Q Did William Colby appear before the Pike Committee to give testimony?
A Yes. I mean, in all fairness we couldn't put on Sam Adams and not give Colby and Proctor and anybody who wanted to.

Q Do you recall the substance of Mr. Colby's testimony before the committee?
A I believe he was -- it's the kind of testimony where he didn't volunteer a lot. He tried to be careful to tell the literal truth without getting himself in trouble. And I believe generally he acknowledged that the CIA had relied upon Sam Adams to reach a 500,000 figure and had presented their case vigorously to the military and, you know, done their job.

Q Did representatives of the Pike Committee communicate with General William Westmoreland during this investigation of the Tet period?
A Yes.

Q Who on the committee communicated with General Westmoreland?
A Either General Westmoreland wrote an irate letter to the committee asking to testify, or complaining about our putting Sam Adams on; or one of the members named; Congressmen named Milford contacted
Westmoreland. However, they would certainly know
I remember he wrote a letter denying any
tampering with intelligence, and I don't remember why
he didn't testify because he certainly would have been
welcome to. Graham, Colby and all the others did.

Again, Westmoreland was at a level with
Helms and Rostow and some people, generals, who it was
difficult for me as an investigator to see. I built the
blocks up so high, and then -- you know.

Q How would you characterize --

MR. DORSEN: I don't think he finished his
answer.

Q Have you finished your answer?

A I never had the opportunity to question him.
I don't think he testified.

Q Is it correct that he did write to the
committee to express his views?

A Well, I believe so. I was looking through the
hearing last night. I didn't see a copy of his letter,
so I don't know quite where it is. I remember that
he wrote one, and that Congressman Milford had expressed
an interest in following that up, and we did the best
we could.

Q How would you characterize the diversity
of opinion you received from the people you interviewed while investigating the Tet period for the Pike Committee?

A diversity of opinion?

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

MR. MASTRO: I will rephrase the question.

(Continued on the next page.)
Q: How would you characterize the diversity of opinion you received regarding the charges raised by Sam Adams in his Harper's article?

MR. MASTRO: Let me rephrase the question a third time.

Q: During your investigation of the Tet period for the Pike committee, how would you characterize the diversity of opinion?

A: If I can speak very generally. I am sorry.

Q: During your investigation of the Tet period for the Pike committee, how would you characterize the diversity of opinion you received in your interviews concerning the charges raised by Sam Adams in his Harper's article?

A: There seemed to be several general schools of thought, the CIA versus the military school of thought, the 200,000-some difference in the Order of Battle figures.

The Sam Adams school of thought, supported by people like Joe Hovey, and some of the documents we got, and George Allen, that implied the CIA had caved to the pressures; and then the school of thought that felt just the opposite of that.

Q: Do you feel you got a good diversity of
opinion on this subject?

A Well, I interviewed as many people as I could. We certainly went to all the people that disagreed with Sam and wrote them letters and got documents and put on a hearing, where they got a chance to lay out their views.

I did interview people who had knowledge of other pressures on intelligence in Vietnam, and I was able to get a feel for the broader Vietnam picture, and I watched some of the principal characters in the drama, such as Edward Proctor and Daniel Graham, as they surfaced in other issues like the SALT intelligence issues, and I got a feel for the type of people they were.

I got a feel for the type of pressures that came out in the intelligence agencies from policy men like Rostow and Kissinger.

Q I will return to my question. Do you feel you got a good diversity of opinion on this subject?

A Yes.

Q You mentioned earlier about getting access to government documents during your investigation for the Pike committee.
What type of security clearance did you have during this investigation for the Pike committee?
A I believe the highest possible clearance, top secret, cleared for a broad variety of intelligence, including so-called code-word intelligence. In fact, I think I had an unparalleled view of some of these issues.

Q From which government agencies did you seek documents?
A The CIA, the DIA, the White House, the State Department, the National Security Agency.

Q From which of these government sources did you receive documents?
A I believe we received some from all of the above.

Q How many documents would you say you reviewed on the total period during your investigation for the Pike committee?
A Oh, there must have been thousands. There was a stack well this high. I am holding my hand out three or four feet. It was considerable.

Q How did you get access to these documents?
A By persistence, many requests.

Q Can you describe some of your experiences in attempting to get access to these documents?
I believe I already have.

