Q Could you tell me what the figure is for total guerilla strength reported in the Order of Battle ending March 31, 1968?

A 46,183.

Q Is this an accurate estimate?

MS. McGINN: Object to the form.

THE WITNESS: It didn’t accurately reflect the number of Village and Hamlet Guerillas located in South Vietnam at that time.

Q (By Mr. Mastro) Did you have an estimate for guerilla strength countrywide at the end of March, 1968?

A Yes.

Q And what is your estimate?

A My estimate was a hundred -- excuse me, 90,000 to 110,000. As I mentioned before, it’s contained on Page 7 of my draft working paper, which has been marked as D-61, as of the 27th day of March because that was the date of that draft.

Q And you have read the excerpt from the Order of Battle Summary ending February 29, 1968 and the figure for total guerilla strength given in that Order of Battle?

A For February?

Q For guerillas was?

A 47,470.

Q And for the March OB, ’68, the number has declined to what?
Q. Making a difference of what?
A. 1,600.

Q. Was there any support in the documents you saw for the position that total guerilla strength in South Vietnam was declining during this period?
A. No, not for this period.

Q. What was happening during this period in terms of guerilla strength?
A. There was heavy recruiting, militia upgrading. They were just increasing the size of their guerilla forces. They also had captured a lot of territory in TET. They were using that as a population base to gain more guerillas.

Q. And on what did you base that conclusion?
A. Captured enemy documents and prisoner reports and captured identification cards.

Q. Is it your view that during this period the enemy was beginning to replace its losses in the guerilla category?

MS. McGINN: I object to the form.

THE WITNESS: Yes. Whatever happened to them at TET, they made up for between TET and the May offensive.

Q. (By Mr. Mastro) Is this estimate in the official Order of Battle for March, 1968, 46,183, is that a reliable figure, in your view?

MS. McGINN: Object to the form.
THE WITNESS: I never would have relied on it, never did rely on it, don't know what evidence there was to -- I don't know of any evidence to support it.

Q (By Mr. Mastro) Now, Mr. Parry, I show you Defendants' Exhibit 73, which is an excerpt from the Order of Battle Summary covering the period 1 April through 30 April, 1968. Do you recall a conference which occurred in April, 1968, concerning Order of Battle?

A Yes.

Q Were you present at that conference?

A Yes.

Q Do you recall which other groups were present at that conference?

A I know the CIA was represented, and my recollection is that there were representatives of all other components of the Intelligence community. There was General Brown there from the Intelligence Agency. There were representatives of MACV, there were other representatives of other agencies. I was trying to think if NPIC was represented.

Q Was the Defense Intelligence Agency represented?

A Yes, by General Brown. Well, there were others there. I know he was there.

Q Was CINCPAC represented?

A Yes. My recollection was there was representatives of CINCPAC. I know the DIA, MACV and the CIA because while I
was there, my paper related to things that went on with those.

(Continued on next page.)
Q. Did you present a paper at that conference?
A. Yes, I did.
Q. What was that paper?
A. Guerilla Strength, South Vietnam.
Q. Is that briefing paper now a part of the record?
A. It's been marked as Exhibit 59.
Q. Do you recall who else from the CIA attended that meeting?
A. Yes.
Q. Who was there from CIA?
A. Some people that were there all the time. Others came in, either to make an appearance or to present a paper, as I recall. I know the director was there. Paul Walsh, my recollection, chaired it in the absence of the director. Sam Adams was there. George Allen was there. In addition there was a number of us who presented papers who -- I was there for the beginning and I was there for my paper. Joe Stumpf from our office was there to deliver his paper.
Q. What was the estimate of guerilla strength that you presented in that paper in the April conference?
A. Ninety to one hundred twenty. Page 8 of Exhibit 59.
Q. Excuse me for a second.
A. There was also -- you can refer to Exhibit 60, which were the charts. They show ninety to one hundred ten, and

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obviously there's a 10,000 discrepancy but the dates are
different.

