Q. Is it accurate to say that this report contains collateral intelligence on enemy infiltration but not the special intelligence or all source intelligence on enemy infiltration?

MR. BOIES: Except as he's already testified.

A. Except as I've already testified, the answer to that is yes. Would you like me to explain more clearly?

Q. (By Mr. Murry) Yes, please.

A. If I had a unit packet or unit x that I had a collateral or hard source document or maybe two or three -- I might have two or three different POW's who gave slightly different numbers of how many people there were. And one of them might say it arrived in May and one in June and one said we left at this point in time and one said we were this number and one said we were that, but I had other source information, SI, that said, well, the unit was, in fact, 432, and it left precisely on this date and arrived precisely on that date. As long as I didn't report that source in that document, then I could use my own judgment about the size. If I had mixed opinions and such from POW's, my SI material was more reliable and I would use that to color my judgment of
what I put in that report.

Q. Now, you just said that if you had SI material that told you that the unit was precisely x number of men and they left on a certain date, that would color your judgment.

A. That's what I said.

Q. I don't understand what room there is for judgment if you say the SI material would tell you precisely the strengths and precisely the date.

A. Well, any material has a source and with any source there is always a certain chance that the source itself is unreliable, honestly mistaken, deliberately lying, a variety of things. So there had to be some kind of judgmental factor used in that, and there were different reliability factors on different of the SI sources that I utilized.

Q. Is it your testimony, then, that there could be disagreement as to the interpretation of the data that was provided by the SI sources on enemy infiltration?

A. Well, there could be on interpretation, but there was more disagreement on the relative validity and reliability of the sources, not necessarily the
1 interpretation.

2 Q. I believe you testified a little while ago that, in the fall of 1967, you recall producing estimates of enemy infiltration that were higher than the estimates that went into your monthly report.

3 A. That is correct.

4 Q. How did you derive the higher estimates of enemy strength?

5 A. From a methodology which I colloquially referred to as the "Parkins pickup chart" and from SI sources.

6 Q. Can you describe for me the method that you referred to as the "Parkins pickup chart"?

7 A. Lieutenant Colonel Parkins, who is referred to in that last exhibit you had there, when I got in-country, that was when OB Study Section was still split up. There was parts of it down at CICV, and shortly thereafter they consolidated and Parkins came down with it. And he had a little chart that basically showed, based on historic trends, because of the levels of fighting during wet and dry season and the historic data, the first month after the end of any one month, what you could -- if you got 500 in a given month, how many probably came down, based
on some of these historic trend patterns. It had a bunch of slopes and lines and means. It was a statistical type thing based on some things where you projected outward based on a small quantity. I referred to it as the "Parkins pickup chart." That was how he felt that he would pick them up if you had all the available data there. I made some mathematical changes to his methodology by plugging in some of the SI stuff I had available. After a couple of three months I felt I had a pretty good handle on it. If you, between SI and collateral sources, had this month in a given month then you could probably say that the true infiltration had probably been somewhere around x.

Q. The process you have just described is not one that relies on hard sources for its numbers, is that correct?

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

A. It relies partially on hard sources.

Q. (By Mr. Murry) You say "partially on hard sources." Do you mean the hard sources in your hypothetical that told you that in the current month you had, say, 500 infiltrators?
Q. But beyond that, it does not rely on hard sources?

A. That's correct. Wait a minute. It does not rely on collateral hard sources. It relies on SI and a projected estimate.

Q. Can you tell us what the special intelligence sources are that you relied on?

A. Precisely or in general, sir?

Q. Let's start with in general.

A. In general, they had to do with mechanical and electrical gathering devices and/or personnel. Beyond that, I will respond to any question with the disclaimer that I politely decline to answer any precise questions until such time as I am able to get a more definitive judgment from the Department of the Army whether that is or is not still classified. They have tended to indicate to me that anything beyond that still is considered classified and they would object to my talking about it.

Q. Did you report the results of the analysis you derived using what you call the "Parkins pickup chart" in any documents for MACV J-2?
MR. BOIES: May I inquire if you mean the analysis based only on that or the analysis based partly on that or the SI?

MR. MURRY: Well, I understood him to testify that as he worked with the Parkins' methodology he incorporated the SI material. So I'm referring to his variant, if you will, the Parkins' methodology, and ask him if he reported the results of his analysis of enemy infiltration in any documents that were for the MACV J-2.

