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Congress of the United States
House of Representatives
Washington, DC 20515

MATTHEW G. MARTINEZ
30TH DISTRICT CALIFORNIA

REPLY TO

WASHINGTON OFFICE

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515
(202) 225-5464

DISTRICT OFFICE

1712 WEST BEVERLY BOULEVARD
MONTEBELLO CA 90640
(213) 722-7731

December 16, 1985

Mr. Joseph L. Meadors
President
USS Liberty Veterans Assn.
P.O. Box 789
Woodinville, Washington 98072

Dear Mr. Meadors:

Thank you for your letter regarding the sinking of the USS Liberty by Israeli forces in 1967. Please pardon my delayed response, but my own investigation into the matter has been taking some time.

This grave matter has never been satisfactorily resolved. Israel and U.S. officials, military and civilian alike, have consistently characterized the event as a tragic but innocent mistake. Various official investigations have differed little in their conclusions. But some people have differed. James M. Ennes, Jr., a crewman who survived the attack, has offered compelling arguments that the incident was a deliberate Israeli assault on the U.S. vessel. Admiral Thomas Moorer, Former Chairman of the Joint Chiefs of Staff, said he could not accept that the attack was an accident. And in 1980, Senator Adlai Stevenson began organizing a Senate investigation of the incident, but dropped it because his term was nearing its end.

I have made several inquiries to the State Dept., to the Armed Forces and to Congressional committees since I received your letter. Since then, the only official documents I have received are "The Attack on the 'Liberty' Incident", prepared by the Israeli Defense Forces in 1982; and a copy of the non-exempt portions of the Record of Proceedings of the Court of Inquiry concerning the June 8, 1967, Israeli attack on the USS Liberty. I am continuing to probe for State Dept. critiques of the Israeli reports on the incident, as well as for the more sensitive portions of the Court of Inquiry proceedings.

If you would like a copies of either or both of the documents now in my possession, to which I referred, please let me know, and I will be glad to send them to you. Meanwhile, be assured that my own inquiry into this matter is far from complete.

Thank you again for contacting me on this extremely important matter.

Sincerely,

Marty

Matthew G. Martinez
Member of Congress

James M. Ennes, Jr. Research Papers

STROM THURMOND
SOUTH CAROLINA

The President Pro Tempore
UNITED STATES SENATE

April 17, 1985

Mr. Joseph L. Meadors
c/o Aramco
P. O. Box 1168
Dhahran, SAUDI ARABIA

Dear Mr. Meadors:

Thank your for sending me a copy of your letter to Captain Paul F. Carroll regarding the attack on the U.S.S. LIBERTY.

Be assured it is a pleasure for me to contact the Department of the Navy in an effort to assist you. I will advise you as soon as a reply to my inquiry is received.

With kindest regards and best wishes,

Sincerely,

Strom Thurmond

Strom Thurmond

ST/j

James M. Ennes, Jr Research Papers

Central Intelligence Agency

Washington D.C. 20505

20 DEC 1985

Joseph L. Meadors
USS Liberty Veterans Association
P.O. Box 789
Woodinville, WA 98072

Dear Mr. Meadors:

This is a follow up to our letter to you of 2 December 1985 concerning your Freedom of Information Act (FOIA) request on 8 items related to the attack on the USS Liberty, our F[illegible]-0873.

We have been apprised by one of our components that your requests would require 7 off-line computer searches @ $27 per search and an estimated 40 hours of professional employee search time @ $14 per hour for a total of $749 for us to process your request. Upon receipt of your commitment to pay all fees as well as a deposit of one-half this amount, or $375., we will begin the processing of your request. Checks or money orders should be made payable to the Treasurer of the United States, and returned to this office.

As we stated to you in our earlier letter, we cannot grant you a fee waiver as this agency has already processed this same request on several previous occasions, and we believe all documents germane to the subject of the attack on the USS Liberty have already been properly processed under the FOIA.

Sincerely,

John H. Wright
Information and Privacy Coordinator

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

December 24, 1985

Mr. Joseph L. Meadors
President
U.S.S. Liberty Veterans Association
P.O. Box 789
Woodinville, Washington 98072

Dear Mr. Meadors:

Thank you for your letter of December 10.

With respect to your question regarding whether the U.S. Navy Court of Inquiry considered the issue of Israeli intent in attacking the Liberty, I would note that the Court specifically indicated that there was "insufficient information before it to make a judgement on the reasons for the decision by Israeli aircraft and motor torpedo boats to attack." It was to this finding that I referred in my correspondence. For additonal information on the Court of Inquiry or any other aspects of the Liberty case I suggest you contact the Department of the Navy, Office of the Judge Advocate General.

Sincerely,

Philip C. Wilcox, Jr.
Director
Office of Israel and
Arab-Israeli Affairs

James M. Ennes, Jr. Research Papers

RONALD V DELLUMS
8TH DISTRICT CALIFORNIA

CHAIRPERSON
COMMITTEE ON THE
DISTRICT OF COLUMBIA

ARMED SERVICES COMMITTEE

CHAIRPERSON
SUBCOMMITTEE ON
MILITARY INSTALLATIONS
AND FACILITIES

2136 RAYBURN BUILDING
WASHINGTON DC 20515
(202) 225-2661

CARLOTTIA SCOTT
ADMINISTRATIVE ASSISTANT

ROBERT BRAUER
SPECIAL COUNSEL

Congress of the United States
House of Representatives

ANY REPLY TO THIS LETTER
SHOULD BE ADDRESSED TO
OFFICE CHECKED

201 13TH STREET SUITE 105
OAKLAND CA 94612
(415) 763-0370

9424 EAST 14TH STREET
OAKLAND CA 94621
(415) 562-4981

2490 CHANNING WAY SUITE 217
BERKELEY CA 94704
(415) 548-7767

3557 MT DIABLO BOULEVARD
LAFAYETTE CA 94549
(415) 283-8126

DONALD R HOPKINS
DISTRICT ADMINISTRATOR

BARBARA LEE
ADMINISTRATIVE ASSISTANT

December 5, 1985

Mr. G. W. Howze
ARAMCO, P.O. Box 5430
Dhahran, Saudi Arabia

Dear Mr. Howze:

Thank you for your letter regarding the USS LIBERTY.

The reality is that neither the Congress or the Executive Branch will investigate this matter at this time even though the action by Israel was unwarrented.

There does exist the basis for developing a more even-handed policy towards the nations of the Middle East. The most effective effort will be to seek positive steps in this direction.

Thank you for your interest.

Sincerely,

Ronald V. Dellums
Member of Congress

RVD:rb:bn

3501

James M. Ennes, Jr. Research Papers

G. WILLIAM WHITEHURST
2d District, Virginia

COMMITTEES:
ARMED SERVICES

SUBCOMMITTEES
READINESS
RANKING MINORITY MEMBER

MILITARY INSTALLATIONS AND FACILITIES
MORALE, WELFARE, AND RECREATION PANEL

STANDARDS OF OFFICIAL CONDUCT

U.S. DELEGATE TO
NORTH ATLANTIC ASSEMBLY

Congress of the United States
House of Representatives
Washington, DC 20515

JOHN P. McGILL
ADMINISTRATIVE ASSISTANT

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2469 Rayburn Building
Washington DC 20515
(202) 225-4215

CONSTITUENT SERVICE OFFICES
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Norfolk, VA 23510
(804) 624-8124

EILEEN D. MANDEL
OFFICE MANAGER

Suite 801
One Columbus Center
Virginia Beach, VA 23462
(804) 490-2393

MORLEY J. HOWLE
OFFICE MANAGER

December 17, 1985

Mr. Joseph L. Meadors
President
c/o Aramco
P. O. Box 1168
Dhahran, Saudi Arabia

Dear Mr. Meadors:

Thank you for your recent letter. Like you, I have always been troubled by the USS LIBERTY episode, and the best information would appear to point the finger at the late Moshe Dayan as the Israeli official most responsible for ordering the attack at the time of the Six Day War in 1967. I would be pleased to see this matter reopened, but I must tell you quite frankly that as long as this Administration or the majority party in the House of Representatives does not see fit to pursue it, the case will remain closed. For there to be any action taken, the initiative would have to come from the Leadership of one side or the other, and I don't believe that you can depend upon that to happen.

Despite the publication of the book on the LIBERTY, which appeared some years ago, there seems to be little interest in stirring these ashes officially. More's the pity, because I don't believe that the Johnson Administration, nor succeeding ones, have exposed the facts as they should.

If there are any developments, you can be sure that I will keep you apprised of them.

With all best wishes, I remain

Sincerely,

G. WILLIAM WHITEHURST

GWW:kd

James M. Ennes, Jr. Research Papers

CARL LEVIN
MICHIGAN

COMMITTEES
ARMED SERVICES
GOVERNMENTAL AFFAIRS
SMALL BUSINESS

United States Senate

WASHINGTON D C 20510

December 9, 1985

Mr. Harrison Plum
1500 Center Avenue
Bay City, Michigan 48706

Dear Mr. Plum:

Thank you for writing to me and sharing your concerns. I appreciate hearing from you.

Anti-semitism is a terrible scourge, and there is no doubt that it exists even in free and democratic societies such as ours. I am not certain that there is more anti-semitic feeling in the United States today than there has been in the past, but I am certainly deeply distressed whenever I hear about anti-semitic incidents in our country.

It is not necessary for United States citizens to apologize for the actions of a foreign country. United States citizens are free to endorse or criticize the policies of other countries, but they are not by any means required to justify actions taken by those countries.

Again, thank you for your letter.

Sincerely,

Carl Levin

Carl Levin

CL/drg

James M. Ennes, Jr. Research Papers

BUDDY MacKAY
FLORIDA
SIXTH DISTRICT

503 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5744

COMMITTEES:
BUDGET
FOREIGN AFFAIRS

SELECT COMMITTEE ON
AGING

Congress of the United States
House of Representatives

October 3, 1985

Ms. Evelyn K. Judge
Post Office Box 5052
Gainesville, Florida 32602

Dear Ms. Judge:

I have received your comments regarding the USS Liberty. I share your intrigue with the circumstances surrounding the attack on this ship.

As you requested, I read the "Transcript of the U.S. Navy Inquiry into the Israeli attack on the USS Liberty on June 8, 1967," as well as some other material. From my reading, I can only derive that the attack is one of the many tragic accidents common in war. In fact, the day before the Liberty incident, an Israeli aircraft bombed an Israeli armored column south of the West Bank town of Jenin. More recently, in June of 1982, during the war in Lebanon more than twenty Israeli servicemen were killed by Israeli Phantom jets in the eastern sector when their tanks were mistakenly identified as Syrian. Unfortunately, such tragedies occur in every army in the history of modern war.

To accurately determine whether or not the attack on the USS Liberty was intentional or accidental is virtually impossible. There are too many contradictions in stories. For example, the question of whether or not the Liberty was flying a flag which remains a major point of contention.

I am afraid that the mystery behind the attack on the USS Liberty will always remain. I appreciate your concern in this matter.

Sincerely,

Buddy MacKay

Buddy MacKay

KHM/rdg

James M. Ennes, Jr Research Papers

IN RESPONSE, PLEASE REPLY TO:

☐ 207 N.W. SECOND STREET, ROOM 258
OCALA, FLORIDA 32670
(904) 351-8777

☐ 401 S.E. FIRST AVENUE ROOM 314-16
GAINESVILLE, FLORIDA 32601
(904) 372-0382

☐ 105 SOUTH SIXTH STREET
LEESBURG, FLORIDA 32748
(904) 326-0285

Dear Jim:

The letter astonishes me. I have replied, but perhaps you would like to do so also. Surely you will bring more weight.

Dear Congressman MacKay:

Thank you for the courtesy of replying to my letter. Your examples of the near accidents that could easily have been deadly, & your implication that they are commensurate with the attack on the Liberty are astonishing. The attack on the ship lasted 2 hours after a more than 6 hour low-level surveillance. (Even now, Buddy MacKay, let's be a little more cognizant than that! An accident you say?

(No one fools around with Truth & deals with it lightly except those be detriment.) The question immediately pops into one's mind: How careful is Buddy MacKay in arriving at other important opinions?"

A few weeks ago I talked to the young man on the Liberty who replaced with an extra large flag, the flag that was shot to shreds — a fact uncommon knowledge in itself — sadly ignored by the custom-built explanation "officially" issued & therefore unknown to you.

These are not times to be gullible & naive.

However, I thank you for your courtesy,

Sincerely,
E. K. S. Judge
P.O. Bx 5052 etc.

Oct 11 '85

Keep the Faith. You, Jim, keep company with the world's finest, the Truth speakers — guardians of the Throne. E-

James M. Ennes, Jr. Research Papers

ALBERT GORE, JR.
TENNESSEE

383 RUSSELL SENATE OFFICE BUILDING
PHONE: 202-224-4944

United States Senate

WASHINGTON, DC 20510

November 1, 1985

Mary J. Barton
P.O. Box 1026
Harriman, TN 37748

Dear Ms. Barton:

Thank you for your letter of September 9 regarding the Liberty incident. I appreciate hearing from you.

I have read the documents you suggested. However, I am still not convinced that the attack on the Liberty was intentional. Last year, an article appeared in The Atlantic Monthly suggesting that the incident was the unfortunate result of a series of avoidable events, but not a deliberate attack by Israel on the U.S. intelligence ship. It may seem incredible that there could be that level of confusion, but you have only to review the history of the Pueblo incident, which occurred off the coast of North Korea, to see that it can be so.

I have enclosed a copy of the Atlantic article for your information.

Again, thank you for letting me hear from you. I hope you will continue to share your views with me on matters of concern to you.

Sincerely,

Albert Gore Jr.
United States Senator

AG/tgo
Enclosure

James M. Ennes, Jr. Research Papers

United States Senate

WASHINGTON, D.C. 20510

November 18, 1985

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

I am writing in response to your letter about the Israeli attack on the Navy vessel USS Liberty during the 1967 Arab-Israeli war.

Questions about this incident have arisen frequently over the years. The State Department has investigated the matter thoroughly and found no information to corroborate the allegation that the attack was intentional. That investigation has included the Navy Court of Inquiry documents you mentioned, the testimony of the officers and crew of the Liberty, and message traffic to and from the ship during the incident. The Israeli government paid in full in 1968 and 1969 the United States claims on behalf of the men who were killed and injured in the incident. Although this compensation cannot offset the pain and suffering involved, the families and individuals concerned received the full amount of these claims. In 1980, Israel also agreed to pay the U.S. government $6,000,000 as compensation for damage to the vessel.

I have asked the Defense Department to look into your allegations about Mr. Stephen Bryen. Upon receiving a response from the department, I will be in contact with you.

Sincerely,

SLADE GORTON
United States Senator

SG:sck

James M. Ennes, Jr. Research Papers

Office of JAG - Room 9525
Dept of Navy
Code 2
200 Stovall St
Alexandria 22332-2400

325-9530
Capt Carroll

Lt Robards - Aides Officer
Hoffman Bldg #2

United States Senate
Washington, D.C. 20515

Doug Hooper
2419 Girard Av. S
Mpls. Mn. 55405

September 9, 1985

Dear Senator Boschwitz

I recently heard a presentation by the crew of the USS Liberty, a ship which was bombed by Israel in June of 1967. I was intrigued with their presentation, and would like to ask that you look into the circumstances surrounding the attack on the Liberty. I have seen William Ball III's response to the crew regarding the attack, but am not satisfied with his reply. Therefore, I request that you do the following:

1) Read the "Transcript of the U.S. Navy Inquiry into the Israeli attack on USS Liberty on June 8, 1967." This is held by the Navy Advocate General and is public information. Please pay particular attention to the "Findings of Fact."

2) Notice that certain "Findings" are contrary to evidence in the file. For example:

Finding of Fact: the U.S. flag may have hung limp at mast due to no wind (which would have made recognition more difficult). Evidence in the file is to the contrary.

Finding of fact: the ship was not identified due to limited reconnaissance. Evidence in the file is to the contrary.

Finding: the attack on the Liberty was an accident. There is no evidence to support this claim.

Was the Israeli attack on this U.S. ship, an attack which cost 34 American lives and wounded 171 others, indeed an accident? There is evidence which indicates that the attack was intentional. If this is so, what kind of an "ally" is Israel?

I will await your research and reply.

Sincerely,

C.D. Hooper

James M. Ennes, Jr. Research Papers

/ 5.00

CHARLES E BENNETT
MEMBER
3D DISTRICT FLORIDA

ARMED SERVICES COMMITTEE
CHAIRMAN OF SEAPOWER SUBCOMMITTEE
MEMBER OF RESEARCH AND
PERSONNEL SUBCOMMITTEES

MERCHANT MARINE AND FISHERIES
COMMITTEE

HOUSE DEMOCRATIC STEERING AND
POLICY COMMITTEE

CHAIRMAN OF FLORIDA CONGRESSIONAL
DELEGATION

Congress of the United States
House of Representatives
Washington, DC 20515

November 21, 1985

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PATRICIA C. TAYLOR
LEGISLATIVE ASSISTANT

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BARBARA J. FETHEROLF
DARLA E. SMALLWOOD
BARBARA R. BRADLEY
MARLA G. PAPPANO
RUSSELL W. HOUSTON
ETHEL M. SCHISSEL
PATRICIA MCDONOUGH
STAFF

WASHINGTON OFFICE
2107 RAYBURN BUILDING
WASHINGTON, DC 20515
TELEPHONE 202 225-2501

JOHN W. POLLARD, JR.
BRENDA E. DONALDSON
DONNA M. WELDON

JACKSONVILLE OFFICE
214 PALMETTO STREET
JACKSONVILLE, FL 32202
TELEPHONE 904 791-2501

Mr. Willie Lowe, Jr.
Rt. 1, Box 1580
Callahan, Florida 32011

Dear Mr. Lowe:

Thank you for your recent letter expressing your concern over the attack on the U.S.S. Liberty. I am sending a copy of your letter to Congressman Bill Nichols, Chairman of that Committee on Armed Services Subcommittee on Investigation so that he can review the information in your letter. It is Mr. Nichols Subcommittee which would have jurisdiction over an investigation into this matter. I apperciate your having contacted me.

With kindest regards, I am

Sincerely,

Charles E. Bennett

CEB/rwh

1/25/85 USS LIBERTY/USSN:

DEAR JIM & WM:

I AM OF THE OPINION YOU'LL NEVER KNOW WHO RECALLED THE PROTECTIVE AIR COVER NOR WILL ANYONE DO MUCH ABOUT THE INCIDENT NOW-A-DAYS.

YOU NEED MILLIONS TO WRITE TO GET ANY ACTION FROM D.C.

(OVER)

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

Papers of James M. Ennes, Jr. Research Project

WENDELL H FORD
KENTUCKY

United States Senate

WASHINGTON, DC 20510

COMMITTEES
COMMERCE SCIENCE
AND TRANSPORTATION
ENERGY AND
NATURAL RESOURCES
RULES AND
ADMINISTRATION

September 20, 1985

Dear John:

I was interested to learn that Congressman Hopkins has asked for a formal inquiry into the matter of the U.S.S. Liberty. As a member of the House Armed Services Committee and ranking Republican on the Investigations Subcommittee, he is in a perfect position to do so. I will certainly follow this closely.

Best wishes.

Sincerely,

Wendell Ford

Mr. John A. Tabor
Route 5, Box 411
Winchester, Kentucky 40391

James M. Ennes, Jr. Research Papers

DISTRICT OFFICES
343 Waller Avenue
Lexington, KY 40504
(606) 233-2484

172-C New Federal Building
Louisville, KY 40202
(502) 582-6251

19 U.S. Post Office and Courthouse
Covington, KY 41011
(606) 431-7929

305 Federal Building
Owensboro, KY 42301
(502) 685-5198

PAUL SIMON
ILLINOIS

COMMITTEES
LABOR AND HUMAN RESOURCES
JUDICIARY
RULES AND ADMINISTRATION

United States Senate

WASHINGTON, DC 20510

November 9, 1985

Mr. Jack Shaheen
1526 Weber Lane
Edwardsville, Illinois 62025

Dear Mr. Shaheen:

Thank you for your recent letter in response to our previous correspondence.

While I appreciate your continued interest in this 28 year old incident, as I indicated in my previous letter, there is simply no way to "prove" anything.

Therefore, at this late date, I do not think further Senate investigations would be a wise use of time or taxpayer dollars.

My best wishes.

Cordially,

Paul Simon
United States Senator

PS/sh

James M. Ennes, Jr. Research Papers

230 S. Dearborn
Kluczynski Bldg., 38th Floor
Chicago, IL 60604

3 West Old Capitol Plaza
Suite 1
Springfield, IL 62701

250 West Cherry
Room 115-B
Carbondale, IL 62901

BUDDY MacKAY
FLORIDA
SIXTH DISTRICT

503 CANNON HOUSE OFFICE BUILDING
WASHINGTON D.C. 20515
(202) 225-5744

COMMITTEES
BUDGET
FOREIGN AFFAIRS

SELECT COMMITTEE ON
AGING

Congress of the United States
House of Representatives

November 18, 1985

Mr. James M. Ennes, Jr.
Historian
U.S.S. Liberty Veterans Association
Post Office Box 789
Woodinville, Washington 98072

Dear Mr. Ennes:

Thank you for sending me the article which discusses the discrepancies between the Israeli Inquiry and U.S. Navy Inquiry regarding the U.S.S. Liberty.

I appreciate your taking the time to bring this article to my attention. Without the help of people, such as yourself, I may not be aware of this information.

Thank you again for your help.

Sincerely,

Buddy MacKay

Buddy MacKay

KHMjr:dg

James M. Ennes, Jr. Research Papers

IN RESPONSE, PLEASE REPLY TO:

☐ 207 N.W. Second Street, Room 258
Ocala, Florida 32670
(904) 351-8711

☐ 401 S.E. First Avenue, Room 314-16
Gainesville, Florida 32601
(904) 372-0382

☐ 105 South Sixth Street
Leesburg, Florida 32748
(904) 326-8285

JIM OLIN
8TH DISTRICT VIRGINIA

WASHINGTON OFFICE
1207 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 205
(202) 225-

COMMITTEES
AGRICULTURE
SMALL BUSINESS

Congress of the United States
House of Representatives
Washington, DC 20515

DISTRICT OFFICES

July 31, 1985

Charles D. Fox, III
P.O. Box 12247
Roanoke, Va. 24024

Dear Charlie:

Enclosed please find a copy of the letter I received from the State Department.

As you can see. the Government of Israel apologized, accepted complete responsibility, and compensated the families of the deceased, the injured members of the Liberty crew, and the U.S. Government for damage to the vessel.

I hope that this information answers your questions about this incident. Please feel free to contact me on this or any other matter.

Sincerely,

Jim Olin
Member of Congress

JRO/sel

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON D C 20350

11 DEC 1985

LCDR James E. Ennes, Jr., USN (Retired)
USS LIBERTY Veterans Association
P. O. Box 789
Woodinville, WA 98072

Dear Commander Ennes:

I can understand your concern over the events surrounding the tragic attack on USS LIBERTY, especially in light of the fact that you were a crewmember during this incident.

In your letter, you state that there is evidence in the record of proceedings of the Court of Inquiry which is contrary to the findings of fact made by the Court. As in any inquiry of this magnitude, there is going to be conflicting testimony and evidence. It is the duty of a Court of Inquiry to hear testimony, evaluate evidence and review all of the information concerning an incident and thereafter weigh the evidence and draw its conclusions based upon that evidence. The Court of Inquiry into the attack on USS LIBERTY made its findings of fact after a careful and thorough consideration of all the information available.

I hope this information will be of assistance to you.

Sincerely,

CHASE UNTERMEYER
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)

James M. Ennes, Jr. Research Papers

MARILYN LLOYD
3D DISTRICT TENNESSEE

COMMITTEES
ARMED SERVICES
SCIENCE AND TECHNOLOGY
SELECT COMMITTEE ON AGING

Congress of the United States
House of Representatives
Washington, DC 20515

2266 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON DC 20515
TELEPHONE (202) 225-5871

[illegible]
CHATTANOOGA TN 37401
TELEPHONE [illegible]

[illegible]
OAK RIDGE TN [illegible]
TELEPHONE [illegible]

November 21, 1985

Mr. and Mrs. Gary L. Barton
Post Office Box #1026
Harriman, Tennessee 37748

Dear Mary and Gary:

Thank you for your letter concerning the attack on the U.S.S. Liberty by Israeli warplanes during the Arab-Israeli War of 1967. I enjoyed having the benefit of your comments and concerns in this most sensitive matter.

I am enclosing copies of all the information I have obtained concerning the attack on the Liberty. But as you will probably discover, much of the crucial material surrounding the incident is only available from Israeli sources, and they are not disclosing very much on the matter. As a result, most of the information I have obtained, although informative, is still inconclusive.

Nevertheless, I am continuing my investigation into the matter by requesting information from the Judge Advocate General of the U.S. Navy for their account of the incident. Enclosed is a copy of the letter I sent to the Judge Advocate General for a report of their version of the incident. As soon as I have received their report and have had time to research their findings, I will send a copy to you for your examination.

Should information come to light indicating that Israel intentionally attacked the U.S.S. Liberty, I feel certain that Israel will be held to strict accountability for its actions. Until such information is discovered, I believe the best course of action to take would be to continue to investigate the incident until a satisfactory answer, either showing Israeli intent or mistake, is discovered.

I appreciate your bringing this issue to my attention. Your views are very important to me. Please feel free to contact me if I can be of service in this or any other matter of concern to you.

With kind regards and best wishes,

Sincerely,

MARILYN LLOYD
Member of Congress

Jr. Research Papers
James M. Ennes

MARILYN LLOYD
3D DISTRICT, TENNESSEE

COMMITTEES
ARMED SERVICES
SCIENCE AND TECHNOLOGY
SELECT COMMITTEE ON AGING

Congress of the United States
House of Representatives
Washington, DC 20515

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301 JAY SOLOMON FEDERAL OFFICE BUILDING
CHATTANOOGA TN 37401
TELEPHONE (615) 751-6106

[illegible] JOE L. EVINS FEDERAL OFFICE BUILDING
[illegible]
TELEPHONE [illegible]

November 21, 1985

Rear Admiral Thomas E. Flynn
Judge Advocate General, USN
Code 21
200 Stovall Street
Alexandria, Virginia 22332-2400

Dear Admiral Flynn:

I respectively request a copy of the Investigation of the U.S.S. Liberty report, concerning the U.S. Navy intelligence vessel that was attacked and sunk by Israeli war planes during the 1967 Arab-Israeli War. I am particularly interested in the comments of Mr. William Ball, III responding to the crew regarding the attack. This request is part of an ongoing investigation I have undertaken at the urging of my constituents.

Any additional information you have regarding this incident would be most helpful. Your prompt attention to my request in this matter will be greatly appreciated.

Sincerely,

MARILYN LLOYD
Member of Congress

Research Papers
James M. Ennes, Jr.

United States Senate

WASHINGTON D.C. 20510

December 11, 1985

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

I have received a response to the inquiry I made about the U.S.S. Liberty from the State Department. A copy of it is enclosed for your information and review.

If you have any further questions after looking over the letter, please let me know.

With best wishes for the holiday season,

Sincerely,

Charles McC. Mathias, Jr.

Charles McC. Mathias, Jr.
United States Senator

CM:sm
Enclosure

James M. Ennes, Jr. Research Papers

SLADE GORTON
WASHINGTON

COMMITTEES
COMMERCE, SCIENCE AND TRANSPORTATION
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United States Senate
WASHINGTON, DC 20510

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W. 920 RIVERSIDE AVENUE
SPOKANE, WA 99201
(509) 456-6[illegible]

First Federal Plaza Su[illegible]445
12[illegible] Main Street
Va[illegible]98660
(206) 696-7838

December 5, 1985

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

Thank you very much for your letter of November 21, 1985, and for the materials you included with it. They constitute a fascinating addition to my own knowledge of the subject.

My responsibility, however, is to deal with the world as it exists today, not 18 years ago. The then President of the United States is dead, and no person with final decision-making authority in 1967 is still in office.

As a consequence, it seems to me that we are much better off concentrating on today's challenges in the Middle East, which are extremely complex and as difficult, and that no contribution to the solution to those challenges is a likely result of a further official examination of the attack on the Liberty.

Sincerely,

SLADE GORTON
United States Senator

SG:ct

James M. Ennes, Jr. Research Papers

MARJORIE S HOLT
4TH DISTRICT MARYLAND

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SUBCOMMITTEES
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202-225-8080

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301-768-8050 OR 301-261-2308

5 STAR BUILDING SUITE 303
6178 OAKS HILL ROAD
OAKS HILL MD 20743
301-867-8200

Congress of the United States
House of Representatives
Washington, DC 20515

November 21, 1985

Mr. George D. Henderson, Jr.
ARAMCO, P.O. Box 10122
Dhahran 31311
Saudi Arabia

Dear Mr. Henderson:

Thank you for your letter requesting that I contact the State Department and get their official version of the events surrounding the attack on the USS LIBERTY.

I have contacted the State Department and asked them for their official account of this event. After I receive this information I will then seek a congressional investigation.

I appreciate your letting me know of your interest in this matter.

With kind regards, I am

Sincerely,

Marjorie

Marjorie S. Holt
Member of Congress

MSH/b

J.M.
Holt is a LAME DUCK.
I think I can write her letter stating why she won't pursue the investigation. Maybe you could bear back to the PUNCH by giving her the background of previous investigation.
Joe.

James M. Ennes, Jr. Research Papers

BUDDY MacKAY
FLORIDA
SIXTH DISTRICT

503 CANNON HOUSE OFFICE BUILDING
WASHINGTON DC 20515
(202) 225 5744

COMMITTEES:
BUDGET
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SELECT COMMITTEE ON
AGING

Congress of the United States
House of Representatives

December 6, 1985

Ms. Evelyn K. Judge
Post Office Box 5052
Gainesville, Florida 32602

Dear Ms. Judge:

I have recently received your letter concerning the role that Christian forces should play in American policy-making.

Your letter was both interesting and thoughtful and I appreciate your taking the time to share these thoughts with me. I agree that this nation would benefit from domestic and foreign policies grounded on strong moral principles. We should definitely have peaceful methods of arbitration as our policy cornerstone.

I am currently waiting for a copy of the transcripts regarding the SS Liberty. As soon as the information arrives, I will send it to you.

Thank you for sharing your concerns with me.

Sincerely,

Buddy MacKay

Buddy MacKay

KHMjr:cg

James M. Ennes, Jr. Research Papers

IN RESPONSE, PLEASE REPLY TO:

☐ 207 N.W. SECOND STREET, ROOM 258
OCALA, FLORIDA 32670
(904) 351-8777

☐ 401 S.E. FIRST AVENUE, ROOM 314-16
GAINESVILLE, FLORIDA 32601
(904) 372-0362

☐ 108 SOUTH SIXTH STREET
LEESBURG, FLORIDA 32748
(904) 326-6285

United States Department of State

Washington, D.C. 20520

NOV 22 [illegible]

Copy

Dear Senator Gramm:

Thank your for your inquiry of November 6 concerning the ~~1967 Israeli attack on the~~ USS Liberty.

(2) Questions about the Israeli attack on the Navy communications vessel USS Liberty, which occurred during the 1967 Arab-Israeli war, have risen from time to time over the years. The charge most often raised has been that Israel deliberately attacked the Liberty, knowing it was a U.S. naval vessel. The Department of State has no information corroborating this allegation.

(3) The U.S. Government has officially reviewed the incident. In 1967, a U.S. Navy Court of Inquiry made a full investigation of the attack. Officers and men of the Liberty testified at this inquiry, and communications messages to and from the ship were reviewed thoroughly. The Court concluded it did not have sufficient information to make a judgment about the reasons for the Israeli action against the Liberty. The proceedings transcript of the Court of Inquiry has been available to the public for several years from the Department of Defense. Naturally, it would be inappropriate for the Department of State to comment upon these proceedings, which did not fall under our jurisdiction.

(4) The Israeli Government also conducted an inquiry into the incident in 1967, and the Israel Defense Forces historical staff issued a study of the subject in 1982. The Department of State was not involved in preparing these Israeli documents, nor were they formally submitted to the Department for official review. I can only stress that examination and reconciliation of accounts or testimonies does not fall under the Department of State's purview, and that responsibility for any further review rests with the Department of Defense. Any of your con-

The Honorable
Phil Gramm,
United States Senate.

James M. Ennes, Jr. Research Papers

stituents who have new information or grave concerns about the U.S. Government's review of the incident may wish to directly contact the office of the Judge Advocate General of the Navy.

(5) As you know, Israel stated that the attack was the result of confusion and error by its armed forces during the war. At the time of the incident the Government of Israel apologized immediately, accepted complete responsibility, and offered to pay compensation for the deaths and injuries caused to American personnel by the attack. The Israeli Government paid in full in 1968 and 1969 the U.S. Government claims for $3,323,500 on behalf of those killed and $3,452,275 on behalf of those injured of the Liberty crew. Although monetary compensation for wrongful death or injury is not adequate recompense for the pain and suffering involved, the families and individuals concerned received the full amount of these claims. In 1980, Israel agreed to pay the U.S. Government $6,000,000 as compensation for damage to the vessel.

(6) In closing, let me note again that responsibility for analyzing the USS Liberty incident rests with the Department of Defense, and that Israel accepted complete responsibility and paid compensation for its attack.

Sincerely,

William L. Ball, III
Assistant Secretary
Legislative and Intergovernmental Affairs

Enclosures:

Correspondence returned.

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

NOVEMBER 14 1985

Dear Senator Mathias:

Thank you for your inquiry concerning the 1967 Israeli attack on the USS Liberty.

Questions about the Israeli attack on the Navy communications vessel USS Liberty, which occurred during the 1967 Arab-Israeli war, have risen from time to time over the years. The charge most often raised has been that Israel deliberately attacked the Liberty, knowing it was a U.S. naval vessel. The Department of State has no information corroborating this allegation.

The U.S. Government has officially reviewed the incident. In 1967, a U.S. Navy Court of Inquiry made a full investigation of the attack. Officers and men of the Liberty testified at this inquiry, and communications messages to and from the ship were reviewed thoroughly. The Court concluded it did not have sufficient information to make a judgment about the reasons for the Israeli action against the Liberty. The proceedings transcript of the Court of Inquiry has been available to the public for several years from the Department of Defense. The Israeli Government also conducted an inquiry into the incident in 1967, and the Israel Defense Forces historical staff issued a study of the subject in 1982. The Department of State was not involved in preparing these Israeli documents, nor were they formally submitted to the Department for official review. I would note that responsibility for reviewing any new information would rest with the Department of Defense.

At the time of the incident the Government of Israel apologized immediately, accepted complete responsibility, and offered to pay compensation for the deaths and injuries caused to American personnel by the attack. As you know, Israel stated that the attack was the result of confusion and error by its armed forces during the war.

The Honorable
Charles McC. Mathias, Jr.,
United States Senate.

James M. Ennes Jr. Research Papers

The Israeli Government paid in full in 1968 and 1969 the U.S. Government claims for $3,323,500 on behalf of those killed and $3,452,275 on behalf of those injured of the Liberty crew. Although monetary compensation for wrongful death or injury is not adequate recompense for the pain and suffering involved, the families and individuals concerned received the full amount of these claims. In 1980, Israel agreed to pay the U.S. Government $6,000,000 as compensation for damage to the vessel.

In closing, let me note again that responsibility for analyzing the USS Liberty incident rests with the Department of Defense, and that Israel accepted complete responsibility and paid compensation for its attack.

Sincerely,

William L. Ball, III
Assistant Secretary
Legislative and Intergovernmental Affairs

Enclosure:

Correspondence returned.

James M. Ennes, Jr. Research Papers

Central Intelligence Agency

Washington, D.C. 20505

02 DEC 1985

Joseph L. Meadors
USS Liberty Veterans Association
P.O. Box 789
Woodinville, WA 98072

Dear Mr. Meadors:

This is in regard to your letter of 18 July 1985 in which you ask that we waive search fees for the processing of your Freedom of Information Act (FOIA) request on eight items concerning the attack on the USS Liberty. Regarding item 1, we have already conducted extensive searches for records on the USS Liberty, and we sent you all releasable material on 18 April 1985 without charge.

Concerning your request for a fee waiver on items 2 through 8 of your request, I am required to consider your FOIA request in light of the rules and regulations governing the waiver of fees as published in the Code of Federal Regulations [CFR Title 32, Chapter XIX, Section 1900.25(a), enclosed] as well as relevant Department of Justice guidelines. Both emphasize that benefit to the general public should be the main criterion. I have reviewed your request and have determined that, while the matter is undoubtedly still of interest to the specific group of persons your organization represents, no substantive benefit to the general public would be derived from releasing the records you are requesting. I am, therefore, unable to justify the expenditure of U.S. Government funds for a search for the specific records you are requesting. Accordingly, your request for a waiver of fees is denied, and we must have your commitment to pay all search and duplication fees before we can begin further processing of your request.

We are forwarding a copy of your request to the component most likely to have the records you are requesting, asking that they give us an estimate of the search costs involved and an opinion as to the searchability of your request as stated. We will write you again when we have this information.

Sincerely,

John H. Wright
Information and Privacy Coordinator

Enclosure

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

JULY 25 1985

Dear Congressman Olin:

This is in response to your letter of July 18 concerning a request by Mr. Charles D. Fox III for a new investigation into the Israeli attack on the Navy communiations vessel USS Liberty during the 1967 Arab-Israeli war.

Questions about this incident have arisen frequently over the years. In particular, the charge that Israel deliberately attacked the Liberty has been raised a number of times. The Department has no information that would corroborate this allegation. In 1967, a U.S. Navy Court of Inquiry made a full investigation of the attack. Officers and men of the Liberty testified at this inquiry, and message traffic to and from the ship was reviewed thoroughly. The transcript of the proceedings of the Court of Inquiry has been available to the public for several years. The Court reached the conclusion that it did not have sufficient information to make a judgment about the reasons for the Israeli action against the Liberty.

At the time of the incident the Government of Israel offered an immediate apology, accepted complete responsibility, and offered to pay compensation for the deaths and injuries caused to American personnel by the attack. Israel stated that the attack was the result of confusion and error by its armed forces during the war.

The Israeli government paid in full in 1968 and 1969 the U.S. Government claims for $3,323,500 on behalf of the men who were killed and $3,452,275 on behalf of the injured members of the Liberty crew. Although monetary compensation for wrongful death or injury is not adequate recompense for the pain and suffering involved, the families and individuals concerned received the full amount of these claims. In 1980 Israel also agreed to pay the U.S. Government $6,000,000 as compensation for damage to the vessel.

I hope that this information is helpful in responding to your constituent.

Sincerely,

William L. Ball, III
Assistant Secretary
Legislative and Intergovernmental Affairs

The Honorable
Jim Olin,
House of Representatives

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

November 26, 1985

Mr. Joseph L. Meadors
President
U.S.S. Liberty Veterans Association
P. O. Box 789
Woodinville, WA 98072

Dear Mr. Meadors:

Thank you for your letter of November 20, raising three points regarding my correspondence of November 7.

With respect to the first issue you raised, that of submission of conflicting evidence after the Navy Court of Inquiry was concluded, I would note that the basic question in dispute, the issue of Israeli intent, was considered by the Navy inquiry, and a finding of fact was made that insufficient evidence existed to demonstrate Israeli culpability for a willful attack. While additional information in the form of the two Israeli studies appeared after the U.S. Navy inquiry, it was and is solely the prerogative of the Navy Office of the Judge Advocate General to determine how or if that information should be considered in any additional legal proceedings. Since the Israeli Government made a full apology and settled all claims, by both families of the victims and by the U.S. Government for the attack, the U.S. Government regards the case as closed.

Your second point is well taken, and a clarification will be made to future letters on the subject. With regard to your final question on the responsibility of the Department of State Legal Adviser to submit the memoranda of September 21, 1967, the Department examines internally many issues, and prepares information memoranda for its principals on topics of interest. The Salans memo was not a formal review of the Court of Inquiry's findings, a function not within the Department of State's official responsibility, but rather a memorandum, intended for internal informational use only.

Sincerely,

Philip C. Wilcox, Jr.
Director
Office of Israel
and Arab-Israeli Affairs

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

SEP 24 1985

Mr. Joseph L. Meadors, President
USS Liberty
Veterans Association
P.O. Box 789
Woodinville, Washington 98072

Dear Mr. Meadors:

This is in response to your letter of July 18, to Mr. Frank Machak in which you ask that the Department of State waive the fees associated with the processing of your Freedom of Information Act request.

After studying the information provided in your letter I have determined that the search fees may be waived. Accordingly, no charges will be made for the amount of search time your request is likely to require. This decision is based on the determination that filling your request can be considered as primarily benefiting the general public.

We will notify you as soon as the report in which you have expressed interest is available for release.

Sincerely,

Sharon B. Kotok, Chief
Information Access Branch

James M. Ennes, Jr. Research Papers

United States Senate

WASHINGTON, D.C. 20510

November 27, 1985

Mr. James Ennes, Jr.
[redacted]

Dear Mr. Ennes:

I share your anguish and frustration about continuing acts of terrorism and the holding of American citizens and citizens of other countries as hostages.

There is no condemnation strong enough to express our outrage against such barbarous acts, be they in Beirut, Frankfurt, San Salvador or Los Angeles. There is no moral justification for terrorist violence, regardless of the cause.

Terrorism is a reprehensible and increasingly pervasive form of warfare that we simply do not know how to deal with. Acts of international terrorism are increasing in number and in violence. Especially troubling is the rising incidence of state supported terrorism, the increasing degree of cooperation among terrorist organizations and the marked fanaticism of some terrorists, particularly among religious extremists.

As shown so clearly with the pirating of the Achille Lauro and the TWA hijacking, international terrorism poses a terrible dilemma for the United States. Swift and effective retaliation sounds appealing but may jeopardize innocent bystanders as well as the hostages and military personnel involved. In either case, who would we seek out for our vengeance? The already besieged Lebanese people? The Palestinian refugees in Sabra and Satilla? The roving bands of fighters claiming allegiance to an obscure leader? I do not believe that this kind of vengeance is consistent with the principles and ideals basic to Americans.

Terrorism is not a simple danger and cannot be dealt with simply; we must work on several fronts to curb this spreading danger. We must seek an international consensus condemning international terrorism and terrorist activities. We must isolate those countries who encourage or harbor terrorists. We must try to find coherent anti-terrorist strategies and take all the preventive measures necessary until such strategies are found.

James M Ennes, Jr. Research Papers

Ultimately we must seek responsible ways to develop civilized relationships with countries we may now abhor. In the last generation we have created friendships with Japan, Germany and China. I believe the aim of American foreign policy should be to create friendships where enmity now exists and in doing so build a safer world.

Sincerely,

DANIEL J. EVANS
United States Senator

DJE:cd

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON DC 20350 2000

IN REPLY REFER TO
5720
Ser 09B30P/5U313482
November 26, 1985

Mr. Joseph L. Meadors
President
U.S.S. Liberty Veterans Association
P.O. Box 789
Woodinville, WA 98072

Dear Mr. Meadors:

This responds to your Freedom of Information Act request of November 2, 1985, in which you seek information on the USS LIBERTY as described in items (1) and (2) of your letter.

We conducted a thorough search of our files for the information you seek and were unable to identify any documents responsive to your request.

Since the document requested in item (1) was originated by the government of Israel, you may wish to correspond directly with the Israeli embassy.

In view of the above, your request is considered.

Sincerely,

G. R. AITKEN
Hd, PA/FOIA Branch
By direction of the
Chief of Naval Operations

Enclosure

James M. Ennes, JR Research Papers

U.S.S. LIBERTY VETERANS ASSOCIATION

Stan White, *Chairman*
Joseph L. Meadors, *President*
Robert Casale, *Vice President*
Joyce Casale, *Secretary Treasurer*
Paul N. McCloskey, *Legal Advisor*
James M. Ennes, Jr., *Historian*
P.O. BOX 780, WOODINVILLE, WASHINGTON 98072

November 2, 1985

Mr. John F. Lehman, Jr.
Secretary of the Navy
Room 4E686
The Pentagon
Washington, DC 20350

Dear Secretary Lehman:

Through the Freedom of Information Act I am requesting you send me a copy of the foliowing reports that pertain to the Israeli attack on the USS LIBERTY on June 8, 1967:

1. The "Preliminary Inquiry File 1/67" as prepared by the Israel Defense Forces, including both the testimony and the decision. To assist you, I have enclosed the first page of the "DECISION" portion of this report.

2. A copy of the United States Department of the Navy's written critique of the documents requested in #1 above.

I further request that I be exempt from fees associated with this request, as authorized by the Freedom of Information Act, for the following reason:

I am the President of the USS LIBERTY VETERANS ASSOCIATION, a non-profit tax-exempt corporation acting in the public interest to investigate and compile and publish information concerning the attack on the USS LIBERTY. The information sought will be distributed to survivors and families of the 34 victims of the attack and be made available to authors and newsmen who contact the USS LIBERTY VETERANS ASSOCIATION seeking information about the USS LIBERTY.

Sincerely,

Joseph L. Meadors
President

enclosure

cc: James M. Ennes, Jr.

James M. Ennes, Jr. Research Papers

5401340?

ISRAEL DEFENCE FORCES

Preliminary Inquiry File 1/67

Preliminary Inquiry

Before: Sgan-Aluf I. Yerushalmi
Etc.

DECISION

Captain Lim Fields
Docs: 61, 62

1. On Thursday 8th June, 1967, at approximately 1400 hours, aircraft of the Israel Air Force attacked a vessel situated about 20 miles north-west of El-Arish, and some 14 miles off the shore of Bardawil. About half an hour later torpedo boats of the Israel Navy attacked the same vessel and hit it with a torpedo. Soon, during the attack by the torpedo boats, it became clear that the vessel thought to be an enemy ship, was a vessel named "Liberty", of the United States Navy. The attack was immediately broken-off, but most regrettably only after, as transpired, loss of life and material damage had been caused.

2. In order to understand the chain of circumstances which lead to this infortunate incident, a number of the events which preceed it, must be reviewed.

3. The incident occured on the fourth day of the war. On that day the towns of Gaza and El-Arish, as well as the area extending to the Suez Canal were already in the hands of our forces. Although our command of the air was absolute, our forces were still conducting battles in Sinai and Naval operations were being carried out on the day of the incident. In the hours before noon, naval engagements were taking place along the coast of Israel and an enemy submarine was believed to be sunk by the Naval Forces (note: there is no confirmation for this from intelligence sources).

James M. Ennes, Jr. Research Papers

PHIL GRAMM
TEXAS

United States Senate

WASHINGTON, D.C. 20510

(2)

November 11, 1985

Dr. A. G. Thomas
410 N. Third Street
Longview, Texas 75601

Dear Dr. Thomas:

Thank you for your recent letter concerning the sinking of the USS Liberty.

I have forwarded your letter to the Department of State, and asked that your comments be thoroughly evaluated. When I have received a reply from the State Department, I will be in touch with you again.

I appreciate having the opportunity to represent you in the United States Senate. If I can ever be of service to you, please let me know.

Yours respectfully,

PHIL GRAMM
United States Senator

PG/wawr

Form letter - exact same rec'd by Otis Davenport of Dallas - I haven't rec'd reply from Gramm as of 11/18/85.

James M. Ennes, Jr. Research Papers

JIM SASSER
TENNESSEE

COMMITTEES
APPROPRIATIONS
BANKING, HOUSING AND URBAN AFFAIRS
BUDGET
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510

October 28, 1985

Mr. and Mrs. Gary L. Barton
P.O. Box 1026
Harriman, Tennessee 37748

Dear Mr. and Mrs. Barton:

Thank you for contacting me regarding events in 1967 involving the ship Liberty. I appreciate the opportunity to look into this matter for you.

In an effort to be of assistance, I have contacted the Congressional Research Service to request a full report, and I will continue to press for an early and complete answer to your questions. As soon as I receive a response to my inquiry, I will forward it to you.

Again, thank you for getting in touch with me. In the meantime, if I may be of any further help, please let me know.

Sincerely,

Jim Sasser
United States Senator

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

November 7, 1985

Mr. Joseph L. Meadors, President
U.S.S. Liberty Veterans Association
P. O. Box 789
Woodinville, WA 98072

Dear Mr. Meadors:

Thank you for your letter of October 31, following up on your letter and my response of October 11 and October 24, respectively.

I understand your interest and concern over this tragic incident, as a survivor of the attack. However, as I noted in my letter of October 24, responsibility for the U.S. Government's handling of the attack on the Liberty lies with the Department of the Navy, Office of the Judge Advocate General. The Department of State had never had any role in the findings reached by the U.S. Navy. As I stated in my letter, the Navy reviewed a variety of evidence, much of it conflicting, and reached certain conclusions. The Department of State has no authority to review or modify the Court of Inquiry's findings. There is another point that I should clarify: I did not say in my letter that the Israeli inquiry's conclusions were considered by the U.S. Navy in reaching its conclusion.

The United States Navy regards judicial proceedings on the Liberty attack as closed. As they were responsible for all legal aspects of this case, I recommend you address any further inquiries along the lines of your letter of October 31 directly to the Office of the Judge Advocate General.

Sincerely

Philip C. Wilcox, Jr.
Director
Office of Israel and
Arab-Israel Affairs

James M. Ennes, Jr. Research Papers

U.S.S. LIBERTY VETERANS ASSOCIATION

Stan White, Chairman
Joseph L. Meadors, President
Robert Cassle, Vice President
Joyce Cassle, Secretary-Treasurer
Paul N. McCloskey, Legal Advisor
James M. Ennes, Jr., Historian

P.O. BOX 788, WOODINVILLE, WASHINGTON 98072

September 14, 1985

George P. Shultz
Secretary of State
Main State Department Building
2201 C Street, N.W.
Washington, DC 20520

Dear Mr. Shultz:

On June 26, 1985, in a letter over the signature of Assistant Secretary William L. Ball, III, the United States Department of State informed The Honorable Wendell H. Ford, United States Senate, that the Department of State "has no information that would corroborate ... allegations" that the 1967 Israeli attack on the USS LIBERTY was deliberate.

The USS LIBERTY VETERANS ASSOCIATION feels the situation is not as cut and dried as Mr. Ball would have us believe. As a result, I am requesting you to send me a copy of the documents reviewed by Mr. Ball (and the official US State Department critique of those documents) that support his statement.

I am also requesting (through the Freedom of Information Act) for you to send me a copy of the official US State Department critique of the 1967 Israeli version of the attack as contained in the "Yerushalmi Report 1/67" and also the official US State Department critique of "The Attack on the 'Liberty' Incident 8 June 1967" as prepared by the Israel Defense Forces History Department, Research and Instruction Branch, in June, 1982. For your convenience, I have included a copy of the title page of the 1982 Israeli version.

I will, of course, reserve my right to question the State Department on their critiques.

Sincerely,

Joseph L. Meadors
President

enclosure

cc: The Honorable Wendell H. Ford (w/enclosure)
The Honorable Strom Thurmond (w/enclosure)
The Honorable Larry Hopkins (w/enclosure)
The Honorable Bill Nichols (w/enclosure)
The Honorable Sonry Montgomery (w/enclosure)

M-[illegible] CRE H 850356

James M. Ennes, Jr. Research Papers

JOHN PAUL HAMMERSCHMIDT
THIRD DISTRICT, ARKANSAS

HOME ADDRESS
HARRISON, ARKANSAS

WASHINGTON ADDRESS
2207 RAYBURN BUILDING
WASHINGTON, DC 20515
PHONE 225-4301

Congress of the United States
House of Representatives
Washington, DC 20515

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SUBCOMMITTEE
HOUSING AND CONSUMER INTERESTS—RANKING MEMBER

October 7, 1985

Joseph L. Meadors
President, U.S.S. Liberty
Veterans Association
Post Office Box 789
Woodinville, Washington 98072

Dear Mr. Meadors:

Thank you for your recent letter, seeking information as a citizen, as a survivor of the 1967 attack on the USS Liberty and as president of the USS Liberty Veterans Association on our Government's position on the reports issued by Israel about the June 8, 1967, attack.

Your interests/concerns are understood, Mr. Meadors; and at this time I am inquiring into the matter and will keep you informed of any information made available to me.

Again, I appreciated your being in touch.

With kind regards,

Sincerely yours,

John Paul Hammerschmidt

JOHN PAUL HAMMERSCHMIDT
Member of Congress

JPH/egs

James M. Ennes, Jr. Research Papers

[illegible] ALABAMA
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2330 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON DC 20515
(202) 226-[illegible]

JOHN P. LALLY COUNSEL

NINETY-NINTH CONGRESS

U.S. House of Representatives

COMMITTEE ON ARMED SERVICES

INVESTIGATIONS SUBCOMMITTEE

Research Papers
James M. Ennes, Jr.

September 6, 1985

Honorable Larry J. Hopkins
U.S. House of Representatives
Room 331 Cannon HOB
Washington, D.C.

Dear Mr. [illegible]:

Thank you for your letter of September 4 concerning the 1967 Israeli attack on the USS LIBERTY which resulted in the death of 34 U.S. Navy personnel and the wounding of 171 others. In that letter you discussed the request of your constituents for a subcommittee investigation of the incident.

In 1970 the Department of Defense Worldwide Communications Subcommittee, chaired by Congressman Robert H. Mollohan, as a portion of its inquiry, examined a series of messages transmitted to the LIBERTY, but never received by the ship before the attack. The subcommittee found "the circumstances surrounding the misrouting, loss and delays of these messages constitute one of the most incredible failures of communication in the history of the Department of Defense".

In view of that examination and the passage of 18 years since the attack, I do not believe that a subcommittee inquiry would be appropriate.

Sincerely,

Bill Nichols
Chairman

BN:jlb

LARRY J. HOPKINS
8TH DISTRICT, KENTUCKY

COMMITTEES
AGRICULTURE
ARMED SERVICES

331 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4706

VINE CENTER
ROOM 207
333 WEST VINE STREET
LEXINGTON, KY 40507
(606) 233-2841

Congress of the United States
House of Representatives

September 4, 1985

The Honorable Bill Nichols
Chairman
Subcommittee on Investigations
Committee on Armed Services
Washington, D.C 20515

Dear Mr. Chairman:

I am sure you are familiar with the case of the USS Liberty, a U.S. electronic spy ship that was attacked by the Israeli's during the 1967 Arab-Israeli war. That attack resulted in the deaths of 34 American sailors and the wounding of 171 others.

Many individuals, including constituents of mine, feel that the true circumstances of the attack have not been officially recognized. Accordingly, there is a national effort under way to reopen the investigation on the Liberty attack and to clarify the official record where necessary. I know, for example, that efforts are under way in Washington this week to encourage this goal.

On behalf of my constituents, I would request that our Subcommittee on Investigations conduct a formal inquiry into the attack on the USS Liberty, to be conducted in any manner you, as Chairman, deem best and appropriate.

Thank you for your attention to this important matter.

Yours very truly,

LARRY J. HOPKINS
Member of Congress

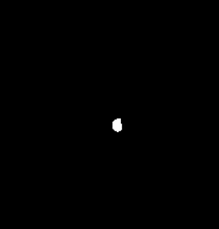
LJH:jh

Enclosure

James M. Ennes, Jr. Research Papers

LARRY J. HOPKINS
6TH DISTRICT, KENTUCKY

COMMITTEES
AGRICULTURE
ARMED SERVICES



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(202) 225-4706

VINE CENTER
ROOM 207
333 WEST VINE STREET
LEXINGTON KY 40507
(606) 233-2048

Congress of the United States
House of Representatives

September 4, 1985

Mr. John A. Tabor
Route 5 Box 411
Winchester, Kentucky 40391

Dear John:

Thank you for coming to my Lexington office yesterday to discuss the 1967 attack on the USS Liberty. I appreciate your continuing interest in this matter.

As we discussed, I have written the Chairman of the Subcommittee on Investigations, Committee on Armed Services, to request a formal inquiry into this matter be reinitiated. Please recall our discussion that the Chairman has complete discretion over the scope and direction of such matters. A copy of my letter is enclosed for your information.

Please be assured I will be back in touch with you as soon as some information is available.

Thank you again for your interest.

Yours very truly,

LARRY J. HOPKINS
Member of Congress

LJH:jn

Enclosure

Research Papers
James M. Ennes, Jr.

LARRY J. HOPKINS
8TH DISTRICT KENTUCKY

COMMITTEES
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VINE CENTER
ROOM 207
333 WEST VINE STREET
LEXINGTON KY 40507
(606) 233-2048

Congress of the United States
House of Representatives

September 17, 1985

Mr. John A. Tabor
Route 5 Box 411
Winchester, Kentucky 40391

Dear John:

As I promised in my earlier letter, I want to forward the reply I have received from the Chairman of the Investigations Subcommittee of the House Armed Services Committee regarding the attack on the USS Liberty. The reply is attached.

As you can see, the Chairman has decided not to pursue the matter through our Subcommittee. In addition to the letter (which was really the formal request), I discussed the matter with Mr. Nichols and asked him to give an investigation serious consideration. In view of limited resources and the passage of time, the Chairman seemed to feel our Subcommittee could not produce a positive contribution to the continuing discussion.

While this particular approach has not been successful, I applaud your involvement and willingness to set the record straight on this particular matter.

