

SECRETReview Staff: 75/826

30 May 1975

MEMORANDUM FOR THE DIRECTOR

SUBJECT: SSC, DCI and Phoenix

1. Attached is a letter from Senator Church and an attachment covering an outline and requests for documents relating to your Phoenix testimony, now scheduled for 4 June.
2. Curt Smothers, Minority Counsel, will lead the questioning. He is in process of doing homework. Smothers and four or five of his colleagues spent 3-1/2 hours yesterday with Ev Parker and there is a more formal briefing to be given today to Smothers and Co. by DOD.
3. Ev says they are pretty clearly most interested in Counter-Terror and PRU and he expects most of the questioning to focus on this. Of special interest is exactly how the chain of command worked.
4. Parker says that meeting the various document requests will be a tall order. DOD no longer has many documents. Our own are scattered. Some of ours will be subject to all kinds of misinterpretation. Correspondence between Komer and us, for example, appears quite explicit in use of terms like "elimination" and "neutralization."
5. DDO will set about to round up what documents we have that are responsive and we will know then what we can and cannot do. Will keep you posted.

 H. Knoche

(b)(3)

 cc: IG
 DDO

(b)(3)

SECRET

(Delivered to Ev Parker by Curtis Smothers, 5/29/75)

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.
WILLIAM G. MILLER, STAFF DIRECTOR

SECRET
United States Senate

Review Staff: 75-628

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

May 29, 1975

Mr. William E. Colby
Director of Central Intelligence
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

At the last Committee session, Mr. Curtis Smothers, Counsel to the Minority, briefly advised you regarding the thrust of anticipated areas of inquiry regarding Operation Phoenix. It is now anticipated that we will take up the subject on Wednesday, June 4.

The purpose of this correspondence is (1) to provide some additional information regarding the nature and scope of the Committee concerns and (2) to solicit from the Agency documentary materials which may further assist in our inquiry.

At Tab I is an outline of subject areas which will form the basis of our examination during your testimony on Phoenix. While the outline is an indication of our principal areas of concern, you should anticipate additional or more detailed queries arising from the requested documents, concern of the individual Members, and new matters raised by your testimony or other evidence.

Tab II, with appendices, is the basic document request, approved by myself and the Vice Chairman, which is being forwarded to both the Agency and the Department of Defense. It will also be provided to the Department of State as guidance for compliance with a separate request for information regarding State's policy role in Phoenix. Copies of the basic correspondence to both State and Defense are attached for your information at Tab III. Materials solicited in the basic document request, to the extent that they are in the Agency's possession, should be provided not later than Tuesday, June 3.

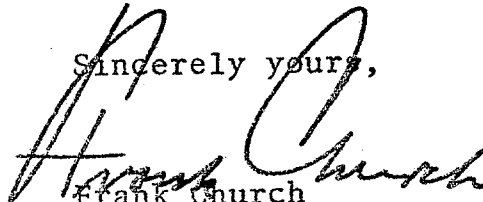
SECRET

SECRET

Mr. William E. Colby
Page two
May 29, 1975

It is my hope that the outline together with the aforementioned enclosures will be of assistance to you in delineating the Committee's areas of concern. If we may further assist you regarding matters to be examined on Wednesday, please do not hesitate to contact the Committee at your convenience.

Sincerely yours,



Frank Church
Chairman

Enclosures

This letter can be declassified to unclassified once attachment is removed.

SECRET

SECRET

Operation Phoenix: Outline of Primary Areas of Interest for
Testimony of William Colby

- I. THE ORIGIN, FORMATION, AND PLANNING OF OPERATION PHOENIX.
 - A. Perceived purpose and need for the establishment of the program.
 - B. Shortcomings of CORDS and/or other predecessors to Operation Phoenix and anticipated program improvements to be achieved by Phoenix.

- II. THE NATURE AND EXTENT OF COMMAND AND CONTROL OF OPERATION PHOENIX BY THE PROGRAM ADMINISTRATOR INCLUDING:
 - A. CIA input into the policy and procedures established for Operation Phoenix and the role of the Program Administrator in establishing those policies and procedures.
 - B. Nature and extent of CIA coordination with MACV and the State Department in the operations of Phoenix and the role of the Program Administrator in that coordination.
 - C. Nature and extent of CIA input into the decision making process including, but not limited to, the establishment of the "goals" or "quotas" for "neutralization" efforts and the role of the Program Administrator in that decision making process.

