U.S. ASSISTANCE PROGRAMS IN VIETNAM

TWENTY-SECOND REPORT
BY THE
COMMITTEE ON GOVERNMENT OPERATIONS
TOGETHER WITH
SEPARATE AND ADDITIONAL VIEWS

OCTOBER 17, 1972.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, D.C., October 17, 1972.

HON. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: By direction of the Committee on Government Operations, I submit herewith the committee’s twenty-second report to the 92d Congress. The committee’s report is based on a study made by its Foreign Operations and Government Information Subcommittee.

CHET HOLIFIELD, Chairman.

(III)
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U.S. ASSISTANCE PROGRAMS IN VIETNAM

October 17, 1972.—Committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Mr. HOLIFIELD, from the Committee on Government Operations, submitted the following

TWENTY-SECOND REPORT

together with

SEPARATE AND ADDITIONAL VIEWS

BASED ON A STUDY BY THE FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE

On October 12, 1972, the Committee on Government Operations approved and adopted a report entitled “U.S. Assistance Programs in Vietnam.” The chairman was directed to transmit a copy to the Speaker of the House.

I. INTRODUCTION

This report provides a review of the economy and efficiency of certain interrelated U.S. assistance programs being carried out in conjunction with the United States-South Vietnamese economic and military efforts in Southeast Asia.

Since 1966, the Committee on Government Operations—through its Foreign Operations and Government Information Subcommittee—has conducted a continuing review of the economy and efficiency of such programs. This latest report in that series is based on several fol-

1 Previous reports in these general subject areas issued by the committee include:


“Communist Strategy and Tactics of Employing Peasant Dissatisfaction Over
lowup investigative reports by the General Accounting Office, on extensive hearings by the subcommittee during July and August 1971, and on a 1970 field trip by Representative John E. Moss and staff of the subcommittee.

Among the joint Government of South Vietnam—United States aided programs covered by these hearings and dealt with in this report are: Commercial import program; agriculture and land reform; public safety program; pacification (CORDS) program—(civil operations and rural development support); refugee program; public health program; and public works program.

Other subjects covered by the subcommittee's Southeast Asian field investigations, studies, and hearings will be examined in separate reports. They include the inequitable monetary rates of exchange between piasters and dollars now in effect in South Vietnam; 2 black-market currency manipulation; the activities of the U.S. Information Agency's operational arm in Vietnam, Joint U.S. Public Affairs Office (JUSPAO); the activities of the Overseas Private Investment Corporation (OPIC); a review of the economy and efficiency of U.S. stabilization programs in Laos; 3 and finally, a review of the economy and efficiency of U.S. assistance programs in Cambodia. 4

This report is based on hearings on the economy and efficiency of various U.S. assistance programs in Southeast Asia held in Washington on July 15, 16, 19, 21 and on August 2, 1971. Testimony was presented by witnesses from the General Accounting Office, the Department of State, the Agency for International Development, CORDS, and from several outside witnesses invited by the subcommittee. In addition to their public testimony, two of the outside witnesses gave information in executive session.

United States economic assistance through AID has been in a period of transition. Vast changes are taking place in Vietnam that affect the character of U.S. economic and military assistance. American troop withdrawal continues at an accelerated rate. American casualties have dropped sharply as more and more of the fighting has shifted to GVN forces.

The political split between President Thieu and Vice President Ky resulted in Thieu's unopposed victory in the October 3, 1971, presidential election.

Although the chaotic economic situation in South Vietnam has somewhat stabilized, many of the serious problems discussed in previous reports such as corruption, profiteering, black-market currency manipulation, refugees, repression, lack of exports and industrial pro-

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4 "U.S. Economic Assistance for the Khmer République (Cambodia)." H. Rept. 92-1146, June 22, 1972.
duction, and weakness in the pacification program, still appear to be major problems in South Vietnam.

Each of the major program areas is considered separately. The report concludes with broad recommendations to improve the economy and efficiency of the operations of such programs considered to be important and necessary.
II. BACKGROUND—THE UNITED STATES AND THE VIETNAM WAR

The subjects dealt with in this report involving the economy and efficiency of our U.S. assistance programs in South Vietnam cannot be properly evaluated without some clear understanding of the staggering consequences in human and economic terms of our role in that struggle.\(^6\) The following facts and statistics give some of these dimensions:

A total of 2.6 million American servicemen have served in South Vietnam from January 1, 1965 through March 31, 1972.

Total U.S. casualties during the Vietnam war, as of August 26, 1972, stand at approximately 350,000, including over 50,000 dead; this is twice the number of U.S. casualties sustained during the Korean war.

The budgetary cost of military personnel, supplies, and equipment, and other supporting expenditures, for the fiscal years 1965 through 1972, in connection with the Vietnam war was $128 billion, or about $600 for every American man, woman, and child.

During this same 7-year period, the United States has provided another $9 billion in military assistance to South Vietnam and $4 billion in economic assistance.

A total of 13.8 million tons of air, ground, and sea munitions have been expended in the Vietnam war from January 1, 1966 through June 30, 1972.

Chemical herbicides have been applied to nearly one-seventh of South Vietnam and have destroyed enough food for 600,000 people for one year and enough timber to meet the country’s requirements for 31 years at the current level of demand.

Over 5 million (about 30 percent) of the population of South Vietnam were in the refugee category during the past 6 years; through June 1972, over 1 million South Vietnamese civilians have been war casualties of which an estimated 325,000 were killed.

These factors do not include such continuing problems related to the Vietnam war as the number of U.S. servicemen who have become drug addicted, the Veterans’ Administration costs of veterans’ hospitalization, treatment, disability benefits, and survivor payments to dependents of servicemen. Nor does it measure the impact of the heavy U.S. wartime costs on the U.S. economy and the increased interest costs on the national debt.

But statistical data cannot measure the human suffering, deprivation, or the psychological damage of such a war to many thousands of returning U.S. servicemen, nor measure in precise economic terms the impact of the war on our weakening balance-of-payments situation or on the declining strength of the dollar in foreign markets. Even more

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difficult to measure are the deep divisions that the Vietnam war have created between Americans of all walks of life.

All of this occurred at a time when the U.S. economic position abroad has become increasingly perilous. The U.S. budget deficit for fiscal year 1972 totaled more than $23 billion. Meanwhile, our balance-of-trade and balance-of-payments situation has been continuously worsening to a point where the President, in mid-August 1971, imposed wage, price, and other economic controls on the U.S. economy and took other steps which, in effect, have devalued the dollar in the world markets and suspended our Government’s redemption of dollars with gold.

In a subsequent meeting of foreign ministers of free world nations, in Washington, in December 1971, an agreement was announced by President Nixon that would devalue the dollar by approximately 8 percent by raising the price of gold above the $35-an-ounce level. Foreign governments agreed to revalue their currencies accordingly.
III. ECONOMIC ASSISTANCE REVIEW

The U.S. economic assistance effort in South Vietnam during this period of military escalation of U.S. involvement in the war has been marked by severe administrative difficulties, the waste of untold hundreds of millions of American tax dollars, black-market currency manipulation, corruption, indecisive planning, and poor execution.

Within the context of overall U.S. objectives in South Vietnam, AID's currently stated objectives are:

To help Vietnam to develop its economy in a manner which will lead to eventual economic self-sufficiency;
To facilitate Vietnamization by helping the Government of Vietnam to bear the increased costs of the war;
To help prevent runaway inflation and severe economic dislocations; and
To assist the Government of Vietnam in caring for refugees, civilian casualties, and other victims.

AID's economic supporting assistance to South Vietnam since 1966 has been as follows:

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<tr>
<td>Commercial import program</td>
<td>$398</td>
<td>$280</td>
<td>$160</td>
<td>$134</td>
<td>$238</td>
<td>$266</td>
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<td>$376</td>
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<td>Economic Support Fund</td>
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<td>Economic Development Fund</td>
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<td>75</td>
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<td>Land reform</td>
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<td>Project program</td>
<td>184</td>
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<td>159</td>
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<td>Program support</td>
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<td>12</td>
<td>12</td>
<td>10</td>
<td>10</td>
<td>10</td>
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<tr>
<td>Food for Peace</td>
<td>143</td>
<td>74</td>
<td>139</td>
<td>99</td>
<td>111</td>
<td>120</td>
<td>120</td>
<td>130</td>
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<tr>
<td>Totals</td>
<td>727</td>
<td>569</td>
<td>537</td>
<td>404</td>
<td>477</td>
<td>507</td>
<td>515</td>
<td>725</td>
</tr>
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</table>

1 Figures on an obligational basis. Fiscal year 1969 amount does not include $75,000,000 for commercial import licensing obligated in fiscal year 1968, but not used for licensing that year, thus making the actual total for CIP $205,000,000 in fiscal year 1969.
2 For the unrestricted purchase of imported goods and services.
3 $50,000,000 to be used for the unrestricted purchase of imported goods and services with the local currency generated being used to finance medium term credit to local investors, $25,000,000 to be used for public sector projects.
4 Does not include reimbursable costs from Department of Defense which amounted to $48,000,000 in fiscal year 1967; $35,000,000 in fiscal year 1968; $35,000,000 in fiscal year 1969; $35,000,000 in fiscal year 1970; $67,000,000 in fiscal year 1971; $55,000,000 in fiscal year 1972; and estimated at $12,000,000 for fiscal year 1973.

Note: This data was reconstructed from official AID data as presented annually to the House Appropriations Subcommittee on Foreign Operations and Related Agencies and from AID's congressional presentation for fiscal year 1973.

See H. Rept. 99-2357.
7 Congressional presentation, fiscal year 1973, "Security Assistance Program; Security Supporting Assistance," Agency for International Development, p. B-1. It is interesting to note the changes in description by AID of the overall U.S. objectives in Vietnam from fiscal year 1971. The AID presentation of its proposed fiscal year 1971 program entitled "U.S. Foreign Aid in Vietnam," p. 1, lists these objectives as follows:

1. "To prevent runaway inflation and severe economic dislocations;"
A more detailed breakdown of expenditures and estimates for the various AID project programs in South Vietnam, including land reform, financial support, lumped in the above table is shown below for the 3 current years:

### PROJECT PROGRAM SUMMARY

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<tr>
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<th>Fiscal year -</th>
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<td></td>
<td>1971 actual</td>
<td>1972 estimate</td>
<td>1973 proposed</td>
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<tr>
<td>Agriculture</td>
<td>7.3</td>
<td>4.9</td>
<td>5.2</td>
</tr>
<tr>
<td>Education</td>
<td>4.6</td>
<td>3.2</td>
<td>2.3</td>
</tr>
<tr>
<td>Industry—Labor</td>
<td>1.8</td>
<td>1.5</td>
<td>1.1</td>
</tr>
<tr>
<td>Logistics</td>
<td>4.0</td>
<td>2.3</td>
<td>1.2</td>
</tr>
<tr>
<td>Public administration</td>
<td>3.1</td>
<td>3.9</td>
<td>3.8</td>
</tr>
<tr>
<td>Public health</td>
<td>19.6</td>
<td>12.3</td>
<td>9.4</td>
</tr>
<tr>
<td>Public works (engineering)</td>
<td>8.5</td>
<td>5.5</td>
<td>15.8</td>
</tr>
<tr>
<td>Rural development</td>
<td>2.4</td>
<td>3.5</td>
<td>3.5</td>
</tr>
<tr>
<td>Refugees (war victims)</td>
<td>3.8</td>
<td>1.7</td>
<td>1.0</td>
</tr>
<tr>
<td>Public safety</td>
<td>9.5</td>
<td>8.2</td>
<td>8.5</td>
</tr>
<tr>
<td>Technical support</td>
<td>29.8</td>
<td>26.9</td>
<td>22.2</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>1.2</td>
<td>0.7</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>95.6</td>
<td>72.3</td>
<td>69.3</td>
</tr>
</tbody>
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Land reform: 15.0

2 Includes projects formerly listed under Urban Development.

The difficulty in carrying out the AID program can be attributed to the mushrooming demands placed upon AID administrative capability in South Vietnam during the 1965-68 period of the rapid U.S. military buildup. The amount of U.S. economic assistance virtually doubled during the first year of this buildup. These administrative limitations were coupled with even heavier demands on the crippled South Vietnamese economy.

