

COAST GUARD AIR STATION SAVANNAH.....HISTORY STATEMENT.//10 DEC 1985

AIR STATION SAVANNAH WAS COMMISSIONED ON 16 JUN 1963. IN 1965, COAST GUARD AVIATION'S ORIGINAL HH52-A BASIC OPERATIONAL TRAINING UNIT (BOTU) WAS ESTABLISHED AT SAVANNAH. IT WAS THE FORERUNNER OF THE COAST GUARD'S SPECIALIZED AVIATOR TRAINING PROGRAM WHICH HAS EVOLVED INTO AVIATION TRAINING CENTER (AVTRACEN) MOBILE. THE STATION PROVIDES SAVANNAH AND THE COASTAL EMPIRE WITH ROUND THE CLOCK SEARCH AND RESCUE COVERAGE OF ITS COASTAL AREAS. IT ALSO FLIES LAW ENFORCEMENT PATROLS FROM THE NORTH CAROLINA/SOUTH CAROLINA STATE LINE TO MELBOURNE, FLORIDA, AND THROUGHOUT THE CARRIBEAN AND GULF OF MEXICO. AS A RESULT, THE AIR STATION'S SIXTEEN OFFICER'S AND THIRTY SEVEN ENLISTED MEN HAVE BECOME MORE THAN FAMILIAR WITH SHIP-HELO OPERATIONS ABOARD SEVENTH COAST GUARD DISTRICT CUTTERS. LAW ENFORCEMENT HAS BECOME ONE OF THE AIR STATION'S MOST FREQUENTLY FLOWN MISSIONS, SECOND ONLY TO SEARCH AND RESCUE. GEORGIA'S MAZE OF WATERWAYS AND UNINHABITED ISLANDS MAKE IT A PRIME TARGET FOR ILLEGAL DRUG OPERATIONS.

COAST GUARD AIR STATION SAVANNAH, LOCATED ON HUNTER ARMY AIRFIELD, HAS SEEN THE FIELD CHANGE HANDS FROM AIR FORCE TO ARMY; FROM A TRAINING BASE FOR HELICOPTER PILOTS TO BEING PLACED IN A CARETAKER STATUS, TO BEING REOPENED WITH ONE OF THE ARMY'S MAJOR DIVISIONS. HUNTER FIELD MAY SEE EVEN MORE CHANGES IN THE FUTURE, BUT AIR STATION SAVANNAH HAS BECOME AS MUCH A PART OF SAVANNAH'S HERITAGE AS ITS OLD HOMES AND HISTORIC RIVERFRONT.

TODAY COAST GUARD AIR STATION SAVANNAH CONTINUES ITS MANY MISSIONS AS IT PREPARES TO TRANSITION TO THE HH-65A DAUPHIN.



At commissioning of the Coast Guard Air Station, Savannah, Ga. were:
(left to right) Rear Admiral I. J. Stephens, Commander 7th Coast Guard
District; Colonel L. W. Johnson, USAF, Vice Commander 63rd Troop
Carrier Wing, Hunter AFB and Commander J. P. Flessas, first Commanding
Officer of the new air station.



DEPARTMENT OF TRANSPORTATION
 UNITED STATES COAST GUARD

Address reply to:
 Commanding Officer
 USCG Air Station
 P. O. Box 13604
 Savannah, Georgia

3700
 26 July 1973

From: Commanding Officer, USCG Air Station Savannah
 To: Commandant (GOSR-2)
 Commander, Atlantic Area, U. S. Coast Guard
 Commander, Seventh Coast Guard District (o)
 Commanding Officer, USCG Air Station Elizabeth City, N.C.
 Commanding Officer, USCG AR & SC Elizabeth City, N. C.
 Commanding Officer, USCG Air Station Miami, FL
 Commanding Officer, USCG Air Station St. Petersburg, FL
 Commanding Officer, USCG AVTRACEN Mobile, AL

Subj: Air Station Savannah Operations; change to

1. With the closure of Hunter AAF on 31 July 1973 all fixed-wing operations will cease. Savannah Municipal Airport is available for fixed-wing aircraft requiring a stop at Savannah with fuel and services available from the 165th Military Air-lift group, 0730-1600 Monday - Friday only. Government Quarters and Messing are not available. A motel with restaurant is located at the airport.

2. The following will apply to CGAS Savannah helicopter operations:

a. Tower facilities will be closed and the Hunter AAF Control Zone disestablished. Contact with Savannah Approach Control is advised prior to entering the Savannah Area.

b. Savannah Approach Control can provide Special Helicopter ASR approach to the CGAS Savannah helicopter pad (at Hunter) with minimums of 400/1.

c. Limited helo crash/rescue facilities will be available at CGAS Savannah.

d. Transients should make prior arrangements via telephone with CGAS Savannah for fuel and posting a communications watch.

DATE IN			
A	I	OSR-2	INIT
		CHIEF	
		ASST CH	
		OP SEC	
		ASST CH	
		STAFF	
		PRO SEC	
		ASST CH	
		STAFF	
		LIFE SUP	

[Handwritten Signature]
 R. G. KERR

OFFICE OF THE MAYOR

John M. Waters
Executive Assistant and
Chief Operating Officer



February 1, 1971

Vice Admiral Thomas R. Sargent, III, USCG
Assistant Commandant, U.S. Coast Guard
U. S. Coast Guard Headquarters
Washington, D. C.

*Comments re
moving assets?
AW*

Dear Tommy:

I enclose for your information a letter from Rear Admiral K. C. Wallace, Commander, Cruiser Destroyer Flotilla Twelve, who visited the Hamilton and one of our Reliance Class Cutters at Port Everglades recently. Having been on the acceptance board of the Hamilton I have been selling my Navy friends for some while on her many advanced features, many of which I believe to be well in advance of Navy designs. I have been told by Navy friends that their commitment to the present destroyer program very well could have been different had they had the opportunity to get a good look at the Hamilton and her performance during the design stage of their own type. I would certainly hope that during the time in which our naval defense capability is shrinking rapidly that we could find a more meaningful role for a high capability ship like the Hamilton in the national defense picture. It is too valuable a ship to be devoted entirely to an unsophisticated role such as ocean station duty.

I am still very much interested in the concept of moving the Coast Guard Air Station from Savannah to Jacksonville, beefing it up to look after both civilian and Navy SAR needs, and base it at NAS Jacksonville on a sharing cost basis with the Navy. From the information I receive it appears that Hunter is almost certainly going to be phased out in the next two years if not before and that we will be stuck in Savannah with little or no logistics support. On the other hand, NAS Jacksonville is a solid base with no prospect of closing. The Navy is having to provide 5 helicopters to protect this vast air and surface complex, and the pilots are really not rescue professionals. Admiral Lawrence Heyworth, COMFAIRJAX, is very interested in this and his staff has been studying the matter as has Swede Smeöder's staff in Miami. Heyworth told me two days ago

252



February 1, 1971

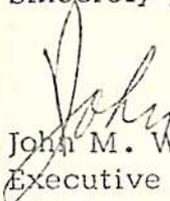
that he feels that the next move is up to the Coast Guard. Certainly, the idea of a professional SAR unit to service the Navy and civilian needs, and to provide coverage off the southeast coast which St. Petersburg is unable to provide is most attractive. It would also seem at a time of stringent budgetary restrictions that the Navy and Coast Guard could get together in what would be a savings for both of them while at the same time improving the operational readiness and SAR protection. If we are to meet the rising cost we certainly need to do a little innovative thinking rather than funding on traditional lines.

I can assure you of the strongest possible support from the Florida Congressional Delegation, including Congressman Charles Bennett who is now number 2 member of the House Armed Forces Committee.

If we can be of any assistance to you in this matter please let me know as we are most anxious to have a Coast Guard rescue unit here where it is needed much more than Savannah.

All best wishes.

Sincerely yours,


John M. Waters
Executive Assistant and
Chief Operating Officer

:dt

OSR-3

OSR-2
5450/SAV.

19 FEB 1971

OSR-2

Moving of Savannah Air Station

1. At this time there are no plans to move the Air Station from Savannah Georgia.
2. The proposed move to Jacksonville has a great deal of intuitive appeal but has not been substantiated in any manner.
3. The Commandant has directed that an in depth look of Coast Guard Aviation Missions and Resource Allocations be conducted. The proposed relocation of the Savannah Air Station will be investigated at that time.

 J. H. DUFFEE

BDHARRINGTON/gmc/OSR-2 73 TYPED 2/17/71

Handwritten:
2/19/71

Handwritten initials:
BDH

2/12/71

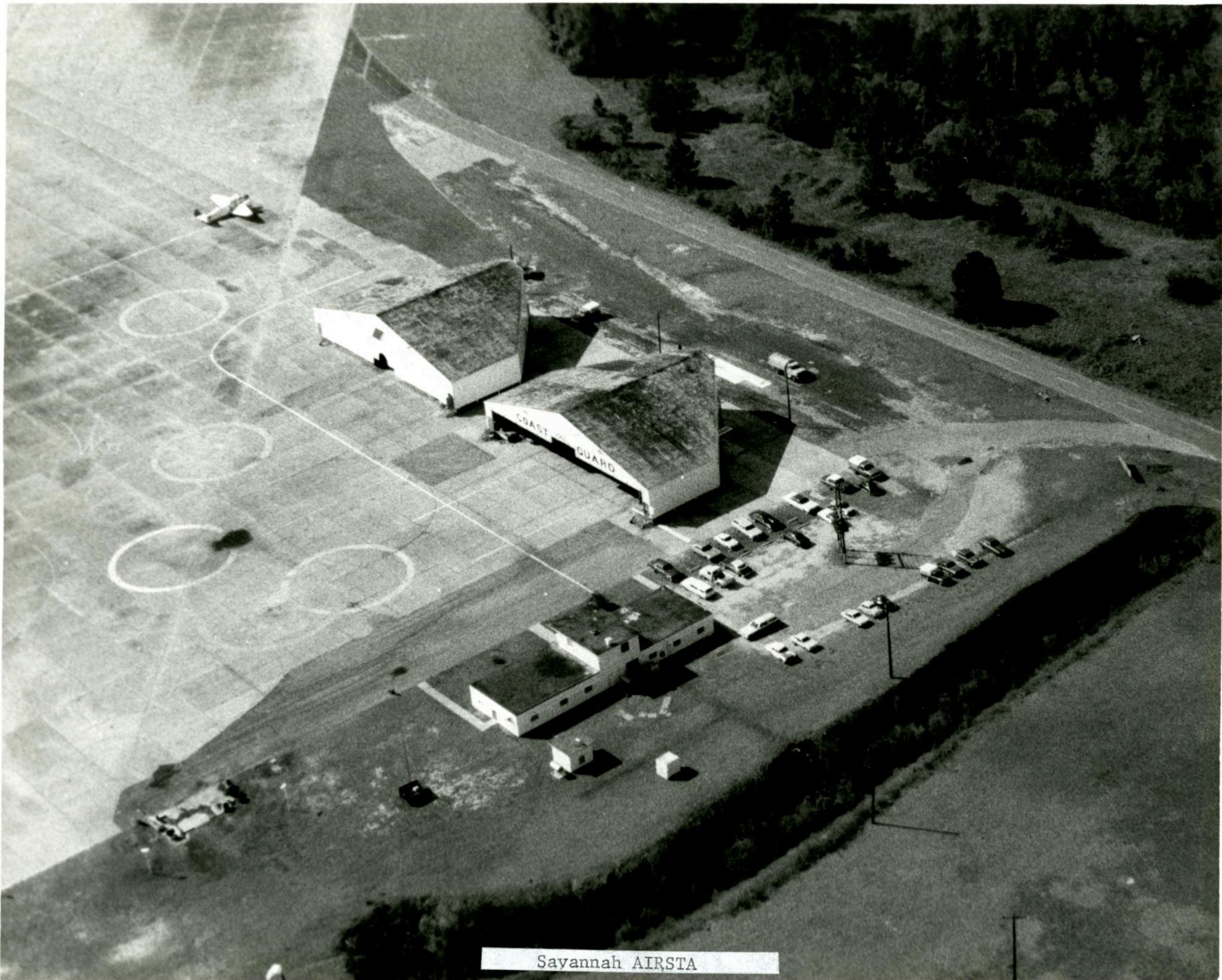
Comments by Asst. Chief:

1. Muddy has a damn good job and a short memory.
2. Concur that HEC's have to find a reason for being to survive BUT maybe we should reduce the number in operation.
3. Moving CGAS SAVANNAH to JAX is probably well justified BUT I AM ABSOLUTELY OPPOSED to getting caught in the old mutual savings and support business. EVERY BASE IN DOD IS SUSCEPTIBLE TO CLOSURE. (ARGENTIA, SELFRIDGE, HUNTER, KODIAK, BROOKLYN, SAN JUAN, BICOXI) We must have learned our lesson, I HOPE!
4. BASE SAR IS NOT one of the reasons we establish air stations.
5. If I were the NAVY ADMIRAL, I would surely support having someone take our functions

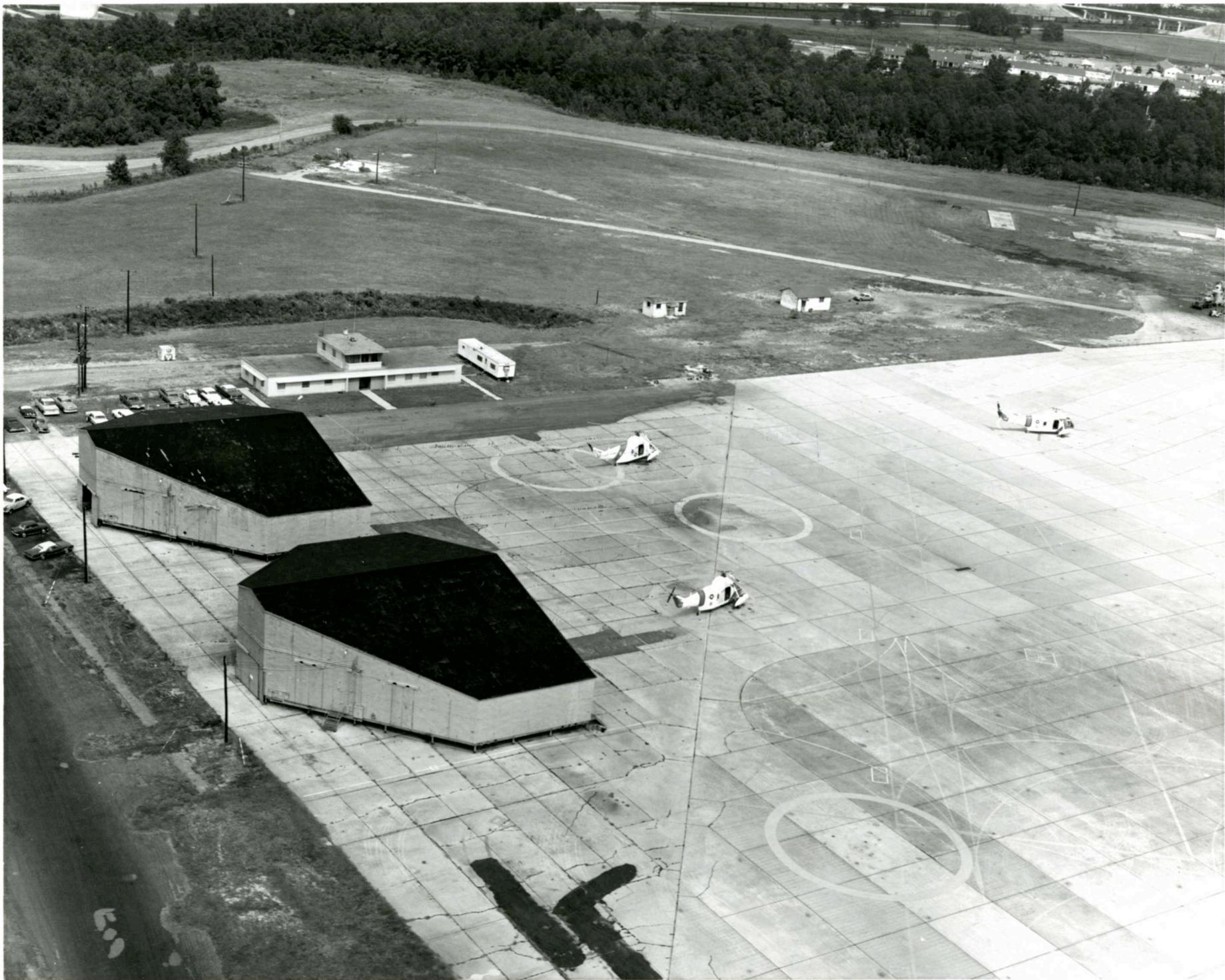
needed but inadequately funded!
I don't see this proposal as any
answer to rising costs.

6. Let's answer with the fact
we do monitor the SFR
requirement picture (NOT BASE
SFR) and are in fact now
engaged in a new study to
determine needs, distribution
of resources and cost-effective
solutions to mission demands.

RCB

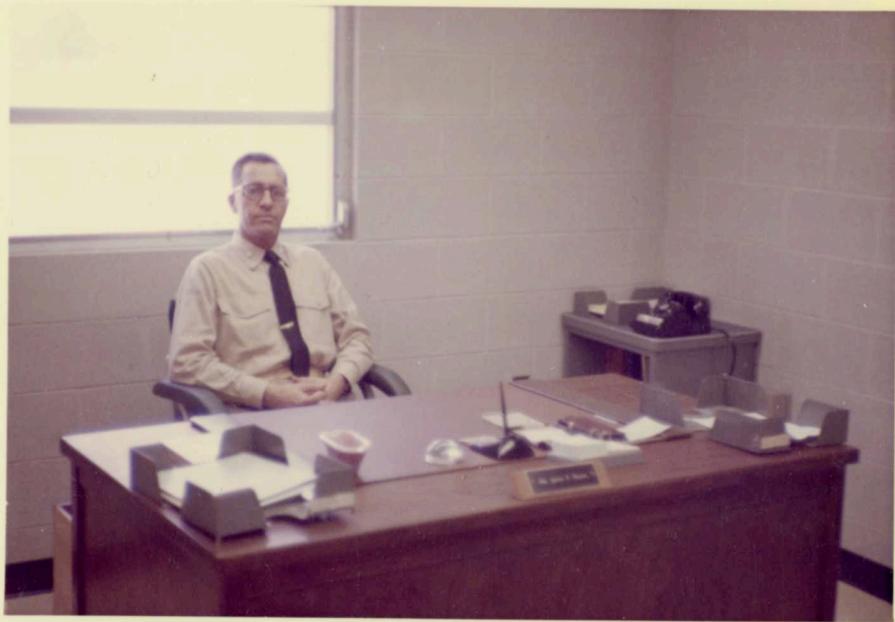


Savannah AIRSTA





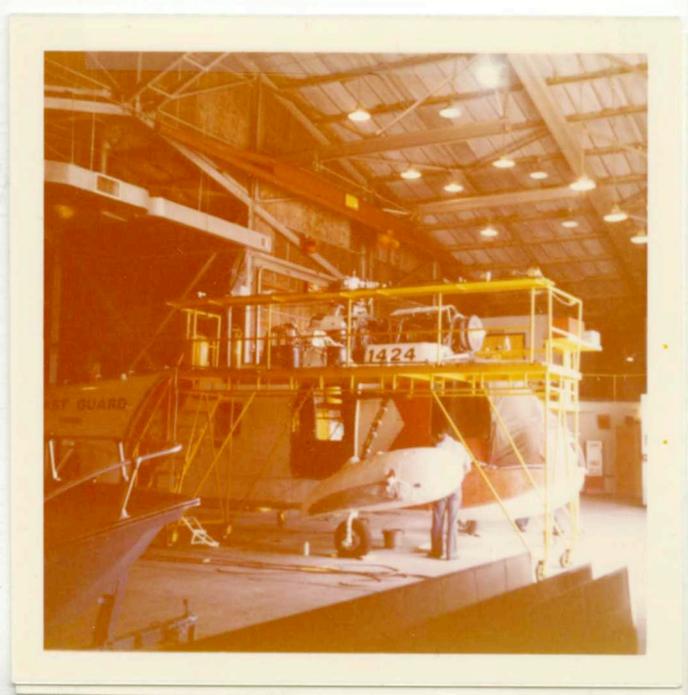






NICAD
BATTERY
ONLY

NO SMOKING









At commissioning of the Coast Guard Air Station, Savannah, Ga. were:
(left to right) Rear Admiral I. J. Stephens, Commander 7th Coast Guard
District; Colonel L. W. Johnson, USAF, Vice Commander 63rd Troop
Carrier Wing, Hunter AFB and Commander J. P. Flessas, first Commanding
Officer of the new air station.

1985



State of the Coast Guard

A speech by ADM James S. Gracey, to the Coast Guard Officers Ass'n., Washington, D.C., March 19, 1985.

Where does the Coast Guard stand today? It is standing "Semper Paratus." Ready to do what we have been doing for almost 195 years ... enforce laws and treaties, protect life

and property, help defend America. In other words ... make a significant contribution to our nation's security and the well-being of its people.

The Coast Guard is not without problems. Some of them are of our own making, others come from the outside ... ones over which we have little or no direct control. We are in a changing environment ... both in how we carry out our missions ... and

how we are perceived by our constituents, including those who make decisions about us.

It is a fact of life that reduction in the size of ... and spending by ... the federal government are primary concerns. The President's words at his inaugural were very clear:

"If not now, when; and if not us, who?"

They mean, among other things, that the federal government will not continue to carry, nor will it accept, burdens that belong elsewhere ... be they individual, corporate or state and local government responsibilities.

They mean, too, that there are and will be initiatives which have an impact on personnel ... both in terms of numbers and in terms of compensation.

Let me quickly deal with the compensation issue ... including retirement. It is an emotional one ... and very personal. Because it is both, it seems to some to be open and easy to attack.

Like many of you, I have responded personally and directly to some of those attacks, and I have done so by stating facts ... by pointing out what it is military men and women, and civilian employees, do to earn the compensation they so justly deserve. And by pointing out the damage done by ill-informed and unjust assaults on all of us.

I have always said the way to fend off attacks is to deal in facts. It is important we ... as individuals ... be sure we know the facts; not let ourselves be stampeded by rumors ... or cheap shots ... we hear or read. And we can ensure that those who make decisions about us, and the public with whom we come in contact, also know the facts.

In the meantime, you can be sure the Coast Guard will continue to be represented *and* be heard in those councils where the issue is discussed and studied. You can be sure, too, that our views will be presented even when there are no formal councils or studies.

The bottom line on compensation is that members of the Coast Guard, as one of the nation's five armed forces, will receive the same rates of pay and compensation as members of the other four. We are an armed force ... a part of the defense team ... even if we don't work out of the Pentagon. *That fact has become*

"We are an armed force ... a part of the defense team ... even if we don't work out of the Pentagon."

much more widely recognized in the last few years and is becoming more so every day.

There have been suggestions that perhaps the lot of the Coast Guard would be better if we were in DoD. There have even been recent suggestions that we might fare better if the Coast Guard were returned to the Treasury Department, where we began.

I can understand, at first glance, that both suggestions appear to have some merit. An armed force ... sure, why not put it in DoD? A law enforcement agency ... currently doing a lot of what it was established for ... anti-smuggling ... why not back in its original department?

The answer is because the Coast Guard is more than just an armed force, and it is more than just a law enforcement agency. It is both of those; but it is also a lifesaver, an ice breaker, a safety inspector, a marine environment protector, a navigation facilitator, a mariner, a port manager, and so on.

When you think about that long list ... to some degree or another ... each element impacts on transportation: the Department of Transportation is where the Coast Guard belongs. It is where we can make our most significant contribution to national security — in the broadest sense.

In the overall scenario of federal budget and spending reduction, as a matter of fact, our organizational home does not have that much impact. Every federal agency is subject to oversight from *many* places, and in spite of all you may hear, ours is no worse than the

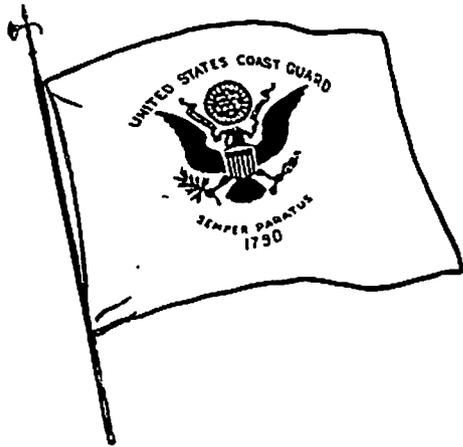
others — including our partners in the Pentagon.

The President's Federal Management Improvement Program ... Reform 88 ... is moving right on schedule. If you want to know what's coming next, just read it. You already know about: reduced federal spending; trying to make that spending more efficient; controlling government growth; and good old waste, fraud and abuse. We have felt some of its efforts to improve management practices, and more are coming. Centralizing and consolidating functions like pay, accounting and procurement systems throughout the government are in vogue. Streamlining administrative functions comes next. Change? You better believe it.

For us, the Deficit Reduction Act of 1985 cut a total of \$15.8 million in such areas as PCS transfers, travel, public affairs and printing and reproduction.

Another initiative is OMB Circular A-76 ... which requires all federal agencies (*including* those in DoD) to review their programs and analyze the resources required to carry them out. The goals are to see whether the job can be done as effectively and at less cost if contracted to the private sector ... and to be sure we are putting our people and appropriated money where they are needed most.

That's not a bad or wrong idea. As professionals — and as stewards to the taxpayer's dollar — it is an evolution we should be going through constantly ... without being told. We *have* done it — on our own



— over the years.

But now the heat is on ... for fiscal years 85 and 86, the Coast Guard has been reduced more than 900 billets and positions. Those reductions are in anticipation of results OMB thinks we'll get when we complete our A-76 reviews and analyses. We've got to keep moving in that program so we can recoup those billets and positions and fill the voids that have been created by those cuts.

