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92. (U) In meeting with the Commanding Officer, USS BANNER, Commander BUCHER learned of previous BANNER patrols in detail. He discussed with Commanding Officer BANNER emergency destruction, harassment, ship handling, navigation, communications, etc. (CR. p. 198-172; R. pp. 52 to 53, 208, 235 to 236) Commander BUCHER understood from these briefings that BANNER's harassments had all been conducted primarily by vessels other than warships, except for an occasional minesweeper. (CR. p. 198-33) Actually, BANNER had been harassed by several warships. (CR. pp. 198-51 to 198-52, 198-69 to 198-70; R. pp. 236 to 239, 244 to 246; Exh. 18-16) Commanding Officer, BANNER, testified that he had the general impression that the risk to BANNER in these operations was not very high. (R. pp. 225 to 227)
93. (U) LT HARRIS testified that he was not aware that the first mission of PUEBLO would be off North Korea until he visited COMNAVFORJAPAN on about 4 December 1967. (CR. pp. 256-53, 256-64)
94. (U) While PUEBLO was in YOKOSUKA her navigation gear -- including LORAN equipment, bearing circles, alidades, radar and fathometer -- were checked and calibrated. (R. p. 283) In addition, her steering system was completely overhauled. (R. p. 364)
95. (U) CNO message 142205Z DEC 67 (Exh. 18-15) directed CINCPACFLT to ensure that two fifty caliber machine guns be installed as interim armament on AGERS prior to their next deployment, and advised that instruction for final defensive armament suit would follow. It directed that AGERS should conduct test firing and gun crew training to insure that the weapons could be employed effectively. PUEBLO was an information addressee to this message. (CR. p. 198-50)
96. (U) Two fifty caliber guns were received in the latter part of December 1967 and Commander BUCHER sent about 25 crew members to a Marine target range in YOKOSUKA for practice with the ship's own guns. (R. pp. 38, 412)
97. (U) Three mounts for the fifty caliber machine guns were installed by the U.S. Naval Ship Repair Facility, YOKOSUKA, on 2-3 January 1968 to Commander BUCHER's specifications. (R. p. 411) Two of the mounts were located forward on the forecastle deck, one port and the other starboard. Each of these mounts provided a zone of fire of approximately 170 degrees. The third mount was located aft on the centerline of the boat deck, with a zone of fire of approximately 150 degrees. (R. pp. 38 to 40, 63; Exh. 4) Shields were not installed for the machine guns, nor did Commander BUCHER request them. (R. p. 40)
98. (U) In late December 1967, Commander BUCHER requested that a survey of the ship be made by an explosive ordnance disposal representative of the Naval Ordnance Facility in YOKOSUKA to recommend devices for rapid destruction of classified equipment. A junior officer inspected and recommended thermite destruct devices. Commander BUCHER considered the suggestion and rejected it. No explosive destruct devices were obtained. (CR. p. 198-59; R. pp. 43 to 44)
99. ~~(U)~~ DIRNAVSECGRUPAC SIGINT Letter of Instruction 1-68 of 2 January 1968 was received aboard PUEBLO in SASEBO. (CR. p. 198-200; Exh. 18-39)
100. ~~(U)~~ Since BANNER had experienced communication difficulties in previous patrols, a communications conference was held at NAVCOMMSTA JAPAN at YOKOSUKA with Commanding Officer, BANNER, Commanding Officer, PUEBLO, and representatives from COMNAVFORJAPAN present. Commander BUCHER was not present during the portions of the conference at which solutions were proposed

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and discussed. He testified, however, that at the conclusion of the conference, while problems had been identified, he was not satisfied that they had been resolved. In order to alleviate communication problems, the Naval Security Group Activity, KAMISEYA, assigned an experienced communications operator temporary additional duty to PUEBLO for the mission. (CR. pp. 198-14, 256-54; R. p. 47)

101. (U) On 30 December 1967, Dinnie R. TUCK, GS-12, and Harry IREDALE, GS-9, his assistant, oceanographers from the Naval Oceanographic Office, reported on board. Mr. TUCK was responsible to the Commanding Officer and was tasked to make certain oceanographic readings during the patrol on a "not to interfere" basis with the primary mission. (R. pp. 454 to 455, 462)

102. ~~(U)~~ On 3 January 1968, CTC James F. KELL reported on board in a temporary duty status from the Naval Security Group Activity at KAMISEYA, as relief for CTCS Charles D. WALLACE, as Assistant Officer in Charge (AOinC) of the SECGRUDET embarked in PUEBLO. Chief KELL was in fact junior to CTCS BOUDEN, who was attached permanently to the detachment, but was made AOinC nonetheless. (CR. p. 626-25)

103. (U) On 4 January 1968 RADM JOHNSON, COMNAVFORJAPAN, personally visited PUEBLO and inspected all spaces. He inspected the fifty caliber machine guns and indicated to Commander BUCHER his desire "...that he keep them covered until they really had to be used". He encouraged Commander BUCHER to hold training and drills in damage control and emergency repair, and verified that the ship had an emergency destruction bill. His observations of PUEBLO were generally favorable and he was personally impressed with Commander BUCHER. (CR. pp. 198-58, 198-173; R. pp. 39, 209)

104. (U) CTF 96 OPORD 301-68 was promulgated 032330Z JAN 68, and was received by PUEBLO on 4 January 1968. (R. p. 51; Exh. 18-2)

105. ~~(U)~~ On 4 January 1968 an intelligence briefing was held at COMNAVFORJAPAN Headquarters, which was attended by CAPT DWYER, LT BROOKES, Commanding Officer, PUEBLO, Commanding Officer, BANNER, and other members of the COMNAVFORJAPAN Staff. Among the items discussed were North Korean activities against ROK PCE's, possible radar sites, BANNER's previous harassments, BANNER's previous patrol off North Korea, organizational strength and disposition of the North Korean Navy, and risk assessment of the mission. The Officer in Charge of PUEBLO's SECGRUDET indicated that the ship had too many registered publications on board and requested that his allowance be reduced to a hazardous duty allowance comparable to BANNER's. North Korean claims to territorial waters were also discussed, and it was recommended to Commander BUCHER that he steam further from the coast than the 13 mile safety zone established in the OPORD (about 15 miles). One of the COMNAVFORJAPAN Staff recommended that PUEBLO fly her National Ensign during daylight, even though Commanding Officer, BANNER, stated that he did not fly his at all times. With regard to use of the fifty caliber machine guns, there is testimony that Commander BUCHER stated, perhaps jokingly, that the guns would be mounted in plain sight, covered with canvas, and not used. (CR. pp. 198-57 to 198-58, 198-63, 198-67, 198-69, 198-183; R. pp. 51 to 52)

106. ~~(U)~~ Prior to departing YOKOSUKA, SECGRUDET personnel reported on board PUEBLO for temporary duty from the Naval Security Group Activity, KAMISEYA:

CTC James F. KELL reported on board as temporary relief as AOinC, SECGRUDET. (CR. p. 626-25)

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CT1 (O-Branch) James F. BAILEY reported on board to assist in establishing communications with KAMISEYA. (CR. pp. 256-54, 626-114)

SGTS Robert J. HAMMOND, and Robert J. CHICCA, USMC, Korean linguists, reported to replace two Russian linguists. (CR. pp. 256-54, 1006-17, 1006-47)

CT1 (T-Branch) David L. RITTER, reported on board to augment the ELINT team. (CR. p. 626-63)

CT3 (R-Branch) Ralph McCLINTOCK reported on board as a temporary replacement for a hospitalized man. (CR. p. 256-54; R. p. 1684)

PUEBLO Enroute to and Inport SASEBO

107. (U) PUEBLO CHOPPED to CTF 96 and departed YOKOSUKA for SASEBO on 5 January 1968. (Exh. 18-7)
108. (U) While enroute SASEBO, PUEBLO's sextants were checked and adjusted. By the time PUEBLO departed SASEBO the navigator was satisfied that all navigational equipment was in good working order. (R. p. 283) Minor steering problems which remained after the steering system was overhauled in YOKOSUKA were also corrected while enroute SASEBO. All difficulties were corrected, and PUEBLO thereafter experienced no steering problems during her mission. (R. pp. 362 to 363) The fifty caliber guns were exercised while enroute SASEBO by firing them. (R. p. 412)
109. (U) PUEBLO arrived in SASEBO on 8 January 1968. (Exh. 18-7)
110. (U) While in SASEBO, PUEBLO offloaded some registered publications in excess of her hazardous duty allowance. (CR. p. 198-183; R. p. 334) Extant records do not indicate that all crypto materials which were directed to be removed, were, in fact, removed. (CR. pp. 570-1 to 570-4; Exh. 20-1) LT HARRIS recalls that other publications which were considered necessary to PUEBLO's conduct of operation were received, with the result being a net increase in the number of publications retained in PUEBLO. (R. p. 334)
111. (U) On entering the WESTPAC area, Commander BUCHER CHOPPED to COMSERVGRU THREE as his immediate administrative commander. In SASEBO his ship was informally inspected by RADM N. G. WARD, who was then Commander, Service Group THREE. Commander BUCHER stated RADM WARD appeared to be pleased with the ship. (R. pp. 36 to 37)

PUEBLO Enroute to and on Station

112. (U) When she departed JAPAN, the mission of PUEBLO was to proceed through the Tshushima Straits into the Sea of Japan, then approach the North Korean coast to collect signals intelligence (SIGINT), collateral intelligence and oceanographic information. (CR. p. 198-137; annex D, para 2 of Exh. 18-2) Upon departing SASEBO, Commander BUCHER states he was satisfied that his ship and crew were ready for the mission in all respects. (R. p. 60) He had received no information which would have led him to assess the risk of his patrol as other than minimal. (CR. p. 198-33)

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113. (U) PUEBLO departed SASEBO at 0600 (local), 11 January 1968 and proceeded in a generally northerly direction, remaining close to the shores of the JAPANESE islands of KYUSHU and HONSHU to avoid detection by Soviet surveillance units known to be operating in the TSUSHIMA STRAITS. The ship continued on a northerly course, passed close to the island of ULLUNG DO, and arrived off the Korean coast at approximately 42°N. (R. pp. 65 to 66; Exh. 11) Icing difficulties were experienced at this point. (R. pp. 67 to 68, 83)
114. (U) While enroute to the first operating area, the ship was exercised at general quarters. The fifty caliber guns were also fired, but not in conjunction with general quarters. (R. pp. 60, 1315, 1324)
115. (U) Proceeding south, PUEBLO arrived off the North Korean port of CHONGJIN on 16 January 1968. (R. pp. 65 to 66; Exh. 11) She remained 15-16 miles east and slightly southeast of CONGJIN for two days, monitoring and recording ELINT signals. During this time several fishing craft and commercial vessels were sighted, but none showed any interest in PUEBLO. (R. pp. 66, 68, 82; Exh. 11)
116. (U) Having completed surveillance in the CHONGJIN area, PUEBLO withdrew and made a night transit to the SONGJIN area, arriving on the morning of 18 January 1968. Very little activity was observed. By this time, icing condition difficulties had decreased, and were no longer considered hazardous. (R. p. 68; Exh. 11)
117. (U) On the night of 19-20 January 1968 PUEBLO departed the SONGJIN area, and arrived in the vicinity of MAYANG DO on 20 January 1968, and conducted her usual electronic and visual surveillance. At twilight on 21 January a North Korean submarine chaser (modified SO-1) passed PUEBLO at a range of 500-1000 yards, speed estimated at 25-30 knots. At this time PUEBLO was about 15-18 miles from MAYANG DO and was not flying the National Ensign. The procedure was in consonance with BANNER's previous operations. (R. p. 235) The submarine chaser, which was the first North Korean naval vessel sighted since PUEBLO arrived off the North Korean coast, evidenced no interest in PUEBLO. During the night of 21 January 1968 PUEBLO departed for WONSAN. (R. pp. 68 to 69, 79; Exh. 11)
118. (U) On the morning of 22 January 1968 after departing MAYANG DO, PUEBLO arrived at a point approximately 25 miles from the island of NAN DO. The ship then moved to a position to the east and slightly to the north of WONSAN and approximately 18-20 miles from the nearest land. Approximate coordinates were 39-14.8N, 128-07.0E. She then lay to and spent the rest of the day conducting surveillance and oceanographic activities. At 0325Z two apparently unarmed fishing vessels, identified as RICE PADDY and RICE PADDY ONE, were sighted approaching from 170°. After circling PUEBLO at a distance of about 100 yards, the two trawlers then retired to the north. (R. pp. 69 to 70; Exhs. 9, 11, 16)
- 119 (U) The interest shown by the two fishing trawlers in PUEBLO convinced the Commanding Officer that the ship had been detected. He therefore prepared ICHTHYIC ONE, SITREP ONE, to inform CTF 96 of the details of the detection, (DTG 220915Z JAN 68). Approximately 12-14 hours were required to establish communication circuits with JAPAN, due to difficulties encountered in locating compatible transmission frequencies. (R. pp. 71 to 73, 81, 85; Exhs. 8, 16)
120. (U) On one occasion in the vicinity of MAYANG DO, PUEBLO approached to within approximately 12.8 miles of nearest land. (R. p. 432) That fact was reported to the Commanding Officer, who was on the bridge, and the ship opened land. (R. p. 452)

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121. (U) During the night of 22 January 1968 PUEBLO withdrew to a distance of approximately 25 miles from the coast of NORTH KOREA, east of WONSAN. During the night, there were 18 contacts, but no identification could be made due to darkness. At 221645Z JAN 68 a large orange flare was observed which glowed for about 30 seconds. Its meaning and purpose were unknown. Commanding Officer attached no special significance to the flare, and did not consider retiring further out to sea. (R. pp. 73 to 74, 80; Exhs. 9, 16)

THE FOLLOWING FACTS DISCUSS, IN DETAIL, VARIOUS ADMINISTRATIVE, OPERATIONAL AND PHYSICAL CHARACTERISTICS OF PUEBLO. THE CHRONOLOGY OF EVENTS ON AND SUBSEQUENT TO 22 JANUARY 1968 CONTINUE WITH FACT

SECURITY GROUP DETACHMENT

Organization, Chain of Command and Funding

122. ~~(S)~~ (U) The embarked Naval Security Group Detachment (NAVSECGRUDET) of USS PUEBLO operating under an Officer in Charge (OinC), was activated on 29 September 1967. It is often referred to as the "Research Detachment". The OinC reported to the Commanding Officer for military command, and his primary fitness report was written by the Commanding Officer. However, for operational control and administrative matters the OinC reported directly to DIRNAVSECGRUPAC who wrote a concurrent fitness report. The Commanding Officer USS PUEBLO was allowed to utilize NAVSECGRUDET personnel for normal shipboard duties (G.Q. stations, cleaning stations, watches outside the Security Group spaces, etc) but was enjoined by directives to do so with restraint, keeping in mind the specialized training and duties of the Security Group personnel. (CR. pp. 256-50, 256-68; Exhs. 18-10, 18-11)

123. ~~(S)~~ (U) BANNER's Security Group Detachment (Research Detachment) was also directed by an Officer in Charge who was directly under the command of the Commanding Officer, USS BANNER. The Commanding Officer, BANNER, had access to all spaces in the Security Group Detachment spaces, and had clearances to all classified materials in that detachment. Although the personnel of the detachment were not required to do normal shipboard duties, such as mess cooking and standing lookout watches, they did assist in maintaining the cleanliness of the ship. (R. pp. 228 to 229)

