

Col. Herbert Charges Harassment; Army Denies It

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By George C. Wilson
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The Army is harassing Lt. Col. Anthony B. Herbert in an effort "to shut him up," his attorney charged yesterday. The Army termed the charge "ridiculous."

The latest controversy between Herbert and the Army is focused on the charge that the acting base commander at Ft. McPherson in Atlanta is harassing the much-decorated officer who earlier accused superiors of failing to investigate war crimes in Vietnam.

"I believe they have loosed people on Herbert to intimidate him," said Charles Morgan, of Atlanta, who is an attorney for Herbert and director of the Southern office of the American Civil Liberties Union.

But Maj. Gen. Winant S. Sidle, Army Chief of Informa-

tion, said "I have looked into the situation and believe the charges are largely overstated or unfounded."

Here are Morgan's charges and the Army's replies to them, with the latter given to The Washington Post by C. L. B. Mattingly, information officer at Ft. McPherson:

- Saluting—Morgan said Col. Tom Reid, acting base commander at Ft. McPherson, harassed Herbert in a meeting early Wednesday morning at the base by forcing him to salute him repeatedly and to enunciate the word "sir" distinctly. "I'm not a comic," Morgan said Herbert replied, "but I'll try to do it like you want."

Mattingly said there was no such meeting between Reid and Herbert at any time Wednesday. But Mattingly added that Reid did admonish

Herbert for his "rather insolent and arrogant attitude" on Monday when the two officers met in Reid's office.

Reid at that meeting did order Herbert to improve his salute and forced him to repeat it. "Let's have that again, colonel," is what Reid ordered, Mattingly said. "That was the only occasion Herbert has been admonished" Mattingly said.

- Leave cancellations—Morgan said the Army is refusing to let Herbert go on leave even though he has 63 days accrued and has submitted requests for both long and short leaves.

Mattingly said Reid has granted several short leaves to Herbert to enable him to pursue a graduate degree during the day at Atlanta and also to argue his case for removing bad fitness reports from his

file—a case Herbert won. But Reid on Monday revoked the leave that would have enabled Herbert to travel to New York to appear on ABC's Dick Cavett Show for the second time.

- Herbert's duties—His assignment as assistant chief of the department of industrial operations at Ft. McPherson is a do-nothing job that so far has required him to initial one letter and to make a one-sentence recommendation by Nov. 12 on whether the post motor pool should be placed under the maintenance department, Morgan said.

Mattingly said Herbert has a number of complex projects to complete, including surveying family housing on the post to see what repairs should be made and conducting a feasibility study of a self-service supply center at the base. These reports are due Nov. 12.

- Army counsel—Morgan said the Army has denied Herbert any further legal services from Capt. Richard L. Heintz, his former Army counsel.

Mattingly said this is because Herbert is no longer involved in any legal actions and thus does not rate a counsel any longer.

Herbert himself could not be reached yesterday for comment. But he was seen by reporters in Atlanta on Wednesday when he was with Morgan.