EXHIBIT I is JX 462.

The exhibit is described as follows: [Description of exhibit].

[Additional notes and comments]

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1. I am a journalist and author of several books on the Vietnam period, including *The Best and the Brightest*, *Ho* and *The Making of a Quagmire*. In 1962 to 1963 and again in the fall of 1967, I lived in Saigon and wrote about the Vietnam War. On the basis of my research and experiences in Vietnam, I came to believe that the American military apparatus in Vietnam became a vast lying machine, telling Washington what Washington wanted to hear and insisted upon hearing. The purpose of this lying machine was to propagandize our alleged progress in the war and to convince Congress and the American public to support the war. The end result of this effort to make the progress of the war look better was a systematic attempt to belittle the
strength, resilience and dimension of the enemy and to make a shaky South Vietnamese Army look better than it was and to make an unwinnable war seem winnable. If the public had ever had true intelligence reports coming out of Vietnam in 1967, public support for the war would have collapsed overnight. The realities of the hopelessly stalemated situation which had developed in Vietnam by late 1967 were nowhere in evidence in the optimistic intelligence reports and press briefings given by American military and diplomatic officials in Saigon. The military lost its intellectual integrity by allowing its systems to be corrupted to a bad policy.

2. I received a Bachelor of Arts degree from Harvard University in 1955. I worked as a reporter for the West Point Daily Times Leader in Mississippi from 1955 to 1956. I worked as a reporter for the Nashville Tennessean from 1956 to 1960. I was a member of the reporting staff of The New York Times from 1960-1967, working as a correspondent in the Congo from 1961 to 1962; in Vietnam from 1962 to 1963; in New York City from 1964 to 1965; in Warsaw, Poland, from 1965 until my expulsion by order of the Polish government in 1966; and again in New York City from 1966 to 1967. I was a contributing editor at Harper's Magazine from 1967 to 1971 and returned to Saigon in the fall of 1967 to report on the Vietnam War for that publication.

4. What follows in ¶ 5-50 of this affidavit is a summary of some of my research and recollections of the Vietnam War, much of which is set forth in greater detail in my book, *The Best and the Brightest*.

5. I first went to Vietnam in August 1962 as a staff writer for *The New York Times*. I was the first permanent American correspondent there. During the next year and a half, I attempted to make sense of a country rife with internal political and social (as well as military) problems and to understand our military efforts to aid the South Vietnamese.

6. I was never either hawk or dove about the Vietnam War--few reporters who spent any length of time
there were. In 1962 and 1963 I belonged to a group of reporters who thought that the war was worth winning but who saw reason to doubt the effectiveness of the fight against the enemy. At that time we could not predict the eventual size of the conflict or the dramatic shift of our goals.

7. It became clear that the Americans were fighting two wars in Vietnam: the first was a war in the field where American advisors were trying to confront and understand the problems of South Vietnam, and to work with provincial and village chiefs to solve those problems; and the second was a self-conscious public relations war dominated by the American embassy and military command in Saigon to prove the viability of our early investment in Vietnam. The effect, increasingly, was a skewed understanding of the war. I met a number of American field officers who appreciated and were willing to discuss the various problems they faced: the tenacity of the enemy, the weakness of the ARVN, and the importance of the South Vietnamese's role in saving their own country. These officers were often systematically ignored (until their transfers to other posts), and thus prevented from ever bringing the reality of the war back to Saigon. Lt. Col. John Paul Vann, who later became a legend in Vietnam and was widely regarded as the American officer most knowledgeable about the Vietnamese, was once reprimanded by General Paul Harkins, then Commander of MACV, for
being insensitive to the Vietnamese's need to save face.

"I'm not here to save their face", Vann answered, "I'm here to save their ass." Yet for his honesty in discussing the ARVN's unwillingness to fight and other important military problems, Lt. Col. Vann was rewarded with a transfer out of Vietnam.

8. I returned to Saigon in the fall of 1967 as a contributing editor to Harper's Magazine. I viewed my return as an opportunity to see how the war had changed in the intervening few years, and how the country had changed. By late 1967 we had committed almost 500,000 troops to Vietnam and spent some $30 billion dollars on the war. More importantly, though, the American government and the military had become determined to win the war, rather than simply to advise and assist South Vietnam. General William Westmoreland had replaced General Harkins as Commander of MACV, and Ellsworth Bunker had become the U.S. Ambassador to South Vietnam. This was a new war with new leaders.

9. Before I returned to Vietnam in the fall of 1967, I was assured again and again by people who had been in Vietnam more recently that I would never recognize it, that it was not the same country, that we had new leaders, new objectives and new resources for prosecuting the war successfully—and also, that we had made great progress in the pacification program and had achieved increasing mili-
tary success, both on our own and with the ARVN. My trip to Saigon in 1967 was a means of testing these assurances of change and progress. I wondered whether American military and diplomatic officials in Saigon were being honest to Congress and to the American people. This trip provided several disturbing answers to that question and raised an entirely new set of questions that I had to answer both as a writer and as an American.