124. ~~(S)~~ (U) DIRNAVSECGRUPAC was responsible for coordinating the training and evaluating the readiness of the NAVSECGRUDET embarked in PUEBLO. As requested by the OinC, and as directed by DIRNAVSECGRUPAC the Commanding Officer, Naval Security Group Activity (CO NAVSECGRUACT) at KAMISEYA provided logistical and technical support. (CR. pp. 198-222 to 198-223) DIRNAVSECGRUPAC also allocated \$5,000 per quarter to the PUEBLO detachment for operating funds. - These funds were separate from the ships OPTAR. (CR. pp. 256-70, 256-73 to 256-74)

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Relationship Between Commanding Officer and Officer in Charge

125. ~~(S)~~ While in BREMERTON, the Commanding Officer went to WASHINGTON, D. C., where he was briefed by the Director, Naval Security Group (DIRNAVSECGRU) now the Commander Naval Security Group (COMNAVSECGRU), and by the Director, Naval Intelligence (DNI). Commander BUCHER testified that he was informed by Captain (now RADM) COOK that the Security Group organization in PUEBLO would report to him as a ship's department, not as a separate detachment. (CR. pp. 198-7 to 198-8, 198-31 to 198-32, 814-2 to 814-3) COMNAVSECGRU records indicate that Commander BUCHER was shown a staff study which discussed the subject of Department versus Detachment. (CR. pp. 814-24 to 814-25) Based on his understanding of his briefing in WASHINGTON, Commander BUCHER returned to BREMERTON and wrote his ship's organization to include the Security Group personnel in a ship's department. When LT Stephen R. HARRIS reported on board, however, he indicated it was his understanding that the Security Group personnel would be organized into a conventional afloat detachment. In fact, when the activation message was received in September 1967 from CINCPACFLT, it did establish a Security Group Detachment vice Department. (CR. pp. 198-8 to 198-10; Exh. 18-10)

126. ~~(S)~~ The Commanding Officer, USS PUEBLO, and the OinC of the embarked SECGRUDETA held the same security clearances and both had access to the same spaces and information. (CR. pp. 198-201, 198-208, 198-214; R. pp. 329 to 330) LT HARRIS testified, however, that as the Special Security Officer (SSO) for the ship and detachment, he could determine the Commanding Officer's "need to know" specific information within the body of classified material held on board. This "need to know" was based on LT HARRIS' assessment as to whether the information in question would affect the operation or safety of the ship. He stated further that there were no current projects falling in such a category, but that there was a future project about which the Commanding Officer had no requirement. (CR. p. 256-63) LT HARRIS informed the Commanding Officer of this area and the subject was not pursued. (CR. pp. 256-68, 256-73) Commander BUCHER testified that when he sought access to the Security Group files to determine how they were organized, he was denied access by LT HARRIS. (CR. pp. 1846-1 to 1846-2; R. p. 1802) He did state that he could have been shown the volume of material, even though he was not cleared for access to it. (R. pp. 44 to 45)

Physical Layout of Security Group Detachment Spaces

127. ~~(S)~~

(b)(1)

128. (U) The two store rooms used by the detachment contained spare parts, the ships communications files, test equipment and weighted bags. The store room on the Main Deck also housed two paper shredders. (R. pp. 14 to 15, 651)

129. ~~(S)~~ The electronics office contained two, four-drawer safe files. A weighted bag was constructed for each file drawer which was designed to remain in the drawer as a liner containing the classified documents. If jettisoning was ordered, the flaps would have been laid over and string drawn. The liners were found to be impractical and were therefore stored under the safe files. (CR. p. 626-142) This space also had a porthole on the starboard side of the ship. (Exh. 1)

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D.45 130.4 (TS) The SIGINT operations space was 27' long and 12' wide. Entrance to the space was through a secure door located in a well in the deck. There was a small maintenance workshop at the forward end of the operations space which measured 5' by 6'. It contained a work-bench and two book cases. The main operating space had two rows of equipment bays on each of the long sides. They allowed a space less than two feet in width behind each equipment row. There was just over four feet between the faces of the two rows of equipment. Within this space, measuring 4' 4" by 27', nine people normally worked. Within the space was an outlet to the 1JV phone system and also a secure sound powered phone linking the space, the pilot house, and the Commanding Officer's cabin. There was no 1MC outlet in the space due to electromagnetic security restrictions, and when the door to the space was closed, it was not possible to hear the general alarm or word passed over the 1MC. (CR. pp. 256-69, 256-97, 256-207; SIR. p. 256-72-2; Exh. 19-2)

D.45 131.4 (TS) Access to the Crypto space was through a secure door from the SIGINT operations space. The Crypto space measured 8' by 13½', but the working space between equipment bays was only 3½'. There were two working positions, but at G.Q. there were normally three people in the space. There was a sound powered circuit between the Crypto space and the radio transmitter room just aft of the pilot house. (CR. pp. 256-69, 256-97; Exh. 19-2)

Personnel

I. 132.4 (TS) The Security Group Detachment consisted of 29 enlisted men and one officer. Six of the enlisted men were TAD from KAMISEYA (see fact 106, supra). The Detachment consisted of one administrative petty officer (A-branch), four communications operations personnel (O-branch), four manual morse operators (R-branch), 13 ELINT operators (T-branch), three maintenance men (M-branch), four interpreters (I-branch), and the Officer in Charge.

I. 133.4 (TS) The normal watch in the SECGRU spaces consisted of a watch supervisor, six operators and one communicator. In addition, either the OinC or the AOinC was customarily in the spaces. During G.Q., 13 persons were normally present. This allowed 16 SECGRU personnel for G.Q. stations outside the spaces and the Commanding Officer utilized them primarily in damage control parties. (CR. p. 256-50; R. pp. 57 to 58)

Training

134. (S) Security Group personnel reported on board trained in their technical specialty. At BREMERTON there was little opportunity to study or train in their specialties. (CR. p. 256-49) They did attend fire fighting and damage control schools while in SAN DIEGO, and operated equipment while enroute to SAN DIEGO. (CR. p. 256-52; R. pp. 329, 361) Between SAN DIEGO and PEARL HARBOR they were given a COMSEC task by DIRNAVSECGRUPAC but the detachment never received an evaluation. (CR. p. 256-52) In PEARL HARBOR five members of the ELINT team trained with the Technical Guidance Unit (TGU). (CR. p. 256-59) Between PEARL HARBOR and YOKOSUKA the SECGRUDET exercised against limited targets. In YOKOSUKA a majority of the detachment received training at either the NAVSECGRUACT, KAMISEYA, or the Pacific ELINT Center (PEC), FUCHU. (CR. p. 626-91)

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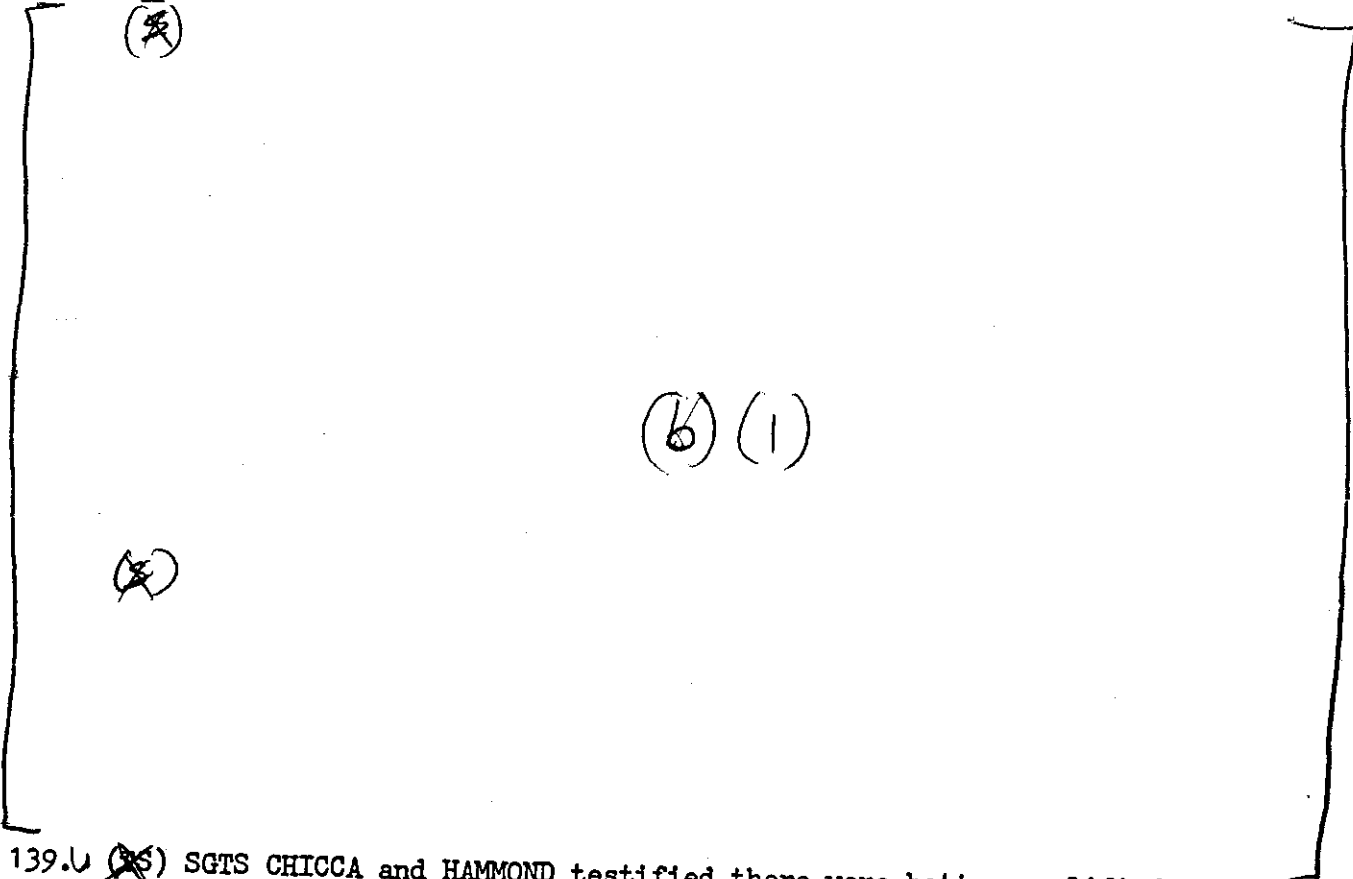
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Inspections

135.4 ~~(S)~~ The inspection of the SECGRU spaces in PUEBLO, noted in fact 77 above, occurred in late August and early September 1967, (CR. p. 256-49) and was directed toward physical security and administration, rather than emergency destruction, although destruction equipment on board was noted. (CR. pp. 256-49 to 256-50) While in SAN DIEGO a COMSEC training visit was conducted, (Exh. 20-22) but neither the OinC nor the AOinC were present at the time, both being in WASHINGTON, D. C., on TAD. No formal determination was made by COMNAVFORJAPAN with respect to rapid destruction plans for classified material on the ship, although members of his staff did make an informal determination. (R. p. 209)

136.4 ~~(S)~~ The Security Group Detachment was never formally inspected by the Naval Security Group or any other entity with respect to readiness or capability. (CR. pp. 256-50, 256-96)

Orientation



139.4 ~~(S)~~ SGTS CHICCA and HAMMOND testified there were better qualified Korean linguists at KAMISEYA when they were assigned to PUEBLO and that they notified their immediate superiors of their lack of ability. (CR. pp. 1006-46, 1006-76) Chief WALLACE the former AOinC of the SECGRUDET stated he heard the linguists were not qualified, but that he never questioned them when they reported to PUEBLO. (CR. p. 867-7) LT HARRIS testified that he understood the linguistic abilities of the two were limited and reported this to LT BROOKES, saying that this might limit the intelligence take. (CR. p. 256-70)

140.4 ~~(S)~~ The Commanding Officer required a report from each department head and the OinC of the SECGRUDET of readiness for getting underway, and prior to departing SASEBO on 10 January, a report of readiness to carry out the assigned mission. LT HARRIS reported his detachment ready in both respects. (CR. pp. 1846-15 to 1846-16)

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141. ~~(U)~~ The Commanding Officer of PUEBLO recognized that he was ultimately responsible for the effectiveness of all emergency destruction of classified material aboard the ship, including that assigned to the SECGRUDET. (R. pp. 164 to 165)

EMERGENCY DESTRUCTION

Source and Amount of Classified Material in PUEBLO

142. (U) No single command controlled the total input of classified materials to PUEBLO. Each responsible agency kept records of materials issued, but at the time she sailed on her mission there was no central list maintained. As a result of PUEBLO incident, control of the quantity and quality of classified material to be placed aboard AGERS has been centralized. (CR. pp. 198-181, 198-203; R. p. 210; Exh. 19-1)

143. ~~(U)~~ Classified material on board PUEBLO fell into two general categories, combustible and non-combustible. Non-combustible classified material on board consisted of:

Cryptographic equipment in the Crypto space. (Exh. 19-2 for a complete listing)

One WLR-1 intercept receiver located in SIGINT operations space. (Exh. 19-2)

Two night observation devices (NODS), stowed under the bridge. (CR. p. 198-18)

The IFF encoder located on the overhead of the pilot house. (CR. p. 198-18)

144. ~~(U)~~ After seizure, the Chief of Naval Operations compiled a list of all known classified material on board PUEBLO. It was estimated that a total of 448 pounds of combustible classified material was on board. By adding to this the amount of classified material which would have been generated internally by the ship prior to seizure, this total could have been 600 pounds. This total includes unclassified documents of a sensitive nature such as service records which would have indicated special skills and training of personnel. 96 pounds were combustible Cryptographic materials. (CR. pp. 570-1 to 570-13)

145. ~~(U)~~ The only Cryptographic allowance for the ship was held by LT Stephen HARRIS, as the ship's RPS custodian. LTJG SCHUMACHER was the alternate custodian. (CR. p. 256-51) The Commanding Officer considered his RPS holdings to be excessive. COMNAVFORJAPAN directed PUEBLO to reduce her holdings to a hazardous duty allowance. (CR. pp. 198-183; Exh. 20-1) All excess material listed in the directive was offloaded in SASEBO except one additional months Crypto reserve on board. Records kept in WASHINGTON, indicate certain superseded Cryptographic material, which should have been destroyed, was on board at the time of the seizure. (CR. pp. 570-1 to 570-4)

146. (U) A request from the Commanding Officer to reduce classified holdings, directed to his type commander COMSERVPAC, was denied. (R. p. 46)

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147. (U) LT HARRIS considered that with the reduction of RPS material at SASEBO, he would have sufficient weighted bags to jettison all remaining material. He discovered upon getting underway from SASEBO that about five medium-sized cartons of classified material had been delivered in SASEBO, thereby increasing inventory to a point exceeding the weighted bag capacity. The Commanding Officer was not informed of this situation. (CR. pp. 256-56, 256-61, 256-65; R. p. 334)

148. U (S) PUEBLO carried approximately 800 reels of 1/2 inch standard magnetic tape and 100 reels of 1 inch instrumentation tape for use in recording SIGINT intercepts. These tapes, stored under the deck plates in the SIGINT operations space, would normally be classified Confidential although some could be as high as Top Secret - code word. (CR. p. 256-69)

149. (U) PUEBLO's communications publications, numbering about 100, were stored in the radio shack and the forward electronics store room. The highest classification was Secret. (R. p. 495)

Means of Emergency Destruction Available

150. (U) Emergency destruction methods and devices available to AGERS prior to the seizure of PUEBLO were only those available to other ships of the Navy. There were no special devices or methods for scuttling the ship or destroying classified material. (R. p. 530)

151. (U) The preferred method of destroying classified documents is by burning. The secondary method is by jettisoning in weighted bags. There is no minimum depth prescribed for jettisoning classified material. The decision is left to the Commanding Officer whether the depth is sufficient to make salvage impractical. NWP-50A authorizes a ship in danger of sinking in water of greater than 100 fathoms to retain cryptographic equipment on board. There are no other references to the 100 fathom curve in instructions covering the emergency destruction of classified material. (R. pp. 532, 541)

