

# ***HAWK***

APRIL 1969







# 1ST AVIATION BRIGADE

# HAWK

APRIL 1969

VOLUME II

NUMBER 8



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COMMANDING GENERAL  
DEPUTY BRIGADE COMMANDER FOR ADMINISTRATION

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COMMANDER 17th CAG  
COMMANDER 164th CAG  
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Feature stories, photographs and art work of general interest to 1st Aviation Brigade personnel are invited. Write HAWK Magazine, Information Office, 1st Aviation Brigade, APO 96384.



## Editorial:

# R&R : Rest and Responsibility

Through arrangements between the United States and the governments of several Asian countries, our servicemen can take advantage of travel opportunities that previously would have been prohibitive because of the extreme distances between their location and the North American continent. The plan, as everyone knows, is R&R and, in many cases, a 7-day leave.

The soldier pays only the cost of his meals and lodging, need not have a passport, and has a choice of 10 of the world's most exotic cities for a vacation that offers a lifetime of memories.

Good deal. Surely there's a catch.

There is. Cooperating countries ask that the soldier's visiting conduct themselves in an orderly manner, that they put forward the "best side" of America.

All the nations involved in the program are our allies. We'd like to keep it that way. Is it too much to ask?

### Chaplain's Corner

**Chaplain (CPT) Frank Sparkman**

**269th Combat Aviation Battalion**



From time to time we see or hear of a man that is unfaithful to his wife. I always want to say or I do say to such a person, "Man, Love your Wife!" Let no man talk himself into thinking that he must have a woman while he is away from his wife. If he will love his wife as God would have him to love her, he would have no problem in being faithful to her.

In the first place, man, love your wife as Christ loved the Church. The Apostle Paul said, "Husbands, love your wives in the same way that Christ loved the Church and gave His life for it." (Ephes. 5:25) (TEV). Christ proved faithful in his service to the Church and He gave Himself for the Church. In a similar way man is to love his wife, even to the point of sacrifice.

Secondly, man, love your wife as you love yourself. Paul says, "Men ought to love their wives just as they love their own bodies. A man who loves his wife loves himself." (Ephes. 5:28) (TEV). If a man would love his wife as he loves himself and if a wife would do the same, the divorce courts would go out of business.

Thirdly, man, love your wife with a love that transcends all other human relationships. The Scriptures tell us that "a man will leave his father and mother, and unite with his wife, and the two will become one." (Ephes. 5:31b) (TEV). A man's wife is to come first in his life, even before his parents, and the same is true with his wife. When a man is unfaithful he destroys the oneness he has with his wife.

*from the*

## CAREER COUNSELOR

The U.S. Army offers a wide variety of reenlistment options for first term enlistment or reenlistments. A special category of these options pertains to those now serving in the Republic of Vietnam.

If you are on your first enlistment with less than four years service and presently assigned in Vietnam you may reenlist for your choice of career group and receive training in your selected MOS, if you qualify for that MOS.

If you desire to travel more in Asia or perhaps work in Europe or Africa, South America, Alaska or Hawaii, you may reenlist for a particular job site connected with an ITT (inter theater transfer).

Your Career Counselor may be able to free you from that workday grind and enter you in a field with unlimited opportunity and promise—and to give you a choice of locales in which to work unequaled by practically any other employer—and give it to you in writing before you decide.

You may also reenlist for your present assignment here in Vietnam or if you desire more action than you're finding now you may reenlist for door gunner if you pass a Class II flight physical.

An option also exists whereby you may reenlist for Security Guard here in Vietnam if you meet certain prescribed prerequisites.

If you DEROS within the next 90-180 days you have the option of reenlisting for the CONUS Station of your choice with a 12 month stabilized tour if a vacancy exists.

For more details on these and other reenlistment options see your Career Counselor today.





## Brigade Welcomes New CG

On March 20, 1969, Brigadier General Allen M. Burdett, Jr. assumed command of the 1st Aviation Brigade, replacing Major General Robert R. Williams.

General Burdett, a 1943 graduate of West Point, formerly served as assistant division commander of the 101st Airborne Division (Airmobile) and as commander of the 1st Cavalry Division's (Airmobile) 11th Combat Aviation Group.

He served in World War II as a rifle company commander in Europe and later saw combat as a battalion commander in Korea.

He was among the pioneers of the airmobility concept with the 11th Air Assault Division at Fort Benning and deployed to South Vietnam with the 1st Cavalry Division.

He gained his wings as an Army Aviator in June 1960 and has graduated from the Command and General Staff College, the Army War College, and the Armed Forces Staff College. In addition to his B.S. from West Point, General Burdett also holds an M.A. in international affairs from the George Washington University.