For the A-76 process, I have set three basic parameters ... the bottom line ... against which we will check each "contracting-out" project, to make sure we don't endanger our force structure, our critical force size or sea/shore rotation.

• **For force structure:** The number of people at each level of each specialty must be such that our overall structure and that of each specialty provide proper training and career progression opportunities ... and so our experience mix will insure continued levels of the leadership and expertise we need.

• **For critical size:** The total number of military personnel — and their mix of talent — must not fall below the numbers needed to meet our immediate obligations and taskings in case of national emergency.

• **For sea/shore rotation:** There must be adequate opportunity for Coast Guard men and women to rotate from sea to shore duty and from overseas and/or isolated duty

to duty ashore in the Continental United States.

The offices of Personnel and Readiness and Reserve are setting the levels to define those parameters.

We have established hand-picked working groups at Headquarters to drive the A-76 process but program managers and "the field" have critical roles to play, too. Until Coast Guard reviews and analyses are accomplished, we'll have to live with the anticipatory personnel reductions that have been imposed on us. A-76 is a reality that is here — and we need to "get with it."

There are indeed changes going on and they have a lot of potential to make us feel uncomfortable.

Don't forget, though, the words of Franklin Roosevelt at his first inaugural: "The only thing we have to fear is fear itself"

There is no reason to fear change, nor even some discomfort. When you think about it, Coast Guard men and women deal with "discomfort" daily, and "change" is no stranger to any of us.

One reason to feel optimistic — albeit alert — is that the thrust of the initiatives I have been discussing is "productivity" ... another concept which is no stranger to the Coast Guard.

In the Coast Guard we are always looking for improved productivity and we always have. It is the ultimate pay-off: the tangible result of our management and leadership attention. For some, government productivity is the ability to do the same with less — to provide current levels of service with less resources. It's an efficiency-oriented approach, and certainly a valid one.

The other side of the coin, however, is to achieve more with the same level of resources and with a comparable level of effort. While *doing* more has always been a hallmark of ours, there is a limit to what a finite amount of resources can accomplish. Looking at

productivity from this point of view assumes there is more that *needs* to be done in the national interest. There's no question about that.

With the Coast Guard's full load of critical missions and relatively tiny size, there is never any doubt that finding a way to use our capital — and human — resources more effectively will increase the return on America's investment in the Coast Guard ... even beyond the long-standing record of returning our annual appropriation several times over each year.

Efficiencies tend to focus on short-term results. They are directed at achieving savings and reductions ... now.

We certainly understand that approach ...

At the same time, the "achieve more with the same" approach to productivity improvement requires us to "spend a buck" today so we can make two or more back tomorrow. It simply means we have to make today's investments, both conceptual and financial, wisely and in a way that will pay off tomorrow.

As I have said before — we have to "work smarter." Others might call this approach "getting more bang for the buck." No matter the descriptor, I do believe it is the best way for us to provide truly meaningful, long-range savings to the taxpayer while still meeting Coast Guard mission obligations.

The fiscal year 1986 budget has many productivity initiatives, of both kinds, though not as many as we would have liked.

In this context, let me give you a brief overview of four major areas of emphasis I see.

The first is *human resources*. We want to stabilize our work force. A-76 personnel reductions that are imposed before we have completed analysis are particularly destabilizing. They force us to play "catch-up" ... frequently resulting in long-term diseconomies, and creating hardship for our people. By

meeting our A-76 targets as quickly as possible, we can offset and thus buffer some of the imposed cycles and swings on our work force levels.

We've got to get things stabilized so we can have the right people with the right skills in the right place at the right time. This is one of our top priorities.

We are proud of our reputation that "the Coast Guard takes care of its own" ... but ... we need to do better in caring for — and about — our people. All of them.

We are the source of much that affects Coast Guard people personally, be they military or civilian — their duty (or work) assignments ... policies that can enrich, but sometimes encumber their lives and daily work ... decisions that may impact the entire future of an individual ... implementation of things laid on us ... and so on. And don't forget basic *human* things. Once again: break out my Human Relations Policy Statement ... read it ... live by it.

We in the Washington area ... with its oversight, its rules, its regulations, its accountabilities ... the kinds of battles we engage in every day ... are also the link in obtaining for our field people ... the operators ... the proper tools to do their jobs safely and effectively.

With those tools they can go out and meet their operational responsibilities, and equally important ... they can "come back." Besides its human and leadership responsibilities aspects, "coming back" also means Coast Guard men and women are able to use their incredible skills ... and their training and hardware ... in the public interest again and again.

In the same context, we are focusing on the work environment. Safe, clean, pleasant work areas improve output and reduce lost time. Habitability and reduction of crew fatigue, too, are important to the "operators." People wear out long before ships, aircraft and boats.

Questions and answers

After the State of the Coast Guard Address at Andrews AFB in March, Admiral Gracey opened the floor to questions from the audience.

Here are selected questions and the Commandant's responses.

Q: A recent *Federal Register* listed the fiscal year 1986 budget for the Coast Guard and outlined billet reductions of 1,000 and operating expense reductions in the millions. The *Register* also stated, "no reduction of services, no public impact." How can this be?

A: Obviously, there will be reductions — people. OE dollars will actually go up, although spending power will go down about three percent due to inflation. There *are* proposed reductions in service which will have an impact. The Great Lakes station closures, for example.

Q: Is it really possible to make further cuts in the Headquarters staff without cutting back on the amount of work that is expected?

A: You'd better believe it. We have two choices: cut operating forces, or cut "staff." There will be **no cuts** in operating forces.

- Remember: if you don't have time to do it twice, do it right the first time.

- There are ways to streamline, do our work better. Think things out before putting pen to paper. Deal with facts — not deathless prose.

- Direct HQ support of the field in things like contracting, personnel assignment, etc., will continue.

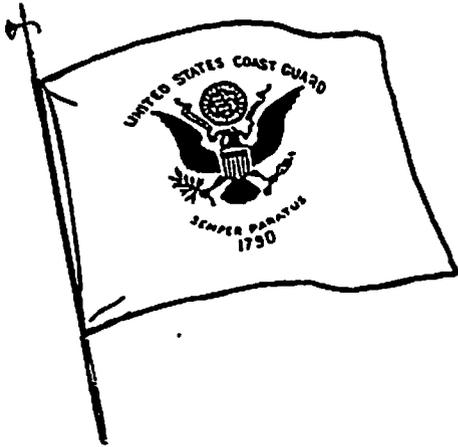
Q: Can the Coast Guard afford to



continue to make cuts across the board on a percentage basis or should we take official notice that some programs are more important than others?

A: That's exactly what we're doing. No cuts across the board. We will be selective and make reductions on the basis of functions and priorities ... not on straight percentages.

Q: The Coast Guard has the lowest ratio of civilians to military in any of the armed forces. Do you envision changing the civilian-to-military mix in the



Coast Guard productivity is directly influenced by how we care for our people ... and that extends to their families. Health, housing and community support are legitimate needs of *all* our people and *all* their families.

Our second emphasis is on *defense tasking and readiness*, where we are looking at our responsibilities in a new way. In the past, except for port security, our defense role was largely to remain ready so we could "report in" when needed and take on whatever we might be assigned.

Now, we have detailed taskings and broad responsibilities, specifically assigned, on the total defense team. The tempo of defense planning, training, exercising ... and readiness analysis ... has increased markedly within the Coast Guard.

The Maritime Defense Zone commands created just a year ago ... are a focal point for much of this activity. The MDZ commander duties have been assigned to the Coast Guard Atlantic and Pacific Area commanders. When wearing the

MDZ hat, each reports to the Atlantic and Pacific Fleet CinC's ... even in peacetime.

They have major responsibilities for planning, exercising and — if needed — executing coastal defense ... a gap which had been growing in America's defense posture. Including our ports, harbors and their approaches ... some key SLOC's ... and our littoral areas in general ... that gap had to be filled.

MDZ is very important for the Coast Guard. For the first time in history, we have been assigned ... in peacetime ... specific defense readiness planning and execution responsibilities which involve command relationships with all the services.

It is a fundamental change in the functional relationships of the Coast Guard, vis-a-vis the other services.

Other changes in our defense role include new plans for using the capabilities of our major cutters, broader use of our buoy tenders, a more aggressive involvement in port security, increased responsibilities in unified commanders' overseas OPLANS ... and so on.

All this means we need to increase operational training and get in more exercises. It also means we *must* have a larger and properly equipped Selected Reserve.

We created the new Office of Readiness and Reserve specifically to help us focus on readiness issues, to analyze the various indicators of problems and to bird-dog solutions, to plan exercises and monitor the results, and to develop plans.

We are closely monitoring our peacetime operational readiness to be sure we can do our job ... and to be sure our field people can enjoy a quality-of-life element I've described before: having the right equipment, properly maintained, and the right skills, properly used. We want to be sure we are getting full return on our hardware and personnel investments ... and maximum productivity. And we want to be sure our people can do their thing ... and feel good about it.

Productivity is our third emphasis. It has both a stand-alone focus, as well as being an implicit consideration in every other area of emphasis. Our principal thrust is to increase the output of our physical resources without just laying it on the "troops," who are already heavily loaded. Demographics show we are becoming an increasingly coastal-oriented society. Waterborne activities ... both legal and illegal ... are all on the increase.

This translates into more demands on the Coast Guard — both in kinds of missions and levels of operational tasking. To a large extent, we have addressed these challenges by improving on our existing resources ... not just by adding more people and platforms. Examples? ... hardware modernization (FRAM, MMA, PILOC) ... more sophisticated sensors (FLIR, FLAR, AirEye, Aerostat) ... and more effective training (simulators, exercises).

In research-and-development, we are exploiting new technologies, and we are working to determine the kinds of replacement platforms we'll need to be most productive in the future.

We're also getting more effective in the ways we do business. We're using sensors to expand the scope of our operating hardware and applying state-of-the-art automation and information-handling technologies to meet the growing requirements for data, logistics and management. Those technologies will also help us to handle the

"Health, housing and community support are legitimate needs of all our people and all their families."

greatly increased volume of both secure and non-secure communications needed for the tempo and nature of Coast Guard operations today and in the future.

Speaking of productivity, think of what the Auxillary does for us ... with high quality and minimum cost. Think too of the contribution of Reservists who augment our beleaguered regulars.

And finally, we're going after *logistics and management*. Our focus is generic to a great extent. We want two principal things from all aspects of our supply/logistic support functions. The first is to provide the materials needed ... on time ... to support operations at the levels we require.

We recently invested in many new pieces of capital equipment together with sophisticated sensor systems. They must be kept operating to produce what we expect of them. We don't want to face the "for want of a nail" situation ... where the lack of some part costing a few dollars keeps us from employing one of our major platforms or systems.

The other thing we want to do is keep those support systems at reasonable levels ... and at best available cost. We simply can't afford to spend money for unnecessary shelf stock ... to have one more thing on the shelf than we need ... or one *less*, either.

Given the wide range of support we need ... vessels, aircraft, shore stations, electronics ... even uniforms ... we must do better. We must take full advantage of the support available from other agencies. But — because of the many acquisitions we've made in the past few years that are not supported by DoD, it's essential that we have a fully effective support network of our own.

There is a lot going on ... a *lot* of changes. But none of them will change the three basic missions of the Coast Guard ... maritime law enforcement, safety of life and

Q & A

continued

Coast Guard?

A: Not so. The Marine Corps has the lowest ratio. And when you think about what Coast Guard people and Marines do, you can see why. Neither of us has the vast support forces the other services have. We get a lot of our support from the Navy and others. There will be some civilianizing, but based on a study which has identified functions that are inherently military. Those functions will remain military. We will adjust as we go along.

Q: Because of your AIDist strongly advising that all Coast Guard officers be marked a "4" my command has now come out with a blanket policy stating that no officer shall be rated higher than a "4." Why have fitness reports if you're dictating the grades? Isn't this unfair to those of us who were 4-5's on the previous system?

A: We have never strongly advised that all should be marked a "4" ... nor have we suggested it. We have said that the standards were written to serve as the basis for a distribution of marks that reflects performance across a spectrum of human beings. Statistically, such a distribution will find 70 percent or so in the middle (3 to 5) with a *few* above and a *few* below. The standard for "4" was written to describe what we expect from a typical high-performing Coast Guard officer of a given pay grade. It's a tough standard ... but we're a "high-performing system!"

I want to emphasize — again — there is *no* real relationship between the "old" system and the "new." That applies equally to the enlisted system. In both systems, the individual being reported on, or marked, is being measured to a standard, *not* to other individuals. Read the words. Follow

the rules. And don't second-guess. The systems *will* work.

Q: Given the U.S. Navy programs to promote 40 percent of their admirals as procurement/acquisition specialists and the Coast Guard's growing AC&I carryovers, would you support — and "promote" — a similar program for the Coast Guard?

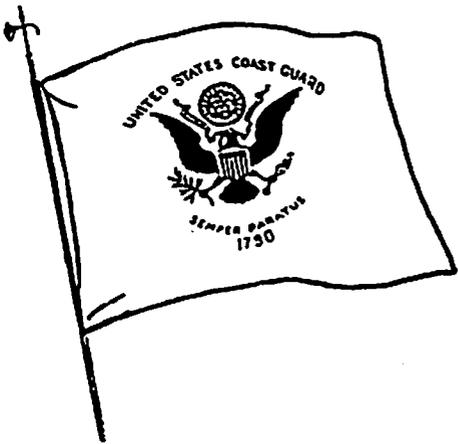
A: With 28 flag officers in the Coast Guard, 40 percent would be 11 people. Do you want 11 Comptrollers in the Coast Guard? Seriously, the Navy had a problem. This solved the Navy problem ... It is not applicable to the Coast Guard. Coast Guard officers are general-duty people. The only criteria for flag selection are performance, potential, leadership and character. There are no artificial barriers ... no tickets to be punched. I am more than satisfied with our flag selection system. And I do not plan to change it.

Q: What plans does the Coast Guard have for fully integrating our PHS officers into the Coast Guard?

A: None. It will stay just the way it is.

Q: As a junior officer in the Merchant Vessel Safety program, can I look forward to a career in this field? Is it not true that this program will be "civilianized" and/or turned over to the American Bureau of Shipping?

A: You can look forward to a career as a Coast Guard officer. There will be continuing opportunity in the Merchant Marine Safety field, but the number of officers in that field will be less than in the past, as we adjust the military-civilian mix and delegate some — not



property at sea and defense readiness ... and we must not let any of them dilute our very important contribution to national security.

It is up to us to ensure that the Coast Guard is *always ready* to perform in the future at ... or above ... our traditional level of excellence. The skills of Coast Guard men and women ... and they continually dazzle me ... will make it happen.

As a final point ... one about which I have particularly strong feelings: effective management is critical ... but ... *leadership* is the *real key* to our success. We are an organization of people, and it is Coast Guard people who make it all work. In these buffeting winds and seas of change, we need to be especially sensitive to that. Those people of ours out there doing the Coast Guard's work need — and deserve — nothing less than the very best leadership we can provide. That goes for care, support and human consideration, too.

Another thing: it is sometimes hard to remember that the "operators," the bureaucracy, the public ... *all* are people ... not just issues to be resolved, questions to be answered, deadlines to be met. The way we resolve the issues, answer those questions, meet the deadlines has a great deal to do with how others ...

J. S. GRACEY
Admiral, U. S. Coast Guard

and we ourselves ... think of the Coast Guard. And perceptions are very important ... everywhere.

Furthermore, we ... every member of the Coast Guard family ... are all recruiters ... and boosters ... and public relations people ... and *always* representatives of each other *and* our fine service.

Our recruiting and public affairs people need all the help they can get ... and all of us can help. Talk to your friends and neighbors. *Tell* our story ... it's a *very* positive and interesting one. *Convince* promising young people you know to get in touch with the Coast Guard recruiter in your area. *Show* everyone you meet what a sharp, professional outfit you belong to.

So ... Where does the Coast Guard stand?

- We stand squarely on the threshold of a bright future.
- We stand astride the Potomac ... with one foot in the Pentagon and the other in Transportation.
- We stand more ready than we ever have been with our derring do, our care for our fellow human beings, our ability to get things done.
- We stand facing some truly major management and leadership challenges ... but entirely capable of meeting them.
- We stand as highly respected and esteemed professionals ... in America and around the world.
- We stand as a unique military service ... a true national asset ... a jewel.
- We stand tough! And we stand tall!
- *And you ... and I ... are going to keep 'er sol!*

Semper Paratus!

Q & A

all — functions to third parties, like ABS.

Q: All of the other armed forces have mandatory physical fitness testing with appropriate programs for those people who are not physically fit. Does the Coast Guard plan to follow suit and implement a mandatory physical fitness program — not just a weight control and appearance program?

A: You are responsible for your own health. We'll give you guidelines in the form of appearance and physical standards, etc., but your health — and how you maintain it — is your own business.

Q: The O-6 and O-5 assignment panels system functions like two chiefs of personnel — or so it seems. Many are upset with the lack of two-way communications with panels. Why retain this process? Or, why not make the panels strictly advisory to G-P?

A: Lack of communications always seems to be seen as a problem, but when I ask the panel, the answer is, "We are calling." On the broader issue, I believe personnel should do personnel work. Personnel prepares the slate ... panel works it through, representing me and the Vice Commandant. They then discuss it with us. I am satisfied so far. We will stay with it.

Q: Is the current push to improve the appearance of Coast Guard members being institutionalized or is it just another fad because we happen to have some trim top brass at the present time? We've been through this drill before!

A: It is *not* a fad. It is institutionalized ... because we are a smart, military organization and want to look like one ... and because trim appearance goes hand-in-hand with good physical condition and that means good health.

Q: Recently, both *Time* and *Newsweek* had cover stories on cocaine and smuggling. Although both feature articles ran in the thousands of words, neither mentioned the Coast Guard. Are we being edged out of the overall drug interdiction picture by DEA and Customs? Or was this an innocent oversight?

A: We are not being edged out by DEA or Customs. As for oversight, I don't know. The articles focussed on those agencies. That kind of reporting does give me great frustration ... but note that we all have public relations responsibility. We are small — and without the great P.R. organizations some others have. It is up to each of us to spread the word and represent the Coast Guard in all places. Each and every one of us is a *de facto* P.R. person, and a recruiter.

Q: What role has the Coast Guard played, if any, in the diminishment of the U.S. merchant fleet? Are our marine safety regulations too stringent? What role can the Coast Guard play in making sure the United States has a sufficiently large and capable merchant fleet? What can the individual Coast Guardsman do?

A: First, individual Coast Guard people can understand the significance to the United States of having a strong Merchant Marine. And they can talk about it at every opportunity. Our regulations are not too stringent. In fact, we are bringing the rest of the

world up to the U.S. level of standards. This will have the effect of closing the gap. Diminution has historically been because we can't compete on cost. It is true the U.S. Merchant Marine is in trouble — and the importance of that is being recognized. We're doing everything we can think of to turn it around ... but we won't sacrifice reasonable levels of safety to do it.

Q: Will there be a Coast Guard as we know it, say 10 or 20 years from now? Or will the military functions go to DoD, drug enforcement to Customs or DEA, and SAR to civilian firms?

A: *Over my dead body* will the Coast Guard get split! **NO WAY!** But the future is up to you who will lead the Coast Guard in the years to come. As far as I'm concerned, the Coast Guard has a bright future. There may be changes — but not to our basic missions, our fundamental character, or our potential to serve the American people.

Q: In light of the increased defense role for the Coast Guard, what are the prospects for having a Coast Guard — as an armed force — representative on the Joint Chiefs of Staff?

A: From my perspective, it's not necessary. With such mechanisms as the NavGard Board, our liaisons and so on, the communications with JCS and the other services are very good.

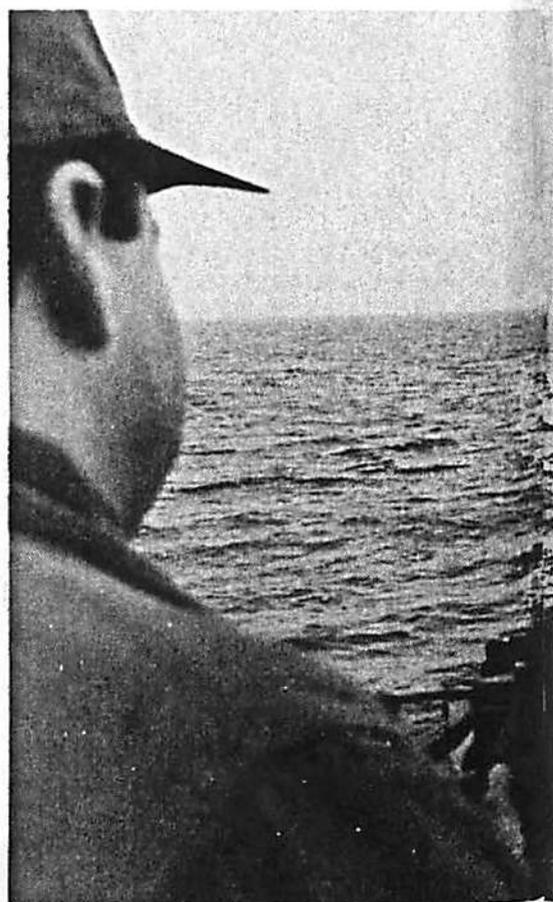
Q: With the proposed cutbacks and the system in effect, how do we prevent "Brain Drain" and "Brain Wain"? Stagnant at the top. No incentive to join the federal work force.

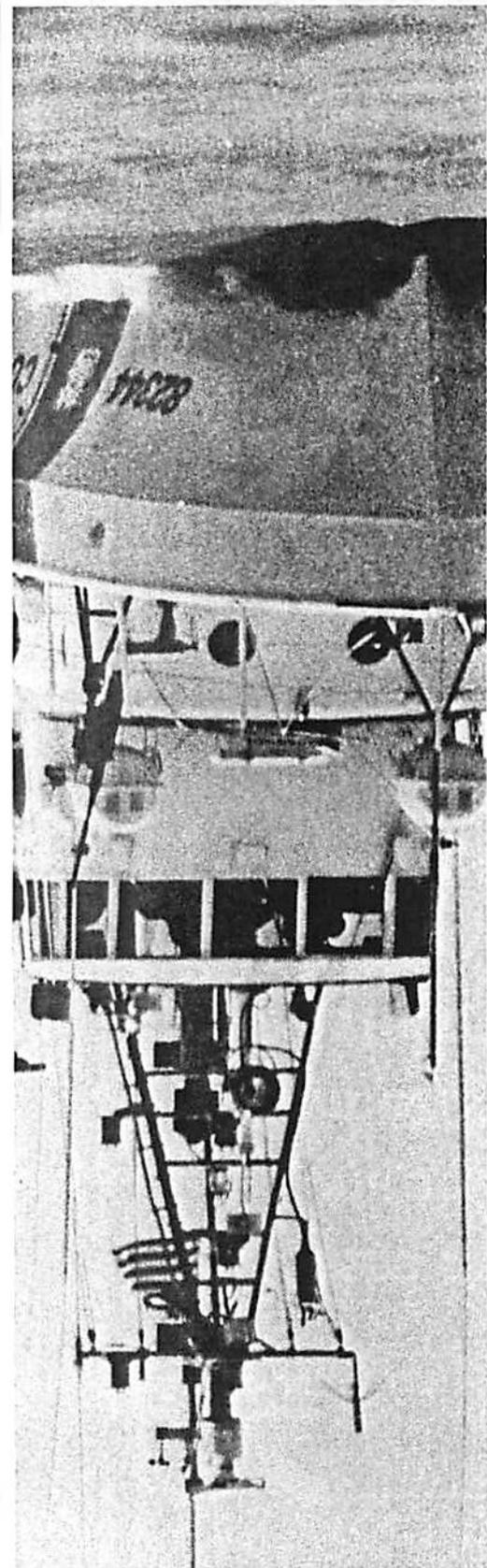
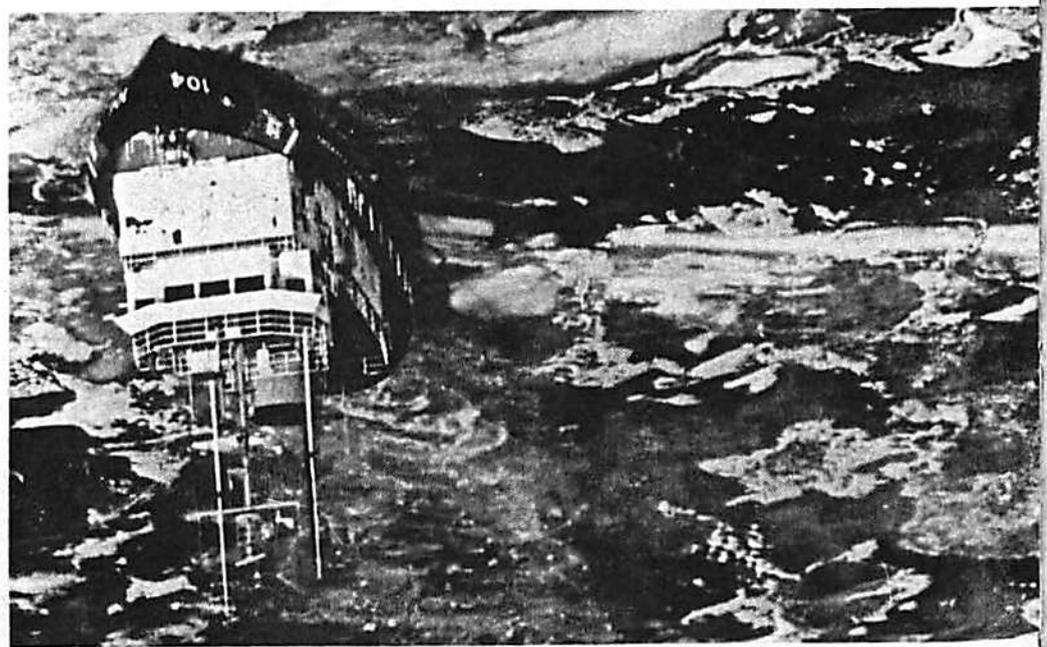
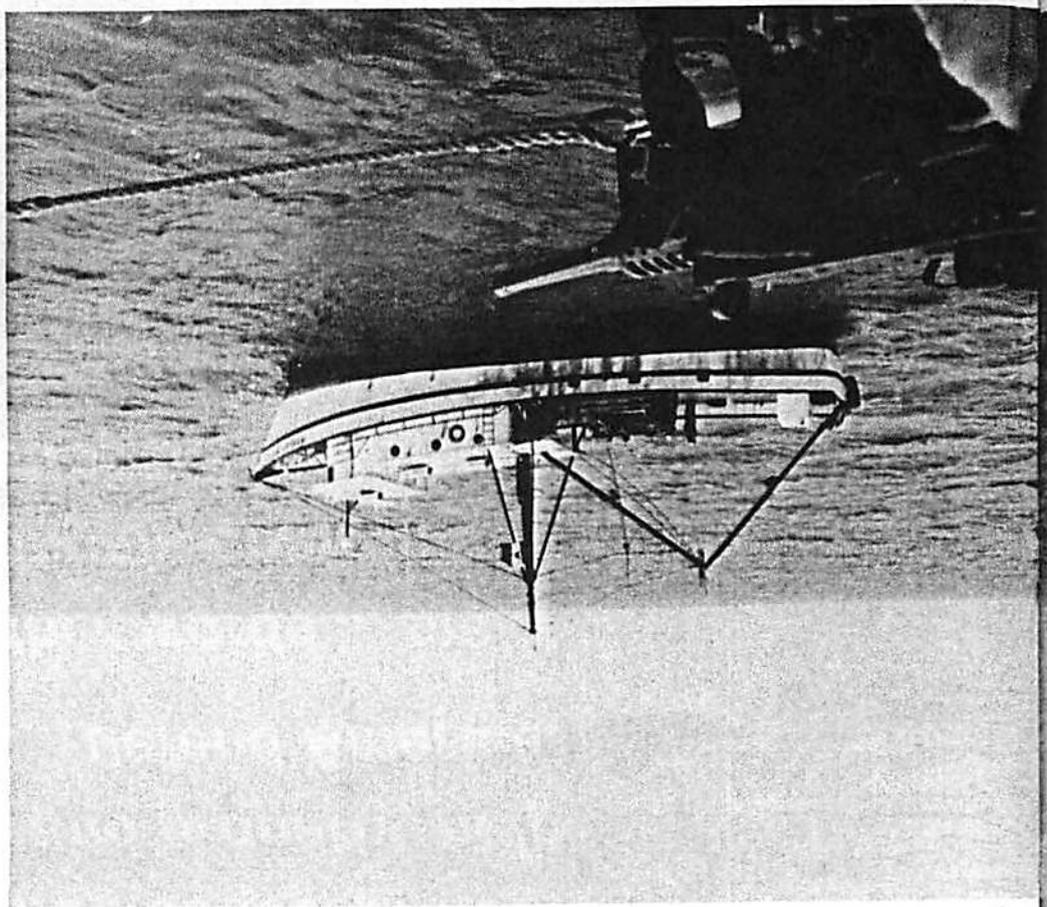
A: How to maintain interest in the

service is a good question. My answer has to be that each will answer the question for himself or herself. Your feelings of self-worth, self-satisfaction for the job you're doing, the contributions you are making ... all are going to be part of that answer. As I said in my remarks, we are working hard on stability in our personnel force and I think that will help. I am hopeful that we are at the bottom of the down cycle, and that the upswing is on the way. For me ... and it's been true for many years ... the Coast Guard is one *superb* outfit to work for. I hope you find it that way, too. Just think of what you do for a living. Think of the contribution you make — or make possible. Not everyone has the opportunity to say, "I made a difference." You do! Stand tall ... and keep stroking.