152. (U) During the BREMERTON conversion, twelve specially designed weighted bags were secured. They were adaptable as liners for the two RPS safes, the two safe-file drawers in the Crypto space, and the eight safe-file drawers in the Electronics Office. (CR. pp. 256-55 to 256-57) These bags could be carried by one man when full, and were of sufficient size to hold all documents on board when the ship left BREMERTON. (CR. p. 256-56; R. pp. 332 to 334) Although designed as safe-drawer liners they were not kept in the safe drawers. They were stored under the safes in the Electronic Office and behind the equipment bays in the Crypto space. (CR. pp. 626-142, 626-146) At least ten additional weighted bags from the Federal Stock System (Exh. 19) were ordered by LT HARRIS, delivered to PUEBLO in YOKOSUKA and stored in the forward electronics store room. (CR. pp. 1312-25 to 1312-26; R. p. 651)

153. U (S) The conversion plans did not provide for an incinerator. Ship's officers designed one and requested that it be installed on the O1 level against the stack. The shipyard did obtain and install a non-fuel feed commercial model, (CR. p. 256-72; R. p. 355; Exh. 19-2) due to its size and opening it was insufficient in capacity to destroy the ship's classified documents under emergency conditions. To reach the incinerator from the Security Group spaces it was necessary to go out on the O1 level on the port side of the stack and walk around aft of the stack. (CR. p. 256-72; Exh. 1) The Commanding Officer estimated that the incinerator had a capacity of three to four pounds of paper at a time. (R. pp. 15 to 16)

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154. ~~U~~ (A) PUEBLO was equipped with two paper-shredding machines located in the electronics room just forward of the Security Group space on the Main Deck between frames 21 and 27. (Exh. 1, plate 6) The Commanding Officer stated each had a capacity to shred a volume of paper 8" high in approximately fifteen minutes. (R. pp. 14 to 15)

155. (U) To destroy equipment there were sledge hammers and axes in both the Research SIGINT Operations and Crypto spaces. The Commanding Officer did not consider using the anti-swimmer grenades aboard for destruction because they would have merely scattered papers and would not have destroyed equipment. (CR. p. 198-68; R. pp. 14 to 15, 30)

156. ~~U~~ (A) While in BREMERTON the Commanding Officer requested that a sophisticated destruction system for classified equipment be installed. The reply recognized the desirability of such a system, but noted that equipment design did not lend itself to effective use of explosive devices. The reply further noted that there were incendiary devices which were effective. (CR. p. 198-4; Exh. 18-8) The Commanding Officer discussed the problem further with COMNAVFORJAPAN and was referred to the OinC, Naval Ammunition Facility, AZZUMA ISLAND in YOKOSUKA. A survey of the Security Group spaces by an officer from that facility in December 1967 resulted in a recommendation that several thermite destructors be installed. After considering such devices, and with knowledge of the prohibitions against such use on Navy ships, the Commanding Officer decided against such installations. (CR. pp. 198-47, 198-59; R. pp. 43 to 44)

Emergency Destruction Bill

157. ~~U~~ (A) There were two separate emergency destruction bills in PUEBLO, one for the ship's classified material and the other for the Security Group Detachment. The bill for the Security Group was promulgated by the OinC with the approval of the Commanding Officer. The Commanding Officer considered himself ultimately responsible for the security of all classified materials in PUEBLO. (R. pp. 29 to 30)

158. ~~U~~ (A) An emergency destruct bill was prepared for the Security Group Detachment while the ship was in BREMERTON. Another was prepared while enroute to JAPAN and submitted to the OinC, who signed it and routed it to members of the Security Group Detachment. Although several members do not recall having seen it, the bill was posted in the spaces the morning of 23 January 1968. (CR. pp. 626-25, 626-40, 626-142) There is considerable dispute in the testimony of several witnesses as to whether the ship's destruction bill was ever posted. (R. pp. 30, 332, 500, 637)

159. ~~U~~ (A) LT HARRIS testified that the emergency destruction bill was predicated on the ship being at general quarters. (CR. p. 256-96) Others in the Security Group Detachment and ship's company stated that neither the Detachment nor the ship had ever exercised at an emergency destruction drill. (CR. pp. 626-52 to 626-53, 626-88, 626-111; R. pp. 450, 479 to 480)

160. ~~U~~ (A) The emergency destruction bill for PUEBLO's Security Group Detachment, (CR. pp. 256-96, 626-40; R. p. 643) established three areas of responsibility; operating spaces, with CTC KELL in charge; Crypto spaces, with CTC BOUDEN in charge; and the Electronics Office, with CT1 PEPPARD in charge. (R. p. 640) Changes and corrections were being made to the bill up to 23 January 1968 to accommodate the TAD personnel who had reported aboard in YOKOSUKA. (CR. p. 626-149) The bill was based on two methods of im-

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plementation: Shallow water destruction, which envisioned burning in many small containers such as waste baskets; and deep water destruction, which called for jettisoning in weighted bags. It did not specify people to start and maintain the fires, nor did it specify the source of the containers nor the location of the fires. (CR. p. 256-55)

161. ~~(S)~~ COMNAVFORJAPAN OPORD 301-68 requires that, "...Destruction of classified matter for the embarked NAVSECGRUDET will be in accordance with DIRNAVSECGRUPAC LOI 1-68. (Exh. 18-39) The thoroughness and feasibility of destruction plans plus facilities for rapid destruction will be verified by COMNAVFORJAPAN prior unit's departure on each patrol." (Exh. 18-2 para. 3.x.(10)) This directive is based upon a CINCPACFLT message 021922Z MAR 66 which directs COMNAVFORJAPAN to "...Insure suitable facilities and procedures for rapid destruction of classified material..." are available. (Exh. 18-24) Both RADM JOHNSON and CAPT PEASE testified that LT BROOKES verified the adequacy of PUEBLO's destruction capabilities, not by formal inspection, but by informal visits in which he sighted key facilities for emergency destruction. Additionally, RADM JOHNSON personally instructed Commanding Officer, BANNER, to pass on all knowledge gained in previous missions to Commanding Officer, PUEBLO. (CR. pp. 198-135, 198-185 to 198-186, 198-193; R. p. 221) Commander BUCHER testified that he did not recall the Security Group Detachment spaces having been inspected for this purpose, but that it could have been done without his knowledge. (CR. p. 198-28)

Estimated Destruction Times

162. ~~(S)~~ As a result of the study of classified material on board PUEBLO made by the office of the CNO (supra, fact 144) it was estimated that all classified material on board could have been destroyed in one hour. This estimate considered that the ship was under fire at the time, and that one or more large fires fed by documents and combustible liquids would be set in designated compartments in the ship. Included in this estimate was the smashing of non-combustible material. (CR. pp. 570-8 to 570-12; R. pp. 531 to 532) RADM JOHNSON estimated it would take three hours to accomplish destruction by burning and smashing, and about an hour if jettisoning were employed. (CR. pp. 198-174 to 198-175; R. p. 211)

Post-PUEBLO Destruction Program

163. ~~(S)~~ On 23 January 1968 Navy designated emergency destruction devices were fire axes, sledge hammers, incinerators, shredders and perforated weighted bags. Additional materials available on board ship would include gasoline, alcohol, diesel fuel and duplicating fluid, as well as damage control equipment, hand tools, emergency cutting kits and acetylene torches. (R. pp. 530 to 533) Security Publication KAG-1D, (Exh. 18-8) which prohibited carrying incendiary destruct devices aboard ship was in effect on 23 January but was rescinded on 11 February 1968 partially as a result of PUEBLO's seizure. Systems are now in being which provide assured emergency destruction and other systems are being developed which will decrease the time required to accomplish complete emergency destruction. (R. pp. 532, 537 to 538) A detailed discussion of new emergency destruction methods and devices is contained in the record of proceedings. (CR. pp. 570-14 to 570-18, 570-21 to 570-22)

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ARMAMENT

Small Arms

164. (U) Small arms were in the custody of the First Lieutenant, LTJG SCHUMACHER. (R. p. 407) As listed in fact 62 supra, they were stowed in a small arms locker in the starboard covered passageway outside the wardroom on the Main Deck between frames 54 and 56. (Exh. 1, plate 6) There were two keys to the small arms locker. GMG1 WADLEY had one and the other was in the key locker in the Commanding Officer's cabin. The ammunition for the small arms was not stowed with the weapons. (R. pp. 1146, 1157)

165. (U) All hands had qualified in the use of small arms, which were never distributed at general quarters. LTJG SCHUMACHER, the gunnery officer, does not recall ever having held a repel boarders drill. (R. p. 407) The Commanding Officer testified that small arms were issued during drills that were held in port and underway. (R. p. 142)

Fifty Caliber Guns

166. (U) CNO message, DTG 142205Z DEC 67 directed CINCPACFLT to insure that two fifty caliber guns be installed as interim armament on AGERs prior to future deployments and advised that instructions for final defensive armament suit would follow. It also directed that the AGER should conduct test firing and gun crew training to insure that the guns could be employed effectively. PUEBLO was an information addressee to this message. (CR. p. 198-50; Exh. 18-15)

167. (U) Pursuant to CNO message DTG 142205Z DEC 67, two fifty caliber machine guns and three mounts were installed on PUEBLO at YOKOSUKA, on the 2nd and 3rd of January 1968. The mounts were placed in accordance with instructions given by Commanding Officer. Placement of the ammunition lockers was directed by LTJG SCHUMACHER. Two mounts were located forward on the forecastle, each having a coverage of about 170 degrees. A third mount was installed on the boat deck aft with a zone of fire of approximately 150 degrees. With the three mounts as installed, and only two guns, 360 degree coverage was not possible. (Exh. 4) The Commanding Officer testified that the placement of the ammunition lockers on the forecastle deck made it difficult for the gunner to operate the guns. (R. p. 42, 1797) No protective shielding or splinter shields were provided. (R. p. 557) This concerned the Commanding Officer, but he did not request protective shielding after the guns were mounted. (R. pp. 39 to 40)

168. (U) The March 1966 CINCPACFLT message setting forth the concept of AGER operations was not brought up to date with regard to arming the ships. COMNAVFORJAPAN Staff was aware of this fact, but was not disturbed since PUEBLO was operating "...as she was". The directives regarding arming AGERs were known to the authors of CTF 96 OPORD 301-68, which took armament into consideration. (CR. pp. 198-99 to 198-100)

169. (U) PUEBLO's crew included one gunners mate and a seaman experienced in the fifty caliber machine guns. GMG1 WADLEY was captain of the after gun, and SN MAGGARD of the forward gun. There were two additional men in each gun crew. (R. pp. 322, 559 to 560)

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170. (U) The fifty caliber machine guns were delivered to the ship prior to the mounts being installed. During the interim period, a number of the crew took the two guns to the Marine firing range in YOKOSUKA for practice firing. In addition, the crew was instructed in calibrating the weapons and in safety features. All hands in the Deck Department fired the guns. (R. pp. 38, 411 to 412, 1313 to 1314)

171. (U) The fifty caliber guns were fired on several occasions after they were installed on PUEBLO; enroute YOKOSUKA to SASEBO and after leaving SASEBO. On several occasions they were test fired by the gunners mate and the Commanding Officer and on one occasion were fired by the gun crews, but were not fired in conjunction with a general quarters drill. (CR. pp. 198-91, 198-205; R. pp. 82 to 83, 412, 1084, 1159, 1315, 1325)

172. (U) There were some problems in firing the fifty caliber machine guns. The mounts were unstable, making it difficult to aim the weapons. (R. pp. 1797 to 1798, 1805) The guns were subject to misalignments, requiring frequent adjustment, and required as much as ten minutes to prepare for firing. During times of severe icing the canvas covers over the guns became coated and were very difficult to remove. Severe icing conditions were encountered during the northern part of the partol, but by the time the ship reached the vicinity of SONGJIN, Commanding Officer no longer considered icing conditions dangerous. (R. pp. 39 to 40, 60, 67 to 68)

173. (U) PUEBLO carried 10,000 rounds of fifty caliber ammunition. About 400 rounds were stowed below decks in the paint locker. The remainder was stowed in ready-service boxes near the guns. (R. p. 557)

174. (U) The Commanding Officer stated that he ordered the fifty caliber machine guns manned, but not uncovered, during general quarters drills. Others testified the guns were never manned during a general quarters drill. The fifty caliber machine guns were not manned during repel boarders drill. (R. pp. 41 to 42, 58, 412, 1797 to 1798) The Commanding Officer ordered that the guns be checked daily, however, they were actually checked about every other day. (R. pp. 412, 419, 559) It was the practice of WADLEY to knock the ice off the covers every morning -- which he did on the morning of 23 January 1968. (R. pp. 563, 566) The ready service ammunition lockers were padlocked. There were two keys to the locks; one carried by WADLEY and one in the key locker in the Commanding Officer's cabin. The ready service lockers were not unlocked during general quarters drills. (R. pp. 1146 to 1147) Commanding Officer testified that because it would take ten minutes to get the guns ready to fire, it was his plan to have WADLEY go to both mounts during this period and unlock the ready service ammunition lockers. (R. p. 1808)

Policy Regarding Use of Armament

175. (U) RADM JOHNSON was personally opposed to the introduction of fifty caliber machine guns on AGERS. He considered that they would not be of effective assistance on the high seas, and would be unnecessarily provocative. This opinion was shared by others, including the Commanding Officer, USS BANNER. (CR. p. 198-171)

176. (U) The following specific directions were given to the Commanding Officer with respect to use of fifty caliber guns:

"While conducting operations ...it is desirable that no action be taken...which would be construed as being provocative. Therefore, it is

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recommended that weapons carried aboard units for defensive purposes, not be exhibited or displayed in such a manner that intentions of use could be misinterpreted." (Exh. 18-2, p. 4)

"Under harassment, ...no actions shall be taken that could be mistaken as harassing or hostile." (Exh. 18-2, p. 2)

"Attempts to board and search. If attempts are made to board and search in international waters, radical maneuvering to circumvent such attempts should be employed. The application of force through the use of arms is authorized only as a last resort in self defense. (Navy Regulations Articles 0614 and 0730, and CINCPACFLTINST 03300.2(series) apply)" (Annex P p. 3 of Exh. 18-2)

"Installed defense armament should be stowed or covered in such a manner as not to elicit unusual interest from surveying/surveyed unit(s). Employ only in cases where threat to survival is obvious." (Exh. 5)

177. (U) The fifty caliber machine guns were to be controlled from the bridge by megaphone. (R. pp. 42 to 43)

178. (U) There were no anti-personnel (fragmentation) grenades aboard, and none were requested. (R. p. 55)

NAVIGATION

Personnel and Equipment

179. (U) Upon departing SASEBO, all officers and QM1 LAW were qualified Officers of the Deck. LT MURPHY was the Executive Officer and Navigator. The navigation team consisted of LT MURPHY, QM1 LAW and QM3 PLUCKER assisted by other personnel on a watch basis. Of these, only LT MURPHY and QM1 LAW could navigate by celestial means. The Commanding Officer was, of course, a qualified navigator. (R. pp. 25 to 27, 282, 443 to 444)

180. (U) In addition to the normal navigational aids for visual and celestial navigation, PUEBLO was equipped with a SPERRY MK 18 gyrocompass, a Raytheon CA 400 LORAN for use with both ALFA and CHARLIE stations, a Raytheon Mariner Pathfinder radar model MP 2502, a fathometer, and a precision fathometer used by the oceanographers. (R. pp. 13 to 14, 76, 283 to 284, 376, 430, 442; Exh. 18-1)