In the period before Sam testified, the week before, the CIA cut the committee off access to classified information because of a dispute they had with the committee over the Mideast war intelligence data and what should be published.

There was a constant -- that was one of the main themes of the whole Pike committee, the demands for congressional access to the documents. We felt we had a right to them.

I don't like to throw around code words like "stonewalled," but we were constantly knocking against the wall, trying to get more. We always felt things were being withheld from us. But how can you prove it?

Q Whom did you deal with at the CIA in attempting to get documents?
A Donald Gregg of the CIA and Seymour Bolton of the CIA.

Gregg, by the way, had had a background in Vietnam. We talked a lot about things that later I recognized in the Frank Snep book.

Q You mentioned, in your earlier testimony today, that you also discussed document issues with George Carver; is that correct?
A Well, I visited him in his office to see documents yes.

Q What was his reaction when you visited him to seek documents?

A He seemed to think we had gotten all the important documents and he didn't want to -- I asked him why we didn't have more from him. And I believe I was there asking him for some cooperation, and it was hard for me to understand why he just didn't stand up and say -- by that time, that seemed to be a reasonably true hypothesis, that the CIA had had a bitter battle with the military, and I thought he just ought to admit it.

Q Was there anyone else at the CIA from whom you sought documents during your investigation for the Pike committee?

A Can I think about that for a minute?

THE WITNESS: Can we take a recess?

MR. MASTRO: Let us take a recess for a short while.

(Recess taken)

MR. MASTRO: Back on the record.

Read back the last question.

(The pending question was read back by the reporter.)
A I talked to other CIA people that I could remember. I think I gave the most important ones.

Q Whom did you speak to?

A Ray Cline. He testified before the committee on pressures against intelligence people. Mainly his target was Henry Kissinger. And the subject was primarily the Mideast war, and I mentioned Vietnam, and, you know, on several occasions.

He wasn't directly involved in this, so, you know, it wasn't very important, except that he sort of generally corroborated an impression that I was forming that these pressures existed.

Willard Mathias had had extensive experience in Vietnam and thought there had been pressures now and then.

Q Did either --

A I am sorry. I remember I interviewed Ted Shackley, who, at one point in the early seventies, was the CIA's Saigon station chief. He wasn't very important, but someone else I talked to. He wasn't very cooperative.

That's all I remember off the top of my head.

Q You just testified that Mr. Cline and Mr. Mathias told you of pressures they experienced.

A Yes.
Q Were the pressures of either of those gentlemen related to the Tet period?
A No.

Q The documents you were able to see, were those classified documents?
A All the documents that we saw were intelligence documents and were highly classified at one time. We had a whole stack declassified. After all, the war was over; we weren’t interfering with the successful prosecution of the war.

The answer is yes, formerly classified. At the time we held the hearing, I think they were mostly all declassified.

We probably had access to more classified information than any congressional committee had ever been given and, I believe, to this date, has ever been given.

Q Had these documents to which you gained access during your investigation for the Pike committee had these documents ever been made public previous to the committee's investigation?
A These documents never saw the light of day. I checked the records of the House Appropriations CIA Oversight Subcommittee, where the members asked question...
of intelligence officials about the budget, and a Vietnam error came up occasionally.

And these are questions like you and I going back and forth today. But until the Pike committee got into it, nobody had gotten the actual documents. That was the point of our whole thing. We got what nobody had ever been able to see before outside of the intelligence agencies.

Q Was it difficult for you to get access to these documents?
A Very.

Q Could you please describe to me some of your difficulties in gaining access to these documents?
A We would ask for documents. We would be given assurances that they will be forthcoming. They weren't. I must have called one million times to the CIA, asking, "Where are they? Can you send them over now?"

The documents would show up Friday afternoon, early Saturday mornings, at times, when we might not have been expecting to be working or receive them.

I believe it's a matter of public record that the Pike committee had a tremendous dispute with the agencies over access to the documents. That was one of the many things of the whole era.
Q Did you feel that the CIA was withholding information from the committee?
A Yes, definitely.
Q Did you eventually gain access to CIA documents?
A We got many CIA documents. I don't think, to this day, we have seen everything.

Again, how do you prove a negative, a suspicion?
Q How would you characterize the scope of your investigation of the Tet period for the Pike committee?
A I believe we gave that period the most thorough look that anyone has given in an official capacity to this day.

