Q. --- EARLIER TODAY YOU DEFINED THE ELEMENTS OF THE
ENEMY FORCE STRUCTURE AS MAIN AND LOCAL FORCES,
---
A. RIGHT.
Q. --- ADMINISTRATIVE SERVICES, ---
A. RIGHT.
Q. --- GUERRILLAS, POLITICAL CADRE AND OTHER
COMMUNIST FORCES WHICH YOU SAID INCLUDED SELF-
DEFENSE, SECRET SELF-DEFENSE AND ASSAULT YOUTH.
A. OKAY, FINE. FAIR ENOUGH.
Q. AND WHAT IS LISTED THERE IS MAIN AND LOCAL FORCES,
---
A. RIGHT.
Q. --- ADMINISTRATIVE SERVICES, ---
A. AND GUERRILLAS.
Q. --- GUERRILLAS.
A. WHICH IS COMBAT FORCES, YEAH.
Q. SELF-DEFENSE, ASSAULT YOUTH AND POLITICAL
INFRASTRUCTURE.
A. WHAT THEY CALL "COMBAT FORCES" IS ESSENTIALLY, BUT
NOT ENTIRELY, WHAT MACV WOULD CALL ORDER OF
BATTLE.
Q. YES. IN FACT I WOULD HAVE SAID THAT IT WAS
EXACTLY WHAT THEY WOULD HAVE CALLED ORDER OF
BATTLE.
A. WELL, I WOULD HAVE TO LOOK ---
Q. I MAY BE WRONG.
A. I WOULD HAVE TO LOOK AT HOW THE GUERRILLAS WERE
SPLIT BEFORE I COULD ---
Q. THE GUERRILLAS MAY BE A DIFFERENT NUMBER BUT MACV
INCLUDED IN ITS ORDER OF BATTLE ---
A. MACV HAD --- YEAH ---
Q. --- MAIN AND LOCAL FORCES, ADMINISTRATIVE
SERVICES, ---
A. MACV HAD A CATEGORY ---
Q. --- AND GUERRILLAS.
A. --- CALLED GUERRILLAS. WHETHER THEIR DEFINITION
OF GUERRILLAS WAS THE SAME AS OURS, I DON'T
RECALL. BUT THAT IS WHY I SAID THAT IT IS
ESSENTIALLY WHAT MACV WOULD CALL THE ORDER OF
BATTLE.
Q. OKAY.
A. OKAY, GO AHEAD.
Q. NOW, THIS IS DATED IN MAY, I THINK, OF 1968.
A. YEAH, AND THE TABLE GIVES A 1 JANUARY 68 AND A 31
MARCH 68 FIGURE.
Q. NOW, ARE THE ESTIMATES OF THE ENEMY STRENGTH THAT
ARE PROVIDED THERE FOR 31 MARCH 68 THE ESTIMATES
OF ENEMY STRENGTH THAT YOU WOULD HAVE HAD, WOULD
HAVE AGREED WITH AS THE BEST ESTIMATE AS OF THAT
TIME?

A. WELL, PRESUMABLY THEY ARE, BECAUSE I HAD A LOT OF RESPECT FOR PAUL AND THIS WAS PRIMARILY HIS RESPONSIBILITY.

Q. DO YOU RECALL THESE NUMBERS IN GENERAL?

A. NO, I DON'T, BUT, I MEAN, -- EXCEPT IN LOOKING AT THEM. YES, PAUL DID PARTICIPATE IN SUCH AN EXERCISE AS HE DESCRIBES AND THE NUMBERS CERTAINLY LOOK LIKE THEY WERE IN FACT HIS NUMBERS.

Q. DO YOU RECALL WHAT THE NUMBERS WERE THAT MACV WAS CARRYING ON ITS BOOKS AT THIS TIME?

A. NO, I DON'T. AND YOU'VE RAISED SOMETHING THAT I WAS JUST GOING TO FLAG MYSELF. AS I READ THE MEMORANDUM AND TABLE, JUST GLANCING AT IT, I BELIEVE THAT PAUL WAS REPORTING WHAT THE AGENCY'S INTERNAL FIGURES WERE, NOT NECESSARILY WHAT MACV'S FIGURES WERE. AND MACV FIGURES ARE NOT APPENDED. SO, I DON'T KNOW.

Q. THAT, INCIDENTALLY, IS MY READING OF THE MEMORANDUM ALSO, THAT THIS TABLE ON PAGE FOUR IS THE CIA'S ESTIMATE AND NOT MACV'S ESTIMATE. AND WHAT I AM ASKING YOU IS WHETHER YOU RECALL WHAT MACV'S ESTIMATE WAS AS OF THAT TIME?

A. I SIMPLY DON'T.

Q. DO YOU RECALL WHETHER MACV'S ESTIMATE WAS HIGHER OR
A. WELL, I'LL HAVE TO GIVE YOU A TWO PART ANSWER. SINCE WE QUANTIFY CERTAIN THINGS THAT WERE NOT INCLUDED IN THEIR ORDER OF BATTLE, INITIALLY OUR GROSS FIGURES ARE GOING TO BE HIGHER. HOW OUR FIGURES COMPARED TO THOSE INCOMPARABLE CATEGORIES, I DO NOT RECALL.

Q. DID YOU OR, INSO FAR AS YOU ARE AWARE, ANYONE AT THE CIA CONVEY TO THE WHITE HOUSE STAFF OR TO THE SECRETARY OF DEFENSE OR TO PRESIDENT JOHNSON THE STATISTICS THAT ARE SET FORTH HERE, THE ENEMY STRENGTH STATISTICS THAT ARE SET FORTH HERE?

IT, BUT SINCE HE SAYS THAT IT WAS, PAUL IS
OBVIOUSLY ACCURATE.

Q. AND THIS WOULD HAVE GONE AT OR ABOUT THE TIME OF THIS MEMORANDUM, WHICH WOULD ---
A. WELL, IT WOULD HAVE GONE ---
Q. --- HAVE BEEN IN, SOMETIME IN 1968.
A. YEAH. WELL, THE MEMORANDUM IS DATED 2 MAY AND THE -- IT SAYS, "AS DIRECTED BY YOU, CIA DIRECT ASSESSMENT WAS PRESENTED TO A CONFERENCE..." AND THEN THE NEXT SENTENCE SAYS THAT THE CONFERENCE MEETINGS WERE HELD FROM 10 TO 16 APRIL. AND SEVERAL ADDITIONAL MEETINGS WERE HELD WITH DIA. SO, THE CONTENTS OF THIS TABLE, WHICH HAS A 1 JANUARY 1968 SET OF FIGURES AND A 31 MARCH SET OF FIGURES -- DO YOU FOLLOW ME?
Q. YES.
A. UH -- AGAIN, MR. BOIES, JUST ON QUICK GLANCE, I ASSUME THAT BOTH THE JANUARY AND THE 31 MARCH FIGURE WERE PASSED TO THOSE PEOPLE, INCLUDING DIA, IN THE 16 FEBRUARY SUBMISSION OF THE DRAFT.
Q. DID YOU SAY 16 FEBRUARY?
A. 16 APRIL, -- EXCUSE ME, I MISSPOKE.
Q. DO YOU KNOW WHETHER THE CIA'S ESTIMATE FOR THE JANUARY FIGURE WAS CONVEYED TO SECRETARY OF DEFENSE OR WHITE HOUSE STAFF OR THE PRESIDENT BY
ANYONE AT THE CIA PRIOR TO THE TET OFFENSIVE?

