They have not chosen to use it. Although they could slip in sappers close enough to put a few rockets in, they have also had that capability not for months, but for years. Tan Son Nhut has come under attack many times before and continued to operate, but we do not really expect such attacks in the near future." (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming, 2)

Secretary Kissinger: I think these eliminations are directed against Sihanouk's followers, don't you? They want to make sure that when he comes back—if he comes back—that he will have no popular base.

Secretary Schlesinger: It's still not much comfort knowing that you're not the target.

Secretary Kissinger: I don't think there can be any other motive, do you?

Mr. Colby: I think that the Communists will be looking to the Chinese for support.

Secretary Kissinger: That's another reason—the two are not exclusive. I would expect them to lean towards the Chinese and try to neutralize his (Sihanouk's) base.

Okay, is there anybody here who needs some decisions today?

Secretary Schlesinger: Yes, I have two things—those ships in Saigon harbor and the Cambodian aircraft that was evacuated to Thailand. I think we should get a message to the Thais making it perfectly clear to them that under United States law those Cambodian planes are U.S. property. I think we should get them out of there. They can fly them to Clark AFB. The Thais are already making noises about sending them back to Cambodia. They can't. They're ours. We ought to get them out of there, and fast. Otherwise, they are going to use them as diplomatic wampum. There are a lot of other countries that could use those planes, like Indonesia.

Secretary Kissinger: I'm strongly in favor of getting them out of Thailand. Do we have the right to give them to Indonesia? Can it be done?

Mr. Abramowitz: There are ways of doing it. You know, the Thais may want some of them, too.

Mr. Clements: Henry, we have a real problem here. We ought to get those things out of there.

Secretary Kissinger: I have no objection to giving some of them to the Thais either. How many are there, ninety?

Gen. Pauly: Yes.

Secretary Schlesinger: We have to establish—make it very clear—to the Thais that they are not going back to Cambodia. Those planes are ours, and damnit, it is not up to the Thais to decide who they belong to. They are our property. We've got to get them out of there.

Secretary Kissinger: I'm in favor of giving some of them to the Thais, and the Indonesians, too.

Secretary Schlesinger: The Thais are going to demand some sort of quid-pro-quo. That's our problem.

Secretary Kissinger: They may not . . .

Secretary Schlesinger: We've got to establish that under the law those planes do not belong to the Thais, they are ours. You also have the problem that you might establish a precedent if we move our planes from Vietnam to Thailand.

The second thing I wanted to bring up are those MST ships in Saigon harbor. It seems to me that if those ships start moving down the Mekong toward Vung Tau, they are probably going to be interdicted. Martin (Amb.) says they have a certain value there in Saigon. They have no value. When the river closes, that's it. They're lost. What is it, seven hours to Vung Tau? They'll never make it. Those ships are an important asset, and we should get them the hell out of there.

Secretary Kissinger: My understanding is that there are only two left at Saigon. Martin says he wants to keep only the two.

Mr. Habib: What Martin wants to do is keep two there at all times, and he will be down to that level in three or four days. When the present lull in military activity ends, he'll know that that is it, and thinks he will have enough time to get the ships out.

Secretary Schlesinger: If panic sets in there is no way in hell he will get those ships out. They are not protected, they're flimsy, and what do they have, a handful of Marines aboard? If we lose those ships, we are gong to pay, and I mean politically, on the Hill. If Martin thinks he has all that much time, why doesn't he send them down to Vung Tau and bring them back to Saigon if the river is still open? They are not doing us a damn bit of good just sitting there.

Mr. Clements: Those things have no protection whatsoever, Henry. They're vulnerable as hell.

Gen. Pauly: There's another item to consider. During this present lull, there is the chance that those units east of Saigon have slipped farther south toward the river and would be in a better position to interdict it.

Mr. Colby: Some of them have slipped down. But, you have to remember that it is not easy to dominate the Delta area. That land is boggy and hard to get into with any type of heavy stuff. The Communists could beat up the ships coming down the river, but I don't think they can get the types of weapons in there that they would need to sink the ships. I think they would be lucky to sink any of the ships.

Secretary Kissinger: Some are coming out today, aren't they?

Mr. Habib: There are more than four ships altogether. Two more are coming up the river today. Martin wants to keep two there all the time. He thinks he has the time to move them out.

Secretary Schlesinger: Well, if you have the time to move them out, you also have the time to bring them back in.

Mr. Clements: There are only three ships?

Mr. Habib: The fourth is coming in—is probably there already.

Secretary Kissinger: Let me ask Graham (Martin) about his reasoning.⁴ I'll get to him today about it.

Secretary Schlesinger: Send him a stern cable. That was a rather obnoxious, flamboyant telegram he sent in.⁵

Secretary Kissinger: Look, Graham gets a lot of abuse. He doesn't need any more from here. Remember, he's working under very trying circumstances. I think he's doing a good job under the circumstances.

Gen. Pauly: The reaction I got from CINCPAC this morning was that Graham sees no problem in getting the three ships out.

Secretary Kissinger: (To General Scowcroft) Find out what Graham's reasoning is.

Gen. Pauly: Graham told our people he doesn't intend to use them.

Secretary Schlesinger: He should use them, or get them the hell out of there if he thinks they're of no use.

Secretary Kissinger: (To General Scowcroft) Find out what he has in mind.

Mr. Colby: Would you consider putting some Vietnamese on those ships now that we've gone public on evacuating Vietnamese?

Secretary Kissinger: What do you mean we made public? Everybody in this town is covering his ass these days. A number of people have made it public. I think it was the Attorney General this time.

⁴ In backchannel message WH50749 to Martin, April 23, Kissinger asked for the Ambassador's rationale for keeping the ships in Saigon. Kissinger concluded: "You may think I am perpetually harassing you. However, when you get back here you will find that the record shows I defended you and your approach without exception. I continue to believe you are playing a heroic and patriotic role." (*Ibid.*, Outgoing, 3) In backchannel message 732 to Kissinger, April 24, Martin replied: "My rationale for employing the ships has always been only as a last resort. I have gone over the matter again with my senior advisors, including General Smith, Admirals Benton and Oberg, plus some senior Vietnamese. We are all agreed the attempt to load these ships with Vietnamese refugees, at this point still illegal, would almost guarantee a panic in Saigon along the Danang lines. This we cannot afford to risk." Martin continued: "In any event, I have no objection to their being moved out to Vung Tau region, whenever it is desired to do so." In closing, Martin added: "I don't really think you are perpetually harassing me. As I said, I know full well the pressures a bureaucracy can bring. As long as you don't yield to them without checking with me first to ascertain the actual conditions here, I think we can keep under control both the Washington mattress mice and the situation here. Sometimes, it is a bit like an Algerian Egg Dance, but so far I haven't broken any yet." (*Ibid.*, Incoming, 2)

⁵ Reviewing the ongoing evacuation in telegram 5448 to Kissinger, April 22, Martin wrote: "I am aware of your problems with your colleagues both in Working Group and in WSAG, who either are too busy to read previous cables, are simply unaware of Danang and Nha Trang or are just too impatient and frustrated with the existence of unused capacity to think of what would happen if we tried to use it." (*Ibid.*, NSC Files, NSC Institutional Files (H-Files), Box 20, WSAG Meeting, 4/23/75, Evacuation)

Secretary Schlesinger: That brings us back to what we were talking about earlier. What do we have, two day's use of Tan Son Nhut left?

Secretary Kissinger: It's possible that the North Vietnamese won't try to take Tan Son Nhut, isn't it? I mean, they may bypass it. Once, and if, they move on it, however, what do we have, two days to get everybody out?

Mr. Colby: Less than that.

Secretary Schlesinger: You can keep some C-130s flying awhile while the airfield is under attack. You would just have to be prepared to load and get out in ten minutes. The question is, where do we go once the 1200 limit is reached?

Secretary Kissinger: What are you recommending?

Secretary Schlesinger: That Martin cuts that number down to about 400 or 500. You don't need them there anymore.

Mr. Clements: How many are there now?

Secretary Schlesinger: He'll be down to 1,200 or 1,300 by the end of the day.

Mr. Habib: But that's not counting the Vietnamese dependents.

Secretary Kissinger: What do you mean?

Amb. Brown: Vietnamese dependents of our employees. Brothers, sisters, aunts, uncles. One guy showed up with 70 dependents.

Secretary Kissinger: How many are left?

Amb. Brown: There are 3,170 left. As of today, some of the high-risk Vietnamese local employees are beginning to move out.

Mr. Colby: I'm sorry to return to this, but I have to make a nuisance of myself about it. I would like to move more of those high-risk locals.

Mr. Clements: That 3,170 figure does not include high-risk locals?

Amb. Brown: That's right.

Secretary Kissinger: Who are all these Vietnamese that are getting out then?

Amb. Brown: Dependents, the families of high-ranking government and military officials. The families of principals.

Secretary Schlesinger: Yeah, and the principals are getting shaky now, too.

Mr. Clements: Henry, I think that at some point our taking all these people out is going to really aggravate the North Vietnamese.

Secretary Kissinger: It may not. It may be easier for them not to have to evacuate them later on. On the other hand, they may want us to evacuate them rather than come to some agreement.

Secretary Schlesinger: Well, the evacuation is not going all that slow overall. But, the U.S. is going to be accountable for all those Vietnamese, don't forget that.

Secretary Kissinger: It's me who is going to be held accountable.

Mr. Clements: I'm not so sure of that, Henry.

Secretary Schlesinger: We—the administration—caught hell up on the Hill yesterday about that very thing. I tell you, the mood is ugly up there toward “the” administration. You have to look beyond this situation—the linkage if I can use the term—for the impact this will have on our military deployments in other areas like NATO, etc. We've got to be thinking now of the psychological impact our actions in Vietnam will have for future deployments.

Secretary Kissinger: What do you mean, the President told them (Congress) yesterday what we are doing.⁶ I was there, I didn't detect an ugly mood.

Amb. Brown: People could start positioning themselves . . .

Secretary Schlesinger: I still think we ought to get down to 400 or 500 people.

Mr. Smyser: Graham's concern about going down to 400 people is that he would have to send out those very officers who are necessary to get everybody else out. The problem is the hangers-on. Those he can't get rid of.

Secretary Schlesinger: Look, Dean (Ambassador to Cambodia) got down to, what was it, fifty people? He functioned effectively right to the end.

Amb. Brown: Yeah, but Martin doesn't have the control that Dean had. It's newsmen and that type who won't leave.

Secretary Schlesinger: Look, it's a question of official personnel and a question of non-official personnel. I mean, 400 personnel in Saigon is equal to the 58 people Dean had. Besides, the activities of these people has to be shrinking as the territory shrinks. What the hell can all these people be doing, anyway?

Mr. Clements: General Brown says that a helicopter lift is a horrible expectation. He says it's going to be awful.

Secretary Kissinger: Yes, but on the condition that a helicopter lift will be opposed.

Mr. Clements: He's got to assume that.

Secretary Kissinger: Opposed by whom? North Vietnamese.

Secretary Schlesinger: North Vietnamese and South Vietnamese.

⁶ See Document 252.

Mr. Clements: Anyway, that's George's message to this group today.

Secretary Schlesinger: We'll be down to 1,200 by tonight. The question is, what are we going to do tomorrow? Get down further?

Secretary Kissinger: I'll talk to Graham, and I think we need a meeting with the President on this. We'll schedule a meeting with the President for tomorrow. Okay, thank you.

257. Memorandum of Conversation¹

Washington, April 24, 1975, 10:43–11 a.m.

PARTICIPANTS

President Ford

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for National Security Affairs

Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs

[Omitted here is discussion unrelated to Vietnam.]

[President reads the Martin cable.]²

President: I think he has to tell the contractors and civilians to get going. We can't be responsible for their delaying to get the dependents out. I can understand the official American numbers.

It is not helpful to have a typhoon coming.

Kissinger: We can get out at any time. We have to believe his figures because he is the guy on the ground.

President: What worries me is, while he has given the figures, he always ends up higher. I don't like that.

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, Chronological File. Secret; Nodis. The meeting was held in the Oval Office. All brackets, except those indicating omitted material, are in the original.

² Martin outlined the evacuee situation in backchannel message 734 to Kissinger, April 24. (Ibid., Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming, 2) In backchannel message WH50757 to Martin, April 24, Kissinger wrote: "The President has read your cable with substantial approval and appreciation. With respect to the planned reduction to 1090 by Friday night, I want you to know that the President pointed out that the figure 1090 (1100) was one he had directed you to reach by Tuesday evening your time and that he had so briefed the congressional leaders. He says he must insist on reaching your proposed level of 1090 by Friday night Saigon time." (Ibid., Outgoing, 3) Friday was April 25.

Kissinger: I agree. He has not carried out orders and hasn't. I think we should say the President approves but it's the second time he has approved one. There can be no equivocation on this figure. The President wants all non-essential contractors and non-government people moved out. Those who stay after the 1090 figure is reached will stay at their own risk. The press should slim down to an absolute minimum.

President: If he is down to 1090 and non-essentials the day after, when is the final evacuation?

Kissinger: Whenever we trigger.

President: I would give him a final figure—what would the number be of contractors, etc. by Saturday³ morning.

[Omitted here is discussion unrelated to Vietnam.]

³ April 26.

258. Memorandum for the Record of National Security Council Meeting¹

Washington, April 24, 1975, 4:35 p.m.

PARTICIPANTS

President Ford
Vice President Rockefeller
Secretary of State Kissinger
Secretary of Defense Schlesinger
Chairman, Joint Chiefs of Staff, General George S. Brown
Director, Central Intelligence, William Colby
Deputy Secretary of State, Robert Ingersoll
Deputy Secretary of Defense, William Clements
Lt. Gen. Brent Scowcroft, Deputy Assistant to the President for National Security Affairs
W. Richard Smyser, NSC Staff

SUBJECT

Vietnam Evacuation

¹ Source: Ford Library, National Security Adviser, NSC Meeting File, 1974–1977, Box 1, Chronological File. Secret. The meeting was held in the White House Cabinet Room. Brackets are in the original.

President: As you know, before we got into the Phnom Penh evacuation, we had a meeting. I wanted to know what our plans were. It took place at the right time and in the best of circumstances.²

I have kept in daily contact with Henry and Brent on where things stood in Vietnam. I know the Congress has been on us on this, to get it off their back. I think it is very important to stay there as long as we can contribute, to evacuate in a way that will not promote panic, and to contribute as much as possible to a peaceful solution.

Now, I understand we are down from 6000 to 1600.

Schlesinger: It has gone up to 1700.

President: I have ordered a reduction by Friday night of to 1090.³

Schlesinger: That is a lot in one day.

President: That is what I ordered. There will be another order that by Sunday⁴ non-essential non-governmental personnel must be out of there. The group that is left will stay until the order is issued to take them all out.

We just got a reply from the Soviets to a request we made. Henry, give us the background and the message.

Kissinger: At the President's request, I contacted Dobrynin Saturday to request their assistance to permit a safe evacuation and the beginning of political discussions and asked them to help create the conditions where this would be possible. [See U.S. oral note at Tab A].⁵ We also told him specifically on Monday that we would take a serious view of an attack on Tan Son Nhut. We have received the following reply.

[He reads from the Soviet message at Tab B.]⁶

This means, in effect, that if we keep the dialogue going we have an assurance against military action as we pull our people out. On the political side, the tripartite arrangement gives us the hope of a coalition solution which can be better than surrender. We will go back to

² See Document 196.

³ See Document 257.

⁴ April 27.

⁵ Text of the oral note, undated, attached but not printed. The communication urged the Soviets to "use its good offices to achieve a temporary halt to the fighting" so interested parties could discuss a settlement to the Vietnam dispute. According to backchannel message WH50755 to Martin, April 23, Kissinger handed the note to Dobrynin on April 18. (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing, 3)

⁶ Text of the Soviet response attached but not printed. In the message, the Soviets assured the United States that the North Vietnamese would not interfere with the U.S. evacuation; it also asserted that the DRV "do not intend to damage the prestige of the United States." A handwritten notation at the top of the page reads: "Delivered to the Secretary at State Dept. 4:00 p.m., April 24, 1975."

the Soviets to find out what they mean by implementation of the Paris Accords and to say we will cooperate. We will say we won't take precipitate action and we assume they won't.

President: My interpretation is that the lull which we have is a result of this. You could assume they weren't yet ready and would move when they are ready. This looks like they are willing for an agreement within the framework of the Paris Accords and that we can keep our people there, and reduce them until such time as we decide to remove them.

We have been through a difficult time. It was a risk and a gamble but it was my responsibility and I didn't want to do anything to risk the situation. I think I was right, and I will continue to act that way.

Everyone should be guided by the 1090 and the further removal of non-essential, non-governmental people. These are Americans, not Vietnamese dependents, who I assume are adding to the list everyday, in a ratio of about four to one.

Brown: About 15 to 1 in the last few days.

Kissinger: You asked the Soviets about American and South Vietnamese evacuation and they only answered about American citizens.

Vice President: How do you read that?

Kissinger: I read that as they are tacitly saying "Get them out" but they can't give us approval.

President: I take it to mean we can't use force.

Schlesinger: We are delighted with such restraint.

President: But I want to do whatever is needed to secure the American evacuation. George, would you review the plan for us?

Brown: The first stage we are in now. In the second stage we would send two companies in just to keep order. If we lost the airfield we would go to helos. We have two landing zones—one at old MACV compound and one at the Embassy. We can put about six helos down at once. We would put 1100 Marines in with the first wave. The helos would come in and evacuate the 1100 people in an hour and 15 minutes. Then they would go back for the Marines.

President: Then the total is about 2½ hours.

Kissinger: Graham [Martin] said he had a deal with the airborne commander and he would keep order.

President: How about the typhoon?

Kissinger: There is no danger now.

President: I think these orders to Martin will get us within the 1100 required.

Clements: How many Vietnamese are we talking about?

Kissinger: We don't know.

Colby: I think we should move as soon as possible for the high-risk people.

Kissinger: We told him yesterday and today to get moving on the high-risk people.

Brown: I think we should keep mixing the loads—Americans and Vietnamese—so we don't get criticized for leaving American personnel there as hostages.

Schlesinger: Henry's message is a source of reassurance, but there are some sources of concern. Their control might be limited; there are reports of sappers going in; and reports of attempts to stir up unrest; and there are some risks of attempts to go after Americans. In light of Henry's message, that appears manageable. A more difficult problem is population control, especially in conditions where they might have to fire on Vietnamese. You know we have favored going down to minimum levels. We should consider what we do if Americans are held hostage. We could say no ships will go into Hanoi until the hostages are released. So we should reduce as low as possible.

Colby: We have some people who are prisoners now.

Schlesinger: Just missionaries.

Colby: No. Also some advisors.

President: I understand the risk. It is mine and I am doing it. But let's make sure we carry out the orders.

Vice President: You can't insure the interests of America without risks.

President: With God's help.

Vice President: It takes real courage to do what is right in these conditions.

259. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Saigon, April 25, 1975, 0420Z.

736. 1. This message confirms my rather elliptical telephone conversation of a few moments ago. Late last evening, President Huong said that he was concerned about the safety of former President Thieu.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (3). Secret; Sensitive; Eyes Only; Flash. Sent with the instruction: "Delivery immediately."

He appeared aware, in a general way, of the information we have had several times that elements in the VNAF extremely critical of Thieu and Khiem have said that they would not get out of the country alive. We are aware that they have been watching the plane that would normally be used for GVN VIP flights abroad.

2. He, therefore, asked our assistance in assisting Thieu to very quietly depart the country as soon as possible. I said I was certain we could arrange this.

3. Huong said that he was going to designate both Thieu and Khiem as Ambassadors at Large and send them to Taipei on the ostensible mission of expressing his personal condolences on the death of Chiang Kai-shek. I gather this has all been arranged with the Chinese.

4. President Huong was insistent that Thieu be out of the country before he made his final decision on the transference of power to Big Minh. Since we have a very great interest indeed in a smooth transition I took the liberty of agreeing to facilitate their departure.

5. I have arranged with Gen. Hunt in NKP to have their C-118 available here this evening. We will also arrange with the utmost discretion for a very quick loading and departure of Thieu and Khiem. We have given this some thought and we are certain that it can be done so quickly that the plane will be well out of range before there could be any interference with its departure. I have assumed from previous messages that we would do whatever we could to assist in the facilitating the transfer and also facilitating safe departure from the country of both Thieu and Khiem. Unless I hear from you to the contrary immediately, we will proceed along the lines I have described above. No additional action needed from you at this stage unless someone raises question about the plane through military channels, which I think is unlikely.²

6. We have succeeded in our gamble to provide a succession which will give the facade of the same legal transfer that occurred from Thieu to Huong. Big Minh has finally agreed to be present at transfer ceremony. I am sure now that the President will agree. We will have the appearance of a legal transfer which should add greatly to the preservation of stability in Saigon. The Chairman of the JGS, Gen. Vien, and Gen. Binh, the police chief, have both promised Big Minh to strictly preserve the capital from all disorder.

² In backchannel message 738 from Saigon, April 25, Martin wrote: "At 9:20 this evening a C-118, tail number 231, took off from Tan Son Nhut with former President Thieu and former Prime Minister Khiem aboard. They were headed for Taipei where Thieu's brother is the GVN Ambassador. The operation went quite smoothly. I escorted them onto the plane and I think their absence will reduce the flap potential here somewhat." (Ibid.)

7. My definite impression is that there will be no interference with our continuing air lift which will proceed full steam over the weekend. Hopefully the transfer ceremonies will take place tomorrow as I have requested and I will file another cable later in the day elaborating on the intricate maneuvers which have gone on to bring this about in a peaceful orderly way.

8. Events have validated what I have felt all along—that as long as progress could be made, we really could count on the DRV desire for a peaceful evolution insofar as the transfer of power under present circumstances are concerned to avoid massive attack on Saigon. I do hope that you can exercise massive restraint on our military friends, both in Washington and Hawaii, for the next 48 hours or so.

9. Warm regards.

Martin

260. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, April 26, 1975, 0805Z.

741. 1. I am sorry to be late in responding to some of your recent requests, but the tardiness is really your fault. Several times I have suggested you have Brent Scowcroft send me a day-stretcher. He does such a marvelous job working for you he simply has to have several. I'll settle for a used one.

2. Somehow my present situation reminds me of the chap who had all his staff progressively removed, yet his national headquarter supervisor demanded more and more. Then he got a cable saying his supervisor had been informed the office was dirty. The local man called back, outlined all he was doing, and asked how the hell he could do all that and keep the office clean too. Back came a cable suggesting he stick a broom up his ass so he could sweep up the office as he went about the rest of his duties.²

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (3). Secret; Sensitive; Immediate; Personal; Absolutely Eyes Only. Sent with the instruction: "Deliver immediately."

² In backchannel message WH50765 to Saigon, April 26, Scowcroft replied: "Authorization for broom tied up in Vietnam supplemental. Suggest during interim that a modified shaft be used." (Ibid., Outgoing, 3)

3. If you wish, I can ignore, for a while, your cables on numbers which, as you have stated, is a phony issue, and work on reporting on the substantive issues which are of vastly more importance. I do not underestimate the political importance this numbers question has been allowed to assume at home but we are now down to a manageable evacuation of Americans. If I have to, I can handle this through our own resources and ingenuity, even if you take all the Marines and ships away. After all, when we asked for military help in evacuation of MR I and MR II we were refused a couple of choppers on the grounds they were all committed to Eagle Pull in Cambodia. So, using our own resources with no outside help except MSC ships, we got all our Americans out and about all the locals.

4. In any event, the total lack of any preparation for handling the refugees once outside Viet-Nam in the Philippines, Guam, and now Wake will slow us down here in any event. It would be helpful if a bit more of your attention was focused on that end before it becomes even more of a political problem than it now is becoming in Guam.

5. Events here won't wait. So far we haven't missed on the local scene. Cables on the other points you have raised will be coming.

Martin

261. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, April 26, 1975, 0950Z.

742. Ref: WH50754.²

1. I hope you will forgive me for going back over a bit of recent history with which you are obviously intimately familiar and which you have handled with great skill in your press conferences. Nevertheless, I think it is useful to outline this sequence to relate my own views of the short and far range future to this bit of historical perspective.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (3). Secret; Sensitive; Immediate; Flash. Sent with the instruction: "Deliver immediately."

² Kissinger asked for the Ambassador's views on the Embassy's future in backchannel message WH50754, April 25. (Ibid., Outgoing, 3)

2. Up until last June, we were well on the way to coming out of Viet-Nam as you wanted, relatively quickly, leaving Viet-Nam intact. Whether it made it in the long run would have then been up to their own efforts and would not have been seen as the direct responsibility of our abrogation of the agreements that we had undertaken. As of last June, I think the evidence is now clear that the ARVN had the military initiative and the other side had made a conscious, deliberate decision to put the war in the south on the back burner for an indefinite period and concentrate on the needed reconstruction in the north. I had persuaded Thieu to, in effect, accept a *de facto* partition leaving the other side in control of the areas they held in what Sullivan once called the Annamite Cordillera. As a consequence, we might have reasonably expected the level of violence in the south to have shown a reduction to the point where it would have been manageable and would not have interfered with the economic development process.

3. Then the bottom fell out in our traumatic summer, culminating in the voting of only half of the military appropriation and about that of the economic aid appropriation.

4. Hanoi took another look and decided to increase the military pressures. The Soviets, seeing an opportunity, increased their military aid (up by four times in the first quarter of this year) and, accurately, advised Hanoi that the propaganda campaign being mounted would further erode American will and determination to the point that they might score some startling success. When we did not react after Phuoc Long, the die was cast. The election of the new Congress, Tran Van Lam's interpretation to Thieu that there would be no further aid let alone any supplemental, pushed Thieu into the disastrously executed evacuation of MR's 1 and 2. The military momentum on the other side, added to the psychological shock the South Vietnamese had undergone, brought a preponderance of forces to the edge of Saigon. The ARVN demonstrated at Xuan Loc that it was still no pushover and the will to fight still existed. In the Delta, everything held reasonably well. The choice, therefore, was between a military smash at Saigon or the use of the threat of such action to induce acceptable political changes. As you know, my estimate has been that Hanoi would choose the latter course. It seems that it has and it appears to be working out reasonably well. One of their professional deformations in Hanoi is that they are reluctant to deviate from a previously agreed strategy. I took advantage of that inflexibility years ago in Thailand to accomplish certain results without American direct involvement. In the present situation, I have counted on Hanoi's compulsion to stay within the terms of their previous strategy.

5. If Big Minh comes to power, as now seems inevitable, it will still be a Government of the Republic of Viet-Nam that he heads. This

government, I would think, would be required to be basically neutralist, forego military aid, but would be relatively free for a time to continue, with the exceptions mentioned above, much as it has in the past. There will be a complicated negotiation between the GVN and the PRG over the setting up of the NCNRC which may or may not be converted into a coalition government. I would think not, because they could now afford to be more patient. I think they will wish that whatever evolves be seen to be capable of being presented as within the framework of the Paris Agreement. I think the negotiations between the RVN and the PRG will perhaps be longer and more complicated than you think.

6. This is the long way around to saying that I am uncertain with your first question in refel which seems to imply that the PRG is going to take over immediately in Saigon. If the transition to Big Minh can be arranged quickly, I would not think this will be the way it goes. If the peaceful transition to Big Minh takes place, I see no reason why the United States would not keep an Embassy here, although it would be one very likely shorn of any military aide responsibilities except a residual accounting function and whose humanitarian aid responsibilities would probably increase.

7. Your second question, how would I propose we depart if we do, I think, is a bit premature. If there is an attempt at a military investiture of Saigon, the answer is obvious. We depart very quickly. If a Big Minh government takes over, it will be still the Republic of Vietnam and I would assume we would play out this card for a considerable period. We have every evidence that Big Minh is expecting and counting on our doing this. ([garble—As a?] matter of fact, he borrowed \$1,000 from us the other day to send two people to Paris.)

8. The answer to your third question, whether, if there is a neutralist government, they would keep us here, I think is very clearly that if it is a Big Minh government, they will want to keep us. When Big Minh has served his function as Kerensky, I would still think the next successor government would also want to keep us here. In this connection, both PRG recent press announcements and private indications, of which you are of course aware, give the same indication. It is important to note that they are not referring to a "PRG government takeover" in Saigon, but their ideas of what the functions of an American Embassy in Saigon in the future should be.

9. I am very much aware and completely agree with the caution conveyed in your para 2. So far, we have threaded our way through the ongoing political talks among the Vietnamese without being accused by anyone that we are the driving force in the political evolution that is taking place. I understand you are referring to the political talks between the GVN and the PRG. While I agree it would be better

if they take place in Paris, we are not, after all, in a position to control where the GVN and the PRG decide to talk. I have long felt, as you well know, that our participation in such talks should be minimal and that the accommodations which must be made must be made only between the two Vietnamese parties. I do not conceive of our having any talks with the PRG here, on in Paris for that matter on essentially the political elements of GVN/PRG discussions. What contacts, if any, occur in Saigon between the U.S. and the PRG will, in my view, be confined to a listening brief on our part ad referendum to Washington for decision.

10. We are getting out more and more of the high risk people. We could have done a much tighter controlled job if we had not gotten caught up in the old McNamara numbers game in Washington about the U.S. presence here, which has stripped us of sufficient personnel to manage. I wonder if you have any idea what it takes to evacuate almost 30,000 people. What has been accomplished here would have been regarded as an extraordinary job by a professionally trained staff in logistical movement, double the size of what we have been using. We will get out more than, from what we hear from the outside, your Washington staff has made arrangements to handle.

11. If the basic premises I have outlined above differ from yours, it would obviously be of enormous interest to me to know how and in what respect.

12. With the warmest personal regards.

Martin

262. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Assistant for National Security Affairs (Kissinger)¹

Saigon, April 26, 1975, 1142Z.

743. Ref: WH50763.²

1. With respect to para 2 of your message, I have little to add to my 737.³

2. I have an exhausted staff and I am not repeat not going to reduce the U.S. Government side, either direct hire or contractors, any more as long as you want us to continue with airlift. I don't know what you mean by "only" thirty contractor personnel have been reduced. Which of the 243 left would you suggest? We need communications, the tugs for E&E. Do you want us to abandon any interest in orphans? If so, I'll send out the 5 with ICRC. Do you want to tell George Meany we have no interest in getting out labor leaders. If so, I'll send out the AAFLI guy? Do you want us to be completely without transportation? If so, I'll send out the Air America 87, who are our last resort when the military get conflicting instructions from Washington. Do you want to send in more Marines? If so, I'll send out the Mission Warden Force. As far as other categories are concerned, I don't really know what level we will reach by Sunday night. Attracted by the drama of Big Minh, more reporters are coming back in. With the continuing lack of any military activity, several of the businessmen, we hear, are thinking of returning.

3. Unless you wish me to advise the GVN to refuse any admission to press and businessmen, the former will grow considerably and the latter a little bit over the weekend. I can ask the GVN to deport some of them, but I would prefer you have someone in Washington do the nominations.

4. I really think we have about come to the end of the road on any further pressure on us here about the American community. Since you have left the decision to me, I am not going to reduce any more on the

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (3). Top Secret; Sensitive; Immediate. Sent with the instruction: "Deliver immediately."

² In backchannel message WH50763, April 25, to Martin, Kissinger wrote: "Still need your estimate of the level you will reach by Sunday night. I gather you anticipate reduction of only about thirty contractor personnel. Must also know what will happen in other categories." (Ibid., Outgoing, 3) Sunday was April 27.

³ Backchannel message 737 from Martin to Kissinger, April 25, outlined the status of the evacuation. (Ibid., Saigon Embassy Files Kept by Ambassador Graham Martin, Box 8, Saigon to Washington, April 9–28, 1975)

American official community. We have notified other Americans that they are now staying at their own risk.

5. As far as the military pressures on the President are concerned, you might care to inform him that the reports of the SA 2s, which so panicked one of your WSAG meetings,⁴ and which resulted in the closing of the Saigon airport to American commercial airlines, turns out to be incorrect. What was sighted was several logging trucks full of logs. I think if the President would simply say that the American community has been reduced to the smallest possible number commensurate with our ongoing activities, (principally evacuation of “high risk” Vietnamese, although he should not say this) and the rest of the community is mainly comprised of the American press, which in its best traditions is augmenting its forces somewhat to cover the news, he will be home free and maybe the rest of us will have time again to work on more important problems.

6. Warm regards.

Martin

⁴ See Document 256.

263. Transcript of Telephone Conversation Between Secretary of State Kissinger and the Director of the Special Interagency Task Force on Evacuation of Refugees From Indochina (Brown)¹

Washington, April 26, 1975, 10:15 a.m.

K: I have just gotten one of Martin’s backchannels to me. He wants to slow down the evacuation because it is such a mess in Guam.²

B: He can’t do that. Even if Clark and Guam are overwhelmed. We have 12,000 at Clark and more at Guam.

K: Don’t put these figures out.

B: I haven’t. There are thousands more on the way.

¹ Source: Library of Congress, Manuscript Division, Kissinger Papers, Box 388, Telephone Conversations, Chronological File. No classification marking. Blank underscores indicate an omission in the original.

² Document 260.

K: I thought he was bluffing me. That means we have gotten 25,000 or more out.