181. (U) While PUEBLO was in YOKOSUKA all the ship's navigational equipment was checked and calibrated, and the sextant adjusted while reroute SASEBO. The navigator was satisfied when PUEBLO departed SASEBO that all the navigational equipment was in good working order. The gyrocompass had a $1\frac{1}{2}$ degree error, which was constant. LORAN accuracy was determined to be between $\frac{1}{2}$ to 5 miles, depending on location and time of day. 60% of LORAN usage was LORAN CHARLIE. (R. pp. 27, 75 to 76, 82, 283 to 286, 311 to 314, 430 to 431, 451, 669, 697)

182. (U) The ship carried sufficient navigational charts covering all areas of the mission. (R. p. 81)

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183. (U) The Commanding Officer required each OOD to read and initial written instructions regarding his navigational policy each day while on patrol. These instructions required a fix every twenty minutes, enjoined them never to approach closer than 14 miles to land or off-shore islands unless the Commanding Officer was on the bridge, and to call him at any time they believed they might be closer than 14 nautical miles to the nearest land. OOD's were also instructed to inform the Commanding Officer if a good fix could not be obtained in a reasonable time by passive means, at which time he would authorize the use of radar and fathometer. The Commanding Officer also prepared a chart showing the waters into which PUEBLO was forbidden to go, cross-hatched in red pencil, and the additional area out to 14 nautical miles in blue cross-hatching. (R. pp. 67 to 69, 75 to 76, 81 to 82, 285, 430, 445)

184. (U) Celestial navigation was carried out in accordance with normal Navy practice by the navigator and his assistants, and was frequently checked by the Commanding Officer. The Commanding Officer indicated that the weather permitted frequent celestial positions, but does not recall getting a celestial fix on the 22nd and 23rd of January. (R. pp. 76 to 78, 286, 376 to 377)

Navigational Records Maintained

185. (U) Normal navigational records were kept -- Quartermaster's Notebook, Ship's Deck Log, Weather Observation Sheets, Navigator's Log, Magnetic Compass Record Book, LORAN Log, Azimuth Record Log, Chronometer Log, Position Log, and Master Contact Log. In addition, a narrative report was maintained on a daily basis as required by the OPORD. (R. pp. 48 to 49, 289; Exh. 18-2, p. R-5)

Navigational Practice

186. (U) Visual fixes were obtained often. (R. pp. 442, 453) The radar and fathometer were used on numerous occasions. (R. pp. 376 to 377, 395, 408, 430, 443, 447, 464) Set and drift were determined on many occasions, particularly while lying to. While there was a requirement for an accurate fix at times when an oceanographic station was made, it was not the practice in PUEBLO to be any less accurate for fixes taken at any other time. (R. pp. 27, 79, 82)

187. (U) Training marks received prior to PUEBLO's deployment attested to the capability of the navigational team. (R. p. 28) While on station it was important that PUEBLO approach shore as close as possible to enhance SIGINT collection capabilities. (R. p. 198-34) It was known that because of the infrequent use of radar, LORAN errors, uncertain weather conditions and the uncertainty of bottom contour information, PUEBLO's calculated position could have been in error by as much as five miles, particularly at night. (R. pp. 314 to 316) For this reason PUEBLO normally remained 13½ to 18 miles off-shore in daylight and 20 to 25 miles off-shore at night. (R. p. 67) The Commanding Officer was satisfied that throughout the patrol, navigation was outstanding. (R. p. 77)

Alleged Intrusions

188. (U) According to testimony received before the court, the closest point to North Korean held land, including off-shore islands, that PUEBLO came during the patrol prior to her entry into WONSAN on 23 January, was 12.8 miles in the vicinity of MAYANG DO. (R. pp. 84, 432, 452)

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189. (U) It is considered in the international law community that NORTH KOREA claims a twelve mile territorial sea. (R. p. 1587)
190. (U) At the time of capture the ship's LORAN log contained at least eleven entries which erroneously reflected that the PUEBLO had been inside the claimed twelve-mile territorial limit. (R. pp. 323 to 325, 304 to 307)
191. (U) At the time of capture, the ship's position log contained one position which was inside the twelve mile limit. It was based upon a LORAN fix which was immediately checked at time of entry and found to be in error. Nonetheless the erroneous position was left in the log and was not lined out. (R. pp. 325, 431, 667 to 668)
192. (U) The Commanding Officer specifically and categorically denied each of the seventeen alleged intrusions into North Korean claimed territorial waters. (R. pp. 88 to 91; Exhs. 11, 12)
193. (U) PUEBLO's steering system was an electro-mechanical system designed and built during World War II by a company no longer in business. There were five ways to steer the ship: (1) from the pilot house using the normal electrical system; (2) from the pilot house manually with two men on the wheel, when the electrical system failed; (3) from the pilot house or engine room using the ship's twin screws; (4) from the engine room manipulating the electrical control box for the system located there; and (5) from the fantail using block and tackle over a quadrant connected to the steering column. There was a gyrocompass in the auxiliary engine room from which ship's heading could have been relayed via the 1JV to the engine room, or after steering. PUEBLO experienced many casualties to the electrical steering system from her first trial runs through to SASEBO, each casualty lasting only a few seconds. The system was satisfactorily corrected in JAPAN. No steering casualties were experienced (see fact 94 supra) on 23 January 1968. (R. pp. 313, 362 to 363, 365, 371, 513 to 514, 590, 592 to 593, 603 to 604, 633 to 634, 636, 638 to 639, 1059 to 1060)

SCUTTling

194. (U) Prior to the seizure of PUEBLO, AGERS were not provided with any exotic scuttling devices or procedures. PUEBLO was a one compartment ship; i.e., any one of her water-tight compartments could have been flooded without causing the ship to sink, however, such flooding would also reduce the righting arm to the extent that any seas or asymmetrical flooding would have caused the ship to capsize. The ship had four water-tight bulkheads. To effectively scuttle the ship, two water-tight compartments would have had to be opened to the sea. This could have been done by either flooding compartments other than the engine room using the ship's fire mains -- a very time-consuming method requiring about 3 to 3½ hours -- or by opening the cooling water intakes and outlets in the main engine room and cutting a hole into the auxiliary engine room from the main engine room. The latter method would have caused the ship to sink in 47 minutes, plus the time required to do the mechanical work required, or approximately 1 hour and 15 minutes. This time reference is predicated upon a well coordinated, pre-planned action of a well-trained and disciplined crew. (R. pp. 359, 385, 602, 1847 to 1856)
195. (U) There was a destruction bill for the engine room which consisted of scuttling and engine destruction procedures. Scuttling was to have been accomplished by opening the cooling water intakes in the main engine room,

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and engine destruction by breaking fuel and lube oil lines to the engines and reduction gear. The Commanding Officer attempted to obtain 50 pound tins of TNT for scuttling, but was unable to secure the necessary igniters and so abandoned the project. (R. pp. 31, 234, 366, 580, 593, 612)

196. U (S) Since the time of the seizure considerable work has been accomplished toward developing sophisticated fail-safe systems for scuttling and some have been installed. (CR. pp. 198-60, 570-15 to 570-16; R. p. 532)

DRILLS

197. U (S) With some exceptions emergency drills were conducted on board PUEBLO in accordance with normally accepted Navy practice. Repel boarders drills were held infrequently and only while in port YOKOSUKA. After arriving on station all ship evolutions were not conducted as they would interfere with the operations of the SECGRUDET. (R. pp. 20, 28, 520, 609, 631)

COMMUNICATIONS

198. U (S) PUEBLO had a modern communications suite. Exhibit 18-1 lists her radio transmitters and receivers. Crypto center equipment is listed and illustrated in Exhibit 19-2. She was operating under the communications plan outlined in Annex CHARLIE of CTF 96 OORDER 301-68. (Exhs. 18-1, 18-2, 19-2)

199. U (S) PUEBLO was capable of sending and receiving on a voice circuit; sending and receiving on a teletype circuit; and copying a covered broadcast channel, simultaneously. In addition, she could elect to transmit and receive by manual morse, or by uncovered teletype, in lieu of the covered teletype circuit. She was precluded from transmitting on more than one teletype or manual morse circuit simultaneously only because of antenna configuration. (CR. p. 198-170; R. p. 84; Exh. 18-1, 19-2)

200. U (S) Difficulties experienced in communications stemmed from several factors. The size of PUEBLO limited the transmitting power available and made antenna placement and configuration critical. The sensitivity of the SIGINT collection equipment to interference from transmitters limited the use of transmitters. Propagation anomalies in the Sea of Japan in relation to NAVCOMMSTA JAPAN made it difficult to establish frequencies suitable to both stations. (CR. pp. 626-114 to 626-115; R. p. 206)

D.45 201. U (S) PUEBLO normally operated under complete electronic silence, breaking this emission control (EMCON) condition for communications when detected, and under certain emergency situations, as directed in appendix ROMEO of CTF 96 OORDER 301-68. Under electronic silence, PUEBLO would be copying the JASON (KWR-37) covered Western Pacific Fleet Operational Intelligence Broadcast (GOPI) originating from the Naval Security Group Activity, SAN MIGUEL, PHILIPPINES, and broadcast over channel six of the WESTPAC multi-channel Fleet Broadcast. COMNAVFORJAPAN monitored the general service (GENSER) fleet broadcast and re-addressed any traffic of interest to PUEBLO over GOPI. PUEBLO would also monitor the Pacific Fleet HICOM voice net. On breaking electronic silence, PUEBLO would normally establish, in addition to the above, an ORESTES (KW-7) covered point-to-point SPINTCOM tributary with the Naval Security Group Activity, KAMISEYA, in either the simplex or duplex mode, through NAVCOMMSTA, JAPAN. (Exh. 18-2)

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202.4 (S) All of PUEBLO's transmitters were controlled from the radio shack located immediately aft of the pilot house. They were never activated unless the Commanding Officer decided to break electronic silence. Once activated, and patched to the Crypto center, the circuit was controlled from the Crypto center. Receivers being used by the Crypto center were tuned from within the Crypto center. Only voice and manual morse communications could be originated and controlled from the radio shack. (CR. p. 198-11; R. p. 495)

DUS 203.4 (S) PUEBLO experienced little difficulty in copying GOPI during the patrol. The HICOM net was on listening watch throughout the patrol, but when PUEBLO attempted to use it at the time of the incident, she was unable to do so. Considerable difficulty was experienced in establishing point-to-point covered communications with NAVSECGRUACT KAMISEYA on 22-23 January 1968, however, communications were finally established on the 23rd prior to the first sighting of the North Korean units, and remained "...like a land line..." throughout the incident and until PUEBLO destroyed her equipment. KAMISEYA was also in continuous covered land-line communications with COMNAVFORJAPAN throughout the incident. (CR. pp. 198-224 to 198-226, 198-243, 626-114 to 626-115, 626-117)

OTHER CONSIDERATIONS

204. (U) During the January, 1968 patrol, PUEBLO did not fly her national ensign until answering the North Korean query as to nationality. The Commanding Officer had considered painting out PUEBLO's hull number and identification, but decided against it. Uniform regulations were relaxed in PUEBLO during the patrol. It was also the practice on PUEBLO to lay to at night without running lights when in proximity of other shipping except when danger of collision existed. (CR. p. 1846-2; R. pp. 78 to 79)

205. (U) Commander BUCHER is a submarine qualified officer with previous experience afloat and ashore in submarine billets. PUEBLO was his first command. (R. pp. 3 to 4)

206.4 (S) The morale of the crew was normal. (R. p. 605) The crew was not briefed on the mission of the ship and few outside the SECGRUDET had knowledge of it. (R. p. 479)

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PART II - SEIZURE

(U) In order to minimize confusion regarding the time of particular occurrences, all times in this section will be given in Greenwich (ZULU) time. Key locations are in several different time zones. PUEBLO and COMNAVFORJAPAN are both in the minus nine (INDIA) time zone. CINCPAC and CINCPACFLT are both in the plus ten (WHISKEY) time zone. SAN DIEGO (the location of the Court of Inquiry) is in the plus eight (UNIFORM) time zone. WASHINGTON, D. C., is in the plus five (ROMEO) time zone. The following table, keyed to certain critical incidents on the 23rd of January 1968, will aid the reader in quickly converting times:

<u>Incident</u>	<u>ZULU</u>	<u>INDIA</u> <u>PUEBLO</u> <u>CNFJ</u> <u>-9</u>	<u>WHISKEY</u> <u>CINCPAC</u> <u>CPF</u> <u>+10</u>	<u>UNIFORM</u> <u>SDIEGO</u> <u>+8</u>	<u>ROMEO</u> <u>WASH DC</u> <u>+5</u>
Communications established	230030	230930	221430	221630	221930
PUEBLO SITREP TWO transmitted	230200	231100	221600	221800	222100
SC-35 sighted	230250	231150	221650	221850	222150
PUEBLO hoists Ensign	230314	231214	221714	221914	222214
SC-35 signals "HEAVE TO OR I WILL FIRE"	230327	231227	221727	221927	222227
OPREP-3/001 transmitted	230350	231250	221750	221950	222250
First boarding attempt	230415	231315	221815	222015	222315
SC-35 fires first time	230427	231327	221827	222027	222327
SC-35 fires second time	230500	231400	221900	222100	230000
PUEBLO boarded	230532	231432	221932	222132	230032
PUEBLO crosses 12-mile limit	230630	231530	222030	222230	230130
Sunset in WONSAN	230837	231737	222237	230037	230337

u (U) The facts given in this section are based on all information available, including the Special Intelligence presented to the Court. That material is presented in the Special Intelligence Record, and while it supports the facts given below, access to that record is not essential for a full understanding of the incident.