A. I DON'T RECALL ONE WAY OR THE OTHER. IT IS ESSENTIALLY CONGRUENT -- IT DOES QUANTIFY IRREGULAR FORCES, WHICH WERE NOT SPECIFICALLY QUANTIFIED IN THE ESTIMATE, BUT IT IS WITHIN THE ORDER OF MAGNITUDE THAT THE ESTIMATE WAS ATTEMPTING TO DESCRIBE IN PROSE, SO THEY WOULD NOT, TO MY MIND BE ANY, HAVE BEEN ANY RADICAL CHANGE. THERE WOULD HAVE BEEN SOME ADJUSTMENT BETWEEN THE END NOVEMBER FIGURES AND THE 1 JANUARY FIGURES. I DO NOT KNOW FOR A FACT WHETHER THE 1 JANUARY FIGURES WERE SENT IN JANUARY OR NOT.

Q. THERE ARE SOME DIFFERENCE BETWEEN THE, WHAT YOU REFER TO AS THE NOVEMBER FIGURES, WHICH ARE THE NIE FIGURES; AM I CORRECT?

A. UM HUMM, (AFFIRMATIVE).

Q. FOR ONE THING, THESE CIA FIGURES FOR JANUARY 1, 1968 INCLUDE A CURRENT QUANTIFICATION FOR SELF-DEFENSE FORCES AND ASSAULT YOUTH.

A. RIGHT.

Q. AND THAT WAS NOT INCLUDED IN THE SNIÉ 14.3-67?

A. THAT'S CORRECT.

Q. IN ADDITION, THE NUMBERS INCLUDED FOR THE ENEMY STRENGTH CATEGORIES OF MAIN AND LOCAL FORCES, ADMINISTRATIVE SERVICES AND GUERRILLAS ARE LARGER
THAN WERE IN SNIE 14.3-67, CORRECT?

A. TO THE BEST OF MY RECOLLECTION, BECAUSE I THINK
THAT WE DID MAIN AND LOCAL -- WAS 118, AND THIS
HAS A RANGE OF 120 TO 140. THE ADMIN SERVICES
SOUNDS LIKE IT MAY HAVE DOWNSHIFTED A LITTLE BIT.
AS I RE--, -- I DON'T REMEMBER WHAT --

Q. WHY DON'T WE -- YOU'VE GOT THE 14.3-67 IN FRONT OF
YOU.

A. YEAH, (REVIEW), -- THAT IS 118. (REVIEW), --
OKAY, WE SAID AT LEAST 35 TO 40 IN SOUTH VIETNAM,
WITH THE CAVEAT THAT THERE WERE ADDITIONAL ONES ON
THE OUTSIDE.
THIS WAS GOT 60 TO 80, SO THAT WOULD HAVE BEEN A
SLIGHT, IT WOULD HAVE BEEN AN UPSHIFT.
"CONSIDERING ALL THE AVAILABLE EVIDENCE AND
ALLOWING FOR SOME UNCERTAINTY, WE ESTIMATE THE
CURRENT STRENGTH OF THE GUERRILLA FORCES 70 TO
90..." AND THIS ESTIMATES 80 TO 120, SO THAT WOULD
HAVE BEEN, AGAIN, A SLIGHT SHIFT UPWARD.
AND THE POLITICAL STRUCTURE ---

Q. BEFORE WE GET TO THE POLITICAL STRUCTURE, ---
A. YEAH.

Q. I AM CORRECT, AM I NOT, THAT THE MACV ORDER OF
BATTLE SUBSEQUENT TO SEPTEMBER, AT LEAST BEGINNING
IN NOVEMBER 1967, DID NOT INCLUDE THE POLITICAL
CADRE?

A. I DON'T THINK THAT IT DID, DAVID. I JUST SIMPLY DON'T REMEMBER BUT I DON'T BELIEVE THAT IT DID.

Q. I WOULD REPRESENT THAT THAT IS MY UNDERSTANDING. IT HAD BEEN INCLUDED BEFORE BUT THERE CAME A POINT SOMETIME IN THE FALL WHEN IT WAS NO LONGER INCLUDED.

A. YEAH.

Q. AND MY BEST RECOLLECTION IS THAT THAT WAS OCTOBER AND NOVEMBER OF 1967.

A. THAT IS MINE TOO, BUT I COULD BE OFF.

Q. SO, STICKING TO THE FIGURES THAT RELATE TO THE MACV ORDER OF BATTLE CATEGORIES, ---

A. UH HUH.

Q. WHAT WAS THE TOTAL RANGE OF ENEMY STRENGTH THAT WAS ESTIMATED IN NIE 14.3-67 FOR THE MACV ENEMY ORDER OF BATTLE CATEGORIES?

A. WELL, WHAT WE SAID WAS "MILITARY FORCES NOW AT LEAST 223 TO 248", AND THIS PRODUCES 260 TO 340, WITHOUT THE LIMITATION OF THAT -- SO, WE WERE JUST BELOW THE BOTTOM THRESHOLD OF THIS RANGE FIGURE.

Q. THAT IS THE HIGH END OF THE RANGE CONTAINED IN SNIE 14.3-67 IS BELOW THE LOW END OF THE RANGE ---

A. THAT IS CORRECT.

Q. --- CONTAINED IN THE CIA ESTIMATE?
A. THAT IS CORRECT. BUT, AGAIN, THIS IS FOR END OCTOBER, FIRST NOVEMBER AND THIS IS FOR 1 JANUARY, SO THERE WOULD HAVE BEEN SOME ADJUSTMENT FOR INFILTRATION OR OTHER AUGMENTATION FOR NOVEMBER AND DECEMBER.

Q. DURING NOVEMBER AND DECEMBER 1967, DID YOU HAVE AN UNDERSTANDING AT THAT TIME AS TO WHETHER OR NOT THE ENEMY STRENGTH FOR THE MACV ORDER OF BATTLE CATEGORIES WAS INCREASING OR DECREASING?

A. WELL, -- ESSENTIAL TO MY ANSWER IS A CONCEPTUAL THING THAT I, I CANNOT REMEMBER HOW IT WAS HANDLED. WE KNEW AT THE TIME THAT THERE WAS A VERY HEAVY INFLUX OF ORGANIZED NORTH VIETNAMESE UNITS BEING ROTATED INTO THE NORTHERN PART OF SOUTH VIETNAM AND THOSE AREAS OF LAOS IMMEDIATELY ADJACENT TO SOUTH VIETNAM AROUND KHE SANH, WHICH WAS OVER NEAR THE LAOTIAN BOARDER. DO YOU FOLLOW ME?

