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FM THE SITUATION ROOM

TO COL GUAY PARIS

~~TOP SECRET SENSITIVE EXCLUSIVELY EYES ONLY CONTAINS CODEWORD~~

TO: COLONEL GUAY
FOR: AMBASSADOR SULLIVAN
THIS MESSAGE WAS TRANSMITTED
TO THE WHITE HOUSE ONLY.
VIETNAMESE (SOUTH) CIPHER/FRENCH
G/OO/ -73 (VNFA)

SOUTH VIETNAMESE NEGOTIATOR REPORTS CONCLUSION OF SECRET TALKS
BETWEEN KISSINGER AND LE DUC THO; PROGRESS ON PROTOCOLS
FR PARIS; SOUTH VIETNAMESE DELEGATION; ((AMBASSADOR)) PHAM DANG
LAM 13 JAN 73 2200
TO SAIGON; PRESIDENT'S OFFICE; COMMISSIONER GENERAL HOANG DUC NHA
IMMEDIATE 12/POVN/P/M

PRIOR TO HIS DEPARTURE ((FROM PARIS)) ((KR. HENRY A.)) KISSINGER
STATED THAT HE HAS ALREADY CONCLUDED THE SECRET NEGOTIATIONS WITH
LE DUC THO AND THAT ((DEPUTY ASSISTANT SECRETARY OF STATE WILLIAMH.))
SULLIVAN WILL REMAIN ((IN PARIS)) A FEW DAYS IN ORDER TO CONCLUDE THE
PROTOCOLS.

IN HIS BRIEFING OF US AFTER DISSINGER'S DEPARTURE, SULLIVAN CON-
FIRMED THAT THE DRAFT OF THE ACCORD IS CONSIDERED AS DEFINITELY CON-
CLUDED. TODAY KISSINGER PRESENTED OUR FORMULA FOR SIGNING BUT LE DUC
THO REJECTED IT, IT, INSISTING ON THE SIGNING OF TWO TEXTS,
ONE ((TEXT)) FOR TWO ((SIGNATURES)) AND THE OTHER ((TEXT)) FOR FOUR
((SIGNATURES)). WE REAFFIRMED OUR POSITION: THE SIGNING OF A SINGLE
DOCUMENT BETWEEN TWO SIDES, WZ ALSO STRESSED THAT WE DO NOT AGREE
TO THE MENTION OF THE WORDINGS "ON BEHALF OF," "WITH THE
CONCURRENCE OF" OR "IN CONCERT WITH." SULLIVAN CONSIDERS THAT THE
U.S. -- DRV ((DEMOCRATIC REPUBLIC OF VIETNAM)) DOCUMENT IS NOT BIND-
ING UPON US, ((AND)) THE WORDING "WITH THE CONCURRENCE OF" ONLY
SIGNIFIES THAT "YOU GIVE US PERMISSION TO DO ((THE)) THINGS WE ARE
DOING." SULLIVAN TOLD US THAT AMBASSADOR ((ELLSWORTH)) BUNKER WILL
PROVIDE ALL OF THE EXPLANATIONS IN SAIGON, REGARDING THE PROTOCOLS,
NEARLY ALL OF TH ISSUES HAVE ALREADY BEEN SETTLED OR IT HAS BEEN
STIPULATED TO LEAVE THEM TO THE TWO SOUTH VIETNAMESE PARTIES TO
DISCUSS AFTER THE SIGNING OF THE ACCORD (CRITERIA FOR DETERMINING

*****WHSR COMMENT*****

SCOWCROFT, KENNEDY, HOWE, SEC FILE

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CEASE-FIRE LINES AND THE SETTING UP OF THE TWO PARTY COMMISSION).
 TODAY AGREEMENT WAS REACHED ON TWO NEW POINTS: NAMELY, THE
 STRENGTH OF THE ICCS ((INTERNATIONAL COMMISSION OF CONTROL AND
 SUPERVISION)) WAS SET AT 1:160, AND THAT FOR THE FOUR PARTY COMMISSION
 WHICH IS TO BE SET UP ((WAS SET)) AT 3:300, IT BEING UNDERSTOOD
 THAT EACH DETACHMENT WILL NOT EXCEED 100.

THE ONLY POINT TO SETTLE IS THAT OF THE PLACES FOR THE INTRO-
 DUCTION OF ARMS AND EQUIPMENT BARNARKED AS REPLACEMENTS. THE U.S. HAS
 PROPOSED SAIGON, CAMRANH, AND DANANG WHILE THE COMMUNISTS HAVE NOT
 YET PROPOSED THEIR PLACES.

TOMORROW WE WILL MEET WITH SULLIVAN AND ALDRICH TO EXAMINE THE
 PROTOCOLS. SULLIVAN THINKS THAT THE PROTOCOLS WILL BE COMPLETED
 BY WEDNESDAY OR EARLIER. ONCE AGAIN WE HAVE ASKED THAT THE VIETNAMESE
 TEXTS OF THE ACCORD AND THE PROTOCOLS BE COMMUNICATED TO US.

KISSINGER HAS SUGGESTED THAT AMBASSADOR TRAN KIM PHUONG RETURN
 TO WASHINGTON IN ORDER TO STAY IN TOUCH WITH HIM DURING THIS CRU-
 CIAL PERIOD.

TI 13 JAN 73 2248Z
 END OF MESSAGE

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