A. I really wasn't charged with doing that. But when I was playing around, I prepared some informal documentation that I provided to Colonel Parkins. I know that part of it was reported up to as far as Colonel Morris, who was the DIP, Director of Intelligence Production, but I reported it in some drafts of certain documents that was later taken out. But to the best of my knowledge, it never went out in any official channel MACV J-2 documents.

Q. (By Mr. Murry) Do you remember what those documents were to which you inserted this analysis?

A. Well, colloquially we called it the "Wheelergram," but it was a document that was prepared as a result of a
back channel message from General Wheeler to General Westmoreland concerning infiltration. Not only infiltration but certainly other subjects. And a special group got together to respond to a series of questions that General Wheeler had proposed. I was charged with getting all the information together and preparing a draft message, back channel messages, which means a personal message. In fact, it has a salutation in it and it closed, "With warm regards, Westy," was how it was proposed to be closed. I put some of the initial projections in the original draft of that message.

Q. Do you recall whether in that draft your initial projection was clearly labeled as such?

A. You mean that it was projected material versus the confirmed and the other sources I put out?

Q. That's correct.

A. Yes, it was.

Q. Was there also in the message the hard source data, such as what was put in Defendant's Exhibit 39?

A. Yes. What it did was where from collateral hard sources we have confirmed yea many, from our projections we figure that there are probably this many more, that
kind of comparison. To that extent, the last few months
were in there, in the original draft.

Q. Do you recall the names of any other persons who
were part of the special group that got together to
respond to General Wheeler?

A. Well, everybody in the office was working on
pieces of it.

Q. Everybody in what office?

A. OB Studies. In addition, we sent a -- I
prepared a back channel message, a Davidson-sent message
that went to all the S-2's, in other words, all the
intelligence personnel assigned to friendly units
in-country, asking that they provide back channel SI
messages. It was an SI message went out through that
channel to provide input. I don't know the names of all
those folks. Ultimately, Colonel Danny Graham and some
of his folks were indirectly involved in it. I say
"Colonel," I guess to be precise it was a Colonel then
but he's probably known to you all in this as Lieutenant
General Danny Graham, who retired as Director of Defense
Intelligence Agency. He was a Colonel down in CIIE when
I knew him. Pieces of it, Parkins was involved in and
Halpin, Colonel Halpin, I think, who was the head of CICV, at that time, I believe. It would pass through him and, of course, Ponder and Morris, as well as Gattozzi and McArthur and the folks working for me. So a lot of people had little pieces of it.

Q. Do you remember when this report was prepared?
A. Not precisely.
Q. Give me your best approximation, please?
A. It's colored by what I have seen in there, and that time frame seems about right, but if you were to ask me what month two days ago I would have said, "Hell, I don't know."
Q. It was colored by what you see in Plaintiff's Exhibit 122?
A. Sure, because he was giving a fairly precise time frame.
Q. Can you think of any other draft or report into which you put your projected figures using your variant of the Parkins' methodology?
A. A precise example, no. It's quite possible that responding to some informal question I said something to somebody or brought it up during other discussions, but
as to a precise document, no, I can't think of any others.

Q. Can you tell me where, physically, in your office at OB Study Section, Lieutenant Gattozzi sat in relation to yourself?

A. Most of the time from about here as far as that wall, kind sir. We had a big square room and you couldn't see all of it on the other side because it had a little cutoff where Parkins had his office, but you could see substantially all of it. We were all kind of jammed up in there. We tended to kind of float around. You got tired of where you were setting sometimes. I moved two or three times until I finally staked out a corner and sort of defended against the world. People tended to float their desks around if they got bored, but very close proximity.

Q. Did Lieutenant Gattozzi ever have occasion to ask you for estimates of enemy infiltration in the course of fulfilling his own duties at the Order of Battle Studies Branch?

A. Well, Bernie, like everybody else, got a copy of the one message. We chatted informally about what I was finding and such, and I assumed that he probably used
some of it to base some of the stuff he was doing on, but I couldn't swear to it for certain. We didn't make formal reports to one another when we were talking about things.

Q. Do you recall telling Officer Gattozzi in the fall of 1967 that you thought infiltration was in the magnitude of 20,000 men per month?