With all best wishes, I am

Yours very truly,

LARRY J. HOPKINS
Member of Congress

LJH:jm

Enclosure

James M. Ennes, Jr. Research Papers

BUDDY MacKAY
FLORIDA
SIXTH DISTRICT

503 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-5744

COMMITTEES
BUDGET
FOREIGN AFFAIRS

SELECT COMMITTEE ON
AGING

Congress of the United States
House of Representatives

October 3, 1985

Ms. Evelyn K. Judge
Post Office Box 5052
Gainesville, Florida 32602

Dear Ms. Judge:

I have received your comments regarding the USS Liberty. I share your intrigue with the circumstances surrounding the attack on this ship.

As you requested, I read the "Transcript of the U.S. Navy Inquiry into the Israeli attack on the USS Liberty on June 8, 1967," as well as some other material. From my reading, I can only derive that the attack is one of the many tragic accidents common in war. In fact, the day before the Liberty incident, an Israeli aircraft bombed an Israeli armored column south of the West Bank town of Jenin. More recently, in June of 1982, during the war in Lebanon more than twenty Israeli servicemen were killed by Israeli Phantom jets in the eastern sector when their tanks were mistakenly identified as Syrian. Unfortunately, such tragedies occur in every army in the history of modern war.

To accurately determine whether or not the attack on the USS Liberty was intentional or accidental is virtually impossible. There are too many contradictions in stories. For example, the question of whether or not the Liberty was flying a flag which remains a major point of contention.

I am afraid that the mystery behind the attack on the USS Liberty will always remain. I appreciate your concern in this matter.

Sincerely,

Buddy MacKay

Buddy MacKay

KHMjr:dj

James M. Ennes, Jr. Research Papers

IN RESPONSE, PLEASE REPLY TO

207 N.W. SECOND STREET ROOM 258
OCALA, FLORIDA 32670
(904) 351-8777

401 S.E. FIRST AVENUE ROOM 314-16
GAINESVILLE, FLORIDA 32601
(904) 372-0382

109 SOUTH SIXTH STREET
LEESBURG, FLORIDA 32748
(904) 326-8285

LARRY J. HOPKINS
6TH DISTRICT, KENTUCKY

COMMITTEE ON
AGRICULTURE
ARMED SERVICES

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(202) 225-4706

VINE CENTER
ROOM 207
333 WEST VINE STREET
LEXINGTON, KY 40507
(606) 233-2626

Congress of the United States
House of Representatives

September 4, 1985

The Honorable Bill Nichols
Chairman
Subcommittee on Investigations
Committee on Armed Services
Washington, D.C. 20515

Dear Mr. Chairman:

I am sure you are familiar with the case of the USS Liberty, a U.S. electronic spy ship that was attacked by the Israeli's during the 1967 Arab-Israeli war. That attack resulted in the deaths of 34 American sailors and the wounding of 171 others.

Many individuals, including constituents of mine, feel that the true circumstances of the attack have not been officially recognized. Accordingly, there is a national effort under way to reopen the investigation on the Liberty attack and to clarify the official record where necessary. I know, for example, that efforts are under way in Washington this week to encourage this goal.

On behalf of my constituents, I would request that our Subcommittee on Investigations conduct a formal inquiry into the attack on the USS Liberty, to be conducted in any manner you, as Chairman, deem best and appropriate.

Thank you for your attention to this important matter.

Yours very truly,

LARRY J. HOPKINS
Member of Congress

LJH:jh

Enclosure

Research Papers
James M. Ennes, Jr.

LARRY J. HOPKINS
6TH DISTRICT, KENTUCKY

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VINE CENTER
ROOM 207
333 WEST VINE STREET
LEXINGTON, KY 40507
(606) 233-2846

Congress of the United States
House of Representatives

September 17, 1985

Mrs. Shirley Paulette
Firegate 19
Yarnallton Road
Lexington, Kentucky 40511

Dear Shirley:

As I promised in my earlier letter, I want to forward the reply I have received from the Chairman of the Investigations Subcommittee of the House Armed Services Committee regarding the attack on the USS Liberty. The reply is attached.

As you can see, the Chairman has decided not to pursue the matter through our Subcommittee. In addition to the letter (which was really the formal request), I discussed the matter with Mr. Nichols and asked him to give an investigation serious consideration. In view of limited resources and the passage of time, the Chairman seemed to feel our Subcommittee could not produce a positive contribution to the continuing discussion.

While this particular approach has not been successful, I applaud your involvement and willingness to set the record straight on this particular matter.

With all best wishes, I am

Yours very truly,

LARRY J. HOPKINS
Member of Congress

LJH:jh

Enclosure

James M. Ennes, Jr Research Papers

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WASHINGTON, DC 20515
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JOHN P LAWLY, COUNSEL

NINETY-NINTH CONGRESS

U.S. House of Representatives

COMMITTEE ON ARMED SERVICES

INVESTIGATIONS SUBCOMMITTEE

September 6, 1985

Honorable Larry J. Hopkins
U.S. House of Representatives
Room 331 Cannon HOB
Washington, D.C.

Dear M[illegible]:

Thank you for your letter of September 4 concerning the 1967 Israeli attack on the USS LIBERTY which resulted in the death of 34 U.S. Navy personnel and the wounding of 171 others. In that letter you discussed the request of your constituents for a subcommittee investigation of the incident.

In 1970 the Department of Defense Worldwide Communications Subcommittee, chaired by Congressman Robert H. Mollohan, as a portion of its inquiry, examined a series of messages transmitted to the LIBERTY, but never received by the ship before the attack. The subcommittee found "the circumstances surrounding the misrouting, loss and delays of these messages constitute one of the most incredible failures of communication in the history of the Department of Defense".

In view of that examination and the passage of 18 years since the attack, I do not believe that a subcommittee inquiry would be appropriate.

Sincerely,

Bill Nichols
Chairman

BN:jlb

James M. Ennes Jr. Research Papers

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ROBERT C. BYRD, WEST VIRGINIA, EX OFFICIO

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510

June 20, 1985

Mrs. Shirley Lee Harris-Paulette
Yarnallton Road
Firegate 19
Lexington, Kentucky 40511

Dear Mrs. Paulette:

Thank you for sharing with me your views concerning the U.S.S. Liberty. This attack will always be remembered by the United States despite the subsequent clouding of the issue.

The attack on an American vessel vividly demonstrates the volatile dangers of the Middle East. It also shows the tenacity and willingness Israel has to defend her interest. Though this determination may be admirable in the defense of her boundaries it is not acceptable when it takes the form of an offensive act against a neutral ship in international waters, especially one of our own.

While I believe the events were tragic and the mistake Israel made irreversible, it does not serve any purpose now to cause tension in our relationship. As we have seen from recent events in Lebanon, the United States has few friends and allies we can really depend upon in the region.

Thank you again and if I can be of service to you, please do not hesitate to write.

Cordially,

MITCH McCONNELL
UNITED STATES SENATOR

MM/rcd

Research Papers
James M. Ennes, Jr.

LARRY J. HOPKINS
6TH DISTRICT, KENTUCKY

COMMITTEES:
AGRICULTURE
ARMED SERVICES

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333 WEST VINE STREET
LEXINGTON, KENTUCKY 40507
(606) 233-2846

Congress of the United States
House of Representatives

May 31, 1985

Mrs. Robert Paulette
Firegate 19
Yarnallton Road
Lexington, KY 40511

Dear Shirley:

Your recent letter and enclosure revived one of the most troubling issues that has been brought to my attention since I came to Congress.

I am very well acquainted with details of the USS Liberty attack. In fact, about three years ago I secured an official transcript of the Navy hearings on this matter and passed it along to a constituent in Central Kentucky.

None of the information I have seen disuades me from the conclusion that the attack on the USS Liberty deserves the same contempt and condemnation as the murderous Soviet ambush of the Korean Airlines plane.

It is inexcusable that the opportunity was, perhaps forever, lost by President Johnson to give this tragic episode the attention it deserved and to take appropriate action not only so that reparation could be made, the guilty who were responsible could be held accountable, and a clear warning could have been sounded as to the swift and certain retaliation the United States would inflict upon anyone who dared to commit such an act in the future.

Today, I can tell you with certainty based on extensive research and conversations on this subject that there is no effective interest within this government in reviving this incident after 17 years. Tragic as it is, the official book on this disgraceful chapter in our history has been closed. I very reluctantly accept that fact, with one condition: the book may be closed, but the lesson will not and must not be forgotten. And speaking only for myself, this is one Member of Congress who will never permit such a comtemptible travesty to repeat itself without appropriate American response.

James M. Ennes, Jr. Research Papers

I regret I will be unable to meet with you on Saturday. Please accept and convey to those present my respect for their efforts to right the terrible wrong that was done in this instance.

With warmest personal regards, I am

Yours very truly,

LARRY J. HOPKINS
Member of Congress

LJH:jh

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

Dear Senator Ford:

This is in response to your letter of June 5 on behalf of your constituent, Ms. Shirley Lee Harris-Paulette, who had inquired about the Israeli attack on the US Navy communications vessel Liberty during the 1967 Arab-Israeli war.

Questions about this incident have arisen frequently over the years. In particular, allegations have been periodically made that Israel deliberately attacked the Liberty. The Department has no information that would corroborate these allegations. In 1967, a U.S. Navy Court of Inquiry made a full investigation of the attack on the Liberty. Officers and men of the Liberty testified at this inquiry, and message traffic to and from the ship was reviewed thoroughly. The transcript of the proceedings of the Court of Inquiry has been available to the public for several years. The Court reached the conclusion that it did not have sufficient information to make a judgement about the reasons for the Israeli action against the Liberty.

Immediately after the attack the Israeli Government appointed a special military commission of inquiry to investigate the incident. The commission found that the attack was the result of error and had not been deliberate. As a result of this investigation no Israeli personnel were charged or prosecuted.

The Department of State was deeply concerned by the attack on the Liberty. It immediately made clear to the Government of Israel that the U.S. held Israel responsible for the incident. In turn, the Government of Israel offered an immediate apology, accepted complete responsibility and offered to pay compensation for the deaths and injuries caused to American personnel by the attack.

Israel paid in full in 1968 and 1969 the U.S. Government claims for $3,323,500 on behalf of the men who were killed and $3,452,275 on behalf of the injured members of the Liberty crew. Although monetary compensation for wrongful death or injury is not adequate recompense for the pain and suffering involved, the families and individuals concerned received the full amount of these claims.

The Honorable
Wendell H. Ford,
United States Senate.

James M. Ennes, Jr. Research Papers

Ms. Harris-Paulette also inquired specifically about the ship itself. In 1980 an agreement was concluded between the United States and Israel under which Israal agreed to pay $6,000,000 in compensation for the physical damage caused to the USS Liberty. This amount has been paid in full.

We share Ms. Harris-Paulette's sorrow over this incident and hope that this information will be helpful in responding to your constituent.

Sincerely,

William L. Ball, III
~~Assistant Secretary~~
Legislative and Intergovernmental Affairs

Enclosure:

Correspondence returned.

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON DC 20350 1000

23 AUG 1985

Mrs. Shirley L. Harris-Paulette
Yarnallton Road
Firegate 19
Lexington, Ky 40511

Dear Mrs. Harris-Paulette:

This is in further response to your letter of May 27 to Mr. Patrick J. Buchanan of the White House staff.

To be of assistance to you, and former members of LIBERTY, I have enclosed a list of military magazines and periodicals which have proven to be an effective avenue of contacting lost shipmates. By contacting the Editors of the attached list of periodicals which publish "Reunion Notices" or "Announcements," they can advise as to how to advertise in their magazines/periodicals' "Letters to the Editor" columns, which are widely read by former Navy men.

Because of the provisions of the Privacy Act of 1974, the Navy cannot disclose the mailing address of a former member. However, time permitting, our Navy Liaison Officer at the National Personnel Records Center will forward correspondence to an individual's last known address.

If former members of LIBERTY wish to locate their shipmates, they should enclose the letter they want forwarded to their shipmate's last known address in a stamped envelope with his name typed or printed on the envelope. They should not put their return address on the envelope, and place this envelope in another one marked "do not open in mail room," enclose whatever personal information about their situation on a separate sheet of paper, and address the envelope to:

Navy Liaison Officer
Room 3475
National Personnel Records Center
9700 Page Boulevard
St. Louis, MO 63132

This locator service is provided on a time available basis. Additionally, the Navy Liaison Officer has no way of knowing if the address in the record is current or if the communication will be delivered.

The Social Security Administration may also be able to help them contact their shipmates. Again, they should write a letter

James M. Ennes, Jr. Research Papers

to the individual they wish to get in touch with and send it with as much personal information as possible to:

Social Security Administration
Public Inquiries
Department of Health and Human Services
6301 Security Boulevard
Baltimore, MD 20235

If they can locate the individual in their files, they will forward the letter. They also cannot release a current address.

All of the crew members of LIBERTY who died as a result of the attack were eligible for, and posthumously awarded, the following medals: the Purple Heart, The Presidential Unit Citation, and the Combat Action Ribbon. Several personal decorations, including two Navy Crosses, were also posthumously awarded to deceased members of LIBERTY.

As you know, for his gallantry and courage, Captain William L. McGonagle, USN (Retired) was awarded this country's highest military accolade: The Medal of Honor. In view of the honor and prestige that accompanies such an award, the Department of the Navy considers Captain McGonagle's recognition to be appropriate.

Finally, the Navy Court of Inquiry into the events surrounding the attack on LIBERTY has been available to the public for a number of years. Anyone desiring a copy of this document can request one from the Judge Advocate General of the Navy, at the following address:

Office of the Judge Advocate General
(Code 21)
Department of the Navy
Washington, DC 20370

We do not consider the conclusions of this Court of Inquiry to be conflicting or contradictory.

I hope this information has been of some assistance to you.

Sincerely,

CHASE UNTERMEYER
Assistant Secretary of the Navy
(Manpower & Reserve Affairs)

Enclosure

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D C 20350-1000

5 July 1985

The Honorable Charles E. Bennett
Chairman, Subcommittee on Seapower and
Strategic and Critical Materials
Committee on Armed Services
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

Thank you for your recent letter written on behalf of Mr. Willie L. Lowe, Jr., concerning the attack on USS LIBERTY.

A U. S. Navy Court of Inquiry made a full investigation of the attack upon LIBERTY in 1967. Transcripts have been available to the public since 1978. Officers and men of LIBERTY testified at this inquiry and message traffic to and from the ship was reviewed thoroughly. The Court reached the conclusion that it did not have sufficient information to make a judgment about the reasons for the Israeli action against LIBERTY. We have no plans to reopen this investigation.

Israel stated the attack was the result of confusion by its armed forces during the 1967 Arab-Israeli War. The Department of State advised the Government of Israel that we held Israel responsible for the incident. In turn, the Government of Israel offered an immediate apology, accepted complete responsibility and offered to pay compensation for the death and injuries caused to American personnel by the attack.

Israel paid in full the U. S. Government claims for $3,323,500 on behalf of the men who were killed and $3,452,275 on behalf of the crew members who were injured. Although monetary compensation for wrongful death or injury is not adequate recompense for the pain and suffering involved, the families and individuals concerned received the full amount of these claims.

The United States also submitted to the Government of Israel a claim for compensation for the physical damage to LIBERTY. Following a series of contacts through diplomatic channels, we accepted Israel's offer to pay $6,000,000 as final settlement of this claim. Under the terms of the agreement, Israel paid $6,000,000 in three annual installments of $2,000,000 each.

If we can be of further assistance, please let me know.

Sincerely,

James F. Goodrich

James F. Goodrich
Acting Secretary of the Navy

WILLIE LOWE, JR.
RT 1, BOX 1580
CALLAHAN, FL 32011

James M. Ennes, Jr. Research Papers

STEVE BARTLETT
5D DISTRICT, TEXAS

COMMITTEES
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EDUCATION AND LABOR

Congress of the United States
House of Representatives
Washington, DC 20515

1708 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6201

6500 L B J FREEWAY
SUITE 6130
DALLAS, TX 75240
(214) 787-4848

October 7, 1985

Mr. Otis Davenport
Otis Research and Report
P.O. Box 12388
Dallas, Texas 75225

Dear Mr. Davenport:

Thank you for contacting me regarding Congressional inquiries into the attack and sinking of the U.S.S. Liberty by Israeli forces. I appreciate knowing of your interest in this matter.

As you know, the attack on the U.S.S. Liberty involved the complete ruination of the vessel as well as the deaths of 34 crewmen and numerous wounded. Israel paid the families of the dead and injured millions of dollars, and the Israelis have agreed to negotiate a settlement over the damages to the ship itself, but none has been negotiated to this day. According to the Subcommittee on Seapower of the House Armed Services Committee, no hearings on this matter are currently scheduled. However, I will keep your thoughts in mind as Congress continues to review this subject.

Again, thank you for contacting me. Your comments were very helpful. Please stay in touch in the future on this or any other issue of importance to you.

Sincerely,

Steve Bartlett

STEVE BARTLETT
Member of Congress

SB/ng

********** Jim: Steve B. is also my Congressman (not my Representative, as Virginia once told Cong. Jim Collins as he was in 'their' pocket). I received IDENTICAL REPLY dated same date, so am not sending mine. Will have should you want.

James M. Ennes Jr. Research Papers

United States Senate

WASHINGTON D.C. 20510

October 23, 1985

Mr. George D. Henderson, Jr.
Aramco Box 10122
Dhahran, SAUDI ARABIA

Dear Mr. Henderson:

Thank you for contacting my office regarding the 1967 attack on the USS Liberty. In response to your concern, I have been in touch with the Department of State.

As soon as I have received and reviewed their response I will be back in touch with you. Please feel free to contact me in the meantime should you have any questions or further comments.

With best wishes,

Sincerely,

Charles McC. Mathias, Jr.
United States Senator

CM:fhf

James M. Ennes, Jr. Research Papers

U.S.S. LIBERTY VETERANS ASSOCIATION

Stan White, Chairman
Joseph L. Meadors, President
Robert Cassle, Vice President
Joyce Cassle, Secretary Treasurer
Paul N. McCloskey, Legal Advisor
James M. Ennes, Jr., Historian
P.O. BOX 788, WOODINVILLE, WASHINGTON 98072

20 September 1985

COPY

The Honorable Larry J. Hopkins
House of Representatives
331 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. Hopkins:

I just returned from a trip to find your marvelous letter asking Chairman Bill Nichols to conduct a formal inquiry into the attack on the USS Liberty.

You can depend upon the USS Liberty Veterans Association and survivors of the attack to support you in any way possible. The USS Liberty affair remains an open sore today precisely because there has never been a proper investigation. The Navy inquiry was a sham, which you can see by reading the official transcipt of that non-judicial proceeding. And, despite attempts by Adlai Stevenson in 1980 and by former JCS Chairman Thomas Moorer, Congress has until now found the affair too controversial to warrant attention.

In 1980 Adlai Stevenson grilled me privately about the Liberty for two hours, then turned me over to the combined Stevenson/Goldwater staffs for more questions. Stevenson's conclusion was that the matter deserved to be investigated--that the American people deserve to know the truth--and he called a press conference to announce that decision. Unfortunately, Goldwater lost his nerve and Stevenson did not run for reelection, so the matter died. However, after he left the Senate Mr. Stevenson wrote from Illinois to say how much he regretted that failure, and to urge me to pursue the matter.

One point Mr. Stevenson stressed to me is that any Congressman can investigate anything he chooses, including the USS Liberty.

Well, I hope you will pursue this with Mr. Nichols and elsewhere. However, if all else fails, please consider looking into the Liberty on your own. Much of the documentation is readily available through the Department of State and through the Navy. Many key witnesses live within a few minutes drive of your Washington office.

For a start, please ask the Navy Judge Advocate General for a copy of the declassified 1967 transcript of the Navy Court of Inquiry into the Liberty. If you read it or have a staff member read it, I know you will feel even more strongly that the matter must be properly investigated.

Sincerely,

Encl: UPI reports Adlai Stevenson press conference on the Liberty
Associated Press quotes Admiral Moorer on Liberty

James M. Ennes, Jr. Research Papers

U.S.S. LIBERTY VETERANS ASSOCIATION

Stan White, Chairman
Joseph L. Meadors, President
Robert Cassle, Vice President
Joyce Cassle, Secretary-Treasurer
Paul N. McCloskey, Legal Advisor
James M. Ennes Jr., Historian
P.O. BOX 780, WOODINVILLE, WASHINGTON 98072

20 September 1985

COPY

The Honorable Bill Nichols
Chairman
Subcommittee on Investigations
Committee on Armed Services
Washington, D.C. 20515

Dear Mr. Chairman:

Congressman Larry Hopkins recently urged you to conduct a formal inquiry into the 1967 attack by Israel on the USS Liberty.

I was Liberty's Officer of the Deck on the day of the attack. Now I serve as Historian for the USS Liberty Veterans Association.

I do hope you will consider Mr. Hopkins' request seriously. The USS Liberty affair remains an open sore today precisely because there has never been a proper investigation. The Navy inquiry was a sham. And despite attempts by Adlai Stevenson in 1980 and by former JCS Chairman Thomas Moorer, Congress has until now found the affair too controversial to warrant attention.

In 1980 Adlai Stevenson grilled me privately about the Liberty for two hours, then turned me over to the combined Stevenson/Goldwater staffs for more questions. Stevenson's conclusion was that the American people deserve to know the truth--and he called a press conference to announce his plan for an investigation. Unfortunately, Goldwater lost his nerve and Stevenson did not run for reelection, so the matter died. However, after he left the Senate Mr. Stevenson wrote from Illinois to say how much he regretted that failure, and to urge me to pursue the matter.

Now, 18 years after the attack, the affair still festers while urgent questions remain unanswered. Yet many leading newspapers (including the Washington Post) and leading citizens of the era (including Secretary of State Dean Rusk, among others) publicly reject the official version of the attack as unbelievable.

I hope you will pursue this. Much of the documentation is readily available through the Department of State and through the Navy. Many key witnesses live within a few minutes drive of your Washington office. I will be pleased to answer any questions you might have or to consult with your staff.

Sincerely,

James M. Ennes, Jr.

Encl: UPI report: Adlai Stevenson press conference on the Liberty
Associated Press quotes Admiral Moorer on Liberty

James M. Ennes, Jr. Research Papers

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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20510

October 30, 1985

Larry B. Thorn
P.O. Box 4
Staples, Minnesota 56479

Dear Larry:

Jon Schroeder of my Minnesota staff has forwarded to me the background information which you have been collecting in support of an investigation of the tragic attack on the U.S.S. Liberty in 1967.

I have now had a chance to review these materials and certainly share your frustration that the circumstances behind this incident have not received the kind of broad public discussion and review which they deserved at the time.

However, my sense from my fellow Senators is that there is not the support necessary to reopen this matter in any type of Congressional inquiry. I wish that I could respond more favorably to your request, but know that you are the kind of individual who appreciates a "straight answer" rather than the usual bureaucratic runaround.

I understand that veterans of the U.S.S. Liberty are organizing a Minnesota Chapter. I hope that you will continue to keep me informed on your activities and provide me with any further information generated by your organization.

With kindest personal regards,

Sincerely,

DAVE DURENBERGER
United States Senator

DD/jss

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

November 7, 1985

Mr. Joseph L. Meadors, President
U.S.S. Liberty Veterans Association
P. O. Box 789
Woodinville, WA 98072

Dear Mr. Meadors:

Thank you for your letter of October 31, following up on your letter and my response of October 11 and October 24, respectively.

I understand your interest and concern over this tragic incident, as a survivor of the attack. However, as I noted in my letter of October 24, responsibility for the U.S. Government's handling of the attack on the Liberty lies with the Department of the Navy, Office of the Judge Advocate General. The Department of State had never had any role in the findings reached by the U.S. Navy. As I stated in my letter, the Navy reviewed a variety of evidence, much of it conflicting, and reached certain conclusions. The Department of State has no authority to review or modify the Court of Inquiry's findings. There is another point that I should clarify: I did not say in my letter that the Israeli inquiry's conclusions were considered by the U.S. Navy in reaching its conclusion.

The United States Navy regards judicial proceedings on the Liberty attack as closed. As they were responsible for all legal aspects of this case, I recommend you address any further inquiries along the lines of your letter of October 31 directly to the Office of the Judge Advocate General.

Sincerely

Philip C. Wilcox, Jr.
Director
Office of Israel and
Arab-Israel Affairs

James M. Ennes, Jr. Research Papers

BUDDY MacKAY
FLORIDA
SIXTH DISTRICT

503 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-5744

COMMITTEES:
BUDGET
FOREIGN AFFAIRS
SELECT COMMITTEE ON
AGING

Congress of the United States
House of Representatives

November 5, 1985

Mr. Joseph L. Meadors
President
U.S.S. Liberty Veterans Association
Post Office Box 789
Woodinville, Washington 98072

Dear Mr. Meadors:

Enclosed, please find the information I referred to in my letter to Evelyn Judge. I was not referring to the full transcript of the Navy Court of Inquiry as this material is classified.

I appreciate your concern in this matter.

Sincerely,

Buddy MacKay

Buddy MacKay

RHMjr:dg
Enclosure

James M. Ennes, Jr. Research Papers

IN RESPONSE, PLEASE REPLY TO:

☐ 227 N.W. SECOND STREET, ROOM 250

☐ 401 S.E. FIRST AVENUE, ROOM 314-16

☐ 106 SOUTH SIXTH STREET

JOSEPH R BIDEN, JR
DELAWARE

United States Senate

WASHINGTON, DC 20510

~~October 23, 1985~~

Mr. Joseph L. Meadors
President
U.S.S. Liberty Veterans Association
c/o Aramco
P.O. Box 1168
Dhahran, Saudi Arabia

Dear Mr. Meadors:

Thank you for contacting my office regarding reports filed by Israel with the Department of State concerning the attack on the U.S.S. Liberty in 1967. As you requested, I have made an inquiry on your behalf with the Department of State requesting the official critiques of the Israeli reports. I will contact you again when I receive a reply.

If you have any questions in the meantime, please feel free to contact me.

Sincerely,

Joseph R. Biden, Jr.
United States Senator

Jr. Research Papers
James M. Ennes, J

JOHN PAUL HAMMERSCHMIDT
THIRD DISTRICT, ARKANSAS

HOME ADDRESS
HARRISON, ARKANSAS

WASHINGTON ADDRESS
2207 RAYBURN BUILDING
WASHINGTON, DC 20515
PHONE 225-4301

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEES
PUBLIC WORKS AND TRANSPORTATION
SUBCOMMITTEES
AVIATION—RANKING MINORITY MEMBER
WATER RESOURCES
SURFACE TRANSPORTATION
VETERANS' AFFAIRS—RANKING MINORITY MEMBER
SUBCOMMITTEES
HOSPITALS AND HEALTH CARE—RANKING MEMBER
COMPENSATION, PENSION AND INSURANCE
HOUSING AND MEMORIAL AFFAIRS
SELECT COMMITTEE ON AGING
SUBCOMMITTEE
HOUSING AND CONSUMER INTERESTS—RANKING MEMBER

October 31, 1985

Joseph L. Meadors
President, U.S.S. Liberty
Veterans Association
Post Office Box 789
Woodinville, Washington 98072

Dear Mr. Meadors:

Enclosed to keep you advised of developments is information provided by the Department of State to my contact on the concerns you raised about the Department's response to Israeli versions of the attack on the USS Liberty.

Inquiry is now being made with Defense Department officials, Mr. Meadors; and just as soon as there is anything further to report, I will be back with you promptly.

With kind regards,

Sincerely yours,

John Paul Hammerschmidt

JOHN PAUL HAMMERSCHMIDT
Member of Congress

JPH/egs

Enclosure

Jr. Research Papers
James M. Ennes, J

JOHN R MILLER
1st District Washington
COMMITTEES
GOVERNMENT OPERATIONS
MERCHANT MARINE AND FISHERIES

Congress of the United States
House of Representatives
Washington, DC 20515

1723 Longworth Building
Washington DC 20515
(202) 225-6311

District Office
2888 Federal Building
915 Second Avenue
Seattle WA 98174
(206) 442-4220

November 1, 1985

James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

Thank you for conveying your views on terrorism.

You will be pleased to know that the FBI has been called upon to investigate the murder of Mr. Odeh. Moreover, I share your desire to see those who commit such terrorist acts within our borders prosecuted to the limit of the law.

The FBI can count upon the cooperation of local authorities and community leaders as they track down the terrorists who murdered Mr. Odeh. Unfortunately, however, the United States and other targets of international terrorism have been unable to count upon this sort of cooperation from other countries as we attempt to bring to justice the terrorists who murder our people.

Where murderers cannot be pursued by legal means, international law recognizes the right to self-help as a legitimate recourse. For this reason, although it is possible to take issue with the wisdom or propriety of Israel's attack on PLO headquarters, it is improper to equate what is at worst vigilantism with the terrorist actions of the PLO.

Finally, I am still studying your charge that the Israel fabricated its explanation of the attack on the USS Liberty. Certainly, if the attack was not a mistake, no one has come forward with a plausible motive.

I appreciate your taking the time to inform me of your concerns. I look forward to hearing from you in the future on other matters of public concern.

Yours truly,

John Miller

John Miller
Member of Congress

JRM:br

James M. Ennes, Jr. Research Papers

OCT 30 1985

United States Department of State

Washington, D.C. 20520

OCT 2 1985

Dear Mr. Hammerschmidt:

Thank you for your inquiry concerning the 1967 Israeli attack on the USS Liberty.

Questions about the Israeli attack on the Navy communications vessel USS Liberty, which occurred during the 1967 Arab-Israeli war, have risen from time to time over the years. The charge most often raised has been that Israel deliberately attacked the Liberty, knowing it was a U.S. naval vessel. The Department of State has no information corroborating this allegation.

The U.S. Government has officially reviewed the incident. In 1967, a U.S. Navy Court of Inquiry made a full investigation of the attack. Officers and men of the Liberty testified at this inquiry, and communications messages to and from the ship were reviewed thoroughly. The Court concluded it did not have sufficient information to make a judgment about the reasons for the Israeli action against the Liberty. The proceedings transcript of the Court of Inquiry has been available to the public for several years from the Department of Defense. The Israeli Government also conducted an inquiry into the incident in 1967, and the Israel Defense Forces historical staff issued a study of the subject in 1982. The Department of State was not involved in preparing these Israeli documents, nor were they formally submitted to the Department for official review. I would note that responsibility for reviewing any new information would rest with the Department of Defense.

At the time of the incident the Government of Israel apologized immediately, accepted complete responsibility, and offered to pay compensation for the deaths and injuries caused to American personnel by the attack. As you know, Israel stated that the attack was the result of confusion and error by its armed forces during the war.

The Honorable
John Paul Hammerschmidt,
House of Representatives.

James M. Ennes, Jr. Research Papers

The Israeli Government paid in full in 1968 and 1969 the U.S. Government claims for $3,323,500 on behalf of those killed and $3,452,275 on behalf of those injured of the Liberty crew. Although monetary compensation for wrongful death or injury is not adequate recompense for the pain and suffering involved, the families and individuals concerned received the full amount of these claims. In 1980, Israel agreed to pay the U.S. Government $6,000,000 as compensation for damage to the vessel.

In closing, let me note again that responsibility for analyzing the USS Liberty incident rests with the Department of Defense, and that Israel accepted complete responsibility and paid compensation for its attack.

Sincerely,

William L. Ball, III
Assistant Secretary
Legislative and Intergovernmental Affairs

Enclosure:

Correspondence returned.

James M. Ennes, Jr. Research Papers

VETERANS OF FOREIGN WARS OF THE UNITED STATES

THE ADJUTANT GENERAL

April 8, 1985

Joseph L. Meadors
c/o ARAMCO
P. O. Box 1168
Dhahran, Saudi Arabia

Dear Comrade Meadors:

This will acknowledge receipt of your letter dated March 25, 1985 with regard to the current status of the resolution calling for the establishing of a memorial honoring those men lost on the U.S.S. Liberty that was adopted by the 84th National Convention

Please be informed that your letter has been fowarded to Cooper T. Holt, Executive Director of our Washington Office for further reply on this matter.

Enclosed please find the copy of resolution #685 that you requested.

Yours in comradeship,

Howard E. Vander Clute, Jr.
Adjutant General

HVC:dsm

Enclosure

cc: Cooper T. Holt, Executive Director, Washington Office

James M. Ennes, Jr. Research Papers

THE MARSHALL GROUP
Washington, D.C.

December 1?, 1?

for Jim Ennes

PUBLIC POLICY MEMORANDUM

Honorary Chairman
Admiral Ret L Johnson USN Ret

Chairman
M Gen [illegible] USA Ret

Officers

President
Stuart L Hannon

Vice President
Brig Gen Eugene Philips USA Ret

Vice President, European Liaison
Mr Robert C Richardson USAF Ret

Gen Counsel
Tracy L Mulligan

Advisory Council
Lt Gen William P Yarborough USA Ret
Gen George Blanchard USA Ret
Gen Maxwell S Davenport USA Ret
Amb Elbridge Durbrow Ret
William J Gill
Gen Walter T Kerwin USA Ret
John G Kester
Command Lane
Edgar Prina
Mr Gen Robert C Richardson USAF Ret
Adm Harold Riegle USN Ret
Gen William P Rogers USA Ret
Col William F Scott USAF Ret
Captain Paul R Schratz USN Ret
RAD Robert H Speiser USNR Ret
Lt Gen Louis W Sheaffer USA Ret
Amb Stanton Sayre Ret

General Council
Amb Jacob Beam Ret
Myron M Bennett
Gen William F Cade USA Ret
MGen Willis Crittenberger USA Ret
Gen Samuel T Easterbrook USA Ret

James M Ennes, Jr
Paul Findley
Gen David O Graham USA Ret
Lt Gen Richard H Groves USA Ret
Amb Parker T Hart Ret

Board Move

VAdm L Smith
Amb Talbot Seeyle Ret
Theodore Sturdy
Maj Gen O Smith USAF Ret
Gen C M Talbot USAF Ret
Gen Arthur G Trudeau USA Ret
Prof Robert Sansone

TO: Members of Congress, the Judicial and Media

In order to review openly, without political interference, the long censored issue of the Israeli attack on the U.S.S. Liberty in June 19?, The Marshall Group fully supports the eighteen year old endeavor by survivors of our naval vessel for a complete disclosure of the assault in international waters of the Mediterranean Sea. In the two hour long attack by jet aircraft and torpedo boats that employed rockets, machine guns and napalm, following six hours of careful surveillance by Israeli reconnaissance planes, 34 American servicemen were killed and 171 wounded. The U.S. Government denied protection or rescue to the stricken U.S. Fleet on official orders. The Marshall Group joins with Admiral Thomas H. Moorer, other U.S. Admirals, Captain Tully of the U.S.S. Saratoga standing by, other high naval personnel and Americans around the nation who are demanding a full disclosure of that event under the Freedom of Information Act, and to permit open testimony by all survivors and qualified naval authorities. At a time when U.S., Mideast power relations are under severe strain for a long train of questionable actions, a complete clarification of the Israeli attack would be in the best interests of all concerned. Whenever such interests conflict, U.S. sovereignty must take precedence over all other linkages, foreign or domestic.

Legal

Research Papers
James M. Ennes, Jr.

DEPARTMENT OF STATE

Washington, D.C. 20520

Dear Mr. Sawyer:

I am writing in response to your inquiry of January 22, regarding Mr. Paul M. McGill's request for an investigation into the Israeli attack upon the Navy communications vessel USS Liberty on June 8, 1967.

Both the U.S. and world news media covered the Liberty incident extensively at the time it occurred and have continued to follow the case in subsequent years. There is no basis for the suggestion that the news media or the U.S. Government have kept the incident from the American public.

Allegations have been periodically made that Israel deliberately attacked the Liberty. The Department has no information that would corroborate these allegations. In 1967, a U.S. Navy Court of Inquiry made a full investigation of the attack upon the Liberty. Officers and men of the Liberty testified at this inquiry, and message traffic to and from the ship was reviewed thoroughly. The transcript of the proceedings of the Court of Inquiry has been available to the public for several years. The Court reached the conclusion that it did not have sufficient information to make a judgment about the reasons for the Israeli action against the Liberty. It is doubtful that a new investigation at this time would resolve the different allegations about the incident, many of which involve assumptions that would be difficult to prove or disprove conclusively.

Israel stated that the attack was the result of confusion and error by its armed forces during the 1967 Arab-Israeli War. The Department of State was deeply concerned by the attack on the Liberty. It immediately made clear to the Government of Israel that the U.S. held Israel responsible for the incident. In turn, the Government of Israel

The Honorable
Harold S. Sawyer,
House of Representatives.

James M. Ennes Jr. Research Papers

offered an immediate apology, accepted complete responsibility and offered to pay compensation for the deaths and injuries caused to American personnel by the attack.

Israel paid in full in 1968 and 1969 the U.S. Government claims for $3,323,500 on behalf of the men who were killed and $3,452,275 on behalf of the injured members of the Liberty crew. Although there can never be adequate compensation for wrongful death or injury, the families and individuals involved received the full amount of these claims.

The United States also submitted to the Government of Israel a claim for compensation for the physical damage to the ship. Following a series of contacts through diplomatic channels, the U.S. on December 17, 1980 accepted Israel's offer to pay $6,000,000 as final settlement of this claim. Under the terms of the agreement, Israel is to pay the $6,000,000 in three annual installments of $2,000,000 each, and the first installment was paid on January 15, 1981.

Sincerely,

Walter L. Cutler
Acting Assistant Secretary
for Congressional Relations

Enclosure:

Correspondence returned.

Drafted:NEA/IAI:ECubbison:def
2/13/81:X23672 #016-0226
Cleared:NEA/IAI:DAKorn
NEA:MSterner
H:MGrossman

James M. Ennes, Jr. Research Papers

29 April 1981

Mr. John Blake
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Blake:

I am the author of Assault on the Liberty (Random House, 1980) which reports the results of my 12 years of research into the circumstances of the attack on the USS Liberty in 1967, and describes my experiences as a ship's officer on the bridge during and after the attack.

Recently, after I offered Senator Goldwater my testimony concerning the attack, the senator suggested I contact you and that you, in turn, would put me in touch with a member of the committee staff with whom I could discuss documentation.

Although there is an abundance of clear evidence that the attack did not happen in the way it has been described either by Israel or the United States, it is of course impossible for me to know what documentation has been denied to the Select Committee. My principal assistance to you could be to help direct you to evidences and to witnesses, and to point out inconsistencies in the record. For instance, any responsible naval officer will tell you that the primary sources of operational information concerning a U.S. Navy ship are the ship's deck logs, her quartermaster's notebook, her weather log and the testimony of her officers of the deck. In the case of the USS Liberty, none of those things were admitted into evidence; instead, the deck log was changed and rewritten without the knowledge of the officers of the deck, pertinent testimony was ignored, and conclusions were reached which were contrary to and unsupported by evidence.

I am presently in touch with at least 50 Liberty survivors. These men are unanimous in their conviction that the attack was deliberate and that the circumstances were covered up by our government, and they are frustrated that they have never been allowed to speak out about their experiences. They are eager to confirm reports (denied by Israel as well as by our own government) that the ship was identified by Israel in advance of the attack, that the ship was under fire for 75 minutes (not five minutes), that the firing continued long after the American flag was observed, that Israeli forces machine-gunned the ship's life rafts in the water, and that the attack occurred under circumstances which could not have been error.

I can direct you to documents and testimony which prove that Israeli forces identified the ship well before they attacked it--although those documents should be readily available to the Committee. I am in touch with a CIA employee who, if summoned, is prepared to testify that the CIA reported to the White House that Israel deliberately attacked the USS Liberty knowing it to be an American ship.

James M. Ennes, Jr. Research Papers

I hope you will have your committee staff member call me. Although I am aware that the Committee has looked into this matter in the past, I am unaware of the conclusions that were drawn. If the committee has not yet concluded that the attack was deliberate and was planned in advance by forces who knew the ship to be American, then I believe you have overlooked important evidence and I would welcome the opportunity to discuss the documentation and witnesses that are available.

Yours very truly,

Jr. Research Paper
James M. Ennes, J

DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
200 STOVALL STREET
ALEXANDRIA, VA 22332

IN REPLY REFER TO
JAG:21.2:KM:srw
CF-79-49

JUL 20 1983

The Honorable John Glenn
United States Senator
Washington, D. C. 20510

Attn: Pat Buckheit

Dear Senator Glenn:

This is in response to your inquiry dated June 14, 1983, and addressed to the Department of Defense Congressional Liaison Office. Enclosed with your inquiry letter is correspondence from Mrs. Joy Linn Evans regarding the USS LIBERTY incident.

In her letter to you, Mrs. Evans attaches a document apparently from the USS LIBERTY Veterans Association. That document refers to the Navy's Court of Inquiry which was conducted into the circumstances of the attack on the USS LIBERTY (AGTR-5) which occurred on June 8, 1967. This Office is the custodian of investigative reports which are conducted pursuant to the Manual of the Judge Advocate General (JAG Manual). The Court of Inquiry concerning this incident is such a document. Consequently, your inquiry was forwarded to our Office.

As indicated in her letter, Mrs. Evans is interested in efforts to make public the truth about the incident. The version of the attack that is inferentially attributed to the Court of Inquiry by the USS LIBERTY Veterans Association, as narrated in Mrs. Evans' enclosure, is not the official version as contained in the Court of Inquiry. For example, the document alleges that "(t)he official version is that the LIBERTY was reconnoitered only three times and then only from great distances. The American people were told the air attack lasted only five minutes and that it was followed by a single torpedo and an immediate apology and offer of assistance." The actual account in the Court of Inquiry describes as least seven overflights/14 "buzzings" of LIBERTY which occurred between 0515 and 1245. Some of these aircraft circled the ship at a distance of two miles. According to the Court of Inquiry at 1353 on July 8, 1967, the USS LIBERTY's radar reported passing aircraft. At 1358 a single aircraft was sighted approaching the ship, at 1403 there was a loud explosion port amidship, and between 1405 and 1410 LIBERTY was under repeated strafing, rocket, and incendiary air attack. Twenty minutes following the initial air attack three motor torpedo boats (MTB's) strafed the ship. One torpedo passed astern of the LIBERTY, another struck the

James M. Ennes, Jr. Research Papers

starboard side amidship. Immediately after the ship was struck by the torpedo, the MTB's stopped dead in the water and asked whether help was needed. There was no apology at this time. On June 17, 1967, General Rabin of Israel extended his personal regrets to the Chief of Naval Operations, U. S. Navy for the LIBERTY incident.

What happened that day was a truly tragic event. The concern of the families of the injured and killed aboard the USS LIBERTY is certainly understood. Misstatements and unsupported allegations add unnecessarily to their grief. While the Court of Inquiry has been available to the public for some time, not all of the relatives of the servicemembers involved have requested a copy of that report. So that you may be provided with information which will be helpful in addressing the concerns expressed in Mrs. Evans' letter, we have enclosed a copy of that Court of Inquiry.

I hope this information may be of assistance to you in aiding your constituent.

Sincerely,

T. K. WOODS, JR.
Captain, JAGC, U. S. Navy
Deputy Assistant Judge Advocate
General (Investigations)

James M. Ennes, Jr. Research Papers

JAMES M. ENNES, JR.
19009 194th Avenue NE
Woodinville
Washington 98072

June 15, 1981

Mr. David M. Ransom
Acting Director, NESA Region
Internal Security Affairs
Assistant Secretary of Defense
Washington, D.C. 20301

NO REPLY

Dear Mr. Ransom:

A citizen in New York, one Eliot Sharp, has kindly sent me a copy of your letter dated 20 May 1981, serial I-08375-81, to the Honorable Daniel P. Moynihan regarding the Israeli attack on the USS Liberty.

I was officer of the deck on the bridge of the USS Liberty for several hours immediately preceding the attack, and was severely wounded on the bridge during the attack itself. I subsequently spent several years probing the circumstances of the attack, and am the author Assault on the Liberty, which was published in 1980 by Random House.

I must take exception to your report to Senator Moynihan that there is "no basis for the suggestion" that the story has been covered up, or that you "have no information that would corroborate these allegations."

Even aside from the carefully documented account in my book, there is an abundance of information both in the public record and easily available through investigation which can substantiate that (1) the attack did not happen the way it has been described by our government, (2) the Israeli forces properly identified the ship before the attack and attacked it deliberately knowing it to be an American naval vessel and, (3) the true story has been covered up and ship's crewmen have been intimidated to remain silent.

Before your office again informs a Member of Congress that there is no corroborating information, may I suggest that you detail someone, preferably a lawyer or someone experienced in evaluating evidence, to examine the record of the Navy Court of Inquiry. Navy Judge Advocate General instructions require that all findings of a Court of Inquiry be supported by evidence. A lawyer should examine the findings of this court and then search the record for supporting evidence. I believe he will find as others have that many of the findings are totally unsupported by evidence and are even contrary to the evidence on record.

Next, you should ask any experienced seaman to specify the key evidence that should normally be examined in a case of this kind. No doubt he will give very great importance to the ship's deck logs, her quartermaster's notebook, her weather observation sheet and a statement from the ship's officer of the deck for the critical period immediately preceding the attack. If you will search the record of this court of inquiry you will find that those things were not entered into the record. My fellow officers assure me that the records were available and were in fact reviewed by the Court, but they were not entered into the record apparently because they did not

James M. Ennes, Jr. Research Papers

support (and in fact they refute) the findings which the court published. In fact, the deck logs for the period preceding the attack, including my own logs for the watch I stood, were changed, rewritten, and signed by someone else without my knowledge or permission--which is highly irregular if not illegal.

There is an abundance of other evidence readily available, but an examination of the Court of Inquiry record can be done in a few hours and will convince any thoughtful person that an adequate investigation is yet to be conducted. Unfortunately, our government persists in the assertion that this 1967 inquiry and its belated release nine years later at almost $50 per copy settles the matter. It does not.

I am in touch with about eighty Liberty survivors. Many are bitter, and virtually every man regards the government version of the attack as one that falls far short of what he saw happen. Virtually every man is convinced that the attack was deliberate and that our government covered up the story for narrow political reasons. This alone should be sufficient justification for a reexamination of what happened on June 8, 1967.

Former Senator Adlai Stevenson told me just before he left office, and said publicly in a national wire service story, that the purpose of a Liberty investigation would properly be "to tell the American people the truth," and he went on to say that the matter has not been fully probed largely because of political pressure from a powerful Israeli lobby which takes its orders from an extremist minority within Israel.

I fear that Senator Stevenson may have been correct. But I do hope that you will at least take the time to examine the Court of Inquiry record carefully. If you read that report carefully its weaknesses will be so apparent to you that you will not again misslead Members of Congress to believe that the Court did an adequate job or that its findings are in any way conclusive.

Yours very truly,

James M. Ennes, Jr.

copy to: The Honorable Caspar Weinberger
The Honorable Daniel P. Moynihan

James M. Ennes, Jr. Research Papers

DANIEL P. MOYNIHAN
NEW YORK

United States Senate

WASHINGTON, D.C. 20510

June 1, 1981

Dear Mr. Sharp:

Thank you for writing about the 1967 attack on the U.S.S. Liberty by Israeli warplanes.

I enclose for your information a copy of a letter I received recently from the Defense Department in response to an inquiry I made about the Liberty incident. As the letter explains, the Government of Israel has acknowledged that its forces were responsible for the attack on the Liberty, and compensation has since been paid to the U.S. Government and the families of the American casualties. There does not seem to be much more that can or needs to be done about this tragedy.

I appreciate your taking the time to share with me your concern about this incident. I hope the information contained in the letter I attach is helpful.

Sincerely,

Daniel Patrick Moynihan

Mr. Eliot N. Sharp
2 Montague Terrace
Brooklyn, NY 11201

James M. Ennes, Jr. Research Papers

ASSISTANT SECRETARY OF DEFENSE

WASHINGTON D C 20301

INTERNATIONAL
SECURITY AFFAIRS

I-08375/81
20 May 1981

Honorable Daniel P. Moynihan
United States Senate
Washington, D.C. 20510

Dear Senator Moynihan:

This is in response to a request by Mr. Sharp on March 17th for an investigation of the Israeli attack on the USS Liberty.

Both the U.S. and world news media covered the Liberty incident extensively at the time it occurred and have continued to follow the case in subsequent years. There is no basis for the suggestion that the news media or the U.S. Government have kept the incident from the American public.

Allegations have been periodically made that Israel deliberately attacked the Liberty. We have no information that would corroborate these allegations. In 1967, a U.S. Navy Court of Inquiry made a full investigation of the attack upon the Liberty. Officers and men of the Liberty testified at this inquiry, and message traffic to and from the ship was reviewed thoroughly. The transcript of the proceedings of the Court of Inquiry have been available to the public for several years. The Court reached the conclusion that it did not have sufficient information to make a judgment about the reasons

(Continued On Bottom of Moynihan's letter)
(I assume NESA stands for Near East South Asia)

James M. Ennes, Jr. Research Papers

ASSISTANT SECRETARY OF DEFENSE

WASHINGTON D C 20301

INTERNATIONAL
SECURITY AFFAIRS

I-08375/81
20 May 1981

Honorable Daniel P. Moynihan
United States Senate
Washington, D.C. 20510

Dear Senator Moynihan:

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Israel stated that the attack was the result of confusion and error by its armed forces during the 1967 Arab-Israeli War. The U.S. Government was deeply concerned by the attack on the Liberty. It immediately made clear to the Government of Israel that the U.S. held Israel responsible for the incident. In turn, the Government of Israel offered an immediate apology, accepted complete responsibility and offered to pay compensation for the deaths and injuries caused to American personnel by the attack.

Israel paid in full in 1968 and 1969 U.S. Government claims for $3,323,500 on behalf of the men who were killed and $3,452,275 on behalf of the injured members of the Liberty crew. Although there can never be adequate compensation for wrongful death or injury, the families and individuals involved received the full amount of these claims.

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Sincerely,

DAVID M. RANSOM
Acting Director
NESA Region

James M. Ennes, Jr. Research
James M. Ennes, Jr. Papers

United States Senate

WASHINGTON, D.C. 20510

October 29, 1981

Mr. James Ennes
[redacted]

Dear Mr. Ennes:

I do thank you for your letter about Israel's attack on the U.S.S. Liberty. I have forwarded your letter to the Department of Defense for their comments. I shall be back in touch with you as soon as I receive them, which I hope will be quite soon.

Sincerely,

Daniel Patrick Moynihan

James M. Ennes, Jr. Research Papers

ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

INTERNATIONAL
SECURITY AFFAIRS

I-15211/81

Honorable Daniel P. Moynihan
United States Senate
Washington, D.C. 20510

Dear Senator Moynihan:

This is in response to a letter by Mr. Ennes on June 13th concerning an investigation of the Israeli attack on the USS Liberty.

Mr. Ransom's response to your earlier inquiry (I-08375/81, copy attached) remains our position on a new investigation of the Liberty incident. We continue to believe that it is extremely doubtful a new investigation at this time would resolve the different allegations about the incident, many of which involve assumptions that would be difficult to prove or disprove conclusively.

Sincerely,

R. V. Secord
Major General, USAF
Deputy Assistant Secretary
of Defense
Near Eastern, African, and
South Asian Affairs

James M. Ennes, Jr. Research Papers

United States Senate

WASHINGTON, D.C. 20510

December 10, 1981

Mr. James Ennes, Jr.
[redacted]

Dear Mr. Ennes:

In order that I might provide you with a complete, factual response to your inquiry, I forwarded your letter to the Department of Defense. Enclosed is their response, which I hope is helpful.

Thank you again for your letter, and please don't hesitate to contact me if I can be of assiscance in the future.

Sincerely,

Daniel Patrick Moynihan

Enclosure

James M. Ennes, Jr. Research Papers

[illegible]

The Honorable Daniel Patrick Moynihan
Washington, D.C. 20510

23 December 1981

Dear Senator Moynihan:

Thank you for your note of December 10 forwarding Major General Secord's response for the Secretary of Defense to my letter about the Israeli attack on the USS Liberty.

To refresh your memory, I was officer of the deck of the Liberty on the day of the attack, spent a year in a hospital recovering from my injuries, and eventually wrote a book, ASSAULT ON THE LIBERTY, which was published last year by Random House.

Major General Secord has conveniently dismissed my request without addressing any of the specifics in my letter. This is because decisions about the Liberty are still being based purely upon narrow political considerations rather than upon the facts in the case. Decisions would be quite different if they were based upon the verifiable facts, but that is not being done because that would be too embarrassing.

Contrary to statements made by David M. Ransom and by Major General Secord on behalf of the Secretary of Defense, even the most casual reinvestigation of the Liberty matter would quite readily reveal that the truth has been and continues to be withheld from the public, and that the original Navy inquiry into the matter was a sham whose major conclusions cannot be supported by evidence because the conclusions are erroneous and in fact contrary to the evidence. Moreover, the Navy inquiry may not be legally valid because one of the members failed to sign the report.

My letter asks only that someone read the Navy Court of Inquiry file before citing it as evidence, but even that request is apparently too dangerous to receive acknowledgement or consideration.

Lest you suspect that I am a madman, you should know that most of the Liberty crew supports my position, as do such leading citizens as Admiral Arleigh Burke, Admiral Thomas Moorer, and former senators Adlai Stevenson, J.W. Fulbright, and James Abourezk among others. There is an abundance of evidence in support of the position that the attack did not happen the way it has been described by our government, that it occurred under circumstances that reasonable men must conclude to have been deliberate, and that the circumstances have been covered up. In fact, several American newspapers including the Washington Post have chided the government editorially (December 25, 1980) for its ostrich-like attitude in this matter. Sadly for Americans, however, any public acknowledgement of the facts in this case must await some future administration.

Meanwhile, Liberty survivors plan a reunion next June in Washington, D.C., on the 15th anniversary of the attack on our ship. Several of us would like very much to call on you at that time to discuss the circumstances of the attack and perhaps to convince you that this was in fact a deliberate and planned attack upon a known American naval vessel, and that the facts have been covered up by our government. Will you agree to meet with us at that time?

Sincerely, James M. Ennes, Jr.

[illegible]

James M. Ennes, Jr. Research Papers

RR2 Box 32
Vermillion
South Dakota 57069

U.S. President Ronald Reagan
White House
Pennsylvania Ave.
Washington, D.C. 20013

Dear Mr. President,

First of all, I would like to say congratulations on the fine job you are doing as President of our great country. At long last, a President or any politician, who is sticking to his campaign promises. Your efforts in domestic affairs, and our poor sagging economy are very much appreciated. Your stand in world affairs is what we have needed for decades, respect for Americans world wide, not just because we are strong, but because we mean what we say and say what we mean.

I am a retired Master Chief Petty Officer from the U.S. Navy. I would like to take you back in history about fourteen and one half years ago to June 8, 1967. This is a date I'm sure you'll remember as the date the U.S.S. Liberty (AGTR-5) was attacked by Israeli sea and air forces, but believe it or not, most Americans have never heard of.

I was a member of that crew which totalled 294 fine American men prior to this attack. When completed, there were 34 dead and 171 wounded (many very seriously with life-time effects).

Earlier this year I had the opportunity to talk to several of my shipmates who survived and we agreed a reunion would be a wonderful thing to have to get together and appreciate each others' company once again. From a list of 15 or 20 known addresses, I have now located nearly 100 of the 260 survivors and we have agreed on meeting in Washington, D.C., June 5th and 6th, 1982, for a fifteen year reunion. I still have hopes of finding the remaining 160 prior to that date.

On that day in 1967, I was many places throughout the ship and I saw a dedicated, well trained U.S. Navy crew fighting against overpowering odds to save their own lives, fighting to save their shipmates lives and fighting to save their ship, the U.S.S. Liberty. I saw the Captain of that ship, provide his men with leadership, heroics, direction, stability and most of all hope that we would survive. He did all this through the fiercest of fighting while all around him people were dead and wounded and seriously wounded himself.

When the fighting was over, the survivors were terrified, the wounded in terrible pain and the ship limping away with the possibility of sinking from the huge torpedo hole in the side. The Captain was still on the bridge and remained there through the night until help arrived in the morning. He was a rock that we clung to, and the others and I often wonder if we would have made it had the Captain been killed.

James M. Ennes, Jr. Research Papers

I saw all those things on June 8, 1967 but upon return to the United States I saw this ship come home, not to honors and a place in Navy history where she belongs, but to silence and a totally unaware U.S. public. I saw heroic crew members given a very quiet Presidential Unit Citation (well deserved, but not as a secret) and deserving individuals getting their medals by mail, or in a quiet ceremony and without the fanfare deserved. But most of all, and the biggest shock of all, I saw Captain William L. McGonagle given the Medal of Honor which he more than earned, but how? In the White House by the President of the United States, with lots of fanfare, TV and press coverage??? No --- at the Washington Naval Station, attended by hardly anyone and no TV or press coverage!!! What a shame for this fine crew, ship and magnificent Captain.

I am writing to ask your help, in some form, in honoring our Captain at our reunion next June. Presently he doesn't plan to attend, but has sent me some beautiful words to read to the crew when we are all assembled. I am sure we could change his mind if something special could be arranged.

I thank you for taking the time to read this long letter and for any help you might give us. It has been difficult locating my shipmates with no government or media assistance, I have tried but they are not interested. Regardless of your ability to help in our reunion, I feel you're doing a good job as President and you will have my vote again should you decide to run.

