

agreement on procedures and practical measures aimed at assuring free movement of persons and goods between Berlin and the Federal Republic, which continues to fall within the responsibility of the Four Powers.

(4) A second aim of such discussions would be the normalization of the internal life of Berlin, which is also a quadripartite responsibility. The United States would welcome consideration of how movement of persons, postal and telephonic communications and commerce between the western and eastern sectors of the city could be restored.

(5) A further aim of quadripartite discussions would be the elimination of problems arising from discriminatory treatment of the economy of the western sectors of Berlin.

(6) The United States welcomes the initiation of talks between the two German sides on transport and postal matters. It hopes that such talks will soon lead to positive results, that they can be expanded to include additional subjects, and that the USSR will be prepared to encourage them.

(7) The United States proposes that the Four Powers responsible for Berlin and Germany as a whole authorize representatives of their Missions in Berlin to meet in that city at an early date, to be agreed on among them, to discuss these topics and other topics which the Soviet Union might wish to raise. It proposes that agreement on an agenda and arrangements for further meetings be reached at the first session of the talks. *End text.*

Rush

48. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, January 22, 1970.

SUBJECT

Dobrynin's Démarche on Berlin

Dobrynin came to see me on January 20 to protest the convening in Berlin, later this month, of committees of the West German parliament

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 711, Country Files, Europe, USSR, Vol. VI. Secret; Nodis; Sensitive. Sent for action. Although no drafting information appears on the memorandum, much of the text also appears in an attached January 21 memorandum from Sonnenfeldt to Kissinger.

(Bundestag).² The Germans have done this periodically to demonstrate their continued role in the city. The Soviets have protested to the Germans and the Allies for several years and on several occasions staged harassments on the Autobahn and with low-flying aircraft. An official Soviet protest was delivered in Bonn some days ago.

Dobrynin's statement to me (text at Tab A) is perhaps the most toughly worded one to us since the Administration came in. Although it falls well short of threatening specific counter-actions, it seeks to put on us the onus for any renewed tensions the Soviets and/or East Germans may generate. The Soviets may in fact feel that their prestige is sufficiently challenged to make some move, though even with Ulbricht straining at the leash, it is not likely such a move would be a major one.

The *démarche* also seeks to make some capital of the fact that in previous contacts, and especially in your correspondence with Kosygin last spring, we proposed and they agreed to quiet bilateral exchanges of view on Berlin. We decided at the time not to follow up because there appeared to be nothing worth talking about and because the German election was impending. The matter was then overtaken by the joint Western proposal to open talks last summer which is still in play.

There can be little doubt that if Berlin negotiations should eventuate the Soviets will insist on a curbing of FRG activities in the city as part of any deal. The FRG will also have to face this issue in its own bilateral dealings with the Soviets and the GDR; this is already clear from the initial exchanges. You will recall that last year at the time of the Bundesversammlung the Germans were prepared to consider some sort of deal in this area if it involved some improvement in civilian access and in movement through the Wall. The subject may well prove

² The two men met at Dobrynin's request to discuss "an urgent set of matters." A memorandum records the conversation on Berlin as follows: "Dobrynin then turned the conversation to West Berlin and handed me some talking points about the situation in West Berlin which he considered extremely grave and provocative. The note itself was very tough (it is attached to a separate memorandum). I told Dobrynin that any unilateral action in or around Berlin would have the gravest consequences. I would study the talking points and if I had any reply to give, I would make it. However, I saw no sense in our discussing Europe if there were even the prospect of a unilateral Soviet action in Berlin. Dobrynin said that the Soviet Union did not make much fuss last year when the German President was elected in Berlin, but now, in effect, the whole German Parliament was meeting in Berlin again in the guise of various committees, and this could not continue. Dobrynin parted with the understanding that he would call me when he was ready to discuss European matters." (Ibid.) For the full text of the memorandum of conversation, see *Foreign Relations, 1969–1976*, vol. XII, Document 118. In a January 22 memorandum to Rogers, Kissinger reported that he had listened to "Dobrynin's *Démarche*" but "made no comment." (National Archives, RG 59, Central Files 1967–69, POL 28 GER B) In his published account of the meeting, Kissinger remarked: "Significantly, the note was passed in the Presidential Channel where it would receive no publicity; Moscow, obviously, did not want a crisis in Central Europe." (*White House Years*, p. 524)

controversial in German domestic politics and for this reason we should not permit the Soviets to pressure us into active involvement in it.

If you approve, I would propose to make a response to Dobrynin when I see him in some other connection along the following lines:

1. You have noted the Soviet statement on Berlin.
2. You cannot agree that the German actions referred to contradict past US-Soviet exchanges regarding Berlin.
3. We have no desire to have any tension over Berlin and hope this is also true of the Soviets since any crisis in that area would have an adverse effect on our relations.
4. We continue to be prepared to seek genuine improvements in the situation in Berlin and for this reason have joined with our Allies in proposing talks on the subject.

Recommendation:

That you approve my making the above four points to Dobrynin at some suitable occasion when I am seeing him for other reasons.³

Tab A

Note From the Soviet Ambassador (Dobrynin)

The authorities of the FRG have officially announced their intention to hold sessions of the Bundestag committees as well as meetings of the factions and other parliamentary organs of the Federal Republic in West Berlin in the next few weeks. Moreover provocative nature of such a venture not only is unconcealed but rather is openly displayed—an attempt again to use West Berlin to aggravate international situation.

The Soviet Government has drawn the attention of the Government of the FRG to serious consequences which this course of action by Bonn in West Berlin affairs may have. The question of West Berlin has also been touched upon in the recent conversations of the USSR Ambassador in the GDR with the US Ambassador in the FRG and, therefore, the American side must be aware of our views on this matter.

The state of West Berlin affairs was already discussed in my conversations with you, Mr. Kissinger, in February and March last year. At that time it was noted on the American side that it was necessary to avoid repeating what had occurred around West Berlin in connection with holding presidential elections there. It was also noted that events there should not make Soviet-American relations feverish and that third countries should not be allowed to make crises in West Berlin

³ The President initialed the approve option.

from time to time. This viewpoint has been taken into account by us in our final consideration of practical steps to be taken with regard to West German provocations.

On the basis of the known facts we cannot come to the conclusion that the American side has reciprocated. Without getting now into the matter of Soviet-American exchange of views on the West Berlin question which for reasons, better known to you, Mr. Kissinger, did not materialize, we cannot but point out, however, the obvious discrepancy between the political evaluations and practical measures by the US Administration, in the question of West Berlin as well.

The line of the FRG in West Berlin matters has been and continues to be incompatible with the status of West Berlin. The special status of West Berlin as an entity existing separately from the Federal Republic and not subject to its jurisdiction is an objective fact which has found its reflection in US official documents as well. This is the only ground for mutual understanding between our powers in this matter.

The Soviet Government does not accept arguments to the effect that this sort of demonstration on the part of the FRG took place in West Berlin in the past. Violation of law does not make new law. Repetition of violations may only have as its consequence taking of more serious measures which will show that West Berlin is not the right place at all for stirring up tension in Europe notwithstanding the attitude of other countries towards the FRG actions in West Berlin.

You, Mr. Kissinger, have suggested to openly exchange considerations on questions where the interests of the US and the USSR closely ajoin. We would like to express today a wish that the US Government give anew a thorough thought to the situation developing around West Berlin.

Clearly, there can be no two views about the fact that the actions by the FRG authorities are far from contributing to a better climate for exchange of opinion on West Berlin. The motives of actions by certain circles in Bonn are obvious. But what is the guiding criteria of the Governments of the Western powers who bear their share of responsibility for West Berlin and who show indulgence towards the unlawful policy of the FRG? In any case the Soviet Government cannot but take into consideration all those circumstances and draw from them appropriate conclusions about the positions of the parties.

I have instructions to convey these considerations to the attention of the President and to express our hope that the American leadership share the concern of the Soviet Government over the continuing attempts by some circles to make Soviet-American interests clash, in such an acute point as West Berlin as well. Failure to take measures to cut short such attempts would amount to contradicting the special obligations for maintaining peace and security which rest on the USSR and the US.

49. Editorial Note

On January 23, 1970, the NSC Review Group met to discuss a paper drafted by the NSC staff on U.S. policy toward Europe. The paper, intended as the basis for further discussion by the NSC on January 28, was divided into two parts, the first on alternative structures and the second on specific policy issues, including the recent emergence of Ostpolitik as an important factor in European affairs. The section on Germany began as follows:

“German issues are, of course, the basic East-West problems in Europe, and thus closely linked to European security, including negotiated force reductions. The Eastern policy (Ostpolitik) which the new Brandt government apparently intends to pursue could introduce a potentially troublesome and disruptive element in East-West relations and within the Alliance. Bonn apparently intends to put primary emphasis on direct and parallel negotiations with the USSR, East Germany and Poland on a wide range of issues. Provided the USSR, after considering East German interests, continues to encourage these efforts, Bonn may become less inclined to defer to Western interests and views. This could lead to some disagreement and discord between West Germany on the one hand and its allies, particularly the US and France, on the other.

“As it applies to East Germany the new Ostpolitik assumes that the cumulative effect of agreements on functional problems will lower the barrier to increased contacts. In these efforts, however, Bonn may agree to most East German demands short of *de jure* recognition.

“Thus, certain specific problems will arise in terms of our own interests:

- the four power responsibility we bear for a final German settlement may gradually be subsumed in German negotiations with Moscow and East Germany;

- the special responsibilities we bear in Berlin may become complicated by the upgrading of East German sovereignty, *or* by the introduction of the Berlin question in all-German negotiations;

- our ability to influence and control the evolution of a German settlement may decline or come into conflict with Bonn;

- the US could be caught in a position between Bonn and Paris, if German Ostpolitik seems to be dictating the overall Western approach to the USSR.

“A final consideration is the fact that the internal power base of the Brandt government is by no means secure. Each step of the way in developing a new Eastern policy the government will face major opposition. Thus, we could find ourselves confronted with choosing positions which will have internal repercussions, without great assurance

of the stability of the government over a long enough period to implement those policies we will be called on to support." ("Discussion of United States Policy Toward Europe," undated, pages 27–28; National Security Council, NSC Review Group Meetings, Box 92, Review Group Mtg. 1–23–70, U.S. Policy Toward Europe)

As chairman of the Review Group, Kissinger opened the meeting by outlining the background of the paper. According to Kissinger, President Nixon, having pushed "for some months for a systematic review of our European policy," wanted to consider a "general approach" first before proceeding to matters in detail. Kissinger, therefore, suggested that the discussion focus on alternative structures (Part I) rather than specific issues (Part II), explaining that many of these issues were already being considered within the NSC system, "except for Germany, on which he felt something was required." Assistant Secretary of State for European Affairs Hillenbrand, however, was troubled by the "rigid dichotomy" of the paper, commenting that, in raising specific issues, the paper assumed a "static and not dynamic situation" in Europe. Hillenbrand also thought that the paper reflected judgments which, if accepted, would "predetermine the answers." When Kissinger asked for an example, Hillenbrand cited the section on Germany, which was "loaded with anti-German assumptions," including the supposition that there was "something inherently dangerous in the German conduct of its relations with the East." After Hillenbrand cited further examples, Kissinger asked him what he meant by an "anti-German bias."

"Mr. Hillenbrand replied that the paper makes pessimistic assumptions about a German turn to the East. He cited on page 28 the statement 'problems *will* arise,' agreeing that problems *may* arise or could arise in a different form. He thought the paper was too pessimistic about German motives and developments and said this reaction was shared by the German Country Director [Sutterlin] and by many others in State.

"Mr. Pedersen added that on page 27 the paper discusses problems and omits the advantages.

"Mr. Hillenbrand cited the premise that the Federal Republic is likely to pursue its Eastern policy at the expense of the U.S.

"Mr. Kissinger saw two problems: that the Germans might pursue their Eastern policy at the expense of their Western ties; or that in the pursuit of their Eastern policy, they might move in this direction without necessarily so intending.

"Mr. Hillenbrand agreed that these were good questions.

"Mr. Kissinger asked if this stated the issues fairly.

"Mr. Hillenbrand agreed that the issues were stated fairly.

“Mr. Sonnenfeldt considered Mr. Hillenbrand’s comments to be fair. He asked if the effects of the Brandt statements on Germany’s Eastern policy might raise problems despite his intent.

“Mr. Kissinger agreed that the paper should be rewritten along the lines of Mr. Hillenbrand’s comments to include: a statement of the advantages of Germany’s Eastern policy and a distinction between a German policy pursued at the expense of Western ties, and a German policy which might raise problems, despite German intentions.

“Mr. Hillenbrand agreed that this would be satisfactory.”

At the end of the meeting, Kissinger decided to drop Germany from the subjects to be discussed by the NSC on January 28. As an alternative, he asked Sonnenfeldt to prepare a NSSM on Germany and Berlin “in the context of the Brandt visit” to the United States in April. (Ibid., Minutes Files, Box 121, SRG Minutes 1970 (Originals))

Kissinger did not approve a NSSM on Germany and Berlin until December 29, 1970, when he signed NSSM 111 (Document 156). Instead, Kissinger evidently decided to consider these issues under NSSM 83 on European security, which he had signed on November 21, 1969. NSSM 83, as well as additional documentation on European security, is scheduled for publication in *Foreign Relations, 1969–1976*, volume XLI.

50. Memorandum From the President’s Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, January 28, 1970.

SUBJECT

Brandt Upgrades Negotiations with Soviets

Chancellor Brandt’s foreign affairs assistant, State Secretary Bahr, has informed me via our special channel to Bonn that Brandt had given him the assignment of conducting the next phase of the German-Soviet

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV. Top Secret; Sensitive. Sent for information. A note indicates that the memorandum was returned from the President on February 20.

negotiations, about an agreement renouncing the use of force.² The first phase was handled by the German Ambassador in Moscow. It resulted in a deadlock because of Soviet insistence on, in effect, recognition of the GDR. Bahr is now to determine whether Brandt's recent softening of German opposition to GDR recognition has provided a basis for successful negotiations with the Soviets. If so, the actual negotiations would again be handled at the Ambassadorial level in Moscow.

Bahr's appointment has meanwhile been publicly announced in Bonn³ and I assume his message to me was intended to keep the channel alive. The Germans have so far used it only to inform us of moves they are about to make, rather than for consultations.

Bahr is an ardent advocate of an active Eastern Policy and now that his personal prestige is engaged as well he will undoubtedly press for as much flexibility as possible in Brandt's policy.⁴

² Helms sent Bahr's message to Kissinger under a covering memorandum of January 26; Kissinger wrote the instruction "Let Sonnenfeldt draft reply & do memo for President." In a January 27 memorandum forwarding the two documents to Kissinger, Sonnenfeldt noted: "[Bahr's] message indicates that he will base himself on what Brandt said in his state of the nation address, but Bahr, who drafted that text in the first place, will know how to wring the last ounce of flexibility out of the words." (Ibid.) The text of the message, as translated from the original German by the editor, reads: "I would like to inform you of the Federal Chancellor's decision to appoint me in the next phase of negotiations in Moscow. Since State Secretary Harkort is leading the EEC negotiations, and State Secretary Duckwitz will open the talks in Warsaw, it seemed useful on the basis of protocol to meet the Soviet Foreign Minister on at least the same level. In the meantime the goal is to determine whether the Soviets consider the positions expressed in the 'State of the Nation' address as sufficient grounds to begin the actual treaty negotiations on renunciation of force. These treaty negotiations would then take place at the previous level. The Poles have already agreed in confidence to begin talks in Warsaw on February 5. Greetings, Egon Bahr." The telegram forwarding this message also includes the following postscript: "Mr. Bahr added that he expected to begin talks with Mr. Gromyko in line with above msg in next week or ten days." (Backchannel message 166 from Bonn, January 26; *ibid.*)

³ For an account of the announcement, see Meissner, ed., *Moskau-Bonn*, vol. 2, p. 1209.

⁴ Kissinger sent Bahr the following reply: "I appreciated your letting me know about your Moscow assignment. I will, of course, be interested in your progress and your assessment of the prospects of the negotiations as well as any observations you might have on the political situation in Moscow. Best regards, Henry Kissinger." (National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV)

51. Letter From the Deputy Chief of Mission in Germany (Fessenden) to the Assistant Secretary of State for European Affairs (Hillenbrand)¹

Bonn, January 29, 1970.

Dear Marty:

I know all too well that the issue of the degree to which the Federal German Republic is consulting on its Ostpolitik is a sensitive one, and I hesitate to put pen to paper on it again, so to speak. Nevertheless, I am becoming concerned.

After the Secretary's visit, the record of consultation was excellent—better than it had ever been. But recently there have been some signs of slippage. We were not consulted on the text or timing of Brandt's January 22 letter to Stoph.² The decision on text and timing was reached suddenly at the highest level; neither Duckwitz nor Ruete were in on the act. One can say, of course, that the FRG considers its political dealings over East Germany to be its own affair and consultation with the Allies is not necessary. Yet, as you well know, dealings on the relationship of the two parts of Germany to each other can be of consequence to our position in Germany. I refer most specifically to the Brandt doctrine on the existence of two German states, which he also cites in his letter to Stoph. It seems quite possible that, in practice, the relationship between the two parts of Germany may cumulatively be defined by documents and statements of this type over a longer period and that there may not be a formal agreement regulating the overall relationship, complete with reservation clauses about Allied rights of the type the Germans contemplate in the event of formal negotiations with the GDR. The result may be recognized by the international community as *de facto* German recognition of the GDR, with consequences for the status of Berlin and Allied rights in Germany as a whole.

In those matters where we have been consulted, the Germans have given priority to their tactical considerations as regards timing over consultation. This happened most recently with regard to the German reply to Bondarenko on the Soviet complaint about recent Bundestag activities in Berlin (Bonn 631, Bonn 671, State 10221).³ In this instance,

¹ Source: Department of State, EUR/CE Files: Lot 85 D 330, AMB/DCM Correspondence, 1970. Secret. Drafted by Dean and Fessenden. Copies were sent to Sutterlin, Rush, and Dean.

² For text of the letter, in which Brandt proposed "negotiations about an exchange of declarations renouncing the use of force," see *Documents on Germany, 1944–1985*, p. 1068.

³ Dated January 21, 22, and 22, respectively. (All in National Archives, RG 59, Central Files 1970–73, POL 15–2 GER W)

the Department had to take a position within an hour or two on the basis of only an outline on the text of the reply, whose exact wording could at some point turn out to be rather important for the status of Berlin. The British did the same thing, commenting on the basis of Van Well's outline. We were given the text at 1700 hours on January 22 and were told the Foreign Office wished to make its reply to Bondarenko at 1900 hours the same day. When we objected, the time of delivery was postponed to noon the following day. With night intervening, this gave only a few hours for consultation. Of course, the fact that there was some obstruction on the autobahn might have given the Germans grounds for believing the timing to be urgent, but neither the Foreign Office nor ourselves considered at the time that the GDR harassment would be more than intermittent and limited, done largely for the record. The French were sufficiently annoyed about this incident to be considering a *démarche* at the Foreign Office complaining of inadequate consultation.

As of this writing, we are still awaiting consultations on the Bahr mission to Moscow. We have been promised something, but time is getting short.⁴

We don't wish to interfere with the present good atmosphere on this subject or to create an opening for those here who want to make political capital from charges of poor consultations. But we feel that we need more time for real consultation and that we also should have a word to say regarding the formulation of formal communications affecting the political relations between the two German sides. Important US interests are involved.

At this point, I am not suggesting that anything be done, especially because I know how delicate a matter this is. But I did want to document the fact that there has been a recent falling off in the excellent record established after the Secretary's visit.

With best regards,

Russell Fessenden⁵

⁴ In a meeting on January 29 (evidently after the letter to Hillenbrand was drafted), Sahm gave an Embassy officer "some background" on the decision to send Bahr to Moscow. (Telegram 1009 from Bonn, January 29; *ibid.*, POL 7 GER W)

⁵ Printed from a copy that bears this typed signature.

52. Editorial Note

On February 3, 1970, Polish Ambassador Michalowski met Henry Kissinger at the White House to review the status of East-West negotiations, in particular the upcoming first round of the Warsaw talks. The discussion included an exchange on formal recognition of the Polish-East German border, the so-called Oder-Neisse line:

“He [Michalowski] said that the US could contribute by telling the FRG that we wanted an agreement settling the border. Mr. Kissinger said that we had made clear that we want reconciliation between Poland and the FRG. Michalowski said this was not enough. Mr. Kissinger said that we would present no obstacle to Polish-German understanding.”

Michalowski told Kissinger he considered the latter remark an “important” statement of U.S. policy. (Memorandum for the record by Sonnenfeldt, February 9; National Archives, Nixon Presidential Materials, NSC Files, Box 698, Country Files, Europe, Poland, Vol. I)

One week later the West German Foreign Office instructed its Embassy in Washington to confirm a report from the Polish delegation in Warsaw that a White House “personality,” although not the President himself, recently told Michalowski that the United States would not object if West Germany recognized the Oder-Neisse line. On February 12 Dirk Oncken, the German Minister in Washington, accordingly raised the issue with Helmut Sonnenfeldt who admitted that Kissinger had remarked that the United States would “present no obstacles to German-Polish understanding” but denied any implication on the border issue. (Memorandum for the record by Sonnenfeldt, February 12; *ibid.*, Box 683, Germany, Vol. IV)

In a meeting with Counselor Frackiewicz of the Polish Embassy on March 17, Sonnenfeldt suggested that such Polish behavior might present an obstacle for bilateral relations. When Frackiewicz stressed “how important it was for the US and other allies to encourage the Germans to settle the Oder-Neisse,” Sonnenfeldt was blunt in his reply:

“I took occasion to tell him that the Poles would make a bad mistake if they tried to play the Western allies off against each other on this question. I had been very disturbed to learn that Mr. Kissinger’s general comments to the Polish Ambassador about our support for German-Polish reconciliation had been passed on to the Germans by Polish officials in a version that had us supporting the Polish interpretation of Potsdam. I also noted that an American journalist in Washington had told me that Mr. Kissinger’s alleged comments had also been passed to newspapermen by the Poles. I said this sort of thing made private conversations very difficult and could not help the cause of Polish-German agreement.”

Frackiewicz was “shocked” by the news, refusing to believe that “any Polish official could have been guilty of an indiscretion.” After

expressing the need to avoid further incident, Sonnenfeldt reiterated U.S. support for reconciliation between Poland and West Germany but doubted that “maximum Polish demands provided a suitable basis” for agreement. (Memorandum for the record by Sonnenfeldt, March 18; *ibid.*, Box 834, Name Files, Sonnenfeldt, Helmut)

In a February 25 letter to Hillenbrand, Ambassador to Poland Stoessel also addressed the U.S. position on the Oder-Neisse line. Stoessel believed that the United States should not emphasize the legal aspect of the dispute while ignoring the prospect for a political solution of “this long-standing and important issue.” Although it was “essential” to maintain the American position in Berlin, he argued that “the status of the Oder-Neisse line does not appear to be of such vital importance to the U.S. interest.” U.S. interests would be served by the successful conclusion of the Warsaw talks; failure, on the other hand, would have an “adverse impact” on Ostpolitik with repercussions for the political leadership in Poland as well as in West Germany. Stoessel, therefore, advocated adopting a more flexible approach on the Oder-Neisse line, including the possibility of diplomatic support for the Polish position. “[I]f it comes to a point of impasse between Poland and the FRG over the form of an accord on the Oder-Neisse,” he suggested, “we should be prepared in advance to use our influence with the FRG to help find a way out of the impasse.” (National Archives, RG 59, Central Files 1970–73, POL 32–3 GER–POL)

In a March 9 letter to Stoessel, Hillenbrand agreed that the United States should not stress legal over political considerations on the Oder-Neisse line. He disagreed, however, that the United States should pressure West Germany to compromise in the Warsaw talks. “I do not believe we should volunteer unsolicited advice,” Hillenbrand argued. “The effect of such advice on German domestic political considerations, once it became publicly known, could do serious harm to U.S.-German relations.” (Department of State, S/S Files: Lot 82 D 307, Correspondence, 1968–72)

Fessenden echoed this argument in a letter to Stoessel on March 16. As the leading proponent of reconciliation with Poland, Chancellor Brandt would concede as much as his “fragile parliamentary majority” would allow. “I don’t think, therefore, that there is any practical necessity for us to try to bring influence to bear on Brandt in this matter,” Fessenden commented. “For us to intervene could even run the risk of getting us involved in the middle of a hot German internal political issue.” (Department of State, EUR/CE Files: Lot 85 D 330, Chrons (1969)—Letters (Outgoing)) Stoessel later concluded that, on the basis of the exchange of views on the Oder-Neisse line, “our official position is open-minded and flexible.” (Letter from Stoessel to Hillenbrand, March 21; Department of State, S/S Files: Lot 82 D 307, Correspondence 1968–72)

53. Letter From the Assistant Secretary of State for European Affairs (Hillenbrand) to the Deputy Chief of Mission in Germany (Fessenden)¹

Washington, February 7, 1970.

Dear Russ:

I appreciated your quiet letter of January 29, 1970² concerning consultations—or the lack thereof—on the FRG's Eastern policy initiatives. You are quite right. This is a sensitive subject here since we wish, if at all possible, to avoid the appearance of differences or distrust between us and the new German Government. This could, if carried to extremes, lead to a kind of head-in-the-sand ostrich attitude and I would not wish to have you gain the impression that this is the Department's intention. For this reason it may be useful for me briefly to sketch out our underlying philosophy on this subject.

The first principle is a rather simple one: we wish to keep the Federal Republic in the Western camp. If this is to succeed in the future as in the past, the Federal Republic must be content to remain there. This will not be the case if circumstances suggest that continued allegiance to the West is preventing the Federal Republic from achieving a more satisfactory solution of the German problem through accommodation with the East. Thus it is in our interest to avoid the impression that Western interests and specifically American interests prevent the Federal Republic from exploring possibilities of understanding with the East.

The second principle is even simpler: we do not believe that the Soviet Union or the GDR has the flexibility to offer a change in the European situation which would be of sufficient attraction to the Federal Republic to cause it to loosen its Western ties. Thus we think that allowing the Germans a relatively free hand at this point will be the best means of ensuring their continued commitment to NATO and cooperation with the United States.

We realize that there are varying currents within the Brandt Government and that Brandt himself is capable of being impatient of Allied tutelage. He will at times act on his own and even occasionally—we must expect—through seemingly devious or covert means. Moreover,

¹ Source: Department of State, EUR/CE Files: Lot 85 D 330, AMB/DCM Correspondence, 1970. Secret; Official-*Informal*. A handwritten note on the letter by Fessenden reads: "Thoughtful letter & makes the case well." Rush wrote: "I agree with Marty's comments which are well made."

² Document 51.

as the months pass the CDU and perhaps industrialist circles in Germany will be active in pursuing this line and may well warn us that Brandt is jeopardizing vital Western interests. Our task, particularly in Washington, will be to keep all of this in perspective, not just for those of us in the Department who follow German questions in detail but for those elsewhere who are less familiar with details and more inclined to be nervous.

This situation suggests two conclusions. First it will be preferable in your reporting from the field and in our analyses in the Department to avoid over-emphasis on occasional failure to consult on the part of the FRG so long as the FRG is proceeding along policy lines with which we are familiar on the basis of more general consultations. Secondly, and this is why I particularly appreciated your letter, the facts as they develop should be quietly recorded whether they are positive or negative so that a policy of restraint in reporting does not in the end lead to an inaccurate assessment and erroneous policy recommendations. We want you to be on the alert and to let us know to what extent the FRG is failing to consult; but we would like this to be done keeping in mind the general philosophy which I stated earlier and the need which this philosophy imposes to avoid premature or unnecessary alarms. This problem is bound to be with us for a good many months to come and I hope these few thoughts will be of some use to you.

With best regards.

Sincerely,

Marty

54. Editorial Note

On February 10, 1970, Soviet Deputy Foreign Minister Kozyrev met Ambassador Beam in Moscow to deliver the Soviet response to the Western proposal of December 16 for talks on Berlin. (Telegram 715 from Moscow, February 10; National Archives, RG 59, Central Files 1970–73, POL 28 GER B) The text of the Soviet aide-mémoire, February 10, reads:

“The Government of the USSR has acquainted itself with the United States Government aide-mémoire, which was the answer to its (Soviet) statement of September 12, 1969. It confirms the readiness expressed in this statement for an exchange of views for the purpose of improving the situation in West Berlin and of eliminating frictions in this region. The Soviet Government is also guided by the fact that it is

necessary to approach this question in the context of the tasks of normalizing the situation and of ensuring security in Europe.

“Bearing in mind the purpose of the exchange of opinions, as it is formulated by the parties, the Soviet Government considers it important, first of all, to reach agreement on excluding activity incompatible with the international situation of West Berlin, which was and remains a source of tension existing here. In the conditions of the continuing occupation of West Berlin and the absence of other joint settlements, only the Potsdam and other quadripartite agreements and decisions can be the basis in principle during an examination, in particular, of practical questions regarding this city. It is self-evident, moreover, that questions of the communications of West Berlin and of access to it cannot be settled in isolation from the legitimate interests and sovereign rights of the German Democratic Republic within which West Berlin is situated and whose lines of communications it uses for its external ties.

“Corresponding to the subject of an exchange of views, the Soviet Government would agree that meetings of the representatives of the Four Powers should take place in West Berlin in the former Control Council Building. It appoints as its representative for conducting negotiations P.A. Abrasimov, Ambassador Extraordinary and Plenipotentiary, who will be ready to enter into contact with the U.S. Representative empowered to do so, beginning in the second half of February 1970. Organizational and technical questions could be clarified through the usual channels.” (Attached to memorandum from Richardson to Nixon, February 13; *ibid.*, POL 38–6)

In a February 13 memorandum to the President, Acting Secretary of State Richardson discussed the Soviet proposal. Although it failed to specify Soviet concessions, Richardson maintained that the Soviet aide-mémoire was worded in such a way to “leave open a hope of reasonable talks.” The price for an agreement, in any event, would be paid by West Germany through the reduction of its political presence in West Berlin. “If Bonn remains willing to make such concessions of its own accord, without pressure from the Three Western Powers,” Richardson reasoned, “we may be able to lessen the likelihood of new Berlin crises in the coming months and years, while bringing modest improvements in the living conditions of the West Berliners. The status of Berlin and our commitment to the security of the Western sectors would not be altered.” He concluded, therefore, that the United States should accept the Soviet proposal: “It seems to me that while the prospects for major progress are limited, so, too, are the risks. If we refused to talk we would be vulnerable to criticism as overly negative or overly timid. The British, French and Germans are all certain to favor the talks.” (*Ibid.*)

In a February 16 memorandum to Kissinger, Sonnenfeldt analyzed Richardson’s memorandum: “The memorandum does not deal fully

with what we are prepared to offer the Soviets in exchange for their concessions," he argued; "there is no assessment of the consequences of failure (except for noting that the risks are 'limited'), and no clear definition of our objectives. In short, there is no indication in the memorandum that the US Government has developed fully a negotiating stance including fallback positions." Sonnenfeldt was especially critical of the Department of State:

"I am very concerned that State will continue to make Berlin policy and negotiating positions on the run, in the Bonn Group, without first having a US Government position. We face two sets of negotiation: the first with the UK, FRG and French, and the second with the Soviets. State has given no evidence of being prepared for either. If we do not exercise some control at this stage, we will be faced soon with another battle of the cables. These negotiations are too important (in appearance if not in substance) for us to engage the Soviets until our positions are fully thought out and prepared." (National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II)

Kissinger reacted to the suggestion that he exercise more control over the policy process with the handwritten remark: "Damn it—Hal [this] is same problem as before. If Berlin isn't an NSC issue, what is? Shouldn't this go to NSC? Please let me know soonest." (Ibid.) In a note returning the memorandum on February 16, Alexander M. Haig, Jr., Kissinger's senior military assistant, commented: "Hal this is becoming a problem. See HAK's questions need to be answered. What HAK seems to want is NSSM for Pres. to approve." (Ibid., Box 683, Country Files, Europe, Germany, Vol. IV)

On February 17 Sonnenfeldt addressed these questions in a memorandum to Kissinger. Sonnenfeldt recalled that Kissinger had informed the Secretary of State on November 19 that, upon receipt of the Soviet reply to the Western proposal of December 16, the President would determine whether to proceed further with negotiations on Berlin. "There is thus," Sonnenfeldt concluded, "a basis for putting this subject into the NSC." An attempt to void the negotiations was not a "viable alternative"; neither was an effort to avoid consideration of the issues. "If we are to consider in the NSC the negotiating position which would be discussed with the Allies," he continued, "we would have to have a meeting *very quickly*." Sonnenfeldt, therefore, suggested a scenario for an expedited review on Berlin, including discussion of the issues by the NSC and a formal determination by the President. "I am afraid that unless something like the above is done promptly," he warned, "you will have a battle on your hands with State." (Ibid.)

Before he could secure a decision, Sonnenfeldt sent an urgent note to Kissinger and Haig: "Since I completed the attached new Berlin package a telegram has come in from Bonn containing a British draft of an

Allied response to the last Soviet note." According to Sonnenfeldt, the British draft was "better than the one State proposed, provided we want to proceed with the talks." As there was "no alternative" to negotiation, Sonnenfeldt suggested that Kissinger accept the British draft and concentrate instead on securing the President's approval for a substantive negotiating position. (Ibid.) In a February 17 memorandum to Kissinger, Haig supported this recommendation. "I believe that you made the correct decision in not trying to inject this issue into the NSC at this point in time," Haig noted. "It has picked up so much momentum in a multilateral sense that we would be open to charges of foot dragging and obstructionism." He proposed, therefore, that Sonnenfeldt draft a memorandum informing but not "bothering" the President with the burden of decision. Haig also recommended that Kissinger sign a memorandum to Richardson, requiring submission of a "detailed game plan" as soon as possible. (Ibid., Box 690, Country Files, Europe, Germany (Berlin), Vol. II) Haig later instructed Sonnenfeldt to proceed on this basis; he also noted that Kissinger had approved the British draft. (Memorandum from Haig to Sonnenfeldt, February 17; *ibid.*, Box 683, Country Files, Europe, Germany, Vol. IV) The text of the British draft is in telegram 1750 from Bonn, February 17; National Archives, RG 59, Central Files 1970–73, POL 28 GER B.

On February 18 Sonnenfeldt gave Kissinger a draft memorandum informing the President of decisions made on his behalf (see Document 58). The same day, Kissinger also signed the following memorandum to Richardson:

"With respect to your memorandum of February 13, the President agrees that preparations should proceed for quadripartite talks in Berlin. The talks should be considered exploratory in nature and efforts should be made to ensure that false expectations are not created.

"The President would like an opportunity to review as soon as possible the full US position on the talks. This should contain our objectives, negotiating tactics including fallback positions and concessions, and an assessment of the consequences of various outcomes including failure. In view of the nature of the subject, the President would like this work to be done by a small interdepartmental group to include participation by the NSC staff.

"The President would also like an opportunity to review the Allied negotiating position in the light of consultations among the British, French, and West Germans." (National Archives, RG 59, EUR/CE Files: Lot 80 D 225, Background on Negotiations with Soviets on Berlin)

On February 19 the Department authorized the Embassy in Bonn to coordinate the final text of the Western aide-mémoire on the basis of the British draft. (Telegram 25315 to Bonn, February 19; *ibid.*, Central Files 1970–73, POL 28 GER B) After 1 week of consultation in Bonn, Beam met Kozyrev in Moscow on February 27 to deliver the U.S.

response to the Soviet proposal on Berlin. (Telegram 991 from Moscow, February 27; *ibid.*) The text of the aide-mémoire, largely following the language of the British draft, reads:

“The United States Government, together with the British and French Governments welcomes the agreement of the Soviet Government in its aide-mémoire dated February 10, 1970 to the holding of discussions between representatives of the four powers in Berlin as proposed in the aide-mémoire of the three governments of December 16, 1969.

“In response to the proposals in the third paragraph of the Soviet aide-mémoire, the three governments can agree to the opening of four power discussions by their respective Ambassadors in the building formerly used by the Allied Control Council, subject to review of the level and place as the discussions develop. The exact date for the start of discussions can be settled between their respective protocol officers in Berlin. This agreement is without prejudice to the position of the three governments on the content of the discussions, which they regard as being based on the responsibilities of the four powers for Berlin and Germany as a whole.

“The United States Government will be represented by Ambassador Kenneth Rush.” (Telegram 2127 from Bonn, February 26; *ibid.*)

55. Memorandum From the President’s Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, February 16, 1970.

SUBJECT

Brandt’s Eastern Policy

The Goal as Brandt Sees It

The German Chancellor has stated the goals of his “Ostpolitik” in rather somber and realistic terms: he wants to normalize relations with

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV. Confidential; Nodis. Sent for information. According to another copy, Sonnenfeldt drafted the memorandum on February 11. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 288, Memoranda to the President, 1969–74, Jan.–Feb. 1970) Sonnenfeldt forwarded the memorandum to Kissinger (through Haig) on the same day; Kissinger, who had requested the report “some days

the Communist countries and move “from confrontation to cooperation”; he is prepared in this context to accept the GDR as a separate state and to accommodate the Poles, within certain limits, on the question of the Oder-Neisse Line. He hopes in this way to reduce the antagonism toward West Germany in the USSR and Eastern Europe and to make the division of Germany less severe. He rejects the idea that Germany should be free-floating between East and West and he remains strongly committed to NATO and West European integration. Indeed he believes his Eastern policy can be successful only if Germany is firmly anchored in the West. He has in effect renounced formal reunification as the aim of German policy but hopes over the long run to achieve special ties between the two German states which will reflect the fact that they have a common national heritage. He has cautioned Germans not to expect rapid progress.

Brandt probably commands the support of a majority of Germans for this approach, although there is a strong and vocal minority among Christian Democrats and in sections of the press which is strongly opposed. Although Brandt has stressed that his Western policy has priority, German attention is currently heavily focussed on the East. The criticism of his opponents has been vigorous and has drawn bitter Government responses.

The Reasons for Concern

Much of the opposition within Germany and the concern among its allies stems not so much from the broad purposes which Brandt wants to achieve but from suspicions or fear that Eastern policy is acquiring its own momentum and will lead Brandt into dangerous concessions. Moreover, while even his critics generally credit Brandt with sincerity and wisdom, some of his influential associates—for example his State Secretary, Egon Bahr—are deeply mistrusted. Much of the worry inside and outside Germany focusses on the danger that as Brandt pursues the quest for normalization, his advisors and supporters will eventually succeed in leading him to jeopardize Germany’s entire international position. This fear has already embittered domestic debate in Germany and could in time produce the type of emotional and doctrinaire political argument that has paralyzed political life in Germany and some other West European countries in the past. It is this possibility that we must obviously be troubled about ourselves.

ago,” approved it on February 16 with the comment: “Hal—Excellent. HK.” (Notes from Sonnenfeldt to Haig and Kissinger, both February 11; National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV) The President also wrote on the memorandum: “K—A very perceptive piece.” A stamped note indicates he saw it on February 20. (Ibid.) Excerpts from the memorandum were published in Kissinger’s memoirs. (*White House Years*, pp. 408–409, 529–530)

Pressure for Concessions

Brandt has now made the opening moves in Moscow and Warsaw and has made overtures to East Germany. As was to be expected, the Communists have advanced maximum positions: full recognition of the GDR as a separate, equal and sovereign state under international law, acceptance of post-war territorial changes, notably Poland's western frontier as final, and acceptance of West Berlin as a separate entity dissociated from the FRG. Having staked much prestige during the electoral campaign and since on progress in his Eastern policy, Brandt is now under some compulsion to demonstrate that he can deliver.

Moreover, a potentially important state election is scheduled in June in North Rhine Westphalia where SPD and FDP now govern in coalition just as at the Federal level in Bonn.² The CDU hopes that if it can reduce the strength of the FDP to knock it out of the coalition at the state level, it will have undermined the coalition in Bonn. "Ostpolitik" could become a significant issue if it either is demonstrably stuck or if Brandt, to save it, moves much further to meet maximum Communist demands.

Thus even in this early stage of his negotiating effort Brandt may find himself impelled to adjust his initial positions. While this may produce results for him—in part because the Soviets may want to help Brandt for the time being—it may arouse the opposition even further and make the German domestic debate more virulent. Some of Brandt's present support may desert him.

The Longer Term Danger

The most worrisome aspects of Ostpolitik, however, are somewhat more long-range. As long as he is negotiating with the Eastern countries over the issues that are currently on the table—recognition of the GDR, the Oder-Neisse, various possible arrangements for Berlin—Brandt should not have any serious difficulty in maintaining his basic pro-Western policy. There is, at any rate, no necessary incompatibility

² In a February 12 memorandum to Kissinger, Sonnenfeldt summarized a report on Bahr's visit to Moscow and the upcoming state elections: "Bahr intended to make it plain to Gromyko that a defeat for German Eastern policy would almost certainly lead to an FDP defeat in Westphalia, creating serious friction and stress within the FDP which could result in the fall of the present national government." Sonnenfeldt concluded that the report "shows the role the Eastern negotiations are already playing in the SPD's political calculations and vice-versa. Bahr may think he has a strong case in urging the Soviets to help Brandt stay in power. The Soviets may wonder who has more to lose from the collapse of the coalition—they or Brandt. It is hard to say who is under greater pressure to make the talks succeed." Kissinger wrote the following comment on the memorandum: "Also it shows what dilemmas Brandt is heading for." (National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV)

between alliance and integration with the West on the one hand, and some degree of normalization with the East, on the other.

But assuming Brandt achieves a degree of normalization, he or his successor may discover before long that the hoped-for benefits fail to develop. Instead of ameliorating the division of Germany, recognition of the GDR may boost its status and strengthen the Communist regime. The FRG may find itself in a race for influence with the GDR in third areas which could quickly put FRG policies at odds with those of its allies, for example in the Middle East. Even in Europe, particularly in Scandinavia and the UK, the FRG might find its relations clouded by increased GDR commercial and other activities.

More fundamentally, however, the Soviets having achieved their first set of objectives may then confront the FRG with the proposition that a real and lasting improvement in the FRG's relations with the GDR and other Eastern countries can only be achieved if Bonn loosens its Western ties. Having already invested heavily in their Eastern policy, the Germans may at this point see themselves as facing agonizing choices. It should be remembered that in the 1950s, many Germans not only in the SPD under Schumacher but in conservative quarters traditionally fascinated with the East or enthralled by the vision of Germany as a "bridge" between East and West, argued against Bonn's incorporation in Western institutions on the ground that it would forever seal Germany's division and preclude the restoration of an active German role in the East. This kind of debate about Germany's basic position could well recur in more divisive form, not only inflaming German domestic affairs but generating suspicions among Germany's Western associates as to its reliability as a partner.

It should be stressed that men like Brandt, Wehner and Defense Minister Schmidt undoubtedly see themselves as conducting a responsible policy of reconciliation and normalization with the East and intend not to have this policy come into conflict with Germany's Western association. There can be no doubt about their basic Western orientation. But their problem is to control a process which, if it results in failure could jeopardize their political lives and if it succeeds could create a momentum that may shake Germany's domestic stability and unhinge its international position.

56. Message From the German State Secretary for Foreign, Defense, and German Policy (Bahr) to the President's Assistant for National Security Affairs (Kissinger)¹

Bonn, February 20, 1970.

1. After this round of talks in Moscow, I have the impression that for the first time the Soviets are seriously considering the possibility of a renunciation-of-force agreement. The Politburo is holding internal discussions on the matter.

2. My interlocutors were obviously prepared for an open debate. I do not know what situation I will find during the next round in Moscow; it is scheduled to begin on the first of March. It will then involve an agreed position of the Soviet leadership and no longer an informal exchange of views.

3. The goal of the next round would be to arrive at a working paper that both governments will study. If both sides accept it, then we will begin the actual negotiations to draft the text of a renunciation-of-force agreement. I expect a stay of at most two weeks but have become cautious in such predictions.

4. On the subject of Berlin in response to Gromyko's questions, I pointed out that the Federal Government cannot negotiate on Berlin; this is also in accordance with the Soviet position. We have wishes, however, that we would coordinate with the three powers:

If there is to be détente in Europe, Berlin must not remain a relic of the Cold War; that is, arrangements must be made through which civilian access cannot be disturbed; the reality of economic and other ties with West Germany must be respected; the same goes for the representation of West Berlin abroad by the Federal Government (with the approval of the three powers whose original rights will not be infringed thereby); the use of Federal passports for West Berliners.

Gromyko asked for specific clarifications but did not react to any of the points. It is in our common interests, I think, that the position of the three powers vis-à-vis the Soviets in the Berlin talks should not be less than what the German side has said to the Soviets in Moscow.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 60, Country Files, Europe, Egon Bahr, Berlin File [3 of 3]. Top Secret; Eyes Only. The message, in German, was sent by backchannel and forwarded to Haig on February 21. Kissinger wrote the following instructions: "Sonnenfeldt: Acknowledge—These Bahr cables should always be acknowledged immediately." (Ibid.) Sonnenfeldt, however, explained that since Bahr had gone back to Moscow, the response could wait until he returned to Bonn in 2 weeks. Kissinger approved this suggestion on March 3. (Memorandum from Sonnenfeldt to Kissinger, undated; *ibid.*) This message, except the original English postscript, was translated from German by the editor. For the German text, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 299–300.

We are preparing a paper on this that the Federal Chancellor will transmit in the course of the next week in a message to the three heads of state (or government).

5. During the next week I will be available for any questions and hope in April to report personally several interesting insights on the working habits of the Soviet leadership.²

Greetings

Egon Bahr

P.S. I leave for Moscow again on 1 March.

² On March 16 Haig approved the following reply to Bahr on Kissinger's behalf: "I regret that I was unable to reply to your interesting message of February 20 before you left Bonn to return to Moscow. In the meantime, the Chancellor and the President have been in communication with each other on the Berlin question, and the Bonn group is actively considering the Western position for the talks with the Soviets. I have followed with interest the reports from your government concerning the FRG's conversation with the Eastern countries and will be interested in your further impressions. As I told Ambassador Pauls last week, we are greatly looking forward to the Chancellor's visit next month and the full discussions that will be held at that time. With best regards, HAKissinger." (Ibid.)

57. Editorial Note

On February 23, 1970, French President Georges Pompidou arrived in the United States for 1 week of high-level consultations, including discussion with President Nixon, on matters relating to Germany and Berlin. The morning of his arrival, the National Security Council met to consider the role of France in the "Post-De Gaulle" era. The formal minutes of the meeting record the following conversation on the French attitude toward Germany:

"R[ichard] N[ixon]—I would like to hear some comment on French/German relations.

"[Martin] Hillenbrand—There is a growing resentment of Germany, especially among the Gaullists. There is a fear of German expansionism. There is more and more thinking of the UK as a counterweight in the Common Market. There is also concern over Germany's Eastern policy. The French see that the Germans have more to offer than they do.

"The French are worried that the Socialists will be led down the garden path by the Russians. They basically resent the German socialists.

"[Henry] Kissinger—I agree. The more actively the Germans go toward the East, the more the French will countermove. The French are also worried about our Berlin overtures. This could lead to the French moving closer to the UK, and even to France/UK nuclear collaboration.

"[George] Lincoln—Could this also move them more toward the United States?

"Hillenbrand—I don't think so. There is a growing acceptance of the removal of the U.S. They are hedging their bets and they foresee a weakened NATO." (National Security Council, Minutes Files, Box 119, NSC Minutes, 1970 Originals)

Kissinger also raised the German question in a meeting with Pompidou on February 21 in Paris where Kissinger was conducting secret negotiations with the North Vietnamese. According to the memorandum of conversation, Pompidou stated his belief that "Chancellor Brandt was sincere and that he dominated the Government by his personality. He did not believe that Brandt would ever betray the West." (National Archives, Nixon Presidential Materials, NSC Files, Box 1024, Presidential/HAK Memcons, The President and President Pompidou (Paris), 12 November 1970 [1 of 2]) In a briefing memorandum for the President's meeting with Pompidou, Kissinger doubted, however, that such confidence extended to Brandt's policy:

"The French are concerned that Brandt may be moving too fast in his Eastern policy (to some extent they resent that the Soviets now find the Germans more interesting to talk to than the French); and they are worried about German economic power. De Gaulle, you will recall, stressed the disparity between German economic recovery and its political weakness. You should be cautious about saying anything that might be construed as critical of Brandt or the Germans because it is likely to get back to the Germans through the French bureaucracy. You may wish to make the following points:

"—Ask for Pompidou's assessment of the Brandt Government (he has met twice with Brandt since entering office).

"—Make the point that all of us have an interest in not seeing the Germans paralyze themselves in violent political debate over Ostpolitik or because excessive hopes from their dealing with the East are frustrated by failure." (Memorandum from Kissinger to Nixon, February 26; *ibid.*)

On February 26 Nixon met Pompidou for a private discussion; only the interpreters, including Major General Vernon Walters, were otherwise present. The memorandum of conversation (evidently drafted by Walters) records the following exchange on Germany:

"President Nixon said that if President Pompidou had a moment we would be interested in hearing his views on the German problem. He knew the president had a high personal regard for Brandt, as he

did himself. Did he think that the German opening to the East presented dangers or was it helpful?

“President Pompidou said that fundamentally he thought this was useful but it could bring dangers. He said that when the Western countries seek a rapprochement with the Soviet Union they did not want anything from them.

“President Nixon said that this was very important.

“President Pompidou then said all we wanted was for the Russians to leave us alone. The Germans, on the other hand, were largely dependent on the Soviets for the hopes of reunification of their country. Hence, there was danger. He trusted Brandt but he felt that it was important that the U.S. should emphasize to him and the German Government that we must be really informed on the negotiations going on and perhaps know in advance the positions and concerns. We might have to speak frankly on this. France had no reason not to recognize the German Democratic Republic except that she did not want to irritate the Federal Republic and the French would not want to see the Federal Republic take initiatives while the French were maintaining an even more hostile attitude for the sole purpose of pleasing the Federal Republic. He felt that we should follow this very closely and even be consulted. We have a right to be consulted. They had taken a certain number of commitments to the Federal Republic and to the United States even more so. While Brandt was moving relatively cautiously, there were others who were more impatient. The Mayor of Berlin wanted to make contacts with the other side. Others wanted to wait. He felt we should try and calm the situation on Berlin. For his own part, he regretted the negotiations on Berlin. He felt that this could only be advantageous to the Soviets and give them an opportunity to make their presence felt in West Berlin while denying us as always the influence in East Berlin. He felt that negotiations on these matters should be by all three and not indirectly by the Germans. He felt we should keep in close touch with the Germans. President Pompidou said that to sum up his feelings, he trusted Chancellor Brandt. He also trusted the desire of sixty million Western Germans not to become Communists but everything else required vigilance. He had told Brandt quite frankly that they had taken a firm attitude on the German Democratic Republic because of Western Germany and would not want to learn from the press that the Federal Republic had recognized East Germany.

“President Nixon said that we should consult on this. Our views were the same. We should realize that the alliance had been set up 20 years ago for several good reasons. First, the threat from the East. Second, the economic and military weakness of Western Europe after the devastation of World War II and third, the German problem. There had to be a home for Germany—a place for Germany to go. Now the threat

from the East had receded, not perhaps as much in reality as some thought. Western Europe was now strong economically and had developed some military strength. But one thing had not changed and this was the German problem and the Soviets in 20 years have always kept their eye on the German problem." (Ibid., Box 1023, Presidential/HAK Memcons, The President and Pompidou, February 24–26, 1970)

Further documentation on the Pompidou visit, including the full text of several documents excerpted above, is scheduled for publication in *Foreign Relations, 1969–1976*, volume XLI.

58. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, February 24, 1970.

SUBJECT

Four Power Negotiations on Berlin

We are approaching the threshold of Four Power negotiations on Berlin. You noted in Berlin a year ago that the challenge in Berlin should be ended, that the status quo was not satisfactory, and that negotiations could bring an end to the division of the city. At the April NATO meeting, Brandt urged that we determine what the Soviets would be willing to do on Berlin, and Gromyko in July suggested that the USSR was ready for an exchange of views. In August the Three Powers (US, UK, and France) initiated formal soundings in Moscow. The Soviets replied in September that they were generally interested, and in December, the Three Powers at the urging of the FRG suggested specific improvements they wished to see in Berlin. The Soviets replied on February 10 that they were ready for an exchange of views on improving the situation in West Berlin, and suggested Ambassadorial level discussions be held in Berlin on February 18.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret. Sent for information. According to another copy, Downey drafted the memorandum on February 16. (Ibid.) In accordance with Haig's instructions, Sonnenfeldt then redrafted the memorandum on February 18. (Memorandum from Sonnenfeldt to Kissinger, February 18; *ibid.*) For further background information, see Document 54. The President wrote "OK" on the memorandum, indicating his agreement with Kissinger's initiative.

The Soviets and the Western Allies have clearly different views of what these talks should accomplish. The Soviet objective is to decrease the FRG's political presence in West Berlin, to increase the Soviet role in West Berlin, and at the same time eliminate any Three Powers responsibilities for all of Berlin, East and West. Finally, the Soviets wish to establish the principle that the communication lines between Berlin and the FRG—except for Allied military traffic—are the responsibility solely of the East Germans. The Western Powers seek to enhance the city's viability by improvements in the internal life of Berlin, assurance of uninterrupted civilian access to Berlin, while protecting the Allied position in Berlin and conceding no more than the FRG wishes with respect to its presence in West Berlin.

In the light of these fundamentally different viewpoints, it is unlikely that any basic agreement can be reached with the Soviets. Indeed, the prospect of even minor improvement is limited. In that light we should do nothing to generate expectations of success.

Notwithstanding the very limited prospect, we have no real alternative but to begin talks with the Soviets. We have urged them to agree to these talks for some time, and now they have accepted. We have also made clear that the easing of tensions in Berlin would be a concrete step the Soviets could take which would improve the prospects for an eventual European Security Conference.

Acting Secretary Richardson has sent you a memorandum (Tab A)² recommending that you agree in principle that we should proceed with preparations for the talks. The Acting Secretary states that preparations must clearly get underway and the first step should be the presentation of our full negotiating position for your approval as soon as possible. We need our own clear game plan before we begin to develop the full Western position in consultations with the FRG, the UK and the French. It is also important that you review the Allied position prior to the actual commencement of the Four Power talks. I have asked the Acting Secretary to proceed along these lines (Tab B).³ The Three Powers will be informing the Soviets that we are pleased that they have agreed to have talks, and that we will suggest a specific date after our own consultations have been completed.

² Attached but not printed. For a summary of the February 13 memorandum, see Document 54.

³ Attached but not printed. For the text of the February 18 memorandum, see Document 54.

59. Telegram From the Embassy in Germany to the Department of State¹

Bonn, February 27, 1970, 0807Z.

2164. Subj: Bahr Presentation to Allied Ambassadors Regarding Berlin.

1. This message contains a summary of Bahr's remarks to UK and US Ambassadors and French First Secretary (Amb Seydoux absent) in Feb 26 presentation of Brandt letter to the President and German working paper on Berlin soundings (septel).² In essence, Bahr recommended that the Allied soundings with the Soviets focus on an effort to obtain Soviet acceptance of economic, financial, cultural and legal ties between the FedRep and Berlin.

2. Bahr said he expected a harder time in his next meeting with Gromyko in Moscow because Gromyko will have tried out on Ulbricht Bahr's arguments from the first session of the talks and would be equipped with Ulbricht's replies. The first round of talks with Gromyko had not been easy. The discussion had been tough but the atmosphere had not been personally unpleasant. The most important positions on both sides remained unchanged. Gromyko categorically rejected inclusion in a renunciation of force agreement of any reference to German reunification, self-determination or unity. He demanded that the FRG accept post-war borders and that it explicitly state its intention never to make changes in these borders.

3. Bahr said he had told Gromyko that these Soviet demands were unacceptable. The Basic Law would not permit them nor would Federal German commitments to the three Western Powers in the settlement convention. He had told Gromyko that any renunciation of force agreement should include a passage which stated that the agreement itself did not affect or weaken the agreement of either party with third parties.

4. Bahr said he had the impression that there was some movement in the Soviet position on Articles 53 and 107 of the UN Charter. Gromyko had not found himself in a position to make a strong case

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 28 GER B. Secret; Priority; Exdis.

² An English translation of the Brandt letter was transmitted in telegram 2161 from Bonn, February 26 (*ibid.*); see also Document 62. An English translation of the German working paper was transmitted in telegram 2160 from Bonn, February 26 (National Archives, RG 59, Central Files 1970–73, POL 28 GER B); see also the excerpts in footnotes 3 and 4 below. For the full texts in German of the working paper and the Brandt letter, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 308–313.

against the argument that if relations with the FRG were normalized in the renunciation of force agreement, this normalization should extend to the Charter articles as it had in the case of FRG agreements with the three Western Powers.

5. Berlin had taken a good deal of time in the discussion with the Soviets. Gromyko had raised it, insisting that Berlin would have to be discussed in the context of a renunciation of force agreement with the FRG. Bahr had replied that he could discuss Berlin but not negotiate on it as it was within the Four Powers area of competence as the Soviets would no doubt agree.

6. Bahr said he then expressed FRG desires with regard to Berlin. His formulations had not been restrained and he had expected a Soviet explosion in return. This had not taken place.

7. Bahr said he told Gromyko the Soviet Union must recognize the economic, financial, and legal ties between Berlin and the Fed Rep. If there were to be a relaxation of tensions, then Berlin must also be included; Berlin could not be an island of the cold war in an area of relaxed tensions. This meant cessation of difficulties and disturbances on civilian access to Berlin. The Soviets should accept FRG representation of Berlin interests abroad as the Western Allies had done without relinquishing their ultimate supreme rights over Berlin. Furthermore West Berliners should be able to travel to the East on Federal German passports.³ Gromyko had made absolutely no reaction to this presentation one way or the other.

8. In a second round on Berlin, Gromyko had said that there was a four-power competence for Berlin but FRG should in any agreement on renunciation of force nonetheless specifically acknowledge the territorial integrity of West Berlin which was a separate international entity. The FRG was also attempting to absorb Berlin. Bahr said this

³ The German working paper included the following list of "improvements in the practical situation" of Berlin: "(A) If a series of agreements on renunciation of force were concluded, Berlin should not remain apart as the apple of discord; this means that the principles of renunciation of force should apply for Berlin as well. (B) There will be no independent political entity of 'West Berlin'; neither the Berliners nor the FRG nor the three powers would accept this. (C) The status of Berlin should not be changed; one cannot on the one hand speak of the status quo in Europe and on the other hand wish to change the status quo in Berlin. (D) Berlin (West) has been brought into the economic, financial, cultural, and legal system of the FRG with the approval of the three powers. The Federal Government has been given the responsibility for balancing the budget of West Berlin; all of this has happened without objection by the Soviet Union. (E) The representation of Berlin (West) abroad by the Federal Republic must be assured; it concerns both the areas of validity of international agreements as well as the protection of the consular and economic interests of Berlin (West). For example, in this category belongs recognition of the passports which are issued in Berlin. (*Comment*: FRG passports) (F) There should be no further complications in civilian traffic."

viewpoint was wrong. If Gromyko meant that the FRG should not send German military personnel to Berlin, Bahr agreed. If Gromyko meant that all connection between Berlin and the FedRep should cease, this viewpoint could not be accepted.

9. Bahr said he thought it was highly desirable that he should report on these talks to the three Ambassadors and that all four Allies should work towards a common view on the Berlin soundings. It was obvious that Gromyko was consulting with Ulbricht on this subject and the Soviets could not take amiss consultations between the FRG and the Allies on this topic.⁴

10. Bahr pointed out that the inclusion of Berlin in the FedRep was anchored both in the FRG Basic Law and in the West Berlin constitution. The Allies had suspended the application of this part of the constitution. The FRG accepted this situation. This is the way the matter should stay until there was an ultimate resolution of the overall German question. Bahr said he was aiming at reaffirmation of Four Power rights for all of Berlin, but that once done he hoped it would be possible for both sides to agree that each side should respect what each is doing within their own sector and not seek to interfere with it.

11. Speaking personally, UK and US Ambs expressed general understanding for the main lines of Bahr's presentation. Amb Rush pointed out that Bahr seemed to be operating with two separate and conflicting definitions of the status quo, the Soviet one and the Western one. Bahr agreed, but said he believed the object of the negotiation with the Soviets should be to reach a synthesis.

12. Suggest Dept may wish to request White House agreement to redesignate this message Limdis and repeat to field posts with need to know.

Rush

⁴ The working paper stated the German position on the quadripartite soundings as follows: "The Federal Republic does not wish to evade the desire expressed by the Soviet Government to extend the renunciation of force to Berlin also. The Soviet counter-commitment could contribute to stabilization of the situation in Berlin. It therefore appears all the more important to the Federal Government that the three powers enter soon into their own exchange of views with the Soviet Union in order that these centrally important negotiations can be carried out concurrently with our Moscow and East Berlin talks. In no event should a situation arise in which the Soviet Union can play off the three powers and the Federal Republic against each other or can operate with differing Western starting positions."

60. Telegram From the Embassy in Germany to the Department of State¹

Bonn, March 2, 1970, 1905Z.

2292. Subj: Ehmke on Dispute Within GDR Politburo.

1. FRG Minister Ehmke requested the Ambassador to come to the Chancellery March 2 urgently. Ehmke said he wished to pass on in strictest confidence information which he did not intend to tell others in the government except the Chancellor and Wehner. He did not intend to inform the FRG FonOff or his own closest colleagues. Nonetheless he considered it important that the US should know about this matter now.

2. Ehmke said he had received authoritative information from East Berlin that violent controversy had taken place within the Politburo of the East German Communist Party over the way the Brandt–Stoph talks should be handled. According to Ehmke’s information, Ulbricht and Stoph had announced in the Politburo session that they were willing to have relatively businesslike talks with Brandt. Politburo members Honecker and Norden were reported to have immediately declared their outright opposition. They were supported by a large majority of the remaining members of the Politburo. Honecker and Norden had urged one single very rough session with Brandt, in which Stoph should pose categorical GDR demands and the talks should be broken off in an atmosphere of complete failure. Among the factors which motivated the Honecker–Norden opposition was that the Politburo had privately taken a poll of East German population whose results showed that over 70 percent of the East German population expected the Brandt–Stoph talks to result in far reaching agreements leading to German reunification and supported this outcome. The Politburo opposition element had cited these results, arguing that there was a serious risk that the regime would lose control over the East German population unless their proposal for handling of the talks was followed.

3. According to Ehmke’s report, the controversy was only resolved when Gromyko came to East Germany and obliged the opposition group to accept the concept that negotiations with Brandt should take place in a reasonable businesslike atmosphere.

4. Ehmke said GDR political emissary Von Berg had contacted him with the request to see him for background discussions on the pending negotiations. After consulting with the Chancellor and Wehner, Ehmke has agreed to see Von Berg in Bonn on the evening of March 3rd. No other Federal German official will be informed of this visit at this

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 15–1 GER E. Secret; Priority; Exdis.

time. Ehmke said he would keep the Ambassador informed about further developments on this.

5. Ehmke said the first report from Sahm in East Berlin on his talks with the East Germans to prepare the Brandt–Stoph meeting was that the East Germans were insisting that Brandt arrive in East Germany by plane to Schoenefeld or by train directly to East Berlin and not traverse West Berlin first. Ehmke told Sahm that if the going gets too rough he should suspend his talks with the East Germans and come back.

6. Ehmke reiterated to the Ambassador Chancellor Brandt's view that if at all possible the first session of Allied talks with the Soviets should precede the Brandt–Stoph talks and provide all-important Four Power symbolism. He said the FRG considered the Berlin talks to be the focus of the whole current negotiation complex and that advances on Berlin were a prerequisite for progress in the talks with the East Germans and possibly other negotiations with the East as well.

7. This information should be very closely held.²

Rush

² On March 4 Ehmke told Rush that Berg had failed to appear as scheduled. When Rush asked for an explanation, Ehmke replied that "he [Ehmke] could only guess, but it was apparently a sign of dissent, confusion and conflict on the other side. Ehmke said he would let the Ambassador know of further developments in this matter." (Telegram 2415 from Bonn, March 4; *ibid.*)

61. Editorial Note

On March 2, 1970, as talks between West German State Secretary Bahr and Soviet Foreign Minister Gromyko resumed in Moscow, the Embassy in Bonn submitted an assessment of "Soviet views on political agreements with [West] Germany." Within the next few months, the Embassy suggested, the Soviet Union would decide whether to proceed with negotiations not only in Moscow but also in Warsaw and East Berlin: "it appears likely that a decision to move or not to move will govern all three. Moscow, not Poland or the GDR, will make the final decision." The Soviets were probing to determine what the West Germans would concede at the bargaining table, a process that, while advanced in Moscow, was just beginning in East Berlin. Although the available evidence was insufficient to determine the course of Soviet policy, the Embassy concluded that, since "losses from breaking off the negotiations outright appear to outweigh gains," the Kremlin would allow the talks to continue. The outlook for a settlement on Berlin,

which would be affected by success but not necessarily failure in Moscow, was less certain. The Embassy judged the “chances for agreement on limited practical improvements on Berlin whether in written form or not to be about fifty-fifty.” (Telegram 2295 from Bonn, March 2; National Archives, RG 59, Central Files 1970–73, POL GER W–USSR)

The Embassy in Moscow contributed to the analysis, maintaining that the Kremlin would play a “waiting game” before making any decisions. According to the Embassy, the Soviets sought accommodation for several reasons—the domestic economy, the Chinese threat, a possible European security conference—but would probably insist on nothing less than “full acceptance by Bonn of Moscow’s view of the ‘realities’” of the Second World War. (Telegram 1212 from Moscow, March 11; *ibid.*)

The Mission in Berlin emphasized East Germany and the quadripartite talks as complicating factors and noted that: “we see little likelihood of the Soviets pressing the East Germans to modify substantially existing practices affecting Berlin to suit Western requirements.” The Mission concluded:

“This does not mean that we should not negotiate or not exploit the forthcoming discussions to see what benefits might be achieved. It means, however, that as we go into talks, we ought to have few illusions about what can be accomplished. While Soviets must carefully consider implications of Berlin talks for wider relationships, fact is that on Berlin Soviets will not be negotiating from weakness. And, indeed some of our Allies will find themselves under far greater pressures to achieve agreement than the Soviets are likely to be.” (Telegram 395 from Berlin, March 13; *ibid.*)

In a letter to Ambassador Rush on March 30, Assistant Secretary Hillenbrand expressed admiration for the “fine perceptive analyses coming from Bonn, Berlin and Moscow,” especially the “sober and realistic views” set forth in the telegrams cited above. According to Hillenbrand, the German experts within the Department generally shared the “somber forecast” of the three posts: “Like you, we are inclined to doubt that the Soviets, the East Germans or the Poles are likely to make any major concessions.” Hillenbrand continued:

“At the same time, however, we are hopeful that there may be pressures operating on their side to a greater extent than we presently know so that the various negotiating fora will not be weighted solely in their favor. If such pressures do indeed exist they may well impel the Soviets (and perhaps the other communist interlocutors) to make at least some counter-concessions, not affecting their basic system, in order to obtain some of their very much sought after objectives.

“In the final analysis, of course, the outcome of the Berlin and other talks depends not only on how stubbornly the Soviets and their allies pursue their drive for concessions. It depends also on the skill, tenacity and perspicacity with which the four Western powers exploit their assets in the course of the several talks.” (National Archives, RG 59, EUR Files: Lot 74 D 430, Department of State—Hillenbrand)

62. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, March 3, 1970.

SUBJECT

Letter from Chancellor Brandt on Berlin

Chancellor Brandt has sent a letter to you, President Pompidou and Prime Minister Wilson, delivered through the Ambassadors in Bonn,² commenting on the Berlin issue in the planned Allied talks with the Soviets and also as it relates to the FRG's talks with the USSR. The full text is at Tab A. Brandt makes the following points:

—He cannot estimate the prospects for progress in the FRG talks with Poland and with the USSR on renunciation of force which will begin again on March 9 and 3 respectively; there has been no movement toward agreement so far;

—the East Germans can be expected to use all efforts to prevent agreement between the FRG and the Soviets;

—in the Moscow talks the West Germans made clear, and will continue to do so, that agreement can be reached only if Four Power rights and responsibilities for Berlin and Germany as a whole remain untouched;

—it is very important that the FRG, and the Three Powers, take a unified position particularly with respect to Berlin;

—to avoid even the impression of Western discord, Brandt attaches special importance to an early beginning for the Four Power talks, although we should not allow ourselves to be put under time pressure on such an important question, and we should not count on rapid results from the talks.

The prime purpose of Brandt's letter seems to be to apply some gentle pressure on the Three Powers in hopes that they will agree to open the Four Power talks by the time Brandt and GDR Premier Stoph meet in East Berlin, and the FRG negotiations with the Soviets resume—both in early March. The Germans want these three sets of negotiations in progress concurrently, and they suspect that an agreed Western position on the Four Power talks might not be prepared in time. Brandt probably senses that the British will be willing at least to have an initial meeting of the Four Powers even if the Western position is not

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Brandt (1969–Apr 70). Secret; Exdis. Sent for information. No drafting information appears on the memorandum. Sonnenfeldt forwarded a draft for Kissinger's signature on February 27. (Memorandum from Sonnenfeldt to Kissinger, February 27; *ibid.*)

² See footnote 2, Document 59.

agreed, but that the French and the US will be more inclined to delay Four Power talks until Western agreement is secure.

Brandt also directed that a memorandum be given to the three Ambassadors reporting in some detail the FRG–USSR discussions on Berlin (not previously fully reported to us), as well as stating the FRG position on the Berlin issue in the Four Power talks (the first full presentation on this point).³ Thus, a secondary purpose of the Brandt letter probably was to ensure that he could not be charged with lack of consultations with us.

As I reported to you in my memorandum of February 24,⁴ a small interagency working group is preparing for your approval the full US position on the Four Power talks. Brandt's letter and his Government's position will be taken into account in the study, which can be expected very early next week.

Particularly since some of the statements in the FRG position paper are novel and may have far-reaching consequences, I think it would be desirable to delay a reply to Brandt's letter until you have had an opportunity to review the proposed US position.⁵

Tab A

Letter From German Chancellor Brandt to President Nixon

February 25, 1970.

Dear Mr. President:

The German-Soviet and German-French exchanges of view on the question of an agreement on the renunciation of force have been suspended for a short time. State Secretary Bahr will continue the talks in Moscow on the third of March and State Secretary Duckwitz in Warsaw on the ninth of March.

The first round, in Moscow as in Warsaw, served for a detailed presentation of the respective standpoints. The atmosphere was not bad. Up to now, there has been no movement toward agreement on the important questions of substance. It cannot yet be estimated what the prospects are for the next round.

We will have to expect that East Berlin will undertake all imaginable efforts, not only in propaganda but also in debates within the

³ Reference is to the German working paper; see footnotes 2–4, Document 59.

⁴ Document 58.

⁵ Nixon approved this recommendation by highlighting the last sentence and writing "OK" on the memorandum.

Bloc, to prevent agreement between us and the Soviets. Ulbricht presumably has used Gromyko's visit to Berlin to bring to bear his influence in this sense. One would foresee that the resumption of our exchange of opinions in Moscow will show whether and to what degree he succeeded.

State Secretary Bahr left no doubt about our position that there can be an agreement on the renunciation of force only in the event that the rights and the responsibilities of the four powers for Berlin and Germany as a whole remain untouched. I consider that this position for many reasons must be maintained for the future also.

As a result of questions by Gromyko, the Berlin issue was mentioned in Moscow. The German side presented with full clarity the view that the situation in and around Berlin must be made more secure. I am convinced that you too will consider desirable the improvements we are striving for.

I consider it very important that the Federal Government and the three powers take a unified standpoint in their respective conversations in all questions, but particularly with regard to the Berlin issue. I therefore have taken the liberty to transmit a working paper to the Ambassadors outside the normal diplomatic channels. The first portion contains the statements of State Secretary Bahr in Moscow. The second part presents the position of the Federal Government on the Berlin issue. I believe it corresponds to a Western position based on common interests.

Certainly, we should not allow ourselves to be put under time pressure on a question of such far-reaching importance. Moreover, even in the event that the Soviet Government should adopt a relatively conciliatory position, we could not count on rapid results. All the more, however, we should avoid the impression that the three powers and the Federal Republic are not yet agreed and hence obliged to delay the negotiations. I therefore attach special importance to the early beginning of four power talks on Berlin on the basis of an agreed Western position.

I have taken the liberty of writing the President of the French Republic and the Prime Minister of Britain in the same sense.

Please permit me to express my special esteem.

63. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, March 10, 1970.

SUBJECT

The Current Status of Brandt's Ostpolitik

This week the West German government resumed negotiations in Moscow and Warsaw and held the first staff-level preliminary contacts to prepare a meeting between Chancellor Brandt and the East German Premier Willy Stoph. On the Eastern side, following the conclusion of the first round of talks in Moscow, Foreign Minister Gromyko paid an unexpected visit to East Berlin and stopped off in Warsaw on his return. Bonn is obviously entering a phase in which the various strands of its negotiations with the East will have to be pulled together. At the same time, our negotiations with the USSR over Berlin will become part of the general dialogue.

A. The German-Soviet Talks

The basis for these talks is the West German proposal for a renunciation of force agreement which was the basic framework of the talks during 1967–1968. In the first phase of the current contacts (December 7–February 16) both sides have tried to define the scope of such an agreement. Four issues have emerged:

1. *Border recognition:* The Soviets are demanding that Bonn explicitly confirm all existing European borders, and pledge not to change them in *any* manner.

—Bonn's position is that it is constrained by the Potsdam agreements and the 1954–1955 agreements with the three Western powers from legally recognizing all European borders as final and irrevocable; as a practical matter Bonn would renounce any change from the 1970 borders.

2. *The West German-East German Relations:* The Soviets continue to press for a clarification of the future relationship between the two Germanies, claiming that Bonn must accept the border with East Germany as an international frontier.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV. Secret; Nodis. Sent for information. Nixon wrote the following comment on the memorandum: "K—It looks like Brandt is over his head. He has very little to offer—and they have a great deal." Kissinger initialed, indicating that he had seen Nixon's comments. According to another copy, Hyland drafted the memorandum on March 4. (Ibid.)

—The Soviets also insist that it be understood in advance that any Soviet-West German agreement would have to be similar to subsequent agreements between Bonn and the other “socialist countries.”

—Bonn contends that future relations with East Germany must have a “special” character, based on equal rights between two states, but not on international relations, since Bonn will not accept East Germany as a “foreign country.”

—Gromyko has found this “illogical,” and has insisted that any mention of unification or the “German nation” in an agreement with the USSR is out of the question.

3. *Berlin*: The Soviets insist that the renunciation of force agreement apply to West Berlin; West Germany would pledge not to change the borders of West Berlin, thus conferring a special status on West (but not East) Berlin. The Soviets have said that all matters, such as access, were matters for the four powers.

—Bonn has responded that while negotiations with the USSR over Berlin are beyond its competence, there could be no confirmation of the status quo from [*in*] Central Europe, while the status quo in Berlin was thus modified. Berlin’s relations would have to be “normalized” and West Germany’s economic, financial, cultural, and legal ties with West Berlin would have to be respected by the USSR. In turn, Bonn would respect the status of Berlin, subject to four power agreements.

4. *FRG-Soviet Relations*: Bonn has wanted to insert in any agreement some reference to Article 2 of the UN Charter, which obligates the members to respect each other’s sovereignty. This arose because of previous Soviet claims that under Articles 107 and 53 of the UN Charter the USSR retained certain legal rights of intervention in German affairs.

—Originally, Gromyko claimed that this issue could not be discussed but most recently he acknowledged that there might be a reference to Article 2 as Bonn desires.

B. The Polish-West German Talks

The issue here is relatively straightforward. The Poles insist that the “starting point” for any normalization of relations is West German recognition of the Oder-Neisse border as a final boundary, and without any qualifications.

Bonn’s position is that the Poles could achieve the same practical effect by concluding a renunciation of force agreement, in which Bonn would undertake not to change any boundaries by force. Bonn further argues that the Potsdam agreement specifically envisaged a final “peace settlement” to determine Germany’s Eastern border, and that, in any case, the 1954 treaty between Bonn and the three Western powers, ending the occupation of West Germany, retained for the three powers the right and responsibility of a final settlement under Potsdam.

The Poles countered by asking why Bonn did not ask the three Western powers either to revise the 1954 treaty or to endorse the Oder-Neisse line as final.

The West Germans are fairly sanguine about these talks. The main question is whether the Poles will settle for less than their maximum demands of definitive recognition of their borders. The answer may depend, in part, on the Moscow talks and on the East-West German talks.

C. The Brandt–Stoph Talks

When the Brandt government followed its election by proposing negotiations with Moscow and Warsaw, a debate broke out within the Warsaw Pact. Reliable reports of a Pact meeting in Prague in early December indicate that East Germany was opposed to any normalization with Brandt's government, that Poland and Romania favored negotiations and that the Soviets and other members took the middle ground. The Soviets argued that the Brandt government presented opportunities that each of the Warsaw Pact countries might exploit in separate negotiations, but that the recognition of the GDR should be retained as a common objective. Naturally, the Soviet position prevailed.

The East Germans then inserted themselves onto the scene by proposing a draft treaty with East and West Germany and an early meeting between Premier Stoph and Brandt. Despite the harsh and patently unacceptable terms of the treaty, the East Germans posed no preconditions for a meeting with Brandt in East Berlin. Brandt accepted and proposed a first meeting in mid-March (this is one reason the West Germans are urging speed in opening the four power talks on Berlin). Staff level discussions on the protocol and the agenda are underway. After the first Brandt–Stoph meeting, Bonn is thinking in terms of lower-level negotiations (4–6 weeks) to lay the bases for a “contractual relationship.” The negotiations might divide into several areas: (1) political relations; (2) improvement in communications; (3) reductions in discriminatory treatment; (4) joint institutions; and (5) economic relations.

Bonn would hold back on the critical question of East German participation in international organizations until progress was achieved on political relations and improved communications. After a period of bargaining Stoph would come to Bonn.

While the East German tactics are largely a matter of guesswork, their aims are clear: to obtain the maximum possible recognition from Bonn as a separate state, equal in all respects including in international law. While Brandt is prepared to acknowledge the existence of two separate states, his concept of two states within one “German nation” is

likely to prove an unacceptable circumvention for the East Germans. A key unknown is the degree of conflict between Moscow and East Berlin, which has been evident, and within the East German leadership as Bonn alleges (and wishes to believe).

D. The Outlook

It is still early in these talks to see how they might ultimately fit together or how the issues might be resolved. On the Eastern side there are no great pressures for an early agreement if, in fact, they want any agreement. On the West German side, however, there are some serious misgivings within the country over Brandt's policy. An early test for the Brandt government may come this June when there are local elections in Germany's largest industrial state, North-Rhine Westphalia. If Brandt's coalition partners, the Free Democrats, do poorly in those elections, the party could splinter or turn to a local coalition with the Christian Democrats, and jeopardize the Brandt national coalition government.² For this reason alone, Brandt feels under pressure to show some early success in his dealings with the East.

² Nixon highlighted this sentence and wrote: "If Brandt continues on this soft-headed line—This would be in our interests."

64. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, March 10, 1970.

SUBJECT

Reply Letter to Brandt on Berlin

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Brandt (1969–Apr 70). Secret. Sent for action. No drafting information appears on the memorandum. Sonnenfeldt forwarded a draft to Kissinger on March 6 suggesting that the President delete any specific reference in the letter to a starting date. Kissinger, however, overruled the suggestion with the handwritten comment: "This is *not* something on which I care to argue with Rogers. It is pure tactics." (Memorandum from Sonnenfeldt to Kissinger, March 6; *ibid.*)

Secretary Rogers has sent a memo to you concerning the letter from Chancellor Brandt on the Berlin talks (which I reported to you in my memo of March 3).² The Brandt letter and the Secretary's suggested reply are attached to the Secretary's memo (Tab B).³

The Germans have been pressing their desire to have the Four Power talks on Berlin begin before the Brandt–Stoph meeting which may be scheduled as early as March 16th. They are interested in the symbolic effect of such a Four Power meeting as an affirmation of continuing Four Power responsibility for Berlin and Germany as a whole. The FRG is also concerned that undue delay in commencing the Quadripartite talks would allow the Soviets to believe—and exploit—disunity in the Western camp. The British have suggested there could be a distinction between the first and subsequent sessions of the Four Power talks, the first procedural, and the second substantive. Thus, they argue, there is no need to delay the first meeting until the Western position is agreed, though agreement would be required before the second meeting could be held.

Secretary Rogers prefers to have the Western position settled even before the first Four Power meeting. However, he is concerned with the pressure from our Allies, and has suggested a compromise course. He recommends that in your reply letter to Brandt, you propose that we now set a date with the Soviets for the end of March in the hope that the Western side will then be ready. If Western agreement is not reached by then, the first session could be devoted to procedural matters.

Attached at Tab A is a letter to Brandt which is the same as the one recommended by the Secretary (slightly altered for style by Jim Keogh). Some aspects of this tactical course concern me. To avoid delay in the second session, we would be put under pressure to reach a hasty and perhaps ill-considered position, or to enter that session also without an agreed position at all. Evidence of Western discord at that point would be more damaging than it would be prior to the commencement of the talks. Moreover, commitment now to a specific date seems somewhat premature since the date for the Brandt–Stoph meeting has not yet been set and the Western side has not yet begun the consultations toward developing the Western position.

² Document 62.

³ The draft reply is dated March 5; attached but not printed. Also in the National Archives, RG 59, Central Files 1970–73, POL 38–6.

Recommendation:

Since the drawbacks are concerned only with tactics, I do not believe it worth arguing about. I therefore recommend that you sign the letter to Brandt at Tab A.⁴

Tab A

Letter From President Nixon to German Chancellor Brandt

Washington, March 12, 1970.

Dear Mr. Chancellor:

I much appreciated your letter of February 25 and the information you provided on the talks which your representatives have carried on in Warsaw and Moscow. Your government has kept us well posted as these important discussions have progressed.

As you state, it is of the utmost importance that the Three Western Powers together with the Federal Republic have a unified standpoint as we begin quadripartite talks with the Soviets on Berlin. While we cannot predict in advance the outcome of these talks, we can be sure that they will touch on sensitive matters and that the Soviet Union will probe to see if there are differences which it can exploit among the Three Western Powers and the Federal Republic, whose interests will be so directly involved.

Your concern that the first meeting with the Soviets take place at an early date is understandable. We are just studying the German position paper on the talks which State Secretary Bahr gave to Ambassador Rush and to his British and French colleagues on February 26⁵ and will be sending instructions to our Embassy in Bonn very shortly so that work can go forward in the Bonn Group on the development of an agreed Western negotiating position. We are prepared to augment

⁴ The President initialed his approval of this recommendation. According to a handwritten note on the memorandum, Sonnenfeldt released the text of the letter to the Executive Secretariat on March 12. The Department forwarded the text to the Embassy with instructions for immediate delivery. (Telegram 36786 to Bonn, March 12; *ibid.*, POL 28 GER B) The Embassy subsequently reported: "DCM [Fessenden] delivered the President's letter to Chancellor Brandt through Minister Ehmke early March 13. Within an hour of the delivery of the President's message, Van Well of FRG FonOff contacted us to say that the Chancellor, who was still in the Bundestag, had charged him to inform the USG that the Chancellor was extremely pleased with the President's letter and very positively impressed by its content." (Telegram 2782 from Bonn, March 13; *ibid.*)

⁵ See Document 59.

the Bonn Group with representatives sent directly from governments if this should prove desirable in the interest of expedition.

Working together in this way on an urgent basis, we should be able to develop a sound position in relatively short time, particularly since so much preparatory work has already taken place. The Western side could take good tactical advantage of having the chair at the first Berlin meeting if our substantive position has been completely formulated and approved.

Under the circumstances, I would propose that we reach agreement together with the British and French to propose to the Soviet side this week through the Western protocol officers in Berlin that the first session of the Four Power Ambassadorial talks take place on March 26. This would afford us some two weeks still to work on the Western position. At the same time the early approach to the Soviet side, followed presumably by public announcement of the date of the opening session, should counter any false impression which otherwise might arise of disagreement among the four Western powers. Moreover, announcement of the date of the first Berlin meeting with the Soviets prior to your forthcoming meeting with Herr Stoph should re-emphasize in an appropriate and timely way the continuing responsibilities which the Soviet Union shares with the Three Western Powers for Berlin and Germany as a whole.

If by March 26 there should happen still to be some substantive points to be worked out in the Western position, the first meeting with the Soviets could be devoted largely to procedural matters. I hope, though, that this will not be the case.

Sincerely,

Richard Nixon

65. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, March 12, 1970.

SUBJECT

Four Power Talks on Berlin

The U.S., UK and French Ambassadors in Moscow on February 27 formally advised the Soviets that the Three Powers agreed to hold Four Power talks in Berlin at the Ambassadorial level.² We now have to develop among the Three Powers and the FRG an agreed Western position, and the second in Berlin with the Soviets. Secretary Rogers has sent for your approval a position paper for the guidance of the U.S. representatives in Bonn in the development of the Western position (Tab A).³

In exploring the Soviet views we would seek their agreement to a more regularized and freer German access to Berlin, greater movement and communication between East and West Berlin, and a recognition that the FRG properly represents West Berlin abroad. We would propose to the Soviets that the FRG and GDR authorities seek to reach agreement on the access question under a general Four Power authorization, and that representatives from both East and West Berlin serve as a working party of the Four with respect to intra-city problems.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret. Sent for action. No drafting information appears on the memorandum. Sonnenfeldt forwarded a draft to Kissinger on March 5 and Kissinger revised the memorandum on March 9, eliminating a recommendation that the President approve his memorandum to Rogers. "I'll worry about memo," Kissinger wrote. "Pres. doesn't have to approve my memos to Rogers." (Memorandum from Sonnenfeldt to Kissinger, March 5; *ibid.*, and Library of Congress, Manuscript Division, Kissinger Papers, Box CL 4, Chronological File, 1969–75, 23 Jan.–30 Mar. 1970)

² See Document 54.

