prove it and bring it into the standards which we can accept. When the blacklists and things like that were originally developed, I agree that they were inaccurate in a substantial number of cases. I think that we have helped to produce forms for dossiers, requirements for proof, more professional intelligence operations which give more reliable information. We have stressed capture and interrogation rather than killing a man when you are out after him, if you possibly can, and I think there are very few cases today that fall below the standards.68

* * * * *

Mr. Moorhead. The thing that concerns me is that the Phoenix program imposes monthly quotas. I am sure this may eliminate some hard-core Communists, but may it not include the "neutralization" of innocent persons because they refuse to come up with the requested bribe?

Ambassador Colby. I would say the answer is that it is possible that they be arrested or threatened with arrest unless they pay a bribe. That is a complaint that has been made in the legislature and in the press in Vietnam against individual police or military officials or local officials. That kind of complaint has been made.

I, frankly, think that the procedures that we have gotten prevent very much of that going on to full conviction. I am convinced also that it does not result in their being killed because the kill situation comes from fire fight, and a fighting situation. That is why people get killed. They do not go out to kill them.

Mr. Moorhead. But they can be arrested and brought up before—

Ambassador Colby. But they can be arrested and the bribery and corruption problem can exist.

Mr. Moorhead. They can be brought before a tribunal of questionable officers.

Ambassador Colby. The actions include such things as requiring that the village chief be informed of operations, of arrests taking place within his village, so that he can reflect the local community attitude toward that individual.69

* * * *

Mr. Reid. Mr. Ambassador, does CORDS or any other agency keep a record about each individual whom Phoenix has neutralized?

Ambassador Colby. We have been working with the Vietnamese Government to set up a data processing system, which will put into a single file, all of the people identified as Vietcong Infrastructure, and also give us a set of followup reports on any of them that have been picked up, where they stand in the processing, when they are convicted, how long they are convicted for, where they go to prison, how long they stay there, whether they come out when they are supposed to, and so forth.

68 Ibid., pp. 191–192.
Mr. Rem. When did this verification start?
Ambassador Colby. In its full-blown operation, it is just about right now, Mr. Congressman.

The full Vietcong Infrastructure listings we have had now about a year.
Mr. Rem. Of the listings you have had for about a year, what degree of accuracy did you find?
Did you find that the people that had been listed by the Phoenix program were in fact Vietcong Infrastructure, or a large percentage thereof, or did you find that some were not properly identified?

Ambassador Colby. That you would have to determine at the district center.
Mr. Rem. Have you verified anything at the district center?

Ambassador Colby. We have.

The existence of intelligence reports which would indicate this man has a certain job in the Vietcong Infrastructure—the intelligence report is in the dossier.

Mr. Rem. Can you say there is a high degree of accuracy in the initial dossier or report or do you have some concern as to the accuracy?

Ambassador Colby. I have never been highly satisfied with the accuracies of our intelligence effort on the Vietcong Infrastructure.

Mr. Rem. Are we talking about substantial numbers, say over a thousand, who might have been improperly identified, or are you talking in terms of a hundred or what?

Ambassador Colby. I would say initially identified, mis-identified. I would say that in the past you had larger numbers than that.

Mr. Rem. Meaning what, over 5,000?

Ambassador Colby. I wouldn't like to give you a figure, but I would say that—

Mr. Rem. Or 7,000? Is that the implication?

Ambassador Colby. I frankly don't have a number. Mr. Congressman. When we initially went into this program 3 years ago of helping out with refining the accuracy of it in telling, identifications of people as members of the Vietcong Infrastructure, we found a very imprecise area. We feel that our questions are quite accurate now.

Mr. Rem. When did you decide that there was a very imprecise area here?

Ambassador Colby. When we first got into it. Once we started looking into the original lists and information—

Mr. Rem. How long did it stay very imprecise?

Ambassador Colby. Until we could work up the dossier systems.

Mr. Rem. Starting in 1967, when do you think the dossiers were worked up?

Ambassador Colby. By mid-1969 they began to get a little bit of validity to them.

Mr. Rem. So for 2 years, there was very little validity?
Ambassador Colby: It wasn't until mid-1968 that the program really got started at all.
Mr. Rumsfeld: Well, we will call it a year and a half.
Ambassador Colby: Call it a year or so that it was very imprecise.  

This lack of preciseness in identifying Vietcong Infrastructure is also illustrated by these responses for the record by Ambassador Colby:

Question 5. How does the Phoenix program make absolutely certain that persons eliminated are really Vietcong?
Answer. In a series of directives, the Vietnamese Government Central Phung Hoang Committee has stated the positions in the Vietcong Infrastructure which subject the incumbent to detention; prescribed formats for dossiers to accumulate intelligence and other evidence on individuals; categorized the Vietcong Infrastructure position as A (leaders), B (cadre), or C (followers), with respective detention terms; refined the goals assigned to the Provinces and districts to apply only to A and B category personnel and only to those actually sentenced rather than merely captured; required that operations be coordinated with local village chiefs; called for the publicizing of 100 percent of the Vietcong Infrastructure identified to enlist popular participation and to generate local correction of the information; improved the operations and timeliness of Province security committee proceedings; assigned legal officers of the Ministry of Justice to many (not yet all) Provinces to improve the legal aspects of Province security committee proceedings; carried on training and publicity programs to improve official and public understanding of the real nature of the Vietcong Infrastructure and the best ways to counteract it through professional and responsible intelligence, interrogation, and police techniques; and established an interministerial legal committee working with the Central Pacification and Development Council to conduct a continuing study and coordination of improvement in the legal procedures applicable to the Vietcong Infrastructure. As indicated in my testimony, these have not yet reached a state of absolute certainty that only Vietcong Infrastructure personnel are targeted for apprehension, and further improvements are needed to constitute true due process; nonetheless, the Government of Vietnam has made many substantial improvements in its procedures, thanks to the Phoenix program.

* * * * *

Question 12. Of those individuals “neutralized” since the inception of Phoenix, how many have been identified as members of the Vietcong Infrastructure? Of those killed, how many have been definitely identified?
Answer. The basic objective of the Phoenix program has been and is to identify the individuals concerned as definite
members of the Vietcong Infrastructure. The collation of intelligence from all sources and services endeavors to build up an accurate picture of the Vietcong Infrastructure and its leaders and cadres despite the techniques of aliases, clandestinity, and terror utilized by the Vietcong Infrastructure. Thus, any individual sentenced, rallied or killed and recorded in the Phoenix program must be “definitely identified” by name and position in order to be included in Phoenix results. In my testimony, however, I indicated that these identifications were not precise when the Phoenix program started and that one of its objects was indeed to improve their accuracy. Thus, it must be stated that not all cases since the inception of Phoenix in 1967 have been accurately identified “as definite members of the Vietcong Infrastructure,” the number of which I am unable to state precisely, but that substantial improvements in the accuracy of these identifications have been and are being made thanks to the Phoenix program.\(^9\)

Testimony from other witnesses indicates that Ambassador Colby’s dissatisfaction is well founded. In some cases, this testimony was based on personal knowledge; in others, it appeared to express an opinion. Theodore Jacquemont, a former AID official who had served in South Vietnam in 1970, told the subcommittee:**

The celebrated Phoenix program is not at all successful in its American purpose of eliminating Vietcong political cadre, but it is widely used to arrest and detail non-Communist dissidents. I can remember, for example, one conversation with two Phoenix advisers in Da Nang, who had come to me for additional information about some Da Nang city councilmen who Phoenix was planning to arrest on what seemed to me to be very questionable knowledge. The plan was scotched—but I am convinced that if I had not been available to spend that afternoon talking to these men, at least one more innocent critic of the Saigon government would have been arrested and abused. Another friend, himself a Phoenix adviser, was ultimately removed from his position when he refused to compile information on individuals who would, he felt, inevitably be “targeted,” however weak the evidence might be. While I was serving in Vietnam at least one Province senior adviser, in Thua Thien Province, was suggesting doing away with the Phoenix program altogether. I agree with him.

Michael Uhl, a former U.S. military intelligence officer with the American Division, whose unit gathered information which was often later used in Phoenix operations, testified:**

It is not at all unpredictable, given what we have learned from the Pentagon papers, that my operational perspective of military intelligence programs like Phoenix, for example,
is diametrically opposed to the administrative perspective of former CORDS chief, Ambassador Colby.

For instance, Ambassador Colby gave the impression that Phoenix targeted specific high level Vietcong Infrastructure whose identity had been established by at least three unrelated intelligence sources. In his prepared statement delivered before this committee on July 19, 1971, he cites several interesting statistics. Among these is the number of Vietcong Infrastructure (VCI) successfully targeted and “neutralized” during the period 1968-May 1971. 1970 figures show 22,841 Vietcong Infrastructure “neutralized.” Colby thus would have us believe that the vast majority of these people were targeted according to the rules that he outlined.

This capacity on the part of military intelligence groups in Vietnam, seems to me greatly exaggerated. A mammoth task such as this would greatly tax even our resourceful FBI, where we have none of the vast cross-cultural problems to contend with.

What types of operations “generate” this supplementary body count then, assuming the figures are accurate? It was my experience that the majority of people classified as Vietcong Infrastructure were “captured” as a result of sweeping tactical operations. In effect, a huge dragnet was cast out in our area of operation (AR) and whatever looked good in the catch, regardless of evidence, was classified as Vietcong Infrastructure.

Uhl went on to tell the subcommittee:

All CD’s, because of this command pressure (the majority of our detainees were classified as CD’s), were listed as Vietcong Infrastructure. To my knowledge, not one of these people ever freely admitted being a cadre member. And again, contrary to Colby’s statement, most of our CD’s were women and children. Mr. Colby, in response to a direct question, denied that Americans actually exercised power of arrest over Vietnamese civilians. In Duc Pho, where the 11th Brigade base camp was located, we could arrest and detain at will any Vietnamese civilians we desired, without so much as a whisper of coordination with Army of the Republic of Vietnam or Government of Vietnam authorities. But the impact of this oversight in Ambassador Colby’s testimony pales when compared to his general lack of understanding of what is actually going on in the field.

I mentioned above that in order to be listed as Vietcong Infrastructure at least three different intelligence agencies had to target the same individual. Even if this were true, which it wasn’t in my experience, the most crucial omission in this progression is not even addressed. That is: what steps are taken to assure that information used to denominate any individual is reliable?

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No citation provided.
The first MIT employed 11 coded sources. These were indigenous subagents paid to provide us with “hot intel” on the Vietcong personalities and movement in our AR. We had no way of determining the background of these sources, nor their motivation for providing American units with information. No American in the team spoke or understood Vietnamese well enough to independently debrief any contact. None of us were sufficiently sensitive to nor knowledgeable of the law, the culture, the customs, the history, et cetera.

Our paid sources could easily have been either provocateurs or opportunists with a score to settle. Every information report (IR) we wrote based on our sources’ information was classified as (1) unverifiable and (2) usually reliable source. As to the first, it speaks for itself; the second, in most cases was pure rationale for the existence of the program.

The unverified and—in fact unverifiable information, nevertheless, was used regularly as input to artillery strikes, harassment and interdiction fire (H&I), B-52 and other air strikes, often on populated areas. We churned out a dozen IR’s per week, not because it was good or reliable information, but it was our mission. Furthermore, it was not possible, given the conditions in Vietnam, for a tactical unit to produce reliable and verified intelligence data.

The intelligence contingency fund (ICF), a classified fund, provides payroll and incentives for these essentially useless subagents. Moral, ideological, and political questions aside, literally millions of dollars must be squandered yearly in operations similar to the one I described extemporaneously, all over Vietnam; all over the world.

If one assumes, as I do, that Phoenix is a hoax—that thousands of Vietnamese are indiscriminately classified as Vietcong—based on no specific targeting procedure—based on no evidence—then this is just one more colossal example of where these funds and personnel.

Another witness before the subcommittee, Mr. K. Barton Osborn, who had served in Vietnam as an intelligence operative “agent handler,” also testified concerning his working relationship with the Phoenix program. He contradicted previous testimony by Ambassador Colby that while its forerunner programs did involve assassinations, such was not the case. Osborn testified:

I was peripheral to the Phoenix program on a casual basis until June of 1970. If anything, they had by all means intensified the kind of indiscriminate illegality we have described here today. Any cleanup that anybody would refer to officially before a committee under oath is a sad distortion, especially considering the fact that we have sworn to tell the truth and Mr. Kent, And your reports as related to Phoenix of information as provided as part of Phoenix would have gone off the chain of command to Ambassador Colby?