Respectfully yours,

Stan White
MCPO USN (Ret.)

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON D C 20350

15 DEC 1981

MCPO Star W. White, USN (Ret)
Rural Route #2, Box 32
Vermillion, SD 57069

Dear Master Chief Petty Officer White:

Thank you for your letter postmarked October 15 to President Reagan requesting help in honoring Captain McGonagle at the upcoming USS LIBERTY (AGTR5) reunion.

As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply on his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to the Department of Defense.

I can certainly understand the personal concern which prompted you to write the President. There is no greater honor or form of recognition that could be offered to Captain McGonagle than the Congressional Medal of Honor which he received. To be of assistance, I am delighted to sign the enclosed message which can be read during the reunion.

I wish you a very successful reunion and the best of health and happiness in the years ahead.

Again, thank you for writing to the President.

Sincerely,

Enclosure

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON D C 20350

It is a distinct pleasure to extend my warmest regards and best wishes to each of you on the occasion of your fifteen-year reunion.

I note with pride your continued support and devotion to the ideals of service, loyalty and love of country, which serve as a demonstration to all of us that patriotism remains strong within the fabric of American life. Each of you can take special pride in knowing that your individual and collective contributions to our Navy are greatly appreciated.

I wish all of you the best of health and happiness in the years ahead, and I look forward to your continued valuable support.

John Lehman
Secretary of the Navy

James M. Ennes, Jr. Research Papers

WASHINGTON, D.C. ADDRESS:
2110 RAYBURN HOUSE OFFICE BUILDING
(202) 225-5661

HOME ADDRESS:
426 NORTH EIGHTH STREET
EAST ST. LOUIS, ILLINOIS 62201

DISTRICT OFFICE
FEDERAL BUILDING
EAST ST. LOUIS, ILLINOIS 62201
(618) 874-2200

Congress of the United States
House of Representatives
Washington, D.C. 20515

MELVIN PRICE
22d ILLINOIS DISTRICT

CHAIRMAN, COMMITTEE ON
ARMED SERVICES

SUBCOMMITTEES:
RESEARCH AND DEVELOPMENT,
CHAIRMAN

PROCUREMENT AND MILITARY
NUCLEAR SYSTEMS

February 17, 1982

Mrs. Helen Haley
105 St. Justin
Cahokia, Illinois 62206

Dear Mrs. Haley:

I am enclosing the response I have received from the Veterans Administration, Department of Memorial Affairs, concerning your request for a new monument inscription on the site of a group burial in Arlington National Cemetery.

I am sorry that did not render a favorable decision on your request. Should you feel that I can be of further service to you in any other way, please let me hear from you.

Sincerely,

Melvin Price
Member of Congress

MP:jn

James M. Ennes, Jr. Research Papers

Department of Memorial Affairs — Washington, D.C. 20420

Veterans Administration

Honorable Melvin Price
House of Representatives
~~Washington, D.C. 20515~~

Dear Mr. Price:

I am pleased to respond to your inquiry in behalf of Mrs. Helen Haley of Cahokia which you originally addressed to the Department of the Army. Mrs. Haley wrote to you regarding the inscription on the monument erected on the site of a group burial in Arlington National Cemetery of six men from the USS Liberty. Mrs. Haley agrees with Mr. Bender Tansill of Chevy Chase, Maryland, who desires a new monument inscribed to show how the six men died.

Although Arlington National Cemetery is under the jurisdiction of the Department of the Army, the furnishing of monuments is the responsibility of Monument Service, Veterans Administration. For special monuments, such as this, the inscription is designed by Cemetery Service, Veterans Administration in cooperation with the Department of the Army.

After receiving your letter I discussed the inscription with Mr. R. J. Costanzo, Superintendent, Arlington National Cemetery, who assured me the group burial marker is consistent in size and inscription with other group burial markers in the cemetery. I have enclosed a photograph of the subject monument and copies of three other group burial monuments in Arlington. Mr. Costanzo also mentioned he had not received any requests from the next of kin of the six men to alter the current inscription in any way.

In view of the above, it is my opinion the present inscription is satisfactory and it would not be in the best interest of the cemetery or the families of any veterans who are buried as a group.

It is regretted my response is not favorable to your constituent's request. Your personal concern in this matter is appreciated.

Sincerely yours,

DONALD L. WARDLE
Director, Monument Service

Enclosures

In Reply Refer To: 42

James M. Ennes, Jr. Research Papers

UNITED STATES AIR FORCE

FRED J CARTER
SOUTH CAROLINA
1ST LIEUTENANT
FEBRUARY 6 1945

WADE A GREER
TEXAS
CAPTAIN
MARCH 29 1943

KILLED VIETNAM NOVEMBER 5 1969

James M. Ennes, Jr. Research Papers

WILLIAM H ARNOLD
TEXAS
CPL US MARINE CORPS
VIETNAM
JANUARY 20 1938

JOHN H GILLILAND III
CALIFORNIA
CREWS US NAVY
VIETNAM
OCTOBER 6 1942

TERRANCE H LARSON
WYOMING
SP4 US ARMY
VIETNAM-BSM-PH
MARCH 2 1947

JOHN D SAVILLE JR
MARYLAND
SP4 US ARMY
VIETNAM-BSM-PH
JULY 29 1947

CHRISTOPHER BRAYBROOKE
NEW JERSEY
LT COL US AIR FORCE
WW II-KOREA-VIETNAM-AFCM
MARCH 25 1928

FRANCISCO HERNANDEZ-GONZALEZ
PUERTO RICO
SGT US MARINE CORPS
VIETNAM
MARCH 1 1942

ROBERT D NELSON
TENNESSEE
SP4 US ARMY
VIETNAM-PH
AUGUST 12 1946

WILLIAM L STEWART JR
VIRGINIA
SP4 US ARMY
VIETNAM-BSM-PH
FEBRUARY 10 1943

CLOYCE O BURKETT JR
KANSAS
T SGT US AIR FORCE
VIETNAM
NOVEMBER [illegible] 1930

MELVIN E JOHNSON
NORTH DAKOTA
BU[illegible] US NAVY
VIETNAM
AUGUST 13 1946

TERRY M REHN
PENNSYLVANIA
SGT US AIR FORCE
VIETNAM
JUNE 13 1943

RONALD A VILARDO
CALIFORNIA
SP4 US ARMY
VIETNAM-BSM
AUGUST 6 1946

RICHARD G FERRUGGIA
NEW JERSEY
SP4 US ARMY
VIETNAM-BSM
JUNE 19 1945

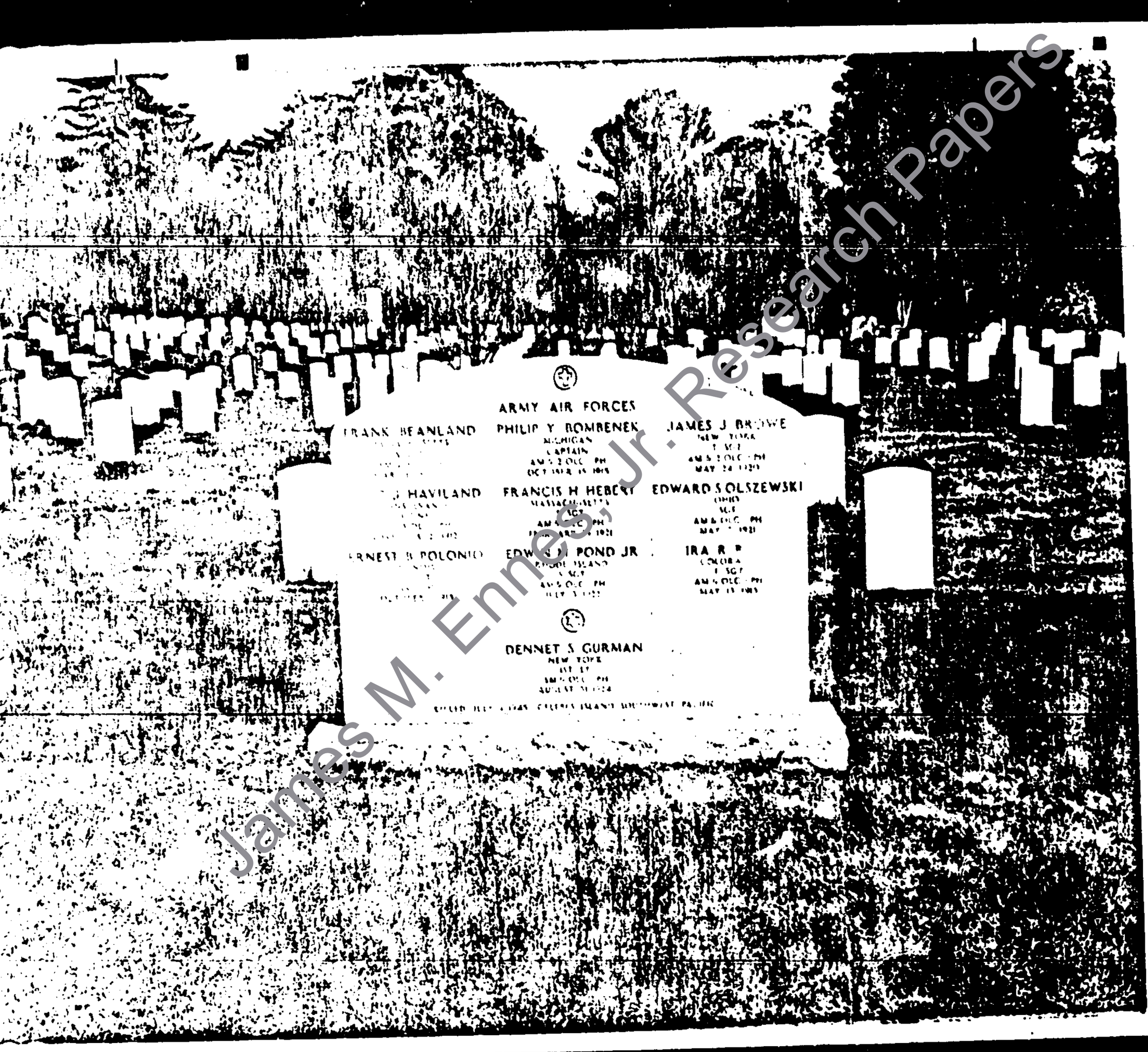
BERNIE C KRIDLER III
MICHIGAN
L CPL US MARINE CORPS
VIETNAM
JANUARY 29 1948

JOSEPH P ROWLEY
MARYLAND
SP4 US ARMY
VIETNAM-BSM
MARCH 29 1947

DONALD A WILKINSON
MASSACHUSETTS
SGT US MARINE CORPS
VIETNAM
SEPTEMBER 4 1947

DIED IN VIETNAM OCTOBER 8 1967

James M. Ennes, Jr. Research Papers



Jr. Research Papers
James M. Ennes, Jr.

JAMES M. ENNES, JR.
19009 194th Avenue NE
Woodinville
Washington 98072

5 April 1982

COPY

THIS LETTER TURNED THE TIDE AND BROUGHT DECISION TO REPLACE THE GRAVESTONE.

Mr. Donald L. Wardle
Director, Monument Service
Department of Memorial Affairs
Veterans Administration
Washington, D.C. 20420

Dear Mr. Wardle:

Thank you for your letter #42 of February 9, 1982, to Congressman Melvin Price concerning the gravestone presently marking the mass grave of USS Liberty victims at Arlington National Cemetery.

I am editor of the USS LIBERTY NEWSLETTER which is published by and for former crewmen of the Liberty, and I am a survivor of the attack which took the lives of 34 of my shipmates, 14 of whom are buried at Arlington National Cemetery. You should know that many of my shipmates share and support the view of Commander X. Bender Tansill of Chevy Chase that the gravestone inscription is misleading and inappropriate. We believe that the reason you have not heard from next of kin on this subject is that they are unaware that the inscription could be changed. We have attempted to reach next of kin, but have been blocked by privacy regulations. In any case, many of my shipmates feel very strongly that the gravestone marking is evasive and inappropriate. We request your further comment.

Specifically, your letter advises that the Liberty mass grave inscription is consistent with that of other group burial markings. To illustrate that point, the letter includes photographs of stones marked: "Killed - Vietnam", "Died in Vietnam" and "Killed - Celebes Island Southwest Pacific".

Those markings seem appropriate, since those men no doubt died in those places. My shipmates, however, died at sea aboard the USS Liberty, a United States vessel. The significant place of death was the ship, not the piece of ocean that held the ship at that moment. The only appropriate marking for that gravestone would be "KILLED - USS LIBERTY - JUNE 8, 1967". We believe that the present inscription, which evades our ship's honorable name, springs from the same mindset which causes all reference to the attacking nation to be deleted from citations for heroism, which caused our commanding officer to receive his Medal of Honor in a quiet ceremony at the Washington Navy Yard instead of at the White House as is customary, and which causes our government to continue to pretend that the attack was an accident.

A more appropriate example for you to cite would be another mass grave of Navy men. Can you show us a mass grave of Navy men who died aboard ship whose gravestone fails to mention the ship? If you can show us such a grave, we must then agree that the Liberty gravestone is consistent with others. Until then, we must suppose that the evasive marking is one more government effort to give the lowest possible profile to the attack on our ship.

I eagerly await your reply. which will be distributed to my shipmates.

Sincerely,

James M Ennes, Jr Research Papers

Rt. 1, Box 45A
Burbank, SD 57010
November 10, 1982

Minister of Justice
Government of Israel
Jerusalem, Israel

Dear Sir:

It is with a great deal of respect and admiration that we are writing this letter. For your great country to initiate a public investigation of the massacre in Beirut, Lebanon with the entire world observing, is not only a courageous deed, but is also very encouraging in these days of secrecy and cover-up.

It is in this same vein that we, the surviving crew of the U.S.S. Liberty, are communicating with you at this time. As an organization we have established as major goals, 1) Locate all Liberty crew members, 2) Proper recognition of our Captain and, 3) Proper recognition of the crew. However, it has become very apparent to us that there is little or no chance of achieving our goals through our own efforts or through any assistance from our government or the TV and News Media, due to the high regard for Israel throughout the United States. Therefore, we are appealing to you to either re-open or at least review the June 8, 1967, incident between your planes and motor torpedo boats and our ship, the U.S.S. Liberty.

With your renewed interest and sense of justice, it may become possible for our own government and media to be able to talk freely on the subject. The majority of the American public have never heard of the U.S.S. Liberty and those that have associate it with some sort of stigma or black cloud. We are proud of our actions and response to a far superior attacking force and even more proud of our Captain, a true hero in every sense of the word.

We thank you for taking the time to read this letter and hearing our appeal to take another look at our case. We also respect your desire to have your people to be able to live in peace and wish you our best in achieving this goal and pray that someday we can all live in peace. We look forward to hearing from you, hopefully with good news concerning our

- continued -

James M. Ennes, Jr. Research Papers

request. I hope that some day I might be able to visit your country, see the many historic sights, and meet your people and have the opportunity to visit with them.

Very respectfully,

Stan White
MCPO USN (Ret)
~~President, U.S.S. Liberty~~
Veterans Association

cc: U.S. State Department (Israeli Desk)
U.S. Ambassador to Israel
Israeli Ambassador to U.S.

James M. Ennes, Jr. Research Papers

LOS ANGELES OFFICE
444 SOUTH FLOWER STREET
LOS ANGELES, CALIFORNIA 90017
(213) 488-4060

BROBECK, PHLEGER & HARRISON
ATTORNEYS AT LAW
SPEAR STREET TOWER
ONE MARKET PLAZA
SAN FRANCISCO, CALIFORNIA 94105
(415) 442-0900
TELECOPIER (415) 442-1010 CABLE BROBECK
TELEX 34228 BPH SFO INT'L. TELEX 278002 BPH UR

PALO ALTO OFFICE
TWO PALO ALTO SQUARE
SUITE 230
PALO ALTO, CALIFORNIA 94304
(415) 494-8100

July 20, 1983

James M. Ennes, Jr.
[redacted]

Dear Jim:

Of course you can use my name on your letterhead and I am glad to serve as unpaid legal counsel.

The obtaining of IRS tax-free status is not a difficult procedure although can take several months, following submission of the necessary association papers. Ordinarily, one would form a non-profit corporation and submit a clear statement of the purposes of the organization, potential sources of revenue etc. I will be glad to do this if you will send me the necessary documents.

I will be talking to the potential paperback publisher in a few days, and will let you know his comments.

Keep up the good work. I think that the true story of the Liberty, properly published and with appropriate television coverage could do more to enlighten the American public on the potential possibility that Israel could be an enemy rather than a friend than any other single project.

James M. Ennes, Jr. Research Papers

Coincidently, the other evening I met the former director of the National Security Agency and asked him the square question: "Was the attack on the Liberty deliberate?" He shot back an immediate "Yes," and went on to describe how badly the senior professional military establishment felt when President Johnson aborted the retaliatory strike which was already in the air. I suspect that it was this action of Johnson's which has caused the government to want to throw a protective cloak over the whole affair, although the influence of the Jewish community lobby is also a major factor.

In any event, keep up the good work. I would like to help in every way I can.

I hope you will take advantage of the interest of The Marshall Group, inasmuch as the retired military community is a powerful source of support indeed, and might just be the key to unlocking the veil of secrecy. Let me know <u>any</u> way I can help. I will be glad to try.

Sincerely,

Paul N. McCloskey, Jr.

PNMcC:cap

James M. Ennes, Jr. Research Papers

PAUL N. McCLOSKEY, JR.
12th District, California

COMMITTEE ON
GOVERNMENT OPERATIONS
AND
COMMITTEE ON
MERCHANT MARINE
AND FISHERIES

Congress of the United States
House of Representatives
Washington, D.C. 20515

225 Cannon Building
Washington, D.C. 20515
(202) 225-5411

District Office
345 Grant Avenue
Palo Alto, California 94306
(415) 326-7300
(408) 275-7402

June 11, 1981

James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

I was just finishing your book, Assault on the Liberty, when news came of the newest Israeli attack. If you have time to drop by my office in Washington one of these days, I would like to talk about the Liberty experience with you, and I will, of course, be glad to write a brief promotional statement if it is still timely.

Sincerely,

PAUL N. McCLOSKEY, JR.

PNMcC:amb

James M. Ennes, Jr. Research Papers

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

JAMES M. ENNES
19009 194TH AVE NE
WOODINVILLE, WASH
98072

June 16, 1981

The Hon. Paul McCloskey, Jr.
Washington, D.C. 20515

Dear Mr. McCloskey:

Thanks for your note of June 11 and your invitation to drop by your office. I hope to make a fall speaking tour of several states and if this brings me either to Washington or Palo Alto I shall indeed call to see if you are in, and I would be pleased to discuss the Liberty matter with you.

You certainly finished reading the book at an interesting time, coinciding as it did with the attack on Iraq.

I do believe a brief promotional statement would still be timely, since the book is still selling (four editions are now in print), and interest is building daily for paperback, overseas editions, and even a possible movie. I hope to include some of the recent statements in a future edition. (Enclosed are some remarks you may not have seen. Barry Goldwater's full comment, which I do not use because he would not grant permission to use it publicly, was: "The book was absolutely tremendous; I enjoyed every word of it and I am tremendously happy that the event has finally been published so that the American people who care can know a little better what we have had to put up with. With friends like that you don't really need enemies." But when I asked permission to quote him publicly he declined to answer my request.)

A few days ago the Department of Defense, in response to a constituent-inspired inquiry from Senator Daniel Moynihan, advised the senator rather evasively that there is nothing to support my charges. Enclosed is my reply, which may interest you.

With best wishes,

Jim Ennes

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE

Washington, D.C. 20520

28 AUG 1980

Cpy

Mr. Gip D. Oldham, Jr.
6008 East University Boulevard
Dallas, Texas 75206

Re: Freedom of Information Act Request #7902847

Dear Mr. Oldham:

I am responding to your letter of August 5 in which you request the names of the reviewers for the material on the U.S.S. Liberty.

I regret the delay in responding to you, but the material is still under review. The individual responsible for the review process is Mr. Clayton E. McManaway, Deputy Assistant Secretary for Classification/Declassification Center in our Bureau of Administration.

If I can be of any further help, please let me know.

Sincerely,

Cindy R. Miller

Cindy R. Friedman-Miller
Information and Privacy Staff

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE
Washington, D.C. 20520

September 18, 1980

Dear Senator Kennedy:

I am writing in response to your inquiry of August 3, regarding Mr. Stephen St. John's letter concerning the Israeli attack upon the USS Liberty in June, 1967.

Questions about this incident have arisen frequently over the years. In particular, the charge that Israel deliberately attacked the Liberty has been raised a number of times. The Department has no information to substantiate this allegation. The Navy Court of Inquiry conducted subsequent to the attack concluded that it had insufficient information to make a judgment on the reasons why Israeli aircraft and motor torpedo boats attacked the Liberty. The complete record of that inquiry, as well as most other official documents on the incident, have been made available to the public under the Freedom of Information Act. The only documents remaining classified deal with the as yet unsettled claim by the United States against the Government of Israel for compensation for the physical damage caused to the ship.

The attack took place during the 1967 Arab-Israeli war, a time of frenetic activity and great confusion. In the aftermath of the attack, the Israelis offered assistance to the disabled ship. The Government of Israel immediately took full responsibility for the attack and stated that it was due to an error on the part of its armed forces. The Israelis extended immediate apologies for the attack and paid in full the claims submitted by the U.S. Government in connection with the deaths and injuries to the Liberty crew.

As I mentioned above, the sole remaining claim is for the physical damage caused to the Liberty. The Government of Israel has agreed to negotiate compensation for this claim. The Department is presently completing

The Honorable
Edward M. Kennedy,
United States Senate.

James M. Ennes, Jr. Research Papers

consultations with the Department of the Treasury and the Department of the Navy to prepare the U.S. negotiating position, and we expect to begin these negotiations soon.

Sincerely,

Brian Atwood

J. Brian Atwood
Assistant Secretary
for Congressional Relations

Enclosure:

Correspondence Returned.

James M. Ennes, Jr. Research Papers

LLOYD BENTSEN
TEXAS

COMMITTEES
FINANCE
ENVIRONMENT AND PUBLIC WORKS
JOINT ECONOMIC

United States Senate

WASHINGTON, D.C. 20510

November 5, 1980

Mr. Gordon S. Clark
Route 2, Box 213
Eastland, Texas 76448

Copy

Dear Mr. Clark:

Thank you for your recent correspondence.

I contacted the Senate Intelligence Committee, which has informed me that Senator Stevenson will not be conducting hearings regarding the attack of the Liberty. I agree with you that all the facts should be ascertained in this case. Although I am not a member of this committee, you can be sure that I will support any action which will seek the truth in this matter. I am grateful for your bringing this to my attention.

I appreciate your taking the time to contact me.

Sincerely,

Lloyd Bentsen

Lloyd Bentsen

"of" - curious choice of words.

b.

Jr. Research Papers
James M. Ennes, J

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, SECOND SESSION

Vol. 126 WASHINGTON, TUESDAY, JUNE 17, 1980 No. 99

Senate

S 7161 - S 7163

INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1980

Mr. STEVENSON. Mr. President, this amendment withholds $150 million in economic assistance for Israel until such time as it respects U.S. policy and ceases to establish new or expand old settlements in the occupied territories.

Mr. President, this bill authorizes $4,813,921,000 in security and development assistance in the world. Of this, $2,185,000,000, or about 43 percent, is earmarked for Israel as military sales financing and economic support. $1,300,000,000 is earmarked for Egypt for similar purposes. Together these two countries, Israel and Egypt, receive over 70 percent of all U.S. assistance. About 85 percent of all security assistance worldwide is concentrated in five states bordering the Eastern Mediterranean.

World food and fuel resources are depleting. Nations are staggering under the burdens of debt and the oil bill. By the hundreds of thousands people are fleeing poverty and oppression, some of them to be washed up like human flotsam upon our own shores. Violence has broken out from Afghanistan to East Timor. Fertile conditions exist for Russian and Cuban subversion, even in the Caribbean. And yet Israel, with a high standard of living, is to receive almost as much military and economic assistance from the U.S. Government as all the other 99.9 percent of the world's people combined.

I repeat, Mr. President, under this bill Israel is to receive almost as much military and economic assistance from the U.S. Government as all the other 99.9 percent of the world's people.

This preference for Israel diverts funds from the support of human life and vital American interests elsewhere in a volatile, interdependent and unstable world. If it could produce stability in the Middle East or enhance Israel's security, it could be justified, but it reflects continued U.S. acquiescence in an Israeli policy which threatens more Middle East instability, more Israeli insecurity and a continued decline of U.S. authority in the world. To say the least, it does not reflect a balanced consideration of U.S. interests in the world to earmark almost half of all U.S. security assistance for less than one-tenth of 1 percent of the world's people.

We are asked to authorize this extraordinary sum, notwithstanding that the Begin government's refusal to settle the Palestinian issue and the status of the West Bank, except on its own terms of annexation for ancient Judea and Samaria, is an obstacle to peace and a cause of continued, if not accelerated, Middle East instability and violence.

The U.S. Government holds the Israeli settlements in occupied territories to be illegal and an obstacle to settlement of the issues that divide Arab and Jew—the fate of the Palestinians. They are inconsistent with Security Council Resolution 242 and have been condemned by all members of the Security Council.

Secretary of State Cyrus Vance testified on March 20:

> U.S. policy toward the establishment of Israeli settlements in the occupied territories is unequivocal and has long been a matter of public record. We consider it to be contrary to international law and an impediment to the successful conclusion of the Middle East peace process. We have consistently urged Israel to halt actions to create new settlements or to seize land to expand existing ones. We regard such restraint as particularly important while the autonomy negotiations are underway.
>
> The Camp David frameworks do not refer specifically to Israeli settlements in the West Bank and Gaza. Nevertheless, certain questions concerning the status of the settlements during the transitional period will obviously have to be resolved in the course of the autonomy negotiations.
>
> The permanent resolution of the settlement issue must then be decided in the subsequent negotiations on the final status of the occupied territories.

That language is plain enough. The U.S. position is stated over and again. The Begin government blithely, sometimes insultingly, ignores it. It encourages, protects and establishes more Israeli settlements on the West Bank. And the United States proposes to go on authorizing these remarkable sums for the Begin government notwithstanding its defiance of our policy and our interests.

Every time this subject is raised, as it was in the House the week before last, there is a chorus of muted disapproval of Israel's settlement policy followed by nervous murmurs about caution in the midst of a highly delicate peace process which might be upset by doing anything which implies criticism of Israel. The highly delicate process we find ourselves in is a U.S. election campaign. The Congress is always in that delicate situation. That, I fear, is the explanation for the extraordinary sums in this bill for the Begin government of Israel.

No matter what the Israeli Government does, even if damaging to the United States or in violation of agreements with the United States, it gets no embarrassing questions from the United States. The United States vote for condemnation of the Israeli settlements policy in the Security Council in March was quickly reversed once the domestic political implications became apparent to a nervous and divided administration.

Israel attacked the *U.S.S. Liberty* in 1967 killing 34 Americans and causing severe damage to our ship. It may have done so deliberately. Yet, the United States has not recovered compensation for the damage to this ship. I cannot even get a satisfactory report on the incident from the State Department.

Israel's invasion of Southern Lebanon in March 1979 impeded the efforts of the U.N. Interim Force to achieve peace in that country. This was followed by a succession of retaliatory and preemptive bombing attacks against Lebanese territory. These military operations were carried out with American equipment in apparent violation of the terms upon which it was accepted. When Turkey, using American supplied equipment, invaded Cyprus in 1974, the United States promptly imposed an arms embargo.

Mr. President, aid for Israel should be considered in relation to U.S. interests, as with aid for all other nations. We have common interests with Israel, including peace in the Middle East and the survival

James M. Ennes, Jr. Research Papers

of Israel but those common interests and our special relationship with Israel are not served by the settlements policy of the Begin government. The Government of Israel is, of course, free to adopt any policy it chooses. But it should not be rewarded for defying U.S. interests, and that is what the United States has been doing to the consternation of Israeli moderates. The United States is subsidizing a settlements policy which undermines the peace process it authored. The United States is convincing elements in Israel that Mr. Begin is right when he insists that resisting American "pressure" long enough will cause it to go away. I do not suggest pressure on Israel. I simply suggest we signal support for our own interests and leave the rest to the Israelis.

The actions of the Begin government in the West Bank conflict with the policy of the United States, the policy embodied in U.N. Security Council Resolution 242, the Geneva Convention and the opinion of all other nations on Earth. The policies of Mr. Begin, as distinguished from those of his predecessors and the views of most of his countrymen, contemplate territorial aggrandizement, not the dreams of peace and justice upon which Israel was founded and for which it has been generously supported.

The settlements policy undermines the just principles of the Jewish faith. It undermines the position of President Sadat in the world and in his own nation. It isolates Israel, threatening to make it an international outlaw.

Such uncompromising policies and their associated defense burdens are driving Israel into bankruptcy. Israel already suffers from a 100 percent annual inflation rate. They threaten Israel over time with heavily armed, militant, Russian-supported forces from Libya to Iraq outside its borders and an increasingly violent Arab population inside its borders. The recent exchange of terrorist acts between extremist Arabs and extremist Jews on the West Bank are more signs of the violence in store for such policies. Annexation of occupied territories threatens over time to make Jews a minority in their own nation. Of larger significance than the fate of Israel is our own security and, indeed, the peace and stability of the world. The nuclear threshold is reached in the Middle East; America's authority continues its decline; and the world risks economic and political upheaval.

Mr. President, the passage of time without movement toward peace has strengthened the most immoderate elements in the Middle East. A new right-wing party is campaigning in Israel to jettison the Camp David process. Private armies are being set up to promote new settlements in the West Bank. Palestinian terrorism against Israelis is followed by harsh Israeli crackdowns, including deportations, the closing of Arab newspapers and destruction of Arab crops, imposition of curfews and Israeli terrorism. The PLO has renewed its call for the extinction of Israel and voiced more violence. Sadat is neutralized as a force for modernization in the Middle East and faces growing discontent within his own impoverished and disorganized nation.

This peace process produces no movement toward "autonomy" or a permanent settlement. It produces growing Soviet influence in the region and grievances toward the United State throughout the Islamic world. No Islamic nation in the region now dares be associated with the United States, except in the most carefully defined and restricted ways, even including Egypt.

The peace and stability of the world require an end to the long war in the Middle East. But the settlement policy of Mr. Begin is inconsistent with the autonomy talks and the only basis for an overall settlement in the Middle East—namely, the exchange of occupied territories for international recognition and guarantees of Israeli sovereignty.

It is past time the United States stopped encouraging Israeli extremists and gave some encouragement to the moderates who seek peace. If the Congress waits until the American people demand that their Government represent their interests in the Middle East, it will be at some risk of tension between Americans of different faiths. Such demands will surely come if we go on and on subsidizing, with only whispered disapprovals, of such Israeli policies.

Uri Avnery, a knesset member, cries out:

> And to Americans I say, don't help the extremists in Israel. Don't say everything our government does is right. It is not right. It will actually stop the Bible Us[illegible] vote to give us wisdom.

According to an Israeli poll, most Israelis are opposed to continued establishment of West Bank settlements. It seems that most American Jews are opposed to the settlements policy of Mr. Begin. Rabbi Schindler, president of the Union of American Hebrew Congregations, says:

> The Israeli government is diverting virtually all of its settlement funds across the green line. . . . Of 1,250 new housing units planned, 1,050 are in the Judea and Samaria districts of the West Bank, 200 on the Golan Heights, a sprinkling for the Galilee hilltop settlements and nothing at all for the Negev (and the Negev) . . . Progressive Judaism is not advantaged, the entire nation is disadvantaged.

Mr. President, the Congress should not side against the courageous voice for progressive Judaism and peace in Israel and abroad. They can bring Israel policies into line with our own, and within the search for peace, before it is too late, if we given them a chance.

The fear and anxiety underlying Mr. Begin's views have historical origins which we should respect and try to understand. We should respect, if not approve, the Biblical origins of certain of his policies. And, surely, we should sympathize with the insecurity and fear which, over the centuries of oppression, have produced passions on all side in Israel. But, surely, too, the generous support of the American people, beginning with the Truman administration and the birth of Israel, have made our support clear beyond any doubt. That support continues. But our support is for Israel, not its Government, right or wrong.

Our support for Israel is not the issue here. Israel's support for the ideals of peace and justice which gave it birth are at issue. It is, I submit, for the Israel Government to recognize again that Israel's interests are in harmony with our own and, for that to happen, it is important that we do not undermine the voices for peace in Israel or justify those, like Mr. Begin, who claim U.S. assistance from the Congress can be taken for granted.

It would be wiser, Mr. President, to reward some movement toward settlement of the difficult issues, including the status of the West Bank. Instead of rewarding intransigence, Aid, always more aid, is proposed as if to signify that the way to our purse is through resistance to our policies.

None of us has any sympathy for the intransigence of the Palestinian extremists. But the United States does not support them. We imposes sanctions against other nations which transgress our interests. I suggest no such thing for Israel. Only that the Israeli Government be made to understand that it will not profit from its defiance of our opinion and the disservice of our interests—and, I believe, its own. This is a modest and a friendly proposal.

All the amendment I propose does is withhold $150 million of economic support for Israel. That amount reflects a conservative estimate of what the Israeli Government is spending annually on its West Bank settlements program. If the President determines that Israel has stopped construction of new settlements or expansion of old settlements in occupied territories, the $150 million could be restored with no further action by the Congress.

An agreement between the United States and Israel provides that assistance by the United States must be used in the area which constituted pre-1967 Israel, that is not in the Israeli occupied territories. I do not know it that agreement has been violated. In any event, we have no reason to believe that the administration would enforce the agreement if it were violated. As it is, economic support funds made available to Israel free Israeli resources for use elsewhere, including the West Bank. There is no way to isolate or insulate this aid so that it does not provide indirect aid to Israel in the furtherance

James M. Ennes, Jr. Research Papers

of its settlements policy

This amendment offers a feasible expression of disapproval for Mr Begin's settlements policy—nothing more. It joins the United States with the opinion of most Israelis and Americans, and, indeed, the world. It offers the Senate an opportunity to signal to the American people, as well as to those of Israel and all nations, that it intends to represent U S interests and to implement U S. policy in the Middle East. If Israel were then to rejoin the search for peace, a settlement might follow, and all the world would begin to recover confidence in American statesmanship

Mr. President, I urge the Senate to approve this

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HOUSE OF REPRESENTATIVES
WASHINGTON, D. C. 20515

ROBERT K. DORNAN
TWENTY-SEVENTH DISTRICT
CALIFORNIA

April 14, 1980

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

Thank you for your letter. I hope your book does very well. We need more citizens like yourself to expose the tragic mistakes and cover-ups of the government. After the Iran crisis is over, will you think about writing a book exposing the Carter Administration's colossal blunders? It will have to be a long book.

The best of luck to you.

Sincerely,

Robert K. Dornan
Member of Congress

RKD:jacm

James M. Ennes, Jr. Research Papers

CHARLES D. FOX, III
August 6, 1985

The Honorable Jim Olin
House of Representatives
1207 Longworth House Office Bldg.
Washington, DC 20515

Dear Jim:

I appreciate your letter of July 31. Unfortunately, this is the State Department's position, but does not answer the question. I am enclosing for you to hopefully read or glance through, a book called Assault On The Liberty. This book was based on the first available information only released in 1980. Admiral Tom Moore, whom you will remember as having been Chairman of the Joint Chiefs of Staff, feels that the court of inquiry was a farce, as do most of us who have gotten into this situation. Eighteen years of coverup is enough and I hope you will help break it open. I would appreciate your thoughts.

Sincerely,

Charles D. Fox, III

CDFIII/sm

Enclosure

cc: James Ennes

Dictated but not read.

James M. Ennes, Jr. Research Papers

United States Department of State

Washington, D.C. 20520

October 24, 1985

Mr. Joseph L. Meadors, President
U.S.S. Liberty Veterans Association
P. O. Box 789
Woodinville, WA 98072

Dear Mr. Meadors:

Secretary Shultz has asked me to reply to your letter of October 11 on his behalf.

With respect to your request for a copy of the decision of the Israeli judge, dated July 21, 1967, this decision is not a United States government document, and should therefore be requested through the Israeli Embassy in Washington.

You also inquired regarding the reasons why discrepancies between the Israeli and U. S. Navy findings "have not been specifically resolved." Responsibility for the U.S. government's handling of the attack on the Liberty lies with the Department of the Navy, Office of the Judge Advocate General, rather than the Department of State, as you imply in your letter. The U.S. Navy conducted a Court of Inquiry in 1967. The duty of the court was to consider all available information and evaluate all facts available, drawing its conclusions from those facts. As you point out in your letter, there were numerous conflicts and variations in the evidence available. The U.S. Navy made its findings after careful review of these conflicting pieces of information, and reached a determination that there was insufficient evidence to reach a judgement that Israel's attack on the Liberty was premeditated and knowing. In the legal sense, therefore, the U.S. Navy court made as specific a resolution of the conflicting evidence in the case as was possible.

If you have additional questions on any aspects of the Court of Inquiry or its findings, I recommend you contact the Department of the Navy, Office of the Judge Advocate General.

Thank you for writing to us on this subject.

Sincerely

Philip C. Wilcox, Jr.
Director
Office of Israeli and
Arab-Israeli Affairs

James M. Ennes, Jr. Research Papers

BUDDY MACKAY
FLORIDA
SIXTH DISTRICT

503 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-5744

COMMITTEES
BUDGET
FOREIGN AFFAIRS

SELECT COMMITTEE ON
AGING

Congress of the United States
House of Representatives

October 25, 1985

Mr. James M. Ennes, Jr.
Historian
U.S.S. Liberty Veterans Association
Post Office Box 789
Woodinville, Washington 98072

Dear Mr. Ennes:

I have received your comments regarding my correspondence with Ms. Evelyn Judge. I am sorry that my position about the 1967 attack on the U.S.S. Liberty was unsettling to you. Clearly as a witness to the tragic events surrounding the attack on the U.S.S. Liberty, you know much more about the circumstances than I.

Enclosed, please find a copy of another letter I sent to Ms. Evelyn Judge. I appreciate your sharing these concerns with me.

Sincerely,

Buddy MacKay

Buddy MacKay

KHMjr:dg
Enclosure

James M. Ennes, Jr. Research Papers

IN RESPONSE, PLEASE REPLY TO:

☐ 207 N.W. SECOND STREET, ROOM 206
OCALA, FLORIDA 32670
(904) 351-8777

☐ 401 S.E. FIRST AVENUE, ROOM 314-16
GAINESVILLE, FLORIDA 32601
(904) 373-0362

☐ 108 SOUTH SIXTH STREET
LEESBURG, FLORIDA 32748
(904) 376-8255

BUDDY MACKAY
[illegible]
[illegible]
[illegible]
[illegible]

COMMITTEE
BUDGET
FOREIGN AFFAIRS
SELECT COMMITTEE ON
AGING

Congress of the United States
House of Representatives
October 22, 1985

Ms. Evelyn K. Judge
Post Office Box 5052
Gainesville, Florida 32602

Dear Ms. Judge:

I understand your frustration with the uncertainty of events that surround the attack on the U.S.S. Liberty. Unfortunately, it is extremely difficult to determine fact on an issue which is subject to circumstantial evidence.

I contacted the Department of the Navy to inquire as to whether or not there are any on going studies about the attack on the U.S.S. Liberty. I was informed that there are no further studies, however, one may obtain copies of the earlier studies. The records contain a study of the port of inquiry and the Liberty message traffic. The records are obtainable only on microfilm and cost a total of $10.00. You may obtain this information by writing to:

United States Department of the Navy
Archives Division
Naval Shipping Yard
Washington, D.C. 20374

The issue of the U.S.S. Liberty will always be questioned. The American justice system founded on the innocent until proven guilty premise precludes us from condemning the Israelis. I am sorry that I am unable to shed more light on this extremely controversial issue.

Sincerely,

Buddy MacKay

KHMjr:dg

James M. Ennes, Jr. Research Papers

IN RESPONSE, PLEASE REPLY TO:
[illegible]
[illegible]
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[illegible]
[illegible]
[illegible]

U.S.S. LIBERTY VETERANS ASSOCIATION

Ben White, Chairman
Joseph L. Meadors, President
Robert Claude, Vice President
Joyce Claude, Secretary-Treasurer
Paul N. McCloskey, Legal Advisor
James M. Ennes Jr., Historian
P.O. BOX 196, WOODINVILLE, WASHINGTON 98072

October 26, 1985

The Honorable Buddy MacKay
503 Cannon House Office Building
Washington, DC 20515

Dear Congressman MacKay:

One of your constituents, Evelyn K. Judge, has shared with our Association your response to her inquiry concerning the USS LIBERTY.

First of all let me thank you for spending a few days to read and critically analyze the 700+ pages contained in the US Navy Court of Inquiry Report.

We find it a little unnerving that the attack on the USS LIBERTY has found itself firmly entrenched in a unique position in American History. It is the first time in history that the fact that there are unanswered questions is used as justification for not having a Congressional Investigation.

As the person who raised the American Flag on the USS LIBERTY, I am unaware of anyone in the US Government who takes seriously the Israeli claim that the flag was not flying. Let alone holds it as a "major point of contention" as you claim. Send me his name and address so we may discuss the matter.

The USS LIBERTY VETERANS ASSOCIATION has, for years, told its story on the public forum. Openly soliciting questions. Hoping that someone will submit irrefutable evidence that will prove that the attack on the USS LIBERTY was, in fact, "an accident."

Those who are trying to document their contention that the attack was "an accident" have submitted documents in an attempt to prove their thesis. Every time, when questioned about their documents, these people have absolutely refused to even respond. Can you believe that they even refuse to discuss their evidence with the men who were on the USS LIBERTY when it was attacked?

We are relieved to know that you have uncovered the evidence various members of our Association have been searching 18 years for. In your letter you refer to your reading "some other material" concerning the USS LIBERTY. Critical review of these documents has led you to the inescapable conclusion that the attack was "an accident."

I am requesting you to send these documents, along with your written critique, to our Association so that we can share them with the other survivors and the families of the 34 men who were killed.

I am sure you can understand our interest in these documents. Finding someone who will not only present evidence but also publicly support that evidence is a welcome relief. I thank you for your interest in the USS LIBERTY incident.

Sincerely,

Joseph L. Meadors
President

cc: Evelyn K. Judge
James M. Ennes, Jr.

James M. Ennes Jr. Research Papers

Evelyn K. Judge
Post Office Box 5052
Gainesville, Florida 32602

November 15, 1985

The Honorable Buddy MacKay
503 Cannon House Office Building
Washington, DC 20515

Dear Congressman Mackay:

I have recently received my copy of a letter (enclosed) sent to you from Mr. Joseph L. Meadors, President of the USS LIBERTY VETERANS ASSOCIATION.

As one of your constituents, I am requesting you to provide me and the USS LIBERTY VETERANS ASSOCIATION (P.O. Box 789, Woodinville, Washington 98072) with the information they have requested. Specifically:

- The name and address of the US Government official who contends that the Israeli claim that the US flag was not flying is "a major point of contention" and

- A copy of the "other material" referred to in your letter of October 3, 1985, that supports your claim that the attack on the USS LIBERTY was, in fact, an accident, plus your written critique of that material. You will, of course, make yourself available to me and to the USS LIBERTY VETERANS ASSOCIATION to answer questions concerning these documents. Due to the nature of this material, I also request you submit it to the US State Department and ask them to provide you and the USS LIBERTY VETERANS ASSOCIATION with a written critique.

I would also like you to comment on Mr. Meadors' statement concerning the "unique position in American History" into which the United States Congress has put the USS LIBERTY.

Finally, I request you to contact the US State Department and obtain for me their written critiques of both the 1967 and the 1982 "Official" versions of the attack on the USS LIBERTY as submitted by the Government of Israel.

Sincerely,

Evelyn K. Judge

cc: USS LIBERTY VETERANS ASSOCIATION

enclosure

James M. Ennes, Jr. Research Papers

U.S.S. LIBERTY VETERANS ASSOCIATION

Stan White, Chairman
Joseph L. Meadors, President
Robert Cassle, Vice President
Joyce Cassle, Secretary-Treasurer
Paul N. McCloskey, Legal Advisor
James M. Ennes Jr., Historian

P.O. BOX 789, WOODINVILLE, WASHINGTON 98072

16 October 1985

COPY

Honorable Buddy MacKay
503 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. MacKay:

Your constituent Evelyn Judge has kindly sent me a copy of your October 3 letter replying to her concerns about the 1967 Israeli attack on the USS Liberty.

Your reply is unsettling. I must conclude that either you did not personally read the 707 page "Transcript of the Navy Court of Inquiry" as you claim, or that you accepted uncritically the excuses presented by those who attacked the ship. Otherwise it would be impossible for you to assert, as you do to Mrs. Judge, that the circumstances of this affair are impossible to determine.

Mr. MacKay, I was officer of the deck of the USS Liberty when she was attacked. I was present on the bridge for seven hours preceding the attack. I can assure you from my personal experience that the American flag flew proudly before and throughout the attack. Our radio intercept operators heard the Israeli pilots reporting to their headquarters that we flew an American flag. The essence of the flag and other key details pointing toward a deliberate attack can be found in sworn testimony in the file you tell Mrs. Judge you have read. And that plus other available evidence has been sufficient to persuade key leaders of the U.S. such as Dean Rusk, Richard Helms and Admiral Thomas Moorer that the attack was indeed deliberate.

If you remain mystified, perhaps you will consider interviewing survivors in your office or by telephone. Or call former Florida Congressman Robert Sikes whose 1967 investigation determined that the ship was deliberately attacked, or review the official American analysis of the Israeli excuse (page one enclosed) which determines officially that the Israelis are lying. All of these people have reviewed the same evidence available to you and have been forced to conclude that the Israelis deliberately attacked a ship they knew to be American.

There is no mystery about the attack at all, Mr. MacKay. The only mystery is why members of the Congress of the United States continue to pretend that the circumstances of the attack are a mystery. Won't you look at the file again so that you can give your constituent a better answer to her question?

Sincerely,

James M. Ennes Jr. Research Papers

United States Senate

WASHINGTON D.C. 20510

October 21, 1985

Mr. Joseph Meadors
%Aramco
PO Box 1168
Dhahran, SAUDI ARABIA 31311

Dear Mr. Meadors:

Thank you for your recent letter regarding the USS Liberty. In an effort to be responsive to your concerns, I have taken the liberty of contacting the Department of State requesting that immediate attention be given to this matter.

Although inquiries of this type take time to be conducted thoroughly, please be assured that I will contact you just as soon as I receive a response.

Best regards.

Sincerely,

John Glenn

John Glenn
United States Senator

JG/dmb

James M. Ennes, Jr. Research Papers

DANIEL P. MOYNIHAN
NEW YORK

United States Senate

WASHINGTON, D.C. 20510

October 4, 1982

Dear Commander Tansill:

I regret that I will be unable to be with you for the Memorial Service in the Arlington National Cemetery Service on October 6, honoring the six Americans who were killed when the USS Liberty was destroyed on June 6, 1967. Unfortunately, my schedule prevents it.

I should, however, like to thank you for your gracious invitation -- and for urging me to date on this important matter. It is vitally important that the circumstances under which Americans were killed while serving our country are accurately described.

Again, thank you very much for your thoughtfulness in thinking of me on this occasion.

Sincerely,

Daniel Patrick Moynihan

Commander Xavier Alexander Tansill
4601 North Park Avenue, #705
Chevy Chase, MD 20815

James M. Ennes, Jr. Research Papers

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10

DOD PRESS RELEASES FROM JUNE, 1967

LIBERTY PLANS OF THE DAY

James M. Ennes, Jr. Research Papers

FOLDER 13

FIL 7-87

SCA ACTIVITY
****

NAVAL SECURITY GROUP COMMAND
DEDICATES MEMORIAL TO USS LIBERTY CREW

UNCLASSIFIED

Mr. Raymond P. Schmidt
NSG Historian

The Navy honored crewmembers of USS Liberty (AGTR 5) by dedicating a memorial to them on 8 June 1977 at the Rear Admiral Joseph N. Wenger Naval Cryptologic Museum.

Exactly ten years earlier the technical research ship Liberty was attacked by Israeli air and surface forces while in international waters in the Eastern Mediterranean Sea. Apparently the victim of erroneous identification, Liberty suffered 34 dead and 170 wounded. The severely damaged ship made port in Malta where temporary repairs enabled its return to home port in Norfolk.

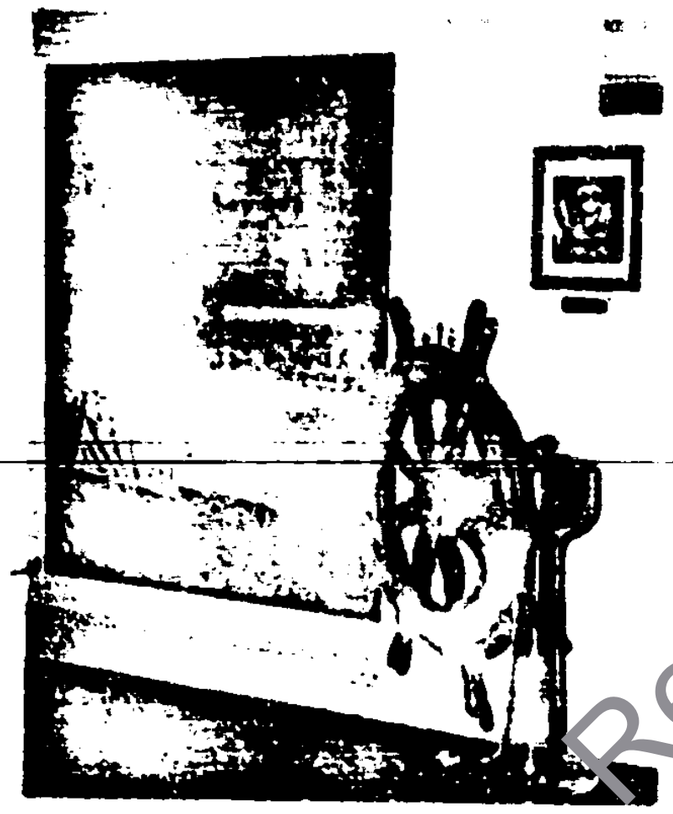
The memorial, sponsored by the Naval Security Group Command, pays tribute to the courage and sacrifices of Liberty's crew as firefighting and damage control teams fought for hours to save their ship. Captain William L. McGonagle, USN (Ret) earned the Congressional Medal of Honor for his "conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Commanding Officer." In addition, four members of the crew received the Silver Star Medal, seven were awarded the Bronze Star Medal, and two earned the Navy Commendation Medal for their role in saving the ship and aiding their shipmates.

Introductory remarks at the commemoration by RADM G. P. March, USN, took special note of the leadership and teamwork that marked Liberty during the crucial time of the attack and immediately after. The Liberty crew performed quietly and efficiently under battle conditions, he added, and demonstrated a calm professionalism and competence in the face of great danger. The leadership exhibited by Captain McGonagle and the wholehearted support of his crew were in the finest tradition of the naval service, Admiral March concluded.

Mrs. P. M. Armstrong, widow of the Liberty's Executive Officer, and Captain McGonagle cut the lines unveiling the memorial. It consists of a large panel containing the names and home towns of the 34 dead on

James M. Ennes, Jr. Research Papers

individual brass plates, the Presidential Unit Citation Pennant, a color photograph of the ship taken after the attack, and a special logo (emblem) designed for the memorial. The ship's wheel and a photograph of the Commanding Officer are also included in the display.



RADM March invited Captain McGonagle to make any remarks that he wished to add. Obviously moved by the occasion, Captain McGonagle expressed his gratitude to the Naval Security Group for the memorial. He recalled his great pride in his crew for the way they had performed. The grief he suffers over their sacrifice remains strong within him, he noted. In closing, the former Commanding Officer said of the 34 honored dead:

> "These are the kind of men who have made the Navy what it is today and what it has been through the years. They held important positions of trust, duty, and responsibility and they carried them out under the most trying conditions.
>
> "These men and others like them on board Liberty gave up their few precious hours of liberty on many occasions to deliver clothing and toys to orphans in the foreign countries that we visited. I've seen them parade in the streets of foreign capitals to the acclaim of citizens of those nations--at a time when to love our country and to honor our flag was unpopular.

James M. Ennes, Jr. Research Papers

"You have some measure of my feelings toward these officers and these men. They were our shipmates."

Other persons present for the ceremony were RADM J. D. H. Kane, Director of Naval History, RADM David M. Cooney, Chief of Information for the Navy, RADM E. S. Ince, Deputy Director for Telecommunications and Computer Services at NSA, and Mrs. Joseph N. Wenger, widow of the late Rear Admiral Wenger, in whose honor the museum was dedicated in July 1976.

Personnel who are cleared and indoctrinated are invited to visit the Naval Cryptologic Museum at the Naval Security Group HQs. Below are a few of the former crewmembers of the Liberty who were in the Washington, D. C. area and invited to attend the dedication of the memorial.

Left to right: CTA1 Hurt-Ritenburg, USN; LCDR James Ennes, USN; CDR M. H. Bennett, USN; CDR Richard Keeper, MC, USN; LCDR George Golden, USN (Ret.); Capt W. L. McGonagle, USN (Ret.); CDR D. E. Lewis, USN.

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LIBERTY MEMORIAL DEDICATED

A memorial has been dedicated in the Joseph N. Wenger Naval Cryptologic Museum honoring those who lost their lives in USS Liberty (AGTR-5) on 8 June 1967.

On 7 June 1977, the Commander, Naval Security Group Command, Rear Admiral G. P. March, made introductory remarks during the brief ceremony held in the museum at the Naval Security Station. Admiral March recalled the ten technical and environmental research ships as a memorable part of the 1960's. The operational and technical lessons learned during their term of service will be valuable to the Navy in the future, he noted, but even more important were the lessons learned about human beings.

The Liberty crew underwent a severe test of their training and discipline, demonstrating a quiet professionalism and competence under pressure. Most significant, Admiral March said, was the leadership exhibited by the Commanding Officer, Captain McGonagle. His actions and the wholehearted support of the crew were in the finest traditions of the Navy. The Liberty memorial, concluded the Admiral, is one appropriate and fitting for the occasion.

Mrs. P. M. Armstrong, widow of the Liberty's Executive Officer, and Captain W. L. McGonagle, the Commanding Officer, cut the lines unveiling the memorial. Captain McGonagle then spoke on behalf of the crew. Obviously moved by the unveiling of the memorial, he expressed great pride in his men and grief over their sacrifice. In his comments he said of the honored dead:

"These are the kind of men who have made the Navy what it is today and what it has been through the years. They held important positions of trust, duty and responsibility and they carried them out under the most trying conditions.

"These men and others like them on board like to save up their few precious hours of liberty on many occasions to deliver clothing and toys to orphans in the foreign countries that we visited. I've seen them parade in the streets of foreign capitals to the acclaim of citizens of those nations--at a time when to show our country and to honor our flag was unpopular.

"You can't have the measure of my feelings toward these officers and these men. They were our shipmates."

Returning to Washington for the dedication of the memorial were Captain McGonagle, Mrs. Armstrong and her daughter, CDR Richard F. Kiepfer and his father, CDR David E. Lewis, CDR Maurice E. Bennett, LCDR George H. Golesh and his wife, LCDR James M. Ennes and his wife and daughter, and CTA1 Douglas Hurt-Ritenbury and his wife.

Captain McGonagle and Rear Admiral March

Present for the ceremony were RADM J. D. H. Kane, Director of Naval History; RADM David M. Cooney, Chief of Information; RADM E. S. Ince, Assistant Director for Operations, NSA; and Mrs. Joseph N. Wenger, widow of the late Rear Admiral Wenger, in whose honor the museum was named and dedicated in 1976.

The Liberty Memorial

Naval Security Group personnel are invited to visit the Naval Cryptologic Museum and view the Liberty memorial when at the Naval Security Group Headquarters. Commands with articles for display are encouraged to write or call the Command Historian at (Autovon) 292-0873 or (Commercial) 202-282-0873.

James M. Ennes, Jr. Research Papers

Crewmen of Liberty Are Remembered

MEMORIAL PLAQUE was presented to the technical research ship Liberty by the family of CT1 John C. Smith Jr., who was among 34 killed during Israeli attack June 8, 1967. Lt. Comdr. Donald L. Burson, left, Liberty's commanding officer, accepted the plaque. Present at the Norfolk Naval Shipyard ceremony were Smith's sisters, Kay and Peggy, his widow, Sandra, and his mother and father. Since the Liberty is being decommissioned, the plaque will hang at headquarters of Commander Service Force, Atlantic, in Norfolk.

James M. Ennes, Jr. Research Papers

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NEWS RELEASE

OFFICE OF ASSISTANT SECRETARY OF DEFENSE (PUBLIC AFFAIRS)

WASHINGTON, D.C. 20301

PLEASE NOTE DATE

IMMEDIATE RELEASE June 11, 1968

NO. 544-68
OXford 7-5131 (Info.)
OXford 7-3159 (Copies)

USS LIBERTY TO RECEIVE PRESIDENTIAL UNIT CITATION

On behalf of the President, Rear Admiral Ben W. Street, USN, Commander Service Force, U.S. Atlantic Fleet, will present the Presidential Unit Citation to the technical research ship USS LIBERTY (AGTR-5) at 10:00 a.m. Friday, June 14, aboard LIBERTY at the Norfolk Naval Shipyard, Portsmouth, Va.