³ Memorandum from Rogers to the President, March 3; attached but not printed. Also in the National Archives, RG 59, Central Files 1970–73, POL 38–6. The position paper concluded: "The most likely outcome of the Quadripartite talks is (a) minor improvements in the situation in Berlin accompanied by a decrease in the FRG's political presence in the Western Sectors or (b) suspension of the talks without either the achievement of improvements or a dramatic break with the USSR. In either eventuality, the talks will have served to reemphasize Quadripartite responsibility for Berlin and Germany as a whole and will have provided a framework in which Brandt can deal with the GDR with less fear of appearing to compromise this responsibility. The worst outcome would be a complete break because of unacceptable Soviet demands or inability to agree on subjects to be discussed (e.g. a Soviet proposal for separate peace treaties with the GDR and FRG). This might increase tension locally but at the same time would clarify for the Europeans the limited prospects for a reasonable agreement on European security."

The FRG has recently introduced a new and somewhat novel factor. It has proposed that the Three Powers seek Soviet agreement to respect the ties which have developed between the FRG and West Berlin. Obversely, the Three Powers would agree to respect the situation in East Berlin. If an understanding could be reached, the FRG would be willing to reduce to a limited degree some of the formal indicia of Federal presence in West Berlin.⁴

As I mentioned in my memo of February 24,⁵ it is unlikely that any basic agreement can be reached with the Soviets (you will recall that President Pompidou is also quite skeptical).⁶ They will be seeking to exploit any differences on the Western side, to dramatically reduce Federal presence in West Berlin and at the same time to enhance their own role there. The Soviets will also wish to obtain Western recognition that the GDR controls German access to Berlin. Notwithstanding this dim prospect, there is a possibility that some limited improvements might be agreed. Moreover, the very fact of the Four Power talks will demonstrate that the Soviets continue to share with us responsibilities for Berlin and Germany. Brandt considers this very important at a time when he has set in motion negotiations with the Soviets, Poles and the East Germans. Even if it is possible to achieve some limited improvements in the Berlin situation, this success might not be long-lasting. There is an inherent asymmetry in the Berlin power structure: the Soviets have the capacity to mount immediate harassment on the slightest pretext, while the West has to consult and react. Thus, the Soviets can with relative ease take back its "concessions," while it is difficult for the West to restore its previous position.

The most important point now is that we get on with the development of an agreed Western position. The U.S. position paper provided by Secretary Rogers seems to offer sufficient guidance for our representatives in Bonn. The new FRG proposals will require clarification and may be difficult to deal with, and there are apt to be differences of priorities and tactics. Nevertheless, we should be prepared to work on an urgent basis toward developing an agreed position. Since the final Western position may be considerably different from our own current view, I think it important that you have the opportunity to review it prior to the actual commencement of talks with the Soviets.

⁴ See Document 59.

⁵ Document 58.

⁶ Regarding the French attitude on Berlin, see Document 57.

Recommendation:

That you approve the U.S. position paper.⁷

⁷The President initialed his approval of this recommendation. On March 13 Kissinger informed Rogers of the decision by memorandum. "The President has approved the position paper which you enclosed with your memo of March 3 for the guidance of the American representative in the Bonn Group in the development of the Western position. Appreciative of your assessment that the final Western position may represent a substantial modification, the President will wish the opportunity to review it prior to the commencement of the Four Power talks." (National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II) Haig signed the memorandum since Kissinger was "occupied and Richardson called personally about it." (Note from Haig to Kissinger, March 13; *ibid.*)

66. Editorial Note

On March 19, 1970, West German Chancellor Willy Brandt and East German Premier Willi Stoph met in Erfurt (East Germany) to discuss the status of inner-German relations. The discussion was inconclusive, leading only to agreement on holding a second meeting in Kassel (West Germany) on May 21. The significance of the meeting, the first between leaders of the two countries, was reflected rather in the tumultuous response Brandt received from the East German citizenry, who first chanted "Willy" and then "Willy Brandt" to differentiate him from "Willi," his East German counterpart. The next morning, President Nixon read a staff report on U.S. television coverage the previous evening and underlined the passage: "All networks had footage from E. Germany where Brandt was greeted by shouting and cheering E. Germans. Brandt appeared in a window and the E. Germans boomed their welcome." Nixon commented in a handwritten note to Kissinger: "K—Good. This will scare hell out of the Soviets. They have their problems & may come to us to pull them out." (National Archives, Nixon Presidential Materials, White House Special Files, President's Office Files, Box 31, Annotated News Summaries, News Summaries–March 1970)

Nixon reiterated this point in a telephone conversation with Kissinger at 3:06 p.m. According to a transcript, Nixon noted: "If I were they [the Soviets], I would have worried about the Brandt reception in E. Germany. Anytime anybody from the West goes to the East—it's like Romania." Kissinger replied: "They fear two Germanies may get together on nationalism. It should worry them a hell of a lot." (Library of Congress, Manuscript Division, Kissinger Papers, Box 362, Telephone Conversations, Chronological File)

The two men again discussed the Erfurt visit by telephone at 7:09 p.m. Nixon: "The Brandt thing has sent shivers up their back. Can't you imagine the kind of reception I would get if I went there[?] I just may go. If Brandt wanted it, I would go." Kissinger: "The outcome would be unpredictable—you know the East German [Ulbricht] is tough." Nixon: "They are much tougher than the Hungarians. Even the American press reported the Brandt visit that way even though they hated to do it." Kissinger: "German situation is dangerous." Nixon: "If it is dangerous to us, it is dangerous to the Soviets." (Ibid.)

In a March 24 memorandum to the President, Kissinger summarized several reports on a recent West German Cabinet meeting, providing both more detail on the Erfurt visit and "more insight into Brandt's general philosophy":

"Brandt explained that while his policy was firmly grounded on the Western Alliance, Bonn could not be in a position in which she was totally dependent on her allies to represent her interests (he mentioned SALT in this regard). Brandt said a reduction in the 'American commitment' in Europe was to be anticipated, and that it was important to convince American opinion that an East-West settlement should be sought. It was vital to West Germany that East Germany's influence in the Warsaw Pact be constrained through special relations between the two Germany's.

"As for the Stoph talks, Stoph was subjected to rigid instructions; he had to retreat from agreements he had originally reached with Brandt, when notes were delivered to him from outside the meeting. As expected, the theme of recognition ran throughout the talks; at one point in the private talks Stoph agreed that he did not understand legal niceties but that the two should agree to exchange Ambassadors at once. Though Stoph protested West German activity in Berlin, he also said in private that a 'great deal about Berlin could be regulated without fanfare.'" (National Archives, Nixon Presidential Materials, NSC Files, President's Daily Briefs, March 21–March 31, 1970)

67. Telegram From the Embassy in Germany to the Department of State¹

Bonn, March 25, 1970, 1514Z.

3278. Subj: FRG State Secretary Bahr on Quadripartite Negotiations on Berlin.

1. Following his report to the US, UK and French Ambassadors concerning the present status of the FRG-Soviet talks (septel),² State Secretary Bahr said he would like to make a few observations on the pending Four-Power talks on Berlin.

2. Bahr said he was pleased to note from the preparatory work that all of those involved on the Western side—the US, UK, France and the FRG—were of the view that the talks could not be confined to the topic of West Berlin alone. All four desired to see the continuation of the Four-Power status of Berlin, which should be the basis for the talks and for the future. Bahr said that one possible goal of the talks would be to say that they were intended to describe the present status of Berlin and to interpret it. As was known, the Soviet view was that only West Berlin was the appropriate subject of the talks and that there was nothing to say about East Berlin. It was possible that confrontation between the Western desire to discuss all of Berlin and the presumed Soviet position could result in deadlock early in the talks.

3. Bahr said that it was for this reason that he had introduced his formula that both sides should confirm their understanding of the attributes of the Berlin status at present, and it should be agreed that each power was competent to act as he considered right in his own sector insofar as there was not agreement on common action. This principle could be agreed on as a part of the overall agreed status of Berlin. The formula could also be used as a basis of parity of discussion to talk about all of Berlin, including East Berlin.

4. Bahr said to take the other possible tack and to insist in effect that the Four-Power status of Berlin should actually be applied in full in all parts of the city would be to attempt to undo the entire past and would be wholly unsuccessful.

5. Ambassador Rush noted that Bahr's formula was interesting and deserved serious study. It did have one weakness in that if one adhered to the view that each was wholly competent in his own sector then, in theory, it could be legitimate for the Soviets to take action in

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 38–6. Secret; Limdis. Repeated to Paris, London, Moscow, and Berlin.

² Document 68.

their own sector which in fact violated the Four-Power status of Berlin. UK Ambassador Jackling said that there was much in Bahr's formula which he liked, like the concept of the authority of each power in its own sector. But this exercise of authority was always subject to an overall responsibility to Berlin as a whole. This Four-Power responsibility was a legal fiction, but it had to be observed in order to maintain the rest of the structure. French Ambassador Seydoux was concerned that if each were supreme in his own sector, there would be no Four-Power status left. Allied protests about events in the East sector might be ineffective at present, but if they were wholly abandoned, the Soviets and the East Germans might draw the wrong conclusion about the Four-Power status of Berlin.

6. Bahr agreed. He said the Four-Power status of the whole city had to be maintained by all, but that beyond this, the viability of the Western sectors represented for him a higher interest than the effort, for example, to reattach East Berlin to the West sectors. He said he believed it was more important for the viability of the city to achieve unrestricted free access to Berlin, un-harassed by Ulbricht, than the question of on what modalities a few Allied soldiers could go into East Berlin.

7. Ambassador Rush said one could compare Bahr's concept to the situation of a federal government and its component states. A federal government could have a narrow range of competence and its component states a much broader one, but all the rights of both levels would be derived from one source. Applied to Berlin, this would mean the rights of the sector powers would be considered to have been derived from the original assumption of power and Four-Power status. The area of common Four-Power action might be limited as all would have to agree on each action: in the component sectors, each would interpret his own responsibilities in terms of overall status.

8. UK Ambassador Jackling said that he did not intrinsically object to the Bahr formula and the other versions which had been advanced, but if it came to the point of advancing it in the talks, this should be in return for something worth having from the other side.

Rush

68. **Telegram From the Embassy in Germany to the Department of State**¹

Bonn, March 25, 1970, 1523Z.

3279. Subj: FRG State Secretary Bahr on the Gromyko–Bahr Talks.

1. State Secretary Bahr invited Ambassador Rush and the UK and French Ambassadors to come to the Chancellor's office March 24 to give them a report on the most recent phase of his talks with Gromyko.² State Secretary Duckwitz was present.

2. Bahr said he would give a brief report on the latest talks with Gromyko and make a few remarks on the pending Berlin negotiations (septel)³ because the two subjects were related. With regard to his most recent talks with Gromyko, he could state that they had not advanced "a fraction of a millimeter." There had been no closing of the gap on a series of points which had been discussed again and again during the talks. Agreement had been reached on exchange of consulates between Hamburg and Leningrad but this agreement should by no means be overvalued in a political context.

3. Bahr said he would like to mention one point in particular confidence. He had raised with Gromyko a hard-core group of humanitarian cases involving Germans where reunion of family members was at stake. The cases mostly involved mixed marriages with a German wife or husband and a Russian spouse. Bahr said he gave the Soviets details on 50 of the most tragic cases of this kind, of which the Soviets had agreed to resolve 40. About 100 persons were involved. The Soviets did not want this topic discussed in public and it was very much in the German interest not to do so, because there were other cases of reunification of families they wished to pursue.

¹ Source: National Archives, RG 59, Central Files 1970–73, POL GER W–USSR. Secret; Limdis. Repeated to Paris, London, Moscow, and Berlin.

² In a memorandum of March 23, McManis briefed Kissinger as follows: "Bahr reported to the FRG Cabinet on March 19 on the status of his talks with Gromyko. Agreement was reached, Bahr reported, that the FRG would support a GDR application for UN membership with the objective of getting both German states accepted as members. Secondly, there was agreement that both the USSR and the FRG would work toward bringing about a conference on European security. Bahr and Gromyko did not agree to formulations on the renunciation of force agreement because of Soviet insistence that the FRG recognize GDR borders, nor did they agree on the question of the relationship between the FRG and the GDR and reunification." The report went to the President who circled "Bahr" in the text and wrote in the margin: "He gave them everything!" (Ibid., Nixon Presidential Materials, NSC Files, Box 20, President's Daily Briefs, March 21–March 31, 1970)

³ Document 67.

4. As regards the negotiation points where there was still no agreement, a main one was the pressure from the Soviet side for the FRG to accept a definition of its relationship with East Germany not distinguishable from recognition. The Soviet formulation had been very slightly less adamant than in the past in that they did not explicitly demand that the FRG “recognize” East Germany, but said that the relationship between the two German states should be one on the basis of international law. Bahr said he had mentioned to Gromyko the Erfurt formula used by Brandt to the effect that, provided the GDR was willing to acknowledge that it was not a foreign country as far as the FRG was concerned, the FRG was prepared to conclude treaties with it that would have binding force in international law.

5. Bahr said the second point the Soviets pushed was for change in the FRG position concerning GDR relations with third countries. Bahr had told the Soviets flatly that he was not in a position to say anything positive on this point.

6. Bahr said there had been little progress on a third point. The Soviets had indicated that they were ready to respect the FRG view that the FRG could not enter into treaties with it or other countries which violated commitments it had already made with other parties, i.e., in this regard, the London and Paris agreements with the three Western powers.⁴ Bahr pointed out to Gromyko that this naturally included the status of Berlin. The Berlin topic had not otherwise been discussed.

7. Bahr said that, finally, an important point he had raised with the Soviets was that the FRG wanted other countries as well as the GDR to recognize the requirement in the FRG Basic Law that Germans should have the right to self-determination. The Soviets had made absolutely clear in return that they were not in a position to discuss this topic or to agree to it in any form. Bahr said that he was not permitted this indulgence, but he did have a certain degree of understanding for the Soviet position on this specific point. Bahr’s implication was that explicit Soviet acceptance of the self-determination point would mean formal Soviet recognition of the German intention to change the status quo at some later time even if by peaceful means.

8. Bahr noted that it would be impossible to discuss the topic of the continuation of his talks with Gromyko within the German Government in any conclusive way for several weeks. Foreign Minister Scheel was absent and would have to participate. Scheel’s absence would be followed by the Chancellor’s visit to the U.S. It would be the

⁴ Reference is evidently to the Final Act of the Nine-Power Conference, signed in London on October 3, 1954; and the Protocol on Termination of the Occupation Regime in Germany, signed in Paris on October 23, 1954. For text of the two agreements, see *Documents on Germany, 1944–1985*, pp. 419–438.

third week of April before the Cabinet could come to grips with this issue. Bahr reported that he and Gromyko had not agreed on any new day for a further meeting. Neither side considered itself under any time pressure. However, the Germans would want to continue their exchanges prior to the Kassel meeting of Brandt and Stoph on May 21.

9. Bahr made a side remark that he had several indications in his March 21 talk with Gromyko that at the time Bahr talked with him, the latter had not yet received any confidential reports of the afternoon plenary or *tete-a-tete* sessions between Brandt and Stoph. Gromyko had been fully informed on the details of public speeches made by both Brandt and Stoph but made some remarks which argued ignorance of the later sessions. Brandt said that this might indicate that the East Germans had been rather slow in reporting on the talks to the Soviets. In reply to a question from Ambassador Rush, Bahr stated that no documents had been exchanged with the Soviets in the renunciation-of-force negotiations.

10. *Comment:* The hard realism of Bahr's overall assessment of the negotiations strikes us as a conscious and deliberate tone-setter for Brandt's presentations on Eastern policy in his forthcoming Washington visit.

Rush

69. Telegram From the Embassy in Germany to the Department of State¹

Bonn, March 25, 1970, 1533Z.

3280. Department for Hillenbrand. Subject: CDU Leader Barzel on German Eastern Policy.

1. I had a long talk March 24 with Rainer Barzel, Fraktion Chairman of the CDU, which was focused entirely on Brandt's Eastern pol-

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 12–6 GER W. Secret; Limdis. Repeated to Berlin, London, Paris, and Moscow. According to another copy, the telegram was drafted by Dean, cleared by Fessenden, and approved by Rush. (Department of State, EUR/CE Files: Lot 85 D 330, JD Telegrams and Airgrams 1970) Sonnenfeldt summarized the telegram in a memorandum to Kissinger on March 26. After noting similar concerns raised by the French, Sonnenfeldt commented: "These crosscurrents underscore the need for precision and frankness during the Brandt visit in framing the nature of US support for Ostpolitik, and for distinguishing between goals and approach on the one hand, and pace and tactics on the other." (National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV)

icy. I am forwarding his remarks in some detail because I think they should be seriously studied.

2. Barzel said he was known as a friend of the US and of the Atlantic Alliance. Because his attachment to the maintenance of the German-American relationship was so strong, he wished to speak far more plainly than was usual in encounters like this. He had long been a proponent of a flexible and active German-Eastern policy. Indeed, he had taken a considerable political beating for his advanced ideas on this topic in a speech he delivered in New York in 1966.² At the outset of the present government he had, as we know, made a determined effort to a bipartisan approach towards Eastern policy. This was better for Germany and better for the Alliance. He had tried his best to achieve this and had failed. Barzel said he had again and again asked for adequate consultation with the government, on Eastern policy, and had not received it. Brandt had just cancelled an appointment Barzel previously made to see him on March 25. From now on, discussion of this topic would have to be carried out by public means from the rooftops.

3. Barzel said that in recent weeks his own views on this subject had become so determined that he would be prepared to maintain them even if he split the CDU in doing so. If the party rejected them, he would leave active politics. The reason for his change of heart had been his conclusion that the Brandt government was in fact willing to push its policy so far that agreements with the East were in fact possible. But in any event, Barzel continued, his views and those of the party on Eastern policy were the same. The speech he had given in the Bundestag on March 20 in reply to Brandt's report of his meeting with Stoph in Erfurt (Bonn's 3174)³ had been cleared in written form with Kiesinger, Schroeder, Strauss, Gradl and every other top leader of the CDU. CDU party conventions in Baden Wuerttemberg on March 21 and on March 22 in North Rhine Westphalia had unanimously voted to support this position, which should be considered the official CDU view.

4. Barzel said that from today onward, the CDU would continue to support the Kassel meeting with Stoph but would oppose the continuation of the Bahr–Gromyko talks on their present basis and with their present subject matter. This was because the FRG position which was evolving from these talks would if carried in an agreement amount to total capitulation to the Soviet viewpoint across the entire front.

² Reference is to a speech Barzel gave in New York on June 17, 1966, to the American Council on Germany. See Barzel, *Auf dem Drahtseil*, pp. 83–95. The previous day Barzel met President Johnson at the White House, evidently submitting an advance copy of his speech. For a memorandum of the conversation, see *Foreign Relations, 1964–1968*, vol. XV, Document 154.

³ Dated March 23. (National Archives, RG 59, Central Files 1970–73, POL GER E–GER W)

5. Barzel said that, according to their public comments on the subject, the US, UK and French Governments supported this policy. It was difficult to understand the reasons for their support, because what was involved was a change in the European balance of power which would have pronounced effects on the future of Europe. Barzel remarked that he had been active in politics for twenty years, from the thick of the cold war onward. He was by nature optimistic. He had never in the past doubted the future as he did now. A change in the overall nuclear balance between the US and USSR had taken place as was clear from both American and other statements. The discrepancy in favor of the USSR might grow. The US was engaged in internal controversy over its troop commitment in Europe which would apparently bring reductions. These were fundamental facts known to all Europeans. In the FRG talks with Poland, with the Soviet Union and with the GDR, the Brandt government appeared ready to accept the demands of the other side with only minor modifications.

6. Under the present political and military circumstances in Europe, this action would amount to a general accommodation of the USSR by the Western Alliance, with absolutely no recompense in return. The after-effects would be extremely serious. German politics would be split down the middle. A nationalist reaction would develop. From Helsinki to Rome—in every capital in Europe—the Soviet word, Soviet policy, Soviet desires would have more weight. Europe would no longer be assured of its freedom and independence and would come to terms with the Soviets.

7. Barzel said he had no such reservations about the Berlin talks of the Four Powers. If the Western powers wanted to probe Soviet intentions there and made headway, then he was prepared to support the result because this would mean the continuation of the Four Power responsibility for all of Germany and would mean that the Western powers were satisfied they were getting something in return. Barzel asked rhetorically when the US and the Western powers would begin to put the brakes on Brandt's foreign policy. Would they do this on the basis of the clearly defined overall general configuration of the policy which was emerging, as he and the CDU believed should be done, or would they do this only when they were confronted with treaties which had already been worked out. Barzel asked if the Allies had seen the treaty texts which were worked out by the government. He said the CDU had not. When would the Allies draw the line?

8. Barzel said that for its part, the CDU had regretfully but firmly decided it was time to draw the line. The CDU thought the situation of the Brandt government in relation to the Soviets at this juncture was like that between Chamberlain and Hitler. The CDU did not intend to carry out a policy of appeasement. If the government continued on its

present course, the CDU would bring it down. It had the necessary votes to do this if this was the issue posed. It would bring down the government even if its Eastern policy had been supported by the Allies, even though the consequences both for the Alliance and German domestic politics would be most serious.

9. Barzel said he would be glad to go to Washington if there was a desire there to talk about the serious problems he had raised. But we should not believe that if Willy Brandt went to the US, France or England and came back with the endorsement of all three governments, that this would cause the CDU to diminish its opposition to the present course.

10. I replied that the US had a continuing stake in Europe, in Germany and in Berlin, and that what happened there was and would be of great consequence to us. We agreed that the present situation had potential risks, but we had no intention of capitulation to the Soviets and of clearing out and leaving the field for them. What we did have in mind and what we were pursuing, mainly in the SALT talks, was an attempt to maintain the present balance of power at less strain and cost to each side. The Federal Republic had a developed democratic system. We had confidence in the policy outcome of the German political process, of which both the present government and the CDU opposition were integral components. We did not believe the government was being irresponsible and we should continue to maintain a close watch on policy and events as regarded our own interests.

11. *Comment:* Although Barzel was good-humored, it was evident that he was wholly serious in his remarks. They point up a political development which has become increasingly evident here. German Eastern policy was the main foreign policy issue of the 1969 Bundestag election campaign. We expected it to become the main issue between the SPD–FDP and the CDU opposition after the government was formed. This was not the case as rapidly as we had foreseen because Brandt was fairly general in his formulation, except for the two German state theory, and because Barzel had considerable success in his effort, which was not without an aspect of self-interest, to achieve a bipartisan policy in which his voice would be the most important one for the CDU. But now Brandt's policy is taking on a somewhat more specific form and CDU opposition is hardening.

12. The aid and authority of the US has been invoked by both sides since the outset of the new government. Now this problem too is taking on larger dimensions. Brandt's spokesmen are saying they will not decide anything further in Eastern policy until he has talked with President Nixon during Brandt's forthcoming visit to the US. It can be expected that Brandt will hold up any private or public statements of support he receives from the President on the visit as a buckler against the CDU. Barzel and other CDU leaders are telling us with increasing

insistence that we have to stop the SPD before it is too late. Ex-Chancellor Kiesinger will undoubtedly put this point with vigor on his trip to the US in May.⁴

Rush

⁴ According to the President's Daily Diary, Kiesinger met Nixon in the Oval Office on May 19 from 11:19 a.m. to 12:18 p.m. (Ibid., Nixon Presidential Materials, White House Central Files) No record of the discussion has been found. A briefing memorandum from Kissinger to the President is *ibid.*, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV. Memoranda of the conversation that afternoon between Kiesinger and Rogers are *ibid.*, RG 59, Central Files 1970–73, POL GER W–US.

70. Telegram From the Department of State to the Embassy in Germany¹

Washington, March 25, 1970, 1628Z.

43392. Subj: Brandt Letter of March 22 to President.² Following is translation of letter from Chancellor Brandt delivered at White House March 23:

“Dear Mr. President, Today State Secretary Bahr returned from his exploratory talks in Moscow. He will personally give a detailed report to your Ambassador, as well as to those of France and the UK.³ I would like you to learn right away my principal impression: while we have come closer in some respects, we are still far apart on quite a few points. It appears that the Soviet side will wait for at least the first round of the Four-Power talks on Berlin before deciding on its further course of action. In any case, I have no doubt that the Soviet side sees the Berlin talks and our soundings in East Berlin, Moscow and Warsaw as one.

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 28 GER B. Secret; Exdis. Drafted by Skoug and Thompson on March 24; cleared by Sutterlin, Sonnenfeldt, and Watts; and approved by Hillenbrand. Repeated to London, Moscow, Paris, Berlin, and USNATO.

² Kissinger forwarded an informal translation of the letter in a memorandum for the President on March 25; a notation indicates that Nixon saw the memorandum on March 26. After summarizing the contents of the letter, Kissinger explained: “Since Ambassador Rush is to receive more detailed briefings from the Germans, I have delayed drafting your reply to Brandt for a few days. I shall forward a reply for your approval later this week.” (Ibid., Nixon Presidential Materials, NSC Files, Box 753, President's Correspondence File, Germany, Chancellor Brandt (1969–Apr 70)) For the text of Brandt's letter in German, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 507–508.

³ See Documents 67 and 68.

Your Ambassador has been informed about the meeting that I had last Thursday with East German Premier Stoph in Erfurt. An additional assessment will be delivered in the normal manner.

I cannot underrate the many signs of the bonds that join us which were given to me by the people in the other part of Germany. But these signs are also not to be over-estimated. One must even consider that those circles in the East that fear a consolidation of the GDR will draw back anew.

In material respects the outcome is meager, although I myself had not counted on achieving more than a second meeting—this time in May in the Federal Republic. The East German side insisted with absolute determination—even in the private talks—on its formulation of the recognition question. It concentrated almost completely on the formal adjustment of relations and showed virtually no readiness to go into the real questions. Nevertheless, I should not like to exclude the possibility that some relaxation can be obtained in due course.

My discussion partner showed himself to be particularly uncompromising regarding Berlin. It is all the more important that in the forthcoming discussions of the Three Powers with the Soviet Union that the Eastern side be urged with great vigor to acknowledge the ties which have grown up between West Berlin and the Federal Republic.

I regard it as important for the sake of our contacts with Eastern Europe and with the GDR that we remain in very close touch.

I have informed the President of the French Republic and the Prime Minister of the United Kingdom in the same manner.

I am looking forward to our upcoming conversations in Washington and I thank you for the opportunity to rest up a few days beforehand at Camp David.

Please accept, Mr. President, my very best regards. Willy Brandt."⁴

Rogers

⁴ In his reply to Brandt on March 27, Nixon commented: "Your letter of March 22, 1970 concerning the German talks in Moscow and your meeting with Herr Stoph was of great interest. I appreciate your special effort to keep President Pompidou, Prime Minister Wilson and myself informed of these important developments. Your forthcoming visit to Washington will provide an excellent opportunity for further discussion of these subjects and of others which touch on our mutual interests. The reports I received of your reception in Erfurt were deeply moving. You have often spoken of one German nation. I thought the validity of this concept was well illustrated by those East Germans who were able to gather to greet you. The position taken by Herr Stoph, as you describe it, would indicate that your task will be long and arduous in mitigating the effect of the division of Germany on the German people and on the security of Europe." (National Archives, Nixon Presidential Materials, NSC Files, Box 753, President's Correspondence File, Germany, Chancellor Brandt (1969–Apr 70)) For the full text of the letter, see *Dokumente zur Deutschlandpolitik, 1969–1970*, Nr. 117, pp. 455–456.

71. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, March 25, 1970.

SUBJECT

Consequences of the Recognition of East Germany

There has been an increasing trend in West German policy moving toward recognition of the GDR. It was not too long ago that Bonn insisted on using terms such as “the Soviet occupied Zone” and the “so-called GDR” when referring to East Germany. Brandt has accelerated the rate of change dramatically. He now accepts the existence of two German states based on equal rights. He does assert, however, that these are states “within one German nation,” and that their relationship must be of a special character, not as between two foreign states. Brandt has not recognized that the GDR exists as a foreign state in international law—and he says he will not.

The East Germans have maintained a drumbeat of demands that Bonn extend recognition under international law and accept diplomatic relations between the two Germanies. In his letter to you of March 22,² Brandt noted that at his Erfurt meeting with GDR Premier Stoph, the East German side “persevered resolutely” in its interpretation of the recognition question. The Soviets, of course, lead the other Eastern European nations in pushing the FRG toward recognition of the GDR. Brandt’s negotiator in the FRG–USSR talks in Moscow reported to the Allied Ambassadors on March 24 that a main pressure from Gromyko was for the FRG to accept a definition of its relationship with East Germany not distinguishable from recognition.³ Brandt also feels pressure from within his SPD/FDP coalition to show some early success in his dealings with the East. This pressure will undoubtedly increase as the May 21 date for his second meeting with Stoph approaches—and as

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV. Secret. Sent for information. A notation on the memorandum indicates the President saw it on April 2. Sonnenfeldt originally raised the subject of recognition of the GDR on February 20 in a memorandum to Kissinger, forwarding the study on legal consequences prepared by the Department of State (see footnote 4 below). On March 16 Kissinger issued the following handwritten instruction: “Send memo to Pres with cover re trends of German policy making this important topic.” (Ibid.) According to another copy, Downey drafted the memorandum on March 25. (Library of Congress, Manuscript Division, Kissinger Papers, CL 289, Memoranda to the President, 1969–74, Mar.–Apr. 1970)

² See Document 70.

³ See Documents 67 and 68.

he nears the June election in Germany's largest industrial state of North-Rhine Westphalia. He may feel compelled to move even closer toward recognition of the GDR.

The impact of this trend on Four Power rights and responsibilities for Berlin and Germany has a new relevance. The FRG has an interest in maintaining at least the symbol of Four Powers rights, since they provide a framework for him to develop the "special" relationship between the FRG and GDR—and it helps diffuse the pressures which would otherwise be directed at Bonn. The Soviets, though insisting on two separate sovereign Germanies, are nevertheless interested in holding on to Four Power rights (not responsibilities) for leverage. The Three Western Allies have their own varying degrees of interest in maintaining all-German rights.

In this light, I thought you might be interested in a study prepared by the State Department on the legal consequences of GDR recognition (Tab B).⁴ Since the study is lengthy, I have attached a summary at Tab A which you may wish to read since the topic is of increasing importance.

Tab A

Paper Prepared by the National Security Council Staff

SUMMARY

General

Legally, recognition of a state normally implies competence as a personality in international law; recognition of a government signifies the regime is the accepted representative of that state. Special types of circumscribed recognition have been created for particular situations, as the recognizing state deems appropriate. While recognition is the expression of intent (and may be inferred), a state may make an express disclaimer of recognition so that actions which might otherwise be equivocal could not be construed as constituting recognition under international law.

FRG Recognition of the GDR

From the many contradictory statements of FRG and GDR spokesmen a concept has been developing that there can be "agreements binding in international law" without either party to the agreement recognizing the other as a state—this is a novel concept insofar as bilateral

⁴ Tab B is a memorandum from Eliot to Kissinger, February 2, enclosing a memorandum prepared by the Office of the Legal Adviser; attached but not printed. Another copy is in the National Archives, RG 59, Central Files 1970–73, POL GER E–GER W.

agreements are concerned. The concept could mean simply that no provision of the agreement violates international law, or that a breach of it would constitute a wrong under international law. The only plausible meaning which would clearly exclude “international recognition” would be if the FRG voluntarily undertook to treat contractual obligations vis-à-vis the GDR just as if they were international obligations, while claiming that it has dealt with an entity other than an international personality, or that the GDR is an international personality but of a limited character.

Effect on Four Power Rights

In strictly legal terms, there is nothing the FRG can do by agreement with the GDR which will abrogate the rights of the Three Powers with respect to the USSR or any part of Germany. As a practical matter, however, recognition of the GDR might leave us in the position of guardian for “Germany as a whole” at a time when all the parts of Germany (except West Berlin) had explicitly renounced the concept of a unitary Germany. FRG acceptance of GDR claims to Berlin would not necessarily follow from recognition, but we should require the FRG to explicitly reserve on this point in connection with any recognition. The FRG is bound under the 1954 Bonn Convention⁵ not to act with respect to Berlin, a peace treaty, or Germany as a whole without express approval of the Three Powers.

Effect of GDR Access to the EEC

To ensure that FRG acceptance of the Treaty of Rome⁶ (EEC) did not contribute to the division of Germany—in light of the EEC common external trade policy—a special Protocol was worked out in which the EEC countries agreed that the application of the Rome Treaty would require no modification of the internal (interzonal) German trade. Thus the FRG was free to regulate its trade with the GDR without EEC control, and GDR goods freely move through the FRG into other EEC states. The prime advantage to the GDR has been access to the FRG for its agricultural products. Obversely, the other EEC states are not pleased that their agricultural exports are thus denied a part of the FRG market. To counter this trade diversion aspect, the FRG has imposed

⁵ Reference is to the Convention on Relations Between the Three Powers and the Federal Republic of Germany, signed in Bonn on May 26, 1952, and amended by the Protocol on Termination of the Occupation Regime in Germany, signed in Paris on October 23, 1954. See *Documents on Germany, 1944–1985*, pp. 379–383, 424–438.

⁶ For text of the Treaty Establishing the European Economic Community, signed in Rome on March 25, 1957, see *American Foreign Policy: Current Documents, 1957*, pp. 426–518.

price equalization on GDR imports equivalent to those prevailing in the FRG.

It is not clear that recognition of the GDR would automatically terminate the applicability of the Protocol by destroying the internal character of interzonal trade. Legally, it would constitute a fundamental change of circumstances which would justify the termination of the Protocol by any of the Parties. As a practical matter, recognition would certainly increase the pressure on the FRG from its EEC partners to apply the common external trade policy to the GDR on the same basis as to any other Eastern European country. In view of the East German interest in this special access to the EEC, the FRG could use—and undoubtedly is using—the possibility of the destruction of this privilege as a bargaining lever in the formation of any new FRG–GDR relationship.

72. Memorandum From the Assistant Secretary of State for European Affairs (Hillenbrand) to Secretary of State Rogers¹

Washington, March 26, 1970.

The leader of the CDU Parliamentary Group in the Bundestag, Rainer Barzel, has expressed in strong terms to Ambassador Rush his party's growing concern over Brandt's Eastern Policy.²

In sum, Barzel contends that Brandt's Moscow negotiator, Bahr, has worked out a potential agreement with the Soviet Union which

¹ Source: Department of State, Bonn Post Files: Lot 72 F 81, POL–FRG/US Relations. Secret. Drafted by Sutterlin. Fessenden wrote on the memorandum: "Important statement of EUR's position, which you may have seen in Wash. Russ."

² For a detailed report on Barzel's concerns, see Document 69. In an intelligence brief to the Secretary on March 26, Director of the Bureau of Intelligence and Research Ray Cline judged that Barzel's approach to Rush was motivated by political considerations, i.e., "to try, on the eve of Brandt's visit to Washington, to keep US support for the FRG's current Ostpolitik to a minimum." "Polls have shown that Brandt's Eastern policy—in particular his successful efforts to begin a dialogue with East Germany—is extremely popular," Cline noted. "Barzel may well calculate that unqualified endorsement of Brandt's policy in Washington, following similar endorsements from Paris and London, would further encourage this trend among the West German electorate and greatly strengthen the SPD in the vital Landtag elections this summer and this fall." Cline also concluded that Barzel was clearly bluffing in his threat to topple the Brandt government, doubting that the opposition had "the means to do it." (National Archives, Nixon Presidential Materials, NSC Files, Box 917, VIP Visits, Chancellor Brandt Visit, April 10–11, 1970 [2 of 3])

would amount to acceptance of the present status quo in Europe on Soviet terms and would result in increased Soviet influence in Europe “from Helsinki to Rome.”

The long existing balance between the US and the USSR in Europe, according to Barzel, would thus be undermined particularly since the new relationship with Moscow would come at a time when, “as Europeans know,” the US is engaged in an internal controversy over its troop commitment in Europe which would apparently bring reductions.

Barzel noted that Washington, London, and Paris have all expressed support for Brandt’s policy. Even if this tripartite endorsement continued, the CDU would pursue its opposition to the government’s plans for an understanding with Moscow. The CDU would not be party to a policy of appeasement and if necessary it could and would bring down the SPD/FDP coalition, Barzel concluded.

Unquestionably Brandt has pushed ahead with his Eastern policy more rapidly than most expected. His basic concept, heavily influenced by his close adviser, Egon Bahr (who has long been distrusted in the CDU), is that by accepting the realities of the current situation in Germany the Federal Republic can in the long run bring about a diminution of the East-West barrier that divides the country. In the process, Brandt believes the Federal Republic can achieve a position of greater influence and independence both in Eastern and Western Europe.

Few in Germany, even in the CDU, quarrel with these objectives. This is a major reason why the CDU until now has not taken strong issue with the government’s Eastern policy. As the talks in Moscow have progressed, however, the question arises in increasingly real terms as to whether and to what extent acceptance of “realities” means acceptance of Soviet demands, and the granting of West German concessions.

This controversy has been inevitable from the formation of the Brandt Government. Brandt clearly was and remains determined to take a new approach to the German question. His government does not wish to be restricted or deterred in its dynamic pursuit of this policy by a requirement for non-partisan agreement. It therefore has rejected CDU overtures for cooperation in a bi-partisan approach.

As this domestic controversy grows, each side is seeking to enlist the support of the US Government. Brandt needs it to defend himself against CDU attacks that his policy is costing the Federal Republic the basis of its security. The CDU needs American support since without it its accusations against the government will be unconvincing to a large segment of the German population.

Under the circumstances the US will need to keep in mind (a) what our objectives and interests are which could be affected by Brandt’s policy in the East and (b) what course domestic developments are likely to take in the FRG.

It seems to me that our first objective is to ensure the continued association of the FRG with NATO and the US. The question is can we better assure this by objecting to or supporting Brandt's Eastern policy.

I believe that over the long run we are bound to lose if the German Government concludes that its loyalty to the West is preventing progress in eliminating the division between East and West Germany. We need always to show by our actions that a defense partnership with us does not inhibit efforts by Bonn to ameliorate the conditions of life for the German people. There has been nothing to suggest that the present German Government dismisses the importance for its security of the Alliance or of partnership with the United States.

We must also consider whether the "concessions" offered by the FRG to the East conflict with US interests.

These concessions could include enhancement and possible recognition—in some form—of the GDR; acceptance, under an appropriate legal formula, of the present borders of Germany including the border between the FRG and the GDR; UN membership for the GDR (together with the FRG), presumably to be followed by GDR membership in other relevant international organizations; FRG ratification of the NPT; and possible FRG encouragement of a conference on European security.

None of these in themselves would seem to be contrary to fundamental US interests. A new relationship with the GDR based on its sovereignty as a state, however, could raise questions concerning Four Power responsibility for Germany as a whole and might, under certain circumstances, prejudice the tripartite position in Berlin.

Therefore we shall need to watch this area closely and insist, perhaps even more strongly than we have thus far, that the German Government consult with us in advance before making proposals to the East.

As far as domestic developments in the FRG are concerned we are inclined to doubt that Barzel could make good on his threat to bring down the present government. From all indications Brandt has the support of the great majority in West Germany for his Eastern initiatives.

The CDU can inhibit the policy insofar as agreements reached with the East would require a constitutional change or approval in the Upper House of Parliament. A CDU Chancellor, while not outside the realm of possibility, seems unlikely in the next three years. If the FDP (the minor coalition partner) should disintegrate, it would most probably be for reasons other than Eastern policy.

In summary, we believe we should: a) continue to support the concept of Brandt's Eastern policy; b) examine on a continuing basis its details from the point of view of US interests, applying the brakes now and again if necessary; c) proceed on the assumption that the SPD government is the Government with which we have presently to deal despite CDU threats.

73. **Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon**¹

Washington, March 26, 1970.

SUBJECT

Four Power Talks on Berlin

The first session of the Quadripartite talks on Berlin will take place on Thursday, March 26. Secretary Rogers sent over for your approval the text of the opening statement by Ambassador Rush (Tab A).² Since the statement was in full conformity with the position already approved by you, and in view of the urgent time pressure, I felt it was not necessary to take your time in approving this specific statement.³ These opening remarks by Ambassador Rush, agreed with the FRG, UK and French, contain the following points:

—we have welcomed and permitted the establishment of economic, social, juridical and monetary ties between the FRG and West Berlin, although we continue to prohibit the incorporation of West Berlin into the FRG's political structure;

—we seek improvements in three areas: (a) freer communication between the two parts of Berlin, (b) procedures for assuring the free movement of German traffic between Berlin and the FRG, and (c) an end to the restrictions on West Berlin's trade and travel in the Eastern European countries.

In reaching Western agreement on the text, one substantive point of difference arose. We and the FRG desired to propose to the Soviets that German representatives from East and West Germany and both parts of Berlin be authorized to consider questions relating to access to Berlin and intra-Berlin communications. The French and British, how-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret. Sent for information. No drafting information appears on the memorandum. Sonnenfeldt forwarded the memorandum to Kissinger on March 25. (Ibid.)

² Tab A is a memorandum from Rogers to the President, March 24; attached but not printed. Another copy is *ibid.*, RG 59, Central Files 1970-73, POL 38-6.

³ Upon receiving Rogers' memorandum, Kissinger instructed his staff to "be sure you move paper to SecState immediately." (Memorandum from Sonnenfeldt to Kissinger, March 24; *ibid.*, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II) Lord informed the Department of State on March 24 that the opening statement had been "approved by the President." (Notation on memorandum from Rogers to the President, March 24; *ibid.*, RG 59, Central Files 1970-73, POL 38-6) Kissinger, in addition, formally notified Rogers in an undated memorandum: "The recommendations contained in your memorandum of March 24 have been approved. The President will be interested in your assessment of the first session of the talks, and wishes to review any substantial modifications of the position approved on March 13." (Ibid.)

ever, opposed this approach. They considered that the Western side should not propose—at least at the first session—involving Germans in matters falling within the responsibility of the Four Powers. In the face of their firm position, we agreed to drop this point.

We shall propose that the second session of the Four Powers talks be held on April 21—following Chancellor Brandt's visit to Washington. I have suggested to Secretary Rogers that you would be interested in his assessment of the results of the first session and would wish to review any substantial modifications of the US position you previously approved.⁴

⁴ No assessment from Rogers to Nixon has been found. In telegram 487 from Berlin, March 27, the Mission reported: "First meeting of quadripartite talks on Berlin produced no surprises. Atmosphere was congenial and Soviets were on best behavior." (Ibid., POL 28 GER B) The Mission forwarded an informal translation of Abrasimov's opening remarks in telegram 478 from Berlin, March 26. (Ibid.) The Soviet and Allied Ambassadors agreed to meet again on April 28. For a published account of the meeting, see Sutterlin and Klein, *Berlin*, pp. 123–125.

74. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, April 7, 1970.

SUBJECT

Bonn Negotiations with the East

As background for the Chancellor's visit, I thought you would be interested in a review of the status of West Germany's negotiations with the USSR, Poland and East Germany and the evaluation the Germans have made of these talks. The second phase of the Soviet and Polish

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV. Secret. Sent for information. According to another copy, Hyland drafted the memorandum on April 3. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 289, Memoranda to the President, 1969–74, Mar.–Apr. 1970) In an April 3 memorandum to Kissinger, Sonnenfeldt explained that he had prepared another "status report" for the President on Ostpolitik (see Document 63), covering the recent negotiations in Moscow and Warsaw as well as the meeting in Erfurt. Sonnenfeldt added: "In substance, however, not much has changed." (National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV)

talks was concluded in late March, and will probably resume in late April, and Brandt will meet with the East German Premier Stoph on May 21, this time in the West German city of Kassel.

The Soviet Talks

The discussion between Egon Bahr and Gromyko ended on March 21 with a short communiqué stating that both sides would report to their governments to decide how further discussions would continue “in the interest of achieving a relaxation of tension on the basis of the status quo in Europe.”²

In effect, this means that little progress was made on the major issues. The Soviets continue to insist that the West Germans respect *all* existing frontiers, with specific mention of the Oder-Neisse and East-West German borders. At the same time the Soviets reject any offsetting qualification that reunification of Germany would be the aim of “normalizing” relations.

Bonn has also resisted a Soviet demand for a pledge not to interfere in East German affairs, because this too might be interpreted as an abandonment of the ultimate goal of unification. Similarly, Bonn has opposed Soviet insistence that any treaty between West and East Germany have the status of international law, which would undermine Brandt’s philosophical position that East Germany cannot be regarded as a “foreign” state.

In other words the Soviets are still pressing for a comprehensive German acceptance of the territorial and political status quo, which Bonn will not do, at least without some compensation in terms of Soviet acceptance of the Brandt concept of one “German nation.”

Initially the Germans were somewhat optimistic; they were impressed with some of the superficial aspects of the talks—that Gromyko himself has participated in almost all the sessions, and that Kosygin also listened intently to Bahr presentations. In addition, the Germans claim to have reports that the Soviet Politburo devoted a lengthy session to the German question. Bahr claims that his interventions with Gromyko also resulted in pressure on the East Germans to agree to the Erfurt meeting between Brandt and Stoph. Basically, of course, the Germans have been encouraged by their own estimate that Soviet problems with China will eventually produce significant pressure for a stabilization of relations in Europe.

More recently the Germans have taken a more sober view. The Soviet position has softened very little since the opening sessions. The demands are much the same—except for Soviet willingness to drop its

² For text of the communiqué, see Meissner, ed., *Moskau-Bonn*, vol. 2, p. 1212.

proposals for a recognition of West Berlin's borders (probably because the Berlin issue has now shifted to the talks with the three Western powers). In terms of pressure, it would appear that the Germans are coming under more immediate political pressure to demonstrate some success than the Soviets who seem in no special hurry to reach agreement.

In his letter to you³ the Chancellor noted some narrowing of differences, but indicated that the two sides remained apart on many points. Other reports we have received of Brandt's attitude suggest that he is not overly optimistic, but determined to pursue the issues further. The latest German foreign office assessment was equivocal; the chances for "serious" negotiations were rated about even.

One factor is the West German hope that their task might be significantly eased if NATO were more forthcoming on a European Security conference. Accordingly, Bonn hopes to press for a "positive" signal to the Soviets, and use this to convince Gromyko that the success of the Moscow talks will improve the chances for a multilateral conference on European security.

Though we have been briefed on all the exchanges, the Germans have been negotiating on three "non-papers" handed to the Soviets but never mentioned to us in any way. These papers include the preamble and text of a renunciation of force agreement, and an understanding on Soviet-German relations.

(At Tab A is a CIA analysis of the Moscow talks.)⁴

The Warsaw Talks

The second round did not indicate any further movement, even though there has been an exchange of draft agreements. The Poles are sticking hard on their demand for an unqualified recognition of the Oder-Neisse border. And the Germans are still hoping to persuade them that "respect" for this boundary is all that can reasonably be achieved because of the reservations on a final settlement imposed by the Potsdam agreements.

The talks will resume on April 22. The Germans still feel there is room for maneuver and negotiation, and that a compromise formula

³ See Document 70.

⁴ Tab A, attached but not printed, is an April 3 intelligence memorandum prepared in the CIA entitled: "The Gromyko-Bahr Talks: An Exploration of the Possible." The summary of the memorandum reads: "West German-Soviet political talks, which began last December, recessed on 21 March after each side had exhaustively probed the other's positions. The ostensible purpose of the meetings was to discover whether the two could conclude a renunciation-of-force agreement. The real issue, however was the extent to which West Germany accepts the European status quo. The West Germans expect that the discussion will be renewed in mid-May but believe that either Moscow or Bonn will have to make basic political concessions if the prospects for negotiating a treaty draft are to improve."

can be found. They hope to negotiate a “package” in which a compromise on the border would be accompanied by “progressive normalization” of relations, i.e., extended cultural, trade and economic arrangements. The Germans are counting on Polish interest in large German economic credits to tilt the negotiations in their favor.

The Poles have told us that they do not regard the talks as at an impasse, and have some hopes that an acceptable formula can be found on the border question. They have shown considerable interest in gaining our support for an unconditional recognition of the Oder-Neisse.

The Brandt–Stoph Meeting

As the Chancellor has already indicated to you in his letter, he was impressed with the popular reaction to his presence in East Germany, but on the substance of the talks little was achieved. The East German Premier was adamant on the need for immediate recognition of his government, as well as its admission to all international organizations. He set forth a long list of immediate demands, including UN membership and recognition of West Berlin as an independent political entity. Brandt carefully spelled out his concept of a special relationship between the two Germanys but without success. While Bonn had hoped that some working groups might be established to deal with bilateral subjects such as cultural exchanges, Stoph objected, and proposed that basic issues be settled first. Thus, the second meeting will not benefit from any interim contacts at a lower level.

Brandt believes he made it clear, however, that three areas of discussion are vital: discussion of relations between the two states, discussion of communications, and discussion of means to alleviate the obstacles to human contacts. In his letter to you he described the results as “meagre,” but did not exclude that a few openings could be developed.

The Outlook

In his report to his party leadership the Chancellor indicated that the three sets of talks were interdependent. While he said Bonn’s basic position was grounded in its commitment to the Western Alliance and European institutions, the West Germans needed to convince their Allies, especially the United States, of the need for an East-West settlement. Only through a new relationship between Bonn and Eastern Europe and the USSR could the West Germans hope to contain the influence of the East German regime. Though they do not state it openly, the West Germans apparently have concluded that by accepting the status quo in most important respects, and thereby conciliating the Soviet Union, they can then proceed to work on some rapprochement with the East Germans in which the “natural assets” of West Germany’s superior position would finally prevail.

Brandt obviously considers his Washington visit a key factor in preparing for the next phase of Eastern negotiations. He wants a clear endorsement of his approach, not only to strengthen his negotiating position but also to counter the increasingly sharp criticism that is developing from the Christian Democratic Party. In taking aim on Brandt's conduct of Eastern policy, the CDU also has recently tried to enlist our support to halt what one CDU leader described as a "total capitulation." In short, there is some danger that we are becoming the object of an internal West German political battle. *This suggests that any endorsement we give Brandt should be no more than general support for the improvement of the FRG's relations with the East—without approving specific FRG moves.*

75. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, April 7, 1970.

SUBJECT

Your Lunch with Egon Bahr, April 8, 1970

Bahr's negotiations in Moscow and Ostpolitik in general will presumably take up much of your conversations. While we have a fairly good idea of the outlines of these negotiations, there are disturbing reports that indicate we may have not been informed on some aspects. In listening to Bahr's explanations you might want to keep in mind some of the points below.

Interdependence

The three negotiations with Moscow, Warsaw and the GDR are linked and overlap to a great extent:

- the Soviets are making demands in their talks that would clearly determine the outcome of the other talks;
- how does the Brandt government expect to play all three? Will the Soviet negotiations be the governing factor?

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV. Secret; Nodis. Sent for information. Copies were sent to Haig and Lord. A stamped notation indicates that Kissinger saw the memorandum.

—why not concentrate on the Polish talks where the issue is less complicated?

The Soviet Talks

The Germans, including Bahr, have been vague in their explanation of Soviet motives in reaching any agreement with Bonn at this time, especially if Soviet concessions are involved.

—Bahr keeps hinting at some split in the politburo on Germany; while there may be serious trouble, we have no evidence that the German policy is at issue;

—Bahr presumably will cite the China problem; but this has been a factor for several years and would not in itself be a sufficient motive for a major change in Moscow's German policy.

If the talks are protracted as Bahr fears, will the pressure grow on Bonn to make further concessions to achieve a success; would the Soviets count on something like this? How will increasing internal pressures from the CDU affect the negotiation?

Reports² [*less than 1 line not declassified*] indicate that the negotiations may have gone further than admitted by Bonn officially to the US. For example, Bahr claims credit for getting Gromyko to force Stoph to meet with Brandt in March but no report of this was made to us. It also is reported that there has been an exchange of "non-papers"; a preamble and the text of an agreement on renunciation of force agreement plus a third document on Soviet-West German relations. If this is so, the negotiations have gone into more detail than we have realized.

Bahr will probably list these major areas of disagreement:

1. The formula for renouncing any change in borders; the Soviets are demanding specific mention of the Oder-Neisse and the GDR border:

—How does Bonn propose to get around this? And what concession would the Soviets require for dropping their conditions?

2. The Inner German Relationship:

—A pledge of non-interference or something similar is likely to be a sticking point with the Soviets to head off any hint that they have acknowledged the right to unification;

—Indeed, the underlying Soviet scheme seems to be to build a record of points that confirm the juridical division of Germany;

—How does Bonn propose to deal with this basic approach?

3. Berlin:

—Though Bahr has claimed that he shut off discussion of this issue, there are some reports [*less than 1 line not declassified*] that raise doubts.

² Not further identified.

It is entirely possible that Bahr has continued to talk about Berlin with Gromyko in an effort to reach at least a tacit understanding. Thus, one report claims that Brandt, to Bahr's amazement, wanted him to press for inclusion of Berlin in a renunciation of force agreement.

—The main point to explore may be how Bahr conceives the four-power Berlin talks will fit into his Moscow negotiations and the Brandt–Stoph talks;

—At this point it is difficult to understand how they do, unless the Germans expect their concessions on activities in Berlin will facilitate their own negotiations in Moscow.

European Security and Balanced Force Reductions

Both of these issues have been discussed with Gromyko but the reporting to us is very sketchy. Bahr has claimed that the Soviets have shown a great interest in regional arms limitations, but this may be self-serving since Bonn has now adopted the idea of balanced force reductions as the chief means to “reduce tensions” (Viz. your conversation with Schmidt).³ The Germans have assumed that we favor balanced force reductions, and they also see it as a means to delay any unilateral force reductions. Moreover, to move ahead on European security would placate the Soviets and ease Bahr's chances of gaining some agreement. The Germans now fear we are lukewarm, and cause them significant problems; the Germans will believe we are indirectly undermining the policy.

—You might want to explore this from the standpoint of whether this is a vicious circle: the German-Soviet negotiations should progress before moving toward multilateral negotiations, but the Germans believe the Moscow talks will be stalled until there is movement toward the Soviet position on a security conference;

—The net effect is to increase pressures on the Germans all along the line. (Note: Schmidt, however, denied that MBFR should be seen in the context of a Security Conference.)

The CDU Opposition and Our Role

Bahr does not know, of course, of Barzel's lengthy conversations with Ambassador Rush and his indirect request for our intervention to put the brakes on Brandt's policy.⁴ He probably is generally aware, however, that the CDU is trying to enlist our support. The Germans are also becoming sensitive to French reservations about Ostpolitik. Thus, Bahr will be looking for any nuances that support his position.

³ Kissinger met Schmidt for lunch at the German Embassy on April 7. Sonnenfeldt prepared a memorandum of conversation on April 9. (National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV)

⁴ See Documents 69 and 72.

Moreover, Bonn probably has perceived some shades of difference between State, on the one hand, and the White House on the other. State does in fact want to be more forthcoming in endorsing Brandt's Ostpolitik.

You may wish to emphasize the following points:

—We can give general support to the normalization of the FRG's relations with the East, as the President did in his foreign policy report to the Congress;⁵

—We cannot be expected to be associated with all the specific elements, or the precise timing.

(Note: If you wish to apply a polite needle, you might point out that we have been informed on most of the details, but we have not been asked to consult in the true sense of the word nor given the texts exchanged in the Polish talks or the Moscow conversations.)

(At Tab A is a copy of an earlier memo rounding up the various negotiations.)⁶

⁵ Reference is to the "First Annual Report to the Congress on United States Foreign Policy for the 1970's," delivered on February 18, 1970. See *Public Papers: Nixon, 1970*, pp. 114–190.

⁶ Document 63.

76. Memorandum for the Record¹

Washington, April 8, 1970.

SUBJECT

Luncheon Conversation Between Henry Kissinger and Egon Bahr, April 8, 1970

At lunch, Bahr began by giving his general impressions of Moscow and Soviet working habits and style. He noted the slowness with which the Soviets move, Gromyko's frequent delays in order to obtain instructions, the probability that everything has to be decided on by all Politbureau members, etc.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV. Secret; Nodis. Sent for information. Drafted by Sonnenfeldt. Copies were sent to Haig and Lord. Kissinger initialed the memorandum, indicating that he approved it.

Bahr felt that the basic Soviet motivation in dealing with the FRG is to get peace and quiet in the West because of the Chinese problem. Bahr recounted instances of Soviet concern and sensitivity about China which he encountered while in Moscow. At the same time, Bahr felt the Soviets had few coherent ideas on how to deal with the China problem. Mr. Kissinger concurred in the view that the Soviets were deeply disturbed by China.

Bahr then recounted the general course of his talks with Gromyko. He said, in reply to a question, that no papers were being exchanged but that he and Gromyko were each holding in writing formulations that had been discussed. There were three of these as far as the renunciation of force agreement is concerned. The first formulation dealt with renunciation of force itself; the second with "respect" for (not recognition of) all European frontiers and the third with the proposition that the agreement would not have any effect on the bilateral or multilateral treaties which either party had with third parties. The last point was designed to preserve intact the four-power status of Germany as a whole and of Berlin. Bahr noted that no agreement had been reached on Germany's insistence that the Soviets explicitly accept the FRG's commitment to reunification as their ultimate goal. The idea of this proposal is to prevent later Soviet claims that the reunification goal contravenes the other clauses. The first point involves a commitment by each side that their relations will be based on Article II of the UN Charter. In the German view this vitiates Soviet intervention claims under Articles 53 and 107.

Bahr said he talked about Berlin a good deal but only by giving his views not in terms of negotiation. The latter could only be done by the four powers. Bahr stressed German need for progress on Berlin as a crucial element in their Eastern Policy. They want a package whereby the four powers would authorize FRG–GDR negotiations on improving access modalities, the FRG would represent West Berlin in foreign affairs and the FRG would then reduce the official activities of its constitutional organs in West Berlin.

Bahr said Brandt would be asking the President to consider a reaffirmation by the Three Allies together with the FRG of the validity of the Paris Agreements² and other valid agreements. This would be issued simultaneously with the completion of a Soviet-German agreement.

In response to Mr. Kissinger's question as to what the Germans expected from the Soviets in return for giving them peace and quiet in the West, Bahr indicated that he was looking for a response mainly in

² Reference is to the Protocol on Termination of the Occupation Regime in Germany, signed in Paris on October 23, 1954; see *Documents on Germany, 1944–1985*, pp. 424–438.

the area of GDR–FRG relations. That is, the Soviets would exert pressure on Ulbricht to work toward normalization of relations, including improvements on Berlin access. Bahr stressed at various points that the FRG will not grant international recognition to the GDR to exchange Ambassadors and that normalization would have to occur within those limits. This German position is, of course, a consequence of maintaining unification as an eventual goal. Bahr stressed, and recounted several examples from his talks in Moscow, how he had insisted on the “special” nature of the FRG–GDR relationship. He said he illustrated his point by citing relationships among Soviet republics that are UN members (Ukraine and Byelorussia).

Bahr recounted what he construes to have been the Soviet role in bringing about the Erfurt meeting between Brandt and Stoph over East German objections. He noted his impression that the GDR had not kept the Soviets fully informed of the FRG–GDR preliminary talks and had been rather taken aback when he, Bahr, had given them a complete read-out. In this way the Soviets had discovered East German obstructionism and moved in to unblock the talks. (Bahr recounted instances of boorishness by East Germans in the USSR.)

Bahr gave the German position in favor of stronger NATO signal on MBFR in May. He agreed that more Western substantive homework is needed, however. He denied that the Germans envisage MBFR as an agenda item for a European conference; they want it to stand on its own merits.

On Offset, Bahr stressed the need for early renegotiation of the present agreement. He was skeptical about burden-sharing. Mr. Kissinger stressed that we would exert no pressure and that there was no need to begin negotiations on Offset now. Mr. Kissinger noted that there has been no decision on US troop cuts and that the President’s reference, in his Report to the Congress,³ to our maintaining our forces through mid-1971 did not mean there would be cuts thereafter. He referred to the proposed NATO Review of Strategy as the means for considering the question of force contributions by the allies. Bahr said Germany could not increase its forces in any case.

It was agreed that there would be no communiqué at the end of the Brandt visit.

Mr. Kissinger stressed the need for cooperation between the German and US press officers so that the unfortunate incidents of previous occasions would not be repeated. Mr. Kissinger stressed that Ziegler must be the one who reports on what the President says. Bahr said he understood.

³ See footnote 5, Document 75.

It was agreed that Bahr would accompany Mr. Kissinger to Camp David by helicopter the following day.

Bahr reported that a Soviet, who might have been talking out of turn, told him there were 6000 Egyptians in training in the USSR every six months on “rockets.” The training area seemed to be near the Caspian. Bahr said he could not tell whether this referred to SAMs or other rockets.

Bahr referred to Israeli approaches to the FRG concerning the possibility of the FRG making available German funds held by the US as part of Offset for Israeli arms purchases in the US. It was agreed that this should not be pursued unless the FRG itself felt it wished to do so. It was agreed that this would not be raised with the President by Brandt.

HS

77. Memorandum From the President’s Assistant for National Security Affairs (Kissinger) to Secretary of State Rogers¹

Washington, April 8, 1970.

SUBJECT

The Eastern Policy of the Federal Republic of Germany

In his talks with Chancellor Brandt, the President plans to take the following general line on the subject of “Ostpolitik” which should also

¹ Source: National Archives, RG 59, Central Files 1970–73, POL GER E–GER W. Secret. No drafting information appears on the memorandum. Sonnenfeldt forwarded a draft to Kissinger on April 7 and Kissinger made several minor revisions before signing it. (Memorandum from Sonnenfeldt to Kissinger, April 7; *ibid.*, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. IV) In an April 3 memorandum to Kissinger, Sonnenfeldt explained the need for guidance on handling of Ostpolitik during the Brandt visit: “I want to be sure that you focus on the problem I have alluded to several times in my memoranda on Germany: the difference between the White House and the State Department on how to talk about Ostpolitik. There can be little doubt that State prefers (indeed has several times given) strong endorsement of the whole German approach, with only the caveat that no Allied interests be compromised and there be timely consultation. To avoid the Germans getting an impression of differences, and perhaps manipulating them, I believe it is essential that a general line be laid down before the Brandt visit.” (*Ibid.*, Box 917, VIP Visits, Chancellor Brandt Visit, April 10–11, 1970 [1 of 3]) According to Sutterlin, the memorandum from Kissinger to Rogers “reflected White House thinking that the United States should not become too associated with the SPD.” (Sutterlin and Klein, *Berlin*, p. 101)

serve as guidance for U.S. officials who talk with the Germans on this subject.

1. As stated in the President's Report to the Congress of February 18, 1970, the U.S. endorses the objective of a normalization of the FRG's relations with the East.

2. We appreciate the extent to which the Germans have kept us and the other Allies informed to date, and we expect them to consult with us fully and in advance on a continuing basis as their policy reaches critical stages. This naturally applies with special force to those aspects of the Eastern policy that relate to U.S. rights and responsibilities for Berlin and Germany as a whole.

3. Since it is not in our interests to be drawn into German domestic disputes on Eastern policy, the President does not intend either to endorse or to oppose those aspects of this policy which do not relate directly to our rights and responsibilities.

4. Similarly, he plans not to reach a decision on whether to endorse or oppose any particular strategy or specific timing and tactic which affects directly our rights and responsibilities until it has been the subject of explicit consultation.

Henry A. Kissinger

78. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, April 9, 1970.

SUBJECT

Your Meetings with Chancellor Brandt, April 10–11, 1970

You are scheduled to meet with the Chancellor immediately after the arrival ceremony on Friday, beginning about 10:30 a.m. until a little after noon. (He then has a commitment at the National Press Club.) You will then have a final meeting on Saturday from 9:30 a.m. until about 10:15 when he is to leave for the Apollo 13 launch at Cape Kennedy. You will also see him at the White Tie dinner on Friday night.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 917, VIP Visits, Chancellor Brandt Visit, April 10–11, 1970 [1 of 3]. Secret; Sensitive; Nodis. Sent for information. No drafting information appears on the memorandum.

Points for your arrival statement and your dinner toast will be sent to you separately.

Background and Setting

You twice saw Brandt last year when he was Foreign Minister in the Kiesinger coalition government—when you visited Bonn and when he was here for the NATO meeting in April 1969. You had originally invited him to come here shortly after he became Chancellor but he preferred to wait several months. The delay was undoubtedly related to his desire to establish himself fully as head of government and not appear to be “running to Washington.”

Meanwhile, he has successfully managed the first party switch-over in the Chancellorship since the FRG was founded in 1949. This was a substantial political and psychological achievement given the fact that the SPD remains a minority party and that, with the FDP, he has only a tiny majority in the Bundestag. This majority is still under threat if the small FDP should fall apart.

Meanwhile, also, Brandt has set in train a series of interrelated policies toward both the East and West; his political life depends in important measure (though not exclusively) on his ability to manage these complex policies.

Brandt maintains that he is solidly anchored in the Western alliance and the Common Market and that what he seeks in the East is only “normalization” and not some basic reorientation in German alignment. Nevertheless, his Eastern Policy (“Ostpolitik”) has drawn most attention, caused the toughest opposition at home—though there is currently a substantial popular majority in his favor—and raised the most suspicion among his allies, especially the French. Few people, either inside Germany or abroad, see Brandt as selling out to the East; what worries people is whether he can control what he has started.

For Brandt his US trip and meetings with you are important because they will establish him in the same league as previous Chancellors and as such Western leaders as Wilson and Pompidou. Beyond that, however, Brandt sees his relationship with the US and our policies as crucial elements determining his own success or failure.

Brandt has several concerns or fears about the US. His main current worry is that we will reduce our troops in Europe. He sees these troops as vital to the strength of the Alliance which in turn is the basis on which he wants to conduct his Eastern policy. He fears that if the Soviets see the US as withdrawing and the Alliance as disintegrating, the Soviets will simply sit back and not negotiate seriously with the FRG about the kind of normalization which Brandt thinks will mitigate the division of Germany.

Related to his concern about our troop levels is his fear that we will demand heavy German financial support as the price for keeping our troops in Europe. This worries him not only because the German budget is taut but because such an arrangement would look like he was paying us money so that he can conduct his Ostpolitik.

Again, stemming from his worry about our troops, Brandt is eager that we agree to enter negotiations with the USSR on mutual troop reductions in Central Europe. He believes—as do many people in Washington—that such an offer would take the wind out of Senator Mansfield’s sails (although, in fact, the Senator wants our troops reduced whether or not the Soviets cut theirs). He also wants to have the Soviets believe that there will be no unilateral US reductions but only agreed and reciprocal ones.² Brandt also feels that such a proposal would be a constructive response to Eastern pressure for a European Security conference.

Part of Brandt’s worry list has to do with Berlin. He recognizes that the success of his Ostpolitik will be measured importantly in terms of what it accomplishes for West Berlin’s viability. For this reason the FRG has been in the forefront of those pressing for the recently begun talks between the three Western powers and the Soviets. While wanting to maintain fully the four-power status of Berlin, the Germans want the four powers to provide an umbrella for FRG–GDR talks on improving access to and movements within the city.

While pressing ahead with his normalization policies toward the East, Brandt has also been active in the West, pressing for enlargement of the Common Market and for improvements within it.³ He has been worried about friction between the US and the Common Market—again, in part, because he feels this undermines his strength in dealing with the East—and favors a US-Common Market commission⁴ to iron out issues that have arisen (mostly having to do with the Communities’ preferential trade agreements and its internal agricultural policies).

Altogether, therefore, Brandt has a heavy budget of issues on which he seeks reassurance, together with others—such as SALT, Vietnam, the Middle East and, currently, the murder of the German Ambassador to Guatemala—which he wishes to discuss with you. Rightly or wrongly, the Germans see the Brandt visit as a, if not *the*, major event in Brandt’s tenure as Chancellor thus far because to them Washington is the key to almost everything the Germans are attempting to do in the international arena.

² Nixon underlined most of this sentence.

³ Nixon underlined most of this sentence.

⁴ Nixon underlined the phrase “US-Common Market commission.”

Your Objectives

In this situation your purpose will be

- to allow a far-ranging discussion of the issues that concern Brandt;
- to affirm that a solid and frank working relationship exists between the two governments;
- to provide Brandt with general reassurance of your understanding and support (for, in the end, the Germans remain fundamentally uncertain and insecure and, regardless of who is in power in Bonn, need a sense of understanding with Washington);
- at the same time, to avoid identification with specific elements of German Eastern policy so that we do not end up in the crossfire of German domestic politics;
- to encourage Brandt in pursuing his *Western* policy.

Particular Points to Emphasize or be Alert to

Detailed talking points, incorporating recommendations by Secretary Rogers, are at Tab A.⁵

1. US Troops in Europe.

The Germans are almost convinced that sooner or later there will be a reduction of US forces in Europe. They acknowledge that you have made no decision to reduce but they have interpreted our statements that we will maintain our forces intact until mid-1971 as meaning that we intend to cut them thereafter. *You may wish to stress that*

- we are serious in wanting the future of NATO strategy and forces examined within the Alliance and have no intention to confront the Europeans with an accomplished fact;
- we should then decide together whether, within an agreed strategic concept, the contributions of the several Allies are in the right proportion;
- the US is still conducting its own internal studies.

2. Offset and Budget Support

The Germans recognize the need for offsetting the balance of payment outflows produced by the stationing of our forces in Germany, but they have begun to say that it will be much harder for them to

⁵ Attached at Tab A but not printed is an April 3 memorandum from Rogers to the President providing “perspectives” on the Brandt visit and including an enclosed set of talking points. Another copy is in the National Archives, RG 59, Central Files 1970–73, POL 7 GER W. Rogers suggested that “our principal objective for the visit will be to leave no doubt in Brandt’s mind that an intimate, forthright relationship between our two governments has equal importance for the United States.” Among the specific objectives, Rogers recommended that the administration “demonstrate that we are working as closely and as successfully with the SPD-led government, as we did with its CDU predecessors” and “reaffirm American support for the FRG’s efforts to strengthen and enlarge the European community in the West and to reduce tension through patient negotiations in the East.”

purchase US arms in the seventies because their need for such arms is declining. They are more concerned about intimations, including by Senator Percy, that we will ask for budgetary support. Brandt has indicated some willingness to consider this but the idea is highly controversial in Germany. *You may wish to make the point that*

- you have no intention to pressure Brandt for decisions now;
- that both of us should look at the financial problems without publicity and fanfare over the next several months;
- that in the fall we should perhaps begin considering the issues;
- but that in any case financial arrangements should be related to the Review of Strategy and Forces to be undertaken within NATO later this year.

3. *Mutual and Balanced Force Reductions (“MBFR”)*

As noted above, Brandt will seek your agreement to a more explicit Western proposal to the East that there be negotiations on reciprocal force reductions in Central Europe.⁶ No one believes there is much prospect of success; the topic is in some ways more complex than SALT because of the major asymmetries between the two sides (e.g., the fact that we would withdraw back to the US while the Soviets would only pull back some hundreds of miles; or that Soviet forces in Eastern Europe are partly there for internal security reasons). But Brandt feels that a US commitment to *mutual* reductions with the East will reduce the danger of unilateral US cuts.⁷ *You may wish to say that*

- you understand Brandt’s arguments;
- that the subject is extremely complex and that we should make sure that before entering negotiations we know where we are headed;
- but that you will consider supporting a more explicit “signal” to the East of our interest in talks on this subject.

4. *Ostpolitik*

Brandt will wish to give you an account of what has happened so far and what his objectives and expectations are. He has said to others that he has no great hopes for progress. Brandt will seek your endorsement of his policy in part to use it politically against those in the CDU who oppose it. *You may wish to*

- give him the opportunity to set forth his views;
- generally endorse the objective of more normal relations between the FRG and the East;⁸
- express appreciation for Brandt’s keeping us and the other Allies informed;
- express confidence that Brandt will move cautiously.

⁶ Nixon underlined the phrase “reciprocal force reductions in Central Europe.”

⁷ Nixon underlined most of this sentence.

⁸ Nixon underlined this point.

5. A New FRG-Western Agreement

The Germans have advanced a proposal to the Soviets that any agreement between the FRG and the USSR would not affect the treaties that each of them may have with third parties. The intent is to leave four power rights and responsibilities for Germany as a whole and for Berlin intact and to deny the Soviets any legal right to challenge the FRG's treaties with the Western powers. Brandt may suggest that simultaneously with any FRG-Soviet agreement or renunciation of force, the Western powers and the FRG issue a joint declaration reaffirming the validity of past treaties between them.⁹ This proposal will have to be examined by legal experts: *you may want to say, if Brandt raises the subject that*

- the Germans should raise the idea formally with the Allies when the time is ripe;
- we will meanwhile be prepared to examine it.

6. Berlin

Brandt wishes the Western powers to get an agreement with the Soviets that the FRG and GDR should work out ways of improving access. Brandt is willing to reduce the FRG's political presence in West Berlin provided the Soviets accept a substantial FRG link to the city. (The French want to maintain sole four power responsibility which they feel would be weakened by FRG–GDR dealings.) *You may want to note that*

- as you noted when you were in Berlin, you favor getting improvements in the situation there;
- you understand the German position and will seek to meet it as far as possible;
- basically, you are not too optimistic that the Soviets and East Germans will be very forthcoming.

7. Common Market

Brandt has advanced the idea of US-Common Market Commission to work out problems. This stems partly from German concern with some recent speeches by US officials who were critical of the Common Market's preferential commercial agreements with non-members.¹⁰ *You may simply want to note that*

- these speeches do not reflect your own views;
- that the idea of a Commission to deal with points of friction is interesting and will be examined.

⁹ Nixon underlined most of this sentence.

¹⁰ Nixon underlined the phrase "critical of the Common Market's preferential commercial agreements with non-members."

8. *Murder of German Ambassador Von Spreti in Guatemala*

You may wish to express personally your condolences over the murder of Ambassador von Spreti by Guatemalan terrorists, your condemnation of such crimes and your concern over the growing problem of political kidnapping and its international consequences and security implications. You may also add that we are studying what can be done in international fora, such as the OAS and the UN, as well as in assisting nations bilaterally to improve their internal security capability (Brandt may himself suggest international cooperation).

Should Brandt express his concern that the US did not pressure the Guatemalans to do more, *you may wish to say that*

- we did all we felt we could at the time;
- the Guatemalan Government was adamant that it could not yield completely to the kidnappers;
- and there was, in our judgment, no more pressure which we could practically and properly exert which would have changed their minds or which they would have accepted.

9. *Other Points*

In addition to the foregoing matters, most of which Brandt will certainly raise if you do not, *you may want to give Brandt*

- your impressions of President Pompidou;
- your basic approach to SALT (this will be treated in greater detail through NATO);
- your current assessment of the Vietnam/Laos/Cambodia situation;
- your assessment of the Middle East, including your hope that there can be some stabilization in the *Western Mediterranean* through the cooperation of the countries of that area. (You may in this connection stress the desirability of finding ways to associate Spain with NATO.)

You may also find an opportunity to urge Brandt to support replenishment of the International Development Association (IDA) at the level of \$1 billion annually. This is crucial to the new foreign assistance effort. The Germans have preferred a lower replenishment level.

79. Memorandum of Conversation¹

Washington, April 10, 1970, 10:30 a.m.

SUBJECT

Brandt Visit: Morning Meeting
FRG Negotiations with the USSR and Poland

PARTICIPANTS

German

Helmut Schmidt, Minister of Defense
Rolf Pauls, Ambassador of the Federal Republic of Germany
Egon Bahr, State Secretary (Office of the Chancellor)
Georg Duckwitz, State Secretary (Foreign Office)
Conrad Ahlers, State Secretary (Press and Information Office)
Hans Schwarzmann, Chief of Protocol
Horst Krafft Robert, Deputy Assistant Secretary, Foreign Office
Lothar Lahn, Foreign Office
Wolf Dietrich Schilling, Personal Aide to Chancellor
Hans Noebel, Minister, German Embassy
Helmut Middelman, Minister, German Embassy
Rear Admiral Herbert Trebesch, Defense Attaché, German Embassy
Carl Lahusen, German Embassy
Joseph J. Thomas, German Embassy

American

William P. Rogers, Secretary of State
Elliot L. Richardson, Under Secretary of State
Paul A. Volcker, Under Secretary of the Treasury
Henry A. Kissinger, Assistant to the President for National Security Affairs
Emil Mosbacher, Jr., Chief of Protocol
Kenneth Rush, Ambassador to the Federal Republic of Germany
Martin J. Hillenbrand, Assistant Secretary for European Affairs

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 7 GER W. Secret. Drafted by Nelson and approved in S on April 21. The meeting was held in the Cabinet Room at the White House. The memorandum is part I of VI. Parts II, III, IV, V, and VI, memoranda of conversation on the SALT Talks, MBFR and Conference on European Security, Southeast Asia, the Middle East, and FRG/Soviet Air Negotiations, are *ibid.* For a German record of the entire conversation, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 584–588. Many of the participants met Brandt for a discussion of additional issues at Blair House that afternoon. Memoranda of conversation on Technological Cooperation, US Economic Relations with the EC, Spanish Link to NATO, and Development Aid are in the National Archives, RG 59, Central Files 1970–73, POL 7 GER W. According to the President's Daily Diary, Nixon also met Brandt privately from 10:27 a.m. to 12:17 p.m. (*Ibid.*, Nixon Presidential Materials, White House Central Files) Although no U.S. record has been found, Brandt prepared a memorandum of this private discussion; see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 591–595. See also Brandt, *People and Politics*, pp. 284–288, and *My Life in Politics*, p. 176, in which he writes: "In our conversation of 10 April 1970 Richard Nixon said point-blank that he had confidence in our policy, and knew we had no intention of risking tried and true friendships."

G. Warren Nutter, Assistant Secretary of Defense for International Security Affairs

Gerard Smith, Director, Arms Control and Disarmament Agency

Ray S. Cline, Director, Bureau of Intelligence and Research

James S. Sutterlin, Director, Office of German Affairs

James C. Nelson, Office of German Affairs

After brief welcoming remarks, the Secretary invited the German side to open the meeting with the discussion of recent FRG negotiations with the Soviet Union and Poland.

State Secretary Bahr stated that the main point to be kept in mind about current negotiations with the East is that conversations with the Soviets, conversations with the Poles, discussions between Chancellor Brandt and Premier Stoph and the current Berlin talks are all linked together. Bahr said that if the FRG's purpose is to try, without illusions, to reduce tensions in the center of Europe, no single point can remain as an island of the Cold War. For example, if the FRG should succeed in negotiating an agreement for the Soviet Union but the Berlin talks do not succeed, the whole process would be stopped.

Bahr stated that he wanted to make clear at the outset that the FRG seeks no agreement which will touch upon the rights of the Four Powers for Berlin and Germany as a whole, and that everything being sought in current negotiations is in this context.

Bahr then turned to what he called unanswered points or problems that have not been resolved in connection with his talks with the Soviets. First, Bahr expressed uncertainty as to how Brandt's reception by the people in Erfurt might affect the position of the East Germans. It is certain that the East Germans consider enthusiasm and applause for the Chancellor as deplorable. This might so frighten the East Germans as to cause them to attempt to torpedo all conversations, including those in Moscow.

A further unanswered point was the Soviet position. Bahr had the impression that the Soviets had made no final decisions about what their attitude and policy should be. At the next meeting the Soviets may have evolved a definite position. If it was negative, the talks would fail.

According to Bahr, there were three main points on which, up to now, the FRG and the Soviet Union have been unable to agree. (1) The FRG wants to make sure that there will be no arrangement under which the principal self-determination of the German people would be infringed. Self-determination of the German people is not negotiable. Though Gromyko expressed agreement in principle on this point, he indicated that this concept could not be part of a written agreement. (2) Gromyko asked the FRG to accept the principle of noninterference in the internal affairs of the GDR. Bahr commented that the FRG cannot accept this demand since the GDR is not a foreign state. (3) Gromyko

demanded that the FRG bring down all barriers which now obstruct relations between the GDR and third countries. Bahr commented that the FRG also cannot accept this demand as long as the GDR maintains barriers preventing the FRG from establishing normal relations with East European countries and interfering with communications between the two parts of Germany.

The Secretary asked for Bahr's assessment of Soviet motivations in the talks. Bahr said that in his opinion the Soviets would like to have a quiet situation on their Western front because they are uncertain over how to handle relations with China. According to Communist rules there should be excellent relations with all socialist countries, but the Soviets see, for example, that their relations with the United States are better than they are with China.

The Secretary asked how much time Bahr had spent in conversations with the Soviets and specifically with Gromyko. Bahr replied that he had spent a total of 30 hours in these conversations and that Gromyko was present for the entire time. Bahr added that Gromyko had done almost all of the talking for the Soviet side and that he was well informed and well prepared for his discussions.

The Secretary then asked if Bahr and Gromyko had reached agreement on any points. Bahr replied that though he had confined his earlier remarks to the points of disagreement, there had been certain points on which the FRG and Soviets had agreed: (1) they agreed that relations between the FRG and USSR should be based upon the principles of the United Nations, especially upon Article 2 of the UN Charter. Bahr commented that from the Soviet point of view, until now relations had been based more upon Articles 53 and 127; (2) the FRG and USSR have agreed that, while the FRG cannot "recognize" the borders of Germany, it can agree to "respect" the present borders. It is the FRG's intention to respect the present borders now and in the future; (3) the FRG and USSR have agreed that existing treaties will remain untouched by current Soviet/FRG negotiations. Bahr specified agreements governing the Four-Power rights and also agreements between the FRG and the Three Powers.

The Secretary asked if commercial activities had been discussed at any point within his conversations with the Soviets. Bahr replied that commercial matters had not been discussed at all.

Bahr indicated that in their first conversations, Gromyko had brought up the subject of Berlin and asked Bahr to explain the FRG position. Bahr had replied that the FRG cannot negotiate about Berlin because it is a Four-Power responsibility. However, the FRG could explain what it has in mind when it talks about Berlin; thus, when the FRG speaks of reducing tensions, it follows that there must also be *détente* for Berlin. Bahr had told Gromyko that (1) Berlin must have a

guarantee of free civilian access; (2) West Berliners must be permitted to utilize FRG passports; (3) despite Four-Power rights, the USSR must recognize that the FRG represents West Berlin to the outside world and that it has close economic commercial and cultural ties to the city.

Bahr said that Gromyko was entirely calm about these points and did not take issue with any of them. Gromyko had stressed that one point about Berlin was especially valid for their discussions and that is, if the FRG and USSR talk about borders, they must also talk about the border which surrounds West Berlin. FRG respect for this border must also be part of any discussion of renunciation of force. Bahr indicated that this remark gave the FRG no problem as long as the border was respected by both countries.

Bahr stated that at their second meeting Gromyko reversed his position. He refused to talk at all about Berlin or to mention the word. The second meeting, Bahr pointed out, had taken place after the Four Powers had agreed to begin Berlin talks.

The Secretary asked if Bahr believed the Russians have other motives for talks with the FRG apart from relieving tensions. The Secretary specifically asked if Bahr thought there might be some commercial motivation behind the Soviet desire to talk. Bahr replied that he did not believe this to be the case.

The Secretary asked if Gromyko had brought up the subject of China in their discussions. Bahr replied that China had not been mentioned at all in the official talks. However, in a private discussion with another member of the Soviet delegation Bahr had commented that he did not understand the cause of tensions between the Soviet Union and China, since both countries were big and powerful and don't seem to need any additional territory. Bahr said that at this suggestion his counterpart exploded and referred to China's moves into India and Tibet, stating that China wishes to change borders with the Soviet Union in a similar way.

The Secretary asked if Gromyko had linked the Brandt–Stoph talks in his own discussions with Bahr. Bahr replied that Gromyko tries to speak for all of East Europe and assumes the role of the master. The FRG does not take account of this except occasionally with reference to the GDR. East Berlin would like to block development of East-West cooperation. The FRG, however, attempts to get the Soviets to exert pressure on the East Germans. To some extent this has been successful. The Russians have helped to improve the atmosphere and speed up discussions of technical subjects between the FRG and GDR.

Minister Schmidt then called upon State Secretary Duckwitz to review FRG negotiations with Poland. Duckwitz began by stating that in approaching these discussions both sides have attempted to create a good and businesslike atmosphere. Personal contact between the delegations has been very good.

At the first meeting both sides outlined views on bilateral questions. As expected, the main Polish concern was to discuss the frontier. The Germans stressed renunciation of force and sought to keep the border issue within this framework.

Also at the first meeting the Poles indicated that it was too early to think about spectacular progress in bilateral relations, such as establishing diplomatic relations. They seemed willing, however, to work toward a pragmatic step-by-step improvement in relations—for example, in the cultural or trade areas. The Poles had also indicated the importance they attached to synchronizing their policy with other Warsaw Pact countries.

According to Duckwitz, in the first meeting, the Poles had not rejected the idea of discussing humanitarian problems. Many Germans have close relatives residing in Poland whom they are able to visit only once every three or five years and then only after going through complicated application procedure involving much red tape. Also, though many German nationals residing in Poland have moved to the FRG in recent years, there are still some 275,000 who have applied for resettlement in the FRG. The FRG believes it is important to discuss these issues and to seek improvements.

Duckwitz then turned to his second negotiating session with the Poles. He said this session was devoted almost exclusively to the border question. Duckwitz commented that it was apparent that the respective points of view of the two countries are exceedingly difficult to reconcile. The two delegations had exchanged working papers as a basis for discussions. The Poles suggested a separate agreement on the border question, while the FRG proposed a renunciation of force agreement.

The Poles went into great detail with regard to the Potsdam Agreement, maintaining that that Agreement had determined the German-Polish border. According to the Poles all that remains to be done now is for the FRG to recognize it.

Duckwitz then outlined the FRG position. Under the Potsdam Agreement, the border question was specifically reserved to be dealt with in a final peace settlement. Since no Polish or German Government took part in the Potsdam arrangement the border provisions specified in the Agreement are largely provisional. The FRG would not agree that the Potsdam Agreement constituted a peace settlement. Duckwitz stated that the FRG reaffirmed its determination to normalize relations, but that it had to take into account the rights and responsibilities of the Four Powers concerning responsibility for Berlin and Germany as a whole.

