

Text of Chafee's Statement on the Pueblo

Special to The New York Times

WASHINGTON, May 6—Following is the text of a statement today by John H. Chafee, Secretary of the Navy, on the Pueblo case:

The court of inquiry convened by the United States Navy to inquire into the seizure of U.S.S. Pueblo by North Korean forces on 23 January, 1968, has completed its proceedings.

It has carried out this complex and difficult assignment with commendable thoroughness, objectivity and professional skill. Its report has been submitted to higher naval authorities for review.

The record of the court of inquiry will be of continuing value in the Navy's re-examination of concepts, policies, regulations, and procedures which had a bearing on the Pueblo incident. A variety of corrective actions have flowed and will flow from it.

Higher naval authorities have completed their review of the disciplinary aspects of the record, as I personally have also done. My review was of course limited to the evidence and to the findings, opinions, and recommendations of this court of inquiry and the recommendations of the subsequent reviewing authorities.

As a result of my review, I have decided that no disciplinary action will be taken against any of the personnel involved in the Pueblo incident. I will first give you the conclusions of the court of inquiry, the convening authority, and the Chief of Naval Operations, then explain the basis for my decision.

Bucher Trial Asked

Based upon its findings of fact and the formal opinions that it derived from those findings, the court of inquiry recommended that Comdr. Lloyd M. Bucher, U. S. Navy, the commanding officer of U.S.S. Pueblo, be brought to trial by general court-martial for the following five alleged offenses: permitting his ship to be searched while he had the power to resist; failing to take immediate and aggressive protective measures when his ship was attacked by North Korean forces; complying with the orders of the North Korean forces to follow them into port; negligently failing to complete destruction of classified material aboard U.S.S. Pueblo and permitting such material to fall into the hands of the North Koreans; and negligently failing to insure, before departure for sea, that his officers and crew were properly organized, stationed, and trained in preparation for emergency destruction of classified material.

The court of inquiry also recommended that Lieut. Stephen R. Harris, U.S. Naval Reserve, the officer-in-charge of the research detachment aboard U.S.S. Pueblo, be brought to trial by general

court-martial for three alleged offenses of dereliction in the performance of his duties, in that he failed to inform the commanding officer of Pueblo of a certain deficiency in the classified support capabilities of the research detachment; failed to train and drill the research detachment properly in emergency destruction procedures, and failed to take effective action to complete emergency destruction after having been ordered by the commanding officer to dispose of all remaining classified materials.

It was recommended by the court of inquiry that Lieut. Edward R. Murphy Jr., U. S. Navy, the executive officer of U.S.S. Pueblo, be given nonjudicial punishment in the form of a letter of admonition for alleged dereliction in the performance of his duties as executive officer, in that he negligently failed to organize and lead the crew on the day of seizure, especially in the ship's major internal task of emergency destruction of classified material.

Penalty for Admiral

The court of inquiry recommended that Rear Adm. Frank L. Johnson, U. S. Navy, and Capt. Everett B. Gladding, U. S. Navy (retired), each receive nonjudicial punishment in the form of a letter of reprimand.

The court alleged that Rear Adm. Johnson, then commander, naval forces, Japan, was derelict in the performance of duty in negligently failing to plan properly for effective emergency support forces for contingencies such as occurred during the execution of Pueblo's mission, and negligently failing to verify effectively the feasibility of rapid emergency destruction of classified equipment and documents carried by the Pueblo research detachment.

In the case of Captain Gladding, then director, naval security, group Pacific, it was alleged that he was derelict in the performance of duty in negligently failing to develop procedures to insure the readiness of Pueblo's research detachment for the mission assigned, and to coordinate other services and agencies to provide intelligence support to Pueblo during the mission.

The completely objective approach of the court of inquiry to its duties was clearly reflected in its full presentation of factors which would have mitigating effect with respect to the offenses alleged.

Note was taken of such matters as the recent change in policy which resulted in the last-minute installation of armament aboard Pueblo; the limitations and deficiencies of that armament installation and of Pueblo's other defensive capabilities; the emphasis placed by superior commanders upon the importance of restraint and nonprovocation under harassment; the limitations and

deficiencies of Pueblo's facilities for emergency destruction of classified materials, and of the Navy's planning therefore; the absence of centralized control of the amount of classified materials required to be carried by intelligence-collection ships; the failure of other responsible authorities to provide proper support; and the 160 years of precedent which was shattered when Pueblo was seized by an act of piracy on the high seas in clear violation of international law.

Recommendations Rejected

The commander-in-chief of the U.S. Pacific Fleet, as convening authority, declined to accept the recommendations of the court of inquiry that Commander Bucher and Lieutenant Harris be brought to trial by general court-martial.

He recommended instead a proceeding of lesser measure—namely, the institution of formal procedures with a view to the nonjudicial punishment of each of those officers through issuance of a letter of reprimand for his alleged derelictions of duty.

The convening authority concurred in the recommendation of the court of inquiry that Lieutenant Murphy be processed with a view to nonjudicial punishment in the form of a letter of admonition. He likewise concurred in the recommendation of the court of inquiry that procedures be instituted with a view to the issuance of a letter of reprimand to Rear Adm. Johnson—but not for the alleged dereliction of failing to verify Pueblo's capability for rapid emergency destruction of classified materials.

The convening authority recommended against the institution of procedures with a view to the issuance of a letter of reprimand to Captain Gladding.

The Chief of Naval Operations concurred in the recommendations of the commander in chief of the Pacific Fleet.

Penalty Already Paid

I have reviewed the record of the court of inquiry and the recommendations of the convening authority and the Chief of Naval Operations. I make no judgment regarding the guilt or innocence of any of the officers of the offenses alleged against them. Such judgment could legitimately be reached by duly constituted authority only after further legal proceedings, such as trial by court-martial or the hearing required prior to issuance of a letter of reprimand or admonition.

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

In reviewing the court's recommendations with respect

to Commander Bucher, Lieutenant Murphy and Lieutenant Harris, 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.

These officers were illegally imprisoned by the North Koreans for 11 months. During that time, their food and living conditions were marginal. They suffered extensively from physical abuse and torturous treatment. Their captors refused to accord them even the minimal humane treatment required under international law. When they were released from their captive status, each showed great loss of weight and other marks of cruel treatment.

The court was of the opinion that, during his internment, Commander Bucher upheld morale in a superior manner; that he provided leadership by insisting that command structure be maintained and providing guidance for conduct; and that he contributed to the ability of the crew to hold together and withstand the trials of detention until repatriation could be effected.

The charges against Rear Admiral Johnson and Captain Gladding relate to the failure to anticipate the emergency that subsequently developed. This basic, general accusation, however, could be leveled in various degrees at responsible superior authorities in the chain of command and control and in the collateral support structure.

The major factor which led to the Pueblo's lonely confrontation by unanticipatedly 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 in fairness be borne by all, rather than by one or two individuals whom circumstances had placed closer to the crucial event.

In light of the considerations set out above, I have determined that the charges against all of the officers concerned will be dismissed, and I have directed the Chief of Naval Operations to take appropriate action to that end.

Every feasible effort is being made to correct any Navy deficiencies which may have contributed to Pueblo's seizure. The Navy's leaders are determined that the lessons learned from this tragedy shall be translated into effective action.