LIBERTY is receiving the award "for exceptionally meritorious and heroic achievement during an armed attack on June 8, 1967, by foreign aircraft and motor torpedo boats while sailing on an assigned mission in international waters in the Eastern Mediterranean."

Individual awards also will be presented to 13 LIBERTY crewmen at this ceremony.

Newsmen who wish to cover the ceremony are requested to contact the Public Affairs Office, U.S. Atlantic Fleet Headquarters, Norfolk, area code 703, phone 444-7955.

END

James M. Ennes, Jr. Research
LBJ Papers

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[illegible] DEFENSE

[illegible]

[illegible]

NO. 542-67
OXford 75131 (Info)
OXford 52528 (Copies)

FOR THE PRESS June 8, 1967

A U. S. Navy technical research ship, the USS LIBERTY (AGTR-5), was attacked about 9:00 A.M. (EDT) today approximately 15 miles north of the Sinai Peninsula in international waters of the Mediterranean Sea.

The LIBERTY departed Rota, Spain, June 2nd and arrived at her position this morning to assure communications between U. S. Government posts in the Middle East and to assist in relaying information concerning the evacuation of American dependents and other American citizens from the countries of the Middle East.

The United States Government has been informed by the Israeli government that the attack was made in error by Israeli forces, and an apology has been received from Tel Aviv.

Initial reports of casualties are 4 dead and 53 wounded. The LIBERTY is steaming north from the area at a speed of 8 knots to meet U. S. forces moving to her aid. It is reported she is in no danger of sinking.

E N D

James M. Ennes, Jr. Research Papers

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For the Press:

June 10, 1967

Assistant Secretary of Defense Phil G. Goulding said today:

"I have been asked for comment on news reports that unidentified Pentagon officials have said that the circumstances of the attack on the USS Liberty made "human error" a plausible explanation.

"We in the Department of Defense cannot accept an attack upon a clearly marked non-combatant United States naval ship in international waters as "plausible" under any circumstances whatsoever.

"The suggestion that the United States flag was not visible and the implication that the identification markings were in any way inadequate are both unrealistic and inaccurate. The identification markings of U.S. Naval vessels have proven satisfactory for international recognition for nearly 200 years."

James M. Ennes, Jr. Research Papers

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June 12, 1967

The following additional information has been received concerning the USS LIBERTY:

The ship is now approximately 150 miles east of Valetta, Malta, where she is due to arrive at 7:00 AM (EDT) tomorrow, June 13.

The correct position of the ship at the time of attack has been established as 31-23N, 33-25E.

The casualties are now reported as nine dead, twenty-four missing, and seventy-five wounded. A large portion of the forward section of the ship remains flooded in the area adjacent to the torpedo hit. However, inspection by Navy officials indicates there was no damage in the engineering plant or steering gear room.

The starboard list has been reduced significantly and no list is anticipated by the time LIBERTY arrives in Malta.

James M. Ennes, Jr. Research Papers

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USS LIBERTY (AGTR-5)
FPO, NEW YORK 09501

PLAN OF THE DAY

SATURDAY, 22 JULY 1967

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

UNIFORM OF THE DAY		WORKING UNIFORM
OFFICERS & CPO'S:	TROPICAL MESH KHAKI	TROPICAL MESH KHAKI
ENLISTED:	CLEAN DUNGAREES	DUNGAREES

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

0730 - All divisions air bedding
1115 - Pipe down airod bedding
1300 - Commence Holiday Routine

NOTES

1. NAVY-WIDE PROFESSIONAL EXAMINATIONS. The Navy-wide Professional Advancement in Rate Examinations will be given by the following schedule:

01 August 1967 - E-4
03 August 1967 - E-5
08 August 1967 - E-6
10 August 1967 - E-7

2. Interviews and statements to news media concerning the attack on LIBERTY 08 June are not to be given by individuals. If you are approached by someone wanting an interview or statement inform them that they must contact the Public Affairs Officer at CINCLANTFLT who will make all arrangements. Also, inform the Commanding Officer or Executive Officer of the request made to you. The only information that ships company is allowed to discuss is that already made available to the press. Therefore, there is nothing new that we would be able to tell them in an interview.

3. The following letter was received from Mr. Walter Gollub:

"Dear Sir:

Enclosed please find my check in the amount of $15.00.

I am given to understand that a donation can be made to the Ship's Welfare Fund for the men of the USS LIBERTY in memory of their Shipmates who were the victims of the tragic USS LIBERTY disaster, which occurred of recent date. /s/ Very truly yours, Walter Gollub."

4. Personnel who will participate in the August Navy-wide professional Exams are reminded not to go on leave during the period of the exams.

D. L. BURSON, LCDR, USN
Executive Officer

James M. Ennes, Jr. Research Papers

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* USS LIBERTY (AGTR 5) *
FPO New York 09501

P L A N O F T H E D A Y
Friday 30 June 1967

DUTY DEPT REL
DUTY SECT I

CDO ENS LUCAS
DUTY OFFICER ENS O MALLEY

UNIFORM OF THE DAY
OFFICERS & CPO S — TROPICAL WASH KHAKI
ENLISTED — CLEAN DUNGAREES

Sunrise 0449
Sunset 1918

WORKING UNIFORM
TROPICAL WASH KHAKI
DUNGAREES

LIBERTY UNIFORM
OFFICERS & CPO S — TROPICAL WHITE LONG
ENLISTED — TROPICAL WHITE LONG

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN

1145 - All personnel going to Naples on leave muster on the quarterdeck for transportation to the airport.

1530 LIBERTY COMMENCES for sections I & III.

N O T E S

1. The following letter addressed to officers and crew of USS LIBERTY, was received from Mrs. Armstrong.

Dear Men

Thank you so much for the beautiful floral wreath you sent. It went with him all the way to Arlington.

You lost your XO and I lost my husband but we were fortunate to have been a part of his life. I know all of you prayed and did what you could for him in his last hours and for this I thank you. I don t understand why God chose to take Philip but I accept God s will. This was His plan for Philip.

My children and I are fine Of course our future looks a bit dim but God will give us the strength to take life a day at a time.

I expect to stay in the Norfolk area for a while. I m not going to make any definate plans until I have some time to think In any case please feel free to call on me and my children when you are home again

May God bless and keep all of you safe. My prayers are with you. Thank you for so many happy memories

Sincerely

/s/ Weetie Armstrong

James M. Ennes, Jr. Research Papers

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2. The ship expects to return to Norfolk about 01 August 1967

3. The Secretary of Defense has released to the press portions of the unclassified information obtained by the Court of Inquiry Ship s members are authorized to discuss with others only what is contained in the news release and no more. In other words you can say no more than exactly what the news release says. To avoid any possibility of disclosing classified information it is highly recommended that all hands refrain from discussing the incident with others particularly news media representatives. The news release has not yet been received but will be promulgated to all hands when received. Any discussions with news media representatives are to be reported to the Executive Officer right away giving the name of the individual you talked with who he works for, and what information was given to him.

J. D. SCOTT, SN USNR
Command Duty Officer

James M. Ennes, Jr. Research Papers

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USS LIBERTY (AGTR-5)
FPO, NEW YORK, 09501

CDO: ENS LUCAS
DUTY OFFICER: ENS O'MALLE[illegible]MC DEMPSEY

DUTY DEPT: ENG
DUTY SECT: I

P L A N O F T H E D A Y
- - - - - - - - - - - - - - - MONDAY, 14 AUGUST, 1967- - - - - - - - - - - - - - -

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY (AGTR-5) REGULATION 4236.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

1230 - Muster Side Boys
1300 - RADM BULKLEY arrives
1615 - Liberty Commences for sections II, III, and IV to expire on board at 0730 Tuesday 15 AUG 67.

N O T E S

1. The Board of Inspection and Survey (INSURV), consisting of seventeen members will be aboard all this week. The Board Members are on board for the sole purpose of helping us to improve the material condition of the ship. The cooperation of all hands is necessary if we are to derive maximum benefit from the inspection.

2. The following letter was received from Captain BUNTING, COMSERVRON Eight:

1. In battle efficiency competition for fiscal year 1967 USS LIBERTY (AGTR-5) was adjudged the outstanding ship in her competitive group.

2. The spirit, interest and the great effort exerted by each ship in the group made the competition this year particulary keen and most difficult. Your achievement reflects an outstanding shipboard training program, a high degree of leadership and exceptional professionalism.

3. Commander Service Squadron EIGHT commends the Commanding Officer, the officers and men of USS LIBERTY for the high standards achieved in your pursuit that led to winning the coveted Battle Efficiency Award. Well done.

J. D. SCOTT, ENS, USNR
Command Duty Officer

James M. Ennes, Jr. Research Papers

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USS LIBERTY (AGTR-5)
FPO New York, 09501

DUTY DEPT: SUP

P L A N O F T H E D A Y

- - - - - - - - - - - - - - - - - Friday, 21 July 1967 - - - - - - - - - - - - - - - - -

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

UNIFORM OF THE DAY		WORKING UNIFORM
OFFICERS & CPO's:	TROPICAL WASH KHAKI	TROPICAL WASH KHAKI
ENLISTED:	CLEAN DUNGAREES	DUNGAREES

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

1900 - Retard all clocks one hour to conform with local time zone OSCAR (+2).

N O T E S

1. The following message was received from Admiral John S. MCCAIN, Commander In Chief, U. S. Naval Forces Europe:

On your departure from United States Naval Forces, Europe, I wish God speed to the valiant Commanding Officer, Officers, and Bluejackets of LIBERTY. Your exemplary courage and outstanding performance under the most stringent combat conditions are an inspiration to every Navy man.

/s/ Admiral John S. MCCAIN, Jr. USN

2. The laundry is ready for departmental representatives to press whites for their respective departments. The following schedule will be followed in pressing whites for arrival in Norfolk:

0800, Tuesday, 25 July 1967 - Engineering
0800, Friday, 28 July 1967 - Deck
1300, Tuesday, 25 July 1967 - Operations
1300, Friday, 28 July 1967 - Research

Departments are requested to make sure that this pressing is completed in time for the next department to use the laundry.

3. Anyone having knowledge of, or in their possession any diving gear that was removed from the Chemical Warfare Locker, return or report same to the Engineering Log Room.

D. L. BURSON, LCDR, USN
Executive Officer

James M. Ennes, Jr. Research Papers

'SS LIBERTY' (AGTR 5)
FPO, NEW YORK 09501

- PLAN OF THE DAY - - - - - - - - - - - - - - - - - - -

FRIDAY, 14 July 1967

CDO: LTJG WATSON
DUTY OFFICER: CTC THOMPSON

DUTY SECT: I
DUTY DEPT: MESH

UNIFORM OF THE DAY
OFFICERS & CPO'S: TROPICAL WASH KHAKI
ENLISTED: CLEAN DUNGAREES

LIBERTY UNIFORM
OFFICERS & CPO'S: TROPICAL WHITE LONG
ENLISTED: TROPICAL WHITE LONG

WORKING UNIFORM:
TROPICAL WASH KHAKI
DUNGAREES

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN.

1400(about) - Commence flooding drydock
1900(about) - Shift berths Port side to
1930(about) - Commence Liberty after shifting berths for Sections II & III

NOTES

1. Procedure for checking ship while drydock is being flooded:

a. All outboard spaces on the third deck and below are to be manned and check continuously while the drydock is being flooded.
b. Departments are responsible for assigning personnel to their spaces.
c. If water starts leaking into the space, the person responsible for that space is to report the leak immediately to ENS SCOTT in Damage Control Central.
d. "Space Checkers" will remain in their assigned spaces until told to secure except for making reports to Damage Control Central.
e. Upon completion of flooding the drydock and the ship is afloat the word will be passed for all 'space checkers' to report the condition of his space to Damage Control Central.
f. The ship will not move out of the drydock until all spaces have been reported as watertight to Damage Control Central who will in turn report to the Commanding Officer.
The full cooperation of all hands is necessary in checking the hull for leaks and shifting berths.

2. The ship will depart Malta at 0700, Sunday, 16 July 1967 for Norfolk arriving 1000, Saturday, 29 July 1967.

3. The following message was received from VADM MARTIN, Commander SIXTH Fleet: "As you prepare to depart for CONUS, I commend to every man who sails in SIXTH Fleet the fact that USS LIBERTY has become a legend in her own time. My personal monitoring of transmissions during the attack and observations made aboard subsequently induce the highest in praise for a great ship, a gallant Commanding Officer, and a superb crew. We have shared your grief for those who lost their lives, we remind ourselves that you were classic examples of unswerving devotion to duty. For CDR MCDONALD and men of LIBERTY: WELL DONE. SIXTH Fleet is proud to have claimed you." VADM MARTIN

D. L. BURTON, LCDR, USN

James M. Ennes, Jr Research Papers

USS LIBERTY (AGTR-5)
FPO, New York 09501

PLAN OF THE DAY

Monday, 10 July 1967

CDO: LT GOLDEN
DUTY OFFICER: ENS KEITH

DUTY DEPT: ENG
DUTY SECT: III

UNIFORM OF THE DAY
OFFICERS & CPO'S: TROPICAL KHAKI
ENLISTED: CLEAN DUNGAREES

LIBERTY UNIFORM:
OFFICERS & CPO'S: TROPICAL WHITE LONG
ENLISTED: TROPICAL WHITE LONG

MONDAY UNIFORM:
TROPICAL KHAKI DUNGAREES

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

0745 - Quarters
1530 - LIBERTY CONFINES for Sections I & II.

NOTES

1. All personnel in paygrades E-3 and E-4 who will participate in the August Navy-wide Advancement Examinations for the next higher rate and have not participated in a Military/Leadership Examination turn your names in to the Ship's Office, Monday, 10 June 1967. Personnel will turn in their names in the following order:

A - E - 0830 F - J - 0900 K - O - - 0930 P - S - 1000 U - Z - 1030

Failure to do so will result in failure to participate in a Military/Leadership Examination which will in turn make you ineligible for advancement to the next higher rate.

2. The Wardroom Committee will meet at 1500 today in the Wardroom.

3. The following message was received from General Lyman L. LEMNITZER, U. S. Commander in Chief Europe:

"Having had the opportunity to review completely the action involving your command 8-14 June, I desire to express my deep admiration for the outstanding performance of the officers and crew of LIBERTY. The manner in which your crew performed while under attack and in returning your damaged ship to port is a lasting tribute to their training and your leadership and a great example to all who follow a career at sea. It is clearly evident that the exercise of your personal leadership in spite of wounds and shock, was the major factor in keeping LIBERTY afloat and operating until assistance arrived.

We have been proud to have LIBERTY in the European command. The performance of LIBERTY personnel has been in keeping with the highest traditions of the United States Armed Forces."

D. L. BURTEN, LCDR, USN
Executive Officer

James M. Ennes Jr. Research Papers

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR 5)
FPO, NEW YORK 09. 1

PLAN OF THE DAY
TUESDAY, 10 OCTOBER 1967

CDO: ELS NOWS	SUNRISE: 0707	DUTY SECT: II
DUTY XO: [illegible] NEESE	SUNSET: 1030	DUTY DEPT: OPS

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4230.

CARRY OUT THE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

1230 - Continue Ship's Work
1530 - LIBERTY commences for Sections ONE, THREE & FOUR to expire on board 0730, 11 October 1967.

NOTES

1. The following is a letter received from Commander, Naval Oceanographic Office via Commander Service Squadron EIGHT:

"During the period of 2 May 1967 to 2 June 1967, the USS LIBERTY (AGTR-5) carried a team of NAVOCEANO scientists in a unique application of the Navy Navigation Satellite System to problems of precise positioning in equatorial areas. The mission was cancelled when the ship's itinerary was modified and our people departed at Rota, Spain. The installation of the complex electronics package and its associated mast group was accomplished by the crew in such a manner as to favorably reflect the best traditions of the service.

I wish to express my personal appreciation to Commander W. L. MCGONAGLE and his officers and men for the unstinting efforts expended on behalf of our project. Please extend my sympathy to the families of those who were casualties of the unfortunate Mediterranean incident."

/s/ L. F. DuCHAP

2. All hands are reminded that dungarees are designed for personnel engaged in dirty work. dungarees are not to be worn outside the base limits and if worn on base they should be clean and presentable.

3. Under the Uniform Time Act of 1966, Daylight Saving Time will revert to Eastern Standard Time effective 290200Z OCT 67.

4. Effective 0800, 10 October 1967, hours of the ship's office will be from 0800-1115 for personal business.

D. C. LEE, LTJG, USN
Command Duty Officer

James M. Ennes, Jr. Research Papers

USS LIBERTY (AGTR 5)
FPO New York 09501

PLAN OF THE DAY
Tuesday 27 June 1967

CDO LTJG PAINTER
DUTY OFFICER ENS KEKICH

DUTY DEPT SUP
DUTY SECT II

Sunrise 0448
Sunset 1918

UNIFORM OF THE DAY
OFFICERS & CPO s TROPICAL WASH KHAKI
ENLISTED CLEAN DUNGAREES

LIBERTY UNIFORM
OFFICERS & CPO s TROPICAL WHITE LONG
ENLISTED TROPICAL WHITE LONG

WORKING UNIFORM
TROPICAL WASH KHAKI
DUNGAREES

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4230

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1 EXCEPT AS MODIFIED HEREIN:

1630 LIBERTY CONVENES for sections I & III

NOTES

1. The Royal Navy Band will play for LIBERTY personnel on the 01 level aft from 1130 to 1300 To enable all personnel to enjoy this fine music lunch will be served in paper plates on the mess deck and carried top side for eating Garbage cans will be available on the 01 Level for disposing of paper plates

2 LIBERTY personnel are still undefeated after winning their third softball game on Sunday 25 June 1967

3 Until further notice Liberty will commence at 1630 in accordance with SOFA instructions.

4. CO s NJP 23 June 1967 ETSN William [illegible] RUSSELL USN 917 37 09

Violation of Article 121 UCMJ Wrongful appropriation of another man s property.

Awarded To forfeit $60.00 pay per month for two months an to be restricted to the limits of the ship for 14 days

5. All personnel are reminded to sign out & in at the quarterdeck when departing on or returning from liberty.

James M. Ennes, Jr. Research Papers

The following letter was sent to the Commanding Officer of the LIBERTY from PN2 George J. STAVROS (USN) off the USS VANCOUVER (LPD 2).

Dear Sir

Often in light of the conflict in Vietnam the worlds attention is focused on the United States Seventh Fleet. The only mention we hear of the existence of the Sixth Fleet is in connecton with reductions made from it for the benefit of Vietnam.

Recently the United States became aware regretably in a tragic manner, of the existence of the Sixth Fleet and of the fact that sailors wherever they serve the cause of freedom ride death every day and that at any time they may be forced by circumstances beyond their control to pay the supreme sacrifice in the line of duty.

The attack on your ship which resulted in the deaths of several men was, as is the death of any man a sad occurance. It is sadly true that it is only in times like these that many people become aware that there are ships with men defending them in all parts of the world.

As a member of the navy and as a member of a ship which has been active in the Vietnam war I wish to salute you sir and your gallant crew. They have shown, even though by an act of providence but they have shown that whether you fight under the world's eye, or whether you fight in a remote ocean of the globe the Navy's commitment is total. Words at a time like this do no good to a Captain who has lost his men, to friends who have lost a friend, or to Chiefs who have lost some good kids. But I wish to record one sailor's sentiments who is familiar with the demands of navy life which are made on all men daily and some of those demands which tragicaly became evident in the attack on the LIBERTY.

It will be recorded significantly I think that the LIBERTY was attacked not on a mission of war as was often cited but on a peacefull errand. It does not serve to either justify the attack or to make amends but it has shown the world that United States sailors and especially those of the LIBERTY personify the motto of the Seventh Fleet POWER FOR PEACE.

With greatest respect and warmest personal admiration

Sincerely,

George J. STAVROS
PN 2 USN

LT G. H. GOLDEN USN
Executive Officer

James M. Ennes, Jr. Research Papers

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR-5)
FPO, NEW YORK 09501

PLAN OF THE DAY
- - - - - - - - - - - - - - - WEDNESDAY, 20 SEPTEMBER 1967 - - - - - - - - - - - - - - -

CDO: ENS LUCAS
DUTY OFFICER: ENS KEKICH

DUTY SECT: 11
DUTY DEPT: OPS
DUTY MAA: SDI ELDER

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AND OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1 EXCEPT AS MODIFIED HEREIN.

1130 - LIBERTY -- sections one, three and four -- expire 0730, Thursday, 21 September 1967

1. "E" shoulder patches will be handed out to all E-6 and below Thursday in the pay line. Each man will be issued one blue patch at this time. All those not drawing one this time may obtain one from their department head. All hands are required to have the "E" and "LIBERTY" shoulder patches on their dress blues for the personnel inspection on 29 SEP 67 and the Change of Command Ceremony on 2 OCT 67. All types of shoulder patches may be purchased in town.

2. Safe riding, which means careful selection of the driver to whom one entrusts his safety, is almost as important as safe driving. It is virtually impossible to evaluate a stranger's driving ability and this is one of many reasons why hitchhiking is prohibited for all naval personnel within the FIFTH Naval District. Accidents which occurred recently within the FIFTH Naval District illustrate how important it is to be a safe driver. An unsuspecting sailor accepted a ride with two young men who were driving a stolen car. When a State Trooper spotted them a high-speed chase followed. At a speed estimated at 90 mph the driver of the car lost control, went into a skid on wet pavement, and slammed into a rock embankment. The sailor-passenger was killed instantly. The lesson to be drawn from this incident is clear: Don't hitchhike and if riding with a stranger watch his (or her) driving with a critical eye. If the driver appears rash or incompetent, it is much better to get out than to run the risk of injury or death. From a legal standpoint failure to heed danger signals may deprive the service member of important benefits if he is injured. The negligence of the driver may be imputed to the passenger who knows the driver is incompetent and assumes the risk of riding with him. The legal result -- the injuries (or death) of the serviceman-passenger may be considered to be incurred as a result of his own misconduct and not in the line of duty. The consequence -- his enlistment will be extended by the time spent in the hospital and, if permanently disabled, he will not be entitled to a pension.

D. C. LEE, LTJG, USN
COMMAND DUTY OFFICER

James M. Ennes, Jr. Research Papers

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR-5)
FPO, NEW YORK 09501

PLAN OF THE DAY
FRIDAY, 18 SEPTEMBER 1967

CDO: LT WHITE
DUTY OFFICER: ENSIGN LEE

DUTY SECT: III
DUTY DEPT: ENG
DUTY PETTY OFFICER: SF1 NEESE

ALL DESIGNATION APPEARING IN THE PLAN OF THE DAY CONSTITUTE AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

1530 - LIBERTY commences for sections THREE and FOUR to expire on board 0730, Tuesday 19 SEP 67.

NOTES

1. The following letter of appreciation was received from Commander, Naval Oceanographic Office for SF3 Julio DEORI, USN:

An Oceanographic Office owned AN/SSN-9 Radio Navigation System is being installed aboard the USS LIBERTY. The first part of the installation required that the antenna and cable assemblies by positioned on top of the mast. The installation required full support of the ship's force and was accomplished with efficiency and dispatch.

Special recognition is made of the efforts of SF3 DEORI, D. who, after normal duty hours, climbed the mast and made the actual antenna installation. This feat was performed in gust wind conditions and was a voluntary contribution to our project.

/s/ C. R. BRYAN, Jr.
Acting

FIRST INDORSEMENT from Commanding Officer, USS LIBERTY (AGTR-5)

Delivered with congratulations.

It is this spirit of cooperation and devotion to duty which has given the USS LIBERTY an excellent reputation within and outside the Service Force.

/s/ W. L. MCGONAGLE

James M. Ennes, Jr. Research Papers

2. LIBERTY CARDS. All departments turn in all liberty cards, filled out and blank ones, to the ship's office by 0800 today. Also turn in a list by sections of all E-6's and below. New liberty cards will be issued to Department Heads prior to 1500. No one is to have in his possession any liberty card other than the one issued today or at a later date signed by appropriate authority.

3. Change of Command, 1000 2 October 1967. All hands are welcomed to bring guests but keep the Executive Officer advised in order that proper arrangements may be made for seating.

4. Personnel inspection 1000 Friday, 29 September 1967. Uniform. Full Dress Blues.

5. The wearing of short sleeve shirts is discontinued until next summer.

6. A Summary Court-Martial was convened on board USS LIBERTY Friday, 15 September 1967 with the following findings:

SN [illegible] C. COLSTON, Jr. USN 771 07 56

Charge: Violation of Art. 1270, U. S. Navy Regulations. Wrongfully having in his possession depressant or stimulant drugs.

Awarded: Confinement at hard labor for a period of fifteen (15) days and forfeiture of $56.70 per month for a period of one month.

LTJG L. C. PAINTER, USN
Command Duty Officer

James M. Ennes, Jr. Research Papers

USS LIBERTY (AGTR-5)
FPO, NEW YORK, 09501

CDO: LT M. H. BENNETT — DUTY DEPT: ENGINEERING
DUTY OFFICERS: LTJG J. G. O'CONNOR - ENS R. P. TAYLOR — DUTY SECT: I

P L A N O F T H E D A Y

- - - - - - - - - - - - - - - WEDNESDAY, 25 JANUARY 1967- - - - - - - - - - - - - - -

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

UNIFORM OF THE DAY		WORKING UNIFORM
OFFICERS & CPO'S:	TROPICAL WHITE LONG	TROPICAL WASH KHAKI
ENLISTED:	TROPICAL WHITE LONG	DUNGAREES

LIBERTY UNIFORM
OFFICERS & CPO'S: TROPICAL WHITE LONG
ENLISTED: TROPICAL WHITE LONG

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

0001 - Mail closes out on board.
0730 - Liberty expires on board for all hands.
0900 - (Approximately) Liberty commences for sections 2 & 3 to expire on board 0730 26 January 1967.

NOTES:

1. All Hands are reminded that the last liberty boat departs the fleet landing at 0630 26 January 1967.

2. Conserve fresh water.

3. OFF LIMITS ESTABLISHMENT

The Maria Alves Bar at # 230 Rua Pereira Poraj is off limits to all Naval personnel. This is a disreputable bar, the prices are exorbitant, counterfeit money is prevalent, and civilians in police uniforms extort bribes to release personnel apprehended on false charges.

4. LIBERTY GENERAL REGULATION - 4220 - HARBOR POLLUTION

No oil of any sort (including oil from bilges, fuel tank, lube oil tanks, waste oil or oily rags shall be thrown or pumped overboard within fifty miles of any coastline except in emergencies, and then only with the permission of, or by the direction of the Commanding Officer. Garbage or trash shall not be thrown overboard within five miles of any coastline except as specifically authorized by the Commanding Officer.

G. H. GOLDEN, LT, USN
Command Duty Officer

James M. Ennes, Jr. Research Papers

USS LIBERTY (AGTR-5)
FPO, NEW YORK, 09501

DUTY DEPT: RESH

- - - - - - - - - - - - - - - - PLAN OF THE DAY - - - - - - - - - - - -
FRIDAY 24 FEBRUARY 1967

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

UNIFORM OF THE DAY		WORKING UNIFORM
OFFICERS & CPO'S:	TROPICAL WASH KHAKI	TROPICAL WASH KHAKI
ENLISTED:	CLEAN DUNGAREES	DUNGAREES

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1. EXCEPT AS MODIFIED HEREIN:

0800 - COMMENCE FIELD DAY

NOTES:

1. All pin-up pictures should be removed from all spaces prior to Monday and remain out-of-sight throughout the inport period. Any pin-ups seen during the inport period will be confiscated and destroyed.

2. All beards should be removed by Monday morning.

3. Turn in all custom forms to Division Officers by Quarters Saturday. Ensure liquor, wine and all foreign merchandise is declared.

4. The examination for Fireman and Seaman will be given at 1400 today in the crew's lounge.

5. All personnel desiring to take the high school or college level G.E.D. examination during this inport period, contact Mr. Lucas prior to 1600 Monday 27 February 1967.

6. The antimalarial drugs which have been dispensed during this deployment provide the best malarial prophylaxis that is available. However, because of experience with the large numbers of military personnel now serving in the malaria infested areas in and around Viet Nam, it has been learned that malaria may develop in patients several weeks after they have left the endemic area, even though they have taken the drug regularly while actually exposed to the disease.

For this reason the Bureau of Medicine and Surgery has instructed that malaria prophylaxis will be continued eight weeks after leaving the endemic area. Therefore, antimalaria tablets will be dispensed at quarters throughout this in-port period. Personnel leaving the ship because of TAD, School, Leave, Discharge, Transfer, etc. will receive the required amount of medication from the ship's office during check-out procedures.

7. Anyone desiring to enter the east coast open boxing competition cantact Ensign SCOTT prior to 1200, Friday 24 MARCH.

8. The ship's store will be closed from 1300, 24 FEB until Monday Morning 27 FEB 67 for Inventory.

P. H. ARMSTRONG
EXECUTIVE OFFICER

James M. Ennes, Jr. Research Papers

USS LIBERTY (AGTR 5)
FPO, NEW YORK 09501

Friday, 23 June 1967

CDR. [illegible] SCOTT
DUTY OFFICER [illegible]

[illegible] OPS
DUTY SECT. I

[illegible] OF THE DAY
[illegible]

LIBERTY [illegible]
OFFICERS & CREW [illegible]
[illegible]

ALL INFORMATION APPEARING IN THIS PLAN OF THE DAY CONSTITUTES OFFICIAL ORDERS IN ACCORDANCE WITH USS LIBERTY INSTRUCTION [illegible].

CARRY OUT THE DAILY PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1.

[illegible]

1. General mess meal hours while in Malta will be as follows: [illegible]

2. Evaluations for P-6 are due in the ship's office no later than Saturday.

3. All departments conduct a good field day in all spaces on and in the vicinity of the torpedo hole.

4. LCDR Donald L. TAYLOR of CINCLANTFLT staff has received orders to report aboard USS LIBERTY as the new X.O.. He will probably report aboard in the next week. LCDR. ADAMS will also be reporting aboard shortly to relieve LCDR. TAYLOR as Supply Officer.

5. Payday will be held on 30th of June 1967.

6. Anyone interested in playing soft ball while in Malta, contact [illegible].

[signature]
[illegible] LT, USN
Executive Officer

James M. Ennes, Jr Research Papers

USS LIBERTY (AGTR-5)
FPO, NEW YORK, 09501

CDO: LT BENNETT — DUTY SECT: III
DUTY OFFICERS: ENS ADAMS/RMC SMITH — DUTY DEPT: RESEARCH

P L A N O F T H E D A Y

THURSDAY, 03 AUGUST 1967

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 1236.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

1000 - Liberty commences for sections ONE and TWO to expire on board at 0900 04 August 1967 for section ONE and 0730 07 August 1967 for section TWO

N O T E S

1. LIBERTY has won the Battle Efficiency Competition Award for the competitive year 1967. BELKNAP is runner-up.

2. The following message was received from Admiral McDONALD:

a. Today I haul down my flag as Chief of Naval Operations and retire from active duty after 39 years of commissioned service. I depart with great regret, great pride and great honor. Regret -- because I am leaving the ranks of the finest man and women our country can produce. Pride -- because in the past four years of unprecedented military demands in peacetime, the Navy has always responded magnificently wherever and wherever it has been called upon. And honor -- not only because it has been my privilege to have held the Navy's highest office, but especially because of the loyalty, faith and trust I haveknown on the part of so many -- juniors and seniors alike -- throughoutevery step along the way.

b. I know that my successor, Admiral Thomas H. MOORER, will continue to be supported by the same dedicated professionalism that has crowned the Navy's efforts with such distinction in the past. To him, and to each of you, I wish to express my appreciation for your achievements, my deep appreciation for your loyal support, and my best wishes for every success in the future. Whatever our country's destiny may be, she will always need a Navy and faithful men and women such as you to man it. Good luck and God speed.

/s/ David L. MC DONALD, Admiral
U. S. Navy

James M. Ennes Jr. Research Papers

3. The following message was received from Admiral MOORER:

a. Today it is my honor and privilege to succeed a distinguished Naval officer as the Chief of Naval Operations. During the past four years, Admiral David L. MC DONALD has led the Navy to conspicuous success in meeting the challenges of a complex and demanding era. I will devote my efforts toward ensuring that the Navy's future achievements will serve our our country with equal honor, and in this endeavor your loyalty and support will be my greatest source of strength.

/s/ T. H. MOORER, Admiral
U. S. Navy

4. Anyone interested in entering a Sailing Regatta in Norfolk on 9 and 10 August see the Executive Officer.

5. Government bus information, including [illegible] transportation to beaches and NOB, is posted on the Mess Deck.

6. Civilian bus schedule starts at 1035 and runs every 50 minutes until 1600 and then every 35 minutes until 1800 and then every 50 minutes until 0130. Additional information can be obtained at any gate, the Fleet Landing, the Plans and Scheduling Office, the Central Transportation Pool and the PHIBLANT Reception/ Information Center for:

a. Service between Little Creek and Virginia Beach

b. Service between Little Creek and Norfolk via Little Creek or Ocean View.

LCdr USNR
EMS D. G. LUCAS, USNR
Command Duty Officer

James M. Ennes, Jr. Research Papers

NOT TO BE REMOVED FROM THE SHIP

**** USS LIBERTY (AGTR-5) ****
***** FPO NEW YORK, 09501 *****

PLAN OF THE DAY

- - - - - - - - - - - - - - - - - TUESDAY, 5 SEPT[illegible] 1967 - - - - - - - - - - - - - - - - -

CDO: ENS LUCAS
DUTY OFFICER: ENS KERICH

DUTY DEPT: OPS
DUTY SECT: 11
[illegible] SHI KITTLE

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4230.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

1530 --- LIBERTY --- CONDITIONS SECTIONS ONE, THREE AND FOUR---TO EXPIRE ON BOARD 0730 WEDNESDAY 06 SEPTEMBER 1967.

NOTES

1. COMMANDING OFFICER'S---NON-JUDICIAL PUNISHMENT

   BT2 EUGENE OWENS, USN 542 85 64
   VIOL: ARTICLE 86, UCMJ AWOL, LEAVING PLACE OF DUTY.

   AWARDED: TO BE REDUCED TO THE NEXT INFERIOR PAY GRADE, SUSPENDED FOR THREE MONTHS.

2. RESULTS HAVE BEEN RECEIVED OF MILITARY LEADERSHIP EXAM, HELD IN JULY 1967 THESE RESULTS ARE POSTED ON USS LIBERTY BULLETIN BOARD.

3. TELEPHONES ON THE SHIP WILL BE SECURED FROM 0800 7 SEP. UNTIL 1600 8 SEP.

4. CIGARETTE BUTTS ARE STILL BEING THROWN ON THE DECK. IF THIS PRACTICE DOES NOT CEASE THEN THE SMOKING LAMP WILL HAVE TO BE PUT OUT THROUGHOUT THE SHIP.

J.D. SCOTT, ENS, USNR
COMMAND DUTY OFFICER

Papers
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USS LIBERTY (AGTR-5)
FPO, NEW YORK 09501

PLAN OF THE DAY
-- TUESDAY, 25 SEPTEMBER 1967 --

CDO: LT BILLINGTON
DUTY OFFICER: ENS O'MALLEY

DUTY SECT: II
DUTY DEPT: DECK
DUTY MAA: SD1 ELDER

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1 EXCEPT AS MODIFIED HEREIN:

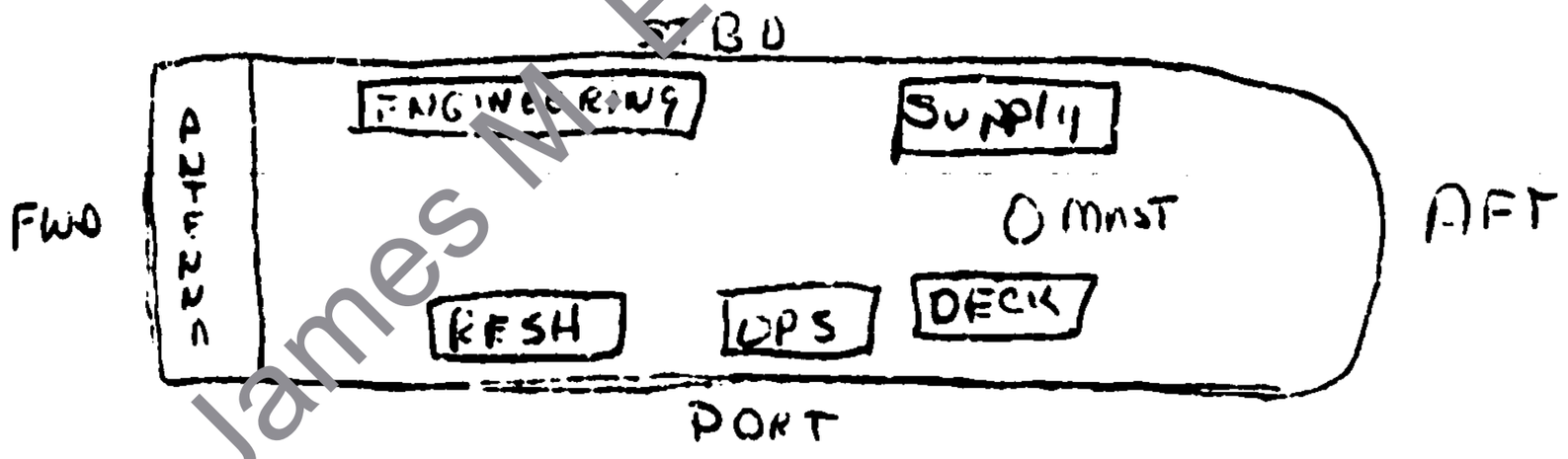
1530 - LIBERTY -- sections ONE, THREE and FOUR -- expire on board 0730, Wednesday, 27 SEP 67;

1. Congratulations Lieutenant Junior grade SCOTT on your recent promotion.

2. Quarters this morning will be held on the 01 level aft. Departments assemble in accordance with the below diagram. This will be the same procedure used for the personnel inspection Friday, 0945, 29 SEP and the change of command Monday, 1000, 2 OCT 67.

3. Are you ready for personnel inspection Friday?????? Uniform: Full Dress Blue.

4. CONSIDERATION!!! !!! There are still some inconsiderate cigarette smokers on the ship who are throwing cigarette butts on the deck. This practice must stop.



D. G. LUCAS, ENS, USNR
Command Duty Officer

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NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR-5)
FPO, NEW YORK, 09501
PLAN OF THE DAY
WEDNESDAY, 11 OCTOBER 1967

CDO: LT BILLINGTON | SUNRISE 0708 | DUTY DEPT: DECK
DUTY MAA: HM1 VAN CLEAVE | SUNSET 1837 | DUTY SECT: III

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

1230 - Continue Ship's Work
1530 - Liberty commences for Sections ONE, TWO, and FOUR to expire on board 0730, 12 October 1967.

NOTES

1. LIBERTY has received to date pledges and contributions for the Combined Federal Campaign in excess of 30% of its goal. Give your Fair Share. Contact your key man today.

2. The Research Department, which boasts at this time 68% participation in the combined Federal Campaign, with 50% giving their fair share, wish equal success to other departments. Contact you key man NOW!

3. The Ship's Party has been scheduled for this Saturday night the 14th of October at the Presidential Room of the Golden Triangle Motor Hotel in downtown Norfolk. The Cocktail hour is 7:00 PM.

4. LIBERTY GENERAL REGULATION - 4205 ARMED FORCES LIBERTY PASSES AND IDENTIFICATION CARDS

No person, without proper authority shall:

a. Have in his possession more than one validated liberty pass or identification card, or, in case of leave, depart from the ship on leave without his own properly validated leave papers and identification card. Enlisted men of pay grade E-5 and above are not required to have liberty passes.

b. Have in his possession a false, unauthorized, mutilated, erased, altered, or not properly validated liberty pass or identification card, or a liberty pass or identification card bearing a name or service number other than his own name and number.

E A Adams

ENS E. A. ADAMS, USNR
Command Duty Officer

James M. Ennes, Jr. Research Papers

COME TO YOUR S H I P S P A R T Y

DATE: 14 OCTOBER 1967

WHERE: PRESIDENTIAL ROOM, GOLDEN TRIANGLE MOTOR HOTEL, DOWNTOWN NORFOLK.

WHAT: LIVE BAND, ALL TYPES OF POPULAR MUSIC

WHEN: COCKTAIL HOURS BEGINS AT 7:00 PM, FOLLOWED BY A BUFFET STYLE DINNER AT 8:00 PM SERVED BY PROFESSIONAL WAITERS. BAND STARTS PLAYING AT 8:30 UNTIL MIDNIGHT.

MENU

SEAFOOD NEWBURG
BRAISED SIRLOIN STEAK TIPS
STRING BEANS WITH CHOPPED [illegible]
CITRUS FRUIT SALAD
DEVILED EGG ON LETTUCE PLATTER
SHRIMP SALAD
ASSORTED CREAM TARTS
SLICED HAM-TURKEY-CHEESE
SLICED TOMATOES
CELERY - OLIVES - PICKLES - RELISHES
ROLLS - BREAD

BEER AND SOFT DRINKS WILL BE PROVIDED FREE OF CHARGE
THERE WILL BE A VERY SMALL CHARGE FOR ALL MIXED DRINKS

DRESS: CASUAL (JACKET AND TIE OR DRESS UNIFORM IS RECOMMENDED HOWEVER)

PERSONNEL PLANNING TO ATTEND THE SHIPS PARTY ARE REQUESTED TO SIGN UP WITH WEDIG, CS2, AT THE ISSUE ROOM PRIOR TO 1200 FRIDAY. EVERYONE IS INVITED TO BRING AS MANY GUESTS AS HE WISHES, BUT BE SURE TO SIGN THEIR NAMES WITH WEDIG.

REMEMBER, THIS IS <u>YOUR</u> SHIPS PARTY, <u>YOUR</u> MONEY IS PAYING FOR IT. THIS PROMISES TO BE THE BEST PARTY WE'VE EVER HAD, TAKE ADVANTAGE OF IT, HAVE A GOOD TIME, <u>YOU'VE ALL EARNED IT</u>

James M. Ennes, Jr. Research Papers

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR-5)
FPO, New York, 09501

PLAN OF THE DAY

-Tuesday, 17 October 1967-

CDO: ENS LUCAS
DUTY MAA: HMI VAN CLEAVE

SUNRISE 0714
SUNSET 1825

DUTY SECT: 1
DUTY DEPT: RESH

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

NOTES

1. All uninvited hands stay out of Chief Petty Officer quarters.

2. The results of Commanding Officers non-judicial punishment:

   Accused of violation of article 121 UCMJ, DURZEWSKI, Henry E., SH2.
   Found guilty and reduced in rate (suspended for four months).

3. USS LIBERTY INST P5400.1 article 4201. ABUSE OF AUTHORITY.

   No person in a position of authority shall oppress or maltreat his subordinates by cruel or capricious conduct, by abusive language, or by denial of rights guaranteed by U. S. Navy Regulations and the Code of Military Justice.

E A Adams

ENS E. A. ADAMS, USNR
Command Duty Officer

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USS LIBERTY (AGTR-5)
FPO, NEW YORK, 09501

PLAN OF THE DAY
- - - - - - - - - - - - -Monday, 30 October 1967- - - - - - - - - - - - - - - -

CDO:LTJG SCOTT/ENS O'MALLEY DUTY SECT: 11
DUTY MAA: SD1 ELDER

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE PLAN OF THE DAY WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN.

0626 - Observe Sunrise
0800 - Turn to commence ship's work
1530 - Liberty commences for sections 1, III & IV to expire on board 31 October 1967.

NOTES

1. Ship's Party tonight. Lake Bright Motel - 1900 to 0100.
2. Liberty General Regulation - Article 4210. CREW'S HEADS AND WASHROOMS. Crew's heads and washrooms shall be opened at all times except when closed for repairs or cleaning in accordance with the prescribed daily cleaning schedule.
a. No person shall loiter, smoke, read, or dry clothing in any crew's head or washroom.
b. No person shall throw cigarette butts, rubbish, or any dirty water into trough, bowls, or urinals, or leave toilets unflushed after use.
3. COMMANDING OFFICER'S NON - JUDICIAL PUNISHMENT.

SN.3 COTTEN, J. E. - Accused of Violation Article 86. UCMJ. - Unauthorized Absence. Found not guilty beyond a reasonable doubt.

D.G. LUCAS, ENS, USNR
COMMAND DUTY OFFICER

James M. Ermes, Jr. Research Papers

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR-5)
FPO,NEW YORK, 09501

PLAN OF THE DAY
- - - - - - - - - - - - - - Friday, 3 November 1967 - - - - - - - - - - - -

CDO: LT. BILLINGTON
DUTY MAA: MMC BROOKS

Sunrise - 0629
Sunset - 1708

DUTY SECT: III

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

0629 - Observe Sunrise
0800 - Turn to
1130 - Liberty commences for sections I,II and IV to expire on board for section IV on 4 November at 0730 and for sections I and II to expire on board 6 November at 0730.
1230 - Duty section turn to
1530 - Knock off ship's work

NOTES

1. Examinations for Seaman and Fireman will be given at 0900 Monday 6 November in Crew's Lounge. All SA and FA who have been E -2 for six months and have completed correspondence courses and practical factors are eligible.

2. Jewish Sabbath Service at 1930, Commodore Levy Chapel, U.S. Naval Station, Norfolk, Virginia

3. Return the bolt cutters to the repair locker from which they were taken.

4. Weather Forecast 3 - 5 Novembor: See bulletin board on Mess Decks.

5. DIVINE SERVICES: Whenever practical, facilities shall be provided for each man to observe religious worship of his choice in accordance with the dictates of his church. Divine services shall be conducted each Sunday as condition permit, for persons of any and all religions. Special Services peculiar to a religion will be held if appropriate arrangements can be made.

a. No person shall create a disturbance or conduct himself in a disrespectful or irreverent manner during Divine Services.

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b. All persons who do not desire to attend Divine Services shall keep clear of the area in which services are being conducted and refrain from words, sounds, or actions that would interfere with the service.

6. Those persons nominated for transfer due to lowering crew level can expect to receive orders sometime between now and Feb.

7. Commanding Officer's Non - Judicial Punishment:

RM2 WARD; Unauthorized Absence for eleven hours--Prepare a Leadership Lecture for all E - 5 concerning leadership and behavior.

BM3 QUINTERO; Failed to observe reveille--Military Warning

ENS E. A. ADAMS, USNR
COMMAND DUTY OFFICER

James M. Ennes, Jr. Research Papers

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR-5)
FPO New York, 09501

PLAN OF THE DAY
Thursday, 2 November 1967

CDO: ENS ADAMS | SUNRISE 0628 | DUTY SECT: I
DUTY MAA: BMI LITTLE | SUNSET 1729

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN:

0800 - All OOD Watchstanders assemble 01 level forward
1230 - Supply assemble on Mess Decks for medical lecture.
1530 - Knock off ship's work, Liberty commences for sections II, III & IV to expire 0730, Friday, 3 November 1967.

NOTES

1. Department Duty Petty officers will make 8 o'clock reports and make sure sweepers and reveille are being held. If you can't make it, arrange with CDO.

Sect	DECK	ENGINEERING	OPERATIONS	RESEARCH	SUPPLY
1	WHEELER	ALEXANDER	POWLEDGE	CANNON	DURZEWSKI
2	HAZEN	MARTIN	BROWNFIELD	O'CLASSEN	NEWTON
3	KERNER	BATON	SOLDAU	OLIPHANT	MOULIN
4	QUINTERO	OWENS	VAN CLEAVE	ELLIS	VALDEZ

2. Give your paperback books for Christmas presents to the men in Vietnam to the MAA.

3. Talent contest sponsored by the Fifth Naval District 21 November 1967. Any interested? See ENS O'MALLEY.

4. Liberty General Regulation Article 4213. - Disrespectful or Profane Language
No person shall:
a. Use contemptuous, disrespectful, or insolent language or gestures towards his superior officer or towards any person of authority.

b. use profane, obscene, or vulgar words or gestures on board this vessel.

5. BRODEUR's wedding ring was in his jacket which he left at the ship's party. If anyone has become attached to the jacket, would that one please return the ring anonymously.

James M. Ennes, Jr. Research Papers

6. A meeting will be held today in the crews lounge at 1500 to plan the fall football tournament. This competition will lead to the Super Bowl between the 2 top departments. Department Heads are requested to ensure that they are represented at the meeting.

7. All personnel are reminded the deadline for completing correspondence courses, practical factors and military leadership is 1 December 1967. Keep working!

LTJG D. C. LEE, USNR
Command Duty Officer

James M. Ennes, Jr. Research Papers

N O T T O B E R E M O V E D F R O M T H E S H I P

USS LIBERTY (AGTR-5)
FPO, NEW YORK, 09501

P L A N O F T H E D A Y

THURSDAY, 16 NOVEMBER 1967

CDO: ENS LUCAS — SUNRISE: 0642 — DUTY SECT: III
MAA: SH1 KIMBLE — SUNSET: 1700

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4236.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN.

0745 - Quarters
0800 - Pay Day
0900 - All Hands assemble on mess decks for advancement in rate.

N O T E S

1. Last Friday a note was run in the POD reminding all Hands of LIBERTY Regulation 4218 concerning removal of government property from the ship or it's regular place of stowage. It is evident that government property is being removed from it's regular place of stowage and off the ship without proper authority. An effort is being made to find out who is stealing government property and appropriate disciplinary action taken. Anyone who knows of someone stealing government property and does not report it to the Commanding Officer is just as guilty as the thief and will be so treated as one. All government property leaving the ship must have a property pass signed by an officer. All Officers of the Deck will inspect everything leaving the ship and insure government property does not leave the ship unless the man has a property pass properly signed.

2. Note from the Commanding Officer. I will not condone the removal of government property from the ship for personal use. I have instructed the Executive Officer that I will personally deal with all cases of thivery and in a very harsh manner. I will also deal harshly with anyone who does not report a thief or any quarterdeck watch who allows property to leave the ship without proper authorization or because the watch did not check packages and luggage.

3. Nothing is to leave the ship without a property pass. The OOD will inspect all baggage taken ashore.

4. LIBERTY GENERAL REGULATION - 4222 - INDEBTEDNESS No person in the Naval Service shall at any time or place contract debts without a reasonable expectation of being able to repay them. Persons who fail to discharge their just indebtedness by every reasonable means shall be held to have brought discredit to the Naval Service (USNR Article 1256) The Commanding Officer's interest in the matter of indebtedness of personnel attached to this vessel shall be directed principally to the establishment of facts so that corrective or disciplinary measures may be taken.

J. J. BILLINGTON, LT, USN
Command Duty Officer

James M. Ennes, Jr. Research Papers

* USS LIBERTY (ACTR 5) *
FPO New York 09501

P L A N O F T H E D A Y
Saturday 01 July 1967

DUTY DEPT ENG
DUTY SECT III

CDO LTJG PAINTER
DUTY OFFICER MMC BROOKS

Sunrise 0449
Sunset 1918

UNIFORM OF THE DAY
OFFICERS & CPO S TROPICAL WASH KHAKI
ENLISTED CLEAN DUNGAREES

LIBERTY UNIFORM
OFFICERS & CPO'S TROPICAL WHITE LONG
ENLISTED TROPICAL WHITE LONG

WORKING UNIFORM
TROPICAL WASH KHAKI
DUNGAREES

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4230

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1 EXCEPT AS MODIFIED HEREIN.

0745 - Quarters
0800 - Turn to
1130 Knock off ships work. LIBERTY COMMENCES for sections I & II.

N O T E S

1. Sunbathing is authorized only from 1130 to 1300 1530 to sunset, and during holiday routine.

2. A softball game is scheduled for 1400 with the NATO team. Transportation will leave the ship at 1300.

3. Passing the word for personnel over the 1MC must be reduced. The 1MC is to be used for locating personnel only in an emergency.

4. Copies of the summary of the proceedings of the Court of Inquiry investigating the attack on LIBERTY are held by all officers. It is highly recommended that all hands borrow their Division Officers copy and read the report. Any statements or comments to others is confined to the exact wording in this report.

LCDR D. C. LUCAS, USNR
Command Duty Officer

James M. Ennes, Jr. Research Papers

USS LIBERTY (AGTR-5)
FPO New York, 09501

DUTY DEPT: DECK

P L A N OF T H E D A Y

- - - - - - - - - - - - - - - - - - Friday, 28 July 1967 - - - - - - - - - - - - - - - - - -

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4230.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION P5400.1 EXCEPT AS MODIFIED HEREIN:

UNIFORM OF THE DAY
OFFICERS & CPO'S: TROPICAL WASH KHAKI
ENLISTED: CLEAN DUNGAREES

WORKING UNIFORM
TROPICAL WASH KHAKI
DUNGAREES

* * *
YOU ARE LUCKY TO BE ALIVE!
* * * DON'T TEMPT FATE, DRIVE SAFELY * * *
* * *

NOTES:

1. Thank you for the generous contribution to the flower fund. Enough money was raised to pay for the flowers.

2. Ladies Powder Room. The head on the 01 lever aft. by radio central, is for the use of all lady visitors. A "LADIES" sign is on the door and this head is off-limits to all others.

3. INTERVIEWS or STATEMENTS to the PRESS. A reminder that we are still limited in statements we may give to the press. If someone wants to question you or have an interview, inform them they must submit their request to CINCLANTFLT who will make all arrangements. Also, inform the Executive Officer that someone has asked you for a statement.

4. The ship's store will be closed from 29 July through 13 August. It will be open again on 14 August.

5. The liquor locker will be open tomorrow from 1000 to 1100 for anyone wishing to take their liquor off the ship on Saturday the 29th. All liquor taken out of the liquor locker will be logged out and must again be logged out at the quarterdeck when it leaves the ship that day. It is the responsibility of the owner to see that his bottle is removed from the ship and logged off the quarterdeck. Anyone disobeying this order is subject to disciplinary action. The liquor locker will be open again on Monday, 31 August and all liquor must be removed at that time from the ship.

6. During the week no one may be absent from the ship for more than 48 hours or 72 hours over a week-end. To be away for periods greater than those a person must be in a leave status. If you have a standby for your duty day you still must muster in the morning.

D. L. BURSON, LCDR, USN
Executive Officer

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14

James M. Ennes, Jr. Research Papers

ENNES

FREEDOM OF

INFORMATION

CASE

1977- 1982

James M. Ennes, Jr. Research Papers

FOLDER 14

ENNES'S FREEDOM OF INFORMATION REQUEST -- 1977-1982

Prior to late 1977, I submitted several FOI requests through third parties, particularly **Liberty**'s John Scott, because I did not want to be associated officially with such inquiries while I was still on active duty in the Navy.

Late in 1977, as my retirement date approached, I began to file requests in my own name. The most important case followed a conversation I had with someone in the FOI office of the Department of State. He was quite sympathetic with the request, commented on his own that "that's the shit the Israeli's attacked on purpose," and indicated that a FOI request was likely to be fruitful.

Unfortunately, it was not. Although my initial request was acknowledged, months passed without action. Followup letters and phone calls generally went unanswered. When I telephoned, I was repeatedly given promises that I would be called back, but I was never called. At one point a letter from State gave me a phone number to call, but the number never answered.

When it became clear that I would **never** get a reply, I wrote to the Federal District Court in Washington, D.C., for help on how to file a suit under the FOIA as a citizen without an attorney. I subsequently sued the Department of State, asking for the same documents I had originally requested administratively. Still State dragged its feet. Finally an impatient judge directed State to respond within a limited time, about thirty days. This brought forth the 163 documents contained in this collection.

Many of the documents here, although machine copies, seem to be "originals" from State Department files, since they arrived dog-eared, in tattered and hand-written file folders, many with multiple staple holes in the corners.

Many of the documents are marked "deny" and similar notations to show that they are not to be released, but they were nevertheless included in the collection sent to me. Other documents have portions excised, but the "excised" portions are so lightly overwritten that the "excised" part can be easily read. In all those cases, a **second** copy of the same document was included, and in those second copies the "excised" portion was effectively blacked out. (In most cases, I deleted those second copies from this collection to avoid redundancy.)

After releasing 163 documents, the Department of State certified to me and to the court that I had received all **Liberty** material in their files except for about nine documents which they identified and which they claimed were exempt from release under the Freedom of Information Act. By this time it was 1982, my book had been out for two years, and there seemed no point in continuing the case, so I accepted State's word and withdrew my suit.

James M. Ennes, Jr. Research Papers

At about that time, James Miller of Minneapolis became interested in the **Liberty** after reading **Assault on the Liberty**. He filed a number of FOI requests, found the same stonewalling I had found, and then filed a FOIA suit in Federal District Court in Minneapolis.

To my astonishment and Miller's, his more persistent suit (handled by an attorney) brought an admission from State that in fact they held several hundred documents in addition to those released to me. Among the material forced out by Miller was the important analysis by State Department Legal Advisor Carl F. Salans which shows the Israeli excuse to be contrary to testimony of crewmen and evidence in American files.