He has been cited repeatedly for heroism in combat having earned two Silver Stars, the Distinguished Flying Cross, the Bronze Star with "V" device and two oak leaf clusters and the Vietnamese Cross of Gallantry with Gold Star. He has also received the Legion of Merit with two oak leaf clusters, and both the Army and Air Force Commendation Medals.

He served as the Army's representative in the Office of the Commandant at the newly established Air Force Academy from 1955 to 1958.

He was born in Washington, D. C., in 1921 and now makes his home in Arlington, Virginia with his wife and four children.

The staff of *HAWK* would like to officially welcome the new commanding general and wish him as much success in the brigade as he has had in the past.





**Brigadier General Allen M. Burdett, Jr.**  
**New Brigade Commander**



## Brigade's Grounded Aviation Unit



### H Battery, 29th Artillery

Night. A platoon of infantry work swiftly and quietly to set up an ambush on Highway 4, vital supply artery for the rice-rich Delta. Solid cloud cover turned the dark Vietnamese night to absolute black.

An element of enemy soldiers unknowingly advanced into the kill zone to set up mines and booby traps along the deserted road.

Abruptly the night turned into blinding, unblinking day. A hail of small arms automatic fire unmercifully sought out the startled VC and left them crumpled in the Delta mud.

A little known but much respected unit of the 1st Aviation Brigade strikes again. That unit is H Battery, 29th Artillery, attached to the 164th Combat Aviation Group at Can Tho.

This battery, commanded by Captain Martin Price, provides illumination for the IV Corps Tactical Zone by means of 23-inch

zone search lights capable of producing infrared and visible light of up to 75,000,000 candle power.

These search-lights are mounted  $\frac{1}{4}$ -ton trucks with wiring modified from 25 to 100 amps and manned by a crew of two.

H Battery, based at Can Tho about 60 miles south of Saigon, consists of four platoons which are located throughout the IV Corps area. Their job is to provide lighting for Special Forces camps, air fields, and to restrict movement of the enemy on roads and other open areas.

Providing lighting for a corps area is a big demanding job. Even with the four platoons of H Battery and a total of 36 lights they are in constant demand. The three other batteries of the 29th Artillery provide similar services for the remaining three Tactical Zones in the Republic of Vietnam. In the northern areas of South Vietnam

the effectiveness of the lights is greatly diminished due to the terrain features. In mountainous or hilly areas the use of the light is limited to perimeter defense and airfield protection.

The Delta, however, is flat, and so the searchlight can be called upon, as they frequently are, to participate in night detection and ambush.

Each searchlight is fitted with an adapter so that an M-60 or M-16 can be mounted atop it and adjusted to fire down the center of the light beam whether the light is infrared or visible.

When a platoon of infantry set up an ambush the light accompanies them to a likely location. The crew members observe to the front through high power binoculars that are designed to pick up infrared light from the searchlight. When the enemy is spotted the crew switches to visible light giving the set up infantry a vulnerable



target.

"Our searchlights have been doing a real good job of securing Highway 4 and preventing the enemy from mining the road," according to 1LT Jessie Sandoz, San Antonio, Texas, Headquarters Platoon Leader. "We have had several kills along Highway 4 in connection with the 9th Infantry Division. Our 3rd Platoon works the road from Can Tho to Vinh Long to My Tho."

During last year's TET offensive the light proved instrumental to Cobras of the 235th Armed Helicopter Company. The pilots of the Huey Cobra gunships were directed on targets by the lights when enemy threatened the perimeter of Can Tho. 1LT Sandoz relates, "After talking to some of the pilots, they said it was great. They just had to coordinate with the light operator and follow the beam to the target."

Searchlight vehicles are airlifted to areas where needed to supplement already present units such as during the May offensive, or to areas that are accessible only by air because of security reasons, lack of roads or the time element. The jeeps are driven into CH-47 Chinooks of the 271st Assault Support Helicopter Company at Can Tho and flown to wherever they are needed.

The services this unique unit provide are unusual and dangerous but much appreciated by all those who request their help. As one searchlight operator put it, "We have a great deal of pride even though we realize the artillery people look down on us. We feel we are doing a good job. It feels good to go out and help the infantry in the night when there may be more than darkness out there. I think it helps them to know that big light is close by."

**Story and Photos by**

**SP4 Joseph F. Whinnery**



*One of the crew members of the searchlight battery checks the Xeon lamp.*

*Searchlight mounted on the back of a jeep is capable of producing 75,000,000 candlepower beam.*





# NEWSLETTER



CPT BUU NGO OF THE 217TH SQUADRON and 1LT Vo Van Minh of the 211th Squadron, both from the 74th Air Wing at Can Tho Air Base became the first two Vietnamese aviators to complete the UH-1C gunship course in the VNAF transition program at 145th Combat Aviation Battalion headquarters at Bien Hoa. The two pilots trained with the 190th Assault Helicopter Company Gladiators and were qualified on the M-3, M-5 and M-21 gunnery systems. CPT Ngo has accumulated more than 2,000 helicopter hours in CH-34, UH-1A, B, D and H models while LT Minh has flown 100 hours in different model Hueys plus more than 2,500 hours in the Choctaws. The two aviators were presented with letters of commendation by LTC Carl H. McNair, Jr., 145th commanding officer.

