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Q Who gave you those?

A They were here in this law office.

Q Mr. Burt's law office?

A Mr. Burt's law office, yes.

Q Do you know who gave them to you, though? How did you find them?

A I found them in Mr. Murry's office this morning.

Q After October of 1967, did Mr. Ginsburgh's estimates of current enemy strength in the order of battle ever include a figure for self-defense and secret self-defense forces?

MR. MURRY: Objection.

A I don't remember.

Q Did it ever include a figure for political cadres?

A I don't remember that detail.

Q How often did Mr. Ginsburgh prepare these estimates for you in writing? It was not a regular procedure. He was keeping me informed of what was going on in the military side of the war, and aside from what I was reading and it would be when issues would come up, but I am sure you are aware that the self-defense corps and secret self-defense corps...
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and these categories that you are talking about were profoundly affected by what happened at Tet.

So the post-Tet evaluations took a long time to settle down, and what happened in the countryside, so there was a different problem post-Tet and pre-Tet.

Q How did what happened at Tet affect, as you say it profoundly did, the self-defense and secret self-defense forces?

A Well, in several ways.

First, a great many of them were people who were drawn up from there into units that went into the cities and they suffered very severe casualties, as did the whole VC structure.

After a period in which there was great uncertainty as to what happened in the countryside, it appeared that a number of our people left the countryside and came into town.

When we got back, the forces were weakened and an offensive was launched by General Abrams in the course of 1968, so that the area controlled by the Viet Cong diminished more rapidly than in 1966 and 1967.

The secret self-defense forces, as you know, were in the marginal areas and if the security enlarged,
they tended to evaporate rather quickly. So I don't know in the period that I was in government, I don't know of any even fairly good estimates, even post-Tet of the secret self-defense corps and self-defense corps of the traumatic effects of Tet and of the General Abrams offensive along with the Arvin.

Q Let me focus on the period prior to Tet.

A Yes.

Q Prior to Tet, but after the September Saigon conference -- and you know what the September Saigon conference was --

A Yes. That's when the reconciliation of Mr. Carver and General Westmoreland -- an agreement that led to the drafting of the SNIE took place.

Q Between the September Saigon conference in 1967 and the Tet offensive, did Mr. Ginsburgh provide you with any current estimates of self-defense and secret self-defense forces?

A I don't remember. We were not focused on that. We were focused on a lot of things connected with the offensive.

I don't know how we could have developed current estimates as of that time. We were not in
contact with them, et cetera.

What we did know -- what I told you before -- they were making a maximum effort to recruit for the whole structure, including presumably the self-defense force and secret self-defense force and guerrillas.

Q You mentioned a retrospective analysis that Mr. Ginsburgh did for you.

A Mm-hmm.

Q Did you supply that retrospective analysis to President Johnson?

A I imagine I did, but I am not -- I don't have a document which says so. I say so because he wanted to know everything that we were doing.

Q Do you recall whether or not you did?

A No. I do not recall it.

Q Have you seen any document that indicates that you did that?

A No.

Q Did you say you reviewed your chronological file at some point recently?

A I reviewed it before I left on July 6, 1983.

Q Was there anything in that chronological file which indicated that you had given that to President Johnson?
A I don't remember.

Q I want to focus on November of 1967. I want to focus now on the categories of NVA forces, Viet Cong main local forces, administrative service units and guerrillas. Okay?

A Repeat those once again, so I am sure I have them.

Q NVA forces, main and local forces, administrative service units and guerrillas.

A All right.

Q These are the categories that were included in what you referred to as the formal order of battle in SNIE 14.3-67.

Q In November 1967, what did you believe the total enemy strength of those four categories was?

A As I emphasized, there was a change in November.

Q Let me take the middle of November.

A Well, as I remember those conventional statistics, they ran a bit over 100,000 for both North Vietnamese and main force units.

I forget what we carried for the administrative units. There may have been 80,000 guerrillas, as I recall.
So, you know, 200,000 plus whatever we carried for the administrative people. I don't know what it was -- 30,000 -- I don't know what it was. I don't remember. Something like that. It was the standard figures for those categories, as I recall, but I say by the end of November, we knew that there was change especially on the North Vietnamese side.

Q Let me begin, though, with the middle of November first. Let me begin with October.

