Whereupon, SAMUEL ADAMS resumed the stand and was further examined and testified as follows:

EXAMINATION BY COUNSEL FOR PLAINTIFF -- Continued

BY MR. DORSEN:

Q Mr. Adams, have you had an opportunity to read the section of the Pike Committee report on Vietnam?

A I've read sections of it and skimmed the rest, so I can't really say yes because I haven't done a careful reading of the whole thing.

Q With that on the record, is there anything in what you have read that you would consider inconsistent in any way with the testimony you gave before the Pike Committee?

A I am afraid that I would have to -- I would appreciate it if you would point things out to me in which you would suggest there would be inconsistencies.

Q I'm not suggesting anything at this point.

A I don't want to sign off on the whole Pike
Committee report without going through it thoroughly, which I'll be happy to do if you want me to.

Q At any time since reading the Pike Committee report did you reach the conclusion that the Pike Committee report failed to accept any substantial portion of your testimony?

A That's a mouthful. It seems to me it accepted parts of what I said. I can't say it didn't accept other parts, but it certainly didn't repeat everything I had to say.

Q Did it reject any points of what you had to say in your opinion?

A I don't think out of hand. I think it accepted some things -- it's hard to say whether they accepted or rejected. Sometimes it quotes sayings from other people, and I agree, and I disagree with some of the things they said. Some of the things I agreed with, and some things I disagreed with. It doesn't mean they accepted it just because they quoted somebody.

Q I may come back to that, Mr. Adams, but let me move on to another subject. I want to return for a minute to the summer of 1967. When for the first time
did you learn that Gains Hawkins, Colonel Wiler, Lieutenant McArthur and Lieutenant Robinson conducted a field trip in July 1967?

A When in the summer of '67 did I find out?

Q When did you find out that in July 1967 those individuals conducted a field trip?

A As to Hawkins, I found out that in August of 1967. As to Wiler, I think I found that out I believe in 1975. As to Robinson, I believe I found that in August '67 or thereabouts. I'm not sure. As to McArthur, I believe I found that out in 1973.

I would like to amend my answer as to Wiler. I think that was in '73, too, but I'm not sure.

Q That was at or about the time you were testifying before the Ellsberg jury?

A Yes. Hawkins told me that he had been on a trip around the provinces when he arrived in Saigon -- correction -- in Langley in August 1967. I believe my recollection is Kelly Robinson was with him, and Kelly Robinson I think told me at the same time. I'm not sure. I first talked to McArthur in I believe it was March or April 1973. He told me about his trip back
then. I think he told me that Wilner had been there,
too, although I'm not absolutely certain about that
because I don't know whether at that time he remembered
the name Wilner.
The long and the short of it is that Hawkins
probably August '67, Robinson probably August '67,
McArthur certainly by March of April of 1973. Wilner,
I'm not sure exactly when I found out he went on the
trip.

Q What's your understanding as to why this trip
was undertaken?

A My understanding when?

Q Let's say August of '67.

A I don't think Gains told me exactly why he did
it. I think he just told me he had done it. I think
that the same was true with Kelly Robinson, if Kelly
Robinson did tell me at that time that he was on that
trip. I think he did.

Q Did anyone tell you the reason why the trip
was undertaken at any time?

A I believe the answer is yes. People gave me
information as to what they thought. For example, I
think my recollection is that Kelly Robinson told me that they went on the trip so that when they came back to Langley in 1967, they could say to the CIA representatives: hey, look, we've just been on a trip. We've been out to the field, so you've got to accept our numbers. That's what he told me, and I forget exactly when that was. I think that was in one of the conversations I had with Kelly Robinson during the after 1976.

Q Did Kelly Robinson tell you at any time what he based his statement to you on?

A He was on the trip, so probably on that. I don't know.

Q Was it something Colonel Hawkins told him? Is it something he had thought of himself, or is it something he heard from somebody else?

A I couldn't tell you.

Q Did anyone else ever tell you why the trip was undertaken, in their view?

A Well, McArthur told me, as I recall, it was his impression that -- I think he said later his erroneous impression that the trip -- that it was on the
up and up, that they were trying to find out what was going on there. At least that was his impression of what he was trying to find. I think he may have modified his views after subsequent events.

