Q. Mr. House, or -- I am sorry -- Colonel House, during your examination this morning you were asked both about CIIED and something that you described as the Tank. Are those two names one and the same or is there a distinction between the two?

A. From my recollection and the way I remember it for 17 years ago, they are one and the same. The way I recall, at least, we referred to the Tank as being that physical part of the building where Special Intelligence could be discussed and that was the area that CIIED was enclosed.

Q. Do you know who was responsible for your reassignment from CIIED to CICV?

A. It was Colonel Graham who made that decision.

Q. When you arrived at CICV and became the I Corps officer in charge of the Ground Order of Battle, precisely what were your responsibilities?

A. I was responsible for keeping the -- and determining any changes in the enemy strength, location, capabilities, and to also act as a liaison to the ARVIN counterparts that were working with us side by side in the confines of our I Corps Order of Battle section.

Q. Did your section have responsibility for any particular type of enemy unit?
A. As long as they had a military capability, we were responsible for those units. For example, if it was -- we kept track of sniper units as well as paramilitary, as well as support units as well as combat units.

Q. Did you have any responsibility for estimating Viet Cong infrastructure?

A. No.

Q. Did you have any particular responsibility for estimating the number of guerrilla in I Corps?

A. Yes, we did. The infrastructure that you referred to I equated to political Viet Cong infrastructure, not the Viet Cong combat elements themselves. The Viet Cong combat elements we did have a responsibility, yes.

Q. Would those combat elements also be known as maneuver and combat support units?

A. I don't recall.

Q. Do you know who your predecessor as ground Order of Battle officer in charge for I Corps was?

A. Actually, no. There was such a confusion during Tet that it was not a clear change of command, as it were. When I got my orders to go to Phu Bai, I just packed up and went.

Q. You are testifying as to who your successor
was?

A. Yes, I know. So I really do not recall who

my successor was, because I was not there to brief him,
to greet him, to change over, as it were, on the
responsibilities.

Q. Do you recall who preceded you as officer in
charge?

A. No, I do not. As I recall, that officer had
already departed when I was assigned to that position.

Q. Was there any interim officer present when
you took over from that you can recall the name of?

A. I do not recall.

Q. Prior to your assignment as I Corps Order of
Battle -- Ground Order of Battle -- excuse me -- officer
in charge, did you have any experience with order of
battle from any prior service?

A. Yes, I did.

Q. Can you describe that for me?

A. I will be glad to. When I was in the Air
Force and stationed at Offutt Air Force base at SAC
headquarters, I was responsible for the Soviet long-
range air order of battle, to include the type of
aircraft that the Soviets had, the number of aircraft,
the air fields that they used, the number of personnel
that they had, any increase in capability from a
research and development posture, trying to figure out production and increase in runway lengths to support additional capabilities. And in substance that was one of my responsibilities, as far as order of battle analysis prior to my assignment in Vietnam.

After Vietnam, when I was assigned in Heidelberg, I was in charge of the ground order of battle for the entire satellite countries of -- the Russian satellite countries, to include Poland, East Germany, Czechoslovakia and others.

Q. Had you had any ground order of battle experience prior to your tour in Vietnam?
A. No.

Q. While you were I Corps ground order of battle officer in charge, were you familiar with the standards required by MACV or acceptance of units in the order of battle summary that was produced by the combined intelligence center of Vietnam?
A. Yes, I am and I was at that time. The need -- the primary requirement was to have two separate, distinct collateral sources. And if we had those and we felt extremely comfortable with those collateral, two collateral sources, then we were allowed to ask for inclusion of new elements within that document. And to my knowledge, we were never successful.
Q. Do you recall how specific you had to be with respect to the identification of a particular unit under those criteria before they would be accepted in the order of battle summary?

MR. MASTRO: Objection to form.

Q. You are having some hesitation. Do you understand my question?

A. I understand the question. I am determining the answer.

We certainly would not ask for a unit to be included in the ground order of battle unless we could identify one or more of the unit titles and the type of unit that it was and its general strength.

Q. Is that your answer?

A. Yes.

Q. Do you know whether or not the criteria required you to describe the full subordination of a unit before it was included in the order of battle summary?

A. No, I do not recall.

Q. Was the order of battle summary published by CICV the only report, in your experience, which described the units in South Vietnam, the enemy units in South Vietnam?

MR. MASTRO: Objection to form.
Q. Let me just make -- before you answer, sir, I did, I believe, hear an objection to form from Mr. Mastro. I would only add that you speak loud enough so that I might hear those objections.

A. Could you repeat your question, please?

Q. Sure. If a unit did not meet all the criteria to be included in the order of battle summary published by CIC, was that unit capable of being reported in any other document that you were familiar with while you were ground order of battle officer in charge for I Corps?

MR. MASTRO: Objection. Objection to form.

A. I know of no other official document that was published in which a nonaccepted unit would be carried.

Q. I believe during your testimony earlier today you said that your corps files were up to date with evidence that you had come up with on enemy units. Is that correct?

A. That's correct. We would carry a folder and carry a file on every possible unit that we -- that came to our attention and then correlate those -- those names and activities with other reports as they would present themselves and do an indepth analytical determination as to whether, in fact, it was a new unit or just a previously reported unit.
No. Now, those things, those reports that were in our files were not published, so, therefore, if we could not get a new unit into the order of battle summary, then it was not reflected in any official publication, to my knowledge, even though we had in some cases a preponderance of information to support such an inclusion, it was -- this information was always dismissed by the MACV command, whose sanction we had to have for that inclusion.

