

# Statements by Ziegler, Resor and Stennis

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Following are statements on the alleged massacre of South Vietnamese civilians issued today by Ronald L. Ziegler, the White House press secretary; by Stanley R. Resor, Secretary of the Army, as presented to the Senate Armed Services Committee and edited by the Army, and by Senator John C. Stennis, chairman of the Armed Services Committee:

## Ziegler Statement

As I have said, the President of course has been kept informed. On this matter, which is in the military-judicial process, all questions should be addressed to the Department of Defense.

But I will give you this information:

The alleged incident occurred some 10 months before this Administration came into office and, as the Secretary of Defense has said, did not reach his attention until April of 1969.

This delay is regrettable.

As soon as the matter came to the Secretary of Defense's attention in April of 1969, a full investigation was launched by the Army. Both the investigation, still under way, and the trial, which has been announced, have been and will continue to be conducted in strict accordance with the Code of Military Justice.

An incident such as that alleged in this case is in direct violation not only of United States military policy, but is also abhorrent to the conscience of all the American people.

## Investigation Continuing

The Secretary of the Army is continuing his investigation. Appropriate action is and will be taken to assure that illegal and immoral conduct, as alleged, be dealt with in accordance with the strict rules of military justice.

This incident should not be allowed to reflect on the some million and a quarter young Americans who have now returned to the United States after having served in Vietnam with great courage and distinction.



Associated Press

**TELLS OF MAIL: Ronald Lee Ridenhour, former serviceman whose letters to Government leaders sparked inquiry into the Songmy incident, in Claremont, Calif., yesterday. He said his mail mostly favored the disclosure.**

As I said, the alleged incident is now moving through the military-judicial process and because of this fact it would be inappropriate for me to comment beyond the remarks I have just given you.

## Resor Statement

Mr. Chairman and members of the committee:

I deeply regret the occasion of this morning's visit. It is difficult to convey to you the feelings of shock and dismay which I and other civilian and military leaders of the Army have experienced as the tragedy of Mylai has gradually unfolded before us. I know you share these emotions and fully appreciate the gravity of this incident.

I would like today to discuss the facts surrounding this occurrence and to outline for you the progress of our investigation. Unfortunately, as I have already informed the chairman and Mr. Braswell, I can only spend a few minutes with you because of a prior commitment to appear before the House Armed Services Committee at 10:30. I have therefore arranged for Mr. Robert Jordan, the Army general counsel, and General Stillwell, Deputy Chief of Staff for Military Operations, to remain here after my departure and answer your questions. I regret that I cannot spend more time with you today myself.

As you know, it is not normally the policy of the executive branch to disclose information pertaining to ongoing criminal investigations—especially when, as is the case here, new and perhaps conflicting evidence may come to light as the investigation continues.

In addition, there has already been far too much comment in the press on matters of an evidentiary nature, and we are very concerned that prejudicial pre-trial publicity may make it difficult to accord the accused in any prosecution a fair trial. We are taking every step to assure that the Government is not responsible for contributing to such publicity, and I must therefore refrain on this occasion from commenting directly upon the evidence.

With this caveat, let me now review the known facts concerning the tragic events which took place at Mylai 4 hamlet, Songmy village, Quangngai Province, on March 16, 1968.

Mylai 4 hamlet is located in an area which is now and has been for several years under Vietcong control. Intelligence reports indicate that it has been the traditional home of the 48th Local Force Battalion, considered one of the best Vietcong battalions in the country.

Although the area was within the tactical area of operations of the Second ARVN Division [South Vietnamese], U. S. forces had conducted prior operations in the vicinity and had suffered moderate casualties, principally from mines and booby traps. In March, 1968, the 11th Infantry Brigade, a unit

of the American Division, made plans to conduct an operation in this area, and a provisional task force known as Task Force Barker was assigned the operation.

This task force, commanded by LTC [Lieutenant Colonel] Barker, was composed of three companies, drawn from two battalions, and designated A, B and C.

On the morning of March 16, following a three-minute artillery preparation on its landing zone which is thought to have produced few if any casualties, Company C, commanded by Cpt. [captain] Medina and consisting of approximately 105 infantrymen, made a helicopter assault immediately west of Mylai 4.

