

## SAIGON SENATORS DECLARE SONGMY 'AN ISOLATED ACT'

They Refuse to Call Incident  
Massacre—Thieu Victory  
Over Opponent Seen

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SAIGON, South Vietnam, Jan. 5—The South Vietnamese Senate adopted a resolution tonight describing the alleged massacre of Vietnamese civilians at Songmy as "an isolated act by an American unit and not the policy of the United States armed forces."

The Senators declined to label the incident, on March 16, 1968, as a massacre or even a killing, despite the report of an investigation by the Senate Defense Committee that said that at least 47 men, women and children had been slain at Songmy.

They also refused to assign ultimate responsibility for the incident to President Nguyen Van Thieu, as proposed by Senator Tran Van Don, the chairman of the Defense Committee and a member of the Opposition.

### Better Security Urged

Instead, the Senators called on the Government to provide better security for civilians living in insecure areas and to improve coordination between the South Vietnamese and American military commands so that such incidents would not occur again.

The compromise resolution, approved by 25 of the 29 Senators present, was seen as a victory for President Thieu over Senator Don, who is generally regarded as his chief political rival in the National Assembly. The Assembly comprises a Senate of 60 members and a House of 137 members.

At Songmy, the resolution said, a "regrettable incident happened, causing fatalities and damaging the properties of civilians."

In a speech accompanying the submission of his committee's 40-page report, Senator Don charged that the South Vietnamese Government had failed to protect the civilians of Songmy adequately and that as a result, "the President must bear full responsibility for the incident before history and the people."

### Charge on Evacuation

Mr. Don also asserted that the Government had failed to evacuate the civilians from the "free fire zone" that included Songmy or provide sufficient security for their lives and property. In a "free fire zone" ordered by the local military command, anything that moves is considered hostile and liable to attack.

"The Executive Branch hid the truth and considered the case as closed," Mr. Don said. "By so doing it demeaned the people and the armed forces."

This was a reference to a Government statement on Nov. 22 declaring press reports of a massacre "totally false," and describing the civilian deaths

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in the village as "normal and unavoidable acts of war."

Despite protests from a number of legislators and criticism from Vice President Nguyen Cao Ky, Mr. Thieu has stuck to this initial finding and declined to reopen the Government investigation of the incident.

### Officer to Be Tried

A few days after the Government statement, the United States Army announced it would prosecute First Lieut. James L. Calley Jr. on a charge of having murdered 109 civilians at Songmy.

In the Senate debate today, a number of Senators made it clear that they considered Mr. Don's allegations more of an effort to embarrass Mr. Thieu than to shed light on the incident.

Most seemed to agree, however, with Mr. Don's thesis that South Vietnam exercises too little control over the military operations that take place in the country. In previous remarks, Senator Don charged that in many war zones in Vietnam the United States conducts its own war, without consulting or coordinating its military actions with the South Vietnamese authorities.

### Pact on Forces Sought

Senator Pham Nan Sach, chairman of the Senate Judiciary Committee, concurred in this view, adding that the

South Vietnamese might not know of the Songmy incident had it not been brought to light by American soldiers.

He and several others who spoke during the five-hour debate urged that a status-of-forces agreement be reached between the two countries to formalize the relationship between the American military and South Vietnamese Government authorities. No such agreement is in effect.

In its report, the Defense Committee, which is dominated by supporters of Senator Don, found that American soldiers had fired "indiscriminately" into groups of unresisting South Vietnamese civilians.

The committee concluded that the exact number of persons killed could not be determined, but noted that 47 had been identified by relatives as killed. "But this does not represent the total number of victims," the committee reported.

#### 5 Testify at Pentagon

WASHINGTON, Jan. 5 (AP)

— The Pentagon announced today before the Army group investigating the charges of a massacre at Songmy.

While some of the investigators, headed by Lieut. Gen. William R. Peers, worked in Vietnam, the taking of testimony continued in secret in the Pentagon.

The five listed as appearing today were all members of the company allegedly involved at Songmy. They are: Paul D. Meadlo, Sgt.-First Cl. Manuel Lopez, Tommy L. Moss, Fernando R. Trevino and James J. Dursi. All have since left the service except Sergeant Lopez.