Robinson -- correction -- Hawkins, the main thing I remember Gains telling me about the trip is he was glad to get away from Saigon finally because he was so dissatisfied with the -- what he considers was the attempts to make him manipulate the numbers. He was just glad to get out of J-2 and out on a helicopter where people were talking about real things.

Q When did he tell you this?
A I cannot recall exactly when he told me this.

Q Was it in 1967?
A No, but he sure gave me that impression back in 1967, because he was so uneasy, so embarrassed looking when he was talking about what was going on in Saigon. But when he was telling me about what went on, his experience out in the field, he sort of got enthusiastic. I remember when we were discussing specific provinces, I remember he told me the -- I believe it was one of the S-2 from one of the provinces.
in TUCOR had done an extraordinarily good job in estimating, as he said, the number of guerillas. He seemed happy that some guy had done a good job, and he seemed enthusiastic about that, whereas he had no enthusiasm at all for the official numbers that he was propounding, putting forward. It's an impression I got.

Q Any particular numbers you're talking about that he was propounding?

A Well, he clearly didn't think that the number he was pushing for guerillas was worth a darn.
Likewise, he clearly thought the number -- the numbers he was pushing for admin services was ridiculous. He at one time told me that he thought the political cadre number was way too low. So maybe you'd better come again on your question.

Q Isn't it true that who belongs in the political order of battle depends on how they are defined?

A I would say that that is true of any category, no matter what. It depends on how you define them.

Q Isn't it true that different people have different definitions of political cadre?
We were all working from the same basic definition, that that had been agreed upon at the Honolulu conference of February 1967. Basically, when it got down to analyst to analyst level, we basically agreed, tended to agree on who we were counting. It was only when MACV officials began arguing for numbers say lower than 100,000 that they began to jack around with interpretations of the definitions, in my view. Whatever the size of the number, isn't it accurate to say that the political cadre, to use a term that's been used in this case, was really a collection of apples and oranges?

MR. BOISE: Objection.

THE WITNESS: This is your term. The political cadres included people who did different jobs, just as the army, the Viet Cong army included people who did different jobs.

I might just say in general that anybody who had anything to do with counting the political cadres all agreed that the number was well above 100,000 or 100,000 or something well above that.

Q Are you disagreeing with the characterization
of the political cadre as a collection of apples and
oranges?

A Political cadres are people. They're not
apples and oranges. Yeah.

Q Did the CIA have an estimate of the size of
the political cadre in June of 1967?

A I think there was an estimate contained in the
first draft of the NIE. I don't know what it is. If
you could refresh my recollection. That is the closest
ingest thing, I guess, to an official CIA position.

I think, however, that certainly I believe --
don't remember what it was, but I certainly believed
there were well over 100,000, given the definition we
agreed on in February 1967.

Q Did you tell anybody that?

A Sure. I told all kinds of people that?

Q Who in 1967?

A George Allen, George Carver, anybody that
would care to listen.

Q Did you believe in 1967, mid-1967, that the
number of political cadre had increased over the
previous two years, or that the previous estimate had
been underestimated?

A I certainly believed that the previous estimate had underestimated the true number. As to whether there were more or less than before, I don't think I had an opinion. All I felt at the time was that we ought to be jacking up the base by an order of magnitude of two or three times, four times.

Q Were you familiar with the RITZ program in mid-1967?

A I understand that such a thing had occurred, that there was such a program going on. I had not seen any of the -- I have not seen any of the raw reports.

Q Did you consider that a reliable program for estimating guerillas?

A I certainly thought it was more reliable than the one that was in existence before, which was -- you can't even call it a program. It was just sort of an acceptance of numbers pulled out of the hat by ARVN, A-R-V-N. It means the South Vietnamese army.

Q Do you think it was a reliable way of estimating the guerillas?

A I think that, as I said, it's more reliable
than the way they had of doing it before. I think there
were better ways. It was certainly a way. It was a
good analytical tool to use. I don't think that you had
to accept every estimate which came out of the district
or out of the province. I think it was a handy
analytical tool to have. I don't think it was a totally
-- you can't say reliable one.

Q: Do you know whether the RITZ program as a
methodology was changed at any time during 1967?
A: I don't really know, because I'm not sure that
I have read the charter for the RITZ program ever
really. I think I read something about it, but I'm not
sure whether I read the charter.