Miller's case shows clearly that the government was **not** being honest when they claimed to have only 163 documents. He has asked the Court to review documents still withheld, and to pay his $25,000+ court costs as provided in the Act. In mid-1985, the court denied both requests. Miller appealed. In December, 1985, a three judge panel of the Minneapolis District Court of Appeals agreed with the lower court concerning release of additional documents, but did agree with Miller that his suit had "prevailed" in forcing out additional material, and directed State to pay Miller's court costs--the amount to be determined by the lower court. In January, 1986, the Department of State appealed for a further review by the full eleven member District Court of Appeals. As this is written, the matter is still pending.

Highlights from Miller's suits and his material are included in this collection. Miller has said that eventually he intends to send all his material to the Hoover to be included in this collection.

James M. Ennes, Jr.
26 February 1986

James M. Ennes, Jr. Research Papers

Jim Wood
10 Feb 78 called
used phone

Will
Lowell
632-5165
I called to Mr. Wood & call

17 December 1977

Phone 632-0774

Director, Freedom of Information Staff
Bureau of Public Affairs
Department of State, Room 2811
2201 C Street NW
Washington, D.C. 20520

Dear Sir:

This letter follows a telephone conversation of this afternoon with Mr. Jim Wood of your office. I was a member of the crew of USS LIBERTY on June 8, 1967, when the ship was strafed and torpedoed by Israeli forces in the Mediterranean Sea. Because of my personal interest and involvement in the incident, I would like to see any documents or any files pertaining to the attack or its aftermath, or any notes, messages or diplomatic exchanges between our country and Israel or between Washington and our embassy at Tel Aviv concerning the attack or concerning compensation for deaths, injuries or property damage, including the loss of the ship. I understand that several such documents have previously been released under the Freedom of Information Act and I request access under that Act.

I am interested in seeing any document pertaining to the ship, including but not limited to notes or messages covering the following:

1. Notes exchanged between Secretary Rusk and Israel's Ambassador Harmon on about June 8, 9 and 10, 1967, concernigg the attack on LIBERTY.

2. An exchange of letters between Secretary Rusk and Representative Craig Hosmer in about September or October, 1967, concerning LIBERTY.

3. A claim submitted to Israel on December 19, 1967, in my name for injuries I suffered in the attack.

4. Several notes, messages and letters between Washington, our embassy at Tel Aviv and the Israeli Government in 1967, 1968 and 1969 concerning negotiations for settlement of claims.

5. An August 5, 1968, note from the Israeli Ministry of Foreign Affairs concerning Israeli liability for damage.

6. A Rusk/Barbour exchange of messages or notes concerning the Israeli note of August 5, 1968.

7. An August 29, 1968, note from Secretary Rusk to the Israeli government responding to the August 5 Israeli note.

8. A claim submitted to Israel on March 18, 1969, in my name for injuries I suffered in the attack.

9. Any White House comment on the circumstances of the attack.

James M. Ennes, Jr. Research Papers

10. Any official American response, reaction or statement concerning the Israeli excuse for the attack.

I am prepared to pay up to $20 for reproduction and mailing of the requested documents. If the files are extensive, or if the charge would exceed $20, I request the opportunity to examine them in your reading room so that I may select documents to be copied.

Please phone me at 229-0835 (home) or 282-0370 (work) if you have any questions concerning this inquiry.

Sincerely,

James M. Ennes, Jr.
[redacted]

P.S.: If the material I have requested is not all available at the same time, would you kindly send me what you have or let me know what is available rather than delay my request until the package is completed?

James M. Ennes, Jr. Research Papers

10 February 1978

Director, Freedom of Information Staff
Attn: Mr. Jim Wood
Bureau of Public Affairs
Department of State, Room 2811
2201 C Street NW
Washington, D.C. 20520

Dear Sir:

Thank you for your telephone call this afternoon advising me of the status of my Freedom of Information inquiry, case #740846.

I was alarmed to learn that charges already exceed $40, as I felt that my letter had limited charges, including reproduction, to $20. I did not request waiver of charges in my original letter, because I did not anticipate their exceeding $20.

May I now request waiver of search, reproduction and other charges in connection with my request? I believe a public benefit will result from release of material to me because the circumstances of the attack and the negotiations which followed are of legitimate and continuing concern to the public, including LIBERTY crewmen and their families. In addition, much of the material I have requested has previously been released and is being exploited by foreign newsmen who use it as a basis for sensational stories in overseas publications. In order to evaluate the veracity of such stories, it is in the public interest for USS LIBERTY crewmen and their families to have access to the documents which are claimed as their source.

I am an individual, drawing upon my own resources. I am not backed by any large organization or by Arab money, as are reporters who have preceded me in this quest. I hope you will agree that waiver of charges and release of the requested material to me is in the public interest.

Sincerely,

James M. Ennes, Jr.
[redacted]

James M. Ennes, Jr. Research Papers

4 June 1978

Director, Freedom of Information Staff
Bureau of Public Affairs
Department of State, Room 2811
2201 C Street NW
Washington, D.C. 20520

Dear Sir:

I am writing to inquire about the status of Freedom of Information Case #740846.

The Freedom of Information inquiry was originally mailed to your office on 17 December 1977. On December 30 I was advised in writing that the inquiry was received on December 27 and that case number 740846 had been assigned. On 10 February 1978 Mr. Jim Wood of your office telephoned to tell me that about 500 pages of documents had been identified and that they would be given a security review. At the same time Mr. Wood told me that my $20 limit had been exceeded in search charges alone. I told Mr. Wood that I would request waiver of charges and asked him to continue with the declassification review. He promised to do so.

My letter of 10 February 1978 requested waiver of charges. I have heard nothing further from your office, either concerning waiver of charges or concerning the documents requested. Three times in the past six weeks I have telephoned your office to inquiry about my case and each time I have been promised a prompt return phone call, but no one has called.

Would you please advise the status of my case? If my request has been declined, would you kindly advise me of that fact and inform me of the appeal procedure?

For the next two weeks I can be reached at home at 229-0835 in Bethesda. I will be grateful if you call me at that number.

Sincerely,

James M. Ennes, Jr.
[redacted]

James M. Ennes, Jr. Research Papers

20 August 1981

Mr. Jason Kogan

Assistant United States Attorney

U.S. Court House, Room 2804

Washington, D.C. 20001

Dear Mr. Kogan:

I am the plaintiff in Civil Action No. 80-1126, James M. Ennes, Jr. Versus the Department of State, a Freedom of Information Complaint.

I have reviewed the declaration of Clayton F. Mahanaway which was filed 30 December 1980 on behalf of the defendant. I accept the defendant's arguments for withholding the documents cited in his declaration. Therefore I hereby withdraw my complaint.

Yours very truly,

James M. Ennes, Jr.

[redacted]

James M. Ennes Jr. Research Papers

INCOMING TELEGRAM *Department of State*

RECEIVED
JUN 19 12 30 PM
W.S.C.

CONFIDENTIAL

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SUMMARY

FILE COPY

47
Action
NEA-11
Info
SS-25
GPM-3
L-1
H-1
ID-2
EUR-8
IRR-1
55
RSR-1
FILE-1

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RUFPAC/CINCUSAREUR
RUTKRE/CTG SIX ZERO
RUDLKD/USDAO LONDON
RUFJC/USDAO PARIS
RUEHCR/USDAO MOSCOW

PAGE 2 RUQMVL 0928/2 ~~CONFIDENTIAL~~
FINAL SECTION OF UI.
(1) SHIP WAS COVERED WITH THICK SMOKE. (2) WHEN ASKED TO IDENTIFY ITSELF, THE SHIP DID NOT DO SO AND BEHAVED SUSPICIOUSLY. (3) IT APPEARED TO THE DIVCOM THAT THERE WAS A GUN ON THE FORE-CASTLE OF THE SHIP AND THAT THE SHIP WAS BEARING TOWARD THE MTB'S. THESE OVSERVATIONS WERE RECORDED IN THE WAR DIARY AT THE TIME OF ACTION.

IF WE ADD TO THESE FACTORS THAT UNDER THE CIRCUMSTANCES WHEN THE SHIP WAS COMPLETELY COVERED WITH SMOKE THERE WAS, IN FACT, APPARENTLY A GREAT SIMILARITY BETWEEN IT AND EL QUSEIR. TWO OFFICERS A CDR AND A LT ON TWO DIFFERENT MTB'S WHO HAD NO COMMUNICATIONS BETWEEN THEM BOTH IDENTIFIED THE SHIP AT THE SAME TIME AS EL QUSEIR. THE IDF CNO DECIDED THAT ON THE BASIS OF REPORTS ON HAND THAT THIS IDENTIFICATION WAS FEASIBLE. THEREFORE I (AGAIN COL RON) HAVE COME TO THE CONCLUSION THAT THERE WAS CERTAINLY NO CRIMINAL OR SERIOUS NEGLIGENCE IN THIS CASE. FINALLY I (COL RON) HAVE TO ADD THAT A GRAVE ADDITIONAL MISTAKE NOT LESS DECISIVE THAN THE THREE ABOVE MISTAKES MADE BY IDF WAS MADE BY THE LIBERTY ITSELF. ON THIS QUESTION, I (COL RON) HAVE THE EVIDENCE OF THE IDF CNO AND JAG

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By NARS Date 8-13-82
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~~CONFIDENTIAL~~

-3-USDAO TEL AVIV ISRAEL 928, 181030Z JUNE 67 SECTION II OF II

PAGE 5 RUQMVL 0928/2 ~~C O N F I D E N T I A L~~

C. THAT A PROFESSIONAL NAVAL OFFICER OF THE RANK OF COMMANDER COULD LOOK AT LIBERTY AND THINK HER A 30 KNOT SHIP IS DIFFICULT TO ACCEPT.

D. THE SMOKE WHICH COVERED LIBERTY AND MADE HER DIFFICULT TO IDENTIFY WAS PROBABLY A RESULT OF THE IDF AF ATTACKS.

4. WHILE WALKING TO THEIR CARS, LTC EFRAT MENTIONED THAT GEN RABIN HAS NEVER BEEN SO ANGRY AS WHEN HE READ THE CURRENT NEWSWEEK MAGAZINE COMMENT ON THE LIBERTY INCIDENT. ALUSNA REMARKED THAT HE TOOK NO NOTICE OF NEWS MEDIA REPORTING ON THE INCIDENT.

5. ALUSNA WAS CALLED TO FLO EARLIER IN THE DAY TO RECEIVE A COPY OF IDF CNO LETTER OF REGRET AND CONDOLENCE TO CNO USN. ALUSNA WAS INFORMED THAT THE ISRAELI MILITARY ATTACHE IN WASHINGTON, D.C. WILL DELIVER THE ORIGINAL TO ADM MCDONALD.

6. COORDINATED WITH EMBASSY. GP-3

BT

NOTE: PASSED S/S-O AT 9:31 A.M. 6/18/67

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PAGE 3 RUQMVL 0928/2 ~~C O N F I D E N T I A L~~
WHICH COMPLEMENT EACH OTHER AND FROM WHICH IT IS CLEAR THAT THE AMERICAN SHIP ACTED WITH LACK OF CARE BY ENDANGERING ITSELF TO A GRAVE EXTENT BY APPROACHING EXCESSIVELY CLOSE TO THE SHORE IN AN AREA WHICH WAS A SCENE OF WAR AND THIS AT A TIME WHEN IT WAS WELL KNOWN THAT THIS AREA IS NOT ONE WHERE SHIPS GENERALLY PASS. THIS WITHOUT ADVISING THE ISRAELI AUTHORITIES OF ITS PRESENCE AND WITHOUT IDENTIFYING ITSELF ELABORATELY. FURTHERMORE, IT APPEARS THAT THE SHIP MADE AN EFFORT TO HIDE ITS IDENTITY FIRST BY FLYING A SMALL FLAG WHICH WAS DIFFICULT TO IDENTIFY FROM A DISTANCE; K SECONDLY BY BEGINNING TO ESCAPE WHEN DISCOVERED BY OUR FORCES AND WHEN IT WAS AWARE OF THE FACT THAT IT HAD BEEN DISCOVERED, THIRDLY BY FAILING TO IDENTIFY ITSELF IMMEDIATELY BY ITS OWN INITIATIVE BY FLASHING LIGHT AND BY REFUSING TO DO SO EVEN WHEN ASKED BY THE MTB'S. FROM ALL THIS I (KOL ROM) CONCLUDE THAT THE SHIP LIBERTY TRIED TO HIDE ITS PRESENCE IN THE AREA AND ITS IDENTITY BOTH BEFORE IT WAS DISCOVERED AND EVEN AFTER HAVING BEEN ATTACKED BY THE AF AND AFTER BY THE NAVY AND THUS CONTRIBUTED A DECISIVE CONTRIBUTION TOWARD ITS IDENTIFICATION AS AN ENEMY SHIP." END QUOTE.D
COMMENTS: 1. ALL ABOVE IS AS DICTATED BY LTC EFRAT WHO WAS TRANSLATING FROM A DOCUMENT WRITTEN IN HEBREW.

PAGE AUQMVL 0928/2 ~~C O N F I D E N T I A L~~
2. LTC EFRAT PAUSED AT ONE POINT IN HIS READING TO POINT OUT THE GOI HAD RECEIVED A STATEMENT FROM USG SAYING THAT LIBERTY HAD BEEN IDENTIFIED SIX HOURS PRIOR TO THE ATTACK RATHER THAN ONE HOUR AS STATED IN AN EARLIER USG COMMUNICATION.D
3. LTC EFRAT PROBABLY NOTED ALUSNA'S APPEARANCE OF SURPRISE AND INCREDULITY AS HE READ OFF SOME OF THE ABOVE POINTS. WHEN HE FINISHED HIS READING HE ASKED WHAT ALUSNA THOUGHT OF THE FINDINGS QUOTE OFF THE RECORD UNQUOTE. ALUSNA PRETENDED HE HAD NOT HEARD THE QUESTION AND THANKED THE COLONEL FOR HIS TIME. THE BURDEN OF DIPLOMACY BORE HEAVILY ON ALUSNA WHOSE EVALUATIONS ARE:D
A. THE IDF NAVY STANDING ORDER TO ATTACK ANY SHIP MOVING AT MORE THAN 29 KNOTS IS INCOMPREHENSIBLE.
B. TWO OF THE IDF JUSTIFICATIONS FOR THEIR ACTION ARE MUTUALLY CONTRADICTORY. FIRST THEY SAY THAT SINCE THE SPEED OF THE UNIDENTIFIED WAS AS HIGH AS 30 KNOTS THEY COULD NOT HAVE THOUGHT IT WAS LIVERTY. THEN THEY SAY THE SHIP WAS FEASIBLY IDENTIFIED AS EL QUSEIR. U ED. QUSEIR HAS A MAX SPEED OF 14 KNOTS. FOUR LESS THAN LIBERTY. IF THE QUOTE 30 KNOT SHIP COULDN'T HAVE BEEN LIBERTY UNQUOTE IT FOLLOWS IT ALSO COULDN'T HAVE BEEN EL QUSEIR.

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~~SECRET~~

DEPARTMENT OF DEFENSE
NATIONAL MILITARY COMMAND CENTER
MESSAGE CENTER

SEC 1 OF 2
81708

CALL 53337
FOR NMCC/MC
SERVICE

616 04 35Z

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SUBJECT TO CORRECTION

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ZNY SSSSS
P 151615Z JUN 67
FM USDAO TEL AVIV ISRAEL
TO RUDLKD/CINCUSNAVEUR
INFO RUEPJS/DIA
BT
~~S E C R E T~~ NOFORN 0900'-, 67.
SECTION 1 OF 2
SUBJ: (U) USS LIBERTY INCIDENT.
REFERENCES:
A. ~~YOUR 141250Z JUN 67.~~
B. USDAO 0825 JUN 67.
C. USDAO 0827 JUN 67.
D. USDAO 0834 JUN 67.
E. USDAO 0845 JUN 67.
F. USDAO 0849 JUN 67.
G. USDAO 0852 JUN 67.
H. USDAO 0858 JUN 67.
I. USDAO 0884 JUN 67.
J. USDAO 0886 JUN 67./
(. USDAO 0892 JUN 67.
FOR RADM KIDD, PRESIDENT OF COURT OF INQUIRY. FOLLOWING IS CHRONOLOGY OF EVENTS SURROUNDING USS LIBERTY INCIDENT AS OBSERVED AND RECORDED BY ALUSNA TEL AVIV CDR F.C. CASTLE, USN//
1. (C) ALUSNA CALLED TO ISRAEL DEFENSE FORCE FOREIGN LIAISON OFFICE (IDF/FLO) AT APPROX 081400Z. MET THERE BY LT COL M CHAEL BLOCH, ASSISTANT IDF SPOKESMAN WHO SAID ISRAEL AIRCRAFT AND MTB'S HAD ERRONEOUSLY ATTACKED AN UNIDENTIFIED U.S. SHIP AT 0813 00Z POSIT 3125N 3333E. SAID MAYBE SHIP WAS U.S. NAVY. SAID HELI- COPTERS IN RESCUE OPERATIONS. HAD NO OTHER INFO. MADE APOLOGIES AND REQUESTED INFO OF OTHER U.S. SHIPS NEAR WAR ZONE COASTS. USDAO SENT FLASH MESSAGE, REF B.
2. (C) ALUSNA REPORTED INCIDENT TO U.S. AMBASSADOR WHO HAD JUST RECEIVED REPORT FROM ISRAELI FOREIGN MINISTRY (FONMIN). AMBASSADOR SUGGESTED ALUSNA COULD BE FLOWN TO SITE OF INCIDENT TO ATTEMPT

INFO...CJCS-1 DJS-5 SJCS-1 J3-8 J5-2 SACSA-3 NMCC-1 S/DEF-7
ASD/ISA-5 ASD/PA-1 W/H-4 STATE-1 DIA-15 CSA-1 CIA-4 CNO-2
CSAF-1 CMC-6 SSDSG-1 FILE-1 (74) JAn/JB

1 OF 4

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NATIONAL MILITARY COMMAND CENTER
MESSAGE CENTER

IDENTIFY SHIP AND REQUESTED HELO FLIGHT FROM DIRECTOR OF UNITED STATES DEPARTMENT OF ISRAEL FONMIN.
3. (C) AT APPROX 0815?0Z DEPUTY RWYECTOR OF U.S. DEPT ISRAEL FONMIN CALLED ALUSNA AND SAID IDF HELOS HAD PUT U.S. SURVIVORS ABOARD ISRAELI NAVY SHIPS AND THAT ALUSNA COULD BE FLOWN TO MEET THEIR ARRIVAL IN PORT. BEFORE DEPUTY DIRECTOR COMPLETED HIS STATEMENT LT COL BLOCH CAME ON SAME PHONE AND SAID THE REPORT OF PICKING UP SURVIVORS WAS COMPLETELY INACCURATE AND THAT NO SUCH ACTION HAD TAKEN PLACE. BLOCH THEN SCSNNG
LZTTACKED SHIP HAD
BEEN IDENTIFIED AS USS LIBERTY AND THAT FLO WAS ARRANGING HELO FLIGHT FOR ALUSNA TO FLY TO SHIP AND COMMUNICATE WITH ELECTRIC MEGAPHONE WITH C.O. OF LIBERTY. USDAO SENT FLASH MESSAGE, REF C.
4. (U) AT APPROX 0815407, FLO CALLED ALUSNA AND SAID TO PROCEED TO FLO TO PICK UP ESCORT FOR HELO FLIGHT. ASTALUSNA ACCOMPANIED ALUSNA.
5. (C) AT 081610Z (TIME RECORDED BY ASTALUSNA), HELO WAS AIRBORNE FROM DOV HOSS AIRFIELD ON NORTHERN EDGE OF TEL AVIV. HELO PROCEEDED ON DIRECT INTERCEPT TO SHIP. AT 081625Z, HELO PASSED OVER THREE IDF MTR RUNNING NORTH. AT 081635Z, HELO WAS OVER USS LIBERTY BUT HAD NEITHER ELECTRIC MEGAPHONE OR HAND HELD SIGNAL LIGHT. ALUSNA HAD PLANNED TO BE LOWERED ABOARD LIBERTY FOR BRIEF CONFERENCE WITH C.O. ALUSNA IN CIVILIAN CLOTHES AND NOT ABLE TO CONVEY HIS IDENTITY TO BRIDGE OF LIBERTY. LIBERTY MADE PREPARATIONS TO RECEIVE ALUSNA ABOARD ON FORECASTLE. SPEED OF SHIP (WHICH IT IS ASSUMED
COULD NOT BE REDUCED FOR DAMAGE CONTROL REASONS) CAUSED HELO PILOT TO SAY HE COULD NOT MAKE TRANSFER. SHIP THEN WAVED OFF TRANSFER ATTEMPT. ALUSNA WROTE NOTE INQUIRING AS TO CASUALTIES ON CALLING CARD AND DROPPED IT ABOARD LIBERTY IN IMPROMTU PACKAGE. ALUSNA UNDERSTOOD SHIP TO SIGNAL AFFIRMATIVE CASUALTIES AND THOUGHT THE NUMBER SENT WASFOUR OR FORTY BUT IS UNCERTAIN OF TRANSMISSION FROM HAND HELD LIGHT. HELO HAD TO DEPART BECAUSE OF FALL OF DARKNESS. OFFICER ON BRIDGE GAVE A THUMBS UP SIGN. ENTIRE HELO TRIP WAS FRUSTRATION AND ESSENTIALLY NON-PRODUCTIVE EXCEPT ALUSNA WAS ABLE TO OBSERVE LIBERTY UNDERWAY ON OWN POWER AND TO NOTE LIST AND SOME TOPSIDE DAMAGE. HELO DEPARTED LIBERTY AT 0817007 AND TOUCHED DOWN TEL AVIV 081725Z.

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A. (C)WHILE ALUSNA ON FLIGHT, DATT RECEIVED TELEPHONE REPORT FROM IDF ARMY SPOKESMAN OF
OF PRESS NOTICE ON INCIDENT WHICH
WAS FOR RELEASE AT 081930Z. INTERIM COL TAYLOR OF DIA HELD PHONE CONV WITH DATT. DATT UNDERSTOOD FROM PHONECON THAT LIBERTY NOT SEEKING IDF ASSISTANCE AND THAT SHIP HAD SATISFACTORY RADIO COMM WITH U.S. NAVY. INFO THIS PARA AND OTTER AMLLIFYING REMARKE CONTAINED IN USDAO IMMEDIATE MSG REF D.
7. (C)M ON RETURN EMBASSY,ALUSNA INFORMED THAT GENL GETTY OF NMCC REQUESTED PHONE REPORT WHICH WAS MADE AT APPROX 082100Z. SUBSTANCE OF PHONE CON SAME AS PARA 5 ABOVE.
8./ (C) AT APPROX 0912007, ARME RECEIVED PHONE CALL FROM GENL CASSIPRY OF NMCC ASKING USDAO TEL AVIV TO DETERMINE IF IDF PLANES OR SHIPS HAD SIGHTED ANY BODIES OR PICKED UP ANY SURVIVORS. GENL SAID 22 MEN WERE MISSING BUT WERE POSSIBLY ALL IN HOLD OFLIBERTY. GE
EWAEETED PHONE RELLEEEEER
AFFIRMAT
GEO -)70,- 0-0035 3
27846 59 !)99
9 (S) AT 091300Z, LT COL BLOCTCALLED ALUSNA. ALUSNA WAS EXLERI
G REPLY TO INQU
RYO
M
EE RVLMEN9
353-$)91# 43-5 9!!
)805 9! 0313,)9
,50 9!!7455348
S949-589, !9,134
,8)8 3456 8,1853,59
553SE WERE!
A. SHIP WAS SIGTTEDA
D REROG
IZED AS A
AVAL SHIP 23 MILES
FROM COAST.
B. PRESENCE IN A FIGHTING AREA IS AGAINST INTERNATIONAL CUSTOM.

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C. THE AREA IS NOT A COMMON PASSAGE FOR SHIPS.
D. EGYPT HAD DECLARED THE AREA CLOSED TO NEUTRALS.
E. LIBERTY RESEMBLES THE EGYPTIAN SUPPLY SHIP EL QUSEIR.
F. SHIP WAS NOT FLYING FLAG WHEN SIGHTED. SHE MOVED AT QUOTE HIGH SPEED UNQUOTE WESTWARD TOWARD ENEMY COAST.
G. IDF NAVY HAD EARLIER REPORTS OF BOMBARDMENT OF EL-ARISH FROM SEA.
ALUSNA PRESSED BLOCH FORALABELFOR THE STATEOEEJING IF
NNNN

4 OF 4 81/08

REF A NOT IDENTIFIED
REF B IS 63738
REF C IS 65289
REF D IS 65555
REF E IS 67889
REF F IS 66883
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TO RUDLKD/CINCUSNAVEUR
INFO RUEPJS/DIA
BT
~~S E C R E T~~ NOFORN 0900/2 JUN 67.
FINAL SECTION OF TWO
THIS WERE AN OFFICIAL EXPLANATION OF THE INCIDENT. LCOL BLOCH COULD NOT SUPPLY A PREAMBLE ON HIS OWN AND ALUSNA REQUESTED HE CONSULT WITH SOME AUTHORITY WHO COULD. BLOCH CALLED BACK AND GAVE ABOVE NON-COMMITAL HEADING. USDAO SENT IMMEDIATE MSG REF E DESCRIBING ABOVE EXCHANGE AND COMMENTING ON UNLIKELYHOOD OF PROFESSIONAL NAVAL OFFICERS CONFUSING LIBERTY AND EL QUSEIR AND EALUATING NAVY'S ERRONEOUS ATTACK AS RESULT OF EAGERNESS OF IDF NAVY TO GLEAN SOME PORTION OF GREAT VICTORY BEING WON BY IDF ARMY AND AIR FORCE.
10. (C) AT APPROX 0914007, ALUSNA RECEIVED PHONE CALL FROM RADM MOORE AT NMCC REGARDING TYPE AND EXTENT OF SEARCHES FOR SURVIVORS MADE BY IDF NAVY. RADM MOORE PUT SPECIFIC QUESTIONS BUT PHONE CONNECTIOOTRODLVERY POOR. ALUSNA STATED HE UNDERSTOOD TENOR OF QUESTIONS AND WOULD ACT ON THAT BUT REQUESTED MSG BACKUP WITH DETAILED QUESTIONS. ON QUERY ALUSNA TOLD RADM MOORE THAT IN VIEW GENERAL RECENT NON-COOPERATION OF FLO REGARDING USDAO REQUESTS FOR INFO ON HOSTILITIES, SLOWNESS OF REPLY TO QUERY REGARDING POSSIBLE SURVIVORS, AND THE JUST RECEIVED QUOTE SEVEN POINTS UNQUOTE THAT U.S. REQUESTS FOR ISRAELI SEARCH ACTION WOULD PROBABLY GET BETTER RESPONSE AT LEVEL HIGHER TAN USDAO TO FLO. REQUESTS FOR INFO AND RENEWED SEARCH WERE PASSED TO FLO IMMEDIATELY.
11. (S) AT 0916307, LCOL BLOCH TELEPHONE FOLLOWING STATEMENTS TO ALUSNA:
A. FOLLOWING ATTACK, 31 (0?4-3)8 ,5 'S OFFERED HELP TO LIBERTY BUT WERE REFUSED.
B.N
MTB'S CONTIOPFBLEARCH IN ATTACK AREA UNTIL 8815042 WITH

INFO..CJCS-1 DJS-3 SJCS-1 J3-8 J5-2 SACSA-3 NMCC-1 SECDEF-7
ASD/ISA-9 ASD/PA-1 NSA-2 WH-4 STATE-1 DIA-15 CIA-4 CSA-1
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NEGATIVE RESULTS EXCEPT FOR RECOVERY OF RUBBER LIFE BOATS AND OTHER EQUIPME T.
C. MTR PERSONNEL STATE TEY SAW NO ONE JUMP INTO THE SEA OR IN SEA.
D. IDF HELICOPTORS WERE OVER LIBERTY 0813Z TO 0913Z AND WERE WAVED OFF. HELOS CONDUCTED SEARCH UNTIL 0815Z.
E.
TCOL BLOCH HAD INTERVIEWED ALL PILOTS OF ATTACKING AIRCRAFT EXCEPT ONE. ALL STATED THEY HAD SEEN NO ONE IN OR ENTERING WATER.
FWM IDF HAD INSTITUTED LIGHT PLANE SEARCH UPON RECEIPT OF QUESTIONS REGARDING SEARCHES AND WOULD CONTINUE UNTIL DARK NESS 9 JUNE.
G. IDF NAVY ESTIMATED STANDARD WIND AND CURRENT CONDITIONS WOULD CARRY SURVIVORS OR DEBRIS TO POINT ON GAZA STRIP COAST OPPOSITE CITY OF RAFAH.
H. IDF AGREED TO CONDUCT SEARCH ATTACK AREA AND WATERS TO GAZA COAST LINE BEGINNING FIRST LIGHT 10 JUNE.
I. AS ABOVE BEING DRAFTED AS USDAO FLASH MSG. REF F. LTCOL BLOCH TELEPHONED INFO THAT LAST PILOT HAD BEEN INTERVIEWED. THAT PILOT THOUGHT HE SAW SIX TO TEN YELLOW BOATS WITH PEOPLE IN WAKE OF LIBERTY. BLOCH DISCREDITED THIS REPORT.
10. (S)1 -5 1007302. LTCOL BLOCH REPORTED AIR SEARCH WITH NEGATIVE RESULTS BEGAN AT 1003002 AND THAT SURFACE SEARCH WOULD BEGIN IN ASTERNOON. AIUSNA RECOMMENDED TO US AUTHORITIES THAT IF NO RESULTS DEVELOPED BY NIGHTFALL, TERMINATION OF SEARCH BE AUTHORIZED. INFO THIS PARA SENT AS USDAO FLASH MSG. REF G.
PAGE WR RUOMVL 0900/2 S E C R E T NOFORN
13. (S/NFD) AT APPROX 1009302. USDAO SOURCE REPORTED SECONDARY SOSRCE GAVE INFO GATHERED BY OVERHEARING IDF AF AIR-TO-GROUND CONTROL FREQUENCIES. INFO SUGGESTED THAT IDF AIRCRAFT MADE TWO OR THREE IDENTIFICATION PASSES OVER A SHIP SOMETIME PRIOR TO ATTACK ON LIBERTY. AIRCRAFT REPORTED SHIP HAD U.S. FLAG BUT NO PERSONNEL ON DECK. INFO THIS PARA FORWARDED TO LIMITED ADDRESSEES INCLUDING CNO AND DIA IN USDAO 0854 JUN 67.
14. (S) AT APPROX 1019157, IDF SPOKESMAN REPORTED NEGATIVE RESULTS FROM DAY LONG AIR AND SURFACE SEARCH BUT SAID IDF NAVY STILL OPERATING IN AREA AND WOULD CONTINUE ALERT WATCH

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FOR SURVIVORS. THIS INFO SENT IN USDAO IMMEDIATE MSG. REF H.
15. (S/NFD) ON QUERY FROM DIA, USDAO TEL VIV IMMED MSG, REF I, REPORTED INABILITY TO RECHECK STORY OF SECONDARY SOURCE CITED PARA 13 ABOVEWM HOWEVER USDAO WAS ABLE PROVIDE IN REF I INFO ON MTB ATTACK RECEIVED BY EMBASSY OFFICER FROM IDF NAVAL OFFICER WHO SAID HE WAS ABOARD MTB. SAID MTB'S LAUNCHED TORPEDOS AT LIBERTY WHEN THEY SAW HER UNDER ATTACK BY AIRCRAFT. MTB CREW SAW U.S. FLAG AFTER TORPEDO LAUNCH. SAID FLAG HAD BEEN OBSCURED BY SMOKEWM IN SAME REF ALUSNA OFFERED PROBABLY BUT NOT CERTAIN SERIES OF EVENTS AS FOLLOWS:
A. IDF AIRCRAFT REPORTED AND IDENTIFIED LIBERTY AS U.S.
B. IDF AF HQ MAY OR MAY NOT HAVE BROADCAST INFO TO ALL UNITS BUT PROBABLY UNINFORMED AIRCRAFT RETURNING FROM STRIKE IN EGYPT HAD ATTACKED LIBERTY.
C. MTB'S SAW AIRCRAFT ATTACKING LIBERTY AND PRESUMED HER TO BE EGYPTIAN SHIP. THEY EAGERLY RACED INTO ACTION WITHOUT WAITING TO IDENTIFY OUR SHIP.
16. (S) AT APPROX 1312007 WHEN ALUSNA VISITED FLO ON OTHER BUSINESS, LTCOL BLOCH OPENED CONVERSATION BY SAYING HE WAS HEARING MALICIOUS UNTRUE STORIES ABOUT INCIDENT FROM U.S. (PRESUMABLY NEWSWEEK MAGAZINE ITEM). ALUSNA SAID ATED IN QUOTE MALICIOUS UNTRUE UNQUOTE STORIES AND REMINDED BLOCH THAT SOME MONTHS EARLIER WHEN USN AIRCRAFT HAD ACCIDENTALLY PENETRATED THE ISRAELI AIR CONTROL ZONES, THE IDF AF CHIEF OF INTELLIGENCE HAD ARROGANTLY ALTHOUGH FACETIOUSLY SUGGESTED THAT NEXT TIME HE MIGHT HAVE TO ATTACK THE PLANES OR SHIP. BLOCH SAID THAT THAT OFFICER TALKS QUOTE A LOT OF NONSENSE UNQUOTE AND THAT HE HOPED ALUSNA DIDN'T THINK OTHER IDF OFFICERS WERE LIKE THAT. ALUSNA REPLIED HE JUST WANTED IT TO BE CLEAR THAT HE WANTED TO HEAR NOTHING BUT
PAGE WY RUQMVL 0900/2 S E C R E T NOFORN
OFFICIAL COMMENTS ON THE SUBJECT OF THE LIBERTY INCIDENT.
17. (S) AT 1312557 LTCOL BLOCH CALLED ALUSNA TO REPORT IDF COFS GENL RABIN HAD APPOINTED AN OFFICIAL COURT OF INQUIRY IN THE INCIDENT INVOLVING USS LIBERTY. THIS INFO SENT AS USDAO IMMEDIATE MSG, REF J.
18. (CWL ON 14 JUNE, ALUSNA WAS ASKED TO MEET IDF NAVY COMMANDER IN CHIEF, COMMODORE ERELL, AT FLO IN EARLY EVENING. COMMODORE

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ERELL PRESENTED APOLOGIES TO U.S. NAVY ON BEHALF OF IDF NAVY. ERELL STATED HE DID NOT WANT TO COMMENT ON ELEMENTS OF THE MISTAKE UNTIL AFTER COURT OF INQUIRY REACHED ITS FINDINGS. ON QUERY ERELL SAID HE PRESUMED FINDINGS WOULD BE TRANSMITTED TO USG. THIS INFO AND AMPLIFYING DETAILS SENT IN USDAO PRIORITY MSG, REF K.

19. COMMENT: A. ABOVE DOES NOT INCLUDE EXCHANGES BETWEEN U.S. STATE DEPARTMENT AND GOI OF WHICH U.S. MILITARY ATTACHES WERE WERE AWARE BUT IN WHICH THEY TOOK NO PART.

B. DESPITE THE LENGTH AND DETAIL OF ABOVE IT IS RECOGNIZED THAT IT DOES NOT ADD SIGNIFICANTLY TO REFERENCED MESSAGE REPORTS. FROM INFORMATION AVAILABLE TO USDAO TEL AVIV IT CAN BE PRESUMED THAT ONLY THE IDF KNOWS WITH CERTAINTY THE EXACT SEQUENCE OF EVENTS THAT LED TO THE TRAGIC INCIDENT.

C. COORDINATED WITH EMBASSY. GP-3.

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~~S E C R E T~~ 0892 JUN 67.
REF DAO TEL AVIV 0886 JUN 67. SUBJECT LIBERTY INCIDENT.

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PAGE 2 RUSMVL 0892 ~~C O N F I D E N T I A L~~

1. COMMODORE SCHOLOMO ERELL, COMMANDER IN CHIEF IDF NAVY, ASKED ALUSNA TO CALL UPON HIM EARLY EVENING 14 JUNE. COMMODORE PRESENTED APOLOGIES AND EXPRESSIONS OF REGRET IN REGARD LIBERTY INCIDENT TO THE U.S. NAVY ON BEHALF OF ISRAELI NAVY AND SAID HE WAS PREPARING LETTER TO CNO USN. HE SAID INCIDENT WAS GREAT MISTAKE: THAT IDF NAVY PERSONNEL INVOLVED FELT QUOTE TERRIBLE UNQUOTE AND THAT THE INCIDENT IN FACT SPOILED ALL FEELING OF VICTORY FOR IDF NAVY IN RECENT HOSTILITIES.

2. ERELL STATED HE DID NOT WANT TO COMMENT ON ELEMENTS OF INCIDENT UNTIL THE ISRAELI COURT OF ENQUIRY HAD RENDERED FINDINGS. WHEN ASKED IF THOSE FINDINGS WOULD BE TRANSMITTED TO THE UNITED STATES THE COMMODORE SAID HE PRESUMED THEY WOULD BE.

3. AS IN EVERY CASE WHEN ISRAELI OFFICERS MENTIONS THE INCIDENT COMMODORE ERELL REMARKED ON HOW CLOSE LIBERTY WAS TO SHORE LINE. ALUSNA REPLIED THAT LIBERTY WAS IN INTERNATIONAL WATERS.

4. COMMENT A. COMMODORE ERELL WAS OBVIOUSLY VERY DISCOMFORTED BY NEED FOR AND FACT OF MEETING WITH ALUSNA WHICH MIGHT BE PART OF EXPLANATION WHY THERE WAS SO LONG A DELAY BETWEEN EVENT AND FIRST OFFICIAL IDF NAVY PRESENTATION OF APOLOGIES.

B. THE U.S. AMBASSADOR HAS BEEN INFORMED IN OTHER CHANNELS

PAGE 3 RUSMVL 0892 ~~C O N F I D E N T I A L~~

THAT ISRAEL COURT OF ENQUIRY WILL PROBABLY COMPLETE ITS ACTIONS ON 16 JUNE.

5. COORDINATED WITH EMBASSY. GP-3.

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SECRET JCS J-3 SENDS.

Subj: USS LIBERTY Incident

1. Following info urgently required here re personnel unaccounted for following attack on USS LIBERTY.

a. Type search conducted by Israeli forces, including duration and area covered, types and numbers of forces involved (surface and air).

b. Your evaluation as to adequacy of search by Israeli forces. Is it continuing or has it been abandoned? Did Israelis sight US personnel in water? Were there any US personnel picked up by Israeli units?

c. Your estimate as to area in which prevailing currents would have taken floating survivors and/or bodies.

d. If search thus far deemed inadequate, can

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DATE 09 | TIME
MONTH June | YEAR 1967
PAGE NO 1 | NO OF PAGES 2

DRAFTER
TYPED NAME AND TITLE: RAYMOND A. MOORE, Rear Admiral, USN, Deputy Director for Operations (NMCC)
PHONE
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RELEASER
SIGNATURE: John C. Meyer OK
TYPED (or stamped) NAME AND TITLE: JOHN C. MEYER, Maj General, USAF, Director of Operations
DEGRADING INSTRUCTIONS: GP-4

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additional effort by Israelis possibly be instituted at your level? CAK

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P 181039Z JUN 67
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RUEPJS/JCS
RUEPNAA/CNO
RUEHC/DEPT STATE
RUQKCF/COMSIXTHFLT
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RUEHDT/USUN
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PAGE 2 RUQMVL 0928/1 ~~CONFIDENTIAL~~
BT
~~CONFIDENTIAL~~ 0928/1 JUN 67
SECTION I OF II.
SUBJECT: ISRAELI COURT OF INQUIRY IN USS LIBERTY INCIDENT.
1. ALUSNA CALLED TO FLO EVENING 17 JUNE. LTC ERRAT, AIDE TO GENERAL RABIN, IDF COS STATED FOLLOWING:
A. GENL RABIN EXTENDS HIS PERSONAL REGRETS TO THE CNO USN FOR THE SAD MISTAKE OF THE USS LIBERTY INCIDENT.
B. GEN RABIN DECIDED TO PROVIDE VIA ALUSNA A SYNOPSIS OF THE FINDINGS OF IDF COURT OF INQUIRY ALTHOUGH THOSE FINDINGS HAVE NOT YET RECEIVED FINAL REVIEW FROM GEN SHIMGAR, THE IDF JAG.
C. AFTER REVIEW AND TRANSLATION TO ENGLISH, A FULL TRANSCRIPT OF THE FINDINGS OF THE IDF COURT OF INQUIRY WILL BE TRANSMITTED TO THE USG EITHER THROUGH AMEMBASSY TEL AVIV OR ISRAELI EMBASSY, WASHINGTON, D.C.
2. THE SYNOPSIS OF THE FINDINGS OF THE IDF COURT OF INQUIRY AS TAKEN DOWN VERBATIM BY ALUSNA FROM COL ERRATS ORAL PRESENTATION IS AS FOLLOWS: QUOTE
"A. IT IS CONCLUDED CLEARLY AND UNIMPEACHABLY FROM THE EVIDENCE AND FROM COMPARISON OF WAR DIARIES THAT THE ATTACK ON USS LIBERTY WAS NOT IN MALICE; THERE WAS NO CRIMINAL NEGLIGENCE AND THE ATTACK WAS MADE BY INNOCENT MISTAKE.

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-2-USDAO TEL AVIV ISRAEL 928 1810302 JUNE 67 SECTION 1 OF 11

PAGE 3 RUQNVL 0928/1 ~~C O N F I D E N T I A L~~

B. ATTACK ROSE OUT OF A CHAIN OF THREE MISTAKES, EACH OF WHICH BY ITSELF IS UNDERSTANDABLE: FIRST MISTAKE WAS DECISIVE. NAVY AND AF HQ HAD RECEIVED A NUMBER OF WRONG REPORTS STATING EL-ARISH WAS BEING SHELLED FROM THE SEA. THIS WRONG INFORMATION FORMED THE BACKGROUND AND MAIN FACTOR LEADING TO ATTACK ON LIBERTY. IDF CNO AND ASSISTANTS WERE CONVINCED THAT SHELLING WAS BEING DONE BY UNIDENTIFIED SHIP OR SHIPS WHICH WERE DISCOVERED AT THE TIME NEAR THE SHORE OFF EL ARISH. EVEN THE OFFICERS WHO KNEW OF THE IDENTIFICATION OF LIBERTY EARLY THE SAME MORNING DID NOT CONNECT LIBERTY WITH THE UNIDENTIFIED SHIPS SAID TO BE SHELLING EL ARISH. THE IDF NAVY IS NOT RESPONSIBLE FOR THE MISTAKEN REPORT OF SHELLING AND THE REASONS FOR THE MISTAKEN REPORT ARE OUTSIDE THE SCOPE OF THE INQUIRY AT HAND. THE NAVY AND AF HQS TOOK THE REPORTS AT FACE VALUE.

SECOND MISTAKE, WHICH WHEN ADDED TO FIRST RESULTED IN AIRCRAFT ATTACK ON LIBERTY, WAS A MISTAKEN REPORT THAT LIBERTY WAS STEAMING AT +30 KNOTS. THIS MISTAKE HAS TWO SIGNIFICANCES. A. WHEN LIBERTY WAS IDENTIFIED IN MORNING, HER MAX SPEED WAS DETERMINED FROM IAF'S FLIGHTING SHIPS TO BE 18 KNOTS. THEREFORE, EVEN IF THE UNIDENTIFIED SHIP WERE THOUGHT TO BE LIBERTY, THE FACT THAT SHE WAS REPORTED TO BE MAKING 30 KNOTS WOULD HAVE DENIED THE IDENTIFICATION.

PAGE 4 RUQNVL 0928/1 ~~C O N F I D E N T I A L~~

B. IN ACCORDANCE WITH IDF NAVY STANDING ORDERS, AN ENEMY SHIP IN ANY WATERS WHICH IS ATTACKING ISRAELI SHIPS OR SHELLING THE ISRAELI SHORE MAY BE ATTACKED. IF THERE IS INFO OF ENEMY SHIPS IN THE AREA, ANY SHIP OR SHIPS DISCOVERED BY RADAR WHICH ARE DETERMINED TO BE CRUISING AT A SPEED ABOVE 20 KNOTS MAY BE CONSIDERED AN ENEMY. SINCE THE SPEED OF THE UNIDENTIFIED SHIP WAS FIXED AT 28O TO 30 KNOTS, THE IDF NAVY WAS ENTITLED TO ATTACK WITHOUT FURTHER IDENTIFICATION. IN VIEW OF THE BACKGROUND OF INFO ON THE SHELLING OF EL ARISH, IDF NAVAL OPS SECTION HAS ORDERED THE MTB'S WHO REPORTED LIBERTYS SPEED AS 30 KNOTS TO RECHECK AND ONLY AFTER CONFIRMATION OF THAT SPEED WAS THE INFO CONSIDERED RELIABLE AND AIRCRAFT WERE SENT TO ATTACK. THE QUESTION OF POSSIBLE NEGLIGENCE IN ESTABLISHING THE SPEED AT 28-30 KNOTS WHEN IN FACT LIBERTY'S MAX SPEED IS 18 KNOTS IS DISCOUNTED BY THE IDF CNO WHO TESTIFIED QUOTE THAT SUCH ESTIMATIONS REQUIRE EXPERTISE. IN AN MTB THERE MAY BE GREAT DISCREPANCIES IN FIXING THE SPEED OF A VESSEL MOVING IN FRONT OF IT, ESPECIALLY IF THE ESTIMATE WAS MADE ONLY OVER A SHORT INTERVAL OF TIME. IT IS QUITE FEASIBLE THAT THERE MAY BE SUCH A MISTAKE EVEN IF YOU MEASURE IT TWICE OR MORE UNQUOTE. AS A RESULT OF THE INCIDENT MAYBE THE STANDING ORDER

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PAGE 5 RUQMVL 0928/1 ~~C O N F I D E N T I A L~~
SHOULD BE RECONSIDERED BUT NO CRIMINAL NEGLIGENCE IS FOUND IN THE MTB'S FIXING OF LIBERTY'S SPEED.

THIRD MISTAKE CAUSED EXECUTION OF THE SECOND STAGE OF ATTACK O. LIBERTY, THIS TIME WITH TORPEDOS FROM MTB'S. THIS WAS THE MISTAKEN IDENTIFICATION OF LIBERTY AS THE EGYPTIAN SUPPLY SHIP EL QUSEIR. HERE I (THAT IS, THE OFFICER CONDUCTING THE INQUIRY WHO LTC EFRAT IDENTIFIED PARENTHETICALLY AS COL PAM PON, FORMER ISRAELI MILITARY ATTACHE TO WASHINGTON, D.C.) MUST STATE MY DOUBTS WHETHER THE IDENTIFICATION WAS NOT DONE WITH A CERTAIN OVEREAGERNESS AS THIS HAPPENED WHEN SERIOUS DOUBTS WERE ALREADY BEGINNING TO ARISE AS TO THE IDENTIFICATION AS AN EGYPTIAN SHIP. IT HAS BEEN ESTABLISHED BY THE EVIDENCE OF THE C. O. OF MTB DIV THAT THE DOUBTS WHICH HAD BEGUN TO ARISE IN THE PILOTS AS TO THEIR ACCURACY OF IDENTIFICATION DID NOT GET TO THE C. O. OF THE MTB DIV AT THAT TIME, BUT HE ALREADY KNEW THAT THE SHIP WAS NOT A DESTROYER BUT A ~~SUPPLY OF MERCHANT SHIP AND THIS SHOULD HAVE CAUSED EXTRA CAREFULNESS~~ IN IDENTIFICATION. ON THE OTHER HAND, I (AGAIN COL PON) MUST STATE THE EXTENUATING CIRCUMSTANCES AND DIFFICULTIES OF IDENTIFICATION UNDER THE FOLLOWING CONDITIONS:
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97 RUEHC
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NATUS

NODIS

FOR UNDERSECRETARY ROSTOW FROM CLEVELAND

SUBJECT: ISRAELI ATTACK ON LIBERTY

REF: STATE 211672 AND PARTICULARLY PARA 5 STATE 212139.

1. QUITE APART FROM NEWSWEEK PERISCOPE ITEM, SECRETARY'S COMMENTS TO BROSIO AND SEVERAL FOREIGN MINISTERS AT LUXEMBOURG ABOUT ISRAELI FOREKNOWLEDGE THAT LIBERTY WAS A US SHIP PIQUED A GREAT DEAL OF CURIOSITY AMONG NATO DELEGATIONS. WOULD APPRECIATE GUIDANCE AS TO HOW MUCH OF THIS CURIOSITY I CAN SATISFY, AND WHEN.

2. IN PARTICULAR, PERHAPS I SHOULD INFORM NAC OF RESULTS US BOARD OF INQUIRY IF SCHEDULE PERMITS THIS TO BE DONE BEFORE IT GETS INTO NEWSPAPERS.

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Jim - please keep this to yourself for the time being. Thanks for taking the time last evening

Steve

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	DTG	ORIGIN	ADDEE/TEXT
27.	051850Z JUN	CINCUSNAVEUR	TO COMSIXTHFLT, AIR AND SURFACE OPS CPA 25 NM FROM CYPRUS IS AUTHORIZED.
28.	051934Z JUN	LIBERTY	TO ALCON - ADVISED OF 2400 POSITION OF 35-20N and 19-10E AND ADVISED SHE HAD ASSUMED CONDITION OF READINESS THREE.
29.	052015Z JUN	COMSIXTHFLT	TO CTF 60 - CPA OF 100 NM TO UAR AND OTHERS.
30.	061357Z JUN	CINCUSNAVEUR	TO COMSIXTHFLT, DIRECTING OP COM OF LIBERTY AT 070001Z.
31.	061410Z JUN	USCINCEUR	TO USNAVEUR, INFO LIBERTY ET AL, REQ SITREPS AND PIMS AS OF 1800Z "O" PRECEDENCE.
32.	061844Z JUN	LIBERTY	TO ALCON - POSITION REPORT OF LIBERTY.
33.	062000Z JUN	LIBERTY	CHOP REPORT.
34.	062036Z JUN	LIBERTY	ADVISED COMSIXTHFLT OF STATICS AND ACKNOWLEDGED OPCON CHANGE SCHEDULED FOR 070001Z.
35.	062050Z JUN	JCS (7206)	OUTLINES PROCEDURES FOR DEVELOPING SCHEDULE FOR LIBERTY WHILE IN USCINCEUR AREA.
36.	062349Z JUN	COMSIXTHFLT	TO LIBERTY OUTLINING OPCON GUIDANCE.
37.	070259Z JUN	JCS (7239)	TO COMSIXTHFLT - CJCS REQUESTED VERIFICATION THAT THERE HAD BEEN NO COMM OR CONTACT BETWEEN COMSIXTHFLT AND ISRAEL.
38.	070626Z JUN	COMSIXTHFLT	CONFIRMED TO THE JCS AND OTHERS THAT VOICE CONTACT BETWEEN COMSIXTHFLT AND TEL AVIV HAD BEEN ESTABLISHED. ALSO STATED NO COMM WITH ISRAELI FORCE EXISTED.
39.	070908Z JUN	LIBERTY	TO COMSIXTHFLT GIVING POSITION REPORT AS OF 070800Z AND ETA AT 31-45 and 33-30E at 072300Z.
40.	071503Z JUN	COMSIXTHFLT	ADVISED JCS AND OTHERS OF AIR OPS OF 5-5 JUN AND ALSO ADVISED OF 100 NM CPA FOR AIR AND SURFACE OPS.
41.	[redacted]	[redacted]	[redacted]

James M. Ennes, Jr. Research Papers

Watch Log

OFF: Major Breedlove
NCO: Msgt McNulty

FROM: 07/0730 TO: 07/1930 June 67

	MSG/CALL FROM/TO	MESSAGE OR EVENT	ACTION	NOTIFICATION ACCY	TIME	WHO
	FM AF CMD POST Lindsay	Cmd post has info that an SR-71 has low hyd press plus L&R prob. and is landing at McConnell AFB. (Capt Stewart took the call)		JRC	1512	Vineyard
	TO SAC Wells	To see if they are up to snuff on the SR-71 problem plus if they are to see if I could get ~~me~~ add itional info.	SAC had same info.			
	FM AF CMD POST Lindsay	the SR-71 landed at McConnell AFB at 1919Z looks like he is OK.		JRC	1521	Stewart Vineyard
	FM EUCOM Russell	NAVEUR reports the C121 at Athens FLOOR SHOW-is out of commission due to nav prob.. They are flying another C121 from Rota to Athens to cover the 1165 rte and expect no problem in getting there in time to make good the 08/1000Z launch time for rte 1165. Because of this they will fly the 1245 rte with an EA3B.	records	JRC	1814	Vineyard
	TO NAVEUR Galaleott	Passed instructions to hold the USS LIBERTY outside 100 NM of Isreal, Syria, Egypt and 25 NM of Cyprus, per Capt Rorex-Capt Vineyard's instructions. (see classified tape 3 footage 192/210				
1930	TO EUCOM" Russell	passed the above info to ~~RM~~ EUCOM. msg is being dispatched.				
	~~TO NAVEUR~~	~~Passed info to duty officer for~~	~~Capt Stewart on "O" for Lt Udd~~			

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INCOMING TELEGRAM *Department of State*

ACTION COPY

SECRET

Action SS

Info

.... ZZ RUEHC RUTPRC
DE RUEIVC 8705B 1591558
ZNY SSSSS
Z 081545Z JUN 67
FM AMEMBASSY CAIRO
TO RUEHC/SECSTATE WASHDC FLASH
RUTPRC/COMSIXTHFLT
STATE GRNC
BT
S E C R E T CAIRO 8705

7 7 7 2
1967 JUN 8 PM 12:02

Release Cto 5b-1 to remove cpt.

WE HAD BETTER GET OUR STORY ON TORPEDOING OF USS LIBERTY OUT FAST AND IT HAD BETTER BE GOOD. NOLTE
BT [NOTE: HANDLE AS EXDIS PER S/S-O.
NOTE: PASSED S/S-O AT 12:19 PM 6/8/67
PASSED WHITE HOUSE AT 12:50 PM 6/8/67

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SECRET

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G/PM	
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CAIRO 8705

FREEDOM OF INFORMATION

THIS DOCUMENT HAS BEEN DENIED
IN FULL ACCORDING TO SPECIFIC SECTIONS
OF THE FREEDOM OF INFORMATION ACT.
FOR FURTHER INFORMATION REFER TO
FADRC MICROFILM OF FOI CASES.

SEE FOI CASE NO. 620039

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OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

PUBLIC AFFAIRS

19 DEC 1980

Ref: 80-DFOI-1319

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

Enclosed please find one document which was referred to this Directorate for release determination by the Naval Investigative Service. The document was part of a package of material referred to the Department of the Navy by the Department of State pursuant to your December 17, 1977 Freedom of Information Act request.

Sincerely,

Charles W. Hinkle
Director, Freedom of Information
and Security Review

Enclosure

James M. Ennes, Jr. Research Papers

NAVAL INVESTIGATIVE SERVICE
HOFFMAN BUILDING
2461 EISENHOWER AVENUE
ALEXANDRIA, VIRGINIA 22331

IN REPLY REFER TO
NIS-02F/dlb
5262 F8 -224
Ser 01425
9 DEC 80

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes,

On 2 December 1980 we received, by way of the Office of the Chief of Naval Operations (Op-09B1F), a 20 August 1980 referral of records from the Department of State in connection with your 17 December 197? request for records about the 1967 attack on the USS LIBERTY.

Sixteen pages of records referred by State are forwarded as enclosure (1). Excisions have been made to remove information the production of which would constitute an unwarranted invasion of personal privacy (5 U.S.C. 552(b)(7)(C)) and would disclose the identity of confidential sources (5 U.S.C. 552(b)(7)(D)).

Fees assessable under the Freedom of Information Act (FOIA) are waived as they are minimal.

Seven pages of records which arrived with State's referral have been referred in turn to the Defense Intelligence Agency (DIA), RTS2A, FOIA Officer, Washington, D.C. 20301; one page has been referred to the Office of the Assistant Secretary of Defense, Freedom of Information and Security Review (PA), The Pentagon, Room 2C-757, Washington, D.C., 20301, for release consideration and direct response to you. Four additional pages have been returned to the Department of State for its further processing. We lack the authority to release records originated by agencies other than our own.

The excisions represent a denial under the FOIA. I am the official responsible for this denial. You may appeal such action within 120 days by forwarding a copy of this letter to the Judge Advocate General (Code 14), Department of the Navy, Hoffman Building II, 200 Stovall Street, Alexandria, Virginia, 22332, with your reasons for the appeal.

