Q. Did you have any responsibility for a knowledge of the distribution outside of MACV of studies relating to political order of battle or irregulars?

A. I was constantly on the alert to determine if there were any -- if there was anyone who was not on that list that needed to have that information, that their names would be added. And we had a page in the front encouraging people to ask to notify us of other people who should be added, or if they themselves would just happen to come across it and they wanted to get it.

We were trying to the give the fullest possible distribution to that order of battle summary.

Q. What about other studies and documents prepared within MACV or CICV relating to the enemy order of battle, were those distributed outside of MACV as well?

(The last question was read by the reporter.)

A. Yes. To the best of my knowledge. There was an alert to make sure that everyone that could possibly have an interest in this order of battle study, order of battle document, would
Q. And I am talking now, for example, about RITZ studies and CORRAL studies. Were those distributed outside of MACV, to your knowledge?

MR. BARON: Objection. When you say outside, do you mean anywhere outside MACV?

Q. Let's take anywhere outside of MACV.

A. The RITZ and CORRAL studies were produced for MACV analysts to do their analysis, and then to prepare a report which would be distributed outside MACV. But, of course, anybody coming through who had a need to know would be made aware, because this was a long, drawn-out affair. It started back in the fall of 1966. And certainly we kept updating people who had a need to know as to what these studies were showing.

Q. To your knowledge were the RITZ and CORRAL studies, analyzing the infrastructure and you irregulars, sent to the DIA in CINCPAC?

MR. BARON: Objection. Are you referring to a particular document? Are you referring to grass roots reportage?

MR. DORSENF I am talking about a practice of distributing, if there was a practice, the studies based on RITZ and CORRAL reports from
the field.

MR. BARON: Is there a time frame?

MR. DORSEY: During 1967.

MR. BARON: Objection.

A. Untiminished reports, I don't recall these being distributed outside. They were for internal MACV analysis and for production and processing purposes. I don't recall them being sent out, these raw reports being sent out to anybody outside MACV.

Q. Do you recall whether there were studies prepared occasionally, every month or two, on the results of the RITZ and CORRAL collection efforts?

A. I don't recall that. I think it was a continuing process. In coming up with the figures, here we are at this point. There was nothing static about it. It was dynamic, it was continuing. Okay, we have the information up to this point and this is what it shows. And if we keep on going, the strength estimate keeps rising based upon the number of documents, the information you are getting.

Q. At any point during the process of collecting information relating to irregulars and
political cadre, were you providing any interim or periodic reports to the DIA, CINCPAC and the CIA?

A. I was not.

Q. Do you know if anybody was?

A. I don't know if anybody was, any interim reports. I know there was a lot of conversation back and forth on an informal basis, and that analysts within DIA were perfectly aware, and within the CIA, were perfectly aware of how what our progress was. It was on an informal basis.

Q. Would those people have seen the MACV documentation for the various positions taken by MACV relating to irregulars and political cadre during 1967?

A. They could have if they had been in Saigon and walked in the Combined Intelligence Center. It was laid out there for anybody who had the need to know.

Q. Do you recall if you took any material relating to political cadre and the irregulars and the RITZ and CORRAL reports with you when you went from Saigon to Langley, Virginia, in August 1967?

A. I don't believe that I did. I don't
remember taking this kind of information. It is possible that I could have, but what I had along with me and my baggage God knows. I had backup material.

By the time we got to Langley we didn't have anything but crap, Mr. Dorsen. It wasn't the strength estimates that had been briefed to General Westmoreland. It had been reduced arbitrarily. So what I had there was -- you know, what are you going to back up crap with? Junk.

Q. Are you saying you didn't have any backup material with you?

A. I am sure I must have had backup material, but I don't recall what the backups -- precisely what the backup material was.

MR. DORSEN: Let's take a break.

(Short recess.)

MR. DORSEN: Back on the record. We might want to take a break when we pick up the other matter.

Q. Colonel Hawkins, when we were down in West Point, Mississippi, in September 1983, you produced certain records that you had had in your possession relating to the lawsuit directly or
indirectly.

Have you found any additional records since then that relate late to the lawsuit?

A. No, I don't know of anything else that came up. I have everything stacked out on my patio, and that's it.

Q. Have you read anything supplied to you by any of the defendants or their lawyers relating to the events in Vietnam?

A. I have read materials supplied to me by capital legal foundation and by Cravath, Swaine & Moore in the manner of affidavits and depositions, and I have seen certain other documents, cables, memoranda from both sides. You all have been very nice to me in sending materials. I particularly appreciate all the volumes of your brief.