Q. Were there ever occasions when someone from your group would brief someone else concerning the holdings that you had in your files?

A. As to a briefing, we were not -- we did not give briefings from our section. We produced and made recommendations. Obviously if Colonel McMurry or Colonel Wyler or any of the other corps analysts wanted to confer with us as to our holdings, we would certainly do so willingly and openly. We had no secret files that we were trying to maintain just for our own records. This interchange of information was done often, but not in a briefing form as I understand the word briefing.

Q. During your testimony this morning, you spoke of needing to check with the I Corps analysts in the Tank prior to having any suggested new unit incorporated in the order of battle summary. Do you recall that?
Q. Who was the I Corps analyst in the Tank that you would check with?
A. Are you asking the specific name of the individual or individuals?
Q. Yes, I am.
A. I do not recall the names.
Q. You spoke at that same time concerning getting the MACV command approval for such inclusion. Was that approval something other than checking with this I Corps analyst in the Tank?
A. We would check with the I Corps analyst in the Tank to try, attempt to determine from SI information as to a possible location for the -- for the unit. But the actual approval had to come through Colonel Graham's staff as for the inclusion of the new unit.
Q. Who was on Colonel Graham's staff?
A. I know Colonel Goche was on the staff. I do not recall the names of individuals who may have been on Colonel Graham's staff during this period.
Q. You said this morning and repeated recently to my questioning that you were never successful in your request to include new units in the ground corps order of battle being published by CICV. Is that correct?
A. That's correct.

Q. Is it your testimony that there was reflected -- there was never reflected in the order of battle summary between October 15th and the end of -- October 15th, 1967 and the end of January, 1968, the maneuver or combat support in I Corps?

MR. MASTRO: I have to object to the question. That's not what he testified to. He only testified about his own experience. But if you want to rephrase the question, please go ahead, or if you want him to answer, he can answer it.

Q. Well, let me ask you, Colonel House, would it be possible for someone else in the ground order of battle section for I Corps to have requested the inclusion of a unit without your knowledge?

MR. MASTRO: Objection to form.

A. To my knowledge, that would not have happened, although it could have happened and I was -- would not be aware of that procedure. But there was no procedure that I was aware of or affiliated with that would -- that would allow that.

Q. Was it necessary under the criteria for acceptance to have a location for an enemy unit before it could be included in the CICV order of battle summary?
A. Yes. We had to have a location.

Q. Could that location be provided fully on the basis of Special Intelligence for criteria in the inclusion of the CICV order of battle summary?

MR. NASTRO: Objection.

A. No location in the order of battle summary could be based solely on SI information. If we had strong SI information as to the location, we had to have a collateral source in which to support that location, even though the quality of the collateral report could be questioned.

Q. Given your experience as I Corps officer in charge of ground order of battle, did you come to an opinion as to the relative importance of the order of battle summary to the commanders in the field in Vietnam?

MR. NASTRO: Objection.

A. Are you asking my opinion?

Q. Yes. I am asking your opinion.

A. As to what I felt?

Q. Yes. Based on your experience.

A. That's such an ambiguous question, I am having difficulty in answering --

Q. Okay. Let me --

A. -- that type of question.
Q. -- withdraw it and try to make it more specific.

A. Please.

Q. Have you ever used the term academic in referring to the work that CICV was doing?

A. I would say that the work that CICV was doing was more academic from the standpoint that we had the manpower and the materials and the reports to study and reflect on all the information that was provided to us. It was more of an academic atmosphere than it was a combat atmosphere, which certainly should not be construed as being a derogatory reflection on my part as to its importance.

Q. Are you familiar with the term real time?

A. I have a feeling for what I believe to be real time, yes.

Q. What is that?

A. In what context?

Q. In the context of intelligence and its value in a combat situation.

A. Most assuredly if we -- if we have SI information as to a location of a particular unit, that would be more real time than a captured document that was six months old which stated the location of a particular unit.
Q. Did you have any familiarity with the intelligence available to commanders in the field in Vietnam?

A. To my knowledge, they had the same intelligence available to them as we had available in the Tank.

Q. Do you happen to know from your experience what the analyst in the Tank felt about the effort being done by CICV?

MR. NASTRO: Objection to form.

A. The -- from what I recall, the analysts in the Tank felt that they were a highly picked, elite group. The Tank was totally concerned with the timeliness, location of enemy troops. The analysts in the Tank seldom, with that posture, had a necessity, therefore, to confer with their counterparts in CICV.

So they seldom conferred as to location. If those analysts wanted to determine the strength of units, they would then confer with the CICV analysts, because the Tank was primarily concerned with the location of the units rather than the strength, which would come out of our analysis, as well as the infiltration OB studies that were coming out.

Q. Do you know whether or not the commanders in the field had sources of enemy unit strength other than
the intelligence work put out by CICV?

A. I am not aware totally of how each commander
in the field structured and used the intelligence
officers that were assigned in their command. So I,
therefore, do not know how to answer that for the
commanders in the field.

Q. During your testimony -- strike that. In the
notes of Mr. Adams' conversation with you, do you know
why there would be an entry that would say, "Then OB --
he felt it accurate"?

