

## COL. HERBERT PUT UNDER NEWS CURB

Army Says He Must Obtain

Permission to Speak Out

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ATLANTA, Nov. 3—The United States Army instructed Lieut. Col. Anthony B. Herbert Wednesday to refrain from speaking with members of the news media without specific permission from his commanding officers.

Colonel Herbert, the combat hero who charged two superior officers with concealing Vietnam war crimes, had asked for official permission to "appear on national news media, i.e., television, radio, etc. during normal off-duty hours and legitimate leave periods."

Col. Tom Reid, Deputy commanding officer of the United States third army, replied today that any such request would be considered on a "case-by-case basis."

Colonel Reid's refusal today was the latest in a series of confrontations between the 41-year-old career soldier and his superiors that apparently began when he preferred formal charges last March against a general and a lieutenant colonel.

He alleged that they had failed to investigate war crimes he had reported to them while he was serving as a battalion commander in Vietnam.

Since last Sunday, the Army has denied three formal requests by Colonel Herbert. For leave and informed him that he was under "suspicion" of being absent without leave last Saturday. The colonel has 63 days of accumulated leave time.

Colonel Herbert's attorney, Charles Morgan Jr. of the American Civil Liberties Union, suggested today that the Army was "purposefully harassing" his client.

Informed sources reported today that Colonel Herbert had been ordered to report early this morning to Colonel Reid's office, where he was repeatedly given instructions on the proper manner of saluting, of assuming the military stance of attention and of pronouncing the word "sir."

According to the sources, Colonel Reid at first merely inquired about Colonel Herbert's health, but as Colonel Herbert saluted before leaving the office, Colonel Reid began his instructions.

### Orders Are Given

"Close your fingers," he reportedly said in commenting on Colonel Herbert's salute.

"I think they are closed, Sir," Colonel Herbert was said to have replied.

"Tilt your hand," Colonel Reid reportedly ordered.

"I think it is tilted, Sir."

"Tilt your fingers in so you can see them."

"Like this, Sir?"

At this point, Colonel Reid reportedly saluted in the manner he believed correct, and Colonel Herbert also saluted and said again, "Like this, Sir?"

"You slurred the word 'sir,'" Colonel Reid reportedly said. "Say it sharp."

When asked later if the incident had occurred, Colonel Reid said, "The best answer I can give you is that military discipline must be maintained at all times."

It was Colonel Reid who yesterday afternoon granted Colonel Herbert permission to appear on the Dick Cavett Show after a day-long exchange of requests and denials between Colonel Herbert and his superior officers.

The final approval for his appearance, according to Army records, was given at the post five minutes before the scheduled taping at a local television station about 11 miles away.

In place of the scheduled taping, the producers of the talk show chose to air a video tape of Colonel Herbert's appearance on the same show last Sept. 30.

That show, in which Colonel

Herbert described atrocities he reported seeing in Vietnam, caused such widespread comment that he was asked to appear a second time.

Colonel Herbert was notified yesterday morning of his promotion from captain to major in the regular Army. His present reserve rank remains unchanged.

The Army has dismissed the charges he preferred against Brig. Gen. John W. Barnes, now assigned to the Pentagon, and Lieut. Col. J. Ross Franklin, stationed in Vietnam.