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ATTEMPTED DEFECTION BY
LITHUANIAN SEAMAN SIMAS KUDIRKA

REPORT

OF THE

SUBCOMMITTEE ON
STATE DEPARTMENT ORGANIZATION
AND FOREIGN OPERATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ON THE

HEARINGS HELD BY THE SUBCOMMITTEE ON
DECEMBER 3, 7, 8, 9, 14, 17, 18, AND 29, 1970

PURSUANT TO

H. Res. 143

A RESOLUTION AUTHORIZING THE COMMITTEE ON
FOREIGN AFFAIRS TO CONDUCT THOROUGH STUDIES
AND INVESTIGATIONS OF ALL MATTERS COMING
WITHIN THE JURISDICTION OF THE COMMITTEE

FEBRUARY 4, 1971

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FOREWORD

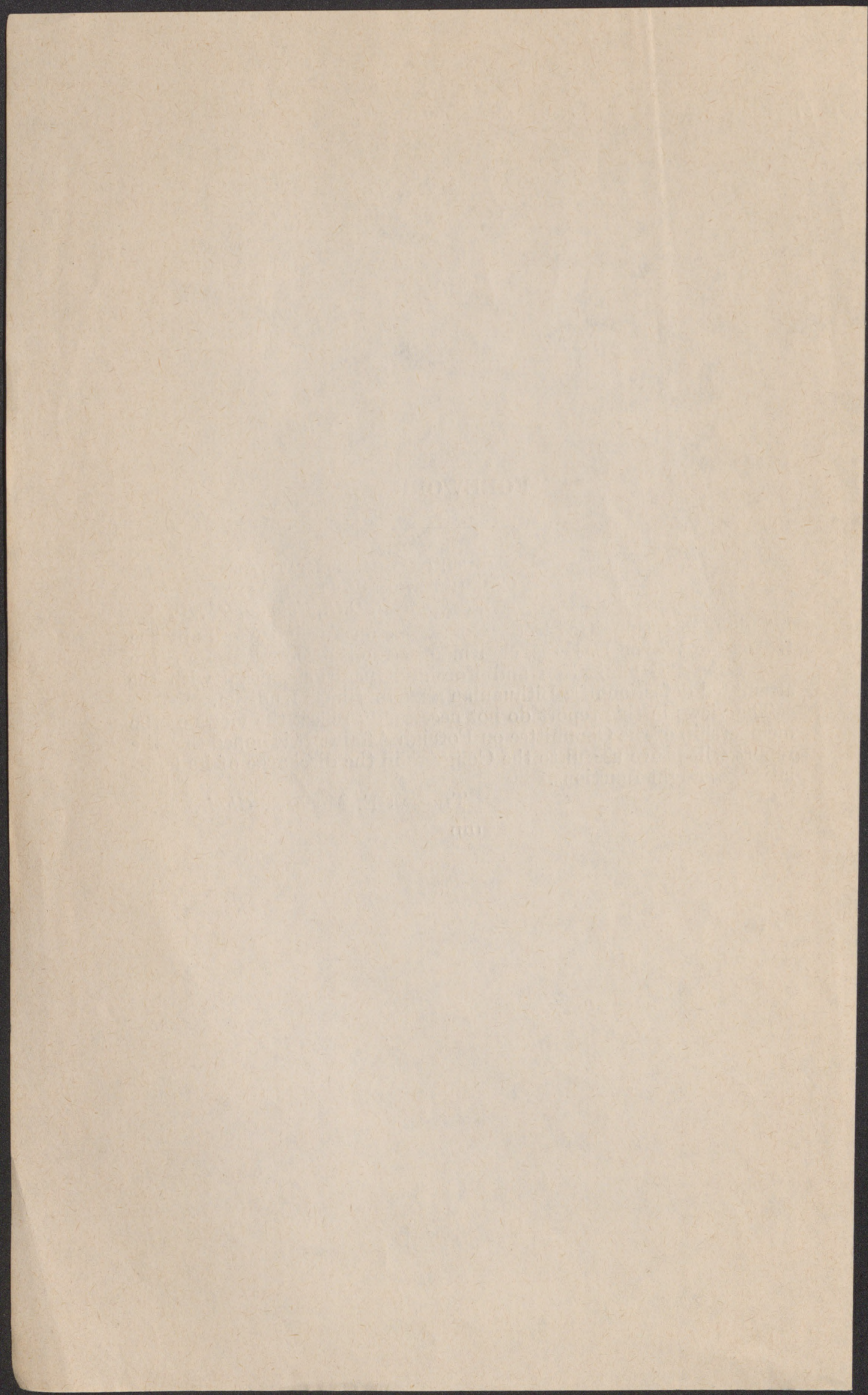
HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C., February 4, 1971.