Duckwitz indicated that he is hopeful that extensive legal discussions such as engaged in during his second session with the Poles can be excluded from future talks. He expects, however, that the Poles will

continue to play down the Potsdam Agreement reservations and Four-Power responsibilities. Duckwitz suggested that it is not unlikely that the Poles will attempt to elicit statements from the United States and other Allies on the border question and he indicated that the FRG would be grateful if the U.S. would keep it informed of any such Polish attempts.

Duckwitz repeated his belief that it will be difficult to reconcile the Polish and FRG positions on the border issue and indicated that he is hopeful that the FRG will be able to make greater allowance for the Polish viewpoint in future negotiations.

Duckwitz expressed his personal impression that the Poles are interested in bringing the talks to a successful conclusion. He recognized, on the other hand, that there are powerful elements in Poland which are basically opposed to an improvement in relations with the FRG. He added that the Russians and East Germans must also view the possibility of healthier FRG-Polish relations with mixed feelings.

Duckwitz concluded his presentation by stating that the FRG is prepared for lengthy negotiations and is convinced that they will be successful only if both sides find it possible to make substantial concessions. Duckwitz emphasized that no concessions would be made which would interfere with Four-Power rights, but that the FRG desires to make the best of this opportunity to guide German-Polish relations out of many years of stagnation.

The Secretary asked if Duckwitz felt the Poles might have some flexibility on humanitarian issues. Duckwitz replied that at least Poland had not refused to discuss these matters.

The Secretary asked if the Poles had linked the issues discussed with the possibility of a loan from the FRG. Duckwitz replied that there was absolutely no discussion of economic matters during his conversations with the Poles.

Mr. Hillenbrand then asked if nevertheless it were not possible that a political agreement and some sort of credit arrangement with the FRG were linked together in the Polish mind. Duckwitz repeated that the subject had not come up in his own conversations, but asked Mr. Robert to comment further on this question.

Mr. Robert indicated that he had discussed economic issues with the Polish Government several months ago. At that time only trade relations were discussed. Credits were not discussed in detail. Rumors have appeared in the press suggesting very high Polish requests. Robert indicated that the FRG had made clear that such "fantastic" figures could not serve as the basis for any discussion. While the FRG and Poland had reached agreement in principle on trade matters, the details still needed to be worked out. In this connection, Robert indicated that any liberalization of trade with Poland would first have to be

discussed in GATT and in other international organizations to which the FRG has obligations. Robert also pointed out that it would not be possible to treat East European countries too differently from one another. Duckwitz concluded by conceding that it would probably be fair to say that in the Polish heart there is a certain link between political agreement and FRG credits.

Mr. Hillenbrand asked if Duckwitz felt the Soviets were holding the Poles back in their negotiations. Duckwitz replied that the Soviets were restraining the Poles less than he expected. The GDR actually seems to be the most interested East European observer of the negotiations. The GDR ambassador in Warsaw went to see the Polish participants immediately after each meeting.

80. Memorandum of Conversation¹

Washington, April 11, 1970, 9:30 a.m.

SUBJECT

Brandt Visit: Morning Meeting
Berlin Negotiations

PARTICIPANTS

German

Willy Brandt, Chancellor of the Federal Republic of Germany
Helmut Schmidt, Minister of Defense
Rolf Pauls, Ambassador of the Federal Republic of Germany
Egon Karlheinz Bahr, State Secretary (Office of the Chancellor)
Georg Duckwitz, State Secretary (Foreign Office)
Klaus von Dohnanyi, State Secretary (Ministry of Science and Technology)
Hans Noebel, Minister, German Embassy
Carl Lahusen, German Embassy
Joseph J. Thomas, German Embassy
Heinz Weber, Interpreter
Wolf Dietrich Schiller, Personal Aide to the Chancellor

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 7 GER W. Secret; Exdis. Drafted by Newlin, cleared by Hillenbrand and Sutterlin, and approved in S on April 23. The meeting was held in the Cabinet Room at the White House. The memorandum is part I of III. Parts II and III, memoranda of conversation on Cooperation in Science and Technology, and IDA Replenishment, are *ibid.* For a German record of the entire conversation, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 601–604.

American

William P. Rogers, Secretary of State

Melvin R. Laird, Secretary of Defense

Henry A. Kissinger, Assistant to the President for National Security Affairs

Elliot L. Richardson, Under Secretary of State

Nathaniel Samuels, [Deputy] Under Secretary of State for Economic Affairs

Paul A. Volcker, Under Secretary of the Treasury

Lee A. DuBridge, Science Advisor to the President

Kenneth Rush, Ambassador to the Federal Republic of Germany

Martin J. Hillenbrand, Assistant Secretary for European Affairs

Anthony Jurich, Special Assistant to the Secretary of Treasury, National Security Affairs

Helmut Sonnenfeldt, National Security Council

James S. Sutterlin, Director, Office of German Affairs

William Newlin, Office of German Affairs

Secretary Rogers asked Ambassador Rush to review the Berlin talks. The Ambassador said the most significant development had been Abrasimov's statement that West Berlin was controlled by the Three Powers and the Senat. He had always maintained previously that it was a Four Power responsibility. There were also indications that there is some flexibility in the Soviet position concerning their role in East Berlin.

The Soviets were anxious to keep the talks private with a minimum of publicity. Brandt could be kept informed, Abrasimov had said, because he could keep a secret but he asked that no one else in the FRG be briefed.

The Ambassador said that in order to assess the possibility for success we must examine each side's goals. The Allies seek improved access for persons and goods, and arrangements permitting viable economic development. The other side seeks reduced FRG political presence and, as always, are interested in economic factors.

We have said that we view progress in Berlin as a test of Soviet good intentions to make progress in other areas such as SALT, ESC and the talks the Germans are holding. We are hopeful that the Russians understand this and will believe it is in their interest to make a serious effort to reach some agreement.

The next meeting is scheduled for April 28. Abrasimov invited the three Western Ambassadors to visit Potsdam. The British are somewhat reluctant but will probably agree.

Mr. Hillenbrand expressed interest in the German view on the question of possible quid pro quos.

Bahr referred to the German position paper and said he felt we were in general agreement. He linked the FRG negotiations in Moscow and the Four Power talks on Berlin. An agreement in Moscow on borders, he said, could be a quid pro quo for one on civilian access to Berlin.

He said that at some stage the Germans should join the Berlin negotiations, for example in working out details of a civilian access arrangement. Other areas, however, that fell within Three Power authority, such as FRG passports for West Berliners, are of course exclusively the responsibility of the Three Powers.

Mr. Hillenbrand asked which of the Federal Republic's activities in Berlin might be curtailed. Minister Schmidt termed that a touchy problem and Bahr suggested that it might better be treated on the flight to Cape Kennedy.

The Secretary stressed that even though he agreed that the negotiations in Berlin could be viewed as a test of Soviet good faith we wished to avoid any linkage between progress there, or anywhere else, and the SALT talks. They are quite apart. In SALT we seek ways to reduce defense expenditures on a reciprocal basis with no disadvantage to our relative military positions. We believe the Soviets have a similar objective.

He stressed that we will consult fully with our Allies concerning SALT.

Bahr agreed that SALT should not be linked to the other negotiations. He added, however, that progress in SALT might lead to discussions on Mutual Balanced Force Reductions.

Schmidt also agreed that there is no direct link between the various talks, but said that if it proved impossible to make progress in Berlin it would clearly narrow our parameters in other areas. Secretary Rogers agreed, noting it would be an ill omen for a fruitful ESC.

Bahr commented that he had made this point several times to the Soviets but that they accused him of setting preconditions for an ESC. Bahr said it was not a precondition but a fact of life. Secretary Rogers commented that whenever the Soviets want to avoid discussing a subject they brand it a precondition.

81. Memorandum of Conversation¹

Washington, April 11, 1970, 10:10 a.m.

SUBJECT

Brandt Visit: Morning Meeting
Remarks between President and Chancellor

PARTICIPANTS

German

Willy Brandt, Chancellor of the Federal Republic of Germany
Helmut Schmidt, Minister of Defense
Rolf Pauls, Ambassador of the Federal Republic of Germany
Egon Karlheinz Bahr, State Secretary (Office of the Chancellor)
Georg Duckwitz, State Secretary (Foreign Office)
Klaus von Dohnanyi, State Secretary (Ministry of Science and Technology)
Hans Noebel, Minister, German Embassy
Carl Lahusen, German Embassy
Joseph J. Thomas, German Embassy
Heinz Weber, Interpreter
Wolf Dietrich Schiller, Personal Aide to the Chancellor

American

The President
William P. Rogers, Secretary of State
Melvin R. Laird, Secretary of Defense
Henry A. Kissinger, Assistant to the President for National Security Affairs
Elliot L. Richardson, Under Secretary of State
Nathaniel Samuels, Deputy Under Secretary of State for Economic Affairs
Paul A. Volcker, Under Secretary of the Treasury
Lee A. DuBridge, Science Advisor to the President
Kenneth Rush, Ambassador to the Federal Republic of Germany
Martin J. Hillenbrand, Assistant Secretary for European Affairs
Anthony Jurich, Special Assistant to the Secretary of Treasury for National Security Affairs
Helmut Sonnenfeldt, National Security Council
James S. Sutterlin, Director, Office of German Affairs
William Newlin, Office of German Affairs

At the conclusion of their private conversations, President Nixon and Chancellor Brandt joined the discussion in the Cabinet Room.² The

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 917, VIP Visits, Chancellor Brandt Visit, April 10–11, 1970 [1 of 3]. Secret; Exdis. Drafted by Newlin. The meeting was held in the Cabinet Room at the White House. The memorandum was forwarded to the White House on April 17 and approved without change by Sonnenfeldt on April 20. Another copy of the memorandum is *ibid.*, RG 59, Central Files 1970–73, POL 7 GER W. For a German record of the conversation, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 601–604.

² According to the President's Daily Diary, Nixon met Brandt privately in the Oval Office from 9:42 to 10:22 a.m.; the two men then joined their advisers for a discussion

President said that he was most grateful for the opportunity to have these important discussions on the major subjects confronting our two countries—East-West relations, relations among the nations of the Alliance, economic problems, the Common Market issues and others.

The President felt that when we look at the European Community, the Federal Republic is “the heart” both geographically and in terms of its survivability. Our policy is based on that assumption. We are fortunate that the relations between the Federal Republic and the United States are close, based upon trust and mutual respect. These discussions have deepened this relationship, a relationship which is determined by the necessity of our mutual interests and the common ideals which we share.

The Chancellor thanked the President for his kindness. He found his private talks with the President, his other talks, and those of the members of his party to have been not only highly useful but most encouraging. They have added to German understanding of the issues and permitted better analyses. Brandt recognized that the U.S. and the FRG would have to keep in close contact on the Alliance, East-West relations and economic questions.

The President noted that on April 15 the United States will resume the discussions with the Russians on SALT in Vienna. He would be meeting with the American delegation in a few minutes. The President saw an analogy between these talks and the talks the Federal Republic was conducting with the East. We Americans, he said, have been very careful to consult our Allies on the SALT talks. It would have been easy not to, but we see that for the Alliance to have meaning, the nuclear deterrent must have credibility. If the United States talked to the Soviets on SALT without consulting with our Allies it would be destructive to the Alliance since the very survivability of the Alliance would be in question. While we are most anxious for an agreement on SALT, we wish to maintain the strength of the Alliance and the confidence of our Allies. The United States does not wish to make new and untested friends if to do so would jeopardize our old and tested friendships.

from 10:22 to 10:35 a.m. (National Archives, Nixon Presidential Materials, White House Central Files) No U.S. record has been found. Brandt prepared a memorandum of the private discussion; see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 591–595. In a telephone conversation at 11:55 p.m. on April 10, Nixon and Kissinger discussed the Brandt visit: Nixon: “I think we have put our arms around him [Brandt] nicely enough.” Kissinger: “Yes, you have. We have to be careful not to discourage the Christian Democrats. You have not said anything about supporting their politics—you have done that nicely.” Nixon: “I couldn’t believe that person Bahr!!” Kissinger: “You had a chance to say hello to him.” Nixon: “That was enough!!” Kissinger: “Schmidt . . .” Nixon: “I liked him.” (Library of Congress, Manuscript Division, Kissinger Papers, Box 362, Telephone Conversations, Chronological File)

The President felt that the same is now the case with the Federal Republic. The United States fully understands the enormous German interest in a stable future for Berlin and improved relations with East Germany. We know the Germans must explore how to develop new paths of progress with the Soviet Union and East Germany. In doing this the Federal Republic is faced with the same problem that confronts the United States. The President said that the Chancellor's government had very appropriately kept us informed. But it needed to keep in mind, as a vital member of the Alliance, that sure and indispensable friends must not be frightened or made suspicious in the interest of new friends whose reliability is not certain. The President said he was most impressed by the Chancellor's clear recognition of this fact.

The President noted that the Chancellor and he were both politicians. They both recognized the importance of seeking votes that they did not have, but never at the expense of votes that they did have. To do so would be to cut the umbilical cord and to be left floating and insecure. We view the Alliance in this light. It has kept the peace for 20 years and will continue to do so.

The Chancellor commented that the task was made easier by the fact that he and the President did not have to compete for the same votes in the same country.

82. Memorandum of Conversation¹

Bonn, April 16, 1970.

PARTICIPANTS

Franz Josef Strauss, CSO Chairman
Ambassador Kenneth Rush

Ambassador Rush began the conversation by summarizing the present state of American opinion concerning retention of American forces in Europe. Strauss said he agreed completely with the Ambassador's views on this point; it was absolutely necessary to retain American forces in NATO at their present level.

¹ Source: Department of State, EUR/CE Files: Lot 85 D 330, JDean—Memos of Conversation 1970. Secret. Drafted by Dean on April 24. Copies were sent to Rush, Hillenbrand, Sutterlin, Packman, Morris, Bremen, Düsseldorf, Frankfurt, Hamburg, Munich, and Stuttgart. The luncheon meeting was held at the Ambassador's Residence.

Ambassador Rush said that if Strauss was in agreement on this point, he might logically also agree that Germany should take a fairer share of the burden of maintaining NATO forces through increasing its own defense expenditures. This was not only equitable, but politically essential in terms of American opinion. Strauss, who has in the past been an opponent of support payments to the U.S., nodded but made no explicit response.

Strauss said he had high hopes that the present FDP/SPD government would fall prior to the 1973 elections. The political impact of inflation in the economy, combined with the expected failure of Brandt's Eastern policy, would splinter the FDP, resulting in the fall of the government. Strauss said FDP Chairman Scheel was in a position whose demands on him exceeded his relatively modest capabilities. Scheel was in any case an adaptable and flexible man whose sole object was to keep the party alive. After Scheel and other FDP members observed that the SPD was in serious trouble with the German electorate, the problems of the FDP's future would loom even larger in their eyes and they would seek ways to assure their own survival.

Strauss said that in general Brandt and his government were so hemmed in by various negative elements in the political and economic environment that they had little choice or leeway. On the one side was their problem with the Free Democrats. On the other was inflation and pressure on the budget. An inflation rate of six percent was quite possible for 1970. Brandt could not raise taxes either as a device of fixed control or as a source of new revenue because the FDP would not agree. There was no money now available or likely to be available in the normal tax income during the course of the mid-term finance program ending in 1973 to finance the new social programs Brandt wanted. Brandt could not borrow to meet his budget obligations as this too would be inflationary. By the time the effects of inflation, the FDP's unwillingness to agree to tax increases, and the inevitable contingencies for which no provision was made had their effect, it would be impossible to finance the new programs.

At the same time, Brandt was under strong left-wing pressures from his own socialist youth movement in the direction of the welfare state and co-determination. Here too the FDP would not go along with left-wing SPD opinion. The resulting inaction and inability of the government to make good on its political goals would weaken its position in public opinion and place increasing pressures in the coalition relation between SPD and FDP.

Concerning relations with the CDU, Strauss said that if the CDU were called on to form the new government in the near future, Barzel would almost certainly be Chancellor. Strauss then explicitly stated that he would back Barzel in this event and that Barzel would win the

Chancellorship because of his, Strauss', backing. Strauss said that in such a government he would be number two and Deputy Chancellor. He said, speaking very openly, that he realized clearly that the liberal element in the CDU would not support him for the Chancellorship and that for him to push for the position as Chancellor candidate could well do irreparable harm to the CDU including the possibility of a split in the party. Strauss said Kiesinger would probably drop out of active politics within the next year or so.

Turning to Brandt, Strauss said that Brandt was a well-intentioned man whose main aim was to go down in history as a great German chancellor. Brandt was impressionable and did what others suggested. In addition to Wehner, Brandt, with few new ideas of his own, was under the intellectual influence of Leo Bauer and Egon Bahr, left-wingers with few intellectual scruples, who influenced Brandt into doing what they wanted.

Concerning Brandt's Eastern policy, Strauss said that what worried him most was that Brandt's permissive attitude toward the East would have the effect of leading Germany away from the Western Alliance and would in effect result in another Neville Chamberlain appeasement of totalitarianism, this time in the guise of the Soviets. The government was making more and more concessions to the Russians, giving them whatever they wanted. Strauss believed that as a result, Soviet Union influence over Germany would increase and, with it, the possibility that Germany would be detached from the Western Alliance. Every step Brandt took on Eastern policy was a "coffin nail for economic and political union in Western Europe," which should now be receiving German priority instead of Eastern policy. Western Europe must be strong, including having its own nuclear military resources. But as of today, of course, the only protection for Europe was the U.S. strategic nuclear deterrent. U.S. forces were in Europe to protect the Alliance; they were not imperialists. They could some day be reduced, but not now. They should stay as long as needed.

The Ambassador asked Strauss why Herbert Wehner had acted in such an extreme way in the April 15 Bundestag debate over Brandt's report of his April 5–11 trip to the United States. Strauss replied that he believed that Wehner's conversion away from communism was in fact genuine, but that, as a consequence of the years of rivalry between Wehner and Ulbricht in the Communist Party, Wehner's main interest in life was an overpowering desire to pay back Ulbricht and to destroy him through FRG success in its policy towards East Germany. In addition to his normal excitability and his worries about the condition of his wife (recently operated on for a brain tumor), Wehner appeared emotionally upset at present concerning the possibility that his Eastern policy would not succeed.

Comment: Strauss was frank and extremely open about his own position in party politics. His unexpected endorsement of Barzel, which he had previously deliberately withheld, and Barzel's own recent shift toward Strauss' hard position toward Brandt's Eastern policy, may well be linked as part of a recently reached political understanding between the two men. Its immediate effect would be to lock the CDU into an opposition position and to nullify efforts by moderates in both CDU and SPD to work back toward a bipartisan approach.²

Note: This information is sensitive and should have special handling.

² On April 23 the Embassy forwarded a brief account of Strauss' remarks in support of Barzel and commented: "The immediate significance of a political deal of this kind is that it tends to lock the CDU into an opposition position on Eastern policy, nullifying the effects of SPD second thoughts about trying to reengage Barzel in a now partisan approach to this subject." (Telegram 4548 from Bonn; National Archives, RG 59, Central Files 1970–73, POL 12 GER W)

83. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, May 14, 1970.

SUBJECT

Western Four Discuss Eastern Policy and Berlin

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V. Secret. Sent for information. According to another copy, Downey drafted the memorandum. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 5, Chronological File, 1969–75, 1 Apr. 31–May 1970) On June 2 Kissinger wrote the following instruction for Sonnenfeldt on the memorandum: "Hal—Could you do a brief summary where all the FRG neg[otiation]s now stand. HK." A handwritten note indicates that this instruction was overtaken by events. (National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V) Sonnenfeldt, however, did draft a status report summarizing the negotiations (see Document 88).

The recent discussions in Bonn at the Assistant Secretary level brought a bit more clarity to some of the issues and also revealed more sharply some of the divergent views.²

On the German side, Bahr and Duckwitz apparently have opposite positions on the question of the linkage between the FRG negotiations with Moscow, Warsaw and the GDR, and the Berlin Four Power talks. Bahr sees a very clear tie, as he indicated here during the Brandt visit, and feels the FRG should not finally conclude any of its bilateral deals until FRG requirements with respect to Berlin have been met by the Soviets in the Four Power forum. Duckwitz, on the other hand, acknowledges the relationship (even a unity) among the various negotiations, but is convinced that it would be neither wise nor possible to hold up an agreement with the Poles, for example, until an understanding was achieved on Berlin.

The divergence of views between the French and the US, UK and FRG on Berlin was also made more open and clear. Bahr reviewed the minimum FRG requirements from the Soviets: acceptance of the existing social, cultural, economic and financial ties between Bonn and West Berlin. If the Soviets respected these ties, *and* there were improvement in access, then the FRG would be willing to reduce its political presence in Berlin, at least to the limited extent of Bahr's formulation (not yet approved by the Cabinet) that FRG constitutional organs would not act in Berlin. The French judgment of priorities is almost the exact opposite: the political leverage generated by the linkage of the FRG's bilateral negotiations with the Four Power talks should be used to strengthen the quadripartite status and the position of the Western allies in Berlin. The French say they would agree on the desirability of securing Soviet respect for the Bonn-Berlin ties, but insist that any Allied approach on this must be indirect and pragmatic.

The same French interest in not "diluting" the Four Power talks (as well as rights and responsibilities) by intermingling intra-German matters has produced the continuing split of opinion over the issue of the link between the Four Power discussion of Berlin access and FRG-GDR talks on transportation. The French simply refused to accept any formula for use at the May 14 Four Power talks or the May 21 Brandt-Stoph meeting in Kassel which would explicitly advance this link. Paris does not object to the FRG and GDR negotiating on ac-

² The senior level meeting was held in Bonn on May 8 and 9. The Embassy forwarded a summary of the discussion in telegram 5330 from Bonn, May 12 (National Archives, RG 59, Central Files 1970-73, POL 38-6), and a detailed record in airgrams A-591 and A-606 from Bonn, May 13 and May 15, respectively (both *ibid.*, POL 28 GER B). For German records of the meeting, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 722-734.

cess, but it must be done confidentially so as not to appear to undermine Four Power responsibility for Berlin access.

Another meeting of the Western Four at the Assistant Secretary level has been scheduled for Rome on May 25. These talks can serve the useful purpose of reducing some of the suspicions and potential for mistrust and further division, but the first meeting in Bonn has also pointed up the difficulties in attempting to secure a common position on the range of negotiations under way.

84. Telegram From Secretary of State Rogers to the Department of State¹

Rome, May 27, 1970, 1028Z.

Secto 20/2803. Subject: May 25th Quadripartite Dinner—Scheel Presentations on Kassel and Talks With Soviets.²

1. *Summary:* Scheel presented an account of the results of the Brandt–Stoph talks at Kassel on lines already known: he said the results were negative, but that the FRG would persist with its policy of trying to achieve a political settlement with East Germany. In presenting details of Bahr’s agreement with the Soviets, Scheel said that the FRG had told the Soviets that this agreement and others in which the FRG was negotiating with East Germany and the Poles formed a single package with the Allied talks on Berlin and that the FRG would not ratify the other agreements until both Allies and FRG were satisfied that agreement had been reached to assure the future of Berlin, including FRG ties to Berlin. In his presentation, Scheel again stressed FRG views that there were important differences between the USSR and East Germany with regard to the desirability of a settlement with the FRG. *End summary.*

2. Kassel results. Scheel began by saying that the Kassel meeting had a negative effect on German public opinion. (In a side private remark he said he expected that the negative results of Kassel would cost the FDP as a member of the Brandt coalition ½ of one percent of the vote in the North Rhine Westphalian elections, but that what was lost

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 38–6. Secret; Priority. Repeated to Bonn, London, Paris, Moscow, USNATO, and Berlin. Rogers was in Rome May 24–28 for the NATO Ministerial meeting.

² For a German record of the quadripartite meeting in Rome, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 1, pp. 868–873.

there could be picked up with the results of the Bahr talks, so that there would be no net loss for the FDP.) The negative effect on German public opinion was caused by the fact that many leading journalists and the population as a whole had excessive expectations for Kassel. The fact that 25 years after the war, the two heads of government of the two German states had now come together for the second time, was in itself an achievement. Moreover talks were not at an end. It was agreed that the two heads of government should meet again even though no date was set.

3. The East Germans focused solely on the demand that relations with the FRG be formalized without showing any willingness to discuss the content of these relations. Chancellor Brandt on the other hand had defined the possible content of future FRG/GDR relations in his twenty points. Brandt had said that relations with East Germany would be formalized only when it was agreed what kind of relations they would be.

4. Kassel meeting had no results worthy of mention, except for the fact German public opinion is now more sober in its expectations for the future. Stoph's inflexibility at Kassel was the reason Brandt had not proposed a new meeting with him, but rather the establishment of a committee of working groups to deal with the substantive questions involved. The East Germans had demanded full diplomatic recognition as a precondition for acceptance of this proposal. The FRG had refused, because it believed that the relations between the two Germanies differed in their quality from relations between other countries.

5. Scheel said the FRG had the impression that at Kassel the East Germans did not stick to the line agreed upon between them and the Soviets prior to the negotiations, instead they went to the utmost extent of their negotiating leeway as earlier agreed with the USSR and the Warsaw Pact to present an extreme position. East German feelings of triumph after having secured recognition by Algeria on the day before the meeting may also have tempted them to impose maximal demands. Scheel said the FRG would draw only one conclusion from Kassel: it would stick to the line of trying to come to political terms with East Germany. The FRG would give East Germany time to study its proposals and would in due course propose a future meeting with the East Germans, including proposals for the level of such a meeting.

6. Bahr talks in Moscow.³ Scheel said that the FRG had succeeded in Moscow in concluding one intermediate phase of the negotiations

³ In a May 25 memorandum to Nixon, Kissinger summarized the talks as follows: "Egon Bahr, Chancellor Brandt's negotiator in Moscow, appears to have successfully completed the exploratory phase of his talks with Gromyko. Although details are not yet available, the Bonn foreign ministry told us that Bahr had reported he had 'made it,' which they interpret to mean a satisfactory resolution of the Soviet demand for full 'recognition' of all European borders. Though the two sides are far from a final agreement, the Germans now believe they can proceed with serious negotiations on a renunciation of force

which had been in process since December 1969 on a renunciation of force treaty. The objective was to put FRG/USSR relations on a different and improved level. The talks with the Soviets had dealt not only with questions of bilateral interests but also comprised a tour d'horizon of unsolved European questions including those involving Polish and Czech issues. After long exploratory talks, a stage had now been reached which made it appropriate for governments to study the outcome of the negotiations thus far and to decide whether formal negotiations on a treaty should take place.

7. The FRG and the USSR negotiators had worked out a common agreed version of the four main points of such a treaty (text provided by FRG on May 26 in septel).⁴ These are: (A) The treaty should serve the cause of peace based on the present conditions in Europe. (B) Relations will be on basis of Article II of UN Charter. (C) Present borders are inviolable. (D) Previous treaties of both sides are not affected.

8. In reply to question from Schumann, Scheel said that the agreement did not deal directly with Articles 53 and 107 of the Charter. The London and Paris Agreements also contained no specific references to them. Moreover, in connection with the NPT, the FRG's NATO allies had issued special statement on Articles 53 and 107. This question could now be considered as solved.

9. Scheel said the decisive portion of the agreement with the Soviets was the section on the inviolability of borders and the territorial integrity of the countries of Europe. However, the FRG had taken steps to assure that this formulation would not hinder the German Government in pursuing its political goal of reunification of Germany by peaceful means. The FRG had reached agreement with the Soviets that the FRG would put its views on this subject in a letter to the Soviet Government. The letter would be published and distributed in the German Parliament. The Soviets would not reply but would accept the

agreement. The Germans, however, [believe?] that they failed to achieve their tactical objectives in the talks with East German Premier Stoph. No date was set for a third meeting, and no negotiators appointed to carry on the talks in the interim—both objectives Brandt had sought. Bonn speculates that there may have been a direct connection between the talks in Moscow and those in Kassel with Stoph. Since the East-West German talks yielded nothing new, the Soviets decided to go ahead and tie up their preliminary package. Bonn further speculates that the East Germans have stretched their hard line position as far as possible without breaking off all future contacts, since the Soviets probably wanted them to keep open another Brandt–Stoph meeting." (National Archives, Nixon Presidential Materials, NSC Files, Box 22, President's Daily Briefs, May 25, 1970–June 5, 1970)

⁴ Telegram 2791 (Secto 16) from Rome, May 26. (Ibid., RG 59, Central Files 1970–73, POL GER W–USSR) Reference is to the so-called "Bahr paper," which was leaked to and published by the German press on June 12 and July 1. For the German text, see Meissner, *Moskau-Bonn*, Vol. 2, pp. 1220–1223 or *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland*, 1970, Vol. 2, pp. 822–824; for an English translation, see *Documents on Germany, 1944–1985*, pp. 1101–1103. See also Document 85.

German letter. The letter was an essential corollary of the treaty. The FRG could agree to European borders only if its peaceful efforts aimed at uniting the German people within a European peace order were not taken to be a violation of the proposed treaty.

10. Scheel said that the FRG had also agreed in the talks with the Soviets that it should be the objective of FRG policy to achieve a satisfactory resolution of problems with Czechoslovakia arising from the Munich agreements. Scheel said no details would be specified on this subject in the treaty with Moscow. It had also been agreed with the Soviets that a treaty similar to that being concluded with them would provide the basis for the Federal German relationship with East Germany, including equality without discrimination.

11. Scheel stated that at wish of Soviets, FRG agreements with USSR, Poland and GDR and Czechoslovakia were to be considered a political entity which would be ratified only when all parts were completed. Scheel said Soviets had refused to discuss Berlin and FRG had concluded this must be left to Allies. But in doing so, it started from the view that the remaining agreements he had just mentioned would be ratified only if a satisfactory Berlin settlement was reached. The FRG had explained to the Soviets that it considered a solution to the Berlin problems which would assure Allied rights and take into account the existing ties between the FRG and the Western sectors to be a political precondition for German ratification of the other treaties.

Rogers

85. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, May 27, 1970.

SUBJECT

West German-Soviet Talks—Bahr's Latest Message To You

Egon Bahr has completed the talks that began last December in Moscow. He reached an agreement on four principles which will be

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V. Top Secret. Sent for action. According to another copy, Hyland drafted the memorandum. (Library of Congress, Manuscript Division, Kissinger Papers, Top Secret Chronological File 1969–1975, Box TS 2)

the basis of negotiations for a treaty on the non-use of force. He sent you a backchannel message (Tab B), claiming that the agreement was based on the Oder-Neisse formula given to the Poles last month. He asserts that in view of differences between the Soviets, Ulbricht and Gomulka, no time should be lost in pressing forward with the Soviet talks, lest they influence the Soviet attitude negatively.

The actual text (Tab C)² of the Soviet-German agreement, however, seems to go beyond the position that the Germans have been taking:

“The FRG and the USSR undertake *without reservations* to respect the territorial integrity of all states in Europe in their *present boundaries*. They declare that they have no territorial claims against anyone and will not raise such claims in the future. They *regard* today and in the future the borders of all states in Europe as inviolable as they exist on the day of the signature of this agreement, including the Oder-Neisse line which forms the Western boundary of the Peoples Republic of Poland *and the border* between the GDR and the FRG.

“The agreement between the FRG and the USSR does not affect bilateral and multilateral treaties and the agreements concluded earlier by both sides.”

In the Polish negotiations, the German formula included “respect” for borders, and a statement that an agreement reached regarding Poland’s Western border “will have to be confirmed in a peace treaty for Germany as a whole.”

It would seem that the Germans conceded more than they received in this exchange. As for the alleged differences among the Communists, this remains to be seen. The Poles have been pressing for Bonn to state that the border is final, without qualification. The Soviet-FRG formula comes quite close to this. Moreover, in view of the known contacts between Gromyko and the Poles in the last three weeks, plus Ulbricht’s presence in Moscow, it would seem a reasonable assumption that they have coordinated their positions.

This is evident in Scheel’s remarks to the three Western Allied Ministers in Rome.³ He said that the Soviets insisted that Bonn’s negotiations with Moscow, the Poles, Czechs and the GDR were one political entity, to be ratified at the same time. This means that whatever concession already made to the Soviets will be pocketed by the others, who will still be free to drive new bargains on the specifics of their treaties with Bonn—with Ulbricht presumably driving the toughest bargain of all, judging by the Kassel meeting. Moreover, as the Germans move closer to closing the ring on all of these negotiations, the pressure for

² Tab C is telegram 2791 (Secto 16) from Rome, May 26; not printed. See footnote 4, Document 84.

³ See Document 84.

final success will be enormous. It must be acknowledged, however, that “success” in Moscow puts pressure on the Poles and Ulbricht.

In any case, the Germans intend to proceed forthwith on the Soviet front, with a visit by Scheel to Moscow in June. Meanwhile, the Polish talks resume in Bonn on June 9. Our role may become exceedingly difficult. The current German contention is that none of the agreement with the East will be ratified until the Berlin talks reach agreement. This could mean that the pressures on us, both on timing and substance, in the four power talks will become greater and greater. Given the French skepticism over the Berlin talks, and the opaque Soviet position, these talks could lead us into a sharp dispute with our Allies.

In addition, we will face the problem of whether to negotiate a four power statement on the Oder-Neisse as the Poles, with French support, want.

The Western foreign ministers have finally awakened to the implications of Ostpolitik, and in Rome agreed to have a study produced by July 31, reviewing possible consequences for our rights, how to handle the GDR in international organizations, etc. (Tab D).⁴

As for the Bahr message, I have done a brief acknowledgement to it as well as one he sent you on May 8.

Recommendation:

That you sign the message at Tab A.⁵

Tab A

Message From the President’s Assistant for National Security Affairs (Kissinger) to the German State Secretary for Foreign, Defense, and German Policy (Bahr)⁶

Washington, June 1, 1970.

Thank you for your messages of May 8 and 25. As regards the former, in which you referred to the Cambodian situation, you will probably have seen the President’s recent letter to the Chancellor. We have appreciated the Chancellor’s understanding and the way in which he dealt with the pressures that developed in Germany on this subject.

⁴ Tab D is telegram 2763 (Secto 7) from Rome, May 26; not printed. Another copy is in the National Archives, RG 59, Central Files 1970–73, POL 38–6.

⁵ Kissinger wrote on the memorandum: “OK for backchannel.”

⁶ The date of the message is taken from another copy. (National Archives, Nixon Presidential Materials, NSC Files, Box 423, Backchannel Files, Backchannel Messages, 1970, Europe, Mideast, Latin America)

The military operations continue to go well and we will proceed with our plans as indicated in the President's statements.

I was glad to have your observations on the Moscow talks, supplementing the account given by Foreign Minister Scheel in Rome. I understand that it was agreed in Rome to have the Bonn group examine more closely the implications for the Western position in Berlin and for four-power responsibilities in Germany. This is important so that we can be sure that all of us are fully aware of any problems that might arise.

I greatly appreciate your messages. Best regards.

Henry Kissinger⁷

Tab B

Message From the German State Secretary for Foreign, Defense, and German Policy (Bahr) to the President's Assistant for National Security Affairs (Kissinger)⁸

Bonn, May 25, 1970.

Foreign Minister Scheel this evening will be informing the three Western Foreign Ministers about the details of the results of the Moscow talks. I would like to transmit a few personal impressions through this channel:

1. The Soviet Union evidently did not completely inform the GDR about the status of the Moscow talks prior to the meeting in Kassel.

The surprising visit of the GDR delegation in the week before Kassel did not make the Soviet position vis-à-vis the FRG more rigid.

2. After long hesitation and consultations with Warsaw the Soviet Union accepted the formula about the Oder-Neisse line which Duckwitz had presented in Warsaw.

3. We remained without modification within the framework about which we talked in Washington; i.e. the rights of the four powers will not be affected, the treaties of the FRG with the three powers remain overriding, the inter-connection with Berlin has been made clear.

4. Gromyko indicated that his government accepts the basis that has been achieved and that it is ready to move from the exchange of views to negotiations without a break.

⁷ Printed from a copy that bears this typed signature.

⁸ The German text of the message from Bahr is also attached to the memorandum; see also *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, p. 861.

5. At the present stage, in which the positions of East Berlin, Warsaw, and Moscow are not identical, it would certainly not advance our interests were we to give Ulbricht and Gomulka the opportunity, through delay, to influence the Soviet position in a negative direction.

Regards,

Egon Bahr⁹

⁹ Printed from a copy that bears this typed signature.

86. Telegram From the Embassy in Germany to the Department of State¹

Bonn, June 2, 1970, 2050Z.

6244 Subj: CDU Efforts to Unseat Brandt Government and Block Eastern Policy.

1. *Summary:* CDU leaders are considering an effort to bring down the Brandt government in the Bundestag session June 4 in connection with the debate on the Chancellor's budget. While aware this effort may not succeed, CDU Fraktion leader Barzel believes he has at least for the time being blocked forward movement on the German-Soviet renunciation of force agreement. We agree with this conclusion. *End summary.*

2. In talk with EmbOff June 2, CDU General Secretary Heck (protect) stated he was engaged in active efforts to bring the Brandt coalition government down during the Bundestag debate on the Chancellor's budget on June 4. Although the precise tactic had not been selected, his effort would be to utilize the dissatisfaction of certain FDP deputies with the draft FRG-Soviet renunciation of force agreement worked out by Bahr in Moscow as a lever to break off these deputies from the coalition.

3. Heck said he was engaged in active discussion with FDP Bundestag deputies Zoglmann, Mende, Starke, and Achenbach. In addition he was in contact with figures in the North Rhine-Westphalian FDP organization who did not support the Eastern policy of the FRG Government, including the Deputy Chairman of the FDP Landtag Fraktion. Heck

¹ Source: National Archives, RG 59, Central Files 1970-73, POL 12 GER W. Secret; Priority; Exdis.

was unsure whether his tactic would succeed but he said he believed the CDU had a moral obligation at this time in view of its opposition to the coalition's Eastern policy to try to unseat it. Heck said he would try again to unseat the government after the North Rhine-Westphalian Landtag election if the election results were negative for the SPD and FDP in that Land. He believed it possible the SPD might lose enough votes to the re-established German Communist Party in the industrialized Ruhr area of North Rhine-Westphalia to make the outcome questionable.

4. In a separate conversation with EmbOff later June 2, CDU Fraktion leader Barzel said he believed that CDU opposition had prevented the FRG from taking a planned decision in its May 27 meeting to sign the text of the German-Soviet agreement on renunciation of force worked out by Bahr. Barzel dwelled at some length on USG statements of support for Brandt's Eastern policy. He said he could understand the desire of the USG to work with any freely elected Federal German Government. But the frequency and comprehensive phrasing of USG's statements of support on the Eastern policy were making CDU leaders most unhappy.

5. Barzel said he had warned Brandt May 26 that any information Brandt chose to give Barzel as opposition leader on the pending renunciation of force treaty would be used by Barzel in public debate against the government so that Brandt could not accuse Barzel of bad faith in using this information.

6. Barzel indicated he would countenance efforts to work on FDP Bundestag deputies in order to bring the Brandt government down at this time. He indicated at the same time that he did not have much confidence these efforts would succeed and hence was not giving them his all-out backing. He hinted, however, that he might in the next several days try a sneak resolution in the Bundestag to the effect that no agreements should be concluded with the USSR or East Germany which would place in question the right of the German people to self-determination. Such a resolution would cause confusion in the SPD. The SPD might finally vote for it. In that case, their hands would be tied to some extent with regard to the negotiations with the USSR and GDR.

7. With regard to the future position of the FDP on Eastern policy, Barzel said that this would depend largely on the results of the June 14 Landtag elections. If the FDP survived in these elections, then Scheel and Genscher probably would say that Brandt's Eastern policy was a good thing and should be continued. If the FDP failed to reach the 5 percent limit in one or the other Landtag elections—especially in North Rhine-Westphalia, Scheel and Genscher would then refer to their present statements of doubt about the advisability of the Bahr draft, and claim that, as they had said before the elections, the government should slow down on its Eastern policy.

8. Barzel said that if the coalition government should proceed to sign the treaty with the USSR in its present form as he understood it,

the CDU would bring in a vote of non-confidence in the government with some possibility of cracking off the wavering FDP deputies. Barzel said his version of CDU Eastern policy could be simply formulated. The party was ready to take all necessary measures for practical improvement of its relations with the East but not ready to sign final agreements. This was his own view of the matter, but he had great difficulty in bringing other CDU leaders along this balanced approach. Most preferred like Kiesinger to inveigh about negative aspects of SPD–FDP policy without bringing out the readiness of the CDU to make practical progress where possible.

9. Barzel noted that he had the day before received a visit by a Polish delegation which had made an urgent effort to invite him to visit Poland prior to the June 14 elections. Barzel replied he could not contemplate such a thing at this time nor accept a letter of invitation now. Furthermore, he had said, the Polish press had recently compared him with Hitler, a comparison he could not be expected to enjoy. The Polish delegation then asked Barzel not to block the Oder-Neisse negotiations starting in Bonn on June 8. Barzel made no comment in reply.

10. *Comment:* We doubt that Heck and others working with him will be successful in splitting the government coalition on June 4 and bring down the Brandt government. On the other hand, it does seem possible that Barzel has succeeded not only in blocking a possible Cabinet decision on May 27 to sign the agreement worked out by Bahr, but in fact may have succeeded in blocking the signature of the agreement even after the June 14 elections. Unless the Landtag election returns are unexpectedly favorable for the coalition parties, they may not dare to risk a showdown with conservative FDP members while the Bundestag is still in session. It also seems possible that they may seek further clarification from the Soviets on points raised by both opposition and coalition leaders.

11. We note that Barzel's version of the Bahr agreement (septel)² does not fully square with the information given us by FRG FonOff. But it is close enough to be politically effective. In general, we believe that Brandt, faced by the negative results of the Kassel talks and the pending Landtag elections, jumped the gun in his effort to use the Bahr results for political purposes before members of his own Cabinet had had time intellectually to digest the results. If the pace had been less forced, the outcome in the FDP might well have been different.³

Rush

² Not further identified.

³ On June 5 the Embassy reported that "predicted CDU efforts to unseat the Brandt government did not succeed in yesterday's vote on the budget for the Federal Chancellor's Office but came close enough to encourage the CDU to try again." (Telegram 6403 from Bonn, June 5; National Archives, RG 59, Central Files 1970–73, POL 12 GER W)

87. Intelligence Information Cable¹

TDCS DB-315/02864-70

Washington, June 5, 1970.

COUNTRY

West Germany

DOI

[less than 1 line of text not declassified] June 1970

SUBJECT

Informal Suggestions of Chancellery State Secretary Bahr for the Four-Power Talks on Berlin

ACQ

[1 line not declassified]

SOURCE

[1 paragraph (4½ lines) not declassified]

(Summary: Chancellery State Secretary Egon Bahr presented some ideas for the Four-Power talks on Berlin, after explaining that Chancellor Willy Brandt has approved his passing them on, but that Brandt and Bahr did not want these ideas ascribed to them and it would be most embarrassing to them if the fact of this action should become known. Bahr's suggested tactic for Berlin negotiations is to start by getting the Soviets to accept the thesis that the Western powers are sovereign in West Berlin. Bahr suggested ways of showing that this sovereignty can be used to Soviet disadvantage if no agreement is reached, while offering an agreement in effect limiting Western sovereignty by defining actual practices in West Berlin. Bahr thought that outstanding Berlin issues should be discussed only after such an agreement was reached. Bahr also described particular concessions and arrangements which he thought could be acceptable, including a Soviet trade mission in West Berlin. A Senat identity card for West Berliners to enter East Berlin, inclusion of GDR authorities in access arrangements, and political representation of West Berlin in international organizations by the Three Powers, rather than by the FRG. End of summary.)

1. In a private conversation on *[less than 1 line not declassified]* June 1970, Chancellery State Secretary Egon Bahr took up the subject of the Four-Power talks on Berlin, which he had mentioned briefly in another

¹ Source: National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.1, 1970 Four Power Talks, June Preparations for Meetings. Secret; No Foreign Dissem; Controlled Dissem; No Dissem Abroad; Background Use Only; Routine. Prepared in the CIA.

recent conversation. ([*less than 1 line not declassified*] comment: [*less than 1 line not declassified*] TDCSDB–315/02753–70, paragraph 15.)² Bahr said that he had been talking about this question with Chancellor Willy Brandt, who had approved Bahr’s suggestion that he should pass on these thoughts, since they might be useful to senior American officials concerned. However, Bahr emphasized that his comments did not represent a message to the US Government and in fact suggested that the ideas should not be ascribed to Brandt or to him. Bahr asked that these ideas should definitely not be discussed with either of the other Western Powers or with anybody in Berlin, as no one in Berlin has been consulted. Bahr then presented a written statement, reiterating that it would be most embarrassing if this came to light, as the Germans most emphatically do not want to be in the position of giving the Americans advice. ([*less than 1 line not declassified*] comment: It may be noted, however, that as reported in Embassy Bonn 6254, Limdis, 3 June 1970,³ the German Foreign Office was thinking of recommending to Brandt that he send another letter to the three Western powers about Berlin. We cannot judge whether Bahr’s action is coincidental. It will be noted some of the ideas reported below have been presented previously by German spokesmen, including Bahr’s information. The present account is noteworthy for its description of concessions the West Germans might make.)

2. Bahr’s paper reads as follows:

“I. For a Four-Power agreement about West Berlin, three possibilities appear to be offered from the Soviet view:

—The transformation of West Berlin into an independent political unit.

—Partial agreements while maintaining different views of the legal situation.

—Readiness to sit down to solve problems from case to case as they develop.

² Dated June 1. Paragraph 15 of the cable reads: “After stating that Brandt obviously does not want to tell the Allies how to handle the Four-Power talks on Berlin or what pace to follow in them, Bahr said that Brandt and he agree that the Allies should accept Ambassador Abrasimov’s offer to reach a concrete partial agreement on aspects of the situation in West Berlin. No one can benefit by a discussion of principles, which was Abrasimov’s alternate suggestion, and the Allies should stick to the principles that now exist. A concrete agreement, however, would represent a definitive confirmation of the Soviet position and would serve to secure the situation in Berlin. Furthermore, no one can know if or when the Soviets will ever again be prepared to discuss a definitive agreement about Berlin, and there is a good chance that if the present opportunity passes, the Soviets will say in the future that an agreement about Berlin can only be discussed with the GDR. ([*less than 1 line not declassified*] comment: Bahr’s comments on this question were obviously designed for effect. He has much at stake in the Berlin talks.)” (Ibid.)

³ Not printed. (Ibid., RG 59, Central Files 1970–73, POL 28 GER B)

II. In the Western view, the first alternative is not acceptable. The third alternative would be a final fall-back position. Negotiations should take place in the framework of the second alternative. It is important for this that the Western powers should have a firm concept and that they make clear their determination not to back away from this concept.

III. A Western negotiating position can be sketched out as follows:

A. The Four Powers agree that—regardless of their differing views of the legal situation—they are competent for handling Berlin questions and can make agreements about them.

B. Since the existing differences of views about legal questions can obviously not be eliminated at the present time, the question now is to reach agreement between the Four Powers about certain principles and about the resolution of some practical issues.

C. Among these principles is the assertion that the Three Powers exercise ultimate authority in West Berlin. The following points are therefore subject to the decision of the Three Powers and might be settled as follows:

—The ties between West Berlin and the Federal Republic which have been developed under the supervision and responsibility of the Three Powers must be respected by all countries.

—West Berlin will not be governed by the Federal Republic.

—The Articles of the Basic Law and the Berlin Charter which read to the contrary will remain suspended.

—On the basis of their ultimate responsibility, the Three Powers maintain control over each acceptance of a Federal law by the House of Representatives of West Berlin.

—The Three Western Powers will particularly, as in the past, permit no take-over of laws which have been passed within the framework of FRG membership in NATO or the FRG emergency regulations.

—To this extent the voting right of Berlin Deputies in the Bundestag continues to be restricted.

D. The pressing questions which require practical resolution include:

—Traffic within the city of Berlin.

—Access between West Berlin and the Federal Republic.

—The economic and consular representation of West Berlin

—The presence of the Federal Government in Berlin.

IV. The Three Powers can establish a negotiating position for themselves only if they make clear to the USSR that the maintenance of the principles listed under paragraph III C above is by no means to be taken for granted. As of now, nothing stops the Three Powers from extending and changing these arrangements, for instance, by establishing closer ties between West Berlin and the Federal Republic. This situation will not change until there is an agreement with the USSR. It

should be understandable that the Three Powers can express their willingness to accept these positions only if the USSR for its part is willing to agree to satisfactory practical arrangements on the subjects listed under paragraph III D above. It could serve the purposes of the negotiation if the Three Powers could explain to the USSR what extension of the competencies of the Federal Government in Berlin they might consider. They might choose examples which would make a clear analogy with the present activities of the GDR Government in East Berlin.

V. On the other side, for an improvement of the practical arrangements, the Three Powers may have to be prepared to be conciliatory on some specific matters which will permit the USSR to save face. Following are examples of such concessions which are possible:

—Access of West Berliners to East Berlin should certainly not be made more difficult than for citizens of the Federal Republic, but they might be subject to special formalities, such as by showing an identity card issued by the West Berlin Senat.

—GDR authorities could be included in access arrangements between West Berlin and the Federal Republic according to the principle of 'identification but not control.'

—Political representation of Berlin abroad could be undertaken by the Three Powers for multilateral organizations and matters, such as the United Nations and worldwide treaties.

—The presence of the Federal Republic in Berlin will be limited insofar as FRG constitutional bodies will no longer undertake formal official acts in Berlin which devolve on them from the Basic Law."

3. Bahr commented orally as follows: The main starting point is that there is no value in arguing about legal positions, and they should therefore be excluded from the discussion. The West wants no change in the status quo of the legal situation. Therefore, the guarantee of Western sovereignty in West Berlin is primary. The Soviet Foreign Minister, A.A. Gromyko, indicated to Bahr in Moscow that he would be willing to accept this Western sovereignty in West Berlin. By implication, Gromyko accepted the idea that there was no need for the Soviets to participate in the responsibility for West Berlin. However, Bahr feels, unless the question of legal rights is excluded from discussion, the Soviets will try to establish their right to have a say in West Berlin. In this connection Bahr mentioned parenthetically that Brandt and he see no objection to Soviet establishment of a trade mission in West Berlin as long as it is made absolutely clear, and the West sticks to it, that this mission has absolutely no consular rights and cannot, for instance, have anything to do with visa applications.

4. Bahr noted that the positions listed under his paragraph III can be either expanded or contracted at the will of the Three Powers, since the Three Powers have the sovereignty, and Bahr thought that this point should be made very clear to the Soviets. After agreement has been reached by both sides to accept the conditions set under this paragraph,

on the basis of full Western sovereignty in West Berlin, negotiations could then begin on the four aspects listed under paragraph III D.

5. Concerning the concessions listed in his final paragraph, Bahr explained that the Senat identity card would be a special card used solely for crossing into East Berlin. It would be best if all West Berliners could have these cards and they could be used at least once a month. However, after the principle has been agreed on within the Four-Power talks, details would have to be negotiated between the Senat and the GDR. The Senat might have to agree to withhold the cards from some categories of West Berliners or might have to agree that they could only be used on specified dates.

6. Bahr's point on concessions regarding Berlin access is that Dulles' theory⁴ might be accepted, letting the GDR authorities act as agents of the Soviets. (*[less than 1 line not declassified]* comment: Presumably Bahr meant that this would apply to Allied traffic. The East Germans already control German traffic to and from Berlin.) Regarding political representation of West Berlin in international bodies, an agreement would have to be worked out between the Three Powers and the FRG on how the coordination would be handled. Concerning FRG presence in West Berlin Bahr's wording is intended to mean that the Chancellor, Cabinet, President, and Bundestag could only go to West Berlin as visitors and would not be able to conduct any business there that would be legally binding.

7. *[1½ lines not declassified]*

⁴ Reference is to the "agency theory" advanced by Secretary of State John Foster Dulles in November 1958 in response to Soviet Premier Nikita Khrushchev's ultimatum on Berlin. See *Foreign Relations, 1958–1960*, vol. VIII, *Berlin Crisis, 1958–1959*. See also Hiltenbrand, *Fragments of Our Time*, p. 122.

88. **Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon**¹

Washington, June 8, 1970.

SUBJECT

Germany's Eastern Policy and the Berlin Talks: A Status Report

There has been great activity recently in each of the component parts of Chancellor Brandt's Eastern Policy: talks with Gromyko in Moscow, negotiations with the Poles in Warsaw, and two historic meetings between East German Premier Stoph and Brandt. In addition, three sessions of US, UK and French discussion with the Soviets on Berlin have been completed.

FRG-Soviet Talks

After some 35 hours of discussion ranging over several months, Brandt's State Secretary, Egon Bahr, agreed with Gromyko on May 22 a set of "principles" to govern future negotiations on a treaty renouncing the use of force. In essence, the principles center on Bonn's willingness to accept the territorial and political status quo in Central Europe, including the border between the two Germanys. It was also agreed that Bonn would conclude similar renunciation of force agreements with Poland, Czechoslovakia and East Germany. Bonn feels it will have safeguarded the basic right of the German people to peaceful reunification by means of a letter to that effect, which the Soviets have indicated they will not rebut.

The Bonn Government has now officially announced that formal negotiations for the FRG-Soviet renunciation of force treaty will begin probably in late June. Foreign Minister Scheel will probably personally conduct the negotiations in Moscow.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V. Confidential; Nodis. Sent for information. A stamped note on the memorandum indicates the President saw it. Kissinger had requested a "brief summary" of recent developments in Ostpolitik on June 2 (see footnote 1, Document 83). The same day, Sonnenfeldt forwarded a "brief memo" to the President as well as a "longer analysis" for Kissinger. In the latter document, Sonnenfeldt commented on the lack of progress in the quadripartite negotiations. "The Soviet position is becoming harder, while the Allied position is confused and carries increasing potential for serious intra-Allied friction. Our own position and goals are less than clear. State has not provided the White House with any assessment or comment since the President approved the basic US position in early March. Perhaps State is waiting for the end of the fourth session—after which each of the four Ambassadors will have been in the chair—to take stock and offer an assessment." (Ibid.) According to another copy, Downey drafted the June 2 memorandum to the President. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 290, Memoranda to the President, 1969–74, May–June 1970)

FRG–GDR Talks

The second Brandt–Stoph meeting at Kassel, West Germany, was almost a complete failure, particularly since the Germans had hoped that progress in the Moscow talks would be a helpful influence on the East Germans. Brandt offered a series of proposals reflecting his position that two sovereign states existed within the German nation, but that they were not “foreign” to each other. Stoph took a very hard line, insisting on full international recognition of the GDR. The only hopeful sign was that agreement emerged to maintain existing technical discussions, and the continued existence of the possibility of another meeting in the future.

German-Polish Negotiations

The fourth round of negotiations will open on June 8 in Bonn with both sides privately predicting some agreement by the fall. Although the series of negotiations have treated trade matters and consular relations, the main issue is the degree to which Bonn will acknowledge formally the Oder-Neisse line. The issue is bound up in Four Power rights and responsibilities reflected in the Potsdam Agreement, and thus is one in which we will play a distinct role. Meanwhile, the Poles and French have been considering a formula for the Four Powers to issue at the time of an FRG-Polish agreement, which would amount to a pledge to agree to that border line in any future peace settlement for Germany.

Four Power Talks in Berlin

The US, UK, French and USSR Ambassadors will meet in Berlin on June 9 for their fourth session. The Soviets have taken an increasingly harder line, insisting that West Berlin be respected as an independent state and that the FRG eliminate its presence there. The Western powers have been probing for signs of Soviet willingness to agree to improvements in access, intra-city movement and acceptance of Berlin’s ties to West Germany. Unfortunately, the three Western powers and the FRG have not yet reached agreement among themselves on several issues including the German role in access matters, the degree to which FRG presence in Berlin can be bargained away, and the synchronization of the Berlin talks with the other FRG negotiations with the East.

Brandt’s Problems and Prospects

Domestic German political considerations are now key to Bonn’s next moves. In the face of the regional elections on June 14 Brandt wanted to move quickly to an agreement with Moscow, but the conservative leaders of the FDP (and even Foreign Minister Scheel) are surfacing doubts about the wisdom of the Eastern policy. At the same

time the CDU is increasing its attack on Brandt's moves with the East. The elections could give the SPD/FDP coalition a strong hand in continuing its Eastern policy, but a poor showing by the junior partner (FDP) could slow the pace and even bring down the Government.

In the background is the question of a European security conference. In an accommodation to Allied feelings, we agreed at the NATO meeting in Rome officially to hold out the prospect of multilateral talks if progress is made with the East on the German-Berlin issues. Thus, those European Allies strongly interested in moving toward a conference will be eager to see success in Bonn's Eastern policy and in the Berlin talks. If the series of Bonn negotiations do not meet with immediate results, increased pressure can be expected both from the Germans and the other Europeans for some demonstrable success in the Four Power talks on Berlin.

89. Memorandum for the Record¹

Washington, June 15, 1970.

SUBJECT

Monday Morning Operations Staff Meeting (6/15/70)

[Omitted here is discussion of the NSC system.]

He [Kissinger] asked Mr. Sonnenfeldt to report on his European trip.²

¹ Source: Library of Congress, Manuscript Division, Kissinger Papers, Box CL 314, National Security Council, 1969–77, Meetings, Staff, 1969–71. Secret; Limdis. Drafted by Davis on June 16.

² During his visit to Bonn in early June, Sonnenfeldt met with a number of German political leaders, including Guttenberg, Schröder, and Bahr. In a meeting on June 8, Guttenberg gave Sonnenfeldt a memorandum in which the CDU argued that the "renunciation-of-force agreement negotiated by Bahr and Gromyko would prejudice four-power responsibility for Berlin and thereby the rights of the three Western powers in Berlin and would endanger the stability of West Berlin." (Telegram 6565 from Bonn, June 10; National Archives, RG 59, Central Files 1970–73, POL GER W–USSR) Schroeder also emphasized to Sonnenfeldt that "US should tell FRG to hold up and not go further with Moscow signature until the Berlin issue is clearly pinned down, and only then go ahead." (Telegram 6564 from Bonn, June 10; *ibid.*) In telegram 6691 from Bonn, June 11, the Embassy reported that, in his talk with Sonnenfeldt, Bahr had "minimized CDU opposition and felt the SPD enjoyed broadly based popular support for its present course." "At only one point," the Embassy commented, "did Bahr not reflect 'full steam ahead' confidence and optimism. He said the FDP-caused delays in the Ostpolitik played into the hands of Ulbricht and Gomulka, both of whom are trying desperately everyday to slow down and sabotage the Soviet-FRG negotiations." (*Ibid.*, POL 1 EUR E–EUR W)

European Trip—Mr. Sonnenfeldt said he had found the Germans deeply divided ideologically, primarily over their Eastern policy. A preponderance of the population was looking for some vague reconciliation with the East but with great uneasiness. He thought the SPD would interpret the election results³ as support of their Eastern policy which he saw as the only thing that was holding the coalition together.

Dr. Kissinger asked why the SPD would so interpret the elections.

Mr. Sonnenfeldt replied that they will see the victory in North Rhine-Westphalia as the key. They will argue that, while the last minute slander campaign may have swayed a few votes, the majority held.

Dr. Kissinger agreed that they now have the Parliamentary base to carry out their policy but asked how they could argue that the election returns were an endorsement.

Mr. Sonnenfeldt remarked that politicians find endorsement in narrow margins and that those with narrow margins may sometimes have to do revolutionary things. Of course they would prefer to conduct their Eastern policy with a broader base.

He added that the Germans will make the US their handmaiden in this policy since they are tying everything to Berlin. Since we will have to negotiate the guarantees on Berlin, this will be interpreted as an endorsement of the German Eastern policy.

Dr. Kissinger asked if the reverse is true: if the Germans do not get what they want in Berlin, will they stop in their Eastern policy? He asked what the Federal Republic wants in Berlin.

Mr. Sonnenfeldt replied they want the right to represent West Berlin in national affairs; want each West Berliner to carry a Federal Republic passport. They are willing to reduce the activities of the constitutional organs to achieve this. They believe the Soviets want to make a deal, probably before the slim SPD margin disappears.

Dr. Kissinger asked what the Soviets would get.

Mr. Sonnenfeldt replied “peace on the Western front.” He noted that the Soviets were probably giving the Germans some expectations in Eastern Europe which would be troublesome for the US. The Germans believe the proposed deal over Berlin is weighted pro-West, but consider Bahr’s deal for a renunciation of force as favoring the Soviets. Therefore the Germans see it as an even exchange and believe the Soviets will accept. He noted Bahr was an inventive negotiator, was totally confident of the outcome, resented the FDP for slowing things up and was prepared to ignore the CDU. He noted that the CDU is convinced there is no way to stop the trend unless the US inserts itself.

³ See Document 90.

Dr. Kissinger said we should not do so.

Mr. Sonnenfeldt said the German Government was concerned about the possible withdrawal of US forces and was becoming willing to consider some form of budgetary support. He noted Schmidt had taken some lead in this regard in the DPG meeting. He referred to the next round of offset negotiations in the near future and noted their relation to consideration of NSSM 84. (U.S. Strategies and Forces for NATO)⁴

Mr. Bergsten remarked that the bureaucracy was waiting for a White House trigger on the offset negotiations. He recalled that they had asked for an okay to talk to Brandt when he was here but had been turned down. They were now waiting for a go-ahead.

Mr. Sonnenfeldt noted, with regard to Vienna,⁵ that it was the sense of the delegation that there was a broad potential area of agreement with the Soviets and they wish more flexibility to explore this area. He agreed there was such a broad area, with caveats, and that decisions would have to be made in Washington to see whether it is worth pursuing. He also thought we should begin to think about preparations for the Berlin negotiations.

Dr. Kissinger said *we must get ahead of this topic and must have some meetings on it. He asked Col. Kennedy to pursue this.*

Mr. Sonnenfeldt mentioned the necessity to devote some attention to the interrelationships among issues—Berlin, SALT, Southeast Asia—in dealing with the Soviets. He thought the situation in critical areas had not really improved and questioned the effect on the SALT talks. He noted that Kosygin would probably be here in the fall for the UN General Assembly and there was the likelihood of a high-level meeting. In this connection, he stressed that we should be very careful of what we commit the President to do in connection with high-ranking visitors to the UN and suggested that a *Working Group be set up immediately on the question of the UN anniversary.*

Dr. Kissinger instructed that this be done.

[Omitted here is discussion of Romania, Korean troop withdrawals, and the Geneva Protocol on Chemical Weapons.]

⁴ See Document 36 and footnote 9 thereto.

⁵ Reference is presumably to the Strategic Arms Limitation Talks, which were held alternately in Helsinki and Vienna.

90. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, June 18, 1970.

SUBJECT

German Election Trends

The Christian Democrats made a strong showing in all three state elections compared with their performance in the last state elections three and four years ago. The most impressive gains were in North Rhine-Westphalia where it picked up 3.5% and regained its position as the plurality party. It made similar gains in popular votes and seats in the Saar and Lower Saxony. Compared with the last Federal elections of September 1969, however, the increases in popular votes are not nearly as impressive: 2.7% in North Rhine-Westphalia, .5% in Lower Saxony, and 2% in the Saar.

It may be that the strong showing in North Rhine-Westphalia represents the strength of its new local leadership under Heinrich Koeppler and the impact of local economic issues, rather than a vote for the party's national opposition to Brandt's Ostpolitik.

The CDU retains a slim majority in the Bundesrat where it could block constitutional action on any treaties Brandt may negotiate with the East.

The Social Democratic Party, though suffering an important setback in North Rhine-Westphalia, does not appear to have been repudiated if all three results are taken together. In both the Saar and Lower Saxony it increased its popular vote. In Lower Saxony it holds a one vote majority in the local parliament's lower house. Moreover, its decline in popular percentage in North Rhine-Westphalia, compared with the Federal elections last fall, was only about .7 percent.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V. Confidential. Sent for information. In a June 15 memorandum to Kissinger, Sonnenfeldt explained that he had done a report on the state elections "in the form of a memorandum for the President, should you care to forward it." (Ibid.) A stamped note on the memorandum indicates that the President saw it. According to another copy, Hyland drafted the memorandum on June 15. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 290, Memoranda to the President, 1969–74, May–June 1970)

On the other hand, to the extent that these elections were regarded as a sort of referendum on Ostpolitik, Brandt will find it difficult to make a credible claim of an endorsement for his policies.²

For the Free Democrats the results were a near disaster. They now disappear from representation in both the Saar and Lower Saxony. But in North Rhine-Westphalia, which for the party was the most important test, they barely managed to qualify (5.5%) and show a tiny gain over the popular vote in last fall's national election. Compared with their performance in the local state elections of 1966 they declined almost 2%.³

The future of the party and its role in the national coalition in Bonn is in doubt. The party holds a Convention Congress next week (June 22–24), and Foreign Minister Scheel's leadership of the party will come under greater pressure from the party's right wing.

There are two possibilities: The FDP leadership will shift to the more conservative faction (Interior Minister Genscher) and might withdraw from the coalition with Brandt. If the FDP party splits, Brandt could arrange to lose a vote of confidence in order to force new national elections. The SPD may feel that the threat of such a move, which might spell the end of the FDP nationally, will retain enough FDP Bundestag votes to continue the coalition government with the Social Democrats.

The second possibility is that the FDP will remain in the coalition on the condition that the Ostpolitik is slowed down and in some respects stiffened. While Brandt might make some gestures in this direction, chances are that he is too heavily committed in both the negotiations with the Soviets and the Poles to retreat.

In either case, the net result seems to be a polarization around the issues of Eastern policy. The CDU will be heartened to sharpen its attacks in the other laender elections, notably in Hesse later this year. On the other hand, Brandt may feel the only real choice for him is to accelerate the pace of his negotiations in order to demonstrate more specific results. Alternatively, he could try to broaden the parliamentary support for his policies through a better relationship with the CDU.

² In a June 16 memorandum for the President, Rogers reported that, although the state elections produced "substantial gains" for the CDU, Brandt had announced that he would "pursue his Eastern policy without change." Rogers concluded, however, that the German Government "is likely to be somewhat more cautious in dealing with the East and there will be a degree of instability when important decisions within the Cabinet are required." (National Archives, RG 59, Central Files 1970–73, POL 14 GER W)

³ Attached but not printed is a chart analyzing the results of the 1966 and 1970 Landtag elections, as well as the 1969 Bundestag elections, in North Rhine-Westphalia, Lower Saxony, and the Saarland.

As a consequence of such polarization our role becomes increasingly sensitive and perhaps even critical. Brandt will be looking for any sign of endorsement from the Allies and will be pressing us to make the Berlin negotiations successful. The CDU will point its appeals more directly to us to stop Brandt or give some sign of our reservations over his policies. The danger will be that whatever we do, we cannot avoid the appearance of taking one side or the other. At the minimum we will now be under pressure to offer more in the early phase of the Berlin talks than might be prudent, and, if we go too far, the French will balk.

Domestically, the prospect is for lack of movement on critical economic and social issues.

91. Telegram From the Embassy in Germany to the Department of State¹

Bonn, June 25, 1970, 1922Z.

7343. Subj: Bahr Talk with the Ambassador on Eastern Policy. Ref: Bonn 7277.²

1. Bahr told the Ambassador June 24 that the Brandt government intends to go right ahead with its Eastern policy. Bahr believes it important to do so because the Soviets, who abandoned many of their demands during the talks, may not go through with the deal unless something is done soon.

2. Bahr described his negotiating with Gromyko by saying that, as the talks progressed, Gromyko adopted an unyielding position. Then, after several sessions, Bahr noted some slight differences in the way Gromyko formulated points. Bahr took these as signals of change in the Soviet position. Bahr then repeated the point to Gromyko, formulating it however as he wanted it, and asking if this was the Soviet view. Gromyko would then say, "yes of course" seemingly annoyed that there would be any question about it. Bahr also said that his overall experience with Gromyko showed him that the best way to negotiate with

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 1 EUR E–GER W. Secret; Priority; Limdis. Repeated to London, Moscow, Paris, Rome, USNATO, and Berlin. Sonnenfeldt briefly summarized the telegram in a June 30 memorandum to Kissinger (Document 93).

² Not found. The discussion was held during a luncheon, hosted by Brandt, to honor NATO Secretary General Manlio Brosio. (Department of State, EUR Files: Lot 74 D 430, Rush Appointment Cards, Egon Bahr)

the Soviets is to start with a reasonable position and then stick firmly to it. One cannot make real concessions during the negotiations. The Soviets will grab the concessions and seek more. Bahr suggested this approach be used in the Berlin talks.

3. Bahr emphasized that there was in the FRG view the firmest link between their three negotiations and the Berlin talks. He also agreed with the Ambassador's formulation that the Berlin talks were for the FRG a condition precedent to the three German negotiations, but not vice versa. In other words, the three German negotiations were not a condition precedent for the Three Powers in reaching an agreement on Berlin. A Berlin agreement could stand on its own. Bahr also agreed that in domestic political terms it was essential to the Brandt government that there be agreement on Berlin before ratification of the German agreements with the Soviet Union, Poland, and the GDR. Bahr thought that signing the German agreements but delaying ratification until a satisfactory Berlin agreement was reached need not put undue pressure on the Three Powers to agree to an unsatisfactory Berlin agreement. The way to avoid this, he thought, was to have the FRG make clear to the Russians and perhaps publicly just what its minimum terms were for a Berlin settlement.

4. Bahr said that he realized that the French opposition to direct FRG–GDR dealings on access made the development of an Allied position in the Berlin talks very difficult at the moment. However, he was quite hopeful that the Pompidou visit July 3 would clear up this problem.³

Rush

³ Pompidou was in Bonn July 3 and 4 for semi-annual consultations. According to Brandt, Pompidou "underlined his 'moral and political support' [for Ostpolitik] and stressed the importance of Four-Power rights in Berlin." (Brandt, *People and Politics*, pp. 261–262) For German records of the meetings, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 1069–1080, 1089–1097.

92. Telegram From the Embassy in Germany to the Department of State¹

Bonn, June 29, 1970, 1000Z.

7412. Policy Message. Subject: Brandt Government Difficulties Over Eastern Policy Coming to a Head.

1. *Summary.* Domestic political controversy in Federal Germany over the Brandt government's Eastern policy appears to be reaching a point of culmination where Brandt will have to make a very hard decision between broadening his base of support and jeopardizing the entire structure of his negotiations with the East. We believe the more likely outcome will lead to some very hard choices for the Soviet leadership as well. The US interest in the outcome is great since the outer limits of the range of possibilities involved here may be between the collapse of the government of a major ally and the collapse, at least for some time to come, of the German effort to seek a contractual modus vivendi with the East. [*End summary.*]

2. Chancellor Willy Brandt is now paying for his mistaken belief that broad public opinion support for his Eastern policy would make itself felt in the Land elections of June 14. Brandt and his closest advisers thought this public support so broad that Brandt could put through his negotiations with the East despite his very narrow parliamentary majority. Hence Brandt deliberately refrained from the conciliatory posture and willingness to compromise on substance which would have been requirements for broad base of bipartisan support with the Christian Democrat (CDU) opposition. He even neglected to inform adequately the leadership of his Free Democrat (FDP) coalition other than Foreign Minister Scheel. The failure of the expected public support to manifest itself in the June 14 elections has not only emboldened the CDU opposition, but has produced new signs of fissure within the government coalition, especially in the FDP, which may be even more serious than those of recent months, which had already brought a considerable degree of political immobility.

3. The evidence of intensified difficulty has come out in various conversations which the Ambassador, DCM and Embassy officers have had this week with key people. On the one hand, Bahr himself, Ehmke

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 1 EUR E–GER W. Secret; Priority; Noform; Limdis. Repeated to London, Moscow, Paris, Warsaw, EC Brussels, Berlin, and USNATO. According to another copy, the telegram was drafted by Dean, cleared by Fessenden, and approved by Rush. (Department of State, EUR/CE Files: Lot 85 D 330, JDean—Telegrams, May–Jul '70 (Drafted or Co-Drafted))

and Leo Bauer, all members of the innermost circle of Brandt's advisers, have been telling us that it is full steam ahead on the Moscow negotiations, although Ehmke had indicated some slowdown in the schedule. But this confident optimism by the inner circle of the SPD is in sharp contrast to some other things we have been told:

A. According to CDU leader Franz Josef Strauss,² on June 20 Foreign Minister Scheel in a "panicky" move sought out CDU floor leader Barzel and proposed to him that he and other CDU leaders join Scheel in a nonpartisan negotiating delegation to Moscow.³ Barzel replied he was willing to consider something like this, but only if the negotiations were not based on the results of the Bahr–Gromyko talks and a wholly new start were made. Strauss considered this condition unacceptable for the Brandt government.

B. Even more significant, Interior Minister Genscher, now the key man of the FDP, told us on June 26 he would resign from Brandt's Cabinet if the Bahr–Gromyko paper were signed in its present form.⁴ Genscher listed a number of basic improvements he would insist on, and was very critical of Brandt's failure to seek a wider political base for his Eastern policy.

C. In a highly emotional outburst to us on June 25 Ahlers, the government's information chief, who up to now has been one of the inner circle of advisers on Eastern policy, said Bahr was an "all-out appeaser" and stated that he, Ahlers, was determined to stop the dangerous drift in the Brandt government's Eastern policy.

4. Even when Ahlers' erratic nature, including his own previous all-out support for Brandt's Eastern policy are taken into account, his remark is significant because it portrays in a clash of personalities the basic choice Brandt must make soon between broadening his domestic base or even retaining power, and endangering the negotiations with the Soviets. What is infuriating Ahlers, who is primarily interested in the political survival of the Brandt government, is Bahr's adamant insistence thus far that the text he negotiated in Moscow cannot be changed or the entire negotiating complex of Eastern policy will collapse.

² Strauss met Dean at the Bundeshaus in Bonn on June 26. A memorandum of conversation is in *ibid.*, JDean—Memos of Conversation, 1970.

³ For the exchange of letters between Scheel and the CDU, see Meissner, ed., *Moskau-Bonn*, vol. 2, pp. 1247–1249.

⁴ According to another report, Genscher had secretly agreed to form a coalition government with the CDU if the FDP suffered another setback in the November state elections. (Telegram WH00382 from McManis to Haig for Kissinger in San Clemente, June 27; National Archives, Nixon Presidential Materials, NSC Files, Box 24, President's Daily Briefs, June 26, 1970–July 10, 1970)

5. In this overheated, high-pressure situation, Brandt, who reportedly has been in a state of depression since the Landtag elections, will have to decide between building out his political base within the FRG and heeding Bahr's repeated injunctions that the treaty complex could be destroyed by further demands. This is an enormously difficult choice for a man of Brandt's background and interests to make. We believe that in the final analysis, he will have to yield to the unmistakable evidence that his government, and indeed the prospects of a decade of an SPD government, are threatened if he fails to broaden his political base.

6. If Brandt follows this logic, this means a broadening of German negotiating demands as posed to the Soviets. The choice for the Soviet leadership will be difficult and could create strains within it. Apart from this risk, we feel the situation is favorable because it may culminate in an agreement which is somewhat more positive for Western interests. If Brandt takes the other course, and attempts to bring about signature of the four points in their present form without any amendment, we would predict that his government will founder.

7. Fuller details of the evidence summarized above are reported in a separate telegram.⁵

Rush

⁵ Telegram 7413 from Bonn, June 29. (Ibid., RG 59, Central Files 1970–73, POL 1 EUR E–GER W)

93. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, June 30, 1970.

SUBJECT

The Germans Increase Pressure on the Berlin Talks

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. No classification marking. Sent for information. According to another copy, Downey drafted the memorandum. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 6, Chronological File, 1969–75, 1 June–8 July 1970) On July 9 Kissinger wrote on the memorandum: "Hal—See me re this." For the outcome of this instruction, see Document 101.

During the earlier stages of the Bahr/Gromyko talks, the Soviets rejected a Bahr proposal for an FRG letter which would record the German view that there was a definite linkage between the USSR–FRG agreement and a successful conclusion of the Four Power talks in Berlin. Finally, Bahr obtained Soviet agreement that the FRG could make a unilateral statement of this linkage at the time of signature. In light of the domestic pressures which have been building, the FRG has been searching for additional methods of establishing this linkage for the record.

Last week the FRG suggested that there be an exchange of notes between the FRG and the Three Allies on linkage.² The texts would be discussed in advance with the Soviets, exchanged on the date the USSR–FRG agreement was signed, and would be published. A preliminary draft of the German note records that a satisfactory result in Berlin is a necessary element of *détente*, and that results would be “satisfactory” if the existing ties between Bonn and Berlin are maintained. There is also an inseparable internal connection, so the note provides, between the USSR–FRG agreement and the German agreements with the GDR, Poland, and Czechoslovakia. In preparing this exchange of notes, the Brandt Government is apparently pulling out all the stops to protect itself from CDU attack at the time the Soviet agreement is signed. The Allies are asked, in effect, to serve as highly visible and consenting witnesses to the FRG statements on linkage. Bahr told Ambassador Rush that in domestic political terms it was “essential” to the Brandt Government that a Berlin agreement be reached prior to the ratification (but subsequent to signing) of the FRG agreements, and he felt this procedure need not put undue pressure on the Three Powers to accept an unsatisfactory Berlin agreement.³

Fortunately, State has taken action to throw cold water on the proposed exchange of notes.⁴ Such an exchange would make the Berlin negotiations extremely difficult. If the whole outcome of the FRG’s Eastern policy is publicly tied to success (as defined by the Germans) in the Berlin talks, we will be placed under great pressure (from our other NATO Allies as well) to reach an understanding with the Soviets. Moreover, in view of the FRG definition of success (Soviet acknowledgement of Bonn–Berlin ties), we would be placing ourselves

² The suggestion was raised by the German representative at the June 19 meeting of the Bonn Group. A record of the discussion, as well as the text of the proposed notes, is in telegram 7070 from Bonn, June 19. (National Archives, RG 59, Central Files 1970–73, POL GER W–USSR)

³ See Document 91.

⁴ In telegram 100454 to Bonn, June 25, the Department expressed “serious reservations” on the German proposal to exchange notes. (National Archives, RG 59, Central Files 1970–73, POL GER W–USSR)

in the position of either blocking Eastern policy or capitulating to the Soviets by accepting less than our heretofore defined minimum. This pressure could cause serious stress in inter-Allied relations, particularly Franco-German.

The FRG will probably withdraw its proposal for a public exchange of notes with the Allies on the linkage question, but then the Brandt Government will be forced to sort out its own internal problem squarely on its own. Genscher, Interior Minister and FDP deputy chairman, told Russ Fessenden recently that he felt strongly that a Berlin settlement should be achieved before an agreement with the Soviets is initialed (not even signed).⁵ (Genscher told our Embassy that he would like to visit the US, and call on the President, in the second half of July or immediately following Labor Day.) This issue, among others, will undoubtedly be thrashed out during the July 7 all-day cabinet meeting on Eastern policy.

In tandem with these developments, the Germans in the Bonn Group discussions in preparation for the June 30 Four Power meeting in Berlin have taken an increasingly forceful position with respect to the question of Bonn-Berlin ties. Pressuring the Three Powers to push the negotiations forward, the FRG representative has stressed that, for the FRG, the central issue in the Berlin talks is the Bonn-Berlin ties and Federal presence in Berlin. The German logic is that the ultimate Berlin bargain would be the Soviets giving something on the issue of ties and the FRG giving something on its political presence. Once that is accomplished, improvements in access and inner-Berlin movement would flow logically and without difficulty. Most disturbingly, the FRG has told us that if the Soviets were not willing to make concessions on Bonn-Berlin ties, the German side would make no counter-concessions.

If the FRG continues to insist on this position, not only will the Allied bargaining position with the Soviets suffer, but the risk of inter-Allied friction will increase dramatically. The next session of the Four Power talks in Berlin is scheduled for July 21, and it will probably be the last until September. There is obvious need for study on the Western side, well in advance of that session, of overall negotiating aims at this stage of the talks. However, the best guess is that the FRG and the Three Powers will not have reached any genuine agreement, and differences will be papered over for the July meeting in the hope that the Western side will be able to achieve more unity come September.

⁵ See Document 92 and footnote 4 thereto.

94. Memorandum From the Political Counselor at the Embassy in Germany (Dean) to the Ambassador to Germany (Rush)¹

Bonn, July 3, 1970.

SUBJECT

Overall Situation on East-West Negotiations

Following Abrasimov's important presentation in Berlin on June 30, it may be useful to review the overall East-West situation as a background for the further development of our position on Berlin and Eastern policy generally.

As you know, I believe we are in practice engaged in the political equivalent of peace treaty negotiations for Germany. In the first instance, the existence of this negotiation complex rests on the position of the United States, on the view of the Nixon Administration that it wishes to move towards an era of negotiation. This position is evidenced by the SALT negotiations with the Soviet Union and by the general support given by our government to the concept of a step by step improvement of East-West relations in Europe. The negotiation complex also rests on the willingness of the present German government formally to acknowledge the status quo which arose from World War II and in effect to move on from there politically. Finally, and perhaps decisively, it rests on the desire of the Soviet Union to go the route of negotiations, presumably to consolidate its hold over Eastern Europe, to gain better access to the rich economic systems of Western Europe, and to block the creation of a rival center of power in Western Europe. It is significant for Russian behaviour that the last occasion on which the Soviets appeared conciliatory about Germany was in the 1952–53 period, when another move toward European unity, the European Defense Community, was under serious discussion. It seems clear that without the willingness of each of these three main actors to negotiate, the present negotiations on the peace treaty equivalent could not take place.

It is quite clear that even given these essential preconditions the negotiating complex is a fragile structure which could come down at any time. First the situation in Southeast Asia or the Mid-East² may

¹ Source: National Archives, RG 84, Bonn Post Files: Lot 72 F 81, POL–East/West Relations. Secret. Rush initialed the memorandum, indicating that he had seen it. Dean presumably gave a copy to Fessenden, who then personally delivered it to Washington (see Document 95). Handwritten comments on that copy by Fessenden and Skoug are noted below. (National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.1, 1970 Four Power Talks, July Commentary on Talks)

² Fessenden underlined this word and wrote in the margin: "ME is the most critical threat to the structure."

worsen, causing a sharp deterioration in US relations with the Soviet Union. Second, in each of the capitals of the three main European actors—the Soviet Union, Federal Germany and East Germany (Poland is less important in this context)—there are forces which favor the negotiating complex and those which oppose it. These forces are most easily identified in the Federal Republic, where they of course are the SPD–FDP government and the CDU opposition.³

In Eastern Germany, they apparently consist of a group headed by Stoph which believes that the consolidation of the East German regime can best be secured through the treaty complex and that the domestic political costs for the East German regime of such a settlement are not too large to be tolerated. The anti-negotiation group, apparently headed by Honnecker, claims in essence that the agreed goal of consolidating the GDR and advancing its international status can best be done by Soviet-East German cooperation in gaining diplomatic recognition from third countries and membership in international organizations, and that it is both unnecessary and highly dangerous in terms of domestic political attitudes to reach any negotiating agreement with the Federal Republic of Germany. Ulbricht plays a balancing role in this constellation.

Political forces in the Soviet Union are always less observable. I would, however, guess that there is a group within the Soviet leadership which supports negotiation complex and a second one, composed of the Soviet equivalent of the “military-industrial complex,”⁴ plus the Stalinists and the ideologists, who oppose such a settlement.

The pro-negotiation and anti-negotiation forces seem nearly even balanced in each case; this is clearly so in the case of Federal and East Germany. It seems probable that if the anti-negotiation forces should break through to a dominant position in any of the three political systems concerned, the whole negotiating complex would collapse, just as it would in the event of a marked deterioration in American-Soviet relations.

The main components of the negotiating complex, either current or pending in the foreseeable future, are:

1. The US-Soviet SALT negotiations, which provide the overarching evidence of political willingness to negotiation; these deal with the strategic military balance.

2. The pending negotiations on the European military balance.

³ Fessenden marked this sentence with the comment: “This is the most serious crack in the fragile structure.”

⁴ Skoug questioned the use of this phrase, remarking: “Industry would favor better relations.”

3. The German negotiations with the Soviet Union, which give a framework for the territorial aspects of the quasi-peace treaty.
4. The German negotiations with Poland.
5. The Federal negotiations with East Germany.
6. The quadripartite negotiations with the Soviets on Berlin.
7. A possible Conference on European Security.

For the Soviets, the Conference on European Security has the role of confirming the whole package, improving access to the Eastern markets and, I would guess, braking the momentum of Western European unity. Objectively, in terms of the technical need of a peace treaty equivalent to deal with major outstanding questions, such a conference plays no essential role in the complex. We have little to gain from this conference if it comes last in the sequence. But we have considerable to lose if it comes earlier because politically it can make more difficult negotiated solutions in the two areas in this complex of greatest direct significance to us: Berlin and troops in Europe. If a Conference on European Security is held before we obtain satisfaction on both these points, it can on the one hand augment the status of the GDR without the Western side receiving any equivalent. It can also augment the public impression that all East-West issues have been settled and thus add greatly to downward pressures on NATO defense efforts, including American troop presence in Europe, before we have been able to stabilize this troop presence, as is my hope in a conference on the European military balance. For these reasons we should work hard to ensure that if a Conference on European Security takes place at all, it come at the end of the sequence.

We have discussed most of the other components. However, I would like to deal with two of these negotiations, the Berlin negotiations and the negotiations on the European military balance (MBFR) because they are both part of the negotiation complex in which the United States participates or would participate directly and because I do not believe that their place in the overall concept is yet seen very clearly.

As you know, I believe that the Berlin negotiations should be seen in the context of the overall negotiation complex, as part of a peace treaty settlement which can be expected to last for twenty or thirty years and possibly longer. Ideally, these negotiations should culminate in an agreed clarification of the status of Berlin, particularly the Western Sectors, in the light of changed circumstances. For tactical reasons, we have called these negotiations a search for practical improvements. This terminology is useful and should be maintained. But I believe it is misleading when used internally among ourselves because it distracts from a necessary attempt to define the ultimate objectives of the negotiations which I see as somewhat longer than practical improvements.