South Vietnam's domestic productivity was seriously hurt by wartime demands.

Imports required to make up the domestic production cutbacks were clogged in inadequate port facilities in Saigon and elsewhere.

Allied troops made increasing demands on all types of local goods and services.

Inflation had gone almost unchecked until recent months; the retail-price index in Saigon increased by approximately 800 percent since January 1965. Although the South Vietnamese Government has taken certain fiscal and monetary steps to curb the rate of inflation, it has repeatedly refused to impose effective price and wage controls.

Importers in South Vietnam (financed almost entirely through U.S. tax dollars) continued to bring in luxury goods for sale in the

(2) ** to ease the suffering of civilians displaced or injured by the war;
(3) ** to assist the Government of South Vietnam to expand its protection and influence over more of the population—especially in the rural areas;
(4) ** to assist in economic development to the extent possible and feasible under the constraints of wartime conditions; and
(5) ** to help the Government of South Vietnam to improve its present range of social and economic services and to prepare a basis for planning its future development.”

South Vietnamese consumer markets making possible enormous windfall profits. Less than 10 percent of the $800 million in products being imported by South Vietnam comes from the United States. South Vietnam exports only about $15 million of its products abroad—making its balance-of-trade deficit a staggering $800 million annually. The South Vietnamese Government is almost totally dependent on the United States—directly or indirectly—for almost its entire annual budget receipts and, in addition, receives a “hidden subsidy” of more than $200 million a year because of the inequity of the monetary rates of exchange governing transactions between piasters and dollars.  

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9 For a comprehensive examination of the inequitable rate of exchange in Vietnam, see H. Rept. 92-760; see p. 7 for data on windfall profits.
IV. COMMERCIAL (COMMODITY) IMPORT PROGRAM

The commercial (commodity) import program (CIP) has provided about $3 billion worth of various types of consumer goods and raw materials for manufacturing to South Vietnam since 1955. Slightly more than $1 billion of this total has been provided during the past 5 years. It is the largest single component of our U.S. economic assistance program in South Vietnam.10

Under the CIP, private South Vietnamese importers, licensed by the South Vietnamese Government, decide what they desire to purchase, and if it is on the AID "approved list" and they comply with the established procurement procedures, the United States makes payment in dollars to the supplier, and the South Vietnamese importer pays the piaster equivalent of the dollar cost of the product when it arrives in South Vietnam.

The piasters that the South Vietnamese importer pays for CIP goods are deposited into a special counterpart account at the National Bank of Vietnam and are owned conditionally by the Government of South Vietnam subject to the joint control of the United States. This fund is used to finance U.S.-GVN programs, general budgetary support, and supplementary military budget support.

The CIP program should be distinguished from the concurrent Food for Peace Program. Under the provision of Public Law 480 (title I), piasters are generated by sales of surplus U.S. agricultural products to South Vietnam. These piasters are U.S. owned and are held in a U.S. Treasury account. Substantially all of the piasters generated by the sale of title I commodities are made available to GVN for military budget support. The remainder of the Public Law 480-generated piasters are used by the United States for general expenditures in South Vietnam. The value of funds generated by the sale of Public Law 480 commodities in South Vietnam is estimated at $120 million in fiscal 1973.

The subcommittee's hearings in July 1971 describe in considerable detail the status of the CIP and the efforts being made by AID to further tighten up the economy and efficiency of the program.11

In fiscal 1972, the cost of the CIP program was estimated at $313 million. For fiscal year 1973, it is estimated at $376 million. It is used to finance the import of such essential products as fertilizer, industrial raw materials, capital equipment, cement, wheat flour, chemicals, petroleum products, etc.

In its October 1966 report,12 the committee found that consumer goods financed under the CIP were being pumped into South Vietnam without any determination as to the real needs of the economy or the ultimate use of the goods. It further concluded that the flooding of South Vietnamese markets with commodities at an unrealistic rate

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10 See p. 3 of this report.
11 See hearings, pp. 48-60.
12 H. Rept. 89-2257, p. 10.
of exchange and without effective monetary and fiscal controls encouraged speculation and various forms of corruption, fed inflation, and deprived the United States of maximum benefits from its economic assistance program.

Some improvements in the AID management and control of the CIP, based on the committee’s recommendation, were noted in a followup report issued in 1967 (H. Rept. 90-610). Continuing investigative work by the General Accounting Office, undertaken at the request of the subcommittee, along with prodding of the agency through subcommittee field hearings and staff surveillance resulted in additional implementation of the committee’s recommendations by AID. These actions are further described in a second followup report issued in 1970 (H. Rept. 91-1583).

Supplementing the CIP program in providing overall economic support to the GVN is the piaster-purchase program of the Department of Defense. DOD purchased piasters from the Government of South Vietnam at the 118-to-1 rate to pay the local costs of operating military bases and for the purchase of goods and services (local nationals payroll, sand, gravel, fresh vegetables, etc.) in support of the U.S. military forces in South Vietnam. These dollars used to purchase piasters were, in turn, used by the Government of South Vietnam to finance the import of goods necessary to support the economy and the war effort in addition to the goods imported under the U.S. economic assistance program. During fiscal 1971, the DOD purchases of piasters amounted to 52,147 million piasters or $442 million (converted at the official 118-to-1 exchange rate).

Dollars acquired at the 118-to-1 rate by the GVN generate, through the import process, about 290 piasters per dollar in Government revenues, and further illustrates the inequity of the present monetary rate of exchange for official purchases that is adversely affecting the United States.

AID estimates that with the continued decline of U.S. military forces in South Vietnam in 1972 and the corresponding decline of piaster purchases by DOD, it will be necessary to increase the CIP from the fiscal 1971 level of $266 million to $376 million in fiscal year 1973.

In its fiscal 1973 budget, AID requested that an additional $125 million be appropriated for the establishment of an economic support fund and an economic development fund designed to provide a level of foreign exchange adequate to meet South Vietnam’s resources requirements. This amount is estimated to be approximately the equivalent of the drop in DOD piaster purchases during fiscal year 1973.

On June 2, 1970, the General Accounting Office issued a report (B-150451), based on its continuing surveillance of the CIP in South Vietnam. This GAO report served as the basis for the committee’s report on October 8, 1970 (H. Rept. 91-1583).

Much of the additional data on CIP operations was provided through interrogation of AID’s Assistant Administrator (Vietnam), Robert H. Noofer, and William C. Schmeisser, Jr., AID’s Associate Assistant Administrator for Commodity and Contract Management, at the subcommittee hearings in July.14

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12 AID congressional presentation, fiscal year 1973, p. 8-1.
13 See hearings, pp. 47-90.
Mr. Schmeisser provided details about eligible-commodity listings, the use of automatic data-processing equipment, steps taken to control import levels, and the use of market surveys to determine proper licensing levels for specific commodities. He also furnished data concerning the use of end-use audits of CIP-imported commodities, bank warehouse audits, the solicitation of price verifications on offshore procurement of commodities imported under the CIP, and procedures for U.S. AID review of CIP license applications by commodity analysts in Saigon.

On the basis of the GAO report, continuing subcommittee study (assisted by additional GAO followup investigations through December 1970), and information presented by AID witnesses at the hearings, it is apparent that AID has taken a number of corrective actions that have helped improve the economy and efficiency of the CIP in South Vietnam.15

Several of these improvements are particularly noteworthy. AID now examines some 30 percent of imported goods arriving in South Vietnam under the CIP and also examines all arrival documents of such shipments. U.S. customs advisers monitor such shipments and are greatly responsible for the overall improvement in the GVN customs collection system.

Until a year ago, the GVN customs operations at Tan Son Nhut Airport, Saigon, was a cesspool of corruption through which an estimated 1 billion piasters was lost each month in uncollected duties. Recommendations contained in a detailed report on corruption at Tan Son Nhut by U.S. customs adviser Joseph R. Kvoriak in February 1971, were presented to the South Vietnamese Director General of Customs and resulted in a wholesale replacement of corrupt GVN customs inspectors and in the next few months a corresponding sharp increase of 1 billion piasters a month in customs collections was noted.16

Previously noted “bugs” in the AID automatic data processing (ADP) system appear to be eliminated, now permitting detailed analyses by commodity, by importers, by supplier, and by source, of every individual license issued under the CIP since July 1968. The ADP system also provides data for current monitoring license applications as they move through the Government of South Vietnam and U.S. AID offices for approval.17 This surveillance, in addition to tightened procedures in the selection of commodities eligible for AID financing under the program, and other safeguards dealing with local production of the proposed import, demand, inventories in bank warehouses, reasonableness of price and freight rates are positive steps in the right direction, even if they have been too long in coming into being.18

However, in several other important aspects of the program there continue to be some of the same deficiencies previously noted in earlier investigations. A number of the specific previous committee recommendations to remedy these deficiencies in CIP management have not yet been fully implemented. For example:

15 Ibid., pp. 6-7. For a detailed description of steps taken by AID to improve administration of the CIP as recommended in previous committee reports, see also, pp. 84-87.
17 Ibid., pp. 4-59.
18 See H. Rept. 89-2287, p. 24; H. Rept. 90-610, pp. 15 and 16; and H. Rept. 91-1588.

85-087 0-79-2
(1) While AID no longer permits dollar commissions to be paid to ineligible sales agents (those who are not both citizens and residents of the United States), it is lagging in the collection of claims against the Government of South Vietnam for such commissions paid in the past and not refunded.

(2) AID still does not require that CIP commodities being shipped from third-country suppliers be inspected immediately prior to shipment to South Vietnam. "Short-shipments" had previously been noted as one of the most pervasive of the illicit activities connected with the CIP.

(3) The U.S. Ambassador still has not succeeded in the establishment of a Government of South Vietnam escrow account of at least $10 million for the payment of dollar claims against the Government of South Vietnam, as specifically expressed as the sense of Congress in the Foreign Assistance Act of 1961, as amended by Public Law 90-132.

(4) AID verifications of prices on offshore CIP procurements have not been systematized in such a way as to assure fullest economy and efficiency in such transactions. Although "reasonableness of price" is one of AID's stated criteria before approval of an import license for a particular commodity, adequate records of actual price verifications are lacking.

(5) AID end-use audits of commodities imported under the CIP are still inadequate, although additional audit personnel in Saigon has resulted in an increase of such audits from four in 1966 to 19 in fiscal year 1971. The most recent year covered a dollar value of CIP imports of $130.6 million, or 58 percent of the total imported. However, the representative-sample techniques used in the audits traced only $29.3 million of the commodities, or only about 11 percent of the total, on the basis of ultimate end-use.

As of July 1971, the Government of South Vietnam had registered 3,165 importers, end-users, and exporters. Documents obtained by U.S. AID from the Vietnamese Directorate of Economic Control show that there were 1,689 active importers, of which 1,239 are merchant importers, and 450 are manufacturers or end-users.

A decree, issued by the Ministry of Economy on March 11, 1971, helped to stimulate competition and stabilize the import market by liberalizing capital requirements for joint-stock companies that can be licensed to import as "specialized companies" and do business in any of the 18 major commodity groups.19

U.S. AID/Saigon commodity analysts are now able to complete their review of CIP license applications within 72 hours in approximately 85 percent of the cases. Such review and decision depends largely on an analyst's judgment of the merits of the documentation accompanying the application. During fiscal 1971, a total of 13,798 license applications were received; 4,998, or 36 percent, were rejected.20 Major

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20 Hearings, p. 96.
reasons for rejection were failure to post advance deposits, missing documentation, or failure to meet competitive price or other CIP criteria.