B: Right. Say, Martin hasn't answered the telegram we sent asking for his feelings and what the high risk options are, etc., yet.³ It is near panic at the airport and they have no control over the situation, especially the issuing of certificates. What appears to be happening is that Americans are walking down to the planes with their Vietnamese friends and saying get on. 15 to 20% of the people have no papers and there is no proof that they are high risk at all.

K: What can we do?

B: Nothing. Martin can't control the situation, because he can't be at the airport.

K: Can't anyone?

B: There are people who are trying to at the airport, but it is difficult. Everybody is taking care of friends, maybe they are sorting them somehow. But it is close to chaos. There is also a difficulty with California. I talked to Jerry a couple of days ago.⁴

K: Is he against it?

B: No, but the Federal Government hasn't done anything for California and with their high unemployment etc., he is saying it will be difficult. His impression is that we want to dump Vietnamese on them. It is a political problem. I have Weinberger set to call him today and talk to him. He will say that we will try to be helpful but we are going to have to start moving groups to the U.S. We need some place in the U.S. to hold them until we can let volunteer agencies move them on. I have talked to the airlines and asked them if we can have free passages on planes because there is no money within the U.S. to move them.

K: Yes. It is a nightmare.

B: It is not going to come out very nicely. One of the things I wanted to say in the WSAG is how many people do we want to get out?

K: How many do you think?

B: 5 to 10 thousand more. If we could move them from Saigon to _____, we could alleviate a lot of pressure.

K: Let me think about it.

B: O.K. Also think about Hawaii or the possibility of moving them now directly to the States. We will talk about it.

K: O.K.

³ See footnote 2, Document 261.

⁴ Governor Jerry Brown of California.

B: Defense has got to cooperate. Weinberger is calling Schlesinger and telling him to give the Army a good name for once by letting them take an active part in the refugee movement. They are bucking us again. We need to let people use military bases as the next staging area to let the volunteer agencies have time to pick them up. It should work just like the Hungary thing.

K: O.K.

B: Thanks sir.

264. Minutes of Washington Special Actions Group Meeting¹

Washington, April 26, 1975, 11:11 a.m.–12:13 p.m.

SUBJECT

Vietnam Evacuation

PARTICIPANTS

Chairman
Henry A. Kissinger

State
Robert Ingersoll
Amb. L. Dean Brown
Philip Habib
Robert Miller

Defense
William Clements
Amos Jordan
Morton Abramowitz

JCS
Gen. George S. Brown
Lt. Gen. John W. Pauly

CIA
William Colby
Ted Shackley
William Christison
NSC Staff
Lt. Gen. Brent Scowcroft
W.R. Smyser
William Stearman
Col. Clinton Granger
James Barnum

SUMMARY OF CONCLUSIONS

It was agreed that:

—Key Congressional people would be contacted regarding the use of government funds to transport Vietnamese refugees from Travis Air Force Base to other parts of the country;

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 25, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

—Other Air Force bases such as Eglin, and Camp Pendleton would be designated as relocation centers in the U.S. to relieve the pressure on Travis;

—Announcement of a Presidential Commission on Vietnam Refugees would be made no later than Monday, April 28;

—The United Nations High Commissioner for Refugees would be contacted immediately for U.N. help in resettling the refugees;²

—The Joint Chiefs of Staff would prepare a plan for using additional military facilities as refugee holding centers;

—Five ships carrying military supplies to Saigon would be held at Subic Bay.

[Omitted here is the discussion.]

² Telegram 97855 to USUN, April 27; National Archives, RG 59, Central Foreign Policy Files)

265. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, April 28, 1975, 8:05–8:43 a.m.

[Omitted here are the table of contents, list of attendees, and discussion unrelated to Indochina.]

Mr. Hyland: The military situation in South Viet-Nam has changed significantly for the worst, as of yesterday. Whatever pause there had been was ended with heavy attacks on Bien Hoa, attacks on the road between Bien Hoa and Vung Tau—which is now cut by sizable—

Secretary Kissinger: Are the South Vietnamese fighting?

Mr. Hyland: No. And the 18th Division, which was more or less guarding Bien Hoa and the road between Vung Tau and Bien Hoa has dissolved the MR-3 headquarters, and the MR-3 commanders have left for Saigon. The headquarters are deserted. And it sounds to me likely they had thrown in the [towel.]

Mr. Habib: We had some reports that the troops had actually been looting in Bien Hoa itself.

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 7, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, which was attended by all the principal officers including the assistant secretaries for the regional but not functional bureaus of the Department or their designated alternates. All brackets, except those describing omitted material, are in the original.

Secretary Kissinger: What the hell could you be looting a month before the Communists take over?

Mr. Habib: They've got, you know, bags of rice, clothing. Well, in effect, as I read the report yesterday, what had happened is that the North Vietnamese tightened their hold—didn't go for Saigon itself but had taken care of Vung Tau and Bien Hoa. And they have probably already taken Tay Ninh. There are some reports that they're in Tay Ninh City and have moved in closer to the southwest approaches. So, in effect, what they're showing is it's not a simple matter of negotiations; it's not a simple matter of negotiating surrender.

Mr. Hyland: There are no roads south cut by the Communists.

Mr. Habib: They can cut it any time, if they want to.

Mr. Hyland: Well, if it's open or not is questionable. It may be passable in places, but it's certainly cut and it's under attack.

Secretary Kissinger: Yes. But what conclusion do you draw from that?

Mr. Hyland: Well, I think it's going to be fight-talk—that the pressure will increase every day on the terms that Minh offers, or what the Communists tell him to offer. They may well contact him and maybe negotiate on stated terms of getting rid of the Americans, dismantling the machine.

I think what Phil is saying is correct—"Lay down your arms and we'll install a new government of national reconciliation." But until that comes about, I think they'll tighten the noose every day, like Phnom Penh. There'll be no way out of Saigon. That means within a few days there will be increasing panic, especially if the armed forces either revolt against the government or they just quit fighting or walk away.

Mr. Habib: I don't think it will be like Phnom Penh. I think they're not going to fight like the Cambodians or the Khmer Rouge. They're a helluva lot tougher.

Secretary Kissinger: But the Khmer Rouge are pretty tough now.

Mr. Habib: Yes, they're pretty tough now; but all the Cambodians held the Khmer Rouge off in that perimeter with practically nothing but their bare hands, for week after week after week. It's an amazing stand, considering what they had.

Mr. Hyland: I think Tansonnhut will remain open.

Secretary Kissinger: For how long?

Mr. Hyland: Well, I think it could remain open indefinitely. I don't think the attacks are against Tansonnhut for various reasons—including political ones—but the sense of panic is more dangerous.

Secretary Kissinger: Yes, but we may not be able to get in there.

Mr. Habib: My feeling is that the panic will begin to rise in the city now. It will be complicated by the fact of bombings by the Vietnamese air force itself. That is going to cause a degree of panic.

Secretary Kissinger: Well, it's bound to create a certain sense of insecurity when you get attacked by both sides. That would do it even. (Laughter.)

Mr. Habib: War is hell on civilians.

[Omitted here is discussion unrelated to Indochina.]

266. Minutes of Washington Special Actions Group Meeting¹

Washington, April 28, 1975, 10:38–11:14 a.m.

SUBJECT

Vietnam Evacuation

PARTICIPANTS

Chairman

Henry A. Kissinger

State

Robert Ingersoll

Amb. L. Dean Brown

Philip Habib

Robert Miller

Defense

William Clements

Robert Ellsworth

Morton Abramowitz

JCS

Gen. George S. Brown

Lt. Gen. John W. Pauly

CIA

William Colby

Ted Shackley

William Christison

NSC Staff

LTG Brent Scowcroft

W.R. Smyser

William Stearman

Col. Clinton Granger

James Barnum

Secretary Kissinger: Bill . . .

Mr. Colby began to brief from the attached text.²

Gen. Scowcroft: Excuse me a minute, Bill. I just talked to Graham Martin out in Saigon. He says that those planes that attacked Tan Son

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 25, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

² Colby's briefing, "Vietnam," April 28, attached but not printed.

Nhut today were probably South Vietnamese defectors or VNAF pilots disgruntled with the new Minh Government.³ It is also possible that the North Vietnamese held a gun to their head and told them to go down and do some damage. It isn't clear as to who it was, but they bombed only the VNAF side of Tan Son Nhut. They did not attack the DAO side of the field. Also, our C-130 pilots report that they were trailed by the A-37s. They were not fired on, and there was no damage. The planes flew over the Presidential Palace, but did not release any ordnance. They didn't hit the Palace.

Secretary Kissinger: Why should they now? They never hit anything before!

Mr. Colby continued to brief.

Secretary Kissinger: Are the South Vietnamese fighting at Bien Hoa?

Mr. Christison: Yes they are. So far they are not doing badly.

Mr. Colby continued to brief.

Secretary Kissinger: Have the Communists captured Vung Tau?

Mr. Colby: No, not yet. They are pressuring Vung Tau. (Continued to brief.)

Secretary Kissinger: That means that ships will no longer be able to get up the Mekong, doesn't it?

Mr. Colby: Vung Tau should fall—within 24 hours. But, the entrance to the Mekong is farther to the south. Ships will still be able to get up the River. (Finished his briefing.)

Secretary Kissinger: What is (Tom) Polgar (CIA Station Chief in Saigon) saying? What is his estimate of the situation?

Mr. Shackley: He says that the Communists are following two tracks—military pressure and negotiations—simultaneously.

Secretary Kissinger: But Graham (Amb. Martin) has the opposite view. He says they are negotiating.⁴

Mr. Colby: It looks to us, right now, that they are running along two tracks.

Secretary Kissinger: Graham doesn't think it will collapse for another one-to-three days.

Mr. Shackley: In the time frame we are talking about, and this is over the last few hours, we see a shift taking place. We believe they are following the negotiating track and are now beginning to apply the military pressure.

³ Duong Van Minh assumed the Presidency on April 28.

⁴ Martin relayed his views to Kissinger in backchannel message 757, April 28. (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming, 3)

Mr. Colby: We should know for sure by tomorrow morning.

Mr. Christison: Could I ask what Ambassador Martin is saying?

Secretary Kissinger: He says that we will still have negotiations for several weeks.

Mr. Habib: I think the North Vietnamese are putting the military pressure on Minh so that they can get a negotiated surrender.

Mr. Colby: Besides, the demands are going up.

Secretary Kissinger: That's what I would expect.

Gen. Brown: To show you some of the practical implications of the situation over there now, Henry, we stopped the flights of C-141s yesterday. No more are going in.

Secretary Kissinger: Why did you stop them?

Gen. Brown: Because of the threat from the artillery.

Secretary Kissinger: We weren't told that you stopped the C-141 flights, were we (to Gen. Scowcroft)?

Gen. Scowcroft: No.

Secretary Kissinger: Why weren't we told. It used to be that we were asked about these things before the order went out. Who gave the order?

Gen. Brown: I don't know, but the way we had it pre-positioned was that those C-141 flights would stop when the threat became greater. The C-130s are still flying, we haven't disrupted those flights. They got something like 6,000 people out of there yesterday.

Secretary Kissinger: Can't we keep each other informed around here?

Gen. Brown: Tomorrow—this evening, our time—we are prepared to go all-out with the C-130s. We could evacuate as many as 9,000 people tomorrow. What I am also concerned about is that we have told General Smith *not* to get out of there when the first hit is made on Tan Son Nhut. The problem is that all Smith and his people are doing over there now is evacuating personnel. He and his people are totally involved in the evacuation process. The odds are that Tan Son Nhut will get hit tomorrow. If it's hit, he has orders to stay, but there won't be any more C-130s and no more people to evacuate. My question is, at what point do Smith and his people get out of there? They are betting that the negotiations will drag on a few more days, but if the negotiations fail, we can't get many of those people out. At what point do we pull Smith and his people out? By the way, General Vien has left the country.

Secretary Kissinger: Why?

Gen. Brown: He and "Big" Minh don't get along. They have been at each other's throat for years. What this means is that the General Staff will begin to break down and that control over the ARVN weakens.

Secretary Kissinger: I had better talk to the President. This is in complete contradiction to what Martin is saying.

Mr. Clements: Henry, Bob (Mr. Ellsworth) and I were talking about this on the way over here today, and, well, we think the situation is getting worse. Now, you may know more about it than we do. What I'm saying, is, do you know more than we do?

Secretary Kissinger: I know nothing more than you do.

Gen. Brown: We have a report from a C-130 pilot that he was trailed by an A-37 yesterday. We can patrol the (air) lanes and protect the C-130s from cover, but are we willing to accept the risk?

Secretary Kissinger: So what do you propose?

Mr. Clements: Well, Henry, we're dependent on information that you may or may not have.

Secretary Kissinger: You have all the information that I do.

Mr. Clements: Then I think we have only twelve to fifteen hours of lift time left.

Secretary Kissinger: You would like to pull Smith and his people out tomorrow?

Gen. Brown: Yes, we would feel more comfortable getting those people out of there.

Mr. Colby: And you would use helicopters after the fixed-wing lift has stopped?

Gen. Brown: Yes.

Mr. Colby: Then you would have only one more day to bring more Vietnamese out.

Mr. Clements: I think we should take a real close look at it tomorrow. By tomorrow we may be able to develop just where we stand, but that's the information we have now—that's where we are.

Gen. Brown: My concern on the helicopter lift is the South Vietnamese. Now, they have given us no trouble yet, but they are apt to give us trouble when they see all the Americans leaving.

Mr. Clements: We could go on with the C-130 lift tomorrow and take a look at the situation in this room tomorrow morning.

Secretary Kissinger: I think that we will probably have to go with the helicopter lift at first light Wednesday.⁵ I'll talk with the President about it. Our obligations diminish as the governments change. I'll raise the question again with the President.

Amb. Brown: There are still a lot of interest groups that we haven't gotten out of there yet.

⁵ April 30.

Secretary Kissinger: Like who?

Amb. Brown: Oh, the Catholic relief organizations, the Mormons.

Secretary Kissinger: Are the Mormons in danger?

Amb. Brown: There are all kinds of groups like that that look to us to get them out.

Secretary Kissinger: Well, I feel sure that as long as Brent Scowcroft is Deputy Assistant to the President, the Mormons will get out of there. How about the Jews? Does anyone care about the Jews?

Gen. Brown: Two-hundred labor people are getting out of there today. There are 1,400 orphans ranging in age from six to sixteen at Vung Tau that the Ambassador wants to get out. The Vietnamese Navy will take care of them. We made two C-130 runs to Vung Tau yesterday to pick up the families of some Vietnamese marines the Ambassador wanted to evacuate. It was successful.

Secretary Kissinger: Well, I think that when we can no longer get C-130s into Tan Son Nhut we should pull out all the Americans. I mean, if there are no more people to evacuate, there is no need for 900 Americans sitting around over there.

Mr. Clements: That's my point exactly. When the last C-130 takes off, we can get down to 500.

Gen. Brown: Yes, that would be great. Smith has about 400 people.

Secretary Kissinger: Can you take 1,700 in one helicopter lift?

Gen. Brown: No, we can take only about 1,000. It would be in two waves. The security forces would go in on the first wave, the 1,000 people would be lifted out, and the second wave would go in to pick up the security forces.

Gen. Scowcroft: What happened to the capacity of the lift? I thought that the last figure was that you could take out 2,000 people.

Mr. Habib: You said you could take out 2,300 in two cycles.

Mr. Clements: My recollection is that we can take out only 1,000. We'll check on that.

Secretary Kissinger: I think that we should go ahead with the C-130 lifts full blast as long as we can. If the airfield is closed down, then we will have to decide when to trigger the helicopter lift.

Mr. Habib: And the last C-130s should take out U.S. personnel, not Vietnamese. Didn't I see a press article that "Big" Minh says that no more Vietnamese will be allowed to evacuate?

Mr. Shackley: No, that report is not true. There has been no opposition from Minh on the evacuation.

Secretary Kissinger: What's the total figure of Vietnamese evacuated so far?

Amb. Brown: There are 38,000 in the camps.

Mr. Habib: Can you handle 9,000 per day at the camps if you had to?

Amb. Brown: No, there is no way.

Mr. Clements: If we have to, we can push them in there. We'll take care of them later.

Secretary Kissinger: How about picking up the refugees at sea? How are we doing on that?

Amb. Brown: Well, an increasing number of Vietnamese are drifting out from the beaches.

Secretary Kissinger: What are our rules—what are we doing about the refugees at sea?

Amb. Brown: We're picking up those that we can.

Gen. Brown: We've ordered our people not to go in to pick up people. If refugees come alongside, we pick them up. We've asked all our ships to stay beyond the 12-mile limit.

Mr. Abramowitz: Which reminds me that we'll need a decision on taking non-high risk people off Phu Quoc Island.

Secretary Kissinger: Why are all these people going out to sea?

Mr. Abramowitz: Well, because they are afraid of what will happen to them. Most are not in the high-risk category as we have defined it.

Gen. Scowcroft: Once they land on Phu Quoc, however, they become high-risk.

Mr. Colby: The question is, do we want to continue taking those people that we pick up to Phu Quoc Island?

Secretary Kissinger: If they have already gone there, it would be impossible for us to do anything. I would think that the Vietnamese Navy will be putting to sea once the end is in sight.

Mr. Abramowitz: Most of the Vietnamese Navy will go to Subic Bay.

Amb. Brown: The question is, do we want our Navy to stay out three miles or twelve miles, or go in closer?

Secretary Kissinger: Where are our ships now?

Gen. Brown: They are no closer than three miles offshore. We have encouraged them orally to stay about three miles offshore.

Secretary Kissinger: That means they are probably beyond the twelve mile limit.

Mr. Clements: No, Henry, I think they are probably looking for people.

Secretary Kissinger: So the rules are that they are not to actively search for people, just pick them up when they can?

Gen. Brown: That's the idea.

Secretary Kissinger: What are you doing with them? Can we determine who they are?

Mr. Colby: Most of them are just scared people. There are some high-risk people mixed in, but most are just ordinary refugees. It's hard to separate out the high-risk from the normal.

Secretary Kissinger: Can you separate them out on board?

Mr. Stearman: Sure, can't you screen out the high-risk and take the others to Phu Quoc?

Secretary Kissinger: Our policy is not to favor the ordinary refugees. Get us the facts on who these people are that are getting on the ships (to Gen. Brown).

Gen. Brown: Well, these ships are all commercial cargo ships on lease to the Navy. There is a small Marine detachment on eight of the thirteen ships, but they are there only to keep the ship from getting messed up anymore than it has to be. The Marines are capable of putting off the people onto Phu Quoc Island, but what I'm trying to say is that they are not trained to screen people. They have had no training in that. They just don't have the capability to screen people.

Mr. Colby: We were able to get some of our high-risk people to Taipei. There is about 1,000 of them. You said the limit was 1,000, so we took out 1,000. Some have also gotten to Thailand.

Secretary Kissinger: [1 line not declassified]

Mr. Miller: Getting those people off Phu Quoc Island is going to be a real problem.

Mr. Habib: The answer is that we're not going to get them off.

Secretary Kissinger: We just can't take 50,000 refugees off Phu Quoc, and we can't use it as a dumping ground.

Gen. Brown: Could I make a plea for help in evacuating the people from the other islands around Phu Quoc?

Secretary Kissinger: Those people we should take out, if only so that the South Vietnamese can fly their planes in.

Amb. Brown: The South Vietnamese Air Force can fly to Clark (AFB).

Gen. Brown: Not all of them will.

Mr. Habib: A lot will go to Thailand.

Secretary Kissinger: Well, we'll meet again tomorrow about this time.

267. Memorandum of Conversation¹

Washington, April 28, 1975, 11:25 a.m.

PARTICIPANTS

President Ford

Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for NSC.

Lt. General Brent Scowcroft, Deputy Assistant to the President for NSC

President: Did the A-37's do major damage?

Kissinger: No. They hit the Vietnamese Air Force side.

President: How many are out now?

Kissinger: 35–40,000. It's remarkable.

President: It really has been magnificently done.

Kissinger: The PRG asked to meet us in Paris, then they stalled, then they demanded we go to their office. We have little capability left and they seemed to be toughening up. Congress hasn't acted.

President: What does Martin think?

Kissinger: He thinks it will take a long time to have a transition and he wants to turn it into relief and rehabilitation for Minh.² But I think they will dominate Minh soon and then we will be hostage. Also the JGS control over the forces will decline. Later this week we may be faced with the need to evacuate. When Smith decides Tan Son Nhut can't be used, we pull out the people doing the processing. Then the helicopter operation would be only at one site. But they keep changing the numbers which can be lifted.

President: Are the G-2's protected?

Kissinger: One is the MACV compound, the other . . . Graham would keep the DAO there after the refugees stop so Minh can trade for them. I sympathize, but the way the Pentagon has operated, I don't think we can defend domestically leaving them.

President: I think when their function is gone, I don't think you can defend domestically leaving them.

Kissinger: Their function is advising ARVN, so their leaving would further deteriorate the situation and depress the GVN. You don't need to decide now, but the situation will keep unravelling—our friends will be leaving. I think we should watch the Minh Government very raptly and when it changes composition we may want to cut back very quickly or pull out. We have an obligation to make the transition as humane

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, Chronological File. Secret; Nodis. The meeting was held in the Oval Office.

² See footnote 4, Document 266.

as possible, but I don't agree with Martin that we have a large embassy there for relief; we should negotiate it separately.

President: Keep a close watch on it. How many are left?

Kissinger: There are 150 or so unofficial Americans. They have all been warned, and I am not so worried about that. The official Americans are our problem.

[Omitted here is discussion unrelated to Vietnam.]

268. Minutes of National Security Council Meeting¹

Washington, April 28, 1975, 7:23–8:08 p.m.

PARTICIPANTS

President Ford
Vice President Rockefeller
Secretary of State Kissinger
Secretary of Defense Schlesinger
Chairman, Joint Chiefs of Staff, General George S. Brown
Director of Central Intelligence William Colby
Deputy Secretary of State Robert Ingersoll
Deputy Secretary of Defense William Clements
Lt. General Brent Scowcroft, Deputy Assistant to the President for National Security Affairs
W. R. Smyser, Senior Staff Member, National Security Council

President: Brent Scowcroft this afternoon brought me the report that two Marines had been lost,² so I felt we should convene the National Security Council to discuss the situation in Saigon.

Who can bring us up-to-date?

Colby: I think I can.

What has happened is that the Viet Cong have rejected Minh's ceasefire offer. They have now added a third demand, which is to dismantle the South Vietnamese armed forces. Bien Hoa is in the process of falling. The Viet Cong have cut off the road to the Delta and are advancing on Vung Tau.

¹ Source: Ford Library, National Security Adviser, NSC Meeting File, 1974–1977, Box 1, Chronological File. Top Secret; Sensitive. The meeting was held in the Roosevelt Room at the White House.

² The two Marines were killed by rocket fire at Tan Son Nhut airbase while guarding evacuees.

It is a very dangerous situation. The North Vietnamese are bringing artillery within range of Tan Son Nhut airport. At 4:00 a.m. they had a salvo of rockets against Tan Son Nhut. This is what killed the Marines. This salvo was followed by 130 millimeter artillery fire. Some of this artillery fire hit the American side, not the Vietnamese side like last night.

Three aircraft have been shot down. All are Vietnamese. They include a C-119, an A-1, and an A-37 helicopter. The latter was shot down by an SA-7 missile. The presence of these missiles increases the risk factor greatly.

President: Has the rocket and the other fire now stopped?

Colby: No. It's continuing.

Schlesinger: The latest information is that there is still artillery fire against the airport. A flight of C-130's is going in to take out the DAO (Defense Attaché Office). They hope to be able to land, but they can be waved off by a controller on the ground if it is unwise. North Vietnamese ground forces are one kilometer from Tan Son Nhut and advancing.

Colby: Those forces are of platoon strength, perhaps one or two platoons.

President: We should not predicate our judgments on two platoons. How many people is that?

Schlesinger: About 100.

President: When did you get a report that the firing was last going on?

Schlesinger: About 30 minutes ago.

President: What is the status of the runway?

Schlesinger: Landable.

President: Do you have air controllers?

Schlesinger: There are some on the ground.

President: Are there any C-130's on the ground?

Schlesinger: Only one, which had been hit. We are loading weapons and bombs on aircraft in Thailand. Our aircraft are in the air for potential cover, but they are over the water.

President: What kinds of bombs are these? Are they the "smart" bombs?

Brown: They are regular iron bombs. The aircraft do not carry "smart" bombs unless they have special equipment.

President: How many DAO people do you have at the airport?

Schlesinger: About 400, including contractors.

President: If the C-130's can land, they should. How many are there?

Brown: The plan is for 70 sorties, with each of 35 aircraft coming in twice.

President: Who will decide whether they come in?

Brown: The controller on the ground at Tan Son Nhut.

President: If these attacks continue, would he bring the aircraft in?

Brown: If it is artillery fire, he would wave them off. If it is rocket fire, he would bring them in.

He had a message yesterday that one artillery unit was to fire on two targets. They have now hit those two targets, an apron and a gymnasium used for processing.

President: For the processing of Vietnamese?

Brown: Yes.

Kissinger: Was that artillery or rocket fire?

Schlesinger: It is not certain.

Brown: What worries me more than the artillery fire is the report of an aircraft being shot down by an SA-7. Choppers or aircraft are defenseless against the SA-7. The only way to deflect the missiles is to use flares, but I am not sure whether the aircraft we are using are equipped for that. Of course, we have to do our mission, but if the risk becomes too great, we may need to turn off the lift.

President: If the risk is too great, the man on the ground has to judge. We cannot. That means we have to move to get the DAO people out as well as the Embassy. That is one possibility.

If they can land, they should carry out the operation as before. But when they find that it is getting too hazardous the last two C-130's have to take the DAO out.

I think we have to continue operations if the people on the ground say that conditions are alright, but if it is a question of two remaining aircraft they should be filled by the DAO personnel and not by Vietnamese.

Kissinger: I have talked to Graham Martin.³ I think the DAO should come out anyway. I also think the Embassy should be thinned down. If we have to go to suppressive fire, then we must remove the Americans. Otherwise, it is too risky.

Schlesinger: There is no authority now for suppressive fire, only for the chopper lift.

President: If we do not fire until they do, we are bound to lose some choppers to the SA-7's.

Schlesinger: It is a hard weapon to counter.

Brown: We cannot do much about them.

President: Will there be air cover above?

³ They spoke at 7:05 p.m. The memorandum of telephone conversation is in the Library of Congress, Manuscript Division, Kissinger Papers, Box 388, Telephone Conversations, Chronological File.

Brown: Whenever you say. Also, tankers.

President: Should we not have that cover even for the C-130's?

Brown: We can do that, as Jim Schlesinger says. The aircraft and the tankers are ready.

President: How much time will be lost before the aircraft come in?

Schlesinger: There are two issues. First, once we get to the point where we have to have air cover, we should pull out anyway.

Kissinger: I think if they see air cover, it helps.

President: If we have air cover but do not use it, they would still have enough radar to pick up our presence.

Brown: The artillery people do not. Nor do the SA-7 people.

I think we should not commit the air cover until we are ready to use it. The risk is such that they should only be used for a job, rather than to be picked up on radar.

Schlesinger: They may only be doing this shooting to bloody us. If they see fighters, they may hit us hard.

Kissinger: It may, of course, have the opposite effect. Even if some of their local units do not see our aircraft on radar, the high command in Hanoi will know it very quickly. I do not think that they will intensify their attacks.

Schlesinger: They may have pre-positioned orders to attack us.

Brown: I think they have pulled out the stops. The platoons that we have spoken of are being followed by more. They came in through that same area during the Tet offensive. They are ready for the battle of Tan Son Nhut.

President: If we decide on air cover, we have to go for the evacuation of Saigon and not just Tan Son Nhut. How soon will we know if the C-130's can land?

Brown: Within an hour. We have an open line to Graham Martin.

Kissinger: I think we have three decisions:

—First, how long to continue to operate, and whether the C-130's should just pull out Americans or Vietnamese as well. In either event, today is clearly the last day for fixed-wing operations.

—Second, whether you want to have air cover flown over Tan Son Nhut or wherever the evacuees can be picked up.

—Third, when we order suppressive fire. In this connection, I agree with Jim that it should only be used when pulling out Americans.

My concern is between balancing the risk to pull out all the stops if they have not yet decided to do so. I think if they see American air cover it would have a good effect.

Schlesinger: I think we can go in over the area with less equipment.

Clements: If you decided that this is the last day for civilian evacuation, we can proceed on that basis.

President: I think so. This is the last day for the evacuation of the Vietnamese.

Kissinger: Then the DAO will go out with them.

Brown: Regarding whether our air cover will be seen: We are putting in a Navy CAP above the air cover and Gayler has told them to jam the radar of the SA-2's.

President: Can the SA-7 not be jammed?

Brown: No. It is heat-seeking.

Scowcroft: We have just received a report that the airport is still taking fire. The two North Vietnamese platoons are still in the cemetery near Tan Son Nhut. The C-119 was shot down over the airport, and the other aircraft elsewhere. We also understand the C-130's are still on the way but are not landing.

Schlesinger: The North Vietnamese have 4,000 sappers in Saigon. They will hit the Embassy if we attack by fire.

Kissinger: I think that, if we fire, we have to pull out the entire Embassy. Maybe we should consider leaving a nucleus of volunteers, but I would pull everybody out. The North Vietnamese have the intention of humiliating us and it seems unwise to leave people there.

President: I agree. All should leave.

We now have made two decisions:

—First, today is the last day of Vietnamese evacuation.

—Second, if we fire, our people will go.

Are we ready to go to a helicopter lift?

Brown: Yes, if you or Ambassador Martin say so, we can have them there within an hour.

Kissinger: I understand your orders are that the Vietnamese should go today, and that the DAO and most of the Embassy should go with the rest of the fixed-wing aircraft.

President: I think they should be phased in.

Kissinger: A reduced staff should be left at the Embassy. If there is suppressive fire, we go to the plan to evacuate all Americans. If we have to go out, priority will go to the Americans.

Schlesinger: We should get Embassy people out today also.

Kissinger: Yes.

We should not let it out that this is the last day of civilian evacuation.

Vice President: Does the press know of the two Marines being killed?

Schlesinger: Yes. We will see how the four Chairmen react.

Brown: The Secretary said that Americans should have priority if we have to terminate the lift, but we will not know this. We will not know in advance which is the last aircraft.

Schlesinger: We should give them subtle priority.

President: We have to leave it to General Smith to phase them into the evacuation.

Kissinger: If the Americans get on the first aircraft, the situation will be out of control. We have to space them out. The people who should stay to the end are the team to handle the evacuation of the Vietnamese. The others should go.

President: We have to mix them. We do not want too many at the end.

Brown: I do not want to see Americans standing there waiting for the last plane.

Schlesinger: There is one question, Henry, that we need to think about. When it is known at the end of the day that this was the last day, will it not provoke panic against our Embassy?

Kissinger: I believe that, as the new Government comes in, our obligations are terminated.

Even without shelling, we might have a transformation of the Minh Government from a pro-American to a neutralist to an anti-American Government. This could have happened this week.

To answer the question, it could produce panic. It could also make the Government turn on us. With 150 people, this would be more manageable.

President: They are one hour away. Even later today, if the situation deteriorates more rapidly than we think, we can go.

Brown: We are 25 minutes away from a ship to the Embassy. We can go on your orders or Graham Martin's.

Schlesinger: There is a chance of a night attack.

Kissinger: I think the Embassy is safer from a disciplined attack than the DAO.

I think during the day tomorrow you will probably need to decide whether you want to take out the Embassy tomorrow night. You minimize the panic if you do not take the Embassy to Tan Son Nhut. So you may need the Embassy compound for evacuation.

I think we should take everybody we can out today, and then decide on the Embassy tomorrow.

President: What if the C-130 cannot land; then we cannot get people out by fixed-wing aircraft.

Kissinger: You can then go to an emergency airlift at the DAO and the Embassy, and you have no choice but to evacuate everybody. Then you might also have to go to suppressive fire.

Schlesinger: I think we should still try to get the C-130's in.

Brown: We are more ready to get people out at Tan Son Nhut than at the Embassy, since at the latter we need to blow up trees and to clear the parking lot.

President: We first need to see what happens at Tan Son Nhut. Then we have to use the DAO and Embassy lift.

Kissinger: If they keep up their attacks, it is because they have decided to bottle us up. We should then get everybody out.

President: Who executes?

Kissinger: I suggest we draft a message here, clear it with Jim and George, and show it to you. We will then send it to Graham Martin. Jim can send the same message to Gayler through his channels.

Then everybody should know what we are doing.

Clements: If we cannot get the C-130's in, we will need to make a critical decision at midnight or 1:00 a.m.

President: That decision would be whether to get out.

Schlesinger: Should we soften up the artillery first?

Brown: I would ignore the artillery for the chopper flight if the artillery is on the air field. But if it is on the DAO or on the Embassy, we cannot go in. In the first case, we would hope that they cannot shift too rapidly. In the second case, we may need to suppress.

Kissinger: But you would have air cover any way to protect the lift.

President: Where is the air cover now?

Brown: I recommend that it come in when we go to a helicopter lift.

President: We can await that until we see whether the C-130's can get in. If they cannot, then we go to Option 3. The decision will be forced by whether the C-130's can or cannot operate.

Is that agreed? (All nod.)

269. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, April 28, 1975, 2155Z.