Q. You are welcome. It took a lot of time and effort.

Q. In reading over the materials, do you recall any documents that existed in 1967 that you remembered but were not shown or did not see?

A. During the deposition?

Q. No, at any time. For example, there are certain documents, I think it is accurate to
state, that have never been found, assuming they
exist. And the question I have is in reading
over all the materials did you remember that
certain documents -- that you had seen certain
documents in 1967 but you were not seeing them in
1983 or 1984 or 1985?

A. Documents that I saw in 1967 that I
was not seeing in 1983? No way I can remember
documents like that. I saw documents in 1983, and
since then, that I don't recall ever having seen
before. But no way I could remember all of the
documents. I can't remember that there was a
certain document, such and such; no way because
there was so much stuff going through.

Q. On page 357 of your deposition, which
I will show you in a second, you refer to the
political infrastructure, and among the types of
people you refer to are tax collectors and
security persons, if you will just take a look at
that.

(There was a pause in the
proceeding.)

Q. Let me ask you the question and
then maybe you can focus.

A. Okay.
Q. The question is do you recall anything about the magnitude or relative magnitude of the different types of people within the political infrastructure, such as tax collectors or security persons?

A. The total figures of these?

Q. Total figures for those or what proportion of the political infrastructure.

A. What I recall is the structure itself that was developed by Kelly Robinson and the people working under him that had studied — had a good sampling of the documents, and they had developed this hierarchy, which is similar, but not the same, to what we have in West Point, Mississippi. This is your governing hierarchy, in other words.

Q. Do you remember anything about the proportions or magnitude of the different components of the enemy political infrastructure?

A. What I remember is the methodology itself that also had a sampling of these various categories of degree of control; within the total control they had a good sampling of documents that so many of these positions are occupied, and so on, and so forth. This is what I recall about it.
Q. Let me ask you this, and what I will do in a second is ask you to describe what you recall of the methodology, but I would like, if you can, for you to give me the answer to my question, which is whether you recall anything about the size of the various components of the political infrastructure, their relative magnitude, the proportion of people who were tax collectors to the total; do you recall anything like that?

A. I never filed these figures away in my memory because they were constantly changing.

Now, the basic figures that I recall from the summer of 1967 was slightly under 300,000 that we held in our order of battle, actually published in May 1967 order of battle summary. And then a figure of 500,000 we went to General Westmoreland with, one in late May and one in early June, about two weeks later, which had a total -- which came up with a total bottomline strength of 500,000 or more. That is approximately 500,000. I believe it was more.

But in between, in a breakout, I never kept up with those.

Q. I was talking about within the category of political infrastructure do you recall
the relative proportions of the different types of political infrastructure personnel?

A. I am still confused.

Q. For example, do you remember how many tax collectors were included in the total political infrastructure?

A. Where you sit down and add so many tax collectors? No.

Now, the people out at the shop could have given you that figure, if you said how many tax collectors do they have in the Viet Cong infrastructure, they could have given you a tabulation of that from their estimates up there. But, no, I don't recall that total figure. I could have gone up and gotten it any time I wanted to.

See, I just didn't bother to carry those things around. I had too many other things I was concerned with. I was concerned with the methodology and the validity of the information and how much information we would get to back this up.

Q. You mentioned the figure 500,000. Is that your recollection?

A. That is my recollection of the total
There are not many figures I remember but that's one I do remember. Because, you know, of the magnitude of it. We were going from 300,000 to 500,000, which is 200,000 more, which is considerable, a considerable difference when you are talking about magnitude.

Q. Do you remember anything about how the 500,000 was made up?

A. The 500,000 was made up of all of the various elements or categories of enemy strength: The irregulars, which included the guerrillas and the secret self-defense and the self-defense, the administrative services, the political order of battle, and then the combat units, which included the maneuver units and the combat support units. These included, of course, the North Vietnamese Army units and the Viet Cong main forces and local forces.

Q. I think you said this is your recollection in 1985, is that what it is, Colonel Hawkins?

A. Yes.

Q. And am I correct that you discussed the briefing of General Westmoreland with Sam Adams over the years, is that correct?
A. Oh, yes, sir.

Q. And is it accurate to say that if you gave him any numbers or orders of magnitude, they would have reflected your best recollection at the time?

A. I would like to hear that question again.

Q. The question is this: If you told Mr. Adams in 1975, or whatever it was, that you recalled a particular number, the one you briefed to General Westmoreland, would that have represented your best recollection at the time?

A. Whatever I told Sam Adams at any time represented my best recollection of what I told him about.

Q. I would like to change the subject again and show you, Colonel Hawkins, a cable, which is dated or stamped 11 July 1967. I am showing you two versions. One is the original version, which is 395, which has certain code names for people, and the other is 395 A, which has the actual names of the people substituted in a couple of cases.