10. Upon my return to Vietnam in late 1967, I repeatedly heard and read optimistic reports from American military and diplomatic officials who dangled the promise of the war’s conclusion in front of the American public to quiet dissent and deflect attention from increases in troop strength and foreign aid to South Vietnam.

11. The American presence in Saigon in late 1967 was enormous. There were signs of “Americanization” everywhere, of the billions of dollars in aid and military support and good will we had exported to Vietnam. I sensed this was a reflection of our idea of progress. Smother the Vietnamese in technology and aid, take over their war, try to negotiate with their enemy. It was our deepest hope to save South Vietnam, but in the fall of 1967, I wondered if we could accomplish this before we destroyed it.

12. The pacification program in Vietnam, known periodically as "The Other War", was heir apparent to a long
line of programs tried, programs vaunted, programs poised, programs failed. The social and political problems which the Americans could avoid when they were simply fighting the war and killing Viet Cong combat soldiers suddenly reappeared when we tried to make a success of pacification.

13. The pacification program was being used as a gauge of our success, yet the cost of pacification proved enormous for the Vietnamese countryside. In late 1967 I flew over the southern part of Long An province. My guide, an experienced American, pointed down to the strange scene: deserted pathways leading nowhere, mud paths leading up to shacks which barely existed, a few deserted huts still left. "You know what that is?" he asked. I shook my head.

"Strategic hamlets," he said. "All that's left. You can see the outlines of where they used to be, where they built up the mud for paths. Part of the scenic beauty of Long An. Vacant since November 3, 1963, the first day the new government said they could all go; they left. I'm not even sure they waited that long. Those that we controlled, that is, and that was damn few. Mass desertion. Funny people, they preferred their ancestors' ashes to our barbed wire." I looked down, and he was right; there they were.

14. In October 1967, I went to a briefing by a high ranking pacification official. He began by saying that Quang Ngai province was going to be the success story of
1967, and to mark his words. Even as he was talking the Viet Cong were walking into Quang Ngai and freeing twelve hundred prisoners from the fort there. He was saying that this pacification program—his pacification program—was different from the previous pacification programs, because this time we had the resources.

15. The day after the briefing, I was with one of the rural pacification workers, a competent American professional who had spent four years in Vietnam. He recounted his past year there: more of the same Vietnamese apathy, American indifference to his pleas, faking of provincial operations, increased corruption by his Vietnamese counterpart, resources not reaching their destination, his Vietnamese counterpart's interest in his own building business. The American had documented it all, handed in his report, and for a brief time the job of his corrupt Vietnamese counterpart appeared in jeopardy. Then, suddenly his report was returned to him. "I'm going to stay in this country until I see that son of a bitch in jail," the American said. "Pacification," he said, "what the hell is pacification? You find it." Then he added: "We are losing. We are going to lose. We deserve to lose."

16. In the fall of 1967, I met a number of Americans in Vietnam who had become over the past 5 or 6 years good but bitter diagnosticians. They knew the reasons the
programs had failed in the past, and the best of them feared the same failures rising again out of the same causes. They were angry but powerless. The ones in the field were angry at the ones in Saigon; Saigon did not give them any leverage. Perhaps Saigon was angry at the top Vietnamese, and privately shared the frustration of the field. Yet the political pressure from Washington in the fall of 1967 was greater than ever, pressure which produced the military's optimism—optimism reported by the press and read by the American people. In Saigon progress in winning the war was reported as certain as the tide, and the tide came in each day at the exact hour of the daily MACV press briefing.

