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8182

ACTION

April 23, 1970

MEMORANDUM FOR DR. KISSINGER

FROM: John Holdridge

SUBJECT: Reply to William Colby's Letter on Phoenix Program

In accordance with your comments, a new response has been prepared for your signature at Tab A.

NSS/NSC, ARMY reviews completed.

JHH:WRS:VIG:crt(4/23/70)

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8732

ACTION

April 15, 1970

MEMORANDUM FOR DR. KISSINGER

FROM: John Holdridge

SUBJECT: William Colby's Letter Concerning the Phoenix Program

Ambassador William Colby, Deputy Ambassador in charge of the CORDS program in Vietnam, has written you a letter responding to your request for his comments on a memorandum critical of the Phoenix Program prepared by journalist Frances Fitzgerald and Professor Samuel Popkin of Harvard. Ambassador Colby indicates that in view of some program changes, the Fitzgerald-Popkin paper (copies of which we have been unable to locate in your office or in the Central Files) is somewhat dated in its details. Nevertheless, he welcomes the paper's spirit and its insistence upon continuing improvements. (Tab B).

Ambassador Colby cites the following specific points in illustration of changes that have taken place in the Phoenix Program:

-- Hard Core VCI. The focus has been put on the hard core VCI. "A" level VCI are supposed to receive the full two year detention sentence; "B" level VCI are to be given from one to two years detention. Credit for a VCI is not given to the operational Phoenix unit involved until sentencing takes place; capture is no longer enough. More attention and supervision has been given to the Province Security Committees which impose the sentences. During the past year, 21 percent of those captured, rallied or killed turned out to be district level VCI or higher. Some 48 percent turned out to be members of priority categories, such as security and finance sections and revolutionary committees, thus signifying a depletion of the hard core VCI rather than of peripheral supporters.

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-- Public Information. The Vietnamese Government has brought the Phoenix program into the open and by its public stance has removed much of the weakness attributed to the clandestine nature of its original operation. The nature and goals of the effort are depicted in a full-scale information effort that includes wanted posters for named Viet Cong leaders (with offers to induce defection including full pardon), and full interpellations of the responsible program leaders by the National Assembly.

-- Local Control. District and province chiefs have control of their intelligence and police agents and would be surprised to hear about the lack of same as alleged by Fitzgerald and Popkin. The Provincial Reconnaissance Units (PRU) were exceptions to this rule in the past but they have recently been brought under the command authority of the province chiefs.

-- Village Emphasis. Phoenix has moved out into the village government function. The village police officer is under the authority of the village chief, and a directive has been sent out that a village chief must be informed of the arrest of any members of his village to ensure that his local knowledge may be added to the case.

-- Lines of Responsibility. The National Police are being given principal responsibility for the program, with the military in a supporting role and with command remaining with the province, district and village chiefs.

A brief letter of acknowledgement thanking Ambassador Colby for his comments has been prepared for your signature at Tab A.

RECOMMENDATION:

That you sign the letter of acknowledgement to Ambassador Colby attached at Tab A.

JHH:WRS: VIG:crt (4-15-70)

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MAY 11 1970

Dear Bill,

Thank you for your letter of March 20, 1970 commenting on the critique of the Phoenix program submitted by journalist Frances Fitzgerald and Professor Samuel Popkin. Your comments have been helpful in our evaluations.

I was sorry that I could not see you during your recent visit to Washington, but I received a report on your meeting with my staff. Please let me know how plans for the new accelerated effort are developing.

Warmest regards,

(Signed) Henry

Henry A. Kissinger

The Honorable William Colby
Headquarters
United States Military Assistance
Command, Vietnam
APO San Francisco 96222

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HEADQUARTERS
UNITED STATES MILITARY ASSISTANCE COMMAND, VIETNAM
APO SAN FRANCISCO 96222

MACJ01R

20 March 1970

The Honorable
Dr. Henry A. Kissinger
Special Assistant to the President
The White House
Washington, D. C. 20500

Dear Dr. Kissinger:

Thank you very much for your letter of February 20, inclosing a copy of Francis Fitzgerald and Sam Popkins' "Memo on the Phoenix Program." As you know, I have spent more than a few moments on this subject in recent weeks and am greatly interested in ways to improve it, criticisms of it, and clarification of its real nature and status.