A listing of ineligible importers, suppliers and agents is maintained monthly by U.S. AID/Saigon. In view of the committee's concern over illicit practices in the CIP and other investigations currently underway involving black-market currency manipulation, AID has agreed to supply the ineligible list, which also contains known black-market currency manipulators to the subcommittee.21

U.S. AID/Saigon has also applied criteria to make certain that when an importer is suspended for illicit activities in connection with the CIP, affiliated companies or subsidiaries are likewise suspended if the beneficial interest exceeds 49 percent of such affiliate or subsidiary or where there is an interlock of top officers or stockholders of such companies.22

Recommendations

1. In the planned increase of the CIP during fiscal 1973, AID should make certain that commodity imports do not dampen incentive for the production of similar products by local South Vietnamese industries. In the transition period, as U.S. military action diminishes and our presence becomes less a factor in the South Vietnamese economy, every possible incentive should be provided to individual South Vietnamese producers to expand both their domestic and foreign market potentials. Government of South Vietnam economic planning, both short- and long-run, should be geared to this effort to maximize the industrial base to produce goods which now must be imported in significant quantities.

2. While there has been a slight increase in the procurement of Government of South Vietnam-financed imports from the United States, our country is receiving far less than a fair share of orders (8.7 percent) as compared with Japan and Singapore (42 percent). Our Government should direct the U.S. Ambassador to South Vietnam to make the strongest possible representations to the Government of South Vietnam to vastly increase its importation of U.S. manufactured goods, especially development items. In view of the complete U.S. support of the Government of South Vietnam import program, directly and indirectly, and in view of the present U.S. foreign and domestic economic problems, some significant reciprocal move on the part of the Government of South Vietnam should certainly be forthcoming.

3. AID should tighten its preshipment inspection requirements incorporated under current and future economic assistance agreements to assure proper net weights, quality specifications, packaging, suppliers' certification, et cetera, on a greater range of CIP commodities from third-country sources.

21 Ibid., p. 44. Ineligible lists are in the subcommittee file.
22 Ibid., p. 48.
4. AID should establish a more comprehensive price verification system for offshore procurements of CIP commodities because of the planned increases in the level of the CIP in South Vietnam and because of unstable world economic conditions that could result in abnormal price fluctuations. In addition to technical services that are rendered through AID missions and U.S. Embassy personnel in various countries, U.S. AID/Saigon commodity analysts should fully utilize existing commercial sources for comparative price quotations.

5. U.S. AID/Saigon should maintain increased surveillance over existing supplies of individual commodities, including those in bank warehouses, before approving licenses for additional imports of such commodities. Expanded numbers of ultimate end-use audits are particularly recommended in view of the planned increase in the level of the CIP in South Vietnam.

The committee, through the work of the Subcommittee on Foreign Operations and Government Information, will continue its close surveillance of the economy and efficiency of the CIP during the coming year.
V. AGRICULTURE AND LAND REFORM

Background

South Vietnam is predominantly rural and agriculturally oriented. Some 70 percent of the population resides in rural areas. The decentralized social, economic, and political characteristics of the South Vietnamese society has historically meant relatively weak central governments since control and authority has been diffused into village, district, and province structures.

Like other Asian countries, South Vietnam relies heavily on its rice crop each year. Before the intensification of the war, South Vietnam exported as much as 200,000 tons of its rice annually. Peak rice production was 5,300,000 tons in 1963. But as the war accelerated, rice output dropped steadily to 4,360,000 tons in 1967. Over 700,000 tons of rice had to be imported that year. Until 1971, Vietnam was forced to import rice to meet its consumer demands.

Shipments of title I, Public Law 480 commodities to South Vietnam from the United States over the years have included rice, cotton, flour, corn, wheat, tobacco, sweetened condensed and nonfat dry milk, and other commodities. When sold on the local market by importers, these commodities have generated piasters to support the GVN war effort. Title I sales in South Vietnam in fiscal 1970 were $104 million and in fiscal 1971, $110 million. Estimated sales for fiscal year 1972 are $115 million.

AID agricultural technical assistance has also been provided to the Government of South Vietnam in efforts to increase the production of rice, poultry, and livestock, in research, in irrigation, and in grain handling and marketing systems.

Land Reform

The ownership of vast areas of rich land by a relative handful of the wealthy elite, as contrasted with the mass of the land-poor peasants who had to rent land to survive, was a characteristic of South Vietnam as in the Far East and colonial-dominated areas of the world. Historically, it is in such widely contrasting economic and social cleavages that the seeds of communism have been planted and taken root.

Sporadic attempts at land reform in South Vietnam began soon after the victory over French colonialism in 1954. A detailed account of the actions taken by the Government of South Vietnam in acquiring agricultural land to be used in land reform was contained in a March 1968 report of this committee (H. Rept. 90-1142). Such efforts were

\[^{28}\text{Ibid., p. 3.}\]

\[^{29}\text{Ibid., p. 79. See also AID congressional presentation, fiscal year 1972. ibid., p. B-4.}\]

\[^{30}\text{For a detailed description of this thesis, see a study for the subcommittee by Dr. Paul S. Taylor entitled "Communist Strategy and Tactics of Employing Peasant Disatisfaction Over Conditions of Land Tenure for Revolutionary Ends in Vietnam," Committee print, August 1970.}\]
judged to be totally inadequate and largely ineffective. Of the 4.48 million acres of land acquired, less than 15 percent was redistributed to individuals and less than 10 percent distributed for communal and public use.

During the period 1964-68, U.S. AID provided some $21 million to support these inadequate Government of South Vietnam land reform programs, including approximately $4.5-million-funded technical equipment and technical services and the remainder in counterpart funds to defray Government of South Vietnam administrative costs. No U.S. financial assistance was provided for land reform during fiscal 1961 through fiscal 1965, as the land redistribution program virtually ground to a halt that extended to 1967.

In 1968 this committee strongly urged our Government to press the Government of South Vietnam for "an aggressive new program of land and rent reform going beyond the implementation of present legislation and projects." On March 26, 1970, the Government of South Vietnam National Assembly finally enacted the "land-to-the-tiller" law under which tenant farmers will receive title to the rice lands they are farming, up to a limit of 3 hectares in the southern part of South Vietnam to 1 hectare in Central South Vietnam. The former owner of the land will be reimbursed by a 20-percent cash payment, plus bonds which may be redeemed in equal annual installments over an 8-year period.

The new law, intended to virtually eliminate tenancy on rice lands, should help to provide rural South Vietnamese residents an increased commitment to the defense of the central government. It should also help provide them with a fairer share of the economic benefits of their own labor. The Government of South Vietnam stated its intention to implement the new land reform program over a 3-year period.

Land Reform Progress

The Government of South Vietnam implementation of the new "land-to-the-tiller" law, enacted in March 1970, began in September 1970. By the end of 1971, some 1,145,000 acres had been transferred to nearly 325,000 tenant farmers. The current estimate thus far after a year's operation is the distribution of about 2.5 million acres to some 700,000 farm families.

A special land distribution program for Montagnards was initiated by the Government of South Vietnam in late 1970 but titles had been issued to only 22,000 Montagnard families for some 125,000 acres by the end of 1971. Another Government of South Vietnam program, directed toward the confirming of individual ownership rights within refugee and development settlements and to squatters on public domain lands, resulted in the issuance of titles to some 65,000 acres.

U.S. AID lends technical assistance to the Government of South Vietnam land reform programs, including the training of personnel and village officials who administer the programs, the use of aerial photography as a substitute for ground surveys, the development of management controls, and the application of computer technology.
Total U.S. AID cost of supporting the Government of South Vietnam land program will be $47 million. Approximately $10 million was obligated from fiscal 1969 funds and an additional $15 million from fiscal 1971 funds. Another $15 million is proposed in the fiscal 1973 budget. U.S. funds are released only as the Government of South Vietnam payments to former landowners are actually made. These funds are subsequently used by the Government of South Vietnam to finance imports as part of the CLP, thus helping to offset the inflationary effects of piaster payments to the former owners of the land.31

Increased Crop Production

For the first time in many years, the current production of rice in Vietnam should be sufficient to meet its consumer needs. With U.S. AID assistance and work done by the International Rice Research Institute (IRRI) in the Philippines, several new “miracle” strains have been introduced and, together with increased use of imported fertilizers and pesticides, have boosted the rice crop to some 5,700,000 tons.32 At the present rate of increase, it is possible that the GVN may reach a level of production that will make it possible to again export rice to earn badly needed foreign exchange if markets are available.

North Vietnam was also expected to harvest a record rice crop in 1971, using the same types of “miracle” strains such as “IR-8” produced by the IRRI and obtained by the North Vietnamese through commercial seed channels in Hong Kong and elsewhere. However, in the fall of 1971, floods upset that crop forecast. Their rice crop this year was estimated to be nearly 6 million tons, about 1 million higher than in 1969, the previous best production year. It is still expected to be slightly less than the amount of rice needed to feed North Vietnam’s 20 million people.33

In other U.S. AID-assisted crop production projects, efforts are being directed toward increasing domestic production of animal feed and research in other crops adaptable to South Vietnam, particularly those with export potential. Planting of corn and sorghum has been targeted at 72,500 acres in 1971 and 150,000 acres in 1972. Efforts are also being directed to assist the GVN to increase poultry production by 15 percent per year and swine production by 10 percent per year. Additional emphasis is being placed on the training of personnel and development of an agricultural credit system and farm cooperative organizations. Technical assistance is directed mainly to the Agricultural Development Bank (ADB) to increase the availability of loan funds, efficiency of operations, and broader coverage of the farmer population.34 The level of funding for U.S. AID assistance to the Government of South Vietnam in the field of agriculture for fiscal 1972 was $4.9 million, as compared with $7.3 million in fiscal 1971, and a proposed $5.2 million level for fiscal 1973.35

31 Ibid., p. 8-18.
32 Hearings, p. 8.
Needs and Objectives

Among the specific needs and objectives of U.S. assistance in the fields of agriculture and land reform in South Vietnam, the committee believes that there is a continuing requirement to diversify the production of new types of crops that are adaptable to the soil and climate conditions of South Vietnam and that represent a potential export market.

Similarly, the committee concludes that laudable objectives in the expansion of a rural banking system and farm loan programs in Vietnam, together with necessary extension services will be of significant value to those farm families who have recently received acreage under the South Vietnamese “land-to-the-tiller” law and who need capital, as well as technical aid, to realize the full economic benefits from their newly acquired land.

Finally, the committee concludes that U.S. AID management and technical assistance being provided to the Government of South Vietnam is a continuing requirement to help accelerate the distribution of land under the “land-to-the-tiller” law and other programs such as the special Montagnard land distribution so that the backlog of claims for payments to former landowners can be further reduced.
VI. PUBLIC SAFETY PROGRAM

Background

Public safety programs in South Vietnam have been supported by AID and its predecessor agencies since 1955. Until 1961, the U.S. AID program was largely limited to training. The present program administered over the past 10 years has consisted of (1) support for the national police force; (2) establishment of a police telecommunications system, and (3) support for GVN correction centers. Since the formation of the civil operations and rural development support program (CORDS) in 1967, the U.S. support effort has been included as a directorate under that organization. 83

U.S. AID's public safety division has provided over 200 police specialists to help train, organize, and equip the Government of South Vietnam National Police forces at all levels, including the National Police Field Forces (NPFF), a paramilitary police unit engaged primarily in combating the Vietcong infrastructure (VCI) in rural areas of South Vietnam. The National Police Force has increased from 75,000 in 1967 to 114,000 in January 1972 with a proposed increase to 122,000 by June 30, 1973.

A separate national police telecommunication system was established in 1965 and involves a network of radio, telephone, telegraph, and teletype equipment that connects villages and hamlets with province capitals and with Saigon. AID technicians helped design the system and AID funds paid for much of the equipment used.

The national identity registration program, begun in October 1968, has now registered more than 6.5 million South Vietnamese aged 15 and over.