WH50773. 1. The judgment of all agencies at the WSAG this morning² was that we could have as little as one to three days before a military collapse and Tan Son Nhut becomes unusable. This, of course, is at some variance with your 757.³

2. Our present thinking is that if the above estimate is accurate, we should attempt to evacuate DAO on the last C-130's before Tan Son Nhut closes, whenever that is. General Smith would make the recommendation regarding the danger to Tan Son Nhut. This would give you a chance to give your views at that end. When Tan Son Nhut closes, the refugee handling function of DAO would be terminated and our justification for keeping them in place would be very weak. We are prepared to listen to any counter-arguments you may wish to advance but that is the tentative decision at this point.

3. When Tan Son Nhut closes, we will then be faced with the question of the residual personnel strength we wish to maintain at the Embassy. It is my feeling that Minh will be pushed fairly rapidly into giving in to a pro-Communist or Communist-dominated government and our people could end up as hostages. The question then arises how long we should maintain any significant presence at all. I do not believe we should maintain a large presence under a Communist-dominated government. Neither do I believe that the Embassy should automatically undertake relief operations without being formally requested. If we are to engage in relief and rehabilitation, it should be incidental to negotiating our reentry and at the specific request of the new Saigon government.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing (3). Secret; Sensitive; Eyes Only; Flash.

² See Document 266.

³ See footnote 4, Document 266.

270. Transcript of Telephone Conversation Between Secretary of State Kissinger and the Ambassador to Vietnam (Martin)¹

April 28, 1975, 10:43 p.m.

K: Hello.

M: Hello, Henry. I think the personnel security is disintegrating at Tan Son Nhut, more than the enemy action and they tried to load a VNAF C 130 and got considerable interference from the ARVN. So I think the only thing to do is to go for execute on . . . (frequency wing)?

K: Okay, how much time do you need?—Well, you handle it from out there.

M: Yeh, okay.

K: Don't you think?

We'll give you the approval back which you will have within 15 minutes, and then you schedule it, but then you do it during your day-light hours.

M: I'm not sure we can complete it all today, but we'll sure try.

K: Okay, no you better complete it today.

M: Okay.

K: Okay, Graham, you did your best and it was excellent.

M: I don't like much A for effort, but—

K: Well that's what all of us are getting. That's all we are going to get out of this.

M: Yeh, I know that.

K: Okay, we'll be back to you within 20 minutes.

Thank you.

¹ Source: Library of Congress, Manuscript Division, Kissinger Papers, Box 388, Telephone Conversations, Chronological File. No classification marking. Kissinger was in Washington; Martin was in Saigon.

271. Backchannel Message From the President's Assistant for National Security Affairs (Kissinger) to the Ambassador to Vietnam (Martin)¹

Washington, April 29, 1975, 0101Z.

WH50782. 1. The President has met with the National Security Council² and has made the following decisions:

A. If the airport is open for fixed-wing operations today, you are to continue the evacuation of high risk Vietnamese by fixed-wing aircraft. You are also to evacuate by the end of the day all American personnel at Tan Son Nhut as well as all but bare minimum personnel from the Embassy.³

B. While you should not say so, this will be the last repeat last day of fixed-wing evacuation from Tan Son Nhut.

C. If the airport is unusable for fixed-wing aircraft or becomes so during the day as a result of enemy fire, you are immediately to resort to helicopter evacuation of all repeat all Americans, both from the DAO compound and from the Embassy compound, fighter CAP and suppressive fire will be used as necessary in the event of helicopter evacuation.

2. Admiral Gayler will be receiving identical instructions from Defense.

3. Warm regards.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing (3). Top Secret; Sensitive; Flash.

² See Document 268.

³ In backchannel message WH50784 to Martin, April 29, Kissinger added: "We have studied your request to keep a small staff behind and the President insists on total evacuation." (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing, (3))

272. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Saigon, April 29, 1975, 1015Z.

761. 1. Evacuation proceeding without serious hitch. General Smith tells me he hopes to depart about 1815 local time since they are in a more exposed position they are moving out faster. If the CH55 aircraft can land at night we are putting a big luminous sign and hope to flood light the Embassy compound to facilitate landing. We will come out quicker if we are confined to the pad on the roof since CH-46 can only take out 20 at a time. We will be here well towards dawn.

2. This is the last communication in this channel. If we are fortunate we may still maintain telephone communications for awhile. The US Mission staff has performed magnificently with great courage and imagination and we are all grateful for the precision with which Noel Gayler has carried out his instructions.

3. In the absence of any instructions to the contrary I have asked the French Embassy to assume responsibility as protecting power for our properties. At the moment he is not certain that his own will be safe, but there is literally no one else. I would suggest you have the Department request the French Government formally to assume this.

4. May I again say what a tower of strength you have been to us in these trying months.

5. With the warmest regards.

Martin

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (3). Secret; Flash. Sent with the instruction: "Deliver immediately."

273. Minutes of Washington Special Actions Group Meeting¹

Washington, April 29, 1975, 9:04–9:20 a.m.

SUBJECT

Vietnam evacuation

PARTICIPANTS

Chairman	CIA
Henry A. Kissinger	William Colby
State	Ted Shackley
Robert Ingersoll	William Christison
Amb. L. Dean Brown	NSC Staff
Philip Habib	LTG Brent Scowcroft
Robert Miller	W.R. Smyser
Defense	William Stearman
William Clements	Lt. Col. Don MacDonald
Robert Ellsworth	James Barnum
Morton Abramowitz	
JCS	
Gen. George S. Brown	

Secretary Kissinger: The President wants no briefings by any of the departments until after the White House briefing. Can you all arrange that please? There will be no briefings until after we have briefed here.

Mr. Ingersoll: I'm scheduled to go before the Senate Foreign Relations Committee at 10:00. I'm going to be asked questions. What shall I say?

Secretary Kissinger: What are you going up there for?

Mr. Ingersoll: To testify on the State Authorization Bill.

Secretary Kissinger: If you are asked, just say that you want to wait until after the White House briefing.

Gen. Brown: (Secretary) Schlesinger went on television about six o'clock this morning, you know.

Secretary Kissinger: That was brought to my attention. I didn't know it, but it was brought to my attention. I'm just relating Presidential instructions, okay? Just wait until after the White House briefing.

Gen. Brown: What time is the White House briefing going to be?

¹ Source: Ford Library, NSC Files, NSC Institutional Files (H-Files), Box 25, WSAG Meeting Minutes, Originals, April 1975. Top Secret; Sensitive. The meeting was held in the White House Situation Room.

Secretary Kissinger: We have a Cabinet meeting at 9:45 a.m., and the President wants to meet with the Congressional leadership at 11:00. After that is finished—I would say about 1:00 to 1:30 p.m. we'll have the briefing.

Mr. Habib: Is the helicopter evacuation finished?

Gen. Brown: With a lot of luck it should be over shortly—by 12:00 noon our time. The number of people to be evacuated keeps going up though, and the weather is bad. It's rainy and foggy. It's slowing us down.

Secretary Kissinger: Where are all these extra people coming from?

Gen. Brown: Over the wall and through the gates. I don't know where they are all coming from.

Secretary Kissinger: Can someone explain to me what the hell is going on! The orders are that only Americans are to be evacuated. Now, what the hell is going on?

Mr. Clements: There are still something like 350 to 400 Americans still to be evacuated.

Amb. Brown: There have been 4,500 people taken out so far. That's raw information.

Secretary Kissinger: And there are still Americans to be evacuated?

Gen. Brown: Yes, there are 500—close to 600 still to be evacuated.

Secretary Kissinger: And there is still no sign of opposition to the evacuation?

Gen. Brown: There has been some sniper fire from the roofs of buildings near the Embassy. One problem is that the weather is bad.

Secretary Kissinger: The weather is bad?

Mr. Habib: The rainy season starts in the middle of April. What you get is rain and fog early in the morning.

Secretary Kissinger: Does it clear during the day?

Mr. Habib: There are some clear spots during the afternoon.

Gen. Brown: We don't know yet if . . .

Secretary Kissinger: Why did it take so long to get the helilift started?

Gen. Brown: I don't know, but I suspect we'll need to have an investigation. I suspect that what happened was that some of the local commanders changed their plans at the last minute. Also, I suspect that they miscalculated when they converted the time from Zulu to Saigon time. They miscalculated by about two hours. The result was that we wasted two hours doing nothing. I was sitting over there in the command center doing nothing for two hours.

Secretary Kissinger: I know. I must have told the President three times that the helicopters were ten minutes out (from the carriers).

Mr. Clements: I don't know about you, Henry, but I'm just madder than hell about it. I know George (Gen. Brown) is too.

Gen. Brown: Once we got going, it went rather smoothly.

Secretary Kissinger: So we lost two hours.

Mr. Habib: It may end up that we will still have 200 Americans still at the Embassy compound and will have to evacuate them the next day.

(Secretary Kissinger was handed a note at this point.)

Secretary Kissinger: This says that the helicopters are taking fire from small arms, tracers, and anti-aircraft. It's an NSA message. Who could they be, ARVN?

Gen. Brown: It's hard to say.

Mr. Colby: Probably some ARVN and the local police. When they say small arms fire and tracers, it is probably police and ARVN.

Secretary Kissinger: Who's firing the anti-aircraft?

Mr. Colby: It's hard to say. Flying bullets sound like anti-aircraft to pilots under fire. It's just hard to tell.

Mr. Shackley: The only anti-aircraft guns in Saigon are those controlled by the South Vietnamese at the Presidential Palace grounds.

Secretary Kissinger: Do they (U.S.) have authority to fire back?

Gen. Brown: Yes, but it's hard to do, particularly at night. There's no coordination with the ground, and they can't see anything. It's just damn tricky to fire back at night.

Secretary Kissinger: Okay. I have to go see the President in a few minutes. Bill (Mr. Colby), do you have anything?

Mr. Colby: I can just briefly re-cap what has happened. (Began to brief from the attached.)²

Secretary Kissinger: I just saw a news release that Huyen (South Vietnamese Vice President) and the North Vietnamese had agreed to a cease-fire to begin on Wednesday.³

Mr. Colby: Yes, I just saw that too, but it's not confirmed. (Finished his briefing.)

Secretary Kissinger: Well, okay. I think the North Vietnamese have elected to take over Saigon militarily. Why do you think they changed their mind?

Mr. Colby: I think that the real question is, did they really hold back so that we could evacuate, or did they hold back only to reposition and resupply their troops?

² Colby's briefing, "Vietnam," April 29, attached but not printed.

³ April 30.

Mr. Habib: You know, they will probably attack (propaganda) our evacuation.

Secretary Kissinger: They could have given us a warning that they would attack in 24 hours.

Mr. Colby: There's one thing I would like to bring up. There are about 1,000 high-risk people at Phu Quoc Island that we would like to get out.

Secretary Kissinger: They should be taken out, definitely.

Mr. Habib: There are a lot of others there who want out too.

Secretary Kissinger: We can't take the refugees out, but I think that anybody who worked with us should be taken off the island.

Mr. Shackley: We do have a communications link out to the Naval Base at Phu Quoc.

(Secretary Kissinger was summoned by the President at this point.)

Secretary Kissinger: Okay, is there anything else? I have to go see the President.

Gen. Brown: I have one plea, Henry. There are still some 400-odd Americans still in the compound at the Embassy. The Ambassador has got to get those people out of there. Can't you tell him to get them out of there?

Secretary Kissinger: Those are his bloody orders, goddamnit!

Gen. Brown: I know, but he's not complying.

Secretary Kissinger: There is no reason for Americans to still be there. He has been ordered by the President of the United States to get them the hell out of there. My impression was that you said that it would take one and one-half hours for the evacuation and that it would be only Americans. At four o'clock this morning I find out that nobody is off the ground yet. Now what the hell is going on? Yes, I'll instruct the Ambassador to get those people out, but he's been ordered to get those people out a hundred times. Look, call Martin (to Gen. Scowcroft) and tell him of the concern here. We can't tell him how to load his helicopters. I'll call him. I have to go.

274. Memorandum of Conversation¹

Washington, April 29, 1975, 9:45 a.m.

SUBJECT

The President's Meeting with the Cabinet on Indochina

President: We had a difficult time in Indochina recently, beginning with the situation in Phnom Penh. We have managed in Vietnam to prevent a panic and to stabilize the military and diplomatic situation temporarily. This has enabled us to get virtually all the Americans out and many Vietnamese out. The fact that we have not panicked and have kept together has enabled us to come out of a tragic situation as well as possible.

Kissinger: When the President made his April 10th speech to the Congress,² he set the goal of stabilization of the situation. That optimized our chances for whatever the outcome would be. It prevented a panic and the jeopardizing of 6,000 Americans; it kept stability in government, and it gave some chance to the high-risk Vietnamese. The supplemental kept troops in the field and let us start the evacuation. Defacto there was a ceasefire for a few days.

If there is a change in government in Saigon, it is foreseeable it would move from pro-American to neutral to pro-Communist and from helping us to opposing us.

Between the speech and yesterday, the number of Americans was reduced from 6,000 to 950. Yesterday, Tan Son Nhut came under attack. The President called an NSC meeting and decided on one more day of fixed-wing operations if possible to get out 8,000 Vietnamese and thin out the Americans.³ We located them in two areas: the Tan Son Nhut compound with about 400 Americans, and the Embassy with 400 Americans and 200 hangers-on. The airport was closed by incoming fire so the President ordered a helicopter evacuation. The airlift was ordered at 1050 and began in the early hours.⁴ Our orders were to evacuate the Americans, and we thought that could be done in a couple of hours, but the Americans became mixed with Vietnamese and the decision was they couldn't be evacuated without danger, so we have evacuated

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, Chronological File. Confidential. The meeting was held in the White House Cabinet Room. Brackets are in the original.

² See Document 217.

³ See Document 268.

⁴ See Document 271.

many Vietnamese. The operation is continuing and probably will continue for two or three more hours. If we are lucky and get them out, we will have accomplished our objective to get the high-risk Vietnamese out, and we have eased the transition to the new government. It is still tragic but at least it is controlled.

President: The two Marines who were killed yesterday were killed by happenstance rocket fire. We planned a fixed-wing evacuation, but they were warned off when the runway was blocked. We then went to a helicopter evacuation. On the ground they decided to evacuate Vietnamese with Americans and we have to let them be the judge on the ground.

Schlesinger: There are about 200 men in a security force at Tan Son Nhut because the priority now is at the Embassy. There are an unknown number of Americans and Vietnamese still left. The only attacks were on aircraft on which fire was returned and on the boat from Can Tho. Now we have the problem of sniper fire. We hope to complete the operation by noon.

President: Are we actually in the process of getting the security force out of Tan Son Nhut?

Schlesinger: Yes.

Kissinger: They can protect themselves better than others.

Morton: How about other nationals?

Kissinger: All have left but the French.

President: One of the problems has been that the number of Americans has been growing as we evacuate—they are coming out of the woodwork. The rifle fire is worrisome. The fire is South Vietnamese, which illustrates the problem we would have faced had we panicked the situation.

Kissinger: And pushing for aid helped keep the situation stable.

Schlesinger: [Describes the loss of control at Tan Son Nhut] which led to your decision to evacuate at about 11:00 p.m.

President: We have ordered Martin to get the Americans out but he is the judge of how to get them out best.

Kissinger: You never ordered any but Americans out in the helicopter lift. Including Vietnamese was a local decision, probably to insure the evacuation of American citizens.

Morton: Where will the refugees go?

President: We have set up three U.S. refugee centers—Camp Pendleton, Camp Chaffee and Eglin Air Force Base. There were some objections to this, but we must spread them out to the extent possible.

Kissinger: We have approached a number of countries to take some.

President: After the leadership meeting, Henry and Ron Nessen will brief the press.⁵ Tell them. Let's say nothing so we can speak with one voice.

Morton: Maybe the TTPI can take 4–5,000 skilled people. There is a real shortage and we can explore it.

Coleman: Are you giving any thought now to outlining what our foreign policy will be in this part of the world from here out? Your April 10th speech was great for the time but obviously, the situation has changed now.

⁵ Nessen's April 29 press briefing was reported in *The New York Times*, April 30, 1975. Regarding Kissinger's press conference, see Document 278.

275. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Saigon, April 29, 1975, 1414Z.

Perhaps you can tell me how to make some of these Americans abandon their half Vietnamese children, or how the President would look if he ordered this.²

For more than 50 minutes there have been no CH-53's here, and only one CH46.

Commander Seventh Fleet messaged me about hour and half ago, saying he would like to stand down about 2300 hours and resume 0800 tomorrow morning.

I replied that I damn well didn't want to spend another night here.

Four hours ago I told Noel the number of sorties we need. Now the number is 30 CH53 sorties. I don't really mind giving DAO complete priority—they were more exposed than we were here. I need 30 CH53's sorties damn quick and I have received nothing but silence since I asked for them.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (3). Secret; Sensitive; Flash.

² In backchannel message WH50786 to Saigon, April 29, Scowcroft informed Martin: "Understand there are still about 400 Americans in Embassy compound. You should insure that all repeat all Americans are evacuated in the operation ASAP." (Ibid., Outgoing, 3)

I am well aware of the danger here tomorrow and I want to get out tonight. But I damn well need at least 30 CH53's or the equivalent to do that. Do you think you can? Get President to order CINCPAC to finish job quickly.

I repeat, I need 30 CH53's and I need them now!³

Warm regards.

³ In a follow-up, unnumbered backchannel message from Saigon, April 29, 1433Z, Martin added: "Among Americans here it is Father McVeigh, head of Catholic Relief Service, who will not leave without his Vietnamese staff who he knows will be persecuted on basis of what has happened in MR's I and II. How will President explain to Bishop Swan Strum, U.S. head of CRS, or Father McVeigh's great and good friend Cardinal Cooke why I left him. I repeat I need 30 sorties tonight. Please get them for me." (Ibid., Incoming (3)) In backchannel message WH50788 to Saigon, April 29, Scowcroft replied: "Defense promises 30 CH53's on the way." (Ibid., Outgoing, 3)

276. Memorandum for the Record¹

Washington, April 29, 1975, 11:40 a.m.–12:30 p.m.

PARTICIPANTS

President Ford
 Vice President Rockefeller
 Dr. Henry A. Kissinger, Secretary of State and Assistant to the President for
 National Security Affairs
 James R. Schlesinger, Secretary of Defense
 Bipartisan Congressional Leadership (List attached)

SUBJECT

Vietnam Evacuation

The President: When I made my April 10 request for legislation, we had about 6,000 Americans in South Vietnam. We also felt that there were about 200,000 to 275,000 South Vietnamese we had some obligation to in return for their long service to the United States. Since April 10, we have acted to draw down greatly the number of Americans in Vietnam. Last Saturday we ordered the Embassy to be down to 1,095 Americans.² In the meantime we have also withdrawn a large number

¹ Source: Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, Chronological File. Confidential. The meeting was held in the White House Cabinet Room. Brackets are in the original. A list of attendees is attached but not printed.

² April 26. See footnote 2, Document 257.

of the high risk South Vietnamese citizens. We had planned that Monday, yesterday, would be the last day on which we could remove the Americans by fixed wing aircraft. It was our plan to remove the Defense Attaché's Office entirely.

But then yesterday, the rocket attacks and artillery attacks on Tan Son Nhut Airport began. The rockets did not bother us much but the accurate artillery fire gave us considerable concern. We had scheduled a number of C-130s for the final evacuation but the rocket and artillery attacks precluded the possibility of the C-130s landing. I, therefore, issued orders last evening for the helicopter evacuation operation to begin. We planned to have the helicopters land at both the Embassy and Tan Son Nhut. The evacuation operation is still going on at this time and will continue to do so without interruption until the last American is out. Jim (Schlesinger), I want you to ensure there is no break or interruption in this operation.

At this point I would like to ask Henry Kissinger to give you the latest figures we have on the status of the evacuation.

Secretary Kissinger: On Tuesday morning Saigon time, we received reports that continued use of the airport was problematic. The President ordered one more day of airlift for 8,000 additional high risk Vietnamese already gathered at the airport plus the 400 Defense Attaché personnel working at the airport. The rest of the Americans were at the Embassy in Saigon and the President ordered that the Embassy's personnel be stripped to a minimum. That order was overtaken by events when the attacks on the airport occurred and discipline there broke down, with civilians blocking the runways. This occurred about 10:30 last night our time. The President then ordered the full helicopter evacuation and that operation is continuing now. The latest numbers we have show some 89 Americans remaining at the DAO compound at the airport and about 700 people still at the Embassy grounds. We don't know how many of these are Americans. Let me give you the total number of people evacuated by helicopter at this point: 1237 from the Embassy and almost 4,000 from the DAO.

So far there have been no casualties and no need for hostile action in this operation. However there were two marines killed by a rocket attack before the helicopter evacuation started. There has been no North Vietnamese attempt to interfere with this effort except some minor sniper fire.

I would point out that our whole effort over the past two weeks has been to achieve some measure of stability in the situation in South Vietnam: (1) to save American lives, (2) to save as many as possible of the Vietnamese to whom we owed an obligation for their association with the United States, and (3) to bring about whatever political evolution that might be possible without bloodshed if such a way could

be found. These objectives will have been achieved successfully when the last American leaves Saigon later today. We will have moved out over 45,000 high risk Vietnamese Nationals. I would also add that through third parties, we were able to achieve a lull in the fighting and thus permit a possible political solution to take place. Nevertheless, we have no illusion about North Vietnamese intentions or the probable ultimate outcome in Vietnam.

The President: It is nearly midnight in Saigon but so far our evacuation operation is continuing without problems. I would point out one problem we ran into in recent days was that the number of Americans kept going up as AWOL soldiers and others continuously showed up in Saigon to be evacuated. This kept the overall total from dropping very much despite the fact that we were moving large numbers of people out of Saigon. We have also been able to avert any panic among the South Vietnamese, at least until yesterday. Only yesterday did the situation become difficult in the wake of the attacks on the airport. Jim, do you have any additional points to make?

Secretary Schlesinger: I think I want to mention a few incidents which have occurred that you may be hearing about. One of our F-4s took some antiaircraft fire. The F-4 returned fire but this is the only use of force from our side so far. One A-7 failed to get back to the ship but the pilot was recovered. One helicopter has also been lost. We have also flown out of Vietnam some \$300 to \$400 million in equipment. This is mostly aircraft from the Vietnamese Air Force. A substantial number of planes have been saved in this way.

When Tan Son Nhut was closed we were faced with mixed loads of passengers awaiting the scheduled C-130s. Because it would have been difficult, if not impossible, to separate the Americans from the Vietnamese awaiting evacuation, the decision was made to take out the Vietnamese already assembled at the DAO compound. I want to say, Mr. President, that our helicopters and other forces are performing magnificently despite difficult conditions and considerable fatigue.

Question: Were we ordered out of Vietnam by the South Vietnamese?

The President: Yes, President Minh had ordered all the Americans out.

Secretary Kissinger: There were two stages in this process. First, the Communists demanded the removal of all U.S. defense personnel. Then this morning the Communists escalated their demands to ask for the removal of all U.S. personnel. President Minh acquiesced in this demand. I would say that this had some advantage for us in that it made our departure look like it was done at the request of the South Vietnamese Government and, therefore, may have served to keep the disaffection down among the South Vietnamese. Nevertheless, the

President's decision to withdraw Americans was made before President Minh's request.

The President: The evacuation decision was made at a meeting of the NSC last night which began at about 7:00 and lasted until after 8:00. Because of the situation on the ground, we tried to give some flexibility to our people there, but we soon gave the order for the final evacuation effort.

Question: When was all that equipment brought out?

Secretary Schlesinger: In recent days a substantial amount of high value equipment, including computers, was flown out from Binh Hoa. We also arranged to fly out a large number of aircraft and also a number of naval vessels were removed from South Vietnam. Thus, a substantial quantity of matériel has been saved. Some of this we can use and some of it we will want to give to our allies in the region.

Question: Is President Minh undertaking the negotiations required by Paris Accords?

Secretary Kissinger: Minh has repeatedly offered negotiations as the Accords require, but the Communists have constantly escalated their demands. It is my impression that the Communists want the total dissolution of the South Vietnamese Government.

Question: What will they eventually do?

Secretary Kissinger: Nobody really knows. They may opt for some type of interim PRG Government structure and then follow this with some thinly disguised plebiscite to reunite the South with North Vietnam.

Question: The House is to vote today on H. 6096, the Humanitarian Assistance Bill. Is it still relevant? Will we respond to appeals for humanitarian relief?

The President: We should approve this legislation so that we can respond to the humanitarian needs, but we will want to reserve judgment on giving aid to the occupied areas of South Vietnam.

Question: But there will be no need to invoke the evacuation provisions of that bill.

The President: The authorities contained in that bill are now moot.

Question: Should we delay the House vote by a day to clarify these questions?

Secretary Kissinger: By this time tomorrow we can assure you that the evacuation authority will not be used.

Question: Can we delay a decision on the money involved?

The President: By later today we can give you assurances on the evacuation authority. Perhaps the bill could then be passed tomorrow. We will know how much money will be needed by Thursday. As you

know we have borrowed funds under the Section 614 waiver authority. We will need to replace these funds at some point.

Question: You definitely will need a replacement?

The President: Yes, and we will need additional funds for continued humanitarian assistance.

Question: Will you send up a supplemental request for appropriations?

The President: Yes, we will.

Question: Is some of this money to help the Government of Guam and other governments?

The President: I hope the precise language of the legislation will permit us some flexibility to put the money where it is needed.

Question: What is wrong with scrapping the bill we now have and starting over again to come up with something clean? There is no need for the evacuation authority now.

The President: I don't think it is necessary to scrap the bill. The proper authority is there whether we need it or not, but we definitely need the funding as soon as possible.

Question: We can send the bill back to conference to delete the evacuation authority from the bill.

Question: I would hope the House would move to pass the bill anyway.

Question: Why can't we avoid a lot of controversy in the House by eliminating the section on evacuation authority?

Question: If the President will give us assurance that he won't use the authority, why can't we just respond to the President's request for funds and vote the bill immediately.

The President: When you appropriate the funds, why don't you just write the appropriation so it doesn't refer to those objectionable authorities.

Question: But the authority for the use of troops, even if moot, will cause great trouble on the Hill as a precedent. Even if the President assures us that the authority will not be used, we will still have considerable opposition to the bill.

Question: We don't want to establish any precedents.

The President: But that is moot. It was only to give me the ability to respond to an urgent situation which is now past us. Why can't you just write your restrictions into the appropriations bill?

The Vice President: I want to ask, wouldn't the authority to use troops in the House bill be a useful precedent to establish for a possible Middle East contingency?

Question: Why not send the conference report package to committee requesting that section 4 be eliminated?

Question: Let's get the President's assurance then we can send it back to the conference committee.

The President: Why don't you delay action until later today or even until tomorrow.

Question: I can say that the Senate will accept striking out the evacuation authority if the House acts to do so and the President gives us the assurances be mentioned.

The President (to Schlesinger): Jim, when will the evacuation operation end?

Secretary Schlesinger: We really don't know because of some bad weather. With good weather we should be out by 2:00 p.m.

The President: Can we notify the Congress by 2:00 p.m.?

Secretary Kissinger: Wouldn't it be better to wait until tomorrow for the House to vote on the conference report.

The President: Can we postpone a vote until tomorrow morning?

Question: I definitely think we should defer action until tomorrow.

Speaker Albert: I will call right now to tell Morgan to hold up a vote until tomorrow. (Albert leaves room briefly.)³

Question: Can we presume that less than \$327 million will be needed?

The President: We will have to analyze our needs and then make a judgment. We will send up a request for appropriations when we have made this analysis.

Question: I can tell you that the bill will be defeated if you even hint of asking to give money to Hanoi.

Question: What have France and other Third Countries done to help bring about a settlement and to take in some refugees?

The President: We made maximum use of third parties in our diplomatic efforts for a ceasefire.

³ The next day, April 30, the President wrote to the Speaker of the House asking that the House move quickly to approve the conference report on H.R. 6096 and assuring the Speaker that the sections on the evacuation authority had been overtaken by events. After the House's negative vote on the bill, Ford released a statement expressing his disappointment with the vote and urging Congress to approve new legislation to provide humanitarian assistance. See *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 608–609 and 619.

Secretary Kissinger: We also approached many countries to take in refugees but we estimate that 90 percent of the 45,000 refugees will come to the United States. The President granted parole authority for 130,000 but this was only an initial estimate. It now looks like 50,000 will be the top number.

Question: 50,000 is all this country can absorb at any rate.

Secretary Kissinger: There is no way the total number can go much beyond 50,000.

Question: Mr. President, I hope you will make a public statement at some point asking the American people to make donations for refugee assistance.

The President: I plan to do so and I also plan to meet with a group of private, nongovernmental organizations to ask them to make a maximum effort in the resettlement of the refugees.

Let me also ask all of you as we break up not to make any comments to the press. Secretary Kissinger will give a press briefing when the evacuation operation is completed, and I think it best if we avoid any comment in the meantime.

277. Backchannel Message From the Ambassador to Vietnam (Martin) to the President's Deputy Assistant for National Security Affairs (Scowcroft) and the Commander in Chief, Pacific (Gayler)¹

Saigon, April 29, 1975, 1600Z.

Thanks for your message.²

19 CH46 sorties are most welcome. There is now another lull. Nothing in last 20 min. We need the capacity repeat capacity of 30 CH53 sorties to get us out of here. As I recall, a CH45 has about 2/5ths the capacity of a CH53.

¹ Source: Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Incoming (3). Secret Flash; Specat Exclusive. Repeated to General Brown. This is the final communication from Saigon.

² Apparent reference to backchannel message WH50788 to Saigon, April 29. See footnote 3, Document 275.

We still need the capacity rpt capacity of the 30 CH53 sorties requested in my previous message.³

It now seems I will spend part of April 30 here—a very small part I hope.

But I sure don't want to spend Mayday⁴ here.

Warm regards.

³ Document 275. In backchannel message WH50790 to Saigon, April 29, Scowcroft responded: "DOD informed me that the six CH-53's used in evacuating DAO compound will be made immediately available." (Ford Library, National Security Adviser, Backchannel Messages, Box 3, Martin Channel, April 1975, Outgoing, 3)

⁴ May 1.

278. Editorial Note

The Ambassador to Vietnam, Graham Martin, left Saigon aboard a CH-46 military helicopter at 2058Z, April 29, 1975. The last members of the U.S. Marine Corps Ground Security Force left the Embassy complex at 2346Z. During the Frequent Wind Operation, 0252Z, April 29 to 0054Z, April 30, the U.S. military evacuated 7,806 U.S. citizens and foreign nationals from South Vietnam. Operation Eagle Pull, 0030Z to 0418Z, April 11, removed 276 U.S., Cambodian, and third country nationals from Phnom Penh. (Memorandum from the Director, Joint Staff to the Assistant Secretary of Defense, Public Affairs, DJSM-1480-75, August 25; National Archives, RG 218, Records of Chairman, George S. Brown, Box 52, 820, Vietnam, 1975) According to an Interagency Task Force for Indochina Refugees report, June 15, 131,399 Cambodians and Vietnamese entered the U.S. refugee system between March and June 1975. For complete accounting, see "Report of Interagency Task Force for Indochina Refugees Transmitted to the Congress," Department of State *Bulletin*, July 28, 1975, pages 133–139.

President Ford released a brief statement on April 29 informing Americans that he had ordered the evacuation of all American personnel in Saigon and that the evacuation was complete. For text, see *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, page 605.

During an April 29 press conference, Secretary of State Henry Kissinger pointed to "the weakening of executive authority in the United States for reasons unconnected with foreign policy considerations" as a major cause of the failure of the Paris Agreement. He added:

"I think it will be a long time before Americans will be able to talk or write about the war with some dispassion. It is clear that the war did not achieve the objectives of those who started the original involvement nor the objectives of those who sought to end that involvement, which they found on terms which seemed to them compatible with the sacrifices that had been made. What lessons we should draw from it, I think we should reserve for another occasion. But I don't think that we can solve the problem of having entered the conflict too lightly by leaving it too lightly, either." For full text, see Department of State *Bulletin*, May 19, 1975, pages 625–633. Excerpts were printed in *The New York Times*, April 30, 1975.

279. Paper Prepared in the Department of State¹

Washington, undated.

The Lessons of Viet-Nam

To draw meaningful lessons from our Viet-Nam experience it is essential to bear in mind the climate of the times during which fateful decisions were taken. In 1954 it was widely accepted that we faced a monolithic Communist bloc bent on expansion through military means. Indochina was seen, with considerable logic in that context, as a primary locus for that expansion and there was a remarkably broad consensus in this country that the United States should combat it. In the early 1960's, America was imbued with an activist, outward-looking spirit, one reflection of which was the notion that American resources and American expertise could solve any problem anywhere. It was only in the late 60's, when our participation in what was perceived to be an unjust and unwinnable war became objectionable to broad segments of the American people, that our policies outstripped the national consensus and support for them began to wane.