In the sense of defining our overall objectives, I believe we should aim for a situation in which the Soviets reaffirm the quadripartite sta-

tus of Berlin, commit themselves not to interfere with its practical application by the three Western Allies in the Western sectors, explicitly accept the cultural, social and economic ties between the Federal Republic and Berlin and the Federal Republic's representation of these ties abroad, plus an engagement on continuing Soviet responsibility for German-civilian access to Berlin and improvements in inner-German circulation. The result is what I call a two-tier or two-level structure, with a dual representation of Berlin abroad. The Allies represent Berlin "sovereignty" and security interests to the outside world. The Federal Republic represents other interests. This concept, it seems to me, provides a base from which we can in coming years observe the actual behaviour of the Soviets and East Germany in the event that the entire treaty complex goes into effect and can then decide whether to maintain, reduce, or even eliminate our actual presence in Berlin except in the most symbolic sense.⁵ Further details of this, however, are in my letter of June 25 to Jim Sutterlin⁶ which you have seen.

It may well be that other constructions can be found. But the important thing, I believe, is that the Berlin negotiations should in effect be considered an integral part of the overall complex. Consequently, whatever our nomenclature or tactics may be, we should conceive the negotiations as establishing a long-range settlement of the Berlin situation which is more tolerable for us than the simple continuation of the status quo.

Two things should perhaps be said of the Soviet position on Berlin. First, the things we are interested in will not cost the Soviets a great deal in terms of their major interests, except perhaps some friction with the GDR, whose own survival as a regime is in any case not involved in these talks as it may be in negotiations between the two parts of Germany. Second, although the Soviets are tough negotiators, they are realists. They know that the whole complex is bound together and that we consider it so. They know already that we can be relied on to oppose GDR entry into the UN, which they are committed to seek,

⁵ Skoug disagreed with the conclusion of this paragraph: "5 goals, 3 of which are unattainable."

⁶ In his letter to Sutterlin, Dean foresaw a Berlin agreement as the "counterpart" for agreements reached as a result of Ostpolitik: "Like them, this interim settlement would be one which does not assume better behaviour by the Eastern side as automatic merely because they have concluded an agreement. But through the act of concluding the agreement and through its content, a contractual standard by which we can measure the behaviour of the Eastern side would be established." After a period of perhaps 5 to 15 years, the Western Allies would reevaluate Soviet conduct. "If this behaviour has been bad," Dean explained, "I would assume we would want or be obliged to continue our full political and military presence in Berlin. If it were good, we could consider whether we could not deliberately shrink away our presence and emphasize the Federal German role." (National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.1, 1970 Four Power Talks, June Preparations for Meetings)

unless there is a Berlin settlement satisfactory to us.⁷ Therefore, while we should avoid tactics which may bring the Soviets to question the existing situation even more than they now do, there seems good reason to push quite hard in Berlin both in terms of our own interests and the overall negotiating situation.

I believe negotiation on the European-military balance below the strategic level now being discussed in SALT has an integral place in this peace treaty complex. I recognize that these negotiations are not as far advanced as the others but believe they will move, and that we should back them. Negotiations on this subject, it seems to me, offer us the following potential benefits:

1. A way of controlling present domestic political pressures in the US, other than budgetary pressures, for reductions of US Forces. If negotiations on the topic are actually going on, we have an unassailable argument that our troops in Europe should not be simultaneously reduced.

2. A way of controlling future public opinion pressures in all NATO countries and especially the US for reduction of defense expenditures which might well result from exaggerated public evaluation of the significance of other portions of the negotiating complex, like the German-Soviet or Federal German-East German agreement, if these took place in isolation without such a means of stabilizing and capturing the reaction.

3. Perhaps we may assume that the strategic balance of terror between the US and the Soviet Union actually functions to prevent an all-out Soviet military attack on Western Europe and that in consequence what we are dealing with militarily is a potential range of attacks below that threshold, that the possibility of those attacks is not great because of the risk of overall war, and that our principal problem is the psychological one of dealing with deep-rooted German sensitivities to the local military predominance of the Soviet Union in order to exclude an appeasement development. If so, these negotiations offer a way of stabilizing and if this must be, even reducing the American military presence in Europe, while limiting the adverse political consequences for German and European political opinion.

4. These negotiations provide a way of obtaining a new contractual basis from the American Senate for the essential long-term continuation of presence of US military forces in Germany.⁸ This is a central point in their favor.

⁷ Skoug wrote in the margin at this point: "Is GDR membership in UN so important to USSR?"

⁸ Fessenden remarked: "Don't see how the line could be held with Senate any better."

It seems to me possible, evidenced by the latest Warsaw Pact statement on military balance negotiations, that the present leadership of the Soviet Union is also interested in negotiations on this topic. The Soviets, too, for the very reason of potential deteriorating relationships with Eastern governments, are seeking a new contractual basis for the retention of forces in Europe. An agreement could also give them a contractual guarantee against unilaterally desired increases in the German armed forces or in the American military forces in Europe. In view of the fact that the German armed forces are limited by the WEU treaty between Germany and its Western allies, an agreement about the military balance in Europe is in this regard comparable to the NPT treaty, which extended a Federal German obligation to the West to an obligation of the Federal Republic vis-à-vis the Soviet Union. In view of these various interests, I believe it quite possible that the next two or three years could see conclusion of an agreement on this topic.

The essential question from our viewpoint is whether this overall development is in our interest. This is a complex subject. In general, the complex seems to me to have two major disadvantages for the United States. First, as briefly noted above, Western public opinion may conclude from the conclusion of only a part of the complex that the whole of the issues which led to the Cold War can be solved and the armies can all go home. Second, Soviet credibility as regards the prospects for further progress in the East would increase and, with it, Soviet capacity to influence the discussions of Western European governments on the unity issue. The first disadvantage can in part be compensated for with successful negotiations on a European arms balance which should in practice put a floor under NATO force levels as well as a new ceiling. There is no solution in sight for the present⁹ one.

It can, however, be asked more generally whether the overall line of the development should or could be stopped. Here, it would appear, two factors predominate: First, the Germans in particular have already made a number of concessions which make it impossible to return to the original starting position. They have in the interests of getting the Soviets interested in the negotiations given away some of their negotiating points like the existence of two states, and at least theoretical willingness to sign on to present borders and have the East Germans in the UN. Since our overall position in Germany is weakened by this fact, the ensuing situation is an argument for staying in the game in order to get some payoff from the Soviets to redress the balance, particularly as regards Berlin.

⁹ Fessenden crossed out this word and wrote: "Second?"

Most important, the present trend of developments is in line with the domestic and foreign political developments in the US toward decreasing engagement in foreign affairs,¹⁰ tendencies which must inevitably have some effect on our posture with the Soviet Union and Europe.

This complex of negotiations with the Soviets is matched on the Western side by the Common Market negotiations with Great Britain and the other candidates for entry. These negotiations, too, should be added to the overall complex in order to have a general assessment. It seems to me that the possible outcome of this overall complex of important shifts in Europe is that, within a two or three year period, we will have Britain and the other candidates in the Common Market, and subject to the general fragility of the situation already described, the peace treaty settlement on Germany also put in effect.

The result will be a new ball game as far as the situation in Europe is concerned and also as far as the European-American relationship is concerned. Yet I would predict that, at that point, the position of Germany as a fulcrum in the East-West balance of power and the struggle over the position of Germany which has been a consequence of its importance in this regard, will continue in this new situation. But in a new framework: It will then probably take the form of a potential conflict, particularly in the minds of the political leaders of Germany of that time, between the measures necessary to build up Western Europe and their desire to expand their relations with Eastern Europe and the Soviet Union. The governing factor will be their realization that the Soviet Union does not want a rival political-military entity in Western Europe and therefore will not tolerate further German or Western European penetration in Eastern Europe if such a policy leading to such an entity is energetically pursued. The contest will be between an anti-Soviet or Soviet-neutral picture of Western Europe and the concept which runs under the name of the "European Peace Order," which envisages a high degree of association between Western Europe and Eastern Europe, including the Soviet Union.

This point is of course less a conclusion than a picture of the Europe which may emerge if the present negotiating complex goes into effect. My general conclusions are that, despite obvious difficulties, the peace treaty surrogate does have a chance of going into effect, that the changes it entails seem at least marginally to our benefit, and that in any event, it is improbable that the whole complex can be stopped short of a drastic change in the overall direction of American policy which cannot now be envisioned, or of a major shift in the Soviet government which is admittedly more possible.

¹⁰ Fessenden underlined this phrase and asked: "Does this really apply to Europe."

95. Editorial Note

On July 9, 1970, Deputy Chief of Mission Fessenden, who was on vacation in the United States, wrote a personal letter to Ambassador Rush, reporting on his recent consultations in Washington. In his discussion of the quadripartite negotiations on Berlin, Fessenden highlighted problems with the decisionmaking process on Germany:

"I conveyed to Marty [Hillenbrand], Jim [Sutterlin], and Hal [Sonnenfeldt] your impatience with the general Washington foot-dragging. It is clear that there is a pervasive go-slow attitude in Washington, plus skepticism that anything much will come of the talks. It would be wrong to blame Marty and Jim for being the originators of this sentiment, although they share it. They are reflecting general Washington views. The main reasons for it are: (1) almost total preoccupation of the White House with other areas, Vietnam, Middle East, and SALT; (2) lack of any leadership in the State Department with the departure of Richardson; and (3) strong fear of getting out in front with the Four Power talks when the rest of Ost Politik seems to be in trouble and is in danger of slowing down. 'Strong fear' is perhaps not the best way to put it. The concern is rather that the only chance of getting anything out of the Soviets in the Four Power talks is through their interest in getting something out of the Germans in their bilateral FRG-Soviet negotiations. If these latter negotiations are to be made more difficult and slowed down because of internal German political difficulties, then it would be unwise to try to charge ahead too hard now on the Four Power talks. There is also strong feeling that nothing is possible on the Four Power talks themselves unless the Germans are ready to make important concessions on the political presence in Berlin issue. There is skepticism that they are able to make such concessions because of internal political troubles and general dismay over their tendency to play up the Berlin-Bonn ties. There was also dismay over Bonn's proposal for a written statement of the linkage between the bilateral German negotiations and the Berlin agreement. By the way, your handling of this issue with Abrasimov was much applauded in Washington; this is considered just the right line for handling linkage, either with the Soviets or the Germans.

"The general attitude, therefore, is to apply brakes to the Four Power talks. Marty's meeting with the British in London and the French in Paris, plus the convoking of Senior Group meeting in mid-September, are designed for just this purpose: to apply brakes to the talks and to provide an opportunity for all concerned to think through again all the implications. Marty thinks it is particularly important to get the Germans to do this. There is also a feeling that the present pace, one meeting every three weeks, is too fast in existing circumstances. One other point: for

the mid-September Senior Group meeting, which by the way will not be held in Bonn; it is considered very important that Von Staden (if not Frank) participate for the Germans. There was considerable disappointment that only van Well represented the Germans at the Rome meeting in May. This is not necessarily anything against Van Well; it is instead a question of level.

“As for your talking to someone in Washington about the slow progress in the Four Power talks, the problem is finding someone to talk to. The President and Henry Kissinger are all wrapped up in other things; in the State Department the only person to talk to is Marty. You could of course go back and see the President or Kissinger, but from what I learned I’m not sure much could be accomplished. As for seeing Marty, I’m sure he would be glad to see you in either London or Paris during his current trip, if it’s not too late. Again, though, I’m not sure that much would be accomplished. I personally think the argument about not getting out ahead of the German bilateral Ost Politik negotiations is a hard one to answer. Of course, there may be some new developments since I left which have changed things. Sorry to present such an unencouraging picture on the Four Power talks, but that seems to be the way it is.” (Department of State, EUR Files: Lot 74 D 430, F Personal Correspondence File)

Fessenden also forwarded a copy of this “composite letter” to Jonathan Dean, Political Counselor at the Embassy, sending the package immediately because “the information was too important to hold until I got back.” In an apparent reference to the July 3 memorandum from Dean to Rush (Document 94), Fessenden reported that he had delivered Dean’s “basic memo” to Hillenbrand and Sutterlin. “I didn’t have a chance to get their reactions fully,” he explained, “but you can see from their general approach as set forth in the composite letter that they were not exactly in harmony with your letter. There’s a real gap between the Embassy and Washington, and ‘Washington’ is not just Marty and Jim. It’s a real problem.” (Letter from Fessenden to Dean, July 9; National Archives, RG 59, EUR/CE Files: Lot 85 D 330, AMB/DCM Correspondence, 1970)

96. Editorial Note

On July 7, 1970, West German Chancellor Willy Brandt chaired a closed session of his Cabinet to discuss plans for the final round of negotiations on a renunciation-of-force agreement with the Soviet Union. According to one report, Brandt remarked, after a detailed review of the talks in Moscow, that “possible misunderstandings” with the United States over his Eastern policy might require “a redefinition of the West German relationship with the three Western powers” in the form of a joint declaration. Brandt also announced that the timing of his meeting with East German Premier Willi Stoph in Kassel on May 21 had been a “mistake, and he would not want another such meeting unless there was assurance of some success.” (National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.5, 1970 Four Power Talks, July Commentary on Talks)

In a meeting with the three Western Ambassadors on July 9, West German State Secretary Paul Frank further reported that “the Cabinet had definitely decided to view the results of the previous FRG-Soviet discussions, including the texts worked out by Bahr with the Soviets, as preliminary and open to change. Although the Soviets would undoubtedly bring pressure on the FRG for early signature, the Cabinet had decided there should be genuine negotiation in the future talks with the Soviets on changes in order to make the text more acceptable, even though this might take a considerable amount of time.” (Telegram 7908 from Bonn, July 9; *ibid.*, Central Files 1970–73, POL GER W–USSR)

In a memorandum to President Nixon on July 13, Henry Kissinger summarized Brandt’s comments to the Cabinet on Berlin as follows: “Brandt expressed great concern over the economic, political and psychological situation in West Berlin. According to Brandt, the Allies are not moving quickly or well enough in the Berlin talks, and he fears the Soviets are proving more than a match for the Allies. Brandt would like to get a statement from the Allies that they intend to accomplish improvements in access, inner-city communication, and Berlin’s representation abroad. Though he said he would reduce Federal presence in West Berlin in exchange for Soviet concessions, Brandt made clear that he would not let the West German flag there be pulled down.” (National Archives, Nixon Presidential Materials, NSC Files, Box 24, President’s Daily Briefs, July 11–July 20, 1970)

97. **Memorandum From the Permanent Representative to the North Atlantic Treaty Organization (Ellsworth) to the President's Assistant for National Security Affairs (Kissinger)**¹

Undated.

THE NEGATIVE ASPECTS OF OSTPOLITIK

Despite the rather general public euphoria over the FRG's Ostpolitik, there are a number of substantial reasons for concern about that policy and its effects in Europe and the United States. The following is a brief examination of some of those reasons for concern.

I. Imprecision.

The lack of any clear definition of either means or ends is perhaps the most striking—and dangerous—aspect of Ostpolitik. The Germans tell us they want to “fuzz the line” between the FRG and the GDR, and that they want to “improve the East-West atmosphere,” all presumably in the hope that at some future time conditions will have improved to the point where the two Germanys can be reunited. But what they seem incapable of explaining is how means relate to ends, and how present concessions on their part will even encourage (much less [elicit]) future Eastern generosity.

This lack of precision has led to several unfortunate—and potentially serious—results.

First, there is a growing sense of Western European unease. Right or wrong, long suppressed but still present fears and suspicions of Germany are being revived by the FRG's inability to explain in detail precisely what it seeks and how far it is prepared to go to get it. Few thoughtful Europeans are yet concerned about another Rapallo.² But they are worried that this latest German “Drang nach Osten”³ will lead to a weakening of Germany's ties with the West, an increasingly independent FRG foreign policy, and rising pressure within the Federal Republic for a place in the sun more in keeping with Western European political “realities.”

¹ Source: Library of Congress, Manuscript Division, Kissinger Papers, Box CL 6, Chronological File, 1969–75, 1 June–8 July 1970. Secret; Nodis. A handwritten notation indicates that the memorandum was “handed to HAK by Ellsworth June/July 70.” Ellsworth probably gave the memorandum to Kissinger during his visit to Washington in early July. (Letter from Ellsworth to Nixon, July 16; National Archives, Nixon Presidential Materials, NSC Files, Box 259, Agency Files, NATO, Vol. VIII)

² See footnote 5, Document 1.

³ Drive to the East.

The danger inherent in these rising apprehensions about Germany's future course is that the already lagging enthusiasm for Alliance unity in East-West policy will be further undermined, while Western Europeans rush to compete with the FRG for Eastern favor and markets.

A second result of Ostpolitik is the opportunity that policy gives the Soviets to use the carrot and the stick. So long as "atmosphere" is uppermost in German minds—as opposed to a hardheaded calculation of specific trade-offs—the FRG will be open to the most blatant forms of blackmail. (The latest Soviet statement that concessions on Berlin would be forthcoming *after* ratification of the FRG-Soviet Treaty is a case in point, as is Brandt's mounting pressure on the Three Western Powers to come to a Berlin agreement.)

II. *The Status Quo.*

We have heard much about how German Eastern policy has recognized the "status quo" in Central Europe. What is usually meant is that the FRG has accepted:

- the existence of the GDR;
- the border adjustments (particularly the Oder-Neisse line) resulting from World War II.

While it can be argued that it is regrettable that the FRG saw fit to give up these bargaining points for little or no return, it can also be argued that all the Federal Republic did was recognize a reality it was powerless to change and therefore powerless to use to its advantage.

What is less often realized, but far more important, is that by proceeding as it has the FRG has, in effect, recognized *Soviet* hegemony in Eastern Europe. The damage this may have done (or may do) to the West's ability to deal with the East is twofold:

- Much of the damage, insofar as Eastern European attitudes are concerned, may already have been done. Few are going to be sophisticated enough to recognize that Germany, in accepting the USSR's principal role in Eastern Europe, is *not* doing so as the West's surrogate.

- German recognition of Soviet domination will make it far easier for other Western Governments, which are also anxious for better relations with the East, to take similar steps.

III. *The Soviet Role in Europe.*

The Soviets have long sought the status of a fully *European* power, with interests that reached the whole Continent rather than stopping at the Elbe. Since the last war, the Soviet claim to acceptance in the councils of Europe has rested solely on its military might; Europeans (other than De Gaulle) have never conceded the legitimacy of the Soviet argument that it should participate because it is a *European* power.

Since this is something the U.S. clearly is not, we have consistently supported this view.

But the Soviet-FRG Treaty, by suggesting that the USSR become a participant in an era of continent-wide cooperation, has undercut previous Western policy. It has opened the doors to acceptance of the legitimate right of the Soviets to participate in European affairs (and thus Western European affairs) on a basis (i.e., geography) the United States cannot claim (despite the fact that ethnically, culturally and economically the U.S. is far more a European power than is the USSR).

IV. Economic and Technological Cooperation.

The Germans have taken a major step toward permitting the Soviets increased access to badly needed Western technological and economic resources—and on terms that smack more of aid than trade. In the process they have made East-West trade more “respectable,” and have whetted the appetite of every West European Government that sees the East as a great untapped market. Few will be prepared to accept the FRG’s “privileged” position for long; and the U.S., as the last holdout against a relaxation of restrictions on trade with the East, will come under increasing pressure to change its policy.

V. Troop Levels.

Perhaps the greatest Ostpolitik anomaly is that, while the Germans clearly believe their policy can only succeed if it rests on a strong NATO defense posture, including *no reduction in U.S. forces*, that policy may have made it even more difficult for us to avoid a force cut. At a time when there is already substantial Congressional pressure to reduce our NATO commitment, and when many are claiming that “détente” in Europe is all but an accomplished fact, the signing of the German-Soviet Treaty will be read as evidence of the speciousness of those who say that the U.S. must continue its present level of defense spending in Europe.

What Do We Do?

The United States can still have substantial influence over events, *and* over the Germans, should we choose to exercise it. Nor, at certain levels of involvement, need the fact that pressure has been brought to bear become public knowledge. We should not uncritically decide that the price of such publicity, should it occur, is so great that we cannot interfere under any circumstances.

The Berlin negotiations offer the most immediate tool at hand with which to influence the course of the FRG’s Ostpolitik. So long as the Four cannot arrive at an agreement, Brandt is on very shaky ground and knows it. But the minute there is an agreement, no matter how minor, his freedom to proceed—and with the apparent blessing of his three Western allies—is greatly increased.

Given the current impasse in the Berlin talks, it should not be difficult for the U.S. to use the negotiations to advantage, while avoiding public criticism. We can:

- take a cautious position on proposals to let the working level try to hammer out an agreement;
- refuse to agree to further modifications of our substantive position, arguing that any further compromises would adversely affect the welfare of the West Berliners;
- even harden our demands slightly if the Soviets persist in their present hard line.

While the British would probably push us to be more forthcoming, the French would almost certainly support us, at least for a time (this claim should be looked at again *after* the Pompidou visit to Moscow).⁴ We would also be in a relatively good propaganda position, since we could—should it become necessary—take a strong public position against sacrificing the well-being of the people of Berlin for the sake of an unsatisfactory agreement.

Such delaying tactics, if carefully employed, could at least slow the pace of Ostpolitik. They could also serve as a gentle warning to Brandt.

Should the U.S. decide that a more explicit warning is necessary, Ambassador Rush or a special emissary could be sent to Brandt (or some slightly lower level in the Government). His purpose would be to explain in detail U.S. worries about the course of Brandt's policy, and to explain our view of the limits beyond which he ought not go. Implicit in this *démarche*, of course, would be the threat that should Ostpolitik go too far afield the USG would have to reexamine the wisdom of continuing its public support for FRG Eastern policy.

There is, of course, always the danger that our actions would become public knowledge. The German Government is notoriously insecure, with the likelihood of leakage increasing in direct proportion to the number of lower-level people involved. But Brandt knows that his already shaky Government would be in serious trouble if there were even the slightest indication of firm U.S. opposition to his policy, and would do all he could to avoid leaks. With this in mind, a private meeting between Ambassador Rush and the Chancellor would probably be the safest way to proceed. Under any circumstances, we would have to guard against any hint to the CDU of what we were doing.⁵

⁴ Pompidou went to Moscow in October 1970 for his first state visit.

⁵ In October 1970 Ellsworth prepared another proposal to use U.S. leverage to influence the course of German policy. In an October 21 covering letter to Haig, Lawrence Eagleburger explained: "Ambassador Ellsworth was all primed to speak at the [October 14] NSC meeting on Berlin and Germany about our levers on the Bonn Government. The way the discussion went, however, he did not get a chance to make the pitch, so I am sending you a copy of 'what might have been.'" (National Archives, Nixon Presidential Materials, NSC Files, Box 259, Agency Files, NATO, Vol. IX)

98. Telegram From the Embassy in Germany to the Department of State¹

Bonn, July 15, 1970, 1222Z.

8145. Subj: Conversation With State Secretary Bahr on Renunciation of Force and Eastern Policy. Deliver Sutterlin at 0830 hrs.

1. In a conversation July 14 between Ambassador Rush and State Secretary Egon Bahr on the Eastern negotiations, the main subject was the Allied desire to include mention of the continuation of Allied rights and responsibilities for Berlin and Germany as a whole in the renunciation of force treaty with the Soviet Union.

2. Bahr expressed optimism that the present German proposals for modification in the text of the treaty would be acceptable to the Soviets. Ambassador Rush developed the line of argument outlined in Bonn's 8036 and 8001.² He said there were two main reasons for inclusions of such language in the agreement with the Soviets, protection of the Western position in Berlin, and protection of the right of self-determination for the German people. One could not be sure of the political significance of the second point. Germany might some day be reunited and this point might in the course of time prove to have been highly important. On the other hand, its present significance was indeterminate.

3. Ambassador Rush told Bahr that on the other hand the significance of including language in the German agreement with the Soviets covering continuing Four Power responsibility for Berlin and Germany as a whole was however immediately and directly important in terms of maintaining the Western position in Berlin. Ambassador Rush said that the important thing in this matter was not what we think our rights are but what others think: people in third countries, potential Western investors in Berlin, Western public opinion, and above all the Soviets themselves. As nothing was said in any of the German agreements with the East about Four Power rights and responsibilities for Berlin and nothing was said of this in a possible Berlin agreement or an agreement on admitting East Germany to the UN, then we would be in a considerably worsened position. The Soviets themselves might be misled by failure to include this item in the agreements. They might

¹ Source: National Archives, RG 59, Central Files 1970–73, POL GER W–US. Secret; Immediate; Limdis. Repeated to London, Paris, Moscow, and Berlin. According to another copy, the telegram was drafted by Dean and approved by Rush. (Department of State, EUR/CE Files: Lot 85 D 330, JDean—Telegrams, May–Jul '70 (Drafted or Co-Drafted))

² Both dated July 13. (National Archives, RG 59, Central Files 1970–73, POL GER W–USSR) In telegram 112706 to Bonn, July 15, the Department agreed that a “coordinated tripartite approach should be made to the German side in Bonn” on Allied rights and responsibilities. (Ibid.)

conclude that the Western Powers had lost interest in maintaining their position in Berlin and themselves seek to probe Western resolve more firmly and push harder. If we failed to obtain the inclusion of a suitable formula in the first agreement, we might come under great political pressure from our own friends, including the Germans themselves not to include them in subsequent ones.

4. Ambassador Rush pointed out that if the Soviet Union were in a position where its ally East Germany was a member of the UN and none of the Eastern treaties reflected the continuing subsequent of the idea of Germany as a whole or Quadripartite rights on Berlin, then the problem of Western sectors could readily become, in the eyes of Western opinion and Third World opinion, merely an ethnic internal problem of what one group of Germans did to another group of Germans. There would be no clearly apparent grounds for involvement of either of the Big Powers and the locally superior position of the East Germans might well in time prevail.

5. Bahr argued that if the Soviets wanted some mention of Four Power agreements or were interested in this concept, they would take it up themselves in the Berlin context. He claimed the Western Powers were asking the Germans to do for them with the Soviets what they themselves could not do. Ambassador Rush pointed out that this was not the case. We were not asking that the Germans bring the Soviets to accept our version of the Four Power rights and responsibilities. We were merely asking that both participants in the agreement acknowledge that these rights and responsibilities exist and continue. We wanted a standard formula included in all agreements. But we were not asking the Germans to get something for us we couldn't get. We had these rights and responsibilities already. We wanted participants in new agreements to acknowledge their existence. In the final analysis, it would not be in the German interest if, through failure to push for this point, they should cut the ground out from under the Western Powers on Berlin.

6. At this point, Bahr said that he could now see the reasons for the Western position far more clearly. These had not previously been reported to him. Without committing the German Government, he indicated agreement that an effort should be made to take this matter up with the Soviets in the forthcoming negotiations.³ Ambassador Rush

³ At the quadripartite luncheon on July 17, Bahr raised the issue of inserting language in the text of the proposed German-Soviet treaty on the quadripartite status of Berlin and Germany as a whole; upon reflection, he now believed that "a German effort to gain Soviet agreement to inclusion of this language should be made and should be pressed as hard as possible." Bahr, however, issued a caveat: "the effort should be made on the basis of the mutual understanding on the Western side that the Germans will make a sincere and strong effort, but that this issue would not be the make or break question of the entire negotiations." (Telegram 8310 from Bonn, July 17; *ibid.*)

said that if matters came to a point where the whole treaty structure was in danger of collapse, he did not think it would be right to keep pushing the point on the mention of the four point structure. But he did think for the German position and our own as well that an energetic attempt should be made to gain inclusion of appropriate language.

7. Bahr claimed that he did not know what was going on in the Quadripartite negotiations in Berlin and that the German side was not being kept fully informed. Ambassador Rush said he was most surprised to hear this. He said the German side through the Bonn Group was getting every word that Abrasimov said and that the Allies said in return. The Germans knew everything that was going on in these negotiations and had full capacity to influence formulation of the common Western position. The Germans could be sure that the Western Allies would not give anything away in Berlin without the complete agreement of the Federal Republic. Bahr then intimated that the Western side was not pushing the Soviets hard. Ambassador Rush replied that we were giving as good as we got and we left no Soviet point uncontested. Ambassador Rush pointed out that his objective in the negotiations was to frustrate the Soviet aim of final isolation of the Western sectors, leading to their eventual collapse or absorption in East Germany. Bahr agreed and said it was necessary to push hard on the Soviets. The only technique was to repeat the Western position again and again.

Rush

99. Transcript of Telephone Conversation Between Secretary of State Rogers and the President's Assistant for National Security Affairs (Kissinger)¹

Washington, July 16, 1970, 5:40 p.m.

R: Reviewing for tomorrow's meeting with Scheel. I see the President will meet with him.² Scheel will make as much as he can of this. He has two press officers with him and they are having a reception at the Germany Embassy tonight. They invited me to dinner tomorrow

¹ Source: Library of Congress, Manuscript Division, Kissinger Papers, Box 364, Telephone Conversations, Chronological File. No classification marking.

² See Document 100.

night but I am feeling a little ill, it was a good excuse, and I declined.

K: They will make everything of this.

R: Everything that the President said except bland comments can be reconstructed.

K: I sent you a memo on this from him.³ He said he would only make two points. We go along with their policy—he wants to be bland and if you can give him anything to make it more bland—

R: I will.⁴ Part of the package provides that package between the Soviet Union and the FRG doesn't become effective until signed by Poland, —, —.⁵ That's the block concept. Secondly, why not make provision in the 4 power talks—then the Soviet Union says that's a condition. I am going to point out they cannot insist on linkage and then say we cannot consider linkage. It's a single instrument and cannot be acceptable until all are signed. He will say why he will ? ? ? [omission in the original] on the Berlin talks.

K: And we will be the fall guys on the Berlin talks.

R: I want to be sure we don't support what they are doing exactly because they won't go along with changes.

K: I think the President should say we are in favor of reducing tensions. He doesn't want to get into details and you will speak for him

³ In a July 16 memorandum to Rogers, Kissinger reported that Nixon would make the following points: "the U.S. supports the general policy of the FRG with respect to its relations with the East, and in particular its efforts to reach agreement with the USSR on the mutual renunciation of force," and "the U.S. will not involve itself in the specific negotiating details and tactics of the Federal Government, for it is confident that the Federal Republic fully understands the continuing need for the protection of the Allied rights and responsibilities with respect to Berlin and Germany as a whole." (National Archives, RG 59, Central Files 1970–73, POL 7 GER W) As Kissinger explained to the President: "it would be useful to advise the bureaucracy of general guidelines to be followed during the Scheel visit—to ensure that the Scheel party does not pick up conflicting signals during its stay." (Memorandum from Kissinger to the President, July 15; *ibid.*, Nixon Presidential Materials, White House Special Files, White House Central Files, Subject File, Confidential File, CO53 Germany 1–170 to —)

⁴ In a July 16 memorandum to the President, Rogers provided the following guidance: "Normalization of the FRG's relations with Communist Europe is compatible with American interests as long as the FRG retains strong ties with the United States and with NATO. An underlying principle of Brandt's Eastern policy is that it must be carried out on the basis of stability and strength in the West and without impairment of the quadripartite rights and responsibilities. On this basis, we can endorse the general objectives sought by Brandt's Government which, it should be added, accord with Kiesinger's objectives when he was Chancellor. We wish to avoid creating the impression in the FRG that an effort to improve relations with the East is incompatible with continued cooperation with the West. Our attitude should be determined by the three principles of continued cohesion and strength within the Western Alliance, non-impairment of quadripartite rights, and continuing efforts to lessen the military and ideological confrontation in Europe." (*Ibid.*, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V)

⁵ The omitted references in the text here are presumably to Czechoslovakia and East Germany.

on the details. The guy is a total lightweight. Say we agree with the general purpose.

R: What has happened is that the Germans have been out bargained.

K: With Bahr doing the bargaining, the lizard. I looked over that treaty and I don't see what the Germans get except a treaty. They must now recognize E. Germany. That will make negotiations horrible because that puts Berlin in E. Germany.

R: And nothing on access.

K: They have undercut the legal position on access to Berlin.

R: Once they go through this charade it says it has a kind of sovereignty.

K: I was worried that the view in State would be more permissive and we should be bland.

R: We don't want to be charged with torpedoing but we must have more progress in 4 power talks. Although Russia doesn't want linking, how can we not?

K: They are linked to getting the GDR in the U.N. When all of this is done you will have a sovereign E. Germany having renounced use of force. And a drastic situation will be envenomed. Your line is right. The President will listen and leave the details to you.

[Omitted here is discussion unrelated to Germany and Berlin.]

100. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, July 17, 1970.

SUBJECT

Your Meeting with German Foreign Minister Scheel, Saturday, July 18, at 10 a.m.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V. Secret. Sent for information. The date of the memorandum is from an attached transmittal note from Kissinger to the President.

You have agreed to meet for 30 minutes with Foreign Minister Scheel (pronounced SHALE) at his request.² Scheel had talks in London en route to Washington, and will have seen Secretary Rogers on Friday afternoon. You met Scheel in Washington in June 1969, when he visited you as leader of the then-opposition FDP.

Scheel will have already seen Secretary Rogers³ and other State Department officials and they will have gone over technical points related to the FRG's current eastern negotiations. *Consequently, there should be no need for you to get drawn into this subject in detail.*

We understand that, apart from the prestige element in being received by you (which is extremely important to Scheel as head of the tiny FDP, which stands to lose further ground in state elections in the fall), Scheel will be interested in your analysis of the SALT talks, the Middle East and Vietnam.

² On July 11 Pauls urgently requested that Nixon and Rogers meet Scheel on July 17. (Telegram 111117 to London, July 12; *ibid.*, RG 59, Central Files 1970–73, POL 7 GER W) In a July 15 memorandum to the President, Kissinger explained: "For you not to receive Scheel at least briefly on July 17 would be taken as a serious affront by the Brandt/Scheel government. In their eyes it would expose the lack of genuine US support at a time when it is most needed, and at a time when the French and British are willing to stand on the German side." Nixon approved the request but opted to receive Scheel on July 18. (*Ibid.*, Nixon Presidential Materials, White House Central Files, Subject Files, Confidential File, CO53 Germany 1–170 to —) Nixon met Scheel on July 18 from 10:08 to 10:39 a.m. (*Ibid.*, White House Central Files, President's Daily Diary) Although no U.S. record has been found, Pauls forwarded an account of the discussion in a telegram to the German Foreign Office on July 19; see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 1200–1202.

³ In telegram 115580 to Berlin, July 18, the Department summarized the conversation: "During course of two and half hour meeting with FRG Foreign Minister Scheel on July 17, the Secretary stressed (a) importance of FRG using its negotiations with Moscow on behalf of Berlin; (b) possibility that enhanced status for GDR could pose new problems for West Berlin, particularly in area of access; and (c) desirability of obtaining in FRG-Soviet treaty written acknowledgment of continuing quadripartite rights and responsibilities for Berlin and Germany. Scheel was in general agreement and while he made no commitment on point (c) he was willing to consider it further. He thought that several alternatives, including an exchange of letters between FRG and Three Powers, might also provide satisfactory solution and proposed that consultations on question continue in Bonn Group forum early next week, with which Secretary agreed. Scheel characterized himself as on 'tough' side in Cabinet and said conversation with Secretary would be useful to him in further Cabinet discussions." (National Archives, RG 59, Central Files 1970–73, POL GER W-USSR) For a German record of the conversation, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 1196–1198. According to a report on a meeting of the German Cabinet on July 23: "Scheel said that it was evident in his conversation with Secretary of State Rogers that there is great uncertainty in the U.S. about West German Eastern policy, and President Nixon had expressed only subdued optimism about the West German chances for success in this policy. However, after Scheel had explained the German position, the Secretary of State showed a positive interest, and Scheel thought he had overcome some objections, since the Americans then agreed to the favorable communiqué." (National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V)

As regards *SALT*, you may wish to say that

—your decision to offer new, more limited proposals has already been conveyed to the allies through NATO;

—we think there may be a genuine Soviet interest in some standstill agreement, perhaps for economic reasons, but we can't be sure yet;

—in any case, we must guard against exaggerated hopes of *détente*, even if some agreement should prove possible because many interests will continue to clash.

This will be especially true in the *Middle East*, on which you may wish to say that

—we will continue our efforts to get the parties to talk instead of fight;

—but we are deeply disturbed by the general inroads, including military, that the Soviets have made in the area;

—this is as much a matter for the countries of the region and for NATO as a whole as it is for us; because it outflanks the center of Europe even if certain agreements are possible with the Soviets.

On *Southeast Asia*, you may wish to stress

—your appreciation of the understanding that your actions have received from the German government;

—that you intend firmly to continue on your present course;

—and that it is clear that the Cambodian operation has facilitated this.

The German Eastern Policy

Scheel's rather sudden visit to Washington, insofar as it related to his meeting with Secretary Rogers, directly involves the next step in the FRG's Eastern Policy. He is expected to lead a German delegation to Moscow on July 26 to open formal negotiations for the FRG–USSR treaty on the renunciation of force. It is probable that Scheel and Gromyko will initial a text within a relatively short time. This treaty will be the center piece in the Brandt Government's Eastern Policy.

For domestic political reasons (to blunt the attack of the opposition CDU) and because of their continuing rights and responsibilities for Berlin and Germany as a whole, the Brandt Government considers it necessary to receive the concurrence of the US, UK and France prior to proceeding to Moscow. This is the main purpose of Scheel's trip to London and Washington; the Germans consider that French support was received during the July 3–4 visit to Bonn of President Pompidou. (In fact, the French continue to have some underlying reservations.)

If he raises the Eastern Policy in his conversation with you, Scheel will probably be emphasizing the FRG's commitment to NATO and to partnership with the US. With that as a base, he will review the objectives of the German Eastern Policy—to lessen the confrontation in Central Europe, and to establish a more "normal" relationship between the

FRG and Eastern Europe, particularly with the Soviet Union, Poland and East Germany. Finally, Scheel can be expected to seek your support for the FRG's efforts (especially for their proposed treaty with the USSR), and may also urge that we press ahead in the Berlin talks with the Soviets (success there is very important, in German eyes, for the success of their efforts in the East).

(*Note: We probably do not have an interest in the collapse of the SPD/FDP coalition—certainly not in being held responsible for it—since an alternative CDU/FDP coalition, assuming it could ever agree on a Chancellor, would also be extremely weak.*)⁴

In this critical period of almost frenetic activity and apprehension within the FRG, it will be important for you to create the impression that the US stands behind the Germans, and that we consider, provided consultations are free and frank, their efforts with the East are not incompatible with their anchor in the West.

Thus, *you should make clear to Scheel*

—*that the US supports the general policy of the FRG with respect to its relations with the East, and in particular its efforts to reach agreement with the USSR on the mutual renunciation of force.*

At the same time we have a very real interest in ensuring that our position in Berlin, and our basis for dealing with the Soviets in matters relating to the entire German question, do not appear to be undercut by the FRG's activity in reaching what amounts to a partial peace treaty with the Soviets. As a purely legal matter, probably nothing the Germans could do with the Soviets could destroy our rights and the Soviet responsibilities. But what appears to be is often more important than what technically is a fact of law.

After pointing this out to Scheel, *you may wish to say*

—*that the US will not involve itself in the specific negotiating details and tactics of the FRG, for it is confident that the FRG fully understands the continuing need for the protection of the Allied rights and responsibilities with respect to Berlin and Germany as a whole.*

If Scheel raises the question of the Four Power talks in Berlin, *you may wish to comment that*

—*our prime interest is to ensure the viability and protection of the City, and we have tried to obtain pragmatic improvements through the talks in Berlin;*

—*unfortunately, we have had no indication that the Soviets are willing to make any significant concession;*

⁴ The President marked this parenthetical note and wrote on the memorandum: "I do not agree. Any non socialist government would be better."

—we recognize that Berlin should not remain alone as a point of confrontation as the FRG proceeds to relax tensions with the East, but at the same time it would be unwise to permit pressure to build which might force concessions from the West that would undercut Berlin's future.

A memorandum from Secretary Rogers⁵ and additional background materials are in a separate book.

⁵ See footnote 4, Document 99.

101. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, July 17, 1970.

SUBJECT

The Berlin Talks

In the light of the visit of German Foreign Minister Scheel on Saturday,² I thought you might wish a report on the status of the Four Power talks in Berlin which began on March 30. Another meeting is scheduled for July 21, after which there is to be a recess for the summer.

During each of the five meetings, the Soviets have made it clear that East Berlin is not a subject of the negotiations, and that the elimination of FRG political presence in West Berlin is the sine qua non for any possible agreement. Though they have admitted that the US, UK and France are supreme in West Berlin, the Soviets have expressed dissatisfaction with our performance since we are tolerating "illegal" FRG activities there. West Berlin, the Soviets assert, must be recognized as

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret. Sent for information. No drafting information appears on the memorandum. A stamped note indicates that the President saw it on July 22. Sonnenfeldt forwarded this memorandum to Kissinger on July 15. (Memorandum from Sonnenfeldt to Kissinger, July 15; *ibid.*) At Kissinger's request (see Document 93), Sonnenfeldt had submitted a status report regarding the Berlin talks on July 10. Kissinger considered the report "excellent" and instructed Sonnenfeldt to turn it into a memorandum for the President. (Memorandum from Sonnenfeldt to Kissinger, July 10; National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II)

² July 18.

having the status of a city-state, an independent political entity. They have insisted that the Three Powers agree on a set of general principles which codify the Soviet viewpoint.

The Allies, on the other hand, have argued that the basis for the talks is the continuing Four Power responsibility for all of Berlin and its access. We have tried to proceed from the specific to the general, by suggesting practical improvements in the situation relating to inner-city communication, access, and representation of Berlin abroad. So far there has been no meeting of the minds.

An essential difficulty which has hobbled the Western side throughout has been the lack of full agreement between the Three Powers and the FRG on the question of Federal presence in Berlin and the Bonn-Berlin ties. The Germans had led us to believe earlier that they would be willing to reduce their presence in West Berlin in exchange for Soviet concessions on the practical measures such as improved access. Now, however, the FRG seems to be taking the position that it is prepared to reduce its presence only in exchange for Soviet acknowledgement of Bonn-Berlin ties—a point which is totally inconsistent with the basic Soviet position.

Another and more essential friction point is the issue of the linkage between the Berlin Talks and the FRG's negotiations with the East. The Germans have now made success (by their definition) in the Berlin Talks a virtual pre-condition for the completion of their ongoing negotiations with the Soviets, and (to a lesser extent) the Poles and East Germans. The FRG would argue with some logic that normalization of relations with the East would have little meaning if there was not at the same time a satisfactory settlement of the situation in and around Berlin.

But, this situation puts us in the anomalous position of negotiating with the Soviets in Berlin arrangements which the FRG wants in order to make its own Eastern Policy tenable. This becomes more complex because the arrangements the Germans want for Berlin have proved utterly non-negotiable with the Soviets. The Germans persist in part because they seem to be convinced that the Soviets want a German settlement because of China and because they want relief for their economic problems. This belief is at best a theory and at worst a sheer delusion.

Nevertheless, we have been maneuvered by this theory delusion into the Berlin talks, and we may well be blamed if the talks are not successful (by the German definition) and the Eastern Policy is brought to a standstill as a result. Indeed, even if the FRG's negotiations with the East reach an impasse for wholly other reasons, the blame will still probably be placed on us. Alternatively, the Germans might very well untie their efforts with the East from the Berlin issue if their negotiations are successful despite the absence of a new *modus vivendi* for Berlin.

This does not mean there is no point in talking to the Soviets about Berlin. Given the enormous tactical advantage the Soviets have on the ground in Berlin, we have very little leverage except our insistence that a European Security Conference (strongly desired by the Soviets) makes no sense unless the threats to Berlin have been contained. At a minimum, we can hope that the Soviets will be deterred at least during these talks from creating crises and deteriorations in the Western position in Berlin by their fears of the impact this might have on relations with the West generally and the US in particular.

In the weeks ahead, we shall be reviewing whether these talks should be pursued, and, if not, how the Germans can be given a way to proceed with their Eastern policy, on which Brandt has staked his political life and which NATO has publicly endorsed.

102. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, July 25, 1970.

SUBJECT

Backchannel Message from Bahr

Bahr's message to you, (attached)² prior to his departure for Moscow with Scheel makes the following points:

- He hopes for results in about two weeks of negotiation.
- They will make clear to the Soviets there will be no ratification until a satisfactory Berlin settlement is reached.
- In case a clause reaffirming four power competence for Germany is not included in preamble of treaty (as we have asked for) the German side will notify the Soviets that the treaty cannot disturb the treaty relationship between Bonn and the Western three powers.
- The Soviet side may not exchange letters on the integrity between the renunciation of force agreement and the goal of German

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII. Top Secret; Eyes Only.

² Dated July 24; not printed. See also *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 1231–1232.

unity (i.e. the Germans will make a unilateral declaration). The Germans will make it clear in the negotiations that the treaty with Moscow will not affect the Federal Republic Western European policies.

—The voices of the CDU opposition are still vociferous, but they risk isolation in view of the criticism they have received from Christian Democrats in Benelux and Italy for their continuing opposition to Ostpolitik. Barzel, however, has offered a truce while the negotiations are in progress.

—This (truce) has not hindered, until the last few days, the dissemination of rumors, as happened earlier, which, by referring to alleged conversations or telephone *calls with you*, claim to have knowledge of the White House's deep skepticism over the government's Ostpolitik.

(*Note: This is probably reference to Strauss' call; you are well covered on this by my conversation with Pauls, and notification of State of call from Strauss to you.*)³

—Bahr goes on to say that trusting in his relationship with you he does not attach significance to these allegations. It should remain as before, "whomever has a problem or a question should raise it."

—The Chancellor recalls his conversation with you and the President in April concerning a reaffirmation between Bonn and the Three Western Powers (this fall), which would be advantageous in dealing with Moscow.

—One notes some positive signs in East Berlin of the impact of Bonn's negotiation in Moscow. The East Germans are backing away from the demand for full international recognition. Ulbricht remains as always: to insure that his line conforms to the turns in Moscow.

³ In a telephone conversation with Kissinger on July 15, Strauss reported on the upcoming Scheel visit: "You are expecting a visitor next weekend from Germany. Be careful. The planning is to gain a positive communiqué or statement on your side as far as Berlin is concerned." Strauss explained that Scheel, in his travels to Paris, London, Washington, and Moscow, was motivated by "German internal policy," since "he hopes to rescue his party over the 5% limit." "The second point," Strauss continued, "is that the Soviets want a marketable credit from our side and in private discussions they expressed quite openly what they have in mind. They want to continue the arms race. They want to continue the strong military armament including the Mediterranean. They need a better situation in the field of consumer goods in the Soviet Union. In order to get out of it continued armament and improve the internal situation, they want a close cooperation with a dynamic industrial power. The intention of our fools is that they are ready to do it. That would mean that we would support the Soviets against you." Kissinger expressed appreciation for the report and promised to inform "those concerned" within the administration. (Library of Congress, Manuscript Division, Kissinger Papers, Box 364, Telephone Conversations, Chronological File) Sonnenfeldt informed Pauls of the call on the same day. (Memorandum for the record by Sonnenfeldt, July 15; National Archives, Nixon Presidential Materials, NSC Files, Box 683, Country Files, Europe, Germany, Vol. V) Haig also forwarded an accurate summary of the conversation to Eliot on July 15. (*Ibid.*, Box 282, Agency Files, Dept of State, Vol. VIII)

—Bahr asks how busy you will be, since he believes it would be valuable to give you a first hand account of the course and results of the Moscow talks.

—In passing the message [*less than 1 line not declassified*], Bahr said he did not expect a reply, unless you had questions. If so, he would have to receive them by Sunday morning.

I think you need not reply, since you would have to involve Jake Beam and so forth. There is nothing you can say without going into substance. When Bahr returns, however, you may want to send him a note on the backchannel asking for his appraisal, especially if you want to put off a visit from him. I think you are well protected on the “rumors” he cites.⁴

⁴ On August 4 Kissinger wrote on this memorandum: “Hal—Maybe I should see Bahr when he comes back from Moscow. What do you think? HK.” Kissinger decided not to send a reply to this backchannel message but subsequently agreed to meet Bahr after signature of the Moscow Treaty. Sonnenfeldt thought Bahr should see officials at the Department of State “whatever more private and sensitive matters you and he may want to discuss.” (Memorandum from Sonnenfeldt to Kissinger, August 10; *ibid.*, Box 684, Country Files, Europe, Germany, Vol. VII) Haig, however, forwarded a message from Fritz Kraemer, who warned that the “reptile Bahr” would “do all in his power to get some endorsement and will probably claim it even if he doesn’t get it.” Kraemer also suggested: “if Bahr is exposed to any State Department people we should probably keep Hal glued to his flank as long as he is here to prevent the inadvertent or advertent issuance of exploitable adjectives from State personnel.” (Memorandum from Haig to Kissinger, August 14; *ibid.*, Box 1002, Haig Chronological File, Haig, Alexander M. (General), Staff Memos—7/24/70 to 12/31/70)

103. Telegram From the Embassy in Germany to the Department of State¹

Bonn, August 5, 1970, 1722Z.

9011. Subj: CDU Leader’s Views on Current Situation in FRG.

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 12–6 GER W. Secret; Limdis; Noforn. Repeated to Berlin, Dusseldorf, Frankfurt, Hamburg, Bremen, Munich, and Stuttgart. Sonnenfeldt summarized the telegram in an August 6 memorandum to Kissinger: “Yesterday, Barzel told our Embassy that he may decide to convene a special Bundestag session as soon as Scheel initials the treaty (he probably did not know that Scheel may initial as early as tomorrow). He was uncertain, tactically, whether to ‘go all the way’ in attacking the government’s foreign policy. Barzel said that he would inform us and the Soviets when he had decided to make an effort to oust the coalition. He made clear, however, that a CDU government would not revert to cold war policies, but would continue a policy of reconciliation and negotiation.” (*Ibid.*, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII)

1. *Summary.* In a conversation with EmbOff August 4, CDU Bundestag faction leader Barzel reviewed the current political situation in the FRG. EmbOff gained impression that Barzel is not now considering an all-out CDU effort to bring down the Brandt government. *End summary.*

2. Barzel began by reviewing Scheel's discussion with him on June 20 (to which Strauss had already made us privy without consulting with Barzel), in which Scheel asked Barzel to designate CDU participants in his negotiating group for Moscow. Barzel said he had never heard further from Scheel as to Barzel's request to obtain Soviet views as to whether Soviet leaders would be prepared for serious negotiations other than mere acceptance of the Bahr paper. Barzel said the coalition had mishandled this approach to him, in that it had concentrated on the question of whether the CDU would participate in the delegation without dealing at all with the substance of the negotiations. He said he thought the coalition had made an even more serious error in the general sense by not taking advantage of his own offer at the outset of the new government to have a bipartisan foreign policy. The SPD were paying for this in public opinion and would continue to do so.

3. Barzel said he had not yet decided on his next tactical move, but he might decide to convene a special Bundestag session immediately after Scheel initialed the agreement with the Soviets. He assumed that Scheel would only succeed in obtaining minor changes in the text of the Bahr paper. Barzel referred to these minor changes as "arabesques." Barzel said his line of attack for a special Bundestag session would not be to try to deal with the whole content of the agreement with the Soviets at this juncture, but instead to focus on the specific point that the government had been wrong to conclude this agreement before a satisfactory solution on Berlin had been achieved and should not sign the treaty until this was done.

4. Barzel said there would almost inevitably be a debate on the FRG-Soviet treaty following signing. Resolutions would probably be brought in. He was not yet sure what course he would follow.

5. Barzel said some of his associates wanted to go all the way under such circumstances, but he did not feel it right for the CDU to be pushed into this decision at this time. It would be better to wait for the Landtag elections. Barzel said that the leadership situation was such that he did not yet have full authority. However, he was content to wait for party opinion to come to him. If the party decided that he had everything it took except that he was poor at baby kissing (a reference to his poor TV qualities), we would accept this decision. He was not going to get out and campaign for leadership position. At the same time, he did not see any other serious contender.

6. Regarding the CDU position on Bundesrat consideration of the FRG-Soviet treaty in the ratification process, Barzel said he was not sure that the Bundesrat could or would be a serious barrier to ratification of the treaty. First, he had some doubts about whether the CSU would do as well in Bavaria as it hoped. The FDP might still get into the Landtag there. If it were possible, the SPD and FDP would form a government even if they had only a one-vote majority. This would change the voting relationship in the Bundesrat in favor of the governing coalition. It was an open question whether the FRG-Soviet treaty did affect or change the Federal constitution and therefore required a two-thirds vote in the Bundestag and Bundesrat. This question could only be determined through a long drawn-out court case. If the treaty were not considered to have constitutional character, then the ratification law passed through the Bundestag and Bundesrat would not be of the type which required explicit Bundesrat approval. Hence the Bundesrat could not block it effectively.

7. In a discussion of the US attitude toward Ostpolitik, Barzel said that as he understood it, the US would support any legally elected German Government, hence was supporting the present coalition government and presumably would support a CDU government if such arose from new elections. He also understood that the US desires to maintain a close overall relationship with Germany, and consequently that the US would as a matter of course give generalized support to the major policies of its German ally. As opposition leader, he accepted this situation and considered it wholly appropriate. What he did object to at present was that Brandt and Scheel were both arguing privately that the FRG had to have an active Ostpolitik because the US Government insisted on it. Brandt had told him this in a private conversation in March, and Scheel had said the same thing in discussing the present Soviet treaty with Bundestag faction leaders. This was an argument that was only used internally, but it was effective and he did not believe it accurate.

8. Barzel said that in the event he decided to make an all-out effort to unseat the coalition government, he would inform the US in advance and subsequently also the Soviet Government through the Soviet Embassy here. At that time, he would indicate what his policy platform would be in the event of a CDU government. He did not wish to go into specifics now, but he could state quite clearly that that policy would not be a return to cold war status vis-à-vis the Soviet Union. It would show where the CDU differed from the SPD and which things it could accept and could not accept, but it would be a continuation of a policy of reconciliation and negotiation with the East, perhaps with more substance and constructive content than that of the coalition government.

9. *Comment:* Barzel appears to be taking a relaxed approach at this stage to the possibilities of unseating the SPD government, preferring to let events develop and possibly come his way rather than to try to shape them in an all-out effort to achieve his end. We find his statement on the Eastern policy which would be pursued by a CDU government interesting and significant. It conforms with our own appraisal that a CDU successor government to the present coalition would continue much of the present government's Eastern policy, with the significant exception that it would probably not take actions which explicitly entailed formal German acceptance of the post-war status quo.

Fessenden

104. Letter From German Chancellor Brandt to President Nixon¹

Bonn, August 8, 1970.

"Dear Mr. President:

As a result of the negotiations which Foreign Minister Scheel conducted in Moscow from July 27 to August 7, the text of a treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics was initialed. The text of the treaty and of the documents pertaining to it has already reached your government.²

You have been informed, Mr. President, about the course of the often difficult negotiations through the detailed consultations that have taken place between the German delegation and the ambassadors of the Three Powers in Moscow. I can state with satisfaction that, despite all difficulties, it was possible to reach a mutually acceptable settlement on a number of points. I regard the result as well-balanced. That also

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Willy Brandt, May–Dec 1970. Confidential. The German Embassy delivered the letter to the White House on August 9. The source text is the Department's Language Services' translation, which Eliot forwarded to Kissinger on August 11. The original text in German is *ibid.*; see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 1428–1429.

² For text of the treaty and related documentation, including the exchange of notes between Germany and the Western Allies on quadripartite rights and the German letter to the Soviet Government on reunification, see *Documents on Germany, 1944–1985*, pp. 1100–1105.

applies to the problem that was of special mutual concern to us: the Foreign Minister of the Soviet Union has expressly confirmed that the question of the rights of the Four Powers is not affected by the treaty.

I am convinced—and the discussions in Moscow have strengthened me in this conviction—that the result of the negotiations will also have a favorable impact on the further development of the Four-Power negotiations in Berlin. In the Moscow discussions Foreign Minister Scheel made it perfectly clear that we see a close connection between an improvement of the situation in and around Berlin and the implementation of the German-Soviet treaty.

My government realizes that the successful conclusion of the negotiations with the Soviet government can be only a step toward a basic improvement of the situation in Europe. Many difficult tasks still lie before us all. I am confident that the allied nations of the West will strive as before, in close understanding, for further progress in their joint policy of relaxation of tensions. The solidarity of the Western Alliance is a precondition for the success of such a policy. In that connection I attach great importance to very close cooperation with the governments of the Three Powers. Without our Alliance and the trust between us, we could not have attained such a result.

The Soviet Government has invited me to sign the treaty together with the Federal Foreign Minister in Moscow—probably on August 12. The Federal Cabinet has recommended that I accept this invitation.

I should like to take this opportunity also to suggest that a meeting be held in the autumn between the heads of state or government of the Three Powers and the Federal Republic of Germany, at which we would confirm the importance of our special relationship.³

I have also written today to President Pompidou and Prime Minister Heath to the same effect.

Accept, Mr. President, the expression of my high esteem and the feeling of a close bond.

Willy Brandt

³ In a telephone conversation on August 11, Rogers asked Kissinger if the Germans had told him about the summit proposal. Kissinger: "I had a call from Bahr on Friday [August 7] that said he was back and we would be hearing from Brandt." Rogers: "I think the fact that they did it publicly without checking with us—it makes it difficult to say no but I can understand why it would hurt the President. It will [help] Brandt in the election." Kissinger: "Is there an election?" Rogers: "In a couple of districts." Kissinger: "They never raised it with me." Rogers: "I wanted to check." (Library of Congress, Manuscript Division, Kissinger Papers, Box 364, Telephone Conversations, Chronological File)

105. Letter From German Chancellor Brandt to President Nixon¹

Bonn, August 14, 1970.

“Dear Mr. President:

I returned yesterday from Moscow from the signing of the treaty between the Soviet Union and the Federal Republic of Germany. On this occasion, I had comprehensive discussions with the Chairman of the Council of Ministers, A. N. Kosygin, and with the Secretary General of the CPSU, L. Brezhnev. I do not want to miss this opportunity, dear Mr. President, to report to you my first impressions immediately after my return:

I was repeatedly assured by my Soviet counterparts that they did not intend to encumber or complicate the relations of the two parties to the treaty with other countries. One proceeded rather on the assumption that from the treaty a positive effect on the general political situation in Europe and in the world will emanate. One did not intend to play one party off against another. In the past the Soviet Union had achieved positive results also in the field of cooperation with other European countries. The Soviet leadership was united in the desire to avoid unrest which could come about as a result of the conclusion of this treaty. I have gained the impression that the Soviet leadership, in its desire to consolidate its own sphere of influence, is aware that this is tied to a consolidation of Western Europe. Both with Kosygin, as well as in my four-hour conversation with Brezhnev, I strongly emphasized the seriousness of the Berlin problem and the necessity of coming to a satisfactory solution in the Four Power talks. The Soviet side was also informed officially repeatedly that the treaty concluded with them would not enter into force unless a satisfactory settlement on Berlin was reached. Though my Soviet counterparts did not want to make any precise comments on this question, I nevertheless gained the strong impression that the Soviet Government recognizes the connection between ratification of the treaty and a satisfactory settlement on Berlin and will be ready, therefore, to make suggestions for the practical settlement of that problem. Brezhnev’s comments implied that he was not giving up any basic positions, but he did not want to exclude the

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Willy Brandt, May–Dec 1970. Confidential. The German Embassy delivered the letter to the White House on August 14. The source text is the Department’s Language Services’ translation, which Eliot forwarded to Kissinger on the same day. The original text in German, which the German Embassy delivered on August 27, is *ibid.* For the nearly identical version from Brandt to Heath, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 1473–1475. See also *Dokumente zur Deutschlandpolitik, 1969–1970*, Nr. 184, pp. 737–738.

possibility of arriving at a solution with regard to Berlin, which is acceptable to all sides. Much, however, will depend on our ability to avoid creating the impression that pressure is being applied on the Soviet Union in this matter. In the months ahead the coordination of the Berlin talks among the Western Powers, which so far has been good, will acquire special significance.

The interest of the Soviet Union in alleviating its difficult problem of economic growth through increased economic cooperation with the Western countries became evident in all conversations. Our conversations may have played more than a negligible role in bringing the Soviets to their current willingness to recognize the European Economic Community as a Western reality, and to try to adjust to it. The suggestions made to us in the economic area do not go beyond what other European countries have done in the Soviet Union.

In summary, it is my general impression that the Soviet Union desires a general calming of the international scene in order to be able to proceed on this basis with the realization of its long-term economic plans. The talks we conducted with the Soviet leaders were pursued in a businesslike manner and with great frankness on both sides.

I hope, Mr. President, that we will soon have an opportunity to arrive at the best concerted and coordinated posture possible on the questions regarding the relationships with the Soviet Union. I am convinced that, independent of the different forms of society, new opportunities are developing for East and West to live peacefully side by side and that this development would justify a meeting of Western heads of state or heads of government or, if you would prefer, of the Foreign Ministers. For this reason I would like to come back again today to the suggestion which I made to you on August 8, 1970.² In the same vein I have written today to President Pompidou and Prime Minister Heath.³

² See Document 104.

³ Kissinger and Rogers discussed the summit proposal in a telephone conversation on August 16. Rogers: "I know you're going to be talking to Bahr, you and Hillenbrand. I had a discussion with the President about the proposed meeting of the Four. I don't think he has come to any definite conclusions as to whether or not it should be done, but he mentioned the possibility of going to Europe to have it. I think we ought to think that through carefully. I think there's some advantage in his having them come to him." Kissinger: "He has only talked vaguely about it to me." Rogers: "Me too." Kissinger: "And I wasn't going to talk to Bahr about it at all. What happened was Bahr called me. I told you immediately when he called. He said he might want to come over. I said we always like to see you but if you come make it through channels. The next thing I know he's coming and I called Marty immediately as soon as I knew. I have no intention of getting into the Summit Meeting with him. I would talk with him in general terms and say we'll be in touch with him when the President has replied to the letter." Rogers: "That would be a good way to handle it. I am uncertain about whether to do it at all. But if we're going to do it at all it might be a good idea to do it before the elections."

Please accept, Mr. President, the assurances of my highest consideration.

Willy Brandt"

(Library of Congress, Manuscript Division, Kissinger Papers, Box 364, Telephone Conversations) In an August 17 memorandum to Eliot, Haig wrote: "In connection with any talks with German State Secretary Bahr or any other Western officials, the President wishes that for the time being we give no indication as to our response to Chancellor Brandt's proposal for an autumn Western summit. If the matter should arise, we should simply say that we have the proposal, as well as the alternative possibility of a foreign ministers meeting, raised in Brandt's most recent letter of August 14, under active study." (National Archives, Nixon Presidential Materials, NSC Files, Box 282, Agency Files, Dept of State, Vol. VIII)

106. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, August 17, 1970.

SUBJECT

West German Appraisal of the Moscow Treaty

[1½ lines not declassified] The report delivered by Scheel [less than 1 line not declassified] naturally painted the treaty in favorable terms. At the end of his report, however, Scheel summed up his evaluation in expansive terms. [less than 1 line not declassified] he said (my underlining):²

"After the FRG signs the treaty, the West Germans will regain an important role in worldwide political developments. *The Four Powers will not be able to make decisions without consulting West Germany.* The United States and the USSR will have to consult the FRG in questions concerning all parts of the world. Consequently, the FRG has a greater responsibility in worldwide politics. Scheel said that *the big powers will, in the future, have to take into consideration the maintenance of proper relations with the FRG; this applies especially to the Western Powers.*"

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII. Secret. Sent for information. A stamped note on the memorandum indicates that the President saw it. According to another copy, Hyland drafted the memorandum on August 14. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 291, Memoranda to the President, 1969–74, July–Aug. 1970)

² Printed here as italics.

[less than 1 line not declassified] after this oration, one of the participants in the meeting commented that Scheel could not possibly mean this and wondered who put him up to it.

The point here, however, is that the tone of self-assertiveness has been reflected in other German comments since the new government took office. The potential for trouble from careless rhetoric and over-estimation of the shrewdness of German diplomacy is obvious if one thinks of how such remarks would be read in Paris or London. Indeed, one of the interesting aspects of European reaction to Brandt's Eastern policy has been the rapprochement between the French and British.

107. Memorandum of Conversation¹

Washington, August 17, 1970, 3:30–4:45 p.m.

SUBJECT

German Eastern Policy and Berlin Talks

PARTICIPANTS

Egon Bahr, State Secretary, FRG Chancellery

Rolf Pauls, German Ambassador

Antonius Eitel, Assistant to State Secretary Bahr

Martin J. Hillenbrand, Assistant Secretary for EUR

William Hyland, National Security Council

Kenneth N. Skoug, Jr., Acting Director, EUR/GER

Mr. Hillenbrand asked Bahr if his understanding from their earlier conversation² was correct that the Germans regarded the following three points as necessary in any Berlin agreement: (1) acknowledgment of economic, cultural and legal Bonn-West Berlin ties, (2) an access accord, (3) FRG passports for Berliners (with the last point less important than the others). Mr. Bahr confirmed this understanding.

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 28 GER B. Confidential. Drafted by Skoug. The meeting was held in Hillenbrand's office. Eitel also drafted a record of the meeting; see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 1492–1496. Following his meeting with Hillenbrand, Bahr met Secretary of State Rogers. A memorandum of conversation is in the National Archives, RG 59, Central Files 1970–73, POL GER W–USSR; see also *Dokumente zur Deutschlandpolitik, 1969–1970*, Nr. 187, pp. 745–746.

² Hillenbrand, Bahr, and others had attended a luncheon meeting at the White House that afternoon; see Document 108.

Mr. Hillenbrand inquired if it would be sufficient for the FRG on the first point that the Russians agree to the formula what is not specifically forbidden is permitted. Mr. Bahr responded that the Germans had used a formula in their negotiations with the Soviets of "respect, not recognize." There was also the question of method. Talks with three-week intervals between them are not negotiations. Complex problems are being discussed. He has gained the impression that the Soviet Ambassador has a distinct advantage derived from his much greater familiarity with the subject through seven years of experience. A second problem is that the Western consultation process is much more complicated and time-consuming than that of the Soviet Union, even though the latter is obliged to consult the GDR. A lower level working group could discuss specific problems in detail. It is better to concentrate on concrete results for Berlin. Berlin must live and have prospects. The working group should meet one to three times weekly.

Continuing, Mr. Bahr noted that the Russians have also advanced larger and smaller solutions to the Berlin problem. The larger solution seems to offer a new status for Berlin, something which arouses German fears. Mr. Hillenbrand commented that one has to assume this, but it is not clear from the Soviet presentation. Mr. Bahr said that the larger Soviet proposal offered one advantage: a new status for Berlin would presumably give certain Russian guarantees that would safeguard Berlin from the GDR. On the other hand, there were many disadvantages including the loss of the Four Power status in Berlin and recognition of the Wall.

Continuing, Mr. Bahr said that the Germans were suggesting one additional point based upon their own bilateral negotiations. There could be a renunciation of force agreement on West Berlin similar to that of the FRG and the USSR. In the agreement with the Soviet Union the FRG had not said that current borders are pretty, that their origin was just or that they were thereby recognized. It simply said that borders exist and are inviolable. We could seek some Soviet "respect" for the borders of West Berlin that would be binding on the GDR. Our borders would be respected by both sides. This could be part of even a "smaller solution" on Berlin.

Reverting to Mr. Hillenbrand's question as to whether the Germans could accept a formula where what is not forbidden is permitted, Bahr said that a catalog of points to be forbidden could be made but in this event we must tell the Russians at the beginning what is to be permitted. For example, it would be possible to dispense with the Berlin clause in the future on the understanding that it would be automatically valid unless a treaty should pertain to such subjects as defense, NATO, the Bundeswehr, etc. This could be discussed with the Soviet Union. It would be face saving for the Soviet Union and the GDR.

Mr. Hillenbrand inquired if Bahr had given up his earlier concept of mutual respect for the status quo in West and East Berlin. Bahr responded that he had done so. If it proved necessary in the negotiations, one could come back to this concept but he now preferred to concentrate on practical arrangements. Mr. Hillenbrand noted that this was in line with our thinking. To do otherwise would run the risk of weakening our rights in Berlin.

Bahr commented that Soviet Ambassador Abrasimov always turns the screw tighter. The first step had been the Federal presence. It is a well known Soviet method to turn the screw until one's adversary cries out. He thought one should cry out in time, making one's position clear and holding on to it stubbornly. There is only one package: proceed from the status quo and seek improvements, as in SALT. The goal is that Berlin should be made a point not sensitive to disruptions. The package could be the Federal presence in Berlin in exchange for improved access. With regard to the Federal presence in Berlin, he has informed the Russians that the Federal Chancellor is always such, even in Berlin. The Federal President has always signed laws in Berlin—it would be a great concession to stop doing so. He has told the Russians that Berlin is not governed from the Federal Republic, and the Federal Republic will not be governed from Berlin. One can discuss the question of sessions of the Bundestag in Berlin. Despite harassments, the Germans could continue to hold these there; if they gave them up, it would be a concession. However, when dealing with such institutions as administrative courts with 20,000 workers, it becomes an economic question. Such institutions could not be given up.

Referring to a conversation he had had with Falin of the Soviet Foreign Office, Bahr said that Falin had sought to argue that the West have no original rights in Berlin because only the Soviet Union had conquered Berlin. Bahr said that he responded to this argument that the U.S. would have original rights in Thuringia as far as Torgau. Falin had then said that the French have no original rights. He had claimed that all of Berlin is the capital of the Soviet Zone and that West Berlin had been extracted and made into a special zone. Bahr had reminded Falin that if the Russians were to seek to implement their legal view, it would mean war. Falin had commented that the Russians do not want war but the situation is complicated. Bahr commented that Falin is "the one," i.e., the one who is preparing Abrasimov's instructions for the Berlin talks.

Mr. Hillenbrand noted that Bahr during their luncheon conversation had said Kosygin would make a suggestion for the Berlin talks but that it would not be altogether satisfactory to the West. He asked what Bahr thought the suggestion might contain.

Bahr responded that the proposal would affect the role of the FRG in Berlin. He commented that we must then be stubborn. During the

German-Soviet talks, Gromyko had tried hard to prevent a link between the second and third articles in the draft treaty.

Bahr had admitted to Falin that the link reduced the value of the treaty to the Soviet Union, but he had argued that without it the treaty could not be ratified. His argument had been purely political but this is the kind of argument the Russians understand. Subsequently, Gromyko, while strolling with Scheel at his dacha on the Sunday before the initialing of the treaty, had proposed the link as his own suggestion. Scheel had been clever enough not to react too eagerly and the bargain had been struck.

Mr. Hillenbrand said it was harder for us to say that something affecting the FRG role is politically impossible. Our first problem is to find a tactic to elicit Soviet views without committing ourselves. Mr. Bahr commented that one must make one's own position clear to the Soviets, giving political grounds for it.

Mr. Hillenbrand asked Bahr's impression what would be a realistic schedule for the next round of the Four Power talks. He inquired if there should be a round of these talks before the senior level meeting scheduled for September 18–19 in Bonn. Mr. Bahr said no. Mr. Hillenbrand asked if Bahr thought the Russians would lay their proposals on the table at the next session. Mr. Bahr shrugged his shoulders. Mr. Hillenbrand said that it depended in part on whether the FRG exerted pressure. Mr. Bahr commented that the Russians would not forget what the Germans had told them. Mr. Hillenbrand suggested that the FRG should nonetheless repeat its view. Mr. Bahr commented that in Moscow everyone will be on vacation in August. (In an aside to Ambassador Pauls, Bahr commented that the Russians were "third generation" revolutionaries.)

Mr. Hillenbrand commented that there had been some talk in the Bonn Group of an earlier resumption of the quadripartite talks. Mr. Bahr responded that it must be shown to the Russians that we intend to work intensively, but for that we first need to have the Soviet proposals.

Noting that there were elections scheduled in the FRG in November and Berlin next March, Mr. Hillenbrand inquired what would happen if we reached December without progress. Bahr commented that we would then get together and consult.

Reverting to the question of passports, Bahr suggested hypothetically to Falin that Berlin as a special political unit could sign an agreement with the FRG to represent it similar to the relationship between Liechtenstein and Switzerland. This representation would be valid in Moscow as well as in Paris. Falin had responded that Berliners could go to the U.S. or U.K. Embassy just as well as to that of the FRG. Bahr had said that "we are Germans and have our pride." They could not

allow people to go about unprotected. He had asked Falin if Berliners should bear U.S. passports. Falin had said no. Bahr had suggested that the passports could be issued from the Ministry of the Interior or from some Federal office in Berlin, but they must be a German passport. This would not affect the rights of the Allies in Berlin, since they indisputably have the power to block such issuance. For example, the Western powers had blocked the application to Berlin of the Federal law on waterways on the grounds that there are no Federal streams in Berlin. Mr. Bahr summed up that it was difficult but the situation was not wholly without prospects. Mr. Hillenbrand agreed that we could at least try.

In response to Mr. Hillenbrand's question about Soviet motives behind the recent treaty, Mr. Bahr responded that problems of economic growth are very much worrying the Russians. The gap between the East and the West is growing rather than contracting. The Russians know that they can get the economic help they need only from Western Europe, the United States and Japan. He mentioned a project being looked into by Mercedes Benz which is valued at one billion rubles. Mercedes can supply the know-how but it cannot build the factory. The French will do that. The Japanese are constructing a harbor in the Asiatic part of the Soviet Union, but the Japanese role is limited to that part of the USSR. The reason that the (FRG-Soviet) natural gas negotiations took so long was because it was first necessary to find a political basis from which an economic agreement could flow. Therefore, he saw the Soviet motives behind the recent treaty to be a combination of the following elements: (1) "Bolshevik thinking" about the need to create a political basis for economic cooperation, (2) a need for quiet in Europe, (3) an irrational fear of China and (4) a desire by Brezhnev now that he had consolidated his own position to demonstrate a foreign policy line clearly bearing his own personal imprint at the beginning of the "Brezhnev era."

Mr. Hillenbrand wondered if an additional Soviet motive was to confuse the West. Mr. Bahr said he doubted the Russians wished to do so. They wanted no disorder in the West. They wanted quiet. However, they also wanted the ideological struggle to continue, an element also required for their relationship toward China. They require clear ideological differences. For example, when Brandt told them that these differences would continue in spite of the signing of the treaty, the Russians agreed with great enthusiasm. As they become outwardly looser in foreign policy, the Soviets insist that ideological differences be stressed for internal purposes. When someone tries to reduce the role of ideology and become outwardly looser at the same time, as did Dubcek in Czechoslovakia, the Russians react.

108. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, August 20, 1970.

SUBJECT

Conversation with Brandt's Foreign Policy Advisor, Egon Bahr.
Various Aspects of Soviet and European Policy

Bahr, who has been the dynamo and, in most respects, the chief implementer of Brandt's Ostpolitik, spent about two hours with me today² to report on his impressions in Moscow and to discuss further steps in East-West relations.³

There is no doubt that Bahr remains highly influential in the Chancellor's office and that, for good or ill, his energy and persistence have gotten the Germans to where they are today in their Eastern relations.

Soviet Politics

Bahr's most interesting observations related to the Soviet leadership. He himself saw a good deal of Kosygin, when Brandt met officially and socially with the latter; he also saw Brezhnev rather more briefly but apparently was not present during Brandt's conversation with him. In Bahr's view Brezhnev is clearly number one: he treats the others as the chief and the others defer to him. Yet Bahr also considers him a "soft" person, prone to compromise and procrastinate and not inclined to concentrate consistently on a subject. Yet, as Bahr heard—and this is not inconsistent with our own intelligence—Brezhnev has the enormous institutional power of setting the agenda for the regular (Thursday afternoon) Politburo meeting and is the only member of that

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII. Secret; Nodis. Sent for information. A notation on the memorandum indicates that the President saw it. No drafting information appears on the memorandum. Sonnenfeldt forwarded it to Kissinger on August 17. (Ibid.) According to an attached routing slip, the President saw the memorandum on August 26. Pauls also drafted a memorandum of conversation; see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 2, pp. 1487–1491.

² August 17.

³ A memorandum of the August 17 luncheon conversation, which included Hiltenbrand, Sonnenfeldt, and Pauls, in addition to Kissinger and Bahr, is in the National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII; also *ibid.*, RG 59, Central Files 1970–73, POL GER W–USSR. During an NSC staff meeting on August 17, Kissinger "said he wanted a half-hour alone with Bahr." Sonnenfeldt replied that "this may not be possible in view of Pauls' bird-dogging." (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 314, National Security Council, 1969–77, Meetings, Staff, 1969–71) No record of a private discussion between Kissinger and Bahr has been found.

body who can raise a subject at a meeting without advance notice. Normally, papers are circulated three days in advance.

Brezhnev's health, as we know from Kekkonen⁴ and other sources, was shaky while the Germans were there; but he joined them in drinks and of course talked to Brandt for some four hours. In those talks, incidentally, Brezhnev frequently referred to notes and talking papers, in contrast to Kosygin who was fully briefed and used no papers. Bahr is quite convinced that foreign policy is not basically interesting to Brezhnev—again a point made by other observers, although as nominal President of the USSR in the Fifties, Brezhnev actually travelled quite a bit.

When one considers that Brezhnev accomplished the near-unique feat of becoming head man of the USSR (only three others did it before him), one must conclude that he is past his prime, was always more accomplished bureaucratically than substantively, and must be assumed to be subject to replacement once his cohorts can agree on a successor. Meanwhile, it is Bahr's view that Brezhnev's actual strength at the moment is undiminished.

Kosygin

Like others, Bahr found Kosygin impressive as the "general manager" of the "largest concern in the world—the USSR." He had vast amounts of data at his finger tips, was clearly overridingly concerned with planning, management and economics but had done his homework impressively when it came to talking to Brandt about the Soviet-German treaty. Bahr found no trace of fatigue or lethargy in the man. He was the only one who spoke to Brezhnev on essentially equal terms. (The experience at the time of Glassboro in 1967,⁵ however, was that Kosygin would not make commitments without first seeking authority from home.)

Gromyko, according to Bahr, is clearly a pro: essential to the operation on foreign issues but not among the top decision makers.

Bahr says he was told that Brezhnev, apart from probably having his own channels of information, gets telegrams and intelligence within 24 hours, as does Kosygin and probably President Podgorny. (The latter did not appear with the Germans; Bahr says he is viewed as an old-line dogmatist.) The rest of the Poliburo members supposedly get information within three days and each has a foreign policy staff to help

⁴ Urho Kaleva Kekkonen, President of Finland. Kekkonen was in the United States July 22–27 for an official visit. A memorandum of the conversation between Nixon and Kekkonen on July 23 is scheduled for publication in *Foreign Relations, 1969–1976*, volume XLI.

⁵ Reference is to the summit at Glassboro, New Jersey, between Kosygin and President Johnson from June 23 to June 25, 1967; see *ibid.*, 1964–1968, vol. XIV, Documents 217–238.

sift the mass of paper. Bahr—and others have made this point too—feels the Soviet sluggishness in decision-making may be partly due to this complex lateral distribution system. It is, of course, one outgrowth of the Soviet leadership's fear of another Stalin; i.e., a device to ensure that all leaders operate on a comparable information base.

Soviet Motives

In the German judgment, which in my view has some merit, the Soviet negotiations with the Germans, their interest in a European conference, their acceptance (as the Germans see it) of the Common Market as a reality and the SALT talks are all part of a pattern related to a Soviet effort to reach decisions for the next five-year plan on the basis of reasonably well defined blocs. (The Middle East is one big question mark in this interpretation.) With so many issues pending, Bahr believes, the postponement of the previously scheduled Soviet Party Congress until next spring is a logical development. Bahr says "China" was never mentioned (as, indeed, it was not except very informally in Gerry Smith's Vienna talks). Yet the economic demands of a long-term confrontation with China clearly add another element of uncertainty to Soviet economic planning which would be at least somewhat mitigated if a certain clarity could be introduced into the USSR's relations with the two major Western powers, the US (SALT) and the FRG.

Even if this analysis is correct, one cannot expect Soviet concessions (be it on SALT, or on Berlin or on the Middle East) to fall like ripe plums from a tree.

The Soviets warned the Germans not to approach the Berlin question (settlement of which, as you know, the Germans have made a precondition for ratification of their new treaty with the USSR) by attempting to exert pressure on the USSR. This is an old Soviet sensitivity and not to be discounted. Moreover, as regards Berlin, having so many of the tactical cards in their hands, the Soviets may well reason that the Germans (and their Western allies) will eventually settle for few, if any, genuine improvements in the situation. We would of course run the risk that the Germans will seek to blame us for failing to extract the concessions from the USSR that would make German Ostpolitik the success that Brandt needs for electoral purposes at home. Bahr's line with me, meanwhile, was that given the pressures, as he interprets them, on the Soviets, and assuming Western (i.e. US) negotiating skill, the Ostpolitik package should be signed, sealed and delivered by the end of the year or next spring.

Troop Cuts

Bahr, and other Germans who have reported on the Moscow talks, did not discern any great interest among the Soviets in mutual East-West troop cuts, although they seem willing to discuss small mutual

withdrawals. We are still examining this complex subject within the NSC system, on the model of our SALT studies. My judgment is that the Soviets may well be willing, as they have publicly said, to discuss this subject; that they are not interested in major withdrawals from Eastern Europe because of their general sense of insecurity there; but that they might be prepared to negotiate small East-West reductions on the assumption that in the ensuing mood of détente—especially if there also were a SALT agreement—the US would make large unilateral cuts, anyway.

Summit Meeting

I raised briefly with Bahr Brandt's proposal for a Western summit. Bahr said that Brandt's idea stemmed in part from your talk with him earlier this year that it might be useful to have a solemn reaffirmation of the Western alliance. Beyond that, according to Bahr, Brandt would envisage the meeting to deal essentially with German and European questions. Bahr did display some sensitivity to the possibility that Pompidou might not take kindly to a German suggestion which in effect maneuvered the French President into having to accept a meeting in New York.

To preserve your flexibility, I told him we are still studying the idea but will make a response in the near future. Bahr himself is going on leave for several weeks, but I have made alternative arrangements for backchannel communications to Bonn, should these be required in the next several days.

109. Memorandum From William Hyland of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, August 25, 1970.

SUBJECT

NSSM-83, Longer Term Perspective on European Security²

¹ Source: National Security Council, SRG Meetings Files, Box 96, Senior Review Group, 8-31-70, European Security. Secret. Sent for information.

² For background on consideration of Germany under NSSM 83, see Document 49.

By the time you reach this, the last of a triple header on Monday, August 31, you will have covered all the aspects of troop levels and MBFR, including some of the European politics involved. For the NSSM-83 exercise, therefore, you should use whatever time remains to focus on Berlin and Germany, which is the heart of this paper in any case. The paper is a rather optimistic and sanguine treatment of Ostpolitik, which you will not agree with. Yet it is fairly good in parts and it is the first time the NSC machinery will have been engaged on this subject, and *your bureaucratic aim should be to assert a continuing control over the issues.*³

There are, however, major substantive problems only touched on in this paper, which, if you have the time and energy on Monday, you should go through.

The first problem is to estimate the prospects for Ostpolitik. The study asserts that Brandt's aims are compatible with our own, and strongly favors supporting him and doing so more actively. However, there is a basic contradiction between the German view of Ostpolitik, and what the Soviets want out of it. There is at least the possibility of a major crisis when German expectations of a loosening of Soviet domination and restoration of cultural and economic unity are not realized. The question for US policy is whether there is anything we can or should do to forestall such a crisis by making the settlement Brandt is negotiating more durable. And the further question, not really addressed, is what estimate we make of his chances of success and his ability to withstand the internal political pressures from the CDU. (Your talking points⁴ bring out these problems and suggest further analysis, including an assessment of Soviet intentions, which in this study appear to be rather benign.)

The second major problem is that in Berlin we have become saddled with the prime responsibility for the success or failure of Ostpolitik—a negotiating situation not foreseen when we initiated the talks as a low-key probe of Soviet interest in practical improvements at a quiet time. Now a “satisfactory” Berlin solution becomes the key to the web of treaties Brandt intends to complete in short order, including a modus vivendi with East Germany, which will make it a legitimate state, perhaps in the UN, and thus make our position in Berlin anachronistic if not perilous.

³ Kissinger wrote on the memorandum: “Was State told that before Rush sees Abrasimov we want to get a crack at the decision?” On September 2 Rush met Abrasimov for lunch at the Soviet Embassy in East Berlin. For a record of the discussion, see Document 114.

⁴ Not printed. (National Security Council, SRG Meetings Files, Box 96, Senior Review Group, 8-31-70, European Security)

The importance of Berlin in this scheme does give us some bargaining power with the Soviets, who presumably want Ostpolitik completed. Thus, one choice is to continue probing for a bargain on the basis of restrictions on Bonn's political role in Berlin for better guarantees of access. If, however, the enhancement of East Germany is inevitable and we have some bargaining leverage now, why should we not try for a new status for West Berlin *only*, conceding East Berlin and obtaining a better contract from the Soviets (and GDR).

This is at least worth considering and your talking points explore whether this is an option worth examining.

Finally, we have to pull together our German and Berlin policy in some coherent manner. For example, we can support Brandt but remain aloof (one of the study's options), hedging against his fall, but in this course we may contribute to his difficulties and political demise.

Or we can give him more active support (which needs to be defined in more detail) but recognizing that we strengthen his domestic position, and elevate the GDR, thus weakening our Berlin position unless we are willing to seek a new, improved basis for remaining in Berlin.

These seem to be the rough choices, in addition to a non-starter of opposing Brandt and killing the Berlin talks.

What you want out of this meeting is a fleshed-out study of the options as described and suitably modified, with an analysis of Brandt's domestic position, Soviet motives, and prospects for the Berlin talks, including a possible agreement on a new status.

It is up to you whether you want to hold out the prospect of an NSC meeting, or prefer to ask for a memorandum for the President. But in any case, if you want to have a crack at the analysis and the discussion in any future study, *it must be kept in the NSC machinery, not simply remanded to State*. For this purpose you may want to suggest a working group with your staff involved, if not in control.

We have done a rather lengthy analytical summary⁵ in order to rearrange the study so that the various sections on Berlin and Germany are put together in one cohesive mass. Your talking points also deal with the general situation in Europe with reference to Berlin and Germany, though the analytical summary covers the entire paper.

The other subjects (a European Conference, MBFR) are not worth discussing in the limited time available. If you do have time you might look at the section on East-West economic relations, which points up the growing economic links between Western Europe and the East, and notes that in this important area we are pathetic observers.

