

Lavelle Aide's Testimony

An Order To Falsify Reports

Denver

Major General John D. Lavelle's operations officer in Vietnam told a Senate committee here yesterday that Lavelle had given him "the equivalent of a direct order" to falsify reports on a series of bombing raids against North Vietnam that the Air Forces has declared unauthorized.

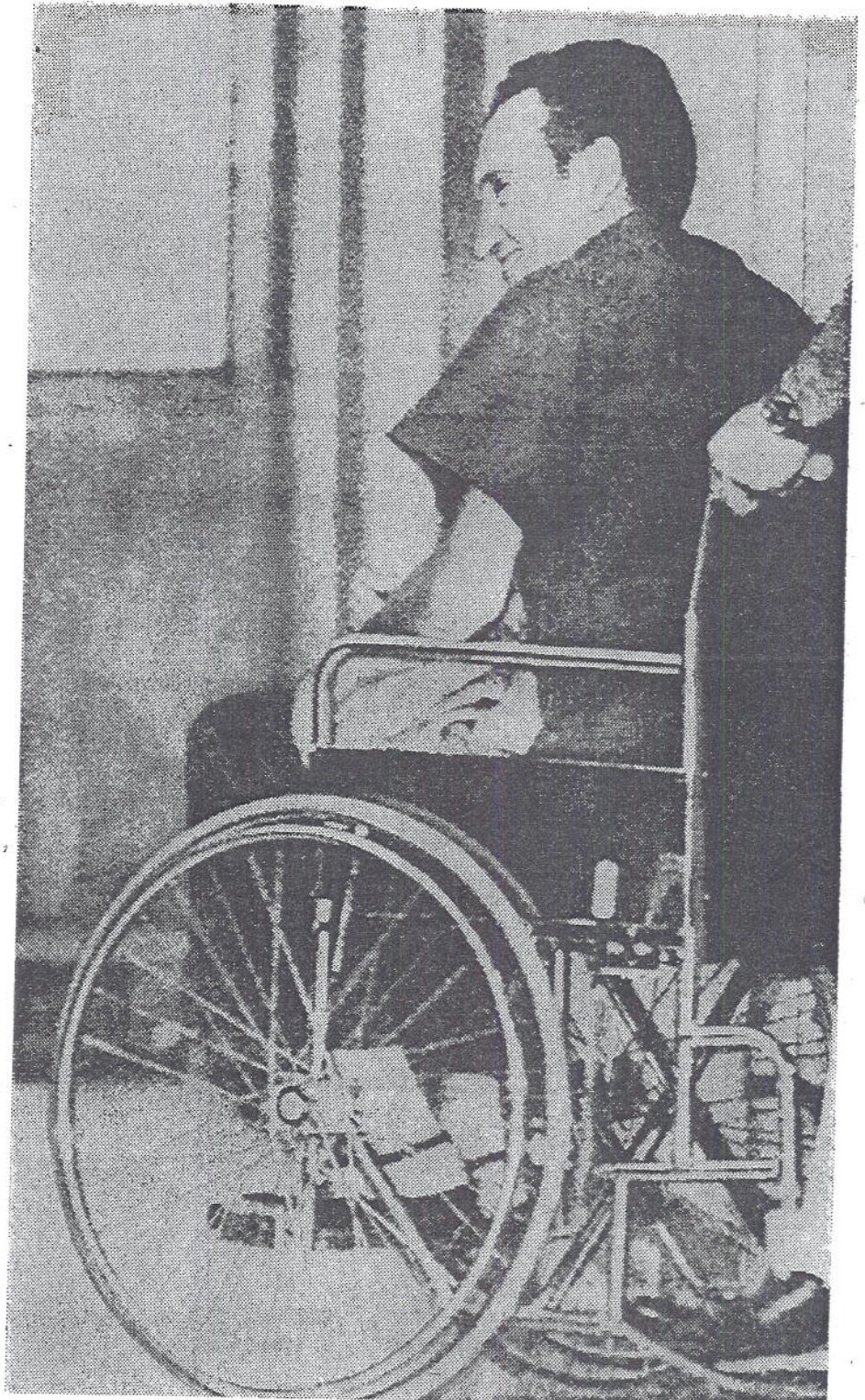
Armed Services Committee chairman John C. Stennis (Dem-Miss.) said that Major General Alton D. Slay, formerly Lavelle's operations officer passed such orders about filing false reports down through the command.

Slay's testimony, taken at the Fitzsimons General Hospital here and relayed to reporters by Stennis, also said that the raids against North Vietnam were premeditated in the sense that the pilots dropped their bombs whether fired upon or not.

Lavelle himself, relieved of command of the Seventh Air Force for going beyond the rules of protective reaction in bombing missions stretching from November, 1971, into March, 1972, had told the committee earlier that he did not deliberately falsify reports. Thus, the testimony by Slay pointed up a direct conflict in the assertions made under oath by Lavelle.

BELIEF

Stennis said Slay, who is recovering from surgery, felt Lavelle must have had good reason to tell him to or-



AP Wirephoto

GENERAL SLAY IS RECUPERATING FROM SURGERY
He did not question the order from his commander in Vietnam

der bombing raids against North Vietnamese targets, whether the protective reaction rules were followed or not, and therefore did not question his former commander in Vietnam.

The protective reaction rules in force for most of the time of the unauthorized raids required that enemy anti-aircraft units make some hostile response to American reconnaissance planes and their fighter bomber escorts — such as firing missiles or guns or

locking missile radar on the planes.

Stennis said Slay told the committee that Lavelle made the judgment that any time his planes flew into North Vietnam they would be fired upon. Therefore, according to Slay, the hostile reaction required by the protective reaction rule could be assumed before the fighter bombers ever took off to hit specific targets in North Vietnam.

Senator Harold Hughes

(Dem-Iowa) said after yesterday's closed session that Lavelle's interpretation amounted to a general running his own Air Force as he saw fit with no regard to civilian restrictions.

"TRAGEDY"

Hughes called it "a tragedy that an individual makes up his own mind to conduct his own air war. No general has the right to assume that he is God."

Asked if he believed that

Slay's testimony or any other information had implicated authorities above Lavelle, Hughes said, "All the evidence to date seems to indicate that General Lavelle did not have any higher approval" for interpreting the bombing rules in his own way.

On that point, Stennis told reporters that the unauthorized bombing raids and the false reports to cover them up were actions taken within the Seventh Air Force itself as far as the committee has been able to determine to date.

Stennis added that Slay told the committee that during the North Vietnamese buildup for this year's Easter offensive "Washington" had told Lavelle to do "the best he could and every way he could" to blunt the drive. Stennis added, however, that such orders from Washington did not tell Lavelle to go beyond the rules of engagement which restricted bombing raids.

IDEA

"General Lavelle conceived the idea that if you're going into North Vietnam you're going to get a hostile reaction" and therefore could plan to bomb specific targets ahead of time.

"In that way," Stennis said in reporting on the rationale described by Slay, Lavelle "considered he was complying with directives from Washington" during the pre-invasion buildup in North Vietnam.

Slay, Stennis said "acted as a soldier" and implemented orders to bomb pre-selected targets under Lavelle's interpretation of the rules.

Besides Stennis and Hughes other committee members who flew to Denver to question Slay were senators Peter H. Dominick (Rep. Colo.) and Barry Goldwater (Rep. Ariz.) Stennis said that yesterday's hearing would be the last for a while as the committee studied the record to date and decides what to do next with regard to Lavelle and the nomination of General Creighton W. Abrams, President Nixon's nominee for Army chief of staff.

Washington Post Service