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Navy Court Puts Bucher Under Suspicion

Warns Skipper He May Face Court-Martial for Surrendering Pueblo

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CORONADO, Calif., Jan. 22 —A naval court of inquiry told Comdr. Lloyd M. Bucher this afternoon that he was suspected of violating Navy regulations and was subject to a court-martial for surrendering the intelligence ship Pueblo to North Korea last January.

The announcement by Capt. William R. Newsome, counsel for the court of five admirals, stunned those who packed the 110-seat amphitheater. Commander Bucher's lips quivered and his eyes filled with tears.

A recess was promptly called.

Captain Newsome made the statement after a morning and afternoon of testimony by Commander Bucher as to the details surrounding the capture of the vessel off North Korea last Jan. 23.

As Commander Bucher began discussing the boarding of the Pueblo by North Korean forces, Captain Newsome stopped the proceedings and went into a 15-minute recess.

He then returned to the amphitheater and read the following statement:

"Commander Bucher, it is my duty to apprise you of the fact that the facts revealed in this court of inquiry render you to be a suspect of a violation of Navy regulations, Article 0730."

This Navy regulation reads:

"The commanding officer shall not permit his command to be searched by any person representing a foreign state nor permit any of the personnel under his command to be removed from the command by such person, so long as he has the



Comdr. Lloyd M. Bucher and wife, Rose, arriving at amphitheater at Naval Amphibious Base in Coronado, Calif.

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power to resist."

Seconds after Captain Newsome read his statement, E. Miles Harvey, Commander Bucher's attorney, rose and turned to the Pueblo skipper.

"At the time the North Koreans first set foot on the ship, did you any longer have the power to resist," Mr. Harvey asked.

"No, I did not," Commander Bucher replied softly.

Navy legal officers emphasized that the court of inquiry remained a fact-finding panel that could not prosecute but could recommend that court-martial action against Commander Bucher be started.

"What this means," one legal officer, said "is that they have heard enough evidence to be convinced that Bucher is suspected of violating Navy regulations. They have to tell him that he is under suspicion. He has to be warned under the Uniform Code of Military Justice."

Adversary Stance Taken

"In a sense it places the court of inquiry in the form of an adversary body," another officer said. "This is a legal way of telling Bucher that whatever he might say will be used against him."

Since the court of inquiry began Monday, there had been few indications that the five admirals viewed Commander Bucher's actions at the time of the seizure with any misgiving. They asked few questions but listened to Commander Bucher's detailed discussions of the Pueblo's mission and seizure.

Today, however, the questioning became sharp. In the afternoon hearing, before Captain Newsome's announcement, the admirals and the captain questioned Commander Bucher at length.

'It Never Occurred to Me'

"I realize you believed you would not suffer harassment," said the president of the court, Vice Adm. Harold G. Bowen Jr.

"Did you ever think you might be attacked?"

Commander Bucher paused, then replied, "No, sir, I never considered I would be attacked. It never occurred to me."

Admiral Bowen leaned forward and remarked, "Therefore, you never considered what your action might be in the event of such a circumstance."

"No, sir," Commander Bucher responded. "I considered the possibility that I might be fired upon or bombed or sunk at sea. I did not consider that I might be placed in the position [of being captured] I was in that afternoon."

Rear Adm. Edward E. Grimm, a court member who is the head of the Pacific Training Command, asked Commander Bucher, "Your order to destruct [secret material]—when did it come?"

Commander Bucher replied, "When they tried to board, I passed along the word to prepare to destroy. Immediately after the first salvo was fired [several minutes later] I passed the word to commence destruction."

Question of Provocation

"You delayed the order to destroy until after the first salvo?" asked Captain Newsome. "Didn't you consider the boarding a provocation?"

Commander Bucher replied tensely, "No, I did not consider the boarding a provocation. I did not consider that boarding sufficient to cause me to destroy classified matériel."

Earlier, Commander Bucher told the court that he decided to surrender the Pueblo only after most of the intelligence ship's secret documents and matériel were destroyed.

"I decided, depending how satisfactorily we destroyed the matériel, I would surrender the ship," he said.

"I felt any resistance on our part would have ended in complete slaughter of the crew," he went on. "There was no point in attempting to show further resistance at this time."

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*see Fred Graham, NYTimes, 27 Jan.