Having been badly burned in Viet-Nam, the American people now appear to have quite different, and more limited, visions of our proper role in the world and our ability to influence events. In a sense, a control mechanism has evolved within our society which is likely to pre-

¹ Source: Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, Indochina Chronological File, Box 13, May 10–12, 1975. Confidential. Springsteen sent the paper to Scowcroft under a covering memorandum, May 9.

vent for the foreseeable future any repetition of a Viet-Nam style involvement. The danger may therefore be not that we will ignore the lessons of Viet-Nam, but that we will be tempted to apply them too broadly, in East Asia and around the world. Nonetheless, although not all of them are universally applicable, the lessons of Viet-Nam are clear, and numerous:

The Nature of Commitments

—We must keep commitments to individual countries tailored to our degree of interest. This is not to say that the independence and well-being of small countries are of no consequence or concern for the United States—only that such considerations are *relatively* more consequential in areas where our interests are more directly at issue. Related to this, resources devoted to carrying out our commitments should be proportionate to the intrinsic importance of the commitment itself, or of the interest it reflects.

—It follows, therefore, that we should *commit* ourselves only *selectively* to undertakings likely to involve the expenditure of lives or of massive resources. (*Important note*: having made commitments, we cannot be selectively reliable in fulfilling them.)

—Recognizing that constancy in our commitments is important, we should nevertheless *avoid confusing constancy with inertia*. When circumstances change dramatically, or a commitment clearly becomes unsustainable, we should draw the right conclusions and change our policy accordingly. 1968 was probably a better time to try for a comprehensive political settlement in Viet-Nam than was 1972. 1973 was a better time to press the GVN for further realistic political negotiations—particularly since we were in that year deprived by the Congress of the ability to enforce the Paris Agreement—than was 1974 or 1975.

The Nature of Allies

—Foremost among the criteria we might henceforth employ in making judgments about our commitments is the *indigenous strength and will* of our prospective ally—its ability to help itself. Although the Vietnamese government we supported was far more humane than its adversary, it was, in the final analysis, unable to mobilize effectively the support of its people in the face of an implacable, disciplined enemy. Without such support, ultimate defeat was probably inevitable. In our desire to stem North Vietnamese communist expansion, we underestimated this critical factor.

—In effect, we allowed saving South Viet-Nam to become more important to us than it was for the South Vietnamese themselves. In the future, we should *gauge our support to our allies' efforts*, and their successes. If they cannot do the job, we will be unable to do it for them.

—We should be fully aware of the fragility of governments which rest, to a significant degree, on the support of the military. This was not the chief cause of South Viet-Nam's downfall—indeed the GVN retained a considerable aura of legitimacy within Viet-Nam—but the inflexibility and narrowness of judgment of an increasingly isolated leadership in the face of unyielding North Vietnamese pressure played a role in the nation's ultimate collapse.

—We consistently allowed the GVN to utilize massive U.S. support as a substitute for solutions to its own internal political problems. We were never willing to force the GVN to face up to this fact.

The Nature of Adversaries

—There are probably few prospective opponents anywhere in the world who will prove to have the determination and single-mindedness of Hanoi. Nevertheless, we consistently underestimated the *tenacity and sense of purpose* of Hanoi, and overestimated our ability to break its will. We applied our strength without an adequate assessment of our opponent and thus neither achieved success nor deterred his pursuit of his objectives.

—Nor should we underestimate the ability of revolutionary movements to develop broad and deep-seated popular support in loosely structured, unmodern societies. Most such societies have relatively recent memories of colonialism, or continue to experience various degrees of external exploitation, and are as such susceptible to revolutionary appeals to nationalistic instincts. In Viet-Nam, we were never able to escape being the inheritors of the French colonization.

—Negotiated settlements of continuing conflicts have no intrinsic life of their own. With Communist adversaries such agreements must be backed by strength and the will to use it. When an agreement no longer serves their interest, they will ignore it if it is not enforceable. Since Hanoi's goal remained unchanged after January 1973, it followed that the Paris Agreement could not be successful without our readiness to force compliance or to continue high levels of military support to the GVN. (This does not mean that all agreements with all Communist states are inherently unworkable—obviously in areas where there is a confluence of sustained interests, agreements can be reached which Communist states will maintain.)

Limitations on Our Ability to Influence Events

—Clearly, Viet-Nam demonstrated that the effectiveness of modern military technology is severely limited in unconventional conflicts. Neither massive firepower, nor ingenious gimmickry, can insure success. Their selective use, on a piece-meal basis, adds to their ineffectiveness.

—In addition, if we ever again undertake a direct military involvement in such a conflict, we should *guard against shifting from a supportive to a primary role*, as we did in Viet-Nam beginning in 1965.

—Moreover, we should *avoid* situations such as developed in Viet-Nam in which the *indigenous defending forces became second-class citizens* in their own country; as our own military role grew, ARVN's declined, a situation which was not reversed until we began Vietnamization and the withdrawal of our forces.

—We should recognize that large expeditionary forces, by their very nature, will not adapt to the conditions of an unconventional conflict. Instead, the tendency will be to transform an unconventional war to a conventional one, while fundamental political aspects of the conflict are progressively ignored.

—We should admit *our own imperfect understanding of the political dynamics of foreign* (particularly Asian) *societies*. In Viet-Nam we persistently looked at political conditions, and made our judgments, from what was basically a Western perspective.

—Since our ability to understand the politics of countries such as Viet-Nam is limited, it follows that *our attempts to manipulate political forces may well fail*. We should not assume, as we did in 1963, that we know what is best for a country and proceed, as in the overthrow of Diem, to precipitate a situation with unknown and possibly disastrous consequences. Nor should we take the opposite tack—allying ourselves too rigidly with a leadership whose diminishing mandate we may not be able to perceive.

International Aspects of Bilateral Commitments

—We should more realistically assess our ability to maintain international support for difficult undertakings, recognizing at the outset that *we may be operating alone*, that other governments—because of limited resources, differing political perceptions or divergent national interests—will not support our efforts in any meaningful way. Through strenuous efforts we elicited some tangible support from a few of our friends for our policies in Viet-Nam, but this was not sustained.

—Moreover, we should bear in mind the possibility of undertakings such as Viet-Nam actively damaging our relations with other allies.

—We should *not expect*, in the event of another situation like Viet-Nam, that the *major Communist powers will help* pull our chestnuts out of the fire. At best, our bilateral relationships with the PRC and the Soviet Union may encourage a passive response from them—whether things are going well for us (as in 1972), or badly (as in 1975).

—We should expect that the major Communist powers will support local subversion and wars of liberation, particularly if they perceive no adverse effect on their relations with us or on their direct interests.

The Management of Commitments

—If we were ever to become involved again in an effort of the magnitude of Viet-Nam, we could make things somewhat easier for ourselves by improving the ways we attempt to manage our involvement. It can be argued that, in addition to having very little control over what South Viet-Nam did, we were never in firm control of our *own* resources, whether military, economic or political. A diffusion of responsibility and control compounded our difficulties.

—We should *guard against biased intelligence* and analysis to support policy goals, as happened in Viet-Nam particularly during the height of our involvement. Related to this, we should be wary of “*advocacy reporting*” from our missions and within the bureaucracy at home. A particularly virulent form of “localitis” affected many capable and dedicated individuals working in or on Viet-Nam. They were intensely committed, to a worthy goal, but personal commitment sometimes blurred judgment.

—We should devise more effective ways of bridging the gap between the expert level and the decision-making level of the government. Cogent judgment was often obscured as information and recommendations proceeded upward through the system, because of the pressures for success.

—We should insure that the *political and military* aspects of our commitments, and the resources we devote to each, are kept in proper *balance*. Military considerations will become dominant in policy if that balance is skewed and, as in Viet-Nam, we may lose sight of the fundamental nature of the conflict and our goals in it.

—We should try to insure that we do not become locked-in to “fire-fighting” management techniques. We must improve our ability to *anticipate events* in any situation of major American involvement, rather than finding ourselves—as we so often did in Viet-Nam—coping with crises after they had arisen.

Domestic Considerations

—We should recognize that no amount of cajolery can create public support for a foreign undertaking where none already exists. (Thus, our commitments must be related to perceived national interests.) An Administration, by active leadership, can only energize latent support.

—Having become involved in a difficult foreign project, we should not attempt to mislead public opinion or the Congress as to its duration or the level of sacrifice it will require. We should not profess to see lights at the end of tunnels. We should *not employ short-term rationales*, out of short-term expediency, when in fact much remains to be done.

—We should never assume that inconsistencies in our policies, or foul-ups in their implementation, will go unnoticed by the fourth es-

tate. We will have to live with the fact that mistakes will be exposed (as well as, unfortunately, the fact that any course of action, right or wrong, will be second-guessed).

—We should insure that *Congress is on board* not only at the outset of foreign commitments, but *at every stage* at which any escalation of our commitment or involvement is contemplated. In the absence of Congressional support, clearly, commitment beyond a certain level is impossible.

—Consistent with the requirements of military security, our basic policy decisions should be publicly stated and defended.

280. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Ford¹

Washington, May 12, 1975.

SUBJECT

Lessons of Vietnam

At your request, I have prepared some thoughts on the “lessons of Vietnam” for your consideration and for your background information in dealing with further press questions on the subject.

It is remarkable, considering how long the war lasted and how intensely it was reported and commented, that there are really not very many lessons from our experience in Vietnam that can be usefully applied elsewhere despite the obvious temptation to try. Vietnam represented a unique situation, geographically, ethnically, politically, militarily and diplomatically. We should probably be grateful for that and should recognize it for what it is, instead of trying to apply the “lessons of Vietnam” as universally as we once tried to apply the “lessons of Munich.”

The real frustration of Vietnam, in terms of commentary and evaluation, may be that the war had almost universal effects but did not provide a universal catechism.

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 20, Vietnam (23). Secret; Sensitive; Eyes Only. According to the covering memorandum from Smyser, May 12, the NSC Staff prepared this memorandum. Kissinger did not initial it and there is no indication that Ford saw it.

A frequent temptation of many commentators has been to draw conclusions regarding the tenacity of the American people and the ultimate failure of our will. But I question whether we can accept that conclusion. It was the longest war in American history, the most distant, the least obviously relevant to our nation's immediate concerns, and yet the American people supported our involvement and its general objectives until the very end. The people made enormous sacrifices. I am convinced that, even at the end, they would have been prepared to support a policy that would have saved South Vietnam if such an option had been available to use.

It must not be forgotten that the decisions of American administrations that involved this nation in the war were generally supported at the time they were taken, and that they were supported not only among the people at large but among the political elements and among the journalists who later came to oppose the war. The American people generally supported and applauded President Eisenhower for a decision to partition Vietnam and to support an anti-Communist government in the South. The American people, and particularly the American media, supported President Kennedy's decision to go beyond the restrictions on American involvement that President Eisenhower had set and they also supported his decision to permit American involvement in the removal of President Diem—although the extent of that involvement was not clear at the time. Many who were later to be labeled as "doves" on Vietnam then insisted that South Vietnam had to be saved and that President Diem's removal was essential to save it. You yourself will remember the strong support that the Tonkin Gulf resolution won on the Hill and the general support for President Johnson's decision to send troops. President Nixon won an outpouring of support for the decision to withdraw American forces at a gradual pace, as well as for the Paris Peace Agreement.

If one could offer any guidelines for the future about the lessons to be drawn regarding domestic support for foreign policy, it would be that American political groups will not long remain comfortable in positions that go against their traditional attitudes. The liberal Democrats could not long support a war against a revolutionary movement, no matter how reactionary the domestic tactics of that movement. They had accepted the heavy commitment to Vietnam because of President Kennedy, whom they regarded as their leader, but they withdrew from it under President Johnson.

One clear lesson that can be drawn, however, is the importance of absolute honesty and objectivity in all reporting, within and from the Government as well as from the press. U.S. official reports tended for a long time to be excessively optimistic, with the result that official statements did not make clear to the American people how long and

how tough the conflict might turn out to be. After a while the pessimistic reports from journalists began to gain greater credence because such positive trends as did emerge came too slowly to justify optimistic Washington assessments. In Vietnam, the situation was generally worse than some reported and better than others reported. But the pessimistic reports, even if they were inaccurate, began to look closer to the mark until almost any government statement could be rejected as biased, not only by the opposition but by an increasingly skeptical public.

Another lesson would be the absolute importance of focusing our own remarks and the public debate on essentials—even if those essentials are not clearly visible every night on the television screen. The Vietnam debate often turned into a fascination with issues that were, at best, peripheral. The “tiger cages” were seen as a symbol of South Vietnamese Government oppression, although that Government was facing an enemy who had assassinated, tortured and jailed an infinitely greater number; the “Phoenix” program became a subject of attack although North Vietnamese and Viet Cong tactics were infinitely more brutal. The Mylai incident tarnished the image of an American Army that had generally—through not always—been compassionate in dealing with the civilian population. Even at the end, much of the public discussion focused on President Thieu’s alleged failure to gain political support, but it was the Communists who rejected free elections and who brought in their reserve divisions because they did not have popular support. And at home, it was argued that your aid request meant American reinvolvement when nothing was further from your mind.

Of equal importance may be a dedication to consistency. When the United States entered the war during the 1960’s, it did so with excesses that not only ended the career and the life of an allied leader but that may have done serious damage to the American economy and that poured over half a million soldiers into a country where we never had more than 100,000 who were actually fighting. At the end, the excesses in the other direction made it impossible to get from the Congress only about 2 or 3 percent as much money as it had earlier appropriated every year. When we entered, many did so in the name of morality. Before the war was over, many opposed it in the name of morality. But nobody spoke of the morality of consistency, or of the virtue of seeing something through once its cost had been reduced to manageable proportions.

In terms of military tactics, we cannot help draw the conclusion that our armed forces are not suited to this kind of war. Even the Special Forces who had been designed for it could not prevail. This was partly because of the nature of the conflict. It was both a revolutionary war fought at knife-point during the night within the villages. It was also a main force war in which technology could make a genuine

difference. Both sides had trouble devising tactics that would be suitable for each type of warfare. But we and the South Vietnamese had more difficulty with this than the other side. We also had trouble with excesses here: when we made it “our war” we would not let the South Vietnamese fight it; when it again became “their war,” we would not help them fight it. Ironically, we prepared the South Vietnamese for main force warfare after 1954 (anticipating another Korean-type attack), and they faced a political war; they had prepared themselves for political warfare after 1973 only to be faced with a main force invasion 20 years after it had been expected.

Our diplomacy also suffered in the process, and it may take us some time to bring things back to balance. We often found that the United States could not sustain a diplomatic position for more than a few weeks or months before it came under attack from the same political elements that had often advocated that very position. We ended up negotiating with ourselves, constantly offering concession after concession while the North Vietnamese changed nothing in their diplomatic objectives and very little in their diplomatic positions. It was only in secret diplomacy that we could hold anything approaching a genuine dialogue, and even then the North Vietnamese could keep us under constant public pressure. Our diplomacy often degenerated into frantic efforts to find the formulas that would evoke momentary support and would gloss over obvious differences between ourselves and the North Vietnamese. The legacy of this remains to haunt us, making it difficult for us to sustain a diplomatic position for any length of time, no matter how obdurate the enemy, without becoming subject to domestic attack.

In the end, we must ask ourselves whether it was all worth it, or at least what benefits we did gain. I believe the benefits were many, though they have long been ignored, and I fear that we will only now begin to realize how much we need to shore up our positions elsewhere once our position in Vietnam is lost. We may be compelled to support other situations much more strongly in order to repair the damage and to take tougher stands in order to make others believe in us again.

I have always believed, as have many observers, that our decision to save South Vietnam in 1965 prevented Indonesia from falling to Communism and probably preserved the American presence in Asia.

This not only means that we kept our troops. It also means that we kept our economic presence as well as our political influence, and that our friends—including Japan—did not feel that they had to provide for their own defense. When we consider the impact of what is now happening, it is worth remembering how much greater the impact would have been ten years ago when the Communist movement

was still widely regarded as a monolith destined to engulf us all. Therefore, in our public statements, I believe we can honorably avoid self-flagellation and that we should not characterize our role in the conflict as a disgraceful disaster. I believe our efforts, militarily, diplomatically and politically, were not in vain. We paid a high price but we gained ten years of time and we changed what then appeared to be an overwhelming momentum. I do not believe our soldiers or our people needed to be ashamed.

281. Paper Prepared in the Department of State¹

Washington, undated.

LAOS

Background

With the formation of the Provisional Government of National Union (PGNU) in April 1974, the military contest for power in Laos became a political one. The Lao Patriotic Front (Pathet Lao) demonstrated a much greater ability in this than its opposition, the rightist Vientiane-side which retained its traditional disorganized methods of operation.

It can be deduced that the Pathet Lao—with or without encouragement from Hanoi—decided to step up its program for the assumption of power in Laos following the fall of Phnom Penh and Saigon. Coupled with this was the rapid demoralization of senior civil and military leaders of the Vientiane-side. By May 1, when a relatively modest group of demonstrators, largely students, took to the streets in Vientiane protesting against some of the Vientiane-side ministers, the Vientiane-side as a loosely organized body began to fall apart. Most controversial Vientiane-side civil and military leaders have left the country. The Forces Armées Royales (FAR) have virtually all submitted to the Pathet Lao Acting Defense Minister.

The Vientiane-side has been effectively removed from sharing power in the coalition and appears to have left only the role of compliant follower. Even though some Vientiane-side ministers remain in

¹ Source: Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 12, Laos. Secret.

their posts and even if the Prime Minister replaces those Vientiane-side figures who have resigned with others from the Vientiane-side, the momentum on the part of the Pathet Lao is now too great to be stopped.

While the transition of power to the LPF should be relatively peaceful, there is a potential for violence. This comes from youth groups, particularly, who favor a “liberation” and, perhaps, achievement of final power through some sort of force à la Cambodia and South Vietnam. In some ways, the students and other radicals seem to be moving ahead of the LPF.

U.S. Strategy

Our policy in Laos has been to support the PGNU, as it pursued its own policy of independence, neutrality and national reconciliation. On May 9, the Foreign Minister, who is of the LPF side, repeated to our Chargé his willingness to continue unchanged the relationship between our countries.² We do not know, however, if the Pathet Lao, holding the upper hand in the coalition, will put into practice the Minister’s friendly words.

The collapse of the Vientiane-side presents us with several problems requiring early attention.

—Our military assistance program has been intended largely to shore up the FAR as the single most organized body on the Vientiane-side capable of dealing with the LPF. The FAR now is effectively under the control of its erstwhile opponents. The Foreign Assistance Act places certain limits on the provision of assistance to countries governed by communist regimes. With this in mind, we have already concurred with DOD’s holding up all shipments of purely military items (e.g. ammunition) intended for Laos under the MAP program. We are continuing for the time being the flow of commercial consumables which make up a large part of the military assistance we give to Laos.

—Our military assistance program, unlike the economic assistance program, was based on a request from Prime Minister Souvanna Phouma made before the formation of the coalition government. This was reaffirmed by Defense Minister Sisouk (Vientiane-side) at the time of the formation of the government in April 1974. Military assistance thus has been provided directly to the Defense Ministry and then to the FAR, bypassing the possibility of LPF control. The collapse of the Vientiane-side has changed this. The LPF, who have all along demanded that our military assistance be provided to the PGNU rather than to the Defense Minister, are now in a position to benefit from this aid.

² Reported in telegram 3186 from Vientiane, May 9; National Archives, RG 59, Central Foreign Policy Files.

—Our economic assistance program faces the same legal requirements mentioned above relative to furnishing assistance to a communist-dominated regime. If it is determined, however, that it is in our national interest to continue such assistance, the Act (Section 620) allows us to go on with this program. We have been dealing through the Finance Ministry and Economy Ministry with both the Vientiane-side and the LPF in carrying out our aid program. The situation, then, is quite different from our one-sided dealings on military aid. We have also participated in an international aid effort through the Foreign Exchange Operations Fund and in setting up an informal consultative group under the IBRD for economic assistance to Laos. Moreover, we have completed three small scale projects within the LPF zone since the formation of the coalition. Most recently, we have provided funds to the United Nations High Commission for Refugees (UNHCR) for the refugee return-to-village program organized by the PGNU. Some 20,000 refugees in the Vientiane-side zone have been returned, under UNHCR supervision, to their places of origin in the LPF zone.

Issues and Choices

US Policy Toward Laos. For the time being, our relations with Laos continue as before with the encouragement of Prime Minister Souvanna Phouma and of the Foreign Minister (of the Pathet Lao side). Once the Pathet Lao take over is complete, either behind a facade of continued coalition or through assumption of all posts, we shall need to decide on whether it is in our interest to maintain our mission and some aid programs and at what level. Indications are that both factions and also interested foreign governments favor our presence, both for our concrete assistance and for our role as a balancing factor among the great powers. Our effort would demonstrate our continued interest in Indochina and support for Laos as a part of the area.

Military Assistance. The collapse of the Vientiane-side, the bowing of the FAR to Pathet Lao directives and particularly the resignation of Defense Minister Sisouk have rendered impossible the original objective of our military assistance program which was to shore up the military element of the Vientiane-side.

Complicating this issue is the fact that a large percentage of our military assistance program is in essence a welfare program for the Lao Army. The FAR was built up, at our behest, during the years of fighting to a level which the country by itself had no hope of sustaining. Since the ceasefire in 1973,³ FAR has demobilized steadily, with our encouragement and financial support, but it still has approximately 50,000

³ See Document 20.

troops on its rolls. To cut off the assistance being provided now would leave a sizeable body of unemployed soldiers with nothing to fall back on. Such an abrupt change would have a significant impact on an economy already in shambles.

The choice comes down to continuing, at least for the time being, an adjusted military assistance program in which we furnish no ammunition, ordnance or other purely military hardware, or, alternatively, terminating the program altogether.

Economic Assistance. The Lao economy, which has steadily deteriorated over the last few months, is in part dependent upon American economic assistance through the internationally financed Foreign Exchange Operation Fund for hard currencies to finance essential imports. This mechanism, to which we contributed \$16 million in FY 75, allows the country to buy the imports, principally food and fuel, to sustain itself. Other portions of our aid program are intended to set the country on the road to eventual economic self-sufficiency, a goal which we know is far off. The continuation of this aid will be a key factor in our relationship with Laos under a LPF-dominated regime. In the last year we have reduced the level of our assistance and the numbers of USG employees carrying out this program. Even without the recent changes in the government, we had plans to continue tailoring our program.

If we determine that continuation of economic aid is in the national interest, we foresee no abrupt changes in our relations with Laos to be expected from a PGNU dominated by the Pathet Lao. We shall reduce the number of Americans implementing the aid program.

Next Steps

For the present, we are following, rather than leading, developments in Laos.

We are prepared to maintain reduced MAP (except for arms and ammunition) and economic assistance programs as we observe developments. However, we may have to terminate these programs if our relations worsen or if American lives are clearly in danger.

We are proceeding with the despatch of Ambassador-designate Galen Stone in the normal way.

We may wish to consider inviting the King to Washington this summer as a mark of our support for him and as a sign of continued interest in Laos. The King is to visit Paris, and perhaps Moscow and Peking in July.

Because of the danger to Americans from radical group demonstrations and riots, whether tolerated or not by the government, we have decided on the withdrawal of all US personnel from the provinces and have instructed Chargé Chapman to speed-up a thinning out of Embassy personnel.

282. Memorandum From the Director of the Joint Staff (Train) to the Chairman of the Joint Chiefs of Staff (Brown)¹

DJSM-1061-96

Washington, June 24, 1975.

SUBJECT

Strategic Implications of the Indochina Experience

1. The attached paper, an excellent “think piece” on our Vietnam experience, was prepared by J-5 on their initiative. It focuses on the key strategic lessons bearing on JCS responsibilities while avoiding the numerous tactical or operational issues which are primarily Service concerns. Further, it suggests implications for the future.

2. Although controversial, and perhaps distasteful, I believe it is a subject the Chiefs should discuss at a regular meeting. Furthermore, it is an appropriate topic for JCS discussion with SecDef. Should the Chiefs not agree to a later discussion with SecDef, I recommend you forward a copy to him independently.

3. With this in mind a Chairman’s memorandum to the Joint Chiefs of Staff is enclosed for your consideration.²

Harry D. Train, II
Vice Admiral, USN

Enclosure A³

**STRATEGIC IMPLICATIONS OF THE UNITED STATES’
EXPERIENCE IN INDOCHINA**

Introduction

It is impossible to understand America’s basic conceptions and predispositions concerning foreign relations apart from her historical experience. We enjoyed over a century of relative isolation and security in the period from 1812 to WW II which spared us the necessity of coming to grips with the difficult problem of combining military power with foreign policy. Americans came to idealize international

¹ Source: National Archives, RG 218, Records of Chairman, George S. Brown, Box 52, 820, Vietnam, 1 July 1974–31 March 1975. No classification marking.

² Not attached.

³ Prepared by Colonel J.A. Briggs, USAF, Strategy Division, J-5.

society as the product of a natural harmony of interests wherein all nations, whether they recognize it or not, had an equal interest in peace and the status quo. With such a concept of world order, it was inevitable that the American psyche would come to equate diplomatic concessions to appeasement, and a limited settlement in wartime to humiliation. Despite our post-WW II experience in foreign relations involving power politics which contravenes this ideal image, the public psyche has been slow to adjust.

Implicit in the concept of limited war is the idea that some objectives are of less intrinsic value than others; that some are worth a great deal but few are worth risking all for. Until WW II, most Americans believed that the only war this country would fight would be one to protect its territorial sovereignty and that the necessary objective of such a war would be the total defeat of the enemy. After WW II, most Americans came to realize that nuclear weapons involve levels of devastation that virtually eliminate total war as a rational consideration. The principal objective of the nation's defense planning therefore shifted from total war to deterrence of attacks that might lead to a general war involving a nuclear exchange.

The earliest manifestation of deterrence was the policy of containment based on the West's post-WW II perception of a powerful Communist monolith controlling the EurAsian heartland and probing for expansion into Europe, the Middle East, Northeast Asia and the evolving excolonial Third World. In July of 1947, George Kennan called for "a long term, patient but firm and vigilant containment of Russian expansive tendencies . . ." Subsequently, a combination of economic and military assistance successfully resurrected Europe and this model was repeated elsewhere in response to crises along the Sino-Soviet periphery. As a result, an ad hoc network of alliances was constructed involving NATO, SEATO, CENTO, and ANZUS, as well as defense treaties with Korea, Japan, Taiwan, and the Philippines. With the 1958 landing in Lebanon, US commitments expanded from support of countries directly threatened by Communist power to the far broader task of attempting to maintain stability in a region undergoing basic political change.

Throughout this period, the fact that the United States depended on an announced strategy of "massive retaliation" indicated, to those who contemplated the credibility of this strategy, the difficulty the United States might find in honoring its commitments. As a result, following the emergence of Castro's Cuba, renewed Soviet pressure on Berlin, the Congo, the "missile gap," and Soviet and Chinese penetration into Africa, a new, more imaginative national policy emerged involving both dialogue with the Soviet Union and a broader, more flexible military strategy designed to enable the United States to fight

limited wars, including “Communist” inspired “wars of liberation.” This policy assumed that the Soviet Union had to be excluded from the Third World or the dynamics of political gestation there would inevitably result in either Soviet domination or direct military confrontation between the United States and USSR; that by preemptive intervention in the turmoil associated with political gestation, the United States could not only produce stability but in the process reduce tensions between itself and the Soviet Union.

The United States’ military intervention in Indochina was a logical extension of this policy. The course and consequence of this intervention will surely establish a watershed for future strategy involving the use of military force as an instrument of national policy. Following are some brief, initial inquiries into the background and possible implications of our experience in Indochina. The intention is to identify certain significant issues related to the responsibilities of the JCS.

Limited War

A limited war is generally conceived to be a war fought for ends far short of complete subordination of one state’s will to another’s and by means involving far less than the total military resources of the belligerents, leaving the civilian life and the armed forces of the belligerents largely intact and leading to a bargained termination.

Although a war between nuclear states could conform to this definition, the term limited war is generally applied to more likely, local, nonnuclear wars in which the super powers to do not confront each other directly. The difficulty in this sort of limited war is that the relevant limits are a matter of degree and perspective, since a war that is limited for one belligerent can be virtually total from the standpoint of another on those territory the war is fought.

Limited war concepts and policies arose in a period in which the Cold War expanded to Asia and the Soviet Union was achieving a nuclear capability. It was motivated by a desire to support the policy of containment more effectively yet reduce the danger of nuclear war. Proposed strategies of limited war were affected by whether emphasis was placed on more effective containment or on the avoidance of nuclear war, as well as premises concerning the nature of international Communism and its threat to American security, the willingness of the American people to support the cost of fighting aggression, and the identity of potential adversaries.

In both Europe and the Third World, limited war concepts sought to strengthen conventional resistance to local nonnuclear aggression and thus bolster our bargaining position in crises. In Europe, strategies for fighting large-scale limited wars seem seriously compromised by the likelihood that a war involving such stakes would not remain

limited, by the unwillingness of allies to support the costs of such a strategy, and by the fear of allied governments that emphasizing large-scale conventional resistance will undermine the efficacy of nuclear deterrence. In the Third World, these strategies seem even more seriously compromised by our experience in Indochina.

In Indochina, as in Korea, the objective, area of operation and level of force was limited. In both cases our national objective was to contain Communism, defeat aggression and support a free nation. In Korea, the military objective associated with our national interest was to restore the 38th parallel boundary. In Indochina, the military objective was to protect South Vietnam until a viable nation emerged. In neither case was the time-frame for the military operation limited and in each case this ultimately produced domestic repercussions.

The concept of limited war was resisted in Korea although our motivation for limiting the war there was fear of a larger war with China or a nuclear war with the Soviet Union. In Indochina, limitations were taken for granted but seemed motivated mainly by the fact that our political objective was not sufficiently valuable and our prospect of winning was not sufficiently promising to warrant significant expansion. Nevertheless, the rhetorical rationalization of our objective was systematically escalated until very serious interests became vested in the commitment. The objective of frustrating Communist aggression acquired an importance far greater than the geopolitical significance of the territory involved, and the fact of success became far more important than its fruits.

Government unburdened by political restraints can be flexible in the use of power, but this does not mean that only authoritarian governments can use force effectively as an instrument of national policy. Virtually every nation has interests and political objectives dependent on power for attainment. The American public's disenchantment over the Indochina War will surely result in serious questioning of the utility of limited war as an instrument of American policy. Nevertheless, it is inconceivable that this nation will not again be confronted by threats to its interests abroad. At such time as it is, a reasonable range of policy options will probably be available. So far as military action is concerned, it should be axiomatic that it be used only at a place and time that suits our capability. When the option of military action is selected, America's power should permit—and the American public's demonstrated aversion to long, limited wars will probably dictate—that our objective be achieved quickly by the use of overwhelming force.

The Objective

A distinct and realistic objective is the foundation of military strategy. It is the objective and the obstacles to its achievement that deter-

mine the size and structure of the force and the tactics that will be employed. In a democracy, a supportable military objective necessitates that it be related to an agreed national interest. National interests have been and will continue to be affected by specific issues and decisions and by the unpredictable interaction of external events and domestic politics. Only vital interests remain relatively clear and stable.

Our decision to back the French effort to reconquer its Indochinese colony in the face of post-WW II nationalistic fervor can be attributed to an order of priorities that assigned greater weight to the recovery of French power than to the unwillingness of the Vietnamese to remain under French rule. From that point on, American policy-makers slid into the ultimate fiasco through a series of improvisations and experiments devised to meet unforeseen developments. Greasing the skids after 1954 was the distorted premise that South Vietnam was another Korea or European "nation fighting for its freedom." South Vietnam was not a nation subjected to aggression in this sense. It was an entity recognized by the 1954 Geneva Conference to provide temporary administrative control of one half of a nation pending subsequent supervised elections to determine the form of government that would govern the reunited nation.

South Vietnam was governed by leaders, classes and political parties who profited by allying themselves with our cause. We attempted to "build democracy" on this base, but the transfer of our social and political assumptions did not work. We believed that American power could fill the political vacuum which resulted—and it did for a while—but the war devastated the countryside and drove hundreds of thousands of Vietnamese peasants into urban refugee camps, disrupting Vietnamese society and turning much of it into a rabble of displaced persons. Under these circumstances, the obstacles to achievement of our military objective of protecting South Vietnam until a viable nation emerged became immense. As the obstacles grew, the resources required also grew until this feedback system created an undertaking of such magnitude and uncertainty that only national interests of the gravest moment could sustain public support for it. The public could perceive no such interests and their support was lost.

The strategic significance of this experience could be that before this country again uses military force it must dispassionately assess the interest involved and assure that it is understandable to the public and sufficient to warrant the use of force. Having done this, a definite military objective should be established: e.g., occupy X amount of real estate; destroy X target; defeat X force. The desired political and operational limitations, including the timeframe for achieving the military objective, should also be specified. The force required to achieve the military objective within these political, operational and time constraints

can then be determined and the question of whether or not to commit this force addressed by the National Command Authority.

Failure

Uncertainties accompany every human enterprise. If force is committed to achieve an objective not related to vital national interests, it would seem prudent to plan for the possibility that unforeseen events could prevent the objective being achieved within the political, operational and time limitations established. In such a situation, it could be that the nation's interests would be best served by complete disengagement, or by withdrawal of the original force in favor of an alternate course of action involving a different objective and force. In either case, disengagement is a difficult maneuver and advance planning can provide the basis for timely decisions that will assure success and put the best possible political face on the maneuver. It is conceivable that had such plans existed for Indochina they would have been executed fairly early.