U.S. AID's role in the Vietnamese correction center program is largely an advisory one designed to improve the conditions at the 42 centers established under the program.

Con Son Prison

Much public attention had been focused on inhumane treatment of inmates at these centers in 1970, particularly the repression of political prisoners at the infamous Con Son Island prison where Members of the U.S. House of Representatives disclosed the use of "tiger cages" to hold certain types of prisoners in close confinement. The tiny cells were almost identical to those used on Devil's Island off the coast of French Guiana.

Hearings on U.S. assistance to the public safety program in South Vietnam were held by the subcommittee on July 13, August 12, and

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83 Background on the Public Safety Program in Vietnam is taken from testimony by AID Assistant Administrator (Vietnam) Nooter's testimony. See Hearings, pp. 5-6 and also the AID congressional presentation, fiscal year 1973, pp. B-67-70.
August 17, 1970. Testimony was presented by Representatives William R. Anderson, Augustus F. Hawkins, Philip M. Crane, AID, Defense Department, and outside witnesses concerning their firsthand observations of conditions at Con Son.\(^7\) Pictures and tape recordings were also used to document the testimony.

Graphic descriptions of brutality, improper diet, poor medical facilities, and unsanitary prison conditions were presented by Members and a staff member of the House select committee which toured South Vietnam, to inspect the conduct of U.S. operations, in the previous month.

It was also revealed that North Vietnamese prisoners of war were incarcerated on Con Son, for alleged crimes committed while prisoners, contrary to terms of the Geneva Convention.\(^8\)

On December 28, 1970, USMACV Headquarters in Saigon issued a new policy directive (528-8) designed to upgrade public safety correction and detention policy and operations.\(^9\) But shortly thereafter, MACV awarded a \$400,000 contract to the RMK/BRJ construction combine to build new isolation cells at the Con Son prison facility.\(^10\)

### AID Support of GVN Public Safety Program

USAID has expended some \$77.8 million in the public safety program from fiscal 1967 through fiscal 1972, while the Defense Department has contributed another \$48 million, primarily to those paramilitary elements of the National Police such as the NPFF.\(^11\)

AID project assistance for public safety was \$9.5 million in fiscal 1971 and \$8.8 million in fiscal 1972; \$6.8 million was requested for fiscal 1973.\(^12\) Additional funds for the public safety program were provided by the Department of Defense—\$9 million in fiscal 1970, \$8.2 million in fiscal 1971, and an estimated \$11.6 million in fiscal 1972.\(^13\)

The committee readily concedes the probable need for USAID funds for police training, personnel, equipment, and technical assistance to the Government of South Vietnam in strengthening and improving all aspects of its National Police operations.

But no program can be efficient and economical if it does not achieve the objectives for which it was authorized and created. Conflicting viewpoints on the operation of the public safety program, as expressed in AID documents and by various witnesses at the subcommittee's hearings, have raised serious questions as to the degree to which stated objectives are actually being achieved. Broadly stated AID describes the major public safety project targets as follows: \(^14\)

**National Police support.** — AID assistance under this project assists the Vietnamese National Police to maintain law and order.
order and local security in pacified urban and rural areas, combat smaller Vietcong elements, and deny resources to the enemy.

Public safety telecommunications.—Under this project, AID provides support for the National Police radiophone system for nationwide police operational communications from the national to the district level, and the Government of Vietnam Combined Telecommunications Directorate (CTD).

Corrections centers.—Under this project, AID provides support for improvements in Vietnamese prison conditions. There is a need to expand the capacity of existing prisons, improve security, and continue to develop better health and rehabilitation facilities.

AID Assistant Administrator (Vietnam) Nooter described U.S. assistance to the South Vietnamese National Police in his testimony thusly: 45

* * * AID’s task has been to assist the National Police in recruiting, training and organizing a force for the maintenance of law and order, including all normal police functions. In carrying out its task, AID’s public safety division has had a team of over 200 police specialists in Vietnam helping train and organize the National Police forces at all levels. In Saigon, we have been concerned with revising legislation and planning for the gradual expansion of the National Police Force from about 75,000 in 1967 to over 100,000 today. Most of this force has received training either in-country or abroad, the entire directorate virtually reorganized along modern police lines, over 3,000 policewomen added to the service and a special inspection division established which has led to prosecution or disciplinary action against 2,200 policemen for violation of conduct including corrupt practices. The National Bureau of Narcotics has been reorganized and a narcotics section established at both regional and provincial levels. A nationwide identification program is nearing a goal of registering 12 million Vietnamese over 15 years old.

In response to questions by Representative Reid concerning allegations of political oppression and brutality by the Thieu regime, Mr. Nooter said: 46

It is our objective in the AID program to help the police force and to help the correction centers run both more efficient and more humane operations. To the degree in which we get sufficient cooperation to make it appear that those objectives can be attained, I think it is to our advantage to continue our presence in those programs.

There has been a rapid expansion of the Vietnamese National Police Force over the past several years, as was brought out in the colloquy between Representative Moorhead and Mr. Nooter; 47

Mr. Moorhead. Mr. Nooter, what was the numerical strength of the National Police Force, let’s say, in 1964?

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45 Hearings, p. 5.
46 Ibid., p. 44.
47 Ibid., p. 87.
Mr. Moorhead. So the South Vietnamese police force has increased from 10,000 to 118,000 now, to a projected 122,000; is that correct?

Mr. Nooter. Yes, sir. Incidentally, on that point, it is the opinion of our advisers there that an adequate police force for Vietnam in peacetime would be about 75,000. Given wartime conditions and the extra security burdens that implies, some of which fall on the police, they feel that the 122,000 is an appropriate number.

AID's fiscal 1973 congressional presentation described the accomplishments of the National Police support project: 46

More than 50 percent of all National Police were assigned to the district level and below. The number of police assigned to the village level has increased from 11,000 to over 31,000 and the number of village stations from 1,776 to 2,102. Efforts to control illegal movement of weapons, food, and drugs during 1971 resulted in 1,900 confiscations of weapons; 226,000 rounds of ammunition; 614,000 kilos of contraband foodstuffs; and 9,946,000 capsules and tablets of medicine or drugs.

Correction Centers

Additional information was solicited concerning the operation of AID-supported correction center projects. Assistant AID Administrator (Vietnam) Nooter testified: 47

AID's efforts on behalf of correction centers have been directed at raising to minimum standards the living conditions, feeding, welfare and security of inmates. We have helped plan the renovation of over 250 units including dispensaries, dining rooms, bath houses, sewage systems, and inmate housing. The daily food ration has been increased and vocational training is now being conducted at 52 centers. There is still room for improvement as evidenced by the disclosure last year of conditions in Con Son Prison. However, while individual instances of inhumane treatment no doubt exist, the overall system is far less onerous than the impression conveyed in press stories during the past year. Specifically, the monthly death rate in Vietnamese prisons from all causes in 1970 was 0.03 percent per month, which is better than the death rate for the country as a whole. This is less than one-fourth of the 0.14-percent-per-month death rate in 1967, when our assistance started, and is an extremely low rate by any absolute or relative standard.

Several months earlier, Nooter had taken note of increasing congressional concern over the Con Son incident and other instances of alleged prison brutality when he testified before the House Foreign Affairs Committee: 48

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46 Ibid., p. B-47 and 68.
47 P. 6.
We have also received numerous comments and suggestions that the United States should withdraw the assistance which we have been providing to the Vietnamese prison system. The U.S. financial support for this program is small, but I would like to comment on it since it has received such wide public attention:

It is tempting, indeed, to contemplate withdrawal from a program which has received such wide public criticism. Our role is advisory and not operational, and, no doubt, the prison system still leaves much room for improvement. However, there are several reasons why I believe that we should continue to support this program for a few more years.

First, there is no doubt in my mind that South Vietnamese prisons are better operated and provide more humane treatment of prisoners than would be the case if our program had not existed. We have helped finance construction which has relieved crowding conditions in the prisons. We have provided training for Vietnamese personnel, and our advisers have worked with them in a constructive way. The Vietnamese have not always operated their prisons in the way we would, but they have shown a willingness to work with us and have accepted our advice in most cases.

* * * *

I do not believe that we should walk away from this problem simply because it is a difficult one, as long as the Vietnamese continue to demonstrate their willingness to work with our advisers and to make improvements. We will, of course, phase out these activities as soon as we believe that the objectives of this program have been attained, but our assessment now is that this will take several more years.

The subcommittee asked Ambassador Colby, outgoing director of the CORDS program, to describe the extent to which CORDS has contributed to the operations of GVN prisons, detention centers, and interrogation centers. Colby responded as follows: 51

In 1963, a U.S. program of advice and assistance to the Government of Vietnam prison system was initiated, which was taken over by CORDS in 1967. The program initially focused on a vocational skills training program. In 1967, the problems of overcrowding because of the war and loss of prisoners to Vietcong attacks became serious. Thus, a substantial program of fortification and expansion of prison facilities was undertaken. To this was added a variety of programs to improve facilities and procedures in the correction and detention systems, both before and after the Con Son incident of 1970. Advisory attention to these centers has been increased over the years, using both civilian and military personnel, including six members of the U.S. Federal Bureau of Prisons now in Vietnam. As a result of the overall program (and the more stringent standards of apprehension established under the Phoenix program), overcrowding has been eliminated except in a few facilities, the death rate in the correction

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centers has dropped from 1.56 per thousand per month in 1967 to 0.36 per thousand per month in 1970, medical care has substantially increased and feeding and sanitary facilities have been improved. Additional improvements are still needed, but the advice and assistance to date has certainly improved the Government of Vietnam's operation of all these centers, as well as the circumstances of their inmates. Funding (AID and DOD) for corrections and detentions (including the cost of civilian advisers) from the inception of CORDS is as follows:

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>Amount (millions)</th>
<th>Planters (millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1967</td>
<td>$78.0</td>
<td>43.0</td>
</tr>
<tr>
<td>1968</td>
<td>1,186.7</td>
<td>726.0</td>
</tr>
<tr>
<td>1969</td>
<td>901.5</td>
<td>459.0</td>
</tr>
<tr>
<td>1970</td>
<td>315.3</td>
<td>42.9</td>
</tr>
<tr>
<td>1971</td>
<td>287.0</td>
<td>102.2</td>
</tr>
<tr>
<td>1972</td>
<td>627.4</td>
<td>68.3</td>
</tr>
</tbody>
</table>

Note: With respect to interrogation centers, CORDS since its establishment in 1967 has provided about $100,000 toward repatriation and improvements.

Other written questions submitted to Ambassador Colby on the operations of interrogation centers produced the following responses:

Question 10. How many interrogation centers are being operated by the United States or under U.S. advisory supervision? Specify each location. How many U.S. personnel are assigned to such operations and what are their duties and responsibilities?

Answer. A Provincial interrogation center exists in each of the 44 provinces, a regional center in each of the four regions and a national center at Saigon, operated by the special branch of the National Police with advice and assistance from the Pacification Security Coordination Division of CORDS. In addition, military interrogation centers are operated by Army of the Republic of Vietnam, United States, Korean, and Australian military units at appropriate levels at which interrogations are conducted. In August 1971, 26 U.S. civilian personnel worked with the civilian centers described above, providing advice on professional interrogation techniques, reporting the significant intelligence acquired, and observing the standards of treatment of inmates. Present plans are to phase out most provincial centers (and U.S. advisory support), during the coming year and rely only on the regional and Saigon centers.

Question 11. To what extent are U.S. personnel present or assisting in the interrogation of Vietcong or North Vietnamese suspects?

Answer. U.S. personnel are primarily advisors with respect to Government of Vietnam interrogation of Vietcong or North Vietnamese suspects. Thus, they are sometimes present, sometimes not; they sometimes make suggestions with re-
spect to questioning, and sometimes do not. There is no fixed rule in this regard, other than that of helping Government of Vietnam personnel to meet professional (and ethical) interrogation standards. To the extent that suspects are apprehended by U.S. military units, of course, U.S. personnel will conduct at least initial interrogations to determine how they should be handled. On some few occasions, special arrangements are made for U.S. interrogators to have access to particularly interesting cases for direct interrogation on matters of interest to the United States.