QUALIFIED WARRANT OFFICERS AND enlisted personnel in grades E5 through E9 can apply for direct appointment as commissioned officers in the infantry.

Due to the continuing requirement for qualified company grade infantry officers, the Army is encouraging personnel who meet the qualifications.

Applicants must have completed at least six months honorable active duty as a warrant officer or enlisted man in any component of the Armed Forces. (ANF)

THE 125TH AIR TRAFFIC COMPANY, 165th Aviation Group, at Bien Hoa, has been presented the Meritorious Unit Commendation for its action from June 1967 through December 1967, the testing period for operating flight following for aircraft of all the services and operating terminal air traffic control facilities, both fixed and mobile. Each month, the men of the 125th flight followed more than 160,000 aircraft, controlled in excess of 341,000 aircraft and gave ground control approach assistance to more than 1,600 aircraft. They served in their mobile capacity to support tactical operations and greatly expanded their services to meet the needs of the augmented air role in the South Vietnamese conflict. Major General Robert R. Williams, former brigade commanding general, presented the streamer in ceremonies at Bien Hoa January 6.



COLONEL NELSON A. MAHONE, JR. HAS assumed command of the 17th Combat Aviation Group in Nha Trang, replacing Colonel John A. Todd who has been assigned to staff duty at the Pentagon. Col. Mahone, a World War II veteran now serving his second tour in Vietnam, has had his Army Aviator wings since 1946 and is now a Master Aviator. He served with the 1st Cavalry Division (Airmobile) from 1965 to 1966. He holds the Silver Star, Legion of Merit, the Distinguished Flying Cross, the British Military Cross and the Vietnamese Cross of Gallantry with the Bronze Star. He is rated in both fixed and rotary wing aircraft and is welcomed by the officers and men of the brigade.



# HAWK HONEY



*Martine Beswick*

*Photo Courtesy*

*United Artists*



# ABOUT VIETNAM

As in other parts of the world, athletes and sports fans throughout the Republic of Vietnam share international pride when the greatest sport event of all—the Olympic Games—is held every four years in a different part of the world.

Since its first entry in the 1952 Olympics at Helsinki, Finland, Vietnam has participated capably in the track and field, fencing, swimming, shooting and bicycle racing events.

Participation within international sports competition has become almost an obsession with the wiry Vietnamese. Their enthusiastic response to the highly competitive game of Soccer, for example, typifies their sports ambitions.

Since its introduction into Viet-

nam by the French in 1905, this rugged sport has become one of the country's most popular organized athletic efforts.

This fast-moving game, sometimes called "Association Football" is played with a round ball on a field with a goal at either end. The ball is propelled toward the respective team's goal by the team members either kicking or butting it with their heads. According to the rules of the game, the use of arms and hands is prohibited.

From the formation of the Football Federation of Vietnam in 1959 for the conducting of soccer competition on a nationwide scale until the end of the Vietnam Cup Competition in 1965 because of the



# SOC CER



Viet Cong insurgency, the game enjoyed wholehearted support from the Vietnamese.

Presently, there are more than 50 soccer teams in Saigon alone and the sport is played extensively throughout the Vietnamese military forces.

Two national teams have won honors in Asian tournaments. In 1966, the National Soccer Team won a Gold Cup for a first-place finish in the Merdeka Tournament and a Silver Cup in 1967 for a second-place finish in the Southeast Asian Games. The National Soccer Team has no age limit for members, but its oldest players are

*Story By*  
*SFC Edward J. G. Cannata*

*Photos Courtesy*  
*Thong Cam Magazine*

# SPORTS: PART II

rarely more than 30 years old.

Recently, the Vietnam National Youth Team completed a three-week tour of Asian countries. The team, comprised of boys 20 years of age and under, competed in tournaments at Seoul, Korea and Taipei, Taiwan. At the Taiwan Invitational Tournament, they won a Gold Cup by defeating the Philippine Islands and the Republic of China competitors.

During the 1968 Asian Games at Seoul, the youths defeated the Philippines but were later beaten by Burma teams.

An explanation for the soccer successes of the Vietnamese youths lies in the teaching of European soccer techniques to them by their former head coach, Mr. K. H.

Weigang. Originally from West Germany, Mr. Weigang arrived in Saigon in 1963 as part of a West German technical aid program to the Republic of South Vietnam. In 1965 he voluntarily assumed the assignment as head coach for the young athletes. He assumed a similar position for the National Team in 1966.