This report, submitted to the Committee on Foreign Affairs by the Honorable Wayne L. Hays, chairman of the Subcommittee on State Department Organization and Foreign Operations, deals with the attempted defection of a Lithuanian seaman, Simas Kudirka.

The views in this report do not necessarily reflect the views of the membership of the Committee on Foreign Affairs. It is hoped that the report will prove useful to the Congress in the discharge of its legislative oversight functions.

THOMAS E. MORGAN, *Chairman.*

(III)



LETTER OF TRANSMITTAL

FEBRUARY 4, 1971.

HON. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs,
U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased to submit the following report dealing with the attempted defection to the United States of Simas Kudirka, a Lithuanian seaman. The report is based on a series of hearings held in December 1970 by the Subcommittee on State Department Organization and Foreign Operations.

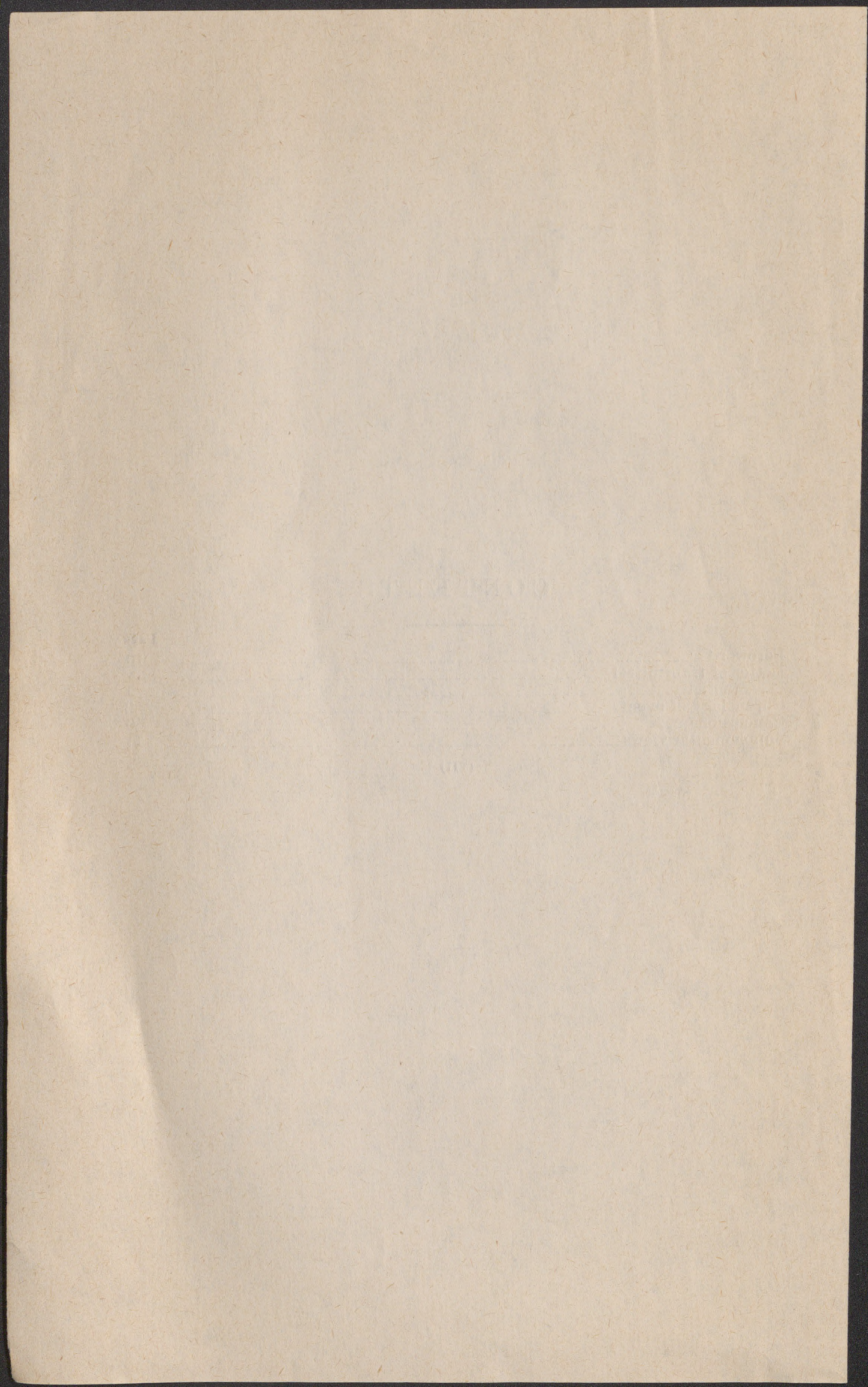
It is hoped that this report, together with the printed hearings upon which it is based, will be useful to the members of the committee and of the Congress in assessing the significance of this episode in the conduct of our foreign policy.

