

White House Confirms That Nixon Was Involved in Decision to Drop Charges Against Green Berets

By JAMES M. NAUGHTON
Special to The New York Times

WASHINGTON, Oct. 1—The White House acknowledged today that President Nixon was involved in shaping the decision to drop murder charges against eight Special Forces soldiers in South Vietnam.

Ronald L. Ziegler, the White House press secretary, said Mr. Nixon had "approved" the refusal by the Central Intelligence Agency to provide witnesses against the soldiers, ac-

cused of murdering an alleged Vietnamese intelligence agent.

"C.I.A. Director [Richard] Helms made the decision that, in light of national security interests, C.I.A. personnel should not appear as witnesses," Mr. Ziegler said. "The C.I.A. informed the White House and the President approved this decision."

The refusal to provide witnesses from the agency was the crucial factor leading to abandonment of the courts-

martial of six Green Beret officers. Secretary of the Army Stanley R. Resor cited the agency's position as the reason for dropping the charges last Monday.

Originally, eight men were implicated in the alleged killing, but charges against two of them, Chief Warrant Officer Edward M. Boyle and Sgt. 1st Cl. Alvin L. Smith Jr., were held in abeyance pending the other trials.

Confirmation of the Presi-

dent's role in the decision came after two days of White House denials that Mr. Nixon had become involved in the original decision to try the Green Berets or the subsequent decision to drop the charges.

Mr. Ziegler said he "did not know" of the President's review of the C.I.A. position when he issued the denials.

After conceding Mr. Nixon's part in the agency's decision, Mr. Ziegler continued to insist this morning that the Army had

acted on its own in following up the decision by dropping the charges.

He said there had been no attempt by the White House to persuade the Army to act one way or another.

This afternoon, Mr. Ziegler said that the Army's decision to drop the charges was made known to the White House before it was announced to the public last Monday. Although there was no intention on the

Army's part to submit the issue to the President for a final decision, Mr. Ziegler said, "the President could have overruled" the Army if he had chosen to do so.

Despite the decision to free the soldiers, it appeared that the controversy was not over in Washington.

Representative Peter W. Rodino Jr., Democrat of New Jersey, who first protested the treatment of the men, said today that he would continue to

press for clear answers from the Army about the case.

Representative Rodino contended that the soldiers had been in confinement for nearly two months before the situation came to the attention of Mr. Resor and Secretary of Defense Melvin R. Laird. This raised serious doubts, Mr. Rodino said, about whether the military truly was under civilian control.

The six Green Beret officers

who were to have stood trial for the alleged murder of Thai Khac Chuyen, a reputed Vietnamese double agent said to have been killed last June 20, were Col. Robert B. Rheault, commander of the Special Forces in Vietnam at the time of the alleged murder; Maj. Thomas C. Middleton Jr.; Maj. David E. Crew; Capt. Leland J. Brumley; Capt. Budge E. Williams, and Capt. Robert F. Marasce.