Ibid., p. 361.
Mr. OSSORN. Certainly if Ambassador Colby took the responsibilities as you say, for the full Phoenix program.

Mr. REID. That is what he took.

Mr. OSSORN. Then I would think he, as a matter of confidence, would have the knowledge to be confident on the whole, especially on the wholesale basis that I saw it occur in Vietnam, the indiscriminate basis, and that knowledge was not designedly compartmented from anyone if they would have just gone to the location, been available to be briefed on the particulars.

Mr. REID. When you say “wholesale” I take it you mean during your period there was sufficient assassination so it could be described as immediate neutralization, which was another phrase you used, or assassination on the spot, frequently with no evidence beyond fragmentary rumors, if that, and in some cases after the fact identifications were made on allegedly the CI, who may not have been the CI at all?

Mr. OSSORN. In fact, the intelligence reports we got as summaries were the reports of that kind of standard operating procedures and the provisional reconnaissance units which I described earlier which the CIA called goon squads, unofficially had the primary mission of the assassinations which were euphemized by Ambassador Colby and others as neutralization; yes.

Mr. Osborn also testified to the fate of Vietcong Infrastructure detainees during his Vietnam experience:

The piece in the Sunday paper, the New York Times, entitled: “This Phoenix is a bird of death,” next to the last paragraph says: “At high level U.S. insistence an inventory of all those imprisoned under the Phoenix program is being conducted. American officials contend they do not know how many such prisoners they are; whether they are scattered in jails and interrogation centers all over the country. The purpose of the inventory is to weed out the real Vietcong suspects from others who are framed, imprisoned, and whatever.”

Do you have any knowledge of the inventory and prior to your departure from Vietnam were there anything representing accurate reports as to where the Vietcong Infrastructure detainees or insurgents are being held?

Mr. OSSORN. No; as I said before, I never knew in the course of all those operations any detainee to live through his interrogation. They all died.

Mr. REID. They all died?

Mr. OSSORN. They all died. There was never any reasonable establishment of the fact that any one of those individuals was, in fact, cooperating with the Vietcong, but they all died and the majority were either tortured to death or things like thrown from helicopters.
Mr. Reid. Could some of those have been incarcerated or interrogated for political reasons as General Minh has suggested, that Phoenix has been used politically?

Mr. Osborn. Very definitely. I would say this: With a program as treacherous as that, with as little control as that, it could be used to whatever ends were indiscriminately applied to it; yes, definitely.

The committee notes that, according to official figures furnished by Ambassador Colby, a total of 20,587 suspected VC/VI were killed from the beginning of 1968 through May 1971. It is impossible not to wonder how many of those persons were the innocent victims of faulty intelligence. The committee can think of no other U.S.-funded or supported program in which the consequences of inefficient management are so extreme.

Mr. Richard S. Winslow, a former AID employee who served in Binh Duong Province in South Vietnam, presented similar testimony to the subcommittee. He said that “large numbers of the U.S. civilian and military officials in Vietnam laugh at the U.S. Congress. They laugh because, in their words; ‘It’s so easy to fool the Congress.’ They are referring to a variety of practices, the simplest of which is the changing of a word or phrase instead of the substance of a policy which has come under congressional criticism.”

One of the examples of this phraseology change, according to Winslow, was the Phoenix program:

There have been similar changes in the terminology of the Phoenix program, the now well-known United States/South Vietnamese effort to identify and destroy the Vietcong Infrastructure. For instance, a Phoenix adviser explained to me how some Congressmen had complained about the Phoenix program’s “blacklist,” composed of the names of confirmed and suspected Vietcong in a given area. The critics, it seems, objected to the word “blacklist,” feeling that it carried the sinister meaning of being out to get individuals. Therefore, in documents, reports, and most conversations, pacification officials now use the term “special list of Communist offenders.” The new name, needless to say, has not prevented Phoenix personnel from “getting” whomsoever they suspect of being a Vietcong or a Vietcong sympathizer. But, I was told, few Members have complained much lately.

Another CORDS Phoenix adviser enlightened me on the word “neutralization.” Previously, he explained, the major goal of Phoenix was the “elimination” of the Vietcong Infrastructure. “Elimination,” however, gave the unfortunate impression to some Congressmen and to the interested public that someone was being “eliminated.” Now the major goal is “neutralization” of the Vietcong Infrastructure. Of course, the same proportion of Vietcong Infrastructure are being killed in combat, and killed or captured by the mobile teams.
established for that purpose. But Congress seems mollified now that suspected Vietcong are “neutralized,” rather than “eliminated.”

Legal Proceedings

Questions also rose at the hearings concerning the procedures applied to suspects captured in Phoenix operations. It was noted that under the An Tri law of South Vietnam, a civilian person, including a suspected Vietcong, may be incarcerated for up to 2 years without a trial. Article 19 of the An Tri law (Decree Law 004/66) states: 109

Those persons considered dangerous to the national defense and public security may be interned in a prison or designated area or banished from designated areas for a maximum period of two years, which is renewable. The internment and banishment shall be ordered by Arrete of the Prime Minister issued upon recommendation of the Minister of Interior.

Ambassador Colby outlined the An Tri procedures as follows: 101

A Vietcong Infrastructure member is subject to formal trial by military court or to an emergency detention procedure established by Government of Vietnam legislation, analogous to the procedure used in many other countries in times of emergency. This “An Tri” procedure authorizes the detention of an individual after a review of his case by a Province security committee, consisting of the Province chief, the public prosecutor, the chairman or member of the elected Province Council and other local security officials. A variety of improvements in these procedures have been made in the past 3 years to include time limits on preparation of cases, advising elected village leaders of all cases occurring in their village for passage to families, a conditional release or parole system, the assignment of public prosecutors to additional provinces to improve the workings of the Province security committees and closer supervision of the committees. Further improvements are under consideration by the Vietnamese Government.

Representatives Reid and McCloskey questioned Ambassador Colby about the operation of the An Tri law and its relationship with provisions of the Geneva Convention: 102

Mr. Reid. Basically what I am asking is whether you consider the law which permits detention for a period up to 2 years under the An Tri law is on all fours with the Geneva Convention.

Ambassador Colby. I think it is. It is not what I would frankly prefer and I think the Government is moving toward changing it in that direction. It has not occurred yet and I would quite frankly say that he does not have a hearing today. His case is reviewed and he is interrogated and his case is looked at.

109 Ibid., p. 99.
101 Ibid., p. 133.
Mr. Reid. Does he have any right to counsel?
Ambassador Colby. No, not under the present situation.
Mr. Reid. Then is it not a kangaroo trial?
Ambassador Colby. It is an administrative proceeding, not a trial.
Mr. Reid. Whether it is called a trial or an administrative proceeding, is that important in international law? There might be some concepts under which we would relate it to due process.
Ambassador Colby. I think there are two different things. I think it probably meets the technicalities of international law but it certainly does not meet our concepts of due process.
Mr. Reid. Does it meet the spirit of international law?
Ambassador Colby. I think as it has gradually improved it does. I think it did not some time ago and I do not think it entirely meets it yet.
Mr. Reid. Would his rights be protected?
Ambassador Colby. Not adequately under our concept of due process.

Mr. McCloskey. If I touch on anything in my questions that requires classification, will you call it to our attention so that we may make appropriate arrangements for protection. I want to quote first from article 3 of the Geneva Convention of 1949, Mr. Ambassador. "In the case of armed conflict occurring in the territory of one of the parties, the following acts shall be prohibited. The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized people." In that connection, no court ever sits for those accused of being members of the VCI, does it?

Ambassador Colby. Occasionally, but only if they happen to be sent to a court instead of to the Province security committee.

Mr. McCloskey. Let me try to quote from one of your Phoenix documents. The administrative detention applies to those against whom there is insufficient evidence to convict, isn't that right?

Ambassador Colby. Right.

Mr. McCloskey. If there is sufficient evidence to satisfy a court that the man is a member of the VCI he goes to the military court, does he not?

Ambassador Colby. Generally that is true.

Mr. McCloskey. But the great bulk of people apprehended under the Phoenix program are never tried by the court?

Ambassador Colby. No.

Mr. McCloskey. I note from a letter to the International Red Cross by Ambassador Rinesstad, he says in part as follows: "With respect to South Vietnamese civilians captured by U.S. forces and transferred to the authorities in Vietnam, the U.S. Government recognizes it has a residual responsibility to work with the Government of the Republic of Viet-
nams to see that all such civilians are treated in accordance with article 3 of the Convention." If article 3 of the Geneva Convention requires a trial by court, how are we working with the Government of Vietnam to see that these civilians are receiving the proper attention under the Geneva Convention? Can you tell me?

Ambassador Colby. I think the answer, Mr. Congressman, is that we are trying to put in the standards of due process, if you will, and we have achieved a number of them. As I stated to Congressman Reed, I am not satisfied that we have completed our effort yet.

Mr. McCloskey. Then when Ambassador Rinestad says in his letter of December 7 that we are working to do something, we are still talking here in July of 1971 about something in the future. Under the law, no court ever sits on the person accused of being a Vietcong, isn't that correct?

Ambassador Colby. I think you are right.

Mr. McCloskey. Have we so advised the Red Cross?

Ambassador Colby. I don't know.

Mr. McCloskey. Shouldn't we?

Ambassador Colby subsequently supplied the subcommittee with statistical data for the January–June 1971 period showing the results of review of An Tri cases in each of the three categories (A, B, and C): *108

<table>
<thead>
<tr>
<th>Category</th>
<th>Total reviewed</th>
<th>Extended</th>
<th>Released</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>215</td>
<td>215</td>
<td>0</td>
</tr>
<tr>
<td>B</td>
<td>1,461</td>
<td>739</td>
<td>722</td>
</tr>
<tr>
<td>C</td>
<td>3,963</td>
<td>1,060</td>
<td>2,903</td>
</tr>
<tr>
<td>Total</td>
<td>5,619</td>
<td>2,013</td>
<td>3,606</td>
</tr>
</tbody>
</table>

Note: The length of the original terms is not available but current directives call for the following normal terms by category: A, 2 years; B, 1 to 2 years; C, 1 year maximum.

A legal memorandum entitled "The Geneva Conventions and the Phoenix Program," prepared by the State Department, was also submitted for the hearing record. After discussing the terms of the four Geneva Conventions of 1949 and the Vietnamese An Tri procedures, the memorandum concludes: *109

In conclusion, although there have been some individual failures in execution, the general obligation of humanitarian treatment underlying the Geneva Conventions has been accepted by the Governments of Vietnam and the United States in the context of the Vietnam conflict, despite the anomalies created by attempting to apply rules essentially designed for a World War II situation to one involving a political, subversive infrastructure.

*108 Ibid. p. 166.
*109 Ibid. p. 218. The full text of the memorandum appears at pp. 217–218 of the hearings and also is reprinted in the appendix of this report.
Phoenix Funding Levels

Actual amounts expended on the Phoenix program are buried within the cost of the overall U.S. pacification-support effort, except for a small portion of its activities revealed by Ambassador Colby and which total slightly less than $4 million over the past 3 years:

<table>
<thead>
<tr>
<th>U.S. support of Phoenix</th>
<th>U.S. counterpart (VN millions)</th>
<th>U.S. dollar equivalent (millions) at $1.38/1</th>
</tr>
</thead>
<tbody>
<tr>
<td>1968</td>
<td>179</td>
<td>1.53</td>
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<tr>
<td>1969</td>
<td>172</td>
<td>1.44</td>
</tr>
<tr>
<td>1970</td>
<td>45</td>
<td>0.38</td>
</tr>
<tr>
<td>1971 (May)</td>
<td>43</td>
<td>0.36</td>
</tr>
<tr>
<td>Total</td>
<td>430</td>
<td>3.72</td>
</tr>
</tbody>
</table>

The tiny portion of the total Phoenix funding pattern described in this table is clearly shown by the fact that it represents only amounts provided in counterpart (piasters) for "construction and office equipment expenditures for the district centers." It does not include such large items as the cost of the 637 U.S. military personnel, nor the U.S. civilian advisory personnel assigned to the Phoenix program; it does not include the cost of weapons, ammunition, supplies, and other types of military equipment utilized by both United States and Vietnamese personnel; it does not include the cost of "incentive payments" to informants nor "rewards" ranging up to $11,000 for the capture of key VCI leaders.