The report was prepared after the adjournment of the 91st Congress. It was not submitted to Representatives Farbstein, Tunney, and Roth for their views.

WAYNE L. HAYS,
Chairman, Subcommittee on State Department
Organization and Foreign Operations.

CONTENTS

	Page
Foreword.....	III
Letter of transmittal.....	V
Introduction.....	1
Chronology of events.....	2
Conclusions.....	9
Supplemental views.....	11



ATTEMPTED DEFECTION BY LITHUANIAN SEAMAN SIMAS KUDIRKA

INTRODUCTION

This is a report of one day in the life of one man, a Lithuanian seaman named Simas Kudirka. For him November 23, 1970, was a tragic day—possibly even a fatal day. At noon it offered the hope of freedom. Shortly after sundown he was doomed to a world of eternal darkness.

For the American officials who contributed to the fate of Kudirka it was no less a tragic day—not so much in a personal sense as the manner in which it portrayed the ineptness and confusion of bureaucracy in motion going nowhere.

The story is very simple. Kudirka, a crewman on a Soviet vessel moored to a Coast Guard cutter in U.S. territorial waters, attempted to defect. His return was requested by the Soviet captain and approved by Coast Guard officers. When he refused to return voluntarily, a Soviet party came aboard the U.S. vessel with Coast Guard acquiescence and forcibly returned him. The significant action and inaction leading up to the decision to return him did not take place on the U.S. vessel. The Coast Guard district office in Boston, Coast Guard Headquarters in Washington, and the Department of State contributed in varying degrees to this inglorious episode.

The flagrant disregard of the long-established American principle of asylum came as a shock to the Nation. Newspapers took up the story and distraught citizens across the country poured letters and telegrams into congressional offices. The Subcommittee on State Department Organization and Foreign Operations was concerned that Coast Guard foreign policy had superseded U.S. foreign policy. The thought of foreigners boarding an American vessel—in our own waters no less—conjured up scenes of more than a century and a half ago. Accordingly the subcommittee held a series of hearings that extended over eight sessions.

When the President learned about the incident from newspaper accounts several days later, he ordered an immediate report. Both the Department of State and the Department of Transportation of which the Coast Guard is a part submitted such reports. A week after the incident the Commandant of the Coast Guard appointed a Board of Investigation that met in Cambridge, Mass., and in Washington. The verbatim record, the exhibits introduced before the Board and the report of the Board comprise more than 900 pages. This report has drawn upon the materials developed during the subcommittee hearings and in the other investigations.

(1)

CHRONOLOGY OF EVENTS

By prearrangement a Soviet fishing trawler and the U.S. Coast Guard cutter *Vigilant* had moored together off Martha's Vineyard on November 23. The purpose of the rendezvous was to permit U.S. and Soviet representatives to discuss problems of interest to the New England fishing industry. In addition to its normal complement of officers and men the *Vigilant* had on board five civilians, three of them from the fishing industry and two from the National Marine Fisheries Service of the Department of Commerce. One of the latter served as interpreter.