Company A simultaneously occupied a blocking position to the south. The First Platoon, commanded by 1Lt [First Lieutenant] Calley, led the advance and physically occupied the cluster of habitations that constituted the hamlet. Most of the buildings were then burned or otherwise destroyed. The operation terminated at approximately 6 P.M. on that day, and Task Force Barker was withdrawn.

The task force commander's after-action report for the entire operation indicated enemy losses as 128 killed; it made no mention of civilian casualties. Friendly losses were given as two killed and 11 wounded; however, the only U.S. casualty clearly attributable to the Mylai assault was one soldier who shot himself in the foot.

#### Helicopter Pilot's Report

During the day, reports received from an Army helicopter pilot who had supported the operation suggested there might have been unnecessary killing of noncombatants at My Lai.

As a result, the brigade commander was directed to conduct an investigation of the incident. During this informal investigation he interviewed the task force commander and S-3, and the commanders of the two companies which had been in the immediate area. He also received some reports of unnecessary killing through Vietnamese channels.

The brigade commander concluded that approximately 20 noncombatants had been inadvertently killed by preparatory fires and in cross-fires between friendly and enemy forces, and that the reports of unnecessary killing of civilians were merely another instance of a common Vietcong propaganda technique and were groundless—a view apparently shared by the Vietnamese district chief.

He forwarded this finding to the commanding general of the American division. The matter was not brought to the attention of USARV or MACV headquarters or the Department of the Army.

Over one year later, in early April, 1969, my first suggestion that something extraordinary had taken place at Mylai reached the Department of the Army.

At this time, we received identical letters, dated 29 March 1969 and originally addressed to Secretary Laird and five members of Congress, from a Mr. Ronald Ridenhour.

In these letters, Mr. Ridenhour, a former soldier who had heard rumors about a supposed atrocity from fellow soldiers, alleged that Task Force Barker had been assigned the mission of destroying Mylai and all its inhabitants. He went on to describe in considerable detail several instances of alleged murder which he believed had occurred there.

Upon receipt of these letters, the Army immediately initiated a preliminary inquiry, and on April 23, 1969, the Chief of Staff directed the Inspector General to conduct a full-scale investigation of the allegations made by Mr. Ridenhour.

This investigation took place both here in the United States and in Vietnam and involved interviews with 36 witnesses, ranging from the commander of the 11th Infantry Brigade to rifle-

men who participated in the operation.

On Aug. 4, 1969, the investigation was transferred to the Provost Marshal General. Since that date, criminal investigators have located and interrogated over 75 witnesses, 28 of whom are still on active duty. They have also visited the site of the incident and interviewed local Vietnamese officials and former inhabitants of the hamlet who witnessed the alleged killings.

An Army combat photographer present at Mylai took a number of photographs, which he did not turn over to Army officials. We obtained copies of his slides in August of this year and can show them to you this morning if you wish.

As you know, General Talbott, commanding general, Fort Benning, has convened a general court-martial to try 1Lt Calley for the premeditated murder of 109 Vietnamese civilians.

In addition, charges of assault with intent to kill 30 noncombatants have been filed against one of Calley's squad leaders, SSG [Staff Sergeant] Mitchell.

An Article 32 investigation of the charge against Sergeant Mitchell is expected to get under way shortly, having been held up for some time by a defense request for time to obtain additional evidence.

#### 'Critical Issues Remain'

A number of critical issues remain to be resolved. Primary among them is the extent to which the members of Company C were acting pursuant to orders from their company commander or higher headquarters when they destroyed Mylai's buildings and fired upon its unresisting inhabitants. This aspect of the case is being accorded a very high priority.

In addition, it is estimated that besides 1st Lt. Calley and S. Sgt. Mitchell there are at least 24 former members of Company C, nine of whom are still on active duty, who must be deemed subjects of the continuing criminal investigation.

The efforts of seven criminal investigators are currently focused upon the task of developing evidence concerning the actions of these men. It is estimated that several months may elapse before all of the allegations presently under investigation can be fully evaluated.

Finally, there is the question of the adequacy of the investigation of the incident which was conducted in Vietnam immediately after it occurred. Because this is an extremely important and sensitive aspect of our inquiry, General [William C.] Westmoreland and I have decided that it should be severed from the rest of the investigation and handled separately at a very high level.