A subcommittee attempt to obtain such overall figures, as related to the operational efficiency of the Phoenix program on a per capita "neutralization" basis, brought forth this written response from Ambassador Colby:

Question 2. Does this also apply to the Phoenix (Phung Hoang) program directed toward neutralizing—that is, killing, capturing or rallying—members of the Vietcong infrastructure? What is the cost per individual?

Answer. In my statement on the Phoenix program, I gave the direct U.S. expenditures on this program, except for advisory personnel costs as indicated. The total expenditures in support of Phoenix, however, cannot be segregated since it is a program designed to coordinate and consolidate the efforts of a number of different agencies against one of the several aspects of the Communist attack against South Vietnam. Phoenix expenditures, direct and indirect, are included in the figures given in reply to Question 1, but no meaningful answer is available to the question as to the cost per individual VCI.

Thus, while the costs of the Phoenix program are included within the estimated $5 billion total cost of the overall U.S. support provided...
in the pacification effort since 1968, there is no separate breakdown of the Phoenix expenditures over this same period.

Conclusions

The CORDS program of pacification support and its component elements, such as Phoenix, represent a major part of our overall effort in South Vietnam—both in costs involved and in the emphasis placed upon it by MACV. As the U.S. military role has declined, and the priorities have shifted more and more toward “Vietnamization,” the importance placed on the U.S. pacification role has increased.

Ambassador Colby described CORDS as a “unique experiment in our foreign operations.” 108 CORDS personnel have provided a wide range of advisory, coordinating, consolidating, and supporting functions to the Government of South Vietnam at all governmental levels. Overall benefits to the Government of South Vietnam and the South Vietnamese people that may have resulted from the $5 billion CORDS program since 1968, when its present form and direction took place, do not lend themselves to precise evaluation along traditional “economy and efficiency” measurements used by this committee or by the GAO. Despite eloquent descriptions of the accomplishments of the pacification program by Ambassador Colby and by AID witnesses, the committee is not persuaded that it has justified the expenditure of the $5 billion in funds allocated to it.

The committee is concerned over many aspects of the CORDS operation and its related programs. Inadequate fiscal controls, poor management of funds funneled to CORDS from the AID and Defense Department budgets, spotty recordkeeping, and some highly questionable program objectives were fully described in the preliminary GAO study of the program as presented during the hearings and its later report.

Major concern is also directed toward the U.S. support of the GVN Phoenix program. Specifically, the committee questions the lack of adequate data provided on the actual amounts of funds from the pacification effort being provided to Phoenix. The Committee is concerned about Phoenix’s highly questionable intelligence gathering procedures, its unprecise methods of “targeting” suspected Vietcong for “neutralization,” its lack of adequate legal and detention procedures, and serious moral considerations of U.S. support for a program that has allegedly included torture, murder, and inhumane treatment of South Vietnamese civilians.

Recommendation

The committee calls upon the Secretary of Defense to fully investigate these allegations of crimes committed by U.S. military personnel in South Vietnam against civilians suspected of Vietcong activities. These detailed allegations by Mr. K. Barton Osborn, a subcommittee witness who had served in military intelligence and CIA activities in Vietnam, are contained in the hearing record.109

108 See hearings, pp. 318-320 for a detailed account of alleged torture and murder by witness Osborn; also p. 836 and pp. 888-840 for cross-examination by subcommittee members on these incidents.
Last year they were unofficially called to the attention of a high-ranking Defense Department official in a staff conference. To the knowledge of the committee, there has been no effort by DOD to pursue the serious charges of the crimes described under oath by Mr. Osborn in his testimony. These charges should be either substantiated or repudiated after an impartial and thorough investigation.
VIII. REFUGEE PROGRAM

One of the greatest tragedies of modern warfare is its impact on the innocent civilian population. In the Middle East, in China, in Korea, in Biafra, Pakistan, Cambodia, Laos, and Vietnam millions of helpless men, women, and children have been slaughtered, crippled, maimed, or horribly burned. Additional millions have been made widows, orphans or forced to flee their homes and villages in terror to escape the on-rushing horror of war. The very nature of modern war, with its mass destructive weaponry, its indiscriminate bombing, the guerrilla infiltration and massacre of entire villages, and the systematic assassination of intellectual and political leaders has brought new dimensions of brutality to wars such as that being waged in Vietnam.

The Office of Refugee Coordination was first established by USAID/Saigon in 1965, when the seriousness of the South Vietnamese refugee problem was first recognized. The refugee program was transferred to the Office of Civil Operations in December 1966, and to CORDS when that organization was formed in May 1967. The U.S. portion of the refugee program and related social welfare programs are now administered by CORDS' War Victims Directorate.

Within the Government of South Vietnam, refugee relief was submerged in the Ministry of Social Welfare until February 1968. The Government of South Vietnam then established a Special Commissariat for Refugees, directly responsible to the Prime Minister. After several reorganizations, in 1968 and 1969, refugee relief and war victim activities of the Government of South Vietnam are again vested in the Ministry of Social Welfare.

The terminology of these programs was set forth by the Government of South Vietnam in 1968 when it defined "refugees" as being persons who leave their place of abode to (1) escape Communist terrorism; (2) flee from artillery or bombardment; or (3) evade military action. The broader term "war victims" includes all those who have suffered from the war — refugees, widows, orphans, the physically disabled, and the economically severely handicapped.

Objectives of the Government of South Vietnam refugee relief program are to assist them to return to their original villages or to resettle in new locations. The overall objective of the war victims program of the Government of South Vietnam is to provide emergency relief and to help rehabilitate and reintegrate them into normal community and national life.

The United States provides financial assistance for the refugee and social welfare programs through dollar contributions for personnel, commodities, and related expenses. Counterpart funds are also provided directly to the Government of South Vietnam's Ministry of Social Welfare for program support. Our Government has also dis-

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For an overview of the War Victims Division, CORDS during several monthly periods in 1971, see hearings, pp. 26-31.
tributed title II, Public Law 480, surplus agricultural commodities to
the refugee relief program and provided a number of Refugee Ad­
visers. Additional refugee assistance has been provided by eight U.S.
voluntary agencies with financial support through contracts with AID.

Program goals are developed by CORDS’ War Victims Directorate
and the Government of South Vietnam Ministry of Social Welfare,
with approval authority vested in the Pacification and Development
Council of the South Vietnamese Government.

Accurate statistics on the impact of the Vietnam war on the South
Vietnamese civilian population are virtually impossible to assemble.
Testimony was presented by several witnesses on the number of refu­
gees generated by the war from 1966 through 1971. These estimates
ranged from 3.5 million to 6 million persons out of an estimated total
population of nearly 18 million South Vietnamese. This means that
somewhere between one-fifth to one-third of the total population has
been uprooted for various reasons over this period. AID witness
Nooter estimated the number at 6 million in his May, 1972, testi­
mory.\(^{11}\) Nor is the problem of refugees diminishing. Moreover, there
is evidence that the Government of South Vietnam is underestimating
the actual number of refugees entitled to benefits.

The GAO, in a report for the Senate Refugee Subcommittee, found
that “the Government of Vietnam was reluctant to report some newly
generated refugees and that other refugees—even though they were
still not self-sufficient—had been removed from the rolls after pay­
ment of their allowances.”\(^{12}\) This report by the GAO was also criti­
cal of management deficiencies in the Ministry of Social Welfare in
the often-delayed release of funds earmarked for the refugee relief
program and indicated that in 1969 only half of the refugees resettled
to their villages had received all the benefits to which they were en­
titled. No data is available on the numbers of North Vietnamese refu­
gees forced to flee as a result of U.S. bombing raids or other hostile
action.

Estimates on the number of civilian South Vietnamese war casual­
ties between 1965 and early 1971 exceeded 1 million persons, including
more than 325,000 killed. An estimated 30 percent of the deaths were
children under age 13. Over 250,000 civilian war casualties have been
admitted to hospitals in South Vietnam, an estimated 186,000 physi­
ically disabled (amputees, paraplegics, blind and deaf), 300,000 war
orphans, and 131,000 war widows.\(^{13}\)

In testimony to the subcommittee, Assistant AID Administrator
Nooter described the Government of South Vietnam assistance
program:

\(^{11}\) Testimony by Robert H. Nooter, Deputy Coordinator, Bureau for Supporting Assis­
tance, AID, on May 8, 1972, before the Senate Judiciary Subcommittee on Refugees, esti­
mated that almost 700,000 South Vietnamese civilians were forced to flee their homes as a
result of the spring 1972 North Vietnamese offensive. See GAO Report (B 1972 01), Novem­
ber 1970 and the March 27, 1972, GAO followup report for a more detailed criticism of short­
come in the administration of the refugee program. See Hearings, 92d Cong., 2d Sess., p. 242
for refugee statistics. Subsequently, in a press release dated August 16, 1972, AID
announced the allocation of an additional $15 million to provide assistance and care to
the more than 900,000 South Vietnamese forced to flee their homes as a result of the North
Vietnamese offensive which began in March 1972.

\(^{12}\) GAO, Mar. 27, 1972, followup report, p. 21.

\(^{13}\) Impact of the Vietnam War, footnote 9, pp. 18-20. See also AID witness Nooter’s May 8,
1972 testimony, Senate H 111, p. 5. He used the figure 80,000 for the number of civilian war
widows.
The principal benefits paid or distributed to the refugees by the Government of Vietnam consist of shelter and temporary assistance for new refugees of 20 piasters or 1 pound of rice per person per day for the first 60 days, and resettlement or return-to-village allowances of 7,500 piasters and 10 sheets of metal roofing per family (house construction allowance) and 1 pound of rice per person per day for 6 months.

In addition, permanent campsites and hamlets to which refugees have returned receive continuing development assistance for wells, schools, markets, health services, vocational training and seeds. Both new refugees and those who have received all their government benefits receive periodic distributions of Public Law 480, title II, surplus food commodities.

Total annual amounts of financial assistance for refugee and social welfare programs has averaged nearly $100 million over the past 4 years. U.S. AID provided $88.8 million in fiscal 1971 for the program and $1.7 million in fiscal 1972. The United States also provided $81.3 million in counterpart funds and $15 million worth of Public Law 480, title II, surplus agricultural commodities. The Government of South Vietnam budgeted the equivalent of $8.7 million to its Ministry of Social Welfare for such programs, while voluntary agencies and contributions from other nations of the free world totaled another $25 million. 114

One of the misleading factors in reviewing the economy and efficiency of the U.S. role in the Government of South Vietnam refugee relief program is the confusion that results from the "active caseload" system used by the Government of South Vietnam's Ministry of Social Welfare. Assistant Administrator Nooter testified that "the present active caseload of refugees as recorded by the Ministry of Social Welfare is approximately 560,000 persons; 250,000 of these are receiving refugee benefits, and 500,000 are receiving benefits under the return-to-village program." He went on to point out, however, that there are "others who have exhausted their refugee benefits but who can still be considered refugees since they cannot yet return to their villages." 115

Some of these refugees have migrated to Saigon, Da Nang, and other sizable cities. Some have found employment, but others continue to live in refugee camps with only limited ability to sustain themselves and their families. Most of those in this latter category are located in I Corps. Precise statistics on the economic status of refugees who have exhausted their benefits is unavailable.

The refugee problem was further compounded during 1970 by the generation of some 400,000 ethnic Vietnamese refugees living in Cambodia and uprooted by the U.S.-supported Government of South Vietnam invasion of that country. The Government of South Vietnam repatriated some 210,000 of these Vietnamese and assisted in resettling about 150,000 of them. But by the end of the year some 60,000 were still living in refugee camps.

Another important factor is the unemployment already resulting in some parts of South Vietnam from the withdrawal of substantial num-

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114 Ibid, p. 24; see also testimony by AID witness Nooter on May 8, 1972, p. 16. See also footnote 111.
115 Hearings, p. 5.
bers of American troops. This is partly due to the loss of jobs in U.S. bases and partly in the dropoff of American business in shops, restaurants and other retail establishments. As our military presence continues to diminish, the problem of unemployment in many South Vietnamese cities and towns near military bases is certain to intensify.