Alleged Brutality

Other witnesses, however, criticized the operational basis for AID and CORDS support of the public safety program in South Vietnam. In some cases, this testimony was based on personal knowledge; in others, it appeared to express an opinion. Mr. Don Luce, an outside witness with 12 years of service in South Vietnam with the International Voluntary Services as an agriculturist, a journalist, and representative of the World Council of Churches told the subcommittee:

I think this morning one of the confusions about the police system is that there are so many different police systems, so many different prison systems. For example, there are the national correction centers, provincial correctional centers, detention centers, interrogation centers, police station jails, and military prisons. People are imprisoned into all of these different categories of prisons. So when you try to count the number of political prisoners, or when you consider what has happened to the prisoners, it becomes very confusing as to which system these people fall under, who is responsible. But the United States has been building the prisons. We furnish the tear gas which is used to repress the students, and I found in Vietnam that it was very hard to get the information about what was happening from the U.S. officials.

For example, a year ago, 11 Vietnamese university students were released who had slivers under their fingernails, who had round holes in sensitive parts of their body which they said were from cigarette burns and were covered with black and blue spots.

A group of us from different voluntary agencies, such as myself from the World Council of Churches, representatives from the Unitarian Service Committee, the American Friends Service Committee, and International Voluntary Services, requested to see Ambassador Bunker about the fact that Vietnamese students were being tortured, that the U.S.-donated equipment had been involved in their arrest, and that we were supporting the whole prison system and police system. Ambassador Bunker's office said Ambassador Bunker could not see us, we should see Deputy Ambassador Berger. He said he could not see us, we should see the Youth Affairs Office. They said they could not see us, we should see the Public Safety Director. He said we should see the prisons adviser. The pris-

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Ibid., pp. 98–99.
ons adviser said that this was the kind of a decision that was too high for him to comment on, there was nothing he could do about it. It is very frustrating.

Mr. Luce described interrogation practices in Vietnam in this colloquy with Representative McCloskey:

Mr. McCloskey. Mr. Luce, in your long experience in Vietnam, would you state to the subcommittee the common belief, the common reputation of Vietnamese interrogation procedures with the American community, both military and political, in South Vietnam, as to the manner of torture of prisoners during the interrogation process?

Mr. Luce. The general opinion of Vietnamese, and I have talked with people who have been in interrogation centers and later released, and talked with just in general hundreds of people about this general question, is that almost every Vietnamese who is picked up is immediately tortured, and then goes to an interrogation center, or a police station, and is tortured again.

Then the question of American involvement in this, the people say that in many cases Americans are here, so that Vietnamese generally feel that Americans are often watching the torture and sometimes involved in the torture.

Mr. McCloskey. Now, what is the reputation in the American community? How about the Americans that you have talked with over there? What is their common understanding, belief or impression as to whether South Vietnamese use torture in the interrogation process, if you know?

Mr. Luce. I think that almost all Americans there would know of specific cases where torture has been used. You know, it is just an accepted fact there.

Mr. McCloskey. Is it a matter of common discussion?

Mr. Luce. Yes.

Mr. McCloskey. What, in your opinion, can be said, or what is your attitude about a program under which a prisoner, perhaps captured or certainly assisted in the capture by American troops, is turned over in a province interrogation center for 46 days for interrogation solely by South Vietnamese with no Americans present?

Mr. Luce. Well, my first reaction is the United States probably built this interrogation center, that we were involved in the arrest of this person, either directly or indirectly, and we cannot escape the responsibility for what happens to that individual. We are a part of that torture as much as if we were there and maybe even more so because we are doing nothing to stop it and doing a large number of things to encourage it.

Mr. McCloskey. Have you compiled any documentary evidence of torture, such as statements of individuals allegedly claimed to have been tortured?

54 Ibid., pp. 106–107.
Mr. LUCE: I have at home, tapes of people that have been interviewed, people who have been arrested by Americans, and beaten by the Americans, and then go through the whole prison system, ending up at Con Son or other places. I have interviewed American interrogators who have used what they call the good-guy bad-guy approach, that is, when the prisoner arrives at the interrogation center they give him coffee and cigarettes and water, anything that he wants, and then if he does not give information, they turn him back to the Vietnamese.

According to this interrogator, he said just about every Vietnamese prisoner that he had received had been tortured by Vietnamese interrogators, and that the most effective way of getting information was to threaten to send them back, and in some cases sending them back to the Vietnamese. As a matter of fact, I found one interrogation center through a former prisoner who had met two North Vietnamese medical technicians who, he said, their fingers were twisted up, you know, had been broken. They had been beaten on a table with boards, they said, by an American.

In a subsequent colloquy with Representative Moss, Mr. Luce also testified as to the use of the Vietnamese police for political purposes: 88

Mr. Moss. * * *: I would assume from your statement that in quoting John Mossler, the AID Director, as you do on page 3 in the second paragraph:

"During 1970 the police continued to improve their capability in traditional police functions. Their timely and positive action effectively contained civil disturbances involving war veterans, students, and religious groups, thereby preventing the spread of violence."

Do you feel that in fact police in this instance have been engaged in suppression beyond merely containing civil disturbances?

Mr. LUCE: Yes. I think that they have used the police for political control, you know, for political reasons. They have used the police against the religious leaders who were advocating peace and against the war veterans who were asking for better housing and better service to the war veterans.

Mr. Moss. You seem to have gained some support, or at least some support, from Vice President Ky in his—I think a letter that he released yesterday, wherein he criticizes the then government, and characterizes it as being a dictatorship and suppressing the individual liberties and whatnot.

Mr. Luce. I think he said this about 2 or 3 weeks ago, which resulted in 14 Saigon newspapers being confiscated.

Another witness, Mr. Theodore Jaqueney, a former AID employee who until recently had been assigned to the CORDS program in South Vietnam, told the subcommittee: 89

I wrote in my political report of the June 1970, Danang City Council election, that "arrest without warrant or reason".

88 Ibid., p. 111.
89 Ibid., pp. 251-252.
was a major local complaint by the people of Danang. I have personally witnessed poor urban people literally quaking with fear when I questioned them about the activity of the secret police in the past election campaign. One poor fisherman in Danang, animated and talkative in complaining about economic conditions, clammed up in near terror when queried about the police, responding that he “must think about his family.” After many personal interviews in Vietnam on this subject, I came to the conclusion that no single entity, including the feared and hated Vietcong, is more feared or more hated than the South Vietnamese secret police.

He further stated:

In every province in Vietnam there is a province interrogation center—a PIC—with a reputation for using torture to interrogate people accused of Vietcong affiliations. These PIC’s have a CIA counterpart relationship, and in some cases also have a relationship with the AID police adviser. Not in all cases, however—last year the senior AID police adviser of the Danang City Advisory Group told me he refused, after one visit, to ever set foot in a PIC again, because “war crimes are going on in there.”

Ambassador Colby provided additional information about the U.S. relationship to the Province interrogation centers:

Mr. McCloskey. Mr. Ambassador, I have a document in front of me indicating that interrogation statements or confessions are admissible and used extensively in An Tri hearings. Is that correct?

Ambassador Colby. Yes. Quite frankly, Mr. Congressman, they used to be used exclusively, which was one of the major problems. They are not used exclusively any more.

Mr. McCloskey. That also appears in the document, the American advisers to the Phoenix program should try to require a quantum of proof, other than by confession and interrogation. That brings me to the real problem that I saw personally with the Phoenix program when I was there. If the evidence is insufficient to convict a man, and also insufficient to show a reasonable probability that he may be a threat to security, then he may still be sent to the Provincial interrogation center. When I first met with the American personnel in Saigon, I understood that these secret prisons were under the control of the CORDS personnel. As you went out to the field, however, we found the Provincial interrogation centers were not operated by CORDS; is that correct?

Ambassador Colby. The Provincial interrogation centers are actually operated by the special branch of the National Police. They are advised by another element of our mission there. I feel that any actions there are probably coordinated with CORDS. I feel a certain responsibility for that as well.

Ibid., p. 282.
Ibid., pp. 196-197. The “An Tri,” or “emergency detention,” procedure under South Vietnamese law was described by Ambassador Colby on p. 186 of the hearings.
Mr. McCluskey. As a deputy to CORDS, you do have personal responsibility over the operation of these Province interrogation centers, do you not?

Ambassador Colby. I have a feeling of responsibility. I do not know what the fine lines of the organizational diagrams might be but I feel responsibility for everything to do with this program.

Mr. McCluskey. Who built the Province interrogation centers? Were they American contractors?

Ambassador Colby. I do not believe so.

Mr. McCluskey. The information follows:

**PROVINCE INTERROGATION CENTERS**

These centers were built by local Vietnamese contractors funded directly by the United States.

Mr. McCluskey. Mr. Ambassador, it is correct, is it not, that after a dossier is prepared in the district and the evidence is insufficient to satisfy the Province security council, the prosecutor does have the privilege of sending the detainee, the suspect, to the Province interrogation center? And further, under the rules he may be kept for up to 46 days to see if additional information or confessions can be extracted which will be sufficient to establish the reasonable probability that he is a Vietcong Infrastructure; is that not correct?

Ambassador Colby. I think your sequence is a little wrong, Mr. Congressman. When he is arrested and initially screened, if they feel that there is something that warrants his further detention but they do not have the adequate figures or information themselves, they can send him there. The 46 days was a time limit established between arrest and final action by the Province security committee, which quite frankly used to be a bit more than that. It was established as a maximum limit. As I understand it, I think it is 30 days for the preparation of the dossier, which includes the interrogation.

Additional critical allegations concerning the operation of the interrogation and penal systems by the Government of South Vietnam were contained in a letter to President Nixon dated April 12, 1971, and signed by two Saigon citizens, Nguyen Thi Binh and Huynh Thi Hoa, representatives of relatives of prisoners in South Vietnam.²⁹

**Political Prisoners**

Wide variations in the estimates of the actual number of “political prisoners” incarcerated by the South Vietnamese were presented by witnesses appearing before the subcommittee. But it is quite clear that no accurate statistic can be applied to the actual number of “political prisoners” presently incarcerated by the Government of South Vietnam, nor is there any clear definition of the term. The following

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²⁹ For full text of letter, see hearings, pp. 121–122.
colloquy took place between Representative Reid and witness Don Luce.60

Mr. Reid. Would you care to estimate the number of political prisoners in Vietnam? And, by that, I would like you to give me the relatively low figure, not those that are necessarily Communists, but those that are neutralists and are genuinely political prisoners.

And how many of them would you guess are at Con Son?

Mr. Luce. If I can answer that first, the total number of prisoners at Con Son is approximately 10,000.

The Government figures state that about 70 percent of these people at Con Son are political prisoners, or as they call them Communist criminals.

When I was at Con Son with Congressmen Anderson and Hawkins, we talked with many of these people. I did not see any indication that they were Communists, and no evidence was provided.

The two people that I remember specifically who were criminal prisoners were murderers.

Mr. Reid. How many political prisoners are there, do you think?

Mr. Luce. In total, at least 100,000.

Representative Reid subsequently questioned another witness, Mr. Theodore Jaqueney, on this same point: 61

Mr. Reid. Let me return, Mr. Jaqueney, to your recommendations at the end of your testimony. You called for a congressional investigation of JUSPAO and press freedoms in Vietnam, the whole question of political prisoners and exiles, and the question of whether there is the slightest chance of having elections that are not a total fraud and completely rigged.

On the second of those points, could you give me your estimate—and I appreciate it is an estimate that no one can answer precisely—as to how many political prisoners there are in South Vietnam and how many of them, in your judgment are, in fact, political as distinct from actual Communists? In other words, how many are prisoners who have espoused an end to the war or who have supported neutralism, who have believed in a broader-based government, newspapermen who believed in a free press, individuals who fundamentally stood up for certain basic rights or fought corruption or done some of the things they should have done in a free society and for that privilege have been jailed by a corrupt government?