Vietnamization

By 1968, public opposition to our strategy in Indochina necessitated change. Vietnamization was part of a new strategy designed to correct the inattention given to South Vietnamese participation that had characterized the war from 1965 to 1968 and allow them to assume the key role in pursuit of the war and their future security. The concept involved improved government services and an improved economy, as well as an improved and stronger military establishment. The success of Vietnamization was dependent on coordinated progress in each area.

In the military sphere, the South Vietnamese forces were provided with more modern weapons and increased in size to partially offset the enemy's advantage in being able to mass when and where he chose. Although the plan was essentially defensive and the bulk of tactical formations were tied to the defense of particular territory, the risks were recognized and it was believed that the associate benefits of pacification outweighed the loss of flexibility.

The Tet Offensive and the attendant heavy Communist losses created a vacuum in the countryside which was exploited by the improved government forces. It also shocked the South Vietnamese into concerted action in support of the Vietnamization program.

Militarily, the program seemed to work and US Forces were successfully withdrawn. The Pacification Program made gains and major enemy attacks in 1972 were defeated with only logistic and air support by the United States. But improvements in government administration and services and in the economy lagged seriously and compromised

progress in the armed forces. As US assistance to South Vietnam diminished, the enemy began to adopt more traditional and offensive military tactics. Once the Congress proscribed the resumption of US bombing in Indochina, the enemy was free to take as much or as little of the war as it desired, at times and places of its own choosing. The South Vietnamese armed forces, defensively oriented and subject to more rigid tactics, were increasingly vulnerable to piecemeal attack. It was in this environment that a precipitous and poorly executed South Vietnamese tactical decision set in motion the ultimate military disaster.

One obvious strategic implication of our experience with the Vietnamization Program is that a nation cannot be built out of a diverse peasant society in the face of effective hostile forces unless a third, major force can protect one from the other throughout the entire building process. A logical extension of this implication is that unless a nation possesses an effective government and the will to defend its institutions, the United States should not adopt a strategy which depends on these factors for success. If our interests necessitate military operations in or defense of such a nation, our objective and force should be essentially independent of that nation's government or armed forces.

Gradualism

The concept of gradualism involves a deliberate increase in the application of force in response to enemy actions to prove one's determination, deter the enemy from his objective by indicating that its cost will exceed its value, and to thus resolve a conflict. As a strategy, it was designed to resolve the problem of preventing possible military conflict between the United States and Soviet Russia from escalating to mutual destruction. As applied in Indochina, it is clearly a discredited strategy.

Initially, gradualism permitted the enemy time to adjust to and counter our actions. Later, in the absence of a finite objective on our part, and in the face of steadfast commitment to a clear objective by the enemy, it permitted the enemy to counter our stick with carrots. When finally the stick was vigorously applied to produce negotiation, it was implicit that it would be withdrawn once negotiation was agreed to. Thus, when the punishment became intolerable, the enemy escaped from it by agreeing to the form of negotiations, while continuing to frustrate their substance.

In Indochina, by compromising the traditional principles of mass and surprise, and in the absence of equal interest in the outcome, gradualism failed. Nonetheless, considering the origins and intent of the concept, it should probably never have been applied in Indochina and could remain a valid strategy for conflict involving the vital interests of nuclear powers.

Summary

Disregarding the topical sequence established above for convenience in discussion, some of the implications of the United States' experience in Indochina that relate to the defense planning responsibilities of the JCS are:

—The American public is not as willing as earlier assumed to support extended military operations in support of limited interests abroad. The objective of future limited military operations abroad will need to be both clearly understandable to the public and of sufficient national interest to warrant the use of force.

—In addition to the political and operational limits appropriate to the objective of future limited military operations abroad, the time period over which public support can be predictably sustained should also constitute a limit.

—The force ultimately committed should be sufficient to achieve the objective within the political, operational and time constraints under the worst foreseeable circumstances.

—In the event unforeseeable circumstances prevent the objective being achieved within the limitations established, and national interests necessitate either complete disengagement or an alternative course of action involving a different objective and force, advance planning should include a disengagement plan which can provide the basis for timely decisions that will assure success and put the best possible political face on the situation.

—Unless another nation possesses an effective government and the will to defend its institutions, the United States should not adopt an objective or strategy related to that nation which depends on these factors for success.

—Although the concept of gradualism failed as applied in Indochina, it could remain a valid strategy for controlling conflict involving the vital interests of nuclear powers.

283. Memorandum From the Assistant to the Secretary of Defense (West) to Secretary of Defense Schlesinger¹

Washington, July 22, 1975.

SUBJECT

The Vietnam Historical Effort

I. Background

As a follow-up to your conversation with Bob Ellsworth about a Vietnam history, the bureaucracy is moving to interview refugees. DIA and the Air Force have ongoing efforts, and the Army is planning a sizeable program. The OSD historian proposes that he direct the OSD effort, using the Army interviews and splitting the costs with the Army. The Army plans to spend \$500,000 a year for three years for the interview program. The end product will be monographs written by Vietnamese, directed by a small group of Vietnamese working at GRC. Contracts to outfits like GRC have already been let by the Army and the Air Force, with the intent of analyzing different pieces of the Vietnam puzzle; e.g., the Air Force seeks a monograph on *The Last Days of VNAF*, etc.

The ongoing efforts are not without an element of risk, in that many questions of the ‘why did we lose Vietnam?’ type are included in the interviews. An Ellsberg-type armed with the Freedom of Information Act, teaming up with a hungry reporter, could create quite a storm.

On the other hand, there could be considerable benefit to a Vietnam post-mortem. For example, we may learn how our allies looked at us, how we went about determining our allies’ force structures, how we evaluated our allies, and why. We may also learn more about the causes of the SEA collapse,² a subject concerning which the impressions of our military and civilian leadership should be clear and correct.

Several members of your staff—Abramowitz, Marshall, von Marbod—believe that OSD should not leave all interviewing and research

¹ Source: Washington National Records Center, OSD Files: FRC 330–78–0058, 300–399, Vietnam, 1975. No classification marking. A handwritten notation at the bottom of the first page reads: “SecDef has seen.” An assessment of the military’s performance during the evacuation, “Noncombatant Emergency and Evacuation (NEMVAC) Survey Report,” September 3, is in National Archives, RG 218, Records of Chairman, George S. Brown, Box 59, 820, Vietnam, NEMVAC Survey Report.

² At Enclosure 1 is a rough cut at identifying those causes. [Footnote in the original.]

to the Services; rather, a small effort focused on at least three major topics should be undertaken under OSD direction. These three topics are:

1. *How did we look to our allies?* From the Vietnamese point of view, what were our relative strengths and weaknesses? Did we give sound advice? Did we employ sufficient leverage? Did we suggest the proper equipment? Did we fight well?

2. *What do we know about the cohesion and capabilities of our allies?* Perhaps even more starkly in the case of Cambodia than in Vietnam, how do we account for the seeming disparity between our reports and the reality of organizational disintegration and battlefield defeat? Did our desires distort our perspectives at every level? Or have we created communication patterns within our country teams which filter out undesired opinions? Or do our information systems focus on the wrong issues, or on an overly restricted set of issues?

3. *How and why do we export force structures?* To what extent do special interests from Congress, private industry, State and Service bureaucracies override or unduly constrain “rational” force structure planning in SVN and Cambodia. What were the dominant factors affecting the force structure development in each case? How strong are those factors in current cases, such as Korea and Iran?³

Enclosure 1

Possible Causes for the Collapse of South Vietnam

In examining the collapse of South Vietnam, seven hypotheses deserve careful examination, although not necessarily by DoD. These hypotheses are:

1. *We gave SVN the wrong military organization.* We made ARVN in our mirror image. Its organization and equipment reflected ours. This assumed like levels of technological competence or sustained American technical assistance. To bribe or placate Thieu, enormous amounts of disparate equipment were shoved into SVN just prior to the cease-fire, while the cautions and suggestions of many advisers about the appropriateness, usability, durability and maintainability of the equipment were blocked out by a few on the NSC. Burdened with a military establishment too rich and too support heavy, ARVN suffered in sev-

³ Handwritten instruction, “do,” appears above each of the numbered paragraphs. Below paragraph 3, West handwrote: “These studies would be undertaken only if we had the right people willing to do them. More generally, however, some of us feel OSD oversight of the overall historical effort is needed, as Enc. 1 points out.” Handwritten instructions, “West do,” appear below this notation.

eral ways. Too many of its more talented personnel were tied to technical support functions, and the entire system could not perform effectively below a critical mass threshold which was pegged quite high. For example, it is one thing to have close air continuously on call; it is another thing to receive only occasional single sorties. When reduced aid drives a system toward the latter case, then the troops would be better off with organic artillery. But, of course, this sort of tradeoff in 1974–75 was not feasible; ARVN was tied to the 1972 force structure decisions, despite CINCPAC's alleged efforts in 1973–74 to reallocate fiscal priorities among the RVNAF components.

*So, one area for DoD analysis might be the process we went through in giving SVN its force structure, with special attention given to parallels to the South Korean case, the Persian Gulf nations, etc.*⁴

2. *The tenacity and spirit of the North and of the Lao Dong party were extraordinary.* But why? They endured losses horrendous by historical standards. Perhaps more significantly, they accepted a ceasefire which brought a temporary diminution of hostilities. Many analysts argued "the taste of peace" would create internal pressures in the North which would block Giap's efforts to again crank up "the green machine," especially since he failed as dramatically in 1972 as in 1968. Still, by 1974 the NVA was grinding in again. If such doggedness were a function of nationalism, then Thailand's desire for accommodation may be successful. But if this aggression is fueled by ideology and a 'manifest destiny,' then the genuine subjugation of Thailand and perhaps Malaysia may emerge as Lao Dong objectives.

All senior U.S. officials should understand the dynamics of the Lao Dong (Leites' *Operational Code* might be an appropriate model); DOD should be especially interested in the links which convert political fervor into military effectiveness, for it is only through such linkages that, for instance, Kim Il Sung can be said to pose a real threat to South Korea.⁵

3. *The fundamental deterrent to a full NVA offensive was U.S. air power, not RVN capabilities. Congress and the Executive Branch jointly withdrew that deterrent, but the Executive Branch did not notify RVN of that fact.* President Nixon secretly assured Thieu, in return for signing the Paris Accords, that the U.S. would strike back with full force if NVN massively violated the ceasefire. The Executive Branch acquiesced in—perhaps even abetted—the Congressional effort to nullify that deterrent. Mr. Ford said in 1973 that, if bombing were again necessary, the President would request it; in 1975 Mr. Ford did not request it. Mr. Kissinger, saying we have learned important lessons from Vietnam, on June 18, 1975,

⁴ Handwritten instruction, "do," appears above paragraph 1.

⁵ Handwritten instruction, "do," appears above paragraph 2.

issued a very ambiguous statement about those lessons: "There is no question that popular will and social justice are, in the last analysis, the essential underpinning of resistance to subversion and external challenge. But our support and assistance will be available where it has been promised."⁶

While Mr. Ford has said he contemplates no historical analysis of Vietnam and Mr. Kissinger says we have already learned the lessons we need to know, the story of U.S. air power as a deterrent will not be neglected by some competent historian.⁷

4. *Watergate distracted and gravely weakened the Executive Branch*, with especially serious results in the Vietnam situation, given the secretive and centralized nature of our decision-making.⁸

5. *PRC and Soviet aid to NVN was sufficient for continued NVA offensive operations*. Recently (June 23, 1975) Kissinger has downplayed the importance of this aid, saying: "Vietnam was not caused by the Russians . . . the Soviet aid level in Vietnam remained relatively constant . . . our aid level dropped."⁹ This can be interpreted as at variation with CIA and DIA data, and as a change from HAK's position in April of 1974, when he implied that the PRC and the Soviets were co-operating: "Since the signing of the ceasefire the U.S. has been in constant liaison with the interested parties, including those outside of the Indochina area . . . we have used every means at our disposal to encourage a reduction in the level of violence and an orderly resolution of the conflict. We believe these measures have had some success."¹⁰

6. *The U.S. Congress sharply reduced aid to SVN*. This resulted in battlefield rationing. Much worse still, it led to a high discount rate being applied to future capabilities and was probably the major factor accounting for Thieu's disastrous decision to withdraw from MRs 1 and 2.¹¹

7. *The social fiber of SVN may have been unraveling since 1973, and this was not reported to Washington*. There are two theories about the RVN collapse. One is that the principal cause was the enormous military blunder by one man in ordering a retreat without proper planning

⁶ Kissinger addressed the Japan Society in Washington on June 18. Excerpts of his address were printed in *The New York Times*, June 19, 1975.

⁷ Handwritten instruction, "no," appears above paragraph 3.

⁸ Handwritten instruction, "no," appears above this paragraph.

⁹ Kissinger spoke in Atlanta on June 23; his speech was reported in *The New York Times*, June 24, 1975.

¹⁰ Handwritten instruction, "do," appears above this paragraph.

¹¹ Handwritten instruction, "do," appears above this paragraph.

or understanding of the situation. *Thieu's decision to withdraw from MR 1 and MR 2 was one of the major military blunders of the 20th Century.*¹² Once the rout began, it could not be checked. (We did not do so well ourselves in North Korea in 1950.) But had Thieu not given that order, one theory holds: RVNAF could have fought grimly on, losing a gradual battle of territory and attrition while hoping either for increased aid or a lessening of NVN fervor.

*The second theory is that the social cohesion and leadership of the South had been steadily crumbling for months and perhaps years.*¹³ Hence, the end was foreordained; whether it occurred by attrition or by rout is a relatively tactical consideration. Our formal reporting does not substantiate this viewpoint, but now there are allegations that neither CIA nor the DAO had the institutional freedom to report as they would have liked. And on the other hand, some allege the South Vietnamese were falsely encouraged to remain dependent, psychologically as well as physically, upon the U.S. (Are we doing the same in Korea?)

This also raises the question: what do we really know about our allies—their social cohesiveness, leadership, and warfighting capabilities? Did we fool ourselves badly? If so, why? Or were pessimistic reports written, only to be watered down or not transmitted? If the latter systematically occurred, what was the institutional hierarchy and action channels which permitted such centralized control?¹⁴

¹² There is a checkmark in the margin next to this sentence.

¹³ There is a checkmark in the margin next to this sentence.

¹⁴ Handwritten instruction, "definitely do," appears above paragraph 7.

The SS *Mayaguez* Incident, May 12–15, 1975

284. Minutes of the Secretary of State's Regionals Staff Meeting¹

Washington, May 12, 1975, 8–8:40 a.m.

[Omitted here are a summary of discussion, list of participants, and discussion unrelated to the SS *Mayaguez*.]

Mr. Zurhellen: Sir, we have two reports this morning that an American merchant ship has been captured by Cambodians about a hundred miles off the coast and is proceeding into Sihanoukville under Cambodian troop guard.

Secretary Kissinger: How can that be?

Mr. Zurhellen: It's beyond me.

Secretary Kissinger: Wait a minute. It is proceeding—and what are we doing?

Mr. Zurhellen: Sir, we have no report of it through American government channels yet, and I got this only about two minutes before the meeting.

Secretary Kissinger: Now, goddam it: We are not going to sit here and let an American merchant ship be captured at sea and let it go into the harbor without doing a bloody thing about it.

We are going to protest.

Mr. Zurhellen: I assume we have been already for a couple of hours.

Secretary Kissinger: Where is John Dean? We can drop him into the jungle. What are we planning to do? Has anyone talked to the Pentagon?

Mr. Zurhellen: As I say, sir, I saw the message only when I came into the room this morning, so I haven't had a chance to do anything.

Secretary Kissinger: How can that be? Why would they capture a ship a hundred miles at sea?

Mr. Zurhellen: It is a strange repeat of something that happened last week, when there were allegations that a Korean ship was being

¹ Source: National Archives, RG 59, Transcripts of Secretary of State Kissinger's Staff Meetings, 1973–1977, Entry 5177, Box 7, Secretary's Staff Meetings. Secret. Kissinger chaired the meeting, which was attended by all the principal officers of the Department or their designated alternates.

chased about a hundred miles offshore by unknown Communists, but it turned around and got away.

Secretary Kissinger: Will you get Scowcroft and tell the Navy to see whether they can intercept that ship. We haven't reached the point yet where American ships get captured by Cambodians. (Exit Eagleburger)

Mr. Enders: Using our patrol boats.

Secretary Kissinger: Is it our patrol boats?

Mr. Enders: They have a series of 35-foot patrol boats.

Secretary Kissinger: How far out is it now?

Mr. Hyland: We haven't had a message from the ship in five hours. We don't know where the ship is. The last message from the ship is that it had been boarded.

Secretary Kissinger: How many hours ago was that?

Mr. Hyland: 3:30 in the morning our time.

Secretary Kissinger: May I ask what we were doing while this was going on?

Mr. Hyland: Mr. Secretary, the message that came to Washington did not come five hours ago. It came about an hour or so ago.

Secretary Kissinger: Well, where did it wait for four hours is my question.

Mr. Ingersoll: From the company.²

Mr. Zurhellen: There is a message from the shipping company in Jakarta, sir. The shipping agent of the ship in Jakarta received the message from it and turned it over to some American authority in Jakarta, which then sent the information in here.

Secretary Kissinger: When did the message reach here?

Mr. Hyland: Around seven o'clock, as far as I know.

Secretary Kissinger: Why would it take five hours when an American ship is boarded for it to get here?

Mr. Hyland: A company representative heard from his ship. This is all I know about it. And relayed the message later to the American government. And it was sent in Critic channels around seven o'clock.

Secretary Kissinger: What are Critic channels?

Mr. Hyland: Well—immediate, fast, instantaneous.

² The Delta Exploration Company received the first mayday signal from the SS *Mayaguez*. Newsom relayed that communication to Scowcroft in backchannel message 167, May 12, 0845Z. (Ford Library, National Security Adviser, Kissinger-Scowcroft West Wing Office File, Box 1, Cambodia, Mayaguez Seizure)

Secretary Kissinger: Yes. But how long did we sit on it at the Embassy there?

Mr. Hyland: I do not know.

Secretary Kissinger: Well, will you find out.

Mr. Zurhellen: Yes, sir, we will find out.

Mr. Hyland: I do not know how long the company—the company representative apparently tried to raise the ship for quite a while and finally gave up.

Mr. Ingersoll: They continued to broadcast a little bit, because the radio—

Secretary Kissinger: Well, is he smart enough to understand that if it is captured by Cambodians, it is not likely to be broadcasting? Or is that not taught in the free enterprise system?

Mr. Hyland: I think he just wanted to find out anything he could about the ship. He knew it had been boarded.

Secretary Kissinger: It is being towed to an unknown Cambodian port—

Mr. Hyland: Probably Sihanoukville.

Secretary Kissinger: Yes. But, look—when you get a message like this, it is not being unreasonable to ask for some action. And if it is 100 miles out at sea—

Mr. Hyland: It could be intercepted. But if there are Cambodians on board the ship, what are you going to do?

Secretary Kissinger: I don't know. I am not the Chief of Naval Operations. But if we cannot handle the Cambodians—what are they going to do if we intercept it?

Mr. Hyland: If we intercept it just with airplanes—even if you attack the patrol boat, that doesn't solve the problem that there are Cambodians on the main ship.

Secretary Kissinger: I know you damned well cannot let Cambodia capture a ship a hundred miles at sea and do nothing.³

[Omitted here is discussion unrelated to the SS *Mayaguez*.]

³ Kissinger told Ford about the seizure during a 9:15 a.m. meeting in the Oval Office, May 12. (Ford Library, National Security Adviser, Memoranda of Conversations, Box 11, 5/12/1975)

285. Minutes of National Security Council Meeting¹

Washington, May 12, 1975, 12:05–12:50 p.m.

SUBJECT

Seizure of American Ship by Cambodian Authorities

PRINCIPALS

The President

The Vice President

Secretary of State Henry A. Kissinger

Secretary of Defense James Schlesinger

Acting Chairman, Joint Chiefs of Staff General David C. Jones

Director of Central Intelligence William Colby

OTHER ATTENDEES

State

Deputy Secretary of State Robert Ingersoll

DOD

Deputy Secretary of Defense William Clements

WH

Donald Rumsfeld

NSC

Lt. General Brent Scowcroft

W. R. Smyser

President: Please go ahead, Bill, and bring us up-to-date.

Colby: The US Seatrain container ship *Mayaguez* was seized by the Khmer Communists about 3:15 p.m. local time about seven or eight miles from the Cambodian Island of Poulo Wei in the Gulf of Thailand. The ship was able to transmit at least two messages picked up in Jakarta and Manila after the boarding but communications from the ship were quickly broken off.

The ship was enroute to a Thai port from Hong Kong.

At last report the ship was being taken to the port of Kompong Son, about sixty miles away, under escort by a Khmer Communist gun boat.

The Island of Pulou Wei has been claimed by both Phnom Penh and Saigon although it has long been occupied by the Cambodians. Intercepted messages last week indicated that the Khmer Communists were planning to occupy Cambodian offshore islands, probably to reiterate the Cambodian claim vis-à-vis the Vietnamese Communists. The

¹ Source: Ford Library, National Security Adviser, NSC Meetings File, Box 1. Top Secret; Sensitive. The meeting was held in the White House Cabinet Room.

occupation may provide an early test for future relations between the Khmer and Vietnamese Communists.

A major factor behind the territorial dispute in the area is the potential of rich oil deposits in this area at the Gulf.

The former governments in Saigon and Phnom Penh clashed over oil exploration rights in this area last fall.

We have no hard information on why the Khmer Communists seized the ship as it was en route from Hong Kong to Sattahip, Thailand.

This ship was some 60 miles southwest of Kompong Som, but within 8 miles of the island of Poulo Wei, claimed by the Khmer Communists.

An intercepted Khmer Communist message last week contained instructions to “keep foreign ships” out of Cambodian waters, but gave no indication of how far out from the shore the Khmer intended to implement such instructions.

A Panamanian charter vessel was seized by the Khmer Communists last week in roughly the same area, but was subsequently released.

President: When?

Colby: We are not sure.

Another intercepted message also referred to various islands south of Phu Quoc Island in the Gulf of Thailand which Cambodian Communist forces were to investigate. There is evidence that some forces landed on at least one of these islands.

President: What is the best estimate of where the ship is now?

Colby: It was proceeding under its own steam at what we estimate to be about 10 miles an hour. Considering when it was picked up, it would be in or near the port now.

Schlesinger: When I left the Pentagon, the ship was already only about 10 miles out.

President: What are our options?

Schlesinger: We can have a passive stance or we can be active. We can do such things as seizing Cambodian assets. We can assemble forces. We could seize a small island as a hostage. We might also consider a blockade.

All these options would have to be scrutinized by the Congress because, while you have inherent rights to protect American citizens, you would soon run into the CRA.

We do not have much information on the actual situation. Such information as we have indicates that the main purpose of the Cambodian forces in occupying the islands may have been to keep them from their brethren in South Vietnam. It could be a bureaucratic misjudgment or a by-product of an action against South Vietnam.

The Cambodians have already seized three ships: a Panamanian, a Philippine and now an American. They did release the first two ships. We do not know, in handling this sort of thing, how good their communication is.

Kissinger: How far from the islands was the ship when it was picked up?

Colby: About 7 to 8 miles.

Schlesinger: In some information we picked up, they appeared to be claiming 30 miles.

Rumsfeld: Isn't this piracy?

Schlesinger: Yes.

Kissinger: As I see it, Mr. President, we have two problems:

—The first problem is how to get the ship back.

—The second problem is how the U.S. appears at this time.

Actions that we would take to deal with one of these problems may not help to deal with the other. For example, I think that if they can get us into a negotiation, even if we get the ship back, it is not to our advantage. I think we should make a strong statement and give a note to the Cambodians, via the Chinese, so that we can get some credits if the boat is released. I also suggest some show of force.

What do we have in the neighborhood of the incident?

Schlesinger: We have the *Coral Sea*, which is now on its way to Australia for ceremonies.

President: How long would it take to get there?

Schlesinger: About two to three days.

President: Do we have anything at Subic?

General Jones: We have the *Hancock* and other vessels, but it would take about a day and a half at least to get them down there.

Kissinger: We may not be able to accomplish much by seizing their assets, since they are already blocked. Perhaps we can seize a Cambodian ship on the high seas. But I think that what we need for the next 48 hours is a strong statement, a strong note and a show of force.

Schlesinger: That would mean turning around the *Coral Sea*.

Kissinger: Can we use any aircraft?

Schlesinger: We will have aircraft over the island to see what kind of forces there are.²

² The Joint Chiefs of Staff ordered CINCPAC to conduct aerial reconnaissance in message 8092, May 12, 1437Z. (Ibid., NSC East Asian and Pacific Affairs Staff Files, 1973–1976, Box 28, Department of Defense, CINCPAC)

Kissinger: Can we find out where Cambodian ships are around the world?

Clements: Admiral Holloway says he is not sure there are any.

Kissinger: Are there any merchant ships?

Schlesinger: We doubt it.

Colby: They may have some coastal stuff, some small vessels and the like. But that is it.

Clements: We should not forget that there is a real chance that this is an in-house spat. In that area there have been two discovery wells, drilled by Shell and Mobil. One made a significant discovery. We are talking about 600–700 million barrels and perhaps even 1 or 1½ million barrels. I think that is what this fuss is all about.

President: That is interesting, but it does not solve our problem. I think we should have a strong public statement and a strong note. We should also issue orders to get the carrier turned around.

Kissinger: I think we should brief that this is an outrage. Even if they quarrel with each other, they cannot use us.

President: We should get the demand and our objection to what has happened out to the press before they get the story from elsewhere.

Ingersoll: They may want to hold the ship as a hostage to our equipment.

Schlesinger: That was our first thought, before we looked into it further.

Kissinger: Does the *Coral Sea* have mines aboard?

General Jones: I do not believe it has any now, but we can make arrangements to get them there.

Kissinger: What is the minimum period for which mines can be set? I recall during the bombing of Haiphong mines were set for 30 days. But I wonder if they can be set for shorter periods.

Schlesinger: We can get the mines in within 24 hours.

Kissinger: Can we then have them set for a short time?

Schlesinger: We can look into that.

President: We should be prepared to do this, using the *Hancock*. Do you believe the *Coral Sea* cannot do it?

General Jones: I doubt it. Different types of equipment and different types of mines are involved. I suggest that we get our contingency plans together as soon as possible and start assembling a task force to go in that direction.

Of course, we have other means. We have the B–52's that could do it.

Schlesinger: The mines are at Subic; the B–52's are in Thailand.

President: I think we should turn the *Coral Sea* around. We should get everything organized in Subic Bay. We should make a strong statement at once before the news hits from other sources. We should also get a full photo run of the island and of the harbor where the ship is.

Vice President: May I say something?

President: Please.

Vice President: I think this will be seen as a test case. I think it will be judged in South Korea. I remember the *Pueblo* case.³ I think we need something strong soon. Getting out a message and getting people ready will not do it.

I think a violent response is in order. The world should know that we will act and that we will act quickly. We should have an immediate response in terms of action. I do not know if we have any targets that we can strike, but we should certainly consider this. If they get any hostages, this can go on forever.

Schlesinger: They have 39.

Rumsfeld: Americans?

Schlesinger: We think so.

Vice President: Now you can take action before you begin to get protests. I believe the authorities there only understand force. There is an old Chinese saying about a dagger hitting steel and withdrawing when it hits steel, and that is the impression that we should convey.

President: I think that that is what we will do. We will turn around the *Coral Sea*. We will get the mining ready. We will take action.

Kissinger: If it is not released by Wednesday,⁴ we will mine.

Vice President: Public opinion will be against it in order to save lives. Is there anything we can do now?

Schlesinger: We could sink the Cambodian Navy.

Clements: We could hit the patrol ship.

Vice President: Or we could seize the island.

Rumsfeld: When did we get word of this?

Ingersoll: At 5:15 at the National Military Command Center.

Kissinger: I agree with the Vice President that we should show a strong position. We should also know what we are doing so that it does not look as though we want to pop somebody. We could mine their harbors. This will not get the ship. Or we could take the ship, or we could scuttle it.

³ The North Koreans attacked and seized the USS *Pueblo*, a naval intelligence ship, in January 1968. See *Foreign Relations*, 1964–1968, volume XXIX, Part 1, Korea, Documents 212–331.

⁴ May 14.

Schlesinger: They will have the ship already. It is like the *Pueblo*. Once it got to Wonsan it was hard to bring it back.

Kissinger: In Korea, some things might be possible, but with this new group it is very uncertain what will happen.

President: How soon could we take the island?

General Jones: We have helicopters in Thailand and we could do it fairly quickly.

Kissinger: We cannot do it from Thailand.

Schlesinger: You know that the reconnaissance missions are being flown from Thailand.

Kissinger: That we can get away with, but I do not believe we can run military operations from there.

Vice President: What if we had a series of escalating actions? Some we would take now, others later. We have to show that we will not tolerate this kind of thing. It is a pattern. If we do not respond violently, we will get nibbled to death. We can announce these things to make clear what we are doing.

Schlesinger: The trouble with an announcement of future steps is on the Hill. Anything that we announce, Congress will need to be briefed.

President: We have now looked at the options. We will issue a statement and we will send a message. We will turn around the *Coral Sea*. We will get a task force assembled at Subic and maybe get it underway. Perhaps we will scramble a force to take the island.

I would like to get something straight now. Brent told me at 7:45 that the ship had been seized, but there should be a quicker way to let us know this.

Scowcroft: I agree. That is when I heard of it.

Rumsfeld: I also.

Kissinger: I was not told until my regular staff meeting this morning, and then it was mentioned as an aside.

Schlesinger: This is a bureaucratic issue. The NMCC did not become alarmed because it was not a U.S. Navy vessel.

President: This would be alright in ordinary times but not now.

Colby: I will get a wrap-up of the sequence of notification.

Rumsfeld: Can we notify merchant ships of the danger?

General Jones: We will see.

Rumsfeld: I do not see the advantage of announcing the warning. We could make a case on either side. To the extent we want to be forceful, we do not need to make it public.

Vice President: I do not think turning the carriers around is action. Congress will get into the act. The doves will start talking. But, unless the Cambodians are hurt, this pattern will not be broken.

Kissinger: The main purpose of using a statement is that we have no choice. We have to have a reaction. But the statement should be very strong. It should demand the immediate release of the ship, and it should say that the failure to do so could have serious consequences.

President: It should point out that this is a clear act of piracy.⁵

Kissinger: Then we should get our military actions lined up. My expectation is that we should do it on a large scale. We should not look as though we want to pop somebody, but we should give the impression that we are not to be trifled with.

If we say that it should be released, then we can state that the release is in response to our statement.

I would relate what we do to the ship, rather than to seize an island.

Colby: We may wish to point out that they released other ships. This gives them a way out.

Rumsfeld: They can figure out their own way out.

President: But, if you take strong action, let us say nothing first. I would like to get the DOD options by this afternoon.

Schlesinger: The actions should put them under pressure. If we mine the harbor, they will simply sit. We have got to do something that embarrasses them.

Rumsfeld: That is why I think we should look at other options.

President: We should have some options today.

Clements: We should keep the oil in mind. That is an asset.

Kissinger: I see a lot of advantage in taking the island rather than in mining the port. Let us find out what is on the island, how big a battle it would be, and other relevant factors.

Schlesinger: We will have a reconnaissance report by this evening. I am sure it would not take a large force.

What kind of clarification would you want us to use regarding the authority and your relation with the Congress?

President: There are two problems:

—First, the provisions of summer, 1973.

—Second, the war powers.

Regarding the military options, I would like to know how they would be hamstrung and what we want to do. I can assure you that, irrespective of the Congress, we will move.

⁵ The White House released a statement on May 12. See Document 286.

Kissinger: There are three things we need to know:

—First, what force is required to take the island.

—Second, what force is required to take Kompong Som, and to take the ship and the people. On the whole, I would prefer this.

—Third, what it would take to mine the harbor.

Vice President: Does it make sense to do this if the boat is in it?

Schlesinger: You can perhaps accomplish the same thing by quarantine as by mining.

Kissinger: I doubt it. We learned in North Vietnam that mines work better. With a quarantine, you have a confrontation and a crisis regarding every ship.

Schlesinger: We would have to be tough in such confrontations.

Vice President: I agree with Rumsfeld.

Why should we warn them? There must be planes that we can use, out of Thailand.

Kissinger: If we bomb out of Thailand, we would be out of there within a month.

President: Let us review it again. Within an hour or so, there will be a public statement. Let us make an announcement ahead of time, and a tough one so that we get the initiative. Let us not tell Congress that we will do anything militarily since we have not decided. I think that it is important to make a strong statement publicly before the news gets out otherwise.

Kissinger: We will be pressed this afternoon.

Rumsfeld: How about a statement that gives the facts, states that this is an act of piracy, and says that we expect the release. We will not say that we demand the release, because that will activate the Congress. I think you get the same thing without speaking of a demand. Moreover, to demand seems weaker.

Schlesinger: It is not weak to say that we demand the release.

Kissinger: I would demand.

Rumsfeld: Perhaps not publicly, but privately.

Kissinger: If Congress takes us on, I think we have a good case.

President: With the military appropriations bill coming up, they would not want to give a picture of running out.

Kissinger: Then we should keep quiet. Let them explain about the three ships.

Vice President: How long does it take to get the carriers there?

Schlesinger: About 1½ days.