Q. (AFFIRMATIVE NOD).

A. I CANNOT, AT THE MOMENT, RECALL WHETHER THE MACV FIGURES INCORPORATED THOSE NORTH VIETNAMESE UNITS IN ITS ORDER OF BATTLE OR WHETHER THEY CARRIED THEM IN A SEPARATE CATEGORY. BUT THERE WOULD HAVE BEEN IN THE LATE FALL OF 1967, IN ADDITION TO INFILTRATION, -- THIS AGAIN GETS INTO ANOTHER
COMPLICATED THING BECAUSE THERE WAS ONE SET OF BOOKS KEPT FOR INFILTRATION WHICH ARE GROUPS OF PEOPLE COMING DOWN THROUGH LAOS FOR, IN THIS CONTEXT, PERMANENT ASSIGNMENT, TO UNITS IN SOUTH VIETNAM. DO YOU FOLLOW ME?

THEN THERE WAS A SEPARATE SET OF BOOKS KEPT ON THESE INTEGRAL NORTH VIETNAMESE ARMY DIVISIONS THAT WOULD ROTATE INTO SOUTH VIETNAM OR THE IMMEDIATE ADJACENT AREAS OF LAOS AND THEN FROM TIME TO TIME GO BACK INTO NORTH VIETNAM FOR REST AND REFITTING AND THEN COME BACK IN. WE DID NOT INCLUDE THOSE MOVEMENTS IN INFILTRATION FIGURES. AM I MAKING MYSELF AT ALL CLEAR?

Q. LET --

A. NOW --

Q. --- ME TRY TO SEE.

A. YEAH.

Q. YOU SAY THAT THERE WAS A SEPARATE SET OF BOOKS KEPT FOR THE DIVISIONS THAT YOU SAY "ROTATED" IN AND OUT OF SOUTH ---

A. YEAH, THEY WERE ---

Q. --- VIETNAM, ---

A. --- BROUGHT INTO SOUTH ---

Q. --- NEAR KHE SANH.

A. WELL, THEY WERE ROTATED -- NOT JUST ---
Q. OR OTHER PLACES IN VIETNAM? WERE THEY ROTATED IN AND OUT OF PLACES OTHER THAN KHE SANH?

A. YES.

Q. OKAY. WHAT OTHER PLACES?

A. THERE WAS A FAIRLY CONSTANT PRACTICE OF MOVING INTEGRAL NORTH VIETNAMESE UNITS OF REGIMENTAL BRIGADE OR EVEN DIVISION SIZE OUT OF THE LOWER PORTION OF NORTH VIETNAM, CONTROLLED BY MILITARY REGION FOUR, I THINK IT WAS, HEADQUARTERS IN VINH, IN THE NORTHERN PART OF SOUTH VIETNAM AND/OR THOSE AREAS OF LAOS IMMEDIATE ADJACENT TO THE NORTHERN AREAS OF SOUTH VIETNAM.

Q. MY QUESTION IS, WHO KEPT THAT OTHER SET OF BOOKS?

A. THAT WAS KEPT PRIMARILY BY MACV WITH GREAT ASSIST FROM THE NATIONAL SECURITY AGENCY. I DON'T WANT TO GO INTO DETAIL, BUT MOST OF THE INFORMATION ON IT WAS DERIVED FROM COMMUNICATIONS.

Q. OKAY.

A. AND THAT WAS NOT INCLUDED IN WHAT WAS REFERRED TO AS INFILTRATION, WHICH WAS SOMETHING CONCEPTUALLY QUITE DISTINCT.

Q. NOW, ALL ---

A. THE POINT OF THIS DISQUISITION IS THAT THE EXTENT TO WHICH THOSE NORTH VIETNAMESE DIVISIONS WERE ACCOUNTED BY MACV IN THEIR ORDER OF BATTLE FOR NVA
FORCES PERMANENTLY ASSIGNED TO SOUTH VIETNAM, I
SIMPLY DON'T RECALL.

Q. WERE THEY COUNTED BY THE CIA?

A. AGAIN, I DON'T RECALL. I THINK THAT THEY WERE.
IN OTHER WORDS, I THINK PART OF THIS SHIFT, TO MY
RECOLLECTION, WAS BE A RESULT OF A MOVEMENT OF AT
LEAST TWO DIVISION EQUIVALENTS OF NORTH VIETNAMESE
TROOPS IN, THAT CAME IN THE VERY END OF 1967.

Q. HOW MANY DIVISIONS WERE THERE INVOLVED IN THIS
ROTATION IN SEPTEMBER OF 1967?

A. IN SEPTEMBER OF 1967, I DON'T THINK THAT IT HAD
BEGUN. THE NORTH VIETNAMESE BROUGHT IN, TO THE
BEST OF MY RECOLLECTION, DAVID, THEY BROUGHT IN
TWO DIVISION TO THE AREA AROUND KHE SANH. AND I
THINK THAT THERE WERE TWO DIVISION EQUIVALENTS
ALSO BROUGHT IN ELSEWHERE. SO, I THINK WE ARE
TALKING ABOUT A TOTAL MOVEMENTS OF APPROXIMATE
FOUR DIVISIONS.

Q. BUT MY POINT IS, WHEN DID THOSE DIVISIONS FIRST
ARRIVE?

A. AGAIN, I DON'T REMEMBER. TO MY RECOLLECTION, THEY
STARTED COMING IN, IF I REMEMBER, BUT I AM AWFULLY
HAZY, -- I THINK THAT IT WAS IN LATE SEPTEMBER OR
OCTOBER AND THEY CONTINUED COMING IN FOR THE
BALANCE OF '67.
Q. MY RECOLLECTION ALSO IS THAT THEY CAME IN IN SEPTEMBER OR OCTOBER.
A. YEAH.
Q. THE THING THAT I DON'T UNDERSTAND IS HOW THAT WOULD HAVE AFFECTED THE TOTAL ENEMY STRENGTH LISTED FOR THE MACV ENEMY ORDER OF BATTLE CATEGORIES IF WHAT HAPPENED IS THAT YOU ESSENTIALLY HAD DIVISIONS ROTATING IN AND ROTATING OUT.
A. AH, -- THIS, AGAIN -- WHAT I SAID IS JUST -- WE CAN CHECK. I SIMPLY DON'T REMEMBER WHETHER THE MAIN AND LOCAL FORCE NUMBER INCLUDED THOSE NVA DIVISIONS OR THOSE NVA INTEGRAL UNITS THAT WERE IN VIETNAM FOR AS LONG AS THEY WERE FELT TO BE IN SOUTH VIETNAM. AM I MAKING MYSELF CLEAR?
Q. YES. WHAT YOU ARE SAYING IS THAT THERE WERE DIVISIONS THAT WERE ROTATED IN AND OUT.
A. YEAH. I MEAN, -- THEY DIDN'T COME IN ON TUESDAY AND LEAVE ON A THURSDAY. I MEAN, THEY WOULD COME IN AND THEY WOULD STAY FOR SEVERAL WEEKS OR TWO OR THREE MONTHS AND THEN ALL OR PART OF THEM WOULD GO BACK.
Q. WOULD GO BACK AND AT OR ABOUT THAT SAME TIME THAT ONE DIVISION IS GOING BACK, MAYBE ANOTHER DIVISION WAS COMING IN?
A. RIGHT, AND OR MAYBE THERE WOULD BE A COUPLE OF
WEEKS WHEN THEY WERE REFITTING AND THEN TWO
(PHONETIC) -- I MEAN, THIS WENT UP AND BACK AND UP
AND DOWN. AND THE EXTENT TO WHICH THESE DIVISIONS
-- DO YOU UNDERSTAND WHAT I MEAN WHEN I SAY
"THESE" DIVISIONS, THE ROTATING DIVISIONS?
Q. YES.
A. -- WERE INCORPORATED IN THE MACV ORDER OF BATTLE
NUMBER FOR NVA UNITS, I SIMPLY DON'T RECALL.
Q. I UNDERSTAND THAT. NOW, MY POINT IS THAT -- THESE
DIVISIONS, THESE ROTATING DIVISIONS WOULD NOT HAVE
RESULTED IN AN INCREASE IN THE MACV ENEMY ORDER OF
BATTLE FROM NOVEMBER TO JANUARY, WHETHER OR NOT
THEY WERE INCLUDED; CORRECT?
A. OH, NO. THEY WOULD HAVE IF THEY WERE INCLUDED,
BECAUSE THERE WAS A CERTAIN TIMELAG ON OUR PICKING
THEM UP. AND THEY CONTINUED TO COME IN DURING
NOVEMBER AND DECEMBER, SO ANY NOVEMBER FIGURE, IF
YOU ARE ADDING THEM, WOULD HAVE BEEN AUGMENTED BY
TWENTY OR THIRTY THOUSAND MEN IN COMPARISON WITH
AN END OF DECEMBER FIGURE.
Q. ARE YOU SAYING THAT THERE WERE MORE DIVISIONS IN
SOUTH VIETNAM IN OR ON THE FIRST OF JANUARY 1968
 THAN THERE WERE IN NOVEMBER OF 1967?
A. TO THE BEST OF MY RECOLLECTION, THERE WERE ABOUT
TWO MORE. IF YOU ARE COUNTING THOSE THAT WERE IN LAOS, ON THE FAR LAOTIAN SIDE OF KHE SANH AS PART OF YOUR TOTAL. BECAUSE THE KHE SANH BUILDUP CONTINUED WELL IN JANUARY AND FEBRUARY.

