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## Pike Charges a Cover-Up Over General's Dismissal

By SEYMOUR M. HERSH

Representative Otis G. Pike, Democrat of New York, yesterday accused the Air Force of "trying to sweep a scandal under the rug" by withholding information from Congress on the dismissal three months ago of Gen. John D. Lavelle as commander of the Seventh Air Force in Southeast Asia.

The Congressman, a member of a special House Armed Services investigating subcommittee that will hold a hearing today on the dismissal of General Lavelle, said that the incident involves "a grave question of civilian control of the military."

The Air Force relieved General Lavelle after aircraft under his command repeatedly bombed military targets in North Vietnam without authority. The attacks, which well-informed military and Congressional sources said took place over a three-month period beginning early in January of this year, were reported to higher authorities as officially sanctioned "protective-reaction" strikes.

The current bombing of North Vietnam was authorized by President Nixon in April.

### 'Curves Thrown Up to Me'

Mr. Pike, during a telephone interview from his home at Riverhead, L.I., said that he first learned of General Lavelle's dismissal and the reasons for it late in April.

"I've been trying for six weeks now just to get the facts officially confirmed by the Air Force and all I've gotten is curves thrown up to me," he said.

"I don't honestly know whether General Lavelle is a villain or a hero, but I do think that this is the kind of cover-up which makes the American people lose faith in the credibility of our military."

The Congressman, a former Marine pilot who has generally supported the Nixon Administration in its handling of the Vietnam war, described the issues behind General Lavelle's dismissal as "far more serious than the procurement scandals that we in Congress get so excited about; this involves the whole character of our military operation."

### Pike Sought Hearing

A source on the House Armed Services investigating subcommittee confirmed that the hearing today was being held at Mr. Pike's repeated urging.

General Lavelle and the officer who dismissed him, Gen. John D. Ryan, the Air Force Chief of Staff are both scheduled to testify. A spokesman for the subcommittee said that Secretary of Defense Melvin T. Laird, who was to have testified, would not be asked to appear unless more extensive hearings were held.

Along with being replaced, General Lavelle was officially retired by the White House last month at the rank of lieutenant general, a demotion of one grade. It is believed to be the first time in modern United States military history that a retiring four-star general or admiral suffered a loss of rank.

Mr. Pike said that a key question that he would attempt to resolve concerned the specific orders given to General Lavelle. The general received no authorization for the bombing missions in writing, but reportedly "thought it was implied" in the orders that were given him.

### Learned From Outside Sources

"I wasn't there," Mr. Pike said, "but I believe that General Lavelle did in fact become aware of targets which, in his judgment, should have been attacked as a matter of just plain good military tactics and he went ahead and attacked them." The Congressman said he had learned earlier of the specific reasons for General Lavelle's reassignment from sources "outside the Air Force," but he refused to elaborate.

The congressman added: "What I want to find out is what orders was he operating under? Were they written or oral? How were they changed to begin the bombing attacks of last December—were those written or oral?"

Mr. Pike was referring to the five days of heavy bombing of North Vietnam authorized by President Nixon at the end of last year. General Lavelle is believed by one well-placed Congressional source to have

continued hitting the assigned target after the raids, which were hampered by bad weather, were ordered ended.

General Lavelle is known to believe that officers at the Military Assistance Command-Vietnam, the headquarters immediately superior to his in the chain of command, were aware of the real mission of his bombing attacks but accepted his reports of "protective reaction" without question.

"That's obviously true," said Mr. Pike. "If Lavelle's pilots were attacking unauthorized targets, obviously the men at higher headquarters knew about it. And the pilots get debriefings by operations officers, and the operations officers had to know about it."

The Congressman said that another important question focuses on intelligence estimates of North Vietnamese capabilities early this year. Another reason offered for General Lavelle's unauthorized attacks was that his pilots were describing a North Vietnamese build-up and the general was reported unable to convince higher authorities to permit him to attack the targets.

"Were we aware of the other side's build-up?" Mr. Pike asked. "And if our intelligence was not faulty, could we have prevented the offensive by hitting at their radars and missiles and stockpiles before the offensive took place? And if we could, why didn't we?"

### Protective Reaction Defined

The phrase "protective reaction" was initially coined in 1969 to describe a ground policy in South Vietnam in which field commanders were told to seek out and attack concentrations of North Vietnamese or Vietcong troops to prevent any possible offensive.

It later was extended to cover the air war and was used to justify bombing by American warplanes of missile or anti-aircraft sites that attacked the planes. Eventually, United States planes were given authority to attack such offensive emplacements if the enemy radars "locked on," indicating they were about to fire.

There were about 450 "protective reaction" strikes reported by the Saigon command between November, 1968, and April 1972, when such statistics were no longer kept.

At least 17 of those missions were officially defined by the Pentagon as "limited-duration, protective-reaction" strikes involving upward of 200 assault planes attacking targets in North Vietnam from one to five days.