

NAVY'S HEAD BARS ACTION AGAINST BUCHER OR CREW; PUEBLO BOARD OVERRULED



United Press International

John H. Chafee, Navy Secretary, tells of his decision at Pentagon news conference.



Associated Press

Comdr. Lloyd M. Bucher, Pueblo's captain, in Coronado, Calif., after he heard of ruling.

TRIALS REJECTED

Panel Proposed Move Against Skipper and Lieutenant

Text of Chafee's statement is printed on Page 24.

By WILLIAM BEECHER
Special to The New York Times

WASHINGTON, May 6—The Navy announced today that "no disciplinary action" would be taken against any of the crew of the spy ship Pueblo despite a recommendation from a Navy court of inquiry that two of her officers be court-martialed.

"They have suffered enough," declared Navy Secretary John H. Chafee, alluding to the

crew's ordeal during 11 months of captivity in North Korea and subsequently during 80 days of testimony before the court of inquiry in Coronado, Calif.

The Pueblo was seized by North Korean gunboats 15 months ago. She was in international waters, the United States said.

Mr. Chafee disclosed that the court had recommended that the ship's skipper, Comdr. Lloyd M. Bucher, and the officer in charge of the ship's intelligence section, Lieut. Stephen R. Harris, be tried by general court-martial but the recommendation was overruled by Mr. Chafee and other ranking Navy authorities.

Comment From Bucher

At a news conference in Coronado, Commander Bucher said he considered himself completely cleared by the Navy of wrongdoing and looked forward to his next assignment, "whatever it may be."

The Secretary said he and the other authorities also overruled a recommendation by the court that a letter of admonition be sent to Lieut. Edward R. Murphy Jr., who was the Pueblo's executive officer.

"I am convinced," Mr. Chafee said, "that neither individual discipline, nor the state of discipline or morale of the Navy, nor any other interest requires further legal proceedings with respect to any personnel involved in the Pueblo incident."

So far as he is concerned, he said, the case is closed.

Regarding Commander Bucher, he said, the case is closed.

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cher, Lieutenant Harris and Lieutenant Murphy, the Navy Secretary said:

"It is my opinion that—even assuming that further proceedings were had, and even going

so far as to assume that a judgment of guilt were to be reached—they have suffered enough, and further punishment would not be justified."

He said he was making "no judgment regarding the guilt or innocence" of these men, however.

Role of Admiral

He also rejected recommendations by the court of inquiry that action be taken looking toward issuance of letters of reprimand against Rear Adm. Frank Johnson, at the time of the incident commander of United States naval forces in Japan, and Capt. Everett B. Gladding, then director of the Naval Security Group in the Pacific.

Any failure by them, he said, really must be shared by the Navy chain of command generally. Mr. Chafee declared: "The major factor which led to the Pueblo's lonely confrontation by unanticipated bold and hostile forces was the sudden collapse of a premise which had been assumed at every level of responsibility and upon which every other aspect of the mission had been based—freedom of the high seas. At that particular point in history, the common confidence in the historic inviolability of a sovereign ship on the high seas in peacetime was shown to have been misplaced.

"The consequences must be in fairness borne by all, rather than by one or two individuals whom circumstances had placed closer to the crucial event."

To Correct Deficiencies

Every feasible effort will be made, Mr. Chafee said, to correct any Navy deficiencies that may have contributed to the Pueblo's seizure.

Among the changes, he said in answer to questions, are the following:

☛ Care will be exercised to see that only such classified information as is essential to the mission is placed aboard electronic intelligence ships.

☛ Better equipment has been provided to quickly destroy both classified equipment and papers if such a ship appears in danger of capture.

☛ Better destruct mechanisms have been provided to enable quick scuttling of vessels rather than allow them to fall intact into hostile hands.

The White House press secretary, Ronald L. Ziegler, said President Nixon had not reviewed Mr. Chafee's disposition of the case. "There would be no reason for the President to do so," he said.

Text of Findings Withheld

Mr. Chafee said he did not plan to release the text of the court of inquiry's findings because they were full of secret information.

He added, in answer to questions, that he would consider releasing that portion of the findings that praised var-

ious members of the Pueblo crew for their demeanor while in captivity.

But the Navy Secretary said the naval court, made up of five admirals, made no recommendations for decorations and none were under consideration.

Cloud Over Careers Denied

He disagreed that today's action would put a cloud over the future careers of Commander Bucher and other Navy personnel involved in the case. He attempted to liken the situation to that in civil law of dropping charges after issuance of an indictment.

Senior Pentagon military men suggested that the various levels of Navy men considering the case had played their roles forthrightly. But the over-all effect of their handling of the matter was to put the Navy as a whole on notice that resistance should be offered to any future attempts to seize a Navy vessel, while telling the

public at large that the Navy must share in whatever blame attaches to the Pueblo incident and that no good would come of further punishing those unfortunate officers in charge of the ship.

The court of inquiry, for example, urged that Commander Bucher be court-martialed for failing to take "immediate and aggressive" action when the ship was first attacked; for permitting the search of his ship while he still had "power to resist"; for complying with orders to follow North Korean vessels into port; for "negligently failing" to complete destruction of secret material, and for failing, before the Pueblo sailed, to insure that its crew was properly drilled in emergency destruction of secret material.