17. In 1967 the chief of the pacification program in Vietnam was Ambassador Robert Komer. Komer was known for his constant optimism. "Do you really believe all that stuff you put out and send back to Washington?" one reporter asked him. "The difference between you and me," he explained, a lovely insight into the semantics of Saigon, "is that I was sent out here to report on the progress in the war." However, reports on progress did not prevent the pacification program from becoming a focal point of our stalled war of attrition and of the willingness of our military and diplomatic officials in Saigon to deceive the Congress and the American public about the true progress of the war.
18. One of the most important members of the team in Saigon was Ambassador Ellsworth Bunker. When this kindly, gentle New England patriarch with perhaps the most enviable and least assailable reputation in American government—everyone spoke well of Ellsworth Bunker—had arrived there in 1967, the doves all felt a surge of optimism. Bunker's record for sensitivity and integrity were impeccable; at State a certain excitement had been kindled by Bunker's appointment. But Bunker, who had been so open-minded in the Dominican crisis, was very different in Saigon. Clearly, Bunker felt the need and, presumably, the pressure to justify the past American investment in Vietnam, so he bought all the military estimates and assumptions, ignoring the few younger men on his staff who brought evidence from the field to show him that we were stalemated. He eschewed complicated questions and over-qualified answers. Bunker focused on statistics supportive of his policy positions. He said anything the military wanted him to say; thus, in 1967, when the military officials were optimistic, Bunker was optimistic. When staff members or journalists brought him unfavorable estimates, he turned them away. He could not understand (nor did he want to understand) why they were so pessimistic when military leaders had assured him that things were going well in Vietnam.
19. At a dinner party for journalists in late 1967, which I attended, Bunker began to talk confidently about how well things were going, and how bright the immediate future looked. What he really wanted, Bunker said, was to set the ARVN free in Laos, a plan close to the heart of the American military. Upon hearing that statement, I began to laugh. "Why are you laughing?", Bunker asked. Knowing that I had questions about our war policy, Chief Press Officer Barry Zorthian publicly urged me at the dinner to respond to Ambassador Bunker, which I did reluctantly. "Because if you send them into Laos they'll get their asses whipped, sir." Bunker looked somewhat offended and said that this was not what he understood from his talks with our generals. Some four years later, he finally got his chance to send the ARVN into Laos, and sure enough, they got their asses whipped. But even that did not faze him.

20. Bunker never got a handle on the war. Bunker continued to believe and support MACV progress reports and to see that reams of MACV prepared statistical documents, always proving some kind of progress--new technological advancements, more military progress, greater political unity--were sent along to Washington. Bunker continued as the most consistent influential and rigid hawk in the country, and he stayed on in Vietnam, a friendly and gentle visage on a deteriorating policy.
21. Barry Zorthian was the chief press officer in Vietnam in 1967. In some ways, Zorthian was the most subtle member of the Embassy. He was brilliantly effective in quashing doubts in others. In 1964, he arranged Robert McNamara's barnstorming tour of Vietnam. In late 1965, Zorthian was the member of the Embassy who, after a meeting of the mission council, told a few select reporters that the strategy had gone from holding the country and preventing the other side from winning, to winning ourselves. "The name of the game has changed," Zorthian said. "Now we're going to win." Barry Zorthian's role was to announce policy, trumpet progress and silence the growing doubts of reporters and even some embassy officials. Only years later, at a media conference which I attended at the University of Southern California in 1983, did Barry Zorthian finally admit that the official optimism had been wrong. Zorthian acknowledged that, "For all their sins, the reporters were right." This was an enormous admission from the man known sarcastically by reporters in Vietnam as the "Minister of Truth", so long charged with the duty of convincing the press and the public that we were winning an unwinnable war.

22. As the scope of our involvement in the war increased, so did the Administration's (and, by extension, the military's) burden to prove the current progress and
anticipated success of our war effort. The Johnson Administration viewed Vietnam as a war of attrition that would be won when the enemy was reduced in size sufficiently so that it lost either the will or the ability to continue the fight. Lyndon Johnson and his cabinet did not spend weeks of painful debate measuring both our and the enemy's resources, deciding on the best way to commit American troops, how to get the most for our men. There was in fact little discussion of the strategy. It had begun as security, had gone to enclave, and then, without the enclave ever being tested, under the pressure of events, had gone to what would be search and destroy. It was again an almost blind decision to go with the man on the spot, General Westmoreland. What General Westmoreland wanted, he got. To an extraordinary degree Westmoreland received in-country freedom to maneuver his troops. They were his, to do with whatever he wanted. And out of this came the policy of attrition, a policy that would become after Tet one of the most controversial and fiercely debated decisions of the war. Importantly, Westmoreland's troop requests came in increments with resulting estimates for ending the war. For example, in 1968, when Westmoreland asked for 210,000 more troops, he told the President that with such a troop increase, the war would go on for only two more years.
23. It was not until late 1967, or even early 1968, that our open-ended war strategy received the attention it deserved. As 1967 wore on, there was growing concern among mid-level officers in the CIA and the military in Saigon, and among the press and the Congress, that we had lost control of the war, yet reports from high-ranking military and diplomatic officials in Saigon were consistently optimistic. In a barnstorming tour of the U.S. in November of 1967, Westmoreland gave the American public his reassurance that the war was under control, that it was progressing according to schedule and that we were on the road to victory. At the New Year's Eve party at the American Embassy in Saigon just prior to the Tet offensive, the invitations read: "Come see the light at the end of the tunnel." The American military and diplomatic leadership in Saigon, it seemed, was a unique organism: upbeat, confident and always optimistic. Moreover, it seemed to be a kind of barometer of the Administration's need for political support: the greater the burden felt by Johnson and his aides in justifying the war to the American people, the more sanguine the Embassy's and Military's reports became.