"As far as I'm concerned, the Coast Guard has a bright future. There may be changes — but not to our basic missions, our fundamental character, or our potential to serve the American people."

“ ... the Coast Guard is more than an armed force, and it is more than just a law enforcement agency. It is both of those; but it is also a life saver, an ice breaker, a safety inspector, a marine environment protector, a navigation facilitator, a mariner, a port manager, and so on.”





“

Where does the Coast Guard stand today? It is standing 'Semper Paratus.' Ready to do what we have been doing for almost 195 years ... enforce laws and treaties, protect life and property, help defend America.

In other words ... make a significant contribution to our nation's security and the well-being of its people.

”





DEPARTMENT OF TRANSPORTATION

PAO/ File
NEWS

fill with Kudriska
jts

OFFICE OF THE SECRETARY

WASHINGTON, D. C. 20590

FOR IMMEDIATE RELEASE

December 21, 1970

DOT - 25770

PHONE: (202) 426-4321

Secretary of Transportation John A. Volpe and Admiral Chester R. Bender, Commandant of the Coast Guard, today released their findings regarding three Coast Guard officers connected with the attempted defection of a Lithuanian seaman to the Coast Guard Cutter Vigilant.

In releasing his review and action in the matter, Secretary Volpe said:

"I have today taken action with respect to the case in which the Lithuanian seaman aboard the Soviet fishing vessel attempted to seek asylum aboard the U. S. Coast Guard Cutter Vigilant.

"I regret very deeply that a young man had to lose his chance for freedom in order to bring to light the deficiencies in government procedures for welcoming victims of oppression to American soil. Also, I regret that the proud history of the U. S. Coast Guard which has given shelter to hundreds of political refugees was not upheld in this tragic incident.

"But the errors in procedure have now been corrected. We now can give assurance to the world that an incident such as that which occurred on November 23 can never occur again and that America remains the haven for the oppressed."

DEPARTMENT OF
TRANSPORTATION



Secretary Volpe noted, at the same time, that two of the Coast Guard officers, Rear Admiral William B. Ellis and Captain Fletcher W. Brown, Jr., -- charged with primary responsibility in the Vigilant case have requested immediate retirement.

In addition to Secretary Volpe's review and action on determinations made by Coast Guard Commandant Admiral Chester R. Bender, the following documents were released:

The report of the Board of Investigation to the Commandant.

The Commandant's action as convening authority for the report of the Board of Investigation.

The complete transcript of the proceedings of the Board of Investigation is available for inspection at Coast Guard Headquarters, Room 8315 in the NASSIF Building, 400 Seventh Street, S. W., Washington, D. C. 20591



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

December 21, 1970

TO: Commandant, U. S. Coast Guard

SUBJ: Direction on your action on the Formal Board of
Investigation, Coast Guard Cutter VIGILANT Case

I have this date reviewed your action as the Convening Authority on the Formal Board of Investigation into allegations of improper conduct on the part of Coast Guard officers in connection with the defection attempt of a Soviet crewman to the Coast Guard Cutter VIGILANT on 23 November 1970.

I do not concur in the award of court-martial in the case of Rear Admiral William B. Ellis, USCG, and Captain Fletcher W. Brown, Jr., USCG. It is my considered view that no purpose would be served by subjecting either RADM Ellis or Captain Brown to a court-martial. There is no doubt that both of these officers now appreciate fully their serious error of judgment in this case. It is also clear that they have been subjected to most extreme castigation from many quarters in this nation. This, indeed, is a severe indictment for which both they and their families have already suffered.

For these reasons, you are directed to withdraw court-martial charges of any sort against RADM Ellis and Captain Brown. However, I do fully concur in the issuance of Punitive Letters of Reprimand to both officers. In taking this action, I have taken note of the fact that both officers are submitting requests for immediate retirement and that these requests will be accepted.

I approve of your action in the case of Commander Ralph W. Eustis, USCG.

A handwritten signature in black ink, appearing to read "John W. Hoff", is written over a large, light-colored, stylized graphic element that resembles a wing or a large letter 'J'.



DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address reply to: (CA)
COMMANDANT
U.S. COAST GUARD
WASHINGTON, D.C. 20591

5830
17 December 1970

From: VADM Thomas R. SARGENT, III, 1670, USCG
To : Commandant

Subj: Formal Board of Investigation into allegations
of improper conduct in connection with recent
defection attempt of Soviet crewman to
CGC VIGILANT near Martha's Vineyard, Massachusetts,
on 23 November 1970

Ref : (a) Appointing Order dated 30 November 1970

PRELIMINARY STATEMENT

1. The Board first met in closed session at the Transportation Systems Center (TSC) at Cambridge, Massachusetts, from 1 December 1970 through 4 December 1970. The Board reopened and continued at Coast Guard Headquarters, Washington, D. C., from 8 December 1970 through 10 December 1970, and again at TSC in Cambridge on 16 December 1970. Parties appointed in reference (a) were notified that they were designated as such and they were notified of the times and places of and they were present at all meetings of the Board. They were accorded all their rights as parties to the investigation as set out in Sections 0303, 0304, and 0305, Coast Guard Supplement, MCM.

2. Counsel appointed for the Board was LCDR Jay M. FIDELL 51124, USCGR, and serving as Assistant Counsel for the Board were LT Billy W. RICHARDSON 7134, USCG, and LT Donald A. KOPP 51728, USCGR, all lawyers. Party RADM ELLIS was represented by CAPT Christopher S. CHANGARIS 3579, USCG, and CDR Jerome V. FLANAGAN 5115, USCG, both lawyers. At the request of the parties and CAPT CHANGARIS, CDR FLANAGAN was permitted to serve as Associated Counsel, notwithstanding the fact that he was to be called as a witness for the Board. Party CAPT BROWN was represented by CDR Lawrence J. HOCH 4224, USCG (Retired), a lawyer. Party CDR EUSTIS was represented by CDR James E. BROWN, Jr. 5937, USCG and CDR Norman B. LYNCH 5729, USCG, both lawyers. These parties were relieved of their commands and duties pending the outcome of the investigation.

3. Parties and Coast Guard witnesses were generally cooperative. The three parties originally designated chose to testify under oath at the Cambridge session. LT Kenneth N. RYAN 7936, USCG, was designated as a party at the reopening on 8 December 1970 pursuant to Section 0304, Coast Guard Supplement, and was accorded rights as such. LT RYAN elected to testify as a party. He was represented by LCDR Nils LINFORS, Jr. 6800, USCG, a lawyer. After hearing evidence relative to LT RYAN's participation in the case, the Board withdrew his designation as a party on 8 December 1970 and excused him and his counsel from the Board room. Further examination of the three original parties was sought by the Board in the Washington reopening. CAPT BROWN declined to be

examined further at that time, but made himself available for continued examination on 16 December 1970. The Board did not elect to conduct extensive cross-examination of this witness.

4. A lengthy verbatim record of the proceedings conducted in the course of the three sessions of the Board is appended hereto. Although this record contains some minor errors of punctuation and spelling, it is substantively correct and is authenticated as such. Mr. Obolenski, whose first name is Alexis, has been erroneously referred to as a Department of State employee. He is, in fact, an employee of the Division of Foreign Fisheries, National Marine Fisheries Service, Department of Commerce, Washington, D. C. Copies of this record and of all exhibits have been distributed to the parties. Some difficulty was encountered in the transcription of telephone and radio conversations recorded on the 9-track tapes made at the Boston RCC. The most reliable and complete transcription is found in Board Exhibit 46.

5. Some of the material discussed in the following report of investigation is in conflict with earlier accounts of the incident appearing in newspapers and elsewhere, but it is felt that the instant report is authoritative. This report had paid particular attention to the special issues of fact related to the decision-making process in this case. A summary of facts, table of contents, descriptions of parties and other referenced individuals, and a basic chronology of events is provided. The findings of fact themselves are organized into a chronologically directed narrative.

T. R. SARGENT, III

TABLE OF CONTENTS

Preliminary Statement ----- 1

Table of Contents ----- 3

Summary of Facts ----- 4

The Parties ----- 5

Referenced Individuals ----- 7

Basic Chronology ----- 11

Chronological Narrative

 Meeting for Talks ----- 14

 Overtures of Defection ----- 21

 Search for Advice ----- 30

 The Defection ----- 40

 Steps to Return ----- 51

 The Return ----- 59

Opinions ----- 71

Recommendations ----- 73

Commandant's Action ----- 73b

Enclosures ----- 74

Board Exhibits ----- 75

SUMMARY OF FACTS

On the afternoon of 23 November 1970, near Martha's Vineyard, Massachusetts, a Soviet defector came aboard USCGC VIGILANT from the SOVIETSKAYA LITVA. The Coast Guard had notice that he would try to defect, but it did not ascertain and execute that policy of the United States which calls for the retention of political defectors. Pursuant to improper command decision, Soviet crewmen were permitted to come aboard the VIGILANT and forcefully remove and return the defector to the Soviet ship.

THE PARTIES

Rear Admiral William B. ELLIS 1437, USCG, Commander, First Coast Guard District, Age 56, graduated from the Coast Guard Academy in 1936. As a junior officer he served aboard the Coast Guard Cutters CHAMPLAIN, PONTCHARTRAIN and MOHAWK. During World War II he commanded the destroyers USS PETIT and USS MARCHANT. In 1966 he was appointed Rear Admiral and assumed the position of Chief, Office of Personnel at Coast Guard Headquarters, Washington, D. C. In June 1968 he assumed command of the First Coast Guard District.

Captain Fletcher Webster BROWN, Jr. 2710, USCG, Chief of Staff, First Coast Guard District, Age 50, graduated from the United States Coast Guard Academy in 1942. CAPT BROWN began flight training in 1944 after a two year tour at sea. He has served in aviation billets for most of his Coast Guard career. In 1966 he was assigned as Commanding Officer, Group Boston. Subsequently, he served as Chief, Operations Division, First Coast Guard District. He assumed his duties as the Chief of Staff of the First Coast Guard District in June 1970.

Commander Ralph W. EUSTIS 5576, USCG, Commanding Officer, Coast Guard Cutter VIGILANT, graduated from the United States Coast Guard Academy in 1954. CDR EUSTIS was first assigned aboard CGC COOK INLET in Portland, Maine. During the next few years he served as the Commanding Officer of a Loran Station and as

Deputy Commander, Far East Section, Fuchu, Japan. He received postgraduate instruction at the United States Naval Postgraduate School, Monterey, California. He then served as Executive Officer of the CGC AVOYEL in Eureka, California, and as Chief, Personnel Analysis Branch at Coast Guard Headquarters. He assumed his duties as Commanding Officer of the CGC VIGILANT in 1969.

REFERENCED INDIVIDUALS

THE DEFECTOR

Simas Ionovich KUDIRKA, a Lithuanian radio operator of
the SOVIETSKAYA LITVA, a mothership of the Zapryba
Fishing Fleet

COAST GUARD HEADQUARTERS, 400 Seventh Street, S.W.,
Washington, D. C.

Admiral C. R. BENDER, USCG, Commandant, United States
Coast Guard

Vice Admiral T. R. SARGENT, III, USCG, Assistant Commandant,
United States Coast Guard

Rear Admiral Robert E. HAMMOND, USCG, Chief, Office of
Operations

Captain Wallace C. DAHLGREN, USCG, Chief, Intelligence
Division, Office of Operations

Lieutenant Junior Grade Wayne D. TRITBOUGH, USCG, Flag
Plot Duty Officer

FIRST COAST GUARD DISTRICT, John F. Kennedy Federal
Building, Government Center, Boston, Massachusetts

Rear Admiral William B. ELLIS, USCG, District Commander
(on convalescent leave)

Captain Fletcher W. BROWN, Jr., USCG, Chief of Staff
(Acting District Commander)

Captain William E. MURPHY, USCG, Chief, Operations Division
(Acting)

Commander John F. CURRY, USCG, Chief, Intelligence and Law
Enforcement Branch, Operations Division

Commander Jerome V. FLANAGAN, USCG, District Legal Officer

Lieutenant Kenneth N. RYAN, USCG, Duty RCC Controller

Commander W. E. SMITH, USCG, Chief, Communications Branch,
Operations Division

DEPARTMENT OF STATE, 2201 C Street, N.W., Washington, D. C.

Captain David A. WEBB, USCG, Coast Guard Liaison Officer

Mr. Adolph DUBS, Director of Soviet Union Affairs

Mr. Edward K. KILLHAM, Officer in Charge, Bilateral
Political Affairs, Office of Soviet Union
Affairs

Mr. Edward A. MAINLAND, Desk Officer, Bilateral Section,
Office of Soviet Union Affairs

Mr. Kevin J. MCGUIRE, Assistant Watch Officer 23 November,
State Department Operations Center

COAST GUARD CUTTER VIGILANT (WMEC-617), New Bedford,
Massachusetts

Commander Ralph W. EUSTIS, USCG, Commanding Officer

Lieutenant Commander Paul E. PAKOS, USCG, Executive Officer

Lieutenant Leo MOREHOUSE, USCG, Observer from Law
Enforcement Division, Office of Operations, Coast
Guard Headquarters

Lieutenant Junior Grade Richard E. BURKE, Jr., USCG,
Communications Officer

Lieutenant Junior Grade Douglas A. LUNDBERG, USCG,
Operations Officer

Ensign John F. HUGHES, USCG, Boat Officer

Boatswain's Mate Third Class Richard P. MARESCA, USCG

Commissary Man Third Class Joseph J. JABOUR, USCG

Engineman Third Class David R. SANTOS, USCG

CIVILIANS ON BOARD COAST GUARD CUTTER VIGILANT

Mr. Robert M. BRIEZE, President, New Bedford Seafood
Producers Association

Mr. William C. GORDON, National Marine Fisheries Service,
Department of Commerce

Mr. John BURT, New Bedford Fisherman's Union

Mr. R. W. NICKERSON, New Bedford Seafood Dealers Association

Mr. Alexis OBOLENSKY, Interpreter from U. S. State Department

SOVIET PERSONNEL

Ivan A. BURKAL, Commander of Lithuanian Fleet, also
Acting Zapryba Fleet Commander

Valentin V. SHENNIKOV, Commander of Kaliningrad Fleet

Ilman K. LIDUMS, Commander of Latvian Fleet

Vasilii S. POLETAEV, Chief, Inspector for Safety of
Navigation

Vsevolod P. MOROZOV, Chief Technologist

Vladimir M. POPOV, Captain of SOVIETSKAYA LITVA

Smilir S. GRUMAUER, First Mate

Leo V. GARTMAN, Chief "Master Catcher" of Zapryba

Alfour F. ZEIBERT, Assistant Area Chief of Zapryba

Genrikar K. BALTRUNAR, Interpreter

BASIC CHRONOLOGY
(Approximate Times)

MONDAY 23 NOVEMBER 1970

8:00 AM U. S. Delegation boards VIGILANT

8:30 AM VIGILANT underway

10:30 AM VIGILANT moored to Soviet ship

11:00 AM First overture of defection

12:43 PM VIGILANT sends message to First
Coast Guard District (Board Exhibit 9)

12:49 PM Message received

1:15 PM CAPT BROWN calls RADM HAMMOND

1:20 PM CAPT BROWN called RADM ELLIS

1:26 PM VIGILANT message doubleheaded to
Headquarters

1:28 PM VIGILANT message received at Headquarters

1:30 PM CCGD1 sends message to VIGILANT
(Board Exhibit 10)

1:38 PM VIGILANT 12:43 message sent to State
Department

2:00 PM KUDIRKA passes note to LT LUNDBERG
(Board Exhibit 16)

2:23 PM VIGILANT sends message to CCGD1
(Board Exhibit 11)

2:30 PM Conference in CAPT BROWN's office

2:45 PM CAPT DAHLGREN contacts Mr. KILLHAM

3:15 PM Mr. KILLHAM calls CAPT DAHLGREN back

3:28 PM VIGILANT receives CCGD1 message
instructions (Board Exhibit 10)

3:30 PM CAPT BROWN calls RADM ELLIS

3:45 PM CAPT DAHLGREN calls CAPT BROWN

BASIC CHRONOLOGY

MONDAY 23 NOVEMBER 1970 (Cont'd)

4:12 PM CAPT BROWN calls RADM HAMMOND

4:20 PM KUDIRKA jumps aboard VIGILANT

4:30 PM CAPT DAHLGREN calls Mr. KILLHAM

5:15 PM CDR EUSTIS calls RADM ELLIS (Board Exhibit 2)

5:40 PM VIGILANT calls Woods Hole

5:44 PM Woods Hole calls RCC

5:47 PM LT RYAN tries to call CAPT BROWN

6:01 PM CAPT BROWN calls LT RYAN

6:11 PM CDR EUSTIS calls CAPT BROWN (Board Exhibit 3)

6:38 PM CCGD1 receives VIGILANT's 2:23 message

6:38 PM CAPT BROWN calls RADM ELLIS

6:45 PM CAPT BROWN calls LCDR PAKOS (Board Exhibit 4)

6:48 PM CAPT BROWN calls RADM ELLIS

6:54 PM CDR EUSTIS calls CAPT BROWN

7:28 PM CAPT BROWN calls RADM ELLIS

7:30 PM LT RYAN calls CDR EUSTIS

8:00 PM Formal request received from Soviet Master (Board Exhibits 33 and 34)

8:04 PM Mr. GORDON tries to call his friend in State Department

8:19 PM CDR EUSTIS calls CAPT BROWN (Board Exhibit 5)

8:24 PM LT RYAN calls LTJG TRITBOUGH (Board Exhibits 1, 38, 39 and 45)

8:30 PM LTJG TRITBOUGH calls RADM HAMMOND and other staff officers

8:40 PM Commandant calls RADM HAMMOND

BASIC CHRONOLOGY

MONDAY 23 NOVEMBER 1970 (Cont'd)

8:45 PM LTJG TRITBOUGH calls Mr. McGUIRE
(Board Exhibit 42)

9:45 PM Call placed to Soviet Embassy

~~10:14~~ 10:14 PM CDR EUSTIS calls CAPT BROWN
(Board Exhibit 44)

10:30 PM Soviet crewmen come aboard

11:00 PM Mr. MAINLAND begins making inquiries

11:40 PM VIGILANT unmoors from Soviet ship

11:15 PM KUDIRKA subdued

11:30 PM Mr. MAINLAND talks with LTJG TRITBOUGH

~~11:30~~ 11:30 PM LCDR PAKOS calls CAPT BROWN

11:40 PM KUDIRKA loaded in small boat

11:50 PM KUDIRKA returned to Soviet ship

11:55 PM Small boat returns to VIGILANT

12:00 PM VIGILANT escorts Soviet vessel into
international waters

^{AM}
3:30 ~~PM~~ VIGILANT moors at New Bedford

WEDNESDAY 25 NOVEMBER 1970

1:26 PM CCGD1 1:30 PM message of 23 November
sent to Commandant (Board Exhibit 10)

1:30 PM VIGILANT 2:23 PM message of 23 November
sent to Commandant (Board Exhibit 11)

1:38 PM VIGILANT 1:25 PM message of 24 November
sent to Commandant (Board Exhibit 12)

MEETING FOR TALKS
(8:00 a.m. to 11:00 a.m.)

In July or August 1970, the fishermen of New Bedford expressed interest in a meeting with Soviet fishermen on the question of yellow-tail flounder fishing. They had complained to the National Marine Fisheries Service of the Department of Commerce that the Soviet fishermen were taking too many flounder off the New England Coast and that there should be some restriction of the fishing of the species. The Soviet fleet, on the other hand, contended that they were not overfishing.

Although similar meetings with Soviets fishing fleets have been held on occasion off both the Atlantic and Pacific coasts in recent years, they have not been frequent. Aside from the New Bedford fishermen's complaints concerning yellow-tail flounder, there have been no serious problems in recent times with Soviet fishermen off the North Atlantic Coast of the United States.

An offshore fisheries meeting with the Soviet fleet was proposed against the diplomatic background of the Agreement on Certain Fisheries Problems on the High Seas in the Western Areas of the Middle Atlantic Ocean, a two year bilateral agreement relating to the protection of red hake, silver hake, scup, and flounder, concluded between the United States and the Soviet Union in December 1968. At the June 1970 annual meeting of the International Commission for the Northwest Atlantic Fisheries at St. Johns, Newfoundland,

depletion of certain stocks of fish was discussed.

A meeting with the Soviet fleet was proposed by the American Embassy in Moscow to the Soviet Ministry of Fisheries. Soviet Minister KAMENTSEV advised through diplomatic channels that such a meeting was feasible. Mr. Russell T. NORRIS, Regional Director of the National Marine Fisheries Service (NMFS), Department of Commerce, Gloucester, Massachusetts, was called upon to schedule the talks. Preliminary arrangements were made for a meeting in the first week in September 1970, but the Labor Day weekend and the America's Cup Trials caused a postponement.

During October, NMFS contacted the Soviet fleet and suggested a meeting in the vicinity of Nantucket. A rendezvous was proposed to take place on 18 November 1970. On 4 November 1970, CAPT J. W. HUME of the First Coast Guard District, wrote to the Commanding Officer, the USCGC VIGILANT (WMEC-617), telling him of the 18 November meeting. CAPT HUME estimated that the meeting would last 12 hours. A message was sent on 13 November 1970, however, scheduling the meeting instead at Martha's Vineyard on 23 November 1970 at 10:30 a.m.

The role of VIGILANT in these talks was one of providing transportation for the U. S. delegation. Originally, the Coast Guard contemplated using an 82 foot patrol boat for this purpose. However, CDR J. E. CURRY, Chief, Law Enforcement Branch, First Coast Guard District, and Mr. SCARIE of NMFS had agreed that the proposed 20 mile offshore trip would be

too uncomfortable in an 82 footer. Accordingly, VIGILANT was selected.

VIGILANT is a 210' Medium Endurance Cutter with a complement of 61 crewmen and 10 officers. VIGILANT was to delay its regular "haddock" patrol so it could leave New Bedford to carry out the rendezvous with the Soviet fleet. It was now estimated that the meeting would take six hours, after which VIGILANT would return to New Bedford and resume its regular "haddock" patrol on Georges Bank. [On July 2, 1970, VIGILANT had seized the West German fishing vessel CONRAD for fishing illegally inside the U. S. contiguous zone, 9 miles off Provincetown, Massachusetts.]