Mr. Jaqueney. Sir, I have heard figures that range anywhere from 20,000 to 100,000. I frankly don't know how credible one figure is or how credible another figure is. The figures I do know something about involve widespread judgments made in Vietnam that when General Minh overthrew Presi-
dent Diem in 1963 he released something like 75,000 political prisoners. It said that when President Thieu was inaugurated after the election of 1967 that he released from jail some 6,000 minor political prisoners.

But in testimony before the House Foreign Affairs Committee, Assistant AID Administrator for Vietnam Robert H. Nooter put the figure at three, based on information furnished by the GVN, in this statement submitted to that committee on May 6, 1971: 82

**POLITICAL PRISONERS IN VIETNAM**

The total number of inmates of civilian correctional institutions and facilities in Vietnam is approximately 29,500. The Government of Vietnam classifies these prisoners as "common criminals," and military personnel convicted of offenses. There now are approximately 18,500 in the "Communist criminal" category; Those prisoners in this category are detained under laws which make it illegal to belong to or support Communist organizations or to aid or support the enemy forces in the war. Although persons are not imprisoned for legitimate, constitutional political activity or affiliations, there are a small number (currently three) whom Government of Vietnam spokesmen in public statements have described as political prisoners.

Classified documents from the CORDS Public Safety Directorate describing prison population, conditions, medical care, and other similar information on Government of Vietnam correction center policies frequently use "political prisoners" as one of the categories of inmate. These documents are in the subcommittee's files.

**Thompson Study**

At the subcommittee hearings, the report that the National Security Council contracted with Sir Robert Thompson, a British antiguerrilla expert, for an AID-financed $100,000 study of the Government of South Vietnam's police security requirements was examined in this colloquy with AID witness Nooter: 83

Mr. MOORHEAD. Will you describe for us the role of Sir Robert Thompson in our Vietnam operations?

Mr. NOOTER. I can only speak to a portion of that. He has served from time to time as a consultant or as an adviser. More recently, earlier this year, the U.S. people in the field suggested that a visit by him might be useful to review the public safety program, and some of his police associates from Great Britain did go out and consult with and advise both the Vietnamese Government and our own people on public safety activities.

Mr. MOORHEAD. Are you familiar with the 157 recommendations that Sir Robert Thompson recently made through our officials to the Saigon government, particularly with respect to the National Police?

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83 Hearings, pp. 87-88. See also Ambassador Colby's reference to the results of the Thompson study at p. 200 of the hearings.
Mr. Nooter. Yes, sir; I am. We reviewed that report with him when he returned, which included those recommendations.

Mr. Moorhead. Was the increase in the police force one of his recommendations, or was the increase a result of his recommendations?

Mr. Nooter. No, sir, the increase in the force had already taken place when his group went out there. As I recall, his report suggested that the increase to the 122,000 was somewhat more than needed and suggested that further recruitment slow down or stop.

This recommendation was not well substantiated in terms of details, but the Vietnamese did at that point hold up recruitment until they had a chance to review the report further.

To the best of my knowledge, that is the state now. They had reached some 118,000 at that time which is about the level now.

Mr. Moorhead. Can you supply a copy of those recommendations for our record?

Mr. Nooter. I will see if I can obtain clearance to do that, yes, sir.

Mr. Moorhead. Mr. Nooter, who has the report, and to whom do you have to go for clearance?

Mr. Nooter. The report was actually done under the auspices of the National Security Council for the Government of Vietnam.

Mr. Moorhead. Is it acted on by AID?

Mr. Nooter. We of course had access to the report and took it into account. We agreed, our technical people and the Public Safety Board, with a large percentage of these recommendations. In a few cases they disagreed, but nevertheless we did have access to the report for our use.

(A copy of the Thompson study recommendations was not made available to the subcommittee, as had been requested.)
VII. PACIFICATION—CORDS PROGRAM

Background

The “pacification” program of the Government of South Vietnam, according to 1971 testimony by Ambassador William E. Colby, outgoing director of the civil operations and rural development support program (CORDS), had this overall objective: *

... the basic aim of the pacification effort has been to form a new political base for the Government of Vietnam in the Vietnamese people and their local communities, replacing the traditional focus of authority in the palace, the military command and the French-trained bureaucrats.

The South Vietnamese pacification program was an outgrowth of a number of individual programs and experiments that attempted to gear the Government of South Vietnam efforts to combat the new type of war being waged by the Vietcong and the North Vietnamese, called by the Communists a people’s war. It was characterized by a concentration of Communist military, economic, and subversive pressures on the weak points at which the Government made contact with the population, breaking this relationship wherever possible and building a force of its own in the countryside to actively contest the power and authority of the Saigon government.

Early Government of South Vietnam attempts at pacification-type programs were marked by a lack of coordination among the various governmental bureaucracies that made difficult the degree of integration of military and civil programs necessary to conduct a workable strategy to counter the “people’s war” being waged from the North. The United States, recognizing this lack of effective coordination, established the Office of Civil Operations in the U.S. mission in December 1966, to bring all U.S. civil agency programs under a single operational direction. Mr. Robert Komer, a former member of the National Security Council, had previously been sent to Saigon, in the spring of 1966 by President Johnson to take charge of the planned reconstruction program and other civil operations in South Vietnam. In May 1967, Komer was named to head up a combined civil and paramilitary “pacification” program coordination organization known as CORDS, which was placed under the overall authority of the Commander, U.S. Military Assistance Command, Vietnam (MACV). 68

* For natural background description of the CORDS program, see testimony by Mr. Ofé Stovall, Director, International Division, General Accounting Office, pp. 128-173; and by Ambassador Colby, CORDS Director, in the same hearings, pp. 176-242. At the request of the subcommittee, GAO had undertaken a comprehensive study of the CORDS program. Mr. Stovall’s testimony is based on unclassified data contained in the study. On July 23, 1972, GAO issued an unclassified report (15-10451) entitled “Suggestions for Changes in the U.S. Funding and Management of Pacification and Development Programs in Vietnam.”

68 For natural background, see article by former CORDS Director Mr. Komer, entitled “Impact of Pacification on Field Agency in South Vietnam,” Journal of International Affairs, vol. XXV, 1971, No. 1; the article is reprinted at pp. 290-311 in the same issue.
Komer was succeeded by Ambassador Colby as head of the CORDS program in February 1969. Colby served in that position until June 30, 1971, when he was succeeded by his deputy, George D. Jacobson, who was then named acting chief of CORDS.

In describing the unique role which CORDS plays in Vietnam, Ambassador Colby testified: 97

A program to fight a people's war must be carried out by the Vietnamese people and its Government. Thus, CORDS does not really have a program of its own, but rather supports a Vietnamese program.** The function of U.S. advice and support was to initiate and support a Vietnamese effort which can be taken up and maintained by the Vietnamese alone. The CORDS program has thus been engaged in Vietnamization as an essential element of its nature.

Following the formation of CORDS in May 1967, a new concentration in support of “pacification” was initiated by the Government of South Vietnam. These new activities were temporarily diverted as a result of the Communist Tet offensive in February 1968. But Tet served to accelerate the Government of South Vietnam's efforts to press for a more complete integration of the pacification program “behind the shield of the regular military forces.” The Government of South Vietnam launched a 3-month national “accelerated pacification program” in November 1968, which carried the initiative in the contest with the North Vietnamese and the Vietcong for the first time since the beginning of the war. This program was followed in 1969 by an expanded program called pacification and reconstruction and a 1970 program called pacification and development. The current plan is entitled “community defense and local development.” 98

According to Ambassador Colby's testimony, the “foundation of the entire program has been to engage the active participation of the (South Vietnamese) people in their own defense, local government, and development.” The 1968 and 1969 programs were directed toward the reestablishment of local territorial security in a gradually expanding number of hamlets and villages. Additional attention was then focused on the reestablishment of local government through village and hamlet elections and the reconstruction of roads, schools, and other local services. This stage was followed by the initiation of local economic development and the reinforcement of community defense.

The annual Government of South Vietnam pacification programs have also been designed to strengthen the local communities and to decentralize government power to them. Other stated objectives of the programs have been to provide permanent protection to villagers against local guerilla or terrorist activities as well as against more concentrated attacks from North Vietnamese or Vietcong troops. Government of South Vietnam efforts have also been made to assist in the selection of local village leadership to foster development plans that reflect local needs and desires, to provide assistance for resettlement or repatriation of refugees and other war victims, and to assist in implementation of the land reform program.99

97 Hearings, p. 177.
98 For details of these annual pacification programs, see hearings, pp. 126 and 177.
99 Ibid., p. 178.
Much of the effort to achieve the primary objective of local security has involved a variety of military and paramilitary program components. These have included the People's Self-Defense Force, an unpaid militia of over 1 million men that has been organized to help defend the local villages and hamlets. Over 500,000 weapons have been supplied to their force. Regional and popular force companies and platoons were increased to their present level of some 550,000 men armed with M-16 rifles and trained by five-man U.S. mobile training teams. The National Police Force was increased and trained and subsequently deployed to local villages to strengthen civil law and order. The so-called Phoenix program was developed to combat the VCI and other terrorist activities of the enemy.

An adjunct of the Government of South Vietnam pacification program is the people's information program (PIP), which publicizes the overall pacification effort and seeks to develop community solidarity in the provinces as part of a national unification of the South Vietnamese people.

The Joint U.S. Public Affairs Office (JUSPAO), an arm of the U.S. Information Agency, works with the Government of South Vietnam Ministry of Information to implement the PIP and also works with the Ministry of Chieu Hoi in propaganda efforts to induce Vietcong to defect to the Government of South Vietnam. The term "Chieu Hoi" means "a call to return."

Fieldwork in both these fields of communication and propaganda is coordinated through Government of South Vietnam counterparts with personnel from the CORDS Chieu Hoi Directorate and the JUSPAO office assigned to CORDS.

An accurate evaluation of CORDS role in the Government of South Vietnam pacification effort is difficult to make—as difficult as an assessment of the degree of success of the overall series of pacification programs undertaken by the Saigon government.

Ambassador Colby summarized as follows: "I do not pretend that this program is in full-blown existence in every corner of the country. One of the characteristics of the Vietnamese scene and the people's war is the variation between areas and between programs, in great part dependent upon the quality of individual leaders on both sides of the contest. Thus, there are a few parts of Vietnam still in effect engaged in the 1969 program outlined above; there are other parts which are well along the 1971 program and crowding the concepts for 1972. In some places the population does not participate as designed, but is bossed by an overbearing local chieftain. In some areas, the bureaucrat has not relinquished the centralized power to the degree contemplated in the plans. Nonetheless, the overall picture is clearly one of momentum in the direction initiated in November 1968. The leaders of the Government of Vietnam are well aware of local program weaknesses and they are constantly pressing to overcome individual failures to implement the plan. Most significant perhaps is that the Communist leadership has called for new efforts and tactics to contest this program, seeing in it a major threat to their hope of conquest in Vietnam. In some..."

\[\text{continued...}\]
areas, or on some occasions, they have had successes. But in the overall balance, the momentum is still on the side of the Government of Vietnam.

The Government of South Vietnam's Central Pacification and Development Council is responsible for planning, coordinating, and executing the annual pacification plans. The chairman of the council is President Thieu. It is composed of representatives from all Government of South Vietnam ministries and agencies which participate in the plan and has the authority to issue pacification and development guidance to all other Government agencies, including the military's joint general staff. Similar councils also operate the regional and province levels.

