

# GENERAL TESTIFIES HE MADE 20 RAIDS WITHOUT ORDERS

Ousted Commander Admits  
Strikes on North May Have  
Exceeded Literal Rules

SAYS SUPERIORS KNEW

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Lavelle, at House Hearing,  
Insists Headquarters Was  
Kept Fully Informed  
**NYTimes**

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Special to The New York Times

WASHINGTON, June 12 — Gen. John D. Lavelle acknowledged today that he was dismissed in March as commander of Air Force units in Southeast Asia after ordering his planes to make "in the neighborhood" of 20 unauthorized raids on military targets in North Vietnam and reporting them as "protective-reaction" missions. "In certain instances," the general said at a House of Representatives committee hearing, "I made interpretations that were probably beyond the literal intention of the rules."

But General Lavelle, the only four-star general in modern United States military history to be demoted upon retirement, also insisted that his superior officers in the chain of command had been kept fully informed of his activities.

#### 4 Hours of Testimony

The reason for General Lavelle's dismissal was disclosed in The New York Times yesterday.

General Lavelle and the officer who dismissed him — Gen. John D. Ryan, the Air Force Chief of Staff — testified for two hours this morning before a House Armed Services investigating subcommittee headed by Representative F. Edward Hébert, Demo-

crat of Louisiana.

The two generals returned in the afternoon for two more hours of testimony but this time behind closed doors. A subcommittee member said later that part of the secret session was devoted to tracing the extent of knowledge about the unauthorized raids at the highest American headquarters in Saigon, the Military Assistance Command, Vietnam, headed by Gen. Creighton W. Abrams.

#### 'Reports Were Accurate'

Asked about this during the morning's open session, General Lavelle said: "I had a lot of superiors, and I'm not saying that they all knew — by any stretch of the imagination." He added, however, that he had reported the raids to the Saigon headquarters and that "the reports were accurate."

"I think General Abrams knew what I was doing," General Lavelle said in response to questions. "But I'm positive that General Abrams had no idea what the reporting requirements were. He never worried about or sat down and debated our rules of engagement before we did it."

General Lavelle testified that he ordered the raids, aimed at targets in the southernmost areas of North Vietnam, be-

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tween Nov. 8, 1971, and March 8 of this year. He took over as commander of the Seventh Air Force in July, 1971.

The targets, he said, included "airfields, radar sites, missile sites, missiles on transporters, equipment with the missiles and heavy guns." The strikes were "very successful," he added.

#### Cites Enemy Build-Up

The general said that he had authorized the attacks after failing to get authority to begin tatakking what he said was a substantial build-up of North Vietnamese equipment such as tanks, aircraft and oil depots in an area 11 to 15 miles north of the demilitarized zone, which straddles the border between South Vietnam and North Vietnam.

The North Vietnamese offensive began late in March with an all-out assault across the eastern half of the DMZ at that point. In April President Nixon authorized the current bombing in North Vietnam.

General Ryan, in his testimony, said that he had removed General Lavelle from his command after an investigation — prompted by a letter from an investigation — prompted by a letter from an Air Force sergeant — showed that "some missions had not been flown in accordance with the rules of engagement and there were irregularities in the operational reports."

#### 3 Falsified Reports

General Ryan said the official Air Force investigation had concluded that there were 28 violations of the rules of engagement involving unauthorized strikes by 147 aircraft. In Air Force parlance, a mission can involve one or many individuals attacks by aircraft.

The Air Force Chief of Staff also reported, under questioning, that three falsified after-action reports had been uncovered by the investigating team. The inquiry was completed on March 23, General Ryan testified, and General Lavelle was quickly ordered back to Washington. After being offered a chance to stay in the Air Force as a two-star general, General Lavelle retired.

"It was determined by my inspector general's team," General Ryan said, "that the impetus behind filing false statements came from General Lavelle."

#### Questioned by Pike

General Lavelle was questioned closely by Representative Otis G. Pike, Democrat of Long Island, whose protests of what he termed a "cover-up" of the incident led to today's open hearings. Regarding the false statements, the General acknowledged that "I told my staff that we could not report 'no enemy reaction' in the official statements filed by the pilots after the unauthorized missions.

In other words, the reports had to indicate that the assaults were made in response to enemy activities. Under the rules at the time, United States warplanes could respond to enemy artillery or missile fire and could even attack a missile site after the enemy's radar "locked on" a plane, indicating that a rocket would be fired.

General Ryan told the Congressmen that no disciplinary action had been taken against either the pilots or their immediate superiors for the falsification of records, most of which are classified.

General Lavelle said that he had taken full responsibility for the false reports. "I'm the commander and the buck stops here," he said. He added that "in my opinion, these were low-level, wonderful people" who were filing "what they thought we wanted."

The general insisted, however, that he had not known of the falsifications until he was informed of them by representatives of the Air Force investigating team. As soon as the falsified documents were shown to him, General Lavelle testified, "I stopped all of those strikes."

#### 'I Would Do It Again'

It was not made clear during the public testimony how General Lavelle could have ordered his subordinates to depict all strikes as "protective reaction" and yet still be unaware of the resulting falsified documents. At one point, the officer, now officially retired as a three-star general pending Senate confirmation, said: "If I had to do it over again, I would do it again, but look into the reporting system first."

He added that he didn't "think it was very smart" for his subordinates to fake combat reports, "but that's how it happened." "I believe somebody, someplace got overeager," he said.

After the official Air Force investigation and the resulting order to stop all unauthorized attacks, General Lavelle testified, "I assigned three men to find out how we could continue doing what we were doing but report it accurately." The general said he concluded after the study that we were "unable to do so."