C: Let me try to ask the question again. First, in 1967 did you have any reason to believe that the
methodology used in the RITZ program had changed during
that year?

MR. BOISE: Object to the form of the question.

THE WITNESS: I don't really know. Not having
known what the first methodology was, I can't say
whether it changed.

BY MR. DORSEY: (Resuming)
At any time did it come to your attention whether the methodology in the RITZ program --

A The problem was --

J -- changed during 1967?

A The trouble was there were many different estimates of guerillas coming out of MACV, and they seemed to bear no -- at least in the period 1967 at least starting when I saw the RITZ, reflections of the RITZ studies, which would be in the August meeting, is that they were apparently unreliable if you say the end numbers that they were putting forth, MACV was putting forth, were based on RITZ. Now, I'm not sure it was.

Q Do you know --

A What I am sure of is Gains Hawkins told me that he believed that the number of guerillas was in the neighborhood of 100,000 to 120,000 in September 1967, and at no time did MACV propose officially a number approaching that.

Q Do you know what the CORRAL program was in 1967?

A I believe I heard the -- I can't remember when I heard the term CORRAL. It was certainly sometime in
1 1967. I knew it was a method used to -- purportedly
2 used to estimate the number of political cadres.
3 Q Do you know what estimate emerged in the
4 CORRAL program?
5 A No, I don't know what estimate emerged through
6 the CORRAL program. Again, what I do know is through
7 what the political order of battle analysts were telling
8 me was a much higher number than anything that MACV was
9 proposing officially. For example, I think there may
10 have been a number -- and I use this as a hypothetical
11 -- there may have been a number of about 80,000 or
12 90,000, 70,000, 80,000, 90,000, which at one time MACV
13 may have proposed officially or semi-officially in the
14 sense that they put it forward during one of these CE
15 conferences during 1967.
16 This was much lower than the estimate that the
17 political OB types really felt were true, was more
18 reliable. Now, whether their higher estimate was based
19 on CORRAL, I don't know. I simply don't know how they
20 arrived at the higher number.
21 Q Do you know whether the methodology for the
22 CORRAL program changed in 1967?
A Basically, no, I don't. I do recall reading,
as I recall, reading stuff about RITZ at the time, and I
at one time had an understanding of how the CORRAL
program was supposedly carried out. However, the CORRAL
program had basically very little to do with the numbers
that were being proposed by MACV officials at any of the
OB conferences, I guess. I don't know.
Q Do you know what the estimates that came out
of the CORRAL program were in 1967?
A Basically, no, because I didn't see -- this
was a problem I had repeatedly. MACV did not show me
the raw reports. I would get end numbers, but seldom
would I get raw reports which purported to be the basis
for the numbers that they were presenting.
Q Did you ask anybody for that information?
A I asked for it constantly.
Q Who did you ask for that information?
A I asked for it from Colonel Hawkins. I asked
for it -- I think I asked for it from Kelly Robinson.
I'm not sure. There was a reluctance on the part of
MACV to give me raw RITZ reports.

Now, let me put a qualifier on that. I
rememrb at one time Gains Hawkins gave me some
estimates -- this is coming back, okay -- Gains Hawkins
gave me some estimates which purportedly were estimates
derived from the field. I think this was during the
August 1967 conference. In fact, I believe that at
least some of these field estimates were incorporated
into the -- into some of the numbers that MACV was
pushing in August 1967. However, I recall also that
Gains Hawkins would almost invariably agree with me when
I pointed at a hole or pointed at a miscount or
underestimate of a province, although he would always
keep arguing for the same low number. For example, we
had documentary information that the Can Tho province
had a far larger guerrilla force than was being reported
in the raw report that Gains Hawkins showed me. We had,
I remember very distinctly, another province, Long An
province. He gave me a document which -- a Viet Cong
document which -- he gave me a Viet Cong document which
shown that the report he was basing his overall
estimate on was a third the number in this V.C.
document, something on the order of a third.

Basically, what I'm saying here is that
although Colonel Hawkins agreed with me in detail on the
raw data, he would never up his overall estimate to
reflect the raw data, because apparently he was under
orders to stay under the 300,000 man total.

Q Was what your describing an isolated
phenomenon as far as provinces where, as you described
it, the MACV estimate was one-third of the documentary
support?