24. Lt. Col. John Paul Vann told me the following story about the Tet Offensive, which occurred in late January 1968. Just before the Tet Offensive, Col. Vann suspected some sort of troop buildup and imminent action by
the enemy forces. Vann warned General Frederick Weyant that some major enemy troop action was imminent, and that no additional troops should be dispersed from the Saigon area. Westmoreland, on the other hand, was pushing hard to get Weyant to send troops to the outer areas to break up the Viet Cong. Weyant won the argument, and thus those additional troops remained in Saigon during the Tet Offensive, which for a time came close to toppling the city of Saigon. One wonders, considering the magnitude of the Offensive, what would have happened if those troops had been sent out of Saigon as Westmoreland had urged.

25. The Tet offensive was an unmitigated disaster for our war effort and a proof that the Administration and top military officials had misled the American public about a war that we simply could not win. Whereas General Westmoreland claimed that we were ready for Tet, his early and later replacement, General Creighton Abrams, was shattered by Tet. As I learned a few years later, Abrams told Walter Cronkite that we had been caught napping at Tet and were shocked by the magnitude of the enemy's offensive.

26. For the American public, the Tet Offensive was a rude awakening to the toughness and resilience of the enemy, and a television preview of the long war ahead. For the first time, the patience, durability and resilience of the enemy became clear to millions of Americans who had
learned, perhaps subconsciously, from the military to
denigrate the enemy. In the past, the Viet Cong and the NVA
had always fought in distant jungle or paddy areas, striking
quickly and slipping into the night, their toughness rarely
brought home to the American people. With the Tet Offen­sive, the enemy deliberately changed that pattern. For the
first time, the enemy forces fought in the cities, which
meant that day after day American newspapermen, and more
importantly, television cameramen, could capture the gravity
of the situation.

27. The credibility of the American strategy of
attrition died during the Tet offensive; so too did the
credibility of the man who was by now Johnson's most impor­tant political ally, General Westmoreland. If Westmore­
land's credibility was gone, then so too was Johnson's. The
Tet Offensive had stripped Johnson naked on the war, his
credibility and that of his Administration were destroyed.

28. The Tet Offensive began in earnest of Jan­
uary 31, and it would be felt for weeks; but within two days
of its beginning, on February 2, Johnson held a press
conference saying that the offensive was a failure, that the
Administration had known all about it, that, in fact, the
Administration had the full order of Hanoi's battle. It was
demonstrably untrue, and the public was aware of it. Walt
Rostow, Johnson's National Security Advisor, had been warned
by aides before the press conference not to do this, not to commit the Administration's credibility into one more battle, that it might backfire, but he did not listen and the President went ahead. Thus, in the following days, as the sheer fury of the offensive mounted, as the frailty of our defenses became more evident, the Administration simply looked more foolish and more dishonest.

29. There are some people who argue that the Tet Offensive of 1968 was a military victory and a political defeat, and that the defeat was the result of the public's overreaction to sensationalistic reporting by the press. But it is wrong to separate the two: there is no such thing as a military victory and a political defeat. Tet was an intensely political moment of the war because it was the moment at which the Johnson Administration, as well as the American public, finally began to discover that their war policy had failed. The new emerging truth was that despite the commitment of 500,000 men, billions of dollars and the most extensive bombing in the history of mankind, the enemy remained resilient, he was able quite readily to replenish both his main line and guerrilla forces, he controlled the rate of the war, and our superior technology merely allowed us to impose a heavy aerial attack upon him but did not in any way affect his capacity to sustain the war. And, at that point, support for the Government's war policy began to
diminish, for the Administration had squandered its credibility, disproving the efficacy of its so-called strategy of attrition and belying the claims of its progress reports, in the face of visible, tangible evidence to the contrary. To the extent that Tet was a surprise, it was a defeat, and Tet was an enormous surprise.

30. During the latter years of Lyndon Johnson's tenure as President, he grew increasingly isolated from many of his advisors. During the early stages of Vietnam, he was cautious and reflective. If there was bluster, it was largely bluster on the outside; on the inside he was careful, thoughtful, did his homework and could under certain conditions be reasoned with. But when things went badly, he did not respond well, and he did not seem so reasonable to the men around him.