A All right. Yes.

Q In October, what did you believe the enemy strength in the four categories that were included in the order of battle and SNIE 14.3-67 was?

MR. MURRY: Objection.

A As I recall the figures which are accessible to all of us, they run a bit over 100,000 for the North Vietnamese and the main force units; about 80, perhaps 90,000 for the guerrillas, and whatever the balance would be. It comes to over 200,000 for those four categories that we are talking about. That's the way I recall the figures.

Q Is it fair to say that your best recollection is that in October of 1967, the total
enemy strength for the categories included in the
order of battle in SWZ 14.1-67 was over 200,000,
but less than 250,000?

WHR: I object to the form of
the question.

A Something like that, yes.

Q For those same four categories, what
was the enemy strength, as you understood it, in
November of 1967 or October of 1967 for the comparable
period in 1966?

A For those categories?

Q Yes.

A My impression from the intelligence estimates,
because I did not operate as an independent intelligence
officer, was that the strength in those units had been
fairly well-maintained, A, by bringing in North
Vietnamese fillers; and B, by perhaps drawing upward
from the self-defense corps into the guerrilla units.

And I would have said there would have been
no striking change in those basic categories over
that period.

Q Between October of 1966 to October of
1967?

A That's right. That the major -- except for the
increased proportion of North Vietnamese in the US
main force units, that there had been some attrition
in the self-defense corps and secret self-defense corps.

Q I want to leave the self-defense
corps and secret self-defense corps aside for a moment.

A There had been a qualitative change with
serious people. Order of battle is not a numbers game
the way we are playing it. I want to make that clear.

It's much more serious business than that.

Q I don't mean in any sense to imply that
what we are doing isn't serious.

A I know it's very serious, but it's not
necessarily serious military analysis, which is to go
much deeper.

Q That's one of the problems maybe.

A But in any case, I am staying with you.

Q Let me try to get the precise question.

A Yes.

Q Things changed in November; right?

That's what you said?

A Yes. I think things changed in November.

In any case, our perception of what was going on
changed quite sharply in the course of November.

Q Let me go back to October.
In October of 1967, is it fair to say that your perception was that enemy strength in total for the categories of NVA, main and local forces, administrative service and guerrillas had remained at about the same level for the previous twelve months, that is, from October of 1966 to October of 1967, but that during those twelve months the enemy strength in the self-defense and secret self-defense forces had declined somewhat?

And I must add there had been some decline in combat readiness in the main force units.

But that didn't affect the numbers.

That didn't affect the numbers. That's my impression. All right.

Let me go back one more year in time, if I can. I realize I am now covering a period when you were not National Security Advisor, so you may not know the answer.

But in November of 1967, based on what you had learned as National Security Advisor, did you have an estimate for how the strength of the enemy in the NVA forces, main and local forces and administrative service units and guerrillas in total...
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Mr. of November of 1967 compared to the extent of
those forces in the fall of 1965?

MR. MURRY: Did you mean to say November?

MR. ROSTOW: Let us say October.

A First, I would not have a firm statistical view.

My impression was that they expanded their
forces in the course of 1965 and there was some
momentum in this, and they probably peaked out -- well,
no. The reason I am pausing is because my view is
colored by the retrospective charts which I have seen.

Let me recapture exactly what my impression would have
been.

My impression was that in 1965 they were
expanding those units, that we met them in the
second half of the year and stabilized the situation,
that they began to take much heavier casualties in these
three categories -- because one is not a combat
category that you are listing, the administrative
services -- and that they had enlarged their efforts
to raise manpower and had sustained their effort
despite increasing losses in 1966 and in 1967, and
that the formal order of battle in these categories
that you are talking about had been pretty well
sustained at a loss in quality and in bringing in more
North Vietnamese regulars into the "C units.

In other words, there had been a buildup, a
kind of stabilization, loss of quality, higher cadre,
loss of North Vietnamese, and taken that strain,
as I say, at the cost of North Vietnamese regulars
and drawing people from below, the self-defense forces,
but there had been some deterioration of quality.
That would be about my picture.

Q That's between 1965 and 1966?
A And sort of in the course of 1967 down to
October. That's the kind of process that I envisaged,
yes.

