Q. THAT WAS REALLY THE QUESTION THAT I WAS PUTTING TO YOu.
A. YEAH.
Q. AND I TAKE IT THE REASON THAT YOU DID NOT ACCEPT IT WAS BECAUSE WHILE YOU DIDN'T HAVE THE RESOURCES TO DO THE INITIAL CUT YOU DID HAVE THE RESOURCES TO DO THE ANALYSIS ONCE THAT INITIAL CUT HAD BEEN MADE?
A. YEAH. AND I USED TO THINK OUR ANALYSES WERE BETTER THAN THEIRS.
Q. AND BY "OUR" ANALY---
A. I MEANT THE AGENCY'S COLLECTIVELY, YES.
Q. THE CIA AS OPPOSED TO MACV?
A. YES.
Q. IN AN ANSWER A FEW MINUTES AGO YOU USED THE WORD "VICE", ---
A. VICE?
Q. YES.
A. AS IN VERSA OR SOMETHING ELSE?
Q. WELL, THAT WASN'T CLEAR TO ME AND THAT'S WHY I WANTED TO ASK WHAT YOU MEANT BY IT.
A. OKAY, LET'S GO BACK AND SEE WHERE "VICE" CAME INTO THE CONVERSATION.
Q. IT WAS SOMETHING ABOUT HOW YOU HAD HAD SOME INFORMATION ABOUT WHAT SOME PEOPLE WERE DOING VICE
WHAT OTHER PEOPLE WERE DOING.

A. OH, -- VICE. AS "OPPOSED TO".

Q. AS OPPOSED TO?

A. YES. I AM DOING "A" VICE "B", IN LIEU OF.

Q. SO WHEN YOU USED "VICE" THERE YOU MEAN ---

A. EXCUSE ME. SINCE IT SEEMS TO BE GERMANE, CAN YOU (REPORTER) RECONSTRUCT THE SENTENCE IN WHICH I USED "VICE"?

BY REPORTER:

YES, SIR. YOU SAID THAT THE MORE PRISONERS THAT WERE CAPTURED, THE MORE THAT WERE INTERROGATED BY THE AMERICAN INTELLIGENCE OFFICERS VICE VIETNAMESE...

BY DEPONENT:

OH, OKAY, WHAT I -- BEFORE WE GOT A LARGE NUMBER OF AMERICAN TROOPS, ---

BY MR. BOIES:

I THINK THAT I MAY UNDERSTAND WHAT YOU ARE SAYING. I JUST WANT TO BE SURE THAT THE RECORD IS CLEAR WHAT YOU MEAN BY "VICE" IN THAT CONTEXT.

BY DEPONENT:

WHAT I MEANT WAS WE WERE -- WE HAD DATA TO WHICH AMERICAN INTELLIGENCE OFFICERS, PRIMARILY IN THIS CASE, HAD DIRECT ACCESS AND PROCESSED. WE WERE NOT SEEING THAT DATA THROUGH A FILTER WITH THE
INITIAL PROCESSING DONE BY VIETNAMESE, MANY OF
WHOM DID NOT SPEAK ENGLISH -- WHO ALSO DID NOT
HAVE OUR METHODOLOGICAL OR CONCEPTUAL APPROACH TO
IT.

BY MR. BURT:

MR. CARVER, WOULD YOU SPELL THE WORD "VICE" FOR
US, PLEASE?

BY DEPONENT:

V-I-C-E.

BY MR. BURT:

THANK YOU. AND YOU USED THAT WORD IN THE SENSE
THAT IT IS USED IN ENGLISH, SO IT ---

BY DEPONENT:

YES, I THOUGHT SO.

EXAMINATION CONTINUED BY MR. BOIES:

Q. WHAT IS THE SENSE, -- TO COMPLETE THE CYCLE --
WHAT IS THE SENSE THAT THAT WORD IS USED IN
ENGLISH?
A. WELL, PRIOR TO 19--., -- WELL, VICE, I ALWAYS
THOUGHT MEANT IN "LIEU OF OF".

Q. OKAY.
A. I AM GOING TO MAISON BLANC VICE TIBERIA.
Q. YOU ARE GOING TO MAISON BLANC INSTEAD ---

BY MR. BURT:

CAN WE SAY THAT IT MEANS IN "LIEU OF" OR AS
"OPPOSED TO" ---

BY MR. BOIES:

OR "INSTEAD OF"?

BY DEPONENT:

YES.

BY MR. BURT:

(AFFIRMATIVE NOD), OR "INSTEAD OF".

BY MR. BOIES:

IT CAN MEAN WHATEVER THE WITNESS WANTS IT TO MEAN
IN THIS CASE.

(OFF RECORD REMARKS)

EXAMINATION CONTINUED BY MR. BOIES:

Q. ALL I WANTED TO BE SURE OF IS HOW THE WITNESS WAS
USING THAT IN, THIS CONTEXT.

A. I MEANT JUST SIMPLY THAT WE, PERHAPS PAROCHIAL
BUT, I THOUGHT, NONETHELESS COGENT REASON, HAD
MORE CONFIDENCE IN DIRECT AMERICAN SCREENING OF
PRISONERS AND RAW DATA THAN ON TAKING SECOND ORDER
DATA, A PRISONER INTERROGATION REPORT PREPARED BY
A VIETNAMESE AND THEN WE MASSAGED THE INTERROGA-
TION REPORT.

Q. OKAY. NOW, LET ME GO BACK TO WHAT MY, WHAT MY
QUESTION WAS, WHICH -- I WAS GOING -- YOU
IDENTIFIED A NUMBER OF AREAS OF DISAGREEMENTS BETWEEN
MACV ---
A. THAT'S CORRECT.