When Coach Weigang returned to West Germany in June 1968, his successor, Mr. Pham-van-Nong carried on with his predecessor's training techniques in this hard-slammung sport which, in Mr. Weigang's words... "Requires so much maneuverability with the ball and the knack of knowing not only HOW but also WHEN to kick it."





Manila, the former capital of the 7083 islands comprising the Philippines, has been described as a Malaysian cake with Spanish filling and American topping.

Located on the island of Luzon this principal city of 1,200,000 inhabitants is tourist-orientated and its three official languages of English, Spanish and Filipino (Tagalog) provide "Open Sesames" to diverse avenues of pleasure.

The battle sites of World War II become identifiable for R&R servicemen as they stroll along the sandy beaches of Batangas and Bataan; walk among the ruins of Intramuros, the historical Spanish Walled City; and hear their own footsteps as they stride down the corridors of Santo Tomas University, one of the world's oldest universities and the site of an infamous concentration camp during the Japanese occupation.

The island fortress of Corregidor at the entrance to Manila Bay is a memorable experience in emotion when glimpsed for the first time at daybreak.

Forty-five minutes by air from Manila is Baguio, the summer capital located in the cool air-swept mountains where the Ifugao rice terraces are actually carved



out of the mountainsides. In addition to the terraces which are acclaimed feats of primitive engineering, there are the Maria Christina Waterfalls, the University of the Philippines at Quezon City, the capital of the Philippines and the Cagsawa Ruins below the Mayon Volcano.

Transportation is no problem in Manila. Buses, jeepneys and taxis are in abundance and reasonably priced. To travel the island of



Manila by night is a tempo synchronized with the sway of a lovely Filipina's walk. From the neon-flashing core of the city's night clubs, supper clubs and theaters to the salty, shadowy bars and bistros of the waterfront, life is lived!

For food fanciers, the restaurants on Roxas Boulevard and Menlo Road specialize in American, Malaysian, Spanish, French cuisine and a wide variety of Filipino chicken preparations.

For daytime sports, there is the excitement of the horse races at the Hippodrome, deep sea fishing for the "Big Tuna" in the blue-green South China Sea, the to-the-death Pintakasi (cockfights) and the fascinating Jai Alai games.

Jai Alai, one of the Philippine Islands most avidly followed sports, is played with a Cesta or curved wicker basket attached to the glove of the player and used to hurl a small hard ball at tremendous speeds against the walls of a court in the manner of handball.

Manila, your Shangri-la of excitement and entree to unequalled mixtures of sights, sounds and tastes, is only 4 hours flight time from Vietnam. The M in Manila stands for the Manana that never seems to come.

Luzon, the well-scheduled train system is your best economic bet. To go from island to island, you may travel either by steamship or by one of the many daily inter-island air flights.

If you are operating on a Champagne wallet and desire to see Manila in a style to which you are unaccustomed anywhere, chauffeur-driven automobiles are available for as low as \$2.00 an hour.

