

SONGMY DATA LAG LAID TO 2 GROUPS

Failure to Report Attributed
to Division and Advisers

By WILLIAM BEECHER

Special to The New York Times

WASHINGTON, March 18—

The Pentagon investigation into the alleged mass killing of South Vietnamese civilians at Songmy has indicated an apparent failure of two separate Army command channels to provide any word of the incident, highly placed sources said today.

The charges brought yesterday against 14 Army officers are based on allegations that key officers in the Americal Division, whose units participated in the Songmy operation two years ago, failed to report the killings to higher headquarters. But they are also based on allegations that two other American officers, advisers to the South Vietnamese and in no way connected with the division, failed to notify their superiors of a Vietnamese report about the same event.

The latter report, made more than three weeks after American troops swept the Mylai 4 hamlet of the Songmy

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village complex, said that nearly 50 civilians had been herded into groups and shot, knowledgeable sources assert.

The American Division officers and the American advisers reported to two entirely different chains of command, a fact indicating a double failure of the Army's reporting system.

In addition, the three-and-a-half-month inquiry under Lieut. Gen. William R. Peers also turned up assertions of a previously unknown atrocity, involving only South Vietnamese, knowledgeable sources say. Reportedly witnessed by an American officer, the incident allegedly took place the same day, March 16, 1968, in the Songmy area but was not reported as required by Army regulations.

Meanwhile, the Army announced today the appointment of Maj. Gen. William A. Knowlton as superintendent of the United States Military Academy at West Point, to succeed Maj. Gen. Samuel W. Koster.

General Koster requested reassignment yesterday after he and 13 other officers were charged with offenses stemming from the Peers report alleging suppression of information about the Songmy incident. General Koster was commander of the Americal Division at the time.

27 Under Inquiry

A total of ten officers and enlisted men, including two of those accused yesterday, have been charged with murder or assault in connection with the incident, and 27 others are still under investigation in the case.

The Peers inquiry was aimed to determine whether there had in fact been a massacre and, if so, why the required war crimes reports had failed to be passed up the channels to the military command in Saigon and beyond to Administration leaders in Washington.

General Peers reported that there had been "a tragedy of major proportions" and that certain individuals had "wittingly or unwittingly suppressed" word of the incident that should have been transmitted up the chain of command. Most details of the report have not yet been made public.



United Press International

Maj. Gen. William Knowlton

Pentagon sources familiar with details of the Peers board findings say that charges against 11 of the officers accused yesterday, all either in the Americal Division or attached to its Task Force Barker for the Songmy operation, dealt with alleged failure to report the killing of civilians, dereliction of duty or false swearing in the Peers investigation.

A Separate Report

Charges against two other American officers focused on their alleged failure to pass on, through separate channels, a South Vietnamese report that a massacre had occurred at Songmy.

In the remaining case, the

charge is that an American artillery officer, Capt. Kenneth W. Boatman, witnessed a shooting of suspected Vietcong guerrillas by Vietnamese believed to be members of the national police force, but failed to report that incident to the proper authorities.

Shortly after the Songmy incident, according to these Pentagon sources, First Lieut. Tran Ngoc Tan, chief of Sontinh district, filed a report that did not indicate any massacre had occurred. However, on April 11 Lieutenant Tan is reported to have filed a written report to his province chief, alleging that nearly 500 civilians in Songmy were assembled and shot by the Americans in the March 16 operation.

Previously published reports of the number killed at Songmy have ranged from more than 100 to about 300. It is understood the Peers board made no specific finding as to numbers.

Knowledge of Report

Lieut. Col. David C. Gavin at the time was the senior American adviser in the Sontinh district. The charges against him are said to be based in part on the allegation that he knew of the substance of the report from Lieutenant Tan but failed to pass it on to his superiors.

Charges against Lieut. Col. William D. Guinn Jr., who at the time was deputy adviser to the chief of Quangnai Province, are also said to stem from his alleged knowledge of the contents and his failure to report them.

The reporting chain of command for the advisers at the time was from district headquarters to province headquarters, then to what was called Provisional Corps (now called 24th Corps) at Phu Bai, and thence to Military Headquarters in Saigon. The commander of the Provisional Corps at the time was Gen. William B. Rosson, now deputy commander of American forces in Vietnam.

An entirely separate chain of command existed for the American Division. Its officers were supposed to report any suspected war crime to the Third Marine Field Force Headquarters in Danang, then com-

manded by Lieut. Gen. Robert E. Cushman. General Cushman is now Deputy Director of Central Intelligence in Washington.

Pentagon sources expressed chagrin that, with two totally separate command channels, no word of the alleged mass killings is believed to have filtered up beyond divisional or province headquarters. Gen. William C. Westmoreland was then commander of American troops in Vietnam; he is now Army Chief of Staff.

The charges against General Koster were characterized by one official as alleging failure to make proper reports to superiors on the Songmy killings and failure to insure a proper and thorough investigation of the incident.

The Pentagon declined to make public at this time the specific language on each of the charges against the 14 officers accused yesterday on the ground that this might prejudice any trials that might ensue.

Deletions From Report

Further, some officials said that the language of the specifications in some instances might be changed as a result of pending investigations under Article 32 of the Uniform Code of Military Justice, roughly analogous to a grand jury investigation, at which the accused will have the right to try to refute the allegations.

The Peers report, made available yesterday, was so heavily censored that it added virtually nothing to previously published press accounts of the alleged massacre; entire chapters were removed from the report before it was released. About the only thing left were histories of the American Division and of the area in Vietnam in which the

mass killings allegedly occurred.

The bulk of the deletions from the 225-page report were made on the ground that the material could be prejudicial. A limited amount of classified information, on such things as enemy strength in the Songmy area, was also deleted.

After the Article 32 proceedings, the commanding generals at Fort Meade, Md., and Fort McPherson, Ga., where the accused will be assigned, will determine whether to proceed with general court-martial trials against any or all of the 14 men.

In addition to General Koster, Colonels Gavin and Guinn, and Captain Boatman, the accused are Brig. Gen. George H. Young Jr., Col. Oran K. Henderson, Col. Robert B. Luper, Col. Nels A. Parson, Maj. Charles C. Calhoun, Maj. Robert W. McKnight, Maj. Frederic W. Watke, Capt. Dennis H. Johnson, Capt. Ernest L. Medina, and Capt. Thomas K. Willingham.

Lawyers Called In

Captain Medina was previously charged with murder, maiming and assault, and Captain Willingham was charged with unpremeditated murder of Vietnamese civilians.

Pentagon officials said that the charges involving alleged suppression of information had been drawn up by a group of Army lawyers brought in to consider the findings of the Peers board, and by some Army lawyers on the board itself.

After the charges were drawn up, senior Army, Pentagon and White House officials were informed, the officials added.

In response to questions, the Army released today the names

of all the members of the Peers board. Besides General Peers, the members are Bland West, Robert MacCrate, Jerome K. Walsh Jr., Col. John W. Armstrong, Col. J. Ross Ranklin, Col. Robert E. Miller, Col. William V. Wilson, Col. Thomas F.	Whalen, Lieut. Col. Charles J. Bauer, Lieut. Col. James H. Breen, Lieut. Col. Fred V. Mahaffey, Lieut. Col. Wallace W. Noll, Lieut. Col. James H. Patterson, Lieut. Col. John Rogers, Maj. Clyde D. Lynn and Maj. Edward F. Zychowski.
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