- III. THE ORGANIZATIONAL STRUCTURE OF PHOENIX/PHUNG HOANG INCLUDING:
 - A. Extent to which CIA and State Department personnel advised and assisted in the operations of Phoenix at the Village, District, Province and National levels.
 - B. Nature and extent of U. S. assistance in the operation of the South Vietnamese Phung/Huang efforts.
 - C. Nature of "neutralization" and specifically the nature and circumstances of "kills", "rallies" and "captures."
 - D. Role of the Provincial Reconnaissance Units (PRU's).
 - E. Role of the Province Interrogation Centers.

SECRET

SECRET

F. Relationship between Chieu Hoi and Phoenix/Phung Hoang.

IV. THE OVERSIGHT AND CONTROL FUNCTIONS OF THE PROJECT ADMINISTRATOR INCLUDING:

- A. Description of the flow of reporting from the DIOCC's, PIOCC's, Province Security Committees (PSC's) and the Province Interrogation Centers (PIC's).
- B. Procedures for monitoring of the above mentioned organizational units.

SECRET

SECRET

REQUEST FOR DOCUMENTS RELATING TO OPERATION PHOENIX

1. All documents (as defined in Appendix A hereto) which relate to the initiation, origin, planning and formation of Operation Phoenix and any predecessor or successor program, including but not limited to "Counter-Terror", "ICEX", and "F-6".

2. All organizational charts or other documents, formal or informal, which establish, describe, or explain the organization and lines of authority and reporting in Operation Phoenix, including but not limited to documents which relate to the organizational relationships set forth in Appendix B hereto. Please include any documents which indicate changes over time in the organizational structure.^{1/}

3. All policy and procedural directives, instructions, regulations or guidelines relating to Operation Phoenix promulgated by the Program Administrator, other Phoenix advisors or administrators, or MACV personnel and directed to operational units (e.g., PIOCC's, DIOCC's, Province Interrogation Centers, PRU's), or to any other CIA personnel or U.S. military personnel advising, overseeing, or otherwise connected with any operation of the Phoenix program. Please include all such documents relating to MACV coordination with the CIA in relation to Phoenix/Phung Hoang.

4. All policy or procedural directives, instructions, regulations or guidelines and all requests for information and any responses thereto received by the Program Administrator from individuals or offices of equal rank to himself or above in the command and control structure (as defined in Appendix A hereto) including but not limited to the following offices and groups: the President, the Special Assistant to the President for National Security Affairs, NSC, USIB, Secretary of State, the military commander of MACV, DCI, and the DDO (formerly DDP) of the CIA.

5. All documents which provide financial information with respect to Operation Phoenix, especially documents which describe all finding arrangements -- including the source, duration and amounts of such funding -- and documents providing budgetary information broken down by categories of income and expenditure.

^{1/} Please furnish all documents, responsive to the requests in this and all subsequent items, which relate to or derive from any predecessor or successor programs (as explained in Item One) in addition to Operation Phoenix. Also in response to all subsequent items please furnish all documents which indicate significant changes over time.

SECRET

SECRET

6. All documents which include reporting to the Program Administrator by any operational unit or individual that submitted reports on the status of activities, programs, units, procedures, or management of Operation Phoenix or components thereof. These documents should include but are not limited to reporting upon cost effectiveness, general status of field operations, statistics and analysis relating to "neutralizations", "neutralization" goals or quotas, and the implementation and effectiveness of procedures designed to ensure the accuracy of the intelligence which served as the basis for targeting individual VCI or for mission planning.

7. All reports from the Program Administrator to individuals and entities in the command and control structure (as defined in Appendix A hereto) including but not limited to the White House, NSC, DCI, Secretary of Defense, Secretary of State, the Ambassador to the Republic of Vietnam, the military commanders of MACV and CORDS, and the MACV program officer for Operation Phoenix.

8. All copies of reports from the U. S. Ambassador to the Republic of Vietnam to the Secretary of State relating to Operation Phoenix.