The U. S. delegation which was organized for the meeting consisted of civilian and government officials. The local fisheries representatives from New Bedford to attend the meeting were Mr. Robert BREIZE, President of the New Bedford Seafood Producers Association, an association of local fishing boat owners (Mr. BREIZE speaks Latvian; he had defected from Latvia in 1944.); Mr. John BURT, Port Agent for the New Bedford Fishermen's Union; and Mr. Howard NICKERSON, Resident Director for the Seafood Association of New Bedford.

Mr. William C. GORDON, Assistant Regional Director of NMFS, attended for the United States. The delegation was accompanied by Mr. Alexis (Serge) OBOLEŃSKY from the State Department as its interpreter. In addition, LT LEO A. MOREHOUSE, Jr. of the Law Enforcement Division, Office of Operations, came from Coast Guard Headquarters in Washington to attend as a Coast Guard observer.

At 8:00 a.m. Monday, 23 November 1970, the U. S. delegation boarded VIGILANT at New Bedford. At 8:15 a.m. VIGILANT contacted the Soviet vessel by radio through Coast Guard Group, Woods Hole. CDR Ralph W. EUSTIS, Commanding Officer of VIGILANT, inquired with the Soviets about weather conditions. He was concerned about possible difficulties in offshore transfer of personnel. The Soviets had obtained permission to anchor in the lee of Martha's Vineyard within the three mile limit. The Soviet Fleet Commander advised CDR EUSTIS that he had anchored in Menemsha Bight because the offshore weather was somewhat rough. The precise point of rendezvous was 41-22-2N, 70-46.9W about one mile off Martha's Vineyard. (See Board Exhibit 33).

At 8:49 a.m. VIGILANT was underway for the rendezvous. At 9:06 VIGILANT passed through the hurricane dike enroute. At 10:11 a.m. mooring stations were set and at 10:30 a.m. VIGILANT came alongside and moored port side to the Soviet vessel. At 10:58 a.m. VIGILANT sent a message reporting that it had moored to the ship, which it identified in error as the ZAPRYBA KALININGRAD. (Board Exhibit 9B). In cyrillic, SOVIETSKAYA KLAJPEDA appeared on the hull. In fact, the name of the ship was the SOVIETSKAYA LITVA, which means Soviet Lithuania. It was a factory ship, a mothership, approximately 500' long, displacing 14,000 tons. It had a crew of about 150 men and 35 women.

VIGILANT moored to the Soviet vessel to assure the safe transfer of personnel. The weather on the scene was not favorable for the transfer of personnel by small boat. Visibility was 10 miles with overcast clouds, sea water temperature was

51 degrees, and wind velocity was at 10 knots. The seas were running 3 feet. (See Board Exhibit 24.) The manner in which personnel were to be transferred from one ship to the other was by a guard boom rigged from the Soviet ship, constructed of 5/8" wires secured to a 3/8" net of 4" squares with an old tire at the bottom. This device was suspended from the boom by a cable. The transfer of personnel took place from the flight deck of VIGILANT.

The Soviets hosted the talks at 10:30 a.m. CDR EUSTIS and the U. S. delegation boarded the Soviet vessel. VIGILANT's Executive Officer, LCDR PAKOS, remained aboard. The U. S. delegation had a brief lunch in the Fleet Commander's cabin, and afterwards proceeded to a conference room to begin talks. The talks progressed for an hour or so, then the delegation was given a tour of the ship, and returned to the conference room for more food, entertainment, and cognac.

Primarily, the conferees were concerned with protection of the yellow-tail flounder species off the New England Coast. During the course of discussion the Soviets indicated that they desired an entrance port in Boston in order to get supplies and water to support their fishing efforts. The talks were conducted through Mr. OBOLENSKY, the U. S. interpreter, and Genrikar BALTRUNAR, the Soviet interpreter.

The Soviet delegation included Ivan A. BURKAL, Commander of the Lithuanian Fleet and Acting Commander of the larger Zapryba Fleet; Valentin V. SHENNIKOV, Commander of Kaliningrad Fleet; Ilman K. LIDUMS, Commander of the Latvian Fleet; Vasilii S. POLETAEV, Chief Inspector for Safety of Navigation; Vsevolad

P. MOROZOV, Chief, Technologist; Vladimir M. POPOV, Captain of the SOVIETSKAYA LITVA; Smilir S. GRUMAUROV, First Mate; Lev V. GARTMAN, Chief Master Catcher of the Zapryba Fleet; and Alfour F. ZEIBERT, Assistant Area Chief of the Zapryba Fleet.

Some of the Soviets appeared to be political or military figures rather than crew. No armament was apparent on the Soviet ship. Mr. BREIZE met four Latvians with whom he could speak. These included Fleet Commander BURKAL, the head operator for radio communications, a ship's engineer, and one other person. Most of those present felt that the fisheries talks were proceeding in a relatively successful manner.

While the official talks were going on, the crews of the two ships were lined up along the rails talking, laughing, and passing things like cigarettes and candy back and forth. Some members of VIGILANT's crew jokingly suggested to the Soviet crewmembers that they should come aboard VIGILANT. The Soviets responded by drawing their fingers across their necks, probably also jest. Some personnel from VIGILANT received tours of the Soviet vessel. These tours included viewing the ship's engine room, mess deck, hospital, and movie theater. In the course of these visits, ENS John F. HUGHES met a Soviet officer, a Second Mate, who could understand some English.

In Boston, CAPT Fletcher W. BROWN, Jr., was Acting District Commander of the First Coast Guard District. He had been Acting District Commander since 3 November 1970 when the designated District Commander, RADM William B. ELLIS,

had gone on sick leave. (RADM ELLIS did not resume his regular duties again until 30 November 1970.) CAPT MURPHY, the designated Chief of the Search and Rescue Branch, was Acting Chief of Operations in the place of CAPT John W. HUME, the designated Chief of Operations. CDR CURRY was present as Chief, Intelligence and Law Enforcement Branch. CDR Jerome V. FLANAGAN was present as District Legal Officer. The Rescue Coordination Center (RCC) Controller for that day was LT Kenneth N. RYAN.

No policies or procedural guidelines for the handling of defectors were available for the general use of the Coast Guard on 23 November 1970. Although the State Department had provided the Navy with instructions in this area, it had not provided the Coast Guard with any such instructions. The Multilateral Protocol Relating to the Status of Refugees found in Volume 19, Part 5, U. S. Treaties and Other International Agreements, was in effect on 23 November 1970. The Universal Declaration of Human Rights of the United Nations, guaranteeing the right to seek asylum from persecution and the right to leave any country, was also in effect. Coast Guard procedures and requirements for keeping Coast Guard Headquarters informed of developments which might have related to unique, emergent, and newsworthy cases were discussed in Commandant Instructions 3123.3C and 3123.11, then effective.

OVERTURES OF DEFECTION
(11:00 a.m. - 4:20 p.m.)

At approximately 11:00 a.m. LTJG Dougals D. LUNDBERG, Operations Officer of VIGILANT, was on the port wing of the bridge when he noticed a Soviet crewman observing him intensely from an upper deck of the Soviet ship just across from him. The man was about 5'5" or 5'6", small and muscular, and weighed about 140 pounds. He was dressed in dark pants, sport shirt and coat. This man was later identified as Simas Ionovich KUDIRKA.

KUDIRKA made a comment to LTJG LUNDBERG which suggested that he intended to defect. He looked over his shoulder, both left and right, and said, "Gestapo, gestapo." From where he stood he was only about 8 feet away from LTJG LUNDBERG. He acted as if he wanted to avoid being detected by his fellow Soviet crewmen.

At this time CDR EUSTIS was on board the Soviet ship. LTJG LUNDBERG immediately notified LCDR PAKOS of what he had observed. LCDR PAKOS assigned LTJG LUNDBERG to the forecastle of VIGILANT and LTJG Richard E. BURKE, Jr., Communications Officer, to the fantail to watch for KUDIRKA. LCDR PAKOS himself went to the port wing of the bridge and saw the man LTJG LUNDBERG had described. KUDIRKA spoke in broken English to LCDR PAKOS, "I will go with you," then, "I will check." He left and a few minutes later KUDIRKA came back to LCDR PAKOS and said, "Not too cold."

LCDR PAKOS realized that the man was planning to jump into the water. He therefore directed that a Jacob's ladder be rigged over the starboard side of VIGILANT away from the Soviet ship in the event KUDIRKA jumped into the water.

Seeing that KUDIRKA continued to evidence intense interest in the American ship, LCDR PAKOS decided to make sure one of his officers was always on the bridge in case KUDIRKA decided that he wanted to say anything else. By 12:00 noon, it seemed to LCDR PAKOS that KUDIRKA was seriously considering defection and that it might take place at any moment.

Other members of VIGILANT's crew noticed KUDIRKA's interest in VIGILANT. When BM3 MARESCA was on the bridge, he saw KUDIRKA at the rail of the Soviet ship acting suspiciously. When ENS HUGHES saw him, KUDIRKA tried to say something but his words were unintelligible. LTJG BURKE mentioned to ENS HUGHES that he thought KUDIRKA would try to defect.

LCDR PAKOS instructed his men not to encourage KUDIRKA. He decided to tell only the officers of KUDIRKA's possible defection. KUDIRKA kept appearing across from the bridge and continued to display unusual interest in VIGILANT and its officers.

LCDR PAKOS left LTJG LUNDBERG on the port wing of the bridge and went below to draft a message to the First Coast Guard District in Boston. At this time CDR EUSTIS was still

aboard the Soviet vessel. LCDR PAKOS decided he would send the message and at the same time try to get CDR EUSTIS back on board.

VIGILANT's message was transmitted at 12:43 p.m.

Following is the text of that message (Board Exhibit 9):

- A. MY 231558Z NOV 70
1. SITUATION: ALONGSIDE SOVIET MOTHER SHIP AS PER REF A. ESTIMATE 80 PERCENT PROBABILITY THAT ONE CREWMAN FROM SOVIET MOTHER SHIP WILL ATTEMPT DEFECTION TO VIGILANT. DEFECTION WAS NOT ENTICED. CREWMAN SPOKE IN BROKEN ENGLISH TO OPERATIONS OFFICER THAT HE WISHED ASYLUM. SAME MAN LATER INDICATED TO EXEC OFF THAT WATER NOT TOO COLD AND THAT HE WOULD SWIM. CO AND OTHER VISITORS STILL ABOARD AND UNAWARE OF SITUATION. WILL ATTEMPT TO ADVISE CO.
 2. IF ESCAPE IS UNDETECTED PLAN TO RECALL ENTIRE DELEGATION UNDER FALSE PRETENSE AND DEPART. IF ESCAPE DETECTED FORESEE MAJOR PROBLEMS IF DELEGATION STILL ABOARD. REQ. ADVICE.
 3. PLAN NO ACTION PENDING FURTHER DEVELOPMENTS.

VIGILANT's message arrived at the office of Commander, First Coast Guard District at 12:49 p.m. The office is located in the John F. Kennedy Federal Building, Government Center, Boston, Massachusetts, where LT RYAN was on duty as the RCC Controller.

When VIGILANT's message was received CDR William E. SMITH, Chief of Communications Branch, was notified. A call was placed to the office of the Acting District Commander, CAPT Fletcher W. BROWN, Jr. His secretary replied that he had not returned from lunch but that she would notify him of the message. CAPT BROWN was having lunch at the Wardroom located at Coast Guard Base Boston. At 1:00 p.m. he boarded the Coast Guard shuttle bus and returned to the District Office.

At 1:07 p.m., CAPT BROWN was told of VIGILANT's message by his secretary. He went to RCC and looked at it. After reading the message, he ordered it double-headed to the Commandant of the Coast Guard and Commander, Eastern Area. He sent for CDR CURRY.

As he was leaving RCC, CAPT BROWN encountered CDR FLANAGAN, the District Legal Officer, in the hallway, showed him the message, and asked his advice. CDR FLANAGAN suggested that if the man defected he should be turned over to the State Department or Immigration Service. CDR FLANAGAN returned to his office to think further about the situation.

CAPT BROWN returned to his office and telephoned CAPT Francis D. HEYWARD, Chief, Law Enforcement Division, in the Office of Operations, Coast Guard Headquarters. At about this time CDR CURRY arrived at CAPT BROWN's office. When he learned that CAPT HEYWARD was out of town, CAPT BROWN immediately called the Chief, Office of Operations, at Coast Guard Headquarters, RADM Robert E. HAMMOND.

At 1:18 p.m. RADM HAMMOND came on the line. CAPT BROWN indicated that he needed help on a problem. CAPT BROWN told him about VIGILANT's message and advised him that it had been double-headed to the Commandant. He told RADM HAMMOND that the ship was one mile from Martha's Vineyard inside territorial waters. They discussed in general terms the issues raised by VIGILANT's message. To both of them the main issue presented was how strenuously VIGILANT could compete with the Soviets in retrieving the defector in the event

he jumped into the water. They did not discuss what to do if and when the defector actually came into Coast Guard hands.

RADM HAMMOND indicated that he would go to the State Department to seek guidance. RADM HAMMOND was aware at this time that CAPT BROWN was Acting District Commander. After hanging up, RADM HAMMOND called CAPT Wallace C. DAHLGREN, Chief, Intelligence Branch, to his office.

CAPT BROWN immediately placed a call to the Commander, First Coast Guard District, RADM William B. ELLIS, who was then at home on convalescent leave. It was 1:20 p.m. CAPT BROWN briefed RADM ELLIS on the message from VIGILANT and on his conversation with RADM HAMMOND.

RADM ELLIS was concerned about the possibility of a defection because the Soviet vessel had entered United States territorial waters by ^{INVITATION} ~~mistake~~, and a defection incident would disrupt the talks. In addition, he was concerned because he knew that U. S. personnel were on board the Soviet ship. For these reasons he told CAPT BROWN, "If we get the defector, we should give him back." He suggested that CDR EUSTIS be recalled to VIGILANT.

RADM ELLIS testified, concerning this conversation with CAPT BROWN: "I think there wasn't any doubt in CAPT BROWN's mind what I would do if I were on duty, and by the same token, there was no doubt what I thought he should do under these circumstances." After this call CAPT BROWN turned to CDR CURRY and said, "We are going to return the man." The time was 1:30p.m.

CDR CURRY returned to his office and CAPT BROWN went to the Communications Center. Realizing that this situation might preclude using VIGILANT for Search and Rescue (SAR) later that day, he directed that USCGC DECISIVE be changed from a status of bravo six hours to bravo zero to take VIGILANT's patrol, if necessary. He drafted and sent a message reply to VIGILANT with his instructions. This message (Board Exhibit 10) follows:

- A. YOUR 231743Z NOV 70
1. TAKE NO DIRECT OR OVERT ACTION. HOWEVER BE PREPARED TO LAUNCH SMALL BOAT IMMEDIATELY.
2. GET CDR EUSTIS BACK ABOARD USING ANY PRETEXT.
3. COMDT NOTIFIED OF SITUATION.
4. IF MAN GOES IN WATER GIVE USSR EVERY OPPORTUNITY TO RECOVER.

This message was not received by VIGILANT until 3:36 p.m.

Meanwhile, on VIGILANT, LCDR PAKOS had already taken steps to notify CDR EUSTIS of the possible defection. At 12:45 p.m. he sent QM3 BALLENGRAD with two old SAR messages to the Soviet vessel, as a stratagem to get CDR EUSTIS back aboard VIGILANT. At 12:52 p.m. CDR EUSTIS returned to VIGILANT and was met by LCDR PAKOS.

LCDR PAKOS said nothing about the possible defection until they reached the captain's cabin. There LCDR PAKOS revealed the real reason for recalling CDR EUSTIS back aboard VIGILANT. He told CDR EUSTIS of the possible defection. He showed CDR EUSTIS the message (Board Exhibit 9) which he had sent to the First District. CDR EUSTIS felt that if the man really wanted to defect, his chances of getting to VIGILANT were good. From what LCDR PAKOS told him it appeared that even without encouragement a defection was inevitable.

It appeared that the most likely time for the defection to occur would be while unmooring from the Soviet ship at the end of the meeting. CDR EUSTIS decided that the best course of action would be to continue the talks as if nothing were happening. As a precaution, he instructed LCDR PAKOS to insure that there was no enticement or encouragement by any member of VIGILANT's crew.

At approximately 1:45 p.m. CDR EUSTIS returned to the Soviet mothership and, while looking for the conference room, he met the Soviet First Mate who immediately engaged him in a conversation of professional and personal topics.

KUDIRKA continued trying to communicate with LTJG LUNDBERG as to the propriety of defection by raising his eyebrows in an inquisitive manner. LTJG LUNDBERG made no response and he gave no signal. Throughout the day crewmembers from both ships had been exchanging cigarettes, throwing them back and forth between the ships. At 2:00 p.m. KUDIRKA threw a package of Soviet cigarettes to LTJG LUNDBERG who was still standing on the port wing of the bridge. LTJG LUNDBERG felt a bulge in the cigarette pack. He said, "Thank you" to KUDIRKA and he smoked one of the cigarettes on the bridge so as not to arouse suspicion. Then he went into the pilot house, tore open the cigarette pack and, between the cellophane and the package, found a handwritten note 2" x 2". (Board Exhibit 16)

On one side it read:

"My dear Comrade I will
up down of russians
ship and go with you
together. If is a pos-
sible please give me
signal I keep a
sharp lookout=Simas"

On the other side it read:

"I up down in the time
when the conference is
End, and your delegats
go into your ships
a Board!"

LTJG LUNDBERG passed this note to LCDR PAKOS, who immediately sent a messenger to the Soviet ship to recall CDR EUSTIS, again on the pretense of a fictional SAR incident. When the messenger arrived on the Soviet ship, he found CDR EUSTIS still talking to the First Mate. CDR EUSTIS then returned to VIGILANT where he was shown KUDIRKA's note.

CDR EUSTIS prepared a message to the First District telling them about the note. This message (Board Exhibit 11) was released at 2:23 p.m. but because of communications failures, it was not received by the First Coast Guard District until 6:38 p.m. that day. CDR EUSTIS went to the port wing of the bridge to observe KUDIRKA. KUDIRKA appeared and spoke to CDR EUSTIS indicating that he might try to swim. CDR EUSTIS showed no indication of understanding or encouragement.

CDR EUSTIS then returned to the Soviet vessel. At 2:45 p.m. he entered the conference room where the talks were being held and

quietly notified Mr. GORDON of the possible defection. He suggested that they try to conclude the conference as soon as possible. By the time all conversations and good-bye toasts were completed, however, it was approaching 4:00 p.m.

The Soviet Fleet Commander had expressed a desire earlier that day to visit VIGILANT. CDR EUSTIS felt that he was obliged and invited a party of about a dozen Soviet officers aboard VIGILANT. CDR EUSTIS hoped to get these Soviet visitors back to their ship as quickly, and yet as politely, as possible. He told them that no entertainment, food or drink was available on VIGILANT. Shortly after 4:00 p.m. the Soviets began leaving VIGILANT in groups of 3 and 4, since this was all the transfer net could comfortably hold. On his way to the bridge to set for mooring stations, CDR EUSTIS stopped in his cabin. The time was 4:15 p.m.

SEARCH FOR ADVICE
(12:43 p.m. - 4:30 p.m.)

RADM Robert E. HAMMOND is the Chief, Office of Operations at Coast Guard Headquarters. He has a staff of approximately 150-200 individuals. The staff is broken down into various divisions including those for Law Enforcement and Intelligence. The Chiefs of these divisions report to RADM HAMMOND through the Deputy Chief of the Office. Within the Office of Operations, there are scheduled weekly conferences to discuss policy matters. Most of the work within the Office of Operations is concerned with planning and policy. Operations Staff Officers frequently communicate directly with their counterparts in the district staffs but only on matters of planning and policy.

Within Headquarters the Operations Staff frequently seeks advice from the Office of the Chief Counsel. Urgent problems arise primarily in the field of Law Enforcement and Intelligence. There are no provisions for the modification of staff organization to meet emergency situations. The task force concept is not employed.

Coast Guard Headquarters Flag Plot is part of the Search and Rescue Division of the Office of Operations. After working hours, Flag Plot is the communications relay center for Headquarters. The Duty Officer in Flag Plot has no power to make decisions on operational matters. When a question requires an immediate answer, he relays the message to the appropriate staff official for resolution.

Pursuant to RADM HAMMOND's request CAPT DAHLGREN arrived at RADM HAMMOND's office at about 1:20 p.m. in the afternoon of 23 November 1970. CAPT DAHLGREN, as the Chief of the Intelligence Division, has a 30-man staff, most of whom work on personnel security checks. He had never been involved in a defection case before.

RADM HAMMOND briefed CAPT DAHLGREN on the content of the conversation he had had with CAPT BROWN and told him that a message was coming from the First Coast Guard District. RADM HAMMOND testified that he called CAPT DAHLGREN because he characterized this as an Intelligence problem.

RADM HAMMOND directed CAPT DAHLGREN to contact State Department for guidance on the problem he had discussed with CAPT BROWN of getting the defector out of the water. He did not ask him to inquire into United States policy with respect to defectors.

At 1:28 p.m. the message from VIGILANT arrived. Shortly thereafter RADM HAMMOND went to the Office of the Commandant with a copy of the message. There he showed the message to the Assistant Commandant and stated briefly the action he was taking. He then returned to his office and resumed his normal duties. He did not contact the Office of the Chief Counsel for advice.

At approximately 1:30 p.m. CAPT DAHLGREN returned to his office. He placed a call to the Coast Guard Liaison Officer at State Department, CAPT David A. WEBB.

Although CAPT DAHLGREN had not dealt frequently with State Department in the past, he testified that he was aware of their practice of organizing affairs by country. However, he called CAPT WEBB to find out from whom he could seek guidance on the issues posed by RADM HAMMOND.

CAPT WEBB has been assigned to State Department since early October 1970. He occupies an exchange billet arranged between Coast Guard and State Department. The billet which was established at Coast Guard by this arrangement has never been occupied. CAPT WEBB is assigned to the Office of Space, Atmospheric and Marine Affairs in the Bureau of International, Scientific and Technological Affairs. He has a Masters Degree in International Affairs and has had some contact with American foreign policy. He does little, if any, liaison work, and does not monitor Coast Guard activities. His name is not in the Department of Transportation telephone book. He does not feel that he is, in fact, a Coast Guard Liaison Officer.

CAPT DAHLGREN told CAPT WEBB that there was a possibility of defection from a Soviet fishing vessel and that he would double-head VIGILANT's message to State Department as soon as he had received it. CAPT WEBB did not know the name of any individuals in State Department who could assist CAPT DAHLGREN so he told him that he would call back. Shortly afterward VIGILANT's message was sent to State Department.

CAPT WEBB asked his immediate supervisor, Dr. Robert WEBER, the Assistant Chief of the Office of Space, Atmospheric and Marine Affairs, for advice. Dr. WEBER suggested the name of Mr. GENTILE, Deputy Assistant for Security. CAPT WEBB tried him first but was told that he was out of the office. Mr. GENTILE's secretary

suggested the names of Mr. St. MORRIS and Mr. MORTON of the Special Assignments Desk at State Department.

At 2:15 p.m. CAPT WEBB relayed both these names to CAPT DAHLGREN. Having done that, he had no further contact with the case until the next day. At 2:40 p.m. CAPT DAHLGREN was able to reach Mr. MORTON who in turn suggested he call Mr. Adolph DUBS at the Soviet Affairs Desk. At 2:45 p.m. CAPT DAHLGREN contacted the Soviet Desk. He asked for Mr. DUBS but was referred instead to Mr. KILLHAM, Assistant Chief of the Desk and head of the Bilateral Section, a Foreign Service Officer with 18 years experience.

CAPT DAHLGREN related to him that it appeared a Soviet seaman would attempt to defect to a Coast Guard ship. He advised him that a message from the ship had been forwarded to State Department and that the Coast Guard needed guidance, but he did not say specifically, what kind of guidance. CAPT DAHLGREN does not recall whether he told Mr. KILLHAM that VIGILANT was in U. S. territorial waters; Mr. KILLHAM testified that CAPT DAHLGREN did not mention this. Mr. KILLHAM replied that he would wait until he got the message before he could comment on the situation. Mr. KILLHAM recalls that he considered this to be a matter of some urgency, and considered himself to be the proper person to give advice on the matter.

At 3:00 p.m. Mr. KILLHAM received VIGILANT's message. He testified that he saw three parts to the problem.

1. The possibility that the defection was not genuine; that it was a Soviet provocation attempt.

2. The problem of how much force the Coast Guard could use to retrieve the man in the water.

3. The problem of what to do if the defector got on the ship while Americans remained on board the Soviet ship.

At 3:15 p.m. Mr. KILLHAM returned CAPT DAHLGREN's call. The both recall that the main topic of the conversation was how much force Coast Guard personnel could use to compete against the Soviets if both were trying to retrieve a man from the water. On this issue, Mr. KILLHAM advised that if the man was in the water, the Coast Guard could exercise its traditional responsibility of search and rescue. CAPT DAHLGREN already knew this. Nothing was said about the fact that the Coast Guard ship was moored alongside the Soviet ship at that time. Neither man raised other possible ways in which the defector might arrive aboard the Coast Guard ship.

Mr. KILLHAM told CAPT DAHLGREN that the Coast Guard should do nothing to entice the defector, and that until the man was actually on board VIGILANT, State Department could offer no advice, but that once the man was on board, State Department should be notified. Mr. KILLHAM testified that he feels his advice to CAPT DAHLGREN did cover the possibility of what could be done if the man was in the water, but that State Department would need more

information before they could resolve the third aspect of his analysis. It was for this reason that he told CAPT DAHLGREN State Department could give no advice until the defector was on board.

CAPT DAHLGREN testified that he called State Department to get both general and specific advice on the policy of the United States regarding defectors. At the conclusion of the call, he felt that he had not received any general policy advice from Mr. KILLHAM, and he was somewhat frustrated with his lack of success.

Mr. KILLHAM testified that he did not specifically tell CAPT DAHLGREN that the Coast Guard should retain defectors until advice was received from State Department, but that he could not imagine anyone returning a defector without first obtaining that advice.

