

Excerpts From General Lavelle's

Special to The New York Times

WASHINGTON, Oct. 5— Following are excerpts from a letter from Lieut. Gen. John D. Lavelle to Senator John C. Stennis, chairman of the Senate Armed Services Committee, dated Sept. 26, 1972:

It seems to me that the real issue of consequence raised in these hearings is the question of whether I disregarded civilian authority and exceeded my own authority. I am satisfied my testimony shows that I did not designedly or purposefully exceed my authority. I believed then, and I still believe, that in the crisis environment we faced and in light of the frequent encouragement from higher authorities to be more aggressive and flexible, I acted legitimately and within the framework of this guidance.

So important is the question of the reasonableness of my actions that I believe the committee should bear in mind all that my testimony shows concerning my reasons for the actions I took. Accordingly, I would like to review again those circumstances that my testimony touched on, which were significant contributing influences:

Tells of Encouragement

A. The strikes in early November.

These strikes and the rationale for them were discussed with the chairman of the J.C.S. My interpretation of our discussion was that he encouraged me to run a protective-reaction mission to attempt to get the MIG or MIG's on Quanglang.

He took care of Navy clearance into their area, and he was shown the post-strike photographs the following day. Subsequently, I received a call and a message from General Clay at PACAF [the Pacific Air Force Command] in which he indicated Washington dissatisfaction with the poor results of the Quanglang strike. It was not a well executed strike, due principally to poor planning and bombing under heavy fire.

B. The Honolulu conference.



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Lieut. Gen. John D. Lavelle

Letter to Senator STENNIS

The purpose of the conference was to discuss methods of countering the enemy threat. During the conference, as reported to me by my representatives, the director, J.C.S., indicated:

[1] Field commanders should be more aggressive.

(2) Field commanders had not been flexible enough in the use of existing authorities.

(3) Fighter escorts for reconnaissance aircraft should be increased to 8 or 16 to insure adequate damage on protective reaction strikes.

(4) When intelligence indicates MIG presence on southern airfields, schedule maximum escorts.

(5) J.C.S. would not question our aiming points (targets) on protective-reaction strikes.

(6) In the event of adverse publicity we could expect full backing from J.C.S.

A Promise of Support

C. Discussion with Secretary Laird in Saigon.

Although I do not remember any of the Secretary's comments verbatim, the essence as I understood them was: Don't come into Washington and ask for additional approvals or authorities, it was an inopportune time. Make maximum use of the authorities we had and he'd support us in Washington.

D. CinCPac-J.C.S. Wires. Receipt of CinCPac (Com-

the reasonableness of my actions. Of particular importance, as I see it, were my discussion with the chairman, J.C.S., concerning the early November strikes; the strong exhortations made at the Honolulu conference to assume a more aggressive protective-reaction posture; the CinCPAC and J.C.S. wires emphasizing anew the policy expressions made at the Honolulu conference; and my discussion with Secretary Laird in Saigon.

The 'Liberal Interpretation'

One other message of extreme importance in leading me to believe my actions were in accord with guidance from higher authority was a top secret wire from the chairman, J.C.S., dated 10 April 1971. This message, brought to my attention by my staff, was in response to a request for specific authority to conduct armed reconnaissance to locate and destroy field artillery guns located just north of the DMZ.

The wire encouraged us in very specific terms to use the protective-reaction authority to make future strikes on a target other than SAM (surface-to-air missiles) and AAA (antiaircraft) sites.

This wire, together with the statement by the director of the joint staff that no one in Washington would question our aiming points, led me to believe that a similar degree of literal interpretation was expected regarding the conditions for a protective reaction strike.

It seemed clear to me that

higher authorities had recommended, encouraged and commended an extremely liberal policy. Well beyond the literal language of the rule of engagement. This liberal interpretation of what could be struck, plus the encouragement to be more aggressive and flexible, vitally influenced my determination to make a similar, though I believe less liberal, and very reasonable, interpretation of the conditions under which we could strike.

While I was of the opinion that my superiors were aware of the nature of our operations, it now appears that there was a different understanding than I thought existed. Notwithstanding, I still feel, and I believe my testimony demonstrates, that my interpretation of the pertinent rule of engagement was a reasonable one in light of all the important considerations which I have enumerated and discussed above.

Decision Against 'Trolling'

In summary, Mr. Chairman, the important point which my testimony makes is that I believed that my actions in ordering these strikes were legitimate and in harmony with the guidance we had received. I was not running my private war or disobeying direct orders from the President, as many news reports have claimed. These few strikes, directed only at enemy weapons systems trying to shoot us down, were executive in a manner designed to protect the lives of my crews.

It was brought out during

the testimony that had I elected to "troll," i.e., send an aircraft and crew into the areas as bait to draw fire, the strikes would then have been considered authorized under the pertinent rule of engagement. Mr. Chairman, I just couldn't do this in the environment in which my crews were flying. Even if a tactic of trolling would have made these strikes legal with respect to the enemy, it would not have been morally right in that hazardous area, with respect to my crews.

Quite apart from that, it should be remembered that in the final analysis the practice of provoking enemy fire through trolling was done in order to execute air strikes involving precisely the same degrees of preplanning as those which I directed. Consequently, as regards the preplanned aspects of the strikes, I respectfully submit that this tactic cannot be fairly differentiated.

Finally Mr. Chairman, there has not been a completely

mander in Chief, Pacific) and J.C.S. wires referring to the Honolulu conference and noting that commanders had adopted a more vigorous reaction posture, resulting in several successful protective-reaction strikes such as the Navy strike on Quanglang and the Air Force strike on Donghoi. The J.C.S. wire further authorized intensifying reconnaissance activity in the vicinity of Donghoi, Vinh and Quanglang with appropriate escort and defense suppression support to insure effective results.

All of the foregoing factors were vital ingredients of my thinking. It seems to me that they collectively demonstrate

objective treatment of this situation in the public press. I have been portrayed as an unprincipled malefactor, who recklessly endangered the prospects of peace, by conducting a massive, private air war, in calculated disregard for orders from the President and personally engineering a conspiracy to conceal it all through falsification of reports.

The verdict has already been rendered in my trial by the news media, which has not had access to all the classified information available to your committee. Contrary to the treatment I have received from the press, I am confident of the fairness and objectivity of the committee.

Mr. Chairman, it is not pleasant to contemplate ending a long and distinguished military career with a catastrophic blemish on my record - a blemish for conscientiously doing the job I believe I was expected to do, and doing it with a minimum loss of American lives.