Kissinger: I would overfly with reconnaissance.

President: It should be visible.

Kissinger: That we can get away with, but not bombing.

Vice President: Aren't those bases being closed anyway?

Kissinger: Not necessarily.

President: Alright. Let us get a message to the Chinese Government as soon as possible.

Vice President: Could we not ask Thai permission to use the bases?

Kissinger: No.

Schlesinger: Only reconnaissance is possible, but if we ask, they will refuse everything.

Kissinger: Lee Kuan Yew has asked us to stay in Thailand as long as possible to give him time to work on getting the defenses of Malaysia ready. Bombing from Thailand will get us out quickly.

President: How far away is Subic?

Kissinger: To bomb, even from Clark, we would be in trouble. This is a symptom of Vietnam. We can bomb from Guam with B-52's or from the carriers. But we should know what we are doing. I am more in favor of seizing something, be it the island, the ship, or Kompong Som.

President: This has been a useful discussion. Thank you. I will look forward to seeing the options.

286. Telegram From the Department of State to the Liaison Office in China¹

Washington, May 13, 1975, 0013Z.

110673. Subject: Cambodian Seizure of U.S. Merchant Vessel.

1. Deputy Secretary Ingersoll called in Huang Chen Monday afternoon, May 12, to request PRC assistance in passing message to Cambodian authorities regarding Cambodian seizure of a US merchant ship. Ingersoll first read statement issued today by the White House (see below) and then said we would appreciate it if the Chinese would pass a message to the Cambodian authorities. Before he could read the message, Huang Chen interrupted to say that the GRUNK is an independent sovereign state, that he would not transmit any message for us, that if we have any message for the Cambodians, we should use

¹ Source: Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, 1973-1976, Box 29, Department of State, Telegrams and Cables (1). Secret; Niact; Immediate; Nodis. Drafted by Armstrong, EA; approved by Zurhellen, EA, and by Ingersoll.

other channels. He almost belligerently maintained that position, despite our statements that we had no direct channels to the authorities in Cambodia, that matter was urgent, and that we thought US–PRC relationship was such that Chinese would be willing to assist in transmitting message. Near end of conversation he said that if this was only subject Ingersoll wished to discuss, he would say goodbye. Ingersoll asked if he would listen to the message we wished to pass to Cambodians and report it to his govt. Huang Chen reiterated that “This is your matter, it has nothing to do with us.”

2. Huang Chen will of course report to his govt. in Peking, and we assume Chinese will inform Cambodians of our approach and their reaction.

3. You should urgently deliver message in paragraph 4 to PRC MFA as well as to GRUNK. There should be no personal contact beyond delivery in either case and delivery should be by someone other than Bush. Messages should be written, not delivered orally.

4. *Begin text.* The Government of the United States requests that you pass the following message urgently to the authorities in Phnom Penh.

Begin quote.

Naval forces controlled by the Cambodian authorities have seized an American merchant vessel, the SS *Mayaguez*, this morning in international waters in the Gulf of Thailand. We understand the ship and crew have been taken to the port of Kompong Som.

This is an act of international piracy. The vessel was in international waters and represented no danger to the authorities in Cambodia or to anybody else.

The Government of the United States demands the immediate release of the vessel and of the full crew. If that release does not immediately take place, the authorities in Phnom Penh will be responsible for the consequences. *End quote*

5. Statement May 12 by White House Press Secretary. *Begin text.* We have been informed that a Cambodian naval vessel has seized an American merchant ship on the high seas and forced it to the port of Kompong Som. The President has met with the NSC. He considers this seizure an act of piracy. He has instructed the State Department to demand the immediate release of the ship. Failure to do so would have the most serious consequences. *End text.*

6. Although press is beginning to speculate that Huang Chen call was related to ship seizure, we are not confirming that was the subject.

Ingersoll

287. Telegram From the Liaison Office in China to the Department of State¹

Beijing, May 13, 1975, 0454Z.

913. Subject: Message on Cambodian Seizure of U.S. Ship.

1. USLO officer Anderson delivered message on Cambodian seizure of U.S. merchant vessel to Cambodian Embassy at 1210 local time May 13. Cambodian EmbOff said he would transmit it. No further discussion.

2. PRC Foreign Ministry said that message could not be received by an officer until 1600 Peking time, but that if matter was urgent we could deliver to MFA mail room. We are doing so. We are confident that message will immediately be passed to responsible officials, but MFA apparently wanted to avoid direct contact.²

Bush

¹ Source: Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, 1973–1976, Box 29, Department of State, Telegrams and Cables (1). Secret; Nodis; Flash.

² Bush relayed the PRC response to the Department in telegram 925 from Beijing, May 14: "The Ministry of Foreign Affairs of the People's Republic of China is instructed to inform the U.S. side that it is not in a position to pass the U.S. message on to the Royal Government of National Union of Cambodia and hereby returns the May 13 note of the U.S. side." (Ibid.)

288. Telegram From the Embassy in Thailand to the Department of State¹

Bangkok, May 13, 1975, 1116Z.

8684. Subj: Thai Unwillingness to Let the U.S. Flex Its Thai Based Military Forces in Indochina.

1. Prime Minister Khukrit Pramot, obviously concerned by press statements from the U.S. threatening the use of force to free the

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Confidential; Flash. Repeated to the Defense Department and to CINCPAC for POLAD.

Mayaguez, summoned me May 13 to seek information on the status of the ship. I summarized the information available to us, largely from wire service reports.

2. Khukrit stressed that from the Thai Government standpoint any retaliation should be purely between the United States and Cambodia and should not in any way involve Thailand. I asked if he was referring to use of U.S. military assets in Thailand. He said he definitely was. I told him that in line with established procedures we would inform the RTG before any action involving Thai-based planes was undertaken.

3. Khukrit has announced publicly the reason for calling me in. It is most important that we play this by the rules. Otherwise, in the current supercharged political atmosphere, we stand to lose a great deal in terms of RTG cooperation and use—or even continuation—of bases here.

Masters

289. Telegram From the Embassy in Thailand to the Department of State¹

Bangkok, May 13, 1975, 1315Z.

8690. Subject: Measures to Obtain Release of the *Mayaguez*. Ref: Bangkok 8684.²

1. As the Department is aware, I had absolutely no advance word that military action was to be taken by U.S. aircraft based in Thailand to obtain the release of the *Mayaguez*. At 1730 hours Bangkok time an information copy of a JCS message addressed to our Defense Attaché (131017Z May 75)³ first revealed to me that something was going on. By tracking back, I have now learned that U.S. aircraft were launched from bases in Thailand at about 1330 hours Bangkok time. This is an hour and a half before I met the Prime Minister at his request to discuss this matter.

¹ Source: Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, Box 29, Department of State, Telegrams and Cables (1). Secret; Nodis; Flash.

² Document 288.

³ Not found.

2. I cannot stress too strongly the damage to U.S.-Thai interests which is likely to result from this unilateral action. Had I known what was contemplated I could have taken steps to contain the damage. When the Thai learn that U.S. aircraft had already been launched before I saw the Prime Minister and, of course, made no mention of it, they will assume that this is a deliberate, heavy-handed U.S. effort to cut them out, not that it results from an unbelievable lack of coordination and foresight in failing to keep me informed.

3. I have just told Prime Minister Khukrit by telephone that a number of aircraft have been launched from Thai bases to keep the *Mayaguez* under surveillance. I have told him, and I hope I am correct, that no ordnance has been expended. The Prime Minister expressed his appreciation for this information (my guess would be he already knew something was afoot because of activity at the bases). The Prime Minister urged that we keep absolutely silent about any involvement of Thai bases in this operation. If we can do so, he believes we may get by, otherwise he anticipates a great deal of trouble from political parties, students and others. The way Khukrit has played this, he is in the clear. He has publicly announced that he told us not to use Thai bases. We are the ones on the hot seat.

4. I understand further moves are contemplated involving the arrival at U-Tapao tonight of a battalion of Marines and their movement into action tomorrow morning. This will involve Thailand even more directly in the confrontation between the U.S. and the Cambodians. And, of course, this again is not being coordinated with the RTG. It is, of course, up to the policymakers in Washington to decide on our response to this act of piracy, but I must point out that these further steps are likely to be very costly for U.S.-Thai relations at a time when the Thai are already moving rapidly to reassess their foreign policy. I trust we have factored these costs into our decision making.

5. May I know what is going on?⁴

Masters

⁴ Telegram 110792 to Bangkok, May 13, instructed Masters: "Regret fast moving situation here has made it impossible to keep you fully informed as we would otherwise intend. Matters you raise are currently under discussion and we hope to have word for you soon. Meantime, please do not, repeat not, raise this matter further with Thais." (Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, Box 29, Department of State, Telegrams and Cables, 1)

290. Memorandum From Clinton Granger of the National Security Council Staff to Secretary of State Kissinger¹

Washington, May 13, 1975.

SUBJECT

Military Options

In preparation for the NSC meeting at 10:30 p.m. on May 13, 1975, the following may be useful background on the military options available. The Chairman, JCS, will have a detailed paper on military options available for the meeting,² but according to Joint Staff officers involved in the planning process, the alternatives under consideration have been limited and very conventional.

Summary conclusions include:

—Movement between the ship, the adjacent island and the mainland should continue to be interdicted.

—Intelligence operations should be launched immediately to ascertain the exact location of the U.S. crew.

—A SEAL team should be moved into the area.

—Psychological operations leaflets should be used on the island to state the U.S. demands.

—Failing diplomatic actions, and if adequate intelligence is available to insure a reasonable degree of success in rescue of the crew, a raid operation should be conducted with helicopters when a supporting carrier is in position.

¹ Source: Ford Library, National Security Adviser, NSC Institutional Files, Box 21, Mayaguez Military Options. Confidential. Sent for information. A handwritten notation at the top of the memorandum reads: "HAK has seen." Smyser concurred.

² Jones distributed "Possible Scenario for Recovery of Ship and Crew," prepared by the Department of Defense, for the NSC meeting beginning at 10:40 p.m., May 13. (Ibid., Kissinger-Scowcroft West Wing Office Files, Box 1, Cambodia, Mayaguez Seizure) See Document 295.

291. Minutes of National Security Council Meeting¹

Washington, May 13, 1975, 10:22–11:17 a.m.

SUBJECT

Seizure of American Ship by Cambodian Authorities

PRINCIPALS

The President

The Vice President

Under Secretary of State for Political Affairs Joseph Sisco

Secretary of Defense James Schlesinger

Acting Chairman, Joint Chiefs of Staff General David C. Jones

Director of Central Intelligence William Colby

OTHER ATTENDEES

DOD

Deputy Secretary of Defense William Clements

WH

Donald Rumsfeld

Robert Hartmann

John Marsh

NSC

Lt. General Brent Scowcroft

W. R. Smyser

President: Bill, will you please bring us up to date.

Colby: The *Mayaguez* is at anchor just off Koh Tang Island, about 30 miles southwest of Kompong Som.

Until late yesterday evening, the ship was being held near where it was seized in the vicinity of Poulo Wei Island, about 40 miles further to the southwest.

Shortly after midnight, however, an American reconnaissance aircraft observed the ship at Koh Tang Island.

At least two U.S. reconnaissance aircraft have reported receiving small arms fire from a gunboat, and from the *Mayaguez* itself.

A Khmer Communist message, intercepted just before midnight, stated that 42 Americans and nine Vietnamese would be taken to Koh Tang.

¹ Source: Ford Library, National Security Adviser, NSC Meetings File, Box 1, Chronological File. Top Secret; Sensitive. The meeting was held in the White House Cabinet Room.

The latest U.S. reconnaissance flights observed the crew being transferred from the ship via a tugboat to Koh Tang and then being led off toward the interior of the island.

Scowcroft: Do we know it is the crew?

Schlesinger: No.

Colby: Although the men could be moved to the mainland at any time, the Khmer Communists may intend to keep them on the island until some final decisions are made regarding the crew and vessel.

So far, the Khmer Communist government has not made a public statement regarding the *Mayaguez*, and Prince Sihanouk today in Peking denied any knowledge of the incident.

In the event of a U.S. military effort, the Cambodian Communists would have limited means of reacting.

They would attempt to resist a recapture of the ship, an attack on the accompanying patrol craft, or a landing on Koh Tang. They presumably have few troops or weapons to meet any such effort, however.

The Cambodian Communists have no capability to thwart a mining effort against Kompong Som, and the harbor defenses are not impressive. The port and military camp are exposed and separate from the town.

President: It looks like a very open port. Is that true?

Colby: There is an island off it.

President: Is it a very busy port? Are there any ships in it now?

Schlesinger: A recent photo of ours showed no ships at the dock. There may perhaps have been one vessel around.

Vice President: Is this the principal port of entry for Cambodia?

Schlesinger: There has been no action at this port for a considerable length of time. It was closed because the route to Phnom Penh was closed. For a long time, U.S. aircraft were delivering everything to Phnom Penh.

Vice President: But several years ago it was a principal port of entry. I remember there was some dispute about what was coming in through this port. The CIA said that there was not a great deal, but in fact it turned out that it was a principal port of supply for the Viet Cong. So it must be an important port to them.

Schlesinger: It is not very much used now.

Vice President: But this is their port of entry. It would be a major contact with the outer world, especially if they do not work with the Vietnamese; it was built originally in order to give them independence of the Mekong River which was patrolled by the Vietnamese.

President: We used to complain about supplies coming into Sihanoukville. One reason why Sihanouk was asked to leave in 1970 was

because he turned his face away from the movement of supplies into the port.

One of the purposes of our entry into Cambodia was to get this material that had been delivered there.

Vice President: There is one thing that was a big mistake yesterday. You got the information that the American ship was already in the harbor in Kompong Som.² This denied you one option, which would have been to try to prevent the ship from being taken into the harbor. But you were told that the ship was already in the port.

Schlesinger: I did not say that it was already in the port. I said it might be.

Vice President: I do not want to argue, but you said that it was known that when you left your department it was one hour away from the port and by the time you arrived here, it would already be in the port.

President: I do think we have to be certain of our facts. Overnight, Brent gave me a series of different reports that we were getting about the ship's location and about what was happening. We have to be more factual or at least more precise in pointing out our degree of knowledge. What do we know now? How certain are we of the facts with which we are dealing?

Colby: We think that the ship is off the island as I pointed out. We understand that people are being off-loaded. We have seen it.

Jones: I talked to the commander in Thailand who was in contact with our reconnaissance aircraft. Through this commander, I have the following report from the aircraft. He said that the ship had one anchor up, and one down. We are not sure whether the boiler was up. Infra-red photography showed that the chimney was hot. This could, however, be residual heat. If the chimney heats up further and if smoke comes out, we know that the boiler is being heated up. Our experts tell us that it is very improbable that the Cambodians can run this ship, so that if there is any indication that the ship is moving, it must be the Americans who are running it.

Rumsfeld: How do we know these things? How do we know that it was the *Mayaguez* that your reconnaissance aircraft saw?

Jones: The aircraft read the name on the vessel. It is a positive identification. As I said, the anchors are up and down. There is no smoke. We think the boiler is not up but we are not sure. Some boats have come alongside. Through fighter runs, we kept them off. Some, however, did get to the boat. We saw some people getting off and going to

² See Document 285.

the island. Then we saw them on the island. They had their heads between their legs. They appeared to be Caucasians.

President: Was all this in daylight?

Jones: This was just before it grew dark over there. Even in the dark, we can still use the infra-red. We can see quite a lot. This is the sort of thing we use with our gunships and we can get a lot of information from it.

The instructions we have to our commanders are not to let the ship go to port. They are to take any action not to include sinking. We should know when it moves, when it raises anchor, and when it raises the boiler.

We can, if necessary, disable the ship. We can hit it abeam, just off the stern. We will not hit people that way. We can do that with pretty high confidence that we can stop the ship from sailing under its own power. Of course, if it is not sailing under its own power, we would make the tug boat the target.

President: How big is the ship?

Jones: The ship is about 500 feet long. The tug boat, of course, is rather small. But it would be moving very slowly. It would be a very vulnerable target.

Of course, we cannot guarantee that we could stop it, but we think that there is a good chance that we could keep it from going into the harbor without sinking it. We would use gunships. They are very precise.

Rumsfeld: Do we know where the crew, the Americans and the Vietnamese, are?

Jones: We saw people coming off the ships. They had been on the deck of the ship. We saw them go to the island.

President: If they try to move the ship, we must take steps to stop it, without sinking it.

Jones: And with minimum loss of life. We would know in advance, when they are going to move the ship.

President: How would this information come to us? Whom does the plane contact?

Jones: The 7th Air Force Support Group at NKP. We would have a report in minutes.

President: So that, within 10 minutes, any movement would be detected and available to us here.

Jones: Of course, they can do things below the deck that we would not see, but we should know if anything important is going on. One problem, of course, is that if the weather turns bad, this would have some effect on our coverage.

President: And you have people on the ball in the Pentagon?

Jones: Quite a few.

President: How do you get the information to Brent and then to me?

Scowcroft: Last night, there were long time lags before we got the information, and there was a lot of confusion about its accuracy.

President: I am very concerned about the delay in reports. We must have the information immediately. There must be the quickest possible communication to me.

Colby: Of course, we have another source. We can intercept their communications.

President: We must get the information to the NSC and to me.

Jim, will you now please give us your report on the other options.

Schlesinger: We have reviewed the options. The option to take Kompong Som requires many troops. There are about 1700 KC's in the area. So our first objective today is to keep the ship out.

If we want to take the ship, there are two options:

—We can use the Marines and the choppers that are at Utapao. We can take off tomorrow.

Or, we can wait until the USS *Holt* arrives, which should be around 8:00 p.m. tomorrow night, or about 12 hours later.

Jones: It is arriving at 0530 our time. That is when the *Holt* will get there.

Vice President: That would make it the morning of our time, not the evening.

President: I have a question about that from my World War II experience. That destroyer would have been operating at flank speed for about 36 hours. In those days it would not have much fuel left when it arrived at its destination. We would not want it to be dead in the water.

Schlesinger: It will not be in that condition. In any case, the carrier will arrive the following morning and it will be able to refuel.

The Navy people are trained in boarding. It might be preferable to wait for the *Holt* because it will be manned and able to do it. We will then have the dominant force in the area. But, of course, this may give the Cambodians time to change the situation or to try to prepare themselves. Therefore, it may be better to go by first light tomorrow.

Rumsfeld: That would be this evening, at 6:00 p.m., Washington time.

Schlesinger: It may be preferable to go in quickly. We have instructions to use gunfire to keep personnel away from the anchor chain on deck.

Vice President: Even if they are Americans?

Schlesinger: I do not think they have Americans on board except for people to man the boiler. I think they have the other Americans on the island.

Our force to take the island is now in Okinawa. In twelve hours, we can have the Marines there.

President: Twelve hours from now?

Schlesinger: Twelve hours from your order. We already have 125 Marines at Utapao.

President: They would be intended to take the ship. How about the Marines from Subic Bay? How soon can we get them there?

Jones: They are coming from Okinawa. They could go by 1844 or 1900 or the second light tonight. One day later, we could have the Marines at Utapao. We could use large choppers.

President: They could be used on the island.

Jones: This would be about 1,000. We do not know what is on the island.

Schlesinger: We asked a Cambodian defector and he told us there were about 60 troops on the island.

For the island operation, I think it is preferable to use the *Coral Sea*. It gives us dominance over the area. Also, we have its forces and helicopters.

The danger for the Americans on the island is that we do not know what the Cambodians would do. I think there is less danger if we have the dominant force. We will have Cambodians on the choppers who will be able to say that we can take the island unless they give us the Americans or the foreigners. This message would be bull-horned from the choppers at a time when we are ready to act.

Scowcroft: This means that the force of 1,000 Americans from Utapao would be for operation to take the island, not the ship.

Schlesinger: Right.

Colby: We should realize that the Cambodians are tough fellows. We know that they took a Vietnamese ship and killed seven people without thinking any more about it.

Schlesinger: When cornered, they could execute the Americans.

Hartmann: Do we know why they took off the Americans?

Jones: We have an intercept which indicates the intention to take them off, but we have no indication whether or not they actually did and why they might have done it.

President: Are we keeping gunboats and other boats from the ship?

Jones: We have not opened fire on them. We have scared some of them away by making passes at them. One boat is tied alongside the ship.

President: Are there quite a number around?

Jones: We have had reports on boats, sometimes two or more. We hope to have better intelligence soon.

President: Isn't it dark now?

Jones: We can get the information from infra-red. We took a lot of pictures. We are now reading them out in Thailand. We hope to have a better readout after we have finished.

President: I would like to see the pictures.

Jones: They are processed there.

President: Anything on the diplomatic side?

Scowcroft: Not yet.

Vice President: May I say something?

President: Yes.

Vice President: I do not think the freighter is the issue. The issue is how we respond. Many are watching us, in Korea and elsewhere. The big question is whether or not we look silly. I think we need to respond quickly. The longer we wait, the more time they have to get ready. Why not sink their boats until they move? Once they have got hostages, they can twist our tails for months to come, and if you go ashore, we may lose more Marines trying to land than the Americans who were on the boat originally. Why not just sink their ships until they respond?

Schlesinger: We have several objectives.

First, to stop the boat from being taken into the port.

Second, to get our people back.

Third, to attack and sink the Cambodian Navy, later, after we have our ship and our people out, in order to maximize the punishment.

We do not know their motive. If we sink their vessels, it might precipitate sinking of the freighter and jeopardize getting the Americans out. It seems to me that that is the sequence of priorities. Starting that way, their reaction would be prudent.

Vice President: I do not think the Communists respond this way. I remember the story by Mao Tse Tung about sticking a blade in until you hit steel and then you pull out your sword. If you do not meet steel, you go in further.

I think you should do everything you can as soon as possible. Later, you can destroy the port as retaliation.

Schlesinger: I would prefer for us first to get the ship, and then to proceed against the island.

President: Brent, what are your views?

Scowcroft: I see two operations.

—The first is against the ship.

—The second is against the island.

The urgency of the island operation is to stop the Americans from going to the mainland. On the ship, it is to stop it from going to Kom-pong Som.

The optimum situation with the ship is to get the *Holt* between that ship and Kompong Som. We cannot do that until tomorrow.

If we do not have that time, if they start to move, do we try to take the ship? Or do we wait until the *Holt* gets there and we have things our way?

Jones: We have ways of stopping them from getting it into Kompong Som. But they can scuttle it. We have to judge this.

Rumsfeld: Can they get the Americans to the mainland?

President: They can be doing it tonight, their time.

Jones: As the Vice President said, if we wish to assure that the Americans are not taken to the mainland, we would have to knock out their boats.

President: Can we knock them out?

Jones: With gunships.

Vice President: The longer we take, the worse it gets. If the communists do not think that you will react strong and fast, they will keep on doing this. We must do it as the Israelis do; we need to respond fast.

Scowcroft: We must recognize that we have a problem with regard to Thailand. They have called in our Chargé and they have told him that they do not want Thai bases used in connection with operations to release our ships.³

President: Are we running our reconnaissance and our freighters from Thailand?

Scowcroft: So far it has been OK. But if we use force, we may be in jeopardy.

Schlesinger: There is the possibility of the opposite reaction. If they see us acting, they may change their attitude. Publicly, they may protest, but privately, they may agree. They have done this before.

Vice President: I agree with that.

Jones: Earlier, we had no forces to operate to free the ship. As we discussed yesterday, we had to get our assets into place. We have them.

President: Let me review the sequence:

—First, we would use the aircraft to stop any boats leaving the island. You do not sink them, necessarily, but can you take some preventive action?

Jones: Probably. With the infra-red, we have some information as to what they are doing. We also have searchlights and flares. We will want to see if there are any Americans on board. We will need to de-

³ See Document 288.

cide whether to fire across the bow or to sink it. We would have some time. They are slow boats. That is one point. We could, with some confidence, interdict the island.

President: —Second, I think you should stop all boats coming to the island.

—Third, I think we should be prepared to land on the ship tomorrow morning.

Jones: This is not an easy operation.

On a container ship, we can only land our helicopters one at a time. There is not much space. The containers are aluminum. They would not be strong enough to support the helicopters, so we would have to rope people down. They would come down three at a time and they would have to drop 20 feet to the deck. Of course, we would have helicopters alongside to keep heads down as we land. Still, it would be very tricky.

President: But we would have gunships as well.

—Fourth, to have the Marines from Utapao, 1,000 strong, go to the island. How soon could they get there?

Jones: They can launch within ten hours after I leave here. They could launch at the second light.

Rumsfeld: The President wanted it tonight.

Jones: Right.

President: So the landing on the ship can take place tonight. What about the island?

Jones: It could be 24 hours later. We would not have the force until then. They were not on alert. It would be some hours before the launch.

President: If they were to go on the island at dusk, tomorrow, you would have 18 hours.

Rumsfeld: Let's put all this on a piece of paper, with the exact times, so that we all know what we are talking about.

Jones: At the second light there?

Rumsfeld: That would be 7:00 p.m. D.C. time. I suggest we stick to one set of times.

President: When does the destroyer get there?

Schlesinger: Eight o'clock (p.m.)

President: Dusk, tomorrow night, their time?

Schlesinger: Yes.

President: Same time as the Marines?

Schlesinger: No.

Scowcroft: Let's use one time for all this.

Schlesinger: At 7:00 p.m. tonight, Washington time, we can have some Marines ready.

At 8:00 a.m. tomorrow, Washington time, the *Holt* will be in position.

Somewhere between that time, the additional Marines will be in Utapao.

Rumsfeld: This is a different set of times from what we were given earlier.

Scowcroft: Right.

President: I have to go to meet with some Congressional people. Can somebody please put all this down so that we have it in writing? (Schlesinger showed the schedule to the President.)

President: The *Coral Sea* gets in at 8:00. What about the *Holt*?

Jones: We are trying to speed it up.

President: I think the first two steps can be done. Let us take them. I would like to have the next steps written in sequence as to when they can take place.

Vice President: I think we have some questions about operating on land against the Cambodians.

Marsh: Also, there is a war powers requirement.

President: First, I want to know the times. There should be a logical sequence so we can have a chance to decide. Let us do it one and two and three, etc.

Scowcroft: I have reservations about landing on the ship.

Jones: So do I.

Schlesinger: Landing on the ship is to send them a signal. If we start to hit the boats, they know we are up to something. They could kill the Americans, but I doubt it. We have the element of surprise.

President: But they can take the people out.

Vice President: I agree.

President: Let's get the facts on the times lined up.

Vice President: We do not want a land war in Cambodia.

292. Telegram From the Department of State to the Embassy in Thailand¹

Washington, May 13, 1975, 1754Z.

111025. Subject: Measures to Obtain Release of the *Mayaguez*. Ref: Bangkok 8690.²

You are correct in what you have told Prime Minister Khukrit that aircraft launched from Thai bases thus far have been for surveillance purposes only. We understand fully sensitivity of issue, but it is our judgment that if we begin to supply the Thais with advance information they would have no alternative but to pose strong objection.

Regarding decisions taken but as a matter of overall strategy you should understand that we will be required to utilize U-Tapao as may be necessary in order to secure promptly the release of the vessel and Americans. You are already aware, as indicated in JCS 131610Z,³ of certain steps being taken. You should not rpt not give any advance indication to the Thais. We realize that there may be costs with the Thais but the balance of interests requires that we be willing to take whatever risks may be involved in our relations with Thais.

Ingersoll

¹ Source: Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, Box 29, Department of State, Telegrams and Cables. Secret; Nodis; Flash. Drafted by Sisco; approved by Sisco, Johnson, and Eagleburger.

² Document 289.

³ In JCS 131610Z to CINCPAC, the JCS ordered certain U.S. forces in Thailand to position themselves for action at U-Tapao. (Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files Box 28, Department of Defense, CINCPAC, 1)

293. Transcript of Telephone Conversation Between President Ford and the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Washington, May 13, 1975, 8:10 p.m.

P: Hello.

S: Mr. President.

P: Yes, Brent.

S: I have just one quick one. Three little boats have taken off toward the northeast. One boat has been sunk. The second has turned back and the third is continuing at full speed. If they can't stop it any other way, we have no choice but to destroy it.

P: I think we have no choice.

S: It is obvious they know what we want.

P: No, I think you should. If we don't do it, it is an indication of some considerable weakness.

S: No question about it.

P: I think we should just give it to them.

S: To show them we mean business.

P: I am glad they got the first two. I think we ought to take the action on the third one.

S: Thank you, Sir.

¹ Source: Ford Library, National Security Adviser, Kissinger-Scowcroft West Wing Office Files, Box 1, Cambodia, Mayaguez Seizure. No classification marking.

294. Transcript of Telephone Conversation Between President Ford and the President's Deputy Assistant for National Security Affairs (Scowcroft)¹

Washington, May 13, 1975, 9:50 p.m.

S: We have another boat. There is one survivor in a raft. I don't know whether they have picked him up or not. We have just had a report that on one of the boats which is five miles off Kompong Som there may be some Caucasians held in the front. The pilot thinks he can stop it without sinking it.

P: Right. As I understand it, one fled and got to another island and then we sank the one and the third one is the one you are discussing.

S: Yeah.

P: Well, I don't think we have any choice.

S: If they get the Americans to the mainland they have hostages and . . .

P: We have to predicate all these actions on the possibility of losing Americans.

S: I will have them ask the pilot to do his best to stop it without sinking it.

P: I think that is right. I will be over there in about 15 minutes.

S: I will have the Defense Department Option Paper² by then.

P: Okay, Brent.

¹ Source: Ford Library, National Security Adviser, Kissinger-Scowcroft West Wing Office Files, Box 1, Cambodia, Mayaguez Seizure. No classification marking.

² See footnote 2, Document 290. Additional Department of Defense papers, "Actions to Prevent Ship from Moving Towards Port," "Options to Seize Island," and "Simultaneous Possibilities," undated, are in the Ford Library, National Security Adviser, Presidential Country Files for East Asia and the Pacific, Box 3, Cambodia, Seizing of the Mayaguez, May 1975 (1).

295. Minutes of National Security Council Meeting¹

Washington, May 13–14, 1975, 10:40 p.m.–12:25 a.m.

SUBJECT

Seizure of American Ship by Cambodian Authorities

PRINCIPALS

The President
The Vice President
Secretary of State Henry A. Kissinger
Secretary of Defense James Schlesinger
Acting Chairman, Joint Chiefs of Staff Gen. David C. Jones
Director of Central Intelligence William Colby

OTHER ATTENDEES

State
Deputy Secretary of State Robert Ingersoll
DOD
Deputy Secretary of Defense William Clements
WH
Donald Rumsfeld
John Marsh
Robert Hartmann
Philip Buchen
NSC
Lt. Gen. Brent Scowcroft
W. Richard Smyser

President: Brent, can you tell us what the situation is?

Scowcroft: With regard to the boat that I told you about, we do not have much time. Our aircraft has used riot control agents twice. That has delayed the boat but it has not stopped it. It is now about six miles from Kompong Som, according to the pilot. The pilot is not at all sure that he can disable the boat without sinking it.

President: I thought the first boat had reached the shore.

Schlesinger: It got to the island.

Jones: It was in range.

President: I understand we sank the second one. And the third one is the one we are now talking about.

¹ Source: Ford Library, National Security Adviser, NSC Meetings File, Box 1, Chronological File. Top Secret; Sensitive. The meeting was held in the White House Cabinet Room.

Scowcroft: That is correct. That boat is now six miles from Kompong Som.

President: Did the pilot try riot control agents?

Scowcroft: They were tried and they did not work. Now the pilot is not sure what to do next.

Schlesinger: He is not certain that there are Caucasians on board.

President: Let's look at it. If they got to shore, and we have done the other things we are contemplating, there will not be much opportunity for them anyway.

Kissinger: They will hold them for bargaining.

Hartmann: How can the pilot tell whether the men are Caucasians?

Schlesinger: By a number of signs, such as their size and the color of their skin.

Scowcroft: It is not an easy identification. It is very tough.

Schlesinger: I would think that avoiding bargaining chips is less of an objective than not being in a position where the Cambodians can say that the F-4's killed our own men.

President: What do we do? Should we let them go into port?

Schlesinger: Let's continue to try to stop them with riot control agents. We understand there are 8 to 9 men on board who seem to be Americans. There are others below who may be Americans. The pilot thinks there may be more Americans.

President: What do you recommend?

Schlesinger: I recommend we sink the speedboats. I do not think we should sink the other boat but should rather continue to use the riot control agents.

Scowcroft: The pilot is reluctant to attack if he is under instructions not to sink the boat.

Schlesinger: That is true. He originally thought that he could disable the boat without sinking it. Then he became reluctant.

President: What do you think?

Kissinger: I have just come back into this problem, having been out of town all day. My instinct would have been as follows:

We have two problems:

—First, the problem of the crew and the ship and of how we win their release.

—Second, our general posture which goes beyond the crew and the ship.

But that sort of thing comes later.

In the immediate situation, I think I agree with Jim. We will take a beating if we kill the Americans. At the same time, we must understand

that we cannot negotiate for them once they are on the mainland. If you are willing to take that position, then I think we can let them go. We should not let them become bargaining chips.

Scowcroft: We have already done it on one.

Schlesinger: There were no Caucasians on it.

Kissinger: We have a pilot who thinks there may be Caucasians. It would have been a much better position for us to take that we will simply hit anything that leaves the island.