A It was not an isolated phenomenon. It
happened again and again. I remember arguing with him
over the guerillas, and we went province by province,
and repeatedly I would come up with a higher estimate
based on population statistics or based on captured
documents or based on the fact, as was so often the
case, the MACV S-2 apparently had left out hamlet
guerillas.

Q How much larger were the estimates?

A It would depend on the period of time. For
example, he was arguing for 65,000 in August and I think
again in the first part of the CB conference in
September 1967 at a time when he believed that the
overall number was probably more in the neighborhood of
1. 100,000 to 120,000.
2. Q Let's talk about individual province documentation. Is it your testimony that you went over individual provinces with Gains Hawkins?
3. A That's right.
4. Q Do you have any recollection of how many individual provinces you discussed with Gains Hawkins?
5. A I think we discussed just about all of them at one time or the other. However, I remember there was certainly a majority, if not a large majority, of provinces which -- for which we more or less agreed that the numbers should be raised considerably.
6. Q When you say considerably, what do you mean?
7. A Again, I can't remember at this time which individual provinces these were and how much exactly we felt the numbers should be raised.
8. Q Are you talking about 10 or 20 percent or more?
9. A I can't say. I would say a lot. Also, we were both of us firmly aware and in agreement that three Viet Cong documents referring to a period in early 1966 agreed that there were approximately 170,000 to 180,000 guerillas in Vietnam. We were also aware, I believe,
that in early 1967 there was a document which indicated
that in early 1967 the Viet Cong felt there were 150,000
guerillas. These arguments we were making were only a
few months after the early part of 1967, so we thought
-- if I may continue my answer -- we thought the number
may have been lower than 150,000, but not much.

Q  What I'm getting at is were you arguing on the
basis of the aggregate projections, or were you arguing
on the basis of individual provinces?
A  We were arguing on both. The captured
documents at the lower levels basically agreed with the
higher level estimates. I remember doing, in fact, a
detailed analysis of a document captured in 1967 which
referred to an overall document done in 1966 -- an
overall V.C. document that referred to a total of
170-odd thousand in 1966. This document is referred to
in JX-239. It stated that documents stated, I believe,
that the number of guerillas in Vietnam was 171,296 in
early 19 -- sometime in 1966.

Q  Was it early 1966?
A  It didn't say early or late. It said in 1966.

If I could complete my answer here, the
peculiarity of this document, the one which I believe
totaled 171,296, was that it broke down this total of
171,296, I believe, into six regional areas -- one, two,
three, four, five and six.

I remember doing an analysis of each region,
and that the documentary evidence we had available would
support subcomponents of the overall components. For
example, my recollection is that Region 4, for example,
that was listed in this document, totaling 171,296, was
in the neighborhood of -- I forget -- it was something
like 3,000 or 4,000 for Region 4, Region 4 being the one
around Saigon. We had other documents referring to
Region 4. My recollection is that the other documents
referring to Region 4 came out almost precisely the same
number as was listed in the overall document. That is
the one showing up in JX-239, referred to in JX-239 as
CDEC number 05-1704-67, which I believe is also in JX.

Q. Mr. Adams, what was the province where you
believed that the accurate figure was three times that
of MACV?

A. Well, okay. I'm not sure precisely that it
was three times higher than MACV, and it would depend on
which, what period of time you're talking about and what set of books MACV was showing at you at the time. Their numbers would change radically, so it was very difficult.

This was one of the characteristics of that period of time. Their subcomponents would change radically, but their overall total would stay roughly the same, the overall total of the order of battle.
Q: I believe you testified on a prior occasion, Mr. Adams, that the CIA started making estimates of infiltration post-Tet, is that correct?

A: Let me change that. Did the CIA make estimates of enemy infiltration post-Tet 1968?

Q: Did it continue to do that in the years that followed Tet?

A: My recollection is that it did for a period of time. I'm not so sure how long.

Q: How long did you stay with the CIA?


Q: Did you continue to have any connection with Vietnam during your entire career in the CIA?

A: Yes, I more or less followed Vietnam straight through to the day I left.

Q: Did you see estimates of infiltration at any time after the Tet offensive in 1968?

A: I'm sure I saw them, but, yeah, I saw estimates.

Q: Did you continue to see them during the period you were in the CIA?
A: I don't really know. I would imagine that I
most certainly did. I followed a lot of the traffic
having to do with Vietnam.

