

Air Force Rejects Last of Charges Against Lavelle

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The U.S. Air Force yesterday dismissed the remaining charges against Maj. Gen. John D. Lavelle and announced it planned no further action against him.

Lavelle, when he commanded the 11,000-man Seventh Air Force in Vietnam, ordered 24 unauthorized bombing raids against North Vietnam and the falsification of reports on them between November, 1971, and March, 1972.

The Air Force relieved him of command for exceeding his authority and recommended that he be promoted from his permanent rank of major general to lieutenant general in the retirement book—one star below the temporary four-star rank he held in Vietnam and thus a demotion in Air Force eyes.

Air Force 1st Lt. Delbert R. Terrill Jr., stationed at Bolling air base here, argued that this was not adequate punishment and filed a separate set of charges through Air Force legal channels against Lavelle. Terrill said "law and order" up and down the Air Force chain of command was at stake.

Under the uniform code of military justice, one man in uniform can file charges against another in the service. Terrill's charges left to Air Force Secretary Robert C. Seamans Jr. the decision on whether to start court-martial proceedings against Lavelle— as some senators had urged.

Seamans' decision against doing anything further against

Lavelle came in the short Air Force announcement released yesterday, stating: "The charges were dismissed after thorough investigation and review of all facts and material in connection with the matter . . ."

Reviewing how Lavelle was relieved of his command in March for exceeding his authority, the Air Force statement said, "This action has served the interests of discipline by its punitive impact and by placing commanders on notice that the Air Force does not and will not condone the manner in which Gen. Lavelle discharged his duties."

Almost in the way of an afterthought—since the Senate Armed Services Committee already had voted against promoting Lavelle for retirement purposes—the announcement said that "the Secretary of the Air Force has recommended that the nomination of Gen. Lavelle for advancement on the retired list" be withdrawn.

Because Lavelle received a 70 per cent disability rating upon retirement, his annual compensation will be calculated on the basis of his highest rank held—that of full general. Therefore, the retirement promotion was symbolic. It did not affect his retirement pay.

Terrill said last night that Seaman's failure to act on his charges against Lavelle "is a slap in the face to every soldier who has ever worn the American uniform."