Q. SO YOU ARE SAYING THAT IT WENT FROM TWO DIVISIONS IN SEPTEMBER AND OCTOBER TO FOUR OR FIVE DIVISIONS IN JANUARY AND FEBRUARY?

A. DIVISION OR DIVISION EQUIVALENTS; YES, I THINK THAT IT DID.

Q. AND THOSE WOULD HAVE BEEN DIVISIONS THAT BY JANUARY, CONCEIVABLY, -- AS FAR AS THE FIFTH DIVISION IS CONCERNED, FEBRUARY, -- WERE ACTUALLY IN SOUTH VIETNAM?

A. I DON'T REMEMBER WHICH ONES WERE IN SOUTH VIETNAM AND WHICH ONES WERE IN LAOS, IMMEDIATELY ADJACENT TO THE WESTERN BORDERS OF SOUTH VIETNAM.

Q. DID THAT MAKE A DIFFERENT IN TERMS OF WHETHER THEY WERE INCLUDED IN THIS SEPARATE SET OF BOOKS?

A. WELL, THIS IS WHAT I WAS TRYING TO -- SEE, I DON'T RECALL HOW EVEN MACV'S BOOKS TOOK ACCOUNT OF THESE DIVISIONS AND WHETHER THEY WERE INCLUDED OR WHETHER THEY WERE KEPT IN A SEPARATE CATEGORY.

Q. DID YOU EVER SEE THESE SEPARATE SET OF BOOKS?

A. WELL, WHEN I SAY SEPARATE SET OF BOOKS I AM TALKING SLIGHTLY METAPHORICALLY. THERE -- I DO
REMEMBER, BECAUSE THERE WERE FLOODS OF CABLES, CONSTANTLY, ABOUT THE BUILDUP AROUND KHE SANH.

Q. EXCUSE ME, ---
A. YEAH. THERE WERE ---
Q. --- I HAVE SEEN CABLES ---
A. I SIMPLY DON'T RECALL WHETHER THE DIVISIONS, THE NVA DIVISIONS THAT WERE MOVING AS DIVISION UNITS FOR TEMPORARY ASSIGNMENT IN SOUTH VIETNAM WERE PICKED UP AND CARRIED IN THE NVA STRENGTH IN THE ORDER OF BATTLE OR CARRIED SEPARATELY. THIS IS SOMETHING THAT COULD BE CHECKED BUT I DON'T REMEMBER HOW IT WAS DONE.

Q. THE THING THAT I AM TRYING TO PROBE, ---
A. SURE.
Q. --- IS THAT I HAVE SEEN A LOT OF CABLES THAT TALK ABOUT THE BUILDUP AROUND KHE SANH.
A. RIGHT.
Q. I HAVEN'T SEEN ANY CABLES OR OTHER DOCUMENTS --- MAYBE THEY EXIST, BUT, AGAIN, I HAVE BEEN THROUGH A LOT OF PAPERS AND I HAVEN'T SEEN THEM -- THAT TALK ABOUT A SEPARATE SET OF BOOKS, EITHER METAPHORICALLY OR LITERALLY WHERE SOMEBODY WAS KEEPING TRACK OF THOSE DIVISIONS IN TERMS OF NUMBERS. NOW, WHAT I AM TRYING TO ASK IS WHETHER YOU EVER SAW ANYTHING LIKE THAT DURING 1967 AND
1968.

A. WELL, I KNOW -- AND, AGAIN, THIS WAS DONE PRIMARY FOR OUR OWN PURPOSES, -- BUT I KNOW THAT WITHIN MY OWN STAFF, -- AND AS I THINK I TOLD YOU WHEN WE WERE TOGETHER IN NOVEMBER, -- IN OUR SITUATION ROOM, WHERE I USED TO TRY TO KEEP TRACK OF WHAT WAS GOING ON. AND WE TRACKED AND PLOTTED THE KHE SANH BUILDUP WITH CONSIDERABLE CARE AND CONSIDERABLE ACCURACY. IN FACT WE USED TO HAVE PEOPLE COMING OVER FROM THE OFFICE OF THE JOINT CHIEFS OF STAFF TO EYEBALL OUR PLOTS BEFORE THEY WOULD GO AND BRIEF THE CHIEFS IN THE TANK. AND I KNOW THAT INTERNALLY I KEPT THE KHE SANH MOVEMENT DISTINCT FROM THE SOUTH VIETNAM AS A WHOLE STRUCTURE BECAUSE I DIDN'T WANT TO MIX UP APPLES AND KUMQUATS. THE KHE SANH MOVEMENT WAS FOCUSED ON A PARTICULAR TARGET. IT DID NOT AFFECT THE OVERALL BALANCE OF FORCES. IN OTHER WORDS, WHAT WAS CONCENTRATED AROUND KHE SANH DID NOT HAVE A DIRECT EFFECT ON ENEMY STRENGTH IN THE LOWER POR-- MEKONG DELTA. AM I MAKING MYSELF CLEAR? THESE WERE FORCES MOVING IN A CONCENTRATED AREA FOR A SPECIALIZED PURPOSE, AND THEY CERTAINLY HAD TO BE TAKEN COGNIZANCE OF. BUT I DON'T, I DID TRY TO KEEP THEM SEPARATE FROM INFILTRATION BECAUSE IT
WOULD HAVE BEEN CONCEPTUALLY ERRONEOUS TO INCLUDE THEM WITH INFILTRATION.

