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# Lavelle Hearings

## Adjourn Civilian Rule Over Military Called Intact

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The Senate Armed Services Committee suspended Lavelle hearings yesterday with Chairman John C. Stennis (D-Miss.) stressing that the unauthorized bombings did not represent any "drastic challenge" to civilian control of the military.

He said he felt "relieved" that the facts developed during the Senate investigation of Air Force Gen. John D. Lavelle showed that there were "no elements of a revolt of the military against civilians."

Lavelle, before being relieved as commander of the 7th Air Force in Vietnam, ordered 28 bombing raids against North Vietnam which the Air Force said violated the bombing rules for "protective reaction."

In assessing the significance of the Lavelle episode, Stennis said that there was "some failure by the military" and "there might have been lack of vigilance by some civilians."

The chairman said the committee over the next several days would ponder the testimony taken in hearings which started Sept. 11 and make recommendations for reforms as well as passing on the nomination of Gen. Creighton W. Abrams as Army Chief of Staff.

Abrams seems assured of a favorable vote, since no senator on the committee has charged him with approving Lavelle's actions in breaking the bombing rules and falsifying reports on the unauthorized raids.

Adm. Thomas H. Moorer, chairman of the Joint Chiefs of Staff, denied in the closed hearing yesterday that the Navy had violated the protective reaction rules at any time.

"Much has been made about civilian authority," said Moorer in meeting with reporters after his committee appearance. "I don't think it's proper to describe this (Lavelle episode) as a violation of civilian authority."

He termed Lavelle's unauthorized bombing instead as a "violation of instructions." He conceded in response to reporters' questions that the source of those instructions was civilian authority.

Asked about the adequacy of Lavelle's punishment — relieved of command and retirement at the rank of a three-star rather than four-star general — Moorer said it is "not proper for me to answer the question." He added, however, that being relieved of command was "a very severe blow to General Lavelle."

On Thursday, according to Stennis, a former pilot on the aircraft carrier Constellation told the committee that the Navy had briefed pilots to

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bomb certain targets in North Vietnam whether fired on or not. Protective reaction rules formerly in force required that North Vietnamese gunners fire or focus gun or missile radar on the planes before bombs could be dropped.

Moorer disputed that testimony by Lt. William Gregg Groepper, who resigned rather than fly what he considered an illegal mission. He described briefings he had watched on closed-circuit television aboard the carrier in making his charge about premeditated bombing.

Groepper's former roommate aboard the Constellation, Lt. Charles William Moore Jr., a Naval Academy graduate, and Cdr. John A. Miller, commander of Groepper's squadron, also denied to the committee that there were any orders to bomb whether fired upon or not. The two raids in question were against Quang Lang air field in North Vietnam and were flown in December, 1971, and January, 1972.

Adm. Moorer added that the Navy did not engage in so-called "trolling" tactics. This tactic, attributed to the Navy by Air Force witnesses during the Senate hearings, calls for sending in a reconnaissance plane to provoke enemy reaction so that accompanying fighter-bombers could swoop into attack without technically breaking the protective reaction rules.

Sen. Barry Goldwater (R-Ariz.) said of Groepper's testimony that "we've been listening to a lot of crap, and Admiral Moorer set the record straight. We've been listening to a man who lost his wings because of cowardice."

Sen. Richard S. Schweiker (R-Pa.) praised Groepper for his "dedication and sincerity" in stepping forward to report what he considered illegal actions. Schweiker noted that Groepper had been decorated for his performance in the Navy and had been honorably discharged.

Schweiker, in an assessment

of the Lavelle hearings which differed from Stennis', said sending out a lot of fighter-bombers with a single reconnaissance plane was a change of tactics instituted by both the Air Force and Navy early this year.

"In my judgment," Schweiker said, "this gave them a blank check right to hit any target they wanted to hit." About the only difference between what the Air Force and Navy did in this period, Schweiker said, was in the falsification of reports. He said there had been no suggestion that the Navy had also engaged in this.

"I think the spirit of the rules was violated" by both services in sending a sizeable group of fighter-bombers along with the reconnaissance planes, he said. The most worrisome feature of the whole Lavelle episode, Schweiker said, is that the violations were not detected by higher-ups in the chain of command. Citing the Lavelle and Mylai cases as his examples, Schweiker said:

"Twice the chain of command has broken down totally" and this made it impossible for civilians to exercise any control because they did not know about the situations.

"If you lose control half way up the ladder," said Schweiker of the military chain of command, "you can't have any at the top." He said orders go down the military chain like "greased lightning," but that military investigations such as the one on Mylai proceed like "20-mule teams moving across the desert."