In Boston it was 2:30 p.m. when CAPT MURPHY, CDR CURRY, and CDR FLANAGAN gathered in CAPT BROWN's office. They discussed generally the problem of the prospective defection and what to do if the man got into the water or if somehow he got on board VIGILANT. They talked about cases of defection and asylum they had read and heard about in the past. The meeting was informal and in the nature of a briefing.

The consensus of opinion was that a final decision on the issue of return should be based on guidance from the Commandant and/or State Department. CDR FLANAGAN reiterated his view what if the defector got aboard

VIGILANT the Coast Guard should keep him, bring him to Boston, and turn him over to State Department or Immigration Service. The conference ended shortly before 3:30 p.m.

At 3:30 p.m. CAPT BROWN called RADM ELLIS and told him that he had sent a message to VIGILANT. He told RADM ELLIS that he had heard nothing further from VIGILANT. He said that as of that time, he had received neither information nor guidance from Headquarters. He told RADM ELLIS of the consensus of the staff that the man should be retained.

RADM ELLIS stated that his mind was not changed because there were no new facts. He testified that his decision was not based on any particular awareness of U. S. policy regarding asylum.

At 3:45 p.m. CAPT DAHLGREN called CAPT BROWN. He told him that State Department had been of little assistance, but related to him the advice Mr. KILLHAM had given. He told CAPT BROWN that State Department had said, "Call us when the man is on board the VIGILANT." CAPT BROWN agreed that this advice was not very helpful. Neither recalled discussing the possibility of a ship-to-ship defection. Shortly after 4:00 p.m. CAPT DAHLGREN returned to RADM HAMMOND's office to advise him of the information he had received from State Department. CAPT DAHLGREN again commented that State Department had been of little help.

At 4:12 p.m. RADM HAMMOND received a telephone call from CAPT BROWN. It is not clear whether CAPT DAHLGREN had finished his briefing RADM HAMMOND when the call came in. CAPT BROWN stated that he had not received any further information from VIGILANT. They discussed briefly the nature of the advice from State Department.

RADM HAMMOND recalls telling CAPT BROWN that if the man came aboard to let Headquarters know. CAPT BROWN does not recall the exact words, but he agrees with RADM HAMMOND's impression of the conversation. RADM HAMMOND knew that CAPT BROWN was Acting District Commander but that RADM ELLIS had been notified.

CAPT DAHLGREN also had the impression that RADM HAMMOND told CAPT BROWN to call Headquarters when the man was on board. There was no discussion regarding return of the defector to the Soviets. CAPT BROWN asked whether he should catch his regular commuter service home. RADM HAMMOND told him that there did not appear to be any reason why he could not go home. Toward the end of the conversation the comment was made that it was already dark.

During this conversation, LTJG Wayne D. TRITBOUGH, the Duty Officer in Coast Guard Headquarters Flag Plot, arrived in RADM HAMMOND's office. He came to be briefed on the case. When he entered, RADM HAMMOND and CAPT DAHLGREN were both on the telephone with CAPT BROWN. LTJG TRITBOUGH overheard talk concerning what should be done if the man was in the water and what should be done

to recover him, but he does not recall specifics of the conversation. At the conclusion of the telephone conversation, LTJG TRITBOUGH was asked, "Did you get that?" His response was, "Yes, if there is a defection I will be advised by Boston and I will pass this to State." LTJG TRITBOUGH testified that it was his impression that once the man was on board VIGILANT, State Department would determine further action. He recalls nothing being said about returning the man.

At approximately 4:30 p.m. CAPT DAHLGREN called Mr. KILLHAM and told him that no further information had come from the First Coast Guard District. He advised that the Coast Guard Flag Plot Duty Officer would keep State Department informed if anything developed. Because it was getting dark, CAPT DAHLGREN said that the possibility of defection had been reduced. Mr. KILLHAM testified that CAPT DAHLGREN gave him the impression that the case had lost its urgency.

Meanwhile, in State Department, Mr. KILLHAM briefed his assistant, Mr. MAINLAND, who was to be the Soviet Desk Duty Officer that evening. He told Mr. MAINLAND that he had advised the Coast Guard not to entice the defector and that they should advise State Department of any further developments. Mr. KILLHAM gave Mr. MAINLAND no instructions as to possible courses of action. Mr. MAINLAND testified that he felt his duty to notify Mr. KILLHAM if he received word that the defector was on board the Coast Guard ship. Neither Mr. KILLHAM nor Mr. MAINLAND briefed the State Department Operations Center Watch Officer.

At Coast Guard Headquarters, CAPT DAHLGREN, who testified that he felt that he was the officer most cognizant during the day in this case was left with the impression that RADM HAMMOND was now controlling the matter. He had no further contact with the defection until the next day. In Boston, CAPT BROWN left his office at 4:30 p.m. without further discussing the matter with his staff. None of his staff were assigned and no one assumed responsibility with respect to this case, although CDR CURRY and CAPT MURPHY did call later in the evening for briefings.

THE DEFECTION
(4:00 p.m. - 8:00 p.m.)

At 4:08 p.m. evening colors were held aboard VIGILANT and it was dark within a few minutes. At 4:15 p.m. only three of the Soviet officers who had been invited aboard remained. CDR EUSTIS had allowed the officers to make the tour but he did not entertain them at all.

LCDR PAKOS was on the port wing of the bridge. He noticed that KUDIRKA was standing opposite him on the Soviet ship. KUDIRKA looked down at the forecastle, as if to ask whether that would be a good place to come aboard. LCDR PAKOS, however, was looking down toward the boat deck. KUDIRKA stared at LCDR PAKOS. LCDR PAKOS shrugged his shoulders. KUDIRKA disappeared. Five minutes later KUDIRKA was on the wing at VIGILANT's bridge. He apparently had jumped across to VIGILANT at a lower deck level.

KUDIRKA surprised LCDR PAKOS. He embraced LCDR PAKOS and called him "comrade." He seemed to be very happy. LCDR PAKOS removed KUDIRKA from the wing of the bridge quickly. He had KUDIRKA taken to the watchstander's head on the 02 level in the vicinity of the radio room and CIC.

LTJG LUNDBERG was also on the bridge when KUDIRKA arrived. LCDR PAKOS assigned LTJG BURKE to guard the defector. A few minutes later he had LTJG BURKE relieved by one of the crewmembers. The guard was instructed that no one could enter the watchstander's head without permission

from the Commanding Officer.

CDR EUSTIS was then in his cabin. LCDR PAKOS came in and said, "He is aboard." CDR EUSTIS was surprised and said, "Who?" LCDR PAKOS replied, "The defector." CDR EUSTIS realized that if the Soviets had observed the defection he would have a problem. He went to the wing of the bridge and there observed three Soviet officers still standing on VIGILANT's flight deck, but making no effort to return to their ship. CDR EUSTIS then returned to his cabin.

Although CDR EUSTIS was not aware of the specifics of United States policy regarding political asylum, he had heard accounts of other defections. His feeling was that KUDIRKA would be granted asylum, and CDR EUSTIS did not consider returning the man.

LT MOREHOUSE had completed conducting the Soviet officers on a tour around VIGILANT and had gone to the captain's cabin. CDR EUSTIS advised him what had occurred and asked for his opinion. LT MOREHOUSE states that he told CDR EUSTIS that Washington should be advised. CDR EUSTIS and LT MOREHOUSE then went to the bridge to contact the First Coast Guard District Office and report the arrival of the defector. LTJG LUNDBERG was interviewing KUDIRKA at about this time. He was the first of the ship's officers to do so.

CDR EUSTIS called the District and requested a phone patch with either CAPT BROWN or CDR CURRY. LT RYAN, the RCC Controller, told VIGILANT that neither of these men were available since both were en route to their homes. A few

minutes later VIGILANT called back and asked for a phone patch with RADM ELLIS. CDR EUSTIS does not recall whether he knew that RADM ELLIS was on convalescent leave. RADM ELLIS states that he was somewhat reluctant to talk to CDR EUSTIS but agreed to do so because he did not want to leave a commanding officer without guidance. He testified that he was reluctant because he felt that CDR EUSTIS' instructions should come from the Acting District Commander, CAPT BROWN, and not from him.

At this time VIGILANT's 2:23 p.m. message regarding KUDIRKA's note of intention to defect had still not been received by the District. When the phone patch to RADM ELLIS was made at 5:15 p.m., CDR EUSTIS told RADM ELLIS that the defector was aboard and that although they were aware that he was aboard, the Soviets had not yet asked for his return.

RADM ELLIS testified that, "In order to protect the fisheries talks I told CDR EUSTIS that he should notify the Soviets of the defection and return the defector if desired, but if they chose to do nothing, keep him on board." CDR EUSTIS acknowledged these instructions and commented that if the defector jumped overboard from the Soviet ship as VIGILANT departed, VIGILANT would make an attempt to pick him up. RADM ELLIS replied that in this event, "The Soviet ship should be given the first opportunity. Make sure you don't pre-empt them in taking that action." CDR EUSTIS then stated that VIGILANT would be under way directly and would keep the District apprised. (See Board Exhibit 46 for transcript of this conversation.)

Prior to talking with RADM ELLIS, CDR EUSTIS had thought that the man seeking asylum ought to be retained until his request had been processed through diplomatic channels. After this conversation, however, he felt he would have to return KUDIRKA to the Soviets.

At the conclusion of the phone patch RADM ELLIS told LT RYAN to contact CAPT BROWN and inform him of the conversation. RADM ELLIS recognized that he had to some extent interjected himself between CAPT BROWN and CDR EUSTIS. RADM ELLIS felt that in the absence of direction from higher authority the decision whether asylum should be granted was left to the First District. The additional fact that the defector was now on board VIGILANT did not change the decision he had made earlier that day. "My conclusion was still the same," he testified, "We should not grant asylum to this man."

It was 5:20 p.m. On board VIGILANT LT MOREHOUSE had gone to CDR EUSTIS' cabin and found four Soviets there, including Fleet Commander BURKAL and the Soviet interpreter. Mr. GORDON and Mr. OBOLENSKY were also present. The Soviet officers just sat there without attempting to make conversation; no one said anything about KUDIRKA.

Meanwhile, after talking with RADM ELLIS, CDR EUSTIS went to see KUDIRKA. He spoke with him for over half an hour. He asked KUDIRKA about his family and home in the Soviet Union. Although KUDIRKA spoke broken English, CDR EUSTIS was able to learn some information about him. KUDIRKA was in his early 30's and he was married. His home was Klaipeda,

a Baltic sea port. CDR EUSTIS was convinced that KUDIRKA was sincere in his desire not to return to the Soviet Union.

At about 5:45 p.m. the Soviet officers aboard VIGILANT indicated to Mr. OBOLENSKY that they knew one of their crewmen was aboard. Mr. OBOLENSKY mentioned this to LT MOREHOUSE. LT MOREHOUSE went to the passageway outside the watchstander's head, where he found CDR EUSTIS. He told him that the Soviets knew that KUDIRKA was on board. They discussed possible courses of action. (CDR EUSTIS intended to keep KUDIRKA secure and out of sight.) CDR EUSTIS was reluctant to go below to his cabin where he felt he might be confronted with possible Soviet demands for KUDIRKA's return. The Soviets made no effort, however, to approach CDR EUSTIS for this purpose.

At 5:40 p.m. VIGILANT had called Group, Woods Hole, and requested that either the POINT JACKSON, an 82 foot patrol boat, or in the alternative, a 44 footer rendezvous with them for reasons of "utmost political importance." At 5:44 p.m. Woods Hole contacted LT RYAN to determine the reason for this request. LT RYAN told them to have the 44 footer stand by to assist VIGILANT.

5:47
At ~~5:44~~ p.m. LT RYAN called CAPT BROWN's home in order to tell him about the 5:15 p.m. phone conversation between RADM ELLIS and CDR EUSTIS. When he learned CAPT BROWN had not yet arrived home from work he left a message asking that CAPT BROWN call RCC.

At approximately 6:00 p.m. CAPT BROWN arrived home and was informed by his wife that RCC desired that he contact them. Before taking off his coat CAPT BROWN placed the call. The time was 6:01. LT RYAN then told CAPT BROWN that RADM ELLIS and CDR EUSTIS had had a telephone conversation concerning the defector. He briefed him on the substance of the conversation and the instructions that RADM ELLIS had given CDR EUSTIS. LT RYAN told CAPT BROWN of VIGILANT's request for the 44 footer. He said, "I don't know if the man is still aboard and that is why the VIGILANT is requesting a rendezvous, or if the VIGILANT is requesting a 44 footer out there in case the guy jumps overboard after the VIGILANT leaves, or what the story is."

CAPT BROWN commented to LT RYAN that the preferred course of action might be to keep the defector on VIGILANT and take him to New Bedford. He then directed LT RYAN to notify Headquarters Flag Plot that the defector was aboard VIGILANT. They decided, however, that they should first contact VIGILANT to see if the defector was still on the ship.

At 6:11 p.m. LT RYAN reached VIGILANT by phone patch to request the status of the defector. He interrupted CDR EUSTIS' conversation with KUDIRKA. CDR EUSTIS left the watchstander's head and went to the bridge to receive the call. He told LT RYAN that the defector was still on board and commented that KUDIRKA was in fear of his life, and that KUDIRKA had indicated that regardless of what the Coast Guard did, he would go over the side and hope for the best. He asked that a phone patch be arranged with CAPT BROWN. A

few minutes later, at about 6:15 p.m., the phone patch was made.

CDR EUSTIS told CAPT BROWN that the defector and four other Soviets were aboard VIGILANT. The number of Soviets on the ship confused CAPT BROWN for a moment until CDR EUSTIS explained the situation. He told CAPT BROWN of the defector's apparent sincerity in his intention to defect and of the defector's comments regarding going over the side. He told CAPT BROWN that the defector had come aboard with a group of Soviets who were touring the ship. This latter comment was in error and was one of the facts later reported to Flag Plot by LT RYAN at 8:30 p.m.

CDR EUSTIS told CAPT BROWN that the Soviets knew KUDIRKA was on board, but that he thought the Soviet officers would leave VIGILANT if requested. CAPT BROWN said at that time that, "This is a situation which is going to have to be resolved by the State Department." He instructed CDR EUSTIS to ask the Soviet officers to return to their ship. The conversation was concluded at 6:38 p.m. with a comment by CAPT BROWN that he was going to call RADM ELLIS. (A transcript of this conversation is Board Exhibit 46.) CAPT BROWN then told LT RYAN to wait before calling Flag Plot.

CDR EUSTIS testified that he was able to reconcile the inconsistencies between RADM ELLIS' advice and CAPT BROWN's comments in this conversation because he felt that CAPT BROWN considered the new information that KUDIRKA was in fear of his life to be important. He assumed that this information had been passed by LT RYAN to CAPT BROWN. After this

conversation CDR EUSTIS thought KUDIRKA would be retained on board VIGILANT. He went back to the watchstander's head to continue talking with him. At that time he intended to ask the Soviet officers to leave VIGILANT.

After this conversation CAPT BROWN immediately placed a call to RADM ELLIS. He apologized for interrupting RADM ELLIS' dinner and told him that he was aware that CDR EUSTIS and RADM ELLIS had talked about the defector matter. CAPT BROWN related that he had just talked with CDR EUSTIS. He told him what CDR EUSTIS had said. RADM ELLIS remarked, "My God, is EUSTIS still alongside? I thought he was ready to get underway."

CAPT BROWN testified that he told RADM ELLIS that he had instructed CDR EUSTIS to keep KUDIRKA in seclusion and to ask the Soviet officers to leave in order to give the First District time to contact the Commandant for further advice. He told RADM ELLIS that the only previous information he had received from the Commandant concerned what to do in the event the defector jumped in the water. He did not tell RADM ELLIS that the Commandant wanted to be kept advised of developments in the case. RADM ELLIS told CAPT BROWN that VIGILANT should not return the man without a request but that if the Soviets did make a request the defector should be returned.

At 6:45 p.m. CAPT BROWN placed a phone patch to VIGILANT and talked to LCDR PAKOS. LCDR PAKOS told him that CDR EUSTIS was trying to get the Soviets to return to their ship. CAPT BROWN wanted to know whether the Soviets had been asked if they

wanted the defector back. He told him that if they made the request, the man was to be returned to the Soviet vessel. LCDR PAKOS told him that he would tell CDR EUSTIS of these instructions and would call him back. The time was 6:47 p.m.

CAPT BROWN then discussed with LT RYAN CDR EUSTIS' earlier statement regarding the possibility that the defector would go over the side. CAPT BROWN said that he was going to contact RADM ELLIS with this information and would be back shortly.

At 6:54 p.m. CAPT BROWN and CDR EUSTIS talked again. CDR EUSTIS reported that the Soviets had still not made a formal request for KUDIRKA's return and that he felt that KUDIRKA's life was in jeopardy. CAPT BROWN at that point directed CDR EUSTIS to find out if the Soviets wanted the defector back. He indicated that if they did, KUDIRKA was to be returned.

CAPT BROWN testified that he thought the instructions RADM ELLIS had given him were in lieu of further instructions from Headquarters. RADM ELLIS testified that the decision-making process was finished at this time as far as he was concerned, barring any instructions from outside the District.

At this point CDR EUSTIS indicated that the Fisheries Official, Mr. GORDON, was standing by to offer his "informed, opinions on the matter but CAPT BROWN stated that the fishery agent had no responsibility in this case. CDR EUSTIS said that he anticipated the Soviets would make a request for the defector's return and again commented that KUDIRKA said he

would make an attempt to jump into the water once back aboard the Soviet ship.

CAPT BROWN instructed CDR EUSTIS to take all necessary precautions to prevent an "incident" from occurring, particularly during the transfer of the defector from VIGILANT to the Soviet vessel. He further directed that, if the man did get into the water after he had returned to the Soviets, any rescue must be done under the basic Coast Guard principles of search and rescue. CAPT BROWN emphasized on several occasions in the course of this conversation that there must be a formal request from the Soviet Master before the defector could be returned. The conversation ended at 7:28 p.m. (A transcript of this is enclosed as Board Exhibit 4 and is also found in Board Exhibit 46.)

CAPT BROWN was concerned with whether CDR EUSTIS had understood his instructions. He discussed this with LT RYAN, who suggested that the key points of these instructions be passed to VIGILANT by teletype. CAPT BROWN agreed. LT RYAN tried to relay the message by telephone but was unable to do so because of communication difficulties. LT RYAN then placed another phone patch to VIGILANT and briefly reiterated CAPT BROWN's instructions. (The transcript is attached as Board Exhibit 13.)

At 7:30 p.m. CAPT BROWN again called RADM ELLIS at home. He told of CDR EUSTIS' concern for KUDIRKA's safety and the warning that KUDIRKA's life was in jeopardy. To this RADM ELLIS responded, "I don't think we have any reason to believe that this would happen. They are not barbarians." RADM ELLIS

testified that the information regarding CDR EUSTIS' concern for KUDIRKA's safety did not change the situation so as to affect his earlier decision to return KUDIRKA.

The 7:28 p.m. phone call was RADM ELLIS' last contact with the case that day, although he did expect CAPT BROWN to contact him if there were any later significant developments. It should be noted that each conversation in which RADM ELLIS participated had been initiated by someone else.

CAPT BROWN did not call RADM ELLIS later in the evening to advise him that the formal request had been received or that force was necessary to remove KUDIRKA from VIGILANT. He testified that he felt there was no need to call RADM ELLIS back because RADM ELLIS had given his orders and felt they would be carried out.

CAPT BROWN also testified that, in his view, he had no authority to refuse RADM ELLIS' instructions that day. RADM ELLIS testified that he did not feel he ever became the decision-maker in this case but that there was no doubt in his mind that CAPT BROWN had adopted the same conclusion which he had reached.

CAPT BROWN testified that he was the Acting District Commander on 23 November 1970. He indicated that he did not ask RADM ELLIS to relieve him and that RADM ELLIS did not request or offer to relieve him that day. At the same time, however, CAPT BROWN also stated, in his Exhibit "A", that he felt he was acting rather as Chief of Staff in this case.

STEPS TO RETURN
(8:00 p.m. - 10:14 p.m.)

At 8:00 p.m. the Soviet officers presented a formal written request in Russian to CDR EUSTIS through Mr. OBOLENSKY for the return of the defector. It was addressed to the Leader of the U. S. delegation, as well as for the Captain of the VIGILANT, from the Captain of the Mothership SOVIETSKAYA LITVA. It was on their ship's stationery and worded as follows:

During our meeting on November 23, 1970, the radio operator KUDIRKA penetrated into my stateroom, forced the safe, took money from the safe in the amount of 3,000 rubles jumped over the fender and hid on your vessel. Request you conduct a search and return him to my vessel. I lodge a maritime protest on this matter.

Popov
Captain of Mothership
Sovetskaia Litva

At current exchange rates 3,000 rubles is worth about 3,300 dollars. This note was quickly translated into English and CDR EUSTIS determined that it satisfied the requirements of a "formal request".

At about 8:04 p.m., Mr. GORDON placed a phone-patch to someone he knew in State Department but could not reach him. Mr. OBOLENSKY and Mr. GORDON suggested that CDR EUSTIS bring KUDIRKA back to the United States and require the Soviets to seek his release through diplomatic channels. They wanted to know if the Coast Guard had obtained State Department advice. LCDR PAKOS discussed the legality of the order to return the defector. LT MOREHOUSE testified that he advised CDR EUSTIS that State Department should be contacted.

CDR EUSTIS placed a phone patch to CAPT BROWN over 5696 upper sideband at 8:19 p.m. that evening to advise him that he had received a written request for the return of the defector. (See Board Exhibit 5 for the transcript of this conversation) CDR EUSTIS told CAPT BROWN that he had the written request, that he intended to return the defector to the Soviet vessel and that VIGILANT would escort the Soviet vessel from U. S. waters. He told CAPT BROWN that if the defector jumped from the Soviet ship VIGILANT would stand clear and make no attempt to pick him up unless his life was in jeopardy. This was consistent with the instructions which RADM ELLIS had given in the 5:15 p.m. conversation, and with those which CAPT BROWN had expressed in the 6:45 p.m. conversation. CAPT BROWN answered "proceed in accordance with your total message."

The Soviet interpreter asked CDR EUSTIS to acknowledge receipt of the written request by endorsing it and asked what course of action CDR EUSTIS intended to pursue. CDR EUSTIS signed and acknowledged that he had received and understood the formal written request, and he indicated that KUDIRKA would be returned to the Soviet ship. He then went to visit KUDIRKA in the watchstander's head and asked him to return to the Soviet ship voluntarily.

After some conversation, CDR EUSTIS thought he had convinced KUDIRKA to leave VIGILANT because KUDIRKA came with him down the ladder from the watchstander's head on the O2 deck, and followed him to the Commanding Officer's cabin. At this point KUDIRKA saw Fleet Commander BURKAL. He stopped, cried "no, no!", turned and ran up the ladder. CDR EUSTIS followed him but was unsuccessful in further attempts to persuade

KUDIRKA to return to the Soviet ship of his own accord.

In Boston, immediately after the 8:19 p.m. telephone conversation, LT RYAN, who had been listening to that conversation, suggested to CAPT BROWN that Headquarters be contacted about the case. CAPT BROWN concurred. At 8:24 p.m., LT RYAN called Flag Plot and spoke with LTJG TRITBOUGH. (See Board Exhibits 1, 38, 45, and 46 for transcript relating to this conversation). He reported that the defector had come aboard VIGILANT and had asked to remain but was being returned at the request of the Soviet Master, and that he was being returned in the custody of Soviet officials. LT RYAN indicated that the defector did not want to go back and it was anticipated that he would jump overboard if he had the chance. He said that VIGILANT was alerted to this possibility.

In the course of this conversation, LT RYAN explained that the defector had come over to the VIGILANT with a group of Soviets who had been touring the ship. This comment was in error. It had apparently been suggested to LT RYAN when he overheard the 6:11 p.m. conversation between CAPT BROWN and CDR EUSTIS. LT RYAN also indicated that CAPT BROWN had instructed him to make no comment to the press, and that a Situation Report (SITREP) would be sent the following morning.

The First Coast Guard District sent neither an initial incident report nor a SITREP to Headquarters on November 23rd. LT RYAN was not aware that Headquarters expected to be advised if and when the defector came aboard VIGILANT.

LTJG TRITBOUGH answered LT RYAN's 8:24 p.m. telephone call.

He had been briefed earlier on the defector case by RADM HAMMOND and CAPT DAHLGREN, and he was expecting to be contacted by the First Coast Guard District with developments in the case. He had instructed to pass news of any such developments to RADM HAMMOND and to State Department. LTJG TRITBOUGH ✓ logged the telephone call in the Flag Plot log at "2030." (See Board Exhibit 39). LTJG TRITBOUGH had taken notes of the salient points of his conversation with LT RYAN and he used the notes in reporting the contents of his call to RADM HAMMOND.

A few minutes later, RADM HAMMOND felt that the information LTJG TRITBOUGH was passing meant that the return of the defector was in the process of taking place, or had already taken place, and that the case was closed. In point of fact, the return of the defector would not take place until more than three hours later. RADM HAMMOND assumed the defector had returned to the Soviet ship voluntarily.

LTJG TRITBOUGH said to RADM HAMMOND that he would call the Assistant Commandant and Commandant to advise them of the report he had received from Boston. RADM HAMMOND agreed and took no other action. LTJG TRITBOUGH then contacted the Chief of Staff, Assistant Commandant, and Commandant and passed the information he had received. He also tried to reach CAPT Donald H. LUZIUS, Deputy Chief of Operations, and RADM Roberick Y. EDWARDS, Chief, Office of Public and International Affairs, but they were not home. These calls were made within 15 minutes after the telephone call from Boston.

Shortly after LTJG TRITBOUGH called him, RADM HAMMOND received a telephone call from the Commandant who asked if he had any more information on this case. RADM HAMMOND said that he did not. He testified that the Commandant asked if there were any suggestions and that his response was that as far as he could see, the case was closed and that he could not think of anything else to do about it.