Q. YOU SAY THAT IT WOULD BE CONCEPTUALLY ERRONEOUS TO INCLUDE THESE KHE SANH DIVISIONS -- IF I CAN CALL THEM THAT --

A. SURE.

Q. --- AS INFILTRATION.

A. (AFFIRMATIVE NOD).

Q. DO YOU KNOW WHETHER GENERAL DAVIDSON, WHO WAS THE MACV J2 AT THAT TIME INCLUDED SUCH DIVISIONS AS INFILTRATION?

A. I SIMPLY DON'T RECALL.

Q. DID YOU EVER SEE ANYTHING FROM MACV THAT SEPARATELY KEPT TRACK OF THE NUMBERS OF ROTATING DIVISIONS OR KHE SANH DIVISIONS OR WHATEVER YOU DESCRIBE THEM AS AS BEING SEPARATE FROM THE NORMAL INFILTRATION STATISTICS?

A. WELL, SEPARATE FROM THE NORMAL INFILTRATION STATISTICS, YES, BECAUSE THEY WERE NOT INCLUDED -- WHEN WE WERE TALKING ABOUT INFILTRATION PACKETS, WE WERE TALKING ABOUT ONE THING. WHEN WE WERE TALKING ABOUT THE MOVEMENT OF INTEGRAL NORTH VIETNAMESE DIVISIONS BACK AND FORTH WE WERE TALKING ABOUT SOMETHING SEPARATE. IN OTHER WORDS, IF I, FOR EXAMPLE, SAW AN INFIL-
TRATION FIGURE OF 6,000 FOR A GIVEN MONTH -- OKAY?
THAT FIGURE WOULD NOT HAVE INCLUDED AND WOULD HAVE
BEEN UNDERSTOOD BY EVERYBODY DEALING WITH THE
PROBLEM NOT TO INCLUDE THE ROTATION, THE SIZE OF
ANY ROTATING NORTH VIETNAMESE UNITS.
Q. LET ME JUST ASK YOU, SIR. THE TWO DIVISIONS THAT
WERE ADDED TO WHAT YOU CALL THE ROTATING DIVISIONS
OR THE KHE SANH DIVISIONS IN OR ABOUT JANUARY OF
1968, ---
A. THROUGH DECEMBER AND EARLY JANUARY, YEAH.
Q. DECEMBER OR EARLY JANUARY, 1968?
A. YEAH.
Q. WERE THOSE INCLUDED IN MACV'S OFFICIAL INFILTRATION
STATISTICS?
A. NO, BECAUSE THEY DIDN'T BELONG THERE. THEY WERE
CERTAINLY REPORTED ON AND DISCUSSED AT GREAT
LENGTH EVERY DAY BUT THEY WERE NOT, THEY WERE NOT
---
Q. YOU ARE SAYING THAT THEY WERE NOT INCLUDED?
A. OF COURSE NOT. IT WOULD HAVE BEEN IMPROPER TO
HAVE INCLUDED THEM, BECAUSE INFILTRATION MEANT ONE
THING. IT MEANT THE MOVEMENT OF PEOPLE OUT OF
NORTH VIETNAM FOR PERMANENT ASSIGNMENT IN SOUTH
VIETNAM WHO WERE, WHO -- THEY CAME SOUTH IN
GROUPS, BUT ONCE THEY REACHED THE END POINT OF
THEIR JOURNEY, THEY WERE THEN DISPERSED INTO
VARIOUS UNITS IN SOUTH VIETNAM. THAT WAS
SOMETHING QUITE DISTINCT FROM THE ROTATION OF
INTEGRAL UNITS OF NORTH VIETNAMESE ARMIES THAT
STAYED TOGETHER AS INTEGRAL UNITS AND QUITE
FREQUENTLY, AFTER SPENDING SEVERAL WEEKS OR EVEN A
COUPLE OF MONTHS IN SOUTH VIETNAM WOULD THEN GO
BACK INTO NORTH VIETNAM TO REST AND REFIT. AND WE
KEPT VERY CLOSE BOOKS ON THIS MOVEMENT AND I THINK
REASONABLY ACCURATE BOOKS. BUT WE DID NOT TAKE
THE STATISTICS, THOSE MOVEMENTS STATISTICS AND
INCLUDE THEM WITH WHAT WE CALLED INFILTRATION
BECAUSE THEY WERE SOMETHING QUITE DIFFERENT FROM
INFILTRATION.
Q. WHEN YOU SAY WHAT "WE" CALLED INFILTRATION ---
A. YES, WHAT THE U.S. INTELLIGENCE COMMUNITY AT THE
TIME CALLED INFILTRATION.
Q. NOW, MACV PUBLISHED A MONTHLY INFILTRATION REPORT,
CORRECT?
A. I BELIEVE IT DID, YES.
Q. AND THAT CAME OUT IN A CABLE ---
A. I THINK SO, I DON'T RECALL.
Q. --- WITH A LOT OF PEOPLE WHO WERE LISTED AS
ADDRESSEES.
A. PRESUMABLY, YES.
Q. AND I THINK SOMEWHERE THAT WE HAVE MARKED ONE OF THOSE AS AN EXHIBIT, AND IF WE CAN FIND IT, I WILL SHOW IT TO YOU, JUST TO BE SURE THAT WE ARE TALKING ABOUT THE SAME THING.

NOW, THIS INFILTRATION REPORT WAS WHAT THE INTELLIGENCE COMMUNITY ACCEPTED AS INFILTRATION?

A. EXCUSE ME, -- YES, BUT WITH THE CLEAR UNDERSTANDING THAT WHAT THE INTELLIGENCE COMMUNITY ACCEPTED BY INFILTRATION AS A SPECIALIZED LABEL WITH A VERY PRECISE DENOTATION.

Q. WELL, WAS THAT A PRECISE DENOTATION THAT EVERYBODY IN THE INTELLIGENCE COMMUNITY UNDERSTOOD?

A. EVERYBODY WHO WAS WORKING ON THE PROBLEM CERTAINLY UNDERSTOOD IT, YES.

Q. CERTAINLY GENERAL DAVIDSON WOULD HAVE UNDERSTOOD IT?

A. OF COURSE HE WOULD.

Q. AND CERTAINLY THE PEOPLE WHO WERE PREPARING THIS INFILTRATION TABLE WOULD HAVE UNDERSTOOD IT?

A. ONE WOULD HAVE THOUGHT SO, YES.

Q. AND IF THEY DIDN'T UNDERSTAND IT, THERE WAS SOMETHING PRETTY SERIOUSLY WRONG?

A. PRECISELY, YES.

Q. LET ME SHOW YOU, JUST TO BE SURE THAT WE ARE TALKING ABOUT THE SAME THING, SOMETHING THAT HAS
BEEN MARKED AS DEFENDANTS' EXHIBIT 39.

