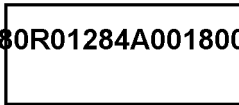


TOP SECRET



6 October 1969

MEMORANDUM FOR THE RECORD



Morning Meeting of 6 October 1969

ADD/I noted that the NSC will meet on 9 October on SALT and that the Director is not scheduled to brief. He added that the Review Group is scheduled to meet this week and will probably consider the Rockefeller report on Latin America.

ADD/I called attention to the piece by Joe Alsop in today's Washington Post, "Figuring Strength of the VC is Just One of DC Lunacies." He commented that the figures used in the article are confusing and should not be believed, an observation seconded by Carver later on in the meeting.

In response to the Director's question Godfrey noted that the only word we have of the situation in East Germany in connection with shooting along the border is that which has been on the radio.

Godfrey pointed to the possibility that the Cuban MIG pilot who defected and landed at Homestead Air Force Base flew under our radar deck.

DD/S noted that the National Businessmen's Aircraft Association has presented an award for the maintenance of "highest standards of safety" to three of the Director's pilots   each of whom has flown over a million miles.

25X1

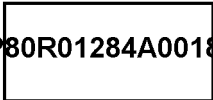


25X1

Carver noted that the level of violence rose in the Delta provinces over the weekend.

Maury reported that he has provided Ed Braswell for Senator Stennis a copy of a paper on Panama prepared by OCI.

TOP SECRET



~~TOP SECRET~~

25X1

Maury mentioned that the Daniels bill as amended has passed the Senate. A discussion followed on whether this legislation might be vetoed. Maury mentioned that we, the Foreign Service, and the FBI will each require separate enabling legislation.

Houston reported on his meeting with Reverend Lindstrom, Charles Bennett, and a Mr. James Stewart. He noted that he was provided with a long list of questions and that Stewart's preoccupation seemed to be that "something has gone wrong in Washington."

Parrott mentioned that Admiral Anderson has now requested the data pertaining to Estimates on Soviet ICBMs (see Morning Meeting Minutes of 24 and 26 September) and has added additional requirements pertaining to bombers and submarines.

DD/P mentioned that he will be appearing before the Senior Seminar in Foreign Policy today and that [redacted] questions may be raised with respect to the Green Beret case.

25X1

The Director asked those concerned to take note of the fact that on 23 October the White House Fellows will be here for their annual visit commencing at 6:30 p. m. He recalled that last year DDCI, Executive Director, DD/P, DD/I, DD/S&T, DD/S, and Carver participated and that they will probably constitute an appropriate group for this year's session. He asked that efforts be undertaken to organize for this event.

The Director noted that he spoke to Secretary Laird and advised the ADD/I that it is all right to sanitize the report on Soviet swept-wing aircraft.

The Director provided the ADD/I with a letter from Paul Nitze concerning Larry Lynn's interests in preparation for SALT.

The Director advised Maury that he had a long talk with Senator Russell regarding all the questions which are being asked with respect to Laos.

The Director advised [redacted] that, in the event he receives any questions with respect to Homer Bigart's piece in today's New York Times, he can properly respond by observing that Bigart apparently

~~TOP SECRET~~

25X1

~~TOP SECRET~~

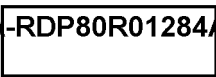


received a full account of the transcript of the Article 32 investigation of the Green Beret case and go on to suggest that the inquirer obtain same from the Department of the Army.



L. K. White

~~TOP SECRET~~



WASHINGTON POST  
5 OCT 1969

Joseph Alsop

## Figuring Strength of the VC Is Just One of DC Lunacies

HAVING BEEN from the DMZ to the point of Ca Mau (quite literally, and for the first time in 18 visits), this reporter has come back from Vietnam with a bulging briefcase. It is really hard to know where to begin the summing up; but perhaps it is best to begin with the lunacy in Washington.

The simplest proof of Washington's lunatic system of judging events in Vietnam is a key official estimate of VC strength. This estimate has, incredibly enough, been divided by about five in the last 12 months. And this division by about five has occurred, moreover, primarily because silly, over-pessimistic theorizing has at length been replaced by growing acquaintance with the real facts.

The story apparently began about three years ago. It seems that President Johnson then made an imperious demand to be told "how many Vietcong guerrillas there are, since we're fighting a guerrilla war."

At that period, to be sure, we were not fighting a guerrilla war. We were necessarily fighting a big-unit war, since enemy divisions have to be dealt with first, as long as they are freely charging about the military landscape.