Q Now, I want to show you a series of documents and ask you if you recall whether you saw these documents during your investigation for the Pike committee.
A All right.

MR. MASTRO: Off the record.
(Discussion off the record)
MR. MASTRO: Let us go back on the record.
Q The first document is marked Defendants' Exhibit 50. It is a cable dated August 25, 1967, from NEWROCK REPORTING SERVICE • 9 East 41st Street, New York N.Y. 10017 • (212) 840-1891
General Abrams to General Wheeler, Admiral Sharp and General Westmoreland.

Could you please review this document and tell me whether you recall having seen this during your investigation for the Pike committee.

A It looks like the document I obtained and that we used in the hearings. Generally, it was one of the four or five documents I recall.

Q So you do recall having seen this document during your investigation of the Tet period?

A Yes.

I am giving a quick look here. It is not as explosive as the Potemkin-village characterization. But to me, reading it, it means their intelligence figures are different than what they are telling the press.

Q We will come to the substance of the documents.

MR. DORSEN: Is there anything implicit or explicit in the question that should suggest the source of the document? Because of the proximity of the prior discussion to this discussion, may I suggest a particular source.

If there is no source being suggested, that's
fine with me. But I didn't want to leave the record as it is, going directly to getting records from the CIA and showing this witness documents and creating the implication, if one was intended, that's where this document came from. It may have, and I don't want the record to be inaccurate.

Q Do you recall which agency gave you this document?
A I believe it was the CIA.
Q Let me show you Defendants' Exhibit 51. It is a document dated August 25, 1967. It is from General Westmoreland to General Wheeler and Admiral Sharp.

Do you recall having seen this document during your investigation for the Pike committee?
A This is interesting.
Q I should add that this reference is the cable we just showed, from General Abrams to General Wheeler, Admiral Sharp and General Westmoreland.
A This is from who?
Q This is from General Westmoreland to General Wheeler and Admiral Sharp.
A Westmoreland is saying he has just read General Abrams' cable and it distorts the situation and makes no sense.

I may have seen this. I don't recall this. We may have. I am sorry, I don't recall.

Q You do recall the initial cable from General Abrams, but you do not recall General Westmoreland follow-up cable, giving his opinion on the content of General Abrams' memo?

MR. DORSEN: I believe he just said that.

MR. MASTRO: I am giving him a chance to clarify that.

A This doesn't look familiar. I am sorry.

Q I now show you Defendants' Exhibit 56. It is a cable from Ambassador Bunker to the White House "Eyes Only Rostow." It is dated October 28, 1967.

Do you recall whether you saw that document during your investigation for the Pike committee?

A Yes, this is familiar. I believe I saw this. It is consistent with another memo I remember to William Bundy from a man named Greene in the State Department.

The whole theme of the concern was what the press would think about the situation were the true
intelligence figures released. That was one of the most powerful memories I have. This looks familiar, yes.

Q: Do you recall the substance of the cable from Mr. Greene to Mr. Bundy that you just referred to?
A: Yes.

Q: What was the substance of that cable? Was it a cable or memorandum?
A: I recall it was a memo.

Q: Do you recall the substance of that memo from Mr. Greene to Mr. Bundy?
A: Yes, pretty much.

Q: What was that?
A: One reason I recall was, at the time, I wrote an article about it and I summarized it. It was an attempt to lay out all the information that was classified secret to the true intelligence situation and then all the information that could be given to the public that contradicted that. It was one of the most extraordinary documents that I recall ever reading. I recalled that when I saw General Westmoreland’s reaction here. I can read that, if you like.

Q: Why don’t we introduce your article into the record.
THE WITNESS: Do you want to see what I am referring to, Mr. Dorsen?

MR. MASTRO: I would now like to introduce into the record as Defendants' Exhibit 118 an article from the National Observer, dated May 15, 1976, and entitled "Our Passive, Timid CIA Needs Leadership." It is by Gregory G. Rushford.

Q Do you recognize this article, Mr. Rushford?

A Yes.

Q Did you write this article?

A My first attempt at journalism.

(Article from the National Observer, dated May 15, 1976, entitled "Our Passive, Timid CIA Needs Leadership," by Gregory G. Rushford, was marked Defendants' Exhibit 118 for identification, as of this date.)

Q The paragraph to which you just referred, the Greene-to-Bundy memo, could you please read that paragraph into the record?

A Yes.