A meeting of CORDS officials in Da Nang in May of 1971, reported in the New York Times, focused on this growing problem. The possibility of violence by "hostile hordes likely to be spearheaded by disabled veterans and/or other war victims against the South Vietnamese Government" was discussed at this CORDS meeting. To avoid such social and political chaos that could be exploited by the Vietcong, the meeting recommended "a new U.S. program to handle the refugee problem through 'sharp focus and highly concentrated energy' in returning the refugees to their villages, finding employment for some and providing a 'dole' for others." Such a program would cost an estimated $200 million a year, according to the report, and would be "salable to the Congress, meeting the objections of our sharpest critics."

One of the most criticized segments of the Government of South Vietnam refugee relief program has been the forcible resettlement of many thousands of Montagnard tribesmen from the central highlands area of South Vietnam during 1971. This mass uprooting of the ethnic minority group people was in connection with the Government of South Vietnam military incursion into Laos. Well over half of the Montagnard hamlets have been relocated at least once as part of the overall Government of South Vietnam resettlement program in the rich highlands area that has an abundance of timber, untouched grazing land, and rich soil.

There are desperate hardships, the lack of food, shelter, and medical facilities at the Montagnard relocation centers as well as the injustice to the Montagnard people, which some U.S. officials condemn as a seizure of their rich lands by Saigon. Even the CORDS War Victims Directorate has opposed the Montagnard relocation policies, but these objections have apparently not been pressed by top U.S. mission officials as part of our overall deference to the Government of South Vietnam in such policy decisions. The Montagnard relocation program was, however, temporarily suspended on May 1, 1971.

An unclassified portion of the GAO report on the pacification program describes the failures of the Government of South Vietnam to support Montagnard economic, health, self-government, and education programs. The report states that "the United States provided some $1.8 million from 1966 to 1968 to construct Montagnard student boarding facilities. However, as of February 1970, only about 60 percent of the construction had been completed due, in part, to in-}

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107 For a more detailed description of the Montagnard relocation program, see testimony by Hugh Bank, Director, International Voluntary Services, Vietnam, before the Senate Refugee Subcommittee, Apr. 22, 1970.
security and bureaucratic delays in the planning and approval process." 118

The generally poor conditions at Government of South Vietnam refugee camps was described in a nonclassified portion of the classified GAO study of the pacification program mentioned earlier:

During our review for the Senate Refugee Subcommittee in May-July, 1970—we visited a temporary refugee camp, Thanh Tay in Quang Nam Province, military region I, where approximately 6,000 refugees had resided since 1967. We found the shelters, crudely constructed and the people living in crowded conditions. During the course of our inspection, we observed only one classroom, no latrines, and no medical facilities. The CORDS refugee adviser stated that these people had received their 30-day food allowance, and that no other assistance had been provided by the Government of Vietnam. We also noted that the refugees had no place to grow food. From our observation of this site, the conditions appeared unsatisfactory, and the manner in which these people had been treated by the Government has no doubt not helped to win these refugees over to the Government's side.

The GAO reported similar conditions at Ha Thanh resettlement site, housing some 19,000 persons and 17 other sites visited in military region I.

It is crystal clear to the committee, as well as to other impartial observers, that the refugee and social welfare programs have a low priority of importance within the Government of South Vietnam and, despite the efforts of the United States in dollars, counterpart and surplus foods, refugee advisory efforts and work within the CORDS war victims directorate, the program has become disappointingly inadequate. Tragically, it affects the lives of many hundreds of thousands of innocent men, women, and children who have suffered untold hardships, terror, and the horror of modern war.

See also GAO report, footnote 65, p. 68.
IX. PUBLIC HEALTH PROGRAM

Some dimensions of the need for health and medical services by the South Vietnamese people have already been seen in our examination of the war victims and refugee relief programs.

This committee in its 1966 report on the economy and efficiency of U.S. economic and military assistance programs in South Vietnam, described in detail the urgency of civilian medical needs.\(^{118}\) The report pointed out that AID purchases of drugs and pharmaceuticals for South Vietnam totaled only $1.5 million in fiscal 1965, plus CIP imports of another $13.2 million. The purchases were expanded by AID to $6.5 million the following year and some $21 million worth of drugs and pharmaceuticals were imported under the CIP by South Vietnamese importers. A great shortage of doctors, nurses, hospital beds and medical facilities of all types was clearly evident. The committee reported that only 100 South Vietnamese doctors were available to work with an indigent population of some 10 million people. That figure is now given at 226 physicians in 1971, according to the most recent AID report to Ambassador Bunker.

The health program was a subject of continuing scrutiny by subcommittee members and staff during subsequent field investigations in South Vietnam. The GAO was requested in February 1969, by then Chairman Moss, to make a detailed assessment as to how well the weaknesses and irregularities previously reported by the subcommittee had been remedied. Onsite review by the GAO that year produced information on the civilian medical program in South Vietnam in a separate report of this committee.\(^{119}\) This followup report concluded that considerable AID effort and funds had been expended during the 4-year period to improve the civilian medical program in South Vietnam through AID's work with the Government of South Vietnam's Ministry of Health. The results, however, had been limited in many areas although increases in medical personnel and improvements in medical facilities were specifically noted.

During the past 5 years, AID has constructed eight provincial hospitals, provided 29 surgical units, and improved facilities in another 11 hospitals. Over $35 million worth of medical supplies and equip-

\(^{118}\) See H. Rept. 89-2287, pp. 72–79.
\(^{119}\) H. Rept. 91-1584.
ment have been provided directly through AID public health funds. Over 1,000 volunteer U.S. physicians and nurses have served in Vietnam during this period, plus 61 military and free world medical teams to work in AID-financed hospital and medical facilities. AID has also assisted in that country. These and other related programs have been supported by an additional $100 million in USAID funds over the past 5 years. USAID funds for fiscal 1972 were $14.1 million. Total hospital admissions to Ministry of Health hospitals exceeded 600,000 in 1971.

Additional emphasis has been placed on a national public health program to prevent the spread of communicable diseases and to control endemic diseases. A malaria control and eradication program, a rehabilitation program for seriously handicapped persons, and a family planning program are also assisted through USAID funds.

Mr. Don Luce, a subcommittee witness who spent 12 years in South Vietnam, described the tremendous increase in venereal disease rates among South Vietnamese women. While U.S. military personnel contracting VD receive modern treatment at military hospitals and dispensaries, South Vietnamese civilians are receiving less than adequate treatment, and the disease is spreading.

The committee finds that AID programs have made considerable, encouraging progress in the public health area over the past 5 years. Yet, when measured against the vast health and medical care need of the civilian population of South Vietnam that has suffered so greatly during the war, this progress seems considerably less significant in overall terms.

While the USAID allocations for public health programs in fiscal 1972 are some $15.6 million, or one-sixth of the total project program funds, it must be recognized that our government cannot begin to meet anywhere near the total health and medical requirements of the many millions of indigent South Vietnamese, refugees, and the maimed, crippled and blinded victims of the war, who will need attention for many years to come.

It will be necessary for the Government of South Vietnam and the international community to allocate additional resources for public health, medical care, doctor and nurse training, and other important elements of basic health care programs if even the minimum needs of its civilian population are to be met in the foreseeable future.
X. PUBLIC WORKS PROGRAM

With the rapid buildup of U.S. military strength in South Vietnam, tremendous demands were placed on the already overburdened South Vietnamese public facilities system.

Much of the early difficulty was due to inadequate port facilities. As the committee’s report pointed out in 1966: 122

Vietnamese port capacity is the chief factor bearing on the amount of assistance — both military and economic — that the United States is physically capable of providing to Vietnam. Port capacity determines the amount of logistic support the United States can provide its troops in Vietnam and is therefore a major factor in the establishment of overall troop levels. Port capacity also limits the amount of economic assistance the United States can provide to Vietnam. The mere programming of a set level of commercial import assistance, for instance, would be useless as a counter-inflationary measure if Vietnamese ports did not have the capacity to handle the goods programmed.

In addition to the limited port capacity, another monumental problem was that of port security, both physical security required to guard against the sinking of ships by the Vietcong infiltrators and also the need to insure proper storage areas to prevent wholesale smuggling, theft, and illegal diversion of unloaded supplies and commodities. It is estimated that many hundreds of millions of dollars in such goods were diverted during the initial 2- or 3-year effort to tighten up security measures at the Port of Saigon and other ports of entry. Much of these supplies and materials were sold on the black market; additional quantities were smuggled to the enemy.

The subcommittee continued its surveillance of these matters in subsequent field trips to South Vietnam by members and staff. Additional investigative work on the port situation was also performed by the GAO at the subcommittee's request. Followup reports on steps taken by U.S. AID and MACV on committee recommendations to improve the port situation and the security of ships and unloaded goods were issued in 1967 and again in 1970. 123 Many of the original deficiencies in the security area noted in the 1966 and 1967 reports had, by 1970, been significantly improved although pilferage continued to be a major problem.

Over the past 5 years, port facilities in Saigon have been dramatically enlarged with U.S. AID and U.S. military financial and engineering assistance. In 1965, Saigon's port could handle only 1.5 million tons of cargo a year and could berth only 10 ships. These inadequate facilities could not begin to handle the tremendous amounts of mil-
tary goods, supplies, and increased imports resulting from the U.S. military buildup in South Vietnam. Thus, in 1966 on any given day more than 100 ships were waiting to load, some waiting for several months at demurrage costs to the U.S. taxpayer estimated at one time to exceed $1 million per month.

Today, the Port of Saigon is one of the finest ports in the Far East and can handle nearly 5 million tons a year. According to AID witness Nooter, the U.S. “provided more than 500 pieces of material-handling equipment, added berths, leased modern barges and tugs, constructed warehouses and helped the Government of South Vietnam establish a port authority trained by AID to undertake modern cargo handling techniques, handling practices and improved security.” Other improvements were made in port facilities at Da Nang, Cam Ranh Bay, and another new facility called Newport was constructed for unloading cargoes.

Similar problems of inadequate water and power facilities were intensified by the rapid influx of U.S. military and civilian personnel. They were particularly acute in Saigon itself, where utilities installed by the French many years ago were meant to serve a population of only 500,000 persons.

The expansion of both the Government of South Vietnam and U.S. bureaucracies in Saigon was accompanied by the migration of perhaps a million refugees to the area, further intensifying the burdens on existing power, water and sewage systems. In just 6 years, the estimated population of Saigon has grown by five or six times.

U.S. AID has provided funds for procurement of materials for the extension of water and sewer lines and the expansion of electric generating facilities and has also provided technical assistance to the Vietnam Power Co. and the Saigon Metropolitan Water Co. to help meet the rapidly growing water and power requirements.

U.S. AID, often with Defense Department supplemental funding and other assistance, has provided a wide variety of project aid to improve almost every aspect of public works facilities in South Vietnam so that the public works program may be considered as among the more successful undertaken. These have included port facilities, utilities, the national highway system, communications systems, rural water systems, bridges, the dredging of inland waterways, draining systems, the construction of hospitals, schools, refugee housing, warehouses, and the rehabilitation of the rail system. The projects have involved direct U.S. participation, U.S. contractor-participation, and technical advisory and coordinating roles with the Ministry of Public Works of the Government of South Vietnam.

As in other program areas, the Government of South Vietnam priority established in public work projects is governed by the overall budget demands of a voracious war machine. There is a vast need for additional projects at the provincial levels for basic facilities and services in thousands of villages and hamlets. But it is beyond the U.S. capacity to extend the type of massive financial support required to meet these needs.

Mr. Luce testified that U.S. AID-supported improvements in the Saigon power and water systems as carried out by the Government of South Vietnam and Saigon utility companies have discriminated unfairly against the poorer residents who live in slum areas of the city. He said:125

You can make an income map for the city of Saigon by tracing the water pipes that we provided to put a water system into the city of Saigon. You can make another income map by tracing in blue ink the electric lines. The public works facilities go to the rich who sell the water and electricity at exorbitant prices to the poor. In the words of a slum dweller: “The water pipes and electric lines all go to the cement houses. I live in a thatch house and must buy my water and electricity from rich people!”

125 Hearings, p. 96.
XI. RECOMMENDATIONS FOR PROGRAM OVERHAUL

In considering recommendations that flow from the detailed study, hearings, investigations and continuing surveillance of the complex types of assistance programs included in this report, the committee is particularly mindful of its jurisdictional limitations. In reviewing the operational aspects of U.S. assistance programs, the committee has concentrated on the degree of efficiency such programs have achieved as measured by the economic effectiveness in their expenditure of U.S. taxpayers' dollars. Thus, the extent to which program operations are actually achieving the stated program objectives is the key measure of its economy and efficiency. Obviously, a program that is not fulfilling its objectives cannot, per se, be either economic or efficient and is in need of administrative review, operational overhaul, reorganization, or some other drastic policy change.