CORDS operates through various advisory, support, and inspection functions at all levels of the Government of South Vietnam—in Saigon, in regions, provinces, districts, and down to the village. CORDS planning staff deals with the GVN Pacification and Development Council and provides advice, liaison, and support to various Government ministries involved in the overall pacification program. CORDS staff personnel also operate in each of the four regions and maintain teams in each of the 44 provinces, where a province senior adviser deals with the Vietnamese province chief.17

About half of these CORDS senior advisers are military officers, while the other half are civilian AID or Foreign Service officers. Other CORDS' teams often operate at the district level and occasionally as mobile units to assist in village security planning.

CORDS Structure and Funding

The funding of the CORDS program is unique. Congress does not appropriate funds directly in a package or one bill to finance the United States role in the Government of South Vietnam pacification program. CORDS funds, like its personnel, come from the agencies contributing to the integrated program. Individual component parts of the overall pacification program are funded through the Department of Defense and AID budgets. Precise costs of the pacification programs are thus almost impossible to determine.

GAO witness Stovall described the CORDS organizational structure as follows:18

The Commander, U.S. Military Assistance Command, has overall responsibility for U.S. pacification and development assistance and he administers the program through his deputy for CORDS, Chief of Staff, and the Assistant Chief of Staff for CORDS.

At the Saigon level, CORDS has 11 directorates which advise the Government of Vietnam's ministries and perform the staff and administrative functions. These directorates are under the control of the Assistant Chief of Staff for CORDS and are manned by both military personnel and civilians. CORDS field personnel are under the direct control of the deputy for CORDS. The organization in the field is similar.

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17 Ibid., p. 170.
18 Ibid., p. 126.
to the CORDS Saigon in that each of the four military regions has staff advisers organized along the same functional lines as the Saigon directorates.

CORDS had about 13,800 personnel on July 1, 1970. The staffs were composed of U.S. military and civilian personnel; local national employees of Vietnam; and third country nationals from such countries as the Philippines and Korea. Over 80 percent of the assigned personnel as of July 1, 1970, were assigned to field activities outside of Saigon.

As to funding of the program, he added: 

When CORDS was established, it was decided that it for the most part would receive services, supplies, and needed material directly from its supporting organizations. Accordingly, it did not establish any central accounting or budget or funds control mechanisms of its own. It drew directly as needed upon its supporting organizations, principally the U.S. military services, and used their employees including military personnel to carry out its activities.

In late 1970, the Saigon headquarters of the Agency for International Development and the Joint U.S. Public Affairs Office still operated independently of CORDS for programs related to pacification, but their field staffs, that is, outside of Saigon, fall under CORDS for all assistance programs. Since the bulk of the resources for participation support were and continue to be provided by the military, the Commander, U.S. Military Assistance Command, Vietnam, was charged with the leadership of the program under the overall authority of the Ambassador.

The combined financing of the CORDS program for the 3 years 1965 through 1970 totaled about $4 billion. The United States budgeted approximately $2.1 billion, the Government of Vietnam budgeted the equivalent of about $1.6 billion, and the equivalent of about $300 million was made available from U.S. owned or controlled local currency (piasters) accounts. This local currency was generated under other U.S.-financed assistance programs.

Approximately $3.2 billion or 80 percent of these funds were budgeted for territorial security or related military programs. Other uses for which the funds were budgeted were establishment of local governments, $328 million or 8 percent; brighter life for war victims or refugee programs, $141 million or 4 percent; general support, $202 million or 6 percent (general support involves such things as CORDS technical support, personnel support, and Air America). Funds in lesser amounts amounting in each case to 1 percent or less of the total were budgeted for People's Self-Defense Force; prosperity for all or civic action; greater national unity or Chieu Hoi; protection from terrorism or Phoenix; and people's information program.

Under the present CORDS organization the 11 individual directorates, to the extent that they desire it, must obtain their
financial information from the agencies (that is, the military services, AID, and CIA) which support their programs.

This is a time-consuming task for them and in some cases is avoided. During our survey, we received incorrect and conflicting figures from the CORDS directorates. We also found that some of the responsible officials in the directorates were unaware of the amount obligated under their programs, and in some cases did not know the amounts in their budgets. In discussing these matters in Saigon our staff suggested to officials there that procedures for central management and control of budgets and obligation data were needed, as well as procedures for obtaining obligation data input on a regular basis from the contributing agencies. At the conclusion of our survey, CORDS informed us that steps were in process to receive and record financial data on a regular basis.

I don’t know, Mr. Chairman, how far this has progressed. This was based on work last fall. We are going to follow it through. I don’t know what specifically is developing. But this was a local effort. This was not a department effort.

For 1971, the pacification program cost an estimated $700 million in direct U.S. funds, approximately $91.6 million additional in U.S. generated counterpart funds and approximately $612 million from the Government of Vietnam budget. It should be noted also that the United States underwrites more than 80 percent of the annual Government of Vietnam budget.

The salaries of the approximately 18,300 CORDS employees were included in the cost figures of the pacification program. For 1971, about 4,900 U.S. military personnel and 800 USAID and State Department personnel are included. The remainder of CORDS total personnel strength is made up of South Vietnamese citizens and third country nationals.

In testimony presented to the subcommittee by a GAO witness, based on the classified GAO study of the U.S. role in the pacification program during the July 1967 to September 1970 period, it was noted that in 1969 CORDS had given four separate sets of financial statements on its operations. Each set contained significantly different amounts:

Mr. Moss. It says during your surveys, you received incorrect and conflicting figures from CORDS directorates. Is that about eight direct reports or how many?

Mr. Duff. Eleven.

Mr. Moss. Eleven.

Do you have that list in this report, the 11 directorates of CORDS?

Mr. Duff. Yes, sir.

Mr. Moss. Are those conflicting figures identified in the report?

Mr. Duff. I think we have one schedule in there showing the differences.

74 Ibid., table (annex II), p. 182.
75 Ibid., p. 129; table (annex I), p. 181.
76 Ibid., pp. 169-160. See footnote 63 for reference to study.
Mr. Stovall. There is a table on page 142 of the big document that shows relative differences of figures. The problem, of course, arises from the fact that there is no firm responsibility, and in some cases, the directorate goes out and tries to get information. In other cases, they don't exert as much energy. They do arrive at totals as we showed in here.

For example, and I think I would be safe on reading the totals here, that for 1969, a set of figures submitted to the Senate Foreign Relations Committee totaled $1.335 billion; a set of figures that we asked for and got at that time, totaled $1.354 billion; a set that was prepared for National Security Council added up to $1.369 billion; and our staff in Saigon as a part of our work there tried to take all those and bring them into one set as best they could as to what they thought was a set of figures for fiscal 1969, and they came up with $1.363 billion.

I would like to emphasize again, I would not put full faith in any of these figures.

Mr. Moss. I quite agree. But even if we concede the very sloppy accounting and the lack of accounting in the CORDS operation, the DOD should be able to give us the details of what they made available to CORDS, shouldn't they?

Mr. Stovall. They should.

Mr. Moss. And AID should certainly be able to give us the details.

Mr. Stovall. We were able to find a trail insofar as the AID figures.

Mr. Moss. The problem is with DOD.

Mr. Stovall. Yes, sir.

Mr. Moss. While we are doing this, back on my underlyng theme here, what is there in these figures, as they break down into their various parts, that could adversely affect the security of the United States in your judgment?

Mr. Stovall. I don't see anything.

Mr. Moss. It might be embarrassing to the agencies or departments mentioned in the revealing of facts of discrepancies between figures, but certainly it could not bear upon the security of the Nation, could it?

Mr. Stovall. I don't see how it could.

The classified GAO study, while not a formal audit report, indicated that CORDS financial records were so confused that $1.7 billion of the $2.1 billion authorized for the pacification program could not be accurately traced without a complete field investigation. In explanation, GAO witness Stovall told the subcommittee:

Recently articles appearing in the press since July 10, 1971, conveyed an implication that our survey of the pacification program has disclosed that $1.7 billion of the funds available for that program were lost. This is a misinterpretation of statements contained in our survey document. On page 187 of that document we said:
"We were unable to obtain obligations for $1.7 billion of the $2.1 billion budget shown above. The largest part of this, about $1.3 billion, was budgeted to provide military hardware and other commodities to the regional and popular forces under the military assistance service funded program. Because this program also provides commodities to other Vietnamese military organizations and records segregating deliveries to the regional and popular forces are not maintained, we were unable to obtain obligations."

The point we were developing in our survey was the fact that the overall operational costs for the various programs administered by CORDS are not available at CORDS nor to the best of our knowledge anywhere else. In other words, we are concerned that the absence of adequate fiscal control over the operating programs of CORDS is a serious weakness which could permit the misappropriation of equipment, materials, and supplies without alerting management in a timely manner.

We did not intend for our statement to infer in any way that we believed $1.7 billion of funds were lost. It is our belief, however, that in the absence of adequate financial controls at CORDS it would be very difficult if not impossible to accurately reconstruct the value of and disposition of equipment, supplies, and services that have been furnished by the United States for the operating programs of CORDS.

Ambassador Colby was also questioned about the General Accounting Office study of CORDS financing: "8

Mr. Moorhead. Mr. Ambassador, one final line of questioning. This has to do with accounting.

As you know, the jurisdiction of this subcommittee is to efficiency and economy of Government operations.

I am sure you are familiar with the General Accounting Office report. It says, among other things, that CORDS maintains incomplete financial records. It says certain problems could be avoided "If CORDS had established procedures for central management and control of budgets and obligation data."

It says, "We learned during a survey that internal audits and inspections had generally not been conducted. Of the 12 audit groups authorized to inspect CORDS' operations, only two had done so since 1967."

Then it points out it is very difficult to check on the efficiency and economy of the Government because "CORDS frequently commingles the funds of two or more agencies." And so forth. I might say that the pages I have read from are unclassified pages in a secret document.

Mr. Ambassador, I understand when CORDS was first established, there was an emergency situation. I am inclined to think it was a good thing to unite various funds and personnel into one operating agency. But isn't it possible now to establish central accounting management so that the Congress—and the General Accounting Office, as an arm of

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8 Ibid., pp. 208-204.
Congress—can make audits so that we can be sure where the dollars and resources have been expended, that they were properly applied, and are being utilized with a minimum of waste involved in a program the size of CORDS?

Ambassador Colby. I agree with you, Mr. Chairman.

The team from the General Accounting Office that was out there last year, that made that report, had that as one of the main points they made to me when they left. They had a very difficult time putting the figures together.

My point, of course, is that we were in the middle of a war-time effort and we, frankly, had our main focus on doing the job and less on accounting for a considerable period.

I fully agreed that it was time to tighten up and get the thing organized so people could understand it better and understand the various contributions. We moved along on that.

We have, I think, some figures that are much better today than they were when that team was there. I would not say they are entirely perfect yet, but we are in the course of developing exactly that kind of figure that should give the Congress a proper view.

I fully agree that it is needed at this stage.

Mr. Moorhead. Those figures now, with qualifications, are they in such form that they could be presented to us?

Ambassador Colby. I have a copy of them here, Mr. Chairman, and I will be glad to leave it for the record. They are still somewhat tentative, but I can leave them for the committee to look at.

Mr. Moorhead. Are they classified?

Ambassador Colby. They are unclassified. They are the work of our people in the field.

As you know, sometimes the field figures don't entirely match with the Washington figures, because of other factors put into them.

I hasten to say that this figure is not necessarily absolutely correct. These figures are still subject to modification, but I think they give a rough idea.

These detailed program costs of CORDS were subsequently provided to the subcommittee in a form requested in a written question to Ambassador Colby. 20

Question 1: Mr. Ambassador, by percentage and total dollar amount, how much of the pacification program has been financed—directly or indirectly—by the United States? In your answer, I wish you also would incorporate that part of the Vietnamese budget financed by revenues which stem from the U.S. presence in Vietnam, excluding deficit financing, of course.