# MANILA

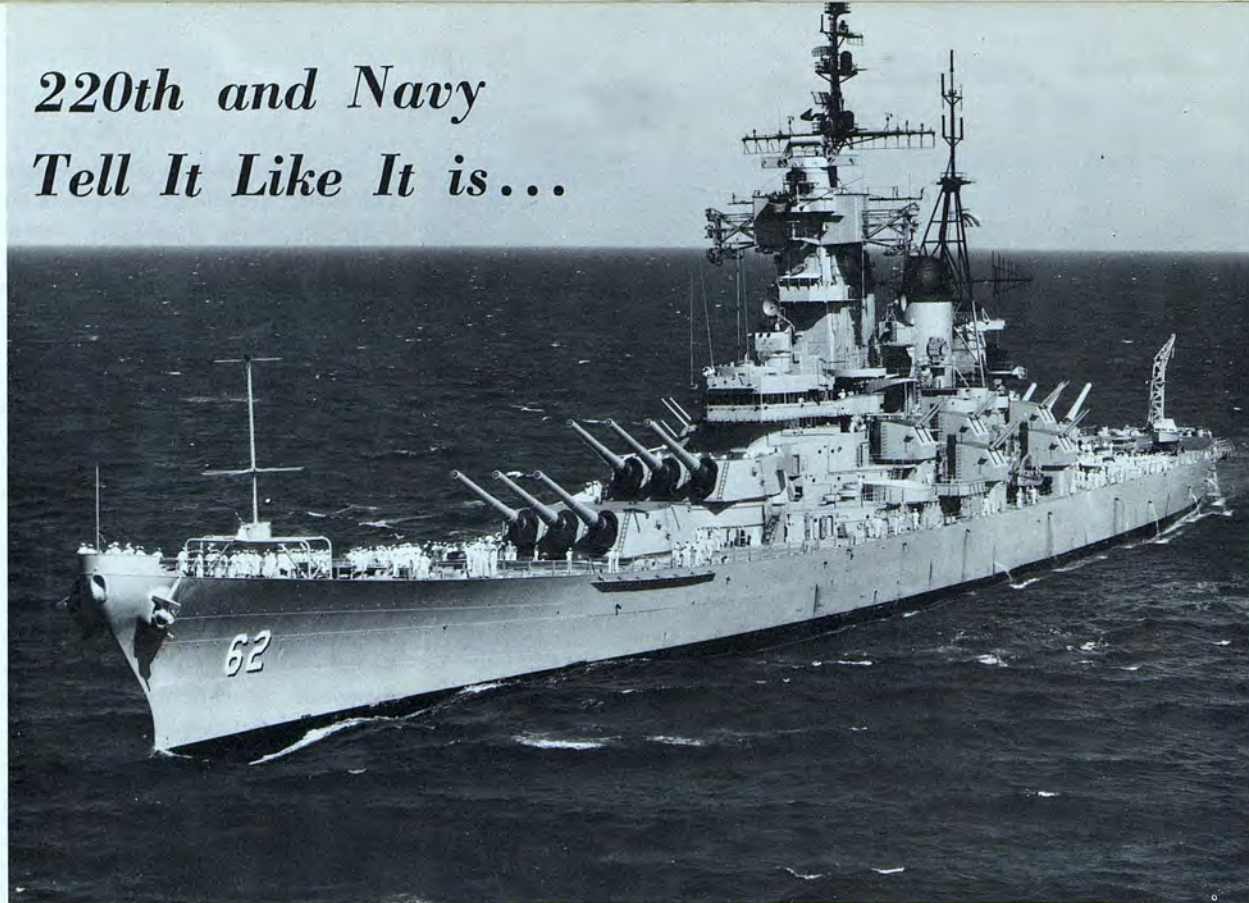


Story by  
SFC Edward J. G. Cannata





## *220th and Navy Tell It Like It is...*



## **“BANG, BANG... YOU'RE DEAD”**

The absolute black of the Vietnamese night slowly gave way to the dusky gray half-light of dawn. As the sunlight slowly scattered the ground fog and drove out the last vestiges of darkness, the distant sound of an O-1 Bird Dog could be heard, breaking the lazy silence of morning.

Far below on the ground enemy soldiers worked quickly to camouflage the newly built bunker complex before the crew of the spotter plane could see it. High in the sky the position had already been noted and the coordinates sent to waiting gunnery crews.

The little Bird Dog flew off leaving behind an element of enemy soldiers confident that they had gone unseen.

Twenty miles away the decks of the big battleship New Jersey were teeming with life. The aft section of the ship was cleared and the

gunnery teams fed the data from the spotter plane into their fire control computers. Slowly the big turrets swung round and elevated zeroing in on their target. The entire ship vibrated with the concussion as the guns fired salvo after salvo sending 2700 pound projectiles screaming toward the enemy.

Back at the enemy bunker complex heads raised toward the sky as the rounds began whistling in bringing with them death and destruction. The soldiers scattered vainly trying to find a secure sanctuary from the shells which were now falling like rain. There was no place to hide.

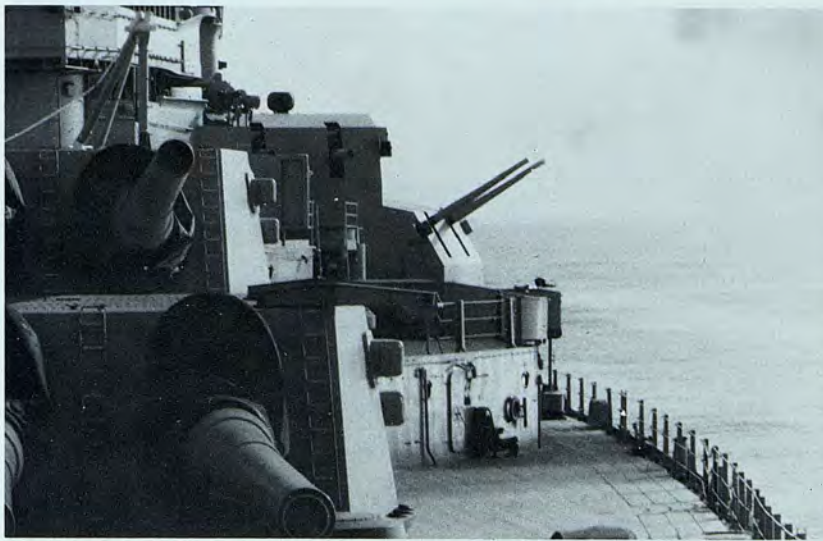
As the shelling ceased the O-1 once again flew over the site of the now ruined bunker complex, noting the complete destruction of the enemy hideout. Radioed word was sent back giving details of the destruction and complimenting the

gunnery crew for their marksmanship. Another fire mission successfully completed and the Bird Dog winged away in search of new targets for the lethal guns of the New Jersey.