It is not the purpose of this committee to intrude on jurisdictional prerogatives of the duly established authorizing and appropriating committees of the House. In many cases, however, such conclusions concerning specific policy changes, changes in administrative direction, changes in priorities between programs, the launching of new programs, or the termination of existing ones, are clearly evident after this committee's exhaustive investigation of U.S. assistance programs in South Vietnam over the past 6 years. The committee has documented specific cases as clearly and accurately as possible and the findings and conclusions speak for themselves.

The committee therefore recommends that the Agency for International Development carefully review the substantive operational deficiencies presented in this report as they apply to many of the U.S. assistance programs in South Vietnam; urgently consider various alternative measures, which may require legislative, appropriation, or administrative action to correct such deficiencies; and present a more suitable program for review by the appropriate policymaking committees of Congress.

The committee is, moreover, mindful of the delicate role which our Government must play in its dealings with the established Government of South Vietnam. The very nature of the programs dealt with in this report makes the task of achieving truly economic and efficient program operation that much more difficult, since the U.S. role is largely supporting and supplementing that of various Government of South Vietnam counterpart agencies.
However, it should be pointed out that the extent of the U.S. commitment to the Government of South Vietnam, both in lives and dollars, as well as the heavy U.S. subsidization of the entire Government of South Vietnam economic and governmental processes, places a particularly important responsibility on U.S. officials. The committee is convinced, on the basis of its studies, that such has not been the case to the degree deemed appropriate and necessary in the best interests of the U.S. taxpayers. The committee, therefore, recommends that U.S. officials press for vastly improved operational performance on the part of the Government of South Vietnam in fulfilling the objectives of the programs which we support so heavily.
APPENDIX

THE GENEVA CONVENTIONS AND THE PHOENIX PROGRAM

Questions have been raised and considered from time to time concerning the conformity of the Phoenix program with the Geneva Convention requirements. The following memorandum represents the opinion of the Department of State on this question.

MEMORANDUM

The four Geneva Conventions of 1949 for the protection of war victims updated earlier international conventions to reflect the experiences of World War II. They filled a number of lacunae which had become evident in the earlier conventions. The fourth convention on protection of civilian persons in time of war was a completely new treaty designed to minimize, to the greatest possible extent, the suffering of civilians caught in the turbulence of war. Bearing in mind the Nazi practices during World War II, the drafters of the fourth convention sought to insure humane treatment of civilians in belligerent and occupied territories, and to lay down rules to prevent their being deported, taken as hostage, or interned in concentration camps. Experience since 1949 has revealed additional lacunae in the conventions, and international discussions are now taking place with a view to the further refinement of humanitarian treatment of both combatants and noncombatants caught up in armed conflict.

Article 4 of the third convention of 1949 on protection of prisoners of war sets certain standards for recognition as prisoners of war. In Vietnam, the United States and the Republic of Vietnam have as a conscious policy accorded prisoner-of-war status to many thousands of paramilitary and other prisoners captured by United States or South Vietnamese forces who would not be entitled to it under the convention.

Article 4 of the fourth convention on protection of civilian persons in time of war provides that persons protected by that convention are those who find themselves in the hands of a party to the conflict or occupying power of which they are not nationals. This means that South Vietnamese civilians detained by South Vietnamese authorities are not protected persons within the meaning of article 4 of the fourth Geneva Convention. Article 4 also provides that nationals of a belligerent state are not protected persons while the state of which they are nationals has normal diplomatic representation in the state in whose hands they are. This provision would seem to cast considerable doubt on the entitlement of South Vietnamese civilians captured by U.S. forces to protection as protected persons even while they are in the
custody of the U.S. forces. Nevertheless, the United States and South Vietnamese Governments have agreed that humanitarian treatment must be accorded to all persons, irrespective of whether an individual is considered a protected person within the meaning of the convention, and we have acknowledged a residual responsibility with respect to those captured by U.S. forces.

Article 3, which is common to all four of the Geneva Conventions, prescribes the minimum standards of humanitarian treatment to be accorded to all persons, even though they may not be “protected persons” within the strict meaning of the conventions. Paragraph 1(d) of this article prohibits “the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.” This provision applies only to sentencing for crimes and does not prohibit a state from interning civilians or subjecting them to emergency detention when such measures are necessary for the security or safety of the state.

The Phung Hoang, or Phoenix program, is a Vietnamese program aimed at the Vietcong infrastructure (VCI), the political subversive apparatus which directs and supports the military threat to South Vietnam’s security. The U.S. support of this program has been principally advisory in nature directed at improving the intelligence methods, the apprehension techniques, the legal procedures and the detention arrangements involved in the struggle of the Vietnamese against the VCI. Persons suspected of involvement in the VCI may be arrested by the Vietnamese authorities and placed in administrative detention or brought to trial.

The Vietnamese “An Tri,” or an administrative detention procedure, is similar in some respects to the emergency detention procedures utilized by a number of other nations in time of emergency to intern persons on grounds of national security. Such procedures involve no criminal sentence and are not violative of article 3. On the other hand, aspects of the “An Tri” procedure raise some problems which give us concern in this regard.

We have been working with the Government of the Republic of Vietnam with a view to improving the procedure to insure the humanitarian treatment of detainees. We are striving to make the “An Tri” procedure accord with fundamental concepts of due process, and to improve the conditions of internment.

Not a part of the Phoenix program, but sometimes discussed as in possible conflict with the Geneva Conventions, is the subject of forced relocations of communities. Vietnamese Government policy is currently to bring security to the people rather than the people to security whenever possible, but such relocations have occurred in the past and, if deemed essential, might occur in the future. Article 49 of the fourth convention, intended to deal with the transfer of protected

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Footnotes:

1. The ICRC commentary on the fourth Geneva Convention states in this connection: “No sort of immunity is given to anyone under this provision. There is nothing in it to prevent a person presumed to be guilty from being arrested and so placed in a position where he can do no further harm; and it leaves intact the right of the State to prosecute, sentence and punish according to the law.” (P. 81.)

2. Articles 42, 43, and 78 of the fourth Geneva Convention clearly contemplate wartime internment and assigned residence for civilians as accepted procedure under certain safeguards. Since these articles apply only to protected persons, their specific requirements would not apply to South Vietnamese civilians.
persons from occupied territory, clearly contemplates the possibility of transfer inside the national territory for security reasons. Article 49, like articles 42 and 43, concerns only protected persons. Of course, the general obligations of humanitarian treatment would apply in the case of any relocation of communities in South Vietnam, even though the individuals involved are not protected persons under the fourth convention.

In conclusion, although there have been some individual failures in execution, the general obligation of humanitarian treatment underlying the Geneva Conventions has been accepted by the Governments of Vietnam and the United States in the context of the Vietnam conflict, despite the anomalies created by attempting to apply rules essentially designed for a World War II situation to one involving a political, subversive infrastructure.
SEPARATE VIEWS OF HON. JIM WRIGHT AND HON. JOHN N. ERLENBORN

Under no circumstances would I want my acquiescence in this report to be interpreted anywhere as another torch on the funeral pyre of South Vietnam's efforts at self-determination and elective self-government.

If there has been fraud, waste or mismanagement in the administration of our aid program to South Vietnam, these deficiencies should be exposed. No doubt some of the allegations contained in this report are true. Like other members of the subcommittee, I must rely for my information upon the efficacy of certain staff studies. I cannot attest of my personal knowledge to the veracity of certain statements contained herein nor to the objectivity of their treatment in this report.

It has become fashionable among certain circles in this country to cultivate such an obsession with the sins of Saigon that we would entirely lose sight of the sins of Hanoi. I shall not be a party to this.

So far as I know, nobody has claimed that the Government of South Vietnam is a paragon of political purity. But it is at least a constitutional government operating pursuant to a written constitution drafted by an elected constitutional assembly. Its chief administrative officer has been twice chosen by his countrymen in public elections. A higher percentage of the citizenry participated in those elections than is the case in our own national elections here in the United States. In each of these ways the Government of South Vietnam, with all its mortal imperfections, is in my judgment infinitely preferable to the Government of North Vietnam which makes not the slightest pretext of electoral legitimacy, observance of civil liberties or obedience to the consent of the governed.

We have been so often reminded of official South Vietnamese lapses from our highest American ideals of individual freedom that it seems necessary to recall certain painful memories from our own national past, including the alien and sedition laws of the late 18th Century, the suspension of habeas corpus and the jailing of editors during our Civil War, and the wholesale incarceration of thousands of Americans of Japanese ancestry during World War II.

These official deeds, committed by the United States in times of war and great national stress, are no occasion for pride. They emphatically do not mean, however, that America was not worth saving. And their recollection should restrain us from our more excessive orgies of self-righteousness in condemning the Government of South Vietnam and our own imperfect but essentially decent and well motivated effort to assist that beleaguered little country to achieve and enjoy some modicum of civil liberty and selective self-government.

JIM WRIGHT.

JOHN N. ERLENBORN.

(76)
While I concur generally with the findings of this report, I feel it is important to focus on wider-ranging aspects of the terrible conflict in Indochina that has now become Richard Nixon’s war.

I am also concerned about the lack of attention that is seemingly paid by the State and Defense Departments and the Agency for International Development to documented facts, conclusions, and specific recommendations for improvement in the economy and efficiency of U.S. assistance programs in various Southeast Asian countries contained in reports issued by this Committee over the years.

This report contains a number of specific recommendations, directed to A.I.D., dealing with improvements in the Commodity Import Program (pages 13-14) and also specific recommendations to the Defense Department (pages 59-60) that allegations of crimes against Vietnamese civilians by American military personnel be fully investigated.

Why have not these allegations been investigated by Pentagon officials thus far, since they were informally called to their attention last year?

Why does this Committee find it necessary to thus make a recommendation for such an investigation that should have been routinely conducted to preserve whatever integrity there is left in the military services?

What is the Pentagon trying to hide?

These and other similar questions concerning sworn testimony before the Subcommittee of alleged war crimes by American servicemen must be answered now. The American people and the peoples of the world are growing sick and tired of brutality, torture, murder, and other war crimes.

This report deals with various programs of economic assistance by our government, administered in part by the Agency for International Development through South Vietnamese governmental units and also through the U.S. Military Assistance Command in Vietnam (MACV).

Intensive hearings, investigations, and inquiries by the General Accounting Office made at the Subcommittee’s request make it abundantly clear that altogether too many hard-earned American tax dollars are being wasted by A.I.D. and the Defense Department in South Vietnam, as in other Southeast Asian nations that are virtually being underwritten economically by our assistance programs. Many programs being operated by the Thieu dictatorship with U.S. funds, such as Public Safety, Pacification, Phoenix, the development and support of paramilitary forces, prison construction and maintenance, and internal propaganda programs, are being used to suppress democratic rights of South Vietnamese citizens while entrenching the corrupt
Thieu regime in Saigon and throughout the countryside. These charges are documented in the hearings and dealt with in this report.

Meanwhile, the war goes on and the slaughter of additional thousands of innocent Vietnamese provides graphic evidence of the failure of our economic and military policies in Southeast Asia and tragic documentation to the hypocrisy of Mr. Nixon’s campaign promises. Both candidate Nixon and President Nixon repeatedly pledged to end the war in Vietnam:

On March 5, 1968, candidate Nixon said:

“I pledge to you the new leadership will end the war and win the peace in the Pacific.”

On May 14, 1969, Nixon as President said on nationwide television:

“In my campaign for the Presidency, I pledged to end this war in a way that would increase our chances to win true and lasting peace in Vietnam, in the Pacific, and in the world. I am determined to keep that pledge. If I fail to do so, I expect the American people to hold me accountable for that failure.”

On September 26, 1969, he said:

“Once the enemy recognizes that it is not going to win its objective by waiting us out, then the enemy will negotiate and we will end this war before the end of 1970. That is the objective we have.”

On April 30, 1970, Richard Nixon said:

“I promised to end this war. I shall keep that promise.”

On November 13, 1971, in response to a question about his 1968 pledge to end the war, Nixon curtly replied:

“I would suggest that every promise that I have made I have kept to this date and that usually is a pretty good example of what you might do with regard to future promises.”

