

Panel Finds Songmy Data Diluted at Each Echelon

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The Army's secret report on the Songmy incident concluded that each successive level of command received a more watered-down account of what had actually occurred in the village. The higher the report went, the lower became its estimate of the number of South Vietnamese allegedly killed by American troops.

According to reliable information, Lieut. Gen. William R. Peers and his investigators also concluded that American soldiers had committed individual and group acts of murder, rape, sodomy, maiming and assault that took the lives of a large number of Vietnamese citizens.

Their report called the victims noncombatants and labeled the event a "massacre."

The official investigators said they could not establish the precise number of civilians killed. But they said that Americans familiar with the event estimated the number at from 175 to 200. The report also mentioned other, unverified estimates that up to 400 Vietnamese had been killed, but it did not appear to give them much weight.

The investigators did determine that, as the official re-

ports were forwarded from echelon to echelon up the military chain of command, the reported number of Vietnamese killed became smaller and smaller. By the time these reports reached the headquarters of the Americal Division, where they stopped, the number of Vietnamese killed had been reduced to an estimate of 20 to 28.

The Peers report represents the first official confirmation of individual eyewitness accounts published in the press in recent months. It also offers many new details.

Publicly, the Army has so far acknowledged only that "a tragedy of major proportions" occurred at Songmy on March 16, 1968. Some indications of what took place have come in accusations brought by the Army against 11 soldiers involved in the operation.

But the findings of the most thorough and official inquiry to date, summarized in the Peers report, have been kept secret.

The Peers panel was set up to determine if there had been a cover-up of the events at Songmy. When the Pentagon announced last week that the

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panel had finished its investigation, the Army simultaneously accused 14 officers of being involved in the suppression of information about the Songmy events.

One of the officers accused was Maj. Gen. Samuel W. Kostner, who was commander of the Americal Division at the time of the Songmy events and later Superintendent of the United States Military Academy. The general requested reassignment from the academy the same day he was accused.

The Peers report said that the massacre—and it uses that word—took place after one American officer introduced a "revenge element" in the preparations for the operation.

The investigators are also said to have discovered that Vietnamese as well as Americans who saw the events at Songmy had reported them to American military channels.

The report, which is the product of a three-and-one-half-month inquiry in which the investigators took 20,000 pages of testimony and visited Vietnam, also asserted that American soldiers had mistreated Vietnamese in their custody, presumably suspected Vietcong.

The Army investigators found that Lieut. Col. Frank A. Barker Jr., commander of the task force involved in the operation, had told his subordinates in a briefing that most of the civilians would be away to market by 7 A.M. the day of the sweep into Songmy. He told them that only Vietcong and Vietcong sympathizers would be left in Songmy.

Copter Crash Victim

It could not be learned how the Peers group interpreted this order—whether Colonel Barker had thus given his men free rein or whether he had cautioned them to observe the rights of those who remained in Songmy. The colonel was killed in a helicopter crash in a subsequent operation in Vietnam.

The Pentagon has refused to discuss the way in which information about Songmy had been suppressed. It said publication of the 225-page Peers report might prejudice the rights of those who might be brought to trial.

The inconsequential excerpts from the report that were given to reporters dealt with the history of the military units involved and the background of the region surrounding Songmy. The investigators found that after Colonel Barker gave his

briefing, a subordinate officer added a revenge element in talking with his own men. Presumably, he referred to the heavy casualties that units in the area had suffered from an unseen enemy who used booby traps, punji stakes, and land mines. The area is said to have been largely controlled by the Vietcong.

Recounting the military operation in narrative fashion, the report said that American soldiers had killed the Vietnamese civilians in three groups. The people in one group were taken to a trench before they were shot.

The incident was witnessed, the report said, by American pilots and ground soldiers and by Vietnamese. The Vietnamese witnesses reported what they had seen to the American military; the American troops reported what they had seen to their superiors.

Reports Were Diluted

These reports then made their way up the chain of command, from company level to task force level, from task force to brigade, and from brigade to division. According to the Peers panel, as the reports were passed from one rung to the next, they were softened or diluted. Once the reports got beyond

dent, according to the Peers panel, the number of those who had allegedly been killed at Songmy was reduced and reports until reports at the division level spoke of an incident in which between 20 and 28 Vietnamese had been killed. According to the Peers group, reports of what happened at Songmy did not go above the Americal Division.

The report gave the impression that Vietnamese officials had been hesitant to confront the American military with demands that the Songmy incident be investigated. They reported the incident to American officers, but apparently did not press the Americans to take action.

OFFICER TESTIFIES HE ALLOWED KILLING

LONGBINH, South Vietnam, March 26 (Reuters)—A young American Army officer told a court-martial today that he had permitted a sergeant in his platoon to shoot an unarmed Vietnamese prisoner.

But the officer, First Lieut. James Brian Duffy, 22 years old, of Claremont, Calif., pleaded not guilty to premeditated murder at his court-martial at this big United States base, 18 miles northeast of Saigon.

He is charged with the murder of Do Van Man, 25, during a military operation near Saigon

Last September and with conspiracy to murder, along with Sgt. John R. Lanasa of his platoon.

Lieutenant Duffy said he had given permission to the 23-year-old sergeant to shoot the prisoner on the morning of Sept. 5. The platoon had captured the man in a bunker the previous night.

Lieutenant Duffy, who was on the witness stand for six hours today, said Capt. Howard D. Turner of Coldwater, Calif., his company commander in the Third Brigade, Ninth Infantry Division, had told him not to take prisoners. If convicted, the lieutenant faces a mandatory life sentence. The trial continues tomorrow.