

ABRAMS APPROVED AS CHIEF OF ARMY BY SENATE PANEL

OCT 7 1972

Stennis Group Also Votes to
Further Reduce Lavelle in
Rank for His Bombings

INQUIRY APPEARS AT END

NYTimes

Air General's Pension Stays
at 4-Star Level Under the
Rules for Retirement

By SEYMOUR M. HERSH

Special to The New York Times

WASHINGTON, Oct. 6—The Senate Armed Services Committee voted unanimously today to confirm Gen. Creighton W. Abrams as Army Chief of Staff. It also voted to strip Lieut. Gen. John D. Lavelle of another star for unauthorized bombing in North Vietnam.

The vote apparently ended the Committee's three-month investigation into the bombings, although the Chairman, John C. Stennis, Democrat of Mississippi, told reporters that the panel would "make recommendations to avoid such incidents in the future."

Had Voiced Concern

The committee action in voting, 12 to 2, to reduce General Lavelle to major general—he had been reduced to a lieutenant general at the time of his retirement—was seen as token punishment, since the general will continue to receive a full general's retirement pay of \$27,000 a year, all but \$2,900 of it tax free. Under existing law, retirement pay for officers is based on their rank, during their last active service.

Senator Stennis, who had previously voiced grave concern over the inability of senior officers to learn of General Lavelle's missions, declared today that there had been no evidence presented during the committee's closed hearings to indicate orders or knowledge by higher commands.

"There was no testimony that put a hand on General Abrams or left a speck on him," Senator Stennis said.

Post Vacant Since July

He also said there was nothing "we had or could get" that placed any responsibility for the bombings or knowledge of them on the Joint Chiefs of Staff or on Gen. John D. Ryan, the Air Force Chief of Staff who retired General Lavelle as Air Force commander in Vietnam.

General Abrams's nomination will be sent to the full Senate for approval early next week, Senator Stennis said. "I assume there'll be some debate," he added, "but I believe he will be approved."

If so, it will mean that the Army will have a top commander for the first time since early July, when Gen. William C. Westmoreland retired as Army Chief of Staff.

In a related move, the 16-member committee unanimously approved the nomination of Maj. Gen. Alexander M. Haig Jr., who is now a key deputy to Henry A. Kissinger, Presi-

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Abrams Wins Approval of Senate Panel

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dent Nixon's national security adviser, to be the Army Vice Chief of Staff.

In a letter made public yesterday, General Lavelle declared that his representatives had been told during a meeting late last year that the Joint Chiefs of Staff "would not question" the targets attacked during protective reaction missions and that further, "in the event of adverse publicity" because of the raids, "we could expect full backing" from the Joint Chiefs.

But committee members made clear today that the letter had not changed their opinion of the General and his missions.

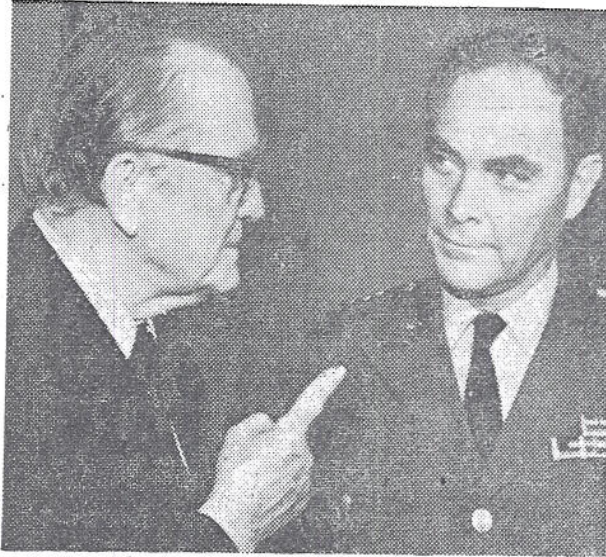
"I thought," Senator Stennis said, "in view of all the evidence, that the letter was an overstatement."

Senator Peter H. Dominick, Republican of Colorado, similarly told reporters, "I don't see anything new in it."

Summary by Stennis

Senator Stennis gave a summary of what he said was his and the Committee's thinking on the additional demotion of General Lavelle. The two main issues, he said, were his violation of orders in planning strikes in the guise of reaction to enemy threats and his order leading to false official reporting.

The Committee still is considering its obligations in the matter, Senator Stennis said. "We discussed what new moves the services and the Department of Defense should make with reference to making it more probable that these occurrences will not happen again," he said. He added, however, that the discussions were



Senator John C. Stennis, Mississippi Democrat, with Maj. Gen. Alexander M. Haig Jr. yesterday. Mr. Stennis heads the Armed Services Committee, which approved President Nixon's nomination of General Haig to be Army Vice Chief of Staff.

"largely speculative" and might not lead to a formal report.

Asked if his Committee had perpetrated a whitewash, the Senator seemed to bristle and said, "There's absolutely no element of that."

But Senator Harold E. Hughes, the Iowa Democrat who initiated the hearings and who emerged as the most vigorous critic of the military during them, suggested in an interview that some aspects of the investigation were of concern to him.

"I feel that the action taken so far has been rather gentle and I'll have more to say about it later," he said.

The only other committee criticism came from Senator Strom Thurmond, Republican of South Carolina, who said he and Senator Howard W. Can-

non, Democrat of Nevada, had voted against further discipline for General Lavelle.

"I felt he had had enough punishment by being reduced in rank one star," Senator Thurmond said. "I'm sure what he did would have been approved by any combat commander in the world."

The approval of General Abrams drew an immediate response from the Americans for Democratic Action, the liberal lobbying group, which issued a statement urging the full Senate to delay his promotion "until all questions raised by the affair are answered."

In other action today, the committee unanimously approved the nomination of Adm. John S. McCain Jr., former Pacific Commander in Chief, to retire as a full admiral.