Precisely because we were not yet fighting a guerrilla war, no one then knew very much about VC guerrilla strength, except for one set of data. The ideal Vietcong table of organization was well known, providing a guerrilla platoon per village, a guerrilla squad per hamlet, so many "secret self-defense" per hamlet, and so on and on.

THE CIVILIAN analysts in Washington, therefore, took this

table of organization, plus the numbers of Vietnam's villages and hamlets, plus a few other bits and pieces of information. They thus came up with what can only be called a human sea-estimate, which thereupon became holy writ in this crazy city.

The Washington analysts, in fact, credited the Vietcong with 190,000 nearly full-time armed guerrillas, plus 100,005 "secret self-defense"—altogether, no less than 290,000 organized guerrilla-fighters in the villages and hamlets. The U.S. headquarters in Saigon correctly countered that the "secret self-defense" types were largely imaginary, but named an armed guerrilla figure of 120,000.

Neither the Washington figure nor the Saigon figure had any solid foundation. But they at once caused a bloody bureaucratic row between the Saigon military and the Washington analysts.

Last autumn, finally, we really did begin to fight the guerrilla war, mainly because of the Saigon government's vigorous if belated outward movement into the villages and hamlets. And of course, the best way to take the real measure of your enemy is to fight him.

Before long, it became apparent that both the Saigon and the Washington estimates of VC guerrilla strength were ludicrously high. As the hard evidence poured in from the districts, the villages and hamlets, enforced recalculation of the estimates began last winter. Today, 60,000 to 80,000 is the figure in use in the White House for VC guerrilla strength, in place of 290,000, only ten months ago.

FURTHERMORE, even the current White House figures are still over-estimates. To cite only one example, the two most northerly provinces, Thua Thien and Quang Tri, are still credited with nearly 100 guerrillas apiece. But in reality, the guerrillas still hanging on in the populated areas of those provinces number only a few score—if that! The rest, if they are not mere names on intelligence lists now rendered fictitious by mortality, have long since fled from the populated areas. They have, therefore, ceased to play a true guerrilla role.

In truth, the most startling feature of the new scene in Vietnam is the progressive erosion of Hanoi's most precious asset, which is the native VC structure in South Vietnam. The best measure of this erosion is the number of guerrillas still in the business. And this number is everywhere declining, while in a few provinces VC guerrillas are becoming as rare as whooping cranes.

But this erosion of the native VC structure of South Vietnam is a separate phenomenon, which must be examined in a separate report. Even if there had been no erosion, the 290,000 estimate, in official use so long, would still be about four times too high.

So when the analysts warn, as they constantly do, that "Saigon is always too optimistic", President Nixon had better remember the estimate that had to be divided by five.

© 1969, Los Angeles Times

1098

# How Beret Affair Unfolded

By HOMER BIGART

"Return agent to duty. If unable to do so, we must inform Abrams and Bunker. Has highest moral and flap potential."

This message, reportedly sent by a high official of the Central Intelligence Agency in Saigon to the headquarters of the Army's Special Forces, or Green Berets, in Nhatrang, arrived too late to save Thai Khac Chuyen, a suspected double agent, from execution at the hands of the Green Berets.

Mr. Chuyen, employed by the Berets as part of an intelligence net operating in Cambodia, had been given what one of his executioners called "a wet disposal."

New information which sources close to the incident made available after the Army abruptly dropped its case against six Berets accused of the slaying, establishes the following version of what happened to Mr. Chuyen and how the "flap" feared by the C.I.A. came to develop.

After 10 days of solitary confinement, during which Mr. Chuyen was subjected to lie detector tests and was repeatedly interrogated while under the influence of sodium pentathol (truth serum) and other drugs, he was disposed of in Nhatrang bay.

According to sources close to the case, Mr. Chuyen was given

a massive dose of morphine. Unconscious, he was carried to an outboard motorboat. When the boat was some miles from shore in water 150 feet deep, he was weighted with tire rims, hit on the head with a pistol butt, shot twice in the head with a .22-caliber pistol and thrown over the side.

There had been several meetings between Green Beret officers and C.I.A. officials to discuss what to do with Mr. Chuyen. At one meeting in the

United States Embassy at Saigon, a C.I.A. official suggested that if Mr. Chuyen was indeed proved a double agent, the Berets had the following options:

They could fly him out of the country to imprisonment. They could turn him over to the South Vietnamese. They could "double him back"—continue to use him in the Cambodian collection network in full knowledge that he was dealing with Vietcong and North Vietnamese agents, obliging him to plant false intelligence with them. Finally, although the intelligence agency could never officially sanction murder, perhaps that was the last alternative, the C.I.A. official was reported to have said.

