

Abrams

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Denies

Raid Role

Disclaims Any Knowledge of Illegal Bombing

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Gen. Creighton W. Abrams, President Nixon's nominee for Army Chief of Staff, flatly denied yesterday that he had any knowledge that his top air commander in Vietnam was conducting illegal bombing raids and then writing false reports to cover up the violations.

Abrams made those and other statements in a closed session of the Senate Armed Services Committee one day after Gen. John D. Lavelle, the commander of the Seventh Air Force in Vietnam, testified. Lavelle was fired for bombing unauthorized targets in North Vietnam.

Several senators pressed Abrams on whether he winked at Lavelle's violations of the rules at the time and now was participating in an Air Force-Pentagon effort to make Lavelle the scapegoat. That question is the key one as the Senate decides whether to confirm Abrams as head of the Army.

Interviews with several senators on the Armed Services Committee, which makes its recommendation on confirmation to the Senate as a whole, indicated that Abrams will win committee approval.

A gruff general of few words, Abrams in his appearance yesterday remained in character by giving a series of short and direct answers which added up to an impressive performance, according to several senators who heard him.

"Were you ever briefed on the illegal raids?" asked one senator. Abrams gave a one word answer: "No."

"Did you get any reports or other information indicating unauthorized raids?" Again, a one word "No."

"Did you ever visit the Udorn Air Force Base in Thailand"—the place where 23-year-old Sgt. Lonnie Franks sat down and wrote Sen. Harold Hughes (D-Iowa) about the illegal bombings and phony reports. "Yes," Abrams told the senators in the closed

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hearing. But he said he went there to discuss B-52 matters and received no information about bombing violations.

Several senators, with Hughes in the forefront, pressed Abrams on why, as field commander in Vietnam and Lavelle's boss, he did not detect the violations long before Franks blew the whistle on them in his letter.

Abrams replied at one point that the raids reported to him were in militarily active areas where enemy fire could have been encountered by U.S. warplanes, thus allowing them to drop bombs under the "protective reaction" rules in force during the period of violations.

Lavelle was removed as Seventh Air Force commander, a four star job, and allowed to retire after his superiors concluded that about 20 bombing raids conducted from November, 1971, into March, 1972, went beyond the rules of engagement. Those restrictions were lifted on March 30 — and liberalized for brief periods before that.

Abrams did make a significant disclosure in the closed hearing by declaring he approved one bombing strike that the Joint Chiefs of Staff notified him afterward exceeded the rules.

It was a raid in early January against North Vietnamese radar near the Laos border used to guide their fighters to take on American planes. One Senate source said the raid was flown Jan. 5 against the Mocchau radar site.

"Since Abrams himself broke the rules of engagement in the view of his superiors," said one senator after hearing the testimony, "the whole Lavelle thing boils down to how these complicated rules are interpreted. It's a hullabaloo about nothing."

Sen. William B. Saxbe (R-Ohio) told reporters last night that the conflict between Abrams and Lavelle revolved around how the rules were interpreted regarding the right to strike the Ground Control Intercept radar which guides fighters to another plane. Abrams considered them off limits and Lavelle considered

them on, said Saxbe, with no reference to the Mocchau raid.

As Saxbe explained the rules existing during the disputed November to March period, American planes flying over North Vietnam could strike back with bombs and docketed under any one of these three conditions: receiving fire by anti-aircraft; sighting an enemy MIG fighter flying in the vicinity; getting the indication that a surface to air missile had focused its fire control radar on them. That last condition causes lights to go on the pilot's cockpit to warn him he has been targeted by a SAM.

Once any of these conditions exists, Saxbe said, "anything goes," in the way of retaliation. The American bombers scouting reconnaissance planes can "blow up a mess hall if they want to."

Lavelle told the committee, Saxbe said, that he thought the rules also allowed striking the GCI radar. "I interpreted the rules this way, and I thought everybody did," Saxbe quoted Lavelle as testifying. That statement seems to indicate that Lavelle is backing away from his earlier testimony before the House Armed Services Committee that "I made interpretations that were probably beyond the literal intention of the rules."

If Abrams did not know about the illegal raids and phony reports on them by Lavelle, as he testified yesterday, still another question is the knowledge of officers and men below Lavelle about the alleged cover-up. Sgt. Franks is slated to testify on that question in another closed hearing today. Gen. John D. Ryan, Air Force Chief of Staff, will testify later in the committee inquiry, Chairman John C. Stennis (D.-Miss.) said last night.

There are still conflicts between the testimony of Abrams and Lavelle on how much each knew about the unauthorized raids. Adm. Thomas H. Moorer, chairman of the Joint Chiefs of Staff, said yesterday that he had no knowledge about the illegal raids. Stennis said he had not decided whether to call Moorer as a witness.

Sen. Peter H. Dominick (R.-Colo.) who heard the testimony, said yesterday that La-

velle did not tell the committee that Abrams or other superiors had authorized the illegal raids, as reported in The New York Times Wednesday.

At the Defense Department yesterday, Pentagon spokesman Jerry W. Friedheim reiterated assurances given publicly on June 21 by Defense Secretary Melvin R. Laird that Moorer and Abrams were "not aware of the irregularities that occurred nor of the falsification of records" of U.S. bombing strikes between Nov. 8, 1971, and March 8, 1972, until an Air Force sergeant wrote to Sen. Harold Hughes in March.

Adm. Moorer, obviously irked at the reports about what Gen. Lavelle allegedly told the Senate Armed Services Committee Tuesday, flatly denied to newsmen yesterday that he ever gave Lavelle special permission or authority to hit targets that were not in accord with existing authorities.

Moorer, in denying any knowledge of the illegal actions, referred to testimony he gave to the Armed Services Committee on June 22 on the Lavelle case.