A. Again, I have the same objection to precise numbers that I had earlier. I don't know. I talked to a large number of people along about that time that I felt infiltration was quite a bit higher than I was able to document on the official report I put out. I'm reasonably certain that included Mr. Gattozzi.

Q. You say you felt infiltration was higher than you could document on the official report. Do you mean by that you felt infiltration was higher than you had enough hard sources to document?

MR. BOIES: By "hard sources," do you mean collateral hard sources?

MR. MURRY: Collateral hard sources.

A. Collateral hard sources that I was allowed to use in Defendant's Exhibit 39 or whatever.
WITNESS: MICHAEL B. HANKINS 12-5-83 ATTORNEY: ANTHONY MURRY

Q. (By Mr. Murry) That's it?
A. That's what I mean.

Q. Did you attempt to bring to the attention of any of your superior officers your beliefs about enemy infiltration in the fall of 1969?
A. I think I've already answered that. Yes, I, in fact, brought it to Lieutenant Colonel Parkins' attention, who was my superior, at that time.

Q. Did you do this on more than one occasion?
A. Oh, yes.

Q. Do you recall how often?
A. No. We had several discussions about it up to and through the time that we were preparing the Wheelergram, as I call it, in response to General Wheeler.

Q. Do you recall an individual named James Meacham?
A. Oh, yes. At that time, he was a commander or lieutenant commander in the United States Navy, who was deputy to Parkins, at that time. We were a joint staff agency. So we had Army and Navy personnel in CICV.

Q. Did Lieutenant Commander Meachum remain deputy --
A. Nobody remained there throughout my tour in Vietnam, sir, with the exception of Davidson himself.
Everybody else that was there when I first got there left, because I was in-country an extended period of time. I applied for an early out, and I was in-country for about 17 months. Abrams even took over for Westmoreland before I left country.

Q. Did there come a time when Lieutenant Commander Meacham took over Lieutenant Colonel Parkins' job?
A. I suspect there was a time when he was in charge after Parkins left before one of the new guys got in, yes. You asked me precisely the time frame. I can't answer it.

Q. Did you ever tell Lieutenant Commander Meacham your views about the level of enemy infiltration in the fall of 1967?
A. I'm relatively certain he was in on one or more of the discussions that Parkins and I had along about then. I'm not exactly the quietest kid on the block. I think everybody in the building knew about it. In fact, I'm relatively certain that everybody in the building knew about it.

Q. How did they know about it?
A. Because I screamed bloody murder.

Q. How?
A. By telling everybody that I felt that our data was misleading because of the constraints on how we could report it. I proposed that we do away with my job down there basically in its entirety and move the whole thing up to SI and do it all out of there, that I felt it was counterproductive to put out a document that was limited primarily to collateral hard sources and to have the estimates folks doing something else so that you got disparate numbers. I felt it was counterproductive.

Q. You say it would be counterproductive to have the estimates people doing something else and produce disparate numbers. I take it from that answer that the estimates people were doing something else that contained more sources than what you were reporting in your monthly cable?

A. That was my assumption.

Q. Is it just an assumption?

A. Well, again, I did not read their finished products going up the chain. I was involved with some discussion with them, and I know they were doing something, but precisely what it was I really didn't get involved in the details of. That really wasn't my job.
Q. Do you recall what General Wheeler asked of General Westmoreland in this message that we were talking about a few moments ago?

A. You mean specifically?

Q. Yes.

A. No, I do not.

Q. Do you remember generally?

A. Generally it had to do with infiltration and enemy strength and infantry strength and patterns. There was a series of questions and we broke it down even further.

Q. Do you remember what General Wheeler wanted this information for?

A. No.

Q. Are you familiar with the term "pattern analysis"?

A. I'm not sure I recognize that term based on just those words. It doesn't ring a bell. I may have heard it. It doesn't ring a bell.

Q. The thing that I'm trying to understand is, Mr. Hankins, are you testifying that in the fall of 1967 you thought infiltration was higher than was being reported anywhere in MACV J-2 or did you think it was...
higher than was being reported in your monthly message?

MR. BOIES: Or both.

Q. (By Mr. Murry) Or both.

A. I felt it was higher than it was being reported in my monthly message. I wasn't sure whether it was higher than was being reported otherwise to the J-2 and on up.