Three days before the execution, the Berets asked the intelligence agency to make a final check on Mr. Chuyen's background. The C.I.A. liaison officer at Nhatrang, having been told that the Berets planned to send Mr. Chuyen on a "one-way mission" to "test his loyalty," suspected that the Berets had reached the fateful decision.

He transmitted this information to Saigon along with the Berets' request for a final check. Finally the answer came: "Return agent to duty."

But on the previous night, June 20, Mr. Chuyen had been slain.

"The Green Berets are not trained in resurrection," an official connected with the case noted dryly.

## A Cover Story

The officers involved in the slaying of Mr. Chuyen concocted an elaborate cover story. They reported that on June 21, the day after the execution, Mr. Chuyen had departed on a dangerous mission equipped with a one-way radio set—sending only. He hadn't been heard from, they said.

To support this story, a Japanese-American soldier attached to the Green Berets

posed as Mr. Chuyen and flew with Maj. Thomas C. Middleton Jr., the Green Beret officer in charge of intelligence, to Saigon, the supposed jumping-off place for Mr. Chuyen's perilous solo mission.

C.I.A. officials, on hearing the cover story, immediately became suspicious. The C.I.A. liaison man at Nhatrang thought it "stupid" to send a suspected double agent on such a mission.

"Use all pressure possible to have Crew [Maj. David E. Crew of the Special Forces] recall agent," C.I.A. headquarters notified its man in Nhatrang.

## A Request for Asylum

The cover story was finally "blown" on June 30 when Sgt. Alvin L. Smith Jr. of the Green Berets, who ran the intelligence network in which Mr. Chuyen was employed, went to the C.I.A. office in Nhatrang and requested asylum. Sergeant Smith said he suspected that Mr. Chuyen had been executed, and by the Green Berets. Now, Sergeant Smith said, he felt himself in danger of being slain for "knowing too much."

This behavior was curious, for it was Sergeant Smith himself who had "fingered" Mr. Chuyen. It happened this way:

In late April or early May a Vietcong camp in Cambodia was overrun. In the booty seized was a roll of film. The film was developed and circulated among intelligence personnel. One shot displayed a group of men, and among them was spotted a known officer in the North Vietnamese intelligence operation: the Central Office for Research and Studies.

Sergeant Smith, perusing the faces of the other men, gave a cry of recognition. He saw Mr. Chuyen in the group—he was sure of it.

Mr. Chuyen was sent to Saigon on a sham mission. He was arrested there and flown to Nhatrang.

On the lie detector tests he was said to have "blipped" on two questions: "Have you compromised any security matters?" and "Are you working for the Vietcong?"

Special Forces officers involved in the investigation of Mr. Chuyen were Major Crew, Major Middleton, Capt. Robert F. Marasco, Capt. Leland E. Brumley, Capt. Budge E. Williams and Chief Warrant Offi-

cer Edward M. Boyle. After the initial interrogations, Major Crew went to the Special Forces commander, Col. Robert B. Rheault, and related the developments.

## Status of Network

Sergeant Smith had told the investigators that his Cambodian network was "drying up"—he was getting a reduced trickle of information, and two of his new agents had simply vanished. He felt he knew why when he recognized Mr. Chuyen consorting with enemy agents in the film.

But Sergeant Smith was apparently never consulted on the disposal of Mr. Chuyen. Although convinced that Mr. Chuyen was a double agent, he is said to have opposed execution.

Colonel Rheault, after getting his first briefing on the Chuyen case, ordered his subordinates to continue their investigation and to "cue in" the C.I.A.

At a second conference Colonel Rheault was informed by Major Crew that the C.I.A. seemed reluctant to become involved and had refused to take Mr. Chuyen off the Berets' hands.

## The Options Discussed

The options were discussed. One of them was "termination with extreme prejudice," the euphemism employed when an agent is to be destroyed. This was strongly opposed by Lieut. Col. Kenneth B. Facey, executive officer of the Green Berets.

No decision was made. A high-ranking Beret officer in Saigon was sent to the embassy for a chat with an official of the Central Intelligence Agency. The Beret officer reported back that the C.I.A. official had told him the "elimination" of Mr. Chuyen "might be the best course of action."

(When agents of the Army's Criminal Investigation Division approached the C.I.A. official and asked for a signed statement confirming that advice, the official said he would have to clear it with his superiors.)