Q. -- AND THE CIA. AND WHAT I WANT TO DO NOW IS TAKE THOSE DISAGREEMENTS ONE BY ONE AND GET WHAT MACV'S POSITION WAS AND WHAT THE CIA'S POSITION WAS. ONE OF THE AREAS OF DISAGREEMENT WAS WHICH GROUPS OUGHT TO BE INCLUDED IN THE ORDER OF BATTLE.

A. THAT IS CORRECT.

Q. AND WHAT WAS THE CIA'S POSITION WITH RESPECT TO THAT DISAGREEMENT AND WHAT WAS MACV'S POSITION? AND WE ARE TALKING NOW ABOUT THE MAY, JUNE AND JULY 1967 TIMEFRAME.

A. THE CIA'S POSITION, OR AT LEAST MY OWN POSITION, I CAN'T SPEAK FOR ALL OF MY COLLEAGUES -- SINCE I INSTITUTIONALLY ENUNCIATED THE CIA'S POSITION, I, THE TWO HAVE CERTAIN SIMILARITY, -- WAS THAT ORDER OF BATTLE IN THE CLASSICAL, WESTERN, EUROPEAN MILITARY SENSE WAS A CONCEPT ESSENTIALLY IRRELEVANT TO THE VIETNAMESE WAR, WHEREIN LIKELY TO BE MISLEADING -- THAT WHAT WE OUGHT TO TAKE A LOOK AT WAS ALL THE COMPONENTS OF ORGANIZED OR QUASI-ORGANIZED MAN OR WOMANPOWER TO WHICH THE COMMUNIST HAD SOME DEGREE OF ACCESS AND ASSESS THEIR TOTAL CONTRIBUTION TO THEIR MILITARY CAPABILITY.

NOW, ONE OF THE GREAT DIFFICULTIES WE HAD, AND
ONE, ANOTHER ONE OF THE ROOTS OF THIS DEBATE, WAS
SOMETHING THAT I ALSO DISCUSSED EARLIER, IS THE
VIETNAMESE COMMUNISTS NOT DRAWING THE DISTINCTION,
THAT IS ESSENTIAL TO US, BETWEEN WHO IS SERVING
THE MILITARY COMPONENT AND WHO IS SERVING IN A
CIVILIAN --

NOW, FOR EXAMPLE, THE GERMAN GENERAL STAFF IN
WORLD WARD II, AS THEY WERE BREAKING INTO FRANCE,
HAD AN ORDER OF BATTLE FOR THE FRENCH ARMY. THEY
DIDN'T INCLUDE ALL THE POLICE, ALL THE CIVILIANS
-- EVEN THE ONES WHO HAD SHOTGUNS; BECAUSE THE
WAY THAT THAT WAR WAS PLAYED THEY DIDN'T PLAY AN
SIGNIFICANT ROLE. THE VIETNAMESE WAR WAS
COMPLETELY DIFFERENT. THEREFORE TRADITIONAL ORDER
OF BATTLE CONCEPTS DIDN'T FIT IT. WE HAD AN
ARGUMENT ABOUT WHETHER THE ORDER OF BATTLE CONCEPT
SHOULD BE EXPANDED OR WHETHER IT SHOULD BE CLEARLY
UNDERSTOOD THAT 'HERE IS THE TRADITIONAL ORDER OF
BATTLE, PLAY WITH IT IF YOU WANT TO -- BUT IT ONLY
EXPLAINS PART OF THE PROBLEM, SO DON'T CONSIDER
THAT IT EXHAUSTS THE UNIVERSE.' WE ALSO HAD A
GREAT DEAL OF DISPUTES, UM, AS YOU MOVE FURTHER
AND FURTHER AWAY DOWN THE ORGANIZATIONAL SCALE
FROM THE MAIN AND LOCAL FORCES BETWEEN THE SIZE OF
THE VARIOUS ELEMENTS WE WERE TALKING ABOUT --
ADMINISTRATIVE SERVICES BEING A SORT OF ALMOST A
PERFECT EXAMPLE. DO YOU COUNT PEOPLE FULLTIME?
DO YOU COUNT PEOPLE WHO ARE PARTTIME PORTERS? DO
YOU SEPARATE THE TWO TO INDICATE THE DIFFERENCE?
-- AND PARTICULARLY WHEN WE GOT DOWN TO GUERRILLAS
AND VARIOUS THINGS THAT THE VC CALLED SELF-
DEFENSE, SECRET SELF-DEFENSE, ASSAULT YOUTH AND
OTHERS AS TO WHAT THEIR SIZE WAS, WHAT THEIR
CONTRIBUTION WAS AND TO WHAT EXTENT WE SHOULD
EITHER INCLUDE THEM IN THE SAME SET OF TABLES THAT
HAD MAIN AND LOCAL FORCES OR, IF WE DIDN'T, HOW WE
SHOULD ASSESS THEIR DEGREE OF MILITARY
CONTRIBUTION. AND ON ALL OF THESE THERE WAS, I
ASSURE YOU, LOTS OF BLOOD SHED OVER MANY TABLES.
Q. WHAT I WOULD LIKE --
A. TABLES WRITTEN AND TABLES LIKE THIS (INDICATING
CONFERENCE TABLE).
Q. WHAT I AM TRYING TO DO AT THE OUTSET IS TO TAKE
EACH OF THESE DISAGREEMENTS AND IDENTIFY WHAT THE
CIA'S POSITION WAS AND WHAT THE MACV POSITION WAS
WITH RESPECT TO THAT DISAGREEMENT.
A. OKAY.
Q. NOW, YOU SAID THAT ONE AREA OF DISAGREEMENT WAS AS
TO WHICH GROUPS SHOULD BE INCLUDED IN THE ORDER OF
BATTLE.
Q. NOW, CAN YOU TELL ME WHICH GROUPS MACV AND CIA DISAGREED ABOUT?