We have therefore chosen LTG [Lieutenant General] William R. Peers to head a small team whose mission will be to determine the adequacy of both the original investigation and its subsequent review. This action should not be taken as an indication that we believe that investigation to have been inadequate, but merely as a sign of our continuing determination that the matter be carefully and impartially explored.

Mr. Chairman, the story which has been unfolding before the public during the last fortnight, and which I have discussed briefly with you this morning, is an appalling one. I would like to add some personal comments to this chronology.

I have reviewed what we know of the incident at Mylai with a number of officers who have served in Vietnam. It is their judgment—a judgment which I personally endorse and share—that what apparently occurred at Mylai is wholly unrepresentative of the manner in which our forces conduct military operations in Vietnam.

Our men in Vietnam operate under detailed directives from MACV and other higher headquarters which prohibit

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in unambiguous terms the killing of civilian noncombatants under circumstances such as those at Mylai.

During the last few years, hundreds of thousands of American soldiers have participated in similar operations in Vietnam. I am convinced that their over-all record is one of decency, consideration and restraint toward the unfortunate civilians who find themselves in a zone of military operations. Against this record, the events at Mylai are all the more difficult to understand.

Unfortunately, details concerning the matter did not come to our attention until after a year after the events in question.

Once we learned of the allegations, the Army immediately commenced an investigation which has already resulted in the filing of criminal charges against two individuals. In pursuing this investigation, and in referring the reports of investigation to responsible court-martial convening authorities, we fully appreciated that the disclosures which would inevitably follow would damage both the Army and the Government of the United States.

Despite this, we pursued the only course of action which was consistent with our international obligations, our national policies, and the ethic of American military operations.

I hope that the information which I have presented to you this morning has given each of you a greater understanding of this matter, and it has renewed your confidence in the Army's willingness and ability to pursue the investigation and attendant prosecutions to satisfactory conclusion. I assure you that however great may be your dismay and sense of outrage that such a thing could occur in our armed forces, it could be no greater than mine, nor than that experienced by the thousands of loyal and brave officers and men who have labored so long and sacrificed so magnificently in search of the just peace we all seek in Vietnam.

### Stennis Statement

The committee today received a briefing from Secretary of the Army Resor; Mr. Robert E. Jordan, general counsel of the Army, and other officials of the Army on the so-called Mylai incident. The chairman made the following observation:

1. If these allegations on the massacre of the noncombatant civilians, including women and children, are fully substantiated, it is indeed a shocking affair. It is contrary to every American idea of protection of the innocent even in the event of war.

It should also be noted that this incident was contrary to every rule and instruction the Army has issued in connection with the conduct of the South Vietnamese operation.

2. It is the intention of the the committee to release all available facts on this matter consistent with the protection of those individuals who have either been charged or are under investigation in connection with this incident. The committee would emphasize that court-martial charges have been preferred against two individuals, with a number of other persons under investigation. There is the duty, therefore, of protecting the rights of those individuals who are confronted with these serious criminal charges.

3. The Army for some weeks now has had this matter under a complete and thorough investigation, and if these alleged events all took place, the chairman is at a complete loss to understand why such a lapse of time occurred before the highest authorities were apprised of the matter. On this point the Army is conducting a separate investigate effort to determine the reasons why slightly over a year elapsed before the details of this incident were made known to Army authorities in Washington.

4. Senator Stennis emphasized that he did not know of this matter until about two months ago when he received a very preliminary report from the Army indicating that they were undertaking a thorough investigation to ascertain the validity of these charges.

5. The committee received from the Army today a complete briefing which brings up to date the available information on this matter. Except for certain privileged information, the statement of Secretary Resor is being released at this time.

The committee considers this tragic incident to be of utmost importance and gravity and intends to keep fully informed and follow this matter in close detail, at the same time exercising care in its release of any information which will prejudice the rights of those who are or may be accused.

6. This matter must be vigorously pursued by the Army. The committee will expect that exposures must be made, not only of those who may be guilty of wrongdoing, but of any personnel, if any, in military or civilian channels who may have suppressed evidence.