After 4 years of the Nixon administration, we now know without doubt that these promises were cynical and worthless. Contrary to all the promises, this war has not ended, and neither, by any stretch of the imagination, has America’s participation in it terminated. Mr. Nixon has endeavored to make the war more invisible to the American public, but the killing and slaughter go on.

He has expanded the war into Cambodia.

A decrease in American ground troop involvement in the war—too long delayed—has been accompanied by a massive increase in the American air war from bases in Thailand and from our carriers off the coast of South Vietnam. “Vietnamization” has proven to be a racist policy of replacing American ground troops with American bombs, and replacing American casualties with Vietnamese corpses.

Yet, the war in Indochina has truly become Richard Nixon’s war. Elected by a razor-thin margin in 1968 to end the war, the Nixon administration has acted to perpetuate it at an enormous cost to the American and Indochinese peoples.

Since Nixon took office in January 1969, over 442 million Indochinese civilians have been killed, wounded, or made refugees. Since Nixon took office, the war has cost more than $59 billion, more than 20,000 dead Americans, more than 110,000 wounded Americans, and well over 200 captured or missing Americans who were alive and well in January, 1969. In spite of all the promises, 165,000 South Vietnamese civilians have been killed under Richard Nixon’s policies; 410,000 have been wounded, and 1,855,000 have been made refugees. The Thieu gov-
ernment is riddled with corruption and honeycombed with political favoritism, black market payoffs, drug smuggling, currency manipulation, and other illegal activities. It has engaged massive suppression of free speech and of other constitutional guarantees of South Vietnamese citizens. It has committed widespread violations of freedom of the press, including censorship of anti-government views and the confiscatory taxation of newspapers which publish viewpoints with which the Thieu government disagrees. It has perpetrated shocking repression of Vietnamese citizens from all walks of life—from the most humble villager, to the Montagnard tribesman, to opposition members of the Vietnamese National Assembly. These are some of the fruits of that suppression—the torture, murder or imprisonment of many thousands of students, religious leaders, or political opponents of President Thieu or his associates; bribery and corruption of public officials such as customs collectors and police officers; diversion of U.S. PX goods, military supplies, drugs and medicines, guns and ammunition; gold smuggling and land grabs; neglect of disabled war veterans, refugees, children and orphans, and maimed victims of indiscriminate bombings or attacks on villages suspected of harboring Viet Cong; widespread epidemics of all kinds of diseases; malnutrition and a gross lack of proper medical facilities.

Since Mr. Nixon ascended the great marble steps of the White House, nearly 1.5 million combatants have been killed or wounded; over 3.7 million tons of bombs have been dropped, more than by any other President in history; and the wholesale devastation of four Indochinese countries and the creation of a nation of refugees in Vietnam has continued.

The war has been the chief stimulant for the runaway inflation that has plagued the economy since the mid 1960's, and added $450 to the average family's grocery bill since January 1969.

Under the Nixon administration, the amount of heroin entering the United States from the operations of the ruling elites of Laos, Thailand, and South Vietnam has risen to one-third the total flow, while efforts to halt it have been compromised by Nixon in order not to lose their support in waging the Indochina war.

He has dropped more bombs on Indochina than were expended during the Korean and Second World War combined. His renewal of the massive bombing over North Vietnam beginning April 6 and his mining of the port of Haiphong on May 8, tactics which the Kissinger papers had shown to be totally useless, constituted an inexcusable reneging on the “Nixon promise” to end the war.

The $12 billion plus cost of the war in 1971 alone exceeds the 1971 census bureau estimate of the $11.4 billion necessary to bring all poor American families above the poverty line. The $8–$10 billion cost of the war this year tallies twice the Urban Coalition’s estimate of the $4–$5 billion necessary to eliminate hunger in the United States.

The cost of one aircraft carrier equals $1 billion, or the equivalent of public housing for 270,000 people. The $3 billion plus lost in aircraft losses in the last 3½ years could have built more than 200,000 low-cost $15,000 two-bedroom homes. The $52.5 million cost of the helicopters lost in the Laos invasion of 1971 equals the cost of 17 local health centers, each treating 40,000 patients annually.
These costs in terms of losses to poverty, hunger, housing and health programs, because of Mr. Nixon’s utter failure to keep his grandiose promise, are items which are of particular significance to the thousands of inner-city residents who cry out for an extension of those services inevitably lost to Mr. Nixon’s war.

By breaking his cynical promise to end the war, Richard Nixon has made a mockery of his campaign pledge and pious talk about “law and order.” He has conducted the war in Indochina in direct contravention of both American and international law. Thus, the President who promised an end to the war and to strengthen respect for the law, continues to carry out an unlawful war.

The war policy of Richard Nixon, for example, violates Article I, section 8 of the Constitution of the United States, which gives the Congress sole power to declare war. The Nixon administration claims that Congress has given de facto assent to the war by appropriating funds for its continuation. It is true that bullied, misled, and lied to for 12 years by the Executive branch, Congress has meekly acquiesced in allowing the war to go on. Yet this acceptance was and remains a response after the fact; a decision to be made after the President had already committed American troops to the thick of combat. By no stretch of the imagination did the authors of our Constitution have such a passive role in mind when they granted Congress the power to declare war.

The only congressional action which conceivably permitted any kind of military action in Vietnam was the 1964 Gulf of Tonkin Resolution, which was repealed in January, 1971.

Shortly thereafter, President Nixon launched an invasion of Cambodia. Contrary to the administration’s statements, no treaty commits the United States to the use of military force in Indochina.

The Vietnam war also violates the Mansfield amendment (Public Law 92-156, section 601) which declared it to be:

“The policy of the United States to terminate at the earliest practicable date all military operations of the United States in Indochina and to provide for the prompt and orderly withdrawal of all United States military forces at a date certain, subject to the release of all American prisoners of war.”

U.S. District Judge John F. Dooling ruled earlier this year—DaCosta v. Nixon, 72 Civil Action 207—that when Richard Nixon signed this law, he “illegalized the pursuit of an inconsistent executive or administration policy.”

I hold that the immoral Vietnam war also violates various treaties which the United States has signed, thus giving them the force of law under Article VI, clause 2 of the Constitution. These treaties, such as the 1949 Geneva Convention relative to the protection of civilian persons in time of war, are systematically undermined by the Commander in Chief’s indiscriminate bombing campaign against civilian targets throughout Indochina.

Mr. Nixon’s blatant violations of international law lead me to the inescapable conclusion that the war in Indochina constitutes an international crime under the 1946 Nuremberg Principles which define war crimes and which were adopted unanimously by the United Nations General Assembly at the urging of the American government. These principles, written with the horrors of World War II vividly in mind,
state clearly that certain acts of war, and certain wars themselves, are total obscenities to the human community, no matter what political views are involved, and must not be tolerated by the nations of the world. These Principles of Nuremberg are:

"Principles of Nuremberg"

"In 1945, at the initiative of the United States, the General Assembly of the United Nations affirmed unanimously "the principles of international law recognized by the Charter of the Nuremberg Tribunal." In 1950, the International Law Commission formulated the Principles of Nuremberg, which offer the most complete set of guidelines presently available on the relationship between personal responsibility and war crimes.

"Principle I"

"Any person who commits an act which constitutes a crime under international law is responsible therefor and liable to punishment.

"Principle II"

"The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

"Principle III"

"The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible Government official does not relieve him from responsibility under international law.

"Principle IV"

"The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible for him.

"Principle V"

"Any person charged with a crime under international law has the right to a fair trial on the facts and law.

"Principle VI"

The crimes hereinafter set out are punishable as crimes under international law:

"a. Crimes against peace:
   "(i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;
   "(ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).
   "b. War crimes:
   Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave-labour
or for any other purpose of civilian population, of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

"c. Crimes against humanity:

"Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connexion with any crime against peace or any war crime.

"PRINCIPLE VII

"Complicity in the commission of a crime against humanity as set forth in Principle VI is a crime under international law.

Lawlessness and the war in Vietnam continue, and the promises remain forever broken. It is literally true that Mr. Nixon is allowing perfectly innocent people to be killed in a random way for the sake of the assured continued reign of President Thieu, whose regime has been dishonored and discredited and whose corruption has been exposed in every way, a thousand times over. That the President daily breaks his pledges of the past is an ignoble policy; it is one more indication of the low cast of mind, the distorted ethics and absence of humanitarian consideration that now rule in the White House.

Meanwhile, Congress continues to acquiesce in the continuation of this war. For too long, most of us have been browbeaten and silenced by sinister hints. For too long, we have placed our own political careers before our moral and legal duty to use congressional power to end the war. For it is as Edmund Burke once wrote:

"All that is necessary for the forces of evil to win in the world is for enough good men to do nothing."

We must end our complicity and assume our responsibilities under the Constitution. By so doing, the Congress can assert that we believe in justice under the law applied equally to all, instead of lawlessness as a reward for power. And we must finally assert that a light of human decency in America still seeks to turn us away from our Nation's crimes in Indochina.

John Conyers, Jr.
Benjamin S. Rosenthal
Bella Abzug.
I. INTRODUCTION

This report is based on the 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.

It provides a partial review of U.S. assistance programs being carried out in collaboration with the United States-South Vietnamese economic and military intervention in Southeast Asia.

It is written to accentuate some aspects of our AID programs in Vietnam which are difficult to justify in light of AID's chartered goals. We concur with the basic criticisms of the committee report. However, we are dismayed by the committee’s failure to propose recommendations which reflect the magnitude of the discrepancy between AID's stated purpose and the programs it finances in Vietnam. We fear that misleading conclusions may be drawn from some of the committee's statements. We would—and shall here—include broad recommendations, not only to improve the economy and efficiency of the operation of AID-Vietnam programs, but to question the necessity and desirability of such programs.

We are compelled to conclude that the programs of the Agency for International Development in Vietnam are marked by more than simple operational deficiencies. A program that ignores and subverts its stated aims deserves no support from the U.S. Congress. Such is the case with the bulk of the USAID programs in South Vietnam. We should eliminate, certainly, all of the police, the political, and the paramilitary aid; the economic aid, which is a very small part of what we are sending, should be channeled through international organizations. It requires a major rehauing of the whole AID program. As it is now, the Vietnamese hate us for our aid.

II. POLICY OBJECTIVES AND MANAGEMENT

As stated on page 326 of the U.S. Government Organization Manual (1972/73):

A.I.D. was created to encourage and support efforts by the developing countries themselves to better meet the fundamental needs of their people for sufficient food; good health, and employment. To this end A.I.D. carries out development assistance programs overseas designed to promote the economic and social modernization of developing countries.

Again, as was declared on page 8 of the A.I.D. Introduction to the FY 1973 Development and Humanitarian Assistance Program Presentation to the Congress.
A.I.D. will emphasize a more specialized economic assistance program focused on problems of basic human need. It will strengthen its programs of humanitarian assistance. The primary objective of A.I.D. must be to help the people and governments of the LDC move into the direction of harnessing their total resources for the improvement of the "quality of life" for all their people.

Mr. Richard S. Winslow, a former AID employee who served in Binh Duong Province in South Vietnam, said in testimony to the subcommittee that "large numbers of the U.S. civilian and military officials in Vietnam laugh at the U.S. Congress. They are referring to a variety of practices, the simplest of which is the changing of a word or phrase instead of the substance of a policy which has come under congressional criticism." (Hearings, 244) Unless effective sanctions are exercised that will probably be the fate of this latest set of hearings and report.

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. (Committee Report, 6)

One reason for this situation may be that, in the words of Mr. Don Luce, an outside witness with 12 years of experience in South Vietnam with the International Voluntary Services as an agriculturist, a journalist, and a representative of the World Council of Churches:

The military has dominated aid programs. Military objectives, rather than development have been emphasized. The result has been bitterness and alienation of the people we have pretended to help. Roads, airports, military naval bases, etc., have dominated our budgets. But more important, the civilian side has seemingly had no control over the military in decisions that affect the AID officials, who knew this was destroying the social fabric of the country and that it would create tremendous problems of urban unrest later, were powerless to stop it. The result of combining military and AID civilian efforts has been to both keep aid away from dealing with civilian needs and to cause a psychological distrust. The Vietnamese feel that everything is being done for U.S. military political objectives. There has been little cooperation. (Hearings, 67)

One program in Vietnam that AID has provided with substantial funding is CORDS—Civil Operations and Rural Development Support Program. GAO witness Stovall described the CORDS administration as one in which "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." (Report, 96)
The first thing one expects of any program is fiscal responsibility and accountability, yet

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. (Report, 38.)