A. ONE DISAGREEMENT WAS HOW THE ADMINISTRATIVE SERVICES OUGHT TO BE INCLUDED.

ANOTHER VERY SERIOUS DISAGREEMENT WAS HOW WHAT WAS, FOR A LACK OF A BETTER TERM, CALLED "POLITICAL CADRE" AND ULTIMATELY CAME TO BE CALLED THE "INFRASTRUCTURE" SHOULD BE INCLUDED.

THE SHARPEST DISAGREEMENT OF ALL CAME OVER THE PARTTIME OR SOMETIMES PARTTIME AND/OR SLIGHTLY ARMED CLASS OF PEOPLE REPRESENTED BY SUCH COMPONENTS AS THE SELF-DEFENSE, SECRET SELF-DEFENSE, ASSAULT YOUTH, ETC. AND THE, THE DISAGREEMENTS ON WHAT THE EVIDENCE SHOWED, MAC-- -- I CAN'T FLIP NUMBERS AND I CERTAINLY AM NOT GOING TO TRY TO FLIP NUMBERS OFF THE Top OF MY HEAD -- BUT THE ---

Q. I AM NOT NOW ASKING YOU TO GET INTO NUMBERS.

A. BUT BY AND LARGE WE TENDED TO FEEL THAT THOSE TO WHOM THEY HAVE MEANINGFUL OR--, -- "THEY" IN THIS CONTEXT MEANING THE COMMUNISTS -- HAD MEANINGFUL ORGANIZED ACCESS IN THE LOWER RANGE OF THE STRUCTURE, IT WAS PERCEPTIBLY HIGHER THAN OUR MACV COLLEAGUES, IT SEEMED TO US, TO BE PREPARED TO
ACKNOWLEDGE.

Q. NOW, WITH RESPECT TO WHAT YOU REFER TO AS THE DISAGREEMENT, OR IN ONE CASE THE "SHARPEST" DISAGREEMENT, THAT WAS THE DISAGREEMENT BETWEEN CIA AND MACV?

A. IT WAS BETWEEN THE CIVILIANS, WITH THE CIA DOING MOST OF THE ARGUING FOR THEM, AND OUR -- THOSE WHO WERE PERCHING IN UNIFORM, FOR WHOM MACV WAS THE PRINCIPAL SPOKESMAN.

Q. NOW, WITH RESPECT TO THE CIVILIANS, WERE THERE CIVILIANS THAT WERE PARTICIPATING IN THIS ARGUMENT ON THE CIA'S SIDE OTHER THAN EMPLOYEES OF THE CIA?

A. WELL, I'M NOT QUITE SURE HOW TO CONSTRUE YOUR QUESTION.

Q. OKAY, LET ME TRY TO SHARPEN IT.

A. OKAY.

Q. YOU SAID THAT THERE WAS THIS DISAGREEMENT BETWEEN THE MILITARY, ON THE ONE HAND, REPRESENTED BY MACV AND THE CIVILIANS FOR WHOM THE CIA WAS DOING THE ARGUING -- WAS YOUR TERMINOLOGY, ---

A. YEAH.

Q. NOW THAT IS AMBIGUOUS TO ME AND IT MAY--, SORT OF IMPLIES THAT THERE WERE SOME CIVILIANS OTHER THAN JUST THE CIA ITSELF.

A. WELL, I'LL GIVE YOU AN EXAMPLE -- THERE WERE. I
Q. MY QUESTION IS, WHO WERE THEY?
A. WELL, I'LL GO THE BEST THAT I CAN, WHICH WILL NOT
BE ALL -- WE WILL HAVE TO TALK IN BROAD
CATEGORIES. I CAN'T TALK ABOUT INDIVIDUALS.

THOSE ANALYSTS IN THE DEPARTMENT OF STATE'S BUREAU
OF INTELLIGENCE AND RESEARCH, FOR EXAMPLE, WHO DID
NOT PURSUE ORDER OF BATTLE QUESTIONS AS A PRIMARY
RESPONSIBILITY GENERALLY TENDED TO THINK THAT OUR
ARGUMENTS ON THESE ISSUES WERE MORE PERSUASIVE
THEN THOSE OF THE MILITARY PEOPLE.

SOME OF OUR COLLEAGUES IN NSA, WHO WERE NOT
DIRECTLY INVOLVED BECAUSE THEY FOCUSED ON
COMMUNICATIONS INTELLIGENCE AND NOT DOCUMENTARY OR
THINGS, THEY ALSO SEEMED TO FIND OUR ARGUMENTS
MORE PERSUASIVE.

THERE WERE SOME CIVILIAN ANALYSTS AND EVEN SOME
UNIFORM ANALYSTS IN THE DEFENSE INTELLIGENCE
AGENCY, OR THE OFFICE OF THE ASSISTANT CHIEF OF
STAFF FOR THE ARMY FOR INTELLIGENCE, WHO IF YOU'D
ASKED THEM FOR A PRIVATE, SECRET BALLOT WOULD HAVE
PROBABLY SAID THAT OUR ARGUMENTS WERE MORE PERSUA-
SIVE THAN THOSE OF THEIR COLLEAGUES SPEAKING FROM
MACV.

AND THIS IS WHAT I MEANT BY SAYING THAT BY AND
LARGE -- IF YOU USE A POTENTIALLY MISLEADING SHORTHAND BUT NEVER FORGET THAT WHAT YOU ARE USING IS SHORTHAND -- YOU CAN SAY THAT CIVILIANS TENDED TO CLUSTER AROUND ONE POLE AND THE UNIFORM MILITARY TENDED TO CLUSTER AROUND ANOTHER.

