

# Lavelle Says Joint Chiefs Pledged Backing on Raids

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WASHINGTON, Oct. 5—Lieut. Gen. John D. Lavelle, in a private letter to the Senate Armed Services Committee, declared that representatives of his Seventh Air Force were specifically told in a meeting last December that the Joint Chiefs of Staff "would not question" the targets struck on protective-reaction missions.

His officers further were told, General Lavelle wrote the committee chairman, John C. Stennis, Democrat of Mississippi, that "in the event of adverse publicity" from the protective-reaction raids, "we could expect full backing from the J.C.S."—the Joint Chiefs of Staff.

He was not specifically ordered to begin planning bombing missions under the guise of

reacting to provocation, General Lavelle said, but began doing so nonetheless on the basis of this and similar forms of private encouragement and ad-

*Excerpts from Lavelle letter appear on Page 14.*

vice. There were certain targets in North Vietnam, he added, that "we knew we could not fly over without being fired on."

A copy of the letter, dated nine days ago, was made available to The New York Times today.

In the letter, General Lavelle makes a spirited defense of his unauthorized bombing, declaring that "it seemed clear to me that higher authorities

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had recommended, encouraged and commended an extremely liberal policy, well beyond the literal language of the rule of engagement."

Mr. Chairman," the letter added, "I believed that my action in ordering these strikes were legitimate and in harmony with the guidance we had received. I was not running my private war or disobeying direct orders from the President, as many news reports have claimed."

Meanwhile, the Armed Services Committee met in closed session today, as members attempted to reach agreement on both the pending nomination of General Lavelle to retire as a three-star general and the nomination of Gen. Creighton W. Abrams as Army Chief of Staff. A vote is expected tomorrow, with General Abram's nomination virtually assured.

General Abram's nomination has been held up since July because of the Lavelle matter. General Lavelle who was ousted in March as commander of the Seventh Air Force, had contended in earlier Senate testimony that both General Abrams and Adm. Thomas C. Moorer had known of and at least tacitly approved of the unauthorized missions.

Both General Abrams and Admiral Moorer, Chairman of the Joint Chief of Staff, have denied the allegations. In his letter, General Lavelle acknowledged the denials without bowing to them, writing that "while I was of the opinion that my superiors were aware of the now appears that there was a different understanding than I thought existed."

Admiral Moorer was reported to be on his way to Washington tonight from a series of North Atlantic Treaty Organization meetings in Europe. Members of his staff said no official comment would be forthcoming on the new Lavelle allegations.

General Lavelle cited seven specific steps by higher authorities between April, 1971, and early 1972 that convinced him that "I acted legitimately and within the framework of this guidance."

## Testimony Less Detailed

Many of the specific meetings and cablegrams mentioned by the general in his letter had also been discussed during his appearances before the Armed Services Committee on Sept. 11 and 12, but in far less detail.

For example, in testifying initially about the December meetings, which took place last Dec. 4 and 5 in Honolulu, General Lavelle told the committee only that his command was urged to be more aggressive and increase the number of escort airplanes accompanying each reconnaissance craft over North Vietnam.

He said nothing about the Joint Chiefs' assurance of "full backing" in case of adverse publicity, nor did he mention the further assurances that no one in Washington would "question" the targets ultimately attacked.

The chairman of the meeting in Honolulu was then Lieut. Gen. John W. Vogt, staff director for the Joint Chiefs. General Vogt later replaced General Lavelle as commander of the Seventh Air Force.

Under the rules in effect last November, when the first unauthorized mission was flown, Air Force and Navy planes could engage North Vietnamese antiaircraft sites and missile emplacements only if the enemy fired first or the enemy's aircraft-tracking radar locked onto a United States plane indicating that it was being targeted.

General Lavelle was relieved for ordering his men to plan "protective-reaction" missions in advance and also for authorizing the bombing of a number of restricted military targets in the North, such as enemy trucks and oil depots.

In his letter of defense, General Lavelle again repeated his assertion that Admiral Moorer was aware of the purpose of the first unauthorized mission—involving Air Force attacks on two North Vietnamese airfields.

"These strikes and the rationale for them were discussed with the chairman of the J.C.S. he wrote. My interpretation of our discussions was that he encouraged me to run a protective-reaction mission" in an attempt to destroy a North Vietnamese MIG sighted at one of the fields.

General Avelle added that, during a meeting in Saigon with Secretary of Defense Melvin R. Laird late last year, he was told in effect: "Don't come into Washington and ask for additional approvals or authorities, it was an inopportune time," adding that he had been told to make maximum use of the authorities we had and he'd support us in Washington."

The general also cited a 1971 top-secret cable from the Joint Chiefs that he said was interpreted as encouraging his pilots to respond to enemy missile or antiaircraft fire by attacking other nearby military targets.

This wire, together with the statement by the director of the joint staff [General Vogt] that no one in Washington would question our aiming points, led me to believe that a similar degree of liberal interpretation was expected regarding the conditions for a protective-reaction strike,' General Lavelle wrote to Senator Stennis.