Q. I THINK THAT THIS HAS BEEN IDENTIFIED -- CERTAINLY WITH MR. HANKINS AND A NUMBER OF OTHER PEOPLE. I THINK THAT IT WAS INITIALLY MARKED DURING MR. GATTOZI'S DEPOSITION. DOES THIS REFLECT THE KIND OF MONTHLY CABLE THAT MACV PREPARED ON A REGULAR BASIS?

A. I BELIEVE SO, YES.

Q. NOW, -- AND THE CIA WAS A RECIPIENT OF THIS AND YOU WOULD SEE THESE, AT LEAST FROM TIME TO TIME?

A. THAT'S RIGHT.

Q. NOW, IT IS YOUR TESTIMONY THAT IT WAS YOUR UNDERSTANDING THAT THIS INFILTRATION REPORT DID NOT INCLUDE THE MOVEMENT OF ENTIRE DIVISIONS OF NVA TROOPS INTO SOUTH VIETNAM?

A. THAT IS CORRECT.

Q. DID ANYONE EVER TELL YOU THAT?

A. WELL, IT WAS NO QUESTION OF BEING TOLD THAT. I MEAN, I WAS RESPONSIBLE FOR KEEPING TRACK OF VIETNAMESE INTELLIGENCE, INTELLIGENCE IN SOUTH VIETNAM AND KNOWING HOW THE BOOKS WERE KEPT. AND ONE REASON THAT IT DIDN'T -- SEE THIS CABLE WHICH CAME OUT EVERY MONTH? IT IS CLASSIFIED "CONFIDENTIAL". MOST OF THE CABLES DISCUSSING THE
MOVEMENT OF INTEGRAL NORTH VIETNAMESE DIVISIONS
HAD A FAR HIGHER CLASSIFICATION AND A MUCH MORE
RESTRICTED CLASSIFICATION THAN "CONFIDENTIAL" BE­
CAUSE MOST OF OUR INFORMATION ON THE DIVISION
MOVEMENTS WAS BASED ON VERY HIGHLY CLASSIFIED
SIGNALS INTELLIGENCE. AND THERE WAS NOT CONFUSION
ON THE PART OF RECIPIENTS, BECAUSE PEOPLE WHO WERE
ASSIGNED TO WORK THE PROBLEM WOULD HAVE BEEN --
AND KNEW WHAT THE HELL WHAT THEY WERE TALKING
ABOUT, AS MANY PEOPLE WHO HAVE SUBSEQUENTLY
DISCUSSED THE ISSUE CLEARLY DIDN'T -- WOULD NEVER
HAVE CONFUSED THIS INFILTRATION. WHICH
SPECIFICALLY, (READING): "THIS MESSAGE REPORTS ON
INFILTRATION INTO SOUTH VIETNAM OF PERSONNEL
DURING THE PERIOD OF 1 OCTOBER 65 TO 31 JULY 68."
NOW, WE DREW A CONCEPTUAL DISTINCTION BETWEEN THE
INFILTRATION OF PERSONNEL WHO WERE THEN GOING TO
BE DISPERSED IN PERMANENT ASSIGNMENTS IN SOUTH
VIETNAM AND THE ROTATION OF INTEGRAL UNITS WHICH
STAYED TOGETHER AS UNITS, SOMETIMES IN SOUTH
VIETNAM AND SOMETIME IN LAOS AND SOMETIMES IN
GOING BACK TO NORTH VIETNAM.
Q. NOW, ---
A. PARTICULARLY -- LET ME ADD JUST ONE MORE THING --
THIS WAS SOMEWHAT EASIER TO DO, IS BECAUSE ALMOST
NONE OF THESE UNITS THAT DID MOVE BACK AND FORTH VENTURED -- I'LL SAY OFF THE TOP OF MY HEAD NONE OF THEM. THERE MAY HAVE BEEN ONE OR TWO EXCEPTIONS -- OUT OF THE NORTHERN PORTION OF I-CORPS OR THOSE AREAS OF LAOS IMMEDIATELY ADJACENT TO NORTHERN I-CORPS. THEY DIDN'T COME DOWN INTO II-CORPS.

Q. DID ONE OF THOSE DIVISIONS END UP IN THE SAIGON AREA DURING THE TET OFFENSIVE?

A. I DON'T THINK THAT IT DID, MR. BOIES. THERE MAY HAVE BEEN LATERAL DISPLACEMENT. I MEAN, IT MAY HAVE FREED, THERE MAY HAVE BEEN A DIVISION THAT MOVED INTO THE NORTHERN PART OF SOUTH VIETNAM WHICH FREED UP A NORTH VIETNAMESE DIVISION THAT WAS ALREADY THERE WHICH LATERALLY DISPLACED DOWN TO SAIGON. I DON'T RECALL A HEAVY NVA COMPONENT IN SAIGON ITSELF, ALTHOUGH I COULD BE WRONG.

Q. LET ME COME BACK TO THAT, BECAUSE I WANT TO FOLLOW UP ABOUT THREE OTHER THINGS THAT YOU SAID IN YOUR ANSWER.

A. SURE.

Q. WHEN I ASKED YOU WHETHER ANYBODY EVER TOLD YOU THAT, WHAT I AM TRYING TO GET AT IS HOW YOU, PERSONALLY, CAME TO BELIEVE THAT THESE INFILTRATION CABLES DID NOT INCLUDE THE ENTRY --
IF THAT IS A SUFFICIENTLY NEUTRAL TERM -- OF
ENTIRE NORTH VIETNAMESE DIVISIONS INTO SOUTH
VIETNAM?

A. WELL, IN THE FIRST PLACE, I WORKED ON ALL THIS
MATERIAL WITH MY OWN STAFF. IN THE SECOND PLACE,
I WAS CONSTANTLY TALKING TO COLLEAGUES IN THE NSA,
TO COLLEAGUES IN THE J2 OF THE COMMANDER IN CHIEF,
PACIFIC, AND I WAS CONSTANTLY VISITING SOUTH
VIETNAM AND TALKING TO THE PEOPLE IN MACV AND
AFTERWARDS WHAT WAS ESTABLISHED THAT WAS CALLED
CICV, WHICH HAD THE PRIMARY ORDER OF BATTLE
RESPONSIBILITY. AND PARTLY BECAUSE OF THE PROBLEM
OF CLASSIFICATION OF SOURCES AND THE LIMITATIONS
THAT WOULD THEREBY BE PUT ON THE DISTRIBUTION OF
INfiltrATION EVIDENCE WHICH WAS OF A RELATIVELY
LOW ORDER OF CLASSIFICATION. IF WE CONFLATED IT
WITH INFORMATION ON TROOP MOVEMENTS, TROOP
ROTATION, WHICH WAS OF A VERY HIGH ORDER OF
CLASSIFICATION, THE TWO WERE KEPT CONCEPTUALLY
DISTINCT AND REPORTED ON SEPARATELY.

Q. ONE THING THAT I WANT TO BE SURE THAT WE DON'T
HAVE A MISUNDERSTANDING ON. YOU KEEP USING THE
WORD "ROTATION", WHICH TO A LAYMAN IMPLIES 'CAME
IN AND WENT BACK OUT' AGAIN. AND I UNDERSTAND
THAT A NUMBER OF DIVISIONS DID THAT.
A. PRECISELY.