Q. There is an additional chart here on Exhibit No. 60
The first chart says -- I believe is entitled January 1968, and
gives CIA estimates for guerilla strength of what?
   A. Ninety to one hundred ten.
   Q. And the second page of this chart --
   A. March 31st?
   Q. March 31st, 1968, and it gives the CIA estimate
for total guerilla strength for what?
   A. One hundred to one hundred twenty, and that was
based on Exhibit 61, my estimate, and the draft working papers.

Then at the conference itself we went to the ninety
to one hundred twenty because of more evidence they were filling
the ranks faster.

Q. Did you believe that guerilla strength by this
time, April 1968, was closer to the 120,000 figure or closer to
the 90,000 figure?

MS. McGINN: Object to the form of the question.

THE WITNESS: Closer to the one hundred twenty.

That's why we raised it.

Q. (By Mr. Mastro) Now, I refer you to Exhibit D-73
again, the April 1968 Order of Battle, Part I, Page 11. What
is the figure given for total guerilla strength in the MAVC OB?
   A. 61,506.
Q. Do you think this was an accurate estimate of guerilla strength in April 1968?

MS. McGINN: Object to the form.

THE WITNESS: Based on the evidence which we had at that time, I figured it was about half the correct number.

Q. (By Mr. Mastro) When you presented your paper on guerilla strength at the conference, do you recall how members of the MACV delegation reacted to your paper?

MS. McGINN: Object to the form.

THE WITNESS: I can recall that there was one person in particular who made some comments during or immediately following my presentation.

Q. (By Mr. Mastro) Do you recall who that was?

A. No, I can tell you where he sat.

Q. Do you recall --

A. Across the table, second from the end.

Q. Do you recall what his rank was?

A. No. I'm not a military man. I know he was short, and like all other military people he had short hair. But I do recall that he was quite excited; to put it nicely.

Q. What did he say about your paper?

A. He basically called it a piece of junk. I mean, just said -- you know -- I can't remember the words. All I can -- sit here and remember was my reaction to it is that he basically said, "It's not worth anything."
Q. Did you say anything in response?
A. No, but I thought.
Q. What did you think?
A. My reaction was -- first I was surprised that anybody would respond to this like this, because my understanding was TET had taught everybody a lesson that we ought to sit down and try and find out the truth, and my first thoughts were that -- I almost said was, "My gosh, your numbers give us TET. Why don't you listen to the truth?"

I didn't say anything. I was quite -- you know -- I just was hurt that somebody would dump on it like that.
Q. Did he explain why -- this MACV official, did he explain why he thought your numbers were inaccurate, too high?
MS. McGINN: Object to the form.
The Witness: No. He did not come up with any evidence to suggest that I was wrong. He only attacked it. Basically -- just slandering the paper.

There were some people who responded, some people from CIA. We were sitting right down there.
Q. (By Mr. Mastro) Who from CIA spoke up?
A. My best recollection was it was George Allen.
Q. What did he say, do you recall?
A. I can recall that he defended it. We didn't get into a document-by-document discussion. It was basically to end that type of an exchange.
I was glad that somebody else had taken it up. I was not in any 
condition to comment after that.

Q. Did you attend any other parts of the conference?

A. I was there for the opening, and I can't recall 
whether I was -- seems I was there when George Allen gave his 
paper, because I had given him information for it. I just 
really can't recall how much I was there.

Q. Do you recall whether other CIA analysts who 
presented papers at the conference on other aspects of the Order 
of Battle, what reception their papers received?

MS. McGINN: Object to form. The witness just 
answered that he was not there. He was there at the opening 
and when they gave his paper.

THE WITNESS: And I think when George Allen gave 
his.

MS. McGINN: And when George Allen did his.

Q. (By Mr. Mastro) Do you recall any other CIA 
analysts telling you about their experiences at the conference?

A. No.

Q. Now, you have read the official Order of Battle 
for the period ending April 30, 1968?

A. Correct.

Q. And that shows total guerrilla strength of what?

A. For the MACV?

Q. Yes.
MR. MASTRO: Have you had an opportunity to look at Defendants' Exhibit No. 75?

(Question by Mr. Mastro)

A. Yes.

Q. And did you write this memorandum?

A. Yes.

Q. What did you intend to demonstrate in writing this memorandum?

A. To editorialize a little. This is probably a memorandum I should have written and thrown away, but I was mad when I wrote that. I was mad because we had had a conference where we had had an opportunity to get at the truth, and when these MACV estimates came out at the end of April I was upset and I wanted to let everyone know how phony those numbers were.