MR. NASTRO: I have to object, since we do
not have the notes here with us. I have read those
notes and, Mr. Riese, you undoubtedly have them in front
of you. You can probably confirm for me that the page
you are reading from starts off with a discussion at the
top of the page about Danny Graham. Is that correct,
Mr. Riese?

MR. RIESE: Of, "Danny pictures self as
general," I believe.

MR. NASTRO: That's the very first line on
the page. Then further on down the page is some sort of
discussion about order of battle. Is that correct?

MR. RIESE: Right. There is in caps, "No
good on OB," and then the second line down from that is
the line that I read.
Q. I guess my question is, Mr. House, or -- excuse me -- Colonel House, you know why such an entry would appear in Mr. Adams' notes concerning his conversation with you?

A. Could you repeat that comment, that note one more time, please?

Q. Yes. My reading is, "Then OB -- he felt it accurate."

MR. MASTRO: I have to object to the line of questioning. If you will read the entire page, I think the context of the remark becomes clear. I have from memory indicated to you that the discussion starts with Danny Graham. Now, if you want to read the entire page, please do. If it comports with my recollection, I will allow you to continue the line of questioning.

But since we do not have the document here and since I have a recollection of what is on that page, why don't you either try and read the whole page or I will just have to object to the line of questioning. I realize we are in an unusual situation here and I want to allow you to ask your questions, but unless you give him the entire page, so that he can see the context, it's incumbent upon me to object.

MR. RIESE: Now, I am not sure whether or not the page gives context, because, as you probably recall,
there are several pages dated on the same date and it's unclear whether or not these things flow automatically one to the other or what amount of time in a conversation would have transpired between one entry and another. I have no problem in reading everything on the page that has to do with what apparently the order of battle entry says, "No good on OB. There was" --

MR. MASTRO: I am sorry. What were those words?

Q. The line is, "No good on OB." Next line, "There was BC, then OB -- he felt it accurate." Next line, "Didn't feel understatement. VC plus NVA would" -- abbreviated WD -- "take heavy CAS." Next line, "Then they'd go back into hills & recruit." The next line, "They had big, ready reserve."

That is the, I will represent, entire entry under the capital letterhead, "No good on OB," the next entry being, "INFIL," for infiltrate. That gives the context of the entry.

MR. MASTRO: Well, I do have other recollections of what is on that page. If I can just ask you two quick questions for clarification --

MR. RIESE: Sure.

MR. MASTRO: Am I correct that the first entry on the page is a discussion of Danny Graham? Is
that correct?

MR. RIESE: There is an entry concerning Danny Graham, yes.

MR. MASTRO: Am I also correct, since you have now read that middle entry, that there is simply a reference to he and no one named in the entry that you are about to ask the deponent questions about? Is that correct?

MR. RIESE: There is no other individual named on that page.

MR. MASTRO: Why don't you proceed with your questions and I will object if I feel I need to object.

A. Let me simply say, after listening to the entry that you referred to, I have absolutely no idea how that entry by someone else fit into the discussions that I had. It's just too vague and I would prefer not to make conjecture on someone else's notes.

Q. Did you ever tell Sam Adams, to the best of your recollection, that you felt the OB was accurate?

A. Are you referring to the order of battle summary?

Q. Yes.

A. I don't recall stating that I felt that the order of battle summary was accurate, because and from my work when we tried to get new units in and bring up
the full strength existing units, we were not able to.
So, therefore, my recollection would be and is now that
the order of battle summary was not correct.
Q. Was the order of battle summary that was
published by CICV the only order of battle summary that
you were familiar with in your time in Vietnam?
A. That's correct.

Let me reflect on that. The ARVINs published
some documents, but since I couldn't read Vietnamese, I
could only conjecture that they published their own
order of battle summary, which may or may not have
reflected exactly what the U.S. publication reflected.
Q. During your testimony you described daily
intelligence briefings. Can you tell me who was in
attendance at those daily intelligence briefings?
A. The key MACV staff was there. General
Davidson was there most of the time, but I don't -- I
didn't keep a stopwatch or a diary as to how many he was
there and not there. Many times he was in other parts
of the country. Colonel Graham was there almost all the
time and when General Davidson was not there, Colonel
Graham was in charge.
And it was sort of a -- if I could describe
it, that particular room was sort of -- had sort of a
stadium effect, in that you had the small stage where
the briefing officers brief from situation maps. Then
you had a series of small tables around which the HACV
staff sat. Then you had other chairs behind that which
analysts and others could attend because of information
that obviously might be brought out during the briefing
that they could use in their own studies.

As I recall, for a period of time I
was the only one from I Corps order of battle that had
the SI clearance so I could attend the briefings. It
seemed to me that later on, prior to Tet, that one of
the other officers received his SI clearance and it
seems to me that that was Lieutenant Jones. But that
was perhaps just prior to at the time that he received
that clearance. The reason I bring that up is because
someone from each order of battle desk should have been
there, and, see, it was my responsibility to be there,
since I was the only one that was cleared.

Does that reflect the type of answer that
would answer your question?

Q. I think that was a pretty good answer. Do
you recall a Colonel Morris?

A. Yes, I do.

Q. Would he attend the daily intelligence
briefings?

A. Yes, he would.
Q. Do you know where Colonel Norris was in the MACV J-2 hierarchy?

A. I believe that he was the deputy for Colonel Graham. But that's -- that's just as I recall his responsibility. He was a very senior full Colonel. That may not have been his official position, because he would have certainly outranked Colonel Graham. I don't know how they got around that. But, in essence, I believe it's my recollection that he was Colonel Graham's deputy.