⁵ Not printed. (Ibid.)

110. Paper Prepared in the Department of State¹

Washington, undated.

A LONGER TERM PERSPECTIVE ON KEY ISSUES OF
EUROPEAN SECURITY

[Omitted here is a table of contents.]

SUMMARY

East-West discussions, underway or proposed, aim at making the present security system in Europe more stable and less onerous—not at replacing it. Whatever their outcome, it is probable that the NATO and Warsaw Pact structures will remain in place, substantial US forces will be needed in Western Europe, substantial Soviet forces will remain in Eastern Europe, and the division of Europe will persist.

Though radical changes thus are unlikely, East-West relations have nevertheless undergone a sea-change in the past year, persuading many Western Europeans particularly that a new season in East-West relations is opening. Distrust persists, but neither side feels as directly threatened by the other; important negotiations have opened, but there is still no clear path to the future.

European security diplomacy in the period covered by this paper will thus be highly tactical and heavily influenced by calculations of effects on public opinion. Each side will be seeking limited gains, sometimes at the expense of the other, but agreements may be reached of value to both. An era of negotiations, though, may tend to erode somewhat both Western defensive arrangements and Soviet domination in Eastern Europe.

US decisions on the interrelated European security issues will significantly influence the entire process. However, both US vital interests and the tight correlation of the individual issues put limits on our range of choice, and decisions on each issue inevitably will shape the context for other decisions.

Our decision on US force levels is the critical variable in the current European security equation. It will be read in Moscow, Bonn, and

¹ Source: National Security Council, SRG Meetings File, Box 96, Senior Review Group, 8–31–70, European Security. Secret. Although no drafting information appears on the paper, it was prepared in EUR for the upcoming Senior Review Group meeting in response to a request from the NSC staff and without clearance from other agencies. (Memorandum from Hillenbrand and Spiers to Richardson, undated (ca. August 27)); (National Archives, RG 59, S/S Files: Lot 80 D 212, NSSM 92—Mutual and Bal. Force Reductions Between NATO and Warsaw Pact (MBFR))

elsewhere in Europe as meaning that the US commitment to Western Europe remains strong—or that it is weakening and that the European balance of power therefore is shifting in favor of the Soviets. Thus US force reductions—in proportion to their magnitude and to the degree of expectation that further cuts would follow—would reduce our leverage on all of the specific European security issues and make the European Allies more likely to seek accommodations on Moscow's terms.

Of central importance also is German Eastern policy, which seeks better FRG relations with the Eastern countries and constructive change in Central Europe from the basis of formal acceptance of the territorial status quo. Specifically, it seeks easier communications between Germans living within a divided nation and greater influence and trade opportunities for West Germany in Eastern Europe generally. If the policy succeeds, the USSR could no longer use the spectre of German revanchism as a pretext for enforcing discipline in Eastern Europe. This, and the growth of West German presence and influence, would tend to reduce somewhat Moscow's control in Eastern Europe and to encourage internal liberalization there. However, West Germany might become more vulnerable to Soviet suasion, and enhancement of the status of the German Democratic Republic could weaken the Western position in Berlin.

Bonn believes that the Four Power talks on Berlin and its own negotiations with the USSR, Poland and East Germany should be considered as a whole and that definitive agreements with the latter three capitals should be accompanied by Soviet agreement to some improvements in the status of Berlin. Indeed, the Soviet desire to conclude and make final the bilateral agreements with Bonn may offer us some additional leverage in the Berlin talks. At the same time, this FRG-conceived nexus also tends to give the Berlin talks a much more complex and central role than we had anticipated.

In the Berlin talks, the Western side has been seeking practical improvements such as better inter-sector communications and more assured access to the city. In return, we have suggested that the FRG would be willing to reduce the level of its activity in Berlin. The Soviets, however, have demanded that the FRG eliminate completely its political presence in West Berlin, and that the Western powers accept West Berlin as a separate entity.

Bonn regards the present level of US forces in Europe as an essential element in its negotiations with the East. The Germans have made clear their belief that reductions would undermine their bargaining positions in their negotiations, and in the implementation of their intended policy. By extension, such reductions would diminish our own influence on German Eastern policy as a whole.

The US, having sanctioned the concept of East-West negotiations on specific concrete issues, cannot oppose Germany's Eastern policy in

principle. Our leverage is highly limited. Our realistic choice lies between, (A) attempting to restrain and slow where possible the pace of the German initiatives, and (B) more enthusiastically supporting not only the general objectives but also the tactical means by which the Brandt government seeks to attain them.

Similarly, having entered SALT, the US should not seek to deny the Europeans a parallel opportunity to negotiate on such issues as mutual and balanced force reductions (MBFR). Indeed the European Allies regard the US as committed in principle to MBFR negotiations, and disarray in the Alliance would follow a US decision to abandon MBFR or to delay indefinitely movement toward actual negotiations. Thus, the issue is not so much whether to negotiate MBFR, but under what conditions and to what end. Hence, a clear US position will be needed to allow us to take a lead in further Allied work on specific MBFR proposals.

Substantial US troop reductions would effectively remove this issue from the international agenda, but minor reductions might be read as portending additional cuts later, thus prompting our Allies to press MBFR more energetically.

US troop withdrawals would diminish the credibility of US protection and thus enhance European desires for a Conference of European Security (CES) as a prudent placatory gesture to Moscow, and as a means of determining what deals might be struck as a hedge against any further erosion in the US presence. However, even if US forces remain in Europe at essentially their present strength, it will not, of course, rest entirely with us to decide whether or not such a Conference should take place. If SALT and the German and Berlin talks lead to significant agreement, it will be difficult to avoid movement toward CES.

Successful conclusion of current and prospective negotiating efforts could improve both the sense and substance of European security, but the net result would depend on the terms of agreements and the assumptions in both East and West regarding the new situation. The abortion of these efforts probably would not entail a major crisis, or an effort by either side forcibly to change the status quo. In fact, East-West relations will probably evolve toward an intermediate point, with both failures and successes in route, but the dialogue accompanying the search for even limited agreements will itself have a stabilizing effect on the East-West confrontation in Europe.

[Omitted here are the introduction, sections on "The Longer Term and the Impact of US Choices: Conclusions," "The State of Play: Premises and Prospects," "The Compatibility of German Eastern Policy with US Objectives in Europe," "Berlin," and "Other Current Issues of European Security, including Conference of European Security, Mutual and Balanced Force Reductions, Renunciation of the Use of Force, Issues of Cooperation in Europe, and East-West Trade," and seven appendices.]

111. Minutes of the Senior Review Group Meeting¹

San Clemente, August 31, 1970, 12:05–1:07 p.m.

SUBJECT

European Security (NSSM 83)

PARTICIPANTS

Chairman—Henry A. Kissinger

State

U. Alexis Johnson

Martin Hillenbrand

Leon Sloss

Defense

David Packard

Reginald Bartholomew

John Morse

CIA

Gen. Robert E. Cushman

Bruce Clarke

JCS

Adm. Thomas H. Moorer

Col. John Wickham

Attorney General John N. Mitchell

ACDA

Vice Adm. John M. Lee

Thomas J. Hirschfeld

Treasury

Anthony Jurich

NSC Staff

Helmut Sonnenfeldt

William Hyland

K. Wayne Smith

John Court

Col. Richard T. Kennedy

Marshall Wright

Jeanne W. Davis

¹ Source: National Security Council, Minutes File, Box 121, SRG Minutes 1970 (Originals). Top Secret. No drafting information appears on the minutes. According to Kissinger's Record of Schedule, the Senior Review Group met from 10:07 a.m. to noon to discuss NSSMs 83 and 84. (Library of Congress, Manuscript Division, Kissinger Papers, Box 438, Miscellany, 1968–76) Regarding NSSM 83 and NSSM 84, see Documents 49 and 36, respectively.

SUMMARY OF DECISIONS

It was agreed that the paper would be revised to:

- include an analysis of the things that could go wrong in Ostpolitik and what questions this would raise for US policy; and
- state more explicitly the assumptions on which Brandt's policy is based.

Mr. Kissinger: I want to express our appreciation for the State Department's work on this paper. Its main thesis is that a process of qualitative change is underway in Europe which is to some extent irrevocable. The combination of SALT and Ostpolitik will produce a different situation in Europe based on the status quo and strict parity between the superpowers. Whether or not this trend is compatible with our interests, we probably can't affect it unilaterally except at a very heavy price in our relations with our allies. We should now address both the immediate tactical situation and our longer term policy. The President has indicated that he wants an NSC meeting in September on the issues. If agreeable, we will skip the discussion of unilateral US force reductions since we should not entertain such unilateral reductions until we have a clearer analytical base for discussion, particularly since unilateral reductions do not appear necessary even under reduced budgetary guidelines. (to Mr. Hillenbrand) Okay, Marty?

Mr. Hillenbrand: Okay.

Mr. Packard: I agree for now. However, we will have to discuss this question at some time. We should not assume that there will be no reductions.

Mr. Kissinger: Once we have a firm line on MBFR, we will get to this discussion. We might decide to hold out some things for bargaining purposes, but we haven't done sufficient homework on it to discuss it at this meeting.

Mr. Johnson: It is essential that we do the work on MBFR first.

Mr. Kissinger: For this meeting let's focus on Ostpolitik and Berlin. The Germans have made a treaty with the Soviets in which the quid pro quo is some Soviet move on Berlin. The Germans say that they cannot ratify this agreement without a new Berlin agreement. This means, in effect, that we will be negotiating on Berlin in the Four Power forum in which the Germans do not participate; thereby, we run the risk of being blamed for any failure. Also, the current Berlin negotiations assume a certain significance which was not originally intended. Bahr can put forward exalted ideas of what is achievable, but the US has to be the negotiator and we will be in a bad position if it does not work.

In addressing the immediate tactical problem we have three options. The first option—let the negotiations die—is not realistic. The

second option calls for obtaining certain tactical improvements without necessarily negotiating a long-term arrangement, while the third calls for a broad long-term agreement. If we should choose to let the negotiations die we would be blamed for sabotaging Ostpolitik. Therefore, our choices fall between Options 2 and 3 although the outcome is not really up to us. Bahr believes a broad long-term agreement is achievable. If so, would we not snap it up?

Mr. Hillenbrand: Yes, if it were the right kind of agreement. However, our aims are more modest and more realistic, along the line of Option 2.

Mr. Kissinger: What are the differences between 2 and 3?

Mr. Hillenbrand: Option 2 would bring improvement on access and elimination of the harassment typical of the Berlin situation. In return, we would concede the elimination of West German political activity in West Berlin although they would retain economic and other ties. Option 3 would call for a more fundamental agreement which might take several forms. We could acknowledge the status quo in West Berlin. We could attach moves to improve access. The status quo in West Berlin would permit present political ties and the Soviets would propose that West Berlin be separated and made an independent entity. It would retain some ties to the FRG but access to it would be within the control of the GDR. We have already given the Soviets a proposal and it might be wise tactically to see how they react after the Moscow treaty.

Mr. Kissinger: Would Option 2 give Brandt enough to ratify Ostpolitik?

Mr. Hillenbrand: Yes, with the proper public treatment; if the reduction of ties with Berlin are within the range of what Kiesinger was willing to do earlier; and if the Soviets are reasonably forthcoming on access (between West Germany and Berlin and between East Berlin and West Berlin) and the elimination of harassment of West Berlin traffic to Eastern Europe. It would also include some representation of Berliners abroad by the FRG.

Mr. Kissinger: The problem is not in access procedures but in the unwillingness of the Soviets and the GDR to live up to them. It isn't that the arrangement is bad, but that the goodwill to make it work is lacking. There can be some procedural improvements but, short of some agreement that access is practically free, why would any new arrangement be better than the old in the absence of goodwill? If there is goodwill, we don't need a new agreement.

Mr. Hillenbrand: On the question of access, the Germans want the presentation of identity to be the only requirement. They want sealed cargoes and elimination of all tolls and taxes. Short of that, the most we could hope for would be some sort of guarantee that whatever access modality is agreed upon it would be a standardized system sim-

ilar to that agreed upon by the US and Soviets on military traffic which has worked for some 13 years.

Mr. Kissinger: It has worked except when they want a crisis. Whenever they want to tell us something, they stop traffic to show us what they can do. I agree that there has been no substantial harassment between 1957 and 1970, but the chief ingredient was that the Soviets did not want a confrontation. Any new legal arrangement would be subject to a GDR willingness to confront the FRG.

Mr. Hillenbrand: This will always be true as long as Berlin is an exclave.

Mr. Kissinger: Is Brandt not really after the domestic political effect of a temporary, possibly permanent, improvement of relations with the GDR?

Mr. Hillenbrand: There are two possible phases in Berlin negotiations: (1) the present phase which might produce a limited agreement; (2) assuming the success of Ostpolitik, the phase immediately prior to the entry of the two Germanies into the UN. We might have more influence in the second phase because of our UN veto power. The four powers (US, USSR, France, UK) will probably agree that the two Germanies should work out the details of an access agreement which could then be blessed by the four powers.

Mr. Kissinger: Will the Germans not ratify the Soviet agreement without a detailed access agreement with the GDR?

Mr. Hillenbrand: The Four Power blessing of the negotiations would probably be enough within the time frame.

Mr. Kissinger: Then would not Brandt be in trouble? If the access agreement must be negotiated between Bonn and Pankow, the GDR can delay the agreement and the Soviets would have no great incentive to squeeze the GDR. What is the bargaining position?

Mr. Hillenbrand: The significance of the Four Power negotiations has been exaggerated by the timing of the agreements. Brandt had expected concurrent negotiations between the FRG and GDR, with the GDR getting some goodies. GDR unwillingness, however, shifted the emphasis to the Moscow talks.

Mr. Kissinger: Then they will go back to Bonn-Pankow negotiations?

Mr. Hillenbrand: They believe the Soviets will now press the GDR.

Mr. Kissinger: This may be true prior to ratification of the treaty but Brandt can't play games by holding up ratification. How can Brandt make anyone understand the nature of the problem—how can he explain the access issues?

Mr. Hillenbrand: The Germans are proceeding on the basis of certain assumptions as to Soviet motives. They think the Soviets want an

agreement. The only way to prove them right or wrong is to go ahead with negotiations with the Soviets.

Mr. Kissinger: If this is true, it would be okay if they could get a substantial agreement before ratification of the treaty. It would still require GDR goodwill to implement it over any period. The geography makes it imperative to have a neat procedure even though it is subject to the will of the government. If the four powers agree to improvement of access, with the details to be negotiated between the two Germanys and blessed by the four powers, would this not remove any initiative by Pankow to come to an agreement or for the Soviets to press them to do so. Does this not give the Germans the disadvantage of every course open to them.

Mr. Hillenbrand: Brandt did not want to attach any conditions to the agreement with Moscow but his internal political situation required that Berlin be made a condition of ratification. The importance of Berlin is not as great privately as publicly. Brandt always believed his bargaining power in negotiating with the GDR, was his willingness to see them acquire status as a nation, including membership in international organizations. The FRG still has great potency with other governments. There has been no rush on the part of other countries to recognize the GDR, which is a tribute to the economic policy of the Federal Republic.

Mr. Kissinger: We don't really have the choice of options. We will have to take a broader agreement if one can be negotiated—there is no U.S. reason not to. I don't believe the Soviets will give it, however, so we should try for Option 2. Is it agreed, however, that there are dangers in this course and that it will not necessarily end the Berlin problem?

Mr. Hillenbrand: It will be a psychological message for Berlin, however.

Mr. Kissinger: If the Germans are not careful, they might be left holding the bag on details and not get any improvement except in general terms.

Mr. Hillenbrand: Brandt has a high regard for the FRG's ability to influence the GDR through economic pressure.

Mr. Kissinger: There is no empirical evidence of this.

Mr. Hillenbrand: In 1961, when the FRG denounced the interzonal trade agreement, the GDR came crawling to them one month later.

Mr. Kissinger: There was a different political situation then. It was easier for Adenauer and Brentano² than it is for Brandt and Bahr.

² Heinrich von Brentano, former West German Foreign Minister.

Attorney General: What does Brandt need to get the Moscow treaty ratified?

Mr. Hillenbrand: He thinks he needs to be able to say that a satisfactory arrangement has been negotiated on Berlin. There are no criteria, however, for what is "satisfactory."

Mr. Kissinger: We have a more fundamental problem in the serious question of a long-term U.S. posture toward Germany and Europe. Whatever else Ostpolitik does, it will enhance the status of the GDR. If its status is enhanced, the position of Berlin will be weakened, since it is harder to resist a country which is recognized as sovereign. Therefore, Ostpolitik affects the rights and responsibilities we are trying to maintain.

Mr. Hillenbrand: Agreed.

Mr. Kissinger: Specifically, what are the rights and responsibilities we are trying to preserve?

Mr. Hillenbrand: Basically, the four-power responsibilities for the security and viability of Berlin and our interest in an ultimate peace settlement for Germany as a whole. So far the Soviets have conceded, and indeed manifest some interest in, the residual preservation of these rights.

Mr. Kissinger: Would the Soviets manifest the same interest under Ostpolitik.

Mr. Hillenbrand: The Germans succeeded in getting language into the treaty which would preserve the four-power control over Berlin. Article 4 states that the Moscow treaty has no effect on previous commitments. Also, the negotiating history involved Soviet concessions of the continuance of four-power responsibility.

Mr. Kissinger: Do we care about four-power responsibility in Germany except for Berlin?

Mr. Hillenbrand: Yes—we want to reserve the right to be in on any final settlement in Central Europe. We are also interested in some minor points such as the right to approve Soviet overflights, etc.

Mr. Kissinger: In a period of diminishing U.S. influence, of increasing FRG-Soviet ties and increasing FRG responsibility, are our assumptions the same?

Mr. Hillenbrand: The question is how does Brandt understand the long range thrust of Ostpolitik. He hopes increasing Soviet permissiveness will accelerate the process of change in Eastern Europe. This could lead to a situation in which the Soviets do not see control over East Germany as essential to their security. If this is theoretically possible, we have a theoretical interest in maintaining our rights.

Mr. Kissinger: I don't think the Soviets are at all interested in German unity. Assuming Brandt is right, the Soviets would be inclined to

let the two Germanys decide their own national future. Why should we assert our own responsibilities?

Mr. Hillenbrand: If there is a negotiation and a settlement, the U.S. would have an interest in being there—indeed a legal right to be there. Ostpolitik might not succeed or the Brandt government might collapse, and we would want to preserve our position.

(Mr. Kissinger left the room for 5 minutes and returned)

Mr. Kissinger: The basic responsibility that we want is the one in Berlin. The all-German one is dictated by the Soviets. We cannot be less interested in German unification than the Soviets. Shouldn't we look at what is likely to happen as a clash develops between Soviet and German assumptions? Germany now assumes Soviet control of Eastern Europe. For years the German strategy was to ignore Moscow, strengthen German ties with Eastern Europe and ease Eastern Europe out of Soviet control without the Soviets noticing. As a result, Bonn became the focal point of Moscow's wrath. The Germans concluded that it couldn't be done against the Soviets so they now want to do it with the Soviets. However, there may not be any basic change in the earlier situation. No rational Soviet leader would consider it preferable that there is a united Germany particularly if a united Germany could get there only by loosening Soviet influence in Eastern Europe. German and Soviet objectives are not the same and a marriage of convenience won't last indefinitely.

Mr. Hillenbrand: This is logically correct, however, the Germans regard power as divisible. They are thinking in terms of economic power and are impressed by the fact that the Eastern European economy is falling behind that of Western Europe. They believe the Soviets are motivated by a desire for access to Western technology and Western credits. There is some wishful thinking here, of course.

Mr. Kissinger: So what? So they build up the Western European and the Soviet economy and the power balance is rectified.

Mr. Hillenbrand: The Germans also see a waning of ideological fervor in the East. This has undoubtedly had some influence on SPD thinking.

Mr. Kissinger: German foreign policy since 1890³ leads one to believe that infallibility is not an attribute of the German Foreign Office. I don't deny that this is a rational construction but we should at least consider that this could have a very unhappy ending. There may well be a "waning of ideological fervor" and a desire to increase technology but where does this leave West Germany? You don't have to be a

³ Reference is to the year that Otto von Bismarck-Schönhausen was forced to resign as German Chancellor.

Communist Pole or *Communist Czech* not to want a unified Germany—there would be strong concerns on national grounds. You don't even have to be a *Communist* Russian to be concerned over a possible loosening of control over Eastern Europe.

Mr. Hillenbrand: SPD advocacy of Ostpolitik started with the assumption that Ostpolitik is conditioned on the premise that Germany's ties with the West remain strong.

Mr. Kissinger: I am deliberately playing the devil's advocate to crystalize our thinking about alternate policies. Brandt wants the benefit of every course. He needs U.S. troops as bargaining counters. There is restiveness in France over Ostpolitik. Do the other Europeans want Bonn as the interpreter of Soviet desires? If Brandt is saying he can have good relations with the Soviets, improved relations with the GDR, loosen Soviet control over Eastern Europe, maintain his ties with the West and strengthen NATO—all simultaneously—this would not be bad. We should consider, however, what might happen if it does not work out this way.

Mr. Hillenbrand: The paper only projects 3–5 years ahead, not 10.

Mr. Kissinger: The paper is an excellent statement of the tactical situation. Assuming Brandt is right on the evolution of Germany, we would have a socialist West Germany and a liberal Communist state which might get together somewhere. But on what basis?

Mr. Hillenbrand: Possibly on economic grounds—the SPD thinks more in economic terms than we do. Also, Brandt starts with the fear and even conviction that the US is at the beginning of a process of disengagement from Europe.

Mr. Kissinger: And he is hedging his bets.

Mr. Hillenbrand: The dangers of Ostpolitik should be a major factor in determining U.S. policy toward Western Europe. The troop level issue, for example, forms an obvious link between NSSMs 83 and 84.

Mr. Kissinger: A situation may also be created where we are dealing bilaterally with the Soviet Union, in which case it would be hard to resist others dealing bilaterally with them. Can we construct an analysis of the things that could go wrong in Ostpolitik? What would this do to future policy? What questions would it raise for us? Could we also state more explicitly the assumptions on which Brandt's policy is based, along the lines of Mr. Hillenbrand's statements on the fear of US disengagement assumptions about Eastern European evolution, etc. Such an analysis need not affect the 3 options much, although it might make us lean more toward Option 2 than Option 3. Are there any thoughts on this?

Mr. Johnson: It would be most useful.

Attorney General: What are the relations between France and Moscow?

Mr. Kissinger: Moscow is not interested in France if they can deal with the Germans. France could do it two years ago because of their nuisance value in NATO by pulling their troops out, but this exhausted their usefulness to the Soviets.

Mr. Packard: It is very important for the U.S. to decide on its own position on these related issues.

Mr. Johnson: Yes—the troop level issue is 80 percent political and 20 percent military.

112. Letter From President Nixon to German Chancellor Brandt¹

San Clemente, September 1, 1970.

Dear Mr. Chancellor:

Knowing that this period has been one of great activity for you, I particularly appreciated your thoughtfulness in providing me the comments expressed in your letters of August 8 and 14.² It is always valuable for me to have your personal judgment and assessment.

You and your negotiators must be gratified by the results of your labors during these past months to reach understandings with the Soviet Union. I was pleased to have your assessment that the Soviet Government, recognizing the relationship to the ratification of the treaty, will be prepared to take helpful steps toward an acceptable solution to the problems with respect to Berlin. You may be assured that we will be alert to any sign that the Soviet Union is willing to cooperate in ensuring the security and welfare of the Berliners. With respect to Four Power rights and responsibilities for Berlin and Germany as a whole,

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Willy Brandt, May–Dec 1970. Secret. No drafting information appears on the letter. The text is based in part on a draft sent in a memorandum from Eliot to Kissinger on August 18; Lord then forwarded a revised version in a memorandum to Kissinger on August 27. (Both *ibid.*) In an August 29 covering memorandum to the President, Kissinger explained that the letter to Brandt “welcomes his ideas but non-committally suggests that the four governments should continue to discuss the best schedule and timing. This leaves open both the level and dates of the talks for now, although clearly we will have to make our views known very soon.” (*Ibid.*) According to a typewritten note, the letter was “dispatched to Eliot via S/S for dispatch” on September 2. On September 3, the Department forwarded the text of the letter to the Embassy for immediate delivery. (Telegram 144441 to Bonn, September 3; *ibid.*, RG 59, Central Files 1970–73, POL 28 GER B) For a German translation of the letter, see *Dokumente zur Deutschlandpolitik, 1969–1970*, Nr. 194, pp. 767–768.

² Documents 104 and 105.

I know we share the identical view that these rights and responsibilities continue and were not and could not be affected by the treaty you have just signed.

I have noted with interest your impression of Soviet attitudes and your summary appraisal that the Soviet Union desires a genuine relaxation of tensions. If confirmed by actual conduct, this would indeed be a source of satisfaction.

Your suggestion of a meeting of Western Heads of State or Government, or of Foreign Ministers, comes at an appropriate time. Such a meeting would underscore the indispensable unity of the West and at the same time ensure that we have together explored every opportunity for East and West to enjoy a genuine peace at no threat to mutual security. I believe the four governments should continue to consult through diplomatic channels on the most profitable schedule and timing for our discussions.

The special bond between our countries has served well to guide our mutual interests, and I am confident that this close relationship will remain firm and vital in the future.

Sincerely,

Richard Nixon

113. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, September 1, 1970.

SUBJECT

The German-Soviet Treaty

The signature by Brandt and Kosygin on August 12 of the FRG–USSR renunciation of force treaty represents a landmark in the Eastern

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII. Secret. Sent for information. No drafting information appears on the memorandum. Sonnenfeldt forwarded a draft to Kissinger on August 13. (Ibid.) On August 25 Kissinger returned the draft to Sonnenfeldt with marginal instructions for substantive revision. Downey sent the final version to Kissinger on August 27. (Ibid.)

Policy of the Brandt Government. It is the first significant step between the two countries since their establishment of diplomatic relations in 1955. And in many ways, the counterpoint themes of euphoria and apprehension accompanied this step as they did in 1955.

The efforts of the Brandt Government to conclude a treaty with the Soviets—perhaps Sisyphean efforts—are based on the premise that only by achieving a reconciliation with Russia can the FRG hope to establish a new relationship with Eastern Europe and, most importantly, ease the hardships of a divided Germany. In the treaty, Brandt has traded FRG acceptance of the status quo in Europe for the promise of a more benign Soviet attitude toward West Germany. The Germans theorize that the Soviets desire an improved relationship because of the pressure of the China problem and their need to gain significant access to German technology.

The next steps in the FRG's planned development of its Eastern Policy will be to drive hard for an agreement with the Poles in September on the acceptance of the Oder-Neisse line as the western Polish frontier, followed by a settlement with the Czechs of the Munich Agreement controversy. At the same time the Germans will intensify the pressure on the US, UK and France to produce some visible and satisfactory results in the Four Power talks in Berlin. The Germans are convinced that they have achieved some bargaining leverage by making clear that the treaty just signed cannot be ratified until the Soviets yield on Berlin. Finally, the FRG believes the East Germans will be prepared to agree to a satisfactory relationship with the FRG (separate states within the single German nation). With the admission of both Germanys into the UN and the ratification of the Soviet treaty, a new era of relaxation of tensions in Europe will be achieved.

Whether the eternal optimism of the Germans will in fact be realized, and their plan implemented, still remains to be seen. There is considerable doubt that the process will develop as smoothly as they hope. Whatever the outcome, however, there are several implications which will flow from even the signature of the German-Soviet treaty:

In General. The other European nations will sense a growing FRG attitude of self-importance and independence, and this will be disturbing—particularly for the French. I have previously sent to you a [less than 1 line not declassified] report of Foreign Minister Scheel's comment [less than 1 line not declassified] just after he initialed the Soviet treaty, to the effect that henceforth the big powers will have to take FRG relations into account in view of the important role the FRG will now have in worldwide political developments.² Thus the Foreign Min-

² See Document 106.

ister at least has revealed that he finds a demonstration of German independence to be an altogether satisfying experience. Whether in fact the Germans begin to try to throw their weight around, the impression that they might will cause some unease in Europe. On the other hand, a feeling of détente will spread and interest in a Conference on European Security will intensify.

Western European Unity. To counterweigh his Eastern moves, Brandt can be expected to stress his great interest in firmly anchoring the FRG in a more integrated West. But in fact he may not make more than gestures in this direction. The objective obstacle facing Brandt is that he cannot keep Soviet friendship if he emphasizes West Germany's ties to NATO. German ties to the European Community can be agreeable to the Soviets only if they see it as a means to weaken NATO.³ The French could use the post-treaty spirit as a device to slow down the pace toward unity if they wish to do so for other reasons. However, it is more likely that the French and others will now wish to hasten the entry of the UK—as a counterweight to the FRG—and further cement the West Germans to the West.

Force Levels. Those European countries already reducing their own defense efforts will probably find that the new German-Soviet climate will increase Parliamentary pressures for even further reductions, and for steps toward East-West balanced force reductions. Brandt, on the other hand, will feel he needs more than ever a stable level of substantial US forces in Europe (despite the fact that in part Brandt's haste to negotiate with the East has been prompted by his anticipation of US force reductions). The other Europeans will probably share Brandt's desire for US forces and will be more inclined to tolerate financial burden sharing.

Eastern Europe. Although the Poles and Czechs will probably work out arrangements with the Germans on the border and the Munich Agreement, the Eastern Europeans generally will not rush to establish diplomatic relations with the FRG. They will keep their eyes trained on Moscow which currently has blended restraint with the generally warm reception given Brandt personally.

The Three Powers. The US, UK and France—as they continue to bear rights and responsibilities for all Germany and Berlin—will need a greater degree of direction and unity as these events unfold. Brandt's proposal for a Western summit is perhaps in part designed to anticipate this potential problem and to lead the Three in his direction. Since Brandt began his Eastern Policy, the Three have seemed unable to keep pace among themselves and with the Germans.⁴

³ The President underlined this sentence, which Kissinger had inserted by hand in the draft memorandum, and wrote "decisive" in the left margin.

⁴ The President underlined the first and last sentences of this paragraph.

Berlin. There will be intense pressure focussed on the Four Power talks in Berlin. The Western side has not yet reached an identity of objectives and tactics, and the Soviets have evidenced nothing but a hard and unyielding position. With the FRG ratification of the German-Soviet treaty publicly linked with a solution to the Berlin problem, the stakes have been raised for all sides. (I have put into the NSC machinery an assessment of the Berlin situation and its relationships to Eastern Policy and other European security issues, together with optional outcomes for the Four Power talks.)⁵

Responsibility for Success. The US, UK and France began the Berlin talks at the request of the FRG. The talks were then designed as a low-key probe of Soviet interest in practical improvements, without high hopes of achieving very much. Now, however, Brandt has publicly made a "satisfactory" Berlin solution the key to the web of treaties he intends to complete in short order. He has used this Berlin linkage as a means of undercutting for the time being the main force of the domestic opposition to his Eastern initiatives. Thus, Brandt has maneuvered the situation so that *we* have been pushed into the position of being responsible both for Berlin, *and* for the success of his Eastern initiatives.

West German Domestic Politics. The opposition CDU has evidently decided not to force a direct confrontation with the SPD/FDP coalition at this time. It is awaiting an assessment of the progress (or lack thereof) in the Berlin talks, and the results of the Bavarian and Hessen state elections in November. It is quite possible that in the late fall, the opposition will make an attempt to bring down the Brandt Government, and block the ratification of the Soviet treaty.

In short, as a result of the signature of the German-Soviet treaty, European political relationships have turned a corner, and we will be facing a new period in our relationship with Europe. In this rapidly evolving time, we will need to be more alert to developments than perhaps we could be in a more relatively static period.

During this evolving period, as the Soviets continue that strand of their policy which gropes for a rough condominium with us (e.g., SALT and the Middle East), they will also continue their separate dealings with the Europeans (particularly the French and Germans). The impact of the German-Soviet treaty might very well lead to an increased interest on the part of the Europeans to deal more independently with Moscow. Moscow, in turn, will find it useful to encourage this in order to split off the various Western Allies from each other. Further, as they press on with their détente offensive, the Soviets will be watch-

⁵ See Document 111.

ing closely to see how well this posture is succeeding in encouraging those forces within the US which hope to reduce our defense establishment and lower defense budgets.

Secretary Rogers has sent you a memorandum (Tab A)⁶ enclosing the text of the German-Soviet treaty. He considers that our rights with respect to Berlin and Germany as a whole have remained unaffected by the treaty.⁷

⁶ Dated August 10; attached but not printed. Another copy is in the National Archives, RG 59, Central Files 1970–73, POL GER W–USSR.

⁷ The President wrote the following note at the end of the memorandum: “Excellent perceptive analysis (and somewhat ominous).” After Nixon returned the memorandum, Kissinger initialed it, indicating he had seen the President’s marginal comments.

114. Telegram From the Mission in Berlin to the Department of State¹

Berlin, September 2, 1970, 1922Z.

1293. Subject: Ambassador Rush’s Meeting With Abrasimov,² September 2—Part I of II Parts—Highlights.

1. Ambassador Rush’s meeting with Abrasimov today lasted two hours, with substantive discussion taking place only over coffee after lunch. Set forth below are highlights of that conversation. Full report transmitted in Part II.³

2. Abrasimov first discussed date for next quadripartite meeting. He initially suggested September 14 or 15, but readily agreed to Ambassador Rush’s suggestion for September 30. (Ambassador Rush agreed to check this with British and French colleagues.)

¹ Source: National Archives, RG 59, Central Files 1970–73, POL US–USSR. Secret; Immediate; Limdis. Repeated to Bonn and to Prague for Ambassador Rush.

² On August 28 the Soviet protocol officer in Berlin met his U.S. counterpart to invite Rush to a luncheon with Abrasimov on either September 2 or 3. The officer asked for a reply in person rather than by telephone, presumably to avoid detection by East German intelligence. (Telegram 1264 from Berlin, August 28; *ibid.*) The Embassy in Bonn recommended accepting the invitation: “This will be the first occasion for such discussion following signature of the German-Soviet treaty, and it is possible that the Soviets may have something significant to say.” (Telegram 9918 from Bonn, August 31; *ibid.*) The Department agreed. (Telegram 142049 to Bonn, August 31; *ibid.*)

³ Telegram 1294 from Berlin, September 2, but incorrectly dated August 2. (*Ibid.*)

3. Abrasimov's substantive comments indicated Soviet desire for: limited agreement (as opposed to broad aspect) with flexibility as to form, e.g. statement, communiqué, etc; engage us in bilateral discussions on Berlin; and attempt to elicit Western proposal, taking cognizance of Soviet views, as basis for further negotiations.⁴

4. Abrasimov's initial suggestion was for a "communiqué" or "statement" identifying points on which previous discussions revealed closeness of two sides' positions. He listed those points as being: West Berlin should not be hot-bed of tension in Central Europe; West Berlin has not belonged and does not belong to FRG; and West Berlin should have active external, cultural, economic and political ties. His formulation of this latter point is of course susceptible to various interpretations, but does not necessarily preserve a special relationship with FRG.

5. Abrasimov also said question of access by West Berliners to East Berlin could be discussed. He noted, however, such questions as numbers, forms of access, and precise meaning of unhindered access required clarification. While he questioned compatibility Western suggestion for Four Power group on access with Western unwillingness change Four Power agreements, he did not reject the proposal.

6. Ambassador Rush suggested both sides exchange "non-papers" embodying what they regarded as possible mutually acceptable agreement prior to September 30 in order to facilitate progress. Abrasimov agreed but abandoned his attempt to obtain Western paper before submitting Soviet one only after Ambassador Rush took firm position that exchange should be simultaneous. Both agreed to endeavor prepare such papers by September 21.⁵ Ambassador Rush also deflected Abrasi-

⁴ According to Sutterlin and Klein: "perhaps the most significant political point was Abrasimov's association of the Soviet Union with preference for an 'interim solution' providing for practical improvements rather than a comprehensive treaty on the status of Berlin." (Sutterlin and Klein, *Berlin*, p. 128)

⁵ In telegram 146607 to Bonn, September 8, the Department suggested a deliberate response to the Abrasimov approach: "We feel that pressure at present is more on them than on the Western side and that wisest Western tactic would therefore be to continue to push for an indication of potential Soviet concessions in the other fields we have suggested. We have no interest in prolonging the Berlin talks and are sympathetic with the German desire for early results. We feel, however, that to obtain these results it will be the best tactic to avoid giving impression that we are in a hurry." (National Archives, RG 59, Central Files 1970-73, POL 28 GER B) In telegram 10360 from Bonn, September 9, the Embassy recommended, however, that the Western side exploit the situation by "pushing the Soviets as hard as feasible." "If we do not take this approach," the Embassy explained, "there is, we believe, a danger not only that we may fail to exploit negotiating conditions which are optimal from our viewpoint, but also that the Soviets can effectively publicly attack us for blocking the FRG-Soviet treaty, thus complicating our relations with the FRG. The Brandt government has a strong parallel interest in obtaining maximum concessions possible from the Soviets on Berlin. With these, it can assure ratification of the FRG-Soviet treaty and its own survival as a government. In this situation, if we were to appear to hold back on Berlin, this would place a considerable burden on the overall US-German relationship." (Ibid.)

mov's effort involve US and Soviets in bilateral talks by stressing UK and French involvement in Berlin and FRG's role in view of dependence of West Berlin's viability on FRG.

7. Abrasimov was extremely cordial and repeatedly stressed interest both sides in avoiding tensions in Berlin. He also emphasized need for strict confidentiality, re substance of today's meeting, as well as exchange of papers. He also requested that paper not be discussed at full quadripartite meeting, but only at Ambassadorial luncheon.⁶

Klein

⁶ In telegram WH01704 to Kissinger at San Clemente, September 3, Hyland commented on the Abrasimov–Rush meeting: "Hurried nature of meeting, and stress on confidential bilateral exchanges with us only suggests that Soviets want to move quickly to reach minimal accord sufficient to put pressure on Bonn for early ratification of treaty. General communiqué as envisaged by Soviets would be used as lever against Bonn for ratification, while critical details would be left open. Ambassador Rush's agreement to this route, without Washington approval or consultations with Bonn or UK and French, puts us in weak tactical position, especially if we hand over our draft first, without Soviet counterproposals. Nevertheless, Soviets may be under some pressure of their own, and Abrasimov's conciliatory line suggests we may have more bargaining power than we thought. Soviets have, in effect, dropped idea of negotiating new status and seem prepared to make concession on West Berlin 'political ties.'" (Ibid., Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII)

115. Memorandum of Conversation¹

San Clemente, September 4, 1970, 11:45 a.m.–12:30 p.m.

PARTICIPANTS

Rainer Barzel, Floor Leader of the CDU, Bundestag
 Hermann Konnerer, Consul General in Los Angeles
 Henry A. Kissinger, Assistant to the President for National Security Affairs
 Winston Lord, National Security Council Staff

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII. Secret. The meeting was held in Kissinger's office at the Western White House. According to a September 12 attached note from Lord to Kissinger, the memorandum was drafted by Lord. Kissinger approved the text, although Lord admitted: "There may be some shaky spots due to the simultaneous translation which was the basis of my notes." Kissinger also approved Lord's recommendation to give a copy to Sonnenfeldt but not to the Department of State. (Ibid.)

Berlin and Ostpolitik

After an opening exchange of pleasantries, Barzel commented that his discussions in Paris, London and Washington ranged far beyond the German-Soviet treaty to whether the German Government was making progress on European questions, whether something reasonable could be arranged concerning a long-term American presence in Europe, and whether one could find a common position on Berlin.

On Berlin, Barzel noted Mayor Schuetz's position of two weeks previous.² He (Barzel) had renounced claims of opposition on this issue—this was not easy for it was tempting to put a high claim on Berlin as a condition for the German-Soviet treaty. His party was still working out its position on this question. If too high a minimum were established, one could be accused of sabotaging the treaty. He had told Heath that the West should try to work out a useful policy out of half measures; they had very largely agreed on what practically could be done concerning Western political unity and Berlin. He had also just had a long talk with Hillenbrand on these issues.³

Mr. Kissinger stated that the U.S. thought that the German problem was of great importance for her as well as for Germany, because it was really at the heart of European post-war problems. Results could be achieved which nobody wanted; and we were wondering what the tendencies were. German policy is above all a German question and cannot be formulated in Washington. One talks about Allied rights and responsibilities, but these cannot be maintained by repeating them—they can change objectively over the decades whatever one would wish. For example, a sovereign GDR cannot be debated away.

Barzel said, speaking frankly, that his main problem with Brandt's policies were that they opened up the way for tendencies which Brandt didn't want but couldn't check. For example, the Germans could ask "Now that you have peace with the Soviets, why should Germany spend 20 billion for defense?". Brandt knows that he needs more than 20 billion. We will then see how many people believe that Germany can be a bridge between East and West.

² According to Barzel, Schütz let the "cat out of the bag" in an interview published by the German newspaper *Die Welt* on August 17; Schütz was now prepared to trade "federal presence in Berlin for security of access." Conrad Ahlers, the government spokesman, later hinted that the interview represented the thoughts of the Federal Government. (Barzel, *Auf dem Drahtseil*, p. 118)

³ The record of the discussion between Barzel and Hillenbrand on Ostpolitik is in telegram 145171 to Bonn, September 4; and a September 3 memorandum of conversation. (National Archives, RG 59, Central Files 1970–73, POL GER W–US and POL GER E–GER W, respectively) The discussion of Westpolitik is in telegram 146465 to Bonn, September 8. (Ibid., POL GER W–US)

Brandt [*Barzel?*] thought that it was now important to emphasize the Western side of policy. He had told Brandt that he should concentrate on Western political unity, because the Soviets with their European Security Conference want to prevent the political unification of Europe. Berlin must be considered in this context.

He thought that Dr. Kissinger was right that merely talking about Four Power rights did not enhance them. Dr. Kissinger interjected that he was not against talking about them—in fact he was in favor of that—but merely that one must know what one is saying. Barzel illustrated his emphasis on Four Power responsibilities with an anecdote. At the time President Kennedy came to Berlin Barzel⁴ decided that the initial greeter of the President should be the French Commandant of the French sector rather than Adenauer as the elder statesman and host or Brandt as the Mayor.

Dr. Kissinger asked Barzel what he personally thought of Brandt's Ostpolitik. Barzel responded that he would have been less in a hurry and would have made progress on Berlin first and then on the other issues. Instead, the Federal government had reserved ratification of the treaty pending a Berlin agreement. This policy was dangerous because all European capitals discussed one question, who will prevail in Europe in the future, the Soviet Union or the United States? If the Germans make concessions to the Soviets without counter-concessions, other European cabinets might wonder what they are doing and there might be competition for economic relations with Moscow.

In response to Dr. Kissinger's query on the positions in Paris and London, Barzel replied his views on Berlin met with agreement, i.e., that there should be an effective, commonly established position on Berlin before trying to ratify the Soviet-German treaty. Dr. Kissinger then asked how the Berlin situation could be specifically improved. Barzel responded first, the three Western powers should keep troops in Berlin. Secondly, there was the problem of access. Thirdly, the GDR should be accepted as a fact, but the Soviets should remain the partner for the three Western powers. There should not be any substitution of the GDR for the Soviet in military and civilian access. It would be wrong if the FRG accepted Ulbricht's offer to settle civilian access between East Berlin and Bonn. In response to Kissinger's question, he said that the inter-zonal agreement did not deal with access. Barzel said that he had in mind that on civilian access we must concede to the GDR that they check identification, but not give them the right to choose who has access. It might be helpful to try out ideas like sealed goods, trains or trucks.

⁴ Barzel had been Minister of All-German Affairs at the time of President Kennedy's visit to Berlin in June 1963.

Kissinger asked whether the GDR would accept improvements in the Berlin situation. Barzel said that the Soviets had invested so much prestige in the treaty that if the West had a common position and were patient, we should be able to achieve a modest improvement over the present situation. Kissinger remarked that the situation depended not on legal statements, but rather the good will of the other side. If there were no good will, he doubted that any new statements would help.

Barzel noted that one mistake of the present German Government, which raised basic problems for the U.S. in the Berlin negotiations, was the introduction of the United Nations membership question for the two German states, and thus the issue of who represents Berlin in the United Nations.

U.S. Policy

Barzel commented that the internal situation in the U.S. had stabilized since last year when he was worried. Kissinger said that we had not lost our nerve and he did not believe that we would have these troubles again. Barzel said that American foreign policy was well weighed and firm and a great success. Kissinger questioned him on his view of our policy toward the FRG. Barzel said that he understood U.S. policy toward Ostpolitik and represented it to his friends and Strauss as follows: the U.S. supports the principle that sovereign countries do not interfere in the internal affairs of other nations. German matters are for the Germans to decide. The U.S. wants its rights and interests safeguarded while the Germans look after their own interests. Kissinger termed this a fair statement.

Barzel termed the U.S. position on the European Community, as described by Ambassador Schaetzel, as reasonable: the EEC is not acceptable for the U.S. if it is only a trade discriminatory group, but would be acceptable if there is political progress. Pompidou had told him that the Europeans must be careful and stay on a narrow path—on the one hand the U.S. must not consider their policy economic aggression and on the other hand the Soviets must not consider it political aggression. There was a possible contradiction for the Europeans between the Soviets' desire for a European Security Conference and an active pursuit of political union. For Barzel, priority lay with Western unification.

Dr. Kissinger remarked that he never understood what a European Security Conference was to do; he was not against a conference but wondered what end it would serve. Barzel replied that he did not believe the Soviets wanted, in the medium term, to push the U.S. out of Europe because some issues could be settled with the U.S. They were, however, trying to destroy the basis of the alliance by undermining unity and substituting the European Security Conference, which was not really a conference but rather a permanent institution with all its consequences. Barzel agreed with Kissinger's remark that a conference

seemed inconsistent with Western unification. He, therefore, wanted his government to do more in the European field, to make clear that its Eastern policy was fully embedded in the West.

German Domestic Situation

In reply to Dr. Kissinger's inquiry on the German domestic scene, Barzel said that he could have overthrown the government in recent weeks. He had not done so because he did not wish to tie an overthrow to foreign affairs, especially if it gave a pretext to the Soviets to aggravate the situation. He would turn over the government either on economic questions or if it became clear that the Eastern policy was not embedded in the West. There was some further discussion of German domestic politics during which Barzel commented that Brandt will run into budget problems. The Socialist Party would want less money for defense because of peace with the Soviets, while Brandt will have to say that he needs more money in order to keep U.S. forces in Germany.

Kissinger asked Barzel what he would do about this question if he were Chancellor. Barzel replied that he thought he might offer to repay the United States for the Marshall Plan, not as an act of generosity but rather as a grateful son who had completed his studies and was now on his own. This was a tentative idea—he had not had experts study it yet. In any event it would be bad if there were horse-trading and the number of American soldiers was tied to specific amounts of money.

Replying to Dr. Kissinger's question, Barzel said that American policy had a strong influence on the German domestic situation. The FRG uses American statements, however carefully worded, as signs of approval for its policies.

There was some further discussion of the German domestic situation, during which Barzel explained that on August 10 he had taken a more shaded position than some in his party who wished to hammer at the German-Soviet Treaty.⁵ If Brandt presented the treaty tomorrow for ratification, his party would say no. If it were presented eight months from now as one element of a larger settlement including Berlin, they would look at it again.

Kissinger asked Barzel who the other CDU possibilities for Chancellor were, and he responded that besides himself, there were Kiesinger, Strauss, Schroeder, Kohl, and Stoltenberg.

⁵ Barzel outlined his position on the Moscow Treaty in an August 10 letter to Brandt. For text of the letter, see Meissner, ed., *Moskau-Bonn*, Vol. 2, pp. 1263–1264. See also Barzel, *Auf dem Drahtseil*, pp. 108–110; and *Die Tür blieb offen: Ostverträge—Mißtrauensvotum—Kanzlersturz*, pp. 63–64.

Kissinger asked Barzel his view of Brandt as a statesman. Barzel responded that he had known him for a long time, and that he was personally free of suspicion and not a dreamer. However, he was not the only one in his party. He mentioned other strong men as being Bahr, Ehmke and Wiener [*Wehner*]. Sometimes Schmidt had influence on Brandt also. He had to admit that Brandt was doing a good job.

Four Power Conference

Heath had asked Barzel his view of a Four Power Western Conference. He, Barzel, supported the Brandt proposal on the condition that it was well prepared and that the West added new questions to the agenda. In negotiations or discussions there should never be just one topic on which everything was concentrated, such as the present concentration on Berlin. He would add such issues as MBFR, SALT, relations between the EEC and third countries, and trade questions. The conference should be well prepared; he would oppose it if there were only a non-substantive show. In Europe all concentration is on Berlin, where one holds less cards than the other side. However, our cards have improved because of the prestige that Brezhnev had invested in the Soviet-German treaty.

Miscellaneous

Barzel asked Kissinger about the Middle East and he replied that he thought the Soviets were torn between doing something militarily and positive negotiations. The U.S. task was to show the advantages to them to keeping the negotiating route open while also indicating that the military solution was too risky. This was similar to Berlin and other questions. There were always groups in the country who believed that the only way to solve these issues was through concessions. It was a question of careful calibration, of not closing off negotiations while making the risks clear—this is the dilemma in foreign affairs. Barzel agreed that deterrence involved preparing for tension while looking for détente. Kissinger rejoined that it was difficult to play chess if one always has to explain one's moves so that the opponent knows the next ten steps.

In response to Kissinger's question Barzel thought that the new British Government gave an astonishingly serene impression and that Heath was quite capable. As for Americans, he found Secretary Rogers serene and was very impressed with the President on his trip to Europe.⁶ It was not what the President said but rather the calm and natural way, free of bombast, that he expressed himself. His handling of Berlin, for example, was preferable to the harsh words of Kennedy.

⁶ Reference is evidently to Nixon's trip to Germany and Berlin in February 1969.

Commenting on pending U.S. trade legislation, Barzel thought that mutual concessions was a better solution. Kissinger remarked that the Japanese were not easy to negotiate with. We were reluctant to support the legislation, and if the Japanese had given us the opportunity for a deal we would have taken it. The President had committed himself strongly to the textile industry and he considered that he had a moral duty to keep the promises of his campaign. We had thought the Japanese would understand. For the first time, unique in Japanese history, the Japanese Government was not able to influence its industry. We were prepared to solve the textile question through negotiations but Japan forces us to take the other way. We wanted any restraints limited to textiles and we had warned Congress that if it went very far, we would have to veto the bill. The Japanese have not behaved in their own interest.

The meeting ended at 12:30 as Dr. Kissinger took Mr. Barzel to see the President.⁷

⁷ According to the President's Daily Diary, Nixon met Barzel at the Western White House on September 4 from 12:45 to 1:20 p.m. (National Archives, Nixon Presidential Materials, White House Central Files) In a September 3 memorandum to prepare Nixon for his meeting with Barzel, Kissinger suggested: "We should not of course interfere in German politics by questioning Brandt's policies. At the same time we should say nothing which would seem to challenge the principles for which the CDU has stood for so many years or appear overly supportive of the SPD and Brandt in such a way as to demoralize the CDU who are our friends." (Ibid., NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII) Although no substantive record of the meeting has been found, Barzel published an account in *Auf dem Drahtseil*, pp. 113–114; and *Im Streit und umstritten*, p. 172. See also Document 116. Barzel also met Rogers in San Clemente on September 4. An account of their discussion is in telegrams 146771 and 146772 to Bonn, September 8. (Both in National Archives, RG 59, Central Files 1970–73, POL GER W-US)

116. Telegram From the Embassy in Germany to the Department of State¹

Bonn, September 11, 1970, 1526Z.

10460. Subj: Barzel on US Trip and Present Situation in FRG.

1. In conversation with EmbOff² Sept 9, CDU faction leader Rainer Barzel said he was extremely pleased with his recent visit to US. Particularly with the openness and frankness of his exchange with Secretary Rogers and the President.³ He expressed his warmest gratitude to those who had made the arrangements for trip. Barzel said he believed his tour to US, France and UK had had a constructive outcome in drawing attention to need to take energetic steps in Western European integration to counterbalance potential negative effects of German Eastern policy, which he continued to believe might have a basically disorienting effect on German public, loosening its allegiance to West and placing it in an undesirable intermediary role between East and West. Barzel also believed his visits to Britain and France might have had constructive impact with regard to measures needed to retain US forces in Europe and to a common position on Berlin.

2. With regard to the situation within CDU, Barzel said his more moderate position on FRG-Soviet treaty and his offer to collaborate with Brandt in working out a common position on Berlin had been unanimously approved by party executive board in its Sept 8 meeting.⁴ On his own initiative Kiesinger had stated his agreement with the position taken by Barzel. It is true that Franz Josef Strauss had not been heard from and that he would probably continue his all-out opposition to the FRG-Soviet treaty and to FRG Eastern policy. Strauss would probably conduct the Bavarian state election campaign on this basis

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 7 GER W. Secret; Limdis. Repeated to Berlin.

² The officer was Jonathan Dean. In a September 11 letter to Sutterlin, Dean gave the following account: "Barzel said that the President had indicated some distaste for the SPD's Eastern policy, but went on to tell Barzel that he felt that he had to take a responsible attitude in this matter. From the point of view of political responsibility, one could not lightly make trouble in American relations with a major ally. Personally, he found Barzel's conception of Eastern policy more attractive than the SPD version. But, he said, he would only intervene if it became unmistakably clear that it was leading towards a catastrophic development whose prevention was absolutely necessary in terms of American national interests; in this case, the intervention would be decisive." (Ibid., EUR/CE Files: Lot 85 D 330, Chrons (1969), Letters (Outgoing))

³ See footnote 7, Document 115.

⁴ A separate report on the meeting of the CDU executive board is in telegram 10358 from Bonn, September 9. (National Archives, RG 59, Central Files 1970–73, POL 7 GER W)

and, if election results were good, would claim the election as a plebiscite in favor of his hard-line position on Eastern policy. Nonetheless, Barzel insisted that he had made his final choice in favor of conciliatory posture of safeguarding German national interests and that he would not be brought away from it by Strauss' opposition. Barzel said he felt the CDU's executive board decision to continue Kiesinger as party chairman until the party convention in October 1971 had been the only realistic thing to do. There had been too much atmosphere of political assassination and regrade within the party and if determined effort had been made to drop Kiesinger in order to satisfy those elements in party and CDU electorate who wanted changed party leadership, the party would have lost [garble—just?] as much as it would gain criticism, from other CDU supporters, about callous treatment of past CDU party chairmen.

3. Barzel described his meeting with Chancellor Brandt, from which he had just returned. Brandt had been extremely anxious to get in touch with him from the very moment of his return from his trip to US. In that morning's meeting, Barzel said he told Brandt that latter would have to take determined action to accelerate Western European integration and to bolster the NATO Alliance in order to counter the negative, disorienting effects of the treaty with the Soviets. Brandt had agreed that such action would be necessary and should include actions to maintain presence of American forces in Europe at their present level. The conversation had turned to Berlin. Brandt said he agreed with the points Barzel had made in his press conference the previous day in the States on Berlin settlement. (Barzel's points: the Soviets should recognize "realities" of existing agreements between Western powers and FRG regarding latter's relationship to West sectors; FRG financial aid to Berlin, Federal presence in Berlin, and the fact that the FRG represents Berlin abroad; these political, legal, financial, economic and cultural links must be retained; access be unimpeded and travel possibility for Berliners must be improved and relieved of discrimination; Berlin must not become a third German state.) Barzel asked Brandt to read once more the text of Barzel's press statement, which he had available. Brandt did so on the spot and said once more he agreed fully with Barzel's views. Brandt and Barzel agreed to meet next Wednesday⁵ for detailed discussion of German negotiating aims on Berlin in an effort to work out a common position.

⁵ In a September 16 conversation with Dean, Barzel reported on his "long and useful talk with Brandt on Berlin." Barzel told Dean that "he thought there were definite prospects for a common CDU-SPD position on the Berlin talks." (Telegram 10712, September 16; *ibid.*)

4. Barzel said that Brandt's policy was clearly to clutch the CDU to his bosom and thus to immobilize it in its efforts to bring down his government. But the CDU was not going to relinquish this possibility. Barzel said he was convinced that somewhere in the verbatim records of German discussions with Soviets in Moscow there was a German commitment making permanent the engagements FRG had undertaken in the text of FRG-Soviet treaty on renunciation of force, and thus making this treaty equivalent to a peace treaty. If he found evidence of this, he would use it to bring the Brandt government down. Continuing economic difficulties in Federal Republic and continuing attrition of the FDP party organization throughout country would provide a basis for splitting off FDP deputies in this event.

6. *Comment:* Barzel seems to have concluded that he could not have displaced Kiesinger as party chairman at this time even if the CDU made a successful all-out effort to bring down the SPD government over issue of FRG-Soviet treaty. He has also expressed some uncertainty about the possible negative reaction to such a CDU action of German public opinion, governmental and public opinion in Allied countries, as well as Soviets and Eastern Europe, and about CDU capabilities to split off a sufficient number of FDP Bundestag deputies. Consequently, Barzel has thrown his influence on the side of a more moderate CDU policy towards SPD, abstaining from outright effort to bring down the SPD/FDP government at this time. He may have reached an understanding with Kiesinger to back the latter's continuation as party chairman in return for moderation of Kiesinger's opposition to the SPD's Eastern policy. It is not clear whether Barzel genuinely believes that verbatim records of FRG-Soviet discussions in Moscow actually contain the evidence he claims may exist of a secret FRG-Soviet understanding making conclusive the terms of the FRG-Soviet treaty or whether he is using this theory, which he has widely disseminated among his CDU colleagues, as a device to control and channelize the desire of the CDU rightwing to bring down Brandt government over the issue of FRG-Soviet treaty. Barzel has now come full circle back to his position at the outset of Brandt government in favor of a bipartisan foreign policy, a position he insists he will maintain in face of all internal party opposition, although there is some uncertainty as to whether he will not once again leave this position if Strauss again opens up a major attack.

Rush

117. Editorial Note

On September 18 and 19, 1970, senior-level officials from the United States, United Kingdom, France, and West Germany met in Bonn to discuss the status of the quadripartite negotiations on Berlin. In a memorandum for the U.S. representative, Country Director for Germany James Sutterlin explained that the participants would consider a German draft of a treaty on Berlin as well as an “expanded version” of an earlier Allied paper for possible exchange with the Soviet Union. “We believe that whatever emerges from the discussion of the two papers above,” Sutterlin concluded, “a new method of negotiating and probing the Soviet position must be found.” (Memorandum from Sutterlin to Hillenbrand, September 14; National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.1, 1970 Four Power Talks, Aug–Sep Preparations for Meetings)

William Hyland of the NSC staff summarized the meeting as follows:

“At a meeting of senior level officials this weekend, we have agreed with the British, French and Germans on the basis for a possible agreement to offer the USSR on Berlin. The essential features call for continuing respect for Four-Power agreements, and under this rubric, for unimpeded access to West Berlin with control features limited to identification. The agreement would also include freer movement for West Berliners to East Berlin, establishment of additional crossing points, and expanded or renewed telephone and telex communications. The various links between West Berlin (economic, cultural, etc.) and West Germany would be determined by the three Western powers and West Berlin would also be represented abroad by West Germany. In return, the constitutional organs of the FRG would not perform their official functions in West Berlin, and the Soviets would ‘respect’ the arrangements outlined in the agreement. A cutdown version of this approach will be given to the USSR, in an exchange of draft agreements. The formal Four-Power talks are scheduled for September 30.” (Memorandum from Fazio to Kissinger, September 22; *ibid.*, Nixon Presidential Materials, NSC Files, Box 26, President’s Daily Briefs, September 18, 1970–Sept. 30, 1970)

The texts of the papers approved at the senior-level meeting were transmitted in telegrams 10837 and 10839 from Bonn, both September 19. (*Ibid.*, RG 59, Central Files 1970–73, POL 28 GER B and POL 38–6, respectively) A detailed account of the discussion at the meeting is in airgrams A–1045 and A–1046 from Bonn, September 25, and A–1047, September 28. (*Ibid.*, POL 1 GER, POL GER W–USSR, and POL 38–6, respectively) For German records of the meeting, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pages 1624–1636.

On September 23 the Soviet and Allied Ambassadors exchanged papers for discussion in the Berlin negotiations. The text of the Soviet paper is in telegram 1376 from Berlin, September 23. (National Archives, RG 59, Central Files 1970–73, POL 28 GER B) In its analysis of the Soviet paper, the Embassy in Bonn concluded: “The paper shows a very slight degree of movement toward the Western position as regards inner-Berlin movement and access, but is otherwise a standard representation of Soviet views thus far.” (Telegram 11066 from Bonn, September 24; *ibid.*) The Department agreed that the paper was not “a suitable basis for eventual agreement on Berlin.” (Telegram 159011 to Bonn, September 26; *ibid.*)

118. Memorandum of Conversation¹

Washington, September 22, 1970.

SECRETARY’S BRIEFING—SEPTEMBER 22, 1970

Mr. Hillenbrand asked the Secretary if he had read the briefing book. The Secretary said he was familiar with the material because he had been exposed to it by German officials *ad nauseam*. He wanted to know what maximum hopes were on Berlin. Mr. Hillenbrand explained to him the actual procedure through which civilians have to go when travelling between West Berlin and the FRG, the fees they have to pay (which are repaid to them by the FRG Government). The Secretary also asked about the procedure for trucks, on waterways and air transit. Mr. Hillenbrand said that the four allies were reluctant to put on paper, even for their own use, their minimum position on Berlin or the maximum concessions they would be willing to make to the Soviets, because nothing could be kept secret in Bonn. He was optimistic that if we got the Soviets to make an agreement with us they could be kept to it. Of course, they could break the agreement. The Secretary said “so can we.” Mr. Hillenbrand said that our experience with the Soviets on negotiated agreements in the 1950’s had been good though they tried to nibble away at the edges.

¹ Source: National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.1, 1970 Four Power Talks, Aug–Sep Preparations for Meetings. Secret. Drafted by H.J. Spiro (S/PC). The meeting was presumably held to brief the Secretary for his meeting with Scheel on September 23. An account of their discussion on the Moscow talks is in telegram 157941 to Bonn, September 25. (*Ibid.*, Central Files 1970–73, POL GER W–US.

On the Moscow treaty, Mr. Hillenbrand said that Henry Kissinger took a dim view of it. He felt that the Germans had alternated between extremes at least since Bismarck's time—and Kissinger considered himself an expert on Bismarck. Therefore, the Germans could not really be trusted. The Secretary asked whether Kissinger himself, a German, made this statement as a German. He stated that the President is the elected official and the President is quite relaxed about our German policy and intends to stay with it. I suggested that Kissinger takes a tragic and almost determinist view of German history which is unjustified by recent experience. Under Secretary Johnson asked about a certain Belgian that he had met at a recent cocktail party. Mr. Hillenbrand identified him as an official of the Banque Belge, who is a local gossip. This man had told Mr. Johnson, that he, an experienced student of German affairs, and Henry Kissinger agreed that German eastern policy was all wrong. The Secretary reaffirmed that our support of Chancellor Brandt's policy was something to which we had committed ourselves, which was right, and which we would stick with. In any case, there was nothing else we could do. He had been impressed by Foreign Minister Scheel's visit,² during which Scheel was asked to make certain adjustments in the treaty negotiations with the Soviets. Scheel agreed to do these things and as soon as he got back to Bonn he lived up to his promise. The Secretary also considers Chancellor Brandt very trustworthy and he asked why many people considered him untrustworthy. Mr. Hillenbrand suggested it might be because Brandt had been a communist before the war. The Secretary said that if he had lived in Germany under Hitler he would have been a communist too. Mr. Hillenbrand also mentioned the fact that Brandt had worn a Norwegian uniform during World War II and some people in Germany, therefore, considered him a traitor. Mr. Spiers suggested that there were many people in this country who mistrusted any Socialist. I said that the fragility of the Brandt Government was exaggerated in the briefing paper because under the German constitution it was very hard to overthrow a government without finding a majority in Parliament to agree on the Chancellor's replacement. The FDP, since Scheel had negotiated the treaty, were more firmly in the coalition than before. Moreover, the CDU had been waffling in their opposition to the treaty. Mr. Hillenbrand said that the two state elections coming up in November might hurt the Government, especially the FDP, but that the Free Democrats really had no place else to go. The Secretary asked why he was being visited by so many German officials. Mr. Hillenbrand explained that the German Parliament was out of session so everybody was coming to Washington.

² Scheel had visited Washington in July, before signature of the Moscow Treaty; see Document 100.

119. Telegram From the Embassy in Germany to the Department of State¹

Bonn, September 25, 1970, 1041Z.

11081. Subject: Brandt on Berlin Talks.

Summary. Brandt gave the Ambassador September 24 his views on the Berlin talks. Brandt said the time has now come to appoint working groups to get on with the negotiations. The Embassy endorses the idea of a working group approach at the appropriate moment in the near future. *End Summary.*

1. In a general discussion on Berlin, Ost-Politik, and other matters, the Ambassador told Brandt about our concern regarding Soviet violations of the Middle East truce, which naturally raise fundamental questions of the reliability of the Soviets. Nevertheless, we hope to get on with practical solutions to questions, including the Berlin issue. The Ambassador explained to Brandt briefly the background of the senior group discussions September 18–19 and described his recent meetings with Abrasimov and Tsarapkin.

2. Brandt said he realizes the French were the significant cause of difficulties in working out a good Allied position. He said they had reason to think that Pompidou was more forthcoming on Berlin than Schumann. Brandt asked if we would have any objections to bilateral German talks with the French with a view to improving their position on Berlin. The Ambassador replied that we would not at all object to such a German effort; on the contrary, one of the President's important objectives is to improve general relations with the French. Brandt said that the French, in their current negotiations with the Soviets on economic cooperation and building a truck factory, had not consulted at all with the Germans, even though the Germans had earlier been careful to keep the French informed of their negotiations. The French had put in a lower bid and gotten the main part of the business with the Soviets.

3. Brandt said that when he was in Moscow he was struck by the fact that Brezhnev never criticized the European Community, German relations with it, or Community enlargement. Furthermore, Brezhnev had expressed understanding of the fact that the US would remain German's principal ally. Brandt said that neither Brezhnev nor Kosygin ever tried during their talks with him to split the US from its allies. In a side comment, Brandt noted that this was quite contrary to the line

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 28 GER B. Secret; Priority; Limdis. Repeated to London, Moscow, Paris, Berlin, USNATO, and USMission Brussels.

which Abrasimov and Tsarapkin seem to have been taking recently. Brandt also confirmed what we earlier reported that Abrasimov had tried to see Brandt “secretly” in Berlin during the latter’s visit September 6. Brandt said this is not the first time Abrasimov has tried to arrange a secret meeting with Brandt. Brandt characterized Abrasimov as a very hard-liner.

4. Brandt has talked at length with Brezhnev about ties between Berlin and the FRG. Brezhnev had reiterated the line that West Berlin is not a part of the FRG and had spoken against “provocative political ties.” Nevertheless, Brandt had never gotten from either Brezhnev or Kosygin a really clear statement of their position on political ties. Brandt said, incidentally, that Brezhnev had spoken from notes, whereas Kosygin had not. Brandt thought there was some division within the Soviet Government over Berlin and what should be done about it. Brezhnev had also twice told Brandt that the Germans knew the official position of the Soviet Union but that some compromise was possible. Brandt attached significance to this statement.

5. Brandt said that, speaking frankly, he was disappointed in the results of the September 18–19 senior group meeting. He hoped that the talks after September 30 would be more profitable. He then suggested that the time has come to use the working group approach to negotiate with the Soviets. Brandt thought that the Abrasimov paper was not too disappointing as a starter and thought it might be possible to work from it.

6. Brandt referred to the strong feelings within the German Government on the air agreement and expressed the hope that early progress would be possible. Brandt showed awareness of the problems involved. The Ambassador assured him that he would do his part to expedite the matter.

7. *Comment:* We endorse Brandt’s view that the time has now come for a working group approach to the Berlin talks. We will be submitting our views shortly on the timing and form of such an approach.

Rush

120. Editorial Note

On September 27, 1970, Horst Ehmke, head of the West German Chancellery, arrived in the United States to discuss recent developments in the Berlin negotiations. According to his published account, Ehmke had come to defend Ostpolitik against two perceived threats:

the “disruptive tactics” of the German opposition and the delaying tactics of the Department of State. He was unable to meet with Assistant to the President Kissinger and other high-ranking officials who were accompanying President Nixon on a 9-day trip to Europe. (Ehmke, *Mitendrin: Von der Großen Koalition zur Deutschen Einheit*, page 140) Before arriving in Washington, Ehmke stopped in New York, where he met representatives of the press, including the editors of *The New York Times*. On October 1, the *Times* published an article and an editorial, both evidently based on information provided by Ehmke, regarding the recent Soviet proposals in the ambassadorial talks. The editorial concluded that these proposals “would appear to warrant a more intensive stage now in the four-power Berlin negotiations.” (*The New York Times*, October 1, 1970, pages 6, 40)

The Department of State, considering the publicity “mostly inaccurate and confused,” quickly sent press guidance to the Embassy in Bonn in an effort to reduce the damage to its diplomacy. (Telegram 161763 to Bonn, October 1; National Archives, RG 59, Central Files 1970–73, POL 28 GER B) Russell Fessenden, the Deputy Chief of Mission, lodged an official protest that evening in a meeting with Paul Frank, First State Secretary in the German Foreign Office. After decrying the breach of confidentiality in the negotiations, Fessenden declared: “Ehmke’s comments on differences between the US Government and the FRG and alleged differences between Embassy Bonn and Washington were equally unhelpful. The effect of all this on Allied unity, to say nothing of the Soviets, was serious. The result is just the opposite of what the FRG desires, i.e. rapid progress toward a Berlin solution.” Frank apologized for the incident, commenting on “how difficult it is to control ‘politicians’.” (Telegram 11385 from Bonn, October 2; *ibid.*)

Meanwhile, Ehmke met Acting Secretary of State John Irwin. In an October 6 memorandum to the President, Kissinger briefed Nixon on “important developments” during his absence, including the meeting between Ehmke and Irwin:

“On October 1 Acting Secretary Irwin met with German Minister Ehmke, a very close adviser to Brandt and general manager of the FRG Government. Ehmke expressed the conviction that Brezhnev wished to present the FRG–USSR treaty (signed in August) to the Party Congress in March. Given the public link between FRG ratification of the treaty and improvement in Berlin, Ehmke feels that the Berlin negotiations must be concluded by the end of the year. If the Soviets come to the judgment that the treaty will not be ratified by the time of the March party congress, they might be less interested in a Berlin improvement, concluded Ehmke. While in the US, Ehmke also provided several backgrounders to the press, the thrust of which was that the US was holding back in Berlin. Mr. Irwin reminded

Ehmke that such statements were untrue and unhelpful.” (Ibid., Nixon Presidential Materials, NSC Files, Box 1324, NSC Unfiled Material 1970, 2 of 11)

A detailed account of this meeting is in telegrams 163207, October 2, and 163305, October 3, to Bonn. (Ibid., RG 59, Central Files 1970–73, POL 28 GER B and POL GER W–US, respectively) For a different perspective on the Ehmke visit, see Ulrich Sahn, “*Diplomaten taugen nichts*”, pages 277–278.

121. Editorial Note

On September 29, 1970, the Soviet duty controller at the Berlin Air Safety Center informed his British counterpart that an area centered on the town of Rathenow in East Germany would be closed to air traffic for 2 hours the following day, effectively closing two of the three air corridors into West Berlin. Noting that this action coincided with the next session of the Ambassadorial talks on Berlin, the U.S. Mission in Berlin argued that the “Western powers cannot afford to allow precedent of accepting such closures to be established.” The Mission recommended, therefore, that the Allies probe the affected area with military aircraft during the period of closure. (Telegram 1407 from Berlin, September 29; National Archives, RG 59, Central Files 1970–73, POL 38–9)

The Department replied that “highest levels” had approved this recommendation, including issuing a “stiff *démarche*” to Pyotr Abrasimov, the Soviet Ambassador in East Germany, at the upcoming meeting. (Telegram 160778 to Berlin, September 30; *ibid.*) Abrasimov, however, refused to accept the *démarche* since he “knew nothing about the issue.” If such action were taken, he insisted, “it must have been taken by middle echelon officials and certainly without his authorization.” (Telegram 1432 from Berlin, September 30; *ibid.*)

In a September 30 memorandum to President Nixon, Kissinger analyzed possible Soviet motives behind the incident:

“There are several angles to the Soviet announcement. First of all, the action strikes an ominous note on the very day that Berlin negotiations resume. Soviet willingness to engage in such pressure raises a question of whether they are as interested in serious negotiation as they intimated early this month to Ambassador Rush. In this connection it may be indicative that Yury Zhukov, the Soviet journalist who was recently visiting Bonn, took a strong line that the German-Soviet treaty should be ratified before Berlin agreement and would facilitate Berlin

agreement, whereas we take the position that ratification depends on a satisfactory Berlin outcome. Thus, Soviets may be increasing various pressures to force treaty ratification without Berlin's commitment. At the same time, harassment of sensitive air corridors, if continued beyond this minor probe, raises tensions and threatens the fate of the treaty in Bonn.

"It is possible that the meaning of this Soviet move is in a wider context. For example this could be their way of replying to publicity over the Soviet 'base' in Cuba. In this vein, the pinprick in Berlin is an obvious reminder of Soviet capabilities to counter any moves of ours in the Caribbean with their own pressures elsewhere.

"The Soviets gave no specific reason for the closure, though their pretext presumably is the beginning of Exercise Comrade-At-Arms. This is scheduled to last until October 20. Thus we could face an extended period of temporary closure or other harassments, depending on the Soviet reading of our response." (Telegram WH01947 from McManis to Haig in Naples, September 30; *ibid.*, Nixon Presidential Materials, NSC Files, Box 26, President's Daily Briefs, September 18, 1970–Sept. 30, 1970)

In another memorandum to the President on September 30, Kissinger reported on the outcome of the Allied probe:

"In agreement with the British and French, four probes were scheduled in the air space over Rathenow, East Germany this morning. The first aircraft, a British plane, landed in Berlin with the pilot noting no reaction. The second aircraft, a U.S. plane, also landed in Berlin with no apparent reaction. Because of the negative reaction, a second British flight was cancelled. The French probe did not get off of the ground because of mechanical or operational problems. Communications intelligence indicated no abnormal tracking of the flights." (*Ibid.*)

During a meeting with Soviet Foreign Minister Gromyko in New York on October 16, Secretary of State Rogers protested Soviet harassment of the Allied air corridors to Berlin. Rogers described his protest in a telephone conversation with Kissinger 2 days later. According to a transcript, the discussion of Berlin was as follows:

"R: Interestingly enough, I don't know whether the telegram shows this or not because I had a private meeting with him—about an hour. But on the—he got a little tough and I responded in kind and then he calmed down and I calmed down and he talked about the air corridor.

"K: That didn't come across.

"R: He said now what did we do, what did we do? And I said you know damn well what you did. You said that the corridors were going to be closed and you don't have any right to close the corridors and we are not about to let you. Then he again sort of said what did

we do and I said I just told you what you did. And he said well we didn't intend it that way. I said put yourself in our position. How would you have construed it? I said we were about to have four-power talks. You have done this in the past and then he said I can tell you that we didn't intend it that way. And I said are you saying it was a subordinate's decision, that it was accidental? And he said that is what I am telling you. And he said will you take my word for it. I said that if you say it in that way I'll take your word for it. I said if you tell me that it was an accident and it was not intended, that's all right with me, but you can well understand why we thought it had some significance because normally you don't do things that carelessly.

"K: Of course.

"R: I said but I will take your word for it. Let's go on to something else—so that's the way the damn thing ended. And I think that's probably a pretty good way to put it.

"K: I think that's right. It gives them a face saving way out of it." (Library of Congress, Manuscript Division, Kissinger Papers, Box 364, Telephone Conversations, Chronological File)

122. Telegram From the Mission in Berlin to the Department of State¹

Berlin, October 1, 1970, 1646Z.

1443. From Ambassador Rush. Subject: Berlin Talks: Next Phase. Ref: Berlin 1437, Berlin 1435,² Berlin 1434.³

1. I consider it important that we make a determined effort to make real progress in the current Four Power talks, and that urgent

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 38–6. Secret; Immediate; Limdis. Repeated to Bonn and to Belgrade for Hillenbrand.

² Both dated October 1. (Ibid.)

³ In telegram 1434 from Berlin, September 30, the Mission reported: "The main development was an unexpected request by Abrasimov who had earlier explained that his absence at the UNGA in New York would make it impossible to meet again before October 30, to meet instead on October 9 on the basis of intensive preparation by subordinates." The Mission further commented that the change in schedule "indicates that Abrasimov feels himself under some pressure to move towards more rapid development of the negotiations and represents an important procedural shift on his part." (Ibid.) For a German summary of the September 30 meeting, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 1671–1675.

consideration be given to steps we on the Western side might now take to accomplish this.

2. In view of our discussions yesterday with Ambassador Abrasimov, and particularly his definition of the three principal Soviet interests in Berlin—the banning of NPD; the cessation of Bundestag meetings; and the elimination of FRG offices, I would like to have the Bonn Group consider the following possibilities: (a) banning the NPD in Berlin (In the past, while the French, the British and the Germans were prepared to ban the party in Berlin, we on the American side were not. However, in the present context, it would, in my opinion, be desirable to reverse the American position, particularly if by so doing, we could produce sensible progress in Berlin.); (b) surfacing our proposal for the cessation of constitutional functions in Berlin by Federal Republic constitutional organs; (c) dealing with issue of the Federal offices in a way that protects them but also eliminates them as a point of contention. One way to do this may be to state that the Western powers remain supreme in the Western sectors; that they have the right to determine the ties of the Western sectors with the Federal Republic; that while the FRG does not govern the Western sectors, it continues to have important social, economic, cultural and other ties with them; that while Federal offices do not have governing responsibilities, they carry out essential functions connected with the Allied responsibility for assuring the viability of the Western sectors of Berlin. It may also be desirable to tell the Soviets that we remain prepared to give serious consideration to any reasonable Soviet grievances connected with these offices.

3. If we can do this at our next meeting, we will not have given away anything fundamental, but we will have demonstrated to the Soviets our readiness to deal fairly and equitably with their legitimate problems. In turn, we will put the burden on them to begin to meet our requirements. I therefore would like to have these propositions discussed urgently and in depth by the Bonn Group to be able to move the talks along at the October 9 meeting.

4. I would also appreciate Department's approval ASAP.⁴

Morris

⁴ The Department and Hillenbrand, who was in London, subsequently approved these recommendations. (Telegram 163300 to Bonn and telegram 8102 from London, October 3; both in National Archives, RG 59, Central Files 1970–73, POL 28 GER B) In telegram 1519 from Berlin, October 9, the Mission reported that Abrasimov, who served as chairman for the Ambassadorial meeting that day, adopted an uncompromising stance. "This, without doubt, was the toughest and tensest session thus far. There was heated debate. Western Ambassadors held firm line." (Ibid., POL 38–6) For a German summary of the meeting, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 1731–1737.

123. Paper Prepared in the Department of State¹

Washington, October 12, 1970.

GERMAN EASTERN POLICY AND BERLIN

*I. Eastern Policy**1. Background*

The present period is one of important change in Europe. Patterns of political thought and organization to which we have become accustomed in the post-war period have become less firm. The Eastern policy being implemented by the Brandt Government is both the result of these changes and a major stimulus for further change. US interests are directly affected because of our continuing responsibilities for Berlin and Germany as a whole. Equally important the future role of Germany will determine in many ways the strength of the Western Alliance and the nature of East-West relations both of which touch directly on our own security. We have made broader negotiations in a Conference on European Security directly dependent on progress in the negotiations which the FRG has been conducting and in the talks which the Three Western Powers are holding with the USSR concerning Berlin.

The Brandt Government has signed a treaty with the USSR on the renunciation of force and is seeking to complete similar agreements with Poland, the GDR and eventually Czechoslovakia and the other Eastern European countries. Previous German governments led by CDU Chancellors have sought to reach constructive understanding with the USSR. What is new in the present Government's policy is its decision to seek to normalize relations with the East on the basis of formal acceptance of the present status quo in Europe—that is acknowledgment of the existence of two German states and recognition in all but the strictest legal sense of existing borders including its own border with the GDR.

¹ Source: National Archives, RG 59, EUR/CE Files: Lot 80 D 225, Bonn Group Study, Nov 23 1970. Secret. Drafted by Sutterlin and Skoug. The paper was a revision of a paper originally prepared for discussion by the NSC on September 15; the meeting, however, was postponed. On October 12 Jeanne W. Davis, NSC Staff Secretary, circulated the revised pages to serve as the basis for discussion at the NSC meeting on October 14. (Ibid., Central Files 1970–73, POL 1 EUR E–GER W) Copies of the original version are ibid. and ibid., Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII.

2. Objectives of Brandt's Eastern Policy

A. Short Term

—A regularized *modus vivendi* with the GDR to permit easier communication between East and West Germany.

—Greater political influence and trade in Eastern Europe.

—Assurance of the indefinite continuation of the present status quo in Berlin and of more secure access arrangements.

—The prestige to be derived from an active dialogue with Moscow.

B. Long Term

—Cultural, economic and social unity for the German people even though political unity is not possible.

—A gradual opening up of Eastern Europe and a loosening of Soviet domination which will permit a new European peace order marked by the disappearance of military and ideological confrontation in Europe.

The intention of the Brandt Government in seeking these objectives is not to change the strategic balance between East and West. The FRG's commitment to NATO, its support of the EC and its partnership with the US are to be maintained. The extensive and ever-growing economic ties between the FRG and the US and its EC partners will, in any event, serve to bind the FRG to its Western associations.

3. The Underlying Assumptions

A decisive development in Brandt's thinking was the Berlin Wall. The inability of the West, particularly the United States, to prevent the Soviets and East Germans from this move convinced Brandt that the United States, either alone or with its Allies, could not be expected to bring about a solution of the German problem. Brandt concluded further that strategic parity meant acceptance of the status quo in Europe by the United States. This status quo would not be changed by Western strength. His current policy is a logical extension of the policy of "little steps" he developed after the Wall was built which foresaw German initiatives for small improvements in relations with East Germany and the other Communist European countries.

Also important in Brandt's thinking are the following assumptions:

—The Western Alliance built on the US deterrent strength has been and remains essential to the security of the FRG and West Berlin.

—US experience in Asia and domestic trends in America make it inadvisable, however, to rely entirely on alliance with the United States as the sole long-range basis for German security.

—In any event only the FRG can bring about a satisfactory solution of the German question.

—The FRG is in a better position to encourage such a solution by reaching a *modus vivendi* with the East while a strong American presence remains in Europe since a firm foundation of Western strength is prerequisite for negotiations with the East.

4. *The Prospects*

German Eastern policy offers the following attractions to the USSR and its allies:

—Official German acceptance of the status quo in Europe.

—Greater access to technology and economic resources in the West.

—The prospect of greater influence in the FRG and Western Europe.

—Reduction of a potential cause of tension at a time of conflict with Communist China.

—An enhanced long-range prospect of loosening FRG ties with the West, weakening the Alliance and impeding the development of a politically integrated European community.

In connection with this last point it must be noted that Moscow's flexibility is limited by its strategic requirement to maintain Soviet forces in East Germany and by its political requirement to maintain a Communist regime in power in East Berlin. The Soviet Union cannot at this time tempt the FRG with any real prospect of reunification or change in the political system in the GDR. Under the circumstances Moscow's present objective may be not to entice the FRG away from its ties with the US and NATO but simply to reach sufficient understanding to suggest there is a slight bit of light on the horizon and that the FRG would be well advised to keep options open for the future, i.e. not become too integrated into a Western European community.

The attractions for the Communist side and the objectives of the FRG are obviously not the same and in some cases are in direct conflict. Each side, however, probably sees enough opportunity to attain its objectives—and such disadvantages in turning back—as to make further progress likely. But in assessing the prospects that the Eastern policy will be fully implemented the following impediments need to be kept in mind:

—The East German regime needs to isolate the GDR from the influence of West Germany rather than to encourage the improved communication between East and West which the FRG desires.

—Brandt's domestic political base is fragile.

—Implementation of the policy is dependent on a satisfactory solution in Berlin and this has been extraordinarily difficult to achieve in the past.

5. *What Lies Ahead*

The status quo ante cannot be restored. It is possible that the total package of treaties with the USSR, Poland, the GDR and Czechoslovakia and a quadripartite understanding on Berlin will be realized or that at some point difficulties will arise which will prevent its full accomplishment. In either event, however, the status of the GDR will have been substantially enhanced.

In the first eventuality the following corollary developments can be expected:

—The GDR will be accepted as a full-fledged member of the international community and the Western Powers will have to take this into account in preserving their position in West Berlin.

—The concept of Four Power responsibility for Germany as a whole will have less meaning than at the present.

—A Conference on European Security will take place and the atmosphere of détente in Europe will increase.

—The residual fear of the USSR will decline.

—A thinning out of troops in Europe will be encouraged.

—Increased German influence will be a factor for change in Eastern Europe.

—The USSR will find it more difficult to prevent some further loosening up in that area, particularly in terms of bilateral and multilateral contacts with the West.

—American defense and political support may seem less essential and US influence can be expected to decline.

—Cooperation between England and France as insurance against an overly independent Germany is likely to grow.

—For reasons other than Eastern policy, economic integration of the European community can be expected to deepen as well as the economic inter-dependency of the Atlantic world thus providing additional strong ties between the FRG and the West. (The latter could be weakened by a trade war or an American return to isolationism.)

The difference in Europe three to five years hence if German Eastern policy is realized only in part is likely to be primarily a matter of degree. The trends will be the same because they stem from the assumptions underlying German Eastern policy more than from the policy itself.

6. *Potential Dangers*

The objectives of German Eastern policy are compatible with US interests in Europe. The policy does, however, entail the following potential dangers which must be taken into account:

—Agreements between the Federal Republic and its Eastern neighbors which seem to provide a tolerable solution of the German problem and reduce the level of tension in Europe could lessen the defense efforts of the Alliance, including US willingness to maintain a strong military presence in Europe.