LTJG TRITBOUGH called the State Department Operations Center at 8:45 p.m. The Assistant Watch Officer at the Operations Center that evening was Mr. Kevin McGUIRE, FSO-6. Mr. McGUIRE had been with the State Department for five years and with the Operations Center for five months. His supervisor, the Senior Watch Officer, was Mr. Robert RICH. They were the only men on watch. Neither had received specific instructions concerning the defector case, but a copy of VIGILANT's 12:43 p.m. message had been posted on the Operations Center Reading Board.

Mr. McGUIRE took LTJG TRITBOUGH's call. Although there were tape recorders present at both the Flag Plot Duty Office and the State Department Operations Center, neither of these machines were functioning, transcript of the conversation is *not* available. LTJG TRITBOUGH used his notes to relate the substance of the message he had received from Boston to Mr. McGUIRE. He said the defector "is being returned" and that VIGILANT would escort the Soviet ship out of U. S. waters. LTJG TRITBOUGH testified that he used no words which, in his mind, suggested that the matter had been finally resolved.

It appeared to LTJG TRITBOUGH that Mr. McGUIRE was not immediately familiar with the case. He asked that this message

be passed to the Soviet Desk.

LTJG TRITBOUGH's call was logged at the State Department Operations Center at "1945" and is bracketed by entries at 1930 and 2145. State Department and newspaper accounts have indicated that the call was made at 7:45 p.m. The 7:45 p.m. time, however, is in error. This call followed LT RYAN's call to LTJG TRITBOUGH, which was electronically timed at 8:24 p.m. Numerous other factors substantiate that the call was placed at 8:45 p.m.

Mr. McGUIRE testified that LTJG TRITBOUGH told him that "the case was resolved." LTJG TRITBOUGH, on the other hand, denies using these words. Mr. McGUIRE testified that he read a summary of their conversation to LTJG TRITBOUGH and LTJG TRITBOUGH had approved it before hanging up. On the other hand, LTJG TRITBOUGH does not recall the reading or approval of any such summary.

After the 8:45 p.m. telephone call Mr. McGUIRE, at the suggestion of Mr. RICH, notified Mr. EASTLAND, The European Area Duty Officer that evening, and Mr. MAINLAND, the Soviet Desk Duty Officer. He did not notify anyone else at that time. Mr. McGUIRE did not know whether Mr. EASTLAND or Mr. MAINLAND had had previous contact with the case.

NO FILE *HE FILED*
Mr. MAINLAND made inquiries into this matter until 11:00 p.m. that evening. At that time he called the State Department Operations Center to inquire about any developments in the case. As they had nothing new, he called Coast Guard

Headquarters Flag Plot but was told that the Duty Officer was in bed. After checking to make sure he had the right number, he again called Flag Plot and asked that the Duty Officer be awoken. At 11:30 p.m. he reached LTJG TRITBOUGH in Flag Plot and asked if there were any developments in the case.

LTJG TRITBOUGH testified that his impression was that Mr. MAINLAND had not understood and wanted clarification of the 8:45 p.m. message. Mr MAINLAND asked whether the return of the defector had required any force, and he inquired about the attitude of the defector at the time he was returned. LTJG TRITBOUGH was unable to provide further answers to these questions.

LTJG TRITBOUGH told Mr. MAINLAND that he had received no new information since the last report to State Department but that a SITREP was expected in the morning. Mr MAINLAND did not call again that evening.

On VIGILANT, CDR EUSTIS had failed in his attempts to persuade KUDIRKA to return to the Soviet ship. Finally, at about 9:00 p.m., he told Soviet officials they could take KUDIRKA back with them. At that time the Soviet officers went to talk to KUDIRKA. Fleet Commander BURKAL spoke with him; the conversation was heated and Kudirka insisted strenuously that he would not return to the Soviet ship under any circumstances.

By 9:30 p.m. the Soviets, too, had been unable to persuade KUDIRKA to return peacefully. They were reluctant, however,

to use force. They requested that CDR EUSTIS use his own men to return the defector to the Soviet ship. CDR EUSTIS refused this request. His refusal caused the Soviets to ask CDR EUSTIS to place a call for them to the Soviet Embassy. CDR EUSTIS asked his radioman whether such a call could be made. Thinking that CDR EUSTIS desired the line, at 9:45 p.m. the radioman placed the call. A phone patch line between VIGILANT and the Soviet Embassy remained opened for some five minutes, but no communications were passed and the Soviets did not have an opportunity to speak with their embassy. CDR EUSTIS testified that he did not want the Soviets officers calling their embassy from his ship until Coast Guard and State Department authorities had been notified of their desire to do so.

THE RETURN
(10:14 p.m. et seq.)

At 10:14 p.m. CDR EUSTIS called CAPT BROWN and advised him that the situation aboard the ship was tense and that force would be necessary to remove the defector. This call was placed via Boston marine operator because difficulties were being experienced with Coast Guard communications on 5696 upper sideband.

Prior to this telephone call CDR EUSTIS and LCDR PAKOS had discussed what information should be communicated to CAPT BROWN. LCDR PAKOS had drafted a message to the District with an information copy to the Commandant. (See Board Exhibit 44.) Essentially, the draft had recommended that VIGILANT depart the Soviet vessel with the defector so that State Department could decide what to do with him. The proposed message requested an alternative to the instructions that had been issued by the First District.

CDR EUSTIS had decided not to use LCDR PAKOS' message because he felt that sending an information copy to the Commandant for the first time would not be following the chain of command. He testified that he assumed that Headquarters was being properly advised. Instead of sending the proposed message, CDR EUSTIS and LCDR PAKOS summarized its important points and reduced them to notes for CDR EUSTIS to use in his telephone conversation with CAPT BROWN. The proposed draft and the notes are enclosed as Exhibit 44.

The three points of the note were that the Soviets were reluctant to use their own men to return the defector, that the Soviets wanted to consult with their Embassy in Washington, and that CDR EUSTIS recommended the alternate solution of retaining KUDIRKA and requiring the Soviets to request his return through normal diplomatic channels. CDR EUSTIS testified that he does not recall whether he communicated all three points to CAPT BROWN because at some point in the 10:14 p.m. conversation CAPT BROWN said, "You have your orders. You have no discretion. Use whatever force is necessary. Do not let any incident occur." Realizing that he had received a direct order, CDR EUSTIS felt that he must comply. CAPT BROWN's attitude was formal and firm at that time.

After this conversation CDR EUSTIS returned to his cabin and reluctantly told the Soviet master, "He's all yours." The master told CDR EUSTIS that he wanted to use six men to return KUDIRKA. CDR EUSTIS suggested that the master and his skipper take KUDIRKA by themselves. They declined. He realized then that they felt it would not be proper for them as officers to struggle with one of their own crew. Therefore, he decided that they would be permitted to bring three men aboard in order to return KUDIRKA.

CDR EUSTIS testified that he decided to permit the Soviets to come on board to remove KUDIRKA for three reasons: (1) He felt that adverse publicity could result from the use of Coast Guardsmen to forcefully return a defector to the Soviets; (2) If the man went overboard and

was lost while Coast Guardsmen were attempting to return him, they might be accused of allowing him to get away; and (3) He was concerned with the effect personal participation in the forceful return of the defector would have on the attitude of the crew.

Somehow five Soviet crewmen were transferred to VIGILANT by means of the personnel net. When they came aboard the Soviets had brought with them a blanket, rope, and a ball of material which appeared to be socks. One of the Soviet crewmen indicated that this was intended to be placed in KUDIRKA's mouth.

One of the Soviets was the second mate with whom ENS HUGHES had been able to talk with earlier in the day. ENS HUGHES was instructed to keep the Soviets on the flight deck. At times the Soviets attempted to leave the flight deck but were physically contained there by ENS HUGHES and three Coast Guardsmen. At these times ENS HUGHES explained through the Soviet second mate that they would have to stay in that area. Finally, LCDR PAKOS instructed ENS HUGHES to let three men forward to apprehend KUDIRKA. A short time later ENS HUGHES was told to allow two more Soviets forward to help.

At about 10:45 p.m. CDR EUSTIS escorted the Soviets to where KUDIRKA was being kept and talked briefly again with KUDIRKA and the Soviet Fleet Commander. KUDIRKA was asked whether he would go peacefully. KUDIRKA persisted in his refusal to move. He asked for a knife, he said, to kill himself. The request was, of course, denied. KUDIRKA told

CDR EUSTIS he would fight anyone who would try to take him off the ship.

CDR EUSTIS turned KUDIRKA over to the Soviets. Before starting down with the Soviets, KUDIRKA removed his shirt and emptied his pockets and gave all his personal belongings, including his books and papers, to CDR EUSTIS.

The Soviet party started with KUDIRKA down the ladder from the watchstander's head, on the O2 deck, to the O1 deck where the captain's cabin was located. At this time the American civilians were in the captain's cabin. KUDIRKA was resisting strenuously. When they reached the bottom of the ladder KUDIRKA broke away, ran across the passageway and attempted to enter CDR EUSTIS' cabin. KUDIRKA managed to open the cabin door before he was grabbed by the Soviets who tried to break the grip he had on the cabin door knob. As this occurred, Mr. BRIEZE attempted to push the Soviets away from KUDIRKA, but Mr. GORDON instructed him that there had been orders to return KUDIRKA and that they must not interfere.

The Soviets took KUDIRKA out the port hatch onto the port boat deck. CDR EUSTIS returned to his cabin. It was about 10:50 p.m. Mooring stations were piped and word was passed to prepare to get underway. Once on the port boat deck KUDIRKA broke loose from the Soviet party again and made his way underneath the port motor life boat, where the struggle continued. KUDIRKA then went over the side of the port boat deck, apparently going overboard. Actually, he swung from the O1 deck to the main deck. "Man Overboard"

was sounded throughout the ship.

While this was taking place, a great number of Soviet crewmen had gathered at the rail of the Soviet ship. As they followed the struggle a few feet away aboard VIGILANT they screamed, yelled and pointed, creating a substantial commotion. The Soviet crew saw that KUDIRAK had not gone overboard and they tried to point him out to his pursuers.

It was 11:00 p.m. The two ships were moored about three feet apart. Thinking that the man might be crushed between the ships, and recognizing the potential for trouble in this heated situation, CDR EUSTIS ordered VIGILANT to unmoor and to get underway immediately. Since the mooring lines were belayed aboard the Soviet vessel, all but two lines were let go by their bitter ends. Two other lines were cut with axes. During the unmooring CDR EUSTIS had the conn. In backing straight down and standing clear of the Soviet vessel the Soviets' yard boom net knocked down the VIGILANT's antennae, carried away forward port life lines, a port running light and damaged three of four stanchions.

When VIGILANT went to mooring stations, CS3 Joseph J. JABOUR was assigned as the sound powered phone operator on the fantail. Earlier JABOUR had heard rumors that a defector was aboard. He had also heard that the Coast Guard crew was not supposed to get involved.

KUDIRKA swung from the port boat deck to the main deck and ran down the port aircastle onto the fantail.

When JABOUR saw him, KUDIRKA ran about as if not knowing what to do. He tried to say something to JABOUR but JABOUR could not understand him. KUDIRKA ran to the 50 caliber gun mount grid on the starboard side of the ship. It was 11:04 p.m.

Two of the Soviets who were pursuing KUDIRKA arrived on the fantail. They had come running down from the flight deck. When KUDIRKA saw them he started to climb over the starboard taffrail but was grabbed by BML TOWNE by the wrist, which prevented him from going overboard. EN3 SANTOS then also grabbed KUDIRKA. Both SANTOS and TOWNE had acted spontaneously in order to prevent a man from going overboard. JABOUR was still close by.

Within seconds the two Soviets reached SANTOS and TOWNE and took KUDIRKA away from them, pulling him back from the rail. Almost immediately two more of the Soviet crewmen arrived and joined the struggle. As the Soviets dragged KUDIRKA toward the ladder from the fantail to the flight deck, one of them attempted to grab the phone talker's cord from JABOUR, apparently in order to wrap it around KUDIRKA's neck. JABOUR pulled the cord away and pushed the Soviet back.

KUDIRKA was trying very hard to escape. The Soviets struggled with him across the fantail. They carried him up the ladder from the fantail to the flight deck. In the process, one Soviet repeatedly struck KUDIRKA's head against the steel rail of the ladder.

JABOUR did not see any blood or other visible signs of injury on KUDIRKA. To both SANTOS and JABOUR, KUDIRKA appeared very frightened. JABOUR made no report of the commotion over his sound powered phones. CDR EUSTIS personally observed no violence.

When "Man Overboard" was sounded, ENS HUGHES went to the port side of the flight deck to look for a man in the water. ENS HUGHES had a man from the ready boat crew remove his life jacket. He threw the life jacket in the water and sent the man for a battle lantern.

It was at this point that ENS HUGHES saw KUDIRKA being dragged up the ladder from the fantail to the flight deck by the Soviets. As the Soviets took KUDIRKA to the forward end of the flight deck, ENS HUGHES was able to stop one of the Soviets from beating KUDIRKA by talking to the Soviet second mate he knew. The second mate passed directions from ENS HUGHES to the rest of the Soviets. ENS HUGHES reported to the bridge that the Soviets were having difficulty restraining KUDIRKA. LCDR PAKOS instructed ENS HUGHES to use Coast Guard force if necessary to contain KUDIRKA.

ENS HUGHES returned to the flight deck and arrived in time to stop the Soviets from beating KUDIRKA and tying him to VIGILANT's port winch boat controls. One of the Soviets had tied a line around KUDIRKA's neck.

ENS HUGHES returned to the bridge and reported that the Soviets seemed to be trying to seriously injure KUDIRKA.

LCDR PAKOS directed ENS HUGHES to prevent the Soviets from hurting KUDIRKA.

ENS HUGHES moved the Soviet party and KUDIRKA forward on the flight deck and received instructions from LCDR PAKOS to take them to the mess deck. The Soviets refused to go to the mess deck. LCDR PAKOS then instructed ENS HUGHES to take them to the helicopter shack on the forward end of the flight deck. The Soviets and KUDIRKA went inside the helicopter shack. ENS HUGHES stationed two gunners mates outside the helicopter shack. He departed briefly, and when he returned one or two of the Soviets were again roughing up KUDIRKA. Again ENS HUGHES was able to stop this by talking to the second mate. ENS HUGHES was able to stop the brutality several times, but whenever he turned away from the Soviets, they resumed mistreating KUDIRKA.

Orders for VIGILANT's crew to lay below were passed over the ship's public address system. On the flight deck, ENS HUGHES and two first class gunners mates kept the ship's crew off the flight deck, telling them not to get involved. No civilians were present. ENS HUGHES did this because he had been instructed that the return of KUDIRKA was to be accomplished by the Soviets. ENS HUGHES does not recall which of the ship's officers gave him this instruction.

While KUDIRKA was in the helicopter shack the Soviets tied him up with the blanket and line they had brought with them. The Soviets tried to put the blanket over KUDIRKA's head but he resisted. KUDIRKA fought until he was completely bound in the blanket. By this time ENS HUGHES determined that the Soviets did not need Coast Guard assistance to remove KUDIRKA. He felt that had the Soviets been allowed, they would have beaten KUDIRKA into unconsciousness to simplify their task of removing him. Finally, at 11:15 p.m. the Soviets had KUDIRKA under control.

CDR EUSTIS went to the boat deck where KUDIRKA had been taken, bound in the blanket, and attempted to express to KUDIRKA his sympathy and personal concern. Although KUDIRKA said nothing, CDR EUSTIS felt that he had been understood. At this time CDR EUSTIS saw no indication that KUDIRKA had received physical injury. It has not been possible to ascertain the nature and extent of any physical injuries which KUDIRKA may have suffered.

CDR EUSTIS decided to use the Coast Guard boat to return the Soviet party and KUDIRKA to the Soviet vessel. He instructed LCDR PAKOS to put through a phone patch to CAPT BROWN in order to get his permission to do this.

At 11:30 LCDR PAKOS reached CAPT BROWN and told him that they had encountered problems. He told him that the two ships were apart, that the VIGILANT had suffered damage in getting away from the Soviet ship, and that KUDIRKA had been lashed and bound by the Soviets.

LCDR PAKOS requested permission to send the Soviet party and KUDIRKA across to the Soviet ship in VIGILANT's boat. CAPT BROWN asked if the weather permitted safe small boat operation. LCDR PAKOS informed him that the weather was satisfactory. CAPT BROWN then authorized the use of VIGILANT's boat.

ENS HUGHES was in charge of the boat detail -- BM3 MARESCA, SN MADERIOS and SN GONZALES. None of these men were armed. At 11:40 p.m. the defector, completely bound, was thrown by two or three Soviets from the O1 port deck of VIGILANT into the boat, a distance of two or three feet. The boat had been lowered so that its gunwale was even with the O1 boat deck of VIGILANT. KUDIRKA rode after on the starboard side, face down in the bottom of the boat. It is not known whether he was conscious. One of the Soviet seamen sat on his head.

At 11:41 p.m. the small boat was lowered. ENS HUGHES sat in the front of the boat with MADERIOS and the Soviet Fleet Commander and the second mate. GONZALES, MARESCA, KUDIRKA and the other Soviets were in the stern. One of the Soviet crewmen struck KUDIRKA during the trip. The Coast Guardsmen who observed this was reluctant to interfere since the Soviets outnumbered the Coast Guardsmen and seemed somewhat menacing.

When the boat reached the Soviet ship, ENS HUGHES did not want to take any lines from the Soviet ship. He sent the Soviet second mate aboard in order to gain assurance that there would be no trouble in offloading. The second mate waved down to say that everything was all right.

The Soviets lowered their net to the boat. The Soviet crewmen threw KUDIRKA on the engine hatch. From there he was thrown into the net. The other Soviets climbed on top of him and they were all raised to the deck of the Soviet ship. From that time on it was impossible for the boat crew to observe what was happening to KUDIRKA on the deck of the Soviet ship.

The boat crew managed to retrieve the line that was carried away by the Soviet ship when VIGILANT got underway, and they recovered VIGILANT's broken whip antenna. The ship's boat returned to VIGILANT at about 11:55 p.m. At midnight VIGILANT escorted the Soviet ship to a point southwest of Gay Head where the Soviet vessel departed territorial waters. VIGILANT then left the Soviet ship and returned to New Bedford, arriving at State Pier at about 3:30 a.m. on 24 November 1970.

At 1:05 a.m. that morning VIGILANT sent a message to CCGD1 reporting that transfer had been "accomplished at 2355." At 2:10 a.m. that message was received in Boston. Sometime after KUDIRKA had been returned, CDR EUSTIS indicated to the civilians aboard that he felt badly about what had happened and hoped that the incident would soon be forgotten. Some of the civilians suggested that he had asked that it be kept quiet. The books and papers KUDIRKA had brought with him remained on VIGILANT. An itemization of these documents is enclosed with this report.

In the afternoon of Wednesday 25 November 1970, CAPT BROWN had the CCGD1 message of 1:30 p.m. 23 November,

and VIGILANT's messages of 2:23 p.m. 23 November and
1:05 a.m. of 24 November double-headed to Coast Guard
Headquarters.

OPINIONS

1. CAPT BROWN, although counseled by his principal staff officers that the defector should have been retained aboard VIGILANT until State Department could arrange disposition, failed to properly utilize or rely upon their expertise. In referring a matter of important decision to RADM ELLIS, and in acceding to, accepting or adopting instructions provided by RADM ELLIS, CAPT BROWN failed to exercise his command powers and accept his command responsibilities as the Acting District Commander of the First Coast Guard District. Furthermore, CAPT BROWN failed to keep Coast Guard Headquarters informed of important changes in the case, even though he was asked to do so by Headquarters authorities, and was required to do so as a matter of general policy with the Coast Guard. It should be noted that although CAPT BROWN asked LT RYAN to call Headquarters about the case, he effectively rescinded that order without ever verifying whether or not Headquarters had been informed.

2. RADM ELLIS, although he was reluctant to offer advice while not in command, should have known that CAPT BROWN and CDR EUSTIS were treating his remarks not as advice but as orders. Instructing these men as he did, RADM ELLIS infringed improperly upon the command prerogatives of the Acting District Commander. Furthermore, RADM ELLIS gave instructions on complicated and sensitive issues having obvious national and international import without first apprising himself of established national policy.

3. CDR EUSTIS was not in sympathy with the orders he had received to return the defector. Having the opportunity, CDR EUSTIS would have avoided or refused to return the defector. CDR EUSTIS accepted the finality of his orders, and he returned the defector once it became evident that the decision of the District Commander was past reconsideration.

Under these circumstances, CDR EUSTIS cannot be faulted in his decision to allow Soviet crewmembers aboard his ship to remove the defector ^{IF HE WERE HELD VILICALLY, NOT} On the other hand, his failure to impose and exercise effective restraints on these Foreign Nationals to prevent a breach of discipline on an American Military Vessel cannot be condoned.

4. The State Department did not furnish the Coast Guard with adequate, helpful or timely advice to deal properly with this defection. The quality of liaison and communication between the two agencies was not satisfactory and contributed to the unfortunate result that occurred. Due to the increasing complexity of international relations and the status of nations, it is imperative that Coast Guard commanders and commands be provided with ready access to current State Department policy and procedure to perform their duties as representatives of the nation's maritime law enforcement agency.

5. Coast Guard communications were deficient in that:

- (a) there were inordinate delays in operational immediate messages due to failure in equipment, (b) telephone conversations of great importance were not confirmed by written messages, and (c) recording equipment in Flag Plot at Coast Guard Headquarters was inoperative. Although not conclusive, a more efficient communications procedure may have affected the outcome.

RECOMMENDATIONS

1. That CAPT BROWN be awarded a General Court-Martial for trial on charges of Dereliction of Duty for his failure to inform the Commandant of the progress of the case and for his failure to retain the defector aboard the VIGILANT until having advice from proper authority. An appropriate charge sheet is enclosed.
2. That RADM ELLIS be issued a Punitive Letter of Reprimand from the Commandant for offering instruction or advice without having informed himself of the fact and policy necessary for a proper decision, all to the prejudice of good order and discipline in the service; that he be removed from command and asked to retire as soon as his health permits but not later than 31 January 1971; and that in the interim he be assigned to a position of minimal responsibilities.
3. That CDR EUSTIS be issued an Administrative Letter of Reprimand from the Commandant for allowing Soviet crewmembers aboard his vessel to remove a Soviet defector without exercising upon the proper restraints; and that he be immediately reassigned from the VIGILANT.
4. That the Office of Operations confer with the State Department to explore those areas in which the Coast Guard would benefit by having detailed guidelines on current State Department policy and procedure. Further, that the Office of Personnel confer with the State Department to explore the possibilities of making more productive the existing exchange of billets between the two agencies by filling the State Department officer billet at the Coast Guard and by creating regular liaison duties for the Coast Guard Officer assigned at the State Department.

5. That immediate steps be taken to repair the telephone recording equipment in Flag Plot at Coast Guard Headquarters with automatic time recording equipment, and that competent engineering personnel review the communications difficulties experienced by CGC VIGILANT and the office of Commander, First Coast Guard District, to determine what changes, if any, may be necessary.

6. That a Commandant Instruction be issued directing the confirmation by written message of important telephonic orders and instructions.

ENCLOSURES

Reference (a) - Appointing Order

Verbatim Record of Cambridge Session

Verbatim Record of Washington Session

Board Exhibits 1 - 46

Itemization of KUDIRKA's papers

Charge Sheet respecting CAPT BROWN



DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address, reply to:
COMMANDANT
U.S. COAST GUARD
WASHINGTON, D.C. 20521

C
30 November 1970

From: Commandant
To: VADM Thomas R. Sargent, III 1670 USCG

Subj: Formal Board of Investigation into allegations of improper conduct in connection with recent defection attempt of Soviet crewman to CGC VIGILANT near Martha's Vineyard, Massachusetts on 23 November 1970; Appointing Order

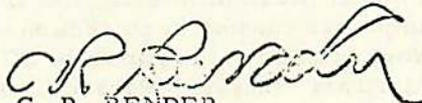
1. You are hereby appointed sole member of a Formal Board of Investigation to convene 1 December 1970, or as soon thereafter as practicable, for the purpose of inquiring into allegations of improper conduct by Coast Guard personnel at the Office of the Commander, First Coast Guard District, or on board the CGC VIGILANT with respect to the attempt of a Soviet crewman to defect to CGC VIGILANT on 23 November 1970.
2. You are directed to make complete inquiry into all the circumstances surrounding the allegations of improper conduct in accordance with the requirements of Section 0303, CG Supp., MCM, and submit the required reports. Testimony of witnesses shall be taken under oath and the proceedings shall be recorded verbatim.
3. You shall notify RADM William B. Ellis 1437 USCG, Commander, First Coast Guard District, CAPT Fletcher W. Brown, Jr. 2710, Chief of Staff, First Coast Guard District and Commander Ralph W. Eustis 5576 USCG, Commanding Officer, CGC VIGILANT of the time and place of the meetings of the investigation, and that they will be parties to the investigation and accorded their rights as parties, all as set out in Sections 0303, 0304 and 0305, CG Supp., MCM. As to your duty to designate additional individuals as parties to the investigation, your attention is invited to Section 0304, CG Supp., MCM.

REFERENCE (a)

Comdt to
VADM Thomas R. Sargent, III

4. LCDR Jay M. Fidell, USCGR, Office of Commander, Third Coast Guard District, is designated as Counsel for the investigation.

5. By copy hereof, Commander, First Coast Guard District is directed to provide a recorder and other clerical assistance required.