In reflecting on Colonel Norris, Colonel Norris was assigned to Phu Bai approximately the same time that I was. Now, whether he got there one or two days before I did or after, I do not recall. But I had direct daily contact with Colonel Norris when both of us were assigned in Phu Bai, but I had very little contact with Colonel Norris in the days prior to Tet.

Q. Do you recall what position Colonel Norris held at Phu Bai?

A. Colonel Norris in Phu Bai was in charge of all intelligence activities.

Q. Would that have made him MACV Forward J-2?

A. Yes.

MR. MASTRO: I believe that's G-2 at Phu Bai.

Q. It's your understanding that MACV Forward was
not a joint command. Is that correct?
A. I do not recall.
Q. If it were a joint command, would it be J-2?
A. Yes.
Q. Yes, which?
A. Yes, if it was a joint command it would be a
J-2, in that the J stands for joint.
Q. Where were these daily intelligence briefings
held?
A. In the Tank.
Q. Where was that physically with respect to
your office at CICV?
A. Are we trying to determine how many miles or
how many steps or five minutes or the distance between
that building and the building that I worked in in CICV?
Q. I guess we are trying to determine all those
things, whether or not it's in the same building.
A. It was not in the same building. It was an
adjacent building. The two were not too distant apart.
I am guessing a three- or four-minute drive. Very close
together.
Q. What time of day would these daily
intelligence briefings be held?
A. They were held in the morning.
Q. After the daily intelligence briefing, what
would you do?

A. I would generally confer with the -- with my counterpart analyst and discuss anything new that had come up since the previous day and then return to order of battle to CICV to continue with our daily work, and to determine whether there was any collateral information in which we could support the movement of the enemy forces as it would -- as it would be reflected on a more timely basis in the Tank.

Q. Is your testimony, as I recall, earlier to my question that you do not recall the name of your counterpart in the Tank?

A. That is correct.

Q. Was there any written record made of the daily intelligence briefings?

A. None that I received. Keeping in mind that the daily -- the intelligence briefings were SI caveat briefings, so, therefore, they would never leave the physical location of CIIBD for me to transport, take them anywhere else.

Q. You have stated in your testimony earlier today that you received evidences of a build-up in preparation for an enemy offensive. Is that correct?

A. I would say that not only did we receive evidence in the plural sense, but we received it -- or
in the singular sense, but we received much evidence
that there was a build-up for some reason. Then we had
ample evidence that it was for a general offensive.
What we did not receive is the exact time and date of
that planned offensive. But as to a build-up, we had
been receiving information of increased enemy strength
for quite some time and it was temporarily being ignored
by the command staff, by the MACV command staff, and we
were not able to get the information included in the
order of battle summary, nor can we bring the strength
up with the troops.

So we had evidence of a lot of infiltration
for quite a few months, but we were not able to get this
reflected in any way in the order of battle summary,
which was very discouraging.

Q. Was this subject briefed during the daily
intelligence briefings in your presence?
A. Yes, it was.

Q. Was it ever briefed in the presence of
General Davidson?
A. Yes, it was. It was -- let's make sure that
we understand. Every -- every officer there was a
professional officer. Every officer cherished his
career. There was a diminishing number of briefings to
this effect as time went on because of the way that
Colonel Graham, for example, would ridicule and down-play every piece of evidence that reflected anything other than the party line. So after that was felt by all the briefing officers, they thought twice before they would ever step into the lion's den and brief something that they knew that the command -- the MACV command staff did not want to hear.

So you could almost graph out the diminishing number of times that nonsupportive of the party line evidence was being briefed.

MR. RIESE: Move to strike as nonresponsive.

Q. Colonel House, did you ever personally witness -- strike that. Was this information concerning enemy offensive ever briefed during the daily intelligence briefings?

A. Yes. I recall one specific instance. It was an Air Force Lieutenant -- do not recall his name -- who briefed in length a captured enemy document from an apparently very highly placed source, which stipulate they were -- "they" being the enemy -- were building up for an offensive which would -- which would be the last offensive which would throw out the foreigners, would cause the people to rise up to help the fighters to throw out the foreigners, and they would slit their throats in bed and they would -- and it would be the
people who would be doing this, led by the military, by the Viet Cong.

Q. That's what this document said?

A. That's correct. And I recall, as if it was yesterday, Colonel Graham laughing at this document, laughing at the briefing officer, and, of course, all of his yes-men around him followed suit, saying how ridiculous this document was, because the enemy did not have the capability to do anything positive in an offensive manner because their forces were so depleted that about the only thing they could do is go back to guerrilla warfare.

So I remember that very explicitly.

MR. RIESE: Move to strike as nonresponsive to my question.

Q. Colonel House, was this evidence of enemy offensive ever briefed at the daily intelligence summary with Colonel Morris in attendance?

A. I do not recall.

Q. But you do recall that it was briefed at a time when General Davidson was in attendance. Is that correct?

A. I remember vividly that Colonel Graham was there. Specifically whether General Davidson was there at the time, no, I do not recall.
Q. Do you know whether or not General Davidson ever received a report that there would be an enemy offensive such as you have described in your testimony today?