Q: Did it ever come to your attention as to the
period post-Tet 1968 that the CIA estimate differed
substantially from the MACV estimate?

A: After Tet 1968, my recollection is that the
CIA estimate and MACV's estimate were divergent. I
recall that in fact we, the CIA, was coming up with what
it believed were -- with higher estimates of
infiltration post-Tet. The post-Tet infiltration, the
infiltration for the year 1968 was extraordinarily
high. Both MACV and CIA agreed that it was
extraordinarily high, but the CIA estimate, according to
my recollection, was -- the CIA in-house estimate was
usually considerably higher than that of MACV.

Q: Do you remember what either of the MACV or CIA
estimates were for the months immediately following Tet
in '68?

A: The short answer is no, I don't know exactly.
I can't recall exactly except that they were quite
high.
1 Q Did the estimates --

2 A Let me take that back. They were quite high

3 in I think it was March, April and May they were quite

4 high, April and May anyway. I'm not sure.

5 MR. DORSEN: Could we mark this Adams Exhibit

6 1?

7 (The document referred to

8 was marked Adams Exhibit No.

9 1 for identification.)

10 BY MR. DORSEN: (Resuming)

11 Q Adams Exhibit No. 1 is a portion of Volume 2

12 of a Order of Battle Summary dated July 1972, and I

13 would like you to look at this and tell me if you have

14 ever seen that document before or a similar document in

15 that time period.

16 Again, I want to emphasize that this is a

17 portion of a larger document.

18 A The probability is that I have not.

19 (The document was placed before the witness.)

20 BY MR. DORSEN: (Resuming)

21 Q Could you look at the period post-Tet,

22 February, March, April, May, June, that period 1968?
The question is does that refresh your recollection in any way as to the magnitude of the CIA estimates of infiltrations for the months immediately following Tet?

MR. BOISE: Are you talking about the CIA estimates?

MR. DORSEY: Yes.

THE WITNESS: No, it does not. It merely shows what for those months MACV is saying around July 1972 for those months.

I might add, let me just toss in something here. I notice that for September, October, November and December 1967, that MACV is continuing to publish estimates which its own order of battle analysts of that period considered were way too low.

BY MR. DORSEY: (Resuming)

Mr. Adams, during the period of February, March, April, May, June and thereafter, in 1968, is it your testimony that the CIA was preparing its own estimates of infiltration?

A I can't tell you the exact months. I can tell you this, that the CIA by that time had become so distrustful of any figure coming out of MACV --
MR. LAPRADE: Wait a minute. I think if you want to speak for what your knowledge was --

THE WITNESS: This is my knowledge.

MR. LAPRADE: Don't say the CIA.

THE WITNESS: It is my belief that the CIA by this time was so distrustful of anything coming out of MACV that they liked to do their own work to double check the numbers that were coming out of MACV. I might add that it is also my belief that because the CIA was doing this double check, that MACV figures began to more reflect reality, in my belief.

BY MR. DORSEY: (Resuming)

Q Do you have any reason to believe that the figures for February, March, April, May, June 1968 were not MACV's best estimate as of July 1972?

A I have reason to believe that in fact they were -- it is quite possible they were not MACV's best estimate. Certainly the figures for September, October and November, December and January '67, or January '68, were far lower than MACV analysts believed were correct -- MACV infiltration analysts would believe were correct.
Q Believed were correct when?
A At the time.
Q The time being September, October?
A At generally this time frame.
Q Generally the time frame of the months in question?
A Of the months in question, generally the time frame, yes.
Q And the question I asked was for the period February, March, April, May and June of '68?
A Okay. I notice they do in the overall estimate of enemy infiltration does rise during those months. I am not at all certain, though, that those figures might not have been tampered with.
Q Tampered with in which way?
A I couldn't tell you because it was such a common practice within MACV to tamper with figures one way -- certainly in the months before Tet, tamper with them in order to make them go lower. It was -- let me start that over again.