(Later he informed the C.I.D. agents that he could not sign the statement.)

(But when the official was again asked by a C.I.D. agent, in the presence of the C.I.A. chief in Saigon and a representative from the staff of the United States commander,

Gen. Creighton W. Abrams, if he had in fact offered such advice, he replied yes, elimination might be the only course of action.)

#### Impatience in Nhatrang

Back in Nhatrang, Mr. Chuyen's captors were getting impatient. They reported to Colonel Rheault that Mr. Chuyen had been under interrogation for 10 days, that he was "climbing the walls" and "we can't hold him forever."

The decision was made to kill Mr. Chuyen. A cover story was approved by Colonel Rheault. The colonel himself told it to General Abrams, who reportedly became furious at the trickery when the truth was exposed.

The general's displeasure at being lied to has been cited as the main reason why eight Green Berets, including Colonel Rheault, were arrested even before the investigation was completed. But others have suggested that the general was more disturbed by the prospect that shadowy activities by troops under his command might someday be considered as verging on war crimes.

#### A Night Rehearsal

The elimination of Mr. Chuyen was planned as carefully as a major operation. There was even a night rehearsal.

This dry run was not totally uneventful. When the boat was a mile or two offshore it came under fire. Whether it came from friend or foe was never ascertained. Mr. Boyle, guarding the shore, was taking no chances.

"Di di mau," he advised the men in the boat through his walkie-talkie. Heeding this advice to get out of there, they hauled anchor and made for the shore.

Next night the only shots fired, according to reports, were aimed directly at Mr. Chuyen's head.

There have been many versions of what happened that next night, and several denials. Colonel Rheault denies that his men were involved in any killing. Captain Marasco denies that he was the trigger man. The version that follows is the one on which the Army is reported to have based its original decision to prosecute the case.

Mr. Chuyen had been given an injection of morphine by Captain Brumley. Unconscious, he was put in a truck, taken to the beach and deposited in a boat obtained by the captain.

In the boat were Captain Brumley, Captain Marasco and Captain Williams. They had obtained a 25-foot length of heavy chain, and when the boat was far offshore, hidden by darkness, they used the chain to secure the tire rims to Mr. Chuyen. The chain had six locks.

Captain Marasco struck Mr. Chuyen on the head with his pistol. Then, while Captain Williams propped Chuyen to a standing position, Captain Marasco fired a bullet into the agent's head.

The plan called for two shots in the head. Captain Marasco's gun jammed. He stripped the pistol (Special Forces men are trained to do this in total darkness), cleaned it and aimed again. This time the pistol fired. Mr. Chuyen was dumped into the bay.

#### A Week Passes

More than a week passed before Sergeant Smith took his story to the C.I.A. He voluntarily submitted to a lie detector test. When he passed it, the Army command decided to press a full investigation. Incriminating statements reportedly were made by three officers.

The Army, in a curt statement, announced the arrest of eight Green Berets: Colonel Rheault, Sergeant Smith and the six officers who were involved in the investigation of Mr. Chuyen. Later the charges against two of the eight, Mr. Boyle and Sergeant Smith, were "held in abeyance" pending the trial of the others. Captain

Marasco was specifically charged with shooting Mr. Chuyen. Captain Brumley was charged with administering the morphine.

Meanwhile the arrested officers had written letters to their families, to lawyers and to Congressmen. George W. Gregory of Cheraw, S. C., a civilian lawyer representing Major Middleton, hurried to Saigon and, in a series of news conferences, said that the arrested men had simply obeyed orders in killing the double agent. The order came from the C.I.A. which then rescinded the order after the execution, Mr. Gregory asserted.

#### Matter of Security

It became apparent that a trial involving defense lawyers as aggressive as Mr. Gregory, F. Lee Bailey, Henry Rothblatt and Edward Bennett Williams might compromise security by exposing facts of the intelligence operation.

So the Nixon Administration advised Army Secretary Stanley R. Resor to dismiss charges against the Green Berets.

In his terse statement Sept. 29, Secretary Resor said the Central Intelligence Agency—"though not directly involved in the alleged incident"—had refused to make available any of its personnel as witnesses. This refusal, which the C.I.A. said was made "in the interest of national security," made a fair trial for the Green Berets impossible, Secretary Resor said.

Mr. Resor said the Green Berets must be presumed innocent because the determination of guilt could only be made by a court that had access to all information regarding the alleged offense.

But he warned: "The Army will not and cannot condone unlawful acts of the kind alleged."