MR. MASTRO: Objection. Objection to form.

A. No. I cannot under oath say that I know from firsthand information that General Davidson was so briefed.

Q. Do you know from firsthand knowledge whether or not General Davidson ever reported through General Westmoreland that there was evidence that the enemy was planning an offensive of the type that you have described in your testimony today?

MR. MASTRO: Objection. Objection to form.

A. General Westmoreland was occasionally, but not very often, at these daily briefings. So I cannot from firsthand knowledge state that these -- that he was briefed on the reports that we had received that were available throughout the intelligence community that a build-up was happening and that the enemy's intentions were to throw the foreign elements out of the country.

Q. When you say that these reports were available throughout the intelligence community, how broad a definition of intelligence community are you using?
A. Since they were collateral documents, did not carry an SI caveat, I think it would be difficult to assume that the major commanders in the field would not have access to these documents. Now, whether they -- the commanders in the field had the staff to analyze all of the documents that were prepared in the intelligence community in Saigon and all of the interrogation reports and all of the diaries and all of the myriad of information that we had, I doubt very seriously whether they had that capability. They were looking -- the commanders in the field were looking to the MACV command for that type of analysis.

Q. In any of these daily intelligence briefings how in the fall of 1967, while you were officer in charge of I Corps order of battle, was there a descriptive term that was commonly used to describe this upcoming offensive?

MR. HASTRO: Objection to form.

A. I do not recall any such description.

Q. You testified that the exact time of when this offensive occurred was not known. Is that correct?

A. I do not recall any interrogation report or any captured document that specified exactly when it would occur.

Q. So that in December of 1967, you did not
refer to this as the Tet Offensive?

MR. MASTRO: Objection to form.

A. That is correct. I do recall during the daily intelligence briefings that there was some speculation as to when the enemy might try this absurd -- and absurd is their term -- this absurd act and they discussed that traditionally the enemy liked to do things on known holidays. However, in the briefings themselves it was not pinned down, because it was -- all these reports were dismissed, along with the infiltration reports of increased strength and build-up were just temporarily dismissed and really did not receive the attention by the MACV command that they should have.

MR. MASTRO: Mr. Riese, can we clarify for the record to whom Colonel House was referring when he said "they" in that last answer?

Q. I am not sure I understand that.

MR. MASTRO: I would like to know to whom Colonel House was referring when he said "they."

A. If I could respond to that, when I referred to "they," I meant that the MACV command staff did not see any importance in these type of indications, so, therefore, if the command staff did not see the importance, then the rest of the staff followed suit,
because there was no need to further analyze these intentions, even though ample evidence was available that the intentions were there.

Q. Colonel House, what do you mean by MACV command staff?

A. In my mind, the MACV command staff was Colonel Graham and the rest of the staff, the key staff element officers that were directly under General Davidson.

Q. Did it include General Davidson?

A. Yes.

Q. But your testimony earlier is that you don't know whether General Davidson even knew about or was -- excuse me; strike that -- was briefed on this matter. Is that correct?

A. I stated that I do not recall if he was present when these particular documents were being briefed. Now, when he was briefed at some other point in time, which he should have by any good staff, because of the significance of these documents and the significance of the increase, I cannot from firsthand information say that he was specifically briefed.

Q. You cannot say from firsthand knowledge what he would have done -- excuse me -- what he did with that information if he were indeed briefed, can you?
MR. MASTRO: Objection to form.

A. Obviously not, since General Davidson and I were not on a first name basis and we did not confer on a personal level either officially or unofficially. So I cannot conjecture at this point what General Davidson would or would not do.

Q. As far as MACV command staff, would you include the analysts under General -- excuse me -- Colonel Graham?

A. No, I would not.

Q. Did the analysts under Colonel Graham know about the build-up which you have described in your testimony?

A. I can only speak to those analysts that I personally conferred with on a daily basis, and I know that they were aware of a build-up in strength, because they read pretty much the same reports that I did and we never at an analyst's level had any -- any arguments amongst ourselves as to exactly what was going on. I do recall that individually and collectively we could not figure out why the MACV command staff continually ignored the preponderance of information that was available to them.

Q. What evidence did you have that anyone other than, as you have testified today, Colonel Graham
"ignored" the evidence?

A. Since we continually were unable to place new units in the order of battle and bring up to full strength those units that we had evidence that they had received replacements, and that the order of battle summary so reflected this situation which we felt was totally untrue, I think that's evidence enough.

Q. Do you know whether or not your counterparts in CIED had order of battle holdings similar to the order of battle holdings that you had in CICV?

A. They may have informally, but that was not their assigned task. But I do not know exactly what each analyst did on his own.

MR. RIESE: By my count, we have been going almost an hour and a half since the last break. I would like to take a break, give my ear a rest, since it's been up against this telephone receiver, and I still have more questions of Colonel House.

MR. MASTRO: Can you give us an estimate of how much longer you think you will be, Mr. Riese?

MR. RIESE: Gosh, I really cannot say at this point. My next line of questioning may have to do with some documents that I would like to bring to Colonel House's attention. That's about all that I can say.

MR. MASTRO: Let's take a break, then, at
your request, and we will reconvene in a few minutes.

MR. RIESE: I will try to speak loudly and get everyone's attention in the room when I get back.

