

WITNESS APPEARED

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CBS Witness Links U.S. Losses to Vietnam Self-Defense Force

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George W. Allen, a former deputy chief of Vietnamese affairs for the Central Intelligence Agency, testified yesterday that the Vietcong's self-defense forces may have been responsible for as much as "40 percent of American losses" in Vietnam.

Mr. Allen, who is 58 years old, took the stand in Federal District Court in Manhattan as the second witness for CBS in the \$120 million libel trial brought by Gen. William C. Westmoreland against the network.

The suit stems from a 1982 CBS documentary that charged a "conspiracy" by the general's command to minimize the true size and nature of enemy strength in South Vietnam in the year before the Tet offensive of January 1968. The broadcast — "The Uncounted Enemy: A Vietnam Deception" — accused the military of deliberately distorting enemy capabilities by deleting the Vietcong's self-defense units from the official listing of forces known as the order of battle.

Mr. Allen, who appeared on the documentary, is regarded as a particularly important witness for the network. Both George Crile, the producer of the broadcast, and Samuel A. Adams, a former C.I.A. analyst who was a paid consultant for the program, have told the jury that Mr. Allen was the "dean" on Vietnamese issues. Mr. Allen himself said yesterday that he had more experience on Indochinese matters as an American intelligence officer — more than 17 years — than any other person, civilian or military.

'Concept' Twisted

On the documentary, Mr. Allen said the removal of the "paramilitary" self-defense forces from the order of battle twisted "our concept" of the war.

"We were skewing our strategy," he said on the broadcast. "We were not acknowledging that indeed there was an important indigenous South Vietnamese component; that, indeed, it was a civil war."

Mr. Allen followed Mr. Adams to the stand around 4:15 P.M. yesterday, an hour before court adjourned. Mr. Adams completed his testimony by recalling his many years of efforts to bring to light what he called the "embarrassing but significant" story of military "deception" in Vietnam.

Mr. Adams said the military's "dishonest" position regarding enemy strength in 1967 was the "kind of thing that people want to put out of their mind."

"It was the kind of thing people almost have to confess to," he said, telling of his repeated attempts to pry the story loose from former military intelligence officers and to acquire information that was still in classified documents.

Mr. Allen — who served as a senior analyst at the C.I.A.'s station in Saigon from 1964 to 1966, when he became deputy head of the agency's Vietnamese affairs staff at Langley, Va. — said he had been Mr. Adams's "mentor on order of battle problems since we first met" in January 1966. At that time, Mr. Adams had worked for six months of a two-and-a-half year assignment on the Vietnamese affairs staff.

"I sometimes wished I had the courage of my convictions as Sam had," Mr. Allen told the jury. "I regard Mr. Adams as one having an unusually high sense of professional integrity."

Mr. Allen said that Mr. Adams's integrity "was commensurate with the biblical passage engraved in the entrance to C.I.A. headquarters — 'Ye shall know the truth and the truth shall make you free.'"

Earlier in this trial, George Carver, the chief of that C.I.A. unit, testified for General Westmoreland and portrayed Mr. Adams as someone who was "seldom in doubt, often in error."

General Westmoreland, who commanded United States forces in Vietnam from January 1964 to June 1968, contends that CBS defamed him by saying he had lied to President Lyndon B. Johnson and the Joint Chiefs of Staff about enemy strength in 1967.

Arbitrary Ceiling

The documentary specifically charged that General Westmoreland had imposed an "arbitrary ceiling" on reports of enemy strength, mainly by the deletion of the part-time, hamlet-based self-defense forces from the order of battle, and had disregarded reports from his officers of a higher Vietcong presence and a higher rate of North Vietnamese infiltration than was made known.

General Westmoreland testified that he removed the self-defense forces — then newly estimated at 120,000 — because they were inconsequential militarily and their inclusion in the order of battle at a high figure would mislead Washington and the press. He said he also wanted, in 1967, to "purify" the order of battle by "separating the fighters" — such as North Vietnamese regulars and Vietcong guerrillas — from what he called the "nonfighters," such as the self-defense units.

At a series of conferences in 1967 between representatives of the military

and various intelligence agencies, Mr. Adams and some C.I.A. colleagues unsuccessfully opposed the deletion of the self-defense forces in the order of battle. But it was not until early 1973, shortly before he resigned from the C.I.A., that Mr. Adams first publicly accused the military of willful deception.

Besides being used for the order of battle, the enemy strength figures set-tled upon in late 1967 were used for a 25-page special intelligence estimate for President Johnson and other senior officials. That document — which listed a total enemy military strength of 223,000 to 248,000 — said, in a paragraph, that the self-defense forces might have numbered 150,000 in 1966 and, though declining and not "offensive military forces," still "constitute a part of the overall Communist effort."

Yesterday, on re-direct examination by David Boies, a lawyer for CBS, Mr. Adams said that document was "not an honest statement" of full enemy strength.

But his interpretation was challenged on re-cross examination by David Dorsen, a lawyer for General Westmoreland.

Q. Are you suggesting that people like Secretary of Defense McNamara would not be aware that self-defense forces were not in the strength totals?

A. I believe he might be aware, but if he read that paragraph he wouldn't get a proper idea of what those people did.

When Mr. Dorsen suggested that Mr. Adams had "mixed feelings" about describing the self-defense units as "military," Mr. Adams said that "paramilitary" might be an acceptable term but that he never doubted the need to include them in enemy strength totals.

Mr. Allen testified that the self-defense forces "were responsible for sniper fire, preparing booby traps and terrorist-type grenades and sometimes they would actually engage in a fire-fight." He said they were killing South Vietnamese and American troops "and were terrorizing civilians. They were an integral part of the enemy's military strength."

He said he recalled "figures as high as 40 percent of American losses being inflicted by militia self-defense elements."

Mr. Allen, who said he was one of a dozen intelligence analysts who devised the first American order of battle for enemy forces in Vietnam in 1962, said he agreed with Mr. Adams that the military's position on enemy strength figures five years later was not "in good faith."