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(Form 1) is for the use of the shipowner whose vessels are no longer in the North Vietnamese trade, while the other (Form 2) is for the use of the owner who has vessels remaining in the trade as a result of charters executed prior to January 25, 1966, but who agrees to remove them as soon as contractual obligations permit. Properly executed forms should be forwarded to the MarAd via the Department. The C and A forms may also be executed in the United States by an agent of the person controlling the listed ship, in which case the form must be signed before a notary public and submitted directly to the MarAd. END UNCLASSIFIED.

RUSK

Enclosures:

1. NSAM 340
2. C and A Form 1
3. C and A Form 2

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THE WHITE HOUSE

WASHINGTON

1410

CONFIDENTIAL

January 25, 1966

NATIONAL SECURITY ACTION MEMORANDUM NO. 340

TO: ✓ The Secretary of State
The Secretary of Defense
The Secretary of Agriculture
The Secretary of Commerce
The Administrator, Agency for International Development
The Administrator, General Services Administration

SUBJECT: U. S. Government Shipments by Foreign Flag Vessels
in the North Vietnam Trade

The President has directed that United States Government-financed cargoes shall not be shipped from the United States on a foreign flag vessel if such vessel has called at a North Vietnam port on or after the effective date of this memorandum.

Exceptions may be made as to any such vessel if:

- (1) the persons who control the vessel or vessels give satisfactory assurance that no ships under their control will, thenceforth, be employed in trade with North Vietnam so long as it remains the policy of the United States Government to discourage such trade; or
- (2) the persons who control the vessel or vessels give satisfactory assurance--
 - (a) that no ships under their control will thenceforth be employed in trade with North Vietnam so long as it remains the policy of the United States Government to discourage such trade, except as provided in paragraph (b), and

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(b) that vessels under their control which are covered by contractual obligations, including charters, entered into prior to the date of the present action memorandum under which their employment in trade with North Vietnam may be required shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

The form and content of any such assurances shall be essentially the same as are required for ships in the Cuban trade under NSAM 220, as amended, with any changes required by the circumstances. The Secretary of State is to be consulted on the form and content of the assurances. No vessel described in paragraph (2) (b) will be eligible to carry any cargo sponsored or financed by any of the agencies listed herein until such vessel has actually ceased to engage in trade with North Vietnam and has ceased to be under obligation to engage in such trade. If any assurance given in accordance with this directive is determined to be untrue or has not been complied with, all ships owned or controlled by persons making such assurance may be declared ineligible for the carriage of cargo sponsored or financed by any of the agencies listed herein.

The Secretaries of State, Defense, and Agriculture, the

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Administrator of General Services Administration, and the Administrator of the Agency for International Development are directed to take such steps as may be necessary to carry out this policy.

The Secretary of Commerce is to make available to the appropriate Departments current pertinent information which he may have on ships engaged in trade with North Vietnam.

if any Bn. 1
McGeorge Bundy

CONFIDENTIAL

CERTIFICATION AND ASSURANCE
(Form 1)

The undersigned _____, _____
(Name) (Address)

_____, hereby certifies:

(1) that the _____-flag vessel, _____,
(Name of Flag) (Name of Vessel)

which called at North Viet-Nam during _____ is under the control of
(Month and Year)

(the "Controlling Party");
(Name of person, firm or corporation who
through ownership, by contract or other
arrangement, controls the use and employ-
ment of the vessel.)

(2) that the following vessels are also under the control of the
Controlling Party:

<u>Name of Vessel</u>	<u>Flag</u>
_____	_____
_____	_____
_____	_____
_____	_____

(3) that the circumstances of _____ calling at
(Name of Vessel)
North Viet-Nam are as follows: _____

(4) that so long as it remains the policy of the United States of
America to discourage such trade, neither the _____,
(Name of Vessel)
the other vessels listed above, nor any other vessel which may hereafter
be under the control of the Controlling Party, will engage in the North
Vietnamese trade;

(5) that this Certification and Assurance is being made to the
United States of America in determining whether the _____
(Name of Vessel)
may again become eligible for carriage of cargoes financed by the

Departments of State, Defense, Agriculture, General Services Administration, and the Agency for International Development;

(6) that the relation of the undersigned to the Controlling Party is _____;

(7) that the undersigned is duly authorized by the Controlling Party to execute and deliver this Certification and Assurance.