(A short recess was taken.)
Q. (By Mr. Riese) Do you recall the phrase winter-spring campaign with respect to descriptions of the enemy offensive that you were observing the build-up of in the fall of 1967, when you were at the I Corps order of battle group?

MR. MASTRO: Objection.

A. I recall hearing that phraseology, yes.

Q. Was it used to describe the offensive that you have been testifying to here today?

MR. MASTRO: Objection.

A. I have -- I don't have any recollection as to the tie-in between the Tet Offensive and those phrases.

Q. Did you ever personally give a briefing during the daily intelligence briefings concerning this observed build-up, preparation for the enemy offensive that you have described?

A. I never had the privilege of giving a briefing during the daily briefings at all on any subject.

Q. From your own personal knowledge, do you know what preparations were taken by -- how much MACV preparation for the Tet Offensive?

A. To my knowledge, there was no unified preparation prior to Tet. I have seen T.V. documentation and read in books where individual
commanders took preparation on their own. But not as a result of any prior offensive alert that came out of MACV command.

Q. Were you at all in line to receive the cable traffic between General Westmoreland and General Earl Wheeler during the months of December and January, 67 to '68?

MR. MASTRO: Objection. Objection to form.

A. No, I was not privy to those communications.

Q. What I would like to ask you are some questions that relate to documents that have come to the attention of the parties during the course of this litigation. I will attempt to, in certain portions of them, read you, since I cannot show you the documents at this time, and ask whether or not you may be familiar with the text or any sentiment similarly expressed in some other fashion.

I have in front of me a document that's been previously marked as Plaintiff's Exhibit 110 and is dated December 20, 1967. It is a cable from General Westmoreland to General Wheeler and the document is several pages long, made up of 18 paragraphs. And the first paragraph of this document is what I will read to you now, so that hopefully it will give sufficient context that Mr. Mastro will not have a problem with my
question.

"The papers prepared for Ambassador Locke" -- L-O-C-K-E -- "stress that the enemy must make a significant decision regarding the conduct of the war in the next few months. While this is probably true, I believe that the enemy has already made a crucial decision concerning the conduct of the war. In late September, the enemy decided that prolongation of his past policies for conducting the war would lead to his defeat, and that he would have to make a major effort to reverse the downward trend. The enemy was forced to this grave decision by the deterioration of its position over the last six months, and a realization that the trends were running heavily against him. His forces were taking heavier losses than he could replace. His coastal divisions were badly hurt. He failed to disrupt the GVN elections. His infiltration could be hampered in the near future by the Mussel-Schoals project. Most important, he continued to lose control of the population, with almost 900,000 additional people coming under GVN security control in the first nine months of the year. His decision, therefore, was to undertake an intensified countrywide effort, perhaps a maximum effort, over a relatively short period. We fix the date of this key decision from a study of enemy documents and
subsequent implementing actions. Shortly after the 14
-- 16 September publication of General Giap's "--
G-I-A-P-S -- "article (proclaiming a protracted war of
attrition and conservation of forces), captured
documents began to indicate a change in policy. His
forces were exorted to make a maximum effort on all
fronts (political and military) in order to achieve
victory in a short period of time. If the enemy is
successful in winning a significant military victory
somewhere in South Vietnam or gaining even apparent
position of strength, he may seek to initiate
negotiations. If on the other hand he fails badly, do
not believe that he will negotiate from weakness, but
will continue the war at a reduced intensity. In short,
I believe that the enemy has already made a crucial
decision to make a maximum effort. Results of this
effort will determine the next move." And that
concludes the first paragraph.

Had you ever heard --

MR. MASTRO: Mr. Riese, before you proceed, I
would like the record to reflect that we here in Arizona
-- that's counsel for the defendant and the deponent --
do not have that document with us to refer to or to read
in its entirety. I can't say from memory what else is
in the document, but I certainly don't want to take the
time now to have the entire document read to us over the
phone. I would appreciate your giving me a standard
objection to this line of questioning on this document.

MR. RIESE: I note your objection, permit you
the standing objection.

Q. Colonel House, had you ever been aware that
General Westmoreland was indicated as the transmitter of
this cable, believed by December 20th of 1967, that the
enemy had "made a decision" to undertake an intensified
countrywide effort, perhaps a maximum effort, over a
relatively short period?*

MR. MASTRO: Objection. Objection to form.

A. If your question is as to whether I have been
aware of this message, then the answer to that is no, I
have not been previously aware of what you have just
read.

Q. Had you been previously aware that General
Westmoreland had voiced the sentiments that are
contained in the material that I have just read to you?

MR. MASTRO: Objection. Objection to form.

A. The answer is I am not aware that General
Westmoreland made these statements, but from your
reading these -- this statement, this paragraph, and I
was jotting down some notes, it is difficult for me to
-- to see that this, in effect, is an expression of an
So because he used the term short period and I guess relative to what is short, but I don't think the Tet Offensive was necessarily a short period. He talks about heavy losses and the trend downward to not be able to sustain these losses. The control of the population, that was -- that was strictly in the minds of the -- of the dreamers, I think. And as far as Giap's, General Giap's comments, I listened to a recent T.V. documentary that was on public broadcasting within the last couple of months and they interviewed General Giap.

Q. Have you seen that television program?
A. No, I have not.

They asked General Giap about the Tet Offensive, as to what General Giap felt, whether they, the NVA, had won militarily the Tet Offensive. And he said that they did not achieve all of the military objectives that they had anticipated in achieving during at the time. However, all battles are fought not only militarily, but politically and psychologically. And General Giap reflected that he felt that they had won significantly in the political and psychological elements of that offensive.