Sincerely,

J. R. SORIANO
Captain, U. S. NAVY
Director,
Naval Investigative Service

Encl:
(1) Records

James M. Ennes, Jr. Research Papers

NAVAL INVESTIGATIVE SERVICE
HOFFMAN BUILDING
2461 EISENHOWER AVENUE
ALEXANDRIA, VIRGINIA 22331

IN REPLY REFER TO
NIS-02F/dlb
5262 F80-224
Ser 01425

9 DEC 1980

Mr. James M. Ennes, Jr
[redacted]

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Sincerely,

J. R. SORIANO
Captain, U. S. NAVY
Director,
Naval Investigative Service

Encl:
(1) Records

James M. Ennes, Jr. Research Papers

NAVAL INVESTIGATIVE SERVICE
FAIRMONT BUILDING
4420 NORTH FAIRFAX DRIVE
ARLINGTON, VIRGINIA 22203

Liberty file

IN REPLY REFER TO
NIS-44/jb
3850
Ser 6924

10 SEP 1967

FOR OFFICIAL USE ONLY

From: Director, Naval Investigative Service
To: Department of State (Assistant for International Claims, Mr. E. L. KERLEY)

Subj: Committee for Immediate Action Families and Friends of Victims of the USS LIBERTY; information concerning

Encl: (1) Copy of NAVINVSERVO Charleston IR 5 404 0525 67
(2) Copy of NAVINVSERVO New York IR 5 401 2226 67

1. Enclosures (1) and (2) are provided for information and retention.

W. J. Schneider
W. J. SCHNEIDER
By direction

EXCL(1)

James M. Ennes, Jr. Research Papers

DEPARTMENT OF DEFENSE INTELLIGENCE INFORMATION REPORT

This document contains information affecting the national defense of the United States within the meaning of the espionage laws, Title 18, U.S.C., Secs. 793 and 794. The transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

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(Classification and Control Markings)

This report contains unprocessed information. Plans and/or policies should not be evolved or modified solely on the basis of this report.

1. COUNTRY: U.S.A.

2. SUBJECT: COMMITTEE FOR IMMEDIATE ACTION FAMILIES AND FRIENDS OF VICTIMS OF THE USS LIBERTY

3. ISC NUMBER:

4. DATE OF INFORMATION: 11 August 1967

5. PLACE AND DATE OF ACQ: Pompano Beach, Fla. 11 August 1967

6. EVALUATION: SOURCE B INFORMATION 2

7. SOURCE: NAVINTSERVRA Jacksonville, Fla.

8. REPORT NUMBER: 5 404 0528 67

9. DATE OF REPORT: 11 August 1967

10. NO. OF PAGES: Two (2)

11. REFERENCES:

12. ORIGINATOR: NAVINTSERVRA-Charleston

13. PREPARED BY: R. H. SLAY
LT, USNR

14. APPROVING AUTHORITY:
T. A. HUTT
CAPT, USN

15. SUMMARY:

(Leave Blank)

A representative, Paul SLOAN, of Subject committee, contacted the wife of a U. S. Navy enlisted man convalescing from injuries sustained aboard the USS LIBERTY when attacked by Israel in June 1967 for the purpose of seeking monetary reparation for the Navy couple from Israel.

---

1. USN, is currently at NAS Jacksonville, Florida Naval Hospital convalescing from injuries received while serving aboard the USS LIBERTY (AGTR-5) when it was recently attacked by Israeli forces. reported the following concerning Subject committee.

2. wife, Street, advised her husband that on 9 August 1967 she just received a long distance telephone call from a man who identified himself as Paul SLOAN, calling in behalf of an organization she recalled as the COMMITTEE FOR IMMEDIATE ACTION SURVIVORS AND DECEASED ON USS LIBERTY. Mrs. reported to her husband that SLOAN stated the Committee was organizing to sue the Israeli government and that he wanted her

16. DISTRIBUTION BY ORIGINATOR:

ENCLOSURE (1) TO NAVINTSERVLTR SER 6224

17. DOWNGRADING DATA:

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18. ATTACHMENT DATA:

5 enclosures:
See page 2

DD FORM 1292

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(Leave Blank)

backing. SLOAN stated that he would be in on Sunday the 6th to see her. immediately made plans to take leave and join his wife to be present during SLOAN's visit, and then he notified NISRA representative Jacksonville of SLOAN's telephone call to his wife.

3. returned to Jacksonville 9 August 1967, advising that Paul SLOAN came to his apartment in Sunday as scheduled. SLOAN stated that he had been to Orlando, and had contacted others in the Florida area. SLOAN presented the a self-addressed envelope which contained a membership card for the COMMITTEE FOR IMMEDIATE ACTION FAMILIES AND FRIENDS OF VICTIMS OF THE USS LIBERTY, 212 Coolidge Street, Linden, N. J., a legal authorization to bring claim against Israel sponsored by this committee, and a copy of a letter supposed to have been mailed to various Congressmen by Lorraine B. REILLY, same address as the committee who lost a son in the attack on the LIBERTY. Copies of these are enclosures (1) through (5).

4. stated that SLOAN at no time tried to solicit any information from him concerning his duties aboard the LIBERTY or of her mission. He made no questions concerning injuries and showed no interest in the attack. All he was interested in was getting both of their signatures on copies of enclosure (4). He showed them a "stack" of letters received in response to enclosure (5), however, advised that he noticed these were of the general "Thank you for your interest" type variety.

5. SLOAN was described as being approximately thirty years of age. He wore a shirt and tie, but appeared to as somewhat of a "beatnik" who needed a haircut. advised that SLOAN told him that he is not a lawyer and that the lawyers who will represent the Committee have not as yet been selected. SLOAN advised that if the desired legal action is undertaken, it will take place in a World Court.

6. declined to sign during the visit. He was given the telephone number Area Code 215 - GR7-1353 and requested to call it collect to verify SLOAN's association with the Committee.

Enclosures:
1. Cy of envelope addressed to Paul SLOAN, 2701 Conshohocken Ave., Duffield House, Phila., Pa.
2. Cy of one side of membership card of Subject committee
3. Cy of reverse side of membership card of Subject committee
4. Cy of legal authorization to bring claim against Israel sponsored by Subject committee
5. Cy of letter supposed to have been mailed to various Congressmen by Lorraine B. REILLY

James M. Ennes, Jr. Research Papers

Committee For Immediate Action
Families & Friends of Victims of the U.S.S. Liberty
212 College Street, Linden, New Jersey

PAUL SLOAN
3701 CONSHOHOCKEN AV
DUFFIELD HOUSE
PHILA., PA.

James M. Ennes, Jr. Research Papers

Committee For Immediate Action
Families & Friends of Victims of
THE U.S.S. LIBERTY
212 Coolidge Street
Linden, New Jersey

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I AM INTERESTED IN JOINING THE COMMITTEE FOR IMMEDIATE ACTION.

I UNDERSTAND THERE WILL BE NO SOLICITATION OF FUNDS.

Name .....

Address .....

.....

(Print Clearly)

James M. Ennes, Jr Research Papers

LEGAL AUTHORIZATION TO BRING CLAIM AGAINST THE STATE OF ISRAEL,
SPONSORED BY THE COMMITTEE FOR IMMEDIATE ACTION -
FAMILIES AND FRIENDS OF VICTIMS OF THE U.S.S. LIBERTY

I am a member of the Committee for Immediate Action - Families and Friends of Victims of the U.S.S. Liberty, which is in the process of engaging the legal services of attorneys to bring about the objectives of that Committee - namely, (1) to establish the culpability and responsibility of the attacker and have proper action taken with regard to those responsible persons, (2) to bring such legal actions as are necessary in order to recover compensation from the State of Israel for the actions of those who were responsible in this unprovoked attack on the U.S.S. Liberty.

It is my desire to have the attorney, or attorneys, retained by the Committee represent me on behalf of in any and all actions and negotiations which he deems necessary in order to achieve the above mentioned objectives. It is fully understood and agreed that said attorney or attorneys are only retained to represent me in any claim against the State of Isreal or the agencies of the State of Israel, and in no way shall be involved in any benefits that I may receive from the United States or any of its agencies or military organizations, or in any amounts due under any insurance program, veterans benefits, or any other sources not directly related to the right of action against the Government of Israel or its agencies.

It is further understood and agreed that, of any amount of money offered, collected, negotiated, or adjudicated on behalf of the estate of the deceased or his heirs-at-law, or on behalf of the undersigned, which offer or adjudication is made at any time after the signing of this agreement, the attorneys' fee shall be one-third thereof, and shall constitute a lien upon said amount offered, collected, negotiated, or adjudicated.

It is further agreed that the undersigned shall not be responsible for any legal costs or expenses if said attorney is unsuccessful in obtaining a recovery.

_____

Date:

James M. Ennes, Jr. Research Papers

I am a member of the Committee for Immediate Action - Families and Friends of Victims of the U. S. S. Liberty. As you may know, my son was mortally wounded on the U. S. S. Liberty when it was attacked by the Israeli military on June 8, 1967.

I am asking you as my representative in Washington for an immediate investigation in reference to those responsible for his untimely death. I am also asking your cooperation with our committee in attempting legal redress against all responsible parties.

I urge you to give us the aid and assistance of your office.

Kindly address all replies to our co-chairwoman, Lorraine B. Reilly, 212 Coolidge Street, Linden, New Jersey.

Yours very truly,

James M. Ennes, Jr. Research Papers

1 COUNTRY: UNITED STATES - [illegible]

2 SUBJECT: COMMITTEE FOR IMMEDIATE ACTION - FAMILIES AND FRIENDS OF VICTIMS OF THE USS LIBERTY
212 Coolidge Street, Linden, New Jersey

3 ISC NUMBER:

4 DATE OF INFORMATION: 8 June - 9 August 1967

5 PLACE AND DATE OF ACQ: Linden, New Jersey
8 - 9 August 1967

6 EVALUATION: SOURCE (1) F INFORMATION 2
(2) B

7 SOURCE: (1) A Bank Officer
(2) Official Records

8 REPORT NUMBER: [illegible]

9 DATE OF REPORT: 17 August 1967

10 NO OF PAGES: 2

11 REFERENCES: (a) NAVINTSERVO NORFOLK IR 5 403
(b) NAVINTSERVO CHICAGO IR 5 406

12 ORIGINATOR: NAVINTSERVO NEW YORK

13 PREPARED BY:
P. B. RINDSALL

14 APPROVING AUTHORITY:
T. T. TATTLE, LCDR, USN

15 SUMMARY (Leave Blank)

Subject organization was incorporated in Union County, New Jersey, 10 July 1967 to obtain political and legal redress on behalf of the decedents and injured servicemen as a result of actions conducted by the Government of Israel upon the USS LIBERTY. Officers set forth.

1. References (a) and (b) indicated that individuals living in the Norfolk, Virginia, and Chicago, Illinois areas have received material from subject organization which is based in Linden, New Jersey. NAVINTSERVO New York conducted a local inquiry to establish the purpose of the organization and the identity of the individuals connected with it.

2. Inquiry at the office of the County Clerk, Elizabeth, New Jersey, on 4 August 1967 indicated that a Certificate of Incorporation for the COMMITTEE FOR IMMEDIATE ACTION - FAMILIES AND FRIENDS OF THE VICTIMS OF THE USS LIBERTY was filed on 10 July 1967. This document states that the principal office of the organization shall be at 212 Coolidge Street, Linden, Union County, New Jersey, and that the agent therein and in charge thereof is Lorraine B. REILLY. The object of the organization is stated

16 DISTRIBUTION BY ORIGINATOR
NAVINTSERVO NORFOLK
NAVINTSERVO BOSTON
NAVINTSERVO CHICAGO
FBI-HEADQ

17 DOWNGRADING DATA
[illegible] 12 Feb 68 E.O. 11652

18 ATTACHMENT DATA
2 ENCLOSURES
See page 2

UNCLASSIFIED
(Classification and Control Markings)

DD FORM 1 SEP 65 1396

REPLACES DA FORM 1048, 1 AUG 60, OPNAV FORM 3820 (Rev. 10-61), AF FORM 112, JUL 61, WHICH MAY BE USED UNTIL [illegible] JAN 63.

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[redacted] services as a result of injuries sustained aboard the USS LIBERTY on 8 June 1967. Trustees of the account are [redacted] REILLY, 212 Coolidge Street, Linden, New Jersey; Joseph James [redacted] Richard J. NORRIS, 21 Ascot Way, Clark, New Jersey. In addition to the foregoing the following also signed as [redacted] Gloria REILLY. Available information indicates that [redacted] NORRIS are the sister and brother-in-law of [redacted] REILLY and Gloria REILLY is her daughter. Copy of the Certificate of Incorporation is attached hereto as enclosure (1).

3. Interview with source (1) indicated that [redacted] REILLY was employed as a [redacted] (N.J.) on a full time basis from that time to the present has been employed as a truck driver. It was [redacted] immediately following the USS LIBERTY [redacted] REILLY took annual leave, not returning to [redacted] until 22 July 1967. The source stated that he had not discussed the USS LIBERTY incident with Mrs. REILLY and his only knowledge came from what he saw in the press and what he learned at [redacted] to the effect that Mrs. REILLY, her husband, her daughter, her sister and brother-in-law had incorporated an organization for sympathy and support of the U.S. Naval personnel killed and injured in the incident. The source stated he had no reason to question Mrs. REILLY's good intentions in this matter. He also furnished a newspaper clipping from the Elizabeth (N.J.) DAILY JOURNAL of 29 June 1967, which is attached as enclosure (2), regarding a suit by Mr. & Mrs. Thomas REILLY against the Israeli Government for the wounding of their son. Another article concerning this suit which appeared in the Newark (N.J.) EVENING NEWS of 27 June 1967 is attached as enclosure (3). The source also furnished information which indicated Mrs. REILLY was born [redacted] place not known, attended grade school until [redacted] in [redacted] and graduated from the [redacted] High School, [redacted] in June [redacted] She had been employed by the [redacted] New York, from [redacted] Her previous residences were [redacted] New Jersey, and [redacted] New Jersey.

4. Local postal authorities indicated that subject organization as of 4 August 1967 had not been registered with the Postal Inspection Service as a non-profit organization. It was also revealed that the postal carrier who made deliveries to 212 Coolidge Street, Linden, New Jersey, had noticed some speakers mounted to subject attention of Mrs. REILLY and had observed such mail from [redacted]. Local police sources could not furnish any additional information [redacted]

5. The Garden State Credit Bureau records were [redacted]

CONTENT: The files of FBI-Newark, the Linden New Jersey Police Department, the Clark Township Police Department are negative regarding subject organization and all of the individuals mentioned herein. The files of JAYTIVSHRVC New York contain no additional information to that set forth or referenced in this Report.

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1. Certificate of Incorporation of COMMITTEE FOR INTEDIATE ACTION - FAMILIES AND FRIENDS OF THE VICTIMS OF THE USS LIBERTY dated 8 Jul 1967, 1 cy, 3 pp.
2. Elizabeth (N.J.) DAILY JOURNAL newspaper article captioned "Liberty Sailor Kin Asks $50 Million," dated 22 June 1967, 1 cy, 1 pg.
3. Newark (N.J.) EVENING NEWS newspaper article captioned "Intends 'To Hurt'," 1 cy, 1 pg.
4. NAVINVSERVO Norfolk IR 5 [illegible] 0845 67 dated 20 Jul 1967, 1 cy, 1 pg. (To NAVINVSERVO Chicago and FBI-Newark only)
5. NAVINVSERVO Chicago IR 5 [illegible] 0112 67 dated 3 Aug 1967 w/1 attachment, 1 cy, 5 pp. (To NAVINVSERVOS Boston and Norfolk, and FBI-Newark only)

Leave Blank

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UNCLASSIFIED

FORM DD 1 SEP 63 1396

Received in the Clerk's Office
of the County of Union, N. J.,
on July 12 1967, at 11:45 A.M.
and recorded in Book 1317 of
Incorporations of said County
on page 77 etc.

WALTER D. [illegible], Clerk

CERTIFICATE OF INCORPORATION

COMMITTEE FOR RETALIATORY ACTION - FAMILIES AND FRIENDS OF THE VICTIMS OF THE U.S.S. LIBERTY

THIS IS TO CERTIFY that we, the undersigned, do hereby associate ourselves into a corporation, not for profit, pursuant to the provisions of Revised Statutes of New Jersey, 15:1-1, et. seq., approved and effective under L. 1896, c. 151, ¶ 1.

FIRST: The name assumed to designate the association and to be used in its business and dealings is:

COMMITTEE FOR RETALIATORY ACTION - FAMILIES AND FRIENDS OF THE VICTIMS OF THE U.S.S. LIBERTY.

SECOND: The location of the principal office in New Jersey is at 212 Coolidge Street, in the City of Linden, County of Union, State of New Jersey; and the name of the agent thereto and in charge thereof, and upon whom process against this association may be served is Lorraine B. Reilly.

THIRD: The objects for which this corporation is formed are as follows:

1. To obtain political and legal redress on behalf of the decedents and injured servicemen as a result of actions conducted by the Sovereignty of Israel on the eighth day of June, 1967, upon the U.S.S. Liberty, which was upon International waters in the Mediterranean Sea approximately twelve miles off the Sinai Coast, and upon which an unprovoked attack was negligently instituted and carried out by agents of the Sovereignty of Israel.

DE 720 CLOSURE ( )

James M. Ennes, Jr. Research Papers

2. To band together for concerted action the representatives and heirs-at-law of deceased servicemen and the representatives of those servicemen so injured, along with the injured parties themselves, to seek concerted and unified action against the parties responsible for the incidents of June 8, 1957, as set forth above, in order to empower such persons, by uniform and concerted effort, to achieve these objects as set forth above in a more practical and effective manner.

FOURTH: The number of trustees of said corporation shall be three, and the names and post office addresses of the trustees selected for the first year of its existence are:

NAME	ADDRESS
LORRAINE B. REILLY	212 Coolidge Street, Linden, N. J.
THOMAS REILLY	212 Coolidge Street, Linden, N. J.
RICHARD J. NORRIS	21 Aspet Way, Clark, N. J.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 5th day of May, 1957, pursuant to Revised Statutes 15:1-1, and set forth herein the names of five persons as incorporators of said association.

Lorraine B. Reilly
LORRAINE B. REILLY

Thomas Reilly
THOMAS REILLY

Richard J. Norris
RICHARD J. NORRIS

Louella Norris
LOUELLA NORRIS

Gloria Reilly
GLORIA REILLY

Signed, Sealed, and Delivered in the Presence of:

Thomas Reilly Jr.
Notary Public of New Jersey
My Commission Expires

James M. Ennes, Jr. Research Papers

STATE OF NEW JERSEY

: ss

COUNTY OF Essex

BE IT REMEMBERED that on the 5 day of July 196 , before me, the undersigned authority, personally appeared LORRAINE B. REILLY, THOMAS REILLY, RICHARD J. MORRIS, ESTELLA MORRIS, and GLORIA REILLY, who I am satisfied are the persons mentioned in and who executed the within Certificate of Incorporation, and I having first made known to them the contents thereof, they acknowledged that they signed, sealed and delivered same as their voluntary act and deed. All of which is hereby certified.

Mailed to
Lorraine B. Reilly
212 Coolidge St.
Linden, N. J.

James M. Ennes, Jr. Research Papers

Elizabeth (NJ) DAILY JOURNAL
22 June 1967

ENCLOSURE (2)

James M. Ennes, Jr. Research Papers

Mother Tries Ruse to Visit Ship

[illegible]

Mother Claims It Urgent

In the meantime, [illegible] to learn the plight of [illegible] Mrs. Reilly said, "I will not be satisfied with anybody's evidence for it. I want to see them myself and they're not going to stop me. I'm going to get [illegible] and I'm not coming back until I'm on the ship and they're all brought before a court of the United States and tried for treason and charged with murder and maiming innocent persons."

Thirty-four died in the attack.

Mrs. Reilly said she learned the legal terms in a stationery store and used the legal language she learned while working in a bank.

If she is required to hire a lawyer, she intends the U.S. Government to appoint one, she said. The Navy has started a court of inquiry into the attack.

Her son suffered [illegible] during the Communist attack and is partially paralyzed. [illegible] Army Hospital in Landstuhl, Germany. Another son, Robert, 18, was on the ship [illegible] that is now in Malta, where the ship is in dry dock.

Mrs. Reilly said [illegible] hoped him to be part of a skeleton crew that will help bring the ship back to this country.

Newark (NJ) EVENING NEWS - 25 June 67

James M. Ennes, Jr. Research Papers

SURE (3)

DEPARTMENT OF STATE

Washington D C 20520

Date: 6/12/78

In reply refer to Case No. 740846

Dear Mr. Ennes:

I am writing in response to your recent request for material under the Freedom of Information Act.

(✓) 1. Our search has revealed information relevant to your request, ~~and this will be sent to you on payment of~~ $_____. ($_____ for search at _____ an hour and $_____ for duplication and $_____ for computer charge.) Please make check payable to U.S. Treasurer.

( ) 2. If you prefer to come to the Department of State Reading Room (Room 2815, Main State Building, 23rd and D Street, N.W., Washington, D.C.) to examine the material, you may do so on payment of the search fee. The duplication fee is then payable only for those items you wish to take.

( ) 3. Our search has revealed classified information relevant to your request which originated in _____.

( ) 4. Your request has been referred to _____ today and you will hear from them in due course.

( ) 5. Our search has revealed no information relevant to your request.

Sincerely,

Barbara Ennis
Director
Freedom of Information Staff
Bureau of Public Affairs

* PA/FOI has located 163 documents (553 pgs) associated with your request. These documents are under review.

The Director has agreed to charge only 2 cents per pg. (11¢ per pg.) for this case and the usual 10¢ per page for copied material. Contact Ken Stansberry 632-4220.

James M. Ennes, Jr. Research Papers

23 August 1978

The Honorable Lloyd Meeds
House Office Building
Washington, D.C. 20510

Dear Mr. Meeds:

Can you help me with a Freedom of Information Act inquiry that has been under review at the Department of State for the past eight months?

I was a member of the crew of the communications ship USS LIBERTY when it was attacked by Israel on June 8th, 1967. Many of my friends were killed in the attack; I was wounded and spent a year in a hospital as a result of injuries I received.

Recently I learned of a number of State Department documents relating to the attack and requested access under the Freedom of Information Act. Most of these documents, I believe, are unclassified. Many are easily declassified now because they are more than ten years old. Others have previously been released to members of the press. Yet eight months after my initial inquiry I have had no response to my inquiry beyond advice that a review is "pending." Eight months is a long time to wait for a response that is required by law within ten days, and there is no sign that progress is being made.

Would you encourage the Department of State to expedite my request?

Sincerely,

James M. Ennes, Jr.
[redacted]

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE

Washington, D.C. 20520

October 24, 1978

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

Re: Freedom of Information Case #740846

The Department has elected to waive all search fees involved in your case. However, duplication fees (10¢ per page) will be charged when the bureau reviewing your request confirms the number of documents previously reviewed concerning the USS Liberty. We fully expect in excess of 50 documents to be released in full to you at that time. Certain additional documents located as a result of your request but not previously reviewed have also been referred to the appropriate bureau for action. We hope to be able to advise you of their disposition in the near future.

I sincerely regret the delay you have experienced in awaiting the processing of your request.

Sincerely,

Barbara Ennis

Barbara Ennis
Director
Freedom of Information Staff
Bureau of Public Affairs

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE

Washington, D.C. 20520

12/30/77

Dear Mr. Ennes:

Freedom of Information Case # 740846

Your request for material under the Freedom of Information Act, received in this office on Dec. 27, 1977 is hereby acknowledged.

If it is determined to be a valid Freedom of Information Act request, it will be processed in accordance with the terms of the Act and you will hear from us as soon as possible. If we find any difficulty in accepting it under the Freedom of Information Act, we will write and explain the problem to you.

The Department of State is authorized to collect fees to offset the costs of administering the Act, and a schedule of fees is enclosed. Waiver of fees on grounds of public benefit can be granted only if the requester makes an affirmative showing of such benefit.

Sincerely,

Freedom of Information Staff
Bureau of Public Affairs

Enclosure:
Schedule of Fees

James M. Ennes, Jr. Research Papers

LLOYD MEEDS
2D DISTRICT, WASHINGTON

EVERETT OFFICE
201 FEDERAL BUILDING
252-3188

BELLINGHAM OFFICE
306 FEDERAL BUILDING
733-4500

MT. VERNON OFFICE
3131 COLLEGE WAY
424-3207

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEE ON
RULES

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS

CHAIRMAN, WATER AND
POWER RESOURCES
SUBCOMMITTEE

September 6, 1978

James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

Thank you for your letter detailing the difficulties you were having with the State Department.

As you are probably aware the State Department has been extremely reluctant to release any information dealing with the Middle East for fear of jeopardizing the peace talks between the Egyptians and Israelis: however as a result of my inquiry the Freedom of Information division of the State Department has reported back to me that the Near East Bureau will now move more quickly than before on processing the documents specifically relating to your involvement in the U.S.S. Liberty incident.

I hope that this information has been of some assistance to you. Please feel free to contact me in the future if you encounter any further difficulties.

Again many thanks for writing.

Sincerely,

Lloyd Meeds
Member of Congress

LM:jlmb

James M. Ennes, Jr. Research Papers

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

6 April 1980

Chief Judge
United States District Court
Washington, D.C.

Your Honor:

Having exhausted administrative steps available to me under the Freedom of Information Act (81 Stat. 54; 5 U.S.C. 552), I hereby appeal to you, as provided under the Act, to require the United States Department of State to comply with the provisions of the law. The Department of State and specifically one Barbara Ennis, Director, Freedom of Information Staff, Bureau of Public Affairs of the Department of State, has for more than two years improperly delayed reviewing material that I requested under a Freedom of Information Act inquiry. I believe that the intervention of your office is necessary to require compliance with the Act.

Specifically, on 17 December 1977 I filed Freedom of Information Act request #740846 for several documents. On December 30, 1977 my request was acknowledged. Although the Act requires a response within ten working days, my request has been delayed for more than two years in apparent violation of law. Even though Congressman Lloyd Meeds intervened on my behalf in September, 1978, and elicited a reply from the FOI Staff Director, Barbara Ennis, indicating "hope" for a response in the "near future," no further response has been received.

The Freedom of Information Act provides that "any person...shall be deemed to have exhausted his administrative remedies with respect to such request if the agency fails to comply with the applicable time limit provisions..." which are established to be ten working days. My request, however, has been on file since December,1977, and has never been acted upon despite my repeated followup inquiries.

The act further provides that "...the district court of the United States... has jurisdiction...to order the production of any agency records improperly withheld from the complainant. In such a case the court shall determine the matter de novo, and may examine the contents of such agency records in camera to determine whether such records or any part thereof shall be withheld under any of the exemptions...."

Accordingly, inasmuch as I have exhausted other remedies and inasmuch as the Agency has violated requirement of the Act, I request that the Court review the documents (163 or more documents and 553 or more pages) which have been identified by my request, in order to direct the release to me of requested documents not exempt by law.

Sincerely,

Encl: pertinent correspondence

James M Ennes Jr. Research Papers

DEPARTMENT OF STATE

Washington, D.C. 20520

FF: 2

Mr. Gip D. Oldham
6008 East University Blvd.
Dallas, TX 75206

Re: Freedom of Information Act Request #7902847

Dear Mr. Oldham:

This refers to your letter dated January 23, 1980. I am sorry for the delay in responding to you.

The bureaus have finished their searches and over ninety documents were retrieved. Since other requesters have desired the same information, a master file is being reviewed and will serve as the response for all Liberty requests. I estimate that the cost for reproduction will be less than $200.00. Once the review is completed, I will notify you of the results.

If I can be of further help, please do not hesitate to contact me.

Sincerely,

Cindy R. Friedman

Cindy R. Friedman
Information and Privacy Staff
Foreign Affairs Document and
Center

Jim:

My friend, Gip Oldham, was following through with FOIA on the 9 documents of 48 pages denied me. I don't know how or why the Liberty came into the correspondence, but thought you might be interested in this. I suspect you have all the information there is about the Liberty anyhow, without the foregoing.

Haven't heard anything about you Good Morning show.

Waldenbooks told me today they'd sold some copies here and still had one left. Yes as to having one left; I saw it. On having sold more than the one I bought, I'll bet they're lying. I gave them a photocopy of those pligs on your book and told them about the People piece, but the head of the place is Jewish, so you know how little interest he has.

Regards.

James M. Ennes Jr. Research Papers

NAVAL MESSAGE
OPNAV FORM 2110-28 (REV. 3-81) S/N 0107-705-6000

RELEASED BY	DRAFTED BY	PHONE EXT NR	PAGE	PAGES
			OF	
DATE: 18 JUNE 1967	TOR/TOD: 1022Z	ROUTED BY	CHECKED BY	

MESSAGE NR	DATE/TIME GROUP (GCT)		PRIORITY					
	1813[illegible]	PRECEDENCE	FLASH	EMERGENCY	OPERATIONAL IMMEDIATE	PRIORITY	ROUTINE	DEFERRED
		ACTION			0000			
		INFO						

FM: COMSIXTHFLT

TO: USS LIBERTY

BT

UNCLAS

YOUR FLASH TARRIFIC RECIEVED SENDING AIRCRAFT TO COVER YOUR SURFACE UNITS OF THE 6TH. KEEP SITREPS COMING.

BT

DISTRIBUTION
(PAGE ONE ONLY)

NMCC
REG-COURIER

UNCLASSIFIED

DATE/TIME GROUP (GCT)
[illegible]

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370

IN REPLY REFER TO
Pers-14f/NMPC-06P:dk
FEB 23 1981

Mr. James M. Ennes Jr.
[redacted]

Dear Mr. Ennes:

In processing your Privacy Act/Freedom of Information Act request, the Department of State located two documents which were originated by the Bureau of Naval Personnel and as a result referred them for a release determination. Enclosed are the referred documents in their entirety.

Sincerely,

F. W. TKACZUK
Privacy Act/Freedom of Information
Act Coordinator

Copy to:
OP-09B1F
State Dept.

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, D.C. 20350

IN REPLY REFER TO
Ser 09B15D/114555
9 March 1979

From: Chief of Naval Operations
To: LCDR James M. ENNES, Jr., USN, Retired, [redacted]

Subj: Copies of certain ships' deck logs; forwarding of

Ref: (a) Your ltr of 20 Jan 79, addressed to the Director of Naval History

Encl: (1) Copies of deck log sheets of the USS LIBERTY (AGTR 5), the USS AMERICA (CVA 66) and the USS SARATOGA (CVA 60) for 8 Jun 67 and the USS ANDREW JACKSON (SSBN 619) for 1-14 Jun 67

1. Enclosure (1) is forwarded in response to that portion of reference (a) regarding ships' deck logs.

2. There is no charge for the services rendered.

Alcinda P. Wenberg

ALCINDA P. WENBERG
By direction

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370

IN REPLY REFER TO
Pers-14f/NMPC-06P:dk

FEB 26 1981

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

The two additional enclosed documents were referred to the Chief of Naval Personnel for release determination. My letter of February 23, 1981 refers.

Sincerely,

F. W. TKACZUK
Privacy Act/Freedom of Information
Act Coordinator

Copy to:
OP-09B1F

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE

Washington, D.C. 20520

December 30, 1980

Mr. James M. Ennes, Jr.
[redacted]

Re: Freedom of Information Request #740846

Dear Mr. Ennes:

This refers to your Freedom of Information request for access to information pertaining to the 1967 attack on the U.S.S. Liberty. Following further review of the documents involved, we have determined that several additional releases may be made as a settlement has been reached on the outstanding claims for the ship.

The Department of the Navy has returned 2 documents (#45 and #147) to us that had been forwarded to it for review. These are released to you in full under cover of this letter. The Department of Defense will contact you directly regarding the disposition of the remaining 29 documents forwarded to it for review.

Also portions of 2 documents (#19 and #37) dealing with claims issues that were previously denied in full are released to you under this letter.

Sincerely,

Clayton E. McManaway
Deputy Assistant Secretary
Classification/Declassification
Bureau of Administration

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
WASHINGTON, D.C. 20372

IN REPLY REFER TO
BUMED-311i
6150/00
5211/02
Ser: 00925016
6 Oct 1980

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

This is in further reply to your Freedom of Information Act request regarding your medical record.

A copy of your medical record recently referred to this Bureau for release determination is enclosed.

It is a pleasure to be of service to you.

Sincerely,

W. F. Showalter

W. F. SHOWALTER
Head, Management Systems Branch
By direction of the Surgeon General

Encl:
(1) Copy of Medical Record

James M. Ennes, Jr. Research Papers

MEDICAL BOARD REPORT COVER SHEET
NAVMED 6100/1 (3-65)
S/N 0105-208-1000

RE-EVALUATION

INSTRUCTIONS

1. Instructions for completion and distribution are provided by Articles 18-20, 18-21, 18-23, and 18-24 of the Manual of the Medical Department.
2. When Statistical Coding is required, send the first copy of the cover sheet to the Naval Medical Regional Data Center.

1. TO: Chief of Naval Personnel

2. VIA: (1) Commanding Officer, Naval Hospital, Pensacola, Fla.
(2) Chief, Bureau of Medicine and Surgery

3. DATE S. AND MED — 88227 (8-14-68)

4. FROM (Facility and location) — Naval Hospital, Pensacola, Florida

5. FACILITY AND LOCATION NO. — 00499A-06

6. DATE OF ORIGINAL ADMISSION TO SICKLIST (Day, Month, Year) — 14 August 1968

7. PATIENT REGISTER NO. — 880259

8. LAST DUTY STATION — NCTC, Corry Field, Pensacola, Florida

9. LENGTH OF SERVICE (Years, Months, Days) (Active & Inactive) — 04dys,06mos,14yrs.

THIS BLOCK FOR NMRDC USE

9A. LENGTH SERVICE — DUTY — MO — YR

10. PLACE OF ENTRANCE PHYSICAL (If less than one year)

11. DATE OF ENTRANCE PHYSICAL (Day, Month, Year)

10A. ENTRANCE PHYS. — 11A. ENT. DATE — MO — YR

12. PRIMARY DIAGNOSIS (Include Anatomic Part)

RE-EVALUATION: Open Comminuted Fracture, Left Femur Without Artery or Nerve Involvement, Healed

12A. DIAGNOSIS

12B. ANATOMIC PART

13. ORIGIN		14. EXISTED PRIOR TO ENTRY/AGGRAVATED BY SERVICE		15. PRESENT CONDITION	
	1. DUE TO OWN MISCONDUCT		1. EXISTED PRIOR TO ENTRY, AGGRAVATED BY SERVICE	X	1. FIT FOR DUTY
X	2. NOT DUE TO OWN MISCONDUCT		2. EXISTED PRIOR TO ENTRY, NOT AGGRAVATED BY SERVICE		2. UNFIT FOR DUTY
X	3. INCURRED IN LINE OF DUTY	X	3. DID NOT EXIST PRIOR TO ENTRY IN SERVICE		3. UNSUITABLE FOR SERVICE
	4. NOT INCURRED IN LINE OF DUTY				

16. PROBABLE FUTURE DURATION		17. INDICATED DISPOSITION			
X	1. PERMANENT		1. REFER TO PHYSICAL EVALUATION BOARD	X	5. RETURN TO DUTY
	2. MAY BE PERMANENT		2. DISCHARGE, PHYSICAL DISABILITY		6. RETURN TO LIMITED DUTY
	3. TEMPORARY		3. DISCHARGE, ERRONEOUS ENLISTMENT		7. CONTINUE INPATIENT CARE
			4. DISCHARGE, UNSUITABLE FOR SERVICE		8. OTHER (Specify under "REMARKS")

18. THE FOLLOWING SHALL BE COMPLETED BY THE MEDICAL BOARD PRIOR TO SUBMISSION TO THE CONVENING AUTHORITY	YES	NO
1. DID THE MEMBER APPEAR BEFORE THE MEDICAL BOARD IN PERSON?	X	
2. WILL DISCLOSURE OF INFORMATION TO THE MEMBER RELATIVE TO HIS PHYSICAL/MENTAL CONDITION ADVERSELY AFFECT HIS HEALTH?		X
3. HAS THE MEMBER BEEN ADVISED OF THE MEDICAL BOARD FINDINGS?	X	
4. HAS THE MEMBER BEEN OFFERED AN OPPORTUNITY TO SUBMIT A REBUTTAL STATEMENT IN WRITING (Not applicable if No. 2 is yes)?	X	
5. WHERE APPLICABLE HAS THE MEMBER WAIVED HIS RIGHTS TO FULL AND FAIR HEARING?		
6. IS THE MEMBER'S SIGNED STATEMENT OF REBUTTAL AND/OR CERTIFICATE TO WAIVE RIGHTS TO A FULL AND FAIR HEARING ATTACHED?		
7. WILL APPEARANCE BEFORE A PHYSICAL EVALUATION BOARD BE DELETERIOUS TO THE MEMBER'S PHYSICAL/MENTAL CONDITION?		X

19. REMARKS

Return to full duty.

20. BOARD MEMBERS (In signature block, indicate senior member)	TYPED NAME (Last, First, Middle Initial)	GRADE	SERVICE	SIGNATURE
SENIOR MEMBER	F. O. BARGATZE	CDR MC	USN	
MEMBER	L. A. CORVES	CDR MC	USN	
MEMBER	D. D. FARBER	LT MC	USNR	

21. IDENTIFICATION (Psychopathic, inebriate, or drug addiction, record of previous Court-martial, Civil Conviction, Desertion, Absence without leave, Service)

CURRENT HISTORY FURNISHED

21A. CODE NAME

22. NAVY OFFICER DESIGNATOR NO.

LT James Marquis ENNES, Jr., USNR, 653840/1615

(OVER)

James M. Ennes, Jr. Research Papers

FIRST ENDORSEMENT

FROM: CONVENTING AUTHORITY

8-14-68

TO: Chief, Naval Personnel

VIA: Chief, Bureau of Medicine and Surgery

Forwarded, indicated disposition of the medical board is return to full duty.

[X] CONCURRED IN [ ] NOT CONCURRED IN

LT ENNES transferred this date to NCTC, Corry Field, Pensacola, Florida for duty while awaiting action on his case.

E. G. HURLBURT

SIGNATURE

4. ENDORSEMENT

FROM:

TO:

VIA:

DATE

X

X

X

X

5. ENDORSEMENT

FROM: CHIEF, BUREAU OF MEDICINE AND SURGERY

TO: CHIEF OF NAVAL PERSONNEL/COMMANDANT OF THE MARINE CORPS

DATE 6 September 1968

1. Forwarded, indicated disposition of medical board is return to full duty.

[X] CONCURRED IN [ ] NOT CONCURRED IN

NCTC, Corry Field, Pensacola, Florida

8 August 1968

Naval Hospital, Pensacola, Florida

(1) Commanding Officer, Naval Hospital, Pensacola, Fla.

(2) Chief, Bureau of Medicine and Surgery

W. R. BECKMAN

By direction

SIGNATURE

(82-NL-3)

28. ENDORSEMENT

FROM:

TO:

DATE

SIGNATURE

NAVMED 6100/1 (3-65) BACK

☆ U.S. GOVERNMENT PRINTING OFFICE: 1965

James M. Ennes, Jr. Research Papers

The attention of the Bureau is invited to a previous Report of Board of Medical Survey convened at the Naval Hospital, Portsmouth, Norfolk, Virginia, on 21 February 1968 before which LT ENNES appeared with the diagnosis of Open Comminuted Fracture, Left Femur. The Board recommended Mr. ENNES be assigned six months limited duty not to include prolonged standing, marching, calisthenics or heavy lifting.

During the six month period of limited duty, the restrictions imposed were complied with and the patient did administrative work only. He states that he has continually improved since assignment to limited duty. At the present time, the patient is complaining of: "clicking" of the left knee and slight decrease in range of motion; inability to run an "even gait"; occasional burning sensation from shrapnel in the left hip and right arm "but not enough of a problem to have it removed".

The physical examination on 31 July 1968 revealed the pelvis to be level with a 1/2" block under the left foot. There was a full range of motion of the left hip, knee and ankle. Circumferentially the left thigh measured 18-1/2", 19" right. There was slight laxity of the anterior cruciate and medial collateral ligaments of the left knee but there was no effusion. There was no patellofemoral crepitus. The McMurray and Spring maneuvers were negative. There was no tenderness at the left femoral fracture site to palpation. All scars were nontender. These included: a 5/8" in diameter wound of entrance of the distal third, left thigh laterally; the tibial tubercle area of the left leg, a 1-1/2" in diameter scar medially; and a like scar laterally at the skeletal traction site. The patient's gait was considered normal.

On 14 August 1968, the patient's diagnosis was changed to: Open Comminuted Fracture, Left Femur, Without Artery or Nerve Involvement, Healed.

It is the opinion of the Orthopaedic Service that this officer has achieved maximum benefits of hospitalization and is considered fit for full duty.

The Board agrees with these opinions and recommends that Mr. ENNES be assigned full duty.

The patient appeared before the Board in person. He was informed of the findings of the Board and afforded the opportunity of submitting a statement in rebuttal, which he did not desire to do. His signed statement is attached.

LT James Marquis ENNES, Jr., USNR, 653840/1615
880259, Naval Hospital, Pensacola, Florida

James M. Ennes, Jr. Research Papers

MEDICAL BOARD STATEMENT OF PATIENT
NAVMED 6100/2 (3-65) 0105-208-2000

NCSOS. NAVAL HOSPITAL

PENSACOLA, FLORIDA

STATEMENT OF PATIENT
CONCERNING THE FINDINGS OF A MEDICAL BOARD

I have been informed of the findings of the medical board of 14 JUL 69
(date)
in my case that my present condition is Fit for duty
(Board's finding)
and of the recommendation of the Board is return to full duty.

Having been informed of the findings and recommendation of the Board, I do (not) desire to submit a statement in rebuttal.

Signed: James M. Ennes, Jr.
LT James Marquis ENNES, Jr., USNR
653840/1615

Witnessed: Edith M. Knight

James M. Ennes, Jr. Research Papers

...38(RD) REPORT COVER SHEET
...(5)

IV

INSTRUCTIONS

...for acceptation and distribution are provided by Articles 18-20, 18-21, 18-23, and 18-24 of the Manual of the ...partment.
...Surgical Coding is required, send the first copy of the cover sheet to the Naval Medical Regional Data Center.

TO: CHIEF OF NAVAL PERSONNEL

VIA: COMMANDING OFFICER, NAVAL HOSPITAL, PORTSMOUTH, VA.
CHIEF, BUREAU OF MEDICINE AND SURGERY

3. DATE BOARD MET: 21 FEB 1968

4. (Facility and location): MEDICAL BOARD, NAVAL HOSPITAL, PORTSMOUTH, VIRGINIA

4a. FACILITY AND LOCATION NO.: 000183-05

5. DATE OF ORIGINAL ADMISSION TO SICKLIST (Day, Month, Year): 8 JUNE 1967

6. PATIENT REGISTER NO.: 671665

7. PRESENT STATION: USS LIBERTY (AGTR-5)

8. LENGTH OF SERVICE (Days, Months, Years): 6M 9Y

9. DATE OF ENTRANCE PHYSICAL (If less than one year)

10. DATE OF ENTRANCE PHYSICAL (Day, Month, Year)

11. PRIMARY DIAGNOSIS (Enclose Alphabetic Part): OPEN COMMINUTED FRACTURE, LEFT FEMUR

THIS BLOCK FOR NMRDC USE

9A DUTY | 9A LENGTH SERVICE MO | YR

10A ENTRANCE PHYS | 11A ENT DATE MO | YR

12A DIAGNOSIS: 8 | 2 | 1 | 2

12B ANATOMIC PART: 8 | 2 | 6

13 ORIGIN		14 EXISTED PRIOR TO ENTRY/AGGRAVATED BY SERVICE		15 PRESENT CONDITION	
1 DUE TO OWN MISCONDUCT		1 EXISTED PR OR TO ENTRY, AGGRAVATED BY SERVICE	X	1 FIT FOR DUTY	
2 NOT DUE TO OWN MISCONDUCT		2 EXISTED PRIOR TO ENTRY, NOT AGGRAVATED BY SERVICE		2 UNFIT FOR DUTY	
3 INCURRED IN LINE OF DUTY	X	3 DID NOT EXIST PRIOR TO ENTRY IN SERVICE		3 UNSUITABLE FOR SERVICE	
4 NOT INCURRED IN LINE OF DUTY					

16 PROBABLE FUTURE DURATION		17 INDICATED DISPOSITION			
1 PERMANENT		1 REFER TO PHYSICAL EVALUATION BOARD		5 RETURN TO DUTY	
2 MAY BE PERMANENT		2 DISCHARGE PHYSICAL DISABILITY	X	6 RETURN TO LIMITED DUTY 6 months	
X 3 TEMPORARY		3 DISCHARGE ERRONEOUS ENLISTMENT		7 CONTINUE INPATIENT CARE	
		4 DISCHARGE UNSUITABLE FOR SERVICE		8 OTHER (Specify under "REMARKS")	

THE FOLLOWING SHALL BE COMPLETED BY THE MEDICAL BOARD PRIOR TO SUBMISSION TO THE CONVENING AUTHORITY	YES	NO
1. DID THE MEMBER APPEAR BEFORE THE MEDICAL BOARD IN PERSON?	X	
2. HAS DISCLOSURE OF INFORMATION TO THE MEMBER RELATIVE TO HIS PHYSICAL/MENTAL CONDITION ADVERSELY AFFECT HIS HEALTH?		X
3. HAS THE MEMBER BEEN ADVISED OF THE MEDICAL BOARD FINDINGS?	X	
4. HAS THE MEMBER BEEN OFFERED AN OPPORTUNITY TO SUBMIT A REBUTTAL STATEMENT IN WRITING (Not applicable if Ans 2 is yes)?	X	
5. WHERE APPLICABLE HAS THE MEMBER WAIVED HIS RIGHTS TO A FULL AND FAIR HEARING?		
6. IS THE MEMBER'S SIGNED STATEMENT OR REBUTTAL AND/OR CERTIFICATE TO WAIVE RIGHTS TO A FULL AND FAIR HEARING ATTACHED?		
7. WILL ANY ENTRANCE BEFORE A PHYSICAL EVALUATION BOARD BE DETRIMENTAL TO THE MEMBER'S PHYSICAL/MENTAL WELL-BEING?		

18. REMARKS: SIX MONTHS LIMITED DUTY NOT TO INCLUDE PROLONGED STANDING, MARCHING, CALISTHENICS OR HEAVY LIFTING.

20 BOARD MEMBERS AND SIGNATURES		GRADE	SERVICE	SIGNATURE
SENIOR MEMBER	TYPE NAME: C. S. LAMBDIN	CDR	MC USN	
MEMBER	TYPE NAME: D. M. O NEAL	CDR	MC USN	
MEMBER	TYPE NAME: D. C. KAISER	LT	MC USN	

19. IDENTIFICATION (Preferably imprint or typewrite: Name (last, first, middle initial); File or Service Number; Grade or Rate; and Branch of Service):
ENNES, JAMES M. JR.
653840 LT/USNR EXAMINER

21A. BADGE NAME:

22. NAVY OFFICER DESIGNATOR NO.: 1615

(OVER)

James M. Ennes, Jr. Research Papers

ST ENDORSEMENT

DATE 4 MAR 1968

CONVENING AUTHORITY

CHIEF OF NAVAL PERSONNEL

CHIEF, BUREAU OF MEDICINE AND SURGERY

warded, indicated disposition of the medical board is:

[ ] NOT CONCURRED IN (if forwarded)

2. D-4 MAR 1968 COMFIVE, NORFOLK, VIRGINIA PENDING FINAL

ACTION.

J. H. HOLMES
BY DIRECTION SIGNATURE

ENDORSEMENT

DATE

SIGNATURE

ENDORSEMENT

DATE:

OM: CHIEF, BUREAU OF MEDICINE AND SURGERY

: CHIEF OF NAVAL PERSONNEL/COMMANDANT OF THE MARINE CORPS

Forwarded, indicated disposition of the medical board is:

[ ] CONCURRED IN [ ] NOT CONCURRED IN

SIGNATURE

26. ENDORSEMENT

DATE:

FROM:

TO:

SIGNATURE

NAVMED 6100/1 (3-65) BACK

James M. Ennes, Jr. Research Papers

NAVAL HOSPITAL
PORTSMOUTH, VIRGINIA

REPORT OF MEDICAL BOARD in case of:
ENNES, JAMES M., JR. 653840 LT/USNR 1615

The patient is a 34 year old Caucasian male LT/USNR with 9 years, 6 months active duty who was transferred to the Portsmouth Naval Hospital on 24 June 1967 with a diagnosis of Comminuted Fracture of the Left Femur. The patient sustained a fracture of the left distal femur on 8 June 1967 while aboard the USS Liberty. He also sustained multiple scattered shrapnel wounds of the head, chest, neck, extremities, and abdomen. Initial treatment was given aboard the USS America following which he was transferred to Naval Hospital, Naples, Italy. The femoral fracture was treated with traction and after satisfactory alignment had been obtained, he was immobilized in a hip spica and air evacuated to this facility for further treatment.

Past medical history disclosed that the patient had a tonsillectomy at age 6 and that he was allergic to sodium pentothal. Family history and review of systems were noncontributory.

Physical examination revealed a well nourished, well developed Caucasian male in no acute distress. General physical examination was unremarkable except for examination of the left lower extremity. On admission the patient was in a spica cast with normal circulation and sensation to both lower extremities.

Admission laboratory studies including CBC, urinalysis and chest x-ray were generally unremarkable.

Shortly after admission, the patient was removed from his spica cast and placed in a skeletal tibial pin traction and balanced suspension. At this time several small healing skin wounds were noted which subsequently went on to uncomplicated healing. The patient was maintained in balanced suspension for approximately three months at which time he was placed in a walking spica cast. This was removed approximately one month later and the patient was started on a course of progressive weight bearing ambulation. On this, he showed progressive improvement. Following a course of physical therapy, the patient has obtained a full return of hip and knee function and range of motion. He has been noted to have a ½ inch shortening of the left leg but good muscle strength.

DIAGNOSIS: OPEN COMMINUTED FRACTURE LEFT FEMUR #8212-826.

In summary, the patient had a comminuted fracture of the left femur which has gone on to adequate healing. It is the opinion of the Board that the patient has obtained the maximum benefits of hospitalization, but that he is not as yet fit to return to full duty status. It is the recommendation of the Board that the patient be discharged to six months limited duty with such duty not to require any prolonged standing, marching, calisthenics or heavy lifting.

The patient has been informed of the Board's findings and recommended disposition and does not desire to submit a statement in rebuttal.

James M. Ennes, Jr. Research Papers

MEDICAL BOARD STATEMENT OF PATIENT
NAVMED 6100/2 (3-65)

NAVAL HOSPITAL
PORTSMOUTH, VIRGINIA, 23708

STATEMENT OF PATIENT
CONCERNING THE FINDING OF A MEDICAL BOARD

22 FEB 1966

I have been informed of the findings of the medical board of _____ (date)

in my case that my present condition is FIT FOR LIMITED DUTY (Board's finding)

and of the recommendation of the Board THAT I BE RETAINED TO SIX MONTHS

LIMITED DUTY

Having been informed of the findings and recommendation of the Board, I do (not) desire to submit a statement in rebuttal.

Signed: James M. Ennes, Jr.

Witnessed: M. Cooper

James M. Ennes, Jr. Research Papers

U. S. NAVAL SECURITY GROUP ACTIVITY
FPO NEW YORK 09514

IN REPLY REFER TO:
10/WCW:rlb
6000
Ser 1876
21 NOV 1968

From: Commanding Officer, U. S. Naval Security Group Activity, Bremerhaven, Germany
To: Chief, Bureau of Medicine and Surgery (Code 33C)

Subj: Lieutenant James M. ENNES, Jr., USNR 693840/1615; medical information concerning

Ref: (a) Your ltr BUMED:33C:VAS:mc of 8 October 1968
(b) My ltr 10/WCW:rlb 6000 ser 1670 of 21 October 1968

Encl: (1) Clinical Record/Consultation Sheet on subject individual

1. In accordance with reference (a) and as a follow up to reference (b), enclosure (1) is forwarded.

J. W. OSMER, JR.

James M. Ennes, Jr. Research Papers

Standard Form 513
Rev. August 1954
Bureau of the Budget
Circular A-42

* U.S. GOVERNMENT PRINTING OFFICE 1957 O - 373-378

CLINICAL RECORD	CONSULTATION SHEET

REQUEST

TO:	FROM: (Requesting ward, unit, or activity)	DATE OF REQUEST

REASON FOR REQUEST (Complaints and findings)

PROVISIONAL DIAGNOSIS

DOCTOR'S SIGNATURE	APPROVED	PLACE OF CONSULTATION [ ] BEDSIDE [ ] ON CALL	[ ] EMERGENCY [ ] ROUTINE

CONSULTATION REPORT

This 35 yr Navy Lt. seen in Neurological Consult 13 Nov 68—
[Letter from Chief Bureau of Med + Surgery, Dept of Navy, POC 68
directed examination by a Neurologist or Neurosurgeon to determine
the headaches, if any, caused by retained shrapnel fragments in or
around the left maxillary sinus]

Pt was aboard the Liberty 8 June 67 when it was attacked
by Israeli aircraft: states he received 32 wounds,
left cheek, Both arms, both buttocks, neck, chest, bleeding
from nose and mouth, ~~multiple~~.

(Continued on reverse side)

SIGNATURE AND TITLE	DATE 12 Nov 68	IDENTIFICATION NO. 653540	ORGANIZATION NSGA FPO 09514

PATIENT'S IDENTIFICATION (For typed or written entries give: Name—last, first, middle; grade; date; hospital or medical facility)	REGISTER NO.	WARD NO.
ENNES JAMES M. LT - USNR		

CONSULTATION SHEET
Standard Form 513
513-104

Enclosure (1)

James M. Ennes, Jr. Research Papers

Cis resid reds pt notes ½" shortening of left leg, & recurrent
difficult running, headaches, (generalized & right sup Vertex,
frequent, and often one lasting 3 weeks) low back pain (non radiating)
and sporadic radiating pain from imbedded left buttock
shrapnel running down left leg. Also occasional stiffenings
and jerkings of left RIGHT hand and arm.
JE

Neuro exam normal, Shortening of left leg.
Cannot fully flex left Knee, can get beyond a rt angle, i.e,
he can sit in a chair but he can't squat.

Imp. pt. is not sure that he didn't lose consciousness,
History of blast injury is strong (four rockets exploded
in a small steel room) - will get

① skull series
② EEG
③ Echo
④ Scan
} to r.o. subdural
are his arm stiffenings
focal seizures?

⑤ ENT Consult
⑥ Ortho consult
(and ? to orth.
to see knee)

V. Keller
Lt MC
13 Nov 68

15 Nov 68:
EEG, Scan, Echo normal
ENT + Ortho consults done.
No definite sequelae expected from retained
fragments in bruising arms. May get
causalgias + seizures in future
V Keller

James M. Ennes, Jr. Research Papers

2C

Standard Form 513
Rev. August 1954
Bureau of the Budget
Circular A-32

U.S. GOVERNMENT PRINTING OFFICE : 1961 O - 613-378

CLINICAL RECORD	CONSULTATION SHEET

REQUEST

TO:	FROM: (Requesting ward, unit, or activity)	DATE OF REQUEST
EC170	Memo 2C	3 Nov 67

REASON FOR REQUEST (Complaints and findings)

Aboard Liberty when attacked
32 Wounds

PROVISIONAL DIAGNOSIS

DOCTOR'S SIGNATURE	APPROVED	PLACE OF CONSULTATION	
VKeller		☐ BEDSIDE ☐ ON CALL	☐ EMERGENCY ☐ ROUTINE

CONSULTATION REPORT

Rt L
L to R
through
Medical
Jr. Echo

VKeller

(Continued on reverse side)

SIGNATURE AND TITLE	DATE	IDENTIFICATION NO.	ORGANIZATION
	13 Nov 67	653840	NS6A

PATIENT'S IDENTIFICATION (For typed or written entries give: Name—last, first, middle; grade; unit; hospital or medical facility)	REGISTER NO.	WARD NO.
ENNES, JAMES M. LT USNR		

CONSULTATION SHEET
Standard Form 513
513-104

James M. Ennes, Jr. Research Papers

Standard Form 513
Rev. August 1954
Bureau of the Budget
Circular A-32

8D

U.S. GOVERNMENT PRINTING OFFICE 1957 O - 373 370

CLINICAL RECORD	CONSULTATION SHEET

REQUEST

TO:	FROM: (Requesting ward, unit, or address)	DATE OF REQUEST
E.N.T		

REASON FOR REQUEST (Complaints and findings)

Referred by Dept of Navy "to determine the residuals, if any, caused by retained shrapnel fragments in around left maxillary sinus". (Was aboard the

PROVISIONAL DIAGNOSIS

USS Liberty when attacked by Israeli jets 8 June 67

DOCTOR'S SIGNATURE	APPROVED	PLACE OF CONSULTATION	
Cmdr		☐ BEDSIDE ☐ ON CALL	☐ EMERGENCY ☐ ROUTINE

CONSULTATION REPORT

Received 32 Wounds - Exam directed by Washington for legal purposes. Can you do this also?

Thank you

ENT CLINIC
2nd GEN. HOSP.
LANDSTUHL APO 09150
NOV 1968

Retrograde view - a-vis shrapnel in (L) maxillary area. Deviated septum -

Audio - WNL.

(Continued on reverse side)

SIGNATURE AND TITLE	DATE	IDENTIFICATION NO.	ORGANIZATION
R.J. Cinelli CAPT MC	15 NOV 68	653840	USGA FPO 09514

PATIENT'S IDENTIFICATION (Not typed or written unless five: Name—last, first, middle; grade; unit; hospital or medical facility)

ENNES, JAMES M., JR.
LT USNR

REGISTER NO.	WARD NO.