(Date)

(Name)

CERTIFICATION AND ASSURANCE
(Form 2)

Enclosure 3 CA-9447
pg. 8.

The undersigned _____,
(Name)

(Address) (herein called

the "Controlling Party"), hereby certifies as follows:

I

Purpose of Certification and Assurance

1. This Certification and Assurance is made to the United States Government for use in determining the eligibility of vessels listed in Annex 1 hereto to carry United States Government-sponsored cargoes.

II

Vessels under Control of Controlling Party

1. Annex 1 hereto contains a true, correct and complete list of vessels currently under control of the Controlling Party, together with, in the case of vessels currently under charter or other contractual obligations requiring that such vessels call at North Vietnamese ports or depriving the Controlling Party of the right to direct their movements, a true, correct and complete description of any contractual obligation with respect to each vessel listed, including the name and type of the vessel, owner, charterer, type of charter and trading limits, date of charter, and date of commencement and expiration of charter. As used herein, "control" shall include any means by which the movement or employment of vessels may be directed, including but not limited to ownership, charter, agency, management or operating agreement, or otherwise, either directly or indirectly.

2. None of the charterers listed in Annex 1 hereto are parties through which the vessels listed are or may be under control of the Controlling Party.

3. So long as it remains the policy of the United States Government to discourage trade with North Viet-Nam,

a) none of the vessels listed in Annex 1 hereto will henceforth be employed in the North Vietnamese trade, except as provided in paragraph b); and

b) vessels listed in Annex 1 hereto which are covered by contractual obligations, including charters, entered into prior to January 25, 1966, under which their employment in the North Viet-Nam trade may be required, shall ^{be} withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

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4. The Controlling Party will exercise all rights it may have under charters or other contractual agreements, including the right to terminate or give notice of non-renewal and the right to direct movement of vessels, to the end that such vessels cease calling at North Viet-Nam at the earliest possible time.

III

Vessels Calling at North Viet-Nam

1. Annex 2 hereto contains a true, correct and complete list of those vessels shown in Annex 1 that have called at a North Vietnamese port on or after January 25, 1966, and the date and circumstances of each such call.

2. The United States Government will be notified of any vessels under the control of the Controlling Party which may hereafter call at a North Vietnamese port by immediate communication to the United States Maritime Administration, including the date and circumstances of each such call.

IV

Vessels Coming under Control of the Controlling Party

1. So long as it remains the policy of the United States Government to discourage trade with North Viet-Nam, no vessel which may hereafter come / under control of the Controlling Party or the other parties hereto will call at North Vietnamese ports.

2. Annex 1 hereto shall be kept current by immediate communication to the United States Maritime Administration concerning the acquisition of control by the Controlling Party of any vessel not listed therein, or concerning the disposition by the Controlling Party of any vessel listed in Annex 1 or any amendment thereto.

(Shipowner or Company Official)

Embassy or Consulate of the United States of America

Subscribed and sworn to before me

Consul of
the United States of America at
_____, duly commissioned
and qualified this _____ day of
_____.

Consul of the United States
of America

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The undersigned parties hereby authorize and approve the foregoing
Certification and Assurance and agree to be parties thereto.

By _____

(Title: _____)

Embassy or Consulate of the United States of America

Subscribed and sworn to before me

Consul
of the United States of America
at _____, duly
commissioned and qualified this
_____ day of _____.