Q. What did you attempt to do in this memorandum?

A. I briefly pointed out how those numbers couldn't be true.

Q. And what did you use to support your position?
A. I picked something here, something there. It wasn't a systematic province here, province there, district by district, but I went down the course and said, "These numbers can't be true just for one or two reasons. These numbers can't be true for one or two reasons." I just picked examples and threw them in there.

Q. Were you using captured enemy documents?
A. Correct.

Q. And were there estimates of guerilla strength on those captured enemy documents?
A. Yes.

Q. And were those captured enemy documents reliable?
A. Yes.

Q. By Mr. Mastro) Were the numbers given for guerilla strength in these captured enemy documents reflected in the Order of Battle, to your recollection?

A. Impossible. You can compare the documents district by district, province by province.

I mean, one example I think it was in this one is Pleiku. Is that the one? That would be ICOR.
No, it's not in here but I can recall an estimate yes. On Pleiku-Gai Lai where MACV was carrying it at something like 600 guerillas, and the document that came in showed that there were 8,500. You can see that I wasn't terribly analytical when I said, "On the other hand the estimate of 611 for Thua Thie appears to be devoid of all reason," and then I explained that documents we have showed there was at least twice that many.

Q. Let me introduce this into the record.

This is a captured enemy document entitled Bulletin No. 7216 and dated 13 September 1967, and comes from Headquarters, United States Military Assistance Command, Vietnam.

(Deposition Exhibit D-76 marked for identification.)

THE WITNESS: Pleiku is in there. It's the bottom of the first page. Okay. Excuse me.

Q. (By Mr. Mastro) Is this a captured enemy document?

A. It's a translation report of a captured enemy document.

Q. And can you tell what document this was?

A. It was a directive that came out of the Current Affairs Committee for Ba Dinh province.

Q. What does that mean exactly?

A. It came out of -- excuse me. Next one came out of
the Propaganda and Indoctrination Section. What does it mean?

Q. Excuse me. Could we turn to the second page of this document?

A. Okay. Am I looking at the wrong document?

Q. Yes. I'm sorry. I misdirected you.

At the bottom of that page —

A. You are referring to the Recapitulation Report prepared by the Military Affairs Committee?

Q. Yes. There appears to be a date there of 3 September '67?

A. Yes.

Q. When this was captured; is that correct?

A. Yes.

Q. Now --

A. It was received at CDEC on the 12th and translated out on the 13th.

Q. Now, would you just please take a moment to read the entire document to yourself and then I want to ask you a few questions about it.

A. We are referring to 09-1509-67, right?

Q. Yes. Exactly.

A. Okay. Fine.

MS. McGINN: Can we go off the record for a second?

MR. MASTRO: Sure.
(Whereupon, an off-the-record discussion was held.)

Q. (By Mr. Mastro) You have now read the document which has been put into the record as Defendants' Exhibit 76; is that correct?

A. That's correct.

Q. Now, the document mentioned on Page 2 that I asked you specifically to read, what type of translation of a captured enemy document is that? What type of document is that?

A. They call it a recapitulation report.

Q. What would that be?

A. Well, these were very common. They were always recapitulating their strengths and accomplishments. There had to be a real strict reporting procedure because you saw them all the time.

This one, it goes into a lot. Tells what they did during a given period of time. Might even be how many mines they had set, how many roads they had interdicted, and just -- this was going to be Military Affairs Committee, so obviously had to do with everything they had done militarily.

They usually included strengths, as this one did.

Q. Do you consider -- when you were formulating estimates, would you have considered this type of document to be accurate?