Many times a week this scene is replayed as Army Aviation and Navy firepower team up to make a shambles of Charlie's plans in I Corps. Army Aviation, as provided by the 220th Reconnaissance Airplane Company, serves as the eyes for Navy gunnery crews of the New Jersey.

Located at Phu Bai, the 220th RAC, under the command of Major James M. Wisby, does the bulk of the reconnaissance for the New Jersey since she steamed south of the DMZ after the bombing halt in October, 1968. The “Cat Killers” as they are known, are a part of the 212th CSAB at Marble Mountain, south of Da Nang.





*One of the New Jersey's guns hurls a shell with deadly accuracy toward an enemy installation. -Lackey*

The New Jersey, only active battleship left in the world, is in many ways a throwback to wars of past decades. A direct descendant of Theodore Roosevelt's "Great White Fleet" she was originally commissioned in May 1943 and saw action in the South Pacific during the Second World War earning nine battle stars and three other awards before the Japanese surrender in August 1945.

The New Jersey was decommissioned in 1948 but when fighting broke out in Korea her massive firepower was needed once again and she was recommissioned in 1950. Throughout the Korean conflict she provided artillery support

for ground troops and made raids on important harbors winning four more battle stars and three other awards. She was again decommissioned in 1958 and put into moth balls.

In April 1968, more than 25 years after her conception, the big battlegewagon was once more called upon to provide fire support. Since her original commissioning warfare has changed drastically. The great battleships of the past are no more. She stands alone, a monument to a past when battles on the high seas sold newspapers and made history.

Today her mission is shore bombardment of any and all enemy

complexes within range of her guns. The destruction she is able to produce is devastating. Each of the New Jersey's nine 16-inch guns is capable of hurling a 2700 pound projectile over twenty-three miles. Each projectile can penetrate up to 30 feet of reinforced concrete. In addition she is armed with twenty 5-inch 38-caliber guns in 10 dual mounts.

With her updated fire control and ordnance systems, new gun fire control computers and target designation system and the spotting done by the 220th RAC, she is indeed a dreaded weapon and fearful enemy of the Viet Cong and NVA.

Recently the commander of the New Jersey, Captain J. Edward Snyder, and the commander of the 220th RAC, Major Wisby, exchanged momentos typifying the close working relationship between the two commands.

The men of the 220th RAC received a photograph of the New Jersey with a Thank You written on the bottom from the men of the New Jersey and the men of the battleship received a plaque with the unit insignia of the "Cat Killers."

The mission of the New Jersey is a far cry from the traditional battleship tasks of facing enemy battleships on the high seas, protecting troop convoys and providing anti-aircraft cover as well as pre-invasion bombardment, but it is nonetheless an important one and one that she, along with the eyes of the 220th RAC, carry out to perfection.

As HAWK went to press it was learned that the New Jersey was being called back to the States for refitting and retraining of the crew. There is a possibility that the ship might not return to the Vietnam war. However, the Bird Dogs of the 220th RAC are still flying spotter missions for Cruisers and Destroyers of the U.S. Navy. (Editor's Note)



*A Bird Dog of the 220th RAC circles high in the sky looking for signs of "Charlie."*





# ***RAPID FLIGHT***

New Method of Airmobile Operation





The wake of the converted LST churned a murky swath thorough the waters of the mighty Mekong. Alongside the single-ship helipad, soldiers of the 9th Infantry Division crouched and waited for the word to prepare to board. A new method of airmobile operation, dubbed 'Rapid Flight', was under way.

The distant sound of UH-1H slicks drew nearer and the first ship lowered itself to a hover just above the gray landing pad and eased to a rest. Immediately seven "Old Reliables" raced for the chopper and climbed aboard.

The aircraft commander pulled pitch, cleared the pad and started the days mission—a combat assault against the elusive Viet Cong in the Delta.

Ten times this act was repeated, ten times successfully. All within ten minutes. Twenty seconds per aircraft to land, load and depart. Forty seconds between aircraft to prevent stacking up. As one chopper departs another drops to take its place.

Before rapid flight was initiated it took more than an hour for the troops to be moved to the contact area. The troops are ready reaction forces of the 9th Infantry Division acting on intelligence reports or used as reinforcements when an element makes contact. Due to the immediate nature of their mission every minute counts highly.

The 214th Combat Aviation Battalion, commanded by LTC Wallace R. Dietderich, was called on to cut down the time from notification to insertion. In conjunction with Major Robert Wright, commander of the 162d Assault Helicopter Company, LTC Dietderich came up with the rapid flight concept. The mission will work only if the helicopter company involved is an experienced and able one acting under a well coordinated plan.