Q. IF YOU HAD A DIVISION, AN ENTIRE NVA DIVISION THAT CAME IN TO SOUTH VIETNAM FOR PERMANENT ASSIGNMENT, WOULD THAT BE INCLUDED AS INFILTRATION?

A. THIS I SIMPLY DON'T RECALL. I KNOW THAT IF IT CAME IN AND WAS, REMAINED IN SOUTH VIETNAM AS -- WHAT THE HELL DID THEY HAVE? THEY HAD THREE OR FOUR OR SIX. I DON'T REMEMBER THE NORTH VIETNAMESE SIZE. -- IT WOULD HAVE BEEN INCLUDED IN THE NVA COMPONENT OF THE NVA, OF THE MAIN AND LOCAL FORCE NUMBER; DO YOU FOLLOW ME?

A. YES. THAT IS THE ORDER OF BATTLE NUMBER?

A. RIGHT.

Q. BUT WHAT I AM ASKING YOU IS --

A. HOW IT WOULD HAVE BEEN -- I DON'T THINK THAT IT WOULD HAVE BEEN INCLUDED IN THE INFILTRATION FIGURE WHEN IT FIRST CAME IN. I MAY BE WRONG ON THIS ONE, BECAUSE I KNOW THAT THE UNITS WHICH SHOWED A CONSTANT MOVEMENT WERE NOT INCLUDED IN INFILTRATION STATISTICS. I MEAN, THERE WAS NO SECRET TO THE FACT THAT THEY WERE THERE. BUT HOW THE INITIAL ENTRY OF UNITS WHICH WERE THEN LEFT IN SOUTH VIETNAM, PARTICULARLY ONES THAT WERE DEPLOYED SOUTH INTO II-CORPS AND III-CORPS WERE HANDLED, I DO NOT RECALL.
BUT THE SITUATION IS COMPLICATED BECAUSE YOU ARE DEALING WITH TWO QUITE DIFFERENT THINGS, WHICH TO A LAYMAN SOUND VERY SIMILAR. AND YOU HAD TO KEEP THEM DISTINCT BECAUSE THE CLASSIFICATION OF THE EVIDENCE THAT YOU USED WAS SO DIFFERENT THAT YOU COULDN'T COMBINE BOTH WITHOUT GREATLY Restricting YOUR AUDIENCE MORE THAN PEOPLE WANTED TO RESTRICT IT.

I MEAN, -- AS I SAY, YOU COULD SEND A CONFIDENTIAL CABLE AROUND EVERY MONTH THAT DIDN'T DRAW ON SENSITIVE COMMUNICATIONS INTELLIGENCE.

Q. WHEN DID YOU FIRST BEGIN GETTING THIS COMMUNICATION INTELLIGENCE?

A. IN INCREASING VOLUME, AFTER 1964 AND THEN STEADILY INCREASING THROUGH '65 AND '66, BECAUSE IT WAS NOT UNTIL 1964 THAT THE NORTH VIETNAMESE POLITBURO, THE LA DONG POLITBURO BEGAN SENDING INTEGRAL NORTH VIETNAMESE UNITS INTO SOUTH VIETNAM, THAT STAYED TOGETHER AND FOUGHT AS UNITS. DO YOU FOLLOW ME?

Q. (AFFIRMATIVE NOD).

A. BEFORE THAT THEY HAD SENT DOWN, WHEN THEY WERE AUGMENTING THEIR STRUCTURE, THEY HAD SENT DOWN INFILTRATION PACKETS WHO WERE, IN THE INITIAL YEARS FROM '59 THROUGH ABOUT '63, SAY, WERE DRAWN LARGELY, THOUGH NOT EXCLUSIVELY, FROM ETHNIC SOUTH
VIETNAMESE WHO HAD BEEN TAKEN IN 1954. THEN THAT MIX BEGAN TO CHANGE A LITTLE BIT IN LATE 1963, EARLY '64 AND INCREASINGLY DURING THE COURSE OF '64 WHERE THEY WERE Sending ETHNIC NORTH VIETNAMESE, MANY OF WHOM WERE OR HAD RECENTLY BEEN IN THE NORTH VIETNAMESE ARMY, TO TAKE UP PERMANENT ASSIGNMENT AS CADRE OR EVEN AS GROUND POUNDING, FILLER REPLACEMENTS IN UNITS THAT WERE PERMANENTLY ASSIGNED TO THE SOUTH, SOME OF WHICH WERE VIETCONG UNITS.

IT WASN'T UNTIL LATE '64 OR EARLY '65 THAT THEY BEGAN SENDING INTEGRAL NORTH VIETNAMESE UNITS INTO SOUTH VIETNAM, AND THIS PRACTICE STEADILY INCREASED OVER THE COURSE OF THE NEXT FEW YEARS. BUT THE ROTATION OR MOVEMENT INTO SOUTH VIETNAM OF AN ORGANIZED NORTH VIETNAMESE UNIT THAT STAYED TOGETHER AS A NORTH VIETNAMESE UNIT WAS NOT INCLUDED IN THE STATISTICS ON WHAT WE CALLED INFILTRATION.

BY MR. BOIES:

I THINK WE NEED TO CHANGE THE TAPE.

(CHANGE OF VIDEO TAPE)

EXAMINATION RESUMED BY MR. BOIES:

Q. THE PROBLEM THAT I AM HAVING IS THAT WHEN YOU SAY THAT THE INFILTRATION OF ENTIRE DIVISIONS WAS NOT
INfiltration and then you say that one of the reasons that it wasn't, or that you know that it wasn't, was that it was a different classification level to know about the movement of those divisions.

A. Well, wait a minute. You are twisting my words just a little bit.

Q. If you could explain it briefly, ---

A. Okay. David, I will do my deadlevel best.

Q. Okay.

A. You had, conceptually, two different kinds of movement out of North Vietnam into South Vietnam. One was groups of people who were sent from North Vietnam into the South for permanent, in this context, assignment to various types of units in South Vietnam. Some of them North Vietnamese units, some of them Vietcong units. Are you with me, so far?