The memo contains several legitimate complaints about the program, but I believe in some respects it is out of date. The program may have been "designed to create a precision instrument for the elimination of Viet Cong cadre," and it has not yet reached this status. I do believe, however, that it has moved in the right direction, perhaps further than the authors might know.

Let me cite a few points:

a. Considerable more precision has been brought into the definition of the targets of the program. I inclose a copy of its "Green Book," which clearly identifies, in Vietnamese and English, the various jobs in the Viet Cong apparatus or VCI, and assigns them as A level or B level. The A level are supposed to receive the full two-year detention sentence. The B level are less but still significant elements of the VCI who receive a minimum of one year and a maximum of two years detention. Both detention sentences are theoretically subject to extension on re-examination at the end of the sentence, but in fact in the past most of them have been released. These definitions have been supplemented by a greater degree of attention and supervision of the work of the Province Security Committees, which impose the detention sentences, so that there has been a substantial improvement in their sentencing of the individuals brought before them. The operational units can only receive credit against their goals for A and B categories sentenced (not merely captured),

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rallied or killed. Thus the focus is clearly on "hard core" VC cadre and I believe the results over the past year bear out this focus. Some 21 percent of those captured, rallied or killed turned out to be district level or above, and some 48 percent turned out to be members of priority categories such as security sections, finance sections, and current affairs and revolutionary committees. Combined, these priority categories constituted some 60 percent of the total, demonstrating considerable attention to the hard core rather than the peripheral supporters.

b. The Phoenix Program has been brought out in the open by the government. This started in October 1969 with a general publication of the nature and goals of the program "to protect the people against terrorism." This has been extended to the placing of posters calling for the apprehension (or defection, followed by full freedom) of named Viet Cong leaders. The National Assembly has conducted a full interpellation of the government about the program. More needs to be done about this, but I believe the process of conducting the operation as much in public as possible has begun and that it will strengthen rather than weaken the program. Incidentally, I believe that District and Province Chiefs would be surprised to hear that they do not control their intelligence and police agents. The only real problem that had existed in this category was the PRU, because of its direct link to the Americans, but even these have now been brought fully under the command authority of the Province Chiefs, to the extent that a Province Chief can fire the head of the PRU if he wants to (and has done so).

c. Phoenix has moved into the village and is now in many villages throughout the country an integral part of the village government function. Thus many villages now have an operations center to collect information on the local VCI and to plan and organize operations to capture or defect them. The village police officer, who has been placed under the overall authority of the Village Chief, is the main contributor to this effort. It is obviously designed to exploit the detailed knowledge of local personalities available from the Village Chief, the members of the Village Council, and the village citizens. In addition, a directive has been sent out (but is still inadequately applied) that a Village Chief must be informed of the arrest of any member of his village, precisely to ensure that his local knowledge of the individual can be brought into the case. Thus I believe the recommendation is essentially being applied that the village governments be given responsibility for the Phoenix program as well as other counterinsurgency programs.

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d. The National Police are being given principal responsibility for the Phoenix Program, and the military will henceforth be in a supporting role. The command will remain with the Province, District and Village Chiefs, however.

Despite all this, I fully accept many of the concerns expressed in the memorandum. While the various steps above have been or are in the course of being taken, the proof of the pudding is in how they are being and will be executed. There are still weaknesses in this area and ones we must work hard to overcome. Thus while I may have answered many of the points in the memorandum, I do not reject it and instead take it as another indication of the degree of feeling in sympathetic American circles for a considerably greater improvement in performance here. On that, we have plenty more to do and we will get at it.

Sincerely,

Inclosures

W. E. COLBY
DEPCORDS/MACV

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