IS THAT ---

Q. YES, THAT IS A HELPFUL WAY TO EXPLAIN IT.

NOW, WITH RESPECT TO THE SELF-DEFENSE FORCES -- OR LET ME START WITH THE ONE THAT YOU STARTED WITH, WHICH IS ADMINISTRATIVE SERVICES.

WHAT WAS THE DISAGREEMENT WITH RESPECT TO THE ADMINISTRATIVE SERVICES?

A. TWO SORTS.

WHO SHOULD BE ENCOMPASSED UNDER THAT RUBRIC. NOW, THE COMMUNIST HAD PERSONNEL, MANY OF THEM NOT MILITARY BY OUR DEFINITION OF THE TERM "MILITARY", WHICH I SAID THEY DIDN'T EMPLOY, WHO DEVOTED FULL TIME TO LOGISTIC SUPPORT TASKS. NOW, THOSE IN FIRST AID STATIONS AND THINGS LIKE THAT, SURE; NO ARGUMENT OVER THOSE. BUT WHERE YOU START DECIDING WHO WAS IT WHO WAS DEVOTING FULL TIME AND THEN, WHERE DO YOU MAKE THE BREAKPOINT? SHOULD A PERSON WHO IS NORMALLY A FARMER BUT IS CO-OPTED AS A PORTER TO CARRY AMMUNITION FOR TWO WEEKS, SHOULD HE BE INCLUDED IN YOUR ADMINISTRATIVE SERVICE OR
NOT? WE NEVER CAME TO ANY SATISFACTORY RESOLUTION
OF THAT PROBLEM. AND, SO, IT WAS A QUESTION OF
TRYING TO DEFINE FROM DOCUMENTARY AND PRISONER
EVIDENCE WHAT THEY THOUGHT THE SIZE OF WHAT THEY
CALLED THAT -- I DON'T THINK THEY EVER USED THE
TERM "ADMINISTRATIVE SERVICES PERSONNEL" -- BUT
PERSONNEL, AS FAR AS WE COULD IDENTIFY THEM,
PERFORMING WHAT WE WOULD CALL ADMINISTRATIVE
SERVICES. SHOULD THEY COUNTED? HOW SHOULD THEY
BE COUNTED? HOW MANY OF THEM WERE THERE, AND
THEN, ON TOP OF THEM, WHAT OTHER ELEMENTS OF THE
POPULATION WHO PERFORMED ADMINISTRATIVE AND
SUPPORT TASKS SHOULD BE INCLUDED IN THIS FIGURE,
AND IF SO, HOW SHOULD THEY BE SO DESCRIBED?
Q. IS IT ACCURATE THAT WITH RESPECT TO ADMINISTRATIVE
SERVICE PERSONNEL BOTH MACV AND THE CIA BELIEVED
THAT SUCH PERSONNEL SHOULD BE INCLUDED IN THE
ORDER OF BATTLE BUT THAT THERE WAS A DISAGREEMENT
AS TO WHAT THE SIZE OF THAT PERSONNEL CATEGORY WAS
BECAUSE THERE WAS A DISAGREEMENT AS TO WHAT KINDS
OF PEOPLE FIT INTO THAT CATEGORY?
A. BY AND LARGE I CAN'T, OFF THE TOP OF MY HEAD,
RECALL ANYONE ARGUING THAT THERE SHOULDN'T BE A
CATEGORY IN ANY ORDER OF BATTLE SAYING
ADMINISTRATIVE SERVICE. BUT WHERE IT SHOULD
If appear in the table and which aggregate totals it should be included into there were considerable disagreements over that.

Q. What was the CIA's position in those disagreements?
A. Well, the CIA's position was basically, again, we were not going to be locked into the, in the sort of inapplicable classical, conceptual mold of order of battle. And we felt that the administrative service component made a significant contribution to communist military capability, hence it ought to be flagged and to the extent that we could some indication of it numerical size should be given.

Q. What was MACV's position?
A. MACV's position was that you should be very rigorous in including only those people who had directly military functions and hence they -- and not to include parttimers or casualties in your order of battle tables and hence they tended to come up with lower figures than we, -- which is partly definitional.

Q. You say that MACV believed that you should not include what you refer to as the "parttimes" or "casuals" in the order of battle.
A. UM HUMM.

Q. DID CIA DISAGREE WITH THAT?

A. WE DISAGREED -- WELL, "WE" IN THIS CONTEXT MEANING ME, AND I DON'T MEAN TO SEEM TO ALLOCATE ROYAL PREROGATIVES UNTO MYSELF. I CAN ONLY SPEAK FOR MYSELF. I CANNOT SPEAK FOR ALL MY COLLEAGUES. I FELT THAT THERE SHOULD BE A CLEARLY INDICATION OF THEIR CONTRIBUTION TO MILITARY EFFECTIVENESS, WHICH WENT BEYOND THE TRADITIONAL ORDER OF BATTLE DEFINITIONS THAT MACV WANTED TO USE.

Q. WHY WAS THAT?

A. BECAUSE I FELT THAT THEY, YOU WERE DEALING WITH A SITUATION THAT TRADITIONAL ORDER OF BATTLE CONCEPTS DIDN'T FIT IN THAT THEY, PEOPLE -- EVEN SOME OF THE PARTTIMERS -- MADE A KIND OF MILITARY CONTRIBUTION OF WHICH WE HAD TO TAKE COGNIZANCE IF WE WERE TRYING TO GAUGE THE EFFECTIVENESS OF THE OVERALL ADVERSARY THAT WE WERE DEALING WITH.