In the months before Tet, it was commonplace -- it wasn't commonplace, it was invariably
the practice that MACV tampered with the figures in
order to make them the official figures to make
infiltration look a lot lower than it actually was.
Exactly what they were doing with it after Tet I
couldn't tell you. I can tell you this, however, that
the overall estimate by the CIA for the year 1968 was
considerably higher than the estimate put out by MACV.
Q Do you know how much higher?
A A lot. I can't tell you exactly.
Q Do you know what the total was for the year
1968?
A My recollection is that the CIA analysts with
whom I was working suggested that as many as a quarter
of a million guys came down the trail in 1968, which was
a lot higher than that is.
Q Did anyone tell you prior to January 20, 1982
that the most reliable or the best analysis of
infiltration was being done by CIIAD as opposed to
CICV?
A For what time period?
Q Fall of 1967.
A That is a very complex question because the
analysts I talked to which had information concerning
the time period of September, October, November,
December of 1967 and January 1968 told me they were
coming up with very high estimates. They also told me
that they consulted people who looked at infiltration in
CIA and that the people in CIA and that the people in CIA agreed with the
people in CICV.

Now, as between the CICV estimates and the
CIA estimates, those done on the analytical level,
which of those two were best I couldn't tell you except
that both of them were several orders of magnitude
higher than that published officially by Westmoreland's
command for those months September, October, November,
December 1967 and January 1968.

Q Which CICV people gave you the names of CIA
people that they had consulted with?

A Bernard Gattozzi recalled some names of some
people which had been in CIA.

Q Which names?

A The names he recalled that he told me were
then Major Donald Press, somebody called Captain Ochery,
whose name has been variously spelled C-c-h-e-r-y and
A-u-s-c-h-e-r-y, and a number of variations on that.

Q: Do you know the correct spelling?

A: No, I do not.

Q: Have you ever spoken to him?

A: No. I had no way of finding him since I didn't know how his name was spelled. I had no way of getting ahold of this gentleman.

And a third analyst who worked on infiltration by the name of the one that Mr. Gattozzi told me I think was Richard Talbott.

Q: Have you ever spoken to Mr. Talbott?

A: I tried to find Mr. Talbott, and I called up the U.S. Army, some U.S. Army Reserve component, and he said there were 17 Richard Talbotts on their records, and I did not go through -- I was unable to find Richard Talbott as I was unable to find Captain Ochery.

Q: What about Mr. Press?

A: I did not personally talk to Mr. Press. My understanding is that George Crile talked to Mr. Press, and in his initial conversation with Mr. Crile, Mr. Press, Donald Press confirmed in substance what Mr. Gattozzi said.
Q: That's what Mr. Crile told you?
A: That's what Mr. Crile told me.
Q: Did Mr. Crile tell you whether he made any effort to interview Mr. Press on camera?
A: I can't remember whether he tried to interview Mr. Press on camera or not. At the time, Mr. Press was in the Pentagon on active service. I cannot recall whether George tried to get him to testify or not. I do recall that both Russell Cocley and Bernard Garozzi told me, and I believe they told George, too, that Major Donald Press agreed with them, that the infiltration figures for the months September, October, November, December '67 and January '68 were far higher than those released officially by MACV.
Q: When you say released officially, what figures are you talking about?
A: I am talking about such infiltration figures as came out on at least a monthly basis from MACV J-2.
Q: Are you talking about, for example, in October 1967, that the September figure might be 500 or 1000?
A: No. I am talking about -- could you make your question clearer, please?
A It is true, is it not, Mr. Adams, that each month MACV published a document which related to infiltration which had monthly totals on it, is that correct?

A That is correct. I believe so.

Q Is it true that the monthly totals for the months immediately prior to the date of the report were frequently very low, such as 1000, 2000 for a month, or two or three or four?

A I would have to see. If you have a document in mind, I would like to take a look at it.

Q In other words, you are saying you don't recall that?

MR. SCOTT: Objection.

THE WITNESS: I do recall that such documents existed. Now, whether they were the monthly reports, I would just have to take a look.

I remember, the one that seems to me to be the one passed around most often in this litigation is a document dated either 31 July '68 or 31 August '68 -- I can't remember -- and if you have got that one, I will be happy to talk with you on the subject.
MR. DORSEN: I don't have it right at my fingertips. If we need it, we will do it later.

MR. BOISE: If you want us to get it, we will try to.

MR. DORSEN: Thank you.

BY MR. DORSEN: (Resuming)

Q Is it your testimony -- let me withdraw that.