First, do you recall whether you saw 395 in 1967?
A. This first cable I am reading is 11 July --

Q. They are both the same cable. One is in the original form and the other one is with code names substitute the by real names.

MR. BARON: Am I correct that this is the information that has been provided by the CIA as to the identifications of the various codes?

MR. DORSEN: That's correct.

A. Focus first on this 11 July.

(There was a pause in the proceeding.)

A. Can I read this other one?

Q. It is not going to be any better.

The question is whether you recall seeing that cable?

A. This was shown to me during my deposition, was it not?

Q. I frankly do not recall.

A. I don't recall having seen this cable.

Q. I am going to ask you at one point whether you recall hearing the substance of paragraphs three and four expressed to you during the summer of 1967 by the CIA?

A. I do not recall this instance.

Q. Do you recall the CIA, or anyone from
the CIA, telling you in words or substance that
every one of the seven instances noted in the past
ten days, contacted enemy unit proved to be
smaller and sometimes to be half that MACV carried.

Did anyone tell you that was the CIA
position in the summer of 1967?

MR. BARON: Objection.

A. There is no way I can recall that
somebody told me this was a CIA position. Up
until the time I abdicated my duties as the OB
chief and decide the to go along with whatever
General Davidson and Colonel Morris wanted in it,
I would have objected to this business about the
strength of the battalions because I was there for
several months and I do know that in many
instances battalions were contacted by the allied
forces, they suffered severe casualties, and it
was several weeks of time before we could even
identify them, because they could not get
identification.

In those instances where we did
receive precise identifications of unit on the
main, those units were reduced by the casualties
that could be assessed to that battalion, based on
the identifications.
But I know of several instances where the commanders in the field thought they had contacted a certain battalion, and documents later on would show it was an entirely different battalion. Because of the very nature of the war, the lack of shoulder patches and identification badges, where they thought they had one battalion and they didn't.

Q. You mentioned a figure of 500,000 as part of a briefing that you recall. Did that 500,000 figure include confirmed, probable and possible in the various categories?

A. I think we called it our best estimate and it would have included possibles, too.

Q. Am I correct, Colonel Hawkins, that you returned from Langley to Saigon at some time before the conference ended in August of 1967?

A. Returned from?

Q. Langley, Virginia, to Saigon.

A. I believe I did return to Saigon, yes, because I would have had to have been there because I was placed on administrative hold in Saigon after the Saigon conference was set up. I was supposed to be going back to the states. My tour was completed, and I would have been sent
back to the states. But I was placed on
administrative hold by General Davidson to stay in
Saigon for the Saigon conference to defend the
MACV position.

Q. Let me ask you if this is what
happened. Did you go back to Saigon when you did
because you were anticipating concluding your tour
in Vietnam and going back to the states for a new
duty assignment?

A. I am sure that was in my mind. I
didn't learn until I got back to Saigon that I had
been placed on administrative hold until the
Saigon conference had been set up. And I knew
that my date was coming up soon and I was anxious
to get out.

Q. Was that your understanding in 1967
as to the reason you left Langley to go back to
Saigon when you did?

A. No, I didn't say that. It had to
have been as a matter of course that I would have
left Langley and had gone back. Whatever reason I
went, it might have just coincided with the fact
that my tour of duty was about to end. I don't
know that I was sent back with any mission in mind,
if that's what you mean.
Q. Yes. I was just wondering if you have any recollection, other than what you testified, as to the circumstances under which you went from Langley to Saigon.

A. No.

Q. When you were in Holabird after you left Vietnam in 1967, did you have any duties that related to intelligence in Vietnam?

A. At Fort Holabird?

Q. Yes.

A. No duties which related to intelligence. I will tell you this now, that my department, the studies were classified and I don't mind telling you now what it is, we were training agent handlers. It had to do with the clandestine collection of intelligence, and I don't think that's any big breach in security at this stage in the game. And I would have been interested in the techniques of inserting informers within the enemy -- well, my job, let's put it this way, my job was to teach people how to recruit and to send informants out there to bring back information.

I understand this is not to be released to the press, is that correct?
Q. I honestly don't know. At this stage I think it is a little bit after the fact.
A. 1967, 1968; this is 1984. It's small potatoes.

MR. BARON: I am sure Mr. Dorsen and I will both agree not to go running to the New York Times that there was something called an agent hand her.

THE WITNESS: That Colonel Hawkins had charge of the department that trained agent handlers.