Q That is a buildup in 1965 to some level
that was then sustained in 1966 and 1967, but
sustained only with perhaps some loss of quality in
the personnel and by bringing in more NVA people?
A And some from below too at the cost of the
self-defense and secret self-defense forces.

Q During the time that you were National
Security Advisor, were you aware of anyone suggesting
that the enemy strength estimates for NVA forces had
been arbitrarily reduced by anybody in the military?
A No, sir.

Q During the time that you were National
Security Advisor, were you aware of anyone saying or indicating that estimates of Viet Cong main or local forces had been arbitrarily reduced by anyone in the military?

A Ask me that question again.

Q During the time that you were National Security Advisor, were you aware of any evidence or indication that enemy strength estimates for the enemy's main or local forces had been arbitrarily reduced by anyone?

A I knew of no such evidence.

Q During the time that you were National Security Advisor, were you aware of any indication or evidence that estimates for guerrilla strength for the enemy had been arbitrarily reduced by anyone?

A No. I know of no such evidence.

And by "arbitrarily," you mean what, Mr. Boies?

Q A reduction without any evidentiary support for it.

A All right. That's what I thought you meant.

As long as I understand what you mean.

No, I don't.

Q While you were National Security Advisor for the President, were you aware of any evidence or
indication that enemy strength estimates for the
self-defense or secret self-defense forces had been
arbitrarily reduced by anyone?

A No, sir; I was not.

But I would add that I was conscious in that
category where contact was sporadic and the evidence
quite different from the North Vietnamese regular or
main force units that quantitative estimates were
inherently more uncertain.

Q But you were not aware of anybody
taking whatever estimates there were and arbitrarily
reducing them?

MR. MURRY: Objection.

A No, sir.

MR. BOIES: Let me try to cure counsel's
objection. It makes for a somewhat longer
question.

Q Were you aware, during the period of
time that you were National Security Advisor for the
President, of anyone taking estimates for self-defense
or secret self-defense forces of the enemy and
arbitrarily reducing them?

A No. I was not aware of any such procedure.

I knew there was a debate about them, but you are
asking me something quite different.

Q I am asking you something quite different from the debate.

A I would underline the phrase you used, the arbitrary, as being a conclusory word.

Q In the order of battle summaries that you received in October and November and December of 1967, there were estimates for the Viet Cong, main and local forces, for the NVA forces, for administrative service units, and for guerrillas.

Did Mr. Ginsburgh provide you, during those months, with any estimates for those forces or any components of those forces that were different from what was estimated in the MACV monthly order of battle summaries, except for the divisions and regiments that were tracked by NSA, which you already identified?

(Continued on next page.)
Q. Mr. Chief, would I have that question read back, please?

(The pending question was read back by the reporter.)

A. I don't remember. But the answer to your question is: It wasn't only the NSA current indicators we were watching, we were watching the intensity of activity on the trails, which couldn't be measured exactly, but it was very important.

Q. You understand I am talking about enemy strength estimates.

A. Yes, that's right. Enemy strength estimates.

No, I don't remember any additional, in terms of order of battle units. That's what you really mean.

The mobilization --

Q. Wait a minute.

When you say "order of battle units," let me be clear about what I mean. Okay?

A. All right.

Q. The MACV order of battle summaries that you received in October and December of 1967 included estimates of enemy strength for the enemy's NVA forces, main and local forces, administrative service units and guerrillas in South Vietnam, correct?
A Correct.

Q Now, in addition to that information, you had certain information that came from NSA --
A Correct.

Q -- concerning NVA divisions and regiments, correct, sir?
A Correct.

Q When Mr. Ginsburgh would provide you with a summary of enemy strength, would he add to the MACV estimates the additional estimates based on NSA information?
A No, he would not add to those. He would give that information separately.

Q Did Mr. Ginsburgh ever provide you with an estimate of the number of people involved in the divisions and regiments tracked by NSA?
A I don't know whether he provided a figure, but we discussed the order of magnitude among ourselves and discussed -- and I undoubtedly discussed it with people at the JCS. It was a matter of considerable interest, and we did discuss it in the intelligence community.

Q The enemy strength estimates would have been enemy strength in South Vietnam, correct, sir?
A Yes.

Q These units that we have been talking about NSA tracking didn't actually cross in until the end of December or early January of 1968, correct, sir?

A Correct.