9. All advisory opinions, memoranda, guidelines, instructions, directives or other documents from MACV/Phoenix advisers, administrators, or field operatives to offices of the South Vietnamese government, Phung Hoang, or other Vietnamese components of the Phoenix program, including but not limited to suggestions for the drafting of legislation and the issuance of policy or procedural directives by Phung Hoang or the Ministry of Interior.

10. All documents relating to Operation Phoenix or any predecessor or successor program which formally or informally promulgated "neutralization" goals or quotas, to be accompanied by a list of the individuals or offices that received distribution of such documents. Also please furnish all documents which include tabulation of "neutralization" statistics, including any breakdown of such statistics into any or all of the following categories: "kill", "capture", or "rally"; period of time (e.g., week, month, year); geographic unit (e.g., province, district); type of circumstances in which the "neutralization" occurred (e.g., combat, "ambush", identification check, PRU raid); organizational unit or individual responsible for the "neutralization" (including but not limited to DIOCC, PIOCC, PRU, Provincial Interrogation Center and the Chieu Hoi program).

SECRET

SECRET

- 3 -

11. Any record, log, diary, notation, memoranda or other documentation of the date, time and place of any meetings, including lists of those in attendance, at which Operation Phoenix was discussed among those in the command and control structure at or above the level of the Program Administrator, including, but not limited to the President, other White House or NSC staff, DCI, Secretary of Defense, Secretary of State, and the Ambassador to the Republic of Vietnam, the military commanders of MACV and CORDS, and the MACV program officer for Operation Phoenix. Also please furnish any minutes, transcripts, memoranda, recordings or other documentation of the substance of such meetings.

12. All documents and materials used in the training of personnel for participation in any aspect of Operation Phoenix.

13. All documents and materials assembled for or used in the preparation of the oral and written testimony of William E. Colby on Operation Phoenix before the Senate Foreign Relations Committee in February 1970, the Senate Judiciary Subcommittee to Investigate Problems Connected with Refugees and Escapees in April 1971, the House Government Operations in July 1971, and the Senate Committee on Armed Services in July 1973.

APPENDICES

Appendix A

Glossary of Terms

Appendix B

Organizational Relationships
Relating to Operation Phoenix

Appendix C

Examples of Documents Requested
by the Select Committee**SECRET**

SECRET

APPENDIX A

GLOSSARY OF TERMS

1) Documents:

Memoranda, letters, notes, files, photographs, tape recordings or other electronic recordings, computer memories capable of being rendered readable, and papers containing printed language and any other documents. Any document containing any writing which causes it to differ in any respect from any otherwise similar document shall be deemed a separate document to be provided in response to the request attached hereto.

2) Program Administrator:

This position may have been called Deputy U.S. Commander in Vietnam for Civil Operations and Rural Development, Office of the Special Assistant to the Ambassador, or by other names, but irrespective of official title we are requesting information with respect to the person (e.g. Robert Komer and William Colby) serving as the chief administrator of the operational structure of the Phoenix program.

3) Command & Control Structure:

The governmental system of responsibility, authority, accountability, and input to decision making for Operation Phoenix. This includes any individual or office in the White House, NSC, DOD, MACV, State Department, (including U.S.A.I.D. and the office of the Ambassador to the Republic of Vietnam), CIA, or other governmental or military agency, organization or department which had some responsibility for or received reports on Operation Phoenix.

SECRET

SECRET

APPENDIX B

Organizational Relationships Relating to Operation Phoenix

(a) The relationships among the Program Administrator, military and CIA advisory personnel, PIOCC's, DIOCC's, PRU's, Provincial Security Committees, and Provincial Interrogation Centers.

(b) The relationship between Operation Phoenix and the CIA, the military command structure, and the State Department (including such agencies or offices as USAID and the U. S. Ambassador to the Republic of Vietnam).

(c) The relationship between the U. S. command structure for Operation Phoenix and the associated South Vietnamese programs and offices, e.g., Phoenix/Phung Hoang, Chieu Hoi, Ministry of the Interior, National Police and other such agencies, departments or programs.

(d) The relationship between the Program Administrator and U.S. military personnel directly or indirectly associated with Operation Phoenix at any level of operation.

