

# Documents of the Westmoreland case: Why Lt. General Graham won't sue CBS

To hear Gen. (ret.) Danny Graham tell it, he is the patriot's patriot—the biggest defender of President Reagan's Strategic Defense Initiative (SDI). As usual, Danny Graham is lying.

Graham's "High Frontier"—a program for putting every conceivable kind of junk from giant tomato soup cans to paper clips into orbit—is obviously a joke. But it's a dangerous joke. If Graham is successful, the United States will be without a strategic defense in a period when the Russians are on an all-out drive for world domination.

Is Danny Graham a KGB agent working to sabotage U.S. defense? His record of slurs against the Soviet's No. 1 enemy, Lyndon LaRouche, would tend to vindicate that conclusion. But of one thing we can be sure: Danny Graham is a liar.

Sworn affidavits on file in the famous case of *Westmoreland v. CBS* emphatically demonstrate the point. In January 1982, CBS broadcast a special documentary entitled "The Uncounted Enemy: A Vietnam Deception." The documentary attacks the military, especially Westmoreland and Danny Graham, for falsifying pre-Tet Offensive reports on the actual troop strength of the enemy in Vietnam. The falsification was allegedly designed to inveigle Congress and the American public into accepting the military's idea that we were winning the Vietnam war.

Westmoreland sued, but Graham did not and for good reason. The sworn statements of senior intelligence officials show why:

**Affidavit of Norman R. House:** House is a former intelligence officer and analyst with the U.S. Military Assistance Command Vietnam (MACV) who spent 19 of his 20 years in the military in intelligence work.

*Par. 11.* My most vivid memories of the daily briefings involved a Colonel named Daniel Graham. He was an arrogant man who was not willing to accept intelligence information that conflicted with his preconceived notions of how the war was progressing. He seemed obsessed in his deter-

mination to prove that we were winning the war of attrition and was unwilling to accept any intelligence information or analysis to the contrary. He would blatantly disregard reliable evidence and berate and humiliate those analysts who tried to present intelligence information which showed an increased enemy presence in South Vietnam. I was one of many analysts who had no respect whatsoever for Graham as an analyst.

*Par. 12.* Daily briefings on increased enemy infiltration into South Vietnam were common in the months prior to Tet. I would regularly receive reports about abnormally large sightings of enemy forces moving down the Ho Chi Minh Trail into South Vietnam. Graham always went out of his way to disparage such reports. For example, if we received four separate field reports about the presence of new enemy units in I Corps, Graham would contend that it was the same units being reported four different times, never considering that it may have been four different units. There was a general feeling of disgust among analysts that Graham so blatantly disregarded the evidence of increased enemy infiltration.

*Par. 13.* I recall one particular briefing several weeks before the Tet Offensive in which an analyst was presenting extracts from captured enemy documents which showed that a big offensive was coming and that the enemy was planning to march on Saigon and that the South Vietnamese were going to rise up and throw out the American forces. Graham just sat there and laughed. He dismissed the information as Communist propaganda without attempting to verify its authenticity.

*Par. 14.* Even while the Tet Offensive was in its earliest phases, Graham was still trying to downplay its significance. Just after the offensive began, I was called to MACV headquarters to work with Graham on a briefing for General Westmoreland and to explain the countryside situation. I recall that while we were preparing this report, Graham was laughing. He told me, "When the smoke clears in a day or so, we'll learn that there were only a few enemy units out there, and then we'll all have a good laugh." I remember wondering at

the time what kind of whitewash would occur to explain away how this offensive was possible.

**Affidavit of Russell E. Cooley:** Cooley was a senior officer in South Vietnam supporting MACV intelligence.

*Par. 27.* In or about April or May 1968, I attended a meeting at which the Deputy MACV J-2 (name not recalled), Col. Graham, Cmdr. Meacham, and Lt. Gattozi were present. During this meeting we discussed proposed methods of reconciling the official MACV pre-Tet Order of Battle and infiltration reports with the massive enemy losses during the Tet Offensive. The discussion was carried on principally between Cmdr. Meacham and Col. Graham. Col. Graham proposed to revise the enemy strength holdings in a way that was totally unacceptable to Cmdr. Meacham. Cmdr. Meacham was extremely upset about Graham's proposal, because it was Meacham's perception that he was being told to alter the historical "data base." Upon his return to CICV, he remained extremely angry and protested this action to the chain of command above him.