President: Right.

Kissinger: Now we are debating with the pilot.

President: I gave the order at the meeting to stop all boats. I cannot understand what happened on that order, because I heard that it did not go out until 3:30.

Schlesinger: It went out by telephone within half an hour after you gave it.

Jones: We talked to Burns, the Commander out there, immediately. The confirming order went out later. But our communications are so good that we can get all the information back here immediately to Washington in order to make the decisions from here.

President: Was the order given, and at what time, not to permit any boats to leave the island or come into it? I was told it was not given until 3:30. That is inexcusable.

Jones: That was the written order, not the verbal order.

President: Let's find out when it was given.

Clements: To assist General Jones, I was with him in the Situation Room when he gave the order even before he left the White House.

President: Let's find out what happened. It is inexcusable to have such a delay.

Now let us talk about the problem of the moment. It is a different situation, and I reluctantly agree with Jim and Henry.

Schlesinger: I think we should destroy the boats that still remain at the island.

President: That is your recommendation. What do you think, Henry?

Kissinger: I'm afraid that if we do a few little steps every few hours, we are in trouble. I think we should go ahead with the island, Kompong Som, and the ship all at once. I think people should have the impression that we are potentially trigger-happy. I think that once we have our destroyer on station, that is ideal.

Schlesinger: I agree. It will go in at noon.

Kissinger: In the meantime, I think we should sink the boats that are at the island.

Rumsfeld: I thought the *Holt* would get in at 8:00 a.m.

Schlesinger: We understand it is doing 21 knots, not 25.

Scowcroft: I have got to get the word out. What should I tell them?

President: Tell them to sink the boats near the island. On the other boat, use riot control agents or other methods, but do not attack it.

Marsh: Supposing the boats near the island have Americans on it. Should we send some order to use only riot control agents there?

Kissinger: I think the pilot should sink them. He should destroy the boats and not send situation reports.

President: On one boat, there is a possibility of Caucasians. On the others, we can't be sure.

Jones: Suppose we say in our order that they should hit all the boats in the cove, not just two.

Kissinger: We don't need to decide on the cove right now. We have some time.

President: Is it 11:00 o'clock there now?

Schlesinger: It is 10:00 o'clock.

President: How many hours away is the *Holt*?

Kissinger: Fourteen hours.

Jones: (Raising a chart) I have tried to put all this in a chart, indicating when the key actions would take place. The *Holt*, we expect, will arrive at 12:30 Washington time tomorrow. The *Coral Sea* and the *Hancock* will arrive later. We are not sure of the latter's arrival time because it is having trouble with one propeller shaft.

The Marines are all airborne. They are on the way to Utapao. That is the 1,000 Marines. The 150, with their helicopters, are already there and on the alert. The 1,000 Marines will arrive around 0300 tomorrow morning. That is the time for the first one. After that the others arrive every few hours.

President: Then the *Holt* arrives at 11:30 Eastern Daylight time tomorrow. That is 2330 Cambodia time.

And the *Coral Sea* about 28 hours from now.

Jones: It is making 25 knots. The plots are pretty good. It is moving towards the spot.

President: That is not flank speed.

Jones: That is the best time that they can do.

President: Flank speed is 33 knots.

Jones: The Navy says that that is the best time that they can make.

Rumsfeld: The information this afternoon was that the *Hancock* would arrive on Friday.

Jones: This is very tenuous. They are working on one of the shafts.

Rumsfeld: That is 2200, Friday, the 16th?

Jones: No, the 15th.

Schlesinger: We are in serious trouble on the mechanical side. One shaft is out on the *Hancock*. The *Okinawa* has an oiler out. It is making only 10 knots. There has been a series of mishaps.

President: What can be done before daylight ends over there today?

Schlesinger: We have 11 choppers at Utapao. We can run operations against the vessel. In addition, we can land on the island with 120 Marines. We can support that with the force from Okinawa. All together, we would have 270 Marines. In all probability, we could take the island. The Marines estimate that there might be about 100 Cambodians on the island. We would prefer to land with 1,000.

President: If you do not do it during this daylight, you have a delay. How long would it be?

Schlesinger: 24 hours. We do not have the *Holt* there yet. The *Holt* will arrive at noon tomorrow our time. If it is to do anything, I would prefer to wait until the first light on the 15th. Until the *Coral Sea* arrives, all we can use are the helicopters at Utapao.

Kissinger: How would the Marines get down?

Jones: On ladders.

Schlesinger: The helicopters would hover.

Kissinger: But if there are 100 troops on the island, why do we not attack it?

President: In this daylight cycle, you could put 120 on the ships, and 270 on the island?

Jones: The total lift is 270. Our plan was to seize the ship with 120, and then to use the Marines from Okinawa to try to go on the island.

It is hazardous to go onto the island with this first group because you do not have time to recycle. We would have to let them remain there overnight, against a force that we do not know.

Kissinger: Does the *Coral Sea* have helicopters?

Jones: No. It has only two or so that it uses itself. But we could take the Marines on to the *Coral Sea*, and thus get them close to the island.

Kissinger: I understand we only have 11 choppers.

Colby: Couldn't the 270 protect themselves against the force on the island?

Jones: We have nothing to confirm the exact force on that island.

Kissinger: I do not see what we gain by going on with that force tonight. If you sink the boats in the area, and all who approach, it does not matter if we have anybody else on the island. At that point, nothing will be moving.

My instinct would be to wait for the *Holt* and the *Coral Sea*. You can then work with the Marines from the *Coral Sea*. Nothing can happen in the meantime. Then I would assemble a force and really move vigorously.

President: In other words, the time you gain in this cycle is not worth the gamble.

Kissinger: Later you can do more. It might work with the 270. But it is a risk. It should be decisive and it should look powerful.

Jones: But it cannot be in 24 hours, only in 48. Once you start cycling, it takes time.

Schlesinger: I think that Henry (Kissinger) is thinking of going tomorrow night.

Rumsfeld: But you have only a few hours left of daylight.

Jones: That would not be enough.

Schlesinger: We need the morning of the 16th for a coordinated assault.

Kissinger: We are talking about 48 hours.

President: In other words, you are talking about Thursday night our time.

Jones: On Wednesday night, the *Coral Sea* will help a little with its fighters. But not with Marines. Maybe the *Hancock* will do it.

Kissinger: You also have the *Holt*.

Jones: With the *Coral Sea*, you have other vessels as well. You will have a total of five ships. You would have a good force, but it is very late at night to begin to cycle the Marines.

Colby: Our estimate was that there were 2,000 in Kompong Som. There is not a large force on the island.

President: Do you think we can figure with 100?

Colby: Yes. The KC have just arrived in power. They have probably not had time to man the island more fully.

Clements: In the time frame that you are talking about, there will not be an island worth taking. All the Americans will be gone.

President: Not if we knock out the boats. Unless, of course, they leave at night.

Clements: Right. I think they will get out. The *Holt* will protect the ship. But that is not what matters. I doubt that there will be anything on the island.

Rumsfeld: Can we not use flares for this?

Jones: The main thing we use at night is infra-red. We can read it at night. The P-3's also have searchlights and flares.

Rumsfeld: The P-3's should be good at keeping the boat under control.

Jones: Yes, unless the weather is bad.

Clements: The small boats can get through. You cannot get control.

Colby: The KC may say something soon.

President: It seems that at a minimum we should wait for the next daylight cycle, with the *Holt* getting there.

Kissinger: The *Holt* will be there then.

President: Right. Is it the unanimous view that we should withhold action until after the *Coral Sea* has a full day there?

Schlesinger: I think you should wait.

Colby: This is not my business. I do not think you should go tonight. But I worry about what might happen later. If they get locked in, if they take reprisals, it would be very difficult for us.

Clements: I would like to take a middle position. Once the *Holt* gets there, we will have some control. We can do a great deal.

Colby: I think that with the Marines, you have to go soon.

Kissinger: I am very leery about that operation using ladders.

Schlesinger: If there is token resistance on the island, the Marines can handle it. If there is more, they can try to lock in and get more Marines to land the next day, with the *Holt* for additional support. It is a close call. There are the pressures of time. It is also possible that the Cambodians will decide to execute our men.

Colby: Once we take that ship, the clock is ticking.

Clements: The *Holt* can get them, by speaking to them with loudspeakers. It can let them know our position.

Kissinger: But that is not the issue. We should not look as though people can localize an issue. We have to use the opportunity to prove that others will be worse off if they tackle us, and not that they can return to the status quo.

It is not just enough to get the ship's release. Using one aircraft carrier, one destroyer, and 1,000 Marines to get the ship out is not much. I think we should seize the island, seize the ship, and hit the mainland. I am thinking not of Cambodia, but of Korea and of the Soviet Union and of others. It will not help you with the Congress if they get the wrong impression of the way we will act under such circumstances.

As for the 270 Marines, it had several components. There is an advantage in speed. The problem is if anything goes wrong, as often does, I think against 100 KC you would lose more Americans because you do not have overwhelming power. I am assuming we will not negotiate. We must have an unconditional release. On balance, I would like to get a more reliable force.

Clements: If you want the ship and the Americans, why not let the *Holt* do it? Let the *Holt* broadcast that if the Americans are not released, all hell will break loose.

Kissinger: What would hell mean in a case like that?

President: Let's do an add-on to Colby's suggestion. The *Holt* is there. You land 270 Marines. You bomb the airport at Sihanoukville.

Colby: My schedule is to land the Marines today.

Schlesinger: Until the *Coral Sea* gets there, we have only the aircraft from Thailand. The inhibitions on the use of the aircraft from Thailand are greater.

President: No, you have the B-52's on Guam. They can be used.

Colby: If you knock out every boat, you have effectiveness.

Kissinger: That is still localizing it. We will not get that many chances. As Jim says, it would exacerbate the Thai problem.

President: If we order the Marines to go from Utapao, we could get 270 in there.

Jones: That was before we lost two helicopters on SAR. I would urge against going this daylight. The Marines would just be landing at Utapao. The helicopter pilots would be tired. Nobody would be mated up yet. It would be a difficult operation to be launching at that time, especially since we could not follow up the same day.

Kissinger: If you were to give the orders now, Mr. President, there would still be some hours of delay before the messages were received and before the preparations were made. By then we would really only have three more hours of daylight left in order to conduct the operation.

President: So we rule out any action on this daylight cycle. Then, on the next day, the *Holt* gets there. We then have some more options. The *Coral Sea*, however, doesn't get there until the next cycle.

Kissinger: If you wait 24 more hours, you have the *Holt* and you also have the fact that you can use 270 Marines.

Jones: And, in fact, you have 250 more that you can put in. You also have the *Coral Sea*.

Kissinger: I am not sure that I would let the *Holt* go up against the vessel. It may be best to keep the *Holt* where it can blockade the island. Then we can seize the island.

Schlesinger: I agree with Kissinger. But we have to keep in mind that there are forces on the island. That gives them time to prepare. It also gives them time to scuttle the ship.

Kissinger: But they can still scuttle the ship, even with the *Holt* alongside. If we could seize the ship quickly, I would agree. I did not know that the *Holt* could board.

President: Unless sailors are different now, they are not good boarders.

Schlesinger: Could any Marines do it?

Jones: We could get the Marines on the ship, but then we could not use them for other things.

The suggestion is to go with the first light on the 15th, to get the *Holt* and to hold the island.

Kissinger: My suggestion is to seize the island. We cannot do anything tonight. By tomorrow morning, we can put the Marines on the *Holt*. They can operate. I would go for the island at daybreak of the 15th.

Schlesinger: The problem with that is that the *Coral Sea* will not be there. If you want an overwhelming force on the island, you should wait until the 16th.

Kissinger: The ideal time for what I have in mind is the 16th. That would not just include the island but Kompong Som, the airport and boats.

President: If you wait until the 16th, you have maximum capability. But the people in Utapao should be prepared to operate as soon as the *Holt* gets there, at 11:30 tomorrow night. The Marines should be alerted.

Kissinger: The *Holt* gets there at noon tomorrow. So we can go from first light. We could seize the island and the ship. That, however, would not give us the *Coral Sea* for such operations as we would wish to run against Kompong Som.

Schlesinger: You can get 250 Marines in helicopters.

Colby: That would mean 500 in two cycles.

President: The operational orders should be set up so that the *Holt* and the Marines can go. We do not know what will happen in 24 hours. They have options also. We can make a decision tomorrow if we want to. But we should have orders ready to go so that they can move within 24 hours. That would be for the *Holt*, the Marines, and the B-52's.

Rumsfeld: When would it start, then?

Kissinger: At 2200 hours tomorrow. I think that when we move, we should hit the mainland as well as the island. We should hit targets at Kompong Som and the airfield and say that we are doing it to suppress any supporting action against our operations to regain the ship and seize the island.

If the B-52's can do it, I would like to do it tomorrow night. Forty-eight hours are better militarily. But so much can happen, domestically and internationally. We have to be ready to take the island and the ship and to hit Kompong Som.

President: I think we should be ready to go in 24 hours. We may, however, want to wait.

Schlesinger: We will be prepared to go on the morning of the 15th. We will see if we can get the Marines on the *Holt*. At first light, we will have plans to go to the island. Simultaneously, we will go for the ship.

We will have the B-52's at Guam ready to go for Kompong Som. But I think there are political advantages to using the aircraft from the *Coral Sea*. You will have more problems on the Hill with the B-52's from Guam.

Vice President: Why?

Schlesinger: The B-52's are a red flag on the Hill. Moreover, they bomb a very large box and they are not so accurate. They might generate a lot of casualties outside the exact areas that we would want to hit.

President: Let's see what the Chiefs say is better, the aircraft from the carrier or the B-52's. It should be their judgment.

Kissinger: But the *Coral Sea* would delay us 24 hours.

Rumsfeld: But do we have to wait for the *Coral Sea* actually to arrive?

Scowcroft: No. Their planes can operate at considerable distance.

President: On the 15th, we can use the B-52's from Guam. On the 16th, we also have the aircraft from the *Coral Sea*.

Jones: Except, if you use the *Coral Sea*, it limits some assets. Everybody is now on alert. We can do it when you say. We are ready to go.

Rumsfeld: Is it not possible that the *Coral Sea* aircraft could strike Cambodia even when the *Coral Sea* is still hours away?

Schlesinger: I'm not sure it would be close enough. Let me check.

Rumsfeld: The *Coral Sea* could be there near that time.

Schlesinger: Let me check.

President: You may have an operational problem. If you have to turn the carrier into the wind in order to dispatch and recover aircraft, you may lose time.

Schlesinger: Yes, but if you go for the 15th, you do not need its presence so soon if you can use the aircraft from a distance.

Kissinger: What do we have on the *Coral Sea*?

Jones: We have fighter aircraft, including F-4's and A-7's.

Kissinger: Would they be more accurate than the B-52's?

Jones: Not necessarily. It depends on the type of target.

Buchen: I see two problems:

—The first is Cooper-Church Amendment.²

—The second is international law.

² See footnote 3, Document 36.

President: On international law, I do not think we have a problem. They have clearly violated it.

Buchen: We have the right of self-defense, but only self-defense. The Cooper-Church Amendment says no actions in Indochina.

Kissinger: I think you can legitimately say that our aircraft are suppressing hostile action against our operation.

President: We cannot be that concerned in this instance.

Marsh: This afternoon, we had the NSC prepare a paper saying what we would do. It showed that you would use force in general terms. The reaction from the people we talked to was very favorable.

Clements: I hate to have us lose sight of our objectives in this case. Those objectives are to get the Americans and the ship. If we want to punish people, that's another thing. I think that dropping a lot of bombs on the mainland will not help us with the release of the Americans.

President: I think we have to assume that the Americans were taken from the island and that some were killed. This is tragic, but I think that we have to assume that it happened. Does anybody disagree?

(General expressions of agreement.)

Vice President: At a briefing yesterday, Congressman Zablocki, one of the proponents of the War Powers Act, said that he would tell the press that the U.S. could bomb the hell out of them.

Schlesinger: We are not inhibited by the War Powers Act, only by Cooper-Church.

Colby: We think there are about three T-28's at Kompong Som airfield. They could use them. So there is a potential threat at Kompong Som against our forces.

President: Can we verify this?

Colby: This is from a photograph taken on the 12th.

Rumsfeld: How are those aircraft equipped?

Colby: With bombs and guns.

Kissinger: I think the worst stance is to follow Phil's concern. If we only respond at the same place at which we are challenged, nobody can lose by challenging us. They can only win.

This means, I think, that we have to do more. The Koreans and others would like to look us over and to see how we react. Under certain circumstances, in fact, some domestic cost is to our advantage in demonstrating the seriousness with which we view this kind of challenge.

President: Phil and I have argued for years.

Buchen: I have to state the problems that we face.

President: In this daylight cycle, unless something unusual comes up, we will try to prevent boats going to and from the island.

Kissinger: The latest intelligence shows that there are several small patrol boats near the island in the cove. I think we should sink them.

President: I agree.

Schlesinger: There are four boats.

President: I think we should sink any boats that can be used to try to move the Americans.

Rumsfeld: But not the ones that carry Americans.

Schlesinger: I disagree with Henry in one case. The legal situation in Indochina is unique. We should emphasize that. The restraints on our actions are different from the restraints anywhere else.

Kissinger: I would hit, and then deal with the legal implications.

President: Bill (Colby) should verify that the T-28's are there. At the second daylight cycle, we are prepared to do more. The *Holt* will be there and the Marines will be ready to go on it and to be put on the island, with the B-52's and perhaps the aircraft from the *Coral Sea* prepared to strike Kompong Som. But, unless there is some unusual development, the actual action will take place 24 hours later.

Schlesinger: On the 16th.

Kissinger: You can decide it then.

President: The preferable time is 24 hours later.

Kissinger: That is when the best forces will be available. But that has to be weighed against other considerations for the extra 24 hours that you lose. I remember 1969, when the EC-121 was shot down off Korea. We assembled forces like crazy. But in the end, we did not do anything. Maybe we shouldn't have. We will never know.

Colby: There is one other justifiable target in the Kompong Som area. The old Cambodian Government had 25 patrol boats in the Ream Naval Base.

(The President, Kissinger, and Schlesinger almost simultaneously remark along the lines that that might be a worthwhile target.)

Schlesinger: But this sort of thing would require the gunships out of Thailand.

Kissinger: I think we should do something that will impress the Koreans and the Chinese. I saw Teng Hsiao-Ping's comments in Paris.

President: Are there an airfield and a naval base there at Kompong Som?

Colby: Yes.

President: Why not hit both of them? There would be as many objections to hitting one as two of them.

Schlesinger: The question is whether you use the B-52's or the carrier aircraft. The B-52's may represent the best image for what Henry is trying to accomplish. But, for Congress and others, other aircraft would be better.

President: Bill has to verify what there is at the airport.

Schlesinger: We'll put some T-28's on the base.

President: Tomorrow, we will still have the options as to what we should do.

Jones: On Guam, if we are to do anything, we have to start pretty soon. But there are lots of press there.

Rumsfeld: You would be launching at about 4:00 p.m. tomorrow.

Kissinger: How long does it take to load?

Jones: There are many planes to load and to get ready.

Kissinger: Is the first thing tomorrow still time enough?

Jones: I'm not sure.

President: Are there any others in the Far East?

Jones: Only at Utapao.

President: We do not want that.

Rumsfeld: It should not take long to calculate the answer on the question of using the *Coral Sea*.

Vice President: Everybody wants to know when you are moving. In New York, where I just was, people expect you to be doing things. So any steps you take in preparation will be understood.

President: How many B-52's would you use?

Jones: Perhaps 6 or 9.

President: Let's say 9. How many do you have on Guam?

Jones: I am not sure. About 20 or more.

President: Every time I have looked at a B-52 base, they are always doing something. It should not be that unusual. I think you should load them, and get them ready.

Jones: There are about 50 reporters on Guam right now, because of the refugees.

Kissinger: Can you tell the commander to shut up?

Schlesinger: It will get out, no matter how hard you try.

Vice President: Perhaps it would be good to have it get out. I don't think we should cavil.

President: Let's have them get ready to carry out the mission if we decide to do it.

Hartmann: I am not an expert on military affairs. I am just an old retired captain in the Reserve. I have been listening in terms of what the American public wants. I think the American public wants to know what you are going to do.

This crisis, like the Cuban missile crisis, is the first real test of your leadership. What you decide is not as important as what the public perceives.

Nothing, so far as I know, has gone out to the public so far, except that we are taking steps. It may be that we should let the public know something of the steps that you are taking. The public will judge you in accordance with what you do. We should not just think of what is the right thing to do, but of what the public perceives.

Kissinger: It would say nothing until afterwards. That will speak for itself. Then you can explain what you have been doing.

If you say something now, everybody will be kibbitzing.

President: But the press should know of the NSC meeting.

Hartmann: I think we should consider what the people think we are doing.

Rumsfeld: The delay worries me.

Hartmann: Yes.

Kissinger: If we are going to do an integrated attack, I think we have to go in 22 hours. We should not wait for a later cycle.

I cannot judge if there would be a problem in taking the island. We're saying that it will be one annihilating blow. I cannot judge if 270 Marines can do it.

Rumsfeld: There would 500.

Kissinger: But there will be 270 for four hours. They will have the *Holt* support. Perhaps they will also have some support from the *Coral Sea*.

President: Do we have Marines on the *Coral Sea*?

Jones: I'm not sure.

Kissinger: If the *Coral Sea* can launch against Kompong Som, it can launch against the island. We have to be sure that the landing has a chance of success.

Jones: The probability that the Americans are gone causes the problem. I think we have a high probability.

Kissinger: Then my instinct is with Rummy. We should go tomorrow night or earlier.

President: Everything will be ready. But, if you do it in the next cycle, you have the problem of Thailand.

Kissinger: The ideal time would be Thursday night. But I am worried that in the next 48 hours some diplomatic pressure will occur, or something else. So we have to weigh the optimum military time against the optimum political time. For foreign policy and domestic reasons, tomorrow is better.

President: The Thai will be upset.

Kissinger: That is correct, but they will also be reassured.

Rumsfeld: Can we be sure there is anybody on the island? We might just take a walk.

Kissinger: If the Americans are on the mainland, then we have to rethink.

Rumsfeld: If we look at this tonight, we will know tomorrow.

President: If Jones goes back to the Pentagon tonight with the orders to prepare, we will have details tomorrow.

Jones: Everything is now moving, except the B-52's.

Ingersoll: What is the flying time of the B-52's?

Kissinger: About 6 hours.

Jones: Maybe longer.

Schlesinger: Can we tanker them out of Guam?

Jones: Yes.

Kissinger: What will we say about the boats that have been sunk?

Buchen: We have to make a report to the Hill.

Schlesinger: It may not get out that quickly.

President: My answer would be, that we have ordered that no enemy boats should leave the island or go out to it, but that if they did, they would be sunk.

Kissinger: I think a low-key press statement can be issued, saying what has happened. We should tell the truth. We should say it in a very matter-of-fact way, at a DOD briefing.

Schlesinger: It will not stay low-key.

President: The order was issued that no boats should leave.

Kissinger: We should say nothing about the riot control agents. We should say that there were Americans possibly being moved, and that lives were at stake. Some Americans are still on the island. In pursuit of these objectives, the following boats were sunk.

One other reason is that it is not inconceivable that the Khmer will cave, and they should come in response to something that we had done.

Schlesinger: Should we say that they were sunk from aircraft from Thailand? That is your problem.

Kissinger: I am worried about it getting out of hand. We will look sneaky and furtive about something we should be proud of.

But the Thai thing does give me trouble. I think the Thai military will love it. But the Thai Government will say that it does not like it.

The Liberals on the Hill will put forward a recommendation to withdraw our forces from Thailand. They will match this with some requests from the Thai Government.

Rumsfeld: I think that is a good issue.

Hartmann: Bob Byrd, whom I regard as a good antenna of sentiment, says that we should act.

Marsh: Case says we should go in.

Vice President: In our statement, should we not call them launches?

Schlesinger: The boats are of different sizes.

Kissinger: I would urge that the spokesman make a short announcement at noon tomorrow. He should explain why we are doing it. He should say that it was ordered by you, executed by the National Security Council, and then answer no other questions. This would be noon. By 8 o'clock, we will have decided the other. That will add to your strength.

(General concurrence.)

End of Meeting

296. Telegram From the Embassy in Thailand to the Department of State¹

Bangkok, May 14, 1975, 1406Z.

8772. Subj: Thai Objection to the U.S. Military Use of Thailand for Actions in Cambodia. Ref: A. Bangkok 8737; B. Bangkok 8684 (Notal); C. Bangkok 8771.²

1. Prime Minister Khukrit Pramot summoned the Chargé the afternoon of May 14 (reftel A). Khukrit began by asking for information about the arrival of U.S. Marines in Thailand. The Chargé told Khukrit that Washington had not informed him about U.S. military actions in Indochina when he met with the Prime Minister the previous day (reftel B). Khukrit said that he was aware of this situation.

2. The Chargé then said that there were somewhat over 1100 Marines currently at Utapao. Khukrit asked what we intended to do with them. The Chargé replied that he was not informed on what our intentions are, but he would assume that whatever will be done with them will be done quickly.

3. Khukrit, referring to the movie role of Prime Minister of Sarkhan that he once portrayed, said that he was sorry to have to replay "The Ugly American." He personally regretted having to hand over an aide-

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Confidential; Flash; Limdis. Repeated to Vientiane, the Defense Department, CINCPAC for POLAD, and USSAG Nakhon Phanom.

² Telegrams 8737 and 8771 from Bangkok, May 14, reported on Whitehouse's May 14 meeting with Khukrit Pramot. (Both *ibid.*) Telegram 8684 is Document 288.

mémoire on the subject of the use of Thai bases for military actions in Indochina, but he had no choice. (ref C contains the text of the aide-mémoire.) The Chargé said he would immediately pass the Prime Minister's views to Washington.

4. *Comment.* Khukrit was obviously pained by the position U.S. Government actions have put him in, but he was calm and not unfriendly throughout this short session. However, he subsequently told the press in a series of strong statements that the U.S. must remove the Marines "immediately." He said he would be waiting to see tomorrow morning what the situation is. The pressures are building rapidly here. It is most important that we remove the Marines from Thailand just as quickly as possible, hopefully on May 15. If we are not able to do this, we will be in for real trouble on Friday, May 16.

Whitehouse

297. Telegram From the Mission to the United Nations to the Department of State¹

New York, May 14, 1975, 1817Z.

1604. Subj: Amb. Scali's Visit to Secretary General Kurt Waldheim Concerning US Vessel *Mayaguez*. Ref: State 112089.²

1. Waldheim promised to contact Cambodian authorities immediately in line with USG request. He said he would call PRC Representative to his office immediately to relay appeal through him. A second appeal would be made via open cable to Phnom Penh, similar to that device he used successfully to seek Cambodian help for first convoy of foreign evacuees.

2. Waldheim appears to recognize seriousness of situation. He broke off meeting with UN Representatives forced to leave Cambodia who were reporting on what he described as "awful" conditions now existing in Phnom Penh.

¹ Source: National Archives, RG 59, Central Foreign Policy Files. Secret; Nodis; Immediate.

² Telegram 112089 to USUN, May 14, 1718Z, transmitted a letter for Waldheim requesting his assistance in the U.S. diplomatic efforts to free the *Mayaguez* and American citizens. The letter also informed him that the U.S. Government reserved the "right to take such measures as may be necessary to protect the lives of American citizens and property, including appropriate measures of self-defense under Article 51 of the UN Charter." (Ibid.)

3. Waldheim said Sihanouk is useless channel in his view because Sihanouk's representatives are seeking information from UN officials about conditions in Cambodia.

Scali

298. Minutes of National Security Council Meeting¹

Washington, May 14, 1975, 3:52–5:42 p.m.

SUBJECT

Seizure of American Ship by Cambodian Authorities

PRINCIPALS

The President
The Vice President
Secretary of State Henry A. Kissinger
Secretary of Defense James Schlesinger
Acting Chairman, Joint Chiefs of Staff General David C. Jones, USAF
The Director of Central Intelligence William Colby

OTHER ATTENDEES

State
Deputy Secretary of State Robert Ingersoll
Defense
Deputy Secretary of Defense William Clements
Admiral James L. Holloway
WH
Donald Rumsfeld
John Marsh
Robert Hartmann
Philip Buchen
NSC
Lt. General Brent Scowcroft
W. R. Smyser

President: Bill (Colby), can we have your report on the latest situation?

Colby: Mr. President, we have some new information on the status of Khmer Communist forces in the Kompong Som–Koh Tang area.

¹ Source: Ford Library, National Security Adviser, NSC Meetings File, Box 1. Top Secret; Sensitive. The meeting was held in the White House Cabinet Room.

The most recent reconnaissance concerning naval craft indicates that there are 24 armed ships in the vicinity of Kompong Som—13 coastal patrol boats, 10 riverine patrol boats, and one submarine chaser.

In addition, there are 3 utility launching craft (LCUs) at Kompong Som, and one LCM at Ream.

As for air strength, our preliminary analysis of 12 May photography showed three T-28 fighters and a total of six transport aircraft at Kompong Som airfield next to the port. There is also a substantial remaining number of some 100 T-28 aircraft left at Pochentong Airfield near Phnom Penh when it fell.

For air defense, the Communists have apparently deployed anti-aircraft artillery near Kompong Som and Ream. Preliminary analysis of 13 May photography shows that there is one 37-mm antiaircraft position just south of Kompong Som, and two 37-mm positions south-east of Ream.

These weapons are some threat to aircraft flying within 3 nautical miles of their location, and under 14,000 feet.

In ground strength, KC combat forces at Kompong Som total some 2,000 troops. This force could be quickly augmented by the remaining 14,000 troops scattered throughout southwestern Cambodia.

An intercepted KC message from southwestern Cambodia indicated that on 14 May 400 additional troops were to be sent to help the "mission."

We assume this refers to something in the Kompong Som area, though we do not know.

Photoreconnaissance of 13–14 May identified a probable 105-mm howitzer position and a possible coastal artillery position of unidentified caliber just south of Ream.

We have now observed one more large landing craft (LCU) at Kompong Som than reported in last night's briefing. This ship could transport 800 troops. This gives the KC the ability to move about 2,400 troops simultaneously.

These landing craft, if unopposed, could reach Koh Tang Island in a little over 4 hours.

The Cambodians have apparently transported at least some of the American crew from Koh Tang Island to the mainland, putting them ashore at Kompong Som port at about 11:00 last night, Washington time.

Kissinger: How do you know that?

Colby: From observation.

President: Of the boat last night?

Clements: That would be just the pilot report.

Colby: There is some more information.

According to an intercepted message from an unidentified Cambodian authority, a Cambodian outstation—probably a boat—was informed that it would be met by another boat, and was instructed to keep the Americans “toward the enemy.”

Bringing at least some of the crew ashore suggests that the Cambodians appreciate the value of the American crew as hostages, offering hope that they will be kept alive by their captors to preserve their usefulness as bargaining chips.

The Americans taken ashore may have been transported further inland by the Cambodians, and at present there is no way of telling where they may be.

According to another intercepted Cambodian message, the Cambodians anticipate a possible attack against their naval base at Ream, south of Kompong Som, and are alerting the anti-aircraft batteries there.

Of the five Cambodian gunboats that were deployed as of last night (Washington time) around Koh Tang Island, three have been sunk by American aircraft.

At latest report, only one gunboat remained a little over a mile south of the island.

We have one KC intercepted message of 13 May which instructs the unidentified recipient “to successfully solve this problem politically according to the guidelines of the organization”.

This message could relate to the *Mayaguez* incident, but it seems more likely that it is addressed to a low-level commander dealing with his Vietnamese opposite number in a local dispute over border territory.

Around midnight (Washington time), a U.S. tanker enroute to Bangkok reported that a Swedish-registered refrigerator ship near Pan-jang Island, well south of Koh Tang, had been attacked and shot at by a Cambodian boat. At 5:00 a.m. a U.S. reconnaissance aircraft observed the ship. It showed no sign of distress, and now appears on its normal course to Bangkok. A small boat, not believed to be a gunboat, was sighted 3 miles away, following the ship’s same course and speed. According to press reports from Thailand, a Panamanian freighter was detained for almost two hours in the same area today.

The Thai have reacted sharply to the movement of U.S. Marines to Utapao. Prime Minister Khukrit presented an aide memoire² to the U.S. Embassy today stating that unless the Marines are withdrawn immediately, the “good relations and cooperation existing between Thailand and the U.S. would be exposed to serious and damaging consequences.”

² See Document 296.

Khukrit undoubtedly feels he will have to make some public gesture that will take him off the hook with the Cambodian government, and his own population.

Army commander Krit Siwara has said in private that he was “extremely pleased” that the U.S. was acting in a decisive manner. In public, however, he has taken a line similar to that of the Prime Minister.

Should public pressure build on Khukrit, he has several options open to him:

- to encourage student demonstrations against the U.S.,
- to order the closing of Utapao air base, and
- to speed up the timetable for the withdrawal of all U.S. forces in Thailand.

President: Is the *Holt* there now?

Jones: Yes. The *Wilson* is there too.

President: Is this also a destroyer or a destroyer escort?

Admiral Holloway: This is a destroyer. It will be on station by 1750 Eastern Daylight Time. That means we will have two ships on station before we begin our operations.

Kissinger: Why are we not sinking the boats?