The coordination is done on



*Aerial view of the USS Benewah, floating helipad.*

*Troops of the Old Reliables run to board a slick of the 214th during a Rapid Flight mission.*





# RAPID FLIGHT

board the USS Benewah, a modified LST with a one-ship helipad, by the 214th Combat Aviation Battalion air liaison officer, Major John Jones, and the ground commanders of the elements that are to be lifted. Upon notification of a rapid flight mission the ground commanders ready their troops and the assault helicopter company is alerted to the mission.

The precision of the movement is a testament to the coordination, planning and initiative of the 214th Combat Aviation Battalion, located at 9th Infantry Division Headquarters at Dong Tam. They fly the ships. They also provide gunship cover for the loading operation and cover for the insertion when the combat assault is launched.

The USS Benewah, mobile helipad for the operation, is the flagship for the Mobile Riverine Force. Its mobility in the myriad of waterways in South Vietnam's vast Mekong Delta region conserves time and enables the division to operate much further from its base camp than under ordinary circumstances.

Ninth Division operations have long since been recognized for their employment of the MRF resources and their tactical airmobility. This in an area where for much of the year, roads are virtually nonexistent and many likely landing zones are flooded by the monsoon-swollen wrath of the Mekong and its tributaries.

But for the Vietcong, mobility in

the rice-rich Delta is as simple as the nearest sampan, and avenues may be found on any canal, water terrace or rain-filled creek.

Additional speed and a longer arm were needed to suppress the enemy. Observers of the swift loading operation feel that rapid flight will go far in hampering enemy efforts.

The Benewah provides billets for members of the division's "ready reaction force." Through the use of the swift loading operation, they can be deployed almost instantaneously to any trouble spot in the Delta.

The joint effort has done much to up the ante for terrorist and military enemy activities however he chooses to strike.



*Moments after lift-off the troop carrying ship disgorges its load at the LZ.*





## *“Some even carried can openers”*

*Early in the morning of February 23, 1969, the long awaited enemy offensive began. From the mud of the Delta to the mountains of I Corps the enemy struck with agonizing swiftness at South Vietnamese cities and American military bases. On this and the following pages is the story of the defense of one of those bases, the huge logistical and supply center at Long Binh, the largest American military base in Southeast Asia and the home of the 1st Aviation Brigade.*

*The statements on the following pages were made by North Vietnamese Army Private Tran Van Thiet, 19, who was wounded in the leg and captured. He is now a patient in a hospital at Long Binh.*

*Tran was an assistant squad leader in the Third Battalion, 274th Viet Cong Regiment. Attached to this unit is Political Commissar Tu Lanh, who was responsible for injecting the troops with spirit prior to the battle. (Editor's Note)*





*"He told us the attack would be easily successful  
and after it was over we would be able to go  
home to North Vietnam."*







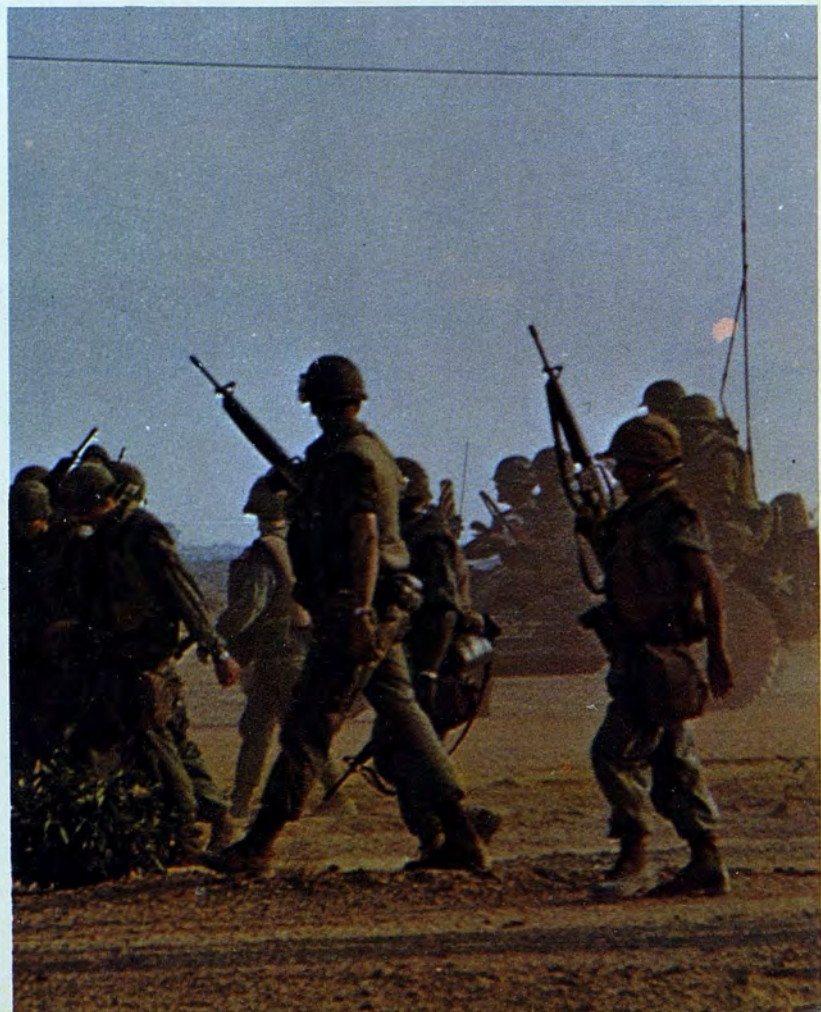
*"We were told that our attack would be easy because we would have powerful artillery support..."*