—Should this take place Western Europe would become more vulnerable to Soviet pressure with a resultant trend toward military neutralization.

—Eastern policy may fail to produce the objectives sought by the FRG particularly insofar as a loosening up in Eastern Europe and a lessening of the ideological confrontation between the two Germans are concerned. Increased popular frustration within the FRG might result, leading to the conclusion that progress can only be achieved through a more independent policy separate from the Western Allies and to internal instability which could prejudice the democratic system in West Germany.

—German preoccupation with the East could deprive the EC of the German leadership and initiative needed for progress in integration and expansion.

—An enhanced status of the GDR could weaken the Allied position in West Berlin and make more difficult the task of the Allies in resisting intensified Communist pressure, should this develop.

In short there is at least a theoretical possibility that Eastern policy, even if fully implemented, will not achieve the goals of the FRG but will nevertheless prejudice the Western defense structure, European integration and the Western position in Berlin.

7. American Options and Requirements

Given our own efforts to find areas of agreement with the USSR, including the current SALT talks, it would be extremely difficult to oppose in principle the efforts of the Brandt Government to normalize relations with the East. It could not be done without a deterioration in relations with the Brandt Government which could have lasting and far-reaching adverse effects on our ties with the FRG. This option therefore seems unrealistic. There remain two possibilities:

(a) We can continue to afford general support for the objectives of German Eastern policy, while avoiding, to the extent possible, endorsement of details and tactics, taking such restraining action as may be necessary to preserve quadripartite rights and responsibilities for Berlin and Germany as a whole.

(b) We can extend more comprehensive endorsement to the policy and perhaps take a more direct complementary role. We could, for example, publicly announce that the treaty with the USSR does not, in

our view, remove the need for a peace settlement, thus making Bundestag approval more likely.

The advantage of option (a) is that it minimizes our involvement in German internal politics and places full responsibility on the German Government for the resolution of the German problem which it is seeking. It permits us to intervene if quadripartite rights or the status of Berlin are endangered. The disadvantage is that it permits the suspicion that the United States is doubtful about the Brandt Government's intentions.

If the second option were chosen relations with the Brandt Government would become more cordial. Brandt's domestic position would be strengthened and the prospects for implementation of the various treaties foreseen under the Eastern policy would be increased. The disadvantages would be: (a) our involvement in domestic German affairs would become more direct; (b) relations with the opposition would become strained and might be difficult to restore in the event the CDU won the Chancellorship; (c) greater US support would remove a restraint from the Government and could result in more precipitate and radical actions which would contribute to a polarization of political opinion in Germany; and (d) in the event that Eastern policy fails to produce the desired results part of the blame, at least within the opposition, would rest with the United States.

On the whole the first option appears more advantageous than the second. Whichever is chosen, however, the Brandt Government will continue its efforts to implement Eastern policy and we will face both the advantages and possible dangers entailed therein.

A great deal of the tragedy and failure connected with German foreign policy in the period between Bismarck and Adenauer can be traced to the inability or unwillingness of the German Government to attain a stable relationship with its neighbors. Success of German Eastern policy would be dangerous mainly if it resulted in a destabilization of Germany's relations with the West. Paradoxically the main danger of its failure would be a feeling of frustration which could result in internal instability and more radical initiatives which could also lead to a kind of self isolation by the FRG.

To discourage the potential dangers entailed in both success and failure the main requirement is to ensure the continued existence of defense and economic communities on which the FRG can depend and where it will enjoy respect. It is not likely to sacrifice a reliable security association and any feelings of frustration in the East will be mitigated if a dynamic Western environment offers a field for more fruitful initiative. This means, in the context of present developments that we should:

—Maintain a relationship of confidence with the FRG leadership, whether SPD or CDU, so that it will have trust in the security and po-

litical assistance we can afford. This will entail full respect for the FRG's sovereignty and continuing evidence of our willingness to rely on the FRG to take full account of Western interests in its dealings with the East.

—Stabilize the US presence in Western Europe over the next three to five year period. This will ensure during a period of rather fundamental change sufficient continued deterrent to discourage the Communist side from any temptation to take advantage of these changes to renew pressure on the West. It will also eliminate any underlying German assumption of early US troop withdrawals and thus decrease the need for haste on the German side in the implementation of German Eastern policy. Most importantly it will reassure the FRG's leaders that the Alliance of which they are part will endure and remain effective.

—Achieve a long-range and effective system of economic burden sharing within the Alliance. This should place a continued US troop presence on a sounder basis, reduce pressure in the United States for withdrawal of American forces, and thus increase European confidence in the continued effectiveness of the American commitment and of the Alliance deterrent.

—Support the further development of the EC and encourage the further expansion of trade between the US and Western Europe.

II. Berlin

1. Relationship to Eastern Policy

The United States initiated its participation in the Berlin quadripartite talks on the assumption that the current status of the city was satisfactory but that specific improvements, primarily in civilian access to the FRG and in inter-sector travel and communications, could be sought from the USSR in exchange for some reduction of the FRG presence in the city. German Eastern policy initiatives have changed the situation.

The Brandt Government has stated that ratification of the treaty with the USSR must attend a successful outcome of the Berlin talks. At the same time, the West Germans have specified that Soviet acknowledgement of Bonn-Berlin ties and improved access are essential elements in a successful outcome. This nexus between the Moscow treaty and the Berlin talks has created an opportunity for the Western Powers to exploit the presumed interest of the USSR in treaty implementation to seek their objectives in Berlin. At the same time, the Western Powers have been placed in a position where lack of agreement in Berlin would open them to the charge of frustrating German Eastern policy.

A further new element is the enhancement of the status of the GDR, entailed in the FRG's Eastern policy, which could increase Allied difficulties in maintaining the security and viability of the city. The enhancement of the GDR raises the questions whether some changed status for the Western sectors of Berlin should be sought in the negotiations and whether this is the appropriate time and place to seek additional assurance for Berlin beyond the improvements originally contemplated.

2. *Choices for the Outcome of the Berlin Talks*

Although there are several theoretical possibilities in the outcome of the current talks, the basic choice is between concrete improvements within the framework of the current *de facto* status of the city and some broader solution. We could:

—Continue to offer the USSR some limited reduction in Bonn's political presence in Berlin in exchange for improved access arrangements, greater circulation and communication possibilities in and around Berlin, and Soviet acknowledgement of the ties between West Berlin and the FRG. This outcome, if it could be obtained, would entail no modification in our interpretation of the legal status of the entire city, as derived from wartime victory and reflected in quadripartite agreements. One detriment is that an agreement of this kind, unless the assurances on access were substantial, would provide no new Soviet or East German commitment to respect the quadripartite status of Berlin and would not greatly strengthen the Western position in the event of subsequent pressure from an enhanced GDR. Another is that it might fall short of the wishes of the Germans, particularly if overt Soviet acknowledgement of Bonn-Berlin ties is not forthcoming. The FRG might refuse to concede important elements of their presence unless this were obtained.

—Seek a broader agreement which would accept the Soviet thesis that only West Berlin is subject to three (actually four) power authority, whereas East Berlin is the capital of the sovereign GDR. An additional element might be an enhanced Soviet or East European presence in West Berlin. Under this solution, West Berlin would receive new guarantees from the USSR (and presumably the GDR). This sort of outcome would cost us *prima facie* our largely barren right to demand free access to East Berlin for our military and diplomatic personnel. The degree of satisfaction to the FRG would depend on the amount of association, if any, between Bonn and West Berlin which the USSR could be led to acknowledge. Such a solution would make it easier for the FRG and the Western Powers to recognize the GDR and establish diplomatic representation in East Berlin. On the other hand, it would terminate the historical legal basis of Berlin and substitute a new contractual relationship based on Soviet (and perhaps East German) agree-

ment. While it could be argued that a newer Soviet agreement would be a positive result, such a solution might make it psychologically more difficult to reassert Allied rights in the future if these were subsequently put to a new test. Geography would leave the Communists in a position to influence or even to determine events in West Berlin, whereas the Western concessions would be irrevocable. Lastly, such a solution would in itself further enhance the GDR.

Either type of agreement would leave our commitment to West Berlin and the responsibilities we bear for its defense unchanged.

3. *Tactics*

Our tactics to date have been to propose a number of specific improvements, while at the same time exploring whether any meeting of Western and Soviet positions in principle would be possible. At the most recent session (October 9) the Soviet representative responded with a formulation suggesting that the USSR is demanding an outcome along the lines of the broader settlement referred to above. He insisted that the Soviet side would not agree to discuss any practical arrangements to facilitate access or inter-sector relationships unless the West would agree that West Berlin alone is the subject of the negotiations.

This Soviet position had not been stated so boldly before and it may be a tactical move. We propose to probe them further, possibly in New York, to ascertain whether this is indeed a fixed demand. This can be done by proposing to discuss practical improvements which, while not requiring a specific Soviet endorsement of our principles, would improve the situation of Berlin and could implicitly confirm our general case as well.

If probing shows that the USSR intends to insist that we acknowledge that West Berlin is a separate political entity we will have to decide in consultation with the FRG, France and the UK whether we should

—accept the Soviet option and seek as many pragmatic improvements as we can obtain in exchange for the attendant risks in an implicit change in Berlin's status;

—reject the Soviet option but continue in contact with the Soviets in an effort to find a mutually acceptable means of achieving improvements utilizing such possibilities as discussion between the GDR on the one hand and the FRG or Berlin Senate on the other as a supplement to quadripartite talks.

If the impasse continues, at some point the question of whether or not to break off negotiations may arise; our problem will be to do this under such circumstances as to avoid any possibility of a growth of a myth that we actually toppled Brandt's Eastern policy by using the Berlin lever.

124. Memorandum for the Record¹

Washington, October 13, 1970, 12:59–2:22 p.m.

SUBJECT

Luncheon Meeting, Tuesday, October 13, Dr. Kissinger and Mr. Franz Josef Strauss

After meeting briefly with the President, Mr. Strauss talked at length with Dr. Kissinger over luncheon, mainly about relations with the Soviet Union, the new German-Soviet treaty, and about the internal political situation in Germany.

German-Soviet Relations

Mr. Strauss began by referring to a conversation he had had with a visiting Soviet journalist (Yuriy Zhukov). From this conversation it had become clear that the Soviet interpretation of the new Soviet-German treaty differed greatly from that being given in Bonn by the SPD Government. He had talked with Horst Ehmke and Foreign Minister Scheel about Soviet motives and German aims. Ehmke had told him that the treaty would create the conditions for the Soviets to abandon, step by step, their hold over Eastern Europe. The Soviets recognized, according to Ehmke, that they could not hold Eastern Europe indefinitely, and their aim was to create a gradual loosening up of Eastern Europe. Ehmke told Strauss that through the new treaty with Moscow Bonn would be able to move into Eastern Europe, and finally create a zone of democratic, socialist states. Dr. Kissinger interjected that even if this were true, the Soviets would never allow Germany to fill the vacuum in Eastern Europe. Strauss agreed and continued that Ehmke claimed the Government's goal was to roll back the Soviet sphere of influence to the USSR. Strauss had told Ehmke that if he accomplished this he (Strauss) would be the first to congratulate him, but that he strongly doubted that this is what the Soviets expected. In a similar conversation, Scheel told Strauss that the Soviets needed to consolidate their position in Eastern Europe and at home. For this they needed Western economic help. The Germans, according to

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII. Secret. Sent for information. Drafted by Hyland on October 16 and cleared by Sonnenfeldt. Kissinger initialed the memorandum on October 22, indicating that he saw it. The time of the meeting is from Kissinger's Record of Schedule, which notes a brief interview with the President (1:03–1:18 p.m.). (Library of Congress, Manuscript Division, Kissinger Papers, Box 438, Miscellany, 1968–76) No substantive record of the conversation between Nixon and Strauss has been found.

Scheel, would offer this in order to remove Soviet concern. Once the Soviets consolidate their position the Germans could expand their influence.

Dr. Kissinger commented that in other words, the Soviets would consolidate their position in Eastern Europe in order to give it up. Strauss continued that he had argued with Scheel that they did not need a treaty to convince the Soviets to accept economic help from Germany. He had told Scheel that this was as if Germany were paying reparations to the Soviet Union. They, the Germans, could hardly expect the Americans to be sympathetic while the Soviets with European help continued to support North Vietnam, cause tension in the Mediterranean and build up their strategic armaments on European credits. In such circumstances, how could Germany ask the United States to maintain troops against the USSR in Europe, while Germany was embracing the Soviets.

Strauss argued that the Soviet aim was to increase its influence over Germany, and that the treaty was a step in this direction. The Soviets also wanted to discourage freedom-loving Social Democrats in Europe, many of whom had told him that the SPD had abandoned them. He recalled that the last two wars had actually started long before the fighting broke out. Before each there was a turning point. He felt that Germany had reached such a turning point. After the treaty had been ratified, Europe would never be the same and Germany would never be the same. In a treaty between a weaker power and a stronger power, the final interpretation of the meaning of the treaty would be that of the stronger party.

In these circumstances, he concluded that America's greatest service would be to avoid supporting or applauding the treaty and Brandt's Ostpolitik. Brandt was constantly claiming that the CDU/CSU was isolated in its opposition and pointed to support from America, Britain, France, Scandinavia, etc.

Dr. Kissinger asked Mr. Strauss about the Berlin negotiations, and how they fit into his view of relations with the Soviets. Dr. Kissinger commented that it was difficult to see how the situation could actually be improved. What could we do if the German government decided that a certain agreement was satisfactory. We could not be more German than the Germans.

Strauss said that there was no real solution for Berlin. The only solution (which he did not identify) was understood by everyone, and everyone agreed that the situation was abnormal. His party was adamant that there could be no treaty without a Berlin agreement, and they would not accept a mere agreement in principle as the Soviets wanted. The Americans should slow down the negotiations and put forward the stiffest possible terms.

Internal Political Situation

Dr. Kissinger asked about the domestic political situation. He noted that Rainer Barzel, when he was in Washington, had given the impression that the CDU/CSU did not want to bring down the government at this time, but might wait up to a year. Mr. Strauss indicated some surprise at this, and said that perhaps Barzel was concerned to be quite correct in his remarks at the White House. He, Strauss, did not know if the SPD–FDP coalition could last for a year. The elections in Hesse next month and in Bavaria at the end of November would be crucial. If the FDP did poorly the national party would collapse. Then it was a matter of arithmetic as to how many of the FDP would come over to the government. Strauss foresaw that there might be a grand Coalition, since the CDU could not make up its mind about the Chancellorship. He believed Barzel would be the next Chancellor. He ruled out Schroeder, though Kiesinger might want to govern until the next elections. He knew that he himself had no prospects unless there was a major crisis, but that he would probably become Finance Minister or perhaps Foreign Minister. Schroeder might also take the latter post, though he was not well thought of in France. He thought that the combination of Barzel and Strauss would be a good one; Strauss for the Germans and Barzel for Germany's allies.

He felt that if the SPD called for new elections that they would be beaten at present. Strauss' idea, which was causing problems with the CDU, was to combine with the remnants of the FDP with his Christian Social Union and run a candidate outside Bavaria on a ticket called the German Union. In this way the CDU/CSU could get an absolute majority. Dr. Kissinger noted that in this case Strauss would have a policy veto. Strauss responded that he would not abuse it, but would of course use it.

He commented briefly on the economic situation, noting that if the Social Democrats ruled for one more year, no major damage would be done, but if they stayed in power for longer the problems would mount. He meant co-determination laws, and general socialization of society, as well as increase in inflation, cost of living, etc. In this connection, he noted the economic theories of Herbert Wehner, concerning convergence of reform Communism and democratic socialism. He said that Wehner was reverting to his old ideas, and explained at some length that there was a long standing psychological competitiveness between Wehner and Ulbricht. Wehner still hoped to be the man that lead all of Germany into a socialist society, rather than Ulbricht.

At the end of the luncheon, Mr. Strauss expressed his appreciation to Dr. Kissinger for receiving him and conveyed the regards of Kiesinger and Barzel. He indicated that he would keep the conversation in strictest confidence, and might see Dr. Kissinger again in De-

cember when he returned to the United States. He would understand, however, if Dr. Kissinger could not receive him then.

William G. Hyland²

² Printed from a copy that indicates Hyland signed the original.

125. Memorandum From the President's Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, October 14, 1970.

SUBJECT

NSC Meeting: (1) Germany and Berlin; (2) Burden Sharing

This will be the first of two meetings scheduled to deal with European issues. For this meeting *the main subject will be the longer term consequences of Brandt's Eastern policy and the Berlin negotiations*. We also have scheduled a *brief review of the burden sharing question*, and what further steps may be necessary to follow up with your statements at Naples.² At later meetings we will discuss our force levels in NATO and the question of mutual force reductions through negotiations with the USSR.

Germany

Brandt's concept of a German national policy is based on his conviction that neither the US, alone, nor the Western Allies together are capable of achieving Germany's national aims. Only a West German government can do this, he believes.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-029, NSC Meeting—European Security 10/14/70. Secret. Sent for information. The date of the memorandum is from another copy. (Ibid., White House Special Files, President's Office Files, Memoranda to the President, Beginning October 11, 1970) No drafting information appears on the memorandum. Sonnenfeldt forwarded a draft and talking points for the meeting to Kissinger on October 12. In a covering memorandum Sonnenfeldt explained that, in accordance with Kissinger's instructions, "the papers now place heavy stress on the problems associated with Ostpolitik, both its failure and its 'success,' and, more importantly, with the current Berlin negotiations." (Ibid., NSC Files, NSC Institutional Files (H-Files), Box H-029, NSC Meeting 10/14/70 European Security)

² Reference is to Nixon's September 30 statements at the NATO Southern Command in Naples, in which he stressed the importance of burden-sharing within the NATO Alliance. See Document 128.

Accordingly, he has taken a series of initiatives to normalize relations with the USSR and the Eastern Europeans, and ultimately reach a *modus vivendi* with East Germany. The new element of this strategy is the willingness to accept the political and territorial status quo, including eventual recognition of East Germany, as the necessary price to create a new starting point for overcoming the division of Germany.

The West Germans assume that the Soviet Union will accommodate to Bonn's policies because of the problems with China and because of the intense Soviet desire to gain greater access to Western technologies.

In the short run, Brandt hopes to achieve a series of treaties, including a contractual relationship with East Germany, that will allow more intra-German communication and a greater scope for West German political and economic influence in Eastern Europe. Ultimately, Brandt's hope is that through this new position of influence and acceptance of the status quo, an evolutionary process will ensue in which all but political unity can be achieved for Germany, as the ideological and political division of Europe erodes.

The Problems

If everything were to proceed as Brandt and his advisors assume, we could only welcome his success. But there are several problem areas:

—First of all, *Brandt's policies thus far are mainly declaratory, e.g., the Moscow treaty, and create the sense of détente without much substance.*

—*Brandt's willingness to recognize the status quo as the starting point for changing it and expanding German influence in Eastern Europe and over East Germany runs directly contrary to the imperatives of Soviet policy, which surely must be to freeze the status quo, to contain German ambitions and consolidate Soviet hegemony in East Germany, while Germany remains divided; the result could be a stalemate and frustration inside Germany.*

—*Even if Brandt is partially successful he risks being caught between pressures from the East, on the one hand, and the requirements of the Western Alliance on the other; in this event Western distrust could develop and revive anti-German sentiment since none of the Western Europeans can be expected to share Germany's priorities or preoccupation with unification.*

—*Within West Germany, if Brandt appears to be succeeding, there could develop a competition for the most nationalist position among the leading parties; the SPD already claims it is conducting a truly national policy by seeking substitutes for, or the equivalence of unification; the CDU could be compelled to counter this; in the long run the Soviets could gain the capability to dictate which German policies and leaders were acceptable as in Finland.*

Our Choices

In the near term we do not have great freedom of action.

—We probably cannot oppose Brandt without greatly damaging the Alliance, and involving ourselves in internal German politics.

—On the other hand, to support him actively will also polarize German politics since we cannot go beyond a German consensus on national questions. Moreover, because of his thin domestic base, we may want to hedge against overidentification with his specific policies.

In the longer term, we have two general postures:

1. *We can continue to remain aloof;*

—this guards against being blamed for the failure of the specific results of West German policy, and maintains solidarity with the British and French first of all;

—the main disadvantage is that we encourage inside Germany a feeling of distrust and suspicion which may feed Brandt's belief that, in fact, we cannot be relied upon to support his national aims.

2. *We can structure our general policies in such a way as to mitigate some of the longer term problems discussed above, and try to anchor German policy firmly in the West, so that when confronted by frustrations and failures Germany will have the certainty of a safe haven in the West, rather than the alternative of playing East against West or finding itself isolated.*

—The requirements for such a policy are not startlingly new or different. The essentials are to demonstrate our continuing commitment to Western Europe, our stability as a partner through the maintenance of our military presence, regardless of specific troop issues, and our continuing strong interest in seeing the European Community progress beyond a mere Customs Union into a genuine West European coalition.

—Additionally, we would want to preserve the concept of overall responsibility for Germany's future, together with the British, French and the USSR. In this way we would have a legitimate voice in a European settlement, and would reassure the smaller Allies that Germany was not being given a blank check, even though specific rights and responsibilities based on wartime agreements may no longer be operable.

—In return we should expect the Germans to consult frankly and to demonstrate in practice that their commitments to the West are still meaningful.

—All of this does not mean a new departure. What it means is that our present course takes on a new sense of urgency and importance in light of Brandt's policies, and thus needs periodic reinforcing and a high degree of consistency.

Berlin

One result of Brandt's policy is that the Berlin negotiations with the USSR have been inflated from the low-keyed probe we originally

envisaged to a major element in the future of Brandt's Eastern policy. He has made a "satisfactory" settlement a condition for ratifying the German-Soviet treaty. And his opposition has also made it a test of his good faith.

The consequences of this turn of events are that we gain some greater bargaining leverage, but, at the same time, there will be even greater pressures on the Germans to see to it that a speedy solution is reached.

—The danger is that they may urge us into concessions that conflict with our own clear interests and responsibilities in Berlin.

—Moreover, should the talks not succeed, as the main negotiators we run the risk of being blamed for the failure not only of the Berlin talks but the Brandt policy in general.

There is a general agreement with the UK, the French, and currently with Bonn, that we must achieve in any new agreement: (1) improved access procedures; (2) the maintenance of West German financial, economic and cultural ties to West Berlin; (3) some greater freedom of movement for West Berliners to travel; and (4) if possible, agreement that Bonn represent West Berlin abroad.

In return the Germans agree to reduce some of the more visible of their political activities in West Berlin, such as meetings of the Bundestag and election of the Federal President—which have caused periodic clashes with the USSR.

It is doubtful that we can reach an agreement on this basis with the USSR without making important concessions. The Soviets are aiming for recognition that West Berlin is a "separate political entity," that the GDR controls access, not the USSR, and that the Federal Republic has no political claims or rights in West Berlin. In effect, they want to effect a new status for West Berlin in return for the practical improvements in the situation we seek.

The Issues

The most immediate issue is what we do if our current negotiating position leads to a stalemate.

1. We could terminate the talks or allow them to die.

—This might mean the end of Brandt's Moscow treaty, but is a defensible and legitimate position if Soviet demands prove intolerable.

—We could also try to separate the Berlin issue from ratification of the Moscow treaty.

2. If we choose to continue negotiating, we could consider a settlement confined to West Berlin, and involving some degree of recognition of East German sovereignty, i.e., the Soviet position.

—The West Germans may be inclined to accept this based on the formula that each of the occupying powers is sovereign in its sector of the city and will respect the decisions of the other.

—A new status might be more defensible against the day when East Germany is recognized internationally and we have to deal with it over

innumerable matters related to Berlin. Our bargaining power is greater now than after East German recognition and admission to the UN.

—*The disadvantages* are that creating a new agreement in itself provides no reliable guarantee beyond what we already have, because basically we are dependent on Soviet good will and the interplay of our total relations with the USSR to protect Berlin. Even under a new status we would be vulnerable.

3. We might accept a face-saving agreement on general principles.

—It might satisfy Bonn and avoid more concessions.

—But, it could be the source of new conflicts later.

The issues in Germany and even in Berlin do not appear to lend themselves to discrete choices and decisions. Our attitude toward Ostpolitik involves nuances and emphases (assuming we do not want to oppose it openly). In the Polish-West German treaty and a West German-Czech agreement, we would probably want to indicate our general support, and perhaps even make a gesture to Poland that we will support the Oder-Neisse as a permanent boundary.

We will also want to impress on the Germans that we expect them to carry out their avowed aims of strengthening their Western ties in the process of developing their Eastern policy. And we will want to inspire confidence in our own reliability in the resolution of other European security issues and our own role in the Alliance.

*In short, I feel that what you may want to do is to write a letter to Secretary Rogers, laying out your concept of our policies in dealing with the problems of Ostpolitik along the lines of your conversations with Barzel and Schroeder.*³

On Berlin, I feel that our present tactical position is sound enough but that we should be quite wary of German desire to speed up the talks or draw us into uncertain and unexplored territory. *It seems highly*

³ Regarding Nixon's meeting with Barzel on September 4, see footnote 7, Document 115. Nixon met Schroeder in the Oval Office on September 15 from 9:49 to 10:20 a.m. (National Archives, Nixon Presidential Materials, White House Central Files, President's Daily Diary) Although no substantive record of the meeting has been found, Kissinger suggested in a September 14 memorandum that Nixon stress "your agreement that Germany's Eastern policy should be balanced by Brandt's political and economic cohesion in the West." Kissinger also noted: "His [Schröder's] main interest, of course, is our appraisal of the recent German-Soviet treaty, the prospects for the Berlin negotiations, and our general policies toward Europe, especially our military presence. Schroeder has been rather moderate and restrained in his criticism of Brandt's Eastern policy. One reason is that he expects the coalition of Brandt's SPD and the Free Democrats to collapse about the middle of next year in favor of a new Grand Coalition and he wants to be available as Chancellor candidate. He is concerned, however, over the treaty, and especially the problem of obtaining a satisfactory Berlin settlement. He feels that some improvements were made in the Soviet treaty during the Moscow negotiations, but that the preferred order should have been a Berlin settlement first and then negotiations with the USSR." (Ibid., NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII)

doubtful that we will obtain an agreement, especially on access, that will be invulnerable to Soviet pressure.

We do have some leverage in these talks and we should be prepared to negotiate patiently. Experience has taught us that in Berlin matters, we cannot afford to leave much to chance or settle for a vague understanding which the Soviets later come back to and turn against us.

In particular, I feel that we cannot be caught out in front of a German consensus on how far we go in accepting East German sovereignty. At the same time, I think that now we are engaged in negotiations their failure would mean much more than in previous years. If pressed, I think we could realistically accept some change in the juridical status, provided that in return we gained what would be an airtight guarantee for access for civilian traffic, and maintenance of West German-West Berlin economic ties which are vital to the city's existence.

In the final analysis, our position in Berlin will depend on our own will to defend it and on the price the Soviets put on a continuing period of détente in West Europe.

If you concur, I will prepare a draft letter from you to Secretary Rogers with copies to other NSC members, outlining your approach to the German question in general and to the next phase of the Berlin negotiations.⁴

⁴The proposed letter from Nixon to Rogers was dropped in favor of a National Security Decision Memorandum from Kissinger to Rogers and Laird; see Document 131.

126. Memorandum of Conversation¹

Washington, October 14, 1970, 9:35–11:15 a.m.

PARTICIPANTS

President Nixon
Vice President Agnew
William P. Rogers, Secretary of State

¹ Source: National Security Council, Minutes File, Box 119, NSC Minutes 1970 Originals. Secret; XGDS. The meeting was held in the Cabinet Room at the White House. The memorandum is based on an attached set of handwritten notes by Richard T. Kennedy, which were transcribed by a secretary and edited by Peter Rodman in January 1975.

Melvin Laird, Secretary of Defense
George A. Lincoln, Director, Office of Emergency Preparedness
David M. Kennedy, Secretary of the Treasury
Adm. Thomas H. Moorer, Chairman, JCS
George Shultz, Director, OMB
Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs
John N. Irwin, Under Secretary of State
Lt. Gen. Robert E. Cushman, Deputy Director of Central Intelligence
Martin J. Hillenbrand, Assistant Secretary of State for European Affairs
Robert E. Ellsworth, U.S. Ambassador to NATO
Kenneth Rush, U.S. Ambassador to the Federal Republic of Germany
Gen. Alexander M. Haig, Jr., Deputy Assistant to the President for National Security Affairs
Col. Richard T. Kennedy (USA, Ret.) NSC Staff
Helmut Sonnenfeldt, NSC Staff

SUBJECT

Meeting of the National Security Council: Berlin and Germany (NSSM 83)²

Dr. Kissinger: Amb. Hillenbrand will bring us up to date. I'll cover the general issues. He will cover the details of the negotiations.

The West German policy is not new. What has changed is that in the previous government the Eastern policy envisaged and sought a closer relationship with the East European satellite countries leaving the USSR aside. This failed. Brandt therefore concluded that the best approach was to concentrate on improving relations with the USSR. The focus of German policy is now on the USSR and to rely on the existing territorial arrangements; this amounts to their de facto recognition. The objective is a lessening of tensions weakening the ties between the East and the USSR.

The assumptions of the German policy are: (1) that the United States is not able to solve the German question; only a German Government can. (2) that the Western Alliance remains essential to West German security. (3) that it's best to negotiate while American assets are still present in Europe.

It is hard to find a quid pro quo on the Soviet side in a West German-Soviet treaty using the Berlin negotiations to lead along. The results of the Ostpolitik are, therefore, that East Germany will become recognized and a UN member; the Berlin negotiations will be thereby complicated; the Four-Power context of Germany will change; and the other conferences will take on a new light. Some other aspects of this are worth noting. As I noted, it is hard to perceive a quid pro quo aside from the Berlin issue. Secondly, some assumptions of the two parties in Ostpolitik seem to be in violent conflict. Brandt defends his policy

² For background on consideration of Germany under NSSM 83, see Document 49.

on the ground that the ties between the Eastern Europeans and the USSR will be weakened, but the Soviets see it as just the opposite—they see it as ratifying the status quo in Eastern Europe. If the Soviet interpretation holds, it will cause a domestic problem in West Germany. As the German commitment to Ostpolitik grows, the strains in their relations with the Alliance will grow. Many Europeans are wary that this will mean a growth of German nationalism and an increase of fear and a possible move of more states toward Moscow.

Our choices are limited. We could oppose the policy and bring Brandt down. This would put us into the position of thwarting a German national aspiration and interfering in German domestic policies. Alternatively, we would support the policy more actively. The price is that we would discourage those in Germany with whom we have been working in the past.

The working group feels we must avoid either of the above alternatives. The issue is: Can we create greater unity in the West and create and strengthen the ties of West Germany to the West while Ostpolitik goes on? Can we strengthen European integration? We face this dilemma: We can't afford to oppose Brandt but we can't support his policy too strongly either.

Now let me turn to Berlin. The basic problem is that we are asked to deliver the quid pro quo for Ostpolitik but the negotiations themselves are upset by the Ostpolitik because it enhances the sovereignty of East Germany. There are two kinds of improvements we can seek in the situation around Berlin. First is the humanitarian—improving access between East and West Berlin. Second, is the practical issue of access between West Germany and West Berlin. The fact is that traffic can be cut. If East-West relations are good, access can be good; they are not good, the access can be bad. The problem is that Bahr couldn't negotiate with the Soviets so now he wants us to do it via Berlin. We can be blamed for any failures.

Marty can give us the latest details of the Berlin negotiation.

Amb. Hillenbrand: The Berlin negotiations have had eight meetings so far. The results are indeterminate. After the German-Soviet agreement the FRG thought that the linkage with Berlin would soften the Soviet position on the Berlin negotiations. The opposite was the result. The talks are not at an impasse necessarily. Why the Soviets are now holding a tough line is not clear. Some people think it is a general toughening of the line across the board.

We have to examine the feasibility of two possible approaches to the Berlin negotiation. A more modest approach along the lines of the earlier approved paper would use agreement to some reduction in the Federal presence in Berlin as the quid pro quo for some modest changes in access arrangements and so forth. A more sweeping approach would

ask the Soviets to acknowledge the continuing Four-Power responsibility for West Berlin, but treat East Berlin as the capital of the GDR, and get more firm arrangements on access to the West. The latest Soviet position demands, as a prerequisite to discuss access improvements that we would have to accept their definition of what is acceptable in West Berlin. This is a non-starter and no basis for negotiating.

So where do we stand? We allies agree that the new agreements must be binding.

We agree that some Federal activity is to be reduced in West Berlin. There will be some concessions by the Soviets on access between West and East Berlin. And the agreement on access is to be part of the settlement. The Soviets demand that the agreement must be part of a broader agreement; that all political elements of the Federal Government must leave West Berlin; that there must be a blanket commitment from the West that nothing will be done adverse to Soviet interests in Berlin. On access between the FRG and West Berlin, all that the Soviets will do is join in a Four-Power recommendation but the details have to be agreed between FRG, Berlin and the GDR. This window is the most sensitive life line to the city.

We are in a good tactical position; we have given away nothing. Any improvement that we can nail down is a plus. We will have to produce a package that is satisfactory to the FRG.

If Gromyko shows any give in his talks with the Secretary of State this week and with the British later, we may have an inkling of where to go.

Dr. Kissinger: What the Soviets want is de facto the “free city” concept for West Berlin.

Amb. Hillenbrand: Yes, they have stressed this theme consistently for some time.

President Nixon: Thank you. Ken?

Amb. Rush: This new government represents the first major political change in Germany since the Republic was formed. The new government is composed of people of the East who look East. It will require a firm effort on our part to keep them in the Western camp. There are bitter divisions in Germany over Ostpolitik. The polls show 70% others [?] feel that Germany will lose its ties with the U.S. and increase the influence of the Soviets. I have tried to see Brandt regularly to let him know how we see it.

As to Berlin, the Soviet effort is to drastically change the status of West Berlin. They are determined to destroy the viability of West Berlin and to destroy its links with the FRG and the West. Brandt says he will not permit the weakening of the links between West Berlin and the FRG. We have no time factor pressing for an agreement. There are others in his government who would do almost anything. His government

has only a small 6-man majority in the Bundestag. I believe this government will last. We must avoid having the onus of a breakdown of negotiations or of Ostpolitik rub off on us—we must shift it to the Soviets.

Secretary Rogers: The French and British have stayed with us.

Amb. Rush: Yes.

Secretary Rogers: Brandt is in no hurry to reach agreement.

Amb. Rush: Yes, but he wants to move quickly but not at the cost of a bad agreement.

Secretary Rogers: The FRG has said publicly that it won't ratify the Soviet agreement unless there is an agreement on Berlin.

Amb. Rush: There are no reasons for us to give up anything for agreement.

Secretary Laird: We are caught in the middle. I think Brandt will take a softer line on Berlin in a couple of months and he will push us to take an easier line too. The Moscow Treaty is not necessarily in our interest. The FRG defense budget has been seriously cut and its posture is significantly decreased in effectiveness. We've given the FRG the wrong signals—their Defense Minister thinks we've let them down. We should look at the Treaty in terms of its effect on the Alliance, on our defense and the US position. This Treaty gives the FRG nothing. Schmidt is a loyal member of the government but if he had his choice he would not have gone to Moscow.

Ambassador Rush: Bahr and Schmidt would do anything on Berlin to get ratification of the Moscow agreement.

Secretary Rogers: They are appealing to the young people and expect to get political benefit from this.

Amb. Rush: The young people in the CDU support Ostpolitik.

Secretary Laird: They think the U.S. favors the Moscow treaty—we've remained silent.

Dr. Kissinger: Many in Germany see the Ostpolitik as a new German nationalism.

Secretary Rogers: If we show our hand, we would build nationalism.

Dr. Kissinger: I agree.

Secretary Laird: Many of the German young people see this as a chance to become a power in Europe.

Amb. Rush: We must be very careful.

President Nixon: It's 28 years since World War II and the young don't see the danger from the East any more. They like to kick the Yankee around.

Amb. Ellsworth: Europeans see this as an effort to lessen tensions, as German recognition of the facts of life, and as a possible move to

normalization. There is less fear of resurging German nationalism. They think Brandt is honest and will keep the ties to the West strong. But Europeans see Soviet goals as different—that the Soviets want to exert hegemony over East Europe and become a full-fledged European power. They worry that Brandt can go on and keep his ties with the West and the Alliance. So far the Allies resolved these doubts in favor of Ostpolitik—but in part because they think we have leverage to pace and manage German policy if we want or need to.

Secretary Rogers: We do have a lever. We can slow them down, but we'd be blamed to some extent. We've done all we could up to now. The present position of the negotiations is about as good as we can get. The British and French are with us. The FRG is in no hurry. All are agreed that a Berlin settlement is essential to the Moscow treaty.

Amb. Rush: Each side is wrapping the American flag around its position. All the media are directed to the issue of Berlin. We must make every effort to show that the USSR is blocking the Berlin agreement and not us.

President Nixon: A related issue is the offset problem. Let me state a few basic propositions to start with. There is growing sentiment here to reduce our defense costs and to reduce our commitment in terms of men. In terms of the European situation there are different views. The majority view is that the Europeans deep down still believe that the key to successful defense in the NPG strategy is the U.S. presence—which more than anything they can do for their own forces guarantees the deterrent. Also the bigger our presence, the more likely we are to be willing to use the deterrent. Some European countries would be willing to give money to us rather than devote it to improving their own forces. On our side, we need to work on the German offset to get the best possible deal we can, but for the long haul for us to get into the position that we can't finance our forces abroad and can stay only if Europeans will pay this would be bad. We have to look at a new NATO strategy. The need for maintaining adequate conventional forces may be infinitely greater than ten years ago.

Secretary Laird: The Germans are not very responsive now.

President Nixon: We must not be shortsighted. We must not show that our primary interest is in cost covering but rather in the mutual responsibility to ensure our defense.

Secretary Rogers: If we start reducing forces unilaterally it will play into the hands of those who support Ostpolitik. A troop withdrawal will cut our leverage.

President Nixon: We are at a sensitive point. With all our budget decisions and political actions we have to be careful that we do not imply that reductions will be made.

Amb. Rush: Chancellor Brandt considers that your statement, Mr. President, that you will maintain American forces in Europe, was essential from his point of view.

Secretary Laird: We must face up to the question of our ability to implement it. Our dealings on defense issues are with committees other than Foreign Relations. The situation in Europe now is that the other countries are just not cooperating in improving their forces. They haven't done what they needed to do to have the Alliance move to a new strategy. Their forces are going down. I have to take a tough line on the burden sharing mix. Germany isn't going forward to improve their forces. We are paying for aircraft shelters, which should be covered by the infrastructure account. Here is an example of what they can do to be helpful. I have to take some of the additional \$1 billion '71 cut from NATO forces—I can't take any from Southeast Asia. We must avoid tying ourselves down to numbers of planes, ships or personnel. The appropriations committees took a hard look this year at the costs of Europe and the contributions of the others. I must take a tough line.

President Nixon: If we look down the road it is not a viable strategy for them to reduce their forces and pay for ours.

Secretary Kennedy: There are no real inconsistencies there. We can get more help from them in terms of support for our operations. The Congressional pressures are tough. Offset is no good; it costs us money.

Secretary Laird: I think we should wait for them to come up with a plan; it's not for us to make a plan.

Secretary Rogers: But the Germans are confused.

Secretary Laird: There is no new policy.

Amb. Rush: The Germans do think there is a change. I agree with the Secretary of Defense that we should get them to pick up a fair share of the costs. We make about \$500 million in payments to German personnel; we should press them to pay for this. Schmidt says that no government in Europe could get an increase in the defense budget through its parliament.

Dr. Kissinger: In the broad sense of burden sharing—this is no change in policy—the question is whether they should pay for our non-military costs or whether they should put more in their own defense expenditures. All the studies I see show there are serious maldeployments; they've been taking a free ride on our forces. They won't face up to the issue. If the European effort goes down and we just sit there, our strategy is unviable. We must face up to it now.

Secretary Kennedy: Do they come up if we stay?

Dr. Kissinger: They must and they must accept our view of burden sharing.

Secretary Laird: They must be made to understand it's not a new policy. They think they are off the hook.

Amb. Ellsworth: They may feel they are slightly off the hook. The Italians and Dutch may have in mind each step. We must clarify this.

Admiral Moorer: They are living in a dream world about our nuclear support. They believe there will be an immediate shift to nuclear weapons in any war and thus conventional forces are unnecessary.

President Nixon: The easy way for them is to let them give us the money and we keep our forces there. I'm concerned that we should get all we can, but the most important thing is that our strategy has to be made viable, and that means they need more forces. We must change their thinking. We must avoid getting in the position of saying that if they contribute we won't reduce our forces—that means we accept their strategy. We cannot accept that proposition. This lets them deal easily with their own domestic problems.

Secretary Laird: The problem is that their forces are going down.
[The meeting adjourned at 11:15.]³

³ Brackets in the source text.

127. Letter From German Chancellor Brandt to President Nixon¹

Bonn, October 14, 1970.

My dear Mr. President:

I want to thank you sincerely for the account of your impressions from your European tour. Mr. Sonnenfeldt's oral presentation was a

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Willy Brandt, May–Dec 1970. Confidential. The text printed here is the translation by the Department, which was transmitted through the German Embassy and attached to an October 16 memorandum from Eliot to Kissinger. For the text in German, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 1757–1758. In an October 22 memorandum forwarding the letter to Kissinger, Sonnenfeldt wrote that Brandt's main message "seems to be his concern that a deterioration in American-Soviet relations will upset his own grand design in Central Europe." (National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Willy Brandt, May–Dec 1970)

valuable complement to it.² The reaffirmation of the American commitments in the Mediterranean, to which you gave such impressive expression, is of decisive importance for the security of Europe.

A conversation with President Tito on a short intermediate stop has shown me how strongly he was impressed by the meeting with you and what great interest he has in the maintenance of the balance in that region in view of his special position.

Especially in a situation in which the tensions between the United States and the Soviet Union appear to be mounting, I share your view that we must seek settlements and better communications with vigor and tenacity. If the West continues to strive for this, any progress made in Central Europe may exercise positive effects also on solutions respecting other areas, e.g., the Middle East.

Whether the Soviet Union is interested in an effective *détente* in Central Europe, which I assume it is, will be shown by the test of Berlin. The Federal Government maintains its position: The German-Soviet treaty signed on August 12, 1970 can enter into force only if the situation in and concerning Berlin is effectively improved by an arrangement not subject to any time limit. The Federal Government's main concern in this matter, on the basis of the existing rights of the Four Powers, is that the Soviet Union should respect the actual situation, i.e., the close tie between West Berlin and the Federal Republic.

Difficulties and reverses, which are customary in all negotiations with the Soviets, should not discourage us from maintaining our positions with firmness and determination. In this connection it will be important, following the talks of the French President in Moscow and the forthcoming meetings of Secretary Rogers and Sir Alec [Douglas-Home] with Mr. Gromyko, to organize as intensively as possible the consultations among the four Western Governments in preparation for the next negotiations on Berlin at the beginning of November. My Government is prepared to make its contribution thereto at any time and any place.

With sincere respect

Yours,

Willy Brandt

²In an October 4 letter, Nixon briefed Brandt on his European trip, September 27–October 5, which included stops in Italy, Yugoslavia, Spain, the United Kingdom, and Ireland. Winston Lord argued in an undated note to Kissinger that Nixon should see the reply from Brandt because “the President didn’t see his own [October 4] letter to Brandt.” (Both *ibid.*) Sonnenfeldt delivered Nixon’s letter during his visit to Bonn on October 5; see Document 128.

128. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, October 16, 1970.

SUBJECT

My Visit to Bonn, October 5, 1970

Attached are the records of all my talks in Bonn as well as copies of State Department reporting telegrams occasioned by the visit.²

I believe the trip was worthwhile in continuing the effort to keep major allies directly informed of important Presidential activities. Brandt appreciated the gesture—though regretting that you could not come—as well as the President's letter which reached him on the morning of my call on him and which he has now answered (see separate memorandum).³

There were two problems that arose in connection with the trip. The first resulted from an article in *Welt am Sonntag* (Springer), the only paper published in Germany on Sunday—the day before my meetings. The article alleged that your trip—and now mine in your place—was chiefly related to a major difference that had arisen between ourselves and the FRG over the Berlin negotiations. This story was apparently stimulated by Ehmke's activities in Washington where, unable to see most of the people he had originally wanted to see because they were on the President's trip, he spent his time claiming that the Soviets had made constructive new Berlin proposals but that we, especially State, were now dragging our feet because we were opposed to Ostpolitik. (The US Embassy had actually protested to the German Foreign Office on Ehmke's shenanigans in Washington.)⁴

To counter this, I took special trouble in all my talks to keep the focus on the President's trip. When Bahr tried to shift the discussion to Berlin, I merely asked him a couple of clarifying questions and then

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII. Secret; Nodis. Sent for information. Kissinger initialed the memorandum indicating that he had seen it.

² Tabs A–F are attached but not printed. Sonnenfeldt went to Bonn to brief the German Government on the President's trip to Europe. A memorandum of conversation between Brandt and Sonnenfeldt, largely devoted to the briefing on the trip, is *ibid.* For a German record of the conversation between Sonnenfeldt and von Staden on October 5, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 1679–1682.

³ See Document 127.

⁴ See Document 120.

let Ambassador Rush do the talking. Similarly, with Brandt, I talked exclusively about the trip and let the Ambassador raise Berlin.

I also took occasion of an approximately 60 second encounter with about ten journalists outside the Chancellor's office to say that

—the *Welt am Sonntag* article was wholly wrong;

—I had come solely to brief the Chancellor and his officials on the President's trip, although some other subjects like Berlin had come up in the natural course of our conversations;

—we had established a tradition of such briefings after Presidential trips: last year the President talked directly to Chancellor Kiesinger who came to Washington a few days after the President's return from his round-the-world trip, while you had gone to Paris to brief Pompidou;

—Ambassador Rush was in full charge of our Berlin negotiations in Berlin and the allied consultative machinery was working very well in Bonn, so that there was no need for any one to make a special trip from Washington. (Bahr interjected that there was complete agreement between us on all points relating to Berlin.)

I got one press question to the effect that the WAMS article had identified me as a major opponent of Ostpolitik in Washington; if that was inaccurate, was I optimistic about the prospects for Ostpolitik? I replied that it was my view that if there was to be a genuine era of negotiation there clearly had to be a normalization in Central Europe, including in the Federal Republic's relations with its neighbors.

Press coverage the following day correctly placed the stress of my visit on the report I made on the President's trip.

The *second* problem arose after my trip. Since several foreign representatives and Brosio were present when the President made his comments on burden-sharing in Naples, I decided that I could not very well purport to give a report on the trip without referring to the President's comments. (In fact, Brosio had already briefed Grewe and the NATO Permreps in Brussels by the time I got to Bonn.) I therefore cited the President's statement in two of my meetings, using almost verbatim the formulation sent out for guidance in the Madrid telegram.⁵ I only added in amplification that the President had long felt that effective alliance partnership would depend far less on money that might pass between the allies than on their sense of joint and proportional participation in the defense effort on the basis of agreed strategy.

Ehmke professed to be greatly disturbed by the word that had got through to Bonn that our position had changed and by what I had re-

⁵ Reference is to telegram 4583 from Madrid, October 2. (National Archives, Nixon Presidential Materials, NSC Files, Box 260, Agency Files, NATO, Vol. IX)

ported the President as saying. He asked whether we were now no longer interested in financial contributions. I said that the President had stated his basic philosophy and his long-term preference but that over the short-run certain financial arrangements clearly were not excluded. I added the personal judgment that the Euro Dinner Minute of October 1⁶ would provide a good basis for working out a burden-sharing mix compatible with the President's philosophy and the practical problems in certain special situations such as those pertaining to Germany. This seemed to satisfy Ehmke.

Subsequently, evidently more on the basis of what had seeped out of Naples and Brussels than of what I had said, there were certain anguished noises by Finance officials in Bonn and, I gather directly by Schmidt to Laird, that the President's statements had "pulled the rug out from under the Germans." This whole matter has of course by now been aired in the NSC.

In addition to the talks reported in the attachments, I had a wholly private conversation with Berndt von Staden at dinner on October 4. He is now head of the unified political department of the Foreign Office and has long had strong doubts about Ostpolitik. He asked me what I thought the principal *problems* with it were. I said I would speak personally, as a friend and in continuation of conversations he and I have had over a period of some eight years.

I said I took the Moscow treaty as given now and there was no point going over its terms or whether it was or was not a good deal. The lawyers had pored over it and found no juridical problems and it has been signed, and that was that. The problems, as I saw them, were derivative and potential and would require a lot of thought and management all around.

I said that perhaps the most immediate problem related to the Berlin negotiations because we were expected to provide the quid for the quo the Germans had given in Moscow. This obviously held dangers of mutual recrimination if the talks were stalled. In addition, a stalemate over Berlin would face Brandt with the awkward problem of what to do about the Moscow treaty and whether and how to admit that his Eastern policy had not worked and its assumptions had been faulty. My concern related to the potential in all of this for German domestic political paralysis and the undermining of public confidence in the political and constitutional structure of the Federal Republic. This in turn could have repercussions for Germany's Western relations.

⁶ The text of the Eurogroup minute of October 1 is in telegram 3572 from USNATO, October 2. (Ibid.)

On the other hand, I went on, if there did turn out to be a Berlin agreement that could be deemed to meet the criterion of improving the situation and led to ratification of the Moscow treaty, I saw a fundamental problem in the evident contradiction between Soviet and German interpretations of what was being done. The Soviets would see the treaty and its recognition of the status quo and the division of Germany as endorsing Soviet hegemony in Eastern Europe and as German support for a freezing of existing conditions; the Germans would see it as a starting point for changing the status quo both as regards the condition of life in East Germany and Germany's role in Eastern Europe. This incompatibility—heightened, incidentally, by some rather wildly romantic German right-wing nostalgia for a colonizing mission in Southeast Europe—could lead either to a violent clash with the Russians or to German frustration.

I made the further point that problems would arise for the FRG and the rest of us from what would be to all intents and purposes a full recognition of the GDR (regardless of metaphysical German distinctions in this area). There would be a flood-tide of additional recognitions and probable admission of both Germanies to the UN. In this situation, the GDR would run the FRG a strong race for the favor of the third world since it would have no political inhibitions in backing the most extravagant political positions of these countries. The FRG could very quickly get into difficulty with its Western allies if it sought to compete with the GDR in this respect.

I said that no one I knew questioned the firm intentions of Brandt and the FRG's government to remain strongly committed to NATO and to European integration. Yet one could foresee a point down the road, where many of the benefits that the Germans anticipated from Ostpolitik had failed to materialize and where the Russians would take the line that any such benefits could only accrue to the FRG if it changed its relationships with the West. At this point, there would be some bitter arguments and anguished soul-searching in Germany and one could at least question whether (a) the Germans would take the right fork in the road, or (b) the fabric of their political life was strong enough to face such agonizing issues.

I said—and, incidentally, this was not the monologue rendered above but rather a much-interrupted conversation with many supporting or clarifying comments by Staden—that I had answered his question about some of the problems I foresaw; I had not necessarily tried to analyze all the implications of Ostpolitik, positive as well as negative; nor was I necessarily saying that what I had depicted was inevitable and could not be counter-acted. But I added one thought which I said in all friendship and frankness one had to recognize: this was that Germany had a past that was almost universally viewed with dismay and skepticism. I had been struck that everywhere in Europe as

well as at home, not to mention within Germany itself, this past weighed heavily on people's minds when Germany made itself the engine for change in Central Europe and the source of a new fluidity and uncertainty in European politics and East-West relations. This was a fact of life which Germans, hopefully without self-pity or spite—to both of which they are prone—could not escape, almost no matter what they did. Staden said he understood this point only too well, though of course if carried to extremes it would simply lead to utter passivity, which no German government could permit itself to fall into, given the stirrings of its young.

I said that all of us in different ways carried certain burdens we could not escape. We, the US, carried the burden of great power which meant that what we do or don't do can have implications far different than those of identical actions by others. Thus no one really worried if the Danish Prime Minister went to Moscow; but if an American President goes to the summit it immediately raises either extravagant fears of deals behind backs or hopes of millennial settlements. Or, if de Gaulle quits Algeria he is lauded as a statesman who courageously ended an anachronism and liquidated an untenable position; whereas if an American President simply walked away from a commitment the tremors would be felt around the globe and, indeed, at home. In any event, there was no magic that could make German history disappear and consequently none that could wipe away people's memories of it or the inferences they drew from it.

Our talk concluded with some reflections on a situation wherein the SPD was now eagerly depicting itself as the truly national party (by in effect claiming to be trying to reunite Germany through first recognizing the reality of its division) while *Spiegel*, *Zeit* and the rest were picturing the CDU/CSU as the separatists who used the rhetoric of unity but practiced the policy of permanent division. This was of course the culmination of the great encounters between Schumacher (and Kaiser)⁷ on the one hand and Adenauer (the "separatist Rhineland state advocate" of the twenties) on the other, back in the 50s in the debates over Germany's entering NATO and signing the Treaty of Rome. We agreed that if the political argument between Germany's parties became increasingly one over which was the greater nationalist—or the greater traitor—it would be a most unpleasant rerun of a 40-year old tragedy.

⁷ Reference is to Kurt Schumacher, SPD chairman (1946–1952) and chairman of the SPD Bundestag fraction (1949–1952); and Jakob Kaiser (CDU), German Minister of All-German Affairs (1949–1957).

Staden ended the conversation on the upbeat note that, as Hallstein's⁸ former chef de cabinet, he felt the most encouraging element in contemporary affairs was the quiet work being done to unify the currencies and fiscal policies of the Six.⁹ He himself was encouraging it and was delighted that the people involved were wholly different from those who were making headlines with Ostpolitik and other more glamorous endeavors. He felt that success in this quiet, highly technical effort would have infinitely greater political significance than Davignon's¹⁰ plan for political coordination and would serve to offset many of the debits resulting from Ostpolitik, including the opportunities that either the failure or the success of this policy might give the Russians for playing a divisive or Finlandizing game in the West. It was late, and I did not feel like ending the evening by questioning Staden's hopes. (Indeed, I feel that while in purely private conversations with Germans we should not gild the lily, we should at the same time not talk ourselves and them into such a depth of fatalism that our fears become self-fulfilling prophecies.)

At one point in our talk, Staden switched the subject to burden-sharing, saying that he had heard our position on financial relief had changed. I said I would be referring to this more formally the following day in my official calls when I would report on the AFSOUTH meeting in Naples.

However, for Staden's background, I said that in line with the general approach of the Nixon Doctrine¹¹ and with what he had said about the nature of partnership in the alliance in the President's Report to Congress last February,¹² the President felt that financial contributions were essentially a short-run remedy tailored to specific situations. The more fundamental goal should be agreement to a joint strategy, adherence by all concerned to a harmonious interpretation of that strategy and equitable participation by all the allies in the implementation of the strategy. A healthy and organic partnership must involve a real sense of shared responsibility for the defense of Europe; we could not forever appear to be more interested in the security of our allies than they were themselves.

Staden asked whether this meant that we would cut our troops and expect the Europeans, particularly the Germans, to fill in the gaps.

⁸ Walter Hallstein, State Secretary in the West German Foreign Office (1951–1958).

⁹ Reference is to members of the European Community.

¹⁰ Etienne Davignon, Director General for Political Affairs of the Belgian Foreign Ministry.

¹¹ For the President's informal remarks to newsmen in Guam on July 25, 1969, later codified as the Nixon Doctrine, see *Public Papers: Nixon, 1969*, pp. 544–556.

¹² See footnote 5, Document 75.

He commented German soldiers could never take the place of Americans because (a) they would not deter the Russians to the same degree, (b) both Germany's allies and its enemies would be scared to death if the Bundeswehr acquired an even greater relative weight in the alliance than it already occupied, and (c) German domestic trends simply would not permit an increase in the size of the German army.

I said that in my view the notion of a see-saw, whereby we reduce and they increase was quite erroneous if applied purely to the number of troops. The issue turned on getting agreement on strategy and then getting the forces which in their quality, deployment and overall size would be adequate to implement the strategy. I said that in my personal judgment that unless this sort of partnership were established, and credibly so, it would indeed be hard for us to convince even the friends of NATO in the US (as distinct from others who want to cut forces no matter what) of the rightness of our European commitments. The whole point of the Nixon Doctrine and all its derivatives was to ensure the firmness and long-term tenability of America's foreign involvements rather than to disguise our withdrawal from them. And it was as part of this approach that the President felt that if the alliance became reduced to the passing of checks across the Atlantic—to a subsidization of American mercenaries—he could not for long maintain the commitments that he had just so strongly reaffirmed in public at Limerick.¹³

Staden said he was relieved to hear all this because it accorded with his own view of what the alliance should be like and of how Germany can best be protected from the pitfalls and temptations of its current and, indeed historical, fascination with the "wire to the East."

¹³ Reference is presumably to Nixon's remarks to reporters on October 4 in Newmarket-on-Fergus (not Limerick), Ireland. For text of the remarks summarizing his trip to Europe, including his public commitment to NATO, see *ibid.*, pp. 804–809.

129. Editorial Note

On October 22, 1970, President Nixon met Soviet Foreign Minister Gromyko at the White House for an important discussion of several issues, including the quadripartite negotiations on Berlin. In an October 19 memorandum for Nixon, Assistant to the President Kissinger noted that the meeting, the first between the President and a high-ranking Soviet official, came "at a moment of unusual uncertainty in both capitals

concerning the intentions and purposes of the other side." In addition to recent crises in the Middle East and Cuba, relations between the two superpowers were complicated by the uncertain prospects for West Germany's Ostpolitik, in particular the connection between ratification of the Moscow Treaty and a satisfactory settlement in Berlin. Kissinger thought that Gromyko might "charge that we are holding Germans back in their Eastern policy." Gromyko would probably also "reiterate Soviet readiness to safeguard the economic life of West Berlin and civilian access to it" but "reject any political ties between the FRG and West Berlin." Kissinger, however, added:

"There have recently been some indications that the Soviets might consider some low-key FRG political representation in West Berlin. This has aroused some interest in Brandt's entourage (Bahr) who has frequent surreptitious contacts with Soviet officials. We may at some point be faced with German schemes for reducing or transforming the FRG's political presence in West Berlin in an effort to get an agreement which would then permit Brandt to claim success and submit his Moscow treaty for ratification. But as a quid pro quo for such an arrangement the situation may evolve in which the Germans pay twice, on Ostpolitik and on Berlin."

Continuing his guidance for the President, Kissinger then offered the following talking points on the Berlin negotiations:

"In Response to Gromyko, You Should

"—avoid details;

"—avoid leaving the impression that you are willing to scale down the Western position since the Soviets *will immediately carry this back to the Germans* (and the French, who, if anything, have been the most reluctant to negotiate about Berlin at all because they want to keep their position in Berlin unimpaired as leverage vis-à-vis the Germany);

"—reiterate your basic view that there can be little hope of peace and quiet in Europe if Berlin boils up into crisis periodically;

"—state your conviction that there ought to be improvements in the life of the West Berliners, if only on humanitarian grounds;

"—note the basic reality that the FRG feels intimate ties with the city and that there can be no thought of making it a third German state;

"—express the hope that the Ambassadors will continue their work and reach a mutually acceptable agreement which would be bound to have beneficial effects beyond Berlin itself." (National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Country Files, Europe, Box 71, USSR, Gromyko 1970)

In an October 20 memorandum for the President, Kissinger reported on two conversations between Gromyko and Secretary of State Rogers, who had met in New York on October 16 and 19 during the

annual session of the United Nations General Assembly. Although “no substantive change in the Soviet position emerged from these conversations,” Kissinger commented, Gromyko did make “a small procedural concession on the Berlin talks.” Kissinger summarized the discussion of Berlin as follows:

“Gromyko complained over the lack of progress in the four power talks. He said we would have to clarify our position. Most of his presentation was an attack on the political activities of the West German government in West Berlin. Any understanding, Gromyko asserted, would have to include prohibition on such activities.

“The Secretary responded that the recent Soviet proposals were full of difficulties, but that we also sought to reduce tensions provided there was no unilateral interference with our rights. Ambassador Rush emphasized the importance of West Berlin’s economic ties to West Germany. Gromyko replied that the Soviets accepted economic links between West Berlin and West Germany, but not political ties.

“In a second conversation, the Secretary said that the Soviets were hampering progress in the talks by their rigid position and Gromyko then agreed that our proposals for practical improvements could be discussed simultaneously with the matters of Soviet concern. Previously they had wanted their concerns met before discussing practical improvements. The Secretary suggested a review of the situation after two more Ambassadorial meetings.” (Ibid.)

The record of the discussion of Berlin between Rogers and Gromyko is in telegrams 172337, October 17, and 172472, October 20, to USUN. (Attached to a the memorandum for the President; *ibid.*, RG 59, Central Files 1970–73, POL 28 GER B) See also Document 121.

The meeting between the President and Gromyko on October 22 lasted from 11:01 a.m. to 1:34 p.m. (National Archives, Nixon Presidential Materials, White House Central Files, Daily Diary) In addition to the principals, the attendees included Rogers, Kissinger, and Soviet Ambassador Dobrynin. According to the memorandum of conversation, Nixon, citing the discussion between Rogers and Gromyko in New York, suggested that the participants discuss “questions of the general relationship between the two countries.” The two men then agreed to an agenda of “specific problem areas,” including the Berlin negotiations. The memorandum records the conversation on Berlin as follows:

“Mr. Gromyko said he was convinced that it was in the interests of both countries to achieve a reduction of tensions in Berlin and to create a situation there which would work for stability, *détente*, and general peace in Europe. The American side had many times referred to the status of West Berlin. He wanted to assure the President that the Soviet Union had no intention to weaken the status of the allied powers in West Berlin. In fact, at times he had the impression that the

Soviet Union did more than anyone else to respect the special status of West Berlin. The principal question there was the political presence of the Federal Republic of Germany in the city. This presence affected the interests of the Soviet Union and undermined the special status that the American side had so frequently talked about. The Soviet Union advocated that inviolability of the inter-allied agreements concerning Berlin, which were in effect. The Soviets were against anything that would violate these agreements. In his view it was possible that the American side misunderstood the Soviet position to some extent. He sometimes felt that representatives of the United States, at least at the ambassadorial level, regularly meeting to discuss the Berlin question, misunderstood the Soviet position. The Soviet Union as well as the German Democratic Republic, were ready to find a favorable solution for the two principal problems affecting West Berlin, those of transit from West Berlin to West Germany and vice versa, and access to East Berlin. These solutions would certainly serve the interests of the Federal Republic of Germany, as well as those of the people of West Berlin. The major stumbling block at the moment appeared to be the question of political ties (and he stressed the word 'political') between the Federal Republic and West Berlin. He strongly felt that there was a real possibility of reaching agreement here and this would help ease the situation in the area.

"Mr. Kissinger asked for clarification. He had heard Mr. Gromyko use the phrase that West German political activity in West Berlin must be 'curtailed', rather than 'eliminated.' Was this a correct interpretation?

"Mr. Gromyko [using the Russian word 'svyortyvaniye'] said that in his view there was no need to continue the political activities of the Federal Republic, since they constantly created new disputes. It would be comparatively easy to list what activities of the Federal Republic in Berlin could be continued and which political functions it should not be permitted to exercise in West Berlin. Above all, this referred to such matters as meetings in Berlin of the West German Bundestag, meetings of various Bundestag committees, and activities of the West German Chancellor in West Berlin. It was entirely possible that some of the activities in West Berlin had not come to the attention of the Allied Powers; they might require close examination under a microscope, as it were. First and foremost, the West Berlin problem, from the Soviet point of view, consisted in the political presence of the Federal Republic as a state in that city.

"Secretary Rogers also inquired whether the Russian word meant eliminate or curtail. He said that elimination was certainly out of the question and that the Government of the FRG would be unable to enlist the support of its people for complete elimination of all political ties with West Berlin.

“The President said that the umbilical cord between the city and the FRG could not be cut. Looking back over the years at the numerous Berlin crises during the Eisenhower administration, he saw the city as a central problem in Europe. It was precisely for this reason that we must have a clear understanding on West Berlin in order to reduce the frequency of these crises. Mr. Gromyko must be well aware of the fact that ratification of the Non-aggression Treaty between the Soviet Union and the FRG depended upon substantial progress on the West Berlin problem. On this point he, too, said that all political ties cannot be cut, this simply cannot happen. West Berlin cannot be allowed to become a third German state. But if he understood Mr. Gromyko correctly, a low profile of the Federal authorities in West Berlin, as opposed to the high profile represented by meetings of the Bundestag, might be acceptable to the Soviet side. We could not agree to eliminating all political ties for the simple reason that we could not sell this to the FRG any more than the FRG could sell this to its own people.

“Secretary Rogers remarked that it should be a matter for negotiation what lines and limits should be drawn from the FRG in West Berlin. If we were to continue negotiations on this issue some progress must be made.

“Mr. Gromyko again said that it was a matter of bodies and sub-bodies of the Federal Republic in West Berlin. As for a method of achieving concrete progress on this question, we should list specific activities to be eliminated. Mr. Gromyko expressed his appreciation to the President for the fact that the United States had taken a positive view of the treaty between the FRG and the Soviet Union. He considered this treaty to be an important step in the direction of creating a *détente* in Europe. As for the list of activities in West Berlin, these could be considered in detail in the course of negotiations.

“The President said that our reaction to the Soviet-German treaty was based upon the fact that we respected the independence of the FRG and that when it signed a treaty in its own interests, we approved of this action, of course. The treaty had been their idea, not ours. It was the Federal Republic that had taken the initiative to negotiate on the questions of borders and non-aggression. It should be realized, however, that this was only a first step. To complete it and obtain ratification of the treaty, it would be absolutely necessary that progress in the Berlin question be achieved. If we could cool down the Berlin problem, even apart from our bilateral relations over Germany, the whole situation in Europe would be affected positively.

“Secretary Rogers said it was a simple fact of life that the Federal Republic could not ratify the treaty unless a satisfactory solution was found for West Berlin. He thought we might hold two more Ambassadors’ meeting to see if we can make some progress, and also that all

of these various matters, political presence, transit and access, should be negotiated at one and the same time.

“Mr. Gromyko agreed and expressed the hope that the U.S. Government would work with the Soviet Union to find appropriate solutions.

“Secretary Rogers added that in his view an agreement on West Berlin should also provide for negotiation of any possible disputes there that might arise in the future.” (National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Country Files, Europe, Box 71, USSR, Gromyko 1970) The full memorandum of conversation is scheduled for publication in *Foreign Relations, 1969–1976*, volume XII. For his memoir account of the meeting, see Kissinger, *White House Years*, pages 788–794.

In a telephone conversation that afternoon, Rogers and Kissinger discussed the outcome of the meeting. A transcript records the discussion on Berlin as follows:

“R: I think the meeting was good. I didn’t mean to interrupt him on progress—

“K: What you said was essential. They can give us internal access in Berlin which means nothing.

“R: [Omission in the source text.] That’s not what we said. We want a solution.

“K: They did agree to (present them?)

“R: Now they say microscopic. The hold up was the condition. We had to eliminate FRG in Berlin. They backed away from that. They did in NY and again today. He made it clear.” (Library of Congress, Manuscript Division, Kissinger Papers, Box 364, Telephone Conversations, Chronological File)

130. Telegram From the Embassy in Germany to the Department of State¹

Bonn, October 28, 1970, 1830Z.

12604. Subj: East German Message to Brandt.

1. Minister Ehmke informed the DCM on an urgent basis that a special emissary from the GDR, Bertsch, was traveling to Bonn tonight

¹ Source: National Archives, RG 59, Central Files 1970–73, POL GER E–GER W. Secret; Immediate; Limdis. Repeated to London, Paris, Moscow, Berlin, and USNATO.

via Autobahn with a special message to the Chancellor. Bertsch was expected to arrive around 9:00 p.m. and would be received immediately. Bertsch had called in the late morning saying that he had a message to deliver personally to the Chancellor. The Chancellor's office had decided that Ehmke would receive him, which he will do tonight. Ehmke said that Bertsch is the number 2 press and information man in the GDR Government and it was considered inappropriate, given his relatively low rank, for the Chancellor to receive him. (Ehmke said Bertsch is a Stoph man, the first press man is a Honecker man.)

2. Ehmke said he had had a hint from the BND that an initiative of some sort from the GDR might be expected. Ehmke thought the initiative might be a result of the FRG's effort to persuade the Soviets to put pressure on the GDR. Ehmke also was much intrigued by the fact that the GDR emissary was coming so close to Gromyko.² The FRG had no inkling of what Bertsch's message might contain, but promised to keep us informed.³

3. Ehmke asked that we inform the British and French here of this development, which we are doing here.

Rush

² Gromyko was in East Berlin on October 29.

³ On October 29 Bertsch delivered an oral message to Brandt on behalf of Stoph, which included the following: "The German Democratic Republic favors détente and an improvement of the situation concerning West Berlin. It is therefore interested in seeing the negotiations which are currently taking place between the Four Powers on West Berlin lead to a positive result." (Telegram 12664 from Bonn, October 29; National Archives, RG 59, Central Files 1970–73, POL GER E–GER W) A memorandum of conversation is in telegram 12669 from Bonn, October 29. (Ibid.) See also Heinrich Potthoff, ed., *Bonn und Ost-Berlin, 1969–1982: Dialog auf höchster Ebene und vertrauliche Kanäle. Darstellung und Dokumente*, pp. 26–27, 189–193; and *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 1863–1865.

131. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, October 29, 1970.

SUBJECT

NSDM on Germany and Berlin

I am not sure whether you intended to follow the recent NSC discussion² with an NSDM. The discussion was largely expository, and little emerged by way of guidance.

Nevertheless, I have prepared a draft NSDM (Tab B),³ based on what could be gleaned from the discussions and other sources, which provides some general points on Ostpolitik and some guidelines for a Berlin agreement.

I believe a NSDM or some form of Presidential instruction (the earlier idea of a letter to the Secretary of State⁴ does not now seem appropriate) is desirable for several reasons:

(1) It establishes Presidential interest and control over a crucial element of policy where none has been expressed in writing until now. (I think this is important for the history of this Presidency, too.)

(2) It completes a phase of the NSC process which has involved many months of work by large numbers of persons in the Agencies, culminating, finally, in an NSC meeting. (I think, in general, that the credibility and authority of the NSC process as a policy-making mechanism and as a major achievement, in its present form, of this Administration is enhanced if it is capped by a Presidential pronouncement.)

(3) While staying within what is in effect already taking place, it nevertheless sets limits for the time being, should any one be inclined to move beyond present policy or maneuver the President into a position where he has only the choice of going along with or overruling a bureaucratic consensus.

(4) It lays the basis, or at least gives you the option, for reviewing our interests and policies, perhaps in the spring of next year, when certain elements that are now uncertain might be clearer:

a. we may know better what the future of the German government is;

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-220, NSDM 91. Secret; Nodis. Sent for action.

² See Document 126.

³ See Document 136.

⁴ See footnote 4, Document 125.

- b. we may or may not have some definitive indication of whether a new Berlin agreement can be achieved;
- c. the fate of the present version of Ostpolitik may be clearer;
- d. the Soviet Party Congress may give us clearer indication of the direction of Soviet policy;
- e. there may have occurred some movement on SALT, which no matter how limited, would nevertheless change the international landscape and regardless of what will have happened to Brandt, his version of Ostpolitik and the Berlin negotiations in the meantime, will inevitably refocus attention on central Europe.

At that time, we may want to ask ourselves some serious questions about our Central European Policy and may, in particular, wish to undertake some review of the pertinence for the seventies of those famous rights and obligations with respect to Germany as a whole which everyone constantly invokes and which determine much of our policy but which no one can quite define or even list. This problem will become especially acute if, in the train of a “successful” Ostpolitik there should ensue some form of recognition of the GDR and an enhancement of its international status, which, Berlin apart, may well affect our interests and certainly our policies and those of virtually all our European allies.

In drafting the present NSDM for your review and consideration, I assumed that what would be wanted, should there be any document on the matter, was some indication that our objective was to anchor German policy to the West, and, in the Berlin negotiations, to present sufficiently strong terms that would preclude a fast and meaningless and possibly illusory and dangerous deal promoted by the West Germans.

I assume you will want to send this forward to the President. After you have a chance to go over this draft, you may wish to decide whether the effort is worth it and/or whether you wish to have any changes made. There is also a brief covering memorandum for the President (Tab A).

Recommendation:

That you sign the memorandum to the President (Tab A).⁵

⁵ Kissinger signed the memorandum at Tab A on October 31; it reads: “Following the discussion at the NSC of October 14, 1970, I have prepared a NSDM that states our general principles and objectives in dealing with Bonn’s Eastern policy. It highlights your view that German policy must be anchored to the Western Alliance, but that we cannot afford to become embroiled in internal German politics or the tactical conduct of Eastern policy. There is a second part dealing with Berlin, laying down requirements for an acceptable agreement. I believe such a statement is needed at this time, as we proceed with negotiations and perhaps reach a new decision point on where to go next. The basic requirements of an agreement spelled out in this NSDM should protect us from overeagerness on the German side for quick—and illusory—agreement, as well as from future blame should the negotiation collapse.” Nixon initialed his approval on the memorandum. (National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-220, NSDM 91)

132. Message From President Nixon to German Chancellor Brandt¹

Washington, October 31, 1970.

Dear Mr. Chancellor:

As you know, I have recently had a conversation with Soviet Foreign Minister Gromyko.² Though it cannot be expected to bring about any major change in our relations, the conversation was helpful since it allowed for clarification of views.

Among other issues, we discussed Berlin. The Foreign Minister presented the well-known Soviet position on the Federal political presence in West Berlin, which he considered the central issue. If that were solved—eliminated or severely curtailed—then the USSR and the GDR were ready to find a solution to the access problems. In response, I made it very clear to him that the umbilical cord between Berlin and the Federal Republic could not be cut, that all political ties simply cannot be severed. I underscored that West Berlin cannot be allowed to become a third German state. On the other hand, I noted there might be room for common understanding if the Soviets would agree to improved access arrangements to Berlin and improved communications within Berlin in return for a somewhat lowered profile of Federal activities in Berlin.

In your letter of October 14,³ which I very much appreciated, you again noted that the FRG–USSR treaty cannot come into force until there has been effective improvement in Berlin. In my conversation with Mr. Gromyko, I stressed the same point. He did not comment on that, though he did express appreciation for the positive view I had

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Willy Brandt, May–Dec 1970. Personal and Confidential. Drafted by Lord. Haig forwarded the message on October 31 for “immediate delivery to the Chancellor or an official in his office with immediate access to him.” (Ibid.) No original or signed copy has been found. Although he had initially maintained that a letter was not necessary, Sonnenfeldt argued in an October 30 cable to Kissinger that, due to speculation about the meeting between Nixon and Gromyko, it had become “important to get a message to Brandt setting out our version of the talks.” “The Soviets,” he added, “will continue to plant the seed of confusion and distrust with respect to the Gromyko meeting with the President. Our continued silence is only serving the Soviets.” (Ibid.) In a November 2 memorandum to Kissinger, Haig suggested the following item for discussion with the President: “Tell President of your message to Brandt covering discussion with Gromyko. (Rush may be upset about channel and could complain to Rogers. Hal will talk to him this a.m.)” (Library of Congress, Manuscript Division, Kissinger Papers, Top Secret Chronological File 1969–1975, Box TS 2) For a copy of the message, as received by Brandt on November 1, see *Dokumente zur Deutschlandpolitik*, 1969–1970, Nr. 220, pp. 835–836.

² See Document 129.

³ Document 127.

taken of that treaty. When the Foreign Minister raised the question of a European security conference, I also took that opportunity to stress the importance of progress in Berlin. You had made a similar point in your letter in relating the question of Soviet interest in genuine détente and the “test of Berlin.”

In addition to considering topics such as Vietnam and the Middle East, we discussed at some length the general status of US-Soviet relations, and the fundamental importance of stable relations to the cause of world peace. I stressed to the Foreign Minister that the US cannot develop its relations with Moscow at the expense of our allies. Incidentally, in my recent meetings with President Ceausescu I also made the point that while we wanted to do nothing that would complicate his relations with the USSR, we would make no arrangements with the latter that were inimical to the interests of Romania or any other third country.

Together, we shall be watching closely the further evolution of Soviet conduct on these questions, particularly with respect to Berlin. Deep and broad consultations between our Governments during this period will take on increasing importance.

Sincerely,

Richard Nixon⁴

⁴ Printed from a copy that bears this typed signature.

133. Transcript of Telephone Conversation Between the President's Assistant for National Security Affairs (Kissinger) and John J. McCloy¹

October 31, 1970.

M: . . . higher level than the ——— to how you can expedite this thing and get it totally ratified before elections take place.

K: But that's within the next three weeks!

¹ Source: Library of Congress, Manuscript Division, Kissinger Papers, Box 364, Telephone Conversations, Chronological File. No classification marking. No drafting information or time is on the transcript, although “a.m.” appears in the heading. All omissions are in the original. According to a typed note, the transcriber “missed beginning of conversation—had to answer another phone.” McCloy was in New York; Kissinger in Washington.

M: Yes, but their thought is that Brandt make an offer to the East Germans or Gromyko on recognizing the GDR — idea that this will produce tangible results in Berlin and perhaps produce special relationship between GDR and Federal Republic. This seems to go completely contrary to the understanding that they had in regard to the entry of the GDR until there have been some concessions.

K: I don't understand how Brandt is going to improve his position by making a — concession. If he has to get the German public . . . but never underestimate the depths of German stupidity.

M: This is the feeling I get but if there is nothing on this from the U.S. government, then others will be approached to give their blessing to this before the Laender elections.² We are sitting in the wings in a neutral position and being completely outmaneuvered. We ought to be aware of this—it is the World War II peace treaty. For all practical purposes, Brandt is writing the fundamental peace treaty right now.

K: I have yet to see a European leader who is not profoundly disquieted by what the Germans are doing. But no one has the guts to say so publicly.

M: We've fought the war and we won, and here a small minority is taking the ball away from us in a way that will profoundly affect the rest of us.

K: Look at the Germans inside of Germany. I'm going to fix an appointment for you with the President. It's useless to go the other route. I think you should talk to the President first and then Rogers. I share your concerns.

M: I am profoundly disturbed.

K: If you look at Chile and Germans, that's where historical changes are going on.

It's a terrible thing—people don't recognize how precarious the situation in Germany is. They can say as much as they want about being related to the West.

M: Maybe we want to get Clay and Acheson in on this. I don't know but I think it should be brought to the attention of the highest people.

² Reference is presumably to the state elections in Hesse on November 8 and Bavaria on November 22. In a telephone conversation with the President on November 9, Kissinger reported the result in Hesse: "They had an election in Germany which saved the Brandt coalition. The Social Democrats were told to vote for [the Free Democrats]. That would be worked out all together. The other vote went up which is an odd coincidence. The Christian Democrats gained." (Ibid.)

K: You, Acheson and Clay should come in as people who understand this. The trouble is that the President will only be in Washington for two days. If we can't fix it then, we will do it after the 15th.³

M: Okay. You may be approached on this. It is part of the —— in Germany to avoid the possible consequences in Germany.

K: If I have anything to do with it, we'll ——.

M: How about Irwin or Rogers?

K: Talk to either, but Rogers won't be back till Wednesday either.

M: I've been through the fire with Brandt.

K: He's a public relations guy.

M: I defended Berlin two or three times when the blue shirts were there.⁴

K: He's a weak man.

M: If we had relied on Brandt we'd have lost the city.

K: Exactly.

M: He's completely —— . I sent you a letter yesterday which straightens out what we talked about the other day.⁵

K: Good.

³ Nixon met McCloy, Acheson, Clay, and Thomas Dewey on December 7 at the White House; see Document 140.

⁴ McCloy had been closely involved in German affairs since World War II, including service from 1949 to 1952 as the United States High Commissioner in West Germany.

⁵ No further information about the letter or the discussion has been found.

134. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, November 4, 1970.

SUBJECT

Message from Bahr

He has sent you a message (Tab B)² about the “strange happenings” involving the recent GDR approach to the FRG to resume talks. (We had previously briefed this for you and are also touching on it in a separate status report to you on the Berlin negotiations.)³

His points are:

1. After resisting until the last minute the Soviets caused the GDR to make its move;

2. As usual, the GDR bent to the Soviet will but set up unacceptable conditions for the FRG (i.e. to talk separately about Berlin without prior Great Power agreement).

3. The Germans will ensure that there will be no exchange with the GDR without pre-conditions, i.e. the roof of a four-power aegis so far as Berlin is concerned.

4. The Germans will report about their exchanges with the GDR to the (Western) Bonn group just as quickly as the West is reporting to the Germans about the four power talks on Berlin with the Soviets. (Bahr expresses himself as happy with Western practice in this regard: the Western powers have, in fact, given the Germans complete and immediate readouts of their meetings with Abrasimov).

5. Bahr has notified the GDR that he is ready to talk in Berlin as of November 3 but, as expected, the GDR is playing for time.

6. If you have questions, you should feel free to raise them with Bahr.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII. Secret; Nodis; Sensitive; (Outside System). Sent for action.

² Dated November 3; attached but not printed. The backchannel message was transmitted to the White House and relayed to Kissinger in San Clemente. Kissinger wrote the following note on another copy of the message: “Hal S. What is this about? Do we acknowledge? HK.” (Ibid., Box 423, Backchannel Messages, 1970, Europe, Mideast, Latin America) For the text of the message in German, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, p. 1901.

³ Document 135.

It appears that we are well enough informed about the GDR–FRG byplay and that the Germans (and Bahr for the moment) are playing it straight (which cannot be said of Bahr’s continued surreptitious contacts with the Soviets in Berlin about which CIA is reporting, though with little substance).

Attached for your approval is a brief message to Bahr thanking him for his message (Tab A).⁴

Recommendation:

That you approve backchannel transmission of the attached message to Egon Bahr.

⁴ After making several changes to the draft text, Kissinger approved the following backchannel message: “Dear Egon: I appreciate having your comments on the GDR’s approach to you and on your own intentions with respect to it. We shall await further developments. I am delighted that the consultative mechanism is working smoothly and appreciate your taking the time to provide your additional observations. Best regards, Henry Kissinger.” (National Archives, Nixon Presidential Materials, NSC Files, Box 684, Country Files, Europe, Germany, Vol. VII)

135. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President’s Assistant for National Security Affairs (Kissinger)¹

Washington, November 4, 1970.

SUBJECT

Status of the Berlin Talks as of November 5, 1970

The Four Ambassadors met November 4 in Berlin.² The meeting was held against the background of increased Berlin-related activity: Gromyko’s visit to Frankfurt, the East German approach on October

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret. Urgent; sent for information. Kissinger initialed the memorandum indicating that he had seen it. According to another copy, Downey drafted the memorandum. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 9, Chronological File, 1969–75, 11 Oct–20 Nov. 1970)

² A detailed account of the Ambassadors’ meeting is in telegrams 1663, November 4, and 1668 and 1669, both November 5, from Berlin. (All in National Archives, RG 59, Central Files 1970–73, POL 38–6)

29 in Bonn, and a fairly intense meeting of the four advisers on October 30.³

At today's meeting there was a predictable improvement in atmosphere (Abrasiimov went out of his way to be affable), but little advance on substance. The Allied side presented the Soviets with a suggested text outlining views on access (Tab A) and on the Bonn-Berlin relationship (Tab B), while the Soviets gave us their paper on Federal presence in West Berlin (Tab C).⁴ Serious consideration of the three papers was put off until the next advisers meeting and ambassadorial meeting, November 14 and 16 respectively. Abrasiimov again observed that the Four Powers should concern themselves only with general principles and leave the details to the Germans. Fortunately, the Allies (the French in the lead) insisted that any intra-German discussions on practical measures had to be handled within the framework of the Four Power responsibilities and under their auspices, and that Four Power commitments on access had to be precise and unequivocal with the general principles directly tied to the details.⁵

With respect to inter-German talks, Bahr on November 3 sent a telegram to East Berlin noting that he is ready to begin an exchange of views (as Brandt had told Bertsch, the GDR emissary), as soon as he learns who has been appointed head of the GDR delegation.⁶ The FRG has made it clear to us that at least initially Bahr intends only to ex-

³ A detailed account of the advisers' meeting is in telegrams 1637 and 1638 from Berlin, October 30, and telegrams 1640 and 1641 from Berlin, October 31. (All *ibid.*)

⁴ Tabs A, B, and C, attached but not printed, are telegrams 1664, 1665, 1666 from Berlin, respectively, all November 4. Other copies are *ibid.*

⁵ In a memorandum to Kissinger on November 5, Sonnenfeldt also reported on the Soviet proposal to issue a positive communiqué after the Ambassadors' meeting, "expressly to be of help to Brandt in connection with the Hesse elections on November 8." Rush argued that "communiqués should only follow definite progress and not anticipate it, and that this session had not made definite progress." According to Sonnenfeldt, since the British and French Ambassadors agreed to a positive text, "Rush felt he had to give in." In a marginal comment, Kissinger wrote: "Why—let's ask [British Ambassador John] Freeman *informally*. Maybe I better do it." (National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II) In a telephone conversation on November 14, Kissinger told Freeman: "John, as long as I have you on the phone. This is not an urgent matter. In the meeting of the Berlin Ambassadors they were discussing two texts. One you favored and the other was favored by the Soviets. While I do not pay much attention to the Berlin talks I was interested in knowing why you felt the way you did. The Soviet position and text seemed to me to more moderate that the one you supported. I am interested simply for my education." After Freeman promised to "do some backreading" of the relevant cables, Kissinger continued: "We have no displeasure or anything. I am just curious how you felt obliged to do it. Our and your analysis seem to be the same on these things." (Library of Congress, Manuscript Division, Kissinger Papers, Box 364, Telephone Conversations, Chronological File)

⁶ For an excerpt from the telegram, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, p. 1901, footnote 3.

change views rather than conduct negotiations, and that any talks relating to Berlin must be under the auspices of the Four Power talks. When Berlin access issues are discussed they will be geared to culmination in one single FRG–GDR agreement, despite the Soviet notion that there should be two sets of discussions and agreements, one between the FRG and the GDR, and the other between the Berlin Senat and the GDR. The Western Allies have taken the view that any Senat–GDR discussions can be only on the questions relating to inner-Berlin traffic (West Berlin access to East Berlin), and then only as experts of the Four Powers.