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. (Report, 39.)

and the New York Times of July 11, 1971 reported that $65.5 million of the obligated funds were spent for unknown purposes outside the program.

It is unlikely that $1.7 billion can be lost as such, but there is every indication that it was used for purposes entirely ancillary to AID's goals.

The committee report states that:

[the committee is concerned over many aspects of the CORDS operation and its related programs. Inadequate fiscal controls, poor management of funds funneled to CORDS from AID and Defence Department budgets, spotty recordkeeping, and some highly questionable program objectives were fully described in the preliminary GAO study of the program as presented during the hearings and its later report. (Report, 59.)

As for the continuity of our AID programs in Vietnam, Mr. Luce testified:

We have had a series of one-year programs.—This is a result of short-term technicians, rapid turnover of USAID directors, and a failure to develop real joint planning with Vietnamese counterparts (who, at the higher levels are also undergoing rapid turnover). Each technician has his own pet project. He arrives in Viet Nam, studies the situation, decides what he wants to do, makes a PTO/C, and waits for the commodities to arrive. By the time things get there, his tour is over. The warehouses are full of American technicians’ dreams that arrived too late. The U.S. has alternated between supporting the central government and “getting down to the people.” There has just been no clear policy. In terms of policy, I believe the major failures have been in having tours of duty too short, failures of most technicians (and all am-
bassadors, USAID directors, JUSPAO [Joint U.S. Public Affairs Office] directors, etc.) to learn Vietnamese, and a failure to have any real expertise on Vietnamese affairs in our AID program in Viet Nam. (Hearing, 97.)

As summarized by Rep. Moss:

'Now, in Vietnam, we have a very interesting mixture of authority. We have, in my judgment, totally inadequate planning. Our objectives are very poorly defined, if they are defined at all, and perhaps we need to have redefinition of our objectives. (Hearing, 117.)

To do so, we must necessarily review our stated objectives, and how well they have been achieved. AID's first objective in South Vietnam is to help Vietnam to develop its economy in a manner which will lead to eventual economic self-sufficiency. (Report, 6.)

According to Mr. Luce,

[w]e have used our aid, or at least the effect of our aid, has been to create a dependence on us. We have filled the markets of South Vietnam with luxuries that the South Vietnamese cannot afford to buy without tremendous amounts of U.S. aid. For example, television. Even in the slums where families do not have enough to eat, they have a television set and very often a Honda. Our provision of these goods in abundance to Vietnam have caused a dependence on us—and at the same time a resentment. They feel that we have trapped them.

Moorhead states:

This is what concerns me. It would appear that the larger the Vietnamese deficit will be, the larger the amount of our AID assistance. And therefore, the incentive for the Vietnamese Government would not be to reduce that deficit by increasing taxes on Vietnamese citizens, but rather the reverse.

It is significant to note in this respect that currently, the United States underwrites 82 percent of the budget of the Government of South Vietnam.

The second AID objective, “to facilitate Vietnameseization by helping the Government of Vietnam to bear the increased costs of wars,” [Report 6] is obviously a misdirected rationalization. As Mr. Luce testified:

Vietnamization is neither a political nor economic rationalization for the Vietnamese. Let me cite two examples. Mr. Vinh is a farmer from Quang Tri. In 1966 his wife took two of his children to Tam Ky, when one of the children was hit by napalm. Two years later, when the war intensified in the area, he followed. In Tam Ky, he made huts of leaves for the American soldiers at Chu Lai. Now, however, the soldiers are leaving and security is no better on his farm. He cannot go back and fewer Americans are buying bamboo mugs for souvenirs. Another example is a woman who sells duck noodle soup in Khanh Hoa, near Nha Trang. Her husband is a dock worker, but now he works only three or four days a week because fewer boats are coming in. The same is true of many
others in Khanh Hoi so she sells less duck noodle soup. She and her husband are from a farm in the Mekong Delta, but cannot return because security is not good there.

These are typical cases. As soldiers leave, there are fewer jobs. At the same time, security is no better in the countryside. The result is growing unrest in the slum areas and among the poor. Security is not getting better and the poor are suffering because of a misjudgment of the politicians. I do not believe the economic problems of Vietnam can be solved until there is a political settlement that will allow people to return to their farms.

AID's third objective, "to help prevent runaway inflation and severe economic dislocations," (Report, 6) is an attempt to remedy a problem directly caused by the massive influx of American money, goods, materials, and soldiers, which cannot be solved until we terminate our presence in and domination over South Vietnam. AID's attempts seem futile considering its inability to secure the cooperation of the Government of South Vietnam. Ample evidence of the failure of this objective is provided by the fact that the retail-price index in South Vietnam increased 800 percent between 1965 and 1972, with the South Vietnamese Government resolutely refusing to institute effective price and wage controls (Report, 7).

As we will document later, AID has done little to further its fourth objective, "to assist the Government of Vietnam in caring for refugees, civilian casualties, and other victims." (Report, 6). The most effective means of securing this objective would be to withdraw our troops from Vietnam. Short of that, it is our responsibility to insure that the blatant misuse of AID funds for military purposes is ended. Many AID programs in Vietnam not only abrogate the very principles AID supposedly represents, but violate all standards of morality as well.

Furthermore, in the words of Don Luce,

[w]e have ignored the real needs of the Vietnamese if they might create anti-war sentiment.—For example, there has been a serious increase in the rate of venereal disease among Vietnamese. At the National Anti-Venereal Disease Center in Saigon the VD rate among prostitutes brought in by the police is about 50 percent. Yet despite the fact that the VD is spread primarily by U.S. soldiers, the U.S. Government has ignored the problem. Outside the one Saigon government center in Saigon, no care is given. To admit that the problem existed would be embarrassing to the U.S. Another example is that the number of Amer-Asian children is increasing drastically. My estimate is that there are at least 400,000 Amer-Asian children in Viet Nam. Yet the United States has done nothing to help the mothers of these children. It has done nothing to provide for the future education of the children. We are not even assured that the children will get enough to eat. (Hearings, 96).

Recommendations:

1. A complete and detailed investigation should be authorized to determine how the unaccounted-for $1.7 billion in CORDS funds was used.
2. No economic aid should be utilized for military objectives or purposes, and no military officers should have authority over any program or activity funded by AID.

3. More consideration should be given to the effects of our presence on postwar Vietnam. Some examples of things that should be considered now are

(a) The removal of U.S. booby traps as our military forces withdraw. Otherwise, thousands of farmers and their families may be killed when they return to their fields.

(b) More attention should be given to finding solutions to problems we have created for the Vietnamese such as the increased incidence of venereal disease, the many orphaned or poorly cared for Amer-Asian children, and the wastelands created by our defoliation activities.

III. ECONOMIC ASSISTANCE REVIEW

Complacent support of President Nguyen Van Thieu's corrupt, repressive and dictatorial regime is by itself in violation of everything for which this country stands, but we further indict ourselves by active participation in his criminal assaults against the rights and freedoms of the people of South Vietnam. AID has had a direct and unambiguous part in helping Thieu take political prisoners and in his use of criminal prisoners and a massive para-military police force to control political dissent. Mr. Luce testified that:

[w]e have used our aid to keep an unpopular and corrupt government in power: American aid to public safety—the police force—has increased steadily. According to the 1970 Report to the Ambassador, the economic aid given to public safety will be 30 million U.S. dollars in 1971; in 1970 aid to public safety was 20.9 million. And while police aid has increased by nearly 50 per cent, aid to education has decreased from 61 million dollars in 1970 to a budgeted 4.5 million in 1971.

This aid has made it possible for the Saigon regime to be increasingly brutal against all political opposition. The police force has increased from 16,000 men in 1963 to over 100,000 police today. John Mossler, director of USAID, in his 1970 report to Ambassador Bunker said: "During 1970 the police continued to improve their capability in traditional police functions. Their timely and positive action effectively contained civil disturbance involving war veterans, students and religious groups, thereby preventing the spread of violence."

The United States has been involved in the building of prisons for political prisoners. There are 100,000 political prisoners in Viet Nam. Many of these are held in prisons built by the United States. After Congressman William Anderson and Congressman Augustus Hawkins visited Con Son prison with me, the Saigon government stopped using tiger cages—but then ordered the prisoners to build new ones as a "self-help project". The prisoners refused and the United States awarded a $400,000 contract to Raymond Morrison, Knutson/Brown Root and Jones to build new "isolation cells" to replace the tiger cages. The reason for bringing in the American construction firm, Robert McCloskey stated at a State Department
press briefing on February 22, was "because of delays in construction and continuing difficulties with the most recalcitrant prisoners."

The U.S. government has been running surveys that are helpful to the Thieu regime. Here is an example which includes questions to evaluate the strength of different opposition candidates, where people stand on different issues, etc. (Hearings, 96.)

The New York Times reported from Vietnam on February 2, 1971 that:

[n]ational surveys of Vietnam public opinion prepared and analyzed by the United States Mission here, are being used to assist President Nguyen Van Thieu in his reelection campaign this year. (Hearings, 250.)

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 monetary rates of exchange governing transaction between piasters and dollars.

It was unquestionably not "The political split between Thieu and Vice President Ky" that "resulted in Thieu's unopposed victory in the October 3, 1971, presidential election", but Thieu's dictatorial violation of all the principles of democracy. It has culminated most recently with his edict to deny the South Vietnamese people popular elections of hamlet leaders, the basic level of local government in Vietnam. It is with good cause that Representative Reid asks how can we square this program which we are contributing to with rigged elections—the 25-percent requirement President Thieu has required, and the comments of Vice President Ky yesterday—with basically a massive increase in "law and order" and a decline in any sense of what we would call "rights of individuals"—a decline of any opportunity for "free elections", as they even might be modestly described? (Hearings, 14.)

Ambassador William E. Colby, former director of CORDS, claimed that... "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."

To these remarks, Colby might properly have added, "by a regime of government-initiated, American-supported terrorism, aimed at denying the Vietnamese people the most basic liberties of a free people."

The following colloquy took place between Rep. Reid and Mr. Luce:

Mr. Reid. How would you characterize how broad or how narrow a base the present government [in South Vietnam] has?

Mr. Luce. I think in terms of support, the majority of the support for the Saigon Government comes from the U.S. Army, and the military equipment which we provide it. The Catholics, who at one time were providing a great deal of support, have moved away and become very critical of the Saigon Government. The archbishop of Saigon, who is the leading
Catholic prelate, has been very outspoken in terms of attacks on corruption within the Saigon Government.

For example, this past September he said that, and I quote: If we are true to God and believe his words, then how can we be calm like accomplices while the majority does not have enough to eat or wear, while the minority lives comfortably in luxury?

Mr. Reid. How broad is the Buddhist support?

Mr. Luce. Well, Thich Tam Chau's group, which is a very small group of Buddhists and which the government has set up because it wants to get progovernment Buddhists; for example, to act as chaplains in the Army supports President Thieu. But the majority of the Buddhists, the An Quang Buddhists, and so on, are very much opposed to the government.

Mr. Reid. What about the Cao Dai?

Mr. Luce. They are opposed.

The Hoa Hao would provide some support. And by “support”, I am there not—

Mr. Reid. Taking in very round figures, what percent would support the makeup of the present cabinet?

I am not talking about corruption, and so forth.

Mr. Luce. 10 or 15 percent.

Mr. Reid. So it is very narrow; isn't it?

Mr. Luce. Very narrow; yes. (Hearings, 102)

But, with American support, President Thieu has no qualms about ignoring the judgments of the South Vietnamese Supreme Court and arresting and jailing the highest officials of his government, should they criticize his regime. USAID contributes to this:

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. (Report 36.)