Consul of the United States of
America

ANNEX 1
to
CERTIFICATION AND ASSURANCE

List of Vessels under Control of _____
(Controlling Party)

<u>Vessel</u>	<u>Type</u>	<u>Owner</u>	<u>Charterer</u>	<u>Type & Trading Limits of Charter</u>	<u>Date of Charter</u>	<u>Duration of Charter</u>	
						<u>Commencing Date</u>	<u>Expiration</u>

ANNEX 2
to
CERTIFICATION AND ASSURANCE

Vessels under Control of _____ that Have Called at North Viet-Nam On or
Since January 25, 1966 (Controlling Party)

<u>Name of Vessel</u>	<u>Flag</u>	<u>Port</u>	<u>Dates of Call</u>	<u>Circumstances of Call</u>
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1/27/66

2

Mr. Smith:

Mrs. Meadows of the Staff Secretariat
at Commerce called to request permission
to reproduce NSAM 340 to send to their
Maritime Administrator. Yes? No?

Thelma

yes
but as a Confidential
document

Copies sent to
~~Kosmos~~ 2/14/66
Coryford

Quake
Jensen

Copy

2a

THE WHITE HOUSE

WASHINGTON

CONFIDENTIAL

January 25, 1966

NATIONAL SECURITY ACTION MEMORANDUM NO. 340

TO: The Secretary of State
The Secretary of Defense
The Secretary of Agriculture
The Secretary of Commerce
The Administrator, Agency for International Development
The Administrator, General Services Administration

DECLASSIFIED

Authority NLJ 83-207
By del/ly, NARA, Date 4-11-90

SUBJECT: U. S. Government Shipments by Foreign Flag Vessels
in the North Vietnam Trade

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Exceptions may be made as to any such vessel if:

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The form and content of any such assurances shall be essentially the same as are required for ships in the Cuban trade under NSAM 220, as amended, with any changes required by the circumstances. The Secretary of State is to be consulted on the form and content of the assurances. No vessel described in paragraph (2) (b) will be eligible to carry any cargo sponsored or financed by any of the agencies listed herein until such vessel has actually ceased to engage in trade with North Vietnam and has ceased to be under obligation to engage in such trade. If any assurance given in accordance with this directive is determined to be untrue or has not been complied with, all ships owned or controlled by persons making such assurance may be declared ineligible for the carriage of cargo sponsored or financed by any of the agencies listed herein.

The Secretaries of State, Defense, and Agriculture, the

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Administrator of General Services Administration, and the Administrator of the Agency for International Development are directed to take such steps as may be necessary to carry out this policy.

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McGeorge Bundy
McGeorge Bundy

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December 29, 1965

MEMORANDUM FOR THE PRESIDENT

**SUBJECT: Possible NSAM Regarding Free World Ships
in the North Vietnam Trade**

The attached draft NSAM would deny U. S. Government financed cargoes from U. S. ports to any foreign flag ships that engage in trade with North Vietnam. It is modeled on NSAM 220 that similarly applies to trade with Cuba.

This proposal has been held in abeyance by State pending the outcome of diplomatic approaches to the relevant Free World countries. It is now being put forward for your consideration in connection with other Vietnam actions in the New Year.

The practical results of this NSAM will probably be very slight. Only a very few ships have called at both North Vietnam and U. S. ports in recent months. To our knowledge, none of these vessels have picked up Government-financed cargoes here.

The NSAM does, however, provide for a certification procedure that might marginally strengthen our diplomatic efforts with Free World Governments. Some of these Governments might be persuaded to demonstrate their cooperation with us by getting their shipping companies to certify that all ships under their control will be withdrawn from North Vietnam trade.

In terms of impact here at home, the new regulation might also meet some of the continuing pressures from the Hill for tougher measures against Hanoi.

In short, this is a marginal item that would add some tough window-dressing to a package of Vietnam actions.

McG. B.

JCT:llw

CONFIDENTIAL

Authority NLS 83-207
By DA, NARA, Date 4-11-90

3a

NATIONAL SECURITY ACTION MEMORANDUM NO. _____

TO: The Secretary of State
The Secretary of Defense
The Secretary of Agriculture
The Secretary of Commerce
The Administrator, Agency for International Development
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- 2 -

(b) that vessels under their control which are covered by contractual obligations, including charters, entered into prior to the date of the present action memorandum under which their employment in trade with North Vietnam may be required shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

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McGeorge Bundy

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