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207. (U) At 220325Z, a little after noon local Korean time, PUEBLO sighted two North Korean national fishing boats. (see fact 118) They circled PUEBLO at close range at 220600Z while she was at position 39-14.8N/128-07.0E. At 220700Z the two North Korean units departed the area. As a result of this encounter, Commanding Officer PUEBLO decided that he had been detected, wrote his first SITREP (USS PUEBLO message DTG 220915Z JAN 68) and ordered electronic silence broken in order to send the message. (R. pp. 69 to 71; Exh. 8)
208. ~~(S)~~ PUEBLO began attempts to establish circuit 21 with KAMISEYA at about 220800Z (1700 local time). (R. p. 71; Exh. 8)
209. (U) During the night of 22-23 January, PUEBLO moved farther to sea to avoid drifting into North Korean claimed territorial waters. At 222330Z PUEBLO was near 39-12N/128-21.4E. Commanding Officer, PUEBLO, reported 18 separate contacts and the sighting of one large orange flare during the night (for which the positions were not given). (see fact 121) PUEBLO then moved rapidly toward WONSAN in order to be in position for SIGINT and visual intelligence collection. (R. pp. 73 to 74, 80; Exhs. 9, 18-40)
210. ~~(S)~~ Point-to-point covered communications via circuit 21 were finally established between PUEBLO and KAMISEYA at about 230030Z JAN 68 (0930 local Korean time). They were "...like a land line..."-from that time-until PUEBLO destroyed her communications equipment. (CR. pp. 626-114 to 626-117)
211. ~~(S)~~ At 230100Z PUEBLO was dead in the water at position 39-24.0N/127-59.0E, approximately 15.6 miles from the island of UNG DO. During the morning GMG2 WADLEY checked the fifty caliber machine guns, discovered that the covers were iced, and knocked the ice off (see fact 174) (R. pp. 289 to 290, 563; Exhs. 9, 16)
212. ~~(S)~~ 230130Z: CT1 RITTER, the ECM operator on watch in the Security Group space, intercepted two radars from subchasers. Range and bearing could not be determined. The interceptions were reported to the bridge. (CR. pp. 626-65 to 626-67, 626-74 to 626-75)
213. (U) Commanding Officer, PUEBLO, prepared his second SITREP (USS PUEBLO message DTG 230150Z) in which he reported the night's activities and indicated that because he was no longer under surveillance he was reverting to EMCON. (Exh. 9)
214. (U) At about 230154Z PUEBLO's SITREP number one (DTG 220915Z) was transmitted on circuit 21. (CR. p. 198-226; Exhs. 9, 16)
215. ~~(S)~~ 230155Z: SC-35 gave his position as 39-01N/128-11E. (Exh. 19)
- (NOTE: These positions have been determined from intercepted North Korean Naval communications. SC-35 equates to the North Korean SO-1 class submarine chaser later sighted by PUEBLO.)
216. (U) 230200Z (about 1100 local Korean time): SC-35 reported his position as 39-02N/128-11E (Exh. 19) and PUEBLO transmitted her second SITREP (DTG 230150Z). (Exhs. 9, 16)

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217. ~~(U)~~ At about 230209Z, CT1 BAILEY identified himself to the KAMISEYA operator and transmitted USN 467Y (PUEBLO's embarked SECGRUDET) technical report number two. (Exhs. 16, 18-40)
218. (U) 230245Z: SC-35 reported his position as 39-24N/127-58E. (Exh. 19)
219. (U) At about 230250Z the OOD, QM1 LAW, reported to the Commanding Officer that there was an unidentified surface craft approaching PUEBLO from 180 degrees true at a speed of 15 knots. PUEBLO was dead in the water, main engines secured, but with her auxiliary diesel running. The Commanding Officer ordered a fix taken which confirmed PUEBLO's position to be 15 to 17 miles from the nearest land, UNG DO or 39-24N/127-59E. (R. pp. 93 to 95, 375, 433, 457 to 458; Exhs. 9, 16, p. 38)
220. (U) 230300Z: SC-35 reported position as 39-25N/127-58E. (Exh. 19)
221. (U) At 230300Z, noon local Korean time, after QM1 LAW reported the contact within 3 to 5 miles, the Commanding Officer came to the bridge and identified the contact as a North Korean SO-1 class submarine chaser, hull number 35, at general quarters with deck guns manned and trained on PUEBLO. (R. pp. 93, 433)
222. (U) The Commanding Officer directed LAW to raise the day shapes signalling hydrographic operations. (R. p. 94; Exh. 16, p. 38)
223. (U) SC-35 circled PUEBLO at about 500 yards (R. p. 93; Exh. 16, p. 38)
224. (U) 230310Z: SC-35 reported position at 39-26N/127-53E. (Exh. 19)
225. (U) At the time SC-35 approached PUEBLO, there were no hydrographic operations underway. After SC-35 circled, at about 0311Z, the senior oceanographer went to his winch and lowered gear to make a NANSEN Cast. He testified that he had little difficulty getting the canvas cover off the winch. The winch is located in the well deck, forward of the main deck on the port life line. (R. pp. 94, 457 to 458, 464 to 465)
226. (U) The Commanding Officer personally ordered all hands to remain below decks to avoid revealing to the North Koreans the number of persons on board PUEBLO. (R. p. 93)
227. (U) The Commanding Officer directed LTJG Frederick G. SCHUMACHER, 700156/1105, USNR, to bring the previously prepared OPREP-3 message blanks to the bridge. (R. p. 94)
228. (U) At about 230312Z, SC-35 signalled, "WHAT NATIONALITY". (R. p. 94; Exh. 16, p. 38)
229. (U) The Commanding Officer verified the meaning of the flaghoist from SC-35, then at about 230315Z, directed the U.S. Ensign, and the International signal, "HYDROGRAPHER" hoisted. (R. p. 94; Exh. 16, p. 38)
230. (U) The Commanding Officer believed that he was experiencing normal harassment and decided to report it by OPREP-3 message which he directed LTJG SCHUMACHER to prepare. He also ordered ENS Timothy L. HARRIS, 719425/1105, USNR, to commence his observations for the purpose of keeping the required narrative of the incident, ordered the photographer to the bridge to photograph the incident, commenced recording his own voice description of the incident with his portable tape recorder, and ordered the engines lit-off in preparation for maneuvering. (R. pp. 94 to 95)

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231. (U) At about 230318Z the engine room reported ready to answer all bells. (R. pp. 94 to 95)
232. (U) At about 230320Z, three North Korean P-4 motor torpedo boats were sighted approaching PUEBLO from WONSAN. (R. pp. 95 to 96, 368; Exh. 16, p. 43)
233. (U) On the third swing around PUEBLO, at about 230327Z, the SC-35 signalled by international flaghoist, "HEAVE TO OR I WILL OPEN FIRE ON YOU". (R. p. 96; Exh. 16, p. 38)
234. (U) The Executive Officer, LT Edward R. MURPHY, Jr., 645923/1100, USN, confirmed the position of PUEBLO by radar, 15.8 miles from the nearest land, UNG DO. The Commanding Officer confirmed the position personally, then at about 230329Z ordered the signal, " I AM IN INTERNATIONAL WATERS". (R. pp. 97, 291 to 292; Exh. 16, p. 38)
235. (U) At about 230340Z, the Commanding Officer released the first OPREP-3, (USS PUEBLO message DTG 230352Z) which informed addressees of the approach and circling by SC-35, and the exchange of international signals. (R. pp. 97, 99; Exh. 16, p. 38)
236. (U) Between 230340Z and 230350Z, CT1 BAILEY transmitted through chatter that PUEBLO had "...COMPANY OUTSIDE", and asked KAMISEYA to stand by for a FLASH message. (Exh. 16, pp. 35, 37)
237. (U) 230350Z: PT-604 reported position 39-20N/127-45E. (Exh. 19)
- (NOTE: These portions are also available from intercepted communications. This unit will hereafter be referred to as PT-604)
238. (U) At about 230350Z, CT1 BAILEY transmitted PUEBLO's first OPREP-3 (DTG 230352). (Exh. 16, p. 38)
239. (U) At about 230352Z the Commanding Officer discussed the possibility of scuttling the ship with CWO3 Gene H. LACY, 273364, USN, who had returned to the bridge. (R. pp. 97 to 98, 103 to 104) At this time CWO LACY advised the Commanding Officer to set condition ZEBRA and word was passed to do so.
240. (U) At about 230400Z, (1300 local Korean time), three PT boats arrived and took station around PUEBLO. (R. pp. 95 to 96, 99, 368; Exh. 16, p. 38)
241. (U) 230400Z: PT-604 reported position 39-21N/127-50E. (Exh. 19)
242. (U) The Commanding Officer passed the word over the 1MC to prepare for emergency destruction. (R. pp. 99, 144, 146)
243. (U) The MIG aircraft were noted circling the ship. (R. pp. 94 to 100)
244. (U) 230405Z: PT-604 reported position 39-23N/127-57E. (Exh. 19)
245. (U) SC-35 was observed transferring a boarding party to PT-604. (R. pp. 100 to 101, 105, 293)
246. (U) The Commanding Officer was primarily concerned with the motor torpedo boats, not with the MIGs overhead. (R. p. 100) He did not consider it necessary to go to general quarters at this time but prepared to bring his superiors up to date with a second OPREP-3. He prepared and released OPREP-3/002 (PUEBLO message DTG 230415Z) which stated that SC-35

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had been joined by three P-4 MTB and had sent message, "FOLLOW IN MY WAKE. I HAVE PILOT ON BOARD", that two MIGs were overhead and that PT-604 was backing down with an armed boarding party on her deck. It also stated that PUEBLO was departing the area at 1/3 speed "under escort". (R. p. 100; Exh. 16, p. 43)

247. (U) By flaghoist, SC-35 sent "HEAVE TO OR I WILL OPEN FIRE". (R. p. 102)

248. (U) At about 230415Z, PT-604 started backing down toward the starboard bow of PUEBLO with fenders rigged. There was a boarding party on deck comprised of enlisted Army personnel with helmets, rifles, fixed bayonets, and junior officers armed with automatic pistols. The PT-604 continued down starboard side to the starboard quarter. Closest approach of PT-604 was about five yards. The freeboard on the quarter of PUEBLO is four feet -- about the same as that of PT-604. (R. pp. 100, 105, 293; Exh. 16, p. 43)

249. (U) At about 230418Z Commanding Officer PUEBLO hoisted signal, "THANK YOU FOR YOUR CONSIDERATION. I AM DEPARTING THE AREA." (R. p. 100)

250. (U) At about 230418Z CT1 BAILEY transmitted PUEBLO's second OPREP-3 (DTG 230415Z) (Exh. 16, p. 43)

251. (U) As PT-604 with the boarding party on board drifted back along starboard side, the Commanding Officer realized that the North Koreans intended more than a mere harassment or intimidation. (R. pp. 100 to 101) He realized he could not out-run them. He considered manning the fifty caliber machine guns, but decided against it stating that he, "...saw no point in senselessly sending people to their death." (R. p. 101) He did not consider the boarding attempt a sufficient reason to commence emergency destruction. (R. pp. 140 to 141) He decided to "...present a dignified departure from a rather tight situation..." and retire farther to sea. (R. p. 101)

252. (U) At about 230415Z PUEBLO got way on at 1/3 speed, coming right to course 080 degrees true. This course had been recommended by the navigator, at the request of the Commanding Officer, as the best course to open land. The Korean motor torpedo boats continued to harass, crossing PUEBLO's bows at distances as close as ten yards. (R. pp. 100, 104 to 105, 293 to 294, 368)

253. (U) At about the time PUEBLO got way on, a second North Korean SO-1 class submarine chaser was noted in the area, about five miles distance from PUEBLO. The Commanding Officer could not determine the hull number. (R. pp. 102, 113)

254. (U) As PUEBLO steadied on course 080 degrees true, SC-35 was about 3000 yards astern. SC-35 again signalled "HEAVE TO OR I WILL FIRE". (R. p. 102)

255. (U) Five or six minutes after getting way on, (about 230421Z) PUEBLO increased speed to 2/3, then in rapid succession, to standard and to full speed. (R. pp. 101, 106, 368)

256. (U) As PUEBLO gained full speed, she came right to about 100 degrees true to keep SC-35 as close astern as possible thereby presenting a smaller target. SC-35 was moving rapidly to gain a position on PUEBLO's quarter. (R. p. 102)

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257. (U) North Korean PT-601 uncovered a torpedo tube and trained it on PUEBLO. (R. p. 102)
258. (U) At about 230425Z, Captain EVERETT, Assistant Chief of Staff for Plans and Operations, COMNAVFORJAPAN, received PUEBLO's OPREP-3/002 (DTG 230414Z). At this time he believed PUEBLO was in extremis and ordered appropriate action. (see facts 361 through 375 below for a description of action taken at COMNAVFORJAPAN.) (CR. p. 198-92)
259. (U) 230426Z: CT1 BAILEY sent, "AND THEY PLAN TO OPEN FIRE ON US NOW." (Exh. 16, p. 45)
260. (U) The North Korean torpedo boats around PUEBLO opened to one to two hundred yards and at 230427Z SC-35 fired the first burst. (R. pp. 102, 106)
261. ~~U~~ At the time the first 57MM burst was fired, all hands in the SECGRUDET spaces hit the deck. They remained there until general quarters was sounded, a period of from 3 to 5 minutes. (R. pp. 1088 to 1089)
262. (U) SC-35 opened fired at range of between 1500 and 2000 yards. The first burst was between 6 and 14 rounds of 57MM heavy machine gun fire. Most shots were over the ship but something, perhaps shrapnel, struck the signal mast and wounded *Be* in the ankle and rectum, *Be* *Be* in the neck, and *Be* in the leg. All hands hit the deck. (R. pp. 102 to 103, 112 to 113, 378)
263. (U) 230428Z: CT1 BAILEY transmitted, "NORTH KOREAN WAR VESSELS PLAN TO OPEN FIRE. SHIPS POSITION 39-25.5N/127-54.9E." (Exh. 16, p. 46)
264. (U) The Commanding Officer ordered, "COMMENCE EMERGENCY DESTRUCTION". (R. pp. 102 to 103, 115 to 117, 140, 370, 437)
265. (U) When SC-35 opened fire, the Commanding Officer realized the North Koreans intended to make, "...a full scale incident". (R. p. 103)
266. (U) Thirty caliber machine gun fire from the North Korean torpedo boats began almost simultaneously with the first burst of 57MM fire from SC-35. (R. p. 114)
267. (U) Immediately after 230428Z, CT1 BAILEY transmitted "WE ARE BEING BOARDED. SHIPS POSITION 39-25N/127-54.3E. SOS". Each part of the message was repeated several times. (Exh. 16, p. 48)
268. (U) The initial barrage from SC-35 consisted of ten to twenty bursts of 57MM fire. During this time all personnel on the flying bridge shifted to the pilot house. The torpedo boats continued raking the ship with machine gun fire. At the end of the firing period, (about 230434Z) SC-35 was about 900 yards from PUEBLO. (R. pp. 114, 144, 298 to 299, 368 to 369, 475)
269. (U) At about the time the Commanding Officer left the flying bridge for the pilot house (about 230428Z) he ordered general quarters. (R. pp. 115, 369, 379, 385, 594 to 595, 606 to 607, 1088, 1349, 1525, 1538; CR. p. 626-95)

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270. ~~U.S.~~ Immediately after ordering general quarters (at about 230430Z) the Commanding Officer passed the word modifying general quarters, forbidding personnel from going topside. His intention at that time was to prohibit anyone from coming out on deck in battle dress or attempting to man the fifty caliber guns. It was not his intention to prohibit anyone from coming out to man bridge stations, or burning or jettisoning classified material. (R. pp. 115, 639 to 640) The order to set modified general quarters was not heard by personnel in the SECGRUDET spaces. (CR. p. 256-85)
271. (U) Because general quarters was modified, the regular bridge talker on the 1JV did not man his general quarters station, therefore the headset on the bridge was not manned. To communicate with personnel on the bridge, it was necessary to call by bell and talk to whoever answered the handset. (R. pp. 656 to 657)
272. (U) Modified general quarters drill had never been held aboard the ship. (R. p. 140)
273. (U) Modified general quarters allowed manning repair parties two and five, and they were manned and did report.
274. (U) At the first firing, (at about 230427Z) the Executive Officer and radioman attempted to call out on HICOM. At that particular time, however, the frequency was being shifted by the controlling station and so attempts were made to contact on both the old and new frequency. No contact was made. It was later determined that in the first burst of fire, the antenna became unusable -- either because it was shot away or the coupler had been shot away. (R. pp. 115, 496 to 498, 503)
275. ~~U.S.~~ Before leaving the flying bridge, the Commanding Officer observed documents being burned in the incinerator. Upon arriving in the pilot house, he received a report from LT HARRIS that equipment and documents were being destroyed in the SECGRUDET spaces. (R. pp. 116 to 118)
276. (U) At about 230431Z, after arriving in the pilot house, the Commanding Officer observed what he believes to have been a 57MM shell pass through the pilot house windows without exploding. ENS HARRIS was wounded by flying glass. (R. pp. 118 to 119)
277. (U) At about 230433Z, CT1 BAILEY transmitted, "WE ARE HOLDING EMERGENCY DESTRUCTION. WE NEED HELP. WE NEED SUPPORT. SOS. PLEASE SEND ASSISTANCE." (Exh. 16, p. 49)
278. (U) At about 230434Z the Commanding Officer ordered "ALL STOP". He also ordered SM2 LEACH to hoist the international signal for "PROTEST". When the ship stopped, the 57MM heavy machine guns firing stopped. (R. p. 119) The thirty caliber machine gun fire continued sporadically throughout the incident until PUEBLO stopped at about 230520Z to permit boarding party to board. (R. p. 1833)
279. (U) The Commanding Officer estimates he was 25 miles from land when he stopped.
280. (U) The Commanding Officer then testified that he considered any further resistance would result in the needless slaughter of the crew and that providing the destruction of classified material was progressing well, and depending on the next moves of the North Koreans, he would surrender the ship. (R. pp. 119 to 120)