About 11 a.m., while the civilians and the Commanding Officer of the *Vigilant*, Commander Eustis, were aboard the Soviet vessel, a member of the Soviet crew, later identified as Kudirka, indicated to members of the *Vigilant's* crew that he might attempt to defect. When it became apparent that he was serious, the Executive Officer of the *Vigilant* sent a message to the Coast Guard district office in Boston. The time was 12:43 p.m. After describing the situation, he stated:

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.

Within an hour the message had been relayed to Coast Guard Headquarters and to the Department of State.

From the *Vigilant* to Boston to Washington and return, the call was for advice—to which the most frequent response was “keep us advised”. Even this clear but bland directive was occasionally ignored. Some sought advice from unqualified individuals or ignored that which came from qualified individuals. Since defection was then a possibility rather than a fact, assumptions were predicated on premises that were unimaginative or irrelevant. One assumption was that if defection did occur, it would simply be a variant of the traditional “mariner in distress” type which is the stock in trade of the Coast Guard. Another was that if we got the defector, everyone would know that he should not be returned. No one gave sustained attention to the possible complexities of the problem and alternative courses of action. The Secretary of Transportation, when informed in midafternoon about the possibility of a defection, instructed his military aide to keep him informed. He was informed the next morning. In the confusion attendant upon the solicitation of advice, no one in authority thought to give the simplest of all advice: Do not return the defector until Headquarters directs. Oral and written communications that might have clarified or amplified the situation lacked precision or completeness. Even the communications equipment proved unreliable.

The one piece of clear and immediate advice came from an officer outside the chain of command who was unencumbered by any knowledge or understanding of U.S. policy on defection. He did, however, have an abiding concern for the future of fish rather than the fate of humans. At 1:20 p.m. his advice was that, given a defection, the de-

fector "should" be returned. By midafternoon, this advice had congealed into an order. That was reaffirmed throughout the balance of that day. Those who spent their time advising on advice or brooding over how to pull a defector out of the water did not know that they were engaged in an empty exercise.

The Commander of the 1st Coast Guard District (Boston) was Rear Adm. William B. Ellis. His Chief of Staff was Capt. Fletcher W. Brown. On November 23, Admiral Ellis was at home convalescing from an operation. Captain Brown was the Acting District Commander. Thus Admiral Ellis was not in command.

In Boston Captain Brown discussed the message with his legal officer, Captain Flanagan. The latter advised him that "if we get him (the defector), we should keep him, bring him in and turn him over to State or Immigration." After discussing the situation with two other legal officers, Captain Flanagan confirmed his initial advice to Captain Brown.

Captain Brown called Rear Admiral Hammond, Chief, Office of Operations, at Coast Guard Headquarters in Washington. He told the admiral that the *Vigilant's* message was en route and outlined the problem it raised. They discussed how strenuously the *Vigilant* should compete with the Soviets in retrieving the defector if he jumped into the water. The possibility of the defector jumping from the Soviet vessel to the *Vigilant* was not raised. Nor did either pose the key question of what to do with the defector if the Coast Guard did retrieve him.

Admiral Hammond discussed the issue with Captain Dahlgren, Chief of Intelligence Staff. It did not occur to him to consult his legal officer; he assumed that the Department of State would have firsthand knowledge. Seeking guidance from State, Captain Dahlgren had two telephone conversations with Mr. Edward Killham, Office of Soviet Union Affairs—one before State received the original message from the *Vigilant* and one after. The one helpful piece of guidance that State could have supplied—keep the defector until the Department advised—never emerged in the conversations. Captain Dahlgren did not ask that specific question and Mr. Killham did not volunteer the information. To him it was "inconceivable that once a man had sought asylum on an American vessel that he could be returned." Captain Dahlgren felt frustrated by the conversations. "I didn't get any guidance from the State Department other than that we could pick up a man that was drowning in the water which I knew before I talked to him." The State Department could offer no guidance until the man was aboard the *Vigilant* at which time the Department asked to be notified.

In two subsequent telephone conversations between Captain Brown in Boston and Captain Dahlgren and Admiral Hammond in Washington, Captain Brown was advised to inform Headquarters if the defector came aboard. Nothing was said about returning the defector to the Soviets.

