

LAVELLE CHARGES DISMISSED AGAIN

Air Force Rebuffs Sergeant Who Disclosed Bombings

WASHINGTON, Nov. 21 (AP) — The Air Force dismissed today charges filed early this month against Maj. Gen. John D. Lavelle and 23 other officers accused of carrying out illegal bombing strikes against North Vietnam.

"No new information was presented which would warrant further action," the Air Force said in a brief statement announcing the decision by secretary Robert Seamans Jr. Late last month similar

charges filed earlier were dismissed by the Air Force.

The charges dismissed today were filed Nov. 3 by Sgt. Lonnie Franks, the 23-year-old enlisted man whose letter last March to Senator Harold E. Hughes, Democrat of Iowa, first called an attention to unauthorized bombings in North Vietnam last winter.

Sergeant Franks acted after the Air Force on Oct. 24 ruled out further disciplinary action against General Lavelle, saying his dismissal as commander of the Seventh Air Force in Southeast Asia was punishment enough.

Full General's Pension

The general also was demoted from full general to major general and retired. However, he draws retirement pay of a four-star general.

In filing his charges, Sergeant Franks's civilian attorney, William P. Homas Jr. of

Boston, said he would take the case to Federal court if the Air Force did not take "appropriate action."

At the time, Sergeant Franks said he was acting "because the measures taken so far by the Air Force have done nothing to insure that this type of situation will not recur."

"Instead of truly punishing the guilty parties, the Air Force, despite overwhelming evidence, has retired General Lavelle with an annual salary of \$27,000. There has not been the slightest reprimand for other people involved," said Sergeant Franks, who is now assigned to McCoy Air Force Base, Fla.

General Lavelle admitted during a lengthy Congressional investigation that he ordered the attacks last winter without authority from superiors in Washington and also admitted to the falsifying of records to cover the actions.