During the coming weeks we will probably see Soviet efforts to have the German access discussions begin without adequate Four Power cover (complicating Allied/FRG relations), continued insistence that two sets of German access talks be undertaken (complicating FRG/Berlin Senat relations), and demands that the Four reach agreement on Federal presence in West Berlin prior to any detailed agreement on access matters. At the moment, the Western side seems fully aware of these potential difficulties, and firm in opposition to them.

In a related development, on November 3 Barzel issued a press statement which spelled out his view of the ingredients of a “satisfactory” Berlin solution (Tab D).⁷ These include

- access safe from disturbance under Allied responsibility;
- guarantee that West Berlin will continue to belong to the FRG in accordance with the existing ties (including political ties), Federal presence in Berlin, and foreign representation of Berlin by the FRG; and
- removal of discriminating measures against West Berliners in inter-city movement.

⁷ Tab D is telegram 12844 from Bonn, November 3, attached but not printed. Another copy is in the National Archives, RG 59, Central Files 1970–73, POL 28 GER B)

136. National Security Decision Memorandum 91¹

Washington, November 6, 1970.

TO

The Secretary of State
The Secretary of Defense

SUBJECT

United States Policy on Germany and Berlin

As a result of the discussion in the National Security Council meeting of October 14, 1970,² the President directs that the following guidelines be used as the basis for (1) our general approach to the problems and issues raised by the further development of the Federal Republic of Germany's relations with the USSR and the Communist countries of Eastern Europe, and (2) the conduct of the negotiations with the USSR over Berlin.

Germany

1. Our principal objectives in relations with the FRG will be:

—to create the conditions and opportunities for the FRG to maintain and deepen its relations with its western allies and western institutions in all respects, political, economic and military;

—to develop a sense of confidence and trust in relations with the FRG, whether governed by the CDU or SPD;

—to counteract any impression in the FRG that our longer term commitment to the western alliance is in doubt;

—to avoid to the fullest extent feasible any involvement, either indirectly or directly, in the internal political affairs of the FRG and, in particular, to avoid any impression that we favor or support any political party in the FRG.

2. Our approach to the specific question raised by the FRG's Eastern policy should continue to be one of general support for the avowed objectives, without obligating ourselves to support particular tactics, measures, timing or interpretations of the FRG's policies. We approve

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-220, NSDM 91. Secret; Limdis. Copies were sent to the Chairman of the Joint Chiefs of Staff and the Director of Central Intelligence. No drafting information appears on the memorandum. Sonnenfeldt forwarded a draft to Kissinger on October 29 (see Document 131). Kissinger revised the text; substantive changes are noted in footnotes below. The Department forwarded the final text to the Embassy in Bonn on November 11. (Telegram 185369 to Bonn, November 11; National Archives, RG 59, Central Files 1970-73, POL 1 EUR E-GER W)

² See Document 126.

the establishment of normal relations between the FRG and the states of Eastern Europe. We should not conceal, however, our longer range concern over the potentially divisive effect in the western alliance and inside Germany of any excessively active German policy in Eastern Europe as well as our concern over the potential risks of a crisis that such a policy might create in relations between Eastern European states and the USSR.³

3. We should also ensure that our juridical position with respect to Germany as a whole is in no way impaired by the actions of the FRG or others.

Berlin

1. Whatever the outcome of the negotiations over Berlin, it must be clearly understood by all parties involved that we will continue to exercise our responsibility for the viability, well being and security of the inhabitants of West Berlin. While favoring improvements, the President considers the present arrangement to be an adequate basis for fulfilling our obligations. A new four power agreement is, therefore, not an essential requirement in terms of *our* interests or *our* policy.

2. For both humanitarian and political reasons, we can accept practical improvements in the present situation as long as our juridical position is unaffected and our acceptance would not thereby involve us in German domestic political disputes.

3. In light of presently prevailing circumstances, and given the position taken by the present German government, any new four-power agreement concerning Berlin must include the following basic provisions:

—regular procedures for access to and from the Western Sectors of Berlin for goods and persons, guaranteed by the USSR to the maximum degree feasible;

—unrestricted opportunities for the further development of economic, cultural and financial links between West Berlin and the Federal Republic of Germany;

—provisions for the movement of West Berlin residents to Eastern sectors and areas adjoining greater Berlin;⁴

—an acknowledgement that our rights and responsibilities pertaining to Berlin are in no way affected by any new agreement, and that we continue to hold the USSR responsible for facilitating the exercise of our basic rights;

—an agreement must include the detailed provisions necessary to implement these requirements; and

³ Kissinger eliminated the following sentence from the draft: "We should make it clear in discussions with the FRG that we cannot accept a policy which confirms Soviet hegemony over Eastern Europe."

⁴ Kissinger substituted this language for the draft text, which read: "freedom for West Berlin residents to travel to the Eastern Sectors and areas adjoining greater Berlin without special restrictions."

—on matters⁵ such as the nature and extent of FRG political activities in Berlin, or the movement of West Berliners into the Eastern sectors,⁶ we can abide by the decisions of the FRG, as long as the other requirements of this paragraph are met.

4. It is also desirable, but not essential, that a new agreement allow for the representation of West Berlin's interest abroad by the FRG. If this is not obtainable in agreement with the USSR, however, the United States, assuming agreement with the UK and France, will continue the present practice of permitting the FRG to perform this function.

5. The US representatives should not take any initiative in reducing the terms of agreement as outlined in paragraph 3. Agreements on principles only, or secret protocols are unacceptable. Should it become apparent that no agreement is possible, or that only an agreement on lesser terms than outlined in paragraph 3 can be achieved, the President will decide whether any modification in our basic position could be made, or whether we will terminate the negotiations.

6. The President desires that our negotiators make every effort to demonstrate that our position is a reasonable one and that should negotiations fail it will be the result of the policy of the USSR. Our representatives should not regard themselves as operating under any particular deadlines and should also make every effort to coordinate our policy with the governments of France and the UK.

7. As for the relationship between the Berlin negotiations and the German-Soviet treaty, the United States did not, as a matter of its own initiative, insist on an organic connection between the present four-power discussions and the ratification of the German-Soviet treaty. The disposition of this treaty will be regarded as an internal affair of West Germany, so long as its interpretation or implementation is consistent with the rights and responsibilities of the United States resulting from the wartime and post-war agreements and the unconditional surrender. We support, however, the West German position to maintain a link between the ratification of the treaty and the outcome of the Berlin negotiations. Should, however, the West German government at some point decide to sever this link, our position will be subject to re-examination, consultation with our allies, and a new Presidential decision.

This policy will be communicated to the British and French governments and to the FRG as part of the normal consultative process.

Henry A. Kissinger

⁵ At this point, Kissinger eliminated the phrase "of concern to the USSR" from the draft.

⁶ Kissinger added this clause to the draft.

137. Editorial Note

On November 17 and 18, 1970, senior-level officials from the United States, United Kingdom, France, and West Germany met in Bonn to discuss the status of the quadripartite negotiations on Berlin. James Sutterlin, Country Director for Germany, argued in a November 14 briefing memorandum for Assistant Secretary Hillenbrand that the most important objective of the meeting would be to develop “a realistic understanding among the Four Western Powers on what we must obtain from the Soviets and what we can concede” in order to achieve a satisfactory settlement. (National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.1, 1970 Four Power Talks, Nov–Dec, Preparations for Meetings)

The Embassy subsequently reported that the meeting “covered all major topics without major differences.” The participants, for instance, agreed in principle that the Allies “should not consider themselves under time pressure,” although Bahr indicated that progress in the talks would be “helpful” for Klaus Schütz, who sought reelection in March as Governing Mayor of Berlin. The Embassy also reported the following discussion on ties between West Germany and West Berlin:

“Bahr said that in view of the intrinsic and domestic political importance of the limitations the Western allies were willing to undertake in the event of a Berlin agreement, the Western negotiators should seek a balanced package on FRG ties with Berlin, a package which should include positive elements as well as limitations. They should resist the Soviet tactic of a direct tradeoff of limitations on FRG presence against improvements in access. Arnaud proposed the Western negotiators should seek an agreement based on the general principles that the Western powers had supreme authority in their sectors and had permitted and would permit ties between the FRG and the Western sectors, and then list exceptions to general statement that ties were permitted. Hillenbrand expressed skepticism that the Soviets would agree to this but said it was the ideal approach and should be the basis of Western tactics. Other participants agreed this tactic should be followed.” (Telegram 13412 from Bonn, November 18; *ibid.*, Central Files 1970–73, POL 28 GER B)

A detailed account of the discussion on Berlin is in airgram A–1236 from Bonn, November 20. (*Ibid.*) For a German record of the meeting, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pages 2078–2084.

On November 18, after nearly 10 months of intense negotiation, West German Foreign Minister Scheel and Polish Foreign Minister Jędrzychowski concluded a renunciation of force agreement in

Warsaw. In an uninitialed memorandum to President Nixon that morning, Kissinger assessed the agreement as follows:

“The Polish-West German treaty, to be initialed in Warsaw this morning, will contain an agreement that the Oder-Neisse (as defined in the Potsdam agreement), ‘constitutes the Western border of Poland’ and that neither side will raise territorial claims against the other ‘in the future.’ While the treaty disclaims any infringements on existing bilateral and multilateral agreements, it goes a long way to being the definitive settlement of the border issue. There is no mention in the exchange of notes between Bonn and the Three Western Powers, or between the Germans and Poles, of the German peace treaty. Attempts to make reference to the peace treaty in a note from Bonn to the Three Western Powers collapsed under strong Polish pressures. We plan to note the fact of the treaty with approval, and say little more in our note to the Germans. Brandt will probably go to Warsaw for the formal signing, but ratification procedures are still open to further talks. Presumably, the Poles will try to break the linkage of their treaty to the Moscow treaty, a linkage the Germans agreed to in Moscow.” (National Archives, Nixon Presidential Materials, NSC Files, Box 28, President’s Daily Briefs, November 17–30, 1970)

For text of the press statement released by the Department of State that afternoon, as well as the exchange of notes the following day between the United States and West Germany on Allied quadripartite rights and responsibilities, see *Documents on Germany, 1944–1985*, pages 1112–1113. For text of the treaty, signed by Brandt and Polish Prime Minister Cyrankiewicz in Warsaw on December 7, see *ibid.*, pages 1125–1127.

During a senior NSC staff meeting on November 18, Kissinger and Helmut Sonnenfeldt discussed the negotiations in Berlin and Warsaw. According to a record of the meeting, the two men had the following exchange:

“Mr. Kissinger: (to Mr. Sonnenfeldt) Could you give me an analysis of the latest developments on Berlin.

“Mr. Sonnenfeldt: We have done a memo for you. I am afraid those talks aren’t going anywhere.

“Mr. Kissinger: What did the Germans get from the Poles?

“Mr. Sonnenfeldt: Nothing. Incidentally, people are beginning to get queasy about the Germans making treaties in Eastern Europe, especially with the Russians. As you know, Brandt decided that Schroeder had made a mistake in trying to circumvent Moscow and he has changed their priorities. Some Poles are now beginning to talk about the Germans getting together with the Soviets on frontier questions. They’re beginning to talk about a fifth partition of Poland.

“Mr. Kissinger: I have yet to meet a non-German who is happy about German approaches to Eastern Europe.

“Mr. Sonnenfeldt: Many people are schizophrenic about this. They wanted a *détente*, but are getting very queasy over a German-Soviet treaty, particularly when it is referred to as a non-aggression pact.” (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 314, National Security Council, 1969–77, Meetings, Staff, 1969–71)

Regarding the memorandum cited above analyzing the Berlin negotiations, see footnote 2, Document 139. For further discussion of the U.S. position on the Warsaw Treaty, see Document 163.

The East German Government was also queasy about developments in Berlin. On November 28 East Germany protested an upcoming display of the West German presence in the city, a meeting on November 30 of the CDU/CSU parliamentary group, by starting to harass traffic on the Autobahn. In a memorandum prepared for (but not sent to) the President on November 30, Kissinger reviewed the situation:

“Promptly at 12:30 p.m. German time on Saturday [November 28] the East Germans began a slow-down of non-Allied traffic on the autobahns to and from Berlin. The resulting delays of some three hours and a mile-long line of cars awaiting entry have continued throughout the weekend, although the congestion has eased somewhat during the evenings. The harassment is clearly an Eastern reaction to the scheduled meeting in West Berlin today of the CDU/CSU Bundestag group. Late on Friday the Soviets delivered a written protest on the meeting to the three Allied Missions in West Berlin. In addition, the Soviets protested separately to the French in Moscow, although the French delayed advising us about it.

“The three Allies in Berlin replied to the Soviet protest last night, stressing that meetings of Federal Parliamentary groups have taken place in Berlin for many years, and therefore cannot be considered as complicating the current Four Power Berlin talks. The French had originally refused to join in a joint reply, since they planned a unilateral *démarche* in Moscow in response to the separate approach made to them by the Soviets. The French made their approach in Moscow on Saturday and in the end agreed to go along with the relatively joint statement of yesterday. We considered a speedy and tripartite joint reply to the Soviets more important than a stronger reply which lacked all three powers. Upon receiving our reply, a Soviet official declared it unsatisfactory because the Allies were allowing a ‘third party’ to carry out activities in West Berlin which would hurt the Berlin talks.

“The Brandt Government had hoped that the Three Powers would step in and insist that the CDU meeting be cancelled. The three, however, took the position that the issue of parliamentary group meetings

was a German question, and had previously asked only that such meetings not be held too close to the dates of the Four Power Ambassadorial talks. In the end, Brandt and CDU Bundestag leader Barzel agreed that the meeting could be held.

“The next Four Power Ambassadorial meeting is scheduled for December 10, but an advisers’ meeting is planned for today, at which we will raise the question of the autobahn harassment.” (National Archives, Nixon Presidential Materials, NSC Files, Box 28, President’s Daily Briefs, November 17–30, 1970)

East German harassment of the Berlin Autobahn ended on December 2. Additional documentation on the controversy surrounding the CDU/CSU parliamentary group meeting is in the National Archives, RG 59, Central Files 1970–73, POL 12–3 GER W. For his memoir account of the incident, see Barzel, *Auf dem Drahtseil*, pages 120–126.

138. Memorandum From Director of Central Intelligence Helms to the President’s Assistant for National Security Affairs (Kissinger)¹

Washington, November 30, 1970.

SUBJECT

Background of Bahr-Soviet Talks

1. Recent talks in West Berlin between State Secretary Egon Bahr and various Soviet officials² have been covered in a series of reports, [*less than 1 line not declassified*] which have already been made available to you. However, you may also be interested in a summary of the background of this reporting.

2. The meetings began in early June of this year, shortly after Chancellor Willy Brandt sought to follow up quickly on the Bahr–Gromyko understanding and encountered stiff opposition within the Cabinet. Indications were that Bahr arranged the meetings carefully and that he stressed their confidential nature to those aware of them. At the same time, the meetings lacked some of the trappings that would

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 1324, NSC Secretariat, NSC Unfiled Material, 1970 [4 of 11]. Secret; Sensitive; Eyes Only.

² The Soviet officials included Valentin Falin, Valeri Lednev, and Vëiacheslav Kevorkov. See Falin, *Politische Erinnerungen*, pp. 128–129; and Kevorkov, *Der geheime Kanal*, pp. 90–91.

have made them entirely clandestine. Thus they followed the pattern of similar Soviet-Bahr contacts in Berlin during the 1960's, when Bahr was Chief of the Press Office of the West Berlin Senat and Brandt was Governing Mayor.

3. Soon after the meetings started, [*1½ lines not declassified*] the regular Soviet participant [*1 line not declassified*] Valeriy Vadimovich Lednev, an “international observer” (editor) of *Izvestiya* who has been engaged in German affairs on and off since he came to West Germany with Aleksey Adzhubey³ in the summer of 1964. Indications were that Lednev came from Moscow for his meetings with Bahr. For some of the October sessions, he brought his family with him to visit in West Berlin.

4. [*3½ lines not declassified*] Lednev himself has reportedly represented the KGB in some form, although the connection is not clear. Some of the Soviets with whom Bahr met during his earlier Berlin days were known KGB officers. As far as we know, all of Bahr's Soviet contacts have been active in diplomatic affairs and, as another common trait, have been German speakers.

5. Since June, we had reason to think that the Chief of the Third European (Germany, Austria) Division of the Soviet Foreign Ministry, V. I. Falin, was somehow involved in the exchanges with Bahr. [*1 line not declassified*]. In very recent meetings, we obtained indications that Falin was present in Berlin. Most recently Bahr himself identified Falin as his discussion partner in a meeting on 13 November.

6. On 17 November, as you know, Bahr revealed the fact of his discussions with the Soviets to senior American, French and British representatives in Bonn. He did not disclose the full extent of his meeting schedule, however, and it is safe to assume that his account of the subjects discussed was, at best, selective.⁴

7. When the meetings started, we assumed that they represented an extension of Bahr's on-the-record exchanges with the Soviet Government,

³ Alexei Adzhubei was editor of *Izvestia* and a member of the Central Committee of the Communist Party. In July 1964 Adzhubei visited West Germany to prepare for a visit of his father-in-law, Soviet Premier Nikita Khrushchev; both men were ousted from office in October 1964.

⁴ Telegram 13409 from Bonn, November 18, reported on a private discussion between Bahr and Allied representatives the previous day: “Bahr began by saying he had something very confidential to impart. He had been approached the week before last by a member of the Soviet Embassy staff, who told Bahr that Falin, head of the Western European Division of the Soviet Foreign Ministry, had indicated interest in speaking with him in West Berlin. The Soviet Embassy officer asked Bahr whether he would be available for such a discussion. Bahr said he would be. The discussion had taken place last Friday [November 13] in Berlin in his official residence as Bundesbevollmaechtiger [Federal Plenipotentiary] for Berlin.” Bahr then read from a German account of the meeting. (National Archives, RG 59, Central Files 1970–73, POL GER W–USSR) For the German account, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2042–2046.

their purpose being mainly to enable Bonn and Moscow to coordinate positions informally during events leading up to the conclusion of the West German-Soviet accord. We still have no reason to believe that the meetings were anything other than a form of secret and personalized diplomatic exchange on behalf of Willy Brandt, or that the KGB has played more than a support role in them.

8. A listing of reports on the subject [*less than 1 line not declassified*] is attached.⁵ Copies of the full series can be made available if you need them.

Dick

⁵ Attached but not printed is a list of nine intelligence information cables that Helms forwarded to Kissinger from June to November 1970.

139. Memorandum Prepared by the National Security Council Staff¹

Washington, December 1, 1970.

SUBJECT

Four Power Talks on Berlin

There has been virtually no substantive progress during the past two Ambassadorial meetings (November 16 and 23),² and indeed in the last meeting the Soviets took the toughest stance so far both in tone and substance. The Soviet approach seems to be to take the hardest possible line and then to mark time, as if they anticipated a shift in di-

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret. No drafting information appears on the memorandum. Sonnenfeldt forwarded it as an attachment to a December 1 memorandum to Kissinger. Noting that the meeting on November 23 had been “particularly unproductive,” Sonnenfeldt wrote that the meeting scheduled for December 10 “should provide us with a better basis to assess where things stand.” Kissinger initialed this memorandum indicating that he had seen it.

² A detailed account of the former is in telegram 1746 (November 16), 1749 and 1759 (November 17) from Berlin; a detailed account of the latter is in telegrams 1784 (November 23), 1789 and 1790 (November 24) from Berlin. (All *ibid.*, RG 59, Central Files 1970–73, POL 38–6) In a November 17 memorandum to Kissinger, Sonnenfeldt forwarded a paper analyzing the meeting of the previous day. “Though the West Germans, and Bahr in particular, have claimed the Soviets are under great pressure for an agreement,” the paper concluded, “the record thus far suggests that the Soviets are willing to protract the talks, and the pressures will grow on the West Germans. (This may explain

rection but were not exactly sure which way the direction would point. They are protected most, therefore, by taking the hardest possible line.

There are several factors that have been at play in recent weeks which may have caused the Soviets to pause:

—There is a general assumption, fostered by pro-Ostpolitik forces in the FRG and especially Bahr, that Soviet policy has been impeded by GDR rigidity. The evidence on this is ambiguous but the frequent comings and goings between Soviet and East German officials do at least suggest that the Soviets are trying to get the GDR to take a more pliant attitude, at least in form. (We do know that the East Germans are unhappy about Polish and other East European efforts to normalize relations with the FRG without obtaining additional recognition for the GDR; this was reflected in the hard-line speech of the GDR delegate to the recent Hungarian Party Congress.)

—A Warsaw Pact meeting will be held in East Berlin this week, and the prime focus there will be coordination on German affairs (and the NATO meeting will run almost concurrently).

—The Soviets have viewed the Hessian and Bavarian elections as evidence of renewed strength for Brandt's coalition which, in their eyes, may make it easier for Brandt to secure ratification of the Soviet-FRG treaty without significant progress on Berlin (a doubtful calculus, given CDU views).

—Ulbricht's health, always a source of rumors, may in fact be failing, leading to more intense intra-party maneuvering in East Germany; the length of time Ulbricht will (and should) remain in command is relevant to Soviet decisions on Berlin.

—The intra-German talks (between Bahr and Kohl) began November 27; the Soviets will probably wish to test in this channel whether the Germans will negotiate on Berlin access without an adequate Four Power mandate (Bahr reports that he was firm in insisting that he could not discuss Berlin access without this mandate); which would have a spoiling effect on the Four Power talks.

—The Soviets may also have been hoping for a break in Allied Tripartite unity; especially since the Pompidou visit to the USSR in mid-October, the Soviets seem to have targeted the French for separate approaches (the French have not been unresponsive).

The autobahn slowdown in recent days in connection with the CDU meeting in Berlin probably was the least the Soviets could do to

Bahr's rather frantic efforts to deal with the Soviets behind our back.)" (Ibid., Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II) For a German summary of the meeting on November 23, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2119–2123.

placate the East Germans (and to save their own face).³ At the same time the Soviets hoped that the political nature of the problem (a CDU meeting) would create further division between Barzel and Brandt. In the end, however, the autobahn stoppages probably served the cause of Allied unity and pulled German opinion together in insisting on something concrete from the Berlin talks.

As of the last Ambassadorial meeting, the Soviets were still unhelpful on *access*. While the Four could agree on general principles, the specific commitments according to the Soviets, would have to take the form of agreements between the GDR, the FRG and the Berlin Senat, i.e., the Soviets continue to refuse to take formal responsibility for access, insisting that this is a GDR sovereign right. Before the Soviets would offer specific thinking on a possible FRG–GDR agreement they wanted assurances that there would be movement by the West to meet Soviet requirements for removing the Federal presence from Berlin. Abrasimov has clearly linked Federal presence with access. On the issue of *Federal presence* the Soviets have continued to insist that all federal agencies be removed (though there is some indication they may accept the Bahr concept of a cosmetic change to tuck all federal offices under the auspices of a Federal “representative” in Berlin (a position Bahr himself expects to hold as the present FRG official responsible for Berlin). There is increasing indication that the Soviets want to have a greater role in West Berlin, including assurances that the NPD and similar offensive organizations are eliminated and that the Soviets should have a consulate and other official officers in West Berlin. So far the Soviets have flatly refused to consider *representation abroad* of Berlin by the FRG. However, they have expressed some interest in learning more about our proposal that FRG passports issued in West Berlin bear an additional stamp indicating that they were issued under the authority of the respective Allied commandant (another Bahr idea). The Soviets also insist that we agree that Berlin is not only not a Land of the FRG but not “a part” of the FRG.

The advisers of the Four Ambassadors met on November 30⁴ for a discussion that centered largely around the format of any eventual agreement. There would be three general elements: the first would entail a Four Power statement on general principles, the second would be the unilateral communications by the Soviets (on access) and the Three (on Federal presence) together with the results of the negotiations between the German authorities, and the final element would again be a Four Power statement tying together the other two elements. During the advisers meeting, the Soviets hinted that the situation might

³ See Document 137.

⁴ A detailed account of the advisers’ meeting is in telegrams 1843 and 1845, November 30, and 1846, December 1, from Berlin. (All in National Archives, RG 59, Central Files 1970–73, POL 38–6)

be clearer in a week or so and perhaps there could then be another advisers meeting. This hint tends to confirm other indications that the Soviets may be trying to prepare a new stance for the Ambassadorial meeting of December 10. This will then be the last meeting for a month or so. Following that meeting (and assuming that the Warsaw Pact meeting this week supports a new Soviet line, or confirms the old one) we will be in a much better position to take a new look at where we stand in the talks and where we ought to be heading.

140. Memorandum of Conversation¹

Washington, December 7, 1970, 4:11–5:35 p.m.

Meeting at the White House

At the invitation of the President Messrs. McCloy and Dewey² and General Lucius D. Clay and myself, accompanied by Mr. Henry Kissinger, were received by the President in his office at four p.m. to discuss questions arising out of relations between the United States and the Soviet Union and relations of this country with Europe.³

¹ Source: Dean Gooderham Acheson Papers, Manuscripts and Archives, Yale University Library, Box 68, Folder 173. No classification marking. Drafted by Acheson. No official record of the meeting has been found. The time of the meeting is from the President's Daily Diary. (National Archives, Nixon Presidential Materials, White House Central Files)

² Thomas E. Dewey, former Republican Governor of New York.

³ In a December 4 memorandum Kissinger briefed the President on the meeting: "Your principal worry is the Eastern policy of Chancellor Brandt. You do not question his sincerity and his stated objectives are acceptable. What concerns you is the divisive effect of his policies within Germany where a new competition for the nationalist mantle seems to be developing. Second, you find it difficult to believe that the Soviets have conceded, or will concede any freedom of action for the Germans, of all people, to expand their influence in Eastern Europe or within a divided Germany. Third, you are concerned about the West German assumption that an accommodation with the East is necessary now because of a fear of a declining US commitment to Europe; this trend tends to become a self-fulfilling prophecy. Finally, you foresee that others in Europe will follow the German road to Moscow. The French in particular are not likely to allow Germany to become the interpreter of Soviet policy for the West or bridge to the East. *Your problem is how to keep Germany firmly anchored to the West during this period of Eastern experimentation and to do so without becoming deeply embroiled in German politics or becoming the so-called scapegoat for what could be a massive failure of German expectations in years to come. This is the reason we must negotiate on Berlin with the greatest of care. You want to ensure that we have made the best effort to obtain a viable Berlin agreement. If the negotiations fail under these circumstances it will be the fault of the USSR.*" (National Archives, Nixon Presidential Materials, NSC Files, Box 812, Name Files, Dewey–Acheson–Clay Meeting)

We stayed with the President for an hour and a half. As agreed between us, Mr. McCloy led off and, speaking largely from the attached paper,⁴ brought out the fact that in the past fifteen years he thought the position of the United States had been gravely eroded. This came about largely because of the technological and material progress of the Soviet Union and its armed forces, its aggressive foreign policy in all quarters of the world—the Mediterranean, Africa, Latin America, South Asia, and East Asia; the belief in Europe that the United States had become obsessed with Southeast Asia, that our own nuclear capabilities had greatly lessened vis-à-vis the Soviet Union, and that our interest in Europe had lessened. McCloy pointed out also that Germany, which had largely been under the influence of West Germans from the Rhineland in the period after the war, was now being governed by people from eastern Germany, who were seeking to experiment with relations with the Soviet Union.⁵

He thought that the time had come when there should be new developments in leadership in this country that would reaffirm our belief in a united Europe and strong connections between Western Europe and North America and in British admission to the Six and that there should be a review of all our policies, military, political, economic, with Europe, looking toward a period when both Europe and the United States would be freer to engage in joint positive action in their common interest. The President was much interested in this outline.

General Clay reaffirmed McCloy's views, speaking about his distrust of Willy Brandt and the present leadership in Germany, and of his concern over both the vagueness of American policies and the weakness of American leadership and power in Europe.

Tom Dewey worried about the President's position because of the lack of strong voices in the Congress that would support him if he gave a lead along the lines indicated by McCloy.

The President then called on me. I supported what had been said before and added a little further analysis.

First, I thought that if it had not already been done, there was grave need of some leadership directly responsible to the President, which in my time would have been the State Department, but which should now be any form that the President himself chose by which all poli-

⁴ Destroyed as per request. Burned at home. [Handwritten footnote in the original.]

⁵ McCloy was only half right about the new government: Bahr (Werra) and Ehmke (Danzig) were from the east, but Brandt (Lübeck) and Scheel (Solingen) were both from the west.

cies should be developed, brought together so that the entire Administration might know what it was that we wanted to see accomplished in Europe and what we were prepared to do to help and lead.

Second, I hoped that the President would in the near future make a series of forceful, yet restrained, speeches in which he would reaffirm some principles of American policy that had fallen into doubt: (1) American belief in the necessity for a unified Europe; (2) American belief in the necessity of close European-American association; (3) American determination to participate with Europe in mutual defense.

Third, I urged a review with our European allies of all questions on which the common action in behalf of the common interest might be required.

And, finally, fourth, There should be preparation for the execution of these decisions.

I suggested that we could begin upon the program as soon as it was clear within the government, but that the time for really occupying the attention of this country and its allies and for action could not arrive until after our present concerns had been met. These concerns were, in Europe, relations of Britain with the Six and, in the United States, the liquidation of our absorption in Southeast Asia, some progress on the domestic front, and the next presidential campaign. I was quite aware, I said, of the problems facing presidential leadership raised by the opposition in control of Congress. This, however, was not unprecedented. Compare, for instance, the period of 1946 to 1948. Whatever the difficulties, it would not be possible to provide such backing as was given to the Marshall Plan until there was something to back. That something could be provided only by the President and whatever risks were involved were inherent in the situation.

The President appeared to agree. He gave us a full and persuasive discussion of the steps already taken by the Executive in formulating policies and communicating them in the last NATO Ministers' meeting. He spoke of the further action he was prepared to take, of the dangers he saw in the Mills bill,⁶ some of which he could not avoid. He was aware of the need for popular support and wished to discuss that with us further when he was prepared to act. We were persuaded of his real interest in Europe as our principal foreign concern, although

⁶ Reference is presumably to a "protectionist" bill sponsored by Representative Wilbur D. Mills (D-Arkansas), chairman of the House Ways and Means Committee, to counter the administration's proposal to liberalize the Trade Expansion Act of 1962. The bill was defeated on December 28, following a filibuster in the Senate.

no one of us was ready to believe that action was fully assured for the future. On the whole, I found it an encouraging meeting.⁷

Dean Acheson⁸

⁷ In a December 9 telephone conversation, Kissinger and Acheson agreed that the meeting with the President “went well.” According to a transcript, Acheson said: “We were all impressed on how clearly the President came through. We conferred together for a moment or so to see if there was anything you would want from us.” Kissinger replied: “Some concrete suggestions on leadership we would exercise in Europe right now especially with respect to Ost-Politik which I think is a disaster.” “What you would like,” Acheson summarized, “is specific suggestions on what we can do and how. Especially about Brandt and Ost-Politik. I will talk to McCloy.” (Library of Congress, Manuscript Division, Kissinger Papers, Box 365, Telephone Conversations, Chronological File) No paper from Acheson on Brandt and Ostpolitik has been found.

⁸ Printed from a copy that bears this typed signature.

141. Telegram From the Embassy in Germany to the Department of State¹

Bonn, December 9, 1970, 1400Z.

14211. Subj: Further Bahr Contact With the Soviets. Ref: Bonn 13409.²

1. State Secretary Bahr requested the US, UK and French Ambassadors to meet with him at 1800 hrs, December 8, ostensibly to hear his account of Brandt’s visit to Poland to sign the FRG-Polish treaty.³ After requesting the utmost secrecy, Bahr began the conversation by saying that at his initiative he had met with Soviet Foreign Ministry

¹ Source: National Archives, RG 59, Central Files 1970–73, POL GER W–USSR. Secret; Priority; Limdis. Repeated to Berlin.

² See footnote 4, Document 138.

³ Bahr reported to the Ambassadors on December 9 that “the atmosphere at the outset of the visit had been extremely strained and difficult” but soon improved. According to Bahr: “Within twenty-four hours, it had proved possible to talk openly and normally with the Polish leaders as though on the basis of long acquaintance. The Germans had feared a difficult situation and, in fact, the entire visit had been loaded with emotion on both sides. The Poles had heard the German national anthem for the first time since the war. And for Chancellor Brandt, as an opponent of Hitler, it had been particularly hard to have to assume the moral responsibility for the German past vis-à-vis the Poles.” “[T]he visit,” he concluded, “had been a very moving one for the German participants. They had all been struck by the impression, in contrast to their impression of the Russians in Moscow, that the Poles ‘were Europeans.’” (Telegram 14204 from Bonn, December 9; National Archives, RG 59, Central Files 1970–73, POL 7 GER W)

official Fallin in West Berlin on December 4 for a conversation of 1½ hrs.⁴ Bahr said the conversation had been “cool and tough.”

2. Fallin told Bahr that the Soviets had authorized recent harassments on the Autobahn at the request of the GDR. The Soviets had also approved the protraction of the harassments beyond the period of the CDU Fraktion meeting in Berlin. Fallin said the Soviets and the GDR were at the time of his talk with Bahr considering whether new harassments should be instituted in connection with the Heinemann visit to Berlin.

3. Fallin said he was informed about the hard-line position which Bahr had taken during the November 17–18 senior level meeting in Bonn. Fallin said that all four Western governments were taking an unconstructive attitude on the Berlin negotiations, but the FRG was the most unconstructive of all four. The Soviets felt this to be the case particularly because of the FRG refusal to discuss access questions with the GDR until the Four Powers had reached agreement on this subject. Fallin said the solidarity of the FRG with the negative position of the Western governments had raised a question in the minds of the Soviet leaders as to whether the Federal German Government genuinely wished to continue its present policy of reconciliation with the East.

4. Fallin said the Soviets were themselves considering adopting a more rigid position on Berlin partly because of the general Western attitude, partly because of the recent NATO communiqué creating yet another linkage between the Berlin agreement, this time with a conference on European security, and because of Brandt's similar action in linking ratification of the FRG-Polish treaty to a Berlin settlement. Fallin said the stiffening tendency on the part of the Soviets was supported by the GDR and by the attitudes expressed by all other Warsaw Pact members during their December 1–2 meeting in Berlin, where all participants had taken the same position. Bahr remarked parenthetically that Brandt had received the impression in his talk with Gomulka that Fallin's description of the Warsaw Pact meeting was accurate.

5. In commenting on the Warsaw Pact meeting, Fallin said the meetings had been initiated at the desire of the Poles. The latter wished to have Warsaw Pact confirmation of the reversal of the earlier Warsaw Pact common position against diplomatic relations with Bonn before the FRG recognized the GDR in the light of Polish willingness to establish diplomatic relations with the Federal Republic prior to officially recognizing East Germany. Fallin said this position had been

⁴ For a December 5 memorandum of conversation by Bahr, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2193–2194.

approved by Pact members with no opposing votes. The Pact had also approved the Czech proposal to begin negotiations with the FRG.

6. Fallin indicated that he was aware that no new date had been fixed for the continuation of the talks between Bahr and East German State Secretary Kohl. Bahr said Kohl himself had indicated that he was in no position to set a date before Dec 10 but was interested in a possible meeting between Dec 10 and Christmas. The FRG was also interested in such a meeting. Fallin said that the Soviets would not under any circumstances permit the FRG to negotiate on goods and persons moving out of Berlin towards the Federal Republic as this was not in the FRG's area of competence.

7. Bahr said he had concluded from this conversation that the Soviets were now concerned at the possibility the Western Powers believed the Soviets were in a position where they would be forced to accept a Berlin settlement. The Soviets were reacting to this. In this sense, Bahr said, the Soviets appeared to have changed their minds about the desirability of FRG ratification of the FRG-Soviet treaty prior to the CPSU Congress in March. They now were on a completely different time table where they thought they would take all the time they needed. In any event, the GDR for its part continued opposed in any event to a Berlin settlement and was working to pull the Soviets in their direction. Brandt had gained the same impression of this possible future from Gomulka.

8. Bahr said he believed the Western Powers' negotiations should move ahead briskly in the talks in any case and not lose time. Losing time only played into the hands of the GDR. Gomulka had indicated the same idea to Brandt. The Western Powers should move while the iron was still hot to some extent, before the development moved still further in the direction of the GDR's negative position. Ambassador Rush said the Western Powers were ready to move as soon as they can. But of course the main thing is that we want a sound agreement and this should have unquestioned primacy. Bahr said this was right, but in this, as in other negotiations, there was a critical time for closing the deal which should not be missed. Fallin had told Bahr that he had watched the faces of the West Berlin population. The West Berliners had looked tired, as though they did not want to have to live further with their present tensions. Bahr said he considered Fallin's observation to be correct and that time was in fact working for the GDR.⁵

Rush

⁵ For a German account of this discussion between Bahr and the Western Ambassadors on Berlin, see *ibid.*, pp. 2251–2254.

142. Memorandum of Conversation¹

Bonn, December 9, 1970.

PARTICIPANTS

Egon Bahr, State Secretary, Chancellor's Office
Guenther Van Well, Foreign Office
Ambassador Rush
Jonathan Dean

State Secretary Bahr took the initiative to see Ambassador Rush at short notice at the latter's residence December 9 just prior to Ambassador Rush's departure to Berlin for the 12th session of the Quadripartite talks. Van Well had informed us in advance that Bahr was concerned over the possible effects on the Soviets of the line Ambassador Rush intended to take in the December 10 session.²

Ambassador Rush began the conversation by saying he intended to make three points to the Soviets. He wanted to protest the November 28 and December 2 harassments on the autobahn and point out that they were illegal and would complicate the Four Power talks.³ He wanted to tell the Soviets that they were using unacceptable pressure tactics, that in effect they were asking us to abandon not only Four Power rights over access but also ourselves to pay for this abandonment through accepting limitations on the exercise of our own authority in the Western sectors to permit Federal German activities there. We did not like the Soviet tactic of equating each individual concession on the access routes with one limitation on Berlin. We thought it was absolutely necessary to be firm with the Soviets. Naturally we would also be courteous. We did not intend to indulge in polemics.

Bahr said he felt the Ambassador's approach was dangerous. He assumed the Ambassador's motivation was tactical, but tactics could

¹ Source: National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.5, 1970 Four Power Talks, Dec. Commentary on Talks. Secret; Limdis. Drafted by Dean on December 12. The meeting was held at Ambassador Rush's residence. Van Well also drafted a memorandum of conversation; see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2251–2254.

² For discussion of German concerns, see *ibid.* In a letter to Brewster Morris on December 21, Fessenden reported: "Von Staden told me the other day that the original impetus for Bahr's intervention with the Ambassador came from the Foreign Office, not from Bahr himself. When the Ambassador's proposed remarks were first received, Von Staden and others in the Foreign Office felt that the strong statement which the Ambassador proposed to make went too far. The Foreign Office view was that the circuit was already too overloaded with the Soviets." (National Archives, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.5, 1970 Four Power Talks, Dec. Commentary on Talks)

³ See Document 137.

be risky too. We were in a situation where the Berlin negotiations were not only difficult of themselves, but were also loaded down with so many complicating outside issues that the thread of the negotiations might tear. Bahr felt the approach intended by the Ambassador deviated from what was agreed at the Senior-Level meeting,⁴ where it was agreed to be firm on substance and flexible on method. The same approach had been agreed on at Brussels.⁵ Now, there was some risk that without introducing any new substance into the negotiations we might go back to general presentations on topics which have already been thoroughly discussed and on which there is no need to dwell further since it had been agreed that practical improvements were the objectives. The Four Western Governments should remain united in their tactics. There would not be much advantage if Ambassador Rush pushed ahead on a cavalry charge and the others did not follow. Ambassador Rush said to Chancellor Brandt that the German stake in the talks was very great and thus that the German opinion on tactics was most important. He wanted to say that German view now was that the negotiating position in Berlin was not as strong as many might believe. We should not forget that the Western side had increased its substantive demands on the Soviets during the past year. We had started on access alone and now had added on the highly political issue of FRG representation abroad, a question which earlier the FRG had not even dared to discuss privately with the Soviets. The fact that the Soviets are all ready to discuss this indicates that they are interested in the Moscow treaty and indicates that it is of value to them. But we have to watch out that the train will not be derailed. The point might come when the Soviets would say to themselves that the Western Powers were asking more on Berlin than the Soviets were in a position to give and would act on the basis of this conclusion.

Bahr went on to say that the CDU Fraktion session in Berlin was over now and the Western side had drawn from it every advantage which the occasion, including the harassments, presented. It had had favorable impact on the NATO meeting and the NATO communiqué.⁶ But we should not forget the same incident has again shown how limited our position was on the autobahn and our vulnerability to pressures. The Western rights for passage of their military transport was

⁴ Regarding the November 17–18 senior level meeting in Bonn, see Document 137.

⁵ An account of the discussion on Germany and Berlin at the quadripartite dinner during the NATO Ministerial meeting in Brussels, December 3–4, is in telegrams 4542 and 4543 from USNATO, December 3. (National Archives, RG 59, Central Files 1970–73, POL 38–6)

⁶ For extracts from the final communiqué of the NATO Ministerial meeting, see *Documents on Germany, 1944–1985*, pp. 1121–1125.

not affected by this incident. But as regards civilian traffic, the GDR merely had to apply existing procedures on a slowdown basis and then even an air lift could not help and Berlin would suffocate in its own unmovable products. To begin this kind of discussion now might cause the Soviets to regret not having instituted harassments at the time of the Heinemann visit. Consequently they might resume harassments at the time of the pending Brandt visit on December 12. He believed himself that we had made our point and the FRG should abstain, for the duration of the talks, from further similar political demonstrations in Berlin. We should be strong in substance but moderate in method.

Ambassador Rush said he agreed with Bahr's final remark, but could not agree with his concepts of tactics. If we said nothing on the harassments, the Soviets might interpret this as fear and lack of concern. He believed that a strong representation should be made and would do so at the next meeting. Ambassador Rush said he believed we should also make clear to the Soviets that the Western Powers do have rights as regards civilian access and that the Soviets are interfering with those rights by interrupting access. The Soviets should be told that their illegal interferences should stop if they wanted to be taken seriously.

Bahr said he did not think this approach especially wise. He did not believe we could make a good case for Allied rights on civil access before an international court. In any case, the basic issue was a power question and not a legal issue. He did not believe it desirable to raise the theoretical question, because the Soviets would answer in the same way and nothing would come of this.

Ambassador Rush said he also hoped to resist the linkage the Soviets were trying to establish between removal of obstacles and limitations on Federal presence in Berlin. In effect the Soviets were asking us to pay with limitations on our own freedom of action in the Western sectors for accepting their legal view of access, which implied that the Western Powers had no rights of access, and for removing their illegal harassments. Bahr said that he believed that, procedurally, the question of FRG-Berlin links should be treated in two aspects, the FRG presence issue and the foreign representation issue. As long as both of these points were discussed together, he had nothing against a parallel discussion of access and Federal presence. He did oppose linking limits on the Federal presence to access, with no attention to the positive aspects of Federal presence or FRG representation of Berlin abroad.

Bahr said he was of the view that we had already moved rather far ahead on access. We should not by our present tactics let the negotiations come to a point where the material slips out of hand and we

[are] at a loss as to how to pick up the threads again. Ambassador Rush said the Soviets had clearly shown that they were interested in the talks and would not let matters reach this stage. Abrasimov would not let the talks stop. Any decision about stopping the talks completely would come from Moscow and would be a major policy decision which would have little to do with the specific formulations used by individuals in the talks.

Bahr said that Ambassador Rush should not underestimate the role of the Ambassadors in the talks. Ambassador Rush said Bahr should appreciate that our procedural approach in the talks was that we put our points quietly and politely. We did not engage in deliberate dramatics like Abrasimov. He continued to feel we could not let these deliberate harassments in the matter of negotiations go by without remarks from us.⁷

⁷ Fessenden later explained that the Embassy had “deliberately done minimal reporting on Bahr’s intervention [of December 9], fearing that the full impact of what Bahr said would not be well received in Washington.” See Document 154.

143. Editorial Note

On December 10, 1970, *The Washington Post* published an account of statements former Secretary of State Acheson made to a group of reporters the previous day regarding West German Chancellor Brandt and Ostpolitik. Acheson reportedly told the newsmen that he had said much the same thing in the meeting of four “wise men” with President Nixon on December 7. According to the *Post*, Acheson, as the “most disturbed” of the four, insisted that something be done to “cool down the mad race to Moscow.” The Nixon administration, he claimed, feared that Brandt would sacrifice Berlin in order to save his Eastern policy. Acheson, however, contended that the United States must never allow Germany to compromise the status of Berlin. (Chalmers M. Roberts, “Acheson Urges Brandt’s ‘Race’ to Moscow Be ‘Cooled Off’,” *Washington Post*, December 10, 1970, page A8)

Later that morning, Secretary of State Rogers addressed Acheson’s remarks during a hearing of the Senate Foreign Relations Committee. Senator Fulbright (D–Arkansas), the committee chairman, stated: “I was very distressed to see one of the prominent advisers to the President this morning criticize Willy Brandt because Willy Brandt was seeking some way for better relations with Russia.” Rogers interjected that

Acheson “is not a member of this administration and does not reflect our views” either on Ostpolitik or the German Government. “[W]e not only support it,” Rogers explained, “but we have encouraged them.” (Telegram 202404 to Bonn, December 12; National Archives, RG 59, Central Files 1970–73, POL 1 EUR E–GER W) A spokesman for the Department of State reiterated the point at a press briefing on December 11: “Mr. Acheson is a private citizen and he does not speak for the Administration.” “[A]s a general policy, we welcome and endorse the Federal Republic of Germany’s efforts to normalize relations with the East,” the spokesman continued. “We believe that these efforts complement our own efforts to seek improvements in the international situation.” (Telegram 202226 to Bonn, December 11; *ibid.*)

On December 10 West German Ambassador Pauls raised the *Post* article in a meeting with Assistant Secretary Hillenbrand. Although he was aware that the opinions of private citizens could be officially disavowed, Pauls was concerned that views critical of German policy had been expressed to the President, especially by such prominent political figures as Acheson and McCloy. “This could present a problem for the German Government and be an obstacle to close cooperation with the U.S.,” Pauls warned. Hillenbrand could only repeat that the *Post* article “had not linked the reported Acheson remarks to any White House views, nor was Mr. Acheson an authorized spokesman for the U.S. government.” (Memorandum of conversation, December 10; *ibid.*)

On December 11 Pauls met Acheson himself to correct any misconceptions on Ostpolitik. “Germany did not have two policies, an eastern policy and a western policy,” Pauls explained, “but only one policy, which was based primarily upon its relations with the West and an attempt to improve the fate of their captive brethren in East Germany.” According to Acheson’s account, Pauls was “upset by the vigor of my language—‘the mad rush to Moscow’—and the severity of my criticism of the Chancellor. He hoped to persuade me that I had been in error.” Acheson, however, was not persuaded. The German attempt to “negotiate with the Soviet Union a recognition of the status quo,” he argued, “not only was an exercise in futility but was divisive with regard to the united policies both within Europe and between Europe and North America.” “Furthermore, having negotiated with the Russians in the past on the Berlin question, I saw no more likelihood now than in earlier periods for any improvement in access or other recognition of interests other than Russian or East German interests.” (Memorandum of conversation with Pauls by Acheson, December 11; Dean Gooderham Acheson Papers, Manuscripts and Archives, Yale University Library, Box 68, Folder 173)

Brandt evidently did not share Pauls’ concern. On the same day that Pauls met Acheson, Brandt discussed the *Post* article with Ambassador Rush in Bonn. Rush raised the issue, citing the Secretary’s

clarification before the Senate Foreign Relations Committee. Although he appreciated Rogers' statement, Brandt "laughed off the affair." "We have some of the same kind of problem here," he replied. "It is a healthy thing to have this kind of debate; it keeps us on our toes and encourages us to keep re-thinking what we are doing." (Telegram 14318 from Bonn, December 11; National Archives, RG 59, Central Files 1970–73, POL GER W–US)

Kissinger may have discussed the "affair" with Acheson when the two men met for lunch on December 15. (Library of Congress, Manuscript Division, Kissinger Papers, Box 438, Miscellany, 1968–76, Record of Schedule) To prepare for the luncheon, a member of the National Security Council staff gave Kissinger a copy of the official reaction to the *Post* article from the Department of State. (Memorandum from Robert Houdek to Kissinger, December 12; National Archives, Nixon Presidential Materials, NSC Files, Box 807, Name Files, Acheson, Dean) No record of the discussion with Acheson has been found. Kissinger, however, addressed the issue in a meeting with editors of *The Washington Post* on December 17:

Question: Would you comment on the German Ostpolitik and on where Dean Acheson's views fit in with those of the Administration?

Answer: There was no special significance to the fact that Acheson, Dewey, Clay and McCloy came in recently. The President has made a policy of from time to time meeting with them. And it just happened that their turn came up. McCloy's views are well known on Europe and one would expect him to have certain views on Ostpolitik and their effect on NATO. The President's job in this situation is to listen to their points of view and to other points of view. It does not mean necessarily that he agrees, but these are people that he respects and which he likes to hear from.

"We are not opposed to Ostpolitik. We don't want to interject the United States into German internal politics. We did not open the negotiations with the Russians, nor did we establish a linkage between the Ostpolitik and the Berlin negotiations. Quite frankly, we do not know why people are complaining that we are dragging our feet. There has actually been no concrete proposal as yet on which we could act. In general, I believe that the Berlin situation really can't be improved very much. Historically, access to Berlin has become more difficult as East Germany has grown in sovereignty over the access routes. There are all sorts of administrative procedures which they could use against us. An ingenious bureaucracy can invent innumerable ways in which to harass access to Berlin. There is nothing in the treaty which could prevent this and it could even be legal.

"The real improvement is going to depend on the relationship between East and West Germany. If each believes it is in its interest to

have better relations and less friction with regard to Berlin, then there can be a meaningful treaty. One must admit that the Soviet attitude on Berlin has been quite puzzling, since they could get the Berlin situation settled by making a few concessions and this would force ratification of the Ostpolitik. No German politician is going to stand up and say he is against a rapprochement with the East Germans. I predict that when the Ostpolitik treaty is ratified it will be unanimous. Why then have the Soviets been so inflexible? One could say that perhaps the East Germans have more of a veto over their actions than we think. It could also be simply that the Soviets think they are going to get their way without giving any concessions, or it might be explained by a difficulty within the factions of the Soviet leadership which we discussed earlier." (Memorandum for the record, December 17; Library of Congress, Manuscript Division, Kissinger Papers, Box 269, Memoranda of Conversations, 1968–77, Chronological File, Dec. 1970–Aug. 1971)

Three days later, Rogers called Kissinger at home to discuss "this German situation," in particular, the President's recent meeting with Acheson, McCloy, Dewey, and Clay. Kissinger acknowledged that he had attended the meeting. After a brief interruption, the conversation continued:

"R: Did he indicate to them he wanted them to sort of sound off?

"K: Absolutely, definitely, totally not! It had absolutely . . . You know, you have heard him on what he thinks of Ostpolitik, and he may have made a few remarks to that effect. I'll let you see the notes. I've got them. As I told you, the purpose of the meeting—the primary purpose was to avoid a meeting with the Arms Control group and to give McCloy a chance to sound off. Most of what McCloy said had nothing to do with Brandt, but had to do with something that we had already done; namely, not withdraw troops. Two-thirds was the speech he always makes. Then he made a few comments about Brandt. Then Acheson made what he's now said to every newspaper. The President made a few general remarks, and then they talked also about other things. But the purpose of the meeting was in no sense . . . It was a total accident that it came about at that time.

"R: Well, it's causing a hell of a lot of problems. We are running into a real head-on struggle with it with the Germans because they just think we are lying to them. I guess you saw the article in the [*New York Times*] this morning [see Document 149].

"K: Yeah, but they have sent us a cable saying they've been trying to kill that. Have you seen that?

"R: No, but whether they were or weren't, the fact is that this is how they think. And Acheson, instead of keeping [omission in transcript: quiet?], he said it again in the paper. He reasserted what he said.

"K: Yeah, well, that's inexcusable.

“R: You know, if the President wants to create a crisis with the German government.

“K: No, no, but believe me, that isn’t what he . . . He had no such thought, and there is no possible way . . .

“R: I know, but the point is, Henry, he’s got to wise up for Christ’s sake. He can’t go around and talk to those four gossips and tell them what he thinks without them telling everybody. Christ, I heard Dewey at the party the other night. He was telling me he’s delighted—this is just what we need. I said, well, for Christ’s sake . . .

“K: What is what we need?

“R: Well, what Acheson is saying. In other words, if the President tells those four fellows what’s on his mind, if he sort of lets his hair down and thinks they are going to keep it to themselves, he’s as naive as Eisenhower. Jesus Christ, they’re the biggest gossips you can find. They’re bigger than [*Washington Post* columnist] Maxine Cheshire. They’ll tell everybody that [*what?*] they see and they would all like to be Secretary of State. In fact, they think they are. Jack McCloy is pushing his law firm, too. He’s telling all his God-damned clients, and he’s got the Arabs coming into his office as if he’s running the God-damned government.

“K: But you know how it happened, Bill. It wasn’t that he had wanted to tell them what he thought. You know how he is. When people talk to him this way, he has a tendency to fall into the mood. This was not intended as anything except a hand-holding session which he does maybe two or three times a year with these guys, and it’s taken on because of Acheson’s public popping off . . .

“R: Well, McCloy is telling everybody, too. When the Arabs now come to this country, they stop in to see him in his law office.

“K: But he hasn’t even talked to McCloy about the Arabs . . .

“R: That doesn’t make any difference at all.

“K: . . . in a year.

“R: He’s got them all thinking. What I’m saying is that each one of these . . . Now, Dewey is a little bit different. He said to me the other night—he said, ‘I’m not even sure what the hell we’re doing.’ He said, ‘Henry has given me a lot of papers to look over on things, and I read them over. I’m not sure . . .’ He was talking about Indochina in this case. We have to figure out what the hell kind of mischief we can get into, not through design but through inadvertence.

“K: You are absolutely right. I agree with you, Bill. We have to be more . . .

“R: Discreet about things. I would have absolutely no objection if the President decides, ‘Look it, I want to get four old guys in here and use them for purposes of sounding off and pretending that I’m wash-

ing my hands of it.' That's all right. I'm perfectly prepared to play by any game plan.

"K: No, but that isn't what it was, and you know isn't.

"R: No, but that's what I'm saying. That's why . . .

"K: That's how it's coming out.

"R: I don't get annoyed at . . . whatever the President decides, after he reflects on it, if he decided to follow a course of action, I am prepared to give full support even though I at times may not agree, but it seems to me that's my role. I should do that. On the other hand, I get madder than hell when, by inadvertence, we stumble into things that really . . . It just makes it . . .

"K: Well, I agree with that part of it. I think there are two parts of it. One is that these guys have been totally indiscreet about a conversation which really was designed to give McCloy a chance to say we shouldn't withdraw our troops. Secondly, the Germans, of course, are playing a deliberate game now at pretending that we are keeping them from an agreement and shifting their problems to us. Now, they are not all that innocent in this thing, either. Ehmke was popping off around town here in October at a time that we were keeping them from a Berlin agreement, at a time when there wasn't the slightest excuse that we were dragging our [feet]. In fact there is no excuse for it now.

"R: I'm sure that's true, and . . .

"K: But we still shouldn't give them the excuse . . .

"R: There, again, I know . . . I'm not plugging for the Germans. I don't give a damn if the President wants . . . Suppose he decides that we want to oppose them. It's bad to say it publicly.

"K: Well, if we want to oppose them, you are of course, absolutely right. We shouldn't use Dewey, Acheson and McCloy.

"R: Or if we are going to use them, let's use them in a planned way. Say, look it, here's a good way of talking out of both sides of our mouths and getting away with it, if that's what he wants to do. But we . . . Just because we haven't thought it through, we stumble into these things. Now you know damn well, if you know McCloy, what he does. He's got a hell of a big law firm. He's got a hell of a lot of oil clients. He likes to be in on matters in Europe because that also helps his law firm. He's getting garrulous as hell and you know he's going to tell everybody that he sees about it. As far as the arms control thing, he didn't help himself. In fact, the President is going to have a greater problem with those people because they are all sore now. They say, well for Christ's sake, he sees Dewey, Acheson, McCloy but he won't see his own Committee.

"K: McCloy has been a little tricky about [?]. McCloy, himself, said that if he saw a small group and he were a part of it, that would take care of his committee.

“R: Of course, he didn’t say that to his committee. Right in front of his committee is when he came . . .

“K: No, you told me that.

“R: He told me that this had nothing to do with his committee and it was not a substitute and that you had urged him to come in to see the President and this wasn’t a substitute at all, and he was sort of pressed . . .

“K: Hell, I don’t like McCloy particularly. I think he’s one of the most over-rated men in America.

“R: Well, I think probably in his day he was all right, but . . .

“K: I mean, he talks a lot. I think he’s completely outdated as far as Europe is concerned. He remembers the Germany and the Europe of the early ‘50’s. You can’t push them around like this anymore.

“R: No, and I mean he was . . . I mean you’ve got Clay and McCloy and Acheson all who feel that they have a sort of a pride of ownership of Berlin which is all right.

“K: But you know it was the President who thought up this group. He called them all separately. I only learned about it afterwards. It grew up after some Gridiron dinner when he was talking to Dewey and he’s seen them twice, I think. You remember when he saw them once before.

“R: Dewey is a little more discreet, and I think Dewey is a little perplexed himself. He said he wasn’t sure what the point was; on the other hand, he said he and McCloy were really applauding what Acheson has been saying—they said, that’s just right; that’s what we ought to do. And I said, well, for Christ’s sake, if that’s what we ought to do, it ought to be done by a program—the result of a program and not by the result of an accident.

“K: Incidentally, I don’t know whether you saw the traffic on some other stuff. Last week, Ehmke called me up—you know who he is—and said that he had missed me on that trip when he was over here and he was going to be over here and could he see me. So, I said fine. The next thing I knew he was saying he was coming over especially to see me. So I told Marty to join me so that it isn’t a White House/Ehmke conversation.

“R: I wonder about these things. Every time Strauss, even if Marty’s there, he goes back and tells everybody that he’s got an ‘in’ and that what we are saying publicly is not what we are saying privately. He uses you, too, for his own political advantages.

“K: Well, he’ll use anybody.

“R: I know it. Well, I think we have two major problems with our two major allies—Germany and Japan—in which we are heading into a hell of a storm.

“K: Well, I think we ought to wind up the textile negotiations one way or the other this week.

“R: We’ve got a major storm buildup in both places, and both of them are inexcusable. There’s no God-damned reason for it. Insofar as Germany is concerned, nothing has happened up to date that should cause us to have any concern. Now obviously, things could happen in the future that would be unfortunate. Obviously, we have to guard against those, but it seems to me the way to guard against them is try to be reasonable as hell and say, sure, this is a good direction in which to move. We’ve got to watch things, etc., etc.

“K: Well, my personal view on it is this. I agree with your statement. There’s nothing we can do about [it] and we shouldn’t try. I think that the basic direction of German policy, even though Brandt is a decent man and wants to stay with the West, is going to lead to German nationalism and is going to give over a period of time the Soviets an increasing voice there, but that is nothing we can do anything about by Acheson-like statements.

“R: Well, I’m not so sure. I agree with you there’s nothing we can do about what they have done. I mean, how the hell can anybody take issue with that? I think there’s a good deal we can do about the future, but I don’t think this is the way to do it.

“K: Oh, I agree with that.

“R: Taking the case in NATO, there was general agreement among everyone, including the Germans, that there were pitfalls; we had to be careful; the Germans vowed in public and in private that they would not get out of step, etc., etc. Now, obviously, that may be wrong; obviously, they may be misleading us. But, Christ, we don’t want to be . . .

“K: No, I don’t think they’ll do it deliberately. Well, I think Bahr is, of course, totally unreliable. You agree with that. And I think Scheel is a dope, but that’s neither here nor there. I think the basic trend is going to lead towards a more nationalistic policy, but the worst thing we can do is behave like a maiden aunt, clucking our tongue without having a concrete proposal.

“R: And, of course, the building nationalism which is not only growing in Germany but everywhere—but particularly in Germany—is going to be more than assisted, and really increased at a real fast tempo if they can say that the United States is treating Germany as if they are a God-damned puppet. I mean, here we are trying to do the best we can to improve our relations with the Soviet Union, and the United States is talking out of both sides of its mouth. That’s what frightens me and, as you noticed, the Russians are exploiting that now. The Russians and their propaganda—if they don’t believe what the Americans tell you publicly because they are lying to you. What they

really think is what they are saying privately, and what they are saying privately is that you have no right to do anything you want to that helps you. I mean, if you don't do what they tell you, why they won't like it.

"K: I think we should, in general, applaud détente and specifically trying to stay out of as much of their internal dispute we possibly can.

"R: And, three, don't let them do anything . . . Don't agree to anything that we don't think is acceptable.

"K: We shouldn't break the back of the people who worked with us in Germany for 20 years, but none of this requires Acheson popping off and none of this requires public posturing. I think the stance you've taken is the one that I agree with.

"R: You know, we got the NATO allies now in NATO to repeat exactly our position; that is, our position is fine, this is good; we think you ought to move in the direction, but only on the conditions that you, yourself, have stated. The conditions you've stated are that there have to be satisfactory solutions to the problem of Berlin, and we all agree what those solutions should be—certainly in terms of principles. There should be free access; there should be communication between the two parts of Berlin; there should be better postal facilities and better phone facilities. All these other things by and large are things that the Russians won't be able to do probably.

"K: On Berlin? Yeah. Well, on Berlin I think there's no disagreement at all. On Germany, as between you and me, I think that the trends, simply based on German history and the personalities, are more dangerous than one can deduce from what they are now saying and doing. But still, it is beyond our ability to affect by the sort of thing that Acheson is doing.

"R: That's right. But suppose we decide that we should do everything we can to prevent the trend that you are speaking of . . .

"K: No, I don't think . . .

"R: Even if we decided to do that, though, the way to do it is to fasten on to Berlin.

"K: Absolutely.

"R: Because the Russians can't get off that hook; if we keep the Federal Republic in line, the Federal Republic says there has to be a satisfactory solution to the problem of Berlin; it has to be a solution acceptable to the allies. We understand that we can't do anything; unless there's a satisfactory solution, we won't ratify the treaty either with Russia or Poland. Unless there is a satisfactory solution, we won't have a European Security Conference. We all agree what a satisfactory solution is. Now the Russians can't accept our satisfactory solution.

"K: I feel that the policy we have, in fact, been pursuing over the last year or so is correct."

After further discussion—which, due to an apparent gap in the tape recording, was not transcribed—the two men continued their exchange on the “crisis” in German-American relations:

“K: I mean supposing Brandt came to Acheson and said, ‘All right, what do you want me to do?’ What would he tell him?”

“R: I asked McCloy the other day—he said that he was afraid that the developments of Ostpolitik would prevent a peace treaty being signed. I said, ‘Well, now let me ask you now. Do you seriously think that a peace treaty can be signed? Can we reach a peace?’ He said, ‘Well, no.’ I said, well, what’s your point then? You know, a peace treaty is out of the question.

“K: And, you know, so what? Supposing there isn’t that much glory in a peace treaty for us to sign. He says the Germans are making peace with the Russians without us. Well, you know, so what?”

“R: You know, that’s what . . . Dean Rusk was there. He said to McCloy, ‘So what, suppose they make a peace treaty we like. What’s wrong with it? If they make one we don’t like, there’s a hell of a lot wrong with it.’

“K: Yeah, but if they do something we don’t like, they can do it in the form of a lot of other things other than what is called a peace treaty. They are going to be the first victims of an unfavorable peace treaty, not we.

“R: Of course. And, as a matter of fact, if we decide that they are moving in a direction we don’t like or moving in a way which is wrong, we probably by our actions can have the government thrown out.

“K: Well why don’t we do this, Bill. We have two problems: (1) we have the German one—let me put that aside for one second; (2) we have the problem of these four garrulous old men. I think the way to handle that is to let you know ahead of time when the President is thinking of calling them, and that way, we avoid any impression—and I will do that.

“R: I think if we go into it again, I’d better be there because at the end of the meeting I would like to say to them, if he is going to have them (I think he should quit seeing them) but if he should, I think then we should say to them, ‘It is understood that this is not for the purpose of having you make statements after you leave.’ Obviously, if you go to the White House, then you come out and have a press conference and say a lot of things, people think you are authorized to say them.

“K: Well, the thought that they might make statements—that was probably naive for the press—it didn’t occur to anybody, so it was always understood that these were private meetings. But I see no reason in the world why we can’t do it on this basis. (A) They should be kept . . .

"R: Why does the President announce these things to the press anyway? Why doesn't he just go ahead and have the meeting. He sees some people without telling the press and other times, he does it.

"K: Frankly, what must have happened there—I had nothing to do with that part of it. Ziegler must have come walking into the office and he must have just run through his list with him. But . . .

"R: I sometimes think he gets sort of carried away with how much news he's going to make that day.

"K: Well, the whole news policy is something that, if it were my business, I would express some views on, but I think this watching every day's news summary drives one crazy, and is fruitless.

"R: I think so, too.

"K: Because things disappear. Three days later, no one knows what one was so excited about.

"R: Right. And whether you are in the paper every day or not . . . In the first place, the President is bound to get a lot of attention, and secondly, you don't gain, anything by trying to get a little more coverage.

"K: Now, on the German policy, I think we should just . . . My own view is that we shouldn't protest too much one way or the other. We should just say there's a general agreement—the details we don't get into, or something like that. And on Berlin, play it the way we are doing it.

"R: Yeah, I think so. So far, the way we've played it in Berlin is good. We've gotten the Russians confused as hell and I don't think anything is going to happen between now and their [Party] Congress.

"K: And I'll be damned though if I understand what the Germans are saying that we are holding up in Berlin. There has never been a proposition that we could accept or that they have asked us to accept.

"R: I don't know if they are saying that, have they said that?

"K: Well, no, they are not saying it as a government. Ehmke said it when he was over here or Joe Kraft claimed but Kraft is such a son-of-a-bitch that you can't tell what . . . whether he made it up or whether Ehmke really told him that.

"R: Kraft just says things like that to get us to respond to find out what our answer would be if they said it.

"K: Yeah, yeah.

"R: That's his technique.

"K: But if he . . . I think basically on Berlin there is no problem. There oughtn't to be a problem.

"R: I don't think there is.

"K: On the basic Ostpolitik, I think that an artificial crisis, they are not doing anything now.

“R: That’s right. It is true that there may be a crisis.

“K: But then I think . . . I agree with you, we ought to decide it, you ought to announce it. Certainly you don’t want to use Acheson to popping off all over the place to set our German policy.

“R: Well, Henry, if we decide this—to have a policy to try to announce public policy and at the same time we want to express some reservations privately, let’s figure out the best way to express them privately. Just that simple, how do we want to do it? Sure as hell we don’t want to do it with Acheson, McCloy, Dewey and Clay.

“K: Yeah. No, it turned out unfortunately.” (National Archives, Nixon Presidential Materials, Henry Kissinger Telephone Conversation Transcripts, Box 29, Home File)

144. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President’s Assistant for National Security Affairs (Kissinger)¹

Washington, December 11, 1970.

SUBJECT

Berlin Talks—Preliminary Assessment

The Four Ambassadors met in Berlin for their 12th session on December 10. The full cable traffic has not yet arrived, and we will do a detailed status report on Monday.² However, in case questions come up before then, I thought you would want at least a brief report on and evaluation of the session.

General principles. Abrasimov produced a formulation for the general principles part of an eventual Four Power agreement (the text is at Tab A).³ The formulation is couched in extremely vague language,

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret. Urgent; sent for information. Kissinger initialed the memorandum indicating that he saw it. According to another copy, Downey drafted the memorandum. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 10, Chronological File, 1969–75, 21 Nov.–31 Dec. 1970)

² No “detailed status report on Monday [December 14]” has been found. The cable traffic is as follows: telegram 1925 from Berlin, December 10, and telegrams 1929 and 1930, December 11. (All in National Archives, RG 59, Central Files 1970–73, POL 38–6)

³ Tab A is telegram 1924 from Berlin, December 10; attached but not printed. (Also *ibid.*)

and purports to provide for agreement on three points: non-use of force by the Four Governments “in the area of their respective responsibilities and competence”; the existing status in “that area” cannot be changed unilaterally; and avoidance of interference in the internal affairs of others or action which could violate their sovereign rights, public safety and order. The Soviet formulation is much too vague and potentially full of traps. It may thus be a very mixed blessing that the Soviets have finally, after much prodding, offered a specific written text instead of vague oral generalities.

Access. Claiming it was a major concession, Abrasimov said that the Soviets were prepared to say within the “framework” of a possible Four Power agreement that:

“transit between the FRG and West Berlin would take place in accordance with generally accepted norms and principles of international law, *without interference, and on a preferential basis.*”

Abrasimov said that this proposal was based on the assumption that “illegal” (by Soviet definition) FRG political activities in West Berlin would cease.

Moreover, Abrasimov added that the GDR considered it possible, if the Four Powers reached agreement on all issues, to provide for the following procedures for transit to Berlin:

- the number of freight and passenger trains could be increased, and determined by the actual need;
- through-express trains to Berlin could be possible, as well as sealed cargo transport (not passengers) by rail, road and water; finally,
- certain freight documents might be eliminated.

These procedural provisions, Abrasimov said, could be contained in a written statement by the GDR, which in turn would be covered by a Soviet document. In this way, the Soviets would “join” in the undertaking.

Ambassador Rush pointed out that these proposals, while interesting, still did not meet the West’s interests since there was no real Four Power agreement on access, no commitment to avoid harassment on the access routes, and no reference to the principle of identification without control. All three Western Ambassadors agreed that the Soviet proposals were worth study, but all cautioned that the Soviet “concession” was in fact not too great.

Federal presence. As always, Abrasimov hit hard on the question of federal presence and Bonn-Berlin ties. Bundestag fraktion sessions clearly had to be eliminated, along with Bundestag committees. On the point of federal offices in Berlin, for the first time Abrasimov suggested (during a coffee break) that cosmetic changes might be sufficient—the federal offices might be identified as cultural and economic represent-

ation to the Senat, or liaison offices. Abrasimov also again insisted on a prohibition of neo-nazi activities and stricter conformity to demilitarization requirements in West Berlin. Finally, he again urged that the Three Powers state precisely that West Berlin was not a part of the FRG and not a Land of the FRG.

This last point caused some confusion when Ambassador Rush said that any arrangements relating to Bonn-Berlin relations must be balanced—it must note what is prohibited, but also some positive statements ensuring the continuation of ties. Abrasimov said that Gromyko had agreed with Rogers, Schumann and Douglas-Home that the Ambassadors were to consider only the exclusion of certain activities.

The next Ambassadorial session will be held on January 19, but advisers' meetings will be scheduled earlier. The Three Western Ambassadors resisted Abrasimov's repeated attempts to insert a positive note (constructive, progress, etc.) into the communiqué of the session. Both the US and the British Ambassadors opened their remarks by protesting the recent autobahn harassments, but the French Ambassador remained silent on that point.

Comment

The Soviets may well claim that their concessions are major and that they had to exert major pressure on the GDR to be able to offer them. (The concessions being (a) Soviet willingness to take some vague responsibility for access by a formula for the first time associating the USSR with the civilian access arrangements; and (b) willingness to maintain in changed form the presence of FRG administrative organs in West Berlin.)

In fact, the Soviets have given only very little, though it may be true that even that caused a major uproar with Ulbricht. Meanwhile, there remains the question of the Soviet *price* for what they purport to be giving. This continues to involve (a) a substantial grant of control over access to the GDR; (b) a major curtailment of the FRG's political ties with Berlin; (c) the raising of the Senat to near-sovereign status; and (d) as yet a covered card, almost certainly an increased Soviet presence in the Western sectors.

On the basis of all of this, I do not see where serious progress has been made.

145. Letter From German Chancellor Brandt to President Nixon¹

Bonn, December 15, 1970.

Mr. President,

The Treaty which the Polish Prime Minister and I and our Foreign Ministers signed last week is intended to help ensure, without prejudice to the rights of the Four Powers in relation to Germany as a whole, that the problem of the Oder-Neisse Line will no longer be a political burden on the relationship between the Federal Republic of Germany and Poland, and an impediment to an East-West détente in Europe. The realization of the necessity of this step does not mitigate the feelings of sorrow which move my fellow countrymen and me when we think of the territories which were German provinces for many centuries.

I am grateful for the understanding which you and your Administration have in this particular instance shown for the policy of the Federal Republic of Germany.

My talks with Mr. Gomulka and Mr. Cyriankiewicz have given me the impression that the Polish side will seriously endeavour to cooperate constructively in improving relations with the Federal Republic of Germany.

As was to be expected, the greater part of my talks was taken up by bilateral problems. I emphasized, as I had done in Moscow, that the Federal Government was in no position to provide government credits for the development of economic relations.

The realistic attitude shown by the Polish leaders was remarkable. They take it for granted that the Federal Republic of Germany and the Polish People's Republic are and will remain loyal partners of the existing alliances. We were in agreement that the treaties of Moscow and Warsaw were politically interrelated. I informed them, without any negative reaction, that this interrelationship would also become evident when the matter is debated in the German Bundestag.

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 753, Presidential Correspondence File, Germany, Chancellor Willy Brandt, May–Dec. 1970. No classification marking. The source text is the official translation from the Department of State, which Eliot forwarded as an attachment to a memorandum to Kissinger on December 18. (Ibid.) The letter was delivered to the White House on December 16; see Document 146. For the original German text, see *Dokumente zur Deutschlandpolitik, 1969–70*, pp. 982–83. For the nearly identical version Brandt sent Heath on December 15, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2273–2275. For memoir accounts of the letter to Nixon, see Bahr, *Zu meiner Zeit*, p. 354; Kissinger, *White House Years*, p. 800; and Sutterlin and Klein, *Berlin*, pp. 130–131.

At the Warsaw Pact conference in East Berlin, the DDR sought to sow the suspicion that in the negotiations on Berlin the West is trying to isolate the DDR and to wreck the negotiations by making excessive demands. In setting forth my counter-declarations, I was fortunately able to point out that there were no differences of opinion between the Three Powers and the Federal Government on the negotiating positions regarding Berlin.

My own impression of the Berlin talks is that the last round has produced a number of points of departure. In my opinion it is now important for the West to retain the initiative. I want to give this to consider, that the West should propose that the Berlin negotiations be given a conference-like character in the coming year. If you, Mr. President, were to accept this idea, we could instruct the quadripartite group in Bonn to work out details. I have also written to the President of the French Republic, Monsieur Georges Pompidou, and the Prime Minister of Great Britain, Mr. Edward Heath, putting forward the same suggestion.

I have addressed a few lines to the Soviet Prime Minister, Mr. Kosygin, to dispel any possible apprehension that the Federal Republic of Germany was seeking to create additional difficulties in the Eastern Bloc by means of the Warsaw Treaty.

In conclusion, I should like to take this opportunity to wish you every success in your responsible office and the best of health during the coming year.

Please accept, Mr. President, the expression of my high esteem.

Sincerely yours,

Willy Brandt

146. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, December 16, 1970.

SUBJECT

Your Meeting with Ambassador Pauls, December 17, 1970²

This looks like it will be a messy affair. The following rounds up for you material (with Tabs) bearing on the situation.

1. The Germans are obviously at least confused and probably deeply troubled by their reading of our attitude on Ostpolitik. They have long been aware of differences between the White House and the State Department (and indeed people like Pauls, who have their own doubts about the Ostpolitik, have been diligent in reporting home whatever adverse comment from here they could pick up). It now seems, however, that the SPD people around Brandt are convinced that we are trying to torpedo the Ostpolitik.

—The Germans noted Acheson's comments after the December meeting with the President and the Springer Press was quick to pick them up as being in effect White House comments which we did not want to make ourselves. (See Tab A)³

—The SPD is deeply suspicious about Strauss' two trips to the US. Strauss himself has publicly let it be known that he found Secretary Laird and the President are very critical of the consequences of Ostpolitik (Tab A).

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 685, Country Files, Europe, Germany, Vol. VIII. Secret; Nodis; Sensitive. Sent for information. According to another copy, Sonnenfeldt drafted the memorandum. (Library of Congress, Manuscript Division, Kissinger Papers, Box CL 10, Chronological File, 1969–75)

² Pauls called Kissinger on December 10, the same day *The Washington Post* published Acheson's call to "cool down the mad race to Moscow, to request an appointment as soon as possible. When Kissinger asked if some politicians in Bonn had been "screaming again," Pauls replied: "There are a number of points of common interest and I would like to see you alone." (Ibid., Box 365, Telephone Conversations, Chronological File) Kissinger met Pauls on December 17 from 5:14 to 5:45 p.m. (Record of Schedule; ibid., Miscellany, 1968–76) No U.S. record of the discussion has been found. Pauls forwarded an account to the German Foreign Office. According to Pauls, Kissinger explained that Nixon valued differing points of view, even if the source was occasionally a "pain in the neck." See *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2292–2295.

³ Tab A, attached but not printed, is telegram 1610Z from USIS/Bonn to USIA, December 14, which included excerpts from recent articles in the *Frankfurter Allgemeine Zeitung* and *Die Welt*.

—In addition, Bahr has told [*less than 1 line not declassified*] that you broke your “agreement” with him that we would keep the government informed of any dealings we have with the CDU (Tab B). (The German Minister telephoned me just before the last Rockefeller dinner⁴ to inquire about whether Strauss would be seeing you, and also asked about Strauss’ earlier visit and his talk at that time with the President. I did not say anything beyond that I understood that Strauss might be coming to the dinner but that I knew nothing of any separate appointments.) Bahr claims that, in contrast to the US, the Poles first inquired of the Government how the recent Barzel visit should be handled and the Soviets did likewise in connection with Schroeder’s forthcoming visit to the USSR. He commented that “two can play at the game” of not keeping agreements and referred to the possible visit of Senator Muskie to Bonn. (Tab B)

—Bahr and other Germans are also claiming that we are dragging our feet on Berlin, asserting that Hillenbrand had consented to an agreed Western line when he was in Bonn in November (and Rogers at the NATO meeting)⁵ but we subsequently went it alone along a harder tack. According to Bahr, the deal had been firmness on aims but flexibility on tactics. (As we reported on December 11 (Tab C)⁶ Ken Rush did in fact hold to a firm line, as he was justified in doing in view of the phony concessions offered by the Soviets.)

—Bahr and other Germans argue that we live in a fool’s paradise if we think we can hold out on Berlin since time is on the side of the Soviets and the Berlin population wants a settlement. (Bahr has made the same statement to the Soviets.) It is worth recalling that it was Bahr who invented the theory that the pressure for a Berlin settlement would be on the *Soviets* because they would want so avidly to obtain ratification of the Moscow treaty.

—The Soviets, needless to say, are feeding Bahr’s and Brandt’s (induced chiefly by Bahr) view of US footdragging. Soviet Ambassador Tsarapkin, in a talk with Brandt on December 15 (see below) charged that the US above all is responsible for the slow progress on Berlin, whereas the Soviets wanted agreement as soon as possible.

⁴ A memorandum of conversation at the Rockefeller dinner on December 2 is in the Library of Congress, Manuscript Division, Kissinger Papers, Box CL269, Memoranda of Conversations, Chronological File, Dec. 1970–Aug. 1971.

⁵ Regarding the senior-level meeting in Bonn, November 17–18, see Document 137; the NATO Ministerial meeting in Brussels, December 3–4, see Document 142 and footnote 5 thereto.

⁶ At Tab C, attached but not printed, are Document 144 and telegram 1924 from Berlin, December 10; the latter is also in the National Archives, RG 59, Central Files 1970–73, POL 38–6.

—Bahr also claims that we in effect double-crossed the government on the matter of the recent CDU/CSU fraktion meeting in Berlin. He asserts there was agreement that it would be discouraged but that we then became passive while only the French made an effort to stop the meeting. (In fact, the Western agreement was that there would be no agreement around the time of an Ambassadorial meeting. Since the next Ambassadorial meeting was two weeks off we did not interpose objections to the CDU/CSU meeting; the French did.) Curiously enough, in this connection, both Brandt and President Heinemann visited Berlin within a few days of the last Ambassadorial meeting.

2. All of this puts in a somewhat peculiar light a letter to the President from Brandt which was delivered to us today. (Text and unofficial German Embassy translation are at Tab D.)⁷ (Brandt had told Rush some time ago he was sending it and Rush so reported to State. Sahm today also summarized the contents to Fessenden. The original has therefore been sent to State for translation and recommendations.)

Brandt's letter is basically a report on his Warsaw talks but it includes his expression of gratitude for our support for the FRG's policy, especially in regard to Poland. (On the record, we have of course given such support through the voice of the Secretary of State, publicly and privately earlier this month at NATO in Brussels, in the last two NATO ministerial communiqués, in his Congressional testimony of December 10 attacking Acheson and supporting Ostpolitik and in the Department's press release the following day doing likewise.) More than that, Brandt tells the President that he was able to assure the Poles that there was absolutely no difference between the Western powers as regards Berlin negotiations.

3. At the same time, Brandt's letter asserts that the last round of talks on Berlin produced a number of "points of contact" (Anknüpfungspunkte). Consequently, Brandt proposes consideration of the idea of giving the Berlin talks a "conference-like character" in the New Year. Bahr [*less than 1 line not declassified*] advanced the idea of raising the level to Hillenbrand and his friend Falin. Sahm, in summarizing the Brandt letter to Fessenden (Tab E)⁸ left open the question of level but explained that Brandt wanted an intensification so that the talks would be in "continuous session" rather than periodic one-day affairs. The reasoning, according to Sahm, apart from generally speeding up the negotiations, is that if there are no intervals the GDR would be less able to work "negatively on the Soviets."

⁷ Attached but not printed. The official Department of State translation is Document 145.

⁸ Tab E, attached but not printed, is telegram 14480 from Bonn, December 16; also in the National Archives, RG 59, Central Files 1970-73, POL 15-1 GER W.

Bahr also mentions having a more or less permanent four-power session at the higher level in Berlin with simultaneous talks there between Bahr and the East German, Kohl. The point is that the four powers would work on an umbrella agreement while the Germans would deal with the details of access, the whole to be combined in a package that would imply ultimate Soviet responsibility for access without formally derogating from GDR sovereignty. (As we pointed out on December 11, Tab C, the general format of an agreement has been agreed with the Soviets. The crucial sticking points are on the *substance* of the agreement.)

4. Brandt has sent similar letters to Heath and Pompidou and has also written more briefly to Kosygin. In delivering the letter to Kosygin to Soviet Ambassador Tsarapkin, Brandt said he had never made a juridical link between the Berlin talks and the treaty ratification but had emphasized the “importance” of a positive Berlin settlement for ratification. Brandt also expressed the conviction that Berlin would be settled early next year and ratification would then follow quickly (Tab F).⁹

[*less than 1 line not declassified*] Bahr spoke of the possibility of visiting the US again, of Brandt’s coming here and of either one of them doing a Face the Nation program. We had previously sent you a memo on a tentative Brandt visit to Indianapolis in connection with CCMS in May (Tab G).¹⁰ You approved a telegram instructing Embassy Bonn to welcome such a visit and holding out hope for a meeting with the President. This has been conveyed to the Germans, who expressed satisfaction.

Perhaps after your talk with Pauls we could have another brief chat to see where we go from here internally within the Government. In view of past experience a new NSSM seems fruitless. At the very least, State should be called upon to provide the President with an assessment of the Berlin talks and with proposed ways, with pros and cons, of proceeding. NSDM 91, November 6, page 3, para 5 provides the basis for this (Tab H).¹¹

⁹ Tab F, attached but not printed, is telegram 14478 from Bonn, December 16; also *ibid.*, POL GER W–USSR. For a record of the meeting between Brandt and Tsarapkin, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2275–2276.

¹⁰ Tab G, attached but not printed, is a memorandum from Sonnenfeldt to Kissinger, November 28.

¹¹ Tab H is Document 136.

Tab B

Intelligence Report Prepared in the Central Intelligence Agency¹²

SUBJECT

Comments of State Secretary Bahr Concerning the Quadripartite Talks and FRG–US Relations

SOURCE

[2½ lines not declassified] It is judged that Bahr intended the substance of his comments to reach the U.S. government. [1½ lines not declassified]

1. Chancellery State Secretary Egon Bahr stated that during the week of 14 December Chancellor Willy Brandt plans to write letters to President Nixon, President Pompidou, Prime Minister Heath, and Chairman Kosygin. To the Western leaders Brandt plans to report on his recent talks in Poland. In addition, at least in his letter to President Nixon, Brandt is thinking of voicing his concern over the progress of the Berlin quadripartite talks. According to Bahr, Brandt has not firmed up his views on the latter topic: currently, he is considering a variety of ways of getting his views on Ostpolitik across to the U.S. government. The alternatives he is considering include the sending of another FRG emissary to the President and Henry Kissinger or, possibly, the proposal of a personal meeting with the President in the late spring or early summer of 1971.

2. Bahr expressed his concern, which he said was shared by Chancellor Brandt, over the manner in which the Four-Power talks are being conducted. Bahr said that at the 17–18 November consultations with Assistant Secretary Hillenbrand and at the NATO ministerial meeting complete agreement had been achieved on the line to be taken by the Western Allies in the Berlin talks. Brandt and Bahr understood that the Western Powers would be firm concerning the aims they wished to reach but flexible as far as negotiation tactics were concerned.

¹² Secret; No Foreign Dissem; Controlled Dissem; Background Use Only. The intelligence report was attached to a December 16 memorandum from Karamessines to Kissinger. Karamessines wrote that Fessenden had asked that Kissinger, Hillenbrand, and Sutterlin receive copies of the report. Karamessines further noted: "Although Bahr's remarks may foretell shifts in the attitude of his government, in selecting such an informal method to communicate them, the State Secretary evidently chose not to use the direct, accountable channel available to him. The source of the report commented that he had never seen Bahr is such a depressed mood." In an attached December 16 note to Kissinger, Richard T. Kennedy of the NSC staff also explained: "As soon as I was aware of [the report] I called Tom [Karamessines] to see if he could stop distribution to Hillenbrand and Sutterlin at State. Tom called back to say that the distribution had been made simultaneously."