A. Yes.

Q. And reliable?
A. And reliable.

Q. Can you tell from this document when it was prepared?

A. Yes. I have an opinion it was prepared the first part of 1967, during the first quarter. It recapitulates 1968 and talks about 1967 projections.

Q. Can I refer you to the top of Page 3?

A. Okay.

Q. Is there an indication there of when this document was prepared?

A. It says during the first quarter of '67.

Q. Does that mean the document was prepared after March 31, '67?

A. It talks about the pacification trends during the first quarter, yes. So it would have to have been after the first quarter.

Q. Now, can you please look at Defendants' Exhibit No. 67. This particular captured document refers to what province, Mr. Parry? What district?

A. You are now asking me to look back at D-76?

Q. Yes.

A. Long An.

Q. Now, could you please look at what is marked as Part II, Roman numeral II-8?

A. Part 2, Roman numeral II-8?
Q. In the MACV:
A. Other personnel strength.
Q. Is Long An province included in that?
A. Yes.
Q. What is the estimate for guerilla strength for Long An province given in the May '67 OB?
A. In the May '67 MACV OB was 1,420.
Q. And are figures also given for the Self-Defense and Secret Self-Defense categories?
A. Yes.
Q. At Long An?
A. Yes.
Q. Can you tell me what those figures are in the official Order of Battle for May of '67?
A. It was 2,010, which is an addition of 1,305 Self-Defense and 905 Secret Self-Defense.
Q. Now, I refer you back to the translation of captured enemy document, Defendants' Exhibit No. 67 --
MS. McGINN: I'm confused on your exhibits. You mean Defendants' Exhibit --
MR. MASTRO: I'm sorry. That's '76. My apologies.
MS. McGINN: We just looked at 67.
MR. MASTRO: My apologies.
Q. (By Mr. Mastro) Is an estimate given for Long An -- the Long An area in this document?
A. Yes.

Q. For guerilla strength and for Self-Defense and for Secret Self-Defense?

A. It gives you Village Guerilla and Covert Village, which would be the MACV guerilla figure. It then gives you militia --

Q. Excuse me. That would not be the MACV guerilla figure, it would be --

A. No, I mean that would compare to the classification called guerillas in the MACV. Those three categories would equal guerillas.

Q. Fine. Thank you.


Q. Now, what is the total given for the guerilla categories in this captured enemy document?

MS. McGINN: For Long An province?

Q. (By Mr. Mastro) For Long An province.

A. It's the sum of 1,321, 2,029 and 198.

Q. And that total would be what, Mr. Parry? I would be happy to give you a piece of paper.

A. I come up with 3,548.

Q. And the official OB figure for Long An or the May '67 OB was?

A. 1,420.
Q. Doesn't the captured enemy document show a far greater guerilla strength for the Long An area?

MS. McGINN: Object to the form.

THE WITNESS: It shows approximately 2,000 more guerillas in Long An province than MACV recognizes.

Q. (By Mr. Mastro) In terms of Self-Defense militia and Secret Self-Defense militia, what is the figure given for those categories in this document?

MS. McGINN: For Long An province?

Q. (By Mr. Mastro). For Long An province.

MS. McGINN: Which document are you talking about?

MR. MASTRO: Talking about the captured enemy document.

THE WITNESS: Defendants' Exhibit 76. It shows 3,363 militia.

Q. (By Mr. Mastro) And the figure given in the official OB.

A. Is the sum of Self-Defense, Secret Self-Defense which is the -- if I'm correct -- 2,210.

Q. So the difference in those figures is --

A. 1,100.

Q. 1,100?

A. Yes.

Q. Did you often find that captured enemy documents from particular provinces or districts would show strength
differences for the guerilla category?

MS. McGINN: Object to the form.

MR. MASTRO: Excuse me. I'll rephrase the
question.

Q (By Mr. Mastro) Was it typical in your
experience to find captured enemy documents giving guerilla
strength estimates for different provinces or districts that
were far higher than those reported for those provinces or
districts in the official Order of Battle?

MS. McGINN: I still object to the form.