*"...Most of the American troops are desk soldiers and not experienced fighters. He also said we would capture many C rations ... the troops were very happy ... some even carried can openers."*





# THE MILITARY JUSTICE ACT OF 1968

*Beginning with this issue, HAWK introduces a new regular monthly feature concerned with legal assistance information. Each month this page will be devoted to a different topic on the subject of legal affairs.*

*Captain Douglas C. Arthur, Brigade Legal Officer in charge of the newly created Brigade Legal Assistance Office, authors this as well as all upcoming columns. Captain Arthur received his Law Degree from Washington and Lee University in 1967 and went into private practice for six months before entering in the Army in January 1968. His military experience includes serving as Assistant Legal Officer, The Student Brigade, Fort Benning and Legal Officer, The Candidate Brigade, Fort Benning. He came to the 1st Aviation Brigade in January.*

*The creation of a legal office within the 1st Aviation Brigade will hopefully establish a needed service, particularly in the military justice and legal assistance areas. The office will have staff responsibility for the administration of military justice and will render legal assistance to the commanding general, his staff and the commanders and personnel of all subordinate, assigned or attached units. The legal office is also responsible for claims activities and for providing legal assistance to eligible military and civilian personnel.*

*Comments, questions or suggested topics for this column are welcomed. (Editor's Note)*

One of the most discussed areas of military law at the present is in the field of military justice, and involves the Military Justice Act of 1968. This act is actually a series of amendments to The Uniform

Code of Military Justice which becomes effective August 1, 1969. The amendments embody several basic changes in the structure of military courts and the procedure by which they operate.

The big change, however, comes at the Special Court Martial level. The court may now consist of not less than three members, as under the old law, or a military judge and not less than three members, or only a military judge if the accused so requests in the same manner as for General Courts Martial. This creates a new system of Special Courts-Martial in an attempt to have a legally trained judge available to rule on what sometimes become complex questions of law. The old rule forced such decisions upon the President of a Special Court Martial, an officer who almost invariably had little or no legal training.

The Summary Court-Martial remains unchanged, consisting of one commissioned officer.

Another change at the Special Court-Martial level, and perhaps the most far-reaching one, is the new requirement for the detailing of trial and defense counsel. The accused shall be afforded the opportunity to be represented at the trial by a qualified lawyer who is a member of the bar of a Federal Court or of a bar of the highest court of a state. This lawyer must be made available unless he cannot be obtained because of physical conditions or military necessities. In any case, if a qualified lawyer cannot be obtained, the convening authority must prepare a detailed written statement to be appended to the record of trial, stating reasons why such counsel could not be obtained. Again, the old rule often burdened young inexperienced officers who had no legal

training with extra duties as trial and defense counsel.

This change will place more lawyers in the courtrooms in an effort to upgrade the quality of defense an accused can expect when charged with a military crime.

Under the new act, the "Law Officer" has been replaced by the "Military Judge." A military judge presides over each open session of a court-martial to which he has been detailed, performing functions similar to those of a civilian judge. He rules on questions of law and procedure in an attempt to effect a smoothly run trial which fully develops the real issues of the particular case. The military judge must be a commissioned officer who is a member of the bar of a Federal Court or of the bar of the highest court of a state. He also must be certified by the Judge Advocate General of the Army in order to qualify as a military judge.

The importance of the military judge program is better understood by reviewing the changes in the structure of the various levels of courts-martial. Of course, the highest level of court-martial, the one for most serious offenses, is still the General Court Martial. This court must consist of a military judge and not less than five members, or under the new act, only a military judge, if before the court is assembled, the accused requests in writing a court composed only of a military judge and the military judge approves the request.

These changes are only several of the many to be invoked by the Military Justice Act of 1968 when it goes into effect in August 1969. Nevertheless, they are some of the important changes which form the basis of our new system of military criminal law.



