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THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

12 DEC 1972

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Ceasefire Agreement

I have had long and detailed discussions with Ken Rush and Tom Moorer on what must appear to you as a critical dilemma in the current negotiations being conducted by Henry Kissinger and Le Duc Tho. On one hand, the North Vietnamese appear to be stiffening by re-opening issues once considered settled and prompting their forces in South Vietnam to prepare for action that would violate the terms of the proposed agreement. On the other hand, the US has encouraged the US people and the rest of the world to believe that peace is at hand and that our POW's would be home momentarily.

Ken Rush, Tom Moorer, and I believe that the dilemma is more apparent than real. We jointly believe that you have only one viable, realistic choice. That choice is to sign the agreement now. Our reasons are described below.

We believe that you will no longer get the support of Congress for continuation of the war if our POW's are not returned to the US promptly. Congress is fully aware of your generous offer of May 8, 1972. Congress is likewise fully aware that the nine points contained in the current proposed agreement as accepted by the North Vietnamese is a far better agreement for both the US and South Vietnam than your May 8 proposal -- the same proposal used by me before Congress to gain support for our last Supplemental Budget request to cover the increased cost of the war in Southeast Asia. I know from my direct talks with Congressional leaders in the last few days that they do not understand why we are delaying the signing of the agreement -- why we are delaying the return of US POW's. Any further delay, or any action that increases US military involvement like the increased bombing of North Vietnam, will destroy the remaining flicker of support you now have from both the Senate and the House.

The same feelings, I believe, are shared by the American people, particularly the families of our POW's and MIA's, and world leaders, both allied and communist. These world leaders respect you for your many initiatives that have moved the world toward a generation of

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peace. They just will not understand your reluctance to approve an agreement for the end of the war when that agreement is so much better than your own May 8 announcement. I am concerned that you are putting in jeopardy your reputation as a world leader and your future effectiveness on the world scene.

I believe the far better course of action is to sign the agreement now, get all our POW's home and get an accounting of our MIA's, and then test the sincerity of the North Vietnamese. If the test proves that the North Vietnamese have deceived us, then is the time to take action to help the GVN in the South, if such help proves necessary. I am of the strong belief that little US help would be required to permit the South Vietnamese to handle any attempts of the North Vietnamese and/or Viet Cong to challenge the security of South Vietnam. Vietnamization has been successful. It was designed to give the South Vietnamese the capability to defend themselves against a North Vietnamese threat twice the size of the present NVA force in South Vietnam.

We should not be surprised nor alarmed to read intelligence reports indicating that the NVA/VC goals in South Vietnam have not changed. We should expect that they will try to gain their objectives in new ways following a ceasefire. But that should not dissuade us from signing the agreement because South Vietnam is capable now of satisfactorily defending themselves against whatever attempts are made by North Vietnam. President Thieu may take exception to this reasoning. But I am convinced that he will always find reasons for demanding the continued direct military involvement of the US until you finally say no.

Therefore, Ken Rush, Tom Moorer and I strongly recommend:

- a. Avoiding any increased US military action at this time.
- b. Signing the agreement now.
- c. Pressing for the immediate return of our POW's and the accounting for our MIA's.
- d. Putting the onus on the North Vietnamese to honor a ceasefire agreement
- e. Reacting to ~~any~~ ^{any} North Vietnamese violations ~~only~~ after our POW's are returned -- thereby gaining support from Congress and the rest of the world.



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