MR. RIESE: Move to strike the last portion
as nonresponsive to the question.

MR. MASTRO: Which portion are you referring to, Mr. Riese?

MR. RIESE: I am referring to his statements concerning the Giap interview broadcast on PBS.

Q. Colonel House, I have in front of me another document. I do not know whether or not it has been previously marked in this litigation, but I am sure it is familiar to Mr. Mastro, dated January 20th, 1968; again from General Westmoreland to General Wheeler and Admiral Sharp.

A. What was the date on that, again?


Q. Certainly. Do you know who Admiral Sharp was in 1968?

A. I think -- I am just guessing that he was chairman of the Joint Chiefs of Staff. Is that correct?

Q. No.

A. No. Okay. I am sorry.

Q. General Wheeler -- Mr. Mastro can correct me if I am wrong -- was the chairman of the Joint Chiefs.

A. Okay. Yes.

Q. Do you know what position Admiral Sharp may have held?
A. He might have been the CICPAC Commander.
Q. I would think that your recollection is accurate on that point.

I have this cable as four numbered paragraphs and in paragraph two it is further broken down to lettered paragraphs A through E, as in Edward.

Paragraph D, which I will read, states in its entirety --

A. Which paragraph is that?

Q. This is D. "The enemy is presently developing a threatening posture in several areas in order to seek victories essential to achieving prestige and bargaining power. He may exercise his initiatives prior to, during or after Tet. It is altogether possible that he has planned to complete his offensive preparations during the free world cease-fire. He has used past truce periods for this purpose and can be expected to do so again. We shall do all possible to restrict the movement of men and materials by the enemy in RDN during the cease-fire through advanced positioning of our forces."

MR. RIESE: Mr. Mastro, before I ask any questions, would you want to make any statement?

MR. MASTRO: Well, again, we, meaning counsel for defendants and the deponent, do not have the document here to review in its entirety. I cannot
recall from memory what the rest of the substance of the
document is. Again, I would ask for a standing
objection to your line of questioning on this document.

MR. RIESE: I note your objection.

MR. NASTRO: I assume, when you say you note
my objection, that means you are granting me a standing
objection?

MR. RIESE: I will grant you a standing
objection.

MR. NASTRO: Thank you.

Q. Colonel House, have you ever heard what I
have just read to you in the context of the cable from
General Westmoreland to General Wheeler and Admiral
Sharp?

MR. NASTRO: Objection to form.

A. No, I have not been aware of this message.

Q. Had you been aware that General Wheeler had
-- excuse me -- General Westmoreland had ever expressed
this opinion at a time prior to the Tet Offensive?

MR. NASTRO: Objection to form.

A. No. I do not. But I would like to reflect
that if -- if that paragraph is construed as an
indication that there was a Tet Offensive and in that
paragraph it talks about taking all possible steps to
prevent the movement of the enemy and supplies to
support that offensive, then certainly nothing was done. There was no countrywide alert. It was in Saigon -- that's the only thing I can say -- in Saigon it was just like any other day in getting ready for a holiday. And from the documents that we captured and the interrogations, the enemy was moving arms freely into Saigon and burying them in the cemeteries and in stockpiling all around Saigon.

So all I can say, if General Westmoreland truly felt that there was an offensive in the offing, and that he intended to insure that there was no movement of troops and supplies, then he did not -- he was not very effective in effecting that command to his troops.

Q. Do you know what orders General Westmoreland gave with respect to the positioning of Allied forces in preparation for the offensive that became known as the Tet Offensive?

A. No, I do not. But I also would say that those military personnel that were in Saigon were not prepared, were not alerted, were not armed. And there was no general alert that I was personally aware of that would prepare us for that type of an offense.

Q. You did testify earlier that you did not know the jumping-off time of the offensive that you were
predicting. Is that correct?
   A. It's not the one --
   MR. NASTRO: Objection.
   A. -- the one that I was predicting. It was the one that was being reflected in captured documents, primarily, which were further supported by the increase in infiltration that we were -- that we were observing. And -- but as to our being able to make a prediction based upon information available to us in my position as I Corps Order of Battle -- Ground Order of Battle chief, we were not able to make that prediction.
Q. What kind of experience do you have as a combat soldier, Colonel House?
   A. Other than my experience in Vietnam, I have no combat experience.
   Q. When you were I Corps Ground Order of Battle officer in charge during the fall of 1967, did you regularly carry with you any firearm?
   A. I was -- when the Tet Offensive started and I was, with armed convoy and with others, moved back into the Tank, we were then issued -- I was issued a carbine. And that was after the Tet Offensive had started. Prior to that, I was not issued any small arms at all.
   Q. Do you know who General Weyand is?
   A. How do you spell that?
Q. W-E-Y-A-N-D.