(e) The relationship between the Program Administrator and all CIA personnel in Vietnam including but not limited to personnel at the Province and District level, including personnel advising or overseeing Provincial Reconnaissance Units.

(f) The relationship between the DCI and the Program Administrator in South Vietnam.

(g) The relationship between the CIA and all CIA personnel on assignment to MACV for the purpose of Operation Phoenix.

SECRET

SECRET

APPENDIX C

Examples of Documents Requested By
The Select Committee

The following documents are examples of material called for by various sections of the Select Committee Request. It is not an exclusive list of material requested. In some cases, the information on particular documents may be imprecise or inaccurate; if so, please furnish any similar document which is responsive to the intent of the request.

Some of this material has already been produced before Congressional committees. The Select Committee would appreciate separate copies of such documents. Please indicate on each document any alterations or differences, which may have resulted from concern for the classification or sensitivity of the original version, between the original version which should be provided to this Committee and the version provided to other committees.

Item One

- * (1) Presidential decree of 7/1/68, establishing the Phung Hoang program.
- * (2) Prime Minister's Directive of 12/20/67, on the Neutralization of VCI.

Item Three

- * (1) MACV Directive 525-36, issued under Major General W. G. Dolvin, U. S. Chief of Staff, 5/18/70.
- * (2) Instructions to U. S. personnel concerning Phung Hoang activities as issued through CORDS channels in 1969 and incorporated as MACV Directive 525-36 on 5/18/70.
- * (3) Memorandum from William Colby to AC of S Cords, 2/3/70.

*Document referred to by William Colby in response to prepared questions in Hearing on Nomination of William E. Colby to be Director of Central Intelligence before the Senate Committee on Armed Services in July 1973 (pp. 154-155, 173).

SECRET

SECRET

- 2 -

- * (4) Phung Hoang Standard Operating Procedures
 - a. 7/23/1968
 - b. 11/1/68
 - c. 2/1/70
- * (5) Official cable from Central Phoenix Committee to Provincial Committees on 9/15/69, calling for village and hamlet officials to be informed on Phoenix operations in their neighborhoods.

Item Six

- (1) Report to DepCORDS, MR3 on Binh Duong Province by Ltc. Gerald G. Chikalla, 5/28/71.
- (2) Report to DepCORDS, MR3 on Binh Tuy Province by Ltc. Jack R. Cantrell (Province Senior Advisor, Binh Tuy), 5/26/71.
- (3) Report to DepCORDS, MR3 on Gia Dinh Province by Mr. David McKillop, (Province Senior Advisor, Gia Dinh), 5/25/71.
- (4) MACV Directive No. 381-46, 12/27/67, "Military Intelligence Combined Screening of Detainees", as referred to by Hon. Paul N. McCloskey, Jr., in House Government Operation Committee hearings on U. S. Assistance Programs in Vietnam, July and August 1971, pp. 217-221.

Item Eight

- (1) Report of 8/30/71 from Ambassador Bunker to Secretary of State Rogers entitled "July Internal Security Assessment";

Item Nine

- * (1) MACV Directive 10-20, 5/23/69.
- * (2) Letter of 11/13/70 to the Prime Minister recommending a revision of the An Tri or Emergency Detention Law to incorporate the protections contained in article 7 of the Constitution.

Item Eleven

- (1) Meeting in February or March 1969, held at CORDS Regional headquarters (Da Nang) as referred by David M. Harrington in

SECRET

in Senate Armed Services Committee hearings on the
Nomination of William E. Colby, July 1973, p. 96

Item Twelve

- (1) Defense Intelligence Collection Manual (DICOM), as used for the training of Phoenix Program personnel at Fort Holibird in courses identified by MOS numbers 9668 (officers' classes) and 9640 (enlisted men's classes), as referred to by K. Barton Osborn in House Government Operations Committee hearings on U. S. Assistance Programs in Vietnam, July and August 1971, p. 327.
- (2) "An Analysis of Province Security Committees", briefing paper for U. S. Military Advisors to the Phoenix program as referred to by Hon. Jerome R. Waldie in House Government Operations Committee hearings on U. S. Assistance Programs in Vietnam, July and August, 1971, p. 331.

SECRET