Q. WITH RESPECT TO THE ADMINISTRATIVE SERVICES CATEGORY, WAS THERE ANY DISAGREEMENT BETWEEN MACV AND THE CIA IN THE MAY, JUNE, JULY 1967 PERIOD OTHER THAN WHAT YOU HAVE IDENTIFIED?

A. NOT THAT I RECALL.

Q. LET ME TURN TO THE POLITICAL CADRE AREA.

AM I CORRECT THAT THE TERMS "POLITICAL CADRE" AND
"POLITICAL INFRASTRUCTURE" ARE USED INTERCHANGEABLY?

A. NOT INTERCHANGEABLY. POLITICAL CADRE WAS THE TERM INITIALLY USED THAT CAME TO BE SUBPLANTED, OVER TIME, BY INFRASTRUCTURE. SO, FOR THESE PURPOSES WE CAN USE THEM INTERCHANGEABLY, ALTHOUGH EACH OF THEM MEANT SLIGHTLY DIFFERENT THINGS.

Q. WHAT WAS THE DIFFERENCE IN WHAT THEY MEANT?

A. WELL, -- DURING THE YEARS IN QUESTION, '65, '67 AND BEYOND, AS WE ACQUIRED MORE FAMILIARITY, AS WE ACQUIRED MORE DOCUMENTS, AS WE TALKED TO MORE PRISONERS, WE GOT A MUCH BETTER UNDERSTANDING OF THE ORGANIZATIONAL STRUCTURE AND NATURE OF THE ADVERSARY WITH WHOM WE WERE DEALING.

IN EARLY '65, YOU KNOW, IT WAS KNOWN THAT IN ADDITION TO THE TROOPS IN THE FIELD THERE WERE LOTS OF POLITICAL ODDS AND SODS AND THEY TENDED TO GET LUMPED UNDER THE TERM "POLITICAL CADRE". OVER TIME THIS GOT Refined TO MEAN MEMBERS, FULL TIME MEMBERS OF REGIONAL PROVINCIAL, DISTRICT, VILLAGE, HAMLET, COMMITTEES, PROPAGANDISTS, AND OTHERS WHO PERFORM POLITICAL OR POLITICAL ACTION FUNCTIONS ON A MORE OR LESS FULL TIME BASIS. AND TRYING TO GET A HANDLE ON THOSE FIGURES WAS A SLIPPY NIGHTMARE BECAUSE THE
COMMUNISTS WERE, THE COMMUNISTS WERE MARVELOUS
BUREAUCRATS IN SOME THINGS BUT THEY DIDN'T, WERE
NEVER KIND ENOUGH TO KEEP THE BOOKS THE WAY THAT
WE WOULD LIKE THEM KEPT AND WERE VERY SPONGY ON
KEEPING TRACK OF WHO WAS DOING FOR, FOR WHOM IN A
STRICTLY POLITICAL SPHERE.
BUT THE KIND OF FELLOW THAT WOULD GO -- THE SORT
OF PEOPLE THAT WE TENDED TO LUMP UNDER POLITICAL
CADRE WERE THE QUASI-, -- WELL, NOT QUASI, THE
ARMED TAX COLLECTORS, THE FELLOWS WHO WOULD COME
AROUND TO YOUR DOOR AT NIGHT AND SAY, 'BOIES,
YOU'RE DOWN FOR 10,000 PESETAS (PHONNETIC) AS YOU'VE
SEEMED TO BE A LITTLE BIT DELINQUENT. AND IF YOU'D
LIKE YOUR KNEECAPS, I'LL EXPECT IT BY TOMORROW
MORNING.' NOW, THEY WEREN'T PART OF A MILITARY --
WELL, SOMETIMES THEY WERE, BUT USUALLY THEY WEREN'T
PART OF A MILITARY -- UNIT BUT THEY CERTAINLY
NEEDED TO BE COUNTED AS PART OF THE CONTROL
APPARATUS THAT THE COMMUNIST USED TO TRY TO
MAINTAIN THEIR POSITION IN THE SOCIETY WHICH, IN
TURN ENABLED THEM TO DRAFT AND IMPRESS PEOPLE FOR
MILITARY FUNCTIONS.
Q. WERE THE SAME PEOPLE THAT YOU HAVE JUST IDENTIFIED
AS BEING COUNTED IN THE POLITICAL CADRE CATEGORY
COUNTED IN THE POLITICAL INFRASTRUCTURE CATEGORY
AT A LATER TIME?

Q. IT IS THE CASE THAT THE POLITICAL INFRASTRUCTURE NAME WAS THE REPLACEMENT FOR THE POLITICAL CADRE NAME FOR A CATEGORY OF THE ENEMY?

A. THAT IS CORRECT, ESSENTIALLY, YEAH.

Q. AND WHEN DID THAT REPLACEMENT TAKE PLACE?

A. OH, LORD, I CAN'T REMEMBER. I THINK SOMEWHERE IN '67, '68. THE TERM POLITICAL CADRE KEPT GETTING DROPPED AND THE TERM INFRASTRUCTURE CAME IN. AND THEN THE TERM, YOU KNOW AMERICANS ARE GREAT ON ACRONYMS, IT BECAME VIETCONG INFRASTRUCTURE AND THEN BEGAN KNOWN AS "VCI".

LET ME, FOR JUST ONE MOMENT, TAKE A LOOK (REVIEW OF DOCUMENTS), AND SEE WHAT TERMINOLOGY WE WERE USING IN '67. (UPON REVIEW), OH -- WE WERE EVEN BETTER, -- I THINK THAT'S ONE OF MY TURGID COUNTRISMS -- I THINK WE CALLED IT "POLITICAL ORGANIZATION". THAT SEEMED TO BE THE, A GOOD ELASTIC WORD.