CONSULTATION SHEET
Standard Form 513
513-104

James M. Ennes, Jr. Research Papers

13D

Brain Scan

Standard Form 513
Rev. August 1954
Bureau of the Budget
Circular A-32

9 U.S. GOVERNMENT PRINTING OFFICE : 1957 O - 313-570

CLINICAL RECORD | CONSULTATION SHEET

REQUEST

TO: Radioactive Isotope 13 | FROM: (Requesting ward, ward, or activity) Neurosurg OPC 2C | DATE OF REQUEST 13 Nov 68

REASON FOR REQUEST (Complaints and findings)

Aboard USS Liberty when attacked by Israeli jets 8 June 67 - 32 wounds - subsequently has headaches & "spasms" of lt arm. Need scan to help exclude sub dural

(183)

PROVISIONAL DIAGNOSIS

DOCTOR'S SIGNATURE: W.R. Allen | APPROVED | PLACE OF CONSULTATION ☐ BEDSIDE ☐ ON CALL | ☐ EMERGENCY ☐ ROUTINE

CONSULTATION REPORT

Radioisotope Clinic
USAGH-Landstuhl
APO 09180

14 Nov 68, Tc-99m, 9.9 mc

99m
Brain Scan 4 views Tc

Normal study

Frank H. Allen, Jr. MC

(Continued on reverse side)

SIGNATURE AND TITLE: FRANK H. ALLEN CPT MC Chief | DATE: 14 Nov 68 | IDENTIFICATION NO. | ORGANIZATION

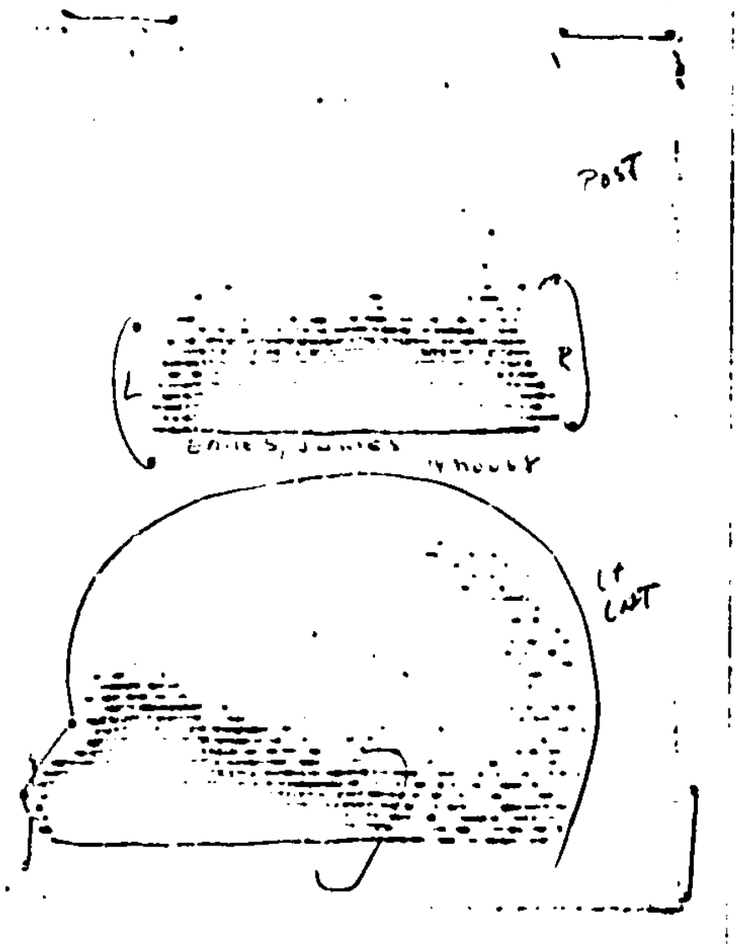
PATIENT'S IDENTIFICATION (For typed or written entries, give: Name—last, first, middle; grade; date; hospital or medical facility)

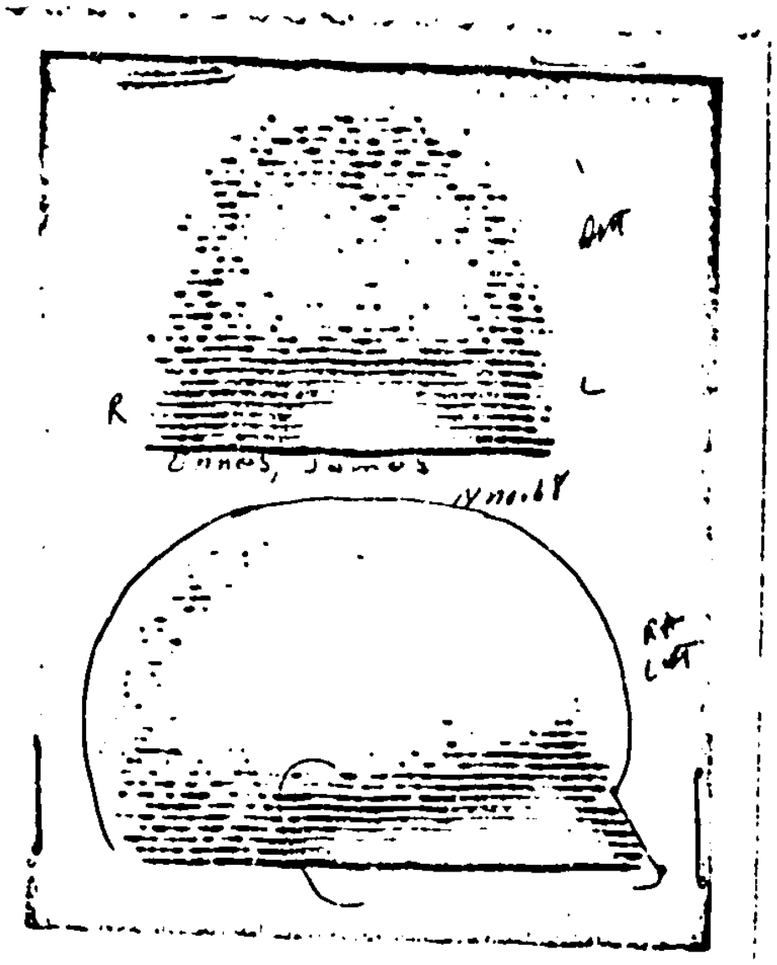
ENNES, James M.
LT USN.
NAN Sec Gp Act (USCG)
FPO 09514

REGISTER NO. | WARD NO. Neuro 2C OPC

CONSULTATION SHEET
Standard Form 513
513-104

James M. Ennes, Jr. Research Papers

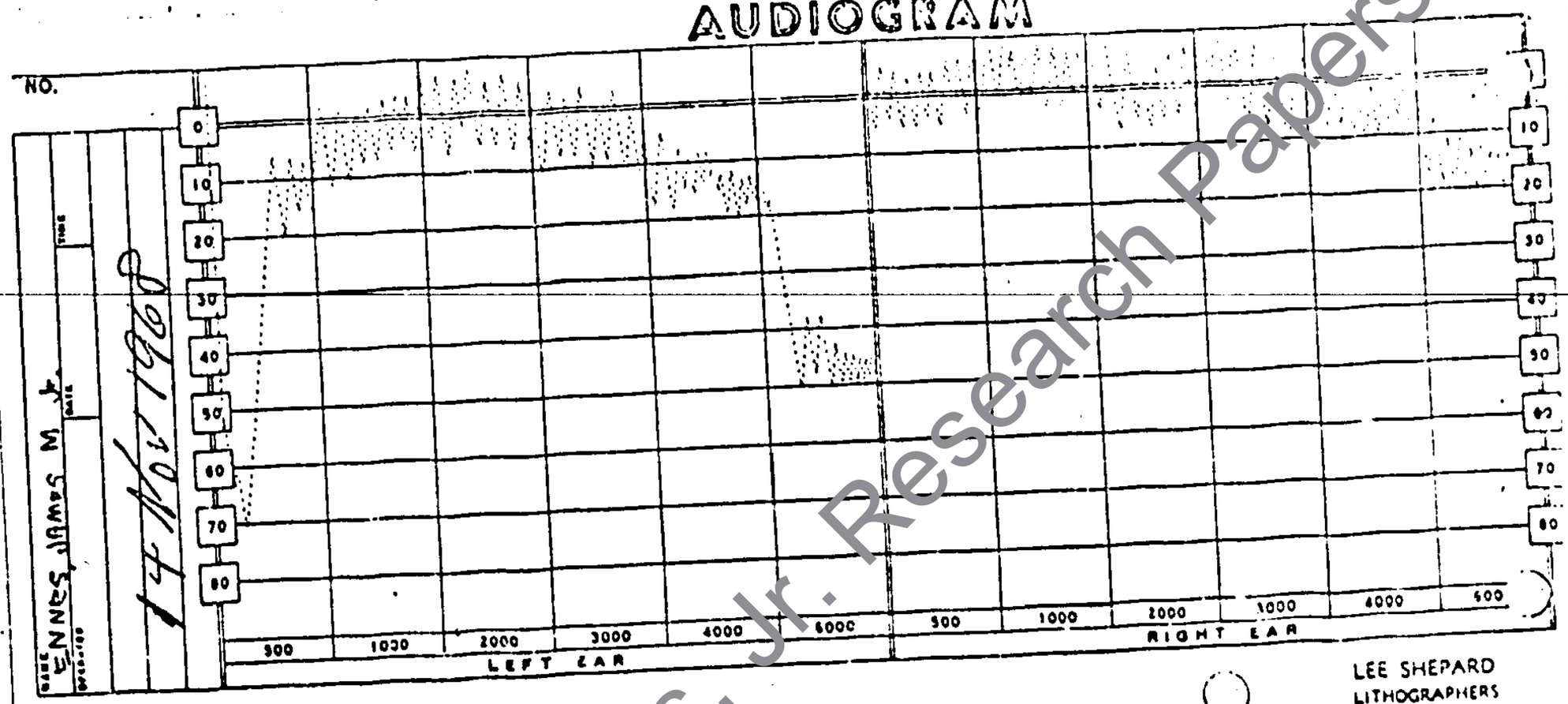




James M. Ennes, Jr. Research Papers

AUDIOGRAM

NO.



James M. Ennes, Jr.

DATE

DATE

LEE SHEPARD
LITHOGRAPHERS
NEW YORK, N.Y. 10028

James M. Ennes, Jr. Research Papers

Standard Form 513
Rev. August 1954
Bureau of the Budget
Circular A-42

U. S. GOVERNMENT PRINTING OFFICE : 1955 O - 328 6

CLINICAL RECORD — CONSULTATION SHEET

REQUEST

TO: Ortho

FROM: (Routing and ward, unit, or address) Div/Bureau Med Surg

DATE OF REQUEST 15 Oct

REASON FOR REQUEST (Complaints and findings)

Pt sustained multiple injuries aboard the Liberty. Bureau in Washington may request your evaluation. Thank you

PROVISIONAL DIAGNOSIS

DOCTOR'S SIGNATURE [signature]

APPROVED

PLACE OF CONSULTATION ☐ BEDSIDE ☐ ON CALL

☐ EMERGENCY ☐ ROUTINE

CONSULTATION REPORT

13 NOV 1953

ORTHOPEDIC CLINIC
2nd GENERAL HOSPITAL
APO US FORCES 07120

Patient here for evaluation of L femur & back.

Femur has about 1/2" of shortening. There is full extension & lack of flexion compared to opposite side of 15°. Exquisite, Back - Mild dorsal round back, tender to palpation in dorsolumbar area. Claims back has bothered patient since using crutches after ambulatory cast.

X-ray - Schmorl's nodes D-L area — 13 Jan 53
L femur midshaft — 14 Aug 53

DX-(S)-P. Fx L femur, healed, 7" shortening.
(2) Schmorl's nodes, thoracic - asymptomatic, suspected, by accident
making it symptomatic
DX-(1) Leg elongation 3/8". (2) Bad back, heal 4.

(Continued on reverse side)

SIGNATURE AND TITLE [signature]

DATE

IDENTIFICATION NO.

ORGANIZATION

PATIENT'S IDENTIFICATION (For typed or written entries give: Name—last, first, middle initial; rate; date; hospital or medical facility)

Jame Ennes

REGISTER NO.

WARD NO.

CONSULTATION SHEET
Standard Form 513
513-104

James M. Ennes, Jr. Research Papers

(13)

Standard Form 502
Rev. August 1954
Office of the Secretary
Circular A-

CLINICAL RECORD	NARRATIVE SUMMARY	
DATE OF ADMISSION: 6-24-67	DATE OF DISCHARGE	NUMBER OF DAYS HOSPITALIZED

(Sign and date at end of narrative)

INTERIM SUMMARY AS OF 9-11-67

ADMISSION DIAGNOSIS: DG.#1. COMMINUTED FRACTURE LEFT FEMUR

PI: This 34 year old LT/USNR was transferred to Portsmouth Naval Hospital on June 24, 1967, with a diagnosis of Comminuted Fracture of the Left Femur. The patient sustained a fracture of the left distal femur on June 8, 1967 while aboard the U.S.S. Liberty. He also sustained shrapnel injuries to the lateral aspect of the left thigh. Initial treatment was given aboard the U.S.S. America, following which he was transferred to the U. S. Naval Hospital, Naples, Italy. The femoral fracture was treated in traction and after satisfactory alignment had been obtained, he was immobilized in a hip spica and Air-evacuated to Portsmouth Naval Hospital, for further treatment and convalescence. At the time of his admission to the hospital, the patient was alert, in no distress. The hip spica was removed and the left leg was placed in balanced suspension and tibial pin traction. There was no evidence of infection about the previous areas of shrapnel injury. The femoral fracture was maintained in good alignment and position, in balanced suspension and tibial pin traction. At six weeks post-injury, the patient was instructed to begin range of motion of the left knee, in traction, and was easily able to accomplish 60 degrees of active knee flexion. He had no difficulty in achieving complete extension of his left knee. Serial x-rays revealed that the fracture was laying down callus and the position continued to be satisfactory. Clinical evaluation of the patient's femoral fracture revealed no pain with stressing of the fracture site and there was no evidence of false motion. At the present time, he is thirteen weeks post-injury and his femoral fracture is healing satisfactorily. During his hospitalization, he has had no other medical problems. It is anticipated that he will require at least three to four weeks of further immobilization in balanced suspension. At the end of that time, he is to be put into a walking body spica.

APPROVED:

C.S. LAMBDIN
CDR MC USN
CHIEF OF ORTHOPEDICS

(Use additional sheets of this form (Standard Form 502) if more space is required)

SIGNATURE OF PHYSICIAN	DATE	IDENTIFICATION NO.	ORGANIZATION
D. L. FONG, LCDR MC USN/dg		653 840	USNR

PATIENT'S IDENTIFICATION (For typed or written entries give: Name—last, first, middle; grade; unit; hospital or medical facility)

	REGISTER NO.	WARD NO.
ENNES, JAMES MARQUIS JR LT/USNR NAVAL HOSPITAL, PORTSMOUTH, VIRGINIA	671665	SOO-9

• Disc #133

NARRATIVE SUMMARY
Standard Form 502
502-100

James M. Ennes, Jr. Research Papers

United States District Court
For the District of Columbia
Office of the Clerk
3rd and Constitution Avenue, N.W.
Washington, D. C. 20001

James F. Davey
Clerk

NOTICE OF RIGHT TO CONSENT TO TRIAL
BEFORE A UNITED STATES MAGISTRATE

The Federal Magistrates Act of 1968, 28 U.S.C. §636(c), as amended on October 10, 1979, requires the Clerk of Court to notify all parties in each civil action, that they may voluntarily consent to have the case tried with a jury or without a jury before a United States Magistrate. If all parties so consent, and the Court concurs, the matter will be referred to a Magistrate for disposition.

The plaintiff (or counsel) has received a consent form. If the parties agree to trial before a Magistrate, plaintiff (or counsel) shall have all the parties (or counsel) jointly execute the consent form and file it in duplicate with the Clerk at any time prior to the pretrial Order.

In accordance with 28 U.S.C. §636(c), any aggrieved party may appeal from the judgment directly to the United States Court of Appeals for the circuit in the same manner as an appeal from any other judgment of the District Court. The parties may further stipulate, at the time of the reference to the Magistrate, that the appeal shall be taken instead to a District Court Judge.

The consent form is not required to be executed or returned to the Clerk of the Court unless all parties voluntarily consent to this procedure. If an executed consent form is not received by the Clerk prior to the pretrial Order, the case will proceed to disposition before a United States District Court Judge in the normal fashion.

James F. Davey
JAMES F. DAVEY
Clerk of the Court

CO-942A
New 2780

James M. Ennes, Jr. Research Papers

DEFENSE INTELLIGENCE AGENCY
WASHINGTON, D.C. 20301

U-12,092/RTS-2A

2 [illegible] 81

Mr. James M. Ennes, Jr.
[redacted]

Dear Mr. Ennes:

In responding to your Freedom of Information Act request to the Department of State for information pertaining to the USS Liberty, seven documents were subsequently referred to this office for review.

DIA has reviewed the seven enclosed documents and interposes no objection to their release to you. Only former classification and administrative markings have been removed from the documents.

Sincerely,

7 Enclosures a/s

PENNY UNDERDAL
Freedom of Information Act
Officer

James M. Ennes, Jr. Research Papers

U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN

INSTRUCTIONS: See INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U S MARSHAL on the reverse of the last (No 5) copy of this form Please type or print legibly (ensuring) readability of all copies Do not detach any copies

PLAINTIFF
JAMES E. ENNES, JR.

DEFENDANT
DEPARTMENT OF STATE

COURT CASE NUMBER
C.A. 80-1126

TYPE OF PROCESS
S & C

SERVE AT

NAME OF INDIVIDUAL COMPANY CORPORATION ETC TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
U.S. Attorney General

ADDRESS (Street or RFD, Apartment No , City, State and ZIP Code)
U.S. Dept. of Justice
Washington, D.C.

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

James E. Ennes, Jr.
[redacted]

Number of process to be served with this Form-285

Number of parties to be served in this case

Check for service on U S A

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service)
Fold

Signature of Attorney or other Originator requesting service on behalf of ☒ PLAINTIFF ☐ DEFENDANT

TELEPHONE NUMBER
[redacted]

DATE
May 5, 1980

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

Acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
		No	No		

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in Remarks the process described on the individual, company, corporation, etc , at the address shown above or on the individual company corporation etc , shown at the address inserted below

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc , named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode

Address (complete only if different than shown above)

Date of Service | Time am pm

Signature of U S Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U S Marshal or	Amount of Refund (Check enclosed)

REMARKS

NOTE

PRIOR EDITIONS MAY BE USED

3. NOTICE OF SERVICE

FORM USM-285 (Rev. 11/11/77)

James M. Ennes, Jr. Research Papers

U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN

INSTRUCTIONS: See INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL on the reverse of the last (No. 5) copy of this form. Please type or print legibly insuring readability of all copies. Do not detach any copies.

LC

PLAINTIFF: **JAMES E. ENNES, JR.**

COURT CASE NUMBER: **C.A. 80-1126**

DEFENDANT: **DEPARTMENT OF STATE**

TYPE OF PROCESS: **S & C**

SERVE AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN: **U.S. Attorney**

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code): **U.S. Courthouse, Washington, D.C. 20001**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

James M. Ennes, Jr.
[redacted]

Number of process to be served with this Form-285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of: ☒ PLAINTIFF ☐ DEFENDANT

TELEPHONE NUMBER: [redacted]

DATE: **May 5, 1980**

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	—	No	No		

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service | Time: am / pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)

REMARKS

NOTE

PRIOR EDITIONS MAY BE USED

3. NOTICE OF SERVICE

FORM USM-285 (Rev. 11/11/77)

James M. Ennes, Jr. Research Papers

U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN

INSTRUCTIONS: See INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U S MARSHAL on the reverse of the last (No 5) copy of this form Please type or print legibly, insuring readability of all copies Do not detach any copies

12

PLAINTIFF	COURT CASE NUMBER
JAMES E. ENNES, JR.	C.A. 80-1126
DEFENDANT	**TYPE OF PROCESS**
DEPARTMENT OF STATE	S & C

SERVE → **AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Department of State

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
2201 C St., N.W.
Washington, D.C. 20520

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

James M. Ennes, Jr.
[redacted]

Number of process to be served with this Form 285	
Number of parties to be served in this case	
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service)
Fold

Signature of Attorney or other Originator requesting service on behalf of ☒ PLAINTIFF ☐ DEFENDANT | TELEPHONE NUMBER [redacted] | DATE May 5, 1980

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
		No	No		

I hereby certify and return that I ☐ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks" the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation etc., shown at the address inserted below

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode

Address (complete only if different than shown above)

Date of Service | Time am pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)

REMARKS

NOTE

PRIOR EDITIONS MAY BE USED

3. NOTICE OF SERVICE

FORM USM-285 (Rev. 11/11/77)

James M. Ennes, Jr. Research Papers

NAVAL MESSAGE

RELEASED BY

DATE

10 JUN 1967

MESSAGE FOR

DATE-TIME GROUP

0313?Z

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ENCODED BY

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PHONE EXT NR

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OF

PAGES

PRIORITY DEFICE	FLASH	EMERGENCY	OPERATIONAL IMMEDIATE	PRIORITY	ROUTINE	DEFERRED
ACTION	ZZZZZZ					
INFO						

FM: CINCUSNAVEUR

TO: USS LIBERTY

INFO: COMUSTA MONACO / NAVCOMUSTA GREECE / NAVCOMUSTA SPAIN

BT

UNCLAS

1. ESTABLISH IMMEDIATE COMMUNICATIONS WITH ANY MED AREA COMUSTA.

2. NAVCOMUSTA COMUSTACON TAKE ALL AVAILABLE ACTIONS TO ESTABLISH COMMUNICATIONS WITH USS LIBERTY REPORT WHEN ESTABLISHED.

3. FOR USS LIBERTY REQUEST CONFIRM REPORT OF ATTACK.

BT

WU-EF

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James M. Ennes, Jr. Research Papers

(1)

October 11, 1968

Lt. James Marquis Ennes, Jr., 65 38 40
US Naval Security Group Activity
FPO New York 09514

Dear Lt. Ennes:

We have received your letter of October 2, 1968 concerning your desire to furnish additional evidence and submit to further physical examinations to show that a larger amount should be claimed by the Department from the Government of Israel for injuries sustained on June 8, 1967, as a result of the attack on the U.S.S. Liberty by Israeli air and naval units.

The Department is prepared to give consideration to any additional evidence you desire to furnish. Also, in order to be of as much assistance as possible the Department has requested the Department of the Navy, Bureau of Medicine and Surgery, to arrange appropriate medical examinations at a medical facility nearest your present station. If you have not been informed, as yet, by the Navy of the time and place of examination, you will hear from them soon. The results of the examinations will be furnished the Department through Navy channels and considered along with such other evidence as you may furnish to support your claim for a larger amount.

A determination regarding the matter will be communicated to you promptly.

Sincerely yours,

K

Ernest L. Kerley
Assistant Legal Adviser

cc: Lt. Cmdr. V.A.S. Swindall, Dept of the Navy

L:L/C:DRHenderson:ams

Dated & mailed from L/C

James M. Ennes, Jr. Research Papers

OCT 7 1968

2 October 1968

Ernest L. Kerley
Assistant Legal Adviser
Department of State
Washington, D.C. 20520

Dear Mr. Kerley:

This is in reply to your letter dated September 18, 1968 regarding a proposed claim to be submitted in my behalf against the Government of Israel as a result of the injuries I sustained in the attack on the USS Liberty by Israeli air and naval units on June 8, 1967.

The original claim form which I submitted to your office in July of 1967, approximately, was of necessity an interim report on the extent of my injuries, since neither the full extent of the pain suffered nor of the resulting and in some cases lasting effects could be ascertained at that time. I am not aware of the facts upon which you based the amount proposed in the above-referenced letter, but I would like to submit the following information for your consideration. I believe that there is considerable justification for submitting a substantially larger claim on my behalf.

I received my injuries in the first strafing attack when I was hit in the leg, face, chest and other parts of my body with jet cannon fragments. One of these pieces fractured my left leg slightly above the knee. About ten minutes later, after I had been helped to a nearby empty compartment, I was hit again by fragments from four aircraft-launched rockets which simultaneously entered the compartment. My wounds, numbering about thirty-two, consisted of several chest wounds, as well as many shrapnel wounds throughout my body, including the left side of my neck, my face underneath my left eye, my right ear, left bicep, left chest, left abdomen, left and right buttocks, left thigh, lower left leg, right elbow, left and right hand, and the front of the lower right leg. Most of the shrapnel that caused these wounds is still in my body. In addition, I received a relatively small but severe napalm burn on the left palm which healed very slowly and remained very painful for a period of several weeks.

Due to the wrenching of my left knee during the attack, the initial weeks of the treatment of my broken leg can only be described as agony. The weights used in traction, pulling

James M. Ennes, Jr. Research Papers

knee, and running (except at a slow, loping gait which causes snickers from onlookers) is impossible and painful to attempt. I have suffered a loss of about 20° in movement of the left knee which makes squatting impossible, getting in and out of automobiles somewhat slow and awkward, and bicycle riding impossible unless the seat is raised to a very high position.

A piece of shrapnel in my left hip continues to cause discomfort. As a result of this wound I frequently feel hot, stabbing sensations shooting down my left leg. This spot is normally in contact with automobile seat belts and often results in sharp pain from the action of the seat belt. Further, a piece of shrapnel in my right elbow apparently caused some peculiar damage to the nerve of that arm. The arm is subject to muscle spasms and involuntary movements. Occasionally it becomes involuntarily rigid, locking at the elbow with the muscles taut while the arm refuses to move at all for periods of from several seconds to a minute.

In addition to the physical effects, the injuries I received have had a seriously detrimental effect on my family life. For example, my two young children have been without the companionship and guidance of their father for an extremely critical part of their lives. Likewise, my wife, as well as myself, were deprived of many of the ordinary benefits of married life. The tension, anxiety, and additional burdens thrown upon my wife as a result of my extended convalescence have taken their natural and inevitable toll on her nerves, energy and, with two young children perhaps most importantly, her patience. No longer can I engage in a game of catch, touch football or other common father-son activities with my children due to the restricted use of my knee.

Finally, there exists the critically important question regarding the effect that fifteen months away from a quite technical specialty at a crucial stage in my career will have on my selection to the next higher grade. While my contemporaries have been broadening their fields of endeavor and increasing their knowledge and proficiency, during the same period of time I have been completely isolated from my profession. What effect this will have on the selection boards that will determine whether or not I am promoted is uncertain, but the very real possibility exists that the prolonged absence "from the job" could have a very damaging effect on my military career. Should I twice fail of selection, I would be forced from the military service, thereby being deprived of continuing in my chosen field, losing my livelihood and forfeiting a retirement pension which is worth approximately $200,000.

I would appreciate your evaluation of the matters discussed above. As I mentioned earlier, I believe that a considerably larger sum is justified. I am willing to submit to further

James M. Ennes, Jr. Research Papers

physical examination if that is required or desired. I am presently stationed at the U. S. Naval Security Group Activity, Bremerhaven, Germany. However, if you consider it to be in my best interest, I am willing to appear personally in Washington. Thank you very much for your assistance and I will be awaiting your comments and opinions.

Yours truly,

JAMES M. ENNES, JR.
LT, USNR, 65 38 40

James M. Ennes, Jr. Research Papers

(7)

DEPARTMENT OF STATE

Washington D C 20520

8391 5

Release

REGISTERED MAIL
RETURN RECEIPT REQUESTED

MAY 15 1969

Lt James Marquis Ennes, Jr., 65 38 40
US Naval Security Group Activity
Box 53
FPO New York 09514

Dear Mr. Ennes:

The enclosed United States Treasury check for $[redacted] is in full settlement of your claim against the Government of Israel arising out of the personal injuries you sustained in the attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967. The United States Treasury fund out of which this check will be paid arose from funds recently received from the Government of Israel in settlement of the claims. The distribution of funds is made in accordance with the statutory authority of the Department of State.

Sincerely yours,

Ernest L. Kerley

Ernest L. Kerley
Assistant Legal Adviser

Enclosure:

Treasury check # 16,823,529

James M. Ennes, Jr. Research Papers

Yderm 1

The Embassy of the United States of America presents its compliments to the Ministry for Foreign Affairs of Israel and has the honor to present in accordance with accepted principles of international law a claim for [redacted] on behalf of James Marquis Ennes, Jr., a member of the United States Armed Forces who was injured while serving aboard the U.S.S. Liberty when it was attacked by Israeli air and naval units on June 8, 1967.

It is established from evidence available to the Government of the United States that the claimant is now and has been a citizen of the United States since April 26, 1933, the date of his birth at Newark, New Jersey.

The amount of the claim is based on the nature and extent of the injuries sustained, the pain and suffering caused by the injuries and the consequent permanent impairment of the claimant's earning capacity.

The Embassy of the United States confidently anticipates on the basis of the assurances previously given by the Government of Israel that the Government of Israel promptly will compensate the Government of the United States on behalf of James Marquis Ennes, Jr. for the amount claimed.

No.

Embassy of the United States of America,

Tel Aviv, MAR 28 1969

L:L/C:ELKelley:ams 2/13/69

James M Ennes, Jr. Research Papers

DEPARTMENT OF STATE

Washington D.C. 20520

February 12, 1969

Lt. James Marquis Ennes, Jr., 65 38 40
US Naval Security Group Activity
Box 53
FPO New York 09514

Dear Lt. Ennes:

The Department of State will present the U.S.S. Liberty personal injury claims to the Government of Israel in a few weeks. As one of the final steps in the preparation of the claims, we have thoroughly reviewed each claim file in order to ensure that the amount proposed is appropriate, and that all claimants are equitably treated. This review has resulted in revision of the amount of compensation to be claimed in a few instances. I accordingly wish to inform you that a claim for $[redacted] will be presented on behalf of

James Marquis Ennes, Jr., 65 38 40

In view of the provisions of the previous release, a new release will not be necessary.

When we have received a substantive response from the Government of Israel I will write you again. In this connection I would note that several months of negotiations preceded the settlement of the death claims.

Sincerely yours,

Ernest L. Kerley

Ernest L. Kerley
Assistant Legal Adviser

Research Papers
James M. Ennes, Jr.

R E L E A S E

I, James Marquis Ennes, Jr., serial number 65 38 40, hereby agree to accept the sum of $[redacted] in full satisfaction and final settlement of any claim which I may have against the Government of Israel and upon the receipt of said sum do hereby remise, release and forever discharge the Government of Israel of and from all causes of action, suits, judgments, claims and demands whatsoever in law or equity, which against the said Government of Israel I ever had, now have, or which my heirs, executors, administrators or assigns, or any of them hereafter can, shall or may have, for or by reason of any cause, matter or thing whatsoever resulting from injuries sustained while I was a member of the United States Armed Forces and serving aboard the U.S.S. Liberty when it was attacked by Israeli air and naval units on June 8, 1967.

In witness whereof, I have hereunto set my hand and seal this 16th day of DECEMBER, 1968.

James Marquis Ennes Jr.
(Signature)

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE

Washington, D.C. 20520

838639

December 9, 1968

REGISTERED MAIL
RETURN RECEIPT REQUESTED

Lt. James M. Ennes, Jr., 65 38 40
US Naval Security Group Activity
Box 53
FPO New York 09514

Dear Lt. Ennes:

The Department of State is prepared to claim on behalf of James Marquis Ennes, Jr., 65 38 40 the sum of $[redacted] from the Government of Israel for losses sustained as a result of the tragic attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967. This sum represents compensation for injuries for which international law recognizes the obligation of a State to pay compensation to another State. To the extent presented in the facts of this claim, the amount of compensation is based upon the nature and extent of the injuries, the pain and suffering sustained as a result of the injuries, and lost future earning capacity resulting therefrom, if any. In calculating the amount, relevant international and domestic legal precedents have been taken into account.

If the claimant is agreeable to the Department's filing a claim on his behalf for the amount stated, he should sign and date the enclosed "Release" and return it to the Department in the enclosed addressed envelope. The FPO mail system should be used by claimants who are overseas and regular mail by those in the United States. In either event, please indicate your name and address in the upper left corner of the envelope under the words "official business". The envelope is a franked envelope not requiring postage.

James M. Ennes, Jr. Research Papers

If the claimant wishes to submit additional evidence showing that a larger amount should be claimed, the Department will give further consideration to the amount of compensation it is prepared to claim. Since the best interests of all claimants make it advisable to present the claims to the Government of Israel as soon as feasible, the Department would appreciate it if the claimant would respond to this proposal as soon as possible, and in no event later than ten days from the receipt of this letter.

In processing and presenting any claim through a person other than the claimant, the established practice of the Department requires the presentation of a power of attorney, establishing the right of any attorney to represent the claimant. Accordingly, if the claimant is to be represented by an attorney such attorney must file an appropriate authorization.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

Enclosures:

1. Release
2. Addressed envelope

EKerley

James M. Ennes, Jr. Research Papers

R E L E A S E

I, James Marquis Ennes, Jr., serial number 65 38 40, hereby agree to accept the sum of $[redacted] in full satisfaction and final settlement of any claim which I may have against the Government of Israel and upon the receipt of said sum do hereby remise, release and forever discharge the Government of Israel of and from all causes of action, suits, judgments, claims and demands whatsoever in law or equity, which against the said Government of Israel I ever had, now have, or which my heirs, executors, administrators or assigns, or any of them, hereafter can, shall or may have, for or by reason of any cause, matter or thing whatsoever resulting from injuries sustained while I was a member of the United States Armed Forces and serving aboard the U.S.S. Liberty when it was attacked by Israeli air and naval units on June 8, 1967.

In witness whereof, I have hereunto set my hand and seal this _____ day of _____, 1968.

_____
(Signature)

James M. Ennes, Jr. Research Papers

(1)

November 21, 1968

Lt. James M. Ennes, Jr., 65 38 40
US Naval Security Group Activity
Box 53
FPO New York 09514

Dear Lt. Ennes:

We have received your letter of November 17 informing us of the completion of further medical examinations in order to furnish the Department with additional evidence concerning the amount that should be claimed from the Government of Israel for the injuries which you received when the U.S.S. Liberty was attacked on June 8, 1967.

Careful consideration will be given to the information contained in your letter along with the more extensive medical reports which we are to receive from the Department of the Navy. When we have examined all the available information, including the results of the latest medical examinations, we will write to you again regarding the amount of the claim that the Department believes can be supported by the evidence.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

L:L/C.EHenderson:ams

Dated & mailed from L/C

James M. Ennes, Jr. Research Papers

DRH
4 C

1968

LEGAL R
ans 11/21/68

L/C : DRH
DEPARTMENT OF STATE

17 November 1968

Ernest H. Perley
Assistant Legal Adviser
Department of State
Washington, D.C. 20520

Dear Mr. Perley:

In response to your letter of October 11, 1968, and Department of the Navy, Bureau of Medicine and Surgery letter of 8 October, 1968, I have undergone further physical examinations in order to furnish additional evidence to show that a larger amount should be claimed from the Government of Israel for injuries sustained June 8, 1967, as a result of the attack on the USS Liberty by Israeli air and naval units.

The examining doctors informed me and reported to the Department of the Navy that:

1. I suffer from Silverman's Disease, a spinal disorder, which was aggravated and became painful due to the injuries received on the USS Liberty on June 8, 1967.
2. That I must wear a special orthopedic lift on my left shoe to compensate for the shortening of my left leg.
3. That I have lost 15° movement of my left knee.
4. That I may suffer future problems and even seizures as a result of injuries received in the attack.

The official medical reports are being forwarded by my commanding officer through Navy channels and should be available to your office soon.

Yours truly,

JAMES M. ENNES, JR.
LT, USNR, 65 38 40

James M. Ennes, Jr. Research Papers

SEP 25 1968

Department of State, U.S.A. (I:I/C)
Washington, D.C. 20520

Gentlemen:

I am writing to inquire about the status of a claim in my behalf against the state of Israel for injuries received in the attack on the USS LIBERTY on June 8, 1967.

On June 8 I received dozens of shrapnel wounds, severe loss of blood, a broken left femur and other injuries which were the cause of my being hospitalized for nine months and of my being unable to perform my regular duties for fifteen months.

Although I have been advised that I have grounds for a substantial claim, and although requested by other parties to join in a claim against Israel, I was advised by the U. S. Naval Legal Officer at the U. S. Naval Hospital, Portsmouth, Virginia, that claim would be processed by the U. S. Government. Accordingly, I have refused to join any outside legal actions.

Recently I have learned that several of the officers and men of the LIBERTY have been offered settlement figures via the Department of State. Thus far I have not been contacted.

Therefore I wish to advise you that I have substantial grounds for damage claims against Israel. I have several lasting defects resulting from my wounds and wish to be included in the claims action which you are currently processing.

My current mailing address is below.

Sincerely,

James M. Ennes, Jr.

LT James M. Ennes, Jr.
USS NAVSECGRUACTY, BOX 53
FPO NEW YORK 09514

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE

Washington, D.C. 20520

834121

SEP 18 1968

REGISTERED MAIL
RETURN RECEIPT REQUESTED

Lt. James Marquis Ennes, 65 38 40
Naval Security Group Activity
Box 8
FPO New York 09514

Dear Lt. Ennes:

The Department of State is prepared to claim on behalf of James Marquis Ennes, 65 38 40 the sum of $[redacted] from the Government of Israel for losses sustained as a result of the tragic attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967. This sum represents compensation for injuries for which international law recognizes the obligation of a State to pay compensation to another State. To the extent presented in the facts of this claim, the amount of compensation is based upon the nature and extent of the injuries, the pain and suffering sustained as a result of the injuries, and lost future earning capacity resulting therefrom, if any. In calculating the amount, relevant international and domestic legal precedents have been taken into account.

If the claimant is agreeable to the Department's filing a claim on his behalf for the amount stated, he should sign and date the enclosed "Release" and return it to the Department in the enclosed addressed envelope. The FPO mail system should be used by claimants who are overseas and regular mail by those in the United States. In either event, please indicate your name and address in the upper left corner of the envelope under the words "official business." The envelope is a franked envelope not requiring postage.

Research Papers
James M. Ennes, Jr.

If the claimant wishes to submit additional evidence showing that a larger amount should be claimed, the Department will give further consideration to the amount of compensation it is prepared to claim. Since the best interests of all claimants make it advisable to present the claims to the Government of Israel as soon as feasible, the Department would appreciate it if the claimant would respond to this proposal as soon as possible, and in no event later than ten days from the receipt of this letter.

In processing and presenting any claim through a person other than the claimant, the established practice of the Department requires the presentation of a power of attorney, establishing the right of any attorney to represent the claimant. Accordingly, if the claimant is to be represented by an attorney such attorney must file an appropriate authorization.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

Enclosures:

1. Release
2. Addressed envelope

James M. Ennes, Jr. Research Papers

R E L E A S E

I, James Marquis Ennes, serial number 65 38 40, hereby agree to accept the sum of $[redacted] in full satisfaction and final settlement of any claim which I may have against the Government of Israel and upon the receipt of said sum do hereby remise, release and forever discharge the Government of Israel of and from all causes of action, suits, judgments, claims and demands whatsoever in law or equity, which against the said Government of Israel I ever had, now have, or which my heirs, executors, administrators or assigns, or any of them, hereafter can, shall or may have, for or by reason of any cause, matter or thing whatsoever resulting from injuries sustained while I was a member of the United States Armed Forces and serving aboard the U.S.S. Liberty when it was attacked by Israeli air and naval units on June 8, 1967.

In witness whereof, I have hereunto set my hand and seal this _____ day of _____, 1968.

_____
(Signature)

James M. Ennes, Jr. Research Papers

(14)

Redone

Form PI 1

STATEMENT OF CLAIM

FOR

PERSONAL INJURY

1. Name of claimant ENNES, James Marquis

2. Rank LT Serial Number 653840

3. Date of birth 26 April 1933

Place of birth Newark, New Jersey

4. Home address ~~5343 Coach Way Drive, Norfolk, Virginia~~

Naval Security Group Activity Box 8 FPO N.Y. 09514

5. Name and address of attorney retained by the claimant to represent him in connection with this claim, if any.

None.

6. Is claimant a citizen of the United States? [x] Yes [ ] No

7. If so, how was United States citizenship acquired?

[x] Birth in the United States.

[ ] Birth abroad of parent who was a citizen of the United States. Name of parents who were United States citizens at time of claimant's birth.

[ ] Naturalization of claimant. Date _____

Place _____ Certificate No. _____

[ ] Naturalization of parent while claimant was a minor.

Name of parent _____

Date of naturalization _____

Place _____ Certificate No. _____

James M. Ennes, Jr. Research Papers

8. State of claimant's health on June ., 1967 Excellant

9. Was claimant aboard the U.S.S. Liberty when it was attacked by naval and air forces on June 8, 1967? [x] Yes [ ] No

10. Approximate location of claimant on ship at time of attack and duties being performed, if any. Just relieved as JOOD after securing from general quarters, and was observing low-flying aircraft ~~from flying bridge (portside) at the 04 level.~~

11. Brief description of event causing injury to claimant, as personally observed by claimant. I saw two aircraft, and had the long glass trained on one to starboard when I heard "He's not there, he's dead ahead". I looked away from my scope dead ahead to see the ship being ~~strafed which straffing resulted in my injuries. This straffing was~~ by gun-fire.

12. Description of injuries suffered. 1) Left leg broken above knee, from shrapnel; 2) shrapnel in left leg, upper and lower, and left hip; 3) left stomach, shrapnel; 4) left chest, shrapnel; 5) left arm, shrapnel; 6) right arm, shrapnel; 7) right buttoch; 8) left sinus, below left eye, shrapnel; 9) left calf, shrapnel, removed; 10) Shrapnel from rocket burst, left hand, chest, face: Had hopped down three levels from flying bridge ~~for medical aid, finding none. First stateroom I came to that was empty was~~ the doctor's stateroom. Here I tried to apply tourniquets here, but had to leav this stateroom as rockets entered t the room, forcing me to leave. I finally received medical attention in the passageway

13. Description of pain and suffering caused by injury.

Pain: Severe, and excrutiating. due to injuries,

Suffering: two hour fear of imminent death, coupled with the distinct feeling of the possibility of the ship's sinking.

The pain lasted several weeks, particular from movement ~~around from the Liberty to the America.~~

Since receiving medical treatment, the general inconvenience and discomfort of hospitalization uhder the circumstances should be considered. Also, the anxiety my wife suffered upon hearing that the ship had been attacked, and that several of the crew had been killed, not naming the survivors, and her general inconvenience suffered as a result of my being hospitalized.

James M. Ennes, Jr. Research Papers

14. Education of claimant:

High School

Number of Years 12

Diploma [x] Yes [ ] No

College

Number of Years 4

Degree [x] Yes [ ] No

Kind of Degree BBA, with major in finance

Graduate School

Number of Years _____

Degree [ ] Yes [ ] No

Kind of Degree _____

15. Completed technical or vocational training, including in-service training. RPS and Crypto School; Amphibious Warfare School.

16. Salary, allowances and other compensation per month of claimant as of June 8, 1967:

Salary $	$700.50	BAS
	130.05	BAQ
Allowances $	47.88	Subs
	30.00	Separation allow.
Other $	_____	
Total $	908.43	

17. Career preference of claimant prior to June 8, 1967:

[x] naval service 20 years, at least.

[ ] civilian. What kind? _____

James M. Ennes, Jr. Research Papers

13. Claimant's estimate whether choice of career will be affected by injuries suffered June 8, 1967. NO. However, loss of time due to hospitalization may enhamper prospects for promotion and experience in my specialty at the same time my contemporaries are considered for promotion.

19. Employment before entering service?

Name of employer Retail Credit Co, Inc. (of Atlanta, Georgia)

Address of employer ~~525 Spruce St.~~ San Francisco, California

and attended San Francisco State College, nights.

Amount earned per month $ $600.00/mo.

Kind of work performed Supervsed background investigations in ~~life insurance applications.~~

NOTE: BROKEN SERVICE: Rmb ~~1955~~ Jan 1951 - Jan 1954 Enlisted, USN
Jan 1954 - Jan 1955 College
Jan 1955 - Sept 1961 Privately employed (above) and night school
Sept 1961 - date OCS, and commissioned service in the USNR

28 August 1967
Rmb ~~XXXXXXXXXXXXXXXX~~
(Date) (Signature of claimant)

I Robert M. Blackmon the undersigned officer do hereby certify that the foregoing instrument was subscribed and sworn to before me this ~~xx~~ 28th day of Rmb ~~September~~ August 1967 by Ennes, James Marquis, 653840 (Service number) and who is known to me to be a United States Armed Forces member on active duty. And

James M. Ennes, Jr. Research Papers

I do further certify that I am at the date of this certificate a commissioned officer of the grade, branch of service, and organization stated below in the active service of the United States Armed Forces, that, by statute, no seal is required, and that same is executed in my capacity as Law Specialist, pursuant to 10 U.S.C. §936.

Robert M. Blackmon
(Signature of Officer)

Robert M. Blackmon
(Name of Officer)

698720/1625 LT USNR
(Serial number, grade, branch of service)

Naval Hospital, Portsmouth, Virginia
(Command or organization)

101 Alta Plaza, Corpus Christi, Texas
(Permanent home address)

James M. Ennes, Jr. Research Papers

(15)

Receive

DEPARTMENT OF STATE
OFFICE OF THE
ASSISTANT LEGAL ADVISER
FOR
INTERNATIONAL CLAIMS

SUBJECT: Losses Resulting from Personal Injury and Death of Personnel Aboard U.S.S. Liberty

I. Name ENNES, James Marquis

(a) Rank _____

(b) Serial Number 653848

(c) Personal Injury [ ]

(d) Death [ ]

II. Date of birth _____

Place of birth _____

III. Home address _____

_____

_____

IV. Military Service

(a) Total number of months _____

(b) Periods served _____

_____

(c) Expiration date of current enlistment _____

(d) RAD (Officers) _____ ETC.

V. Marital status: [ ] Married [ ] Single [ ] Divorced

James M. Ennes, Jr. Research Papers

(10)

Release

DEPARTMENT OF STATE
OFFICE OF THE
ASSISTANT LEGAL ADVISER
FOR
INTERNATIONAL CLAIMS

Pers-E24-SWA-syd
653840/1615
1 August 1967

U. S. Naval Hospital,
Naples

SUBJECT: Losses Resulting from Personal Injury and Death of Personnel Aboard U.S.S. Liberty

I. Name ENNES, James Marquis

(a) Rank Lieutenant

(b) Serial Number 653840

(c) Personal Injury [x]

(d) Death [ ]

II. Date of birth 26 April 1933

Place of birth Newark, New Jersey

III. Home address 4310 Robert Court
Silver Springs, Maryland

IV. Military Service

(a) Total number of months 108

(b) Periods served 19 January 1951 to 26 February 1954; 15 August 1954 to 28 August 1954; 17 December 1955 to 30 December 1955; 18 September 1961 to Date

(c) Expiration date of current enlistment Not Applicable

(d) RAD (Officers) Indefinite

V. Marital status: [X] Married [ ] Single [ ] Divorced

ETC.

James M. Ennes, Jr. Research Papers

(17)

EXCISE

May 27, 1969 Dear

Mr. Leonard Braman
Surrey, Karasik, Gould and Greene
1156 - 15th Street, N.W.
Washington, D.C. 20005

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE Apr. 19, 1995
PORTIONS DENIED AS INDICATED

Dear Leonard:

Thanks much for your letter of May 23, enclosing copies of the acknowledgments in the [redacted] claims. We will await the acknowledgments from [redacted]

Fabe, Rudy and I appreciate your warm comments about our efforts, especially since we greatly admired the quality of your presentations on behalf of your clients. Indeed, as you know, changes in the formula resulting from our discussions raised the recovery not only of your own clients, but of other similarly situated claimants as well, since the changes were applied across the board.

I thoroughly enjoyed getting to know you, and share your hope that we can get together again.

With warm regards.

Sincerely yours,

K

Ernest L. Kerley
Assistant Legal Adviser

DEPARTMENT OF STATE A/C
RE[illegible]
P[illegible]DENIED AS INDICATED.

L:L/C:ELKerley:ams

James M. Ennes, Jr. Research Papers

LAW OFFICES
SURREY, KARASIK, GOULD AND GREENE
1156 15TH STREET, N. W.
WASHINGTON, D. C. 20005
(202) 659-9060
CABLE SURNON
TELEX 34446 SURNN UR

LTER STERLING SURREY
:HARLES GOULD
HOMER PECK MILL
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ORGE L. CHRISTOPHER
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MARGUERITE S. OWEN
WARREN C. WICKERSHAM

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:HARLES KARK
AN J. BERNELEF
UL F. ROTHSTEIN
BERT R. ELLIOTT
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NEW YORK, N Y 10019
TELEPHONE LO 5 44[illegible]
MARTIN C. SERAM*
RESIDENT PARTNER
*MEMBER [illegible] YORK BAR ONLY

EKK
DRH
ELK

MAY 26 1969

May 23, 1969

5/27/69
ELK
ans 5/27
4/c; file

Mr. Ernest L. Kerley
Assistant Legal Advisor
for International Claims
Office of the Legal Advisor
Department of State # 5421
Washington, D.C. 20520

Re: U.S.S. Liberty

Dear Ernie:

In order that the records of both our offices might be complete, I took the precaution, in winding up the cases, to have the client acknowledge receipt of your letter of May 14, 1969, and of the Treasury check. That acknowledgement was made in the form of requesting that the client sign a copy of both documents.

Accordingly, and so that your files may be complete, I am enclosing herewith copies of the acknowledgements in the cases of [redacted]. (In the case of [redacted] who is at sea, his mother signed for receipt of the letter and the check.)

In the cases of [redacted] we contemplate handling the transactions by Power of Attorney (Treasury Form 232.) The Powers have been mailed to the clients. We will furnish to you appropriate acknowledgement documents when the transactions are closed.

I have a great distaste for redundancy, Ernie, but I cannot suppress again extending my sincerest compliments to you, Fabe and Rudy for a job magnificantly done. I know that compliments of this sort are usually discounted by reason of the interest of the "declarant" (to use a Wigmoreian expression). Let me assure you that no amount of interest could color my recognition of the superbly professional way in which you and your office handled these matters.

James M. Ennes, Jr. Research Papers

I sincerely trust that we will have the opportunity to renew our relationship, personally and professionally in the future.

With fondest regards,

Sincerely yours,

Leonard

Leonard Braman

LB/pdm
ENCLS

James M. Ennes, Jr. Research Papers

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SURREY, KARASIK, GOULD AND GREENE
WOODWARD BUILDING
WASHINGTON, D C 20005

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MICHAEL ROSENBAUM

...OLOMITE S OWEN
...S ROY DENNER
...HAEL HAND
...N J MEMERLEY
...L F ROTHSTEIN
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PARIS 8 FRANCE TEL 359-10 30

CABLE
SURMON WASHINGTON, D C

File

September 16, 1968

Ernest L. Kerley, Esquire
Assistant Legal Advisor
for International Claims
Office of the Legal Advisor
Department of State
Washington, D. C. 20520

Re: U.S.S. Liberty Claims

Dear Mr. Kerley:

This will confirm our understanding of Wednesday, September 11th, that the request set forth in the last paragraph of page 3 of my letter of September 6, 1968 is hereby withdrawn.

With best wishes, I remain

Cordially yours,

Leonard Braman

Leonard Braman

LB/r

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE
THE LEGAL ADVISER

EXCISE
EXCISE

August 26, 1968

CONFIDENTIAL

TO : L - Mr. Salans

FROM : L/C - Ernest L. Kerley

SUBJECT: Remaining US Government claims against the Government of Israel in connection with the attack on the U.S.S. Liberty

In addition to the claim for damage to the ship, and attendant costs, arising out of the attack on the U.S.S. Liberty, there are three other claims that could be presented to the Government of Israel on behalf of the US Government. As described to the Government of Israel in Embassy Tel Aviv's Note No. 26 of December 29, 1967, these are as follows:

(a) The claim of the Government of the US for reimbursement of amounts expended for medical treatment of the injured personnel;

(b) The claim of the Government of the US for the value of lost services of injured personnel; and

(c) The claim of the Government of the US for amounts expended in reimbursing the crew for personal property lost or destroyed.

[redacted]

James M. Ennes, Jr. Research Papers

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WASHINGTON, D. C. 20005

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...ISTIP STERLING SURREY
...HARI GOULD
...NOLD PEER MELI
...NLEY GORAJIAN
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...ARGUERITE S OWEN
...AN ROY DINKEN
...CHAEL HANE
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PARIS 8, FRANCE 721 359-10 31

CABLE
SURMON WASHINGTON D C

August 22, 1968

Ernest L. Kerley, Esquire
Assistant Legal Advisor
for International Claims
Office of the Legal Advisor
Department of State
Washington, D. C. 20520

Re: U.S.S. Liberty Claims

Dear Mr. Kerley:

In the course of investigating and preparing the several cases in which we are acting as counsel, we have, among other things, consulted medical experts who had informed us that the following records might be significant in determining the extent of disability and the prognosis:

1. All operative reports on surgery performed upon the seamen subsequent to the attack on the vessel.
2. The VA reports respecting the seamen.

You probably are not in possession of the operative reports, but it would be most helpful if you could order them up from the appropriate hospital facilities. On the VA reports, if you do not already have them, I expect that they could also be obtained easily.

Your cooperation would be greatly appreciated. If we can aid in any respect, please do not hesitate to call upon us.

Thanking you for your cooperation, I remain

Sincerely yours,

Leonard Braman

LB/r

James M. Ennes, Jr. Research Papers

December 18, 1967

TO : P - Mr. Dixon Donnelley

FROM : L - Leonard C. Meeker

SUBJECT: Answering Inquiries about the Presentation of the U.S.S. Liberty Death Claims

Claims on behalf of the families of the personnel killed in the attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967, have been sent to Embassy Tel Aviv for presentation to the Israeli Ministry for Foreign Affairs. H will inform interested members of Congress about the presentation of the claims as soon as the Embassy reports that they have been presented. It is likely that the news media will learn of these briefings.

At the Under Secretary's staff meeting on November 21, 1967, the Under Secretary decided that we would not issue a press release concerning the presentation of the claims but that we would answer inquiries from the press. Should inquiries be made, you may wish to draw on the information in the attached paper.

Attachment:

As stated.

L:L/C:ELKerley:ams

L - Mr. Salans (in draft)

James M. Ennes, Jr. Research Papers

PRESENTATION OF THE U.S.S. LIBERTY
DEATH CLAIMS TO THE GOVERNMENT OF ISRAEL

1. The United States Embassy in Tel Aviv has presented to the Israeli Ministry for Foreign Affairs thirty-four claims for compensation on behalf of the families of the personnel killed in the attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967.

2. The total amount of compensation claimed is approximately $3.3 million.

3. In calculating the amounts of compensation in individual claims, the loss of support the decedent would have provided, the special services he would have provided, such as guidance and counseling of his children, and the emotional anguish of the family have been considered. The amounts claimed for these losses are in accordance with international law and domestic legal precedents.

4. Because genuine financial hardship is present in some cases, we have urged the Government of Israel to consider and pay these claims expeditiously.

5. The Department is proceeding with the preparation of the other claims for presentation to the Government of Israel. These include the claims of the United States Government for cost of repairs to the ship, the cost of medical treatment to the injured, the value of the lost services of the injured, and the cost of reimbursing the personnel of the U.S.S. Liberty for damage to or destruction of their personal property during the attack. They also include the claims on behalf of the personnel injured in the attack. Cla[illegible] be presented promptly as the necessary evi[illegible]omes available and the claims can be prepare[illegible]

James M. Ennes, Jr. Research Papers

December 18, 1967

TO : H - Mr. William B. Macomber, Jr.

FROM : L - Leonard C. Meeker

SUBJECT: Informing Members of Congress about the Presentation of the U.S.S. Liberty Death Claims

Claims on behalf of the families of the personnel killed in the attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967, have been sent to Embassy Tel Aviv for presentation to the Israeli Ministry for Foreign Affairs. The Embassy has been instructed to inform the Department telegraphically as soon as the claims have been presented.

At the Under Secretary's staff meeting on November 21, 1967, the Under Secretary decided that as soon as the claims are presented, interested members of Congress should be informed. The following members of Congress have corresponded with the Department about the U.S.S. Liberty claims:

SENATE: Senators Robert Kennedy, Frank Lausche, Hugh Scott, Margaret Chase Smith, John Tower, and Stephen Young.

HOUSE: Congressmen John Ashbrook, Barber Conable, Thomas Downing, George Goodling, Carleton King, and Garner Shriver.

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In addition, you may conclude that other members of Congress, such as the members of the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs, and the Senate and House Armed Services Committees, should be informed.

A set of talking points for informing members of Congress is attached. While the Department will not issue a press release concerning the presentation of the claims, it will answer inquiries from the press in the same terms.

Attachment:

As stated.

