

SENATORS REPORT ABRAMS DISPUTES LAVELLE ON RAIDS

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Stennis Tells of a 'Conflict'
and Says the Inquiry Will
Be 'Pursued Further'

AUTHORIZATION IS ISSUE

Abrams Said to Deny That
He Knew of Air Attacks
in Violation of Orders

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WASHINGTON, Sept. 13 — Gen. Creighton W. Abrams was reported to have given the Senate Armed Services Committee testimony today that conflicted with the version of Lieut. Gen. John D. Lavelle on the unauthorized bombing of North Vietnam.

General Lavelle is the former United States Air Force commander in South Vietnam. He was demoted from field general and retired in April over charges that he had ordered the bombing of North Vietnamese targets before the White House authorized it. Yesterday, according to informed sources, General Lavelle testified that General Abrams—along with Adm. Thomas H. Moorer—had given permission for the raids.

Today, after the four and-a-half-hour hearing, Senator John C. Stennis, Chairman of the Armed Services Committee, told reporters that "a conflict" between the testimony General Abrams and General Lavelle had developed "over the strikes that were made, the extent to which they were planned, and whether they came within the rules."

Conflict to Be 'Pursued'

Senator Stennis, Democrat of Mississippi, told newsmen that the conflict between the two senior generals would "have to be further pursued and developed by the committee."

Senator Stennis refused to describe the specific conflict between Generals Lavelle and Abrams. But earlier in the day, Senator Peter H. Dominick, Republican of Colorado, quoted General Abrams as having testified that he had never been told that the controversial raids were unauthorized.

Senator Dominick declared his "unequivocal" support for General Abrams, who has been nominated to be Chief of Staff of the Army. The Senator told reporters that the General had testified "that, of course, he knew of the raids but did not know they were being conducted outside the rules of engagement."

Accused of 20 Raids

When General Lavelle was demoted and returned, he was accused of having ordered at least 20 unauthorized raids over North Vietnam and having later officially reported them as "protective reaction—that is, in response to an immediate threat to pilots.

The raids began on Nov. 8 and ended on March 8, three weeks before President Nixon ordered the current heavy bombing of North Vietnam.

According to the well-placed sources, General Lavelle testified in secret on Monday that before ordering the first unauthorized raids, in November—on three airfields in North Vietnam—he had discussed them with both General Abrams and Admiral Moorer. General Lavelle also reportedly said that on the morning after the missions he had given Admiral Moorer a package of poststrike reconnaissance photographs.

Admiral Moorer, who is Chairman of the Joint Chiefs of Staff, and General Abrams have denied any knowledge of the unauthorized strikes. Air Force officials have also maintained

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that General Lavelle was "solely responsible" for the raids.

Senator Stennis also announced today that he had summoned for further testimony the Air Force Chief of Staff, Gen. John D. Ryan, the man who relieved General Lavelle, and Sgt. Lonnie D. Franks of the Air Force, 23 years old, who first reported the unauthorized raids. Sergeant Franks, who is now assigned to McCoy Air Base in Orlando, Fla., will appear tomorrow and General Ryan on Friday.

Senator Stennis's statement about pursuing the conflict further, plus the announced expansion of the hearings, indicated an even further delay over the nomination of General Abrams as Army Chief of Staff. His appointment was announced by President Nixon late in June, but has been held up by Senator Stennis because of the Lavelle matter.

Mr. Stennis also told reporters that he had no plans at the moment to call Admiral Moorer to testify, explaining that the committee was now considering the narrow issues of General Lavelle's pending retirement as a lieutenant general and the nomination of General Abrams. Mr. Stennis, however, would not rule out future testimony from the admiral.

Asked about the roles of Generals Abrams and Lavelle, Senator Stennis said, "I'm certain-

ly not going to judge either one of these men on their positions without hearing all of their testimony."

Earlier, however, Senator Dominick told reporters that after three days of hearings, he believed that General Lavelle interpreted the rules "differently" from others in the chain of command. Senator Dominick also said he was satisfied that General Lavelle had been appropriately punished.

Senator Stuart Symington, Democrat of Missouri, who also spoke briefly to newsmen today during the hearings, pointedly repeated a statement he had made yesterday: "I'm saying again that more people than General Lavelle knew what he was doing."

Both Senators Dominick and Symington criticized the rules of engagement in effect at the time of the first raids last year. Senator Symington characterized them as "so complicated that they were bound to lead to inefficient attacks and loss of life."

Asked if General Abrams knew whether the raids were authorized at the time they first took place, Senator Symington said it "depends on

how you define the rules."

"It's difficult to define authority," he said.

The Senator added, however: "General Lavelle, in my opinion, felt that some other people knew of the violations at some point."

Senator Symington also said that he would vote for General Abrams' confirmation as Army Chief of Staff despite his involvement in the controversy. "He's a fine officer," the Senator said.

The burden of General Abrams's testimony as relayed by Senators Dominick and Symington was that the rules of engagement were too vague and unwieldy for effective command and control, with many decisions about whether operations were inside or outside the rules depending on subjective judgments.

Those admittedly personal views were contradicted by Senator Stennis. Asked a similar question by newsmen, the Senator described the rules as "not too confusing for military men," but he noted that "there is always different interpretation."

On June 12, General Ryan, in explaining to the House

Armed Services Committee why he had relieved General Lavelle, did not indicate any doubt about the efficacy of the rules of engagement.

General Ryan testified that he removed General Lavelle after an Air Force investigation showed "some missions had not been flown in accordance with the rules of engagement, and there were irregularities in the operational reports."