Q. (Affirmative nod).

A. Stop me if ---

Q. How did you know that they were permanent?

A. (No verbal response).

Q. In other words, when somebody came in, when a division or group came in, how did you know whether it was permanent or not?
A. THE MOVEMENT OF THESE TWO TYPES OF, -- THESE TWO
TYPES OF MOVEMENTS, THE MOVEMENT BACK AND FORTH OF
DIVISIONS AND THE MOVEMENT OF PERSONNEL FOR
ASSIGNMENT WERE HANDLED BY TWO COMPLETELY
DIFFERENT NORTH VIETNAMESE BUREAUCRATIC STRUCTURES.
THE MOVEMENT OF PERSONNEL DOWN THE LAOS TRAIL WAS
HANDLED BY WHAT THEY CALLED THE 559TH
TRANSPORTATION GROUP. 559 STANDS FOR MAY OF '59,
IS WHEN THEY GOT THE WHOLE SYSTEM GOING.
AND THE MOVEMENT OF INTEGRAL UNITS WAS HANDLED BY
THE NORTH VIETNAMESE HIGH COMMAND.
NOW, ONE THING THAT WE WERE DEALING WITH WAS
PACKETS OF INDIVIDUALS, USUALLY AROUND THREE OR
FOUR HUNDRED IN ANY PARTICULAR GROUP, WHO STAGED
OUT OF VINH, MOVED DOWN THE HO CHI MINH TRAIL, --
WHICH, AS YOU KNOW, IS NOT A TRAIL, BUT A SORT OF
COMPLEX, -- AND THEN WENT OVER INTO SOUTH VIETNAM.
WHERE THEY MOVED INTO THE COUNTRY DEPENDED LARGELY
ON WHERE THEY WERE EARMARKED FOR ULTIMATE
ASSIGNMENT.
ARE YOU WITH ME SO FAR?
Q. I THINK SO, BUT I AM GOING TO LET YOU FINISH AND
THEN I AM GOING TO TRY TO GO BACK TO IT.
A. OKAY. NOW, THAT PRACTICE STARTED IN 1959 AND
THEN CONTINUED UNTIL AT LEAST THE LATE 1960'S AND
I BELIEVE THE EARLY 1970'S. IT HAD A VERY HIGHLY INTEGRATED ADMINISTRATIVE STRUCTURE THAT SUPERVISED IT AND CONTROLLED IT AND HANDLED THE LOGISTICS. THAT WAS ONE FLOW OF PEOPLE COMING INTO SOUTH VIETNAM.

OKAY, ARE WE TOGETHER SO FAR?

Q. WHEN YOU SAY THAT THAT WAS ONE FLOW, YOU ARE REFERRING TO WHAT YOU WOULD CALL INFILTRATION?

A. THAT'S RIGHT. THAT IS WHAT I CALL INFILTRATION. THAT IS WHAT OTHER PEOPLE WHO HAD TO DEAL WITH IT PROFESSIONALLY CALLED INFILTRATION. AND WHEN WE TALKED ABOUT INFILTRATION GROUPS AND INFILTRATION PACKETS, THAT IS WHAT WE MEANT.

Q. IS THAT ALSO, AS YOU UNDERSTAND IT, FOR EXAMPLE, WHAT GENERAL DAVIDSON MEANT?

A. I BELIEVE IT MUST HAVE BEEN. I WOULD BE VERY SURPRISED IF IT WAS NOT.

Q. I DON'T WANT TO PURSUE THAT PARTICULAR ASPECT OF IT NOW, ---

A. YEAH.

Q. --- LET'S ---

A. NOW, YOU ASKED ME -- HAVE WE GOT THAT FLOW UNDERSTOOD?

Q. WELL, NOT EXACTLY. YOU MENTIONED COMMUNICATIONS INTELLIGENCE OR SIGNAL INTELLIGENCE.
A. UM HUMM.

Q. DID YOU USE COMMUNICATIONS INTELLIGENCE TO KEEP TRACK OF BOTH OF THESE FLOWS?

A. STOP FOR A MOMENT. WITH RESPECT TO WHAT I CALL INFILTRATION, WE DID NOT, UNTIL THE MIDDLE TO LATE PART OF 1968, UP UNTIL THAT TIME WE WERE DEPENDENT ON PRISONER INTERROGATION, CAPTURED DOCUMENTS, AND HENCE THERE WAS ALWAYS A BUILT-IN TWO TO THREE TO SIX MONTH TIMELAG BETWEEN OUR KNOWLEDGE OF WHAT INFIL-- -- IN OTHER WORDS, IN DECEMBER, I COULD TELL YOU WITH REASONABLE LUCK, IF I WERE SITTING IN MACV, WHAT INFILTRATION HAD BEEN THROUGH, SAY, THE PRECEDING AUGUST. OKAY?

I MIGHT HAVE TO DO A LITTLE BIT OF ADJUSTMENT IN MY JULY, AUGUST, SEPTEMBER -- BY NEW INFORMATION COMING UP IN JANUARY. BUT I COULD NOT KEEP A REAL TIME HANDLE ON THIS MOVEMENT BECAUSE I DIDN'T KNOW THE VOLUME IN ANY GIVEN MONTH UNTIL AFTER THE FACT AND I'D CAPTURED PRISONERS OR CAPTURED DOCUMENTS FROM PEOPLE WHO HAD BEEN MOVING DURING THE PRECEDING MONTHS IN QUESTION. ARE YOU WITH ME SO FAR?

Q. (NO VERBAL RESPONSE).

A. NOW, ON THE MOVEMENT OF INTEGRAL UNITS, -- NOW PLEASE STOP ME (DIRECTED TO CIA REPRESENTATIVES
ATTENDING) IF I GET OFF BASE.

These units were -- now, the infiltration groups were -- now, the infiltration groups coming down didn't carry communication capabilities. Each night a person said, 'Okay, you go the next day down to Nick's, this staging area here' -- they were moving down through Laos, do you follow me?

Q. (Affirmative nod).

A. Okay, now draw a line. Your integral North Vietnamese army units, particularly ones of regimental brigade and division size, had their own associated communications facilities, signals companies, signals headquarters. Okay? These kept in continuing communication with their appropriate command echelons, either in Vinh or in some cases Hanoi itself.

Thus we were in a much better position to have a much closer to real time handle on the movement of these units than we were able to on infiltration packets.

Q. So, it is your testimony that in the latter half of 1967 you would have been getting relatively real time intelligence of a communications or signals intelligence nature with respect to the movement of entire divisions or brigades or enemy
UNITS THAT HAD THEIR OWN COMMUNICATIONS
CAPABILITY, BUT YOU WOULD NOT HAVE BEGUN TO GET
COMMUNICATIONS OR SIGNALS INTELLIGENCE ABOUT THE
MOVEMENT OF INDIVIDUALS OR PACKETS OF INDIVIDUALS
THAT DID NOT HAVE THEIR OWN COMMUNICATIONS
CAPABILITY UNTIL SOME TIME IN 1968.
A. THAT IS CORRECT.
Q. AND, IS IT THE CASE THAT IT WOULD BE ONLY THE
MOVEMENT OF INDIVIDUALS OR PACKETS OF INDIVIDUALS
THAT WOULD BE INCLUDED AS INFILTRATION AS YOU USE
THAT TERM?
A. THAT IS CORRECT.
Q. AND THAT IS THE WAY THAT YOU INTERPRETED THE
INFILTRATION REPORTS THAT WERE PREPARED IN THE
FORMAT OF DEFENDANTS' EXHIBIT 39?
A. THAT IS ABSOLUTELY CORRECT.
Q. AND INsofar AS YOU WERE AWARE, IN 1967 AND EARLY
1968, THERE WAS NO COMMUNICATIONS OR SIGNALS
INTELLIGENCE THAT BORE ON INFILTRATION IN THE
SENSE THAT THAT IS REFLECTED IN DEFENDANTS'
EXHIBIT 39?
A. THAT IS CORRECT ALSO.
BY MR. BOIES:
OKAY, THANK YOU.
(ADJOURNED UNTIL JANUARY 24, 1984, 10:00 A.M.)