Were Mr. Gattozzi and Mr. Cooley stating, to the best of your knowledge, that Colonel or Mr. Press or Mr. Talbott or Mr. Ochery were agreeing that the infiltration in the months of September, October, November, December 1967, and January 1968, were in the range of 25,000 per month or more?

A I wouldn't venture to say it was 25,000 a month or more, but that it was several orders of magnitude above the generally published total of anywhere from 5000 to 8000.

Q So that what is your understanding in say, January 20, 1982, as to what Messrs. Talbott, Ochery and Press had told Mr. Gattozzi and Mr. Cooley concerning their belief as to the size of the infiltration in those five months?
A Mr. Gattozzi didn't put it in those terms.

Mr. Gattozzi said that in general he believed that Messrs. Talbott, Ochery and Press agreed in general with the estimates that Hankins and his people were coming up with.

2 Do you know what jobs Messrs. Talbott, Ochery and Press had in the fall of 1967 specifically?

A I would be hard put to describe exactly their job titles. I have had information which may or may not be true that they technically, at least one or more of them, belonged to CICV in an administrative sense, but they sat over in the area of the tank if not the tank itself.

Q Is there anything else you recall about their jobs or assignments?

A Not without consulting my notes, no.

Q Is it your understanding that the bases for the estimates of higher infiltration of the magnitude you have been describing were NSA intelligence, collateral intelligence or a combination of the two?

A A combination of the two.

Q And do you have any information as to what the
relative value to these people was of the NSA intelligence as opposed to the collateral intelligence in the fall of 1967?

It is hard to assign such -- say whether one was more important than the other. Clearly signal intelligence was more timely. You could make a case, a good case, that collateral was better on figures at that point.

Isn't it true, Mr. Adams --

MR. LAPRADE: Don't talk about the methods.

Use "the Agency."

MR. DORSEY: (Resuming)

Is it true that collateral intelligence could not provide a real time estimate of this infiltration?

MR. BOISE: Objection.

THE WITNESS: If you are saying "real time" in the sense, for example, that at 4:00 o'clock this morning there was a group of 576 people passing point B such, that kind of information was really unusable.

BY MR. DORSEY: (Resuming)

Did you have anyone tell you that in the fall of 1967 they had collateral intelligence, collateral
sources that indicated infiltration of a magnitude of
20,000 or 25,000 a month for the preceding one or two or
three months?

A Normally, the estimates developed by Hankins,
it is my understanding, were developed using a
combination of collateral sources and sources derived
from NSA material.

Q What is your understanding or what was your
understanding as of January 20, 1982 as to what
collateral intelligence or collateral sources Mr.
Hankins had that you relied on in making the higher
estimates?

A Yes. He had a number of collateral sources.
He had access to captured documents, to prisoner-of-war
interrogations, to defectors' reports, to aerial
photography, to agent reports, to road watch team
reports and so forth, among other reports.

Q Was it your belief on January 20, 1982 that
these sources indicated an infiltration rate for the
months of October, November, December 1982 of
infiltration in the range of 20,000 or 25,000 a month or
higher within a month or two after that infiltration
allegedly took place?

A That is my understanding from Mr. Gattozzi and
to a lesser extent from Mr. Hankins, yes, that they were
coming up with estimates of that nature based on
collateral, in part by collateral, in part by material
gotten from NSA.

Q Were they adding together the collateral and
the NSA, or what is it your understanding as of January
20, 1982?

A My understanding is that they used some
collateral, they used some NSA material, sometimes they
would add the NSA material to the collateral they had,
sometimes they were able to discover that the group
referred to was in both collateral and NSA material.

Q Could these estimates of 20,000, 25,000 or
more per month have been made solely on the basis of
collateral intelligence in your view?

A In a theoretical way they could have, but I
don't think they were, no.

Q Is that what Mr. Gattozzi told you?

A My recollection of what Mr. Gattozzi told
me -- and I would have to consult my notes, which of
course didn't put down everything Mr. Gattozzi said --
my recollection of what he told me was that they based
their high infiltration estimates on a combination of
collateral and NSA material, that they had collateral
coming in all the time to their CICV spaces, XCR
studies, that they went on a daily basis or close to a
daily basis over to the tank to see what the tank had,
and the combination of these two sources of intelligence
indicated to them that the infiltration rate was several
times higher than that published officially by MACV.