While Headquarters was seeking guidance to pass back to Captain Brown, he called Admiral Ellis who was not in command. What started as a briefing of Admiral Ellis by Captain Brown turned into a series of strong suggestions to Captain Brown by Admiral Ellis:

If the man did jump in the water * * * we should give the Russians the opportunity to pick him up. We should not

let the man drown. We should save him if this became the situation * * *. If we get the defector, we should give him back.

His reasoning was based on the invitation to the Soviet vessel and the presence of U.S. personnel on board the Soviet vessel.

The Soviet "opportunity to recover" was included in a message from Boston to the *Vigilant* at 1:30 p.m. The message did not reach the ship until 3:36 p.m.

In midafternoon Captain Brown again called Admiral Ellis to report that he had no further message from the *Vigilant* and no guidance from Headquarters. There is no indication that Admiral Ellis was told that Headquarters wanted to be advised if the man came aboard. Significantly, however, Captain Brown did state that there was a consensus among his staff that the admiral's decision to return the defector was in error; that he should be retained. This cautionary advice was not accepted by Admiral Ellis because Captain Brown "didn't give me any information that made me change my conclusion." While Headquarters knew that Captain Brown had notified Admiral Ellis, it did not know that the admiral had given Captain Brown advice that through repetition and emphasis would turn into instructions.

What no one ashore knew was that about 2 p.m. Kudirka had passed a note in a cigarette package indicating that he planned to defect when the *Vigilant* was ready to depart. This information was sent to Boston at 2:23 p.m. Incredible as it may seem, the message did not arrive until 6:38 p.m.

By about 4 p.m. the working day was drawing to a close at Coast Guard Headquarters. In Boston Captain Brown left his office without discussing the matter with his staff. None was assigned nor assumed responsibility for the matter. He did not tell them of Admiral Hammond's directive to keep Headquarters advised. In Washington the duty officer at Coast Guard Headquarters overheard one side of a telephone conversation with Captain Brown on the basis of which he concluded that "if there is a defection, I will be advised by Boston and I will pass this to State." Captain Dahlgren who had been the most active Headquarters officer in the case had the impression that Admiral Hammond had taken charge. A call to Mr. Killham at State from Coast Guard Headquarters advised that no further information had been received. Since it was getting dark, the possibility of a defection was reduced. Mr. Killham briefed the Soviet Desk Duty Officer for that evening but gave no instructions as to possible courses of action. Neither of them briefed the State Department Operations Center Watch Officer.

Just at the time the possibility of a defection seemed least likely, it occurred. At 4:20 p.m. Kudirka jumped from the Soviet vessel to the *Vigilant*. Following the chain of command concept, Commander Eustis of the *Vigilant* called District Headquarters in Boston. Unable to reach Captain Brown, he called Admiral Ellis at 5:15 p.m. Following are the pertinent parts of the conversation:

Rear Admiral ELLIS. Does the [Soviet] ship know that he has come aboard your ship? If not, I think they should know that, over.

Commander EUSTIS. Roger, understand they suspect that man has defected from the ship and is aboard *Vigilant*. How-

ever, they expressed no concrete desire to recover man from ship, over.

Rear Admiral ELLIS. In view of the nature of present arrangements with them and in the interest of not fouling up any of our arrangements as far as the fishing situation is concerned, I think they should know this and if they choose to do nothing, keep him on board, otherwise put him back, over.

Commander EUSTIS. Boston this is *Vigilant*. Roger on that. Will search out further with them whether or not they know the man is aboard and desire to return him to Soviet mother ship. If they have no indication that he is aboard or no desire to recover him, will intend to get underway at this time with man on board. If they desire to recover him will have them return man to mother ship. If he desires to jump from mother ship to *Vigilant* as we depart will make attempt to pick him up as he leaves mother ship and recover man and stand by for further instructions, over.

Rear Admiral ELLIS. Go ahead that way. If the man jumps into the water give the Russian ship the first opportunity to pick him up. Don't let him drown. Go get him if they are not going to retrieve him, over.

Commander EUSTIS. Roger on that. Inasmuch as Russian ship will be at anchor and we will be underway, anticipate that it will probably be reasonable for us to recover man from water, over.