Jones: The report we have did not indicate it.

Kissinger: What mission has been given to the *Holt* and to the *Wilson*?

Jones: The *Wilson* is just coming on station. We will instruct it.

Kissinger: Is the *Holt* instructed to stop ship movement to the island?

Jones: The *Holt* is now about 12 miles out beyond the island. It is not able to stop movement to and from the island. The reason it is that far out is that we did not want to tip our hand to the operation.

President: I had the impression that the *Holt* would station itself between the ships and the land. I am amazed at this.

Jones: It is night, Mr. President. I do not recall any specific instructions to this regard.

President: It does no good to have the destroyer 12 miles out. It can't stop a boat. Why did we hurry to get it there if it is going to stay that far out?

Jones: We got it there because we wanted it to help in the operations we will conduct.

Rumsfeld: How about the T-28's that are now at Phnom Penh airport? Could they help oppose our operation at Kompong Som?

Colby: Yes, but they could not remain in the air for long at that distance from their base.

Jones: They are not a real factor.

Rumsfeld: I am thinking of the airport. If they could use it, then we would have a stronger argument to hit the airport.

Jones: Theoretically they could, but they would not have much time on station.

President: When does the *Coral Sea* get there? What about the *Hancock* or the *Okinawa*?

Admiral Holloway: *Coral Sea* aircraft are now within the range of the objective area. So it's on station.

The *Holt* is also on station. She stayed out beyond the island because of the plan to put Marines on her. That is why she is over the horizon.

The *Coral Sea* is within the range of tactical air and can put them in. The *Hancock* could arrive on the scene around noon of the 16th, D.C. time. She is loaded with helicopters.

The *Wilson* will be on station this evening.

President: So, as of now, the *Holt* is there, the *Coral Sea* is ready, and the *Wilson* will be there soon.

Admiral Holloway: In two hours.

President: What is the recommendation of the Defense Department now regarding operations?

Schlesinger: Dave (Jones), please give it.

Jones: (Showing a chart) We recommend that we land tonight on the island and on the ship. We can do it with high assurance of success. We have the B-52's on alert but we do not recommend using them. From the targeting standpoint, it represents overkill. We might use them for political or diplomatic reasons, though that would seem mixed.

President: Are all the chart numbers in our time?

Jones: Yes.

We would send people as follows:

The Marines to recapture the boat and to dismantle any explosive agents.

The helicopters can go at first light. They can get people onto the *Holt*. It would take two hours for people to get organized and cross to the *Mayaguez*. They could start out with riot control agents. This probably would not incapacitate them long, perhaps for about 10 minutes. The *Holt* would then come alongside and all the Marines would come over and hopefully seize control of the vessel. Our Marines would inspect it, so would an OD team. Then it would be moved out.

President: The helicopters come from where?

Jones: From Utapao.

Next, the tactical air. We have tactical air on the scene now. We have gunships, fighters, etc. We can suppress fire. We have instructions to minimize fire in case the Americans are there, but to protect the people who are landing.

Eight helicopters with 175 Marines abroad will land on the island around sunrise. There is a four-hour recycle time to Utapao. The next wave of 235 or more would then come to give us over 600 Marines on the island by dark.

The 175 can secure themselves, with gunships and tactical air. When the second group arrives, we can cut off the neck of the island and move out.

President: I understand our time for this is 1845, but that it is already the 15th over there. Is that 0645 or 0745 over there?

Jones: It is about 0545. It is around sunrise.

Here is a picture of the island. The Marine in charge has reconnoitered it.

A close check indicates an open area with trails leading into the woods. This is the preferred landing zone. Also, they might land on the beach. It is wide enough. It is the only opening on the island. Later, we would want to cut the island in two.

With somewhat over 600 Marines by nightfall, we should have a good feel for what is there.

We can perhaps withdraw the next day. We could bring the Marines out to the *Coral Sea*. This gets them out of Thailand. Or, of course, we could go back by Thailand.

Tactical air based in Thailand would provide most of the cover. It has the gunships and the riot control agents.

That is the operation as we recommend it, as a joint recommendation from all the Joint Chiefs.

President: What about the *Coral Sea* and B-52's?

Jones: There are three targets:

—First, the airfield at Kompong Som.

—Second, the naval port.

—Third, the regular port.

There is not much to hit on the airfield. There is not much around the naval port. Greater targeting is around the other port. We have found two ships of unidentified registry, with other craft around also. There are about 10 boats there. Eight of them look like fast patrol craft; one is unknown; one other is a medium landing craft.

President: Where are they located?

Jones: They are along one dock.

There are buildings, POL, and other things in the area.

If we choose to apply the B-52's, we could put three on one target, three on the other, and six on a third. This would cover the area of the targets.

President: Does this include the breakwater also?

Jones: We would cover the breakwater in one portion of the target area. But it would be very difficult to damage it. You would have to have a direct hit.

The B-52's would take about six hours from Guam. They fly at a high altitude so there is no threat to them.

Vice President: I thought they would be on their way by now.

President: No.

Schlesinger: No. We just put them in readiness.

With a unit of three aircraft, there would be about 125 weapons. The concentration is in the center. They would probably not hit the breakwater.

Jones: As for the *Coral Sea*, it has about 48 aircraft. About 100 smart bombs are available, such as laser guided or Walleyes. They could be used with great precision. We would first send armed reconnaissance and then go for heavy targets like construction, POL, and warehouses, etc.

Admiral Holloway: We have 21 F-4's, 24 A-7's, and 6 A-6's. There are 81 guided munitions on the *Coral Sea*. They are about halfway split between laser and the Walleyes.

President: What will be the extent of the damage from the *Coral Sea* as compared with the B-52's?

Jones: With the bombs from the carrier you could take out key targets. With the B-52's, you get more bombs, interdiction of the runway and of the port, etc. We would get additional buildings, including collateral damage.

The key targets you could get from the *Coral Sea*. With B-52's, you will get mass.

President: What would be the altitude?

Admiral Holloway: About 6000.

Kissinger: How is the weather?

Admiral Holloway: It is now suitable. It might be cloudy from time to time, but not for long.

Jones: The prediction is for patchy areas.

With the *Coral Sea*, we would have a continuous flow shifting from target to target.

Kissinger: How long will the operation continue?

Jones: From about 2250 tonight until the end of the day (6:00 a.m. tomorrow).

Kissinger: How many aircraft?

Jones: About 70 percent of the aircraft. We would use a lot at first, and less later.

President: They could reload and come back.

Jones: That's right. They could recycle.

Rumsfeld: What is the purpose of having it go 8 hours?

Jones: To hit all the targets. It could be less.

Kissinger: Would we keep it up while the Marines are on the island?

Admiral Holloway: The operation on the island is being supported from Thailand. We would have, from the *Coral Sea*, a number of aircraft and targets.

You would have, with those aircraft, enough to hit all the targets?

Jones: Not the breakwater or the runway, but everything else.

Vice President: But they would have time to get all the ships into action. As it stands now, the B-52's would not get there until later.

Jones: We could start from the *Coral Sea* earlier.

Kissinger: I have a question. You are landing on the island at 6:45 a.m. and on the ship at 8:45 a.m.; could they not sink the ship?

Jones: As for the island, our timing decision is based on the capacity of the helicopters and on the cycles we need to run. It is already sliding slightly.

Kissinger: This helps you with the bombing.

Schlesinger: That has already slid.

Vice President: Then you won't get all the Marines from Thailand?

Schlesinger: We cannot. There are 1200 of them.

President: Is this your recommendation on how it should be handled, and is it just a matter of time?

Jones: We would need to get the order out as soon as possible.

President: They should launch both operations as quickly as possible.

Admiral Holloway: At first light.

Jones: That's right. But that may be a moot question.

We will have good communications in order to be able to follow everything.

Clements: On the *Holt*, let's be specific. We are supposed to have real time voice, as well as two-minute interval coded communication.

President: How soon do you estimate that the three helicopters, with 63 Marines, will be airborne?

Jones: It should be within an hour.

President: They are about 40 minutes behind your schedule.

Jones: They should still make it.

Kissinger: They are leaving simultaneously.

Jones: The *Holt* is first.

(At this point, Admiral Holloway leaves the room to communicate instructions.)

President: Now, regarding the B-52's and the *Coral Sea*.

Jones: There are various possible times on this.

Marsh: Are you taking the island to get it or the people?

Schlesinger: Because of the people there.

Rumsfeld: We will plan to take off from the island in 24 hours.

Kissinger: I would not answer how long we will stay there. We should say that we will try to find our people. We are not sure how long it may be.

Rumsfeld: Privately, we should say we will not stay long enough so that we would lose face and have to get off too late.

Kissinger: There is no point in staying on the island after we have searched it for our men. But I think we should not assure anybody ahead of time when we will leave. We will move at our own pace.

Schlesinger: What about any prisoners we take?

Kissinger: I would keep them.

Colby: Remembering what happened at Son Tay, I would say that we are planning to look for people who might possibly be there. We should not be too positive that they are there.

President: The point is that we are going there to get our people, not the island.

Jones: With the *Coral Sea*, one suggestion that has been made is to issue an ultimatum that would say that within so many hours, unless you tell us you are releasing the Americans, there would be air strikes. We could also do that with the B-52 strikes.

Rumsfeld: Regarding the ultimatum, I think there are three ways to do it:

—First, publicly.

—Second, privately or diplomatically.

—Third, you can get into a taffy pull with the people on the scene.

I think one and three are bad ideas. The best is the second. It must be specific and must have a diplomatic initiative.

Kissinger: We sent a message to the Secretary General today.³ We could not get a better way to communicate with the Cambodians.

That message was delivered at one o'clock.

We thought of giving an ultimatum in Peking, but it is too complicated in terms of the time involved.

³ See Document 297.

Schlesinger: How about a local ultimatum?

Kissinger: I have no objection. But I do not believe that our action should be dependent on an ultimatum.

Fundamentally, the purpose of our strikes is to protect our operations. I could be talked into taking out the 100 aircraft at Phnom Penh, but I do not want to upset people too much.

But we should move massively and firmly. We should say that we are going to protect the operation to get out our people.

Buchen: I do not agree. If they are not there on the island, you then issue the ultimatum.

President: Supposing we do not find them all? If the operation is carried out in proper time sequence, they will land on the island at 1845 and on the *Holt* earlier. (Points to General Jones' chart) On the schedule you have there, the *Coral Sea* is about two hours after the *Holt*, and about 4 hours after the island operation. In that space of time they can find out whether the Americans are on the ship or on the island.

Kissinger: The first group cannot search.

President: No, but it can perhaps find out if the Americans are there. That gives us some flexibility.

But I do not think we should delay. I think we should go on schedule. Then, whether or not we find the Americans, you can strike.

Buchen: But an ultimatum may be the only way to get the Americans out.

Kissinger: Rather than have an ultimatum, I would advance the strikes.

I think it is essential in situations of this kind to make clear that it is we who define the hazards. We can argue that we are doing this to protect our operations. What we have to get across to other countries is that we will not confine ourselves to the areas in which they challenge us.

So I think we should do the strikes at the time of the operation. Then, if we have not found our people, we can mine or do other things.

We can also issue an ultimatum. We can say that the 100 aircraft was a protective operation. Of course, we would have some difficulties with people on the Hill and with others.

Colby: The problem is that the KC could put 2,400 people on that island within 4 hours, if they are not blocked.

President: So we have two reasons to speed up the *Coral Sea* operations, so that its first attack coincides with the attack on the island and on the ship. If we use the *Coral Sea*, you are then using it to protect the people on the operation. Second, if you use the *Coral Sea* with the smart bombs, you are hitting military targets and you will not possibly do harm to Americans.

Rumsfeld: There are only 80 smart bombs.

Jones: But we have other armaments.

Buchen: You have two neutral ships. With an ultimatum, they have a chance to get out.

Jones: I suggest we expedite the *Coral Sea* as soon as possible. It cannot go before the other operations, but at the same time. It would go after mobile targets at first, and other targets later.

Rumsfeld: The logic is to protect the operation.

Buchen: But we should avoid the neutral ships.

President: If they are Cambodian ships, we should sink them.

Schlesinger: The leak regarding the B-52's is not too bad. It shows that the President will use them if necessary.

President: I think you should reexamine the *Coral Sea* operation with the expectation to keep it going. Henry, what do you think?

Kissinger: My recommend is to do it ferociously. We should not just hit mobile targets, but others as well.

Schlesinger: We will destroy whatever targets there are.

President: And they should not stop until we tell them.

Buchen: You have the requirement for consultation with Congress. If you hit buildings, you might hit Americans.

Schlesinger: I think they would have moved the Americans 20 miles inland as soon as possible.

Admiral Holloway: If we now go to use the *Coral Sea* it will hit before we take the ship. The first wave will hit targets connected with the operation. Later waves will hit other targets, including the three that we have discussed: the airfield and the ports.

Schlesinger: They cannot fracture the runways.

President: Can you get the boats?

Schlesinger: That is possible.

President: I think we should hit the planes, the boats, and the ships if they are Cambodian.

Schlesinger: We will make a positive identification that they are Cambodian.

Admiral Holloway: On the first operation, the fighters will come back and report. First, you can go for the runways; second you can come back with the required strikes.

Schlesinger: How soon?

Holloway: Three hours.

Schlesinger: That would be about 7 o'clock.

Kissinger: They should not strike at the mainland before the *Holt* can get to the ship.

Schlesinger: So we will go with a 2045 time.

Admiral Holloway: O.K.

(Admiral Holloway leaves again to pass on instructions.)

Schlesinger: Is there any change in our estimate regarding the forces on the island?

Colby: No.

Hartmann: Do we have any estimate of American casualties?

Jones: It is very hard to make a precise estimate. We do not know what there is. Saying that there would be ten people killed would be too precise.

Schlesinger: It might be 20 to 30.

Clements: Sooner or later you will get a linkage with the 23 already lost at NKP.

President: Any other questions?

Schlesinger: We are in position to do the SAR operation. If we hit against Kompong Som, will our people go in over land if they are hit?

Jones: We will have SAR aircraft. They could go down over land. It is conceivable.

President: What is the distance between the targets and Kompong Som itself?

Colby: About 15 kilometers.

Jones: About 10 miles.

Rumsfeld: Did you say that the Marines could be recovered on the *Coral Sea*? Is this an option?

Jones: No plan is yet finalized.

Kissinger: They could go on the *Hancock*.

Rumsfeld: Our preferred option is not to have them return to Thailand.

President: According to the schedule, the *Hancock* will arrive at 0400 on Friday. It could be the recovery vessel for the Marines being taken off.

Schlesinger: Augmenting the B-52 picture of being ready is that we are continuing to amass forces.

Rumsfeld: We should not announce the termination.

President: Will the *Wilson* link with the *Holt*?

Jones: Yes; also the *Coral Sea*. The *Hancock* may be delayed. Even so we will not take the Marines back to Thailand.

Rumsfeld: Did you decide on an ultimatum after the strikes?

Kissinger: We could use the bullhorns to inform the Cambodians on the island. They should not negotiate. They should just state our demands. I think that once we start we should finish and get out.

Ingersoll: Shouldn't we remove the Marines out of Thailand once the operation has been launched?

Schlesinger: It is not necessary.

Ingersoll: We will have riots tomorrow.

Jones: We have 1200 at Utapao. I suggest we undertake an airlift to get them out, once we decide we do not need them.

Kissinger: Then we can announce that we have withdrawn them.

Buchen: I have not understood how Henry (Kissinger) is planning to proceed.

Kissinger: I think it will not work unless we hit. Then we can give an ultimatum that is credible. We have many things we can still do later. We can mine, or we can take out the planes at Phnom Penh. Then we will be in a long test. We will not have gained by not hitting Kompong Som.

Rumsfeld: Tomorrow Congress is back in session.

President: We have a lot of activity going. Let's see it then.

Kissinger: We should not give the impression that we will stop.

Hartmann: How will the Cambodians know what to do if they decide to let our people go?

Jones: We will have a bullhorn. We can tell them what to do.

Kissinger: The odds are that the people of the island have no orders and will sit tight.

Clements: I don't think the Americans are there anyway.

Kissinger: They could be. We do not know.

President: We are speculating on how many there were in the ship that got away.

Colby: The pilot said he saw eight or so. He said there were others in the *Holt*. He speculated it might be the full 39.

Jones: We should word our release carefully so we say that we want to remove the Americans and get information on their whereabouts. There may also be value in capturing Cambodians.

Kissinger: The problem is that we do not know that they are not there. Taking the island if they are not there is easier to explain than failing to take it if they are.

Hartmann: Could a gunboat carry 39 people?

Colby: Yes.

Jones: We should say that we wanted to get the Americans. Even if we did not get them, it would be useful to talk to the Cambodians to find out what they know.

Kissinger: We should have one clear line on this.

Colby: We need to be braced against that pilot.

Schlesinger: We have an obligation to get the Americans or to see if they are there.

Rumsfeld: We need to make plans on press handling between now and midnight.

Hartmann: We should talk a little about Congressional consultation.

Last night, we gave the leadership information on your actions. They agreed. They said that they were advised, but not consulted. We reported the attacks to them. Again, they supported you. Today, in the House, people are saying that there was no consultation under the War Powers Act.

I have a summary of the Congressional response. I also have a summary of the House and Senate responses to our statements. During the afternoon, it was agreed to provide limited briefings to the House and Senate Foreign Affairs Committees. They want more information. We are sticking to the leadership. We have not expanded on the earlier material.

The question now is what notification and consultation should proceed. There is a suggestion that you call Mansfield and Albert, but then others will be mad.

We can bring the people over here, or we can call them.

President: What does the law say?

Buchen: The law says to consult before the introduction of forces and then to consult regularly. There is also a requirement for a report 48 hours after an action. We have to get that report in tonight.

Kissinger: When did this action start, from the legal standpoint?

Buchen: When you got the gunships in.

Kissinger: Maybe you should get the leadership in tonight.

Buchen: That is what the Congress really wants.

President: How soon could they be down here?

Marsh: By 6:30 p.m.⁴

Rumsfeld: As I understand it, consultation means telling them in time so that they can oppose the action. But we cannot worry about it, though they will complain that it is not consultation.

Kissinger: I think we should give them the history of the diplomatic effort. We should tell them that there was no response and that we had to go ahead. I do not think we should give them details on our strikes.

President: We should say that we will land on the ship and on the island.

⁴ Ford met with bipartisan Congressional leaders between 6:40 and 8 p.m., May 14. A memorandum for the record of the meeting is in the Ford Library, NSC Press and Congressional Relations Staff Files, 1973–1976, Box 8, May 14, Bipartisan Leaders, Memcon, Mayaguez.

Rumsfeld: From the political standpoint, we should get your friends and brief them, so that they can stand up and fight for you.

President: Jack (Marsh), can you ask them to come down here? Whom would you ask?

Marsh: I would ask the leadership, such as the Speaker, the Floor leaders, the Whips, and others. I would also get the Foreign Affairs and Armed Services Committee leaders and ranking Minority members of both Houses.

Rumsfeld: I would do Anderson separately, perhaps at 7 o'clock.

Schlesinger: The plans regarding air strikes should be presented to show that the targets will be carefully selected. We should not just talk about "a few" strikes, but about "selective" strikes.

I would recommend that the Republican leadership be among the group you are briefing.

Kissinger: But we must ask them to keep quiet. They will be briefed before the operation starts.

Vice President: Perhaps 10 o'clock would be better.

Kissinger: How about 10 o'clock?

President: Would it be to our benefit to delay?

Buchen: I would not.

Marsh: The statute says to consult before initiation of action.

Vice President: You have already done that.

Marsh: But we have not yet told them that we are executing.

Vice President: What if the group is opposed? What should the President do?

Kissinger: He would have to go ahead anyway.

Vice President: I was asked today by a business group when you would react. They applauded when I said that you would be firm.

President: I have had similar reactions.

Kissinger: What about informing the public? Should we use national television?

Hartmann: Perhaps after it's over.

Kissinger: Let us do the beginning low key, and then go to a fuller description. Perhaps we should just do a brief announcement at first. (To Schlesinger) I thought your statement read well.

Rumsfeld: You do not want to look as if, in being firm, you are being crimped by the Congress.

Regarding the B-52's, the Congress would say you should not use them. Then you stand them down, as if in response to Bella Abzug. Should we perhaps stand them down now?

Kissinger: I would ignore Bella and then explain the B-52's. If it works, it will not matter. If not, we will have other things to worry about. You will look implacable and calm and in control.

Perhaps you should give a ten-minute speech.

Hartmann: How about other countries?

Kissinger: That is a good idea.

Rumsfeld: You should let NATO know, for once.

Hartmann: Are there any press on board?

Kissinger: (To Ingersoll) We should get Sisco to organize messages. We should not use SEATO.

Vice President: I think that's good.

President: What do we want when the leadership is here?

Kissinger: I think we should have no military men, but just Jim and myself. I could brief on the diplomatic steps. You would say what you have ordered.

Schlesinger: What should we say?

Kissinger: We should tell them about the island, about the ship, and about the related strikes on military targets to make the operation succeed.

Rumsfeld: The first question will be, will the Marines land on the island.

Kissinger: We should not say yet.

Vice President: They will know about the ship three hours in advance. They can scuttle it.

Kissinger: Is it better to wait until 10 o'clock?

Buchen and Rumsfeld: No.

President: You go ahead.

**299. Telegram From the Liaison Office in China to the
Department of State¹**

Beijing, May 15, 1975, 0253Z.

929. Subject: Cambodian Embassy Returns U.S. Message. Ref: A. Peking 913,² B. Peking 925.³

1. USLO has just received through the mail the message we delivered to the Cambodian Embassy May 13 (ref A). The envelope, the same U.S. Liaison Office envelope used to deliver the message, contained only our message. There was no Cambodian reply enclosed. The envelope was marked "return to sender" and stamped with the Cambodian Embassy's seal. It was postmarked May 15.

2. *Comment:* Timing of the Cambodian Embassy's return of U.S. message, i.e. morning after PRC refusal to be of assistance, raises possibility that two actions were coordinated. Both rejections were predictable, but Chinese may in fact have discussed the matter with Cambodians here prior to the decisions being taken.

Bush

¹ Source: Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, 1973–1976, Box 29, Department of State, Telegrams and Cables (2). Secret; Niact; Immediate; Nodis.

² Document 287.

³ See footnote 2, Document 287.

300. Message From the Commander in Chief, Pacific (Gayler) to the Joint Chiefs of Staff¹

Honolulu, May 15, 1975, 1008Z.

Mayaguez sitrep 001. A. JCS 140645Z May 75, B. JCS 142142Z May 75, C. JCS 142203Z May 75.²

1. Ref (A) directed preparations be made for, (1) seizing the *Mayaguez*, (2) occupying Koh Tang Island, (3) conducting B52 strikes on Kompong Som and Ream and, (4) sinking all Cambodian small craft in target areas. Operations to begin sunrise 15 May. Ref (B) authorized execution of operations (1), (2), and (4) only and requested sitrep every six hours commencing first strike. Ref (C) authorized execution cyclic air strike operations from *Coral Sea* vs targets in Kompong Som complex.

2. Repossession of the *Mayaguez*. Marine GSF, Engineering and MSC personnel were transported by helicopter from Utapao to the USS *Holt*, then via the *Holt* to the *Mayaguez*. Riot control agents were used in anticipation of meeting hostile resistance, but none was encountered. The ship had been deserted in operating condition, and was immediately secured.

3. Recovery of the *Mayaguez* crew. At approximately 0240Z a small craft was reported approaching Koh Tang Island from Kompong Som. The boat was intercepted by the USS *Wilson* and on closure it was observed to be displaying numerous white flags. Aboard were all the crew of the *Mayaguez* plus five Thai fishermen who had been held captive by the Cambodians since 5 March. The small boat belonged to the Thais, who were given food, water and fuel to return to Thailand. *Mayaguez* crewmembers were in excellent condition and are now back on their own ship.

4. Air strikes vs Kompong Som complex. Final reports not yet received. Preliminary reports, however indicate 17 (one seven) aircraft of various types destroyed, a hangar damaged and craters in the runway at Ream airbase. Warehouses were struck in the port area and marshalling yard. Barracks areas were destroyed at the Ream Naval Base. The POL storage area 3 miles north of the port was also struck but no secondary fires or explosions were observed. JCS 150455Z³ directed im-

¹ Source: Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, 1973–1976, Box 28, Department of Defense, CINCPAC (3). Secret; No-for; Limdis. This situation report is as of 0600Z, May 15.

² Reference telegrams are *ibid*.

³ Dated May 15; *ibid*.

mediate cessation of all offensive operations, accordingly further strikes were diverted to support the extraction of the GSF from Koh Tang Island.

5. Koh Tang Island. Landings on the island were made under heavy hostile fire. Of the five helicopters that went in on the first wave, three were lost. One made a forced landing on the Thai mainland, just west of the Cambodian border, one returned to Utapao with casualties. On the second wave, two were damaged. Exact numbers of casualties are unknown at present. Extraction of the 182 men that were put ashore is now the objective. The missions of recapturing the *Mayaguez* and recovering the ship's crew have been accomplished.⁴ Extraction will be initiated soon. Further details will be provided in final sitrep.

⁴ On May 15 at 12:27 a.m., President Ford addressed the nation on television and radio to report that the *Mayaguez* and its crew had been successfully recovered. He also sent letters to the Speaker of the House and President Pro Tempore of the Senate reporting on the U.S. actions. See *Public Papers of the Presidents of the United States: Gerald R. Ford, 1975*, Book I, pp. 668–670.

301. Minutes of National Security Council Meeting¹

Washington, May 15, 1975, 4:02–4:20 p.m.

SUBJECT

Seizure of American Ship by Cambodian Authorities

PRINCIPALS

The President
Secretary of State Henry A. Kissinger
Secretary of Defense James Schlesinger
Chairman of the Joint Chiefs of Staff General David C. Jones
The Director of Central Intelligence William Colby

¹ Source: Ford Library, National Security Adviser, NSC Meetings File, Box 1. Top Secret; Sensitive. The meeting was held in the White House Cabinet Room. This is Part I of III; Part II is discussion of the Panama Canal negotiations, and Part III is discussion of the Middle East.

OTHER ATTENDEES

State
Deputy Secretary of State Robert Ingersoll

Defense
Deputy Secretary of Defense William Clements

WH
Donald Rumsfeld
Robert Hartmann

NSC
Lt. Gen. Brent Scowcroft
W. Richard Smyser

President: Will you tell me where we stand at this time?

Colby: I can give you a report on foreign reactions. I think it would be better if George would give you a wrap-up on our operation.

President: Please go ahead.

Colby: Mr. President, we have no reactions from Communist authorities in Phnom Penh to the U.S. military operation beyond what we had last night. In his statement on Phnom Penh radio at that time, Information Minister Hu Nimm was noticeably defensive in rationalizing the seizure of the vessel.

Although he did claim that the *Mayaguez* was on an intelligence mission, he stated several times that his government had no desire to stage “provocations” and that the *Mayaguez* had only been halted for “questioning.”

In the aftermath of the U.S. military operation, the Thai cabinet today apparently decided to expel a “senior member of the U.S. mission,” and to recall the Thai ambassador in Washington for consultation.

Thai newspapers today are also urging that the government:
—publicize all agreements between the U.S. and Thailand, and
—immediately close down all U.S. bases in Thailand.

Leftist politicians are now holding a rally in Bangkok. They reportedly intend to demand that all U.S. troops leave Thailand within 10 days.

The political left apparently believes that the time is right to create a political crisis for the Khukrit government.

Organizers of the demonstration plan to move crowds to both the prime minister’s office and the U.S. embassy.

The Thai military leaders, on the other hand, have privately continued to support the U.S. actions.

In Peking’s first reaction to the U.S. military action, Vice Premier Li Hsien-nien has accused the U.S. of an “outright act of piracy.”

Speaking at a banquet in Peking today, Li said that "when an American ship invaded Cambodia's territorial waters, Cambodia took legitimate measures against the ship to safeguard her state sovereignty." Li added that "the U.S. went so far as to make an issue of the matter" and bombed Cambodian territory and ships.

Li said the American action "should be condemned by world public opinion."

Hanoi radio has characterized the operation as a "flagrant act of piracy" which shows that the U.S. still has not "learned from its defeats in Vietnam and Cambodia."

The new government in Saigon has not commented, but it can be expected to parrot Hanoi's line.

Soviet media continue to report the events surrounding the *Mayaguez* incident from foreign wire services without editorial comment.

East European commentary remains muted. The Yugoslav press has even referred to the *Mayaguez* as a "kidnapped" U.S. vessel.

The Cuban press has so far treated U.S. actions in a factual manner, but we have no comment since the U.S. operation was completed.

A Japanese Foreign Ministry spokesman has stated that "a container ship on open waters must not be subject to seizure" and that his government viewed the U.S. military action as "limited."

In most major Western countries there has been little official reaction.

British and West German press comment has been generally supportive.

Press reaction from South Korea, Taiwan, and Australia has been favorable.²

Ingersoll: Bill Rogers spoke to the OAS Ministers while they were here, including the one from Panama. He said they were very pleased.

President: Jim, I would like to congratulate you and your whole Department for a job well done.

Have we had any report on the damage so far?

Jones: Not yet. We can summarize the claims, but we are not sure that they are accurate. Here is a photograph. It is the first one that has yet been received here. It shows the buildings around the airport before and after they were damaged. We understand that the damage reported on the aircraft was extensive.

² Department of State telegrams reporting foreign reaction to the U.S. operation are *ibid.*, NSC Information Liaison with Commissions and Committees, 1975-1977, Box 39, General Accounting Office Request for Documents.

President: Which airport was this?

Jones: The airport near Kompong Som, called Ream.

Kissinger: Were any boats sunk?

Jones: Yes, but we don't yet know how many.

We have no Navy reports yet, just the Air Force. We need to survey all the aircraft involved in the operation.

Kissinger: Were the aircraft used land aircraft?

Jones: No, only the *Coral Sea* aircraft were used against Kompong Som. There were four waves. The first was armed reconnaissance. They did not expend ordnance. They found the shipping of other countries and did not want to take the risk. The three subsequent waves went against the airport, against the POL facilities, and against support facilities.

We put 240 Marines on the island, in total. We put 40 aboard the ship.

We lost three helicopters in the operation. The equipment took a lot of battle damage.

Our casualties were 1 killed in action, 1 missing, and 30 wounded. That is considerably lighter than we thought last night.³

President: Are all the Marines now on the *Coral Sea* or on the *Hancock*?

Jones: They are on the *Coral Sea*. We had a reserve of 1,000 on Thailand. But when the ship's crew was returned, we stopped any more Marines going to the island. Then we put in another 80 in order to help the Marines that were there to extricate themselves.

President: I heard that the Marines on the *Holt* had gone to the island.

Jones: No, they did not have their full equipment.

Clements: How many helicopters were inoperative?

Jones: We got down to four Air Force helicopters and three from the *Coral Sea*. So there were only a few for the Marines who were left there. We thought we might have to keep people overnight on the island. But that was only the impression in Washington. They continued the flow of helicopters and they also used several boats from the destroyer, so that they were able to extricate all the Marines.

³ On May 20 Deputy Director for Operations Brigadier General C. D. Roberts, Jr., USMC, concluded that the United States suffered 15 killed and 50 wounded in action during the *Mayaguez* operation. (Memorandum for the Record, National Military Command Center; Ford Library, National Security Adviser, NSC East Asian and Pacific Affairs Staff Files, 1973–1976, Box 28, Joint Chiefs of Staff, General)

Kissinger: How many Cambodians were on the island?

Jones: We do not know, but they were obviously well armed with supplies. They put up a lot of fire against the helicopters.

President: That is probably why they moved the ship to that island from that other one where they had it.

Kissinger: Where did the boat carrying the crew come from?

Jones: From Kompong Som.

Kissinger: This indicates that the operation was really centrally controlled.

Jones: They brought a message that they had been sent out on a Thai fishing vessel in order to be returned, and they asked us to stop the bombing. We had one or two more runs, but we stopped thereafter.

Kissinger: How many aircraft were used altogether?

Jones: About 32 to 40.

Schlesinger: Not the 81 that had been on the carrier.

President: Henry, would you step out for a moment?

(At this point, the President and the Secretary of State stepped out for about 3 minutes. They then returned.)

President: Jim, I would like a full factual report giving a summary and chronology of what happened. It should include orders, summary results, photographs, etc., and indications of what we did when.⁴

Where is the ship now?

Jones: She is on her way to Singapore. We towed her for some distance but then she was able to get up steam and she wanted to go to Singapore.

President: It was a job well done. Let us now go on to the next item on our agenda.

⁴ The Department of Defense responded with "Military Operations Which Resulted in the Successful Recovery of the SS *Mayaguez* and Crew." (Ibid., Box 229, Department of Defense, Joint Chiefs of Staff, Report to the President, May 20, 1975, 2) On May 18 Ford asked the CIA, NSC, Department of Defense, and Department of State to evaluate their performance during the SS *Mayaguez* incident. (Memoranda from the President; ibid., Kissinger-Scowcroft West Wing Office Files, 1969-1977, Box 1, Cambodia, Mayaguez Seizure, 2) The individual Agency and Department reports, together with White House analysis, are ibid., John K. Metheny Files, Box 8, Mayaguez Performance Memoranda, 6/75-10/75.

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