THE WITNESS: You're asking me for my opinion,

based on --

Q (By Mr. Mastro) Did you often find documents like
this which reported higher true strength in the guerilla and
Self-Defense categories, higher than those which were reported
in the official Order of Battle?

MS. McGINN: Object to the form.

THE WITNESS: Yes. That's what you always found,
yes.

I apologize. I didn't understand your question.

It wasn't always true, but generally the MACV
estimate was significantly below anything reported in the
captured enemy documents.

Q (By Mr. Mastro) Why did you have faith in a
document like this, and I'm referring to Defendants' Exhibit
No. 76, a translation of a captured enemy document, gave accurate strength estimates.

MS. McGINN. Object to the form.

THE WITNESS: Well, it was based on a lot of things. One, it was just based on your experience with their documents. It was also based on the fact that their documents were consistent. I think I mentioned before, but a village document would be consistent with a district document, and would be consistent with a province document.

There was also a lot of accounting up and down the lines, something that was a very stiff, organized, infrastructure the VC. There was a lot of checking. There wasn't much room for fudging, because someone was always checking on you.

Based on the totality of the experience of reading the captured documents, you came to understand that they were probably pretty darn reliable. Now, again --

Q. (By Mr. Mastro) Are you referring to documents --

A. Of this type.

Q. Recapitulation reports and the like?

A. Yes, as opposed to speeches and as opposed to some of the other things where people were just writing positive, people explaining how great they were doing.

But when they send in an official report to a Military Affairs Committee or one of Current Events Committee, or one of the other committees, they were going to be checked on,
and those documents were consistent.

I'll give you an example.

Q. Please go ahead.

A. We would find documents, and I can recall, and I
wish I could recall the villages, but we found a document with
a total in it, and just a little while later we found a document
with the names of all of the guerillas in it, and they matched
up within one or two guerillas of a force of up around a hundred.

Lots of times attached to those documents would be
the names of the guerillas. They would also keep track of on
leave, sick, wounded, that type of thing. There was just too
much detail to have them -- in my opinion, based on all this,
to have them be phony.

(Continued on next page)
Q And did you read these documents, captured enemy
documents, regularly?

A Everyday.

Q How many would you read in a day?

A It depended. At the end of a big military operation
there would be lots and lots of documents to be translated at
CDEC and so we would receive lots and lots of them. Other
times there weren't all that many. However, I don't know.

Some days there would be a three or four inch stack of documents.
Sometimes you would have a document that was an inch thick
because somebody had decided it was significant enough to do
a total translation instead of a synopsis.

Q Could you give me an estimate on an average day how
many of the captured enemy documents you would read?

A I really can't. It would take me most of the morning.

Q To read captured enemy documents?

A To go through them. I would read them, I would take
out what I needed and I would put it in my files and that would
take most of the morning.

Q Did you feel that you could tell a reliable captured
enemy document from an unreliable one?

MS. McGINN: Object to the form.

THE WITNESS: Yes. You could always check with your
chart. I mean, if you saw one that was way out of line one way
or another, but you had to go back and check. That was done
all the time. We were always updating, checking. Most of the
time they were consistent.

Q. Now, if we come back to the Order of Battles, the
April, 1968, Order of Battles, please take you time, I don't
recall the specific exhibit number.

A. It's Exhibit 73.

MS. McGINN: 73.

Q. (By Mr. Mastro) Do you believe the official MACV
Order of Battle estimate for enemy guerilla strength of 16,506
for the period ending April 30, 1968 was a supportable estimate?

MS. McGINN: Object to the form.

THE WITNESS: As I've said before, I didn't know of
any evidence that would support it. I don't know of anyone who
thought it was an accurate estimate.

Q. (By Mr. Mastro) Did you feel that the estimate
presented in your briefing paper for the April conference in
1968, giving a range of 90,000 to 120,000 as the total strength
for enemy guerillas, was supportive, though, and sound?

MS. McGINN: Object to the form.

THE WITNESS: I think, based on the evidence which
I had, it was the most accurate estimate of the guerilla
strength in South Vietnam at that time.