Rear Admiral ELLIS. Well, make sure that you don't preempt them in taking that action, over.

Commander EUSTIS. Radio Boston, this is *Vigilant*, roger on that. Will be underway shortly and will keep you advised of the situation as it progresses, over.

A series of radio and telephone conversations over the next 2 hours, involving principally Admiral Ellis, Captain Brown, and Commander Eustis, sealed Kudirka's fate. Commander Eustis conveyed to both his superiors Kudirka's determination not to return to the Soviet vessel and Kudirka's fear for his life. Until Captain Brown talked to Admiral Ellis he expressed the thought that the matter would have to be resolved by State. While he hoped for time to contact Headquarters, he did not tell Admiral Ellis that Headquarters wanted to be kept advised of developments. In one talk with Captain Brown Admiral Ellis added a new point—the man should not be returned without a request from the Soviets. In relaying this to Commander Eustis, Captain Brown directed him to find out if the Soviets wanted the defector back. He emphasized that there must be a formal request. As a result of confusion on the *Vigilant* that may have interfered with the receipt of this directive, Lieutenant Ryan, the controller at RCC (Rescue Coordination Center) in Boston through which messages passed, suggested to Captain Brown who agreed that the request be put in writing. In his last talk with Admiral Ellis, Captain Brown repeated Commander Eustis' concern that Kudirka's life was in jeopardy. To which Admiral Ellis replied: "I don't think we have any reason to believe this will happen. They are not barbarians." In his testimony before the subcommittee when he was reminded of the mass executions under Stalin, he defended his characterization because he thought "the situa-

tion has changed considerably." He was not familiar with more recent Soviet actions. In fact, he exhibited appalling ignorance about basic American history as well as current international events.

At 8:19 p.m. Commander Eustis told Captain Brown that he had a formal written request from the Soviet captain to return the defector. "My intentions are to return defector to custody of Soviet vessel * * *. Am getting underway at this time." It was not until 11:50 p.m. that Kudirka was returned; the *Vigilant* did not get underway until midnight.

A recorded conversation between two officers in Boston best summarizes the situation at this time. "Everybody's doing something but nobody knows why they're doing it." An individual named Alcorn in Florida tried to reach Captain Brown and Admiral Ellis. The radio operator refused to give him their telephone numbers but offered to transmit Alcorn's number to them so they could call. The transcript reads:

ALCORN. And well you can pass this on. I talked to John Volpe, Governor Volpe, and they all know about this—
At this point the machine blew a fuse.

The testimony leaves unsettled the failure to notify Headquarters while these events were transpiring. The Board of Investigation report, referring to a few minutes after 6 p.m., reads:

He (Captain Brown) then directed Lt. Ryan to notify Headquarters Flag Plot that the defector was aboard the *Vigilant*. They decided, however, that they should first contact *Vigilant* to see if the defector was still on the ship. (p. 45.)

Captain Brown testified before the subcommittee that Lieutenant Ryan did not carry out his order to notify Headquarters, a fact that he did not know until 3 weeks later. He did not explain satisfactorily the effect that the joint decision to postpone notification had upon what he regarded as an order. After a conversation with Commander Eustis that ended at 6:38 p.m., Captain Brown told Lieutenant Ryan to wait before calling Flag Plot; he was going to call Admiral Ellis. Further telephone conversations ensued. Not until 8:24 p.m. did Captain Brown concur in Lieutenant Ryan's suggestion to call Flag Plot. At no time was Lieutenant Ryan aware that Headquarters expected to be advised if and when the defector came aboard the *Vigilant*.

In his position as RCC controller Lieutenant Ryan had monitored the telephone calls between the *Vigilant* and Captain Brown. Thus he was familiar with the orders Captain Brown had given Commander Eustis and the difficulties the latter was having in executing these orders because of Kudirka's refusal to return voluntarily. Headquarters had heard nothing from Boston since early afternoon. Hence an accurate explanation of the existing situation on the *Vigilant* was crucial to any decision Headquarters might make.