It's under the subheadline "A Rancorous Debate."

A good example of policy abuse of intelligence in the State Department is shown in a memorandum State
intelligence was asked to send to Assistant Secretary William Bundy in September 1967. 'Unclassified' findings that could be made public - said enemy morale and recruitment were declining and Vietcong defections were increasing. But facts directly contradicting these points, and more, were classified secret on 'national security' grounds; Enemy morale problems were of no great military import; defections were increasing less than in the previous year; and enemy recruitment statistics were unreliable."

The next two sentences --

Q That will do.

A All right.

MR. MASTRO: Let us break for lunch here and we will come back.

(Whereupon a luncheon recess was taken.)
AFTERNOON SESSION

1:20 P.M.

GREGORY G. RUSHFORD, resumed,

was examined, and testified further as follows:

EXAMINATION (Continued)

BY MR. MASTRO:

Q Mr. Rushford, how would you define the
word "conspiracy"?

A Conspiracy?

Q Yes.

A A conspiracy is an organized effort in secret by
two or more participants to perpetrate some falsehood
or wrongful scheme. And conspiracies may continue.
They may have different participants at different times;
some may drop in. I guess that is my understanding of
it.

Q Based on your research for the Pike

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Committee, have you formed an opinion as to whether there was a conspiracy to intentionally distort intelligence information regarding total enemy strength in South Vietnam in 1967 and 1968?

A Yes.

Q What is that opinion?

A I think that it is reasonable to conclude there was a conspiracy.

Q Do you believe there was a conspiracy?

A Yes.

Q What did that conspiracy entail?

A As best I can put it, off the top of my head, the conspiracy, a scheme started by the military intelligence officials in Saigon, Washington, the Pentagon, to consciously lower the estimate of the enemy order of battle and deliberately mislead the press and the public -- of course, in a conspiracy that the CIA seems to have fought at first and then acquiesced in joining it.

Q Who do you believe was part of that conspiracy to intentionally distort intelligence information regarding the enemy in Vietnam in 1967 and 1968?

A Boy, that is a heavy question.

Q Who do you believe was a part of that...
conspiracy to distort Vietnam intelligence information in 1967 and '68?

A Well, the best thing is, I want to be careful not to get it wrong. We weren't the Warren Commission. We didn't have two years to nail down what we thought probably was a conspiracy. We saw plenty of wrongdoing. I have no doubt there was a conspiracy, and I have a pretty good idea who was in it.

Q Who do you believe was in it?

A I will tell you, but I don't want to be misleading in the context because we were not given all the information we sought for, and fought very hard, and there may be information that exculpates some people and involves others more deeply than I suspected.

Q On the basis of the evidence you had available to you, who do you believe was a part of that conspiracy to intentionally distort intelligence information?

A My answer won't open up for any libel lawsuit or anything. I will tell you the truth. I don't have my own lawyer here.

Q I am not representing you, but you can safely answer the question.

A I think --
Let me repeat the question for you. Who do you believe was part of a conspiracy to distort intelligence information regarding total enemy strength in Vietnam in 1967 and 1968?

I believe that General Danny Graham, who was then a lieutenant colonel; General Westmoreland, who certainly supervised and should have known about it, and all the CIA people from George Carver to Bill Hyland, to Helms, if he knew about it, who acquiesced. Paul Walsh talked about the necessity to go straight. He certainly knew he was aware of something wrongful. George Allen. I would have to have an organization chart of all the people in the Order of Battle Conference. I would say they are all prime candidates.

On what do you base your opinion that there was a conspiracy to distort intelligence information regarding total enemy strength in Vietnam in 1967 and 1968?

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

He is defining "conspiracy," and we define it in your terms every time the question comes up.

MR. MASTRO: I have not redefined the
Rushford

term "conspiracy." He has defined it. I assume he is applying his definition of "conspiracy."
The question, very simply put, is this:
Q On what do you base your opinion that there was a conspiracy to intentionally distort intelligence information regarding total enemy strength in Vietnam in 1967 and '68?