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281. (U) The Commanding Officer ordered that the radio transmitter not be destroyed so that communications could continue. (R. p. 120)
282. (U) At about 230437Z, CT1 BAILEY transmitted, "WE ARE LAYING TO AT PRESENT POSITION. AS OF YET WE NO LONGER HAVE GOPI. THIS CIRCUIT ONLY CIRCUIT ACTIVE ON SHIP. PLEASE SEND ASSISTANCE. WE ARE BEING BOARDED.. (Exh. 16, p. 50)
283. (U) The Commanding Officer left the bridge to check on classified material in his stateroom, and found nothing which revealed PUEBLO's mission. He handed one or two pieces of classified material, together with his personal sidearms, to someone in the passageway and ordered him to throw them overboard. On his way back to the bridge, the Commanding Officer observed destruction in progress. He had been below for about 3 minutes. (R. pp. 119 to 120)
284. (U) After returning to the bridge, the Commanding Officer noted the signal from SC-35, "FOLLOW ME. I HAVE PILOT ON BOARD". (R. p, 120)
285. (U) The Commanding Officer ordered the ship to make a slow turn (5 degrees rudder) to follow SC-35. (R. p. 120)
286. (U) At about 230445Z, CT1 BAILEY transmitted, "WE ARE BEING ESCORTED INTO PROBABLY WONSAN." (Exh. 16, p. 51)
287. (U) PUEBLO followed SC-35 with the MTBs escorting, at 1/3 speed. (R. pp. 120, 123)
288. (U) 230450Z: SC-35 reported position as 39-29N/128-08E. (Exh. 19)
289. (U) At about 230450Z, at FIFTH Air Force Headquarters, the SEVENTHFLT liaison officer was apprised of the PUEBLO incident and commenced necessary action. (Exh. 18-33)
290. (U) At about 230450Z, CT1 BAILEY sent, "ARE YOU SENDING ASSISTANCE?" (Exh. 16, p. 53)
291. (U) At about 230453Z KAMISEYA sent to PUEBLO, "WORD HAS GONE TO ALL AUTHORITIES. COMNAVFORJAPAN IS REQUESTING ASSISTANCE. WHAT KEY LISTS DO YOU HAVE LEFT?" (Exh. 16, pp. 53 to 54)
292. (U) At about 230458Z KAMISEYA again sent, "LAST WE GOT FROM YOU WAS 'ARE YOU SENDING ASSISTANCE' COMNAVFORJAPAN IS REQUESTING ASSISTANCE" "PLEASE ADVISE WHAT KEY LISTS YOU HAVE LEFT AND IF IT APPEARS THAT YOUR COMMUNICATIONS SPACE WILL BE ENTERED?" (Exh. 16, p. 54)
293. (U) At about 230500Z (1400 local Korean time) the Commanding Officer again ordered the ship stopped to provide an opportunity for his inspection of the destruction process and to afford more time for its completion. (R. pp. 123 to 124, 424)
294. (U) When PUEBLO stopped, SC-35 turned, closed to a range of about 2000 yards, and fired. The burst resulted in hits in the laundry and on the starboard side just aft of the Electronics Office. (Frame 54 just above the Main Deck.) One shell passed through the outer skin, penetrating the small arms locker and entering the wardroom. This burst fatally wounded Duane D. HODGES, FN, 920 49 06, USNR, seriously wounded SGT Robert J. CHICCA, 204 66 22, USMC; Charles H. CRANDELL, RM3, 599 93 65, USN; Steven P. WOELK, FA, B61 42 65, USN. To stop the firing the Commanding Officer ordered 1/3 speed. He turned the deck and comm over to CWO LACY, leaving the bridge to inspect the progress of destruction. (R. pp. 124 to 125, 371, 424)

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295. ~~U~~ (U) The Commanding Officer observed the wounded men, went into the SECGRUDET space where some people were lying on the deck, and said words to the effect "...Get up and get going. There's a man with his leg blown off out there." He then passed through into the Crypto space and dictated a message to be sent. (R. pp. 126 to 127, 1362 to 1363, 1462 to 1463)
296. (U) At about 230505Z, CT1 BAILEY transmitted the message dictated by the Commanding Officer, as follows: "HAVE 0 KEYLISTS AND THIS ONLY ONE HAVE. HAVE BEEN REQUESTED TO FOLLOW INTO WONSAN. HAVE THREE WOUNDED AND ONE MAN WITH LEG BLOWN OFF. HAVE NOT USED ANY WEAPONS NOR UNCOVERED FIFTY CALIBER MACHINE GUNS. DESTROYING ALL KEYLISTS AND AS MUCH ELEC EQUIPMENT AS POSSIBLE. HOW ABOUT SOME HELP. THESE GUYS MEAN BUSINESS. HAVE SUSTAINED SMALL WOUND IN *ble* DO NOT INTEND TO OFFER ANY RESISTANCE. DO NOT KNOW HOW LONG WILL BE ABLE TO HOLD UP CIRCUIT AND DO NOT KNOW IF COMMUNICATIONS SPACES WILL BE ENTERED." (Exh. 16, p. 55)
297. ~~U~~ (U) At about 230507Z KAMISEYA sent to PUEBLO, "ROGER WE ARE DOING ALL WE CAN. CAPTAIN HERE AND HAVE COMNAVFORJAPAN ON HOT LINE.. LAST I GOT WAS AIR FORCE GONNA HELP YOU WITH SOME AIRCRAFT BUT CAN'T REALLY SAY AS COMNAVFORJAPAN COORDINATING WITH I PRESUME KOREA FOR SOME F-105. THIS UNOFFICIAL BUT I THINK THAT WILL HAPPEN, BACK TO YOU." (Exh. 16, p. 55) After sighting this reply the Commanding Officer left the Crypto space. (R. p. 127)
298. ~~U~~ (U) While in the SECGRUDET space, the Commanding Officer saw what he believes to have been three mattress covers stuffed with documents. He ordered LT HARRIS to, "...Get this stuff out of here." He then returned to the bridge, believing the bulk of the equipment had been destroyed. (R. pp. 126 to 128)
299. (U) The Commanding Officer returned to the pilot house, after being below for five to ten minutes. He asked CWO LACY about the possibility of scuttling and was informed it could not be done quickly. (R. pp. 137, 372 to 373, 382)
300. ~~U~~ (U) At 230510Z KAMISEYA informed PUEBLO they were coming in loud and clear and instructed them to keep circuit 21 up as long as possible. PUEBLO answered that they could do so. (Exh. 16, p. 56)
301. (U) At about 230510Z COMSEVENTHFLT was alerted to the PUEBLO incident. (Exh. 18-41) (see facts 394 thru 396 for SEVENTHFLT actions)
302. ~~U~~ (U) At 230512Z KAMISEYA informed PUEBLO that everyone was turning to, doing everything they could, and "FIGURE BY NOW AIR FORCE GOT SOME BIRDS WINGING YOUR WAY. BACK TO YOU." (Exh. 16) PUEBLO answered, "SURE HOPE SO. WE ARE PRETTY BUSY WITH THIS DESTRUCTION RIGHT NOW. CAN'T SEE FOR THE SMOKE." (Exh. 16, p. 56)
303. (U) 230515Z: SC-35 reported position 39-23N/128-09E. (Exh. 19)
304. ~~U~~ (U) At about 230515Z KAMISEYA informed PUEBLO that the Area Commander was coordinating action for immediate relief and that COMSEVENTHFLT, COMNAVFORJAPAN, and NSA GROUP PAC had all been notified. PUEBLO answered "SURE HOPE SOMEONE DOES SOMETHING. WE ARE HELPLESS". (Exh. 16, p. 57)
305. ~~U~~ (U) At about 230518Z KAMISEYA asked what was the status of the destruction of classified material. PUEBLO answered that they had the KW-7 and some of the printed circuit boards of KW-37 and the KG-14 remaining. KAMISEYA answered that the signal was very good and requested any further information. (Exh. 16, p. 58)

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306. (U) At about 230520Z the Commanding Officer received a call from LT HARRIS requesting permission to send a message to higher authority informing them that destruction would not be complete. He did not ask LT HARRIS how much time would be needed to complete destruction and gave his permission to send the message. (R. pp. 130 to 131, 135, 139 to 140)
307. (U) At about 230520Z, PUEBLO was ordered by the North Koreans to come to all stop and the Commanding Officer complied. (R. pp. 135, 138) All firing ceased when PUEBLO stopped. (R. p. 1833)
308. (U) 230520Z: PT-604 reported position 39-21N/128-03E. (Exh. 19)
309. ~~UAX~~ At about 230521Z KAMISEYA advised PUEBLO that COMNAVFORJAPAN had alerted the FIFTH Air Force. (Exh. 16, p. 59)
310. (U) 230525Z: PT-604 reported position 39-19N/127-58E. (Exh. 19)
311. (U) The decision to surrender and the decision to allow the boarding party to come aboard was made by the Commanding Officer without consulting the other officers. (R. p. 145)
312. (U) At about 230530Z the Commander in Chief, Pacific Fleet, was notified of the PUEBLO incident. (R. p. 264)
313. ~~UAX~~ At about 230530Z PUEBLO advised that, "DESTRUCTION OF PUBLICATIONS HAS BEEN INEFFECTIVE. SUSPECT SEVERAL WILL BE COMPROMISED." KAMISEYA requested a list of what had not been destroyed. (Exh. 16, p. 61)
314. (U) The Commanding Officer passed the word for BM1 KLEPAC to lay aft to assist the boarding party. (R. pp. 138, 519)
315. (U) The carbine normally kept on the bridge of PUEBLO was thrown overboard. (R. pp. 1817 to 1818)
316. (U) CWO LACY suggested that the word be passed reminding the crew that the only information they were required to give was name, rank, and serial number. The Commanding Officer approved and Mr. LACY passed the word. (R. pp. 135, 302, 373, 401)
317. (U) Realizing he did not have his officer's cap on, the Commanding Officer left the bridge, went to his cabin where he wrapped his wounded ~~ble~~ ^{ble} with a sock and put on his cap and returned to the O1 level. (R. p. 148)
318. (U) At no time during the incident were small arms broken out, machine guns manned, or attempts made to scuttle the ship or destroy the engines. The shelling caused no fires, flooding or engineering casualties. (R. pp. 120, 135 to 136, 144 to 145, 310, 372, 518, 563, 580 to 584, 587, 1506)
319. (U) The Commanding Officer testified that the tarps could have been removed from the fifty caliber machine guns in an all-out effort in approximately three minutes. (R. p. 1846)
320. (U) The North Koreans boarded PUEBLO at 230532Z (1432 local Korean time). (R. pp. 137, 1833; Exh. 16, p. 61)
321. (U) At about 230532Z PUEBLO sent, "HAVE BEEN DIRECTED TO COME TO ALL STOP. AND ARE BEING BOARDED AT THIS TIME." (Exh. 16, p. 61)

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322. ~~U~~ At about 230533Z PUEBLO transmitted her last informal message, "...AND GOT FOUR MEN INJURED AND ONE CRITICALLY AND GOING OFF THE AIR NOW AND DESTROY THIS GEAR. OVER". KAMISEYA answered, "GO AHEAD", and then asked PUEBLO to transmit in the clear. PUEBLO originated no further transmissions. (Exh. 16, p. 62)

323. (U) The Commanding Officer met the boarding party which consisted of two officers and eight to ten enlisted men, as they came aboard. The boarding party was armed and none spoke English. There was no resistance to their coming aboard. (R. pp. 148, 373, 519 to 520)

324. (U) The boarding party in company with the Commanding Officer went to the pilot house. All bridge personnel were forced to go to the fantail. The Commanding Officer passed the word for all hands below to lay up to the forward well deck. BERENS (helmsman) was then returned from the fantail to the wheelhouse to take the helm. All others left the bridge. (R. pp. 148 to 149, 151 to 152, 156, 417 to 418)

325. (U) 230540Z: PT-604 reported position 39-24N/127-56E. (Exh. 19)

326. (U) PUEBLO proceeded at 1/3 speed. The North Koreans indicated they wanted more speed, but the Commanding Officer indicated there was no more. (R. pp. 151 to 156)

327. (U) 230540Z: SC-35 reported position 39-24N/128-01E. At this time the PUEBLO escorted by North Korean ships proceeded to WONSAN. (Positions will hereafter be identified as PUEBLO and her escorts". (Exh. 19)

328. (U) During the transit to WONSAN, the engine room was manned by ENC GOLDMAN, EN1 BLANSETT and EN1 HAGENSON under the supervision of one or two guards. The guards were always present in the spaces or at the engine room hatch. (R. pp. 156, 597 to 598, 608, 610, 1051)

329. (U) 230550Z: PUEBLO and her escorts were reported at 39-24N/127-59E. (Exh. 19)

330. (U) 230555Z: PT-604 reported position 39-22N/127-56E. (Exh. 19)

331. (U) 230555Z: PUEBLO and her escorts were reported at 39-24N/127-57E. (Exh. 19)

332. (U) Several of the crew offered resistance to being tied and blindfolded. (R. pp. 158 to 159)

333. (U) At about 230600Z (1500 local Korean time) Duane D. HODGES, FN, died from wounds previously sustained (see fact 294). (R. p. 490)

334. (U) At 230605Z PUEBLO and her escorts were reported at 39-23N/127-57E. (Exh. 19)

335. (U) At 230610Z PUEBLO and her escorts were reported at 39-22N/127-58E. (Exh. 19)

336. (U) At 230626Z PUEBLO and her escorts were reported at 39-21N/127-54E. (Exh. 19)

337. (U) At 230630Z PUEBLO and her escorts were reported at 39-21N/127-53E. (Exh. 19)

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338. ~~(S)~~ (U) At about 230635Z a message from SUSLAK (Senior U.S. Liaison Advisor, SEOUL, KOREA), DTG 230605Z BOM, was transmitted concerning the incident. It was received at COMNAVFORJAPAN at 230731Z. The Court had no other evidence of an earlier intelligence release concerning the seizure, not initiated by PUEBLO. (Exh. 18-42)
339. (U) At 230635Z PUEBLO and her escorts were reported at 39-21N/127-51E. (Exh. 19)
340. (U) At 230640Z PUEBLO and her escorts were reported at 39-21N/127-50E. (Exh. 19)
341. (U) At 230645Z PUEBLO and her escorts were reported at 39-20N/127-48E. (Exh. 19)
342. (U) At 230655Z PUEBLO and her escorts were reported at 39-19N/127-47E. (Exh. 19)
343. ~~(S)~~ (U) At about 230700Z (1600 local Korean time) a second boarding party boarded with a senior North Korean colonel and a civilian pilot. The pilot relieved BERENS who was taken to forward berthing. In the company of the Korean colonel the Commanding Officer inspected the ship, including the area where the wounded personnel were being attended, the engine room, the SECGRUDET spaces, forward berthing and the laundry. The Commanding Officer was then returned to the passageway outside his cabin where he was told to sit on the deck. (R. pp. 153 to 157)
344. (U) At 230710Z PT-604 reported position 39-15N/127-41E. (Exh. 19)
345. (U) At 230710Z PUEBLO and her escorts were reported at 39-18N/127-45E. (Exh. 19)
346. (U) At 230726Z PT-604 reported position 39-16N/127-40E. (Exh. 19)
347. (U) At 230720Z PUEBLO and her escorts were reported at 39-17N/127-44E. (Exh. 19)
348. (U) At 230730Z PT-604 reported position 39-15N/127-39E. (Exh. 19)
349. (U) At 230730Z PUEBLO and her escorts were reported at 39-16N/127-42E. (Exh. 19)
350. (U) At 230735Z PUEBLO and her escorts were reported at 39-15N/127-41E. (Exh. 19)
351. (U) At 230740Z PUEBLO and her escorts were reported at 39-15N/127-40E. (Exh. 19)
352. (U) At 230745Z PUEBLO and her escorts were reported at 39-15N/127-39E. (Exh. 19)
353. (U) At 230750Z PT-604 reported at position 39-14N/127-35E. (Exh. 19)
354. (U) At 230750Z PUEBLO and her escorts were reported at 39-15N/127-37E. (Exh. 19)
355. (U) At 230755Z PUEBLO and her escorts were reported at 39-15N/127-37E. (Exh. 19)