C. R. BENDER

Copy to: RADM Ellis
CAPT Brown
CDR Eustis
LCDR Fidell

ITEMIZATION OF DOCUMENTS RELATING TO
LITHUANIAN SEAMAN SIMAS IONOVICH KUDIRKA

1. Short School German-Lithuanian and Lithuanian-German Dictionary published in Kaunas 1963 by the Government Publishing House for Pedagogical Literature of the Lithuanian SSR.
2. Short School English-Lithuanian and Lithuanian-English Dictionary, published in Kuanas 1966 by the publishing house "Shviyesa".
3. Newspaper clipping from an unidentified Russian-language publication on the use of the English aircraft carrier LEVIATHAN to promote English exports during its visits to foreign port. The article was apparently based on an article in QUICK, published in Munich, West Germany.
4. Russian-language article entitled "Secretariat of the Directorate of Union Fisheries of the RFSR", dated November 1969. It appears to be a political exhortation. One page.
5. Russian-language transliteration from the English of what appears to be news broadcasts, including temperatures in various cities throughout the world and items from such cities as Washington, New Orleans, Saigon and London. Dated 1970. Two pages.
6. Pages 28/29 torn from an unidentified German-language magazine presumably published in East Germany. The article in question, on page 28, is entitled "Three Months - And You Can Speak a Foreign Language."

7. Two humorous snippets, about a fence surrounding the fishing dock in the Port of Klaipeda, which prevents the inhabitants from enjoying the beauty of ships sailing into the distance, and which is so high that even a witch could not surmount it with her magic broom. An appeal to an imaginary captain to stop driving his men, to use arguments in lieu of poking fists in the faces of his men, etc., - all this in a form of a holiday greeting.

8. Complaint by a correspondent about poor, unsanitary working conditions at water supply pumping station - no medical facilities, no waste disposal, no heating.

9. Lithuanian-language article clipped from an unidentified publication, probably a magazine. The article relates to Spencer Tracy, and was written by S. Gerasimovas.

10. Untitled German poem in a romantic vein.

11. Russian-language article transliterated apparently from the Spanish. Appears to relate to political matters involving Albania. One page.

12. Russian-language transliteration from the English of assorted short news items datelined from such cities as Washington, Tokyo, London, San Clemente and Bonn. Two pages.

13. One half-sheet of paper containing two untitled poems in German in a romantic vein.

14. Russian-language radiogram, apparently a personal message to Kudirka from his wife. Says that she received his telegram and letter, the house is as before, that she is awaiting a letter, and sending love.

15. Five items stapled together:

A. Small photograph of a young man. No identifying marks.

B. Russian-language radiogram from "Zhenya" saying that "Evaldukasa" has been brought home, everyone is well, and they are planning to go to Moscow. On the reverse is a handwritten series of notes in Lithuanian relating to the

1925 Scopes "Monkey Trial." There is a second handwritten note stating that Sihanouk commented on 18 March 1970 stating that he will remain in Moscow or Peking and form a temporary government in exile.

C. Russian-language transliteration from the German of short news items datelined such cities as Kuala Lumpur, Frankfurt, and London. On the reverse side, Russian-language transliteration from the English of a warning about a floating mine and floating logs. Also another German item from Hamburg, and some handwritten words in German.

D. Russian-language radiogram to Kudirka from "Sasha" saying everything is well, in 55 days has saved 800 rubles and already has a financial reserve.

E. Russian-language transliteration from the German of news items, apparently from a West German station on 8 November 1968. Items datelined from such cities as Berlin, New Delhi and Prague. Two pages.

16. Pass, Booklet Klaipeda Maritime Fishing Port, No. 11483, valid until 31 December 1970. Issued to Simas Ionovich Kudirka; with photograph.

17. (Enclosed in above)

Miscellaneous union dues stamps (one 6 and three 18 ruble denominations).

Pass issued by Captain Kasis Preykshas to Kudirka who radio operator of ship (no date).

Pass issued to Captain of ship Bojevaya Slava, November 196_ (?) to Kudirka who radio operator.

Pass issued by Captain Bojevaya Slava, 12 December 1969 to Kudirka who radio operator.

Pass issued by Bojevaya Slava to Kudirka, no date.

(Note: above passes are simply pieces of paper identifying Kudirka as being assigned to vessel, presumably used as ID passes)

18. Notebook (3½ x 5 inches, Russian alphabetical breakdown) containing various notations in Lithuanian, German, Russian and English.

A. Lithuanian commentary including a number of anti-Soviet statements, sayings, notes from various publications, statistics about Lithuania and other countries, names of authors of various books.

B. Three German sayings, as example: "One should sacrifice everything for humanity except humanity itself."

C. Quotes from a book by Rudolph Abel, plus various other notes including statement by Shirley Paige Manuel before New York Court.

D. Various schematic diagrams on radio parts - EM 87 (5 tubes), ECC 83, ECC 81, EF 93, EL 84, ECC 82 and ECH 81.

E. Comment on Morton Sobell, notes on Jan Palach, (fnu) Kardel and Prof. Vsemirov, Heinz Sutterlin and Leonora.

F. Notes on earnings of various other mariners, prices of food.

EXHIBITS

1. Transcript of autovon telephone conversation comments by LT RYAN, RCC Duty Officer, Boston, with Flag Plot Officer in Coast Guard Headquarters at 2045 on 23 November 1970.
2. Transcript of telephone patch between RADM ELLIS and CDR EUSTIS at 1715 on 23 November 1970.
3. Transcript of telephone patch between CAPT BROWN and CDR EUSTIS at 1811 on 23 November 1970.
4. Transcript of telephone patch between CAPT BROWN and CDR EUSTIS at 1854 on 23 November 1970.
5. Transcript of telephone patch between CAPT BROWN and CDR EUSTIS at 2019 on 23 November 1970.
6. Statement of Witness Engineman Third Class D. R. SANTOS, U. S. Coast Guard, USCGC VIGILANT.
7. Statement of Witness Boatswain Mate Third Class R. P. MARESCA, U. S. Coast Guard, USCGC VIGILANT.
8. Statement of Witness ENS J. F. HUGHES, U. S. Coast Guard, USCGC VIGILANT.
9. Message 231743Z NOV 70 from USCGC VIGILANT to CCGDONE reporting possibilities of defection.
- 9A. USCGC VIGILANT draft and copy of message 231743Z NOV 70.
- 9B. Message 231558Z NOV 70 from USCGC VIGILANT to CCGDONE showing position of rendezvous.
10. Message 231830Z NOV 70 from CCGDONE to USCGC VIGILANT answering message 231743Z NOV 70.
- 10A. USCGC VIGILANT copy of message 231830Z NOV 70.
11. Message 231923Z NOV 70 from USCGC VIGILANT to CCGDONE indicating that escape attempt planned.
- 11A. USCGC VIGILANT draft and copy of message 231923Z NOV 70.
12. Message 240605Z NOV 70 from USCGC VIGILANT to CCGDONE indicating that defector had been returned.
- 12A. USCGC VIGILANT draft and copy of message 240605Z NOV 70.
13. Transcript of telephone patch between CDR EUSTIS and LT RYAN at 1920 on 23 November 1970.
14. Chronological Summary of Events prepared by CAPT DAHLGREN, Office of Intelligence at Coast Guard Headquarters.
15. Statement of Witness LTJG Douglas LUNDBERG, U. S. Coast Guard, USCGC VIGILANT Operations Officer.

16. Note of intent from "Simas" passed to LT LUNDBERG aboard USCGC VIGILANT, 23 November 1970.
17. Message 021748Z NOV 70 from COMDT COGARD to COGARD RADSTA BSN, info CCGDONE, USCGC VIGILANT, showing proposed rendezvous between Coast Guard and Soviet vessel.
- 17A. Message 131731Z NOV 70 from COMDT COGARD to COGARD RADSTA BSN, info CCGDONE, USCGC VIGILANT, arranging rendezvous between Coast Guard and Soviet vessel on 23 November 1970.
18. CAPT F. W. BROWN, Jr., Acting Commander; First Coast Guard District letter 5921 of 5 November 1970 to Mr. Russell T. NORRIS reporting the participation of the USCGC VIGILANT in the fisheries meeting.
19. Commander, First Coast Guard District letter 5921 of 4 November 1970 to Commanding Officer, USCGC VIGILANT discussing the role of the USCGC VIGILANT in the fisheries meeting.
20. USCGC VIGILANT Log - Remarks Sheet of 23 November 1970.
21. USCGC VIGILANT Log - Remarks Sheet of 23 November 1970.
22. USCGC VIGILANT Log - Remarks Sheet of 23 November 1970.
23. USCGC VIGILANT Log - Remarks Sheet of 23 November 1970.
24. USCGC VIGILANT Log - Weather Observation and Operational Summary Sheet of 23 November 1970.
25. Message 301400Z NOV 70 from CCGDONE to COMDT COGARD indicating RADM ELLIS released from outpatient treatment, regular duty status resumed.
26. Message 031431Z NOV 70 from CCGDONE to COMDT COGARD reporting absence of District Commander during surgery.
27. Listing of American and Soviet personnel present at the rendezvous of 23 November 1970.
28. Stipulation of testimony by LTJG BURKE, U. S. Coast Guard, USCGC VIGILANT, Communications Officer, showing later corrections by the Witness.
29. Stipulation of LTJG BURKE's testimony, Board Exhibit 28, retyped for legibility.
30. Stipulation of testimony by CDR SMITH, U. S. Coast Guard, First Coast Guard District Communications Officer.
31. Documents relating to the Protocol Relating to the Status of Refugees, Volume 19, Part 5, U. S. Treaties and Other International Agreements.
32. Statement of Witness LCDR Paul E. PAKOS, U. S. Coast Guard, USCGC VIGILANT, Executive Officer.

33. C&GS 264 Martha's Vineyard with Point "A" mentioned in the testimony of CDR EUSTIS.
34. Soviet request for the return of the defector in Russian.
35. Soviet request for the return of the defector in English translation.
36. Photographs taken by LTJG BURKE during the meeting of USCGC VIGILANT and SOVIETSKAYA LITVA on 23 November 1970.
37. Photograph taken by LTJG BURKE during the meeting of USCGC VIGILANT and SOVIETSKAYA LITVA on 23 November 1970. The individual shown in the center of the photograph is alleged to be the would-be defector, Simas KUDIRKA.
38. Revised transcript of conversation between LT RYAN and LTJG TRITBOUGH (See Board Exhibit 1).
39. Flag Plot Log of 23 November 1970.
40. Commandant Instruction 3123.11.
41. Commandant Instruction 3123:3C.
42. State Department Report of this matter excluding messages and other material submitted by Coast Guard.
43. Statement of Party CDR Ralph W. EUSTIS, U. S. Coast Guard.
44. Proposed message of LCDR PAKOS and notes of CDR EUSTIS made in the evening of 23 November 1970.
45. Request from Counsel for CDR EUSTIS for correction in transcript of LT RYAN's telephone call to LTJG TRITBOUGH. (See Board Exhibits 1 and 38.)
46. Transcript of all telephone conversations recorded in RCC Boston from 1704 to 2046, 23 November 1970 along with seven additional pages for a total of 47 pages running up to 2329.

PARTY EXHIBITS:

1. CAPT BROWN - Exhibit A.

CHARGE SHEET			
PLACE Coast Guard Headquarters, Washington, D. C.		DATE 17 December 1970	
ACCUSED (Last name, First name, Middle initial) (List aliases when material) BROWN, Fletcher W., Jr.		SOCIAL SECURITY ACCOUNT NUMBER 2710	GRADE OR RANK AND PAY GRADE CAPT 0-6
ORGANIZATION AND ARMED FORCE (If the accused is not a member of any armed force, state other appropriate description showing that he is subject to military law) U. S. Coast Guard	DATE OF BIRTH 13 June 1920	PAY PER MONTH	
	CONTRIBUTION TO FAMILY OR QUARTERS ALLOWANCE (MCM, 126h(2)) (If none, so state) None	BASIC	\$ 1671.30
		SEA OR FOREIGN DUTY	None
		TOTAL	\$ 1671.30
RECORD OF SERVICE			
INITIAL DATE OF CURRENT SERVICE		TERM OF CURRENT SERVICE 30 June 1972	
PRIOR SERVICE: _____ (As to each prior period of service, give inclusive dates of service and Armed Force, if available.) YEARS MONTHS DAYS			
DATA AS TO WITNESSES (Summary Court Officer will line out and insert names as applicable (MCM, 79g) and initial changes)			
NAME OF WITNESS	ADDRESS (Include ZIP Code)	WITNESSES FOR	
		PROSECUTION	ACCUSED
RADM R.E. HAMMOND, USCG	USCG Headquarters, Wash., D.C.	X	
CAPT W.C. DAHLGREN, USCG	USCG Headquarters, Wash., D.C.	X	
LT W.D. TRITBOUGH, USCG	USCG Headquarters, Wash., D.C.	X	
RADM W.B. ELLIS, USCG	CCGDONE, Boston, Mass. 02203	X	
CAPT W.E. MURPHY, USCG	CCGDONE, Boston, Mass. 02203	X	
CDR J.V. FLANAGAN, USCG	CCGDONE, Boston, Mass. 02203	X	
CDR J.F. CURRY, USCG	CCGDONE, Boston, Mass. 02203	X	
CDR W.E. SMITH, USCG	CCGDONE, Boston, Mass. 02203	X	
CDR R.W. EUSTIS, USCG	CCGDONE, Boston, Mass. 02203	X	
LT K.N. RYAN, USCG	CCGDONE, Boston, Mass. 02203	X	
DOCUMENTS AND OBJECTS			
LIST AND DESCRIBE (If not attached to charges, note where it may be found) Message 231743Z NOV 70 from CGC VIGILANT to COGDONE (CCGDONE) Message 231830Z NOV 70 from COGDONE to CGC VIGILANT (CCGDONE) Message 231923Z NOV 70 from CGC VIGILANT to COGDONE (CCGDONE) Message 240605Z NOV 70 from CGC VIGILANT to COGDONE (CCGDONE) Coast Guard Headquarters Flag Plot Duty Officer's Log for 23 November 1970 (CG HQ) Transcript of CAPT BROWN's sworn testimony on 3 December 1970 at a Formal Board of Investigation to inquire into allegations of improper conduct in connection with a recent defection attempt of a Soviet crewman to CGC VIGILANT near Martha's Vineyard, Massachusetts, on 23 November 1970 (USCG HQs)			
DATA AS TO RESTRAINT			
NATURE OF ANY RESTRAINT OF ACCUSED None	DATE	LOCATION	

Charge I : Violation of the Uniform Code of Military Justice, Article 92

Specification 1. In that Captain Fletcher W. BROWN, Jr., USCG, First Coast Guard District, in the offices of Commander, First Coast Guard District, Boston, Massachusetts, on or about 23 November 1970, the Acting District Commander, First Coast Guard District, was derelict in the performance of his duties in that he negligently failed to inform Coast Guard Headquarters of material developments of which he was aware in the case of an attempted defection on that day by a Soviet seaman to the USCGC VIGILANT (WMEC-617) as it was his duty to do.

Specification 2. In that Captain Fletcher W. BROWN, Jr., USCG, First Coast Guard District, in the offices of Commander, First Coast Guard District, Boston, Massachusetts, on or about 23 November 1970, the Acting District Commander, First Coast Guard District, was derelict in the performance of his duties in that he failed to retain SIMAS KUDIRKA, a Soviet defector, aboard the USCGC VIGILANT until having advice from proper authority, as it was his duty to do.

NAME, GRADE, AND ORGANIZATION OF ACCUSER

VADM Thomas R. SARGENT, III, USCG

SIGNATURE

Thomas R. Sargent III

AFFIDAVIT

Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above-named accuser this 17th day of December, 1970, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice, and that he either has personal knowledge of or has investigated the matters set forth therein, and that the same are true in fact, to the best of his knowledge and belief.

Captain, United States Coast Guard

GRADE AND ORGANIZATION OF OFFICER

Owen W. Siler

SIGNATURE

Commissioned Officer

OWEN W. SILER

OFFICIAL CHARACTER, AS ADJUTANT, SUMMARY COURT, ETC. (MCM, 29g, and Article 30g and 13g)

TYPED NAME

Officer administering oath must be a commissioned officer.

DATE

I have this date informed the accused of the charges against him (MCM, 32f(1)).

NAME, GRADE, AND ORGANIZATION OF IMMEDIATE COMMANDER

SIGNATURE

DESIGNATION OF COMMAND OF OFFICER EXERCISING SUMMARY COURT-MARTIAL JURISDICTION

PLACE

DATE

The sworn charges above were received at _____ hours, this date (MCM, 33b).

FOR THE¹

NAME, GRADE, AND OFFICIAL CAPACITY OF OFFICER SIGNING

SIGNATURE

1ST INDORSEMENT

DESIGNATION OF COMMAND OF CONVENING AUTHORITY

PLACE

DATE

Referred for trial to the _____ court-martial appointed by _____

_____, _____ 19____, subject to the following instructions:²

BY¹

COMMAND OR ORDER

of _____

NAME, GRADE, AND OFFICIAL CAPACITY OF OFFICER SIGNING

SIGNATURE

I have served a copy hereof on each of the above-named accused, this _____ day of _____, 19____.

NAME, GRADE, AND ORGANIZATION OF TRIAL COUNSEL

SIGNATURE

¹ If then an appropriate commander signs personally, insignificant words are stricken out. ² Relative to proper instructions which may be included in the indorsement of reference for trial, see MCM, 31f(1). If none, so state.

Fill in blank numbers of pertinent charges and specifications or "all specifications and charges," as may be appropriate for use unless departmental regulations prevent such election (MCM, 32(f)).

THE ACCUSED HAS BEEN PERMITTED AND HAS ELECTED TO REFUSE PUNISHMENT UNDER ARTICLE 15 AS TO

THE ACCUSED HAS NOT BEEN OFFERED PUNISHMENT UNDER ARTICLE 15 AS TO

NAME, GRADE, AND ORGANIZATION OF OFFICER EXERCISING ARTICLE 15 JURISDICTION		SIGNATURE	
RECORD OF TRIAL BY SUMMARY COURT-MARTIAL			CASE NUMBER <small>(Inserted by convening authority)</small>
WAS THE ACCUSED ADVISED IN ACCORDANCE WITH PARAGRAPH 79d, MCM, 1969 (Rev.)? <input type="checkbox"/> YES			
<i>(To be filled in by summary court)</i>			
I <input type="checkbox"/> CONSENT <input type="checkbox"/> OBJECT TO TRIAL BY SUMMARY COURT-MARTIAL		SIGNATURE OF ACCUSED	
<i>(To be filled in by the accused)</i>			
TO BE FILLED IN BY SUMMARY COURT AS APPLICABLE			
THE ACCUSED, HAVING REFUSED TO CONSENT IN WRITING TO TRIAL BY SUMMARY COURT-MARTIAL, THE CHARGES ARE HEREWITH RETURNED TO THE CONVENING AUTHORITY.			
<input type="checkbox"/> CHECK, IF APPLICABLE			
NAME, GRADE, AND ORGANIZATION OF SUMMARY COURT OFFICER		SIGNATURE	
SPECIFICATIONS AND CHARGES	PLEAS	FINDINGS	SENTENCE OR REMARKS
			NUMBER OF PREVIOUS CONVICTIONS CONSIDERED <small>(MCM, 75b(2))</small>
PLACE AND DATE OF TRIAL		DATE SENTENCE ADJUDGED	
NAME, GRADE, ORGANIZATION, AND ARMED FORCE OF SUMMARY COURT OFFICER <small>(MCM, 4g)</small>		SIGNATURE	
<small>Enter after signature, "Only officer present with command", if such is the case.</small>			
TO BE FILLED IN BY CONVENING AUTHORITY (MCM, 89, and app. 14a)			
ORGANIZATION	PLACE	DATE	
ACTION OF CONVENING AUTHORITY			
NAME, GRADE, AND ORGANIZATION OF CONVENING AUTHORITY		SIGNATURE	
ENTERED ON APPROPRIATE PERSONNEL RECORDS IN CASE OF CONVICTION. (MCM, 91c)			
A COPY OF THE RECORD OF TRIAL AND ACTION OF THE CONVENING AUTHORITY HAS BEEN FURNISHED TO THE ACCUSED.			
NAME, GRADE, AND DESIGNATION OF OFFICER RESPONSIBLE FOR ACCUSED'S RECORDS		SIGNATURE	
<i>NOTE: Summary of evidence, if required by the convening or higher authority, will be attached on separate pages.</i>			

The History of the “Racing Stripe” Emblem and Brand

Part I: The United States Coast Guard

by William H. Thiesen, PhD

In the modern history of the United States Coast Guard, there has been a rapid shift from mistaken identity and anonymity to a recognizable brand identity. One anecdote provides a perfect example of this mistaken identity. On ocean station in October 1956, the cutter *Pontchartrain* held responsibility for coming to the aid of a downed transoceanic passenger aircraft. On the 19th, the Pan American clipper *Sovereign of the Skies* lost two of its engines en route from Hawaii to California. After the aircraft radioed the cutter and ditched nearby, the *Pontchartrain* sent out its small boats and gathered up all thirty-one passengers and crew. No sooner had one survivor gained the safety of the cutter’s deck, than he gratefully exclaimed, “Thank goodness for the Navy!” This case was one of dozens in which the Coast Guard seemed unrecognizable to the public it served.



USCG Cutter Pontchartrain, 1959

John F. Kennedy was acutely aware of the importance of imagery, having relied heavily on image-building in his successful 1960 presidential campaign. When they moved into the White House in 1961, the president and the first lady began an effort to remake the image of the presidency, starting with Jacqueline Kennedy’s redecoration of the White House interior and redesign of Lafayette Square, a park located next to the White House.

Kennedy next undertook a redesign of the jet designated as Air Force One. He felt an initial design and paint scheme provided by the Air Force was too regal looking, so on the advice of the First Lady he turned to French-born industrial designer Raymond Loewy, whose work had been recognized the world over during the post-war period. Loewy’s Air Force One design won immediate praise from Kennedy and the press, and the aircraft became an important symbol of the president and the United States in official visits across the country and overseas.



PAGE 28-29 PHOTOS COURTESY OF THE USCG

Delighted by the look of Air Force One, Kennedy granted Loewy’s request for a meeting on 13 May 1963. During that meeting and another the subsequent day, the men discussed improving the visual image of the federal government, and Kennedy suggested the Coast Guard as an appropriate agency to start with. Shortly after the meetings, the design firm of Raymond Loewy/William Snaith, Inc., received a contract for a ninety-day feasibility study and, in January 1964, the firm presented its findings to Coast Guard leadership.

With its experience in designing industry trademarks, Loewy/Snaith recommended that the Coast Guard adopt an identification device similar to a commercial trademark. The firm believed the symbol should be easily identifiable from a distance, easily differentiated from other government or commercial emblems or logos, and easily adapted to a wide variety of air and sea assets.

The Coast Guard established an ad hoc committee to work with Loewy/Snaith on the project, and on 19 June 1964 the Coast Guard signed a contract with the firm to “accomplish studies, prepare design efforts and make a presentation of a comprehensive and integrated identification plan for the US Coast Guard.” On 21 March 1965, during an all-day session at Coast Guard headquarters, representatives from Loewy/Snaith presented their findings to the service, and on the same day the Coast

Guard chief of staff, RADM Paul Trimble, agreed to proceed with the Integrated Visual Identification Program. During the prototyping process, Loewy/Snaith selected a wide red bar to the upper right of a narrow blue bar canted at sixty-four degrees and running from lower left to upper right. The Loewy/Snaith team used its own stylized version of the traditional Coast Guard emblem for placement on the center of the red bar. The overall design came to be known as the “Racing Stripe,” or “Slash,” emblem.

The Racing Stripe design was tested on cutters and facilities in the Coast Guard’s Seventh District in the Florida area due to the greater variety of sea assets stationed there. The prototype slash was affixed to the cutters *Diligence* and *Androscooggin* as well as a buoy tender, vehicles, and buildings at Base Miami. At North Carolina’s Air Station Elizabeth City, the slash was affixed to an HH-52 helicopter, a Grumman HU-16 “Albatross” amphibian, and an HC-130 “Hercules” fixed-wing aircraft.

On 4 May 1966, the service’s ad hoc committee for testing the Visual Identification System sent to the commandant a favorable report regarding servicewide use of the Racing Stripe. During the prototyping process, the Coast Guard’s selection committee decided against the Loewy stylized shield and opted for the service’s traditional shield emblem instead. While the plan received the stamp of approval, details

Identity for World Sea Services and Coast Guards

remained to be ironed out over the next several months. By early spring of 1967, most outstanding issues had been resolved, including the type-font for lettering and exact paint color specifications. On 6 April 1967, Commandant Edwin Roland issued Instruction 5030.5, which ordered servicewide implementation of the Integrated Visual Identification System and ended four years of study and experimentation.

The adoption of the Racing Stripe initially met with resistance from the Coast Guard's service culture. Nonetheless, over the course of the late 1960s and early 1970s, the symbol spread to every maritime and aviation asset in the service. By 1975, the Coast Guard's sail training ship, *Eagle*, remained the last service asset not sporting the emblem. Traditionalists had long held that the Racing Stripe would destroy her classic lines and traditional look, and strongly opposed application of the emblem to the barque. As 1976 was approaching and the nation was making preparations for bicentennial celebrations, *Eagle* was to serve as the host ship of OpSail '76. Here, the Coast Guard leadership saw an opportunity to present the service's brand identity to the world by distinguishing *Eagle* from the other tall ships in attendance, which included some of her sister ships. In 1976, the *Eagle* became the service's last cutter to adopt the Racing Stripe, and the ship's new look received a very public stamp of approval when CBS news anchor, experienced sailor, and OpSail TV commentator Walter Cronkite singled out *Eagle* and her Racing Stripe logo with approving remarks.

Since the 1970s, the Coast Guard Racing Stripe and color scheme has been applied even to assets not commonly associated with the service. With alterations in coloration and angle, the Racing Stripe has become a symbol for sea service vessels at the federal, state, county, and municipal levels throughout the US and for scores of foreign sea services.



The Eagle debuted her new racing stripe during OpSail '76.