MR. DORSEN: I object to the form of the question.
A You want to know what evidence I base my conclusion on?
Q What documentary evidence or testimony you base your opinion on.
A Well, the evidence that I saw, it didn't come easy, I might add.
Q What evidence is that?
A It includes the memos that you had me read into the record this morning, and the memo from Fred Greene to William Bundy. The thread that runs through all of these is that we will tell the press and the public something different than we know to be the truth.
Q On whose testimony did you base your opinion?
A Sam Adams, Richard McArthur. What I would
characterize as evasions from George Allen, Ed Proctor, William Colby, Daniel Graham, Paul Walsh, evasions which were contradicted by these documents we got. It was very clear to me.

Q  Do you know George Crile?
A  Yes.

Q  Before the airing of the CBS broadcast, "The Uncounted Enemy: A Vietnam Deception," did you ever tell George Crile about your belief that General Westmoreland participated in a conspiracy to intentionally distort intelligence information regarding total enemy strength in South Vietnam in 1967 and 1968?
A  I believe so. I remember we talked about his planned documentary, and I was hoping that he could finally nail down the proof of a conspiracy.

Q  Before the airing of the CBS broadcast, "The Uncounted Enemy: A Vietnam Deception," did you ever tell Sam Adams about your belief that General Westmoreland participated in a conspiracy to distort intelligence information regarding total enemy strength in South Vietnam in 1967 and 1968?
A  Yes. That is how I knew George Crile did the documentary, through Sam.

Q  On what do you base your opinion that
General Westmoreland participated in the conspiracy to
distort intelligence information regarding total enemy

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

Q You may answer.

A You mean, why do I think General Westmoreland
was involved?

Q Yes.

A Because he gave the press briefings that all the
documents that were prepared say were misleading.
I presumed a certain degree of competence on his part.
He must have known what was doing. All these foot-
notes came out of nowhere and killed Americans. It was
very serious business.

Q What do you mean by these footnotes came
down and killed Americans?

A The Communist forces who were relegated to
footnotes in intelligence estimates, nonexistent, non-
military forces, supposedly, who all of a sudden came
down and killed Americans.

Q Who specifically are you referring to?

A The 200-some-odd thousand and secret, and secret
self-defense forces that Sam Adams found. Sam Adams
discovered twice as many Communists that we said we were fighting. There were American lives lost because of that. I just -- all I see from the tone of the documents I have studied is that the top brass was interested in the press game.

Q Who was the first witness you contacted in connection with your investigation of the Tet period for the Pike Committee?

A Sam Adams, because of his article.

Q Did you contact him or he contacted you?

A Well, I contacted him, after Dr. Long asked me to read his article.

Q Did you make any attempts to verify Mr. Adams' credibility before or after speaking to him in connection with your investigation for the Pike Committee?

A Yes.

Q What steps did you take to verify Mr. Adams' credibility?

A Well, the steps took included checking his reputation out with people who were in a position to know whether he was a crackpot or a silver-minded analyst. Dick Moose was the most influential person, because I had a high respect for Dick Moose.
Q What did Dick Moose tell you about Sam Adams?
A Dick Moose said Sam Adams was the best order of battle analyst he ever met.
Q Did you talk to anyone else about Sam Adams credibility?
A Oh, yes.
Q Who else?
A Many people.
Q Who else?
A Of course, it was the standard question. Every time I would interview a George Carver or somebody else, now, I would say, "Well, you relied upon Sam Adams for your 500,000 figure. You must have taken him seriously when it was convenient for you."
Q What did they say to you when you mentioned that?
A They said, "Yes, you are right," up to a point. And then how Sam became obsessed with this, and he just didn't understand the reality of political pressure. I talked to some other intelligence analysts.
MR. DORSEN: The record is unclear as to who the conversations were with.
MR. MASTRO: Yes, the record is unclear
on that point.

Q Who are you referring to in your last remarks about people?

A I was thinking about George Carver in the last phrase, but it could have applied to most people I interviewed.

The credibility of a whistle-blower is always the most sensitive and delicate point. Many whistle-blowers are always attacked. We have learned this. It is very easy for the top leadership of an agency to pooh-pooh the charges, to withhold documents or play games.

I was going to say that I had called other intelligence analysts who were at the same midlevel that Sam was in the bureaucracy.

(Continued on the next page.)
Q. What did these middle-level analysts at CIA tell you?

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

MR. MASTRO: I will rephrase the question.

Q. You testified you contacted other middle-level analysts. At which agencies?

A. All of the agencies, from CIA to DIA to State Department.

I remember two analysts in the State Department particularly who, you know, I just asked, "What do you think of Sam Adams?"