31. As the war continued and escalated, as Johnson heard projections of 400,000 men in Vietnam by the end of 1966, and 600,000 by the end of 1967, he began to change. He was not so open, not so accessible, and it was not so easy to talk with him about the difficulties involved in Vietnam. Secretary of Defense Robert McNamara's access, increasingly, was in direct proportion to his optimism; as McNamara became more pessimistic, the President became reluctant to see him alone. Johnson did not need other peoples' problems and their murky forecasts.
32. In 1967, with some support for the war diminishing at home, President Johnson needed to show military progress in Vietnam. In April 1967 Johnson brought General Westmoreland home to address a joint session of Congress. Westmoreland used the opportunity, as Johnson expected, to trumpet the progress made by the military in Vietnam. We had finally reached the crossover point, Westmoreland claimed, we were killing more men than the enemy could replace—obviously, a crucial claim in a war of attrition. In the process, General Westmoreland became increasingly politicized, and his own personal credibility was increasingly tied to the larger political needs of President Johnson. The reason why General Westmoreland wanted to lower the enemy strength estimates was because he had become a highly political figure serving a highly political President, and he was acutely aware of the impact that the true estimates would have had upon the political fortunes of his President and, therefore, himself. All that followed after that trip in the relationship between President Johnson and General Westmoreland, given the nature of the war, the stalemate and the need to make it appear that there was progress, was therefore highly political. The decision to fiddle with troop strength estimates of the NVA and Viet Cong was part of that. I am sure that neither Johnson nor Westmoreland viewed this as political. I am sure that each
saw himself as being completely patriotic, however, these decisions were inextricably linked with politics.

33. Within the Johnson Administration, there was growing discord as Johnson's cabinet members and advisors soured on the war and tired of couching their arguments in optimistic terms. One could stay viable within the Administration only by proclaiming faith and swallowing doubts. The price was high; it was very hard to bring doubts and reality to Johnson without losing access. The reasonable had become unreasonable; the rational, irrational. The deeper we were in, the more the outcry in the country, in the Senate and in the press, the more Johnson hunkered down and isolated himself from reality. What had begun as a credibility gap became something far more perilous, a reality gap.

34. There was a steady exodus from the White House during 1966 and 1967 of many of the men, both hawks and doves, who had tried to reason with Johnson and affect him on Vietnam. In May 1967 John McNaughton, deputy Secretary of Defense, noting this phenomenon, wrote in a memo to McNamara: "I fear that 'natural selection' in this environment will lead the Administration itself to become more and more homogenized--Mac Bundy, George Ball, Bill Moyers are all gone. Who next?" The answer, of course, was McNamara himself.
35. By late 1967 and early 1968 the White House had become a fortress, purged of many dissenters and increasingly inflexible in its war policy. For a president whose specialty was coalition politics, the breakdown of his administration must have been especially disheartening. Johnson's Vietnam policy, as Tet in particular would prove for the American public, did not work and would not work, yet it was impossible to admit this, thus the breakdown continued.

36. The tenure of Robert McNamara as Secretary of Defense was a study in the contradictions of our Vietnam policy. McNamara was an early participant in Johnson's stealthful strategy of escalation yet, increasingly, became an advocate of civilian control over the military through restrictions on troop increases and bombing target increases. He was both appalled by the war itself, what we were doing with our power; the pain inflicted on the civilians and, at the same time, willing to levy a brutal aerial tax upon the North Vietnamese to bring them to the negotiating table.

37. McNamara had been warned as early as January of 1966 that the American war policy was flawed. His trusted deputy John McNaughton discerned early on the military's changing rationale and warned McNamara about this change. At a dinner party in 1966 McNaughton told Henry
Brandon, a reporter for the London Sunday Times, that in 1965 General Wheeler had said that the American aim was victory, and therefore we were putting more men into Vietnam. Now, McNaughton said, Wheeler was using a different rationale—he was saying that unless more men were sent, then American casualties would rise. Thus, McNaughton realized that the Americans were in a special kind of trap in which the Viet Cong would respond to and stalemate the Americans. In mid-January 1966, he wrote in a memo for McNamara:

"We are in a dilemma. It is that the situation is 'polar'. That is, it may be that while going for victory we have the strength for compromise, but if we go for compromise, we have the strength only for defeat—this because a revealed lowering of sights from victory to compromise (a) will unhinge the GVN and (b) will give the DRV the "smell of blood".

The civilians in Washington, those men who above all else felt they controlled events had, by 1966, completely lost control of the war to the military. And McNamara was one of the first members of Johnson's Administration to realize this.

38. Of the original architects, only Robert McNamara was undergoing great change, yet he continued to stay in the government to fight for his newer definition of reality, though in a deeply compromised way. Importantly, however, he took special care to see that his criticisms were heard in private and resolved in private. He was,
after all, a team player, and not the man to disrupt the Johnson Administration's push for optimistic reporting on Vietnam.