Lieutenant Harris, the court said, should be charged with

dereliction of duty for failing to take effective action in completing destruction of secret gear; for failing to inform Commander Bucher of unspecified deficiencies in his intelligence section of the ship (presumably the paucity of destruction equipment); and for failing to drill his men in destruction procedures.

The court urged a letter of admonition against Lieutenant Murphy on the ground that he "failed to organize and lead the crew on the day of seizure," especially in destroying classified material.

A general court-martial is the most serious of three trial procedures under the Uniform Code of Military Justice, offering potentially the most serious penalties. The others are a summary court-martial and a special court-martial.

Undecided Pueblo Issues

Ruling Did Not Settle Key Questions On the Seizure and Bucher's Future

By BERNARD WEINRAUB

On the night before the court of inquiry into the capture of the Pueblo ended, the admirals, the Navy officers, the newsmen and some crewmen gathered for the first—and probably last—time at a hotel party in Mission Bay, a palm-fringed suburb of San Diego. At one point during the balmy evening, Comdr. Lloyd M. Bucher stepped up to the president of the court, Vice Adm. Harold G. Bowen Jr., and nervously shook the senior officer's hand.

"He still loves the Navy so much," said a young lieutenant on the Pueblo, watching Commander Bucher. "But the Navy sure doesn't love him."

The court of inquiry's recommendation for court-martial action against Commander Bucher—and the Secretary of the Navy's decision overruling the court—confirmed, in many ways, what Navy officers said privately during the eight emotional weeks of testimony.

Precedent Is Feared

At the officers' clubs, mess halls and bars, Commander Bucher's decision to surrender the ship without a fight was discussed with a blend of distaste and embarrassment. Their comments and questions were made with clear, rigid anger, such as:

What would happen if every officer surrendered who was outgunned or outmanned? What made the Navy great was its code of "Don't give up the

ship." How could the Navy accept the precedent of a ship's surrender with no fight?

Despite such private feelings of so many Navy officers, the stiff recommendations by the five highly decorated admirals was a surprise.

"No, we didn't expect it," a Navy officer who was close to the inquiry said today in Coronado, Calif. "They were being honest, that's all, and this business of public reaction was not foremost in their minds."

Clearly a court-martial of Commander Bucher—as the Admirals had recommended—would have created enormous sympathy, if not a public uproar, for the gaunt, haggard Navy veteran.

Quite skillfully—perhaps deliberately—the decision by Navy Secretary John H. Chafee blunts this public outcry but, at the same time, hardly exonerates Commander Bucher.

The Navy Secretary said that "no disciplinary action" would be taken against Commander Bucher and his crew because "they have suffered enough." But the key question at the inquiry—at what point should a commanding officer surrender his ship—remains unanswered.

Shore Duty Likely

Commander Bucher's yearning to command another ship is probably shattered now. "The Navy is my whole life," he once said. But now, physically exhausted and emotionally drained, he will face shore assignments that will, in all likelihood, keep him silent.

Even during the inquiry, Commander Bucher's face

flushed when discussing his future assignments.

"Of course I want to go to sea again some day," he said.

The final words of Commander Bucher's lawyer, E. Miles Harvey, to the five admirals were: "His greatest reward would be to be returned to full duty and to occupy his rightful position in a normal career pattern."

But then—and especially now—there was little doubt even among Commander Bucher's friends that in shaking the Navy establishment the Pueblo skipper had severely damaged his career.

"My guess," said a naval captain who was not, admittedly, sympathetic to Commander Bucher, "is that 'Pete' Bucher will serve out his time in some stateside Siberia."

Commander Bucher has 18 years of Navy service. He can retire at the end of 20 years and draw a pension. Should he resign his commission and leave the service, he could easily write a book or conduct lectures. The 41-year-old Navy officer hardly shuns—and seems to enjoy—all the hoopla of a celebrity's life.

The professional problems facing Commander Bucher now seem to pale in comparison to the problems and questions facing the Navy in the aftermath of the court of inquiry.

Answers Still Sought

Publicly the court shied away from filling in certain key gaps in the inquiry. Privately, however, the Navy will probably face these questions and somehow seek to answer them in hopes of averting another Pueblo.

Some of the most basic questions could only have been answered by calling senior Navy officials—and not a single officer outranking Vice Admiral Bowen was called as a witness.

Neither Adm. Thomas C. Moorer, the Chief of Naval Operations, nor Adm. U.S. Grant Sharp, the retired commander in chief of the Pacific, appeared before the inquiry. Both men were directly responsible for the Pueblo mission.

There were gaps in the testimony, too, that could have been filled by summoning the commander of the Fifth Air Force in Japan, who could have ordered planes to rescue the Pueblo; and officers at the Puget Naval Shipyard and the Naval Ships System Command, who were responsible for outfitting the former cargo ship with poor communications, inadequate equipment and few incinerators, paper shredders or weighted bags for the 600 pounds of secret papers on the ship.

An even more basic set of questions was barely raised at the inquiry—yet these questions somehow overshadowed virtually every moment.

Is the use of 83 unarmed men, hundreds of pounds of secret papers and millions of dollars worth of electronic equipment worth the risk? Do ships like the Pueblo actually uncover important new data about North Korean radar and Russian submarine movements?

These questions—and others—remain unanswered.