Q. Were you receiving any intelligence reports from Vietnam after you got back to Fort Holabird?
A. No, sir. Only that something that just happened to come across my desk. No intelligence reports per se.

Q. Is it accurate to state that for, say, the year after you got back from Vietnam, that you did not see any documents relating to intelligence in Vietnam?
A. I don't recall that I saw any documents. I wasn't looking for any. My experience in Vietnam was over at that time.

I will project beyond that. I was
later assigned to the National Security Agency out
at Fort Meade, as the Army liaison officer to the
National Security Agency, and I would have seen
some documents come across my desk. We were
working primarily on another country problem out
there.

Q. When did you go to Fort Meade?
A. To back up, I retired in November 30,
1970. I was probably at Fort Meade for a year.
That's a ballpark figure there.

Q. And between Vietnam and Fort Meade
you would have been at Holabird?
A. I would have been at Holabird. I was
at Holabird.

Q. Now, when you were talking to Mr.
Adams in early 1968 concerning enemy strength
matters in Vietnam, were you basing what you said
to him on the evidence and intelligence and data
that you were aware of as of the day you left
Vietnam?

A. Anything that I would have been
talking to him about would have been based upon my
own experience, my own knowledge in South Vietnam.

Q. Which would have ended on or about
September 15, 1967?
A. Yes. I heard of things that were
going on but I didn't have -- my expertise ended
when I left Vietnam.

Q. Do you recall receiving any drafts of
the special national intelligence estimate?

A. No, sir. The Vietnamese communist
capability to conduct war in South Vietnam?

Q. Yes.

MR. HARON: Are we still talking about
the period after he left Vietnam.

MR. DORSEN: Let me make it more clear.

Q. We discussed at the last session the
assessment that I just described. At the time
while you were in Vietnam did you see any drafts
of that document?

A. No, sir, I did not see any drafts on
that document. I defended the MACV position in
regard to order of battle input into that document.
That was the extent of my experience in it.

Q. I believe I asked you this but I am
not sure. You referred to a 500,000 number that
you say was briefed to General Westmoreland. Do
you recall the numbers of any subcategories or
categories that made up the 500,000?

A. The individual categories, no, sir, I
do not. The overall figure is the only figure that sticks in my head. That is because it's the magnitude difference from approximately 300,000 and approximately 500,000.

Of course I can look at it and see what made up the 300,000. There are other people that know about those things.

Q. Sitting here do you remember what the CIA position was as far as total enemy strength at that time?

A. I think we were nudging closer to it but they were still a little higher than we were. How much higher I don't know, but I think we were nudging higher, towards them. As I look back on it today, even ours was conservative. We tended to be conservative in advancing our figures because we were the ones that were being attacked so much.

The CIA, as I saw it, wasn't being attacked. MACV was being attacked from all sides by journalists -- I say attacked, I mean criticized -- journalists, politicians, military, civilians. Everybody that came to Saigon, everybody in Washington, D.C., had a gut feeling about what was the strength of the enemy. Gut
feelings, as you know, are based upon stomach gas. MACV had an intelligence gathering capability.

Q. What were the attacks or criticisms that you recall?

A. Too high too low --

MR. BARON: Time frame?


A. The entire time frame. February 1966 until I left, the entire time frame.

Q. Do you recall whether in the time frame of May 1967 General Westmoreland had a request pending in Washington for an increase in troop strength?

A. I think I read about it in the newspaper but I didn't pay any attention to that at that time.

Mr. Dorsen, my focus was strictly on the enemy order of battle. General McCrystian had worked me like a damn mule. Have you ever heard of a blind bridle?

Q. No.

A. You know what a bridle is of course?

Q. Yes.

A. When you plowed these mules down in
Mississippi, a mule was awful skittish, you didn't want his attention diverted. So you put these leather flaps on the outside of his eyes so he didn't anything but straight ahead, not to the right or left.

That's the way I worked order of battle. I wasn't diverted by the friendly order of battle, any of the politics that were going on or anything else. I concentrated, literally concentrated on order of battle. And not the politics of the game.

Q. I guess I was asking whether you were aware of certain concerns or even rumors, even though you may not have been influenced by them.

A. I wasn't even aware of that I can recall. It was not the kind of thing I would even concern myself with. I might have had an awareness of reading about it in Stars and Stripes. I got Stars and Stripes, Time Magazine, even a copy of Newsweek. But that would have been my awareness, but not concern.

There is a difference, as you well know.

Q. Do you recall whether Stars and Stripes discussed such matters as the press
I, GAINS HAWKINS, certify that I have read the transcription of my testimony, and that the foregoing is a true and accurate transcription of same.

GAINS HAWKINS