However, both Brandt and Bahr had the impression that, at the 10 December ambassadors meeting in Berlin the Americans had done the opposite; they had been tough with respect to tactics but had done nothing to move the negotiations toward agreed aims. In light of this, Brandt and Bahr have concluded that the Americans have decided to break with the line laid down during the 17–18 November consultations and at the NATO ministerial meeting.

3. Bahr stated that Brandt and he believe that a significant part of the U.S. leadership fails to understand the western position in Berlin. "Some people in Washington" accuse the FRG of being too soft in its stand on Berlin in the mistaken belief that the West still has a strong position there; in fact, its position is very weak. It is not American soldiers, Bahr commented, who operate the green and red lights on the Berlin autobahn. The Berlin problem, Bahr added, is like a paper boat on a large international ocean. If you weigh this boat down with too many demands, it is bound to sink. Furthermore, the Berlin population is tired of the constant harassment on the autobahn and wants a definitive agreement on access. The Soviets are therefore convinced that time is on their side. The longer they wait, the less they will have to pay and the more demands they will be able to make in return for an access agreement. The present delaying tactics of the Allies are being executed at the expense of the West Germans and West Berliners.

4. Bahr said that he and Brandt had given much thought as to how the impasse in the Berlin talks might be resolved. In their view, it might be easier to reach agreement if the talks were moved from the ambassadorial to the under-secretary level. Bahr and Brandt are thinking in terms of having continuous negotiations conducted by U.S. Assistant Secretary Hillenbrand, Soviet Diplomat V.M. Falin, Chief of the Third European Directorate of the Foreign Ministry, and their British and French counterparts. This procedure could eliminate some of the difficulties which Ambassador Abrasimov is creating in the discussions, since Abrasimov is under the influence of Ulbricht. In addition, Falin, whose influence is considerable, would insure that positions reached by the Four Powers in these talks would be accepted by the Soviet leadership. Parallel to the quadripartite talks, Bahr and GDR State Secretary Michael Kohl could conduct negotiations under the aegis of the Four Powers. In this way, all of the responsible representatives would be together in one city, meeting simultaneously, and a Berlin settlement could be reached expeditiously.

5. Bahr stated that he had talked with Falin during the latter's visit to East Berlin in connection with the 2 December Warsaw Pact conference.¹³ (Bahr added that this meeting was known only to the three

¹³ See Document 141.

Western ambassadors, Brandt, Foreign Minister Scheel, Minister Horst Ehmke, and Foreign Office State Secretary Paul Frank.) Bahr said that, at this meeting, Falin had pointed out to Bahr that the USSR believed there were differences in the attitudes of the three Western Allies on negotiation, with the Americans clearly presenting the hardest line. Falin added that the USSR was trying to decide on the best way to signal to the Americans that the USSR was willing to bring the Berlin talks to a successful conclusion. Falin added that there was a definite limit to the concessions the Soviets were willing to make. The USSR had considered extending the harassment tactics on the autobahn beyond the period of the CDU/CSU Fraktion meeting in Berlin—an approach which was strongly applauded by Ulbricht. However, in the end the Soviets decided not to exacerbate the friction with the Americans over Berlin.

6. Bahr said that Brandt and he were concerned about the nature of U.S. relations with the CDU/CSU leadership. In this connection, Bahr cited the discussions preceding the holding of the CDU/CSU Fraktion meeting in Berlin. Bahr stated that in these discussions Fraktion Chairman Barzel had told Brandt that through his “very close contacts to the American Embassy” he had learned that the latter had no objection to the CDU/CSU Berlin meeting. Bahr added that this situation made it impossible for Brandt to persuade Barzel to cancel the meeting, even though it was Brandt’s understanding that the Western Allies did not favor the holding of such a meeting at the present time; this had been made particularly clear by the French Embassy. Bahr said that it appeared that the U.S. had deviated from the previously agreed position and had encouraged Barzel to hold the Fraktion meeting.

7. Bahr said that Brandt also had been irritated by the visit of CSU Chairman Strauss to the U.S. “to confer with Kissinger.” Bahr stated that the FRG had not been informed of the nature of these talks, which was contrary to the “agreement” made by Kissinger with Bahr to the effect that he would keep the FRG government informed of his discussions with Opposition leaders. Bahr commented that “two can play at this game,” adding that Senator Muskie recently had approached the Brandt government and had indicated he wished information concerning the FRG Ostpolitik as background to discussing this topic with the leadership of the Democratic Party. Bahr added that the FRG had not yet responded to the Senator’s request. Bahr went on to contrast the U.S. attitude with that shown by Poland and the Soviet Union; in the case of Barzel’s trip to Warsaw, the Polish government had asked the FRG how it wished to have the visit handled, while the Soviet government had made a similar inquiry in the case of CDU/CSU Deputy Chairman Gerhard Schroeder’s forthcoming visit to the USSR.

8. Bahr commented that he had learned that Brandt would be *Time* magazine’s Man of the Year for 1970, and said that there had been some

discussion as to whether Brandt might use this honor as an excuse for a visit to the United States. It was also being considered whether Brandt or Bahr might appear on the U.S. "Face the Nation" television program.

9. Bahr stated that Brandt planned to spend Christmas in Berlin with his family, then leave for a vacation in Kenya until 16 January. Minister Ehmke would also be on vacation from 13 December to 10 January. Bahr added that, during this period, he and Vice-Chancellor Scheel would be "in charge" of the government of the FRG.

147. Editorial Note

On December 18, 1970, the Washington Special Actions Group (WSAG) met in the White House Situation Room to discuss developments in Poland, including the impact of recent events on West Germany's relations with the Soviet Union and Eastern Europe. The immediate crisis began on December 13, when the Polish Government announced price increases for food, fuel, and clothing in an effort to curb demand. The next day, fighting broke out in Gdańsk as shipyard workers demanded that the government rescind the increases; rioting soon spread to several other Polish cities, confronting the regime with serious internal unrest. The situation was still uncertain on December 18 as the WSAG considered the implications of the crisis. According to minutes of the meeting, the participants discussed the impact of these events on Germany and Berlin as follows:

"Dr. Kissinger: What conclusions can we draw about the reaction in East Germany and the Soviet Union? Can we get an assessment? We don't have to have it right now.

"Mr. Hillenbrand: We have a tentative assessment. Even if the disturbances do not rise to a higher level than at present, we believe the cause of economic reform in Poland will be set back. The Polish disorders will also give the Hungarians pause in carrying out their far-reaching economic reform program, to which there is considerable domestic opposition. In the USSR the group that takes a passive attitude toward Ostpolitik may be led to reassess their position. One theory about the Polish price hikes is that they were implemented at this time because the Polish Government was feeling more confident as a result of having settled its border with Germany. If the objective of Ostpolitik was greater Soviet permissiveness toward German intercourse with Eastern Europe, then the troubles in Poland may constitute a setback for Ostpolitik.

“Dr. Kissinger: If I may be the devil’s advocate, couldn’t the riots be viewed as being not the fault of Ostpolitik but of the conclusions the East Europeans drew from Ostpolitik? That is, it is all right to go full speed ahead on Ostpolitik, but it is not correct to conclude that it is possible to raise prices just because a major international settlement has been arranged.

“Mr. Hillenbrand: Possibly, although my judgment is that in the short run we will find the Soviets and the Poles taking a more conservative approach.

“Dr. Kissinger: Then you estimate that if the riots subside, the domestic consequences in Poland will be a more conservative economic policy and that internationally the Poles will adopt a more cautious approach toward increased dealings with the West.

“Mr. Irwin: These are possibilities, not predictions.

“Mr. Baker: There will probably be a greater impact on the Soviet attitude toward Ostpolitik than on the Polish. Poland will still be looking for the benefits that Ostpolitik could bring. As Marty [Hillenbrand] has said, if the Soviets see that the situation is volatile in Poland, they may take another look at Ostpolitik.

“Dr. Kissinger: The old approach to Ostpolitik, which the Germans tried in 1965, was to deal directly with the East European countries. When that didn’t work, they decided that the way was to go through Moscow. Now the Soviets may conclude that even that route is too dangerous. The Germans represent a magnet for the East Europeans. The conclusion the Soviets might draw is that rapport with Bonn is just not the right policy. If one carried this line of speculation one step further, it might be said that the Soviets will decide that it is better to seek *détente* with the US.

“I believe that one of the foreign policy problems the Soviets have had in recent years is choosing between geopolitical and ideological considerations. They want to be sure that they are free to meet the Chinese threat; yet, if they get too close to us, they open the way for the Chinese to contest their leadership in the communist world. Ostpolitik seemed to offer the Soviets a way out by pacifying Europe. Now they may draw the conclusion that these benefits from Ostpolitik are only superficial. Am I speculating too wildly?

“Mr. Karamessines: The Polish disorders could be the greatest thing that ever came down the pike for Ulbricht.

“Dr. Kissinger: (to Sonnenfeldt) What do you think?

“Mr. Sonnenfeldt: The Russians may be more cautious about German access to Eastern Europe, but they will still have a major problem. They want Western economic and technical assistance, and they know they can only get what they need from Germany. It is not going

to be available from us, and the French and British can't offer enough. The only way for the Soviets to avoid economic reforms is to get the margin of support that Germany can provide.

"Dr. Kissinger: When Ambassador Pauls was in yesterday crying about Acheson, he said the Germans were not going to give credits to the Soviets. (to Hillenbrand) Do you believe that?"

"Mr. Hillenbrand: On the basis of recent talks I have had with various German bankers and industrialists, I would say that the Russians have illusions about the quantity of money that might be available from either private or governmental sources in Germany. Pauls' statement is probably correct. People like Egon Bahr are economic illiterates. The money won't be produced by the Chancellor's office but by the industrialists and bankers, who are much more bearish about the possibilities.

"Mr. Sonnenfeldt: They also belong to a different party.

"Dr. Kissinger: If neither the government nor the private bankers give the money, then the last incentive for Ostpolitik is removed.

"Mr. Sonnenfeldt: The Soviets may well draw the conclusion that they cannot derive the dividends from Ostpolitik that they had expected. The Soviets face the problem of deciding what to do to promote economic growth. If credits are unavailable, the pressures for economic reform will possibly be increased. There are three ways they can make the economy move. They can squeeze the people, that constitutes a return to Stalinism. They can try to get subsidies from the West. Or they can make reforms, but this is repugnant to the present leadership.

"Dr. Kissinger: (to Irwin) What are your views?"

"Mr. Irwin: I tend to think that anything like what is happening in Poland tends to make the Soviets more cautious. However, if they recognize that the recent events are not the result of Ostpolitik but are due to the internal situation in Poland, they might conclude that Ostpolitik is still helpful to them."

Although he accepted this assessment, Kissinger wondered "if the Soviets did connect the troubles in Poland with German policy, what would happen." Hillenbrand replied: "I think the linkage is more complex. The Soviets might conclude that if the political systems in the Eastern European countries are so volatile that a price increase threatens their stability, how much more dangerous might it be if these countries are exposed to German influence." Kissinger thought Hillenbrand offered a "good thesis."

After discussion of other aspects of the crisis, the participants briefly considered contingency plans for East Germany and Berlin. Hillenbrand doubted that access to Berlin would be affected by events in Poland. In the event of such action, however, Hillenbrand commented: "With the stockpiles and an airlift, we can go for six months. We could

live through any short period of interrupted access without real dislocations in the city." As for the plan entitled "Western Attitude in the Event of an Uprising in East Germany or East Berlin," Hillenbrand explained: "The plan basically calls for doing nothing except to exert every effort to welcome refugees. There is to be no action on East German territory." At the conclusion of the meeting, Kissinger suggested that the WSAG reconvene on Monday, December 21. Library of Congress, Manuscript Division, Kissinger Papers, Box CL 309, National Security Council, 1969–77, Washington Special Actions Group, July 1969–Nov. 1971) The minutes of the December 18 WSAG meeting are in *Foreign Relations, 1969–1976*, volume XXIX, Document 144.

The crisis had already subsided by December 20, when Edward Gierek replaced Władysław Gomułka as de facto leader of the Polish Government; Gierek quickly announced a price freeze in addition to wage increases. In a December 20 memorandum to the President, Kissinger offered "preliminary comments on the events in Poland," including the following analysis of West Germany's relations with Poland and the Soviet Union:

"The change of leaders may lead to a slow down in the pace [of] normalization between Poland and West Germany. Gomułka had been heavily identified with the rapprochement with Bonn and the recent treaty. If only because of the tense internal situation, the new regime is not likely to make new moves in foreign policy. Gierek in his speech mentioned normalization with Bonn but perfunctorily. Moreover, the East German leadership will probably be able to claim that Gomułka's foreign policy contributed to instability in Poland. Ulbricht immediately congratulated Gierek, suggesting he is satisfied with Gomułka's removal.

"As for Soviet foreign policy, the Soviet leaders may also be inclined to believe that Ostpolitik has an unsettling effect on Eastern Europe. For example, they may believe that the treaty with Germany led Gomułka to conclude he could press unpopular price increases on the population. Thus, Moscow may also want a pause in its relations with Bonn. One casualty of Polish events could be the Berlin negotiations, where the Soviets may not wish to press the East Germans for concession—thus compounding instability in Central Europe.

"At the same time, with this détente with Bonn at least temporarily slowed down, the Soviet leaders, if they choose to maintain some prospect of détente, may be inclined to show some improvement in their relations with us." (National Archives, Nixon Presidential Materials, NSC Files, Box 698, Country Files, Europe, Poland, Vol. I)

The memorandum is in *Foreign Relations, 1969–1976*, volume XXIX, Document 145. For Kissinger's memoir account, see *White House Years*, pages 797–798.

148. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, December 19, 1970.

SUBJECT

More Berlin Harassments

The SPD is holding a conference of Landtag Fraktionen leaders, Minister Presidents, Bundestag Fraktion leaders in Berlin beginning on December 21. It will last two days. This is the first such meeting in Berlin, but SPD officials claim there is no particular significance since it was simply Berlin's turn to host the meeting.

The Soviets protested on December 18 (Tab A),² pointing out similarities between this meeting and the CDU meeting earlier this month. This time, however, the Soviet note is somewhat softer. It states the USSR, "as well as its Allies, deem it necessary to reach agreement on West Berlin . . . but cannot remain indifferent when their legitimate interests are violated." The East Germans followed with a Foreign Ministry statement, calling the meeting an attempt to disregard the status of West Berlin, incompatible with détente, etc.

Slowdowns on the Autobahn for civilian traffic began on Saturday³ morning and will no doubt continue through the meeting.

We have lodged a protest with the Soviets, answering their accusations and stating that if the Soviets are seriously interested in improving the situation in Berlin, harassments jeopardize prospects for such an improvement. (Tab B)⁴ (There was no White House clearance.)

Comment: Having made a major issue out of the CDU meeting, the Soviets and East Germans could not overlook the SPD meeting. Lest their action be taken in Bonn as a thrust against Brandt, however, the

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret. Sent for information. Haig initialed the memorandum indicating that he had seen it.

² Tab A, attached but not printed, is a memorandum from Eliot to Kissinger, December 18; also *ibid.*, RG 59, Central Files 1970–73, POL 12–3 GER W.

³ December 19. In a December 21 memorandum to the President, Kissinger reported: "Early Saturday afternoon the East Germans began a coordinated slowdown of civilian traffic to West Berlin. By last evening some 450 vehicles were backed up at the Helmstedt entrance to the autobahn with only about 40 being processed per hour. Delays of up to nine hours were reported at Marienborn this morning. Allied traffic has remained unaffected." (*Ibid.*, Nixon Presidential Materials, NSC Files, Box 29, President's Daily Briefs, Dec. 16, 1970–Dec. 31, 1970)

⁴ At Tab B, attached but not printed, are telegrams 14618 from Bonn and 206506 to Bonn, December 19; both also *ibid.*, RG 59, Central Files 1970–73, POL 12–3 GER W.

East Germans made sure that Bahr–Kohl meeting (December 23)⁵ was agreed to first.

While we have no reason to doubt that the SPD meeting was, as claimed, more or less routine, it is probable that there was an element of calculation by the SPD that new harassments, etc., might influence us to be interested in Bonn's proposals to speed up the Berlin talks and put the access issue under active negotiation among German sides as well as settle the problem of what is and is not permissible in West Berlin. The SPD also regains whatever prestige it may have lost by the reluctant attitude they struck at the time of the CDU meetings. Some in the SPD may even allege that since we condoned the CDU meetings they had no alternative but to stage this one. This, however, would be the hard line to sustain since Brandt personally will have gone to Berlin twice in recent weeks. (He is scheduled to go December 23.)

An interesting sidelight is the willingness of both Soviets and East Germans to lay on minor harassments and publicize new wrangling over Berlin at a time when tensions are very great in Poland. This could suggest that both Moscow and East Berlin have decided that the Polish affair is under control.

⁵ See Document 157.

149. Telegram From the Embassy in Germany to the Department of State¹

Bonn, December 19, 1970, 1340Z.

14620. Subject: Quadripartite Talks: Binder Article on Alleged U.S. Government Differences Over the Berlin Negotiations and Ost Politik.²

1. *New York Times* correspondent David Binder told Ewing³ late last night that he had just filed a story concerning a "crisis of confi-

¹ Source: National Archives, RG 59, Central Files 1970–73, POL 38–6. Secret; Immediate; Exdis. Repeated to Berlin.

² In a note forwarding a copy of the telegram to Kissinger, Mary Brownell of the NSC staff reported that Benjamin Welles, the *New York Times* Washington bureau chief, had called, offering to let Kissinger read the article before publication. No evidence has been found, however, that Kissinger called Welles. The *Times* published the Binder article on December 20.

³ Gordon A. Ewing, public affairs officer (USIA).

dence” between the U.S. and the FRG over the Ost Politik and Berlin. The article cites well-informed circles in the German Government as the source. It states that the U.S. Government publicly affirms its support for the Ost Politik and asserts there is common position on Berlin. At the same time, however, there are many voices coming out of Washington critical of the Ost Politik. The article then proceeds to identify four different opinion circles—a first around Kissinger, a second around Hillenbrand, a third around McCloy, Clay and Acheson, and a fourth around Secretary Laird. The article concludes by saying that the German Government is becoming very impatient with the conflicting opinions on the Berlin negotiations and the Ost Politik emanating from the U.S. Government.

2. The Chargé called the Chancellor’s office’s attention to the article early this morning. The Chargé stated that such an article was extremely unhelpful and asked for any clarification which might be helpful.

3. Shortly afterwards Ehmke and Bahr called in the Chargé. They stated categorically that no one in the Chancellor’s office had given any such briefing to Binder. Ehmke and Bahr said they had just checked with the Chancellor and Sahm, the only two other than themselves who could be authorized to speak for the Chancellor’s office. None of the four had even seen Binder recently.

4. They urged that, if the article is published, both the U.S. and German Governments should take the same line with the press. They suggested something like the following:

“There exists complete unanimity on the Berlin negotiations between the U.S. and German Governments, as well as with the French and British Governments. This unanimity of position was agreed to at the NATO Ministerial meeting; no factor since that meeting has changed the situation. Any newspaper article asserting the contrary is entirely false.”⁴

5. *Comment:* We urge that a statement along these lines be used by Washington if the Binder article is published.

6. Ehmke and Bahr were obviously very upset by the Binder article. I am personally convinced that the Chancellor’s office was not responsible for passing this story to Binder, since it is so obviously against interest of the Chancellor’s office. Binder told Ewing, however, that the information had been given to him by someone close to the Chancellor’s office who obviously wanted it published. A finger of suspicion could point at Ahlers, who is very close to Binder and who we believe may be on the outs with the Brandt government.

Fessenden

⁴ An unidentified handwritten message on the note from Brownell to Kissinger reads: “HAK has no problem with language in para 4 if needed.” No evidence has been found that the proposed statement was ever released.

150. Memorandum From Helmut Sonnenfeldt of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, December 19, 1970.

SUBJECT

The Malaise in German-US Relations and the Ehmke Visit

In my memorandum of December 16, 1970 (Log 24424–Tab A),² I commented on various aspects of the current situation and also forwarded a CIA report on Bahr's views (Tab B).³

Following are additional comments which you should bear in mind in your forthcoming conversation, of which State incidentally is fully aware down to the working level. Moreover, you should be aware that Ehmke asked to see Helms and on learning that he was away asked to see Ray Cline instead. There is also some reason to believe that David Binder, *New York Times* correspondent in Bonn is aware of the visit. He has written an article concerning German perceptions of US attitudes which was to have appeared in today's *Times* but did not. It may appear in the *Times* on Sunday. The Chancellor's office has denied any responsibility for the article. For Bahr's and Ehmke's suggestion regarding treatment of the Binder article, should it appear, see Tab C).⁴

Comments on the Situation

1. The first question, as a starting point, is: To what extent does the CIA report reflect the personal views of Bahr himself or does he reflect the views of the Chancellor and of the government as a whole? The answer is complex. Bahr's power position is neither to be overestimated nor underestimated. In a word, the bitter attitudes reflected in the CIA report are in fact, albeit in somewhat exaggerated form, those of the center of the Brandt government and must be taken very seriously into account in our future relations with the German government.

2. Bahr is certainly the Chancellor's closest adviser, and the very intensity of his personality gives him enhanced influence. His single-minded obsession with the Ostpolitik gives him a driving force within

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 58, Country Files, Europe, Berlin, Vol. 1 [2 of 2]. Secret; Nodis; Sensitive; (Outside System). Sent for action. According to another copy, Sonnenfeldt drafted the memorandum. (Ibid., Box 685, Country Files, Europe, Germany, Vol. VIII)

² Document 146.

³ Tab B is printed as an attachment to Document 146.

⁴ Document 149.

the German government. Ehmke pretty much across the board follows his lead on Ostpolitik, although there is a certain amount of jockeying between them in the effort to get close to Brandt.

3. There are, however, many factors at work within the government which tend to moderate Bahr's all-out drive on the Ostpolitik:

A. First, within the SPD itself, there is strong opposition. There are emerging two major camps. On the one side are Wehner, Ehmke, Bahr, and Eppler.⁵ On the other are many powerful figures: Schmidt, Leber,⁶ Schiller, Wienand,⁷ Arendt,⁸ and Schmitt-Vockenhausen.⁹ There is going on right now a major fight between these two groups over how to handle the bitter issue of the young socialists, which came to a head at the recent Juso¹⁰ Conference in Bremen. But behind the Juso issue are basic differences between the two groups on the Ostpolitik, with the second group being for a more conservative line and a slower pace. Behind the dispute over the Ostpolitik, in turn, is the even bigger issue of a personal power struggle over the future leadership of the SPD. Schmidt and his followers, I judge, are beginning to throw their weight around more aggressively in recent weeks.

B. A second important drag is the FDP and more specifically, Genscher, the real strong man of the Party. It is he who bulled through the Berlin Junktim for both the Moscow and Warsaw treaties. Recently Genscher went out of his way to tell one of the Embassy people "Don't let anybody in the government press you for precipitate haste or too much compromise on the Berlin negotiations."¹¹ Genscher does this out of FDP political survival reasons: he wants to keep the traditional more conservative-minded FDP voters in the Party fold. He regards the FDP election successes in Hesse and Bavaria as vindication of his policy.

C. A third brake on the Ostpolitik within the government, curiously enough, is Schuetz and the Berlin SPD. He has now made it very clear that he does not want haste or softness in the Berlin negotiations. Obviously, he has the March elections in Berlin very much in mind.

⁵ Erhard Eppler, Minister of Economic Cooperation; member of the Bundestag and of the SPD party executive.

⁶ Georg Leber, Minister for Transportation and for Posts and Telecommunications; member of the Bundestag and of the SPD party executive.

⁷ Karl Wienand, SPD parliamentary secretary; member of the Bundestag and of the SPD party executive.

⁸ Walter Arendt, Minister of Labor; member of the Bundestag.

⁹ Hermann Schmitt-Vockenhausen, Vice-President of the Bundestag.

¹⁰ Jungsozialisten or Young Socialists.

¹¹ Reference is presumably to a meeting between Genscher and Jonathan Dean on December 5. A memorandum of conversation is in Department of State, EUR/CE Files: Lot 85 D 330, JDean—Memos of Conversation, 1970.

D. To digress somewhat, I should point out that the internal SPD struggle over the Jusos will be intensified by the fact that the Juso is driving middle-class voters away from the SPD. Most dramatically, the solidly SPD election district number 39 in Frankfurt which was held by Voigt, head of the Jusos, was lost by him to a totally unknown CDU housewife. This is the first time since 1946 that the district was not carried by the SPD in a Landtag election. Election statistics generally, in Hesse and Bavaria, reflect a drift from the SPD to both the FDP and the CDU of middle class voters, largely because of the disaffection over the extremism of the Jusos though also for economic reasons. In a national election this drift could well redound to the advantage of the CDU rather than the FDP. This situation adds to the pressures on the SPD to use nationalism as an offsetting appeal to middle class voters and thus adds a further driving factor to Ostpolitik. As you are aware, Ostpolitik for many SPD leaders, is not merely a policy of normalization and reconciliation but a route to achieve the moral equivalent of reunification together with increased German influence in Eastern Europe.

E. All of this is now further compounded by the events in Poland. Without going into detail and making this excessively long, it is clear that, assuming an "optimal outcome," i.e., that Gomulka and Co. or, at any rate, the Poles themselves will get things under control, the Soviets are bound to be even more cautious about letting the Germans have the dividends they expect from the treaties. Ulbricht's position in Eastern councils is bound to have been strengthened. (Other outcomes have even more far-reaching and potentially dangerous implications.) As a result, opposition to Ostpolitik in Germany is bound to rise, though with what effect on Brandt and the SPD is a complex question. One positive effect, to which we should be extremely alert, is that the SPD leaders will be driven westward despite themselves. Needless to say, this would be a development that we should welcome (as will the West Europeans) although it is one *that the Germans themselves should bring about*. Of course, the SPD may tear itself apart in the process and the coalition may be even less capable of governing than it already is. We must therefore also anticipate a further embitterment of German politics. (Beyond all this the Polish events may well have the beneficial effect of slowing the "race to Moscow" in Western Europe generally.)

4. This is a tense time in Bonn, with knives flashing all over and a constant danger that we will be sucked into the middle. Brandt has to reconcile these conflicting forces within his own government—to say nothing of the additional brake imposed by the CDU–CSU opposition. It might seem that the "go-slow" forces on the Ostpolitik within the government now strengthened by Polish developments would be so powerful that they would carry the day completely. But this is to underestimate the strength of Bahr and Ehmke, unless they too are dis-

heartened or thwarted by Poland. They both sit right next to Brandt in the Chancellor's office and spend long evenings with him. Their influence is very important and will continue to be so. The fact is that unless we can improve our relations with these two men, our relations with the Brandt government as a whole are bound to be plagued with mistrust and trouble.

5. The problem we face is to overcome [a] whole series of prejudices to which Bahr, Ehmke, and Wehner are prone. Most are all too accurately reflected in the CIA report. They include the following:

A. The US favors the CDU over the SPD through years of contact with the former. The steady stream of CDU visitors to Washington over recent months is cited as proof of this.

B. Republicans are constitutionally incapable of understanding Social Democrats.

C. There are differences within the Administration on the Ostpolitik and Berlin, with State (Secretary Rogers and Marty [Hillenbrand]) being much more understanding, and with the White House, including particularly you, being much more negative. Secretary Laird and Shakespeare are also identified in their minds as enemies of the Ostpolitik and the Brandt government. (Laird was until recently singled out as being particularly unsympathetic. Schmidt, who is a conservative on Ostpolitik, complained bitterly about Laird's position on Ostpolitik at the Ottawa NPG meeting. However, Schmidt indicated subsequently that Laird was much more "understanding" at the Brussels NATO Ministerial.)

D. Another belief in the Chancellor's office is that the US is over-obsessed with the Soviet worldwide threat, reading more into this than the facts call for. It is claimed that we take a rigid position in the Berlin talks because of spill-over from our tough and pessimistic approach to Middle East, Vietnam, Cuba, etc. Bahr has obviously in his talks with Falin been taken in by the Soviet line in this respect.

Ehmke Visit

At Tab D is a CIA report on the Ehmke visit. [2 lines not declassified]

Ehmke has meanwhile told Fessenden that the German Government press office has the following contingency guidance should the Ehmke visit evoke public notice. He has asked that we follow the same line

"Ehmke had planned to meet with Kissinger during Ehmke's visit to Washington in early October. However, this meeting could not take place because Kissinger had to go to the Mediterranean with the President. At the time they missed each other in October, Ehmke and Kissinger had agreed to get together in the near future. Ehmke's present trip to see Kissinger is for that purpose."

Ehmke told Fessenden that the press would be very skeptical about this but he nevertheless hoped both governments would rigidly stick to this line.

I presume you know what you want to say to Ehmke. I would merely note that, like it or not, as long as Brandt is in power Bahr and Ehmke will be powerful figures and we have no alternative to working with them. While my foregoing comments on the German situation suggest the possibility of a government crisis next year that will result in the end of SPD rule, this is wholly speculative. The CDU has yet to resolve its leadership crisis; and the Basic Law makes new elections, before 1973, an extremely difficult thing to pull off. The reasonable expectation therefore is that Brandt will stay in power for three more years.

1. Among particular points to make with Ehmke would be

—The CDU visitors to Washington were all self-invited guests, or at any rate not invited by us.

—Acheson's statements to Chalmers Roberts were his own (witness the things he said on matters other than Ostpolitik!); the President has made his own views known directly to Chancellor Brandt both orally and in writing and our basic philosophy was laid out in the Report to Congress last February 18.

—The Germans would make a terrible mistake if they tried to go around the US Government to take their case on Ostpolitik to the US people via TV, the press and opposition Senators (Muskie); the American people at large are not too much interested in the subject and to the extent they are, the Germans can expect little sympathy. (Ehmke himself has been a prime user of the American press in Bonn and, as you know, put on quite an act when he was here during the President's Mediterranean trip.)

—Our attitude on Ostpolitik is not a matter of "opposition" or "support." Our concern has been that the implications are fully analyzed and understood and that potential adverse effects are recognized in advance and steps taken to deal with them.

2. Ehmke may well elicit your reaction to Brandt's proposal to give a "conference-like character" to the Berlin talks. You should say that

—we are studying this carefully;

—the issue is not form but substance; if a new format could really produce progress on substance we will certainly not stand in the way;

—we will be consulting further with the French, British and Germans on the Chancellor's suggestion;

—the President will of course reply to the Chancellor's letter.

3. You should bear in mind these positive points: (a) Schmidt has been constructive on NATO issues, (b) relations with the Germans with

respect to our military presence there have become distinctly easier since the advent of the new Government, and (c) whatever Ostpolitik has done to complicate life and may yet do to bring about disaster, the Germans *have* exerted much effort to strengthening the EEC and to facilitate British entry. Dahrendorf's¹² flippant tongue aside, the Germans have *not* been the most difficult for us on economic issues. We are about to enter offset talks (after the USC gets up a position); all indications are that the Germans will try to be reasonable. Finally, the President's decision on European force levels provides a solid base from which to operate.

When all is said and done, *our basic goal must remain*, as NSDM 91¹³ pointed out, *to anchor the FRG firmly in the Western camp. This is the goal we must keep in view always and even more now* when Ostpolitik, turbulence in Eastern Europe, the obnoxiousness of the [*less than 1 line not declassified*] Bahrs, the danger of spiraling protectionism and the re-credescence of German romanticism in the guise of the SPD all threaten to bring down what has been constructed in the way of a viable structure in Europe and between Europe and ourselves.

Finally, we need order in our own house. I call to your attention my memorandum of December 18, Log 24418 (Tab E)¹⁴ seeking your approval, and if you choose to seek it, the President's for a NSSM that would address both the immediate and the longer term issues.

Tab D

Intelligence Report Prepared in the Central Intelligence Agency¹⁵

SUBJECT

Statement of Minister Ehmke on the Purpose of His Forthcoming Visit to Washington

¹² Ralf Dahrendorf (FDP), a noted sociologist, had been the parliamentary secretary in the Foreign Office before becoming in July 1970 a member of the Commission of the European Economic Community.

¹³ Document 136.

¹⁴ Attached but not printed; see footnote 1, Document 153.

¹⁵ Secret; No Foreign Dissem; Controlled Dissem; Background Use Only. The intelligence report was attached to a memorandum from Cord Meyer, Jr. to Kissinger, December 19. Meyer wrote that Fessenden had asked that Kissinger, Hillenbrand, and Sutterlin receive copies of the report. Meyer further noted: "State Secretary Bahr asked for the Washington response to his statements as conveyed in the previous report."

SOURCE

[3½ lines not declassified] It is judged that these comments by Ehmke to Bahr were intended to reach the United States government. The information was obtained [less than 1 line not declassified] December 1970.

1. [1 paragraph (8 lines) not declassified]
2. [2 lines not declassified] Ehmke confirmed that he would visit Washington and explained that the purpose of his trip is to discuss three general topics with Dr. Kissinger:

A. The advantages of continuous quadripartite meetings in Berlin while talks between Bahr and East German State Secretary Michael Kohl are in progress.

B. A further explanation of why the Federal Republic “is going as far as we are” in pursuit of the Ostpolitik.

C. An explanation of why Bonn believes the U.S. actually has a “weak” position with respect to Berlin, although the U.S. insists and appears to believe that it has a “strong” position.

3. [1 paragraph (6 lines) not declassified]
4. [1 paragraph (8 lines) not declassified]
5. Bahr remarked that he is disturbed and disgusted at the uncooperative attitude shown by U.S. authorities in connection with his request to hold a military flight for a few hours in West Berlin, on 23 December, so that he can return to Bonn that same evening.¹⁶ ([less than 1 line not declassified] *Comment*: The Air Force has insisted that the military aircraft which will take Chancellor Brandt to Berlin on 23 December should return to Wiesbaden the same day, without delay.)

6. [1 paragraph (6 lines) not declassified]

¹⁶ In an undated telegram to Sonnenfeldt and Sutterlin, Fessenden requested approval of a “one-time liberal interpretation” of the policy governing the use of USAF transport to Berlin for German officials other than the President or Chancellor. In a memorandum to Richard T. Kennedy of the NSC staff, December 18, Sonnenfeldt requested approval for the flight: “In view of our rather tense relations with the Germans at this time, we could do Bahr a small favor. I think we should, because we are beginning to look a little petty.” Kennedy approved the flight on December 21. (National Archives, Nixon Presidential Materials, NSC Files, Box 685, Country Files, Europe, Germany, Vol. VIII)

151. Memorandum of Conversation¹

Washington, December 21, 1970, 12:40–2 p.m.

PARTICIPANTS

Mr. Horst Ehmke, Minister in the Office of the Chancellor of the FRG
 Rolf Pauls, Ambassador of the FRG
 Henry A. Kissinger
 Assistant Secretary of State, Martin Hillenbrand

Mr. Ehmke began the conversation by summarizing what had brought him to Washington for his one-day visit. He referred to newspaper stories about American, especially White House, unhappiness with the FRG's Eastern Policy and especially to a conversation between the U.S. Chargé in Bonn, Mr. Fessenden, and a member of the Chancellor's staff, Mr. Sahm, on December 16.² In that conversation, which Mr. Ehmke said had been initiated by Fessenden, the latter had expressed strong reservations concerning Germany's eastern policy and had also manifested deep concern concerning the state of German/American relations. According to Mr. Ehmke, Fessenden had indicated that the situation was so serious that a visit to Washington by Chancellor Brandt might be required.

Mr. Ehmke went on to say that Fessenden had then seen him and State Secretary Bahr on Saturday, December 19³ concerning a forthcoming article in the *New York Times* discussing divergent views in Washington concerning Germany's eastern policy and that Fessenden had also expressed concern regarding the Soviet protest about scheduled SPD readings in Berlin. Mr. Ehmke said he had asked Fessenden whether he was acting on Washington's instructions and Fessenden had replied that he was simply reflecting the facts of life and was being frank. As regards a Brandt visit, Fessenden, according to Ehmke

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 690, Country Files, Europe, Germany (Berlin), Vol. II. Secret; Nodis. Sent for information. Drafted by Sonnenfeldt on December 22; approved by Kissinger on January 4. The meeting was held in Kissinger's office at the White House. Another memorandum of the conversation, drafted by Hillenbrand, is in the National Archives, RG 59, Central Files 1970–73, POL 28 GER B. For Pauls' report on the meeting, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2305–2309. Kissinger also met Ehmke privately both before (12:05 to 12:38 p.m.) and after (4:40 to 5:11 p.m.) the meeting. (Record of Schedule; Library of Congress, Manuscript Division, Kissinger Papers, Box 438, Miscellaneous, 1968–76) Although no record of the private discussions has been found, Ehmke published an account in his memoir, *Mittendrin: Von der Großen Koalition zur Deutschen Einheit*, pp. 140–142. See also Willy Brandt, *People and Politics*, p. 289.

² See Document 154.

³ See Document 149.

said on this occasion that the latter should come to Washington to see Dr. Kissinger instead of a visit by the Chancellor.

Dr. Kissinger interjected that this was a good idea since an entirely wrong impression would have been created by a sudden visit of the Chancellor.

Mr. Ehmke continued that the Germans were in fact relaxed. There was complete agreement with the allies on Berlin; indeed the FRG was ahead of the allies on the question of access and of a Berlin solution generally. He added that the US could be certain that there would be no surprises on these subjects from the German side as long as Brandt and Bahr were in charge inasmuch as both of them had spent most of their political lives in Berlin. Mr. Ehmke said he could not see why there should be any differences between the US and the FRG. He concluded that if an agreement should prove impossible we could then get together among ourselves to see what possible concessions might be offered.

Dr. Kissinger observed that Mr. Fessenden had not been talking to Mr. Sahm on instructions but had been expressing personal views. The President would have been surprised indeed if Brandt had come. Meanwhile, he, Dr. Kissinger was delighted to see Mr. Ehmke. He wanted to assure Ehmke that there was no crisis in US/German relations. We consider the FRG a staunch ally and close friend. We might have minor disagreements on tactics but there was definitely no crisis of confidence. Only last week he had asked Assistant [Secretary] Hillenbrand what conceivable basis there could be for a disagreement on Berlin and they had both agreed that none existed.⁴ He had been astonished when Joseph Kraft had said several weeks ago that Ehmke had asserted (during his October visit to Washington)⁵ that we were using Berlin to wreck the FRG's Eastern Policy.

Mr. Ehmke stated that this was a wholly untrue assertion since he had never intimated such a thing.

Mr. Ehmke then went on to say that it would be useful to discuss with us Chancellor Brandt's recent letters to the President,⁶ President Pompidou and Prime Minister Heath before replies were sent. What the Germans wanted with respect to Berlin was essentially an intensification of the present negotiations so that they would not be punctuated by frequent pauses. He said that there were in fact signs of movement on the Soviet side. On the other hand, events in Poland might

⁴ Reference is presumably to the discussion in the Washington Special Actions Group on December 18; see Document 147.

⁵ Regarding Ehmke's previous visit to the United States, see Document 120.

⁶ Document 145.

serve to impede this movement. Moreover, the winter will be a difficult one for the GDR because of economic difficulties and the likelihood that butter and meat would have to be rationed. In addition, the problem of social democratization in the GDR would be fiercely debated. The hard-liners in the GDR would undoubtedly make the argument that it was dangerous to fool around with the FRG.

Reverting to Berlin, Ehmke said the outlook was uncertain, yet everything depended on it. It was essential to get the Russians to show their hand and it was precisely for this reason that we should do away with the pauses in the negotiations so as to stop the SPD [*SED?*] from using these pauses against us. Ehmke stressed that he was not advocating a hasty deal but rather continuing negotiations. In short, he said, the German proposal was for intensification, not for a speedup. He noted that in connection with the German proposal the question of the level of negotiations had been raised and that it had been suggested that Mr. Hillenbrand and his equivalent in France, the U.K. and the USSR should head the delegations. This, however, was not the business of the Germans, although they would expect that in any intensification of negotiations the present negotiators would get additional help from capitals. Ehmke concluded that the Soviet Ambassador in Bonn had recently told Brandt that the USSR wanted an agreement soon.⁷ Ehmke commented that there was no reason for us to get it sooner and that it would not be easier to get agreement in February than in June.

Dr. Kissinger asked whether Mr. Ehmke was saying that forward movement was too slow. Ehmke responded that his concern was with intensification. Dr. Kissinger asked whether we could not be worse off if the intensification failed to produce results? Ehmke rejoined that in that event we would all have to stick together. In any event, he said the present method was too sporadic. Further inquiry by Dr. Kissinger as to whether the Germans felt we were moving too slowly again elicited from Ehmke the statement that he was advocating intensification.

Responding to a question from Dr. Kissinger, Assistant Secretary Hillenbrand said that the question of intensification had never come up in a practical form and that the Soviets had never suggested it. Mr. Hillenbrand noted the technical problems that would arise if negotiations were to become continuous. Dr. Kissinger asked Ehmke whether the Soviets had suggested continuous negotiations to the Germans. Ehmke responded quickly that this had not been the case and that the FRG would never talk to the Soviets about such a thing without us.

⁷ See Document 146 and footnote 9 thereto.

Mr. Hillenbrand noted again that a continuous negotiation would be quite different from the present format since it would require agreement on a complete Western position with fallbacks, etc.

Dr. Kissinger observed that the White House did not interfere in matters of tactics and procedure. The subject of the discussions was not really a matter of principle and it was one for the State Department to consider and deal with.

Mr. Ehmke stressed that time was of the essence since we might miss the bus. The Soviets might lose interest and there may well be a general hardening in the Soviet foreign policy line. In addition, the GDR could acquire more freedom of movement.

Dr. Kissinger raised the question whether we could gain anything by delay. He thought the answer was negative. Then the question was how fast is fast. He himself had no judgment on this point and the experts should agree on it. He could foresee no problem at the level of the White House or the Secretary of State. In any event we were all agreed on what we wanted.

Mr. Ehmke then observed that Ambassador Abrasimov had made some interesting points, at the last Ambassadorial Meeting,⁸ regarding the representation of West Berlin by the FRG and the Federal presence in West Berlin. We should have the chance to press the Soviets on details in followup discussions. Ehmke cited this as an example of how and why continuous negotiations would be beneficial.

Mr. Hillenbrand commented that the real question was when do we intensify the negotiations? The British and French seemed to prefer to wait, although there was no disagreement in principle.

Mr. Ehmke said it was alright to wait but we should not wait too long. Of course the policy of intensification had its risks and we should not overplay our hand, but we should discuss all this between us.

Dr. Kissinger observed that it was wrong to imply that we were waiting. There was no objection in principle to move more rapidly. No one that he knew wanted to delay. Dr. Kissinger said that we owed it to the Germans to look at the procedures now being employed and to see if they could be speeded up. Mr. Ehmke interjected that the Germans would not go it alone and that they would stick to Four-Power positions. Dr. Kissinger concurred, noting that the former Mayor of Berlin would not be the one to give things away. At the same time we would not be responsible for any delays. Dr. Kissinger observed parenthetically that the Soviets may of course be tightening up in their attitudes. Mr. Ehmke said all of us were responsible. We have to get together to find the best way to determine Soviet intentions.

⁸ See Document 144.

Mr. Hillenbrand then noted that even an intensification would not produce a settlement in six months since at this stage we were only in a position to intensify the first of the three phases envisioned in a Berlin package, i.e. the Four-Power phase.

Mr. Ehmke said that everything the FRG did with the East was basically a help to American policy toward the East which, of course, involved many issues beyond Berlin and Germany. There was no reason to disagree in substance. He suggested that perhaps since the US was finding the going slow on SALT, more effort should be made in other areas. Dr. Kissinger responded that SALT was going about as we expected and that perhaps some results would begin to show at the next session in Vienna. In any event there was no reason at all to slow up the German negotiations because of SALT. Mr. Ehmke asked why not make Berlin a test case. Dr. Kissinger observed that he always got "killed" with charges of creating "linkages." Mr. Ehmke, reverting to his earlier point, stressed again that Berlin and the FRG negotiations with the East were not "German negotiations." They were as much American as they are German. The US could no more afford a confrontation in Berlin than the Germans.

Dr. Kissinger expressed concurrence with these observations. He repeated that we should look at speeding up the procedures in the Berlin negotiations and see if revisions in position are needed. He then observed with emphasis that no one would accuse the Germans of giving away Berlin. All of us were agreed and all of us want the viability of the city. Mr. Hillenbrand agreed with Dr. Kissinger's observations but, turning to Mr. Ehmke, observed that the Germans had been more optimistic about the prospects with regard to Berlin than we. Dr. Kissinger interjected that Bahr had been quite optimistic when he was here in August.⁹

Mr. Ehmke then noted that the Germans were often asked by the US what the effect would be for the US of a FRG/GDR agreement. Without pursuing the point, Mr. Ehmke argued that the FRG's policy had prevented a wave of recognitions of the GDR. If, he said, we did not get a Berlin agreement, there might be no holding back of the GDR and its international recognition.

Dr. Kissinger again underlined the agreement that existed between ourselves and the Germans though he noted that we should do more to control the "cosmetics." He said that he had talked to the Secretary of State the previous day about the problem of White House visitors who made statements concerning Germany and its Eastern Policy. Dr. Kissinger then reiterated that we would do what we could do intensify negotiations and that we would certainly treat this whole issue as a

⁹ See Document 108.

common responsibility. Mr. Ehmke stressed that that was the way Chancellor Brandt wanted it, too.

Dr. Kissinger stated we had absolutely no doubt about the FRG and its adherence to the alliance and Eastern [Western] institutions. It was essential that we should always talk frankly with each other.

Turning to “worries” that had been raised at various times about the Eastern Policy, Mr. Ehmke stressed that concern about the FRG’s economic and technical activities in Eastern Europe were unwarranted. They would, in practice, be very small. As regards expressions of concern about domestic, political polarization in the FRG, Mr. Ehmke argued that without the Eastern Policy there could be a serious danger of a “reunification frustration” particularly on the right of German politics. This would also have its anti-US overtones. Dr. Kissinger interjected that those who express the greatest concern about polarization were often the greatest polarizers themselves. In fact, Mr. Ehmke observed once the Eastern treaties were settled, the German Western Policy would be intensified. His government had concluded that it must accept some polarization now since it would be much worse if there were no eastern policy at all or if the eastern policy failed. The best course in terms of the Germans’ domestic situation was to have both an active western and eastern policy. Mr. Ehmke stressed that the Germans were not blind to the problem of polarization.

Dr. Kissinger stressed that we would not participate in domestic FRG debates. He observed that Opposition people from the FRG had been coming through town and we obviously have to see them just as we used to see people in the SPD when they were in opposition. But we do not give endorsement to the views of these Opposition personalities, and the newspapers are giving the wrong impression when they claim that we do.

Mr. Ehmke at once said that there was absolutely no problem about our seeing politicians from the Opposition. He then observed that the Opposition in Germany was of course not united and that he himself had the greatest respect for Schroeder. Dr. Kissinger observed in this connection, that when Strauss was here recently for a private dinner, which Dr. Kissinger attended, there had been no discussion of Germany at all.¹⁰ Mr. Ehmke indicated that the Strauss episode was of no consequence. Dr. Kissinger reiterated that we would not inject ourselves knowingly into German politics.

Dr. Kissinger then observed that we had to stay in close contact as policies and events evolved because the Soviets were trying to divide

¹⁰ See footnote 4, Document 146.

us. The Soviets have to be clear that they cannot be tough to one of us and soft to the other. That is a basic point and he was sure that Chancellor Brandt would agree. Agreeing with Dr. Kissinger, Assistant [Secretary] Hillenbrand noted that we had endorsed the Eastern Policy and that we were well aware that Chancellor Brandt had said that Eastern Policy begins with Western Policy.

Dr. Kissinger concluded the conversation by stressing that we needed common understanding about where we were going with respect to the East. In any case, the Germans could not jeopardize our interests in Europe without jeopardizing their own. Mr. Ehmke nodded strong assent. Dr. Kissinger stressed the value of Mr. Ehmke's trip and the conversation that had just taken place. Close contact was essential. It was a cardinal principle of the President to maintain close relations with the Federal Republic. We will not make policy by the press or through middle-level officials. If the President is worried, Dr. Kissinger stated, the Germans would hear about it directly. The discussions then ended.¹¹

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¹¹ In a telephone conversation that evening, Kissinger and Rogers discussed the Ehmke visit and the "crisis of confidence" in German-American relations. Kissinger reported: "I hit the Acheson point very well. I said when we have something to say the Secretary of State will say it." "I think it's fine," Rogers replied, "and I wish they would quit sending so many people over here." Kissinger noted: "He [Ehmke] claims that F[essenden] put him up to it." "I think it's fine," Rogers reiterated. "We will see how the stories come out." (Library of Congress, Manuscript Division, Kissinger Papers, Box 365, Telephone Conversations, Chronological File)

152. Editorial Note

On December 22, 1970, Assistant to the President Kissinger met Soviet Ambassador Dobrynin in the Map Room at the White House from 1:19 to 4:05 p.m. to discuss the "general state of U.S.-Soviet relations." (Record of Schedule; Library of Congress, Manuscript Division, Kissinger Papers, Box 438, Miscellany, 1968–76) According to the memorandum of conversation, the meeting took place in an "extremely cordial atmosphere." Although he cited several Soviet roadblocks to building "constructive relations", including "the harassment of Berlin corridors while negotiations are going on," Kissinger said that President Nixon wanted to reaffirm "his desire to improve our relations." Kissinger suggested that "we both agree to use this channel whenever

we see problems developing in our relations.” Acknowledging the “need to make some progress in our bilateral channel,” Dobrynin said he was “ready to meet as frequently as possible.” The two men also discussed recent developments in the Berlin negotiations:

“Dobrynin then said that with respect to Berlin, he was only repeating what our allies told him. Both the French and the Germans constantly told the Soviet Ambassadors that the United States was holding up progress. He admitted that the British were in a different category, but then the British are almost a sub-organ of the U.S. State Department.”

After assuring Kissinger that there was “great eagerness in Moscow to come to an understanding with the United States,” Dobrynin briefly described the difficulties involved in the Middle East negotiations and the Strategic Arms Limitation Talks. He then said:

“The same was true of Berlin. The Soviet Union thought it had made a major concession on December 10th by speaking of preferential, uninterrupted access. On the other hand, the American Ambassador seemed totally unprepared and had to ask for a recess twice. And when Abrasimov wanted to continue the meeting, he said he had personal business. This was unheard of in the Soviet Union. Soviet Ambassadors have the idea that they’re serving their government—not that private business has precedence. I [Kissinger] told Dobrynin that there was no sense in continuing an exchange of recriminations—that we should concentrate on the future. Dobrynin said he agreed and he recognized that this might be the last moment where we could have fruitful discussions.”

At the conclusion of the meeting, the two men agreed to meet on January 7, at the Soviet Embassy to “review our negotiating positions on Berlin, the Middle East and SALT, and see whether there were any points in which we might usefully make progress.” (National Archives, Nixon Presidential Materials, NSC Files, Box 490, President’s Trip Files, Dobrynin/Kissinger, 1970, Vol. 3)

Kissinger later forwarded, summarized, and analyzed the memorandum of conversation in an undated memorandum to the President. (Ibid.) The memorandum is scheduled for publication in *Foreign Relations, 1969–1976*, volume XIII. For their memoir accounts of the meeting, see Kissinger, *White House Years*, page 801; and Dobrynin, *In Confidence*, pages 209–210.

In a telephone conversation at 4:15 p.m. on December 24, Kissinger and Dobrynin continued their discussion of U.S.-Soviet relations, including the following brief exchange:

“K[issinger]: Some ideas you have discussed the other day he [Nixon] is considering in a positive spirit and I will say more to you on the 7th.

“D[obrynin]: Off the record, if something could be more completely now—it is important based on Soviet/American relations and would be good to discuss concrete—

“K: I am doing something on this. Berlin (I have worked out).” (Library of Congress, Manuscript Division, Kissinger Papers, Box 365, Telephone Conversations, Chronological Files)

Kissinger then called Nixon to report that he had “a long talk on the phone with Dobrynin and hung out the prospects for SALT and Berlin and the Middle East.” (Ibid.)

153. Memorandum From the President’s Assistant for National Security Affairs (Kissinger) to President Nixon¹

Washington, December 22, 1970.

SUBJECT

Letter from Chancellor Brandt; Need for Review of our Policy on Berlin

The Chancellor has written you, Prime Minister Heath and President Pompidou letters reporting generally on his talks in Warsaw, when he signed the German-Polish treaty, and proposing that the Berlin talks be intensified (Tab B).²

He notes that the treaty will remove the Oder-Neisse border question as a burden on relations between West Germany and Poland and as an impediment to a wider European *détente*. He expects on the basis of his conversations to establish a “constructive” relation with

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-179, NSSM 111. Secret; Nodis. Sent for action. A stamp on the memorandum indicates that the President saw it. Sonnenfeldt forwarded it to Kissinger under cover of a December 18 memorandum. “Before dealing with Brandt’s ostensibly procedural proposal,” Sonnenfeldt explained, “there is urgent need for a new study within the NSC system of the status of the Berlin talks and of courses open to us in the New Year. If we are going to marathon negotiations, we will need to review both substance and tactics, particularly since we may well come under new pressures from Bonn to accept a broad agreement on principles and then turn the negotiations over to Bahr and Kohl. In view of the growing internal problems within the Government on Ostpolitik and mounting German resentment it is also urgent for the NSC system to reexamine problems that will be coming along quite soon if there is a Berlin agreement, and also examine the consequences if there is no agreement.” According to an attached routing slip, the memorandum was returned to Sonnenfeldt on December 28 for “further action.” (Ibid.)

² Tab B is Document 145.

Poland (this was before the riots). He informed the Polish leaders that the treaty with Warsaw was related to the Soviet treaty, as would become evident in the Bundestag debate. (By this he means that they will not be ratified separately, and the Soviet treaty will have to come first.)

The operational part of the message concerns the Berlin talks. The Chancellor finds that the last sessions produced some points of departure and in order to retain the initiative, he proposes that the negotiations be given a “conference-like” character. (His advisors have told us they envisage a more or less permanent negotiation at a fairly high level.)

The Chancellor notes that he has written to Kosygin, mainly to reassure him that Bonn continues to want a good relationship with the USSR and to repudiate press reporting that Bonn is taking a tougher stand, as reflected in the NATO meeting and the Berlin talks.

The Chancellor’s proposal to speed up the Berlin talks reflects the increasing anxiety in Bonn that the Berlin negotiations may fail, and, as a consequence that the Soviet and Polish treaties cannot be ratified thereby causing the collapse of the Chancellor’s foreign policy. Some of his advisors, and perhaps the Chancellor as well, have been shaken by some tough talk from the Soviets. Moreover, the Soviets are claiming to the Germans that we are the main sticking point in the Berlin talks. Bonn is also suspicious that we do in fact oppose Ostpolitik, a suspicion that is fed by newspaper speculation here and in Germany.

The French also seem to be wavering on the tactics of the Berlin talks, though not the substance. On the basis of my talks with Ambassador Alphan, ³ I think the French Foreign Ministry will probably want to support an acceleration in the negotiations, though this may not reflect President Pompidou’s desires. The British, however, seem more relaxed though they too might see some virtue in more intensive negotiations.

The problem, of course, is not the pace of the negotiations but the substance. The main issue for the Western Allies is access to West Berlin. We have taken the position that any new agreement must include a specific Soviet acceptance or acknowledgment of responsibility for maintaining unhindered access and some of the details of how it will be implemented. The Soviets cannot do this without repudiating to some degree the “sovereignty” of East Germany. Without this Soviet role, however, we have opposed turning the detailed negotiations over

³ Hervé Alphan, Secretary General of the French Foreign Ministry, met Kissinger and Nixon at the White House on the afternoon of December 11. (Record of Schedule; Library of Congress, Manuscript Division, Kissinger Papers, Box 438, Miscellaneous, 1968–76)

to the East and West Germans to work out the precise procedures for regulation of traffic. To date, the Soviets have fallen well short of the West's requirements since they have not been prepared to accept positions that, in his view, would derogate from GDR "sovereignty."

The second issue relates to the political presence of West Germany in West Berlin. The Soviets have made various proposals for drastic reductions of Federal offices, and prohibition of various political meetings, including the Bundestag. They seem prepared to negotiate on this, but have made it clear that their agreement on access is conditional to a solution of the question of the German political role and presence.

Bonn apparently believes that there can be some skillful manipulation of language and exchange of notes between the Western Allies and the FRG, on the one hand, and the Soviets and GDR on the other, that will circumvent the current stalemate on access. Hence the Chancellor's proposal for conference like talks.

Before replying substantively to this proposal, we will want to discuss it with the British and French. Before committing ourselves, however, it would be advisable to undertake re-examination of our position in preparation for the next Four Power Ambassadorial session on January 19, 1971. German issues were last addressed at the NSC on October 14. (Tab C)⁴

If you agree, I will issue an NSSM asking for a review of the status of the talks and alternative courses for us to follow. I will also ask that we do a longer term paper to examine the consequences of a failure in the talks and also a study of the problems we might face should the talks succeed and the German Eastern treaties be ratified. The issues involved have almost certainly been complicated by the rioting in Poland which is being kept under review for contingency planning purposes in the WSAG.

Recommendation

1. That you authorize me to direct two new studies on the operational alternatives in the Berlin negotiations, and on longer term implications of Bonn's Eastern policy. (Tab A)⁵

⁴ Tab C is Document 127.

⁵ Nixon initialed the approval option. Tab A is printed as Document 156.

154. Letter From the Chargé d’Affaires ad Interim in Germany (Fessenden) to the Assistant Secretary of State for European Affairs (Hillenbrand)¹

Bonn/Bad Godesberg, December 24, 1970.

Dear Marty:

The whole affair of the Ehmke visit, Binder article, and my talk with Sahm have kicked up such a fuss that I find it impossible to try to sum it all up. The whole thing is a classic case of Bonn intrigue, and I apologize for getting involved in it. The whole mess defies summing up, so I want to give you in this letter as full a report as I can give. I am enclosing a special report [*less than 1 line not declassified*] which is not being sent to anybody but you.² [*4 lines not declassified*] I am also enclosing a memcon of my talk with Sahm on December 16, as requested by Jim.³

I only hope in this whole affair that the State Department does not get into trouble with the White House on charges that the State Department put me up to expressing my concerns to Sahm. Ehmke told me that Kissinger entertained such suspicions. The fact is that Hal Sonnenfeldt knew about my plan to have a long talk with Sahm and raised no objections. He had called me on Monday, December 14, to ask me to send in my frank views. (I sent these in, and I understand you have seen them.)⁴ The whole purpose of Hal’s call was to do what he could with his boss to get him to take a more sympathetic view on the Ost Politik.

To demonstrate that Bonn is more intrigue-ridden than ever, I now want particularly to report two conversations I had yesterday, December 23, one right after the other, with Moersch and then with Ehmke, both of whom called me in.

Moersch really startled me. He is a mild-mannered man, although getting tougher in his new job. He said he wanted to make absolutely clear that in his view and that of Scheel, Frank and Von Staden “and everyone else in the Foreign Office,” I had done exactly what I should have done in this whole affair. He said that the all-important thing was that we continue to be completely open in our relations and that they valued the fact that I had spoken openly. He put the whole blame on

¹ Source: Department of State, EUR/CE Files: Lot 85 D 330, Amb/DCM Correspondence, 1970. Secret; Eyes Only Addressee. Drafted by Fessenden.

² Not found.

³ Sutterlin.

⁴ No such communication has been found.

what he called those “political amateurs” around the Chancellor, namely Ehmke and Bahr. He said that Ehmke has gotten very nervous because of the SPD loss in recent elections. He is the bright boy who has shot up fast, becoming a professor in his early 30’s and a Minister in his early 40’s. He doesn’t know how to react to setbacks, and has lost his nerve. He is lashing wildly out in all directions. Bahr he characterized as a man with a single-minded obsession on the Ost Politik, judging every issue by how the Soviets will react, and totally unconcerned by the internal political realities in Germany. He then said that “these people” in the Chancellor’s office actually believe that I was responsible for leaking the story to Binder. Moersch says he personally knew this to be a downright lie to cover up for the real culprits in the Chancellor’s office. He knows Binder well, had dinner with him December 21, and it was clear to him that Ahlers plus others in the Chancellor’s office were behind the Binder story. Ahlers ought to be fired, Moersch said. Moersch finally said that a problem that he and Scheel have is that they can’t get to Brandt without “those men” who surround him, but they will find an early opportunity to get to him alone in order to bring home to Brandt that all of this mess was not a plot by me or the State Department, but that the trouble lies with Ehmke and Bahr. Moersch ended by saying that he hoped very much that I would forgive this messy situation and would continue to deal with them in the same open spirit as I have in the past. I thanked Moersch profusely for his comments and expression of confidence.

I then went directly to Ehmke. He was just finishing dictating his report on his Washington trip. Sahm was there but sat as a silent and uncomfortable-looking partner during the entire conversation. Ehmke began by saying that he had good talks in Washington. He said that to his surprise he had found complete harmony of views with Henry Kissinger. First, Henry had not been nearly as much concerned as he had been led to expect by the problems we are having with the Soviets around the world. He had not been negative in his judgment of the SALT talks. He certainly gave no impression of a negative overflow effect on the Berlin negotiations of our general problems with the Soviets. On the substance of the Berlin talks, there seemed to be no differences at all, except possibly that the U.S. side—here he mentioned you particularly—feel that the Germans may be asking for too much. Furthermore, at least on the principle of expediting the Berlin negotiations, there was no disagreement with Kissinger. The principle of expediting was agreed, he said, with the details to be worked out later. The standing conference idea was received with an open mind and even sympathetically by Henry Kissinger. [*1½ lines not declassified*] All in all, Ehmke said, Kissinger in his view seemed to be in harmony with him. He said Kissinger was very surprised to find that the concerns I had expressed about misunderstandings simply did not exist. Ehmke said

that Kissinger said to him: "If there are any differences in the future, you have a telephone on your desk, just give me a ring."

On the Binder article, I said to Ehmke that I had heard an astounding report that I or the Embassy had been responsible for leaking the story to Binder. I said that we had talked with Binder and that, like any professional newsman, he has not divulged his source specifically, but he has said enough to make it very clear to us that this story came out of the Chancellor's office. Ehmke looked me straight in the face and said "I know whom you mean" (Ahlers). Ehmke said that he was present yesterday when that man in the presence of the Chancellor swore flatly that he had nothing to do with the story. Ehmke said this in such a way that one could deduce that he did or did not believe Ahlers.

I also told Ehmke that I assumed he knew that I had not been in any way the instigator of his trip to Washington; Sahm had raised it with me. I then told Ehmke that I had not been particularly surprised by Sahm's reference to a possible Ehmke or Bahr trip because "word had found its way to us" several days before that the Chancellor's office was considering such a trip because of its concerns about misunderstanding in Washington on the Ost Politik. [2 lines not declassified] Ehmke said flatly that he knew nothing of any such consideration in the Chancellor's office beforehand, either about a trip to the U.S. or about concerns on the Ost Politik.

I tried to end up on a disarming (or tongue-in-cheek) note. I said his mission was obviously a very successful one because he had found such a fine harmony of views. In spite of the general mess of the last ten days, perhaps the overall situation today was an improvement as far as confidence between Bonn and Washington. Ehmke responded in kind, said some complimentary things about me, said there were several things in this whole affair which were unclear to him, and expressed the hope that I would not think that they held me responsible. He also said he hoped I would continue expressing openly my views at all times.

On this pleasant note we parted. Sahm tried to walk me down to the front door, I am sure to tell me how much he regretted all this and probably to add more besides. Ehmke seemed to sense that Sahm wanted to have a private word with me and rather insistently called Sahm back into his office to prevent him from accompanying me. So Sahm, looking inwardly torn, only was able to wish me Merry Christmas.

The picture I get from all this business is of a nervous Ehmke and Bahr thoroughly mistrusted by the majority of the SPD, by the Berlin Senat, by the FDP, and by the Foreign Office, to say nothing of the Opposition. Wehner is their only real support. Brandt, tired and ordered firmly by his doctor to spend three full weeks in Kenya, is just not able to cope.

My final conclusion is that political Bonn desperately needs a Christmas vacation.

All the best,
As ever,

Russell Fessenden⁵

Attachment

Memorandum of Conversation⁶

Bad Godesberg, Germany, December 16, 1970.

PARTICIPANTS

Dr. Ulrich Sahn, Ministerialdirektor, Office of the Chancellor, Bonn
Minister Russell Fessenden, American Embassy Bonn

SUBJECT

U.S.-German Relations on Berlin Negotiations and Ost Politik

I invited Sahn to my house for lunch on December 16. I have known Sahn for a long time, first meeting him in the early 1960's when he was No. 2 in the German NATO Delegation. We normally discuss things very frankly.

In the course of discussing other currently operational subjects, I told Sahn that I had heard various indications that there was concern in the Chancellor's office about attitudes in Washington towards the Berlin negotiations and the Ost Politik. (I based this, of course, on the unquestionably accurate information we got [*less than 1 line not declassified*] about Bahr's concerns [*less than 1 line not declassified*] on December 11. Bahr had intended this to get to us. I did not, however, throughout the conversation say anything that could lead to identifying Bahr [*less than 1 line not declassified*].) I said that I was concerned about anything which could lead to mistrust between Governments. I added that if there were any concerns in the Chancellor's office, they were ill-founded. People seem to have been misled by such things as the Acheson story which, I pointed out, the White House as well as the State Department had been prepared to deny. Unfortunately nobody asked the question at the White House daily press conference, although they

⁵ Printed from a copy that bears this typed signature.

⁶ Secret. Drafted by Fessenden on December 24. For Sonnenfeldt's analysis of both this memorandum and a conflicting account drafted by Sahn, see Document 161.

had done so at the State Department. I also said that we in the Embassy have been doing everything possible to bring home to Washington the importance of maintaining good relations with the Brandt Government, and I believe this was understood in Washington. We had, for example, been stressing in our reporting that the longevity of the Brandt Government is probably much greater than earlier thought⁷ and that given the paramount importance of maintaining good relations with the elected government of Germany, this was important. We had also been highlighting the constructive role the Brandt Government has played in the NATO-burdensharing exercise and in negotiating military arrangements for our troops.⁸

I then said that on the substance of negotiations, there was complete understanding between Washington and Bonn. There is even some feeling in Washington that the Germans are taking a too-hard line on substance, in the sense of asking too much. There is, however, a difference of emphasis on tactics, and it is here that any difficulty may lie. I pointed out that the Chancellor in talking with the Ambassador has expressed a view identical with ours: no time pressure, patience and toughness. Nevertheless, we keep hearing from the Government noises about the need for speeding up the negotiations. All of this is not helped by Soviet propaganda, which keeps feeding out the line that the U.S. is acting as the big roadblock. I then told Sahm that I wanted to be very frank and tell him about some of the other things we hear from FRG Government circles. I stressed very strongly that all of these comments were volunteered to us. For example, Genscher has gone out of his way to volunteer to us “Don’t let anybody in the Brandt Government put you under pressure to speed up the negotiations or make undue concessions.”⁹ Schuetz made very similar comments on the pace of the negotiations to the President.¹⁰ Some key members of the SPD (Wienand, although I did not name him) have also told us not to be pressured into too much speed or into too soft a position. I told Sahm that we of course conduct our basic relations with the Chancellor’s of-

⁷ As reported in telegram 14392 from Bonn, December 14. (National Archives, RG 59, Central Files 1970–73, POL 15–1 GER W)

⁸ As reported in a letter from Fessenden to Sutterlin, November 30. (Department of State, EUR Files: Lot 74 D 430, DEF FRG)

⁹ A memorandum of conversation between Genscher and Dean, December 5, is *ibid.*, EUR/CE Files: Lot 85 D 330, JDean—Memos of Conversation, 1970.

¹⁰ Schütz met Nixon at the White House from 3:43 to 4:23 p.m. on November 17. (Daily Diary; National Archives, Nixon Presidential Materials, White House Central Files) Although no U.S. record has been found, Pauls drafted an account of the discussion, a copy of which is *ibid.*, RG 59, EUR/CE Files: Lot 91 D 341, POL 39.5, 1970. Four Power Talks, Dec., Commentary on Talks; see also *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, p. 2294, footnote 3.

fice and the Foreign Office, not with Schuetz or Genscher or the SPD Bundestag Fraktion. Nevertheless such comments as these volunteered to us from key figures have to be reported to Washington and cannot help but influence opinion.

I then raised with Sahn Bahr's last-minute intervention with the Ambassador on December 9,¹¹ just before the December 10 Berlin Ambassadorial meeting. I said that I frankly felt Bahr had overdone his presentation. I knew that Washington wanted something firm said to the Soviets by the Ambassador at the meeting. I said we had deliberately done minimal reporting on Bahr's intervention, fearing that the full impact of what Bahr said would not be well received in Washington.

I ended by saying that I hoped everything possible could be done to retain an atmosphere of confidence and trust.

Sahn immediately said that something had to be done and asked whether Kissinger could come to Bonn. When I said I thought this was most unlikely, he then said that somebody like Ehmke or Bahr ought to go to Washington promptly. I did not react one way or another to this suggestion. Nor did I indicate that we had already heard that such an idea was being considered.¹²

¹¹ See Document 141.

¹² In a December 28 letter to Hillenbrand, Fessenden supplemented his account: "I should have added to my Memcon with Sahn the fact that he queried me closely at the end about the reasons for any misunderstanding or mistrust of the Ostpolitik in Washington. After stressing again that there were no basic differences on substance, I added that Washington was a big place and that there were those who did have their doubts. In response to his prodding, I cited the view held by some that a false atmosphere of détente would be created, making it more difficult to maintain NATO strength. I also cited the view held by others that the Ostpolitik would lead to such internal differences as to be damaging to the fabric of the German body politic." (Department of State, EUR/CE Files: Lot 85 D 330, Amb/DCM Correspondence, 1970)

155. Intelligence Information Cable¹

TDCS DB–315/06924–70

Washington, December 24, 1970.

COUNTRY

West Germany

DOI

19–22 December 1970

SUBJECT

Comments of Federal Chancellery Minister Horst Ehmke concerning his quick trip to the United States

ACQ

[1 line not declassified]

SOURCE

[1 paragraph (3 lines) not declassified]

It is judged that Ehmke believes his comments will reach the U.S. Government.

1. [1 line not declassified] Federal Chancellery Minister for Special Affairs Horst Ehmke, who on 22 December had returned from a quick trip to the United States to discuss FRG–U.S. relations with senior U.S. officials in Washington. Ehmke stated that he was pleased with the results of his trip, considering that he had established to the satisfaction of the Brandt regime that there did not exist any “crisis of confidence” between the FRG and the U.S., as had been stated in a *New York Times* article, datelined Bonn, which was published on 20 December. Ehmke said that there existed, and undoubtedly would continue to exist, some disagreement regarding tactics; for example, the FRG wished to move at a faster pace than the U.S., and the FRG was advocating “continuous talks” while the U.S. position in this respect was more reserved; however none of these differences constituted a basic lack of confidence between the two governments and they can continue to work in close cooperation to try to achieve a solution of the complex problems which

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 685, Country Files, Europe, Germany, Vol. VIII. Secret. No Foreign Dissem; Controlled Dissem; Background Use Only; Routine. Prepared in the CIA. Kissinger initialed the cable indicating that he had seen it. An unidentified NSC staff member wrote the following summary for Kissinger in the margin: “Ehmke reports on this trip to the US: —reassured there is no crisis in confidence; —you, Sonnenfeldt, Hillenbrand assured him Acheson spoke for himself (?); —source close to Chancellor may have been source of info for *NY Times* article; —French have rejected Brandt proposal for continuous 4 power talks; —Bahr wants to move faster than Ehmke.”

face them with respect to Berlin and relations with the Soviet Union and the other Eastern European countries.

2. Ehmke stated that after seeing the 20 December *New York Times* article following his arrival in New York en route to Washington he had suspected that some of the information in the article had been leaked to the *New York Times* by American officials abroad, notably in the FRG. Ehmke said that he also suspected that the FRG press spokesman, Conrad Ahlers, had “confirmed” to the *New York Times* that certain of the information obtained by the *Times* was accurate. Ehmke added that Ahlers had been queried by Chancellor Willy Brandt and by Ehmke himself concerning the matter, and had denied any involvement. Ehmke indicated that he remained suspicious that Ahlers had had a hand in the affair, but that he was unable to prove it. (*Source comment*: It appeared that Ehmke’s comments concerning his expression of suspicion of American officials abroad as being the source of the *New York Times* story was more a provocative statement to the source than an expression of current belief. It is judged that Ehmke now believes that some party in or close to the Federal Chancellery was the actual source of basic information for the *New York Times* article and that his comments accusing American officials were aimed at camouflaging his true sentiments [*less than 1 line not declassified*].)

3. Ehmke characterized his conversations with senior U.S. officials in Washington, including White House National Security Adviser Henry Kissinger, Helmut Sonnenfeldt of Kissinger’s staff, and Assistant Secretary of State for European Affairs Martin Hillenbrand as having been very frank and highly useful. Ehmke stated that he had been assured by the group of U.S. officials that the U.S., as had been stated by President Nixon, Secretary of State Rogers, and other U.S. officials, continued to support the “Ostpolitik” of the FRG. When Ehmke expressed to the U.S. group the concern of the FRG that the recent statement of former Secretary of State Dean Acheson to the effect that the FRG was “going too fast” in its “Ostpolitik” represented the view of the Nixon administration, the officials assured Ehmke that this was not the case; Acheson spoke only for himself, not for the U.S. Government.

4. Ehmke said that in Washington he had been questioned about the conversations which have been held in West Berlin between FRG State Secretary Egon Bahr of the Federal Chancellery and V.M. Falin, Chief of the Central European Division of the Soviet Foreign Ministry, which U.S. officials had indicated had given rise to some suspicion concerning the FRG’s attitude with respect to unilateral contacts with the Soviet Union. Ehmke added that he had apologized to the U.S. officials concerning the FRG’s handling of the matter, and had promised them that the U.S. would receive a full account of the talks [*2 lines not declassified*].

5. Moving to a topic not concerned with his Washington trip, Ehmke remarked that he had learned that the French Government had rejected the proposal of Chancellor Brandt for the institution of “continuous Four-Power talks” and that he understood that the U.S. was tending to adopt the same negative attitude. Ehmke said that he hoped the U.S. would reconsider its position. However, the FRG plans to continue the talks with the German Democratic Republic (GDR) through the mechanism of meetings between FRG State Secretary Bahr and GDR State Secretary Michael Kohl. Ehmke added that he personally was not optimistic concerning the possibility of these talks generating significantly fruitful results; however he agreed that they should be continued. In speaking of the possible content of the talks Ehmke stated that it was his personal view that the question of Berlin access should not be broached in the FRG–GDR talks until “much later”; however Bahr was the FRG official designated to conduct the talks, and Bahr wished to move at a faster pace. Ehmke said that he hoped that the Four Powers understood that the official policy of the FRG with respect to the conduct of talks with the GDR was that enunciated by Chancellor Brandt, as set forth in the comments made by the FRG Press Spokesman, Conrad Ahlers, on 21 December, not that enunciated by SPD Deputy Chairman Herbert Wehner in recent statements to media representatives. Ehmke added that it continues to be FRG policy that any arrangements that the FRG–GDR negotiators might propose must be approved by the Four Powers.

6. [1 line not declassified]

156. National Security Study Memorandum 111¹

Washington, December 29, 1970.

TO

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

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 365, Subject Files, National Security Study Memoranda (NSSM's) Nos. 104–206. Secret; Nodis. No drafting information appears on the memorandum. A copy was also sent to the Chairman of the Joint Chiefs of Staff. Sonnenfeldt forwarded the text as an attachment to a December 18 memorandum to Kissinger; see footnote 1, Document 153.

SUBJECT

Study of Four Power Negotiations on Berlin and Implications of Ostpolitik

REFERENCES

NSDM 91; Chancellor Brandt's Letter of December 15, 1970²

1. The President wishes to review the four-power negotiations in Berlin and the alternatives we might adopt in the next phase. The review should include (1) a statement of the main issues, and the positions adopted by the USSR, the Western Allies, and where pertinent, the attitude of the West German government; (2) the currently agreed Western position, including fallback positions not presented to the USSR; and (3) the view points of our Allies and Bonn on how to proceed in the next phase. On this basis, the study should present and discuss the various approaches we could adopt on the main issues, and evaluate the effects that would result. This evaluation should build on the policy guidelines outlined in NSDM-91.

2. This study should be undertaken by a working group established by the Chairman of the European Interdepartmental Group, and should be submitted by January 12, 1971.

3. The President also wishes a longer term study to cover the consequences of various developments in the Eastern policy of the West German government. This study should assume (a) the success of the Berlin talks and subsequent ratification of the Soviet and Polish treaties, and (b) the failure of the Berlin talks and the consequences. In particular, the study should examine longer term problems such as the problems associated with the international recognition of East Germany, admission to the UN, questions relating to our rights and responsibilities for Berlin and Germany as a whole, domestic problems inside West Germany, our relations with Bonn, and Bonn's relations with its Western allies, as well as the effects on Soviet policy and Eastern European attitudes under the alternative assumptions.

4. The same group indicated in paragraph 2, will be charged with this study, with completion by February 10, 1971.

Henry A. Kissinger

² Documents 136 and 145.

157. Memorandum From William Hyland of the National Security Council Staff to the President's Assistant for National Security Affairs (Kissinger)¹

Washington, December 31, 1970.

SUBJECT

Bahr–Kohl and Bahr–Fallin Talks

These two conversations last week produced nothing new in substance, but confirmed that both the Soviets and GDR are tightening the screw on the Bonn government.

*Bahr–Kohl*²

In the 23 December talks between Bahr and the East German State Secretary, Kohl, the latter insisted that their talks deal first with Berlin transit traffic rather than a general transportation agreement between the two Governments. Bahr, of course, had to reject this procedure on the grounds that the Germans could not begin such a discussion until the Four Powers had reached some agreement. Kohl insisted that the two sets of negotiations could proceed in parallel, and in this way the Germans would make a “contribution” to the Four Power discussions. (Such an end run would make the Four-Power talks meaningless.)

Kohl handed over a formal protest against West Germany's illegal activities in West Berlin to underscore his assertion that cessation of such activities was a precondition of the German talks. Bahr responded with an offer to discuss reciprocal actions to avoid further escalation of the situation. Kohl indicated he might be willing to discuss this in a private conversation (no indication that he did so, however).

*Bahr–Fallin (December 28)*³

In a private luncheon meeting Bahr complained to Fallin about the hardening of the GDR position. Whereas originally the German talks

¹ Source: National Archives, Nixon Presidential Materials, NSC Files, Box 685, Country Files, Europe, Germany, Vol. VIII. Secret; Limdis. Sent for information. Kissinger initialed the memorandum indicating that he had seen it.

² The account of the meeting is based on an attached report, telegram 14965 from Bonn, December 30. (Ibid., RG 59, Central Files 1970–73, POL 28 GER B) See also *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2310–2318.

³ The account of the meeting is based on an attached report, telegram 14967 from Bonn, December 30. (National Archives, RG 59, Central Files 1970–73, POL GER W–US). See also *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2341–2344. On December 31 Bahr also sent a backchannel message on his meeting with Falin to Kissinger. In the message (translated here from the original German by the

had been arranged to discuss general transit, now the GDR was pressing for discussion of Berlin traffic only. Fallin was not particularly sympathetic, though he made the usual noises about how difficult it was to deal with the GDR. Fallin, however, made it quite clear that the Soviets intended to support harassment of access (“increased countermeasures”), if Bonn continued to increase its activities in West Berlin. In a further implied threat he asked rhetorically what Bonn’s reaction would be if the GDR applied its legislation prohibiting the transport of “military goods.” It would be difficult for the USSR to argue against such action by the GDR, which had the impression that the FRG had flung down the gauntlet on Federal activities in West Berlin. (In practice this would probably mean actually stopping some traffic from leaving West Berlin, or extensive inspection for “military goods.”)

The carrot to this stick was Fallin’s indication that an early four power agreement on principles would avoid further hindrances to civilian traffic. He added that the USSR had noted “press reports” of Brandt’s desire to shift the Berlin talks to a “conference-like” format, and that the Soviets, while not officially asked, would be agreeable.

Comment

Apparently the Soviets and the GDR believe that the FRG is coming under increasing pressure to move the Berlin talks forward, and that a split is developing between Bonn, on the one hand, and the three Western Powers, on the other. The Soviets know, of course, that because of the Berlin laender elections in March, FRG political activity will become more visible and that there can be repeated opportunities for harassments. If Bonn backs away from various meetings, visits, etc., or if we deny them, the Soviets win a tactical and psychological point. On the other hand, if we stand firm or take retaliatory measures, such as postponing the Four Power sessions, the ratification of the Eastern treaties recedes even further and Brandt’s position is jeopardized. What the Soviets expect, and are obviously getting, is for Bonn to increase its pressures on the U.S. to intensify the Berlin negotiations.

editor), Bahr reported: “Gromyko had the feeling that the President has not been fully informed about the Soviet position on Berlin. Gromyko had a positive impression of the President’s good will. The Russians have a certain mistrust whether the attitude of the State Department suggests a game of good cop/bad cop. I told Falin that the conversation between you and Ehmke confirmed my conviction that the United States wants a Berlin settlement. Falin expressed skepticism on the latter point.” Bahr further said that the Allies should modify their position in the Berlin negotiations only when the Russians had been induced “to show their cards.” (National Archives, Nixon Presidential Materials, NSC Files, Kissinger Office Files, Box 60, Country Files, Europe, Egon Bahr, Berlin File [3 of 3]) For the full text of the message in German, see *Akten zur Auswärtigen Politik der Bundesrepublik Deutschland, 1970*, Vol. 3, pp. 2356–2357.

Our principal problem will be that as pressures mount, the simple principles put forward by the Soviets (“unhindered traffic on a preferential basis”) will look more and more tempting to the FRG, and probably the British and French as well. As anticipated when these talks began, we then risk becoming isolated and shouldering the blame for an impasse or failure.

One final comment on the Bahr–Fallin channel: This extracurricular activity of Bahr’s is becoming more and more suspect. It is difficult to believe that it is only happenstance that (a) Brandt proposed, in a private letter to the President, to intensify the Berlin talks, (b) Bonn then leaked its contents, and (c) a few days later, Fallin indicated Soviet agreement.

158. Letter From President Nixon to German Chancellor Brandt¹

Washington, December 31, 1970.

Dear Mr. Chancellor:

Your letter of December 16² was of much interest to me. The treaty which you signed in Warsaw on December 7 can be of lasting significance to Europe and provides, I believe, the most incontrovertible evidence of the determination of the Federal Republic to bring to an end those tensions and hostilities which stem from past chapters in Europe’s history.

As is evident from the events in Poland these days conditions in the country require the full attention of the Polish Government. Hopefully the new leaders will realize that relaxation of tensions and freer exchange with Western Europe will be useful to them if they are to cor-

¹ Source: National Archives, RG 59, Central Files 1970–73, POL GER W–US. No classification marking. Although no drafting information appears on the letter, Rogers attached the text to a December 23 memorandum for the President. (Ibid.) Kissinger forwarded both in a December 30 memorandum to Nixon (see footnote 3 below). On January 4 the Department pouched the letter to the Embassy for delivery and transmitted the text by telegram. (Telegram 629 to Bonn, January 4; National Archives, RG 59, Central Files 1970–73, POL GER W–US) In telegram 84 from Bonn, January 5, Fessenden reported delivering the letter that morning to Bahr, who said he would forward it to Brandt on vacation in Kenya. According to Fessenden, “Bahr read the letter quickly and was obviously pleased with its contents. He noted particularly the favorable comments on the Warsaw Treaty and the comments on future procedure for the Berlin talks, which he said was generally in line with German views.” (Ibid.) See also *Dokumente zur Deutschlandpolitik*, 1969–1970, Nr. 265, pp. 1038–39.

² The letter was dated December 15; Document 145.

rect the conditions which have caused such unrest among the population. The whole world needs the assurances of peace which will permit a greater apportionment of time, resources and energy to the problems which, while widely differing in nature, affect the daily life of all our citizens.

I have been following the Berlin talks with close attention and with full realization of the importance which they have not just for Berlin but for the broader effort, in which your Government is playing a leading role, to normalize East-West relations in Europe. At the moment the Soviet Union is seeking to portray the United States as the main obstacle to a Berlin settlement. The full agreement on the Western side concerning the Berlin talks, which you usefully emphasized in your talks in Warsaw, is the best answer to this Soviet tactic. The carefully coordinated positions we have presented in Berlin are, I believe, beginning to produce a Soviet response which while equivocal and unsatisfactory on important points, shows at least the beginning of movement. It is up to us now to pursue these leads and see if a worthwhile agreement is possible.

With regard to the form of the Berlin talks, I believe your idea to give them a conference-like character merits full consideration and we will be glad to study the details of your thinking either in the Bonn Group or through our normal diplomatic channels. Meanwhile, I would suggest that we continue the established procedure but maintain sufficient flexibility to adjust the frequency and duration of the Ambassadorial and Counselor level meetings to possible movement in the Soviet position.³

May I take this occasion to send you and Frau Brandt our warm greetings for the holiday season which I understand you have the good fortune to be spending in Kenya.

Sincerely,

Richard Nixon

³ In a December 30 memorandum to the President (see footnote 1 above), Kissinger reported: "Through subsequent discussions with the Germans, it has become clearer that Brandt seemed to be primarily interested in extending the duration and number of the four power Ambassadorial and adviser-level meetings, not with establishing a permanent conference or raising the level of representation significantly as had been previously thought. The Chancellor's suggestion remains only vaguely articulated, and indeed there have been some reports that, following the latest Berlin autobahn harassment just before Christmas, Brandt even regretted having proposed the intensification of the talks." (National Archives, Nixon Presidential Materials, NSC Files, NSC Institutional Files (H-Files), Box H-179, NSSM 111)