39. McNamara's oscillation of roles and moods, however, tended more and more in one direction. The word swept through Washington about his unhappiness; some thought he was being disloyal to Johnson, others began to think he was coming apart. In 1967, in despair and frustration over the war, McNamara ordered a massive study of all the papers on Vietnam, going back to the 1940's, a study which became known as the Pentagon Papers. When it was handed in, he read parts of it and was shocked by its content. "You know", he told a friend, "they could hang people for what's in there."

40. McNamara came to rely increasingly on the CIA for intelligence reports about the Vietnam War, but even at CIA, the quality and objectivity of intelligence reports varied widely. CIA's George Allen and George Carver represented the split between independent, accurate intelligence information (Allen) and intelligence circumscribed by political and careerist incentives (Carver). George Allen, Carver's deputy as Special Assistant on Vietnamese Affairs, was terrific. He understood Indochina and appreciated the institutional biases that handicapped many intelligence estimates. He gave objective, honest intelligence reports.
My belief was that Allen was a supremely intelligent and honorable intelligence officer. On the other hand, George Carver seemed to me to reflect the bureaucratic ambivalence of some of the top CIA officers, who were torn between very demanding superiors who relentlessly insisted upon optimistic reports from the people in the field and the field analysts who were not optimistic. Carver's views seemed to reflect his superiors' pressures for optimism more than the pessimistic reports of analysts in the field.

41. If, by 1967, McNamara was beginning to move away from the policy, then Rusk was, if anything, more steadfast then ever. He not only believed in the policy, he had a sense of the profound constitutional consequences of the President, already at loggerheads with his Secretary of Defense, being separated from his Secretary of State as well. If Rusk too dissented, if that gossipy town even thought he was a critic, then in Rusk's opinion the country would be in a constitutional crisis. There must be no blue sky between the President and the Secretary of State, he told aides. So in 1967 and early 1968, he became a rock, unflinching and unchanging, and absorbing, as deliberately as he could, as much of the reaction to the war as possible. The abuse he took was enormous; he who had been the least anxious of the principal advisers to become involved but who had never argued against it, now became a public symbol of
the war policy, a target of public scorn, his statements mocked, so that he would once say in exasperation that he was not the village idiot; he knew that he was not Hitler, but nonetheless, there was an obligation to stand.

42. More than anyone else, Rusk believed what the military said they could do; he took their reports and their estimates perilously close to face value (which was particularly dangerous given the nature of the inaccuracies of the military's reporting). Rusk's fault, one deputy said, was not insincerity, it was the totality of his sincerity.

43. In the spring of 1966, Walt Rostow became President Johnson's National Security Advisor, replacing the disenchanted McGeorge Bundy. Johnson viewed Rostow as the perfect choice for the post: his upbeat spirit, his endless number of theories for almost any subject and situation, his sheer enthusiasm for the President and his policies, particularly the war policies—all of these qualities made an impression on Lyndon Johnson. But above all it was Rostow's enthusiasm for the war that won him the job. At a time when many others were becoming concerned about the course of American policies in Vietnam, Rostow was quite the reverse; he did not see failure, he saw inevitable victory and believed himself a prophet of events. So Johnson viewed Rostow as a good man to have in the White House—he would not turn tail, he would hunker down with the best of them.
When Rostow got the job, Johnson told one Kennedy intimate, "I'm getting Walt Rostow as my intellectual. He's not your intellectual. He's not Bundy's intellectual. He's not Galbraith's intellectual. He's not Schlesinger's intellectual. He's going to be my Goddamn intellectual and I'm going to have him by the short hairs."

44. As National Security Advisor, Rostow was in a critically important role, especially considering the development of events in Vietnam through early 1968. Rostow was the man who screened what the President heard and whom he saw, and who gave a special tonal quality to incoming information, an emphasis here and a deemphasis there—in effect, the last man to talk to the judge after all the other lawyers had left the courtroom each day. Whereas his predecessor Bundy had been careful not to emphasize his own feelings, Rostow had fewer reservations on many issues, particularly Vietnam. Rostow was a believer and a reporter, and his enthusiasm showed through. To a President coming increasingly under attack in 1967 and 1968, he was strong and supportive, someone whose own enthusiasm never wavered, who could always find the positive point in the darkest of days. Thus, as the policy came under challenge, Rostow helped hold the line; as the President became increasingly isolated, Rostow isolated him more. He was firm and steadfast, and helped load the dice in 1967 and 1968 against
members of the inner circle having their own doubts. To a
Johnson isolated and under attack, Rostow was, said one of
his aides, "like Rasputin to a tsar under siege."

45. There was no more positive thinker in Washing-
ton than Walt Rostow. He headed the Psychological Strategy
Committee, which met at the White House to think of psywar,
a strategy which, it turned out, would be largely aimed at
the American people. If any of the incoming reports indi-
cated any kind of progress, Rostow immediately authorized a
leak. Business Week got computer data charts of attacks by
Viet Cong (if they were down); the Christian Science Monitor
got computerized population control data from the Hamlet
Evaluation Survey; the Los Angeles Times received data on
the search of junks and hamlets secured. He could always
see the bright side of any situation.