The pertinent remarks of Lieutenant Ryan to Lieutenant Tritbough, Flag Plot Duty Officer in Washington, as recorded, follow:

The man came over to the *Vigilant* but he is going back aboard the vessel, the Russian vessel * * *. Because the skipper of vessel requested in writing the man be returned, he was returned, he is being returned and shortly the *Vigilant* will get underway * * *. We just finished a phone patch with the *Vigilant*. He says that at this time when they finish talking

they will be returning the man to the Russian vessel and the custody of the Russian officers * * *. He previously said he did not want to return and he stated that he would probably go overboard if he had the chance. The *Vigilant* is aware of this and they will be keeping a sharp lookout for him * * *.

This conversation was made when Kudirka had already been aboard the *Vigilant* for more than 4 hours and 3 hours before he was returned.

The conversation was incomplete in that it told Headquarters nothing of the background leading up to the decision to return Kudirka or the problems Commander Eustis was having carrying out Captain Brown's orders. It was imprecise, and hence misleading, in that it conveyed the idea that Kudirka had been, or was in the immediate process of being, returned. Lieutenant Tritbough took notes of the main points made by Lieutenant Ryan. These formed the basis for his report to Admiral Hammond who concluded that the defector had already been returned voluntarily. Hence he regarded the case closed. Admiral Hammond, in turn, relayed this conclusion to the Commandant.

About 8:45 p.m. Lieutenant Tritbough called the State Department Operations Center and gave Mr. McGuire who was on duty a digest of the conversation he had had with Lieutenant Ryan. The tape recorder for conversations was not working and no official transcript exists. Mr. McGuire stated that he took notes of Lieutenant Tritbough's remarks which he read back to him. Mr. McGuire contended that Lieutenant Tritbough said "the case was resolved," a point which the latter denied but a conclusion similar to that reached by Admiral Hammond. The Soviet Desk Duty Officer, Mr. Mainland, was informed but made no further inquiries until late that evening when he called the Coast Guard Duty Officer who had no further information on the case.

The final act in this tragedy was played out on the *Vigilant*. The Soviet captain presented a written request for Kudirka's return in which he followed the common Soviet ploy of accusing Kudirka of criminal conduct, alleging that he had stolen 3,000 rubles from his safe. The implication was that Kudirka was a common thief. Commander Eustis could not convince Kudirka that he should return nor could the Soviet captain. Several of the U.S. civilians on the *Vigilant* as well as some junior officers suggested that Kudirka be brought to the United States. One of the civilians even attempted to call the State Department. The Soviet captain attempted to call his embassy. In his last conversation with Captain Brown at 10:15 p.m. Commander Eustis described the tense situation on the *Vigilant*. Captain Brown interrupted: "You have your orders. You have no discretion. Use whatever force is necessary. Do not let any incident occur."

Given Kudirka's resistance, force was required and an incident was inevitable. The only option open to Commander Eustis was whether his crew or the Soviet crew should use the force. He chose the latter course for three reasons: (1) he felt that adverse publicity could result from the use of Coast Guard personnel to forcefully return a defector to the Soviets; (2) if the man went overboard and was lost while Coast Guard men 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.

Five Soviet crew members boarded the *Vigilant* bringing with them a blanket, rope, and a ball of material that they intended to stuff in Kudirka's mouth. Kudirka prepared to fight and gave to Commander Eustis the few personal effects he had brought with him. Included in these were his identification card and a photo of his wife. Action moved over the *Vigilant* as Kudirka tried to elude his pursuers. Finally cornered, he was beaten by his captors, tied up in the blanket, and by 11:15 p.m. was under the control of the Soviet sailors.

During the excitement the two ships had been unmoored. Kudirka could only be transferred to the Soviet ship by small boat. Whose small boat? When Captain Brown was advised of the situation, he authorized the use of the *Vigilant's*. Bound in the blanket, Kudirka was thrown into the small boat. One of the Soviet crew sat on his head while another beat him. From the boat he was thrown into a net lowered from the Soviet ship. His bid for freedom was over.

The coverage given the Kudirka case by news media in the United States left no doubt how Americans regarded the handling of this case. But what did this story mean to those abroad, particularly those living under Soviet domination? Did it extinguish any hope that they may have in a dash for freedom? Did it mean a reversal of U.S. policy?