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356. (U) At 230800Z PT-604 reported at position 39-14N/127-35E. (Exh. 19)
357. (U) At 230800Z PUEBLO and her escorts were reported at 39-14N/127-35E. (Exh. 19)
358. (U) Sunset at WONSAN was at 230837Z (1737 local Korean time).
359. (U) PUEBLO was tied up about 10 miles northwest of WONSAN at about 231130Z (2030 local Korean time) (R. p. 154) After the ship was tied up several high ranking North Korean officers came on board to interview the Commanding Officer in his cabin. (R. pp. 153 to 154, 159)
360. (U) Upon his recall as a witness the Commanding Officer testified, that he never surrendered the ship, but rather it was seized. The colors were never struck, but were hauled down by the North Koreans after the ship had entered WONSAN harbor. (R. p. 1831)

Reactions of COMNAVFORJAPAN

361. (U) PUEBLO's SITREPS ONE and TWO and her first OPREP-3 were given to Captain EVERETT, the COMNAVFORJAPAN Assistant Chief of Staff for Operations and Plans, at about 230420Z. He decided that no immediate action was necessary except to keep on the alert and await developments. Shortly thereafter, he received the second OPREP-3. He directed a junior officer to notify FIFTH Air Force by telephone, and started to draft a FLASH message to COMSEVENTHFLT and CTF 77.5. He verified that the Chief of Staff, Captain PEASE, had been notified of the situation. (CR. pp. 198-92 to 198-93, 198-96)
362. (U) Shortly after 230430Z, PUEBLO's second OPREP-3 was brought to the Chief of Staff. He considered the situation most serious. He ordered LCDR HOKENSON, the Intelligence duty officer, to notify FIFTH Air Force and begin contingency operations. LCDR HOKENSON contacted N3 by telephone, and ascertained that this had been accomplished. (CR. pp. 198-120 to 198-121)
363. (U) CDR SCHOENHERR, COMNAVFORJAPAN Operations Officer, ran the block and a half to Captain PEASE's office, showed him the FLASH message (requesting assistance from COMSEVENTHFLT and CTG 77.5) and informed him that FIFTH Air Force had been notified, but he did not know what FIFTH Air Force would be able to provide. It was decided not to send the FLASH message because COMSEVENTHFLT and CTG 77.5 had probably already received the alerting message as info addressees. (CR. p. 198-93)
364. ~~U~~ LCDR HOKENSON returned to Captain PEASE at about 230440Z with information gleaned from operators' chatter indicating that PUEBLO's situation had worsened. By 230445Z, Captain PEASE had contacted RADM JOHNSON, who was in TOKYO addressing a conference. He informed him that the PUEBLO was in trouble and recommended that he return to his headquarters as soon as possible. (CR. pp. 198-120 to 198-121, 198-218) Captain PEASE then went to the N2 spaces. N2, Captain DWYER and N3, Captain EVERETT, were there. They discussed notifying COMSEVENTHFLT by message, and N2 staff informed Captain PEASE that a CRITIC message had already been sent which should have been received by COMSEVENTHFLT shortly thereafter. (CR. p. 198-151)

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365. ~~(S)~~ COMSEVENTHFLT was alerted through the CRITICOM system at 230502Z. (CR. p. 198-123)

366. (U) CDR SCHOENHERR learned that COMNAVFORJAPAN still had no definite response from FIFTH Air Force, and directed that a message request be sent to confirm the earlier telephone request for assistance. The message (DTG 230520Z) was sent at about 230522Z. (CR. p. 198-93; Exh. 18-31) This message request for assistance was never answered. At about 230812Z, COMNAVFORJAPAN sent a second message to FIFTH Air Force (DTG 230810Z) requesting what action had been taken with regard to the first message. (Exh. 18-32) The first message received by COMNAVFORJAPAN from FIFTH Air Force concerning PUEBLO was received on the 25th of January (DTG 251012Z) (see fact 384 below) (Exh. 18-33)

367. ~~(S)~~ At approximately 230530Z, CDR SCHOENHERR determined that there were no U.S. ships in Korean ports. Between 230513 and 230545Z he talked with the Commanding Officer of the Security Group Activity at KAMISEYA, who wanted to know if Captain EVERETT had anything for PUEBLO, which he didn't. Commanding Officer KAMISEYA called again just before communications with PUEBLO terminated, and advised that PUEBLO was about to go off the air. CDR SCHOENHERR directed that a message be drafted to PUEBLO informing the ship that assistance had been requested to FIFTH Air Force, but that COMNAVFORJAPAN had no response. Communications with PUEBLO ceased before this message could be sent. (CR. p. 198-93)

368. ~~(S)~~ COMNAVFORJAPAN considered that CRITICOM system was reliable and the most expeditious manner to inform higher commands of the PUEBLO situation on 23 January. COMNAVFORJAPAN did not contact higher commands by telephone or voice circuit for guidance. (CR. p. 198-133)

369. (U) At the time of PUEBLO's capture, COMNAVFORJAPAN did not request assistance from other than FIFTH Air Force and COMSEVENTHFLT. (CR. p. 198-99)

370. (U) At the time of seizure COMNAVFORJAPAN had no forces under his operational command which could have assisted PUEBLO. (CR. p. 198-126)

371. (U) In the interim prior to RADM JOHNSON's return to his headquarters, his Chief of Staff, Captain PEASE did not consider giving Commanding Officer PUEBLO any direct orders or guidance with respect to the situation and none were issued by anyone. PUEBLO's second OPREP-3 was the last official message received at COMNAVFORJAPAN, and the intended course of action set forth therein (to leave the area toward the northeast and to open the coast) was considered proper by the Chief of Staff. Later information which he had was based on operator's chatter of questionable accuracy, and he felt it would not be proper to interfere with the authority and responsibility entrusted to the Commanding Officer, who was best able to assess the situation. (CR. p. 198-125)

372. (U) When RADM JOHNSON was informed of the PUEBLO's situation, he returned from TOKYO to his headquarters in YOKOSUKA, arriving about 230615Z. PUEBLO was off the air and assistance had been requested. He satisfied himself that his staff had made the correct decisions. (CR. pp. 298-177, 198-188; R. pp. 212, 221)

373. ~~(S)~~ The facilities at COMNAVFORJAPAN headquarters for command control were not the most desirable, but were adequate. The location of all ships underway in the NAVFORJAPAN area were shown on a large vertical plot in the Command Center, and a list of all ships in port in JAPAN, showing their arrival and departure, was maintained. No plot was maintained of aircraft

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in JAPAN; however, there were hot lines to IWAKUNI and ATSUGI. To obtain aircraft from IAWKUNI or ATSUGI, it would have been necessary to request them from COMSEVENTHFLT. There were no aircraft carriers in JAPAN at the time of PUEBLO's seizure. (CR. pp. 198-158, 198-162)

374. ~~U~~ No request was initiated by COMNAVFORJAPAN, for photo reconnaissance to determine the location of PUEBLO after seizure. (CR. p. 198-110)

375. (U) COMNAVFORJAPAN did not request the destruction of PUEBLO after capture, (CR. p. 198-138) had no operational forces to conduct such a task, and no authority or responsibility for doing so. (CR. p. 198-194; R. p. 223)

Reactions at Headquarters FIFTH Air Force

376. (U) About 230430Z LCDR WILSON, COMNAVFORJAPAN Operations Division Project Officer for AGER operations, placed a phone call to FIFTH Air Force headquarters to alert them of the incident. For several reasons it was not until about 230445Z that Major PRIEST the assistant to the AGER project officer, FIFTH Air Force, received the information. He was unable to appreciate the gravity of the situation from the phone call. (Exh. 18-33 -- NOTE: This exhibit is the FIFTH Air Force summary of actions taken by that command in regard to the PUEBLO incident).

377. (U) At 230455Z, Major PRIEST notified CDR McDONALD, the SEVENTHFLT Liaison Officer to FIFTH Air Force, of the incident. CDR McDONALD realizing the gravity of the situation, took the matter for action. (Exh. 18-33)

378. (U) At about 230515Z the Commanding General, FIFTH Air Force, Lieutenant General McKEE was briefed on the situation. (Exh. 18-33)

379. (U) At about 230530Z, the Commanding General, FIFTH Air Force ordered the Commander of the 18th Tactical Fighter Wing in OKINAWA to launch aircraft as soon as possible. The launch was to be incremental as the aircraft were readied -- the first increment to be the first six available aircraft. (Exh. 18-33)

380. (U) At about 230545Z, the Commander in Chief, Pacific Air Force, was notified of the situation by Lieutenant General McKEE. CINCPACAF concurred in the proposal to send the aircraft providing they could reach PUEBLO prior to sunset, and, before the ship crossed the three-mile limit. (Exh. 18-33)

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382. (U) The first aircraft launched in response to FIFTH Air Force order, were airborne one hour and twenty three minutes after the order was given, or about 230653Z. (Exh. 18-33)

383. (U) The first response COMNAVFORJAPAN received from FIFTH Air Force was later in the afternoon of 23 January. COMNAVFORJAPAN was advised telephonically by FIFTH Air Force that it would be 2½-3 hours, or at dusk, before they could have aircraft in the vicinity. No reasons were given by FIFTH Air Force for the delay, and later, FIFTH Air Force advised that they would not launch. (CR. pp. 198-94, 198-112)

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384. (U) Although there were telephonic communications between COMNAVFORJAPAN and FIFTH Air Force on 23 January, the first message traffic received by COMNAVFORJAPAN from FIFTH Air Force was FIFTH Air Force message 251012Z January 68 to CINCPACAF setting fourth the reasons why support requested by CTF 96 was not provided. COMNAVFORJAPAN was an information addressee on both messages. (CR. pp. 198-123 to 198-125; Exh. 18-33)

385. (U) The distance to the WONSAN area from various Air Force bases are: OKINAWA, 650-800 miles; JAPAN, 450 miles; KOREA, 150 miles. COMNAVFORJAPAN had not requested FIFTH Air Force to have alert forces at any base. (CR. p. 198-96)

386. (U) Had Commanding General, FIFTH Air Force responded to COMNAVFORJAPAN's requests for assistance, he would have retained OPCON of his own forces. (CR. pp. 198-133, 198-149)

Reactions at CINCPACFLT Headquarters

387. (U) Captain MAROCCHI, Assistant Chief of Staff, Staff CINCPACFLT, was notified at home at 230525Z (221925 local HAWAIIAN time) of the PUEBLO incident. He arrived at his office at about 230545Z and familiarized himself with the situation. He and the senior operations officer went to CINCPACFLT's quarters and briefed him. Upon returning to the intelligence spaces, he telephoned the Field Operational Intelligence Office at FT. MEADE, MARYLAND for additional information. A message was also sent to the Naval Intelligence Processing System Support Activity in WASHINGTON, D. C., requesting information as to the locations of any North Korean merchant ship on the high seas. There were none, but this is not unusual since the North Korean merchant marine is extremely small. Pacific Air Force Headquarters was also supplied with recognition characteristics of PUEBLO. (CR. pp. 198-251 to 198-253)

388. (U) Captain MAROCCHI did not believe CINCPACFLT was getting information rapidly enough to be on top of the situation. The delay was of a magnitude of 1½ hours. He did not think, however, that anyone on CINCPACFLT Staff called COMNAVFORJAPAN on the telephone in order to obtain more information. (CR. p. 198-259)

389. (U) The CINCPACFLT Duty Officer was notified of the harassment and boarding of PUEBLO at about 230530Z JAN 68 by a telephone on the hot line from the COMNAVFORJAPAN Duty Officer. Other subscribers on the circuit, CINCPAC, Air Force Pacific and The National Military Command Center (NMCC), were informed simultaneously. (R. p. 273)

390. (U) At about 230530Z JAN 68 ADM HYLAND, CINCPACFLT, was notified at his home that PUEBLO was being harassed/boarded. Upon arrival at his OPCON Center he immediately verified the situation by means of an open circuit with COMNAVFORJAPAN Headquarters, ascertained that assistance had been requested from FIFTH Air Force. (R. p. 264)

391. (U) No aircraft could be launched to assist PUEBLO, and no reprisals nor retaliatory strikes could be taken, without direction from CINCPAC or higher authority. (R. 265)

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392. (U) CINCPACFLT directed COMSEVENTHFLT to dispatch a destroyer and position her off WONSAN harbor in international waters. COMSEVENTHFLT was further directed to provide air cover for the destroyer and to be prepared to recover PUEBLO by entering the harbor and manning or towing the ship, if such should be ordered by higher authority. CINCPAC and higher authority were aware of this repositioning. RADM CASSELL estimated that the destroyer could have arrived off WONSAN by the afternoon of 24 January. (R. p. 265; Exh. 18-41)

393. (U) After COMSEVENTHFLT's available forces were repositioned, no order was given and no action was taken to recapture PUEBLO, or to retaliate. (R. p. 267)

Reactions by COMSEVENTHFLT

394. (S) SEVENTHFLT flagship received the first alert message of the incident at 230502Z, and was delivered to the Operations Officer at 230510Z. The Commander was notified at 230530Z. (Exh. 18-41)

395. ~~(U)~~ At the time of the incident, the closest SEVENTHFLT units to PUEBLO were positioned as follows:

USS ENTERPRISE (CVAN 65) and USS TRUXTUN (DLGN 35) were about five hours out of SASEBO in the East China Sea, approximately 600 miles from WONSAN.

USS COLLETT (DD 730) was approximately 120 miles south of YOKOSUKA.

USS O'BANNON (DD 45) was in upkeep in YOKOSUKA.

USS HIGBEE (DD 806) was in upkeep in SASEBO.

USS OZBOURNE (DD 846) was in BUCKNER BAY, OKINAWA.