46. Walt Rostow had a great capacity not to see
what he did not choose to see. Within the bureaucracy, the
word went out among those who briefed him that if they
wanted to get his attention they had to bait their news with
sugar, get the positive information in first, and then
before he could turn off, quickly slip in the darker evi-
dence. Once in 1967, after a somewhat pessimistic briefing
by Lt. Col. John Paul Vann, Rostow, slightly shaken, said,
"But don't you admit that it'll all be over in six months". 
"Oh," said Vann somewhat airily, "I think we can hold out longer than that."

47. In late 1967 and early 1968, with the White House under siege, with increasing evidence that the American military commitment to Vietnam had been stalemated, Rostow fought back. In the White House basements, aides culled through the reams of information coming in from Saigon and picked the items which they knew Rostow was following, particularly the good ones. They would send this up to Rostow, and he would package it and pass it on to the President, usually with covering notes which said things such as--"This would give confirmation to the statement which the President had so wisely made to the Congressional leadership the day before." The notes were similar--there were little touches of flattery: "The record of your success indicates. . . . Your place in history will bring you. . . ." The theme was the greatness of the cause and the immortality of Lyndon Johnson. Later, as McNamara's doubts became more evident, there would be verbal references to the need to stop McNamara's wickedness; and when Clark Clifford replaced McNamara as Secretary of Defense and began to fight the policy, there were verbal references to the need to "combat Cliffordism".

48. Rostow rigorously fought evidence which was contrary to the Johnson Administration's claims of progress
in Vietnam. He encouraged George Carver, the career-minded CIA officer who was assigned to brief the White House on Vietnam, to be more optimistic, and by late 1967 there was a major split within the CIA. Most of the pure CIA intelligence analysts, such as George Allen (Carver's deputy as Special Assistant on Vietnamese Affairs), were much gloomier than Carver. In fact, in savvy Washington circles, it was said that there were two CIAs: a George Carver CIA, which was the CIA at the top, generally optimistic in its reporting to Rostow and thus to the President; and the rest of the CIA, which was far more pessimistic. Rostow himself, drawing on his experience as a World War II intelligence officer, was not above reanalyzing and challenging some CIA reports and somehow making them, upon revision, more optimistic than they had been.

49. By the nature of his office, a President is separated from his natural constituency and from the art of his profession, politics. The office restricts his movements, his access to events and reality, since few want to bring the President bad news. For Lyndon Johnson, however, restricted access to events and reality became a critical problem, and this problem was exaggerated by the role Walt Rostow played at the White House. While at first Johnson was isolated involuntarily by the nature of the job, the isolation became, as the war progressed, voluntary. Rostow
both served and reinforced Johnson's appetite for optimistic reports on Vietnam; and by doing this, by manipulating the information that Johnson would see about Vietnam, he expedited Johnson's growing isolation. Jack Kennedy once said somewhat ruefully of Rostow: "I had ten ideas, nine of which would lead to disaster, but one of them was worth having." So it was important to have a filter between Rostow and the President. This is exactly what Johnson did not have in 1967 and 1968.

50. Rostow effectively disrupted the process of debate within the Administration not only by shielding the President from criticism of his war policy and from the reality of the war, but by deflecting the pessimism of others and rewarding those who were optimistic. However, in so doing, Rostow failed to protect the President from exaggerated and inaccurate reports by the military which claimed a level of progress proved to be demonstrably untrue by the 1968 Tet offensive.

51. I did not see the CBS broadcast, "The Uncounted Enemy: A Vietnam Deception," at the time it aired in January 1982. When I first heard that the broadcast had used the word, "conspiracy," I described that use as wrong to those who asked me about it. "Conspiracy" is a word that I personally dislike. However, having since seen the broadcast and having reviewed affidavits and the testimony
of Col. Gains Hawkins and other intelligence officers in this case, I now realize that I was wrong in criticizing the broadcast's use of the word, "conspiracy". Reluctantly and painfully, I must agree that this distortion of intelligence was the result of a conspiracy.