Q. And that's because you didn't know everything that was being reported to the J-2, is that correct?

A. That is correct.

Q. And the reason that infiltration was higher than what you were allowed to report in your monthly message was because your monthly message was limited to collateral hard source intelligence, isn't that correct?

A. The reason it was my opinion that the infiltration was higher than what I was reporting in that monthly message was because I was limited in the monthly message to collateral hard source intelligence.

MR. BOIES: By "monthly message," we're referring to Defendant's Exhibit 39 and the documents like it?

MR. MURRY: That is correct.
Q. (By Mr. Murry) You say it's your opinion that infiltration was higher. Did you mean to imply that this belief of yours was subject to disagreement by or from other persons working on infiltration?

A. Oh, certainly.

Q. Did you ever discuss your opinions as to the level of enemy infiltration in 1967 with analysts in CIIEQ?

A. I did.

Q. Do you recall the names of any of those analysts?

A. With the exception of Colonel or whatever we're going to call him, I guess we should call him Lieutenant General Danny Graham, I don't remember any precise names of who I discussed it with.

Q. But you recall discussing these views on infiltration with Lieutenant General Graham?

A. And his folks, that's correct.

Q. When you say "his folks," you mean --

A. People that worked for him down there in that --

Q. Do you recall approximately when you discussed infiltration with Graham and his folks?

A. Well, I discussed infiltration with them from
the time I was granted an SI clearance to the time I
closed out my SI clearance on a periodic basis. I
certainly discussed my feelings before Tet that I felt it
was higher than I was able to report on this. And
thereafter we had periodic discussion, but precise dates,
I can't give you any.

MR. BOIES: And "this" refers to Defendant's
Exhibit 39 and documents like it, correct?

THE WITNESS: That's correct.

Q. (By Mr. Murry) Can you recall anything at all
about the magnitude of the difference between what you
were reporting in documents like Defendant's Exhibit 39,
based on collateral intelligence sources, and what you
felt ought to be reported using all source intelligence
and the Parkins' methodology?

A. Well, during the time before Tet, the range
approximately 20,000 to 30,000 is probably reasonable,
but I had some fairly precise numbers that I arrived at
statistically and were rounding them off to nearest
thousands. And shortly after that time frame, I really
stopped doing too many of those because later events led
me to the conclusion it was not worth my time.
MR. BOIES: May we be clear that when reference is made to 20,000 to 30,000, that is 20,000 to 30,000 a month.

THE WITNESS: Yes.

Q. (By Mr. Murry) Earlier today you said that you couldn't remember specific numbers. Is there some reason why you are now willing to say that 20,000 to 30,000 a month infiltration is a number you can recall?

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

A. Earlier today you were asking me if I remembered precise monthly numbers of infiltration, and I assumed your question had to do with hard infiltration sources like in Defendant's Exhibit 39, and I don't remember any of those. I remember the general parameters of what my estimates were coming up with. In the time I was playing around with them, pre Tet, as being in the range of 20,000 to 30,000. Probably the reason I remember that differently than the others is that that was a game I played for a couple three months and then sort of let drop. And I wasn't worried about disremembering it like I needed to do on those, because, you know, at the end of every month they wanted to know what the current month's
figures were the last two or three months. I tried to keep those on my mind. Every new month's report that changes and I had to temporarily remember a group of new numbers. When you try to remember temporarily a group of a series of numbers you really don't want to remember what you reported for that month three or four months ago. All it does is clutter up your mind with numbers that no one is really worried about anymore.

MR. BOIES: There was a reference in that answer, again, to 20,000 to 30,000. I take it, again, the reference is to 20,000, to 30,000 per month.

THE WITNESS: Per month, that is correct.

Q. (By Mr. Murry) Did Lieutenant Colonel Parkins agree with your opinions as to the level of enemy infiltration?

A. Lieutenant Colonel Parkins indicated to me that he felt that the methodology -- that he had initially felt it was valid for making projections and that he thought it could be improved upon. So he kind of started me on the path to begin with. And yes, in general, he agreed that my projections were probably accurate, as I did, and did try to support changing the methodology by
which we reported infiltration in Defendant's Exhibit 39
and related such documents.

MR. MURRY: This is a good time for a break.

(Dateposition recessed at 12:10 p.m.)