Answer. In annex II of my opening statement, I attempted to show the reply to this question, supplemented by the report submitted at page 740, line 16. As indicated in my remarks on pages 740 and 741, these figures do not reflect

20 Ibid., pp. 228-224.
Washington level considerations and some degree of interpretation was required in deciding just which expenditures to include in the "pacification program" on both the Vietnamese and U.S. sides. Taking the totals of annex II and using a constant rate of exchange of 118 to 1 (despite some artificiality involved), the information desired is as follows:

**ESTIMATED PACIFICATION BUDGETS (DOD, AID, GVN)**

<table>
<thead>
<tr>
<th>Year</th>
<th>GVN (plasters-billions)</th>
<th>United States</th>
<th>Counter part</th>
<th>Estimate GVN revenue</th>
<th>Estimate GVN domestic revenue and deficit financing</th>
<th>Total (millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Direct</td>
<td>From imports</td>
<td>from United States</td>
<td>from United States</td>
<td>Direct Indirect</td>
</tr>
<tr>
<td></td>
<td></td>
<td>dollars</td>
<td>(CIP, etc.)</td>
<td>purchasing)</td>
<td>purchasing)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(millions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1968</td>
<td></td>
<td>529.8</td>
<td>10.2</td>
<td>11.6</td>
<td>11.4</td>
<td>27.1 31,034.0</td>
</tr>
<tr>
<td>1969</td>
<td></td>
<td>680.4</td>
<td>11.8</td>
<td>17.4</td>
<td>20.4</td>
<td>27.1 1,266.2</td>
</tr>
<tr>
<td>1970</td>
<td></td>
<td>896.0</td>
<td>10.8</td>
<td>23.8</td>
<td>22.6</td>
<td>27.1 1,441.7</td>
</tr>
<tr>
<td>1971</td>
<td></td>
<td>896.2</td>
<td>10.8</td>
<td>21.3</td>
<td>21.9</td>
<td>29.9 1,399.6</td>
</tr>
</tbody>
</table>

The committee makes special reference to the concluding summary of the GAO study of CORDS' organizational and financial structure because of its obvious relevance to the economic and efficient operations of the program in carrying out its stated objectives. Mr. Stovall told the subcommittee:

We believe that it is now the time for a fuller reassessment of the military and AID financing arrangements, not only in Saigon but also at the unified command and department levels. We believe this is needed to clarify fiscal responsibility, and to overcome the lack of adequate central financial records in CORDS. What may have been most expedient under the earlier circumstances should, in our view, be fully reconsidered now in the light of the changing conditions and the prospective shift toward economic and rehabilitation efforts.

In this regard we would like to express caution about the degree of reliability of any presently available overall documents or reports which may purport to contain completely reliable figures on program costs associated with the operations. We have seen several differing sets of figures as indicated on page 142 of our classified document. This further supports a conclusion that the system of financial accountability and financial reports on CORDS' operation needs to be reassessed and tightened.

In his concluding statement, Stovall summarized as follows:

To summarize, we believe that the main elements and related questions pointed up by our survey are:

1. CORDS, as the organization responsible for administering the U.S. pacification in Vietnam, has not been given responsibility for financial stewardship and accountability for the costs of the programs it administers.

\[\text{\textsuperscript{61}}\] Ibid., p. 188.

\[\text{\textsuperscript{61 a}}\] Ibid., p. 189.
We believe that CORDS or any other U.S. organization responsible for managing a foreign assistance program, should not be exempt from the integral and very important part of that responsibility that relates to financial stewardship and accountability.

2. The military financial budgeting and accounting system does not provide information as to the portion of the material supplied from the U.S. military pipelines into the CORDS program.

We believe the system should be modified to provide such information.

3. The present system results in a blurred distinction of accountability between the respective U.S. military services, the free world military forces, the Vietnamese Armed Forces, and CORDS.

We believe that consideration should be given to the more fundamental question of whether an operation such as CORDS or any foreign assistance program or CORDS should have adequate financial control relatable to that foreign assistance program.

We expect to look further into the system for financing and controlling the CORDS operation and plan to make reports to the Congress on the results of our work.

Subsequently, the General Accounting Office reiterated the foregoing position in its July 1972 report on the funding and management of the pacification program in South Vietnam.

Executive Refusal of Access to Records

The committee finally notes with concern the inability of the General Accounting Office to obtain access to certain information from the Departments of State and Defense, needed in fulfilling its responsibilities under section 313 of the Budget and Accounting Act of 1921 (31 U.S.C. 53, 54). Testimony detailing such refusals was presented to the Senate Appropriations Committee by GAO during 1970 and was subsequently discussed by GAO witness Stovall before the subcommittee in connection with his testimony on the pacification program.82

Phoenix (Phung Hoang) Program

By far the most controversial of the various components of the pacification program is the Phoenix, or Phung Hoang, program. It was described in testimony before the subcommittee by Ambassador Colby as follows: 83

82 Ibid., pp. 125-127 for colloquy between Representative Moss and Mr. Stovall; also see pp. 168-169 of hearings. The statement to the Senate Appropriations Committee by Mr. Stovall on access-to-records difficulties appears at p. 163. The committee notes the hearings on "U.S. Government Information Policies and Procedures" held by the Foreign Operations and Government Information Subcommittee this session and the subcommittee's intention to further explore repeated executive refusals of requests for information by the GAO.

83 Ibid., pp. 162-168.
The Phoenix program of the Government of South Vietnam is designed to protect the Vietnamese people from terrorism and political, paramilitary, economic and subversive pressure from the Communist clandestine organization in South Vietnam. The Vietcong Infrastructure, or VCI, is the leadership apparatus of the Communist attempt to conquer the Vietnamese people and government. The Vietcong Infrastructure supports the military operations of the Vietcong and North Vietnamese Army units by providing intelligence, recruits or conscripts and logistics support. It also directs and implements a systematic campaign of terrorism against government officials, locally elected leaders and the general population. The result of this terrorism is as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Incidents</th>
<th>Killed</th>
<th>Wounded</th>
<th>Abducted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1969</td>
<td>10,526</td>
<td>6,097</td>
<td>15,074</td>
<td>6,097</td>
</tr>
<tr>
<td>1970</td>
<td>11,680</td>
<td>5,951</td>
<td>12,588</td>
<td>5,872</td>
</tr>
<tr>
<td>1971 (May)</td>
<td>4,526</td>
<td>2,470</td>
<td>4,701</td>
<td>3,257</td>
</tr>
</tbody>
</table>

The Phoenix program is an integral part of the Vietnamese Government’s war effort to bring security to its people since the Vietcong Infrastructure is a key element of the Communist war effort.

The Phoenix program includes an intelligence program to identify the members of the Vietcong Infrastructure, an operational program to apprehend them, a legal program to restrain them and a detention program to confine them.

The Phoenix program assembles intelligence on the Vietcong Infrastructure from all sources. Thus the National Police, the People’s Self-Defense Force, the military and the village governments are charged with collaboration to develop a full picture of the Vietcong infrastructure at the various levels. This material is drawn together primarily in district intelligence and operations centers. Special dossiers have been produced to assemble the information in the most usable manner. The Phoenix program at each level is under the direct supervision of the appropriate government official; that is, village chief, district chief, province chief, etc. etc. The national Phoenix staff has been made a part of the National Police Command.

Previously classified statistics on the results of Phoenix program operations against the Vietcong Infrastructure were declassified by Ambassador Colby and presented to the subcommittee as follows: 64

Similar cooperation among all services is required in operations against the Vietcong Infrastructure. Thus the National Police, the regional and popular forces, the People’s Self-Defense Force and the Chieu Hoi program conduct joint independent operations against Vietcong Infrastructure individuals and units as a part of the war effort. Goals have been established over the past several years for the reduction of

64 Ibid., p. 188.
Vietcong Infrastructure strength. These goals have been refined in order to focus the action on the higher level and more significant Vietcong Infrastructure. The Phoenix program is not a program of assassination. In the course of normal military operations or police actions to apprehend them, however, Vietcong Infrastructure are killed as members of military units or while fighting off arrest. The Phoenix program has been widely publicized in Vietnam as a program to protect the people against terrorism and participation by local leadership and population has been encouraged. "Wanted" posters have been circulated to enlist public assistance in the apprehension of Vietcong Infrastructure, although the posters point out to the individual that he may rally under the Chieu Hoi program and be free of any punishment. The following figures give the results of the program over the past several years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Captured</th>
<th>Rallied</th>
<th>Killed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1968</td>
<td>11,288</td>
<td>2,299</td>
<td>2,569</td>
<td>15,766</td>
</tr>
<tr>
<td>1969</td>
<td>6,515</td>
<td>4,892</td>
<td>6,187</td>
<td>19,594</td>
</tr>
<tr>
<td>1970</td>
<td>6,405</td>
<td>7,745</td>
<td>8,191</td>
<td>22,341</td>
</tr>
<tr>
<td>1971 (May)</td>
<td>2,779</td>
<td>2,918</td>
<td>3,000</td>
<td>9,351</td>
</tr>
</tbody>
</table>

In his 1971 testimony, Ambassador Colby described the U.S. role in the Phoenix program.

The United States through CORDS has provided advice and assistance to the Phoenix program. This currently includes approximately 687 U.S. military personnel working with the Phoenix centers at the district, province, region, and national levels. It also includes a very few U.S. civilian personnel. Of course, advisors with the military units, the National Police, the Chieu Hoi program, et cetera, advise and assist their respective service in its normal role, which includes support of the Phoenix program.

In his concluding remarks, Ambassador Colby defended the U.S. role in the Phoenix program.

The Phoenix program is an essential element of Vietnam's defense against Vietcong Infrastructure subversion and terrorism. While some unjustifiable abuses have occurred over the years, as they have in many countries, the Vietnamese and U.S. Governments have worked to stop them, and to produce instead professional and intelligent operations which will meet the Vietcong Infrastructure attack with stern justice, with equal stress on both words. Considerable evidence has appeared from enemy documents and from former and even current members of the enemy side that, despite some weak-
ness, the program has reduced the power of the Vietcong Infrastructure and its hopes for conquest over the people of South Vietnam. Phoenix is an essential part of the GVN’s defense as the Vietcong Infrastructure is to the Communist attack. U.S. support is fully warranted.

**Phoenix Operations**

Serious questions are raised about the methods by which Phoenix operates. Specifically, it was developed during the hearings that the use of “quotas” and the “targeting” of Vietcong suspects is often based on faulty intelligence, sometimes supplied by individuals having ulterior motives. Once a suspect has been “targeted”, he is subject to being captured or killed. If captured, he may be incarcerated for up to 2 years without benefit of trial. In view of these dire consequences which may befall a VCI suspect, the committee finds particularly disturbing the following testimony of Ambassador Colby on the question of reliability of intelligence.\(^7\)

Mr. Reid. * * * *(Your) testimony before the Senate is replete with some indications and some explicit reports that at times the district coordinating center or the senior advisors have admitted they have made mistakes or are not certain of their information.

My question is: Are you certain that we know a member of the Vietcong Infrastructure from a loyal member of the South Vietnam citizenry?

Ambassador Colby. No; Mr. Congressman, I am not.

Mr. Reid. The answer to that seems to be no, at least in some cases. Therefore there is the possibility that someone will be captured, sentenced, or killed, who has been improperly placed on a list without adequate verification. If it is inadequate, my question goes back to the first point: Isn’t that a reason for making sure that legal proceedings are totally fair?

Ambassador Colby. I certainly would like to see them improved and we have been working to see them improved. I think they are considerably improved. As I said, I do not think they meet the standards I would like to see applied to Americans today.

Mr. Reid. Do you think it is humanly possible, Mr. Ambassador, for the United States through our programs to reliably identify 1,200 or 1,400 suspects a month? Once they are on that list is not that a ticket to possible oblivion for an individual on that list?

Ambassador Colby. I believe there are steps we can take to insure that the evidence is very, very reliable. I would not say beyond a reasonable doubt because that would get you into a court trial. * * *

But to get back to the point, Mr. Congressman, I think that by our work with a program of this nature we can im-

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\(^7\) Ibid., p. 189.