52. In mid-1982, Burton Benjamin contacted me regarding an internal investigation he was conducting for CBS concerning the CBS broadcast, "The Uncounted Enemy: A Vietnam Deception", for which I had been interviewed in 1981. While I had not seen the broadcast at the time Benjamin interviewed me, I told him that, as I understood it, the thrust of the broadcast was that the military withheld critical intelligence information and intentionally underestimated enemy strength to support the Johnson Administration's inaccurate and misleading claims of progress in the war. As I told Benjamin, I believe the thrust of the broadcast was fair and accurate. Johnson had found himself in a large war--precisely the opposite of what he had promised the American people--and he needed immediate results. It was a huge American commitment. The President needed information that would make him look good, especially when the war showed signs of bogging down and extending over many years. Under political pressure to show progress, Westmoreland knew what the bosses in Washington wanted to hear. He knew he had to play politics with the President,
manipulating the information to support Johnson's claims of progress in the war. What was created was a vast lying machine starting in Washington with parallel parts in Saigon. I was not aware at the time I spoke to Benjamin of the extent to which this process of distorting information was consciously conceived and carried out, so I hesitated to use the word "conspiracy" to describe the military's actions. However, I did convey my belief to Benjamin that in 1967 and 1968 General Westmoreland, and numerous other individuals, manipulated information about enemy strength and capabilities to support the Administration's claims of progress and, in so doing, misled the Congress, the press and the American people on the true state of the war.

53. I understand that I was subsequently quoted in the confidential report which Benjamin prepared for CBS as having told him the following:

"it was crucial then to rig information. It was probably done unconsciously and therefore the word conspiracy is too strong. We created a vast lying machine starting in Washington with parallel parts in Saigon. . . ."

54. In late December 1983, I read an article in the New York Times about the Westmoreland lawsuit. That article included a quotation from the affidavit of Robert McNamara, who had apparently stated in sworn testimony that he found it "inconceivable" that the military had falsified intelligence information about enemy strength. Knowing from
my research of McNamara's experiences as Secretary of Defense, I immediately wrote a letter to the New York Times. The Times did not publish my letter, however, it was published in the March 1984 issue of the Washington Monthly. That letter read, in part:

"For Secretary McNamara to issue his affidavit now is particularly disingenuous since his various aides know that one of the reasons he became increasingly disenchanted with the policy around 1967 was that he no longer believed Westmoreland's estimates. Prodded by briefings from his aide John McNaughton, he knew that the bombing had failed, that the other side could send down almost as many men as it wanted, that we were in effect fighting the birthrate of North Vietnam, and that therefore the best we could hope to do was impose a fairly brutal aerial tax upon them.

"The war was thus unwinnable. Which is at the heart of the current controversy: what happens when a government and a command finally begin to discover that a policy has failed. The choices are not pleasant. You either accept that judgment and go public with it (no one did); you can come to that conclusion, as McNamara did, separate yourself as quietly and deftly from your own policy, or in desperation, as the Saigon command was forced to do (with a political campaign approaching and pressure mounting from a highly political president), you began to play with the figures, giving Washington inevitably what you thought Washington wanted. The jiggling was what Lyndon Johnson wanted; he just didn't want anyone to get caught doing it.

"That is at the core of this trial: General Westmoreland was, in fact, not a hero, nor a villain; in the end he was mostly a pawn. The affidavit from McNamara isn't much help in unraveling all this (although by giving it, he and Bundy at least pay back a partial debt to Westmoreland whom they left holding a bad policy once they bailed out to their happier new jobs), but perhaps it means that CBS's lawyers can finally get him under oath. That alone would make this trial worthwhile.'"
55. Washington Monthly Editor-in-Chief Charles Peters added the following additional commentary after my letter:

"I agree with Halberstam. It is tragic that McNamara, who has lived such an honorable and useful life since leaving the Pentagon, could come this close to committing perjury. It may not have been an overt conspiracy but there was certainly tacit encouragement of false intelligence. . . ."

A copy of what appeared in the March 1984 issue of the Washington Monthly is attached to this affidavit as Exhibit A.

56. At the time I spoke with Burton Benjamin, I had not yet seen the CBS broadcast, "The Uncounted Enemy: A Vietnam Deception". I expressed reservations to Benjamin about the broadcast's use of the word "conspiracy". While I believed that the core of the broadcast was fair and accurate, I was not personally aware of the extent to which the military's manipulation of information about enemy strength had been the result of a conscious and concentrated effort to intentionally distort intelligence. Having now seen the broadcast and having reviewed affidavits and testimony in this case given by intelligence officers who were directly involved in this intentional distortion of intelligence, I can now understand why the broadcast used the term "conspiracy" to describe these events, and believe that that was a reasonable and appropriate use of the term.
57. In 1981, I spoke at length with George Crile about my experiences as a reporter in Vietnam and my recollections about the Vietnam War and told him in words or in substance that which is stated in ¶ 1-50 of this affidavit.

Sworn to before me this 20th day of April 1984.

[Signature]

Notary Public

[Stamp]

MATHILDE A. MLEY
NOTARY PUBLIC, State of New York
No. 4760364
Qualified in New York County
Commission Expires March 30, 1985