**Affidavit of Francis A. Braccio:** Braccio was an intelligence officer and analyst with MACV.

*Par. 10.* In April 1968, on the eve of an Order of Battle (OB) conference to be held in Washington, D.C., then Col. Daniel Graham came to my office to ask about our latest Political OB estimate. Lt. Robinson joined us. Graham started the conversation by saying, "I am not here to ask you to lower your numbers, but what is your estimate?" or words to that effect. I found that to be a strange introduction to the subject. Robinson gave Graham our most recent estimate of the total size of the enemy's political infrastructure which, to the best of my recollection, was a figure of 94,000. Graham then asked whether we had a range for this estimate. To the best of my recollection, we told him that in a worst scenario/best scenario situation, a range of 74,000 to 114,000 was possible. Graham said, "I can live with that," and then departed.

*Par. 11.* After our conversation with Graham, we submitted the 94,000 figure as our latest estimate of total enemy strength for the political infrastructure. However, the next official report which appeared on the subject cited a figure of 74,000 for this category. I recall that Lt. Robinson was very angry about this reduction in our estimate and viewed this as a distortion of the intelligence process.

**Affidavit of Richard D. Kovar:** Kovar is a senior intelligence officer with 30 years experience in the CIA.

*Par. 20.* I saw Sam Adams less and less frequently after I left the DDI's office for the second time. Each time I did see him, however, he would tell me of military analysts he had located who had worked for MACV or CIA and who attested to unprofessional practices and downright falsification of order of battle data by or at the direction of their superiors. Many of the trails led ultimately to Lt. Gen. Daniel

O. Graham, a man I had known and despised as major and later colonel. Danny Graham, an upward-climbing careerist who let nothing and nobody stand in the way of his grand-standing efforts to win the favorable attention of his superiors. Graham was and is infamous in the intelligence community as a man who would take whatever analytical position he thought would bring him the greatest rewards from his superiors and pursue that position doggedly—or change it for another if expedient—regardless of facts, logic, or analysis which indicated a contrary conclusion. I was frankly surprised at the number and consistency of these accounts; I had not realized how many people had been involved in the process, how deliberate and long-standing the falsification had been, how deep down and far up it had gone, nor how regretful, remorseful, and bitter it had left the lower-level participants.

**Affidavit of George Hamscher:** Hamscher is a retired colonel who was contacted by Westmoreland's attorney. He did not wish to be interviewed but answered questions submitted to him in writing.

*i) Question 3:* Do you believe that MACV's figures were better, as good, or worse than CIA's and why?

*Answer:* From evidence later developed (particularly after our pullout) it certainly appears that CIA's figures were better than MACV's. Sam Adams has considerable information on this question. During the negotiations I was convinced up to a point that MACV's figures were at least as good as, or no worse than, CIA's. After all, CIA had to work from MACV reportage. I don't think CIA had any in-country resources reporting separately. CIA had a way of extrapolating figures from what I call "soft intelligence." The incident that most clearly marked the real nature of our negotiations was Graham's arbitrary wholesale deletion from the Order of Battle of entire enemy units in order to bring the figures under the ceiling. . . .

*ii) Question 7:* During our telephone conversation, you said that it got to a point where MACV's numbers didn't make sense. What does that phrase really mean? In what way did they not make sense?

*Answer:* The strength figures didn't fit the Order of Battle. Graham had devised an "all-purpose gain-loss formula" by which he could "prove" almost any strength. It involved some long-suspect "body-count and infiltration" statistics. We reached a point where even the formula couldn't justify the numbers.

*iii) Question 10:* Is it true or false that Danny Graham ordered "arbitrary cuts in enemy troop strength during the SNIE conferences." Who was present? Did anyone object?

*Answer:* Danny Graham made arbitrary cuts in enemy strength, by reduction of unit totals and deletion of units. Of the five or six people present then, I only remember Barrie Williams by name. Details are overshadowed by the event itself. . . .