

## Mystery Codicil



## Jack Anderson

**R**ICHARD NIXON and Henry Kissinger will be subpoenaed by the House, if that's what it takes to find out whether they wrote a secret codicil into the 1973 peace agreement with North Vietnam.

In the past, both men have denied the existence of any such secret accord. But one top U.S. source read us excerpts that he had copied from the alleged codicil. The key passages confirm North Vietnamese claims that Nixon promised them "postwar construction" aid of at least \$3.25 billion spread over three years.

House Asian Affairs Chairman Lester Wolff, (Dem-N.Y.), has written privately to both Nixon and Kissinger, inquiring about the codicil. Nixon ignored the letter; Kissinger sent an evasive reply, suggesting that Wolff contact the State Department.

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**K**ISSINGER told us that Nixon had made the \$3.25 billion offer in a secret letter to North Vietnam's Premier Pham Van Dong. The North Vietnamese abrogated the agreement, Kissinger said, by their takeover of South Vietnam.

But according to our source, the North Vietnamese believed they had a commitment for immediate economic assistance. A Joint Economic Commission began work on the reconstruction effort, but then closed down. The North Vietnamese looked upon this as a violation of the peace agreement and, therefore, began preparing for their final military offensive, the source said.

The secret Nixon letter, he said, was actually part of the codicil. The State Department began passing it off as a private, presidential letter after Congress got too inquisitive, he said.

He pointed out that a presidential letter is less binding than a formal codicil and, therefore, less likely to disturb Congress. The State Department could also justify withholding presidential papers, but not a secret codicil, from Congress.

The codicil consists of three parts, our source said. The main document, addressed to Pham Van Dong, offers the controversial \$3.25 billion in "grant aid." This was prepared before the peace treaty was signed in Paris but was not formally adopted until a week afterward, the source said.

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**R**EADING from his notes, he quoted excerpts from the codicil. It does not spell out the details of the \$3.25 billion reconstruction plan except to state: "Other forms of aid will be agreed upon by the two sides."

The North Vietnamese agreed to spend 85 per cent of the aid money in the United States, but could spend up to 15 per cent elsewhere.

For many Americans, the big question is whether Nixon and Kissinger made a secret deal with Hanoi behind their backs. Wolff has sought unsuccessfully to get the Nixon codicil or letter from the State Department. Our source says the original is mysteriously missing from the files.