Q. (By Mr. Mastro) Why did you have such a large range
for that estimate?

A. Because there was a lot of activity going on. If
you recall, there was a big offensive in May. We had initially thought that the strengths were probably down around 100,000, that is why we took the numbers from 90,000 to 110,000. Everything was in flux, you just really couldn’t pin it down. But then the documents that were coming in and, again, as I mentioned, interrogation reports, that the strengths of the guerilla units were just expanding faster than we had anticipated that they would and could. That’s why the range went up.

Q In that range, did you think it was an accurate estimate?
A It was up at the higher end.
Q In terms of 90,000 as the lowest range in your estimate, did you feel that was well-supported by the documents?
A The 90?
Q Yes.
A Oh, yes, there was plenty of support for the 90, but there was a lot more support for the higher number. We were doing a range also because of the community. The hope was to get people to agree to that.
Q And even using the 90,000 figure for enemy strength, what was the difference between your lowest possible estimate and the MACV official estimate for guerilla strengths in April, 1968?
A What were they, 46?
Q No. They were 61,506.
At the end of May -- our conference was the beginning of April so it would have to be the March Order of Battle. In any event, it was 46,000 to 67,000. MACV was still low and they still didn't carry militia.

Q Now, I refer you to the excerpts on Order of Battle Summary covering the period ending May 31, 1968, and that is Defendants' Exhibit No. 70 --

A 67. May?

Q May, 1968.

A Oh. So --

Q So that is Defendants' Exhibit No. 76, I believe, or --

MS. McGINN: I think it's 74, if we can find it.

Q (By Mr. Mastro) No. 74, that's right.

A Okay.

Q Does that appear to you to be an official MACV Order of Battle?

A Yes.

Q Could you please turn to the page marked Part I, Page 1-1. What is the estimate given in this Order of Battle for total guerilla strength?

A 53,893.

Q And is this a decrease from the Official MACV Order of Battle estimates for guerillas of April?

MS. McGINN: Object to the form.
THE WITNESS: Yes.

Q (By Mr. Mastro) And approximately how large is that?

A 7,000, a decrease of 7,000.

Q During this period, were you aware of anything, any documentation that indicated a decrease in guerilla strength?

MS. McGINN: What period are we talking about?

Q (By Mr. Mascaro) We're talking about May of '68.

A Yes. There was the May offensive, which would indicate there were guerillas being killed. They may have come up with a decrease of that number, but certainly that didn't take into account recruitment or anything. There were guerillas being killed in May, but they were being replaced in May.

Q Is this official MACV estimate for May, 1968, of 53,893 in the guerilla category, an accurate estimate?

MS. McGINN: Object to the form.

THE WITNESS: No.

Q (By Mr. Mastro) Did you have an estimate for the period of May, 1968?

A Yes. I had an estimate because by then we had everything on computer and we were making monthly estimates. I can't tell you now exactly what the number was. My best recollection, it was moving up, 110, 120 or up. There was a big offensive in May, but there was heavy recruiting in May.

Q Do you have an opinion on whether the official Order of Battle estimate for May, 1968 for the guerilla
category was an accurate estimate?

MS. McGINN: Object to the form.

THE WITNESS: Yes, I have an opinion.

Q (By Mr. Mastro) What is your opinion of that estimate?

A My opinion is that it is not an accurate estimate of the guerilla forces operating in South Vietnam during that time.

Q Now, we have gone through a number of OB's covering the period from July, '66 to May, '68. In your opinion, were any of the estimates given in the official Order of Battles produced by MACV an accurate estimate of guerilla strength?

MS. McGINN: Object to the form.

THE WITNESS: My opinion is that none of the OB's dealing with guerilla strength during any of the time that I saw them in Vietnam -- excuse me, on Vietnam, did they accurately reflect the guerilla strength in South Vietnam. I never relied on them. I believe they were only intended for public consumption. They just were not analytically supportable.

Q On what basis do you think they reached their estimates?

A On what basis? You're asking for my opinion?

Q Your opinion on how MACV reached these estimates.

MS. McGINN: Object to the form.

