

Army Issues My Lai Cover-Up Report

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WASHINGTON, Nov. 13— More than six and one-half years after the massacre of civilians My Lai 4 in South Vietnam, the Army formally released today a report telling how that crime was covered up throughout the military command structure.

"The release of this report concludes a dark chapter in the Army's history," Secretary of the Army Howard H. Callaway told newsmen after the 260-page document was distributed. "This is a story which is not a happy one."

The one-volume summary was prepared by a staff headed by Lieut. Gen. William R. Peers, who was picked by top Army officials to investigate fully the My Lai cover-up after the first reports of the March 16, 1968, killings were published in the United States in November, 1969.

Much of the basic information presented in the Peers report had previously been made known, either through press proceedings stemming from the Army's inquiry. William L. Calley Jr., the platoon leader who was the sole participant convicted of any My Lai wrongdoing, was released from jail last week, clearing the way for today's action.

Failed to Face Up

The one-volume document tells, in sometimes searing language, a now-familiar story of how senior officers of the American division, including one general who later was named superintendent of West Point, failed to face up to and deal with the unprovoked slaughter of a Vietnamese village. Other documents in the report disclosed that an Army census concluded in 1970 that 347 men, women and children had been killed by the American troops at My Lai.

The Peers document showed that knowledge of the atrocity was widespread throughout the division and its headquarters.

"The division command group acted to control closely all information" regarding My Lai, the report said.

Asked during the news briefing whether he thought there was any inconsistency between the documented widespread failures at the division level and the subsequent sole conviction of Lieutenant Calley, Secretary Callaway said, in effect, no.

"We've always leaned over backwards to protect individual rights," he said. "Our justice is one of presumption of innocence."

Charges Thrown Out

In all but one case, court-martial charges recommended by General Peers against senior officers of the division were thrown out by subsequent military review panels before any formal trial.

Also made available today was a volume of documentary exhibits used by the Peers panel in preparing its final one-volume report. A far greater mass of material, including the verbatim testimony of the more than 400 witnesses who testified before the panel in 1969 and 1970, was withheld by the Army, Mr. Callaway said, because "the harm to individuals that could result from release of these volumes clearly outweighs the interest of public access to whatever additional information may be contained."

The report released today specifically cited 30 officers and enlisted men by name, ranging from major general to a specialist 5, whose actions after the massacre were found to be lacking and possibly criminal.

Congressional criticism over the Army's refusal to release the Peers report intensified two years ago after The New Yorker magazine and The New York Times published extensive articles based on a copy of Volume 1 of the report and the more than 40 volumes of accompanying testimony and documents that had been provided to a newsman.

On June 4, 1972, The Times published extensive excerpts from Volume 1 that noted that the top generals of the Americal Division committed 43 specific acts of misconduct or omission in connection with the initial field investigations in March and April, 1968, of the incident.

On June 5 The Times reported that the Peers report also included a detailed analysis of a second massacre in a nearby village that involved the slaying of up to 90 Vietnamese. Those killings were perpetrated by a sister unit of Lieutenant Calley's company on the same

day as the incident at My Lai. Only one officer was formally charged in connection with the second massacre and those charges were later dropped.

Volume 1, which summarized the four-month inquiry by General Peers and his staff, concluded that in general "efforts were made at every level of the Americal Division" in a successful attempt to keep details of the killings from reaching higher headquarters.

Both Maj. Gen. Samuel W. Koster, then division commander, and one of his chief deputies, Brig. Gen. George H. Young Jr., were accused of not telling other staff officers in the division about the incident and thus "effectively sup-

pressed" information about it.

The release of Mr. Calley and of Volume 1 in effect closes the books on the My Lai incident for the Army. The final results, after more than four years of litigation, were as follows:

¶ Fourteen officers accused of criminally covering up the killings, with a 13 administrative dismissals and one acquittal—that of Col. Oran K. Henderson, commander of the 11th Infantry Brigade—after a court-martial.

¶ Twelve officers and enlisted men initially charged with criminal offenses, including murder, with one conviction—Lieutenant Calley's—four acquittals and seven cases dismissed before courtsmartial.