Q. What did they tell you?

A. Well, one man, Phil Stoddard, who was -- I was talking to him because of the Mideast war issue I was working on. He just said, "Well, Adams seems to be a pretty good guy. He got into a big battle." He said, "He went honest because he inherited an oil well or farm and not like the rest of us working folk."

Q. Did any members of the committee meet individually with Adams before he testified before the Pike committee?

A. I remember that Congressman McClory met with Sam Adams prior to the testimony. I don't remember if
any other members of the committee did. Congressman Pike may have.

Q Are you referring to Congressman Robert McClory, the Illinois Republican?
A Yes.

Q Was he the ranking Republican member of the Pike committee?
A Congressman McClory was the ranking Republican.

Q Do you recall any of Congressman McClory's remarks about his meeting with Sam Adams?
A Yes. McClory had a definite interest in Vietnam intelligence matters because he felt he was misled by the military when he visited Saigon.

Q What did Congressman McClory tell you about his meeting with Sam Adams?
A Well, I was in the meeting.

Q What do you recall about Congressman McClory's reaction to Mr. Adams?
A Well, I believe that McClory believed Sam Adams. He certainly was very cordial. Of course, you know, the majority of the committee, by virtue of our report, believed Sam Adams.

I can remember one member who may not have. One out of 13 isn't bad for a congressional committee.
am not even sure, actually. I can't speak for the members. It's the old staffer in me coming out.

Q How much time did you spend with Sam Adams during an investigation of the Tet period for the Pike committee?

A I must have spent the better part of an intensive week immediately prior to the testimony, and several days in chunks in the weeks and months prior to and after that hearing. It was probably the most important part of the committee.

Q Based on your research and your experiences interviewing Sam Adams in your investigation of the Tet period for the Pike committee, did you form an opinion as to Adams' abilities as a Vietcong analyst during 1966 through 1968?

A That certainly is very easy for me to understand. I formed a definitely high opinion of him. I thought he was fair-minded. I could pepper him with questions from any direction. He knew his facts. He didn't get defensive.

It was important to me that he didn't have a lot of animosity personally toward the people he thought had done this awful thing. He tried to be as fair-minded -- if he could think of something good to say.
about someone, he would.

Q Did you find Adams to be a competent analyst?

A A competent or incompetent?

Q A competent analyst.

A I found him to -- I thought he was highly competent.

Q Did you find him to be a thorough analyst?

A Yes, I did, absolutely.

Q Did you find him to be a dedicated analyst?

A Absolutely.

Q Did you find him to be honest?

A Yes. All I had to do to satisfy you is say all the good things about Sam Adams. I was deeply impressed about Sam Adams. I see him these days once in a while. I admire him.

MR. MASTRO: I would like to introduce as Defendants' Exhibit 119 -- this is an article from The Village Voice. It is dated February 16, 1976. It is a 36-page special supplement, entitled "The Pike Papers: House Select Committee on Intelligence CIA Report, Sections One and Two." It has defendants' stamp numbers
Rushford

37612 through 37647.

(Article from The Village Voice, dated February 16, 1976, bearing stamp numbers 37612 through 37647, was marked Defendants' Exhibit 119 for identification, as of this date.)

Q Could you please carefully review this document. Please take your time to read it, and I will ask you a series of questions about this document.

MR. MASTRO: Off the record.

(Discussion off the record)

A I am ready.

Q Do you recognize this document?

A Yes.

Q Is this document which appeared in The Village Voice a final report of the Pike committee?

A Yes.

Q Did you see the final report of the Pike committee when it was prepared?

A I guess. I helped write it.

Q Can you please turn to page 18 of this document.

A Yes.

Q I refer you to the statement under the heading "Tet: Failure to Adapt to a New Kind of War."
the fourth paragraph down, the sentence beginning:
"Mr. William Colby and the post-mortems certify
warning of the Tet offensive had not fully anticipated
the intensity, coordination and timing of the enemy
attack.' A chief cause was our degraded image of the
enemy."

Based on your research of the Pike committee,
did you form an opinion as to the accuracy of the
statement that I have just read into the record?
A: Well, yes, I believe it is accurate.
Q: On what did you base that opinion?
A: The CIA's own document, the post-mortem, and
you just quoted it to me.
Q: Did you form an opinion as to whether
the chief cause was "degraded image of the enemy"?
A: Yes.