As Mr. Edward J. Nickel, Director of the Joint U.S. Public Affairs Office in Saigon, revealed, in testifying before the Senate Foreign Relations Committee on March 19, 1970, “JUSPAO spent more than $12 million in fiscal 1970 to aid Thieu in his propaganda efforts.” A colleague between Representative Reid and Mr. Theodore Jacqueney, a former AID official who served in South Vietnam in 1970, indicated the hypocrisy of the U.S. Embassy with respect to American involvement and intervention in South Vietnam:

Mr. Reid. Was there any effort to the extent we were concerned with press facilities to ensure that all sides of the sort questions relevant in Vietnam were in fact reported? Indeed, you talk here of the arrest of a number of newspaper publishers and the confiscation of newspapers. In this regard did the Embassy ever really seriously put their shoulder to the wheel against this kind of practice which was blatant and widespread but only recently be qued to quell, and then?
Mr. Jaqueney. No, sir; not in any way. As a matter of fact, my impression has always been that it never took such actions and it never wanted to promote the impression that it was the least bit interested in this question. It never has appeared to be terribly interested in the question of press confiscations of censorship. It simply ignored them. This was considered a domestic Vietnamese question. On the one hand we can have phoenix advisers going around killing Vietnamese people and that is not a domestic question, but if they confiscate newspapers, that is a domestic question (Hearings, 271.)

Every dollar of AID funds that goes to bolster and support the Thieu regime contributes to the suppression of freedom in Vietnam. In his testimony, Mr. Jaqueney further asserted that:

[p]otential Vietnamese presidential candidate "Big" Minh has accused American Ambassador Ellsworth T. Bunker of supporting Thieu's reelection. Thieu apparently thinks he has received the same message of support not only from the American Embassy, but from the American Congress as well; He can continue to rig the elections as he pleases; the United States will pay only lip service to fair elections in Vietnam, while continuing to prop up his government and fight the war.

For nearly a generation, the one consistent theme in American policy in Vietnam has been to assist the people there to choose their own Government freely. If, in these elections, opposition candidates are disqualified; if opposition political leaders are jailed; if opposition leaders are kept in exile; if opposition candidates are not permitted to campaign or organize or propagate their views freely; if press freedom are denied; if political parties are not permitted to hold public rallies; if opposition candidates are denied access to Government-controlled transportation; if representatives of opposition candidates are not permitted to be present when voter lists are drawn up and voter cards validated; if these representatives are not permitted to witness ballot casting and counting procedures and the transportation of ballot boxes between the village and district and provincial and national levels—then there will be grounds enough to make reasonable judgments about whether an election fair enough to reflect the views of the Vietnamese people did occur. ** A government that deprives the Vietnamese people of a fair election does not deserve our support.

Recommendation:

All AID grants to the Thieu government, directly, through joint programs, through the Commodity Import Program, through police support, or by any other means or channels should be terminated at once.

** COMMERCIAL (COMMODITY) IMPORT PROGRAM

Through this program we have increased the absolute economic dependence of South Vietnam upon the United States, supplied Viet-
Nam's black market, and sponsored the wealth and corruption of a few Vietnamese at the expense of the American Taxpayer. The committee report notes that U.S.-financed Vietnamese importers bring in luxury goods for sale in the consumer markets of the country at enormous profits (Report, 7-8). As Mr. Luce noted:

[...]

Another example of widening the gap between rich and poor is that our aid is often siphoned off by corrupt officials. A district chief that had bought his job explained that in order to get his money back he did three things. He sold the bulgur wheat and cooking oil that had been given for free distribution to the refugees; he taxes the local bars and brothels and put the money in his pocket; and he sold the identification that the refugees needed in order to get jobs on the air base. (Hearings, 95).

I ask, as did Representative Reid:

How can we square what we are doing with massive corruption which continues from top to bottom of our Government, that involves billions of dollars, wherein there are reports all over the place—I have one here from the Washington Post, which says—"The Embassy is uneasy about the Thieu case."

And it goes on to say—"Among the most closely guarded secrets in the Embassy’s files there are detailed reports covering financial misdeeds of a vast array of South Vietnamese generals and officials."

At an unguarded moment one ranking American, with many years in Vietnam, once reported there were "only two honest generals in the South Vietnamese Army," One of them has since been killed, and another is Maj. Gen. Ngo Quang Truong, who commands the area comprising the Mekong Delta region. (Hearings, 14).

According to our committee's report:

[...]nder the CIP [Commodity Import Program], private South Vietnamese importers, licensed by the South Vietnamese Government, decide what they desire to purchase, and if it is in the AID "approved list," and they comply with the established procurement procedures, the United States makes payments 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. (Report, 4.)
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. (Report, 12.)

It is evident that under such conditions, the provision of an additional $125 million which AID has requested is an unsound and questionable investment of American money, especially if used for proposed programs such as AID spokesman Mr. Robert H. Nooter described:

There might be a number of kinds of assistance that the companies might hope to obtain from this, but so far no one has made a request, for example, for an AID loan. We are considering in the future a project through which funds might be made available to the Industrial Development Center for relending for private investment purposes. Not necessarily for U.S. firms, but for any legitimate productive investments. And that is the protection kind of assistance that investors might receive. (Hearings, 73.)

Recommendations

(1) The exchange rate between piasters and dollars should be adjusted to a realistic rate near 300 to 1, rather than the current 118 to 1, which accounts for the greatest part of the corruption, unintended subsidies and unnecessary expense incurred in the present USAID program. This would also reduce the overall costs to the American taxpayer.

(2) Absolutely no AID money should be given to the Government of South Vietnam to pay for any military expenses.

(3) AID's request for $125 million additional CIP funds, if not the entire amount earmarked for CIP programs, should be denied, especially in light of the fact that the DOD appropriation for such programs has not been reduced this year, but has increased above the level for all previous years.

V. AGRICULTURE AND LAND REFORM

In South Vietnam, there has been some land reform to date, but it is quite inadequate. It is very difficult to achieve meaningful land reform in South Vietnam when 60 percent or more of the land area is controlled by the Vietcong, and we are pursuing a policy under which—

[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. (Report, 4.)

It should be noted that while "the current estimate that 10 years after a year's operation of the distribution of about 2.5 million acres to some 70,000 farm families" (Report, 16), there are 12 million Vietnamese over 18 years old, and one third of the population consists of landless refugees.
A special report entitled "Aid to Thieu," prepared by Le Anh Tu and Marilyn McNabb of National Action/Research on the Military-Industrial Complex and inserted in the October 11, 1972 Congressional Record by Senator Gravel, notes as follows:

Many of the peasants were reluctant to reclaim the land offered to them. The overriding reason was that the bulk of the land earmarked for peasant distribution was in the "insecure" parts of the countryside. Much of it had been designated as "specified strike zones" and subject to American and ARVN air and artillery strikes. Land mines and booby traps permeated the countryside. The peasant did not care to risk getting blown up while clearing this land.

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Much effort and capital would be required to restore the abandoned land. The peasant would have to borrow the needed money from his former landlord, and he would fall again into the usurious cycle of debt, more debt, and servitude.

VI. REFUGEE AND PUBLIC HEALTH PROGRAMS

One of the greatest tragedies of American war policy in Vietnam is its impact on the innocent civilian population. The very nature of American intervention, with its mass destructive weaponry, its indiscriminate bombing, and its massacres of entire villages has brought new dimensions of brutality to the Vietnamese people. Millions of helpless men, women and children have been slaughtered, crippled, maimed and burned. Additional millions have been made widows and orphans, or forced to flee their homes and villages in terror to escape the onrushing American war machine. To quote the New York Times of April 21, 1971:

The South Vietnamese Minister of Social Welfare, Dr. Tran Nguon Phieu, noted in an interview that the United States introduced saturation bombing and shelling to save human lives, expending ammunition rather than men. Dr. Phieu, a man of tact, did not add that the lives saved were American, perhaps at the expense of those of Vietnamese.

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At least until recently the Americans appeared to have abandoned the tactic of large military drives that were termed "refugee-generating"—that is, entailing forcible relocation of the civilian population of an area, often without warning and preparation.

But since last year the practice has been renewed by the South Vietnamese command. Some American civil officials accuse the United States of failure to exercise the responsibility that American power confers on it in Vietnam to halt the practice. (Hearings, 19.)

Congressman Moss stated at our hearings that Senator Kennedy had reported that official figures obtained from the Nixon administration showed that nearly 100,000 more South Vietnamese had become refugees in the first 5 months of 1971, and that the civilian casualties
were still mounting. (Hearings, 17.) There are somewhere between 3 and 6 million refugees in South Vietnam, and no more than 550,000 are receiving any sort of assistance or aid. (Hearings, 16.)

Benefits provided those refugees who are on the roles are, in the words of Mr. Nooter "austere":

The principal benefits paid or distributed to the refugees by the Government of Vietnam consist of shelter and temporary assistance for new refugees of 20 piasters or 1 pound of rice per person per day for the first 60 days, and resettlement or return-to-village allowances of 7,500 piasters and 10 sheets of metal roofing per family (house construction allowance) and 1 pound of rice per person per day for 6 months. (Report 63.)

The following exchange during the hearing is painfully illustrative of the attitude of AID:

Mr. Moss. Well, my concern is how valid is 6 months as a period of assistance in helping these people to be absorbed into the economy of South Vietnam. Does it meet the needs of 5 percent, 10 percent, 15, 20, 50, 70 percent of the people who are classified as refugees?

Mr. Hornick. The only answer we can give to that question, Mr. Congressman, is that the Minister of Social Welfare, the Government of Vietnam, is responsible for the program.

Mr. Moss. We are responsible. (Hearing 31.)

The GAO, in a report for the Senate Refugee Subcommittee, found that "the Government of Vietnam was reluctant to report some newly generated refugees and that other refugees—even though they were still not self-sufficient—had been removed from the rolls after payment of their allowances." This report by the GAO was also critical of management deficiencies in the Ministry of Social Welfare, in the often-delayed release of funds earmarked for the refugees resettled to their villages had received all the benefits to which they were entitled. No data is available on the numbers of North Vietnamese refugees forced to flee as a result of U.S. bombing raids or other hostile action.

The generally poor conditions at Government of South Vietnam refugee camps was described in a nonclassified portion of the GAO study of the pacification program:

During our review for the Senate Refugee Subcommittee in May-July, 1970—we visited a temporary refugee camp, Thanh Tay in Quang Nam Province; military region 1, where approximately 6,000 refugees had resided since 1967. We found the shelters crudely constructed and the people living in crowded conditions. During the course of our inspection, we observed only one classroom, no latrines, and no medical facilities. The SORDS refugee adviser stated that these people had received their 30-day food allowance and that no other assistance had been provided by the Government of Vietnam. We also noted that the refugees had no place to grow food. From our observation of this site, the conditions appeared unsatisfactory, and the manner in which these people had been treated by the Government has no doubt helped win these refugees over to the Government's side.
High U.S. pacification officials are reported to fear large-scale urban violence before the end of the year in the densely populated Mekong Delta southwest of Saigon.

The concern that "hostile hordes" likely to be spearheaded by disabled, veteran and/or other war "victims" may turn to violence against the South Vietnamese Government was expressed in a report covering a meeting held in Danang early in May by officials of the Civil Operations and Rural Development Support Agency (Hearings, 28).

It is clear that, except to prevent the justifiable outbreak of urban violence, refugee and social-welfare programs have a low priority for USAID in Vietnam. The program is desperately inadequate, and reflects a complete disregard of the plight of the refugees who now represent one third of the Vietnamese people. The inadequacy of the priorities of the USAID programs are highlighted by the fact that we have the audacity to call upon the "international community" to supply the necessary health care for "the maimed, crippled and blinded victims of the war, who will need attention for many years to come," and for whose plight we have such a major responsibility.

Recommendations
(1) No support should be supplied for any program involving the forcible displacement of civilians against their will.
(2) In light of the demonstrated inability of AID to administer its Vietnamese relief programs properly, all further relief to Vietnam shall be supplied through international agencies.
(3) At least $200 million annually is needed to care for the refugee population in an adequate manner.

VII. PUBLIC SAFETY AND PACIFICATION-CORDS PROGRAMS

The "Public safety" and Pacification programs are related and interdependent. Our AID commitment to both of them is extensive and increasing. In the report to the Ambassador, the head of the U.S. Agency for International Development, reported to Ambassador Bunker in 1970 our aid to public safety was $20.9 million. In 1971 our aid to public safety was $30 million. (Hearing, 98.)

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 paramilitary elements of the National Police.

An article in the New York Times, Wed., Apr. 14, 1971, reported that:

American funds funneled into the national police through the military-civilian advisory agency known as CORDS have been increased this year by more than 25 percent—from $20.9 million to $27.5 million.

The total AID budget request is for $666 million for fiscal year 1972. Included in that figure is approximately $86 million which goes to CORDS, and included in that $86 million is about $12 million which goes to the national police.