

New Version of Slaying

The Beret Incident

--An Inside Report

Message That Came Too Late

New York Times

New York

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

This message was 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 Nha Trang.

But it arrived too late to save Thai Khac Chuyen, a suspected double agent, from execution at the hands of the Green Berets.

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."

VERSION

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 Chuyen and how the "flap" feared by the CIA came to develop.

After ten days of solitary confinement, during which

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 Nha Trang bay.

According to sources close to the case, Chuyen was given a massive dose of morphine. Unconscious, he was carried to an outboard motorboat.

WEIGHTS

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 CIA officials to discuss what to do with Chuyen. At one meeting in the United States Embassy at Saigon, a CIA official suggested that if 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

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back" — continue to use him in the Cambodian collection network in full knowledge that he was dealing with Viet Cong 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 CIA official was reported to have said.

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

ANSWER

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, Chuyen had been slain.

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

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

To support this story, a Japanese-American soldier attached to the Green Berets posed as Chuyen and flew with Major Thomas C. Middleton, Jr., the Green Beret officer in charge of intelligence, to Saigon, the supposed jumping-off place for Chuyen's perilous solo mission.

CIA officials, on hearing the cover story, immediately

became suspicious. The CIA liaison man at Nha Trang thought it "stupid" to send a suspected double agent on such a mission.

"Use all pressure possible to have Crew (Major David E. Crew) of the Special Forces, recall agent." CIA headquarters notified its man in Nha Trang.

ASYLUM

The cover story was finally "blown" on June 30 when Sergeant Alvin L. Smith, Jr., of the Green Berets, the intelligence network in which Chuyen was employed, went to the CIA office in Nha Trang and requested asylum.

Smith said he suspected that Chuyen had been executed, and by the Green Berets. Now, Smith said, he felt himself in danger of being slain for "knowing too much."

This behavior was curious, for it was Smith himself who "fingered" Chuyen.

It happened this way:

In late April or early May a Viet Cong camp in Cambodia was overrun. In the booty seized was a roll of film.

OFFICER

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.

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

Chuyen was sent to Saigon on a sham mission. He was arrested there and flown to Nha Trang.

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

Special Forces officers involved in the investigation of Chuyen were Major Crew,

Major Middleton, Captain Robert F. Marasco, Captain Leland E. Brumley, Captain Budge E. Williams and Chief Warrant Officer Edward M. Boyle.

After the initial interrogations, Crew went to the Special Forces Commander, Colonel Robert B. Rheault, and related the developments.

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 Chuyen consorting with enemy agents in the film.

But Smith was apparently never consulted on the disposal of Chuyen. Although convinced that 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 CIA.

At a second conference, Rheault was informed by Major Crew that the CIA seemed reluctant to become involved and had refused to take Chuyen off the Berets' hands.

The options were discussed. "Termination with extreme prejudice" is the euphemism employed when an agent is to be destroyed. But the proposal to kill Chuyen was strongly opposed by Lieutenant Colonel 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.

REPORT

The Beret officer reported back that the CIA official had told him the "elimination" of Chuyen "might be the best course of action."

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

(Later, he informed the CID agents that he could not sign the statement.

(But when the official was again asked by a CID agent, in the presence of the CIA chief in Saigon and a representative from the staff of the U.S. commander, General Creighton W. Abrams, if he had in fact offered such advice, he replied yes, elimination might be the only course of action.)

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

The decision was made to kill Chuyen. A cover story was approved by Rheault.

The colonel himself told it to 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 that eight Green Berets, including 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.

REHEARSAL

The elimination of 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. Boyle, guarding the shore, was taking no chances.

He advised the men in the boat, over his walkie-talkie,

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 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.

DENIALS

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.

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 Brumley, Marasco and 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 Chuyen. The chain had six locks.

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

The plan called for two shots in the head. 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. Chuyen was dumped into the bay.

(More Green Beret news on

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