MR. DORSEN: I object to the form of the
question.
Q: Based on your research of the Pike
committee, did you form an opinion as to whether a chief
dause of our failure to fully anticipate the Tet
defensive was "our degraded image of the enemy"?
A: I certainly did.
Q: What was that opinion based on?
Q What was your opinion?
A That the sentence was true. I wrote it. Of course I believed it. I believe we fooled ourselves. Intelligence officials were telling the public one thing, thinking what the real classified facts were, and I think they fooled themselves.

I am not one to grandstand a lot, but American lives were lost because of this. It is very painful for me to go over this.

Q I refer you to the next paragraph.
A Yes.

Q I quote from that paragraph as follows: "First, the dispute between CIA and MACV (Military Assistance Command, Vietnam) over enemy strength -- called Order of Battle figures -- created false perceptions of the enemy U.S. forces faced and prevented measurement of changes in enemy strength over time."

Based on your research of the Pike committee, did you form an opinion as to whether the dispute between CIA and MACV over enemy strength created "false perceptions of the enemy U.S. forces faced and prevented measurement of changes in enemy strength over time"?
A Yes, I believed this was accurate.
Q On what did you base that opinion?
A The sum total of my investigative experience.
Q What documents or testimony do you base that opinion on?
A Well, about all of the ones we read into the record so far. The Greene memo to William Bundy laid out how we are going to fool the public, in my opinion.

The Paul Walsh reference to the "Potemkin village.
This one here, from General Westmoreland.
I don't know how you refer to these for the record. By document numbers?

MR. MASTRO: The witness is referring to Defendants' Exhibit 50, a cable from General Abrams to General Wheeler, Admiral Sharp and General Westmoreland.

A Look at this: "We have been projecting an image of success over the recent months." They were afraid that newsmen were going to get the wrong idea if they were told the truth. That's what it means to me.

Q Mr. Rushford, I refer you to the fifth paragraph down, under the heading "The Order of Battle Controversy."

Could you please read the first sentence
of that paragraph into the record?

A Where it says: "The Saigon Order of Battle Conference"?

Q Yes.

A "The Saigon Order of Battle Conference dropped numbers that had been used since 1962 and used those that were left in what appears to have been an arbitrary attempt to maintain some ceiling."

Q Thank you.

Did you form an opinion as to whether there was an arbitrary attempt to maintain some ceiling that resulted from the Saigon Order of Battle Conference?

A Well, yes --

Q Let me rephrase that question. I am sorry.

Based on your research as an investigator for the Pike committee, did you form an opinion as to whether there was "an arbitrary attempt to maintain some ceiling" on the Order of Battle in the fall of 1967?

A Yes.

Q What was that opinion?

A That there was an arbitrary attempt to maintain a ceiling. That's why they maintained a ceiling.

Q On what basis did you reach that opinion?
A Well, let me see if I can find a document. I will just read it.

Where is the Paul Walsh document?

Here is George Allen's own words: "I consider this to be essentially a contrived --" -- I can't read the next word -- "some kind of effort aimed at rationalizing a phony comparison between the old figures and the new."

Q Could you read on from that document, please?

A He says: "The guerrilla estimate was controlled by the desire to stay below 300,000 within the framework --" -- I can't read the last word. "Desire to stay below 300,000." Those are George Allen's own notes.

Q Did Sam Adams testify as to a ceiling on the Order of Battle in the fall of 1967 --

A Yes.

Q -- in his testimony before the Pike committee?

A Yes.

Q Mr. Rushford, I refer you to the next page of the Pike committee report, the second complete paragraph from the top, on the left-hand column.
A "In testimony before"?

Q Yes.

A "In testimony before this Committee, Mr. Colby has stated that the 'infatuation with numbers' was 'one of the more trying experiences the Intelligence Community has had to endure. In the context of the period, it appears that considerable pressure was placed on the Intelligence Community to generate numbers, less out of tactical necessity than for political purposes.'"

Q Based on your research as an investigator for the Pike committee, did you form an opinion as to whether there was "considerable pressure was placed on the Intelligence Community to generate numbers, less out of tactical necessity than for political purposes"?

A I certainly did.

Q What was that opinion?

A Exactly as the sentence reads. I wouldn't change a word today.

Q What did you base that opinion on?

A I based that opinion on the sum total of the document I read over many months and fought hard to obtain, and the people I interviewed.