A. I am sorry. I do not.

Q. Do you know what corps Saigon was located in?

A. It was in the third corps.

Q. I have in front of me a copy of an article that appeared on the first page of the Miami Herald, dated January 12th, 1968. In that article, written by Don Oberdorfer, O-B-E-R-D-O-R-F-E-R, this article identifies Lieutenant General Frederick C. Weyand, "Commander of U.S. field forces surrounding Saigon."
The article then proceeds to say, "According to Weyand, at least three to four enemy battalions are now positioned within a few miles of Saigon." The article in a couple paragraphs later states, "On the military side, General Weyand -- a former chief of U.S. Army Intelligence and an expert analyst of the enemy -- was tipped off last October by some captured enemy documents. They describe Communist plans to hit American and Allied forces in 'mass formations.' The instructions, the general said, came from the central office for South Vietnam (or COSVN), which is Hanoi's organizational mechanism for controlling the war in the south."

MR. MASTRO: Let me note for the record that we here in Tucson, meaning counsel for defendants and
the deponent, do not have a copy of this article from
the Miami Herald here in front of us, so that we could
read it in its entirety. I am not sufficiently familiar
with the article from memory to describe it in any
greater detail, so we are dependent solely on what you
have read to us. And certainly Colonel House has not
read this. I would like to have a standing objection to
any line of questioning that pertains to this document.

MR. RIESE: I grant your standing objection.

Q. Colonel House, when you were in Vietnam were
you at all aware that Lieutenant General Weyand, who
commanded U.S. field forces surrounding Saigon, was
tipped off by captured enemy documents about communist
plans to hit American and Allied forces in mass
formations?

MR. MASTRO: Objection. Objection to form.

A. No, I was not. But the document that seemed
to be described in this article sounds to me just
exactly like the document that was briefed to the MACV
staff by the analysts in the same time period that they
are reflecting. As to the location of three or four
battalions around Saigon, when the Tet Offensive started
and the SI material came on line, this was true.

Let me state that the fear that many of us
had during the early hours of Tet was that the NVA would
commit into battle their NVA reserves that were
stationed around Tet and, thank God, they did not. The
enemy in the Saigon area truly believed that when the
offensive started throughout the country, that the
civilian populace would rise up under the leadership and
the example set by the Viet Cong, and throw out the
Americans and any other foreigners that were around.

They felt, as was evidenced by their action
and as they had stated in their documents, that this
would be done because of the leadership provided by the
Viet Cong and they believed that to the point that they
did not commit the NVA reserves that were stationed.

So that was probably the biggest mistake that
I know of that the NVA made during the Tet Offensive.
We were taking small arms fire in the MACV command
building where the Tank was located, from across the
golf course, and it was a little scary at the time. I
would say hats off to this general who did this, because
he should have been on the command staff to alert the
whole country, rather than just alerting his troops
around Saigon.

Q. Do you know what actions were taken by
General Westmoreland to alert any of the other corps in
the country?
A. Specifically, no.
Q. You spoke of the documents reflecting an expectation by the enemy that the populace would rise up and force the Americans out. Did that, in fact, occur at Tet?

MR. MASTRO: Objection.

A. To my knowledge, it did not occur. This was their expectation. When it did not occur and they did not commit the NVA reserve units that were stationed around Saigon, that was — was a significant turn in the battle there at Saigon. Because we, through the SI information, could easily see how they were deposed around Saigon.

Q. I am going to next read from a document that is a cable from General Westmoreland dated sometime in January of '68, but because I don't know what Zulu time is, I can't fix a date specific with this particular document. I might try to give you the numbers, Colonel House, and see if you can. The numbers are 090735D January, '68. Does that give you an ability to put a date on that cable?

A. That was 090735?

Q. Correct.

A. Well, it was the 9th of January and Zulu time is derived from Greenwich mean time in England and in all comm centers they have one clock that just reflects
zulu time. So that all comm centers all over the world can then determine how long it takes to get a message from one place to the next, since they are all sending the message out on the same clock.

Now, how that clock in Saigon would correspond to actual Saigon time, sitting here I would not care to speculate. But it went on Zulu time, it went out on the 9th of January. So it could have been, you know, X number of hours before or after 090735, 07 being the hour and 35 are the minutes.

Does that help at all?

Q. Yes, it does. Thank you.

The portion I am going to read from this document is certainly the first two paragraphs of a document that is four pages long with nine numbered paragraphs. The first paragraph, "During the current winter-spring campaign enemy forces throughout SVN have displayed unusual aggressiveness. Heretofore the enemy has observed an economy for forced tactics, concentrating on attacks by force and in general avoiding major contacts. However, since early November it has launched large scale attacks from the DMZ to the delta in attempt to achieve a victory regardless of his losses. To date these activities have been consistent with the enemy's campaign plans and have been well
planned, coordinated and executed simultaneously in widely disbursed areas. In many instances main forces are combining with local forces to conduct larger scale attacks. The attacks at My Lai (phonetic) at IV Corps and at Lochin in III Corps, the battles of Dokto, in II Corps, and the second NVA divisions attempt to go on the offensive in I Corps despite heavy losses, all attest to the enemy's determination to achieve a significant victory. A recent indicated build-up of forces portends a major enemy effort in I Corps, especially the two northern provinces. In short, the scope, intensity and magnitude of enemy attacks have increased and he is now attacking targets previously ignored, with larger forces, for extended periods of time."

Before I read paragraph two, I would simply ask, Colonel House, whether or not you agree with the observations that General Westmoreland recites in that paragraph.

MR. MASTRO: Just a second. I have to again state that we do not have this document here in Tucson; therefore, neither counsel for defendants nor the deponent have had an opportunity to read it in its entirety. Again, I have to request a standing objection to this entire line of questions based on this document.

MR. RIESE: You have your standing objection.