THE WITNESS: My opinion is that MACV had a position,
and that was we were winning the war and they had to use the OB's to support it. That's what the purpose of the Order of Battle was, certainly as far as guerillas are concerned.

Q  How did you perceive the OB?

MS. McGINN: Object to the form. I don't understand that question.

MR. MASTRO: I'll rephrase the question.

Q  (By Mr. Mastro) When you did your research, did you ever rely on the OB for guerilla strength?

A  Never.

Q  What was your opinion of the MACV Order of Battles concerning guerilla strength?

MS. McGINN: I think you've asked that several times and gotten an answer from him.

Q  (By Mr. Mastro) I have phrased the question differently and would appreciate if you would answer.

A  Well, my opinion was that -- yes -- is that they were analytically unsupportable, that they couldn't be relied on, that they were terribly low, they did not accurately reflect the strengths, and that if anyone relied on those in pursuing a war, they were going to be in serious trouble.

Q  Did other analysts at the CIA rely on the Order of Battle, to the best of your knowledge?

A  In my office, the Order of Battle -- I don't know if it was ever read. It came in, it was shelved. I would
look it up just to see what number they were throwing out this
month, but it was not something that we worked with. Whether
there were other people in the CIA who did, I don't know. It
was not even regularly routed. I mean, most of the Intelligence
publications that came in would have all of our initials on
them and it would go around. That didn't even regularly come
around. We were told it was in, if you wanted to look at it,
and we knew where they were.

Q But you did receive the OB's?
A We received them every month and out of curiosity
I looked to see what their numbers were.

MR. MASTRO: Can we go off the record for a second?
MS. McGINN: Sure.

(Whereupon, an off-the-record discussion was held.)

Q (By Mr. Mastro) Now we're back on the record, Mr.
Parry, and I am going to show you two documents which are copies
of documents which have been put into the record previously.
We will confirm that at this deposition, but at this point we
only have these copies that are not marked as exhibit copies,
but we will verify that later. They are copies of Defendants'
Exhibits 50 and 51 --

MS. McGINN: Could I make a suggestion? Why don't
you read on the record the Bates numbers that you all gave and
that might be a good frame of reference.

Q (By Mr. Mastro) Certainly. These are documents which
have been produced in the litigation and they have, I believe, Defendants' stamp numbers 05466 to 05468. That covers the document that is a copy of Defendants' Exhibit No. 50. The copy of Defendants' Exhibit No. 51 is stamped with Defendants' document stamp, I believe, and the number on it is 31910. We will confirm this later and if it turns out that these are not true copies of Defendants' exhibits, we will mark them as exhibits to this deposition.

Just to clarify, the copy of Defendants' Exhibit No. 50 is a cable from General Abrams to General Wheeler, Admiral Sharp and General Westmoreland, and I believe the date on this is August 20, 1967. The copy of Defendants' Exhibit No. 51 is a cable from General Westmoreland to General Wheeler and Admiral Sharp, and I believe it, too, is also dated August 20, 1967.

Mr. Parry, would you please read these two documents.

(Continued on next page.)
Okay. I have read the two.

MS. McGINN: Can we take a look at them?

MR. MASTRO: Oh, yes. Sure.

MS. McGINN: Thank you.

Q (By Mr. Mastro) What is the subject matter of the cable from General Abrams to General Wheeler, Admiral Sharp and General Westmoreland?

MS. McGINN: Object to the form.

THE WITNESS: The conclusion of the Self-Defense militia and the ODOB.

Q (By Mr. Mastro) What does the second cable from General Westmoreland to General Wheeler and Admiral Sharp address?

MS. McGINN: Object to the form.

THE WITNESS: It addressed Westmoreland's position on it.

Q (By Mr. Mastro) And what does General Westmoreland say about General Abrams' cable?

A I assume that's Exhibit 51?

Q Yes.

A Just the one-page exhibit?

Q Yes.

A In it General Westmoreland states that he has read Abrams MAC 784 -- is that an "E"?

He agrees and concurs that the Self-Defense and
Secret Self-Defense strength figures in the -- including them in the OB would distort the situation and make no sense and would be impossible to explain away these vast numbers, so they should be dropped.