Q Was it your understanding on January 20, 1962
that these estimates of higher infiltration could not
have been made exclusively on the basis of NSA
intelligence or collateral sources alone?

A The fact is they were made on a combination of
both, so you are asking a hypothetical question about my
understanding.

Q What was the maximum per month that you
believed had infiltrated in the months of January -- I'm
sorry, September, October, November, December, January
'67?

When I say believe -- let me just say the time
I am talking about is believed as of January 20, 1982.

As of January 20, 1982.

Now, which are you asking me?

What infiltration did you believe had infiltrated each month in those four months as of January 28, 1982?

The answer basically is that I don't know, but I have guesses.

What are your guesses?

Okay. Bernie Gattozzi indicated to me -- and this is my recollection of my notes -- that a ball park figure, sort of ball park figures, was something of this order of magnitude, something like 25,000 may have infiltrated in September, 30,000 in October, 35,000 in November, 40,000 in December, and perhaps 45,000 in January. This was his sort of ball park guess.

Independently, we had a study which was extant in what Point that suggested that the November figure was in the neighborhood of 30,000, 35,000 as of November.

Independently, we had a New York Times article published in the New York Times on roughly the 8th of January 1968 that "ACV believed at the time that the number of..."
infiltrators was approximately 40,000, independently.

Q For what period?

A For the period of roughly December 1967.

Q Are you sure it is not November and December 1967?

A No, I believe it was December 1967.

MR. BOISE: We have got the article. We can show it to him.

THE WITNESS: Yes. Independently, we have discovered during the course of this litigation, we have discovered a document, a memo of conversation in which I believe the President was informed by Earl Wheeler that approximately 50,000 North Vietnamese infiltrators entered South Vietnam in the period January 1968. So those months we have independent confirmation that more or less back up what Bernie Gattozzi's ball park estimate was for those months.

BY MR. DORSEN: (Resuming)

Q Did you believe on January 20, 1962 what Bernard Gattozzi was telling you as the most accurate estimates of enemy infiltration during the fall of 1967?
Well, as he described these estimates, he said they are ball park estimates. This was sort of his recollection of what happened back in those months. I would point out that all the estimates, as far as I have been able to determine during the course of this litigation, that all the real estimates of both what Hankins and Gattozzi believed have been destroyed. They no longer exist, for goodness knows what reason.

Q Do you have any idea what reason?

A I could guess, either that they were thrown away during the course of a housecleaning operation in MACV headquarters, that they were captured by the Communists when they entered Saigon, or that they were deliberately destroyed in order to conceal the fact that such evidence existed.

Q Are you positive that that infiltration took place?

MR. BOISE: Objection.

THE WITNESS: You would have to define what you mean by positive.

BY MR. DORSEN: (Resuming)

Q Do you have any serious doubts in your mind
that infiltration of the magnitude you have just read
off took place in the period September 1967 through
January 1968?

A I will not vouch for any number I have given
you so far. I will say, however, that it is my absolute
conviction that in the five months prior to Tet there
was an infiltration rate at least three or four times
higher than that reflected in the official figures
except for January 1968 when it may have been just
doubled.

Q The official figures, you are talking about
the figures that were published in July or August 1968?

A That might be -- those published by MACV in
July or August 1968 would be an example.

MR. DORSEN: Let's take a short break. It is
2:36. We started -- it is an hour and five minutes.

(A brief recess was taken.)

(The deposition resumed at 2:50 p.m.)

BY MR. DORSEN: (Resuming)

Q Mr. Adams, I would like to show you Chapter 10
of your book and direct your attention to the first
paragraph of Exhibit 589. In that chapter you refer to
the phrase "still living."

Would you find that, please?

A Yes.

Q Was there anyone, had he been alive when you wrote that, that you would have included?

A Excuse me?

Q Let me just read into the record, and I am just reading a portion of it, "I have yet to interview the four persons still living whom I believe chiefly responsible for the falsification: General Westmoreland himself, General Philip Davidson (Westmoreland's J-2 after McChristian), Mr. Robert S. McNamara, and Mr. Walt W. Rostow."

That is just one sentence. You refer to the four persons still living.

Is there anyone who you are excluding because he is dead?

MR. BOISE: I object to the form of the question.

THE WITNESS: Is there anyone I am excluding --

BY MR. DORSEY: (Resuming)