Today, the service and its missions have been associated with the Racing Stripe symbol and its unique color scheme for more than forty years. During this time, the Coast Guard has served throughout the world and collaborated on a variety of levels with foreign coast guards and sea services. These activities include training, international patrols, and advising foreign sea services. In recent deployments, such as Operation Iraqi Freedom and the recent deployment of USCGC *Dallas* during the war between Russia and Georgia, the presence of USCG cutters with the instantly recognizable Racing Stripe has proved a de-escalating influence in high-tension

maritime missions. This international engagement has spread the service's reputation and brand identity throughout the world.

The Integrated Visual Identification Program stands as the most successful branding program of any federal military agency and possibly of any agency in the US government. Future service assets will continue to feature the coloring and emblem developed over forty years ago to identify the Coast Guard and distinguish it from other federal sea services.

Where many could not identify the Coast Guard's assets before it adopted a brand identity, most individuals connected with the water do now. Some of this trend must be credited to the missions carried out by the Coast Guard around the clock and the sort of operations in which it serves; however, much of that recognition should also be credited to the Coast Guard's

adoption of the Racing Stripe symbol. Thanks to a visionary president, talented industrial designers, and a strong Coast Guard leader who saw the importance of a brand identity for the service, the assets of the Coast Guard are now easily identified by most Americans and foreigners connected to the sea.

William H. Thiesen is the Atlantic Area Historian for the US Coast Guard. For more information on USCG history, visit www.uscg.mil/history/ or contact: Historian's Office, Coast Guard Atlantic Area, 431 Crawford Street, Portsmouth, VA 23704; Ph. 757-398-6643.

(left) USCGC Cypress, a 225-foot buoy tender, out of Mobile, Alabama, in 2009; (right) USCGC Healy breaks ice around the Russian-flagged tanker Renda, 250 miles south of Nome, Alaska, in January 2012.

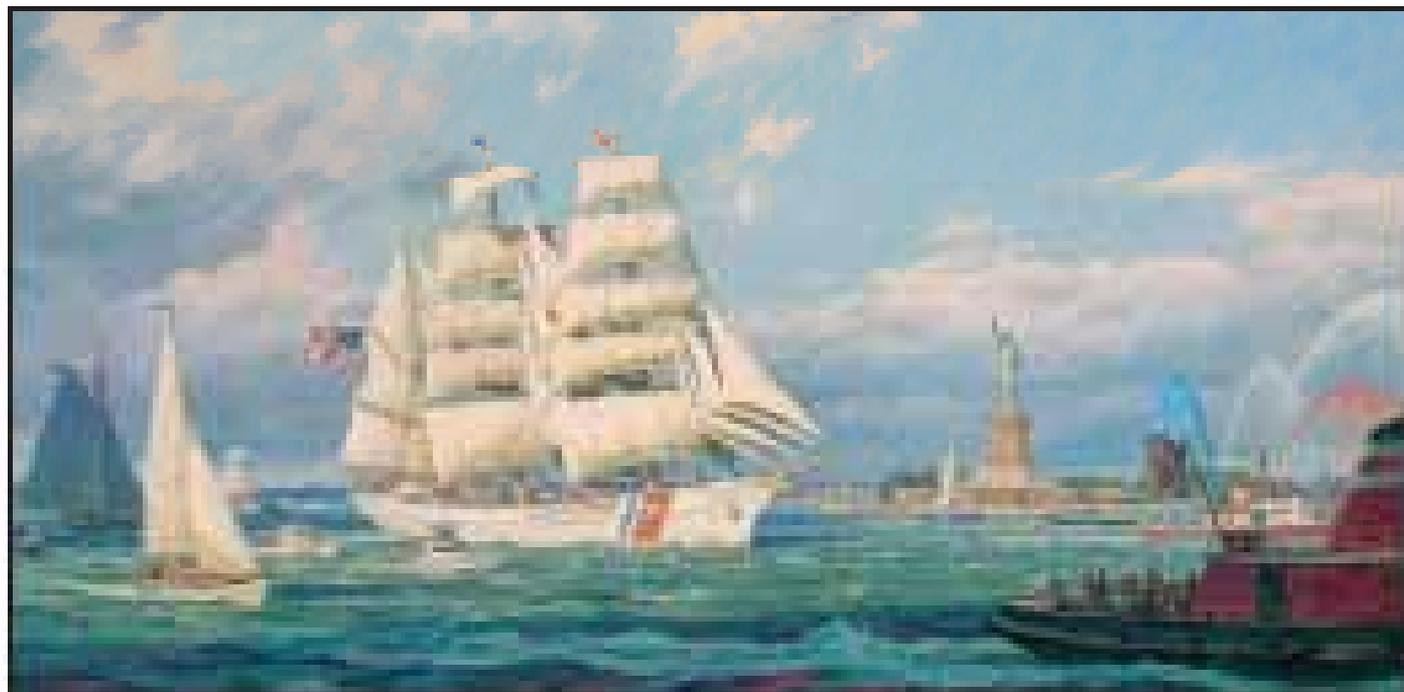


PHOTO BY PETTY OFFICER 2ND CLASS THOMAS M. BLUE

PHOTO BY PETTY OFFICER 1ST CLASS SARA FRANCIS

The NATIONAL MARITIME HISTORICAL SOCIETY

presents America's tall ship *Eagle* in a striking limited edition art print by
WILLIAM G. MULLER



"New York Harbor and Op-Sail School America's Celebrated Tall Ship Eagle"

Sailing proudly past the Statue of Liberty, and surrounded by an escorting flotilla, the U.S. Coast Guard Academy's beautiful and historic square-rigged training barque *Eagle* keeps alive our nation's proud tradition of deep-sea sail into the 21st Century.

Image size: 15 1/4" x 28" Sheet size: 11 1/4" x 33"
Limited edition of 1,500, signed and numbered.
\$150 plus \$15 s/h.

To order, call 1-800-221-NMHS (6647), ext. 0, or e-mail order@nmhsociety.org. NY residents add applicable sales tax.

NATIONAL MARITIME HISTORICAL SOCIETY

5 John Walsh Blvd., PO Box 68, Peekskill, NY 10566

Part II: The Rest of the World by Christian Ostersehlte, PhD

A broad, others followed the United States Coast Guard’s example. The introduction of the 200-nautical-mile economic zone in the 1970s, ecological concerns regarding oil spills and similar challenges, and the prevalence of drug trafficking by sea have led to the establishment of numerous coast guards or like services around the globe.

When US Coast Guard vessels and aircraft were, one by one, painted with the Racing Stripe and the public began to recognize the marked vessels as part of the Coast Guard, only a few nations followed the Americans’ example at first. By 2000, however, many coast guard services—especially in Latin America, the European Union, Eastern Europe, Turkey, India, Pakistan, Japan, South Korea, South East Asia, and the Pacific island states—had introduced the slash to their vessels, while Australia and New Zealand, Africa, and the Middle East have not followed suit. Looking through the 2009/2010 edition of the world-renowned *Jane’s Fighting Ships*, one can count sixty-one nations that have introduced slash symbols to law-enforcement ships.

Just to the north, the Canadian coast guard (CCG) introduced a white slash to its polar icebreakers, the *Pierre Radisson* and *Franklin*, in 1978. The Canadian coast guard works in close cooperation with its counterpart in the United States but is quite different in its structure and mission. This organization originated in the service fleet of the Department of Transport at Ottawa, which was formed in its present state in the 1960s. The women and men of this



service wear uniforms, but they operate on merchant marine standards.

The Swedish coast guard adopted the US-style racing stripe early on. Originally a modest beach patrol established in 1638, after World War II it began operating a fleet of customs patrol vessels under the supervision of the Financial Ministry at Stockholm. In 1976, the service was transferred to the Ministry of Commerce and was already displaying the slash on its vessels, whose hulls were painted light grey and marked with a dark blue double slash. In 1988, the Swedish coast guard was reorganized. Today, it is overseen by the Ministry of Defense and maintains a distinctive police profile. The livery was also changed. The slash remained, but now in Swedish national colors: yellow with a brighter blue background

The German word “Küstenwache,” or “coast guard,” is inscribed on a number of types of government vessels, but the German coast guard is not a single authority like the US Coast Guard, but rather a loosely knit marine patrol network established in

1994. These vessels all display a slash in German national colors—black, red and gold—with different hull colors, depending on the agency in which the individual vessel serves.

The marine branch of the Federal Police (Bundespolizei), a service of the Ministry of the Interior in Berlin, was founded as a border patrol service in 1951 modeled after the military, but, today, after many evolutions, it now operates more like the state police. Its vessels have a light-blue hull.

The marine branch of the Federal Customs Service (Wasserzoll), an agency of the Ministry of Finance, has a large fleet of green-hulled vessels that operate both in coastal and inland waters. The German seagoing customs service has a history dating back to the nineteenth century. Customs functions were executed by the individual states until the government in Berlin took over in 1919.

The Water and Shipping Administration is a civilian authority of the Ministry



Germany’s Küstenwache is made up of multiple government agencies. Vessels with black hulls are part of the Federal Waterways and Shipping Administration.

Canadian Coast Guard offshore patrol vessel Leonard J. Cowley



PHOTO BY GORDON ROBERTSON

COURTESY OF KUSTBEVÄRNINGEN

CC BY-SA 3.0



Germany's Federal Police, or *Bundespolizei*, uses the national colors in its stripe against a light blue hull (above). The Search and Rescue (SAR) unit is considered part of the *Küstenwache* but is primarily a non-profit organization. Its vessels are clearly marked in red against white (right). Not shown are the green-hulled vessels of the customs service.



PHOTO BY CHRIS HARTMANN

of Transportation; its history can be traced back to 1921 when the Transportation Ministry was established. This agency is responsible for maintaining inland and coastal waterways, including aids to navigation and icebreaking. This service most closely resembles the old US Lighthouse Service in structure and mission. A selection of its seagoing fleet operates under German coast guard control and displays the "Küstenwache" livery. The Water and Shipping Administration had begun to paint the slash on the hulls of their seagoing vessels as early as in 1986.

The German marine search and rescue—using the international standard abbreviation "SAR"—is operated only partly by the state in Germany. The navy fulfills some coordinated tasks and operates the SAR Sea King helicopters, but the primary sea rescue agency is a donation-funded charity organization. This model is not unusual in Europe. Following the standards of the Royal National Lifeboat Institution (RNLI) in the UK, the German Life-Boat Institution (GLI) was founded in 1865. It is headquartered in Bremen and is funded by donations. After

the International Convention on Maritime Search and Rescue was convened in Hamburg in 1979, part of the agreement that was ratified in 1985 included an obligation to provide a more distinctive marking



Russian Coast Guard

PHOTO BY USCG PETTY OFFICER JONATHAN R. GILLEY

of SAR craft. In 1987, the GLI vessels received their slash symbol together with the characters SAR painted on the hull.

After the fall of communism in Eastern Europe, many countries there began to establish coast guard services. Rising individualism and tourism, together with slowly but gradually growing wealth, resulted in increased recreational boat traffic in their offshore waters. The coast guards of the former communist nations were either set up as new institutions—Albania or the Baltic states were examples—or they were derived from the former communist-era border guards, such as in Poland and Russia. The latter inherited from their Soviet past the former maritime border guard, having operated under the NKVD and later KGB. At that time, this fleet consisted of a large number of grey-hulled warships only to be distinguished from the regular navy by another service flag, guarding the long sea border of the USSR and served primarily to prevent refugees and other opponents of the system from leaving the Soviet Union. After the dissolution of the Soviet Union in 1991, the Russian government under President Yeltsin tried to form a more modern coast guard from the remains of the former KGB maritime border guard. The service moved to the Ministry of the Interior, but President Putin, in power since 2000, placed it again under the control of the secret service (FSB), and it has acquired combat capability. Nevertheless, attempts at modernization continue, including the adoption of an identifying slash paint scheme on Russian coast guard vessels.

Finally, the Argentinean coast guard, the Prefectura Naval, has a long history dating back to a captain-of-the-port organization in the nineteenth century. Since the Falklands War (1982) and the fall of a military dictatorship, the Argentinean coast guard has introduced a slash symbol on its vessels, painted in national colors to readily identify its ships with the service.

The slash/stripe as a maritime identification symbol for coast guards and related sea services around the world is a part of maritime cultural history, much like figureheads, funnel colors, house flags, uniforms—all of which have been subjects of serious specialized study. Beyond the cultural management strategies that can be addressed, the racing stripe as a logo or paint scheme underlies corporate and executive identity of the coast guards to the surrounding maritime community and the general public. ⚓

Argentinian coast guard (Prefectura Naval) vessel GC-24 PNA Doctor Manuel Mantilla.



PHOTO COURTESY OF ARMADA DE CHILE

JOIN TODAY!



Since 1926

Become a stakeholder in our Navy's exciting history and inspiring heritage!

Besides becoming a part of the nation's premier naval heritage organization, Naval Historical Foundation members receive discounts on photographic/art research and reproduction services, cruise-book copies, and other services!

For info call 202-678-4333 or visit:

WWW.NAVYHISTORY.ORG

1396 Dahlgren Ave., SE Washington Navy Yard, DC 20374-5055



National Historic Landmark & National Memorial to Coast Guardsmen who lost their lives during WWII through Vietnam.

- Awarded two Naval Presidential Unit Citations for her service during Vietnam.
- Credited with sinking U-Boat 626 during convoy duty in the North Atlantic.

Don't miss the opportunity to tour this ship, learn about its remarkable history, the recently completely underwater re-fit and the current work being done restoring her topside.

USCGC INGHAM is located in Key West on the Truman Waterfront.

You Can Visit... You Can Help

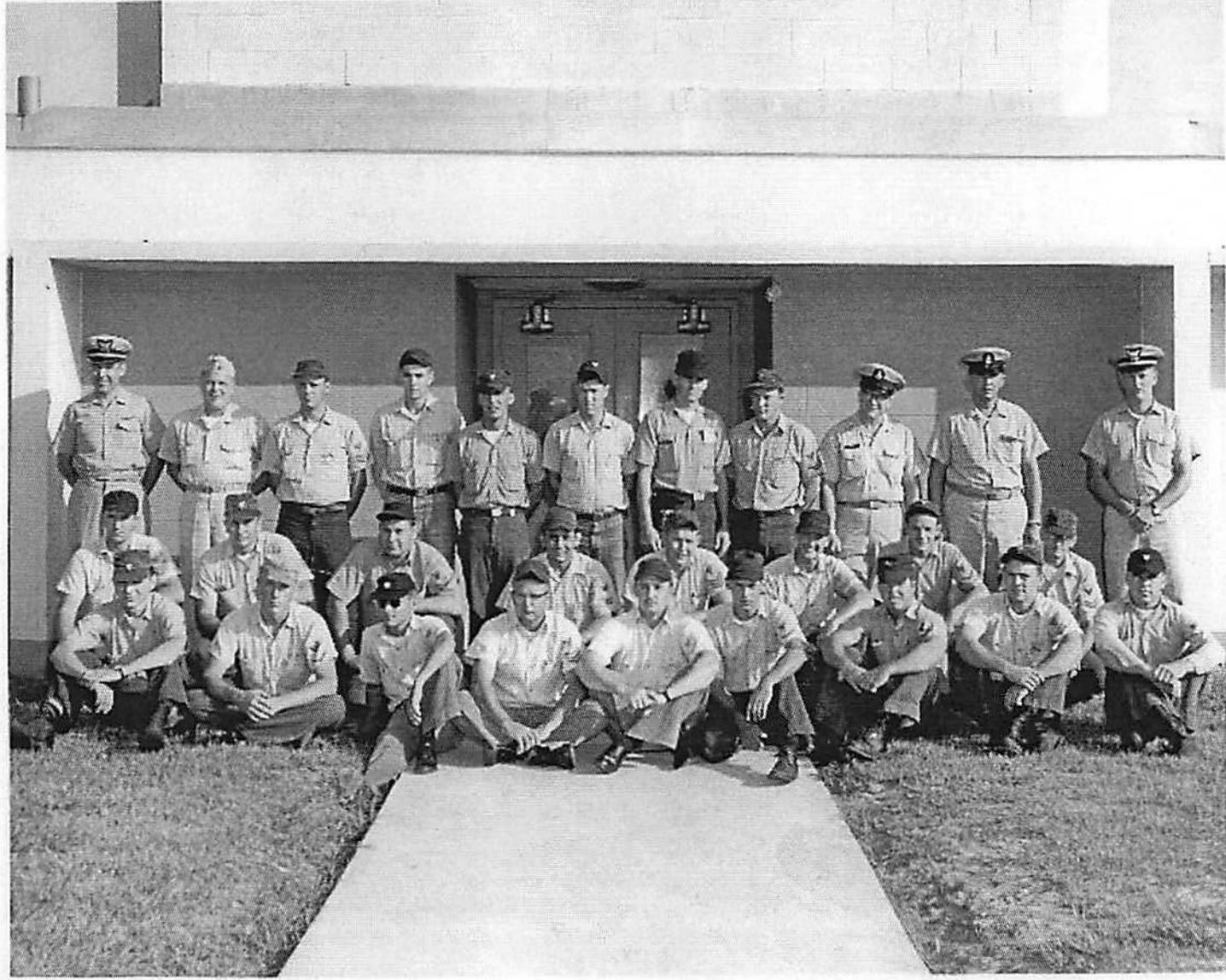
The foundation seeks donations to continue restoration of this important vessel. Please send your tax-deductible contributions to:

USCGC INGHAM Memorial Museum
P. O. Box 186, Key West, Florida 33041 • Phone: (305)-293-6600
www.uscgcingham.org

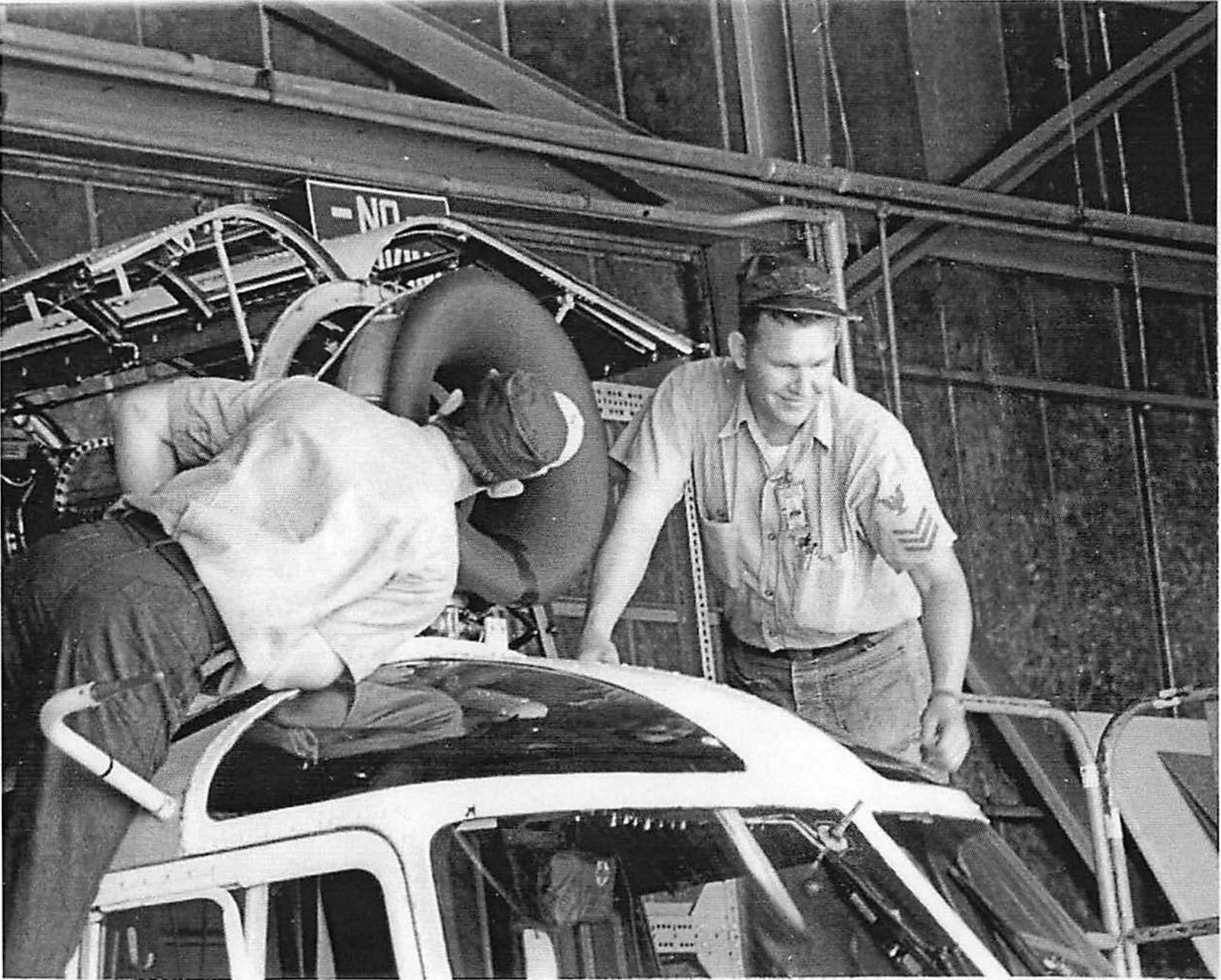
PHOTO COURTESY OF USCGC INGHAM



CGAS Savannah softball team, circa 1964.
standing (l-r): Unknown, Shipman, Bynum, Poset, Unknown
Kneeling (l-r): Siegler, Morhard, McGuffie, Thomas, Rodeheaver, Mount.



CGAS Savannah H-52 Maintenance Department, c. 1965



No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.1.385 / Virus Database: 268.2.6/287 - Release Date: 3/21/2006

CBAS Savannah - ADI Don Siegler, T-58 Shop Supervisor, checks an engine.



CGAS Savannah Awards Ceremony, ca. 1964
(L-R) CDR James Flessas (CO), LCDR Keller, LT Corley, AMC Posey,
LT Morhard, LCDR Swickley, ADI Stiegler



KODAK SAFETY FILM 8

KODAK SAFETY FILM 4



KODAK SAFETY FILM

6



KODAK SAFETY FILM

5



KODAK SAFETY FILM

7







KODAK SAFETY FILM



KODAK SAFETY FILM



KODAK SAFETY FILM



KODAK SAFETY FILM

3



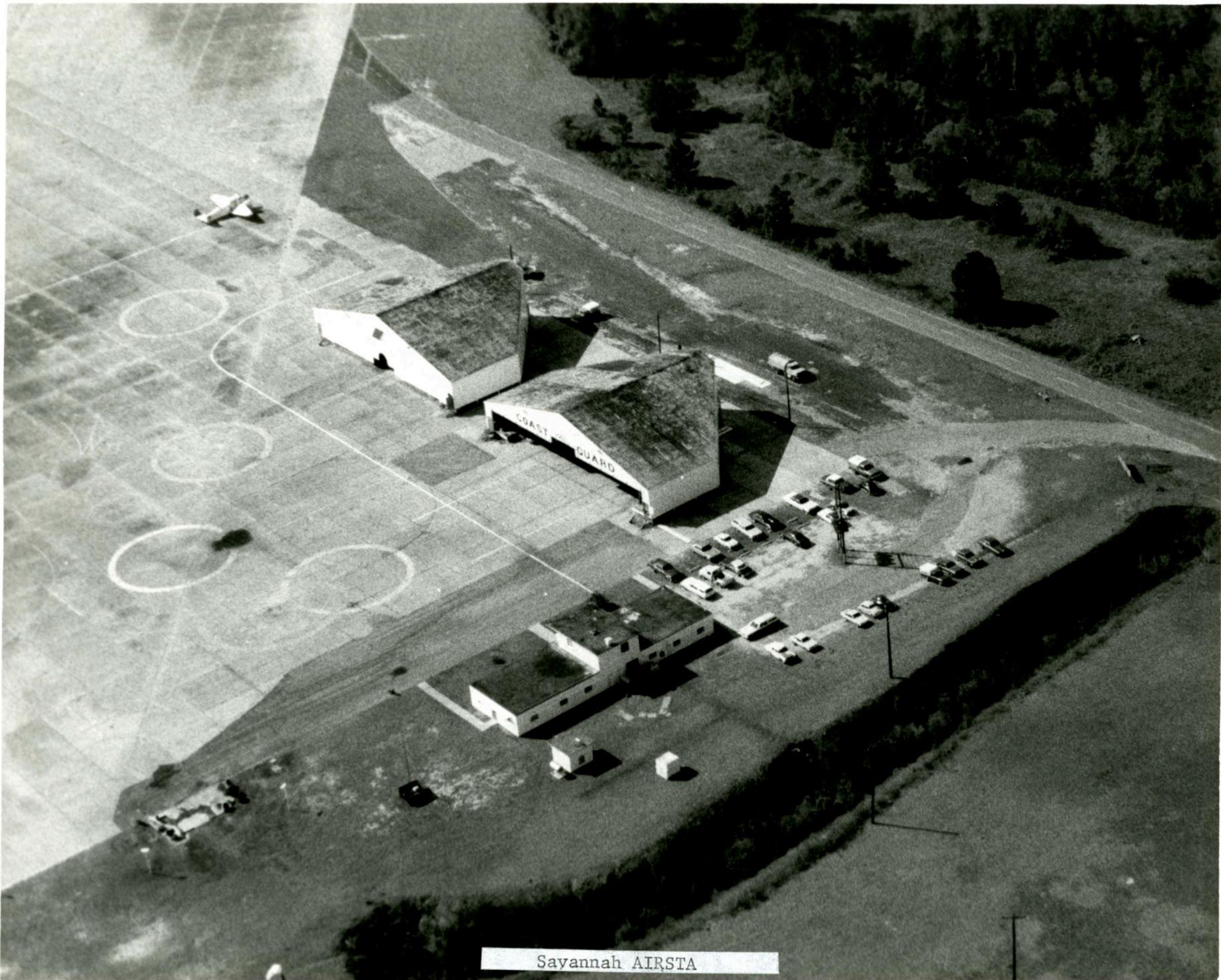
KODAK SAFETY FILM





KODAK SAFETY FILM

KODAK SAFETY FILM



Savannah AIRSTA

