

MILITARY INQUIRY

Officer Accused of Refusal to Fly Over North May Be Court-Martialed

By Reuters

OMAHA, Neb., Jan. 10—A 30-year-old B-52 pilot and crew commander is facing a possible court-martial on a charge of refusal to fly a combat mission over North Vietnam, the United States Strategic Air Command headquarters here said today.

The Strategic Air Command identified the pilot as Capt. Michael J. Heck, now stationed in Thailand.

A command spokesman said that Captain Heck, who is serving his fourth combat tour in Indochina, was permanently assigned to SAC's second bomb wing, a B-52 unit—and that his normal duty station was Barksdale Air Force Base, Shreveport, La.

[Another B-52 captain, in a letter to Senator Charles McC. Mathias of Maryland, charged that "sheer stupidity" by the Strategic Air Command had contributed to an unnecessary loss of aircraft and men.]

The SAC spokesman said Captain Heck was "the first and only" B-52 crew member investigated on a charge of refusing to obey an order to fly a combat mission since B-52's

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Indochina in June, 1965.

A report that other B-52 crew members had quietly been sent back to the United States for balking at flying missions over the heavily defended Hanoi area was denied by SAC. The report appeared in a dispatch of The New York Times from Guam, where many of the B-52's engaged in the war are based.

"There is absolutely no truth to that," the spokesman said.

SAC provided the information on Captain Heck in response to a question whether members of B-52 crews had disobeyed orders to fly over the Hanoi area where, according to the United States command in Vietnam, 15 of the big bombers have been lost to surface-to-air missiles. Two other B-52's were downed after being hit elsewhere over North Vietnam.

The SAC spokesman said Captain Heck was being investigated under Article 32 of the Uniform Code of Military Justice for "alleged failure" to obey orders "to fly a combat mission in Southeast Asia." An investigation under Article 32 is normally conducted as a means of determining whether grounds for a court-martial exist, he explained.

Captain Heck is the only member of the six-man crew he commanded who faces the investigation, the spokesman said.

The incident in question occurred Dec. 27, nine days after B-52's began participating in intensive raids against the Hanoi area. The heaviest loss of B-52's occurred before that date, in the period immediately before Christmas.

Captain Heck is serving his third Southeast Asia tour as a member of a B-52 crew. He also spent a year ending in April, 1969, as a forward air controller, piloting a small plane over suspected enemy positions and troop concentrations or supply routes to direct bombing strikes.

SAC said Captain Heck flew 56 bombing missions during his first B-52 tour in Southeast Asia, 61 during his second tour and 106 missions as a forward air controller. He flew 39 missions during his current tour, before Dec. 27.

The Captain lived at Whittier,

Calif., when he was commissioned into the Air Force in 1966. He is married and has two children. He has served on B-52's a total of three and a half years.

Captain Heck is currently stationed at the U Taphao air base in Thailand. About 50 of the nearly 200 B-52's committed to the Indochina conflict are based at U Taphao. The remainder are on Guam.

'Sheer Stupidity' Charged

Special to The New York Times

WASHINGTON, Jan. 10 — An Air Force captain who flew in the recent B-52 raids over Hanoi has charged that "sheer stupidity" by the Strategic Air Command contributed to an unnecessary loss of aircraft and men.

In a letter to Senator Charles McC. Mathias Jr., Republican of Maryland, who made it public, the pilot — and his navigator — said that, "either by stupidity or sheer laziness," his crew bombed the same target on the first and third nights of the raids, which began on Dec. 18. In addition, another crew bombed it on the second night.

He said that on all three nights, the flight paths into and away from the target were the same, giving Hanoi's missile operators a good chance to shoot them down.

"I cannot explain the failure to change the mission," the pilot said in the letter. "However, it suggests to me a total lack of comprehension on the part of the Strategic Air Command. Whether this lack of understanding is explained by laxity in the performance of duty, or by sheer stupidity, it cannot be tolerated if it costs the life of just one man. Because of these failings, the aircraft directly in front of us was shot down."

Senator Mathias withheld the names of the pilot and navigator, but a spokesman said that his office had checked and confirmed that the letter, written while the raids were still going on, was legitimate. The pilot was from Maryland, Mr. Mathias's state.

The pilot said that, in addition, the fighter-bombers assigned to knock out antiaircraft missile sites "were not even in the target vicinity when we struck Hanoi."

"There can be no possible explanation for the failure of

the fighter aircraft not to accompany us into the target — and their failure to show accounts for the many downed bombers on the third night of the raids," he said.

Mr. Mathias sent the letter to Senator John C. Stennis, chairman of the Armed Services Committee, asking for further investigation. He said the letter described "a disturbing situation in which unnecessary risks were taken." A spokesman for the Pentagon said it had no immediate comment.

The pilot said that "I will not fly another mission into Hanoi" if the route is the same that he flew previously.

He said that he was not writing to protest the increased involvement in the war.

"I am not a diplomat, and therefore leave those decisions to the ones in authority," he wrote. "As long as there is any chance that our presence here is proper, than I shall remain."

DO NOT FORGET THE NEEDIEST!