Q. LET ME ASK YOU TO LOOK AT DEFENDANTS' EXHIBIT 126, WHICH IS THIS CIA DOCUMENT THAT YOU HAVE INTENDED THAT YOU DON'T RECOLLECT SEEING BEFORE. I WANT TO DIRECT YOUR ATTENTION TO THE LAST LINE IN THE LISTING OF COMMUNIST FORCES WHERE IT TALKS
ABOUT "ARMED POLITICAL CADRE"; DO YOU SEE THAT?

A. EXCUSE ME, I AM NOT SURE THIS IS A CIA DOCUMENT.
AS I THINK I SAID, IT MAY HAVE BEEN PROVIDED BY
THE CIA BUT IT DOESN'T LOOK LIKE A CIA DOCUMENT TO
ME.

Q. ALL I CAN SAY IS THAT IT WAS PROVIDED BY THE CIA
AND WE'LL, WE'LL ASK THE CIA WHERE IT CAME FROM.

BY MR. LAPRADA:
WHAT ARE YOU TALKING ABOUT?

BY DEPONENT:
IT'S "126-CARVER", HELL, I DIDN'T WRITE IT.

BY MR. BURT:
NO, IT IS 762 --

BY DEPONENT:
NO, THAT'S A ROOM NUMBER OF THE BOARD OF NATIONAL
ESTIMATES.

BY MR. BOIES:
LOOK DOWN AT THE BOTTOM OF THE PAGE, YOU'VE GOT
105 ---

A. I'VE GOT 105, YES.

(OFF RECORD REMARKS)

BY MR. BOIES:
IF THE CIA WILL SAY THAT IT IS NOT A CIA DOCUMENT,
WE WOULD LIKE TO KNOW THAT, TOO.

BY DEPONENT:
I don't know that it isn't. It just doesn't look like one.

By R. LaPrada:

We'll tell you.

By Mr. Boies:

What I would like to know is if you can tell me and, if you can tell me, what the answer is.

By Mr. Tuttle:

Excuse me, Mr. Boies. It is 4:30 now. The witness mentioned a while ago when I raised the question about the possibility of stopping at 4:30 that he would appreciate it. He has been, I think, here for four hours, which was the agreed upon time, and we are perfectly willing to start promptly tomorrow —

By Deponent:

No, wait, we can't start promptly because I have to go to the hospital in the morning.

(OFF RECORD REMARKS REGARDING SCHEDULE)

By Mr. Boies:

We are certainly prepared to make whatever accommodations tomorrow are at all convenient to you, and if you wish we can stop now. The understanding was that we were going to go four hours, we have gone about three and a half. And
THE REASON THAT I KNOW THAT WE HAVEN'T GONE FOUR
IS BECAUSE EACH (VIDEO) TAPE IS ONLY SIXTY MINUTES
LONG. AND WE ARE ONLY LESS THAN HALFWAY THROUGH
OUR FOURTH TAPE. BUT I, IF WISH TO QUIT NOW -- WE
CAN STOP NOW.

BY DEPONENT:

WELL, I APPRECIATE MY CLIENT'S SOLICITUDE, I WOULD
LIKE -- I MEAN, MY COUNSEL'S SOLICITUDE. I WOULD
LIKE VERY MUCH TO STOP AT A QUARTER TO 5:00
BECAUSE I DO HAVE A FEW THINGS TO DO.

BY MR. BOIES:

CERTAINLY, ANYTIME YOU WISH TO STOP BECAUSE THIS
IS, AS I SAID TO YOU THIS MORNING, WE ARE GOING TO
WORK THIS AROUND YOUR SCHEDULE.

BY DEPONENT:

YEAH. I DON'T MIND GOING ON FOR ANOTHER FIFTEEN
MINUTES, BUT I DO NEED TO GET DOWN TO THE OFFICE
BEFORE 5:00.

BY MR. BOIES:

ABSOLUTELY. WE WILL STOP IN FIFTEEN MINUTES.

BY DEPONENT:

OKAY.

NOW, WE WERE BACK ON THIS MYSTERIOUS DOCUMENT.

BY MR. BOIES:

YES.
EXAMINATION RESUMED BY MR. BOIES:

Q. THERE IS A REFERENCE THERE, -- DO YOU SEE THAT LAST LINE?
A. "U.S. NAVAL, AIR AND MARINE UNITS AFLOAT ARE INCLUDED IN UNIT LISTING ABOVE."?
Q. IS THAT IN THE LAST LINE OF ---
A. IT SAYS "BATTALION STRENGTHS, VC ---
Q. MR. CARVER?
A. WHAT?
Q. LISTEN TO MY QUESTION, OKAY?
A. (AFFIRMATIVE NOD).
Q. I ASKED YOU ABOUT THE LAST LINE OF THE LISTING FOR COMMUNIST FORCES. YOU'VE POINTED OUT PREVIOUSLY THAT THERE ARE TWO PARTS OF THAT DOCUMENT, ONE RELATING TO COMMUNIST FORCES AND ONE LISTING ALLIED FORCES.
A. UM HUMM.
Q. NOW THE LAST LINE OF THE LISTING OF COMMUNIST FORCES REFERS TO 40,000 ARMED POLITICAL CADRE. DO YOU SEE THAT:
A. WELL, IT SAYS, IN ITS ENTIRELY, "THE 40,000 PARAMILITARY SUPPORT PERSONNEL OR ARMED POLITICAL CADRES..." -- AND THIS ALMOST CONVINCES ME THAT IT IS A MILITARY DOCUMENT, BECAUSE THOSE ARE NOT ELOCUTIONS THAT I, ANYONE IN THE CIA TO MY
KNOWLEDGE, EVER USED.