(Exh. 18-41)

396. ~~(U)~~ At about 230600Z, by message (DTG 230606Z), COMSEVENTHFLT ordered ENTERPRISE AND TRUXTUN to proceed at best speed to 32-30N/127-30E, with COLLETT, O'BANNON and HIGBEE to join as soon as possible. (Exh. 18-41)

COMMUNICATIONS ANALYSIS

397. ~~(U)~~ USS PUEBLO's first OPREP-3 (DTG 230352Z) was received at key communications installations and command headquarters as follows:

<u>Place</u>	<u>TOR (Z)</u>
NAVSECGRUACT KAMISEYA	0350
COMNAVFORJAPAN	0413
NAVCOMMSTA JAPAN	0500
FUCHU JAPAN RELAY	0555
CINCPACAF	0626

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<u>Place</u>	<u>TOR (Z)</u>
CINCPAC	0600
DIRNAVSECGRU	0617
NMCC	0624
CG FIFTH AF	0600
CINCPACFLT	0530
CNO	0533
COMSEVENTHFLT	0514 (TOD by NAVCOMMSTA PHIL)

(Exh. 18-36; NOTE: The exhibit gives a detailed CNO study of the handling of this message and PUEBLO's second OPREP-3)

398. ^(u)~~(S)~~ USS PUEBLO's second OPREP-3 (DTG 230415Z) was received as follows:

<u>Place</u>	<u>TOR (Z)</u>
NAVSECGRUACT KAMISEYA	0421
COMNAVFORJAPAN	0422
NAVCOMMSTA JAPAN	0503
COMSEVENTHFLT	0524
FUCHU JAPAN RELAY	0526
CG FIFTH AF	0600
CINCPAC	0553
DIRNAVSECGRU	0604
JCS/NMCC	0557
CINCPACFLT	0632
CNO	0639

(Exh. 18-36)

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NOTES: (1) Time of file (transmission); (2) Time of receipt; (3) Date time group. Both stations originated other CRITIC messages, LATERAL CRITIC messages, and CRITIC follow-up messages. They are all the subject of a study by COMNAVSECGRU in exhibit 18-37. (Exh. 18-37)

400. (U) Times of key flaghoists between PUEBLO and North Korean SC-35 are as follows:

<u>Time</u>	<u>Originator</u>	
230302Z	PUEBLO	Day shapes for conducting Hydrographic operations. (R. p. 94; Exh. 16, p. 38)
230312Z	SO-1	"Nationality"? (R. p. 94; Exh. 16, p. 38)
230315Z	PUEBLO	U.S. Ensign and "Hydrographer" (R. p. 94; Exh. 16, p. 38)
230327Z	SO-1	"Heave to or I will open fire". (R. p. 96; Exh. 16, p. 38)
230329Z	PUEBLO	"I am in International waters". (R. p. 96, 291 to 292; Exh. 16, p. 38)
230418Z	PUEBLO	"Thank you for your considerations, I am departing the area". (R. p. 100)
230420Z	SO-1	"Heave to or I will open fire". (R. p. 102)
230434Z	PUEBLO	International signal for "Protest" (R. p. 119)
230440Z	SO-1	"Follow me, I have a pilot on board". (R. p. 120)
230500Z Approx.	PUEBLO	"Medical assistance required".

DAMAGE AND CASUALTIES

401. (U) Damage sustained by the ship during the incident resulted from hostile fire and there was one materiel failure. Approximately eight 57MM heavy machine gun shells penetrated the ship, three or four just above the Main Deck at about frame 57 starboard side, an undetermined number in the starboard side of the forecastle, and possibly one on the Mainmast. Thirty caliber machine gun fire caused superficial damage and may have sprung one hatch. Glass and plexiglass in the pilot house and flying bridge wind -screen was destroyed by shells or shrapnel. One fire and flushing pump burned out during the incident. There were no fires, flooding, or steering casualties. (R. pp. 103, 121, 136, 144, 298, 519, 564 to 565, 581 to 589, 619)

402. (U) *Bu* and *Bc* were struck by shrapnel from the frond which struck the mast from the first burst of 57MM. *Bu* 3 or 4 pieces in the right ankle, 1 piece in rectum; *Bu* 1 piece in leg; *Bc* - 1 piece in neck, 1 piece in left elbow. Wounds were of a minor nature. (R. pp. 103, 112, 527)

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403. (U) The pilot house was struck by a 57MM shell which passed through the pilot house without exploding. ENS HARRIS was injured by shattering glass at this time. BARRETT was injured superficially by shattering glass in the same shot. LT MURPHY also sustained shrapnel wound in the *Ble* (R. p. 119)

404. (U) CHICCA, LANGENBERG, and WOELK were all injured at the same time HODGES was fatally wounded, while burning classified materials. FN WOELK sustained a shrapnel wound to his *Ble* in the area of the *Ble* LANGENBERG was wounded in the *Ble* CHICCA and CRANDELL were both wounded in the *Ble* The shell that struck near HODGES fractured his right femur and almost completely severed his right leg. HM1 BALDRIDGE administered first aid in the passageway outside the wardroom, (R. p. 1097) including morphine, epinephrine and oxygen. (R. pp. 371, 488 to 490, 492)

DESTRUCTION OF CLASSIFIED MATERIAL

(U) This section is concerned only with actions taken on 23 January 1968 to accomplish the destruction of classified material in PUEBLO, and the results of the efforts. Facts concerning the amount and type of classified material on board, and the preparations made for emergency destruction can be found supra, facts 142 to 163. The Court was not tasked to make an inventory of classified equipment or documents on board and destroyed.

Conduct of Destruction

405. ~~(U)~~ At about 230327Z, CT1 BARRETT departed the bridge and went to the SECGRUDET spaces, where he suggested they prepare for emergency destruction. CT1 RITTER, who was on watch in the spaces at the time, recalls BARRETT's suggestion, but no one else does. (CR. pp. 626-87 to 626-88, 626-68 to 626-69, 626-75) At about 230400Z, the Commanding Officer had the word passed over the 1MC to prepare for emergency destruction. (R. pp. 99, 144, 146) The announcement over the 1MC was not heard inside the SECGRUDET spaces. (CR. pp. 256-97, 626-53 to 626-54, 626-143 to 626-146) The Commanding Officer passed the word to commence emergency destruction at the time of the first burst of 57MM heavy machine gun fire about 230428Z. (R. pp. 116, 140 to 141) Emergency destruction continued until about 230531Z, when the word was passed over the 1MC that the North Koreans were about to board. (R. p. 574) Therefore, the ship had one hour and three minutes for emergency destruction, preceded by a period of twenty-seven minutes for preparation. In addition, the Research Detachment had an additional thirty-three minutes notice of the possibility of emergency destruction.

406. ~~(U)~~ Within the SECGRUDET spaces, emergency destruction commenced slowly and in a disorganized manner. There was no actual preparation, primarily because the watch section did not hear the word passes to prepare for emergency destruction. When the ship was first fired upon, all hands hit the deck, and remained for 2-3 minutes. Shortly after the first burst, CTC KELL requested permission from LT HARRIS to commence destruction. LT HARRIS called the bridge and was informed by an unidentified person that permission was not granted. CTC KELL ordered destruction to commence, and LT HARRIS did not countermand the order. Since the Emergency Destruction Bill was predicated on general quarters situation, the watchstanders in the spaces were not the persons assigned

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on the Emergency Destruction Bill, so they commenced to destroy the material they had in their possession at the time. LT HARRIS called the Executive Officer to determine the water depth, was informed it was only 35 fathoms, so he ordered shallow water destruction. Fires were started in three to five waste-paper baskets located in the passageways outside the SECGRUDET spaces. There were about eight personnel in the SECGRUDET spaces to commence destruction. (R. pp. 341 to 345, 1340 to 1341, 1344 to 1345, 1349 to 1351, 1361 to 1365, 1447, 1525; CR. p. 256-82)

407. ~~(u)~~ Weighted bags were available. The two weighted bags designed for the two RPS safes were never used. The eight bags constructed for the Electronics Office safe-file drawers were filled with documents from the Electronics Office and those bags were placed in the athwartships passage-way (frame 48) starboard side. The two bags constructed for the safe-file drawers in the Crypto space were also used to bag documents from the Electronics Office. Part of the material in these bags was later removed and crumpled in preparation for burning, but then returned to the bags. The final disposition of these ten bags is unknown. About ten weighted bags were taken from the Electronics storeroom and stacked just outside the door to the SECGRUDET spaces. Between one and three laundry bags were brought to the SECGRUDET space where they were holed, then stuffed with equipment and documents. Only one filled weighted bag is known to have been jettisoned, and that was probably stuffed with material from the SECGRUDET spaces. At least one of the laundry bags, filled with documents, was in the SECGRUDET spaces when the North Koreans came aboard. (R. pp. 344, 353 to 354, 649 to 655, 1351 to 1352, 1387, 1418; CR. pp. 626-35, 626-70 to 626-71, 626-76 to 626-79, 626-107 to 626-109, 626-146 to 626-147)

408. ~~(u)~~ All equipment and some documents from the pilot house area were jettisoned. Only one weighted bag and a very small amount of electronic equipment was however, jettisoned from the SECGRUDET holdings. Jettisoning was initially rejected by LT HARRIS when he was informed that the water depth was only 35 fathoms. Jettisoning was later order on two occasions -- CTC KELL told HAMMOND to jettison Crypto coreboards through the CPO quarters port-hole and SHEPARD handed LANGENBERG a filled weighted bag to jettison. HAMMOND reported back to KELL that he was fired on when he threw the first handful of boards out, and KELL later saw LANGENBERG's wounds and assumed he had been wounded while jettisoning the bag. In fact, LANGENBERG had been wounded before jettisoning the bag and he later jettisoned material through the CPO quarters port-hole. Nonetheless, based on the assumption that the North Koreans were firing on people who exposed themselves to jettison material and because the word had been passed for all hands to stay clear of the weather decks, this method of destruction was ordered stopped by LT HARRIS and by CTC KELL. (R. pp. 139, 146 to 147, 160 to 161, 343 to 347, 356, 647 to 655; CR. pp. 256-101 to 256-102, 256-107 to 256-108, 626-30 to 626-31, 626-46 to 626-47, 626-134 to 626-135)

409. ~~(u)~~ LANGENBERG was wounded at the same time and placed that HODGES was fatally wounded, about 230500Z. He then returned to the SECGRUDET spaces to assist with tearing and burning publications. He jettisoned a filled weighted bag, at about 230515Z. He later returned to the SECGRUDET space and it was probably at this time that he took some electronic gear to the CPO quarters and dropped it out the port-hole. He was told to get laundry bags but instead brought ten weighted bags from the forward Electronic storeroom, assisted by other members of the crew. This probably occurred between 230520Z and 230525Z. LANGENBERG thereafter became ill (from smoke and loss of blood) and went to the forward berthing compartment, where ANDERSON traded places with him. (R. pp. 648 to 655; Exh. 18-43, p. 25)

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410. ~~(U)~~ The ship's incinerator was used by bridge personnel to burn documents from the pilot house, radio shack, and chart house. A fire was started when emergency destruction was ordered and was maintained until all documents from the pilot house area were either burned or jettisoned. ENS HARRIS, LTJG SCHUMACHER, ETR2 NOLTE, QM1 LAW, RM2 HAYES all made trips to the incinerator without suffering any injury and drawing little hostile fire. By order of LT HARRIS the SECGRUDET did not use the incinerator based upon his assumption that people exposing themselves on weather decks were drawing hostile fire, and on the Commanding Officer's orders for no one to come topside. (R. pp. 344 to 345, 1021 to 1022)

411. ~~(U)~~ There were no fires set inside the SECGRUDET spaces and while some smoke gathered in the spaces, it was not excessive. The air-conditioning system (re-circulation of air) operated during the entire destruction effort. Fires were burning in the Electronics Office, and in the passageways outside the SECGRUDET space; one just outside on the weather deck on the starboard side aft. After about 20 minutes the fires were ordered abandoned because the smoke was excessive and because it was attracting hostile fire from the North Koreans. The source of that order has not been determined. (R. pp. 642 to 643, 1349 to 1350, 1362; CR. pp. 626-34 to 626-35, 626-37 to 626-39, 626-69, 626-106 to 626-107)

412. (U) The two shredders were not used at all during emergency destruction because they were believed to be inefficient. The Commanding Officer was unaware that the shredders were not used. (R. pp. 139, 346)

413. ~~(U)~~ The Court was unable to establish that anyone was in positive charge of emergency destruction for the SECGRUDET. (CR. pp. 626-60 to 626-61, 626-69 to 626-70, 626-94, 626-205, 626-207)

414. ~~(U)~~ When the Commanding Officer visited the SECGRUDET space at about 230504Z, he informed LT HARRIS of his decision to surrender the ship. (R. p. 349) He did not say when it would be surrendered but LT HARRIS thought it would be soon. (R. pp. 349 to 350) At about 230520Z, LT HARRIS requested the Commanding Officer's permission to send a message saying that destruction would not be complete. The Commanding Officer granted permission without determining just how much would be compromised or how much more time would be required to complete destruction. Ten minutes later the Commanding Officer stopped the ship to allow the boarding party to come aboard. (R. pp. 135, 139 to 140, 349)

415. ~~(U)~~ LT HARRIS considered setting fire to the torn publications on the deck of the SECGRUDET space as he was leaving for the last time. He abandoned the idea because he believed the fire would hazard the ship and crew. (CR. p. 256-94)

Equipment Destruction

416. ~~(U)~~ With the exception of the night observation devices (NODS) which were stored under the wing of the pilot house, all classified equipment outside the SECGRUDET spaces was destroyed, principally by jettisoning. The NODS were never removed from their storage space. (CR. p. 198-18; R. p. 120)

417. ~~(U)~~ With the exception of the WLR-1, all classified equipment in the SIGINT operations space was destroyed. The WLR-1 equipment was not taken from the racks, accordingly only the faces were destroyed. (CR. pp. 626-103 to 626-104, 1846-27)

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EXTENT OF FIRING BY NORTH KOREANS

423. ~~USA~~ PUEBLO faced one North Korean modified SO-1 class submarine chaser and four P-4 class motor torpedo boats. Significant characteristics are as follows:

SO-1 class submarine chaser (modified)

Displacement:	200 tons
Length:	137' 9"
Beam:	20'
Draft:	5' 9"
Maximum speed:	29 knots (for a maximum distance of 570 nm)
Armament:	1 single 2.24"/70 (57MM) mount
	4 five-barrel ASW rocket launchers (MBU-1800)
	1 twin 25MM AA machine gun

P-4 class motor torpedo boat

Displacement:	22.4 tons
Length:	63' 4"
Beam:	11' 2"
Draft:	2' 7"
Maximum speed:	50 knots (for a maximum distance of 350 nm)
Armament:	1 twin 14.5MM AA machine gun
	2 single 18" torpedo tubes

The North Korean units used only their 57MM and 14.5MM guns against PUEBLO. Their characteristics are as follows:

	<u>57MM (2.24")</u>	<u>14.5MM (.578")</u>
Maximum horizontal range	13,100 yards	7,650 yards
Maximum effective range	UNKNOWN	UNKNOWN
Rounds per gun per minute	105 to 120	600
Type ammunition	Fixed; armor piercing and high explosive	Fixed; armor piercing with tracers, and high explosive
Type fuze	Point and base det.	Point det.
Projectile weight (Exh. 18-12, 18-13, 18-14)	6.18 pounds	0.14 pounds

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424. (U) The SO-1 had closed PUEBLO to a range of 1500-2000 yards and opened fire with a burst of 6-14 shells from the 57MM cannon. Most of the shells passed over the ship, except for one hit to the signal mast which supported most of PUEBLO's navigational radar and HICOM antenna. (R. p. 102)
425. (U) The total number of bursts fired by SO-1, P/N 35, was approximately 15. (R. p. 145)
426. (U) QM1 LAW estimates that PUEBLO was struck by 1500-2000 rounds of all kinds of fire. (R. p. 441) There were other estimates made but this number appears to be a fair average.
427. (U) A 57MM shell passed through the pilot house without exploding. The shattering glass, however, injured ENS HARRIS. (R. p. 119)
428. (U) PUEBLO again stopped at about 230500Z and the SO-1 closed to about 2000 yards and commenced firing. PUEBLO was hit in the vicinity of the laundry, the Main Mast, and the passageway outside the Commanding Officer's cabin. The shell that struck the passageway outside Commanding Officer's cabin killed FN HODGES and wounded others, including FN WOELK. The ship was also being raked on the port side by machine gun fire from the P-4's. To stop the firing, Commanding Officer PUEBLO ordered the ship to go ahead 1/3 and to continue to follow SO-1, P/N 35. (R. pp. 123 to 126)
- 429 (U) The P-4's commenced firing at the time of the SO-1s initial firing and continued intermittent firing thereafter throughout the incident until PUEBLO stopped to allow the boarding party to board, at about 230520Z. (R. p. 1833)

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