Q So they would not have played a part in enemy strength estimates in South Vietnam for the period of October and November and earlier?

A Yes. There was one division, I think, that may very well have. That's the one that did not go down through Laos but came down along the coast, through the DMZ, towards Hue.

There was a North Vietnamese division that I recall came down, a street without joy, used that phrase. It probably crossed earlier. I am leaving the possibility that that one might have been taken into account. I don't know whether that was.

Q Do you know when that division crossed over?

A No, I do not.

Q Do you know whether it was in 1967 or 1968?

A No, sir.

Q Did there come a time during 1967 when you noticed, based on intelligence other than NSA
intelligence, increased infiltration into South Vietnam?

A Yes, we did notice it, from -- but I cannot
tell you precisely when.

Q Can you tell me approximately when?

A I think in December. It may have been earlier.

But in December it seemed evident that the sensors,
the patrols, the aerial reconnaissance on the trails
were indicating increased intensity of activity.

That's all I can tell you. I think it was probably
in December. It may have been earlier. It may have
been in the context of part of the evidence that led
President Johnson to make the decision to dispatch the
additional forces in December.

Q You have said that in the autumn of 1967,
that there was "infiltration" in the range of 25,000
a month, and that the President knew that, correct, sir?

MR. MURRY: I object to the form of the
question.

A I was referring at that time to the NSA
information on the order of magnitude of the units
that seemed to be coming down, regular units from the
north, and that is the context in which I said it
wasn't an infiltration, it was an invasion.
Q Let me go first to what you said and what you were basing it on, so I can understand, first, what you said.

A Could you give me the exact context in which you are quoting me?

Q Let me ask you whether you recall saying that at all.

A I recall saying at one stage that there was a great deal of infiltration, and that we were not regarding it as infiltration in the normal sense that you have the flow of personnel from the north to make up attrition, but we regarded it as virtually an invasion in the context of the maximum enemy effort that we were expecting.

Q There came a time in 1967 when infiltration in the sense of the movement of enemy into South Vietnam from North Vietnam increased.

A Right.

Q Increased to --

A We are now talking about the broadest sense. We are not talking about in the technical sense by the technicians who estimated infiltration.

Q Let me try, without trying to debate the technical sense in which people use "infiltration" --
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let me use the term "movement." All right.

A

Fine. I just want to know what you are talking about.

Q

I think you used the term "infiltration," and I will find it at some point.

But in order not to prolong this unnecessarily, let me use the term "movement," and we understand what we mean by that.

MR. MURRY: I don't understand what you mean by that.

Q

Dr. Rostow, did there come a time when the number of enemy that were entering South Vietnam from North Vietnam, either directly or through some route, through Laos or Cambodia, increased significantly?

MR. MURRY: Objection.

A

Well, there was one started in October with the battles of -- yes, there was some in October.

Our consciousness and awareness, I think, in the White House, at least, came into focus in the second part of November, and I would think that is when the thought generated which led to President Johnson's decision and my dispatch of instruction by Lock, et cetera.

Q

Let me show you -- and this has a marking

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A. I don't mind if you look over my shoulder at all.

Q. Let me ask you to look at a document that you wrote on January 25, 1968, a memorandum, for the record, and, in particular, to a couple of sentences there where you say: "The 'infiltration rate' may well have been higher for a few months than 25,000. Everyone concerned, including President Johnson, knew this. That is why we set up a model of Khe Sanh at the White House."

Do you see that?

A. Right.

MR. MURRY: Let the record reflect that there is quotation marks "infiltration rate," close quotation marks.

MR. BOIES: Right.

Q. What were the months for the "infiltration rate" may well have, in your view, exceeded 25,000 a month?

A. Assuming that is correct, I would say January 1968 and December, with perhaps some in late November 1967. So I would say late November 1967, December and...
January. It might have. Remember, I am not saying it did. It might have.

You also go on to say: "Everyone concerned, including President Johnson, knew this."

What we were aware of is caught up here: "...was not an increase, it was a quite massive invasion."

And it was that that we were conscious of. It was that which caught our attention.

I want to make sure that I have your understanding.

Okay.

Is it your understanding that in the autumn of 1967 there was what you would call a quite massive invasion of South Vietnam by fresh, regular North Vietnamese units?

MR. MURRY: I object to the form of the question.