Q. THAT IS "ARMED POLITICAL CATEGORY"?
A. OR "PARAMILITARY SUPPORT PERSONNEL", (AFFIRMATIVE NOD).

Q. PARAMILITARY SUPPORT PERSONNEL IS A TERM THAT ---
A. IT IS NOT A TERM OF ART THAT I RECOGNIZE IN THE AGENCY.

Q. WHEN YOU SAY "TERM OF ART" YOU MEAN A TERM THAT IS USED?
A. YEAH.

Q. OKAY.
A. ALSO THE TYPE FORMAT DOES NOT LOOK LIKE AGENCY TYPWRITERS.

Q. LET ME ASK ---
A. I COULD BE WRONG, MR. BOIES. THAT IS NOT THE PHRASEOLOGY THAT WE WOULD HAVE TENDED TO USE.

Q. OKAY. ALL RIGHT. NOW, YOU SAID THAT THE SHARPEST DISAGREEMENT WAS OVER SELF-DEFENSE FORCES AND LIKE FORCES.
A. YEAH. FORCES SUCH AS THE SELF-DEFENSE FORCES.

Q. AND IS IT FAIR TO SAY THAT OF THE FORCES LIKE THE SELF-DEFENSE FORCES THAT THE SELF-DEFENSE FORCES WERE, BY FAR, THE LARGEST OF THOSE KINDS OF FORCES?
A. THIS I SIMPLY DON'T REMEMBER, BECAUSE THEY HAD
THINGS THAT THEY CALLED SELF-DEFENSE, SECRET SELF-
DEFENSE AND ASSAULT YOUTH, AND I DON'T REMEMBER THE
NUMBERS FOR THEM.
THE ARGUMENT STARTED RIGHT WITH THE TERM, AS TO
WHETHER THEY SHOULD BE CALLED "FORCES".
Q. AND THE ARGUMENT AS TO WHETHER OR NOT THEY SHOULD
BE CALLED FORCES WAS OVER WHAT?
A. WAS OVER WHETHER THEY MADE A SIGNIFICANT, DIRECT
MILITARY CONTRIBUTION WARRANTING THEIR BEING
CALLED FORCES AND INCLUDED IN ANY FORCE STRUCTURE
ANALYSIS OR NUMERICAL FIGURE.
Q. WERE THERE PEOPLE THAT THOUGHT THAT FORCES LIKE
THE SELF-DEFENSE FORCES MADE A SIGNIFICANTLY
DIRECTLY MILITARY CONTRIBUTION, AS YOU USE THAT
TERM, TO BE CALLED "FORCES"?
A. THERE WERE, MANY OF US IN THE AGENCY SO FELT, WHAT
WE FELT, -- FOR ACTUALLY TWO REASONS, NOT JUST
THAT ONE. AS I THINK AGAIN I SAID IN RESPONSE
TO A PREVIOUS QUESTION, THE COMMUNIST METHOD OF
OPERATION IS THAT, SAY WHEN THEY WERE ATTACKING AN
OBJECTIVE, THEY WOULD SCARF UP PEOPLE FROM ALL
ELEMENTS OF THE SOCIETY WHO WERE FREQUENTLY PROBED
AS DEFENSE WITH THE LOWEST ELEMENTS OF THEIR FORCE
STRUCTURES TO LET THEM ABSORB THE CASUALTY, YOU.
KNOW. IF YOU WANT TO FIND OUT IF THERE IS A MINE
FIELD, TAKE A BUNCH OF UNRELIABLE VILLAGERS AND
WALK THEM THROUGH THE FIELD AND IF THEY DON'T GET
BLOWN UP IT IS SAFE FOR THE MAIN FORCE TROOPS.
IF THEY DO, THE MAIN FORCE TROOPS AREN'T THERE.
AND WE FELT THAT THERE SHOULD BE SOME INCLUSION OR
A SPECIFIC REFERENCE TO THESE IN ANY OVERALL FORCE
STRUCTURE DEPICTION: (A) BECAUSE WE FELT THAT
THEY DID MAKE CONTRIBUTIONS, PARTICULARLY IN THE
SELF-DEFENSE FIELD -- I MEAN, THEY WERE THE ONES
WHO FREQUENTLY PLANTED MINES, BOOBY TRAPS, PUNGI
STICKS, ETC. -- AND A NUMBER OF THEM WERE
UNQUESTIONABLY INCLUDED IN OUR BODY COUNT AND
CASUALTY TOTAL. I MEAN IF YOU, IF YOU GO OVER A
BATTLEFIELD AFTER A BATTLE AND COUNT THE NUMBER OF
DEAD PEOPLE WEARING BLACK PAJAMAS, SOME OF THEM
WILL BE THESE AND NOT FROM OTHER COMPONENTS. AND
THEREFORE IF YOU WEREN'T, IF YOU DIDN'T
SPECIFICALLY ACKNOWLEDGE THEIR EXISTENCE AND MAKE
SOME SPECIFIC REFERENCE TO, YOU WERE LIABLE TO BE
SUBTRACTING FROM YOUR CASUALTY COUNT FIGURES --
YOU'RE LIABLE TO BE SUBTRACTING THEM FROM THE
WRONG BASE OR APPLYING THEM AGAINST THE WRONG
BASE.
Q. LET ME TAKE A COUPLE OF THOSE ELEMENTS IN THAT
ANSWER SEPARATELY. WHEN YOU REFERRED TO "THEY" OR
PERSONS WHO WERE SETTING MINES AND BOOBY TRAPS, WHO WERE THOSE PEOPLE?