Q I refer you to the heading on that same page "The Consequences." Could you please read into...
the record the first three paragraphs under that heading?

A "Four months after the Saigon Order of Battle Conference, the Tet offensive began. On February 1, hours after the initial mass assaults, General Westmoreland explained to a press conference, 'I'm frank to admit I didn't know he (the enemy) would do it on the occasion of Tet itself. I thought he would do it before or after.' The U.S. naval officer in command of the river forces in the Mekong Delta and his army counterpart were similarly caught off guard. Appalled at how poorly positioned they were to provide quick and efficient response, the naval officer, now a retired Vice Admiral, has told the Committee that he 'well remember(s) the words of the Army General who brought us the orders to extricate ourselves from the mudflats as fast as possible. They were It's Pearl Harbor all over again.'

"The April, 1968, post-mortem done by a collection of intelligence officers discussed the general question of warning. It concluded that while units in one corps area were on alert, allied forces throughout the country generally were caught unprepared for what was unfolding. Certain forces even while 'on a higher than normal state of alert' were postured to meet
'inevitable cease-fire violations rather than attacks on the cities.' In other areas, 'the nature and extent of the enemy's attacks were almost totally unexpected.' One-half of the South Vietnamese army was on leave at the time of the attacks, observing a 36-hour standoff. "In testimony before this Committee, both General Graham and William Colby confirmed the fact of some amount of surprise. General Graham preferred to label it surprise at the enemy's 'rashness.' Mr. Colby spoke of a misjudgment of their potential 'intensity, coordination and timing.'"

Q Based upon your research as an investigator for the Pike committee, did you form an opinion as to whether the Tet offensive came as a surprise to our military forces?
A Yes, I did. My views are pretty well-expressed in the four paragraphs that I just read.

Q What is that opinion?
A That it was a Pearl Harbor all over again; it was an intelligence disaster.

Q Mr. Rushford, I refer you to Footnote 265 on that same page.
A I see it.

Q Could you read that footnote into the
"The memorandum to William Bundy is from Fred Greene of the State Department's Bureau of Intelligence and Research and is dated Sept. 22, 1967. It notes that claims of enemy captured, enemy recruited, weapons lost, desertions, incidents of battalion-size attacks, killed in action, vital roads opened, and the percentage of population under South Vietnamese control are not supported by the statistics. The memorandum also advises that Mr. Bundy not bring to light other figures that present a negative picture.

"After alleging that the VC was having difficulties in its recruitment, Mr. Greene goes on to point out in a confidential comment, that 'Recruitment statistics should be avoided since they are based on a relatively small number of reports of dubious reliability. Moreover, any use of recruitment figures might well be used by our critics to question the reliability of our estimates on Communist order of battle, a subject which almost certainly will soon cause us considerable public relations problems.'"

Q Is this the memorandum you were referring to from Mr. Greene to Mr. Bundy?

A Yes.
Q Does this accurately summarize the content of that memorandum?

A It certainly does. It is just a verbatim quote and very accurate summary.

Q What did you interpret that memorandum to mean?

A That Mr. Greene wanted Mr. Bundy to keep secret any figures that might be embarrassing to them if they became public.

Q Mr. Rushford, I refer you to Plaintiff's Exhibit 61, Exhibit B attached to the affidavit of George Allen.

You have testified that this was a document you saw during your investigation for the Pike committee; is that correct?

A Yes, I remember it.

Q I quote now from the section on this page, under the heading "Comments by George Allen, SAVA."

MR. DORSEN: May I ask when that got on there?

When was that statement "Comments by George Allen, SAVA" put on there?

THE WITNESS: That's a good question. I really don't remember.
MR. DORSEN: Who wrote it?

THE WITNESS: I have to ask George Allen. He didn't deny writing it.

MR. MASTRO: I believe you were in attendance at Mr. Allen's deposition, and Mr. Allen gave testimony about this.

MR. DORSEN: I am talking about the words "Comments by George Allen, SAVA."

I don't think he ever testified he wrote those words.

MR. MASTRO: However, you will agree that Mr. Allen did testify in this deposition he wrote the handwritten paragraphs underneath?


Q I quote from Mr. Allen's handwritten comments: "I consider this --" --

THE WITNESS: May I be excused for a moment?

MR. MASTRO: Yes.

(Recess taken)

(Continued on next page)