I think it's possible, if you take into account all forms of infiltration, yes. But I am -- you know, that's my reflection at the time.

This was your reflection at what time?

In the wake of seeing the documentary -- that is to say, that the documentary implied that we were all fixated on a figure of six or eight thousand a
Rostow

month. I was reacting to that. What we were

concerned was not infiltration in the technical,

conventional sense but an invasion, which involved

regular North Vietnamese units, and it was a very big

effort, and it could conceivably have been more than

25,000 for a short period of time, a couple of months.

We reacted to it.

Remember what the thesis of the documentary was,

Mr. Boies.

Q What I am trying to focus on: What you

believe and believed at the time it was happening, in

terms of the movement of the enemy into South Vietnam.

A Correct.

Q What I have been talking about are

thoughts or remarks that you had in January of 1982.

A Correct.

Q Let me go back to the period of January

1968.

A Correct.

Q In January of 1968, did you believe the

same thing that you believed in January 1982 with

respect to the extent to which there had or had not

been what you refer to as a massive invasion of South

Vietnam with fresh North Vietnamese regular troops in
the autumn of 1967?

MR. MURRA: I object to the form of the question.

A I indeed did believe that there was an invasion going on at that time. I didn't put a number to it. I was reacting to the six or eight thousand that was quoted. I don't know what the true figure is. But we believed at the time this was a quite extraordinary maximum effort. Fresh units were moving in on a very large scale; that we had to react to that, yes, without question, including the knowledge that there was massive increased activity on the trails.

Q When did this massive increase of activity on the trails commence?

A I don't know when it commenced. What I can tell you is that late November, early December, the total effort being made by the enemy with respect to manpower of every type, plus the evidence of the plans for this offensive were sufficient to lead the President of the United States to take rather dramatic counteraction and for us to be alert.

And I understand what you are asking me, and I don't know precisely when, what piece of evidence came forward, you know, particularly in our minds, but
it was a convergence of different types of evidence.

Q Do you recall approximately when the increase in infiltration, other than the large unit movement of enemy into South Vietnam, commenced in 1967?

A No, I do not know when it commenced.

Q Do you recall approximately?

A No. I don't know exactly. I should guess it would have been December and January. It may have been, as I say, earlier. Because I do not remember a form of evidence that we were following rather closely, which were the sensor reports, the reports of the monitoring of the trails.

So I don't know, you know, the date in which we became particularly conscious of packets, as opposed to unit movements.

Q In January of 1982, were you, at that time, of the view that in the autumn of 1967 there had been what you would characterize as a massive invasion of South Vietnam by regular North Vietnamese forces?

A Yes.

Q And were you of that view in January of 1968 as well?

A Yes.
Q That is, your view that you had in January
of 1968 wasn't based on anything that you found out
after January of 1968?
A That's right.
Q Did you have, in January of 1968, an
estimate or range of estimate for the number of North
Vietnamese regular forces that were entering South
Vietnam on a monthly basis in the autumn of 1967?
A The answer to that is no, because you could
estimate the men in formal units, but the packets and
intensity of the trails did not lend itself to firm
estimates.
Q What about an approximate estimate?
A I don't remember our making an approximate
estimate.
What we were looking at --
Q I am trying to get you out of here.
A The answer is no, I don't remember an estimate.
Q Or an approximate estimate?
A I don't remember an approximate estimate.
Q Do you remember having in mind in
January of 1968 or late 1967 a range of the number of
North Vietnamese regulars that were moving into South
Vietnam on a monthly basis in the autumn of 1967?
A: I don't remember.

MR. BORIS: That is all. We are adjourned until tomorrow morning at 9:00 o'clock.

(Time noted: 2:30 P.M.)

________________________
Walt Rostow

Subscribed and sworn to before me this day of 1984
CERTIFICATE

STATE OF NEW YORK

COUNTY OF NEW YORK

I, HAROLD MELMAN, a Certified Shorthand Reporter and a Notary Public within and for the State of New York, do hereby certify:

That WALT. ROSTOW, the witness whose continued deposition is hereinbefore set forth, was previously duly sworn, and that such deposition is a true transcript of my stenographic notes of the testimony given by such witness.

I do further certify that I am not related to any of the parties in this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of October 1984.

Harold Melman, CSR

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