A. WELL, THIS IS AMONG THE KINDS OF THINGS THAT PEOPLE IN THE SELF-DEFENSE, SECRET SELF-DEFENSE, ASSAULT YOUTH WOULD BE TASKED WITH DOING.

Q. WHEN YOU SAY THAT PEOPLE WOULD BE INCLUDED IN THE BODY COUNT, WHO WERE THE PEOPLE THAT WERE BEING INCLUDED IN THE BODY COUNT?

A. ALL RIGHT. THE BODY COUNT, YOU KNOW, AFTER -- BATTLES IN SOUTH VIETNAM TENDED TO BE BY AND LARGE SPORADIC AND THEN WHEN THEY WERE OVER THE COMMUNIST FORCES TENDED TO RETIRE FROM THAT IMMEDIATE VICINITY. THEN YOU, THE VIETNAMESE OR U.S. TROOPS INVOLVED WOULD LITERALLY COUNT THE BODIES. AND THE VIETNAMESE COMMUNIST FORCES, ALMOST IRRESPECTIVE OF FORCE STRUCTURE, DID NOT ALWAYS CONVENIENTLY WEAR UNIFORMS WITH INSIGNIA, ETC. AND EVEN SOME OF THEIR LOCAL FORCES WHO WERE FULLTIME MILITARY WOULD BE CLAD IN THE SAME ESSENTIALLY CIVILIAN GARB AND ATTIRE THAT THE HUMBLEST PORTER WOULD BE CLAD IN. AND WHAT WE FELT WAS THAT IF YOU ARE DOING CASUALTY STATISTICS YOU'VE GOT TO BE VERY CAREFUL ABOUT HAVING A BASE SUFFICIENTLY ENCOMPASSING SO THAT YOU ARE NOT APPLYING CASUALTY STATISTICS AGAINST ONLY A
PORTION OF THAT BASE OR FORCE STRUCTURE. IN OTHER
WORDS, YOU'VE GOT TO -- OR ELSE YOU'RE GOING TO
GET VERY SKEWED RESULTS AS, IN CONSEQUENCE.
AM I MAKING MYSELF CLEAR?
Q. I THINK SO. YOU'RE SAYING THAT IF YOU ARE
INCLUDING, FOR EXAMPLE, SELF-DEFENSE FORCES IN THE
BODY COUNT, THEN UNLESS YOU HAVE INCLUDED SELF-
DEFENSE FORCES IN THE ENEMY STRENGTH FIGURES FROM
WHICH THE CASUALTIES ARE BEING SUBTRACTED, YOU'RE
GOING TO GET A SKEWED RESULT?
A. THAT IS ALMOST WHAT I AM SAYING.
Q. OKAY.
A. PRECISION IS IMPORTANT.
Q. OKAY, MAKE IT PRECISE.
A. IF THE BODIES THAT YOU COUNT EASILY HAVE INCLUDED
PEOPLE DRAWN FROM THE SELF-DEFENSE FORCE COMPONENT
IN YOUR OVERALL DEPICTION OF ENEMY STRENGTH YOU
BETTER INCLUDE A RATHER SPECIFIC REFERENCE TO THAT
COMPONENT OR ELSE PEOPLE ARE GOING TO THINK THAT
ALL OF YOUR CASUALTIES CAME FROM SOME SMALLER PART
OF THE TOTAL BASE.
Q. AND DID I UNDERSTAND YOU CORRECTLY EARLIER WHEN
YOU SAID THAT BECAUSE OF THE NATURE OF THE BATTLES
AND THE NATURE OF THE CLOTHES THE PEOPLE WORE IN
SECRET SELF-DEFENSE FORCES OR PERSONNEL IN THE
SELF-DEFENSE FORCES WOULD BE INCLUDED IN THE BODY COUNT?

A. THEY WERE LIKELY TO HAVE BEEN AND YOU COULD NOT DEFINITIVELY TELL AFTER A BATTLE WHO WAS IN WHICH FORCE COMPONENT. THE COMMUNIST WERE NORMALLY, WHEN THEY HAD TIME TO MAKE A QUASI-ORDERLY WITHDRAWAL, THEY WERE NORMALLY VERY GOOD -- I MEAN, NOT ALWAYS, OF COURSE, -- ABOUT SCOOPING UP AUTOMATIC WEAPONS, MACHINE GUNS, ETC. AND THEREFORE WHEN AN HOUR, HALF AN HOUR, TWO HOURS LATER -- THE NEXT DAY -- VIETNAMESE OR U.S. FORCES CAME INTO THE AREA RELATIVELY UNCONTESTED EXCEPT MAYBE FOR A LITTLE LIGHT HARASSING FIRE, TO SORT OF START COUNTING THE CORPSES LYING ON THE FIELD AS IT WERE, YOU SEE A GUY DRESSED IN BLACK PAJAMAS. NOW THE DAY BEFORE HE MAY HAVE BEEN CARRYING AN RPG SUBMACHINE GUN, WITH WHICH THE SELF-DEFENSE FORCES WERE NOT NORMALLY EQUIPPED, THUS PROVING THAT HE WAS PROBABLY IN A FULLTIME LOCAL FORCE UNIT. BUT THE NEXT DAY -- IN A SENSE, I DON'T MEAN TO BE MACABRE, BUT A BODY IS A BODY, IS A BODY AND YOU DON'T KNOW WHERE IT CAME FROM.

Q. WHEN YOU REFERRED A COUPLE OF ANSWERS BACK TO CIVILIAN CLOTHES WERE YOU REFERRING TO THE TRADITIONAL BLACK PAJAMAS?