The subcommittee took testimony from individuals in the Voice of America responsible for broadcasts to the Baltic countries and the Soviet Union. Since this case did not really break for about a week, first broadcasts were necessarily fragmentary but used by VOA. As more details became available, VOA devoted more of its limited transmission time to the story. In its commentary three points were emphasized: (1) the United States bungled; (2) U.S. policy for political defectors has not changed; and (3) the real substance of the incident is what it reveals about freedom in the Soviet Union and the countries it occupies.

CONCLUSIONS

Admiral Ellis and Captain Brown were spared court-martial proceedings and allowed to retire. Whether judicial process would have found either or both derelict in their performance and spared the Government the cost of their retirement is speculative.

Their relationship during this incident is a lesson in command. Either an officer is or is not in the chain of command. On November 23 Admiral Ellis was not and he knew it. Captain Brown knew it. It was his responsibility to exercise command no less than it was Admiral Ellis' not to inject himself even when his advice was sought. Admiral Ellis soon lost any sense of distinction between advice and orders. More significant, he gave advice and orders on substantive policy about which he knew nothing and cared less. He showed no disposition to urge Captain Brown to seek advice from Headquarters. At one point Captain Brown was wavering on what to do. In his 6 p.m. conversation with Lieutenant Ryan he said: "Look I think it might be preferred to keep that fellow on board the *Vigilant* and tell the *Vigilant* to go proceed to New Bedford". Admiral Ellis straightened him out.

Captain Brown had no confidence in the advice of his staff and ignored the order to advise Headquarters if the defector came aboard. He knew he was treading a dangerous course, but he did not care. In a conversation at 7:25 p.m. with Lieutenant Ryan as to whether Commander Eustis understood what he was to do these remarks were made:

BROWN. What a lousy job.

RYAN. And he's caught (Commander Eustis) in the middle.

BROWN. No he isn't.

RYAN. Well you are maybe. I don't know.

BROWN. You bet your ever lovin Bippy.

RYAN. Yeah.

BROWN. Hay, uh do you know how to knit?

RYAN. Knit?

BROWN. Yes.

RYAN. No sir.

BROWN. K-n-i-t.

RYAN. No sir.

BROWN. Maybe I oughta take that up.

RYAN. What I meant——

BROWN. I got my 30 in anyway (a reference to 30 years service for retirement purposes).

In other words, he was saying: "I've got it made. What do I care for any other human being." If this attitude is typical of high officials in the Coast Guard, God help America.

Commander Eustis was caught in an untenable position. He was ordered to use force but to avoid an incident. The situation on the *Vigilant* was such that one without the other was impossible.

In his review of the report of the Board of Investigation Admiral Bender, Commandant of the Coast Guard, noted "that more aggressive action on the part of Coast Guard Headquarters might have altered the prosecution of this incident. Specifically, Coast Guard Headquarters might well have insisted on more definite guidance from State Department." He could well have added that his Headquarters should have made an initial decision (he has a legal staff) and that his Headquarters should have been more persistent in its communication with Boston. Instead of the routine "keep us informed" message a clear directive not to return the defector until ordered by Headquarters would have forestalled the incident—assuming that Admiral Ellis would not overrule Headquarters.

The State Department also had a casual attitude about the situation. As in the case of Coast Guard Headquarters, a detailed knowledge of all the circumstances was not immediately necessary to state a basic principle of U.S. foreign policy. Whether a defector comes by land or sea does not alter the policy.

A reading of the many communications on the Kudirka case points up the need not only for aggressive action but for a refresher course in basic English for both Coast Guard and State Department officers.

One final point. As a nation we have pride and confidence in the **reliability of our sophisticated communications equipment**. If November 23 is a demonstration of its efficiency, we had better think of smoke signals or carrier pigeons.

SUPPLEMENTAL VIEWS

While we are in essential agreement with the subcommittee's report on the Kudirka case, we are reluctant to endorse those assertions which concern the subjective attitudes of Admiral Ellis and Captain Brown. We agree entirely that each of these officers bears a principal measure of responsibility for the outrageous mishandling of the matter, but we are not prepared to make speculative assessments of their motives.

F. BRADFORD MORSE.
WILLIAM S. MAILLIARD.
VERNON W. THOMSON.

(11)