MS. McGINN: Wait a second. I'm going to have to ask to strike as not responsive. I think you can either read what the cable says or you can ask for his interpretation, but I think there's some problem with that question and answer.

MR. MASTRO: I will ask another question. This shall remain on the record.

Q (By Mr. Mastro) Does General Westmoreland say that he agrees with the conclusion reached by General Abrams?

MS. McGINN: Object to the form of the question.

THE WITNESS: The document states he has read General Abrams -- which is Exhibit 50, and he agrees and he doesn't --

Q (By Mr. Mastro) Okay. Let me just ask you some questions about General Abrams' cable.

In the cable, and I'll read the relevant part into the record, Paragraph 3(C), on Page 2, General Abrams writes:

"From the Intelligence viewpoint, the inclusion of SD and SSD strength figures in an estimate of military capabilities is highly questionable. These forces contain a sizeable number of women and old people. They operate entirely in their
own hamlets. They are rarely armed, have no real
discipline, and almost no military capability."

MS. McGINN: Can we read the whole paragraph, since
you said Paragraph 3(C)?

MR. MASTRO: The rest of the paragraph:

"They are no more effective in the military
sense than the dozens of other non-military organ-
izations which serve the VC cause in various roles."

That's the entire Paragraph 3(C) in this cable.

Q (By Mr. Mastro) Mr. Parry, what is your opinion on
the statement in this cable that the Self-Defense and Secret
Self-Defense forces contain a sizeable number of women and
old people?

A It's kind of hard to argue with when you don't know
the definition of sizeable. It's true that the Self-Defense,
Secret Self-Defense included women. Also, I don't know the
definition of old people. My kid thinks I'm old.

There were people that were outside the army draft
range that were included in the Self-Defense and Secret Self-
Defense, but that those women and older people did not present
a military threat is wrong.

Q Were there draft age males in the Self-Defense and
Secret Self-Defense?

A Certainly.

Q Do you have any estimate as to what percentage of
these Self-Defense and Secret Self-Defense militia were draft age males?

A  I really can't recall now. There were a lot of them in there and it wasn't just made up of women and old people.

Q  What is your opinion on the statement that the Self-Defense and Secret Self-Defense militia are rarely armed?

A  My opinion is that if you take it as a unit they were almost always armed. That didn't mean that every member of the unit was armed, but they carried rifles, carbines, and they were certainly armed with a certain number of other things that inflicted casualties.

Q  Did they use other types of weapons?

A  They used grenades, mines. They used primitive weapons. I mentioned before pungy sticks.

Q  What is your opinion on the statement in this cable that the Self-Defense and Secret Self-Defense militia have no real discipline?

A  Wrong. They were well disciplined.

Of course, again, it depended on how strong the area was for VC control. But the Communist organization was very efficient, very effective.

Q  What is your opinion on the statement in this cable that the Self-Defense and Secret Self-Defense militia had almost no military capability?

A  Well, I disagree with that. I made my comments that
I recall, and I recall you showing me the exhibit earlier, which was marked as D-62, where the military themselves said that they inflicted one-third of all friendly casualties -- well, they were caused by things that militia did.

Q What are those things that you are referring to?

A Well, this document states mines, booby traps. The militia was inflicting casualties not only with mines and booby traps, but also with their weapons. So the type of injury that they were inflicting the military thought significant in D-62.

Q The cable from General Abrams further states in Paragraph 4(S), and I quote -- I will not read the entire paragraph, just the relevant section.

"The press reaction to these inflated figures is of much greater concern. We have been projecting an image of success over the recent months, and properly so. Now, when we release the figure of 400,000 to 431,000 the newsmen will immediately seize on the point that the enemy force has increased about 120,000 to 130,000. All available caveats and explanations will not prevent the press from drawing an erroneous and gloomy conclusion as to the meaning of the increase."

MS. McGINN: I appreciate I don't know what you mean by relevant, but I would appreciate it if you just read the rest of the paragraph also in the record.