L:L/C:HLKerley:ams

L - Mr. Salans (in draft)

James M. Ennes, Jr. Research Papers

PRESENTATION OF THE U.S.S. LIBERTY
DEATH CLAIMS TO THE GOVERNMENT OF ISRAEL

1. The United States Embassy in Tel Aviv has presented to the Israeli Ministry for Foreign Affairs thirty-four claims for compensation on behalf of the families of the personnel killed in the attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967.

2. The total amount of compensation claimed is approximately $3.3 million.

3. In calculating the amounts of compensation in individual claims, the loss of support the decedent would have provided, the special services he would have provided, such as guidance and counseling of his children, and the emotional anguish of the family have been considered. The amounts claimed for these losses are in accordance with international law and domestic legal precedents.

4. Because genuine financial hardship is present in some cases, we have urged the Government of Israel to consider and pay these claims expeditiously.

5. The Department is proceeding with the preparation of the other claims for presentation to the Government of Israel. These include the claims of the United States Government for cost of repairs to the ship, the cost of medical treatment to the injured, the value of the lost services of the injured, and the cost of reimbursing the personnel of the U.S.S. Liberty for damage to or destruction of their personal property during the attack. They also include the claims on behalf of the personnel injured in the attack. Claims will be presented promptly as the necessary evidence becomes available and the claims can be prepared.

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY C Ann Razi DATE Jan 19, 1984
PORTIONS DENIED AS INDICATED

EXCISE

December 11, 1967

TO : L - Mr. Meeker

FROM : L/C - Ernest L. Kerley

Not relevant b·b

SUBJECT: Allowance for loss of future support in the [redacted] case

It is established that [redacted] was not contributing to the support of his parents at the time of his death in the attack on the U.S.S. Liberty on June 8, 1967. Nor has it been alleged that he ever contributed to their support. His attorney urges that we should claim for loss of future support from the Government of Israel on the grounds that [redacted] during the period between the death of his father (statistically, 1983) and the death of his mother (statistically, 1991) would have contributed to the support of his mother because she would be in such financial need that it would be necessary for [redacted] to support his mother. Leaving aside the question whether the father's estate is so limited that the mother would, in fact, be in financial need after his death, the question arises whether we could support the legal proposition that lost future support may be claimed when the decedent was not providing support at the time of his death. The answer is that, on the basis of United States decisions, we could not make a persuasive legal case in support of this proposition.

Sedgwick summarizes:

> In case of the killing of an adult child who is at the time actually rendering services, recovery may be had even in all jurisdictions.... A reasonable probability of pecuniary advantage from the continuance of the life must be shown;

Research Papers
James M. Ennes, Jr.

if it is shown the parent may recover; if not there can be no recovery. So where at and before the time of his death the deceased was not contributing to the parent's support there can be no recovery. 2 Sedgwick, Damages 1117-18 (1920).

Sedgwick cites only Smith v. Hatcher, 29 S.E. 162 (1897), and Standard Light & Power v. Munsey, 76 S.W. 931 (1903), in support of the last sentence quoted above. Neither case is fully satisfactory. In Smith v. Hatcher the decedent was in prison at the time of death, and had actually supported the plaintiff, his father, before confinement. The decision was based on the interpretation of the Georgia wrongful death statute, which the court described as a "harsh rule" which departed from the common law and which must be strictly construed. Since the statute used the present tense in requiring that the decedent "contributes to the support" of the claimant, the court held that recovery was permitted only if such support existed at the time of death, and reversed the judgment of the lower court in favor of the father. The Hatcher decision interpreting the statute was followed in Western & A.R.R. v. Anderson, 129 S.E. 896 (1925), where the plaintiff mother, who lived with her daughter, was denied recovery for the death of her son because he was not supporting her at the time of death.

In the Munsey case - the other case cited by Sedgwick - the decedent, an electrician who died when he touched an uninsulated wire, had recently been married. He had provided support to his parents before his marriage, but not afterward. The judgment in favor of his parents was reversed on the grounds that he was not providing support at the time of his death, and that there was no evidence establishing a reasonable expectation of future support. The court did not indicate how a reasonable expectation of future support would be established where support was not being provided at the time of death.

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Gulf, C. & S.F. R. Co. v. Southwick, 30 S.W. 592 (1895). Mother recovered for the death of her married daughter on evidence that the daughter was supporting her out of the daughter's husband's salary.

St. Louis Southwestern R. Co. of Texas v. Huey, 130 S.W. 1017 (1910). Judgment allowed for parents where the decedent, their married son, contributed money and clothing to them after his marriage. He had also stated his intention of contributing to them in the future.

Younger Brothers v. Ross, 151 S.W. 2d 621 (1941). Judgment allowed to the mother, although the decedent was married and had children, where the evidence showed that he had contributed $10 per month to his mother's support since the death of his father.

The annotation noted that recovery was not allowed in the following case:

Texas Portland Cement and Lime Co. v. Lee, 82 S.W. 306 (1904), err. den. 82 S.W. 1025 (1904). Judgment for the parents was reversed where the court found that [redacted] the decedent had contributed to his parent's support before his recent marriage, but not afterward. In this case the father was 67 and the mother 60 and in bad health, and there was no evidence on the income or property of the parents, so it is apparent that future need was possible.

Other cases, involving an adult but unmarried decedent, similarly establish present support as the determinative factor for a reasonable probability of future support:

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Dooley v. Seaboard Air Line R. Co., 79 S.E. 970 (1913). Judgment allowed for father of adult decedent. The father was not dependent on the son for support, and was not receiving regular contributions from the decedent, but the decedent had established a pattern of conduct whereby he would give the father money upon request. Testimony: "He would give me money whenever I needed it, every cent he had."

Parsons v. Easton, 195 Pac. 419 (1921). Judgment for the mother of a 27 year old son who contributed "small sums to the support of the family." The court reversed the judgment on other grounds: it included an allowance for loss of companionship.

Stratton v. Sioux Falls Traction System, 206 N.W. 466 (1925). Judgment for parents of adult decedent. In dicta, the court said that parents could recover if there was a reasonable expectation of future support even if present support was not being paid (citing the case involving a minor decedent), but the court found that the decedent was paying $40 per month to parents. The decision did not turn on this point; it reversed on other grounds.

There has been a denial of recovery where present support was not present:

Winnt v. I. & G. N. R.R. Co., 11 S.W. 907 (1887). The trial court sustained a demurrer to the petition of the decedent's mother on ground that it did not allege that the decedent was supporting her and did not state a basis for a reasonable expectation of future support. Affirmed.

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Rio Grande, E. P. & S.F.R. Co., v. Lucero, 54 S.W. 2d 877 (1932). The parents of the decedent were separated, and the decedent lived with his mother, giving her all his salary. Judgment for the mother but not the father was affirmed by the appellate court: "There is no evidence that he (the decedent) had ever contributed anything to the support of his father or that he had ever expressed any intention of doing so."

Two cases involving the amount of the judgment also confirm that present support is determinative of the question of probable future support:

Chicago & E. I. R. Co., v. Vester, 93 N.E. 1035 (1911). The mother of the adult decedent had been receiving $150 per year from him in support, and received a judgment of $4000. On appeal, the court reversed the decision on the grounds that the damages were excessive, holding that "the amount of damages should be predicated upon the conditions existing and the contributions being made by the deceased at and prior to his death, as shown by the evidence in the case."

Hines v. Nichols, 130 N.E. 140 (1921). The decedent son was 18, but the court specifically found that "he had previously been emancipated" and was accordingly under no legal obligation to support his parents. It affirmed a judgment in favor of his parents, to whom he was contributing $10-20 per month, on the basis of the Vester decision: "the amount of damages recoverable should be predicated on the conditions existing, and the contributions made and being made, by the decedent to such next of kin, at and prior to his death, as shown by the evidence in the case."

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The question whether damages may be allowed to the parents of an adult decedent for loss of financial support is closely related to the question whether damages may be allowed to them for loss of services. Here too, the determinative consideration appears to be whether the decedent was providing services at the time of his death. Law Reports Annotated, in an annotation entitled "Pecuniary value of services rendered by deceased without legal obligation as element of damages for his death," states:

> The rule that there must be some evidence tending to show the competency and the disposition on the part of the child, after attaining his majority, to render service to the parent is generally satisfied by a showing that the child, after attaining adulthood, had been accustomed to aid the parent by the rendition of valuable services performed in recognition of a filial duty and not under contract (citing Griffey v. Pacific Electric R. Co., 209 Pac. 45 (1922)). 53 A.L.R. 1103 (1928). (Emphasis added.)

While the annotation uses the words "is generally satisfied," a reading of the cases cited in the annotation discloses no case in which a judgment was allowed for loss of services to the parent where such services were not being provided at the time of death. The Griffey case is noteworthy. In that case the appellate court affirmed an order by the trial court for a new trial based on excessive damages. The evidence showed that the decedent, an adult daughter, was keeping house for her father at the time of her death, but since the evidence did not show how much time she devoted to this work, or that she cooked her father's meals, the court found the evidence of her present services inadequate to support a judgment of $8000.

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St. Louis A. & T. Ry. Co. v. Johnston, 15 S.W. 104 (1890). The trial court gave judgment in favor of the widow, minor child, and two older children: a married daughter and a son almost 21. On appeal, judgment affirmed for widow and minor child but reversed as to older children on the grounds that since the decedent was not supporting them at the time of his death it was improbable he would have supported them in the future.

International & G.N.R. Co. v de Bajligetly, 28 S.W. 829 (1894). Trial court gave judgment to the decedent's widow and nine children. On appeal, that part of the judgment relating to four of the children, who were married or adult, was remitted on the grounds that there was no evidence they were receiving support or had any expectation of receiving it.

St. Louis S.W. Ry. Co. of Texas v. Bishop, 37 S.W. 764 (1896). The trial court gave judgment to the decedent's widow and eight children, including one married daughter and three adult sons. The appellate court reversed that portion of the judgment relating to the married or adult children on the grounds that "it has not been shown that they received or expected anything from him but occasional presents."

Texas & N.O.R. Co. v. Mills, 143 S.W. 690 (1912). Trial court gave judgment to the decedent's dependent widower and eight children, including three married daughters. The appellate court reversed as to the married daughters on the grounds that there was no evidence that the decedent had supported them since their marriage, or would have supported them had she lived.

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South Texas Coaches, Inc. v. Eastland, 101 J.W. 2d 878 (1937). The trial court awarded judgment to the decedent's widow and married daughter. The appellate court reversed as to the daughter, holding that it was error for the trial court to refuse an instruction to the jury that she could not recover "in the absence of evidence showing that since her marriage she had ever received anything from her father, or a reasonable probability that he would have contributed anything of value to her had he lived."

L:L/C:ELKerley:ams

James M. Ennes, Jr. Research Papers

(24)

Release

Subject: U.S.S. Liberty Claims

By the end of this week, the Department expects to transmit to Embassy Tel Aviv for presentation to the Israeli Government the first group of claims arising out of the June 8 attack on the U.S.S. Liberty by Israeli air and naval units. This group of claims is presented on behalf of the families of the 34 naval personnel killed in the attack, and is made for loss of support the deceased would have provided, loss of special services, for example, parental guidance and counsel, and emotional anguish caused by the death. The total amount claimed in these death cases is approximately $2.8 million. Each claimant has been informed of the amount to be claimed on his behalf, and has agreed to the filing of a claim on his behalf for that amount. The Embassy will inform us telegraphically when the claims are presented, and the Department will then promptly inform interested members of the Congress.

A second group of claims, relating to losses suffered by the United States Government, is being

James M. Ennes, Jr. Research Papers

prepared. These include the damage to the ship, costs of medical treatment for the injured, loss of services of the injured, and the costs of reimbursing crew members for their personal property damaged in the attack. Except for the costs of medical treatment, these claims will be ready for filing in about two months.

A third group of claims on behalf of persons injured in the attack will be presented later. In the case of persons seriously injured, the full extent of injury is not yet known, and will not be established until treatment has been concluded.

James M. Ennes, Jr. Research Papers

L:L/C:ELKerley:ams 11/21/67

L - Mr. Meeker
L - Mr. Salans
(cleared in draft)

(25)

OFFICIAL USE ONLY

L - Mr. Salans

October 31, 1967

L/C - Ernest L. Kerley

Draft diplomatic note on U.S.S. Liberty claims

Attached is a draft airgram to Embassy Tel Aviv informing the Embassy of the procedure to be followed in presenting the U.S.S. Liberty death claims to the Government of Israel and instructing the Embassy to transmit the notes enclosed therewith. (TAB A)
The notes enclosed are: (1) a note stating the legal basis of the claims, indicating the categories of claims we will file, and urging the Government of Israel to consider the claims as they are filed without waiting for the total package (TAB B); (2) a note covering the thirty-four death claims and renewing our request that the Government of Israel consider these claims promptly (TAB C); (3) separate notes on the thirty-four death claims. You have already approved the form for these and they are now drafted and are being typed.

Attachments:
1. TAB A - Draft airgram
2. TAB B - Draft note
3. TAB C - Draft note

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G. M. Razi DATE Sept. 14, 1976
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☑ RELEASABLE☑
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

L:L/C:ELKerley;FAKwiatek:dws

James M. Ennes, Jr. Research Papers

DRAFT AIRGRAM TAB A

OFFICIAL USE ONLY

TO : Amembassy TEL AVIV

SUBJ: U.S.S. Liberty claims

Enclosed herewith are the following notes for transmission to the Ministry for Foreign Affairs:

1. A draft note stating the legal basis of the claims which the United States Government will present against the Government of Israel in connection with the attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967, and indicating the categories of claims which will be presented (Enclosure 1);

2. A draft covering note for the thirty-four death claims (Enclosure 2);

3. Thirty-four notes, constituting individual claims in each of the death cases. Because of the volume of material, these have been typed in final in the Department. They require numbering and dating by the Embassy; numbering should begin immediately following the covering note transmitted as Enclosure 2. The notes have been transmitted to the Embassy in alphabetical order, based on the name of the deceased, and should be numbered in that order.

The Embassy is requested to transmit all notes to the Ministry for Foreign Affairs simultaneously, informing the Department telegraphically when they have been transmitted.

James M. Ennes, Jr. Research Papers

The Embassy should indicate to the Ministry for Foreign Affairs that the Department will inform the public media of the categories of claims to be filed and the amount of compensation claimed for each category as it is presented, but that the Department will not indicate the amount of compensation claimed in specific non-governmental claims and will not release the texts of the notes.

L:L/C: ELKerley:dws

Clearances: NEA/LAI - Mr. Lambrakis

: Carl F. Salans

James M. Ennes, Jr. Research Papers

DRAFT NOTE TAB 3

OFFICIAL USE ONLY

Enclosure No. 1
Dept's A_____
To Tel Aviv

The Embassy of the United States of America presents its compliments to the Ministry for Foreign Affairs of the Government of Israel and has the honor to refer to the note of the Ambassador of Israel to the Secretary of State, dated June 10, 1967, the note of the Secretary of State to the Ambassador of Israel, dated June 10, 1967, and the note of the Ambassador of Israel to the Secretary of State, dated June 12, 1967. In his note of June 10, 1967 to the Secretary of State, the Ambassador of Israel, after expressing the regret of his Government, stated, on instruction, "that the Government of Israel is prepared to make amends for the tragic loss of life and material damage." In his note of the same date to the Ambassador of Israel, the Secretary of State, in reply, after reviewing the circumstances of the attack, took note of the willingness of the Government of Israel to make amends for the tragic loss of life and material damage and stated the expectation of "the United States Government ... that the Government of Israel will provide compensation in accordance with international law." In his reply note, dated June 12, 1967, the Ambassador of Israel recalled that as soon as the Government of Israel became aware of the attack it informed the Government of the United States what

James M. Ennes, Jr. Research Papers

had taken place, and that "the Government of Israel immediately assumed responsibility for this error." The Ambassador further recalled that the Government of Israel had taken the initiative "to offer to make amends for the tragic loss of life and material damage" and stated further that "the Government of Israel renews its readiness to make amends."

On the basis of the foregoing statements and undertakings, the United States Government has proceeded to compile the information necessary to present to the Government of Israel claims for compensation for the damages caused by the attack on the U.S.S. Liberty to the extent recognized by international law. The claims which the Government of the United States will present fall into the following six categories:

1. Claims on behalf of those suffering loss as a result of the deaths of thirty-four members of the crew of the vessel.
2. Claims on behalf of the approximately one hundred and sixty-two members of the crew who suffered personal injuries.
3. The claim of the Government of the United States for physical damage to the U.S.S. Liberty.

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4. The claim of the Government of the United States for reimbursement of amounts expended for medical services for treatment of the injured personnel.

5. The claim of the Government of the United States for the value of lost services of injured personnel.

6. The claim of the Government of the United States for amounts expended in reimbursing the crew for personal property lost or destroyed.

Claims on behalf of those suffering loss as a result of the deaths of thirty-four members of the crew of the U.S.S. Liberty are being submitted today to the Government of Israel in a series of separate notes. The remaining claims will be presented periodically as the evidence establishing the amount of damages in accordance with principles of international law becomes available. A substantial delay may occur, however, in presenting some of the claims, particularly those involving personal injuries, since the extent of injury may not be ascertainable until a later date.

It is the earnest hope and expectation of the Government of the United States that the Government of Israel will promptly furnish compensation on each claim as it is presented.

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DRAFT NOTE UNCLASSIFIED TAB C

Enclosure No. 2
Dept's A_____
To Tel Aviv

The Embassy of the United States of America presents its compliments to the Ministry for Foreign Affairs of the Government of Israel and has the honor to refer to the Embassy's Note No. of this date concerning the claims which the United States Government will present to the Government of Israel in consequence of the attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967.

The United States Embassy in separate notes accompanying the present note is transmitting to the Ministry for Foreign Affairs the thirty-four death claims referred to in the Embassy's Note No. . Those claims are as follows:

Note No.	Deceased	Amount

The foregoing constitute all the claims arising out of the death of personnel aboard the U.S.S. Liberty which the United States Government will present. In view of the substantial hardship which the untimely deaths have imposed on the claimants, the United States Government earnestly hopes that the Government of Israel will expeditiously process the claims with a view toward prompt payment. To that end, the United States Government is prepared to furnish the Government of Israel any documentary evidence desired to support the claims and to discuss the claims with

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representatives of the Government of Israel at the earliest possible date.

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NEA - Mr. Rodger P. Davies

October 20, 1967

L/C - Ernest L. Kerley

Background information of status of U.S.S. Liberty claims

Mr. Wehmeyer (L/NEA) asked me to send you a short summary of the status of our claims against Israel arising out of the attack on the U.S.S. Liberty on June 8, 1967.

The Department will present claims to the Government of Israel on behalf of the families and dependents of the deceased in the death cases, and of the injured crew members in the personal injury cases. We will also present claims for losses incurred by the Government: the cost of repairs to the ship, the cost of medical treatment to the injured crew members, the loss of services of the injured personnel while they were recuperating, and the cost of reimbursing crew members for personal property lost or damaged in the attack.

Since the need is most acute in the death cases, we have processed them first. We computed the amounts which may lawfully be claimed in the 34 death cases this week, and have written the claimants, asking if they are agreeable to a claim being presented on their behalf in the amount computed. If they do not agree, they will be allowed to present further evidence regarding the amount of compensation to be claimed. We will be ready to present the death claims to the Government of Israel as soon as we have the agreement of the claimants as to amount. We accordingly hope to present the death claims to the Government of Israel within the next few weeks.

The other claims will be presented as quickly as the evidence becomes available and we can prepare the claims. Much of the evidence is now available, or will be available in the near future, and we expect to present most of the claims within the next few months. In some claims, however, the complete evidence may not be available for a substantial period. For instance, in personal injury cases involving permanent impairment, the full evidence will only be available when medical treatment has been concluded. We will inform the Government of Israel that such cases will be presented separately when the evidence becomes available.

L/C:ELKerley:dws

Clearance: L/NEA - Mr. Wehmeyer

cc: NEA/IAI - Mr. Lambrakis
L/NEA - Mr. Wehmever

Jr. Research Papers
James M. Ennes, Jr.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE July 19,1996
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(25)

b-6

NEA/IAI - Alfred L. Atherton, Jr.

September 23, 1967

EXCISE

LAI Contribution to Reply to Letter from Mr. [redacted] (Control #16249)

IAI's contribution to the reply is drawn from standard language being used by L/C on such letters. We suggest use of the following paragraph.

As to your question on the USS Liberty, the United States has demanded compensation for the injuries suffered in the tragic attack on the U.S.S. Liberty and the Government of Israel has promised to make payments. We are now in the process of determining the amount of compensation to be claimed. For this purpose we are obtaining sworn written statements from the dependents of the deceased and from the injured personnel. These statements will serve as the evidence in support of a claim on behalf of each claimant. Because of the large number of claims and the necessity of proceeding promptly with the determination of the amount of compensation to be paid, the Department has arranged with the Department of Defense for lawyers assigned to the various naval headquarters within the United States to take the forms prepared by the Department to the various claimants and to assist them in filling them out. Not only is this procedure quicker than the usual method of preparing international claims, which involves correspondence by mail between the claimant and the Department, but it has the additional advantage of ensuring that the claimants will have legal assistance in filling out the forms. A substantial number of the forms have already been completed and returned to us and we are now in the process of evaluating the evidence and preparing the claims. While some of the claims will be ready for presentation in the near future, others will, of course, require a longer period of time before they can be presented. For instance, in the case of personal injuries resulting in permanent impairment, it will not be possible to establish the degree of permanent impairment until all medical treatment has been concluded. Needless to say, the claims will be presented as soon as they are ready and the Government of Israel will be informed that additional claims will be forthcoming when the supporting medical evidence is available.

CC: L/C - Mr. Kerley

NEA/IAI:CBLambrakis:ecf:9/23/67

James M. Ennes, Jr. Research Papers

News
9-11-67

When Will Israel Pay?

IT was June 8 when Israeli bombers and torpedo boats attacked the USS Liberty, an American Navy communications ship steaming off the Egyptian coast. The Israeli government apologized for the attack and offered to "make amends" for the damage and the deaths of 34 U.S. sailors and the injuries to 70 others. Three months have gone by. When will Israel pay?

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Part of briefing papers for Battle, 18 Oct 67
EHK

The United States Government will present claims to the Government of Israel on behalf of the families and dependents of the deceased and the injured crew members. We will also present claims for losses incurred by the Government: the cost of repairs to the ship, the cost of medical treatment to the crew members, the loss of services of the injured personnel, and the cost of reimbursing crew members for personal property lost or damaged in the attack. Since the need is most acute ~~in the death cases, we are processing them first.~~ We are computing the amounts which may lawfully be claimed in the 34 death cases this week, and are writing the claimants, asking if they are agreeable to a claim being presented on their behalf in the amount computed. We accordingly expect to present the death claims to the Government of Israel within the next few weeks. The other claims will be presented as quickly as the evidence becomes available and we can prepare the claims. In some claims, the complete evidence may not be available for a substantial period. For instance, in personal injury cases involving permanent impairment, the full evidence will only be available when treatment has been concluded. We will inform the Government of Israel that such cases will be presented separately when the evidence becomes available.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE Sep 10, 1980
[illegible]

Research Papers
James M. Ennes, Jr.

(32)

July 28, 1967

TO : PBR - Mr. Perlmutter

FROM : L/C - Ernest L. Kerley

SUBJECT: Effectiveness of PBR

I want to place on record our appreciation for the cooperative and effective work of PBR in preparing the forms which will be used in gathering evidence in support of the claims of survivors and next of kin in connection with the attack on the U.S.S. Liberty by Israeli naval and air units on June 8, 1967. The material to be reproduced has been extensive, and we have requested that the work be done on a priority basis since it is necessary to present the claims as soon as possible. PBR has responded to our requests cooperatively, and has completed the work in advance of the deadlines set.

My dealings have been with Mr. Degen and Mrs. McCloud, but I am sure that other members of your staff have also contributed to this high level of performance.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE Sept 10, 1985
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
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L:L/C:ELKerley:ams

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(33)

EXCISE

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G. III. Ray DATE Sept. 10, 1996
PORTIONS DENIED AS INDICATED

July 28, 1967

Not relevant
b-6

Mr. Paul Brady
Office of the General Counsel
National Security Agency
Fort George G. Meade, Maryland 20755

Dear Mr. Brady:

Pursuant to our telephone conversation, I am enclosing the Statements of Claim for [redacted] (Form DW 1) and [redacted] (Forms PI 1 and PI 2). I understand that your office will assist the claimants in completing and notarizing the forms.

The forms were designed for military personnel. Thus question 19 on both DW 1 and PI 1 is inapplicable and should be answered "Not applicable".

If I can help in any way, please give me a call.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

Enclosures:

1. Form DW 1, [redacted]
2. Forms PI 1 & PI 2, [redacted]

L:L/C:ELKerley:ams

Dated & mailed from L/C

James M. Ennes, Jr. Research Papers

EXCISE

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Jim Ray DATE July 19, 1967
PORTIONS DENIED AS INDICATED

July 24, 1967

Mr. Paul Brady
Office of the General Counsel
National Security Agency
Fort George G. Meade, Maryland 20755

Dear Mr. Brady:

I am enclosing five copies of the form we have worked out with the Navy and Marines to obtain relevant information from the personnel files of the persons injured or killed in the attack on the U.S.S. Liberty. In the event it can be used to obtain the necessary information on [redacted] I would appreciate your having one copy completed for each. There is no objection to your interlineating changes to conform to the correct terminology for your agency. The forms are purely for our internal purposes, and will not be shown to the Israelis. If the form won't work, please call me.

A different matter is that we will need to obtain, as evidence which will be presented to the Israelis in support of the claims, sworn statements from [redacted] and from [redacted] How would you want to handle this? We could send the forms, to be filled out and notarized, to your office and you could call the affiants in. Alternatively, they could come to my office and we could help them complete the forms and notarize them. I assume that both [redacted] are now in the Washington area, or will be soon.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

Enclosures:

Five copies of form.

L:L/C:ELKerley:ams Dated & mailed from L/C

Research Papers
James M. Ennes, Jr.

(35)

CONFIDENTIAL

JUL 12 1967

STATUS OF U.S.S. LIBERTY INCIDENT

We are still awaiting the report of the Israeli Court of Inquiry which investigated the circumstances surrounding the attack on the Liberty.

Meanwhile, the International Claims section of the Legal Adviser's Office is working on the details involving compensation and restitution, in cooperation with the Department of Defense.

FYI ONLY. Assistant Secretary Battle will be passing Ambassador Herman the revised text of the U.S. note this afternoon at 5 o'clock. END FYI.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Raz DATE Aug. 19, 1980
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Clearances:

IAI - Mr. Atherton
NEA -
L/C - Mr. Kerley (subs)
DOD/Navy - Captain Hadden (subs)

Drafted by: NEA/IAI:GBLambrakis:esf:7/11/67

James M. Ennes, Jr. Research Papers

L/C

Robert Hartfeld

FAK-1 file

U.S.S. LIBERTY

CHRONOLOGY ON THE MORNING OF JUNE 8, 1967

0515 hours -- Double-fuselage twin-engine aircraft circled the LIBERTY three or four times and departed in the direction of Tel Aviv.

0850 hours -- Single jet aircraft passed astern and then circled the U.S.S. LIBERTY.

1030 hours -- Flight of two jet aircraft circled the U.S.S. LIBERTY three times.

1056 hours -- Single aircraft circled the ship at high altitude.

1126 hours -- Single aircraft circled the ship.

1150 hours -- Single aircraft flew over the ship.

1220 hours -- Single twin-engine aircraft circled the ship.

1245 hours -- Single aircraft flew over the ship at an altitude of 5 to 6,000 feet.

NOTE: IMPORTANT! THIS CONFIRMS MY DESCRIPTION IN MY BOOK AND REFUTES BOTH ISRAELI AND AMERICAN REPORTS

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Rafi DATE Sept. 19, 1980
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The Secretary of State presents his compliments to His Excellency the Ambassador of Israel and has the honor to refer to the Ambassador's Note of June 10, 1967 concerning the attacks by Israeli aircraft and torpedo boats on the United States naval vessel U.S.S. Liberty, which were carried out shortly after 1400 and 1430 hours local time, respectively, on June 8, 1967 while the U.S.S. Liberty was engaged in peaceful activities in international waters.

At the time of the attack, the U.S.S. Liberty was flying the American flag, and its identification was clearly indicated in large white letters and numerals on its hull. It was broad daylight and the weather conditions were excellent. Experience demonstrates that both the flag and the identification number of the vessel were readily visible from the air.

Beginning at about 0515 hours local time on June 8, 1967, and at intervals thereafter prior to the first attack, aircraft believed to be Israeli circled the U.S.S. Liberty on a number of occasions.

/Accordingly,

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Accordingly, there is every reason to believe that the U.S.S. Liberty was or should have been identified, or at least her nationality determined, prior to the attack. In these circumstances, the later military attack by Israeli aircraft on the U.S.S. Liberty is quite literally incomprehensible. As a minimum, the attack must be condemned as an act of military recklessness reflecting wanton disregard for human life.

The subsequent attack by Israeli torpedo boats, substantially after the vessel was or should have been identified by Israeli military forces, manifests the same reckless disregard for human life. The silhouette and conduct of the U.S.S. Liberty readily distinguished it from any vessel that could [illegible] considered as hostile. The U.S.S. Liberty was peacefully engaged, posed no threat whatsoever to the torpedo boats, and obviously carried no armament affording it a combat capability. It could and should have been scrutinized visually at close range before torpedoes were fired.

While the Ambassador of Israel has informed the Secretary of State that "the Government of Israel is prepared to make amends for the tragic loss of life and material damage," the Secretary of State wishes to make

/clear

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clear that the United States Government expects the Government of Israel also to take the disciplinary measures which international law requires in the event of wrongful conduct by the military personnel of a State. He wishes also to make clear that the United States Government expects the Government of Israel to issue instructions necessary to ensure that United States personnel and property will not again be endangered by the wrongful actions of Israeli military personnel.

The United States Government expects that the Government of Israel will provide compensation in accordance with international law to the extent that it is possible to compensate for the losses sustained in this tragic event. The Department of State will, in the near future, present to the Government of Israel a full commentary statement of its claim.

Department of State

Washington,

Drafted 7/5/67

James M. Ennes, Jr. Research Papers

The Secretary of State presents his compliments to His Excellency the Ambassador of Israel and has the honor to refer to the Ambassador's Note of June 10, 1967 concerning the attacks by Israeli aircraft and torpedo boats on the United States naval vessel U.S.S. Liberty, which were carried out shortly after 1400 and 1430 hours local time, respectively, on June 8, 1967 while the U.S.S. Liberty was engaged in peaceful activities in international waters.

At the time of the attack, the U.S.S. Liberty was flying the American flag, and its identification was clearly indicated in large white letters and numerals on its hull. It was broad daylight and the weather conditions were excellent. Experience demonstrates that both the flag and the identification number of the vessel were readily visible from the air. At 0830 hours local time on June 8, 1967, a single jet aircraft first passed astern and then circled the U.S.S. Liberty. At 1056 hours and at 1126 hours local time single aircraft again circled the U.S.S. Liberty.

Accordingly, there is every reason to believe that the U.S.S. Liberty was or should have been identified, or at least her nationality determined, prior to the attack.

/In

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In these circumstances, the latest military attack by Israeli aircraft on the U.S.S. Liberty is quite literally incomprehensible. As a minimum, the attack must be condemned as an act of military recklessness reflecting wanton disregard for human life.

The subsequent attack by Israeli torpedo boats substantially after the vessel was or should have been identified by Israeli military forces, manifests the same reckless disregard for human life. The silhouette and conduct of the U.S.S. Liberty readily distinguished it from any vessel that could have been considered as hostile. The U.S.S. Liberty was peacefully engaged, posed no threat whatsoever to the torpedo boats, and obviously carried no armament affording it a combat capability. It could and should have been scrutinized visually at close range before torpedoes were fired.

While the Ambassador of Israel has informed the Secretary of State that "the Government of Israel is prepared to make amends for the tragic loss of life and material damage," the Secretary of State wishes to make clear that the United States Government expects the Government of Israel also to take the disciplinary measures which international law requires in the event of

/wrongful

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wrongful conduct by the military personnel of a State. We wished also to make clear that the United States Government expects the Government of Israel to issue instructions necessary to ensure that United States personnel and property will not again be endangered by the wrongful actions of Israeli military personnel.

The United States Government expects that the Government of Israel will provide compensation in accordance with international law to the extent that it is possible to compensate for the losses sustained in this tragic event. The Department of State will, in the near future, present to the Government of Israel a full monetary statement of its claim.

Department of State

Washington,

James M. Ennes, Jr. Research Papers

(37)

I B-5

SECRET

July 11, 1967

TO : L - Mr. Salans

FROM : L/C - Ernest L. Kerley

SUBJECT: U.S.S. Liberty claims

Attached are the following:

Tab A. Memorandum to you from Mr. Kwiatek, indicating the elements of the compensation to be claimed for each of the kinds of damage suffered in the attack on the U.S.S. Liberty.

Tab B. Memorandum to you indicating the procedures it is proposed that we follow in preparing the claims.

Tab C. Memorandum to you indicating our estimated time schedule for preparing the claims if those procedures are followed.

Tab D. Memorandum to you on the question whether we should include the subrogated claims of life insurance companies.

Mr. Kwiatek and I are available to discuss the matters raised in these memoranda with you at your convenience.

L:L/C:ELKerley:ams

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY J. W. Raz DATE Sep 19, 1980
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☑ July 10, 1967
RELEASE DENIED☐
FA or FOI EXEMPTIONS _____

TO : L Mr. Salans

FROM : L/C - Ernest L. Kerley

SUBJECT: Life insurance and the U.S.S. Liberty claims

Most of the men killed in the Israeli attack on the U.S.S. Liberty had service life insurance. Some had other commercial life insurance as well. One of the commercial companies has informed us it will ask the Department to include its subrogation claim with the other claims presented to the Government of Israel. We might receive a similar request from the Veteran's Administration, which administers service life insurance.

It is the recommendation of L/C that we should not accede to such requests; the Department should decline to present subrogated life insurance claims. There are two reasons for this recommendation. First, the presentation of subrogated life insurance claims would lead to well-founded demands by the Government of Israel that the recovery of individual claimants be reduced by the amount of the life insurance payments. Second, it is legally doubtful that subrogated rights arise from payments on life insurance policies.

It may be urged that a claimant may recover compensation only for the actual amount of his loss, and that the amounts received under insurance policies applicable to the loss thus serve to reduce the amount of compensation. The German Agent so argued in the Lusitania claims before the Mixed Claims Commission. Consolidated Edition of Decisions and Opinions 1925-1926, Mixed Claims Commission, United States/Germany 103 (1927). It is

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obvious that this question is linked to the question whether a claim is to be presented for the subrogated rights of the life insurance company, since if both the full amount of the survivor's claim and the claim on behalf of the insurance company were allowed, the respondent State would be called upon to make a double payment. International jurisprudence on this question appears to be limited to the Lusitania claims, where the deduction was not made. The Commission held:

> Counsel for Germany insist that in arriving at claimants' net loss there should be deducted from the present value of the contributions which the deceased would probably have made to claimants had he lived all payments made to claimants under policies of insurance on the life of deceased. The contention is opposed to all American decisions and the more recent decisions of the English courts. The various reasons given for these decisions are, however, for the most part inconclusive and unsatisfactory. But it is believed that the conclusion here made by the counsel for Germany is based upon a misconception of the essential nature of life insurance and the relations of the beneficiaries thereto.
>
> Unlike marine and fire insurance, a life insurance contract is not one of indemnity, but a contract absolute in its terms for the payment of an amount certain on the happening of an event certain--death--at a time uncertain. The consideration for the claimants' contract rights is the premiums paid. These premiums are based upon the risk taken and are proportioned to the amount of the policy. The contract is in the nature of an investment

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made either by, or in behalf of, the beneficiaries. The claimants' rights under the insurance contracts existed prior to the commission of the act complained of, and prior to the death of deceased. Under the terms of the contract these rights were to be exercised by claimants upon the happening of a certain event. The mere fact that the act complained of hastened that event can not inure to Germany's benefit, as there was no uncertainty as to the happening of the event, but only as to the time of its happening. Sooner or later payment must be made under the insurance contract. Such payment of insurance, far from springing from Germany's act, is entirely foreign to it. If it be said that the acceleration of death secures to the claimants now what might have otherwise have been paid to others had deceased survived claimants, and that therefore claimants may possibly have benefited through Germany's act, the answer is that the law will not for the benefit of the wrongdoer enter the domain of speculation and consider the probabilities in order to offset an absolute and certain contract right against the uncertain damages flowing from a wrong. Id. 23-24.

The second question is whether a claim may legally be presented on behalf of the life insurance company, in relation to payments under its policy because of a death attributable to a foreign State. The amount of the claim could be based on the face value of the policy, i.e. the amount the company was required to pay out because of the death. Alternatively, the amount of the claim could be based on the premiums

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PAGE 4
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James M. Ehnes, Jr. Research Papers

consequence of Germany's act in taking the lives, and hence not attributable to that act as a proximate cause. ...

But in a contract for life insurance the obligation of the insurer to pay, far from being one of indemnity, has no relation whatsoever to any economic loss which the beneficiary, the nation, or the world may or may not have sustained. It is a contract absolute in its terms for the payment of an amount certain on the happening of an event certain--death--at a time uncertain. The amount of insurance on the life of the insured has no relation to the economic value of that life or to the pecuniary losses resulting from the death. An individual who produces nothing, who earns nothing, who contributes nothing to any other individual or through mental or physical effort or otherwise toward adding to the wealth of the world, may carry insurance for a very large amount. On the happening of his death, the insurers are required to pay the amounts specified in the contracts of insurance to the beneficiaries entitled under such contracts to receive it, not because the latter have suffered any loss or because any loss has resulted from the death, but solely because they have bound themselves by contract to make such payments upon the occurrence of that death. Such losses as the insurers may sustain by reason of such payments are not substituted for and do not stand in the place of losses which would otherwise be suffered by the payee whose losses are reduced to the extent of the payment made, as in fire, marine, and war-risk insurance losses.

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> The insurers through subrogation or otherwise are not entitled to stand in the shoes of the representatives of the estate of the insured or of the beneficiaries and pursue their rights, if any exist, against the author of the death of the insured. This Commission in its Opinion in the Lusitania Cases sustained the contention of the Government of the United States that the amount of losses suffered by American nationals resulting from the death of a Lusitania victim who during life contributed to them was not subject to any deduction on account of insurance moneys paid them as beneficiaries under policies of insurance on the life of such victim. In so holding this Commission said that "Such payment of insurance, far from springing from Germany's act, is entirely foreign to it." The fact that Germany's act may have incidentally accelerated the maturity of absolute obligations to the advantage of the beneficiaries in the policies of insurance is not a circumstance of which Germany can take advantage, because she was not a party to, was in no wise interested in, or entitled to claim under, such contracts. Neither can Germany, on the other hand, be held liable for the losses resulting from such acceleration of maturity, because there is in legal contemplation no causal connection between her act and the obligations arising under the insurance contracts, of which she had no notice, and with which she was not even remotely connected. Id. 134-36.

While the insurance cases before the Mixed Claims Commission are the only known international jurisprudence

Research Papers
James M. Ennes, Jr.

on this question, it should be noted that the holding of the Commission accords with the rule in United States domestic law. In the absence of statutory provisions to the contrary, the courts deny a right of subrogation to life insurance companies on the grounds that the cause is too remote (Connecticut Mutual L. Ins. Co. v. New York & N. H. R. Co., 25 Conn. 265, 65 Am. Dec. 571 (1841) or that life insurance is not indemnity insurance (Crab Orchard Improvement Co. v. C. & O. Ry. Co., 115 F2d 277 (1940), cert. denied 312 U.S. 702 (1940).

L:L/C:ELKerley:cms

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NEA/IPA

Narrative Based on the Report of the Court of Inquiry on the Armed Attack on the USS LIBERTY

Released

A Navy Court of Inquiry has determined that USS LIBERTY was in international waters, properly marked as to her identity and nationality, and in calm, clear weather when she suffered an unprovoked attack by Israeli aircraft and motor torpedo boats June 8 in the Eastern Mediterrancan.

The Court produced evidence that the Israeli armed forces had ample opportunity to identify LIBERTY correctly. The Court had insufficient information before it to make a judgment on the reasons for the decision by Israeli aircraft and motor torpedo boats to attack.

LIBERTY fired her .50 cal. machine guns at the aircraft and torpedo boats, but only after she had been attacked and hit.

The Court, convened by Admiral John S. McCain, Jr., USN, Commander in Chief of U.S. Naval Forces in Europe, conducted classified hearings in London and aboard LIBERTY in Malta June 11 - 17. Rear Admiral I. C. Kidd, USN, was president of the Court which consisted of himself and Captains Bernard J. Lauff and Bert M. Atkinson, both attached to Admiral McCain's headquarters.

A Court of Inquiry is a formal fact-finding body which takes testimony under oath. It is not a disciplinary court. Convening of such an inquiry is a normal procedure, commonly employed after any serious accident or incident resulting in substantial loss of life or damage to a ship. The fact of its convening does not, of itself, indicate an assumption by the Navy that anyone within the Navy is at fault.

cc: SecNav
CNO

James M. Ennes, Jr. Research Papers

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SECRET

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The Court's findings were presented to Admiral McCain and approved by him on June 18, and forwarded to the Navy Department for further review.

It was not the responsibility of the Court to rule on the culpability of the attackers, and no evidence was heard from the attacking nation. Witnesses suggested that the flag may have been difficult for the attackers to see, both because of the slow speed of the ship and because, after five or six separate air attacks by at least two planes each, smoke and flames may have helped obscure the view from the motor torpedo boats. The Court heard witnesses testify, however, to significant surveillance of the LIBERTY on three separate occasions from the air at various times prior to the attack -- 5 hours and 13 minutes before the attack, 3 hours and 7 minutes before the attack, and 2 hours and 37 minutes before the attack.

Inasmuch as this was not an international investigation, no evidence was presented on whether any of these aircraft had identified LIBERTY or whether they had passed any information on LIBERTY to their own higher headquarters.

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The Court affirmed LIBERTY's right to be where she was. A neutral nation, the Court stated, has a legal right to dispatch a ship into international waters adjacent to an area of hostilities. So long as such a neutral ship maintains the impartial attitude of neutrality, the Court pointed out, each belligerent has a duty to refrain from attacking her.

The Court found that LIBERTY entered the Mediterranean June 2, after stopping briefly at Rota, Spain, where she took aboard fuel and provisions. Her orders were to steam at best possible sustained speed to an operating area in the Eastern Mediterranean north of the Sinai Peninsula.

Testimony before the Court showed that LIBERTY arrived in her assigned operating area the morning of June 8. Her orders were to steam in an area bounded on the north by latitude 32N, on the east and west by Longitudes 34 East and 33 East, and on the south by a curved line following the contour of the coast 12.5 nautical miles off the coast.

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The U. A. R. claims a 12-mile territorial sea, Israel six miles. The United States claims and recognizes claims of three miles. Thus LIBERTY's operating area was defined to ensure that she would remain in international waters as that term is recognized by all parties concerned, and with some margin to spare. The Court found that she was, in fact, well within her assigned operating area at the time of the attack, and that at no time before or after the attack did she approach closer than 13.6 nautical miles to land. She was under the operational control of Commander Sixth Fleet at the time of the attack.

LIBERTY steamed in her operating area the morning of June 8 in a "modified condition of readiness three." This meant that she had her normal steaming watch on deck, plus one man standing by the forward gun mounts. LIBERTY carries four pedestal-mounted .50-cal. Browning machine guns -- two single mounts on her forecastle and identical mounts on either side of the deck-house aft of the bridge. Under "modified condition three," bridge lookouts would man the two after guns until the crew manned general quarters stations.

LIBERTY steamed southeasterly (130° true) until 8:49 a.m., when she reached the eastern boundary of her operating area and turned to a southwesterly course (250° true). At 8:50, a single unidentified jet crossed her wake, an estimated three to five miles astern, then circled the ship and retired in the direction of the mainland. No signals were

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exchanged between the ship and the plane. LIBERTY was flying her normal size American flag (5 feet by 8 feet) at the masthead. Her name was painted on her stern in English, and her U. S. Navy distinguishing letters and number on her bow. (Egyptian naval ships carry their names in the cursive Arabic script.) Her configuration, as shown in the international standard naval identification book, "Jane's Fighting Ships," and her standard markings, were clearly sufficient for the aircraft to identify her properly as the non-combatant ship LIBERTY. She was then steaming at 10 knots.

Jet and propeller aircraft circled the ship again at 10:56 and 11:26 a.m. At these times, the ship was steaming at only five knots.

At 11:32 the ship changed to a west-northwesterly course (283° true). She was on this course and steaming at five knots when the attack began.

From 1:10 p.m., until 1:48 p.m., before the attack, LIBERTY's crew was exercised at general quarters. This was a routine procedure, part of the ship's mandatory training program established by the Commander Service Force, Atlantic Fleet, and was not related to her mission in the Eastern Mediterranean. Upon completion of the drill, the ship returned to her "modified condition three." At 2:00 p.m., the ship's Commanding Officer, Commander William L. McGonagle, Norfolk, Va., fixed her position by radar as being 25.5 nautical miles from the minaret at El Arish, which was to the southeast (bearing 142° true).

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In the Commanding Officer's words: "About 1400 (2 p.m.) the look-outs, who were stationed on the 04 level (above the bridge), reported that jet aircraft were sighted in the vicinity of the ship. At that time, I went to the starboard wing of the bridge with my binoculars and there observed one aircraft of similar characteristics, if not identical, to the aircraft which were sighted earlier in the day and upon which a sighting report had been submitted. The relative bearing of this plane was about 135°, its position angle was about 50 to 50 degrees, its elevation approximately 7,000 feet, and it was approximately five to six miles from the ship. It appeared to be on a parallel course traveling in the same direction as the ship. While I observed this aircraft, I did not see it approach the ship directly in a hostile attitude. Within a couple of minutes, a loud explosion was heard that appeared to me to come from the port side of the ship. (This apparently was a rocket launched by a second aircraft.) I immediately ordered the general alarm to be sounded, and this was done. I went from the starboard wing of the bridge to the port wing to see the area of damage. I immediately noticed that the two 55-gallon gasoline drums stowed on the 01 level (one level above the main deck, two below the bridge), portside amidships, were burning furiously.

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"It was evident that it would not be possible to reach the quick release lever by proceeding down the outside port ladders of the ship. I ordered the Executive Officer (LCDR Philip M. Armstrong of Norfolk, Va., later killed in action) to go to the starboard side of the ship and proceed down to the 01 level, cross over to the port side, and there release the gasoline cans. Lieutenant O'Connor, (LT James G. O'Connor, USNR, of Norfolk, Va.) was still on the bridge and he joined the Executive Officer and both proceeded to the starboard wing of the bridge, 03 level. Approximately the time they reached the top of the ladder to proceed down, the ship received an apparent bomb hit in the vicinity of the whaleboat stowed on the 02 level, starboard side, immediately aft of the bridge. Mr. Armstrong, Mr. O'Connor, and others in the bridge area were thrown back into the bridge and other personnel in the pilothouse were blown from their feet. At this time, I grabbed the engine order annunciator and rang up all ahead flank ... (this is an order for maximum speed) ... At this time I ordered a person, who I believe to have been LT Bennett (LT Maurice H. Bennett of Pittsburgh, Pa.) to report to CNO (Chief of Naval Operations) via the hicom (high command radio circuit) that LIBERTY was under attack by unidentified jet aircraft and that immediate assistance was required."

For the next five or six minutes, aircraft made criss-cross attacks on the ships, hitting her with rockets and machine gun fire. A

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later count entered into the Court's record, showed 821 separate hits on the ship's hull and superstructure.

Testimony failed to establish an exact number of aircraft involved in the attack. The Court's findings state: "In five or six attacks, from various angles, two or more jet aircraft at a time conducted strafing, rocket, and incendiary attacks."

During this period, the ship gradually built up speed from five knots. Her exact speed during the subsequent minutes -- until she lost all power at about 2:36 -- is not known. Her maximum speed is 18 knots, but it is doubtful that she exceeded 11 or 12 while under attack.

The ship's public address system and many of her internal communication circuits were destroyed by the air attack. The helmsman was seriously injured by the bomb hit on the starboard side. He was immediately replaced by Quartermaster Third Class Francis Brown, of Troy, N.Y., who later was killed. A few moments later, while on the starboard bridge wing, Commander McGonagle received a serious leg wound from shrapnel. "I was not knocked off my feet. I was only shaken up and it made me dance around a little bit, but my injuries did not appear to me to be of any consequence," he told the court of inquiry. "I noticed slight burns on my starboard forearm and I noticed blood oozing on my right trouser leg. Since I could walk and there was no apparent pain, I gave no further

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consideration to these minor injuries."

At about 2:24, look-outs sighted three high speed boats approaching the ship from the northeast (from the ship's starboard quarter, relative bearing 135°), heading for the ship in a triangular formation at a speed of 27 to 30 knots. Since the boats appeared to be making a torpedo run, Commander McGonagle ordered a man from the bridge to man the forward starboard gun mount and take the boats under fire.

It was at this time that Commander McGonagle discovered that LIBERTY's American flag had been shot down. He immediately ordered a signalman to hoist the "holiday ensign" -- the largest flag aboard (approximately 7 by 13 feet) from the yardarm, the normal flag halyard having been destroyed. There was smoke from the burning whale boat and other topside fires in the vicinity of the bridge.

Commander McGonagle passed the word, "Stand by for torpedo attack." He held his course, since turning away from the boats would bring the ship closer to land, and turning toward them would swing the ship broadside toward the attackers, giving them a larger target.

When the boats were approximately a mile away, the center boat was seen to be flashing a signal light. Because of smoke and flames just aft of his starboard bridge wing -- in the direction from which the boats were approaching -- Commander McGonagle could not read the signals, but he was able to see what he believed at the time to be

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an Israeli flag. As the air attack had knocked out Liberty's starboard signal light, he attempted to signal with a hand-held Aldis lamp. This may not have been powerful enough to penetrate the smoke pouring from the fires started by the attackers. Believing that the air attack might have been an error, he immediately shouted to the starboard forward gun to withhold fire. The gunner fired a short burst at the PT boats before he understood the Commanding Officer's order. At the same time, the after gun on the starboard side opened fire.

Because of the whaleboat fire on the starboard side, between the bridge and the gun mount, it was necessary to send an officer aft on the port side to pass the word to the starboard gunner to cease firing. ENS. David G. Lucas, USNR, of Virginia Beach, Va. (who was wounded earlier and, un known to himself, had a piece of shrapnel lodged in his forehead) ran aft on the 03 (bridge) level portside. "The first thing I noticed," he testified to the Court, "was that the mount 54 (on the port side) was vacant. The flames... (from the burning gasoline cans)... had reached mount 54 and chased everyone out of there. I ran back to mount 54, looked over the skylight from the engineering spaces." (This skylight is on the centerline of the ship just aft of the stack. It stands about three feet high and is perhaps ten feet wide, dividing the 03 level at this point into port and starboard areas which meet several yards aft of the gun mounts, aft of the

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skylight structure. It is possible to look over the skylight, but not to cross it. There is no deck above the 03 level aft of the bridge.)

ENS. Lucas continued: "I had a clear view of mount 53 (the starboard mount, which was firing) from, say, the waist level up, and there was no one on mount 53. The flames from the motor whaleboat were coming over the lip of the mount. I assume that the bullets that were in the gun, or bullets that were in the ready service ammunition box, very near there, were cooking off and firing." Apparently by accident, this gun was firing in the direction of the attacking boats.

At this time, the PT's opened fire with their gun mounts, killing the Quartermaster Brown at the helm, and in a matter of seconds one torpedo was noted crossing astern of the ship at about 25 yards. The time was then 2:34. A minute later, a second torpedo struck the ship on the starboard side, immediately forward of the bridge and a few feet below the water line.

The torpedo explosion tore a hole in the side of the ship that extended from a few feet above the water line to below the turn of the bilge. It was shaped like a tear-drop, and was 39 feet across at its widest point. Its immediate effect was to flood all compartments on two decks below the water line, from frame 53 to frame 66. These frames support water-tight bulkheads, and mark the location of what was "number two hold" when LIBERTY was a merchant cargo ship before her conversion for Navy use. LIBERTY used the spaces for store rooms and her research department.

Twenty-five men died in the blast. Those few not killed outright escaped from the compartments. The Court heard testimony from witnesses, including a salvage expert, who stated that beyond a shadow of a doubt those who died there were killed instantly by the blast. None could have survived,

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trapped in the compartment, to die of suffocation or drowning.

The torpedo did not start a major fire, probably because of the immediate flooding of the affected area. LIBERTY immediately took on a nine-degree list to starboard. Power and steering control were lost temporarily, and the ship came to a dead stop.

The three torpedo boats also stopped, less than a half mile astern of the stricken ship. One signalled in English, "Do you need assistance?" Commander McGonagle, not being able to signal by light, ordered a signalman to hoist the international flag signal for "not under command," meaning that the ship was out of control.

Two or three minutes later, two helicopters bearing a Star of David marking approached and circled the ship several times. At 3:19, power was restored, but steering control could not be regained from the bridge. It was necessary to give rudder orders by telephone to men in the "after steering" compartment, and for some time they operated the ship's heavy rudder by hand. The helicopters departed, returned, and departed again, and a pair of jet aircraft circled the ship, but there were no further attacks.

By 4 p.m., Commander McGonagle's wounds were giving him a great deal of pain and he was suffering from loss of blood. The ship's doctor had seen him on the bridge, but had made no effort to get him below to a battle dressing station. "The Commanding Officer at that time was

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like a rock upon which the rest of the men supported themselves," the doctor told the court. "To know that he was on the bridge grievously wounded, yet having the conn and helm and through the night calling every change of course, was the thing that told the men 'we're going to live.' When I went to the bridge and saw this, I should say that I knew that I could only insult this man by suggesting that he be taken below for treatment of his wounds. I didn't even suggest it."

Ensign Lucas told the court, "It would have taken ten men the doctor's size to even begin to get him off the bridge."

"He was in great pain," Ensign Lucas testified, "there were several times when he was still walking around, but it was obvious that he was in great pain. He had lost a considerable amount of blood. At several times he felt dizzy. He would not leave, but if he started to get dizzy he would turn to me, or if Mr. Bennett or Mr. Painter were there, he would say this is what course we're on, what speed to make. He would give instructions."

At about 4 p.m. he lay on the deck while others applied a tourniquet to his thigh. At other times, when he felt faint, he lay on the deck of the bridge wing with his leg propped high, and continued to conn the ship, sometimes by watching her wake.

Lieutenant Richard F. Kiepfer, MC, USN, of Brooklyn, New York, the ship's medical officer, performed one major operation and gave

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emergency treatment to wounded men as best he could. He manned the main battle dressing station, together with one hospital corpsman, while the other corpsman operated a secondary battle dressing station in the forward part of the ship. Both stations were flooded with seriously injured men, and for a time there was little opportunity to do more than give first aid. Bleeding was stopped, men were given morphine for pain and treated for shock. Lung wounds were treated to ease breathing. The most seriously wounded men were transferred to the aircraft carrier AMERICA the following day. By that time the doctor and his two corpsmen had been on their feet, giving emergency treatment for 28 hours. "Any time we needed one volunteer, we'd get ten," he testified. "If anything had to be done...there were hands everywhere. When we asked for two pints of blood for transfusion, we had people on the adjoining tables who were saying, 'If you need some, I have this type' These were people already wounded."

The Court found that "from the time of the first air attack onward, attackers were well coordinated, accurate and determined. Criss-crossing rocket and machine gun runs from both bows, both beams and quarters effectively chewed up the entire topside, including ship control and internal communications -- sound powered -- network. Well directed initial air attacks had wiped out the ability of the four .50 cal. machine guns to be effective."

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"The heroism displayed by the Commanding Officer, officers and men of LIBERTY was exceptional." The Court reported. "The Commanding Officer is being recommended for an appropriate award and the ship for an appropriate unit citation. These planned actions are fully supported by testimony to the Court."

"It is the opinion of the convening authority that USS LIBERTY was operating in international waters in conformance with the most recent guidance received by her, provided by competent authority," Admiral McCain wrote in his endorsement forwarding the Court record to the Department of the Navy.

Admiral McCain's endorsement continued:

"Heroism was the order of the day... It is the conviction of the convening authority that the possibility is high that the ship would have been lost completely had there not been the highest order of damage control competence on board, combined with the fact that the ship had secured from General Quarters for drill only minutes before the attack took place."

Early on the 8th, the Joint Chiefs of Staff had issued orders for LIBERTY to move farther from the coast, even though such a move would partially degrade her mission. The messages were misrouted, delayed, and not received until after the attack. LIBERTY's Commanding Officer

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also had the authority to move farther to sea on his own initiative, had he any reason to believe that his ship was in danger of attack, or for any other cause. The Court found, however, that since he was in international waters, his standard identification symbols were clearly visible, and foreign aircraft had inspected him three times that day, he had no reason to believe that his ship was in danger of attack. The convening authority specifically concurred that "no indication was received by the ship prior to the attack which would have dictated a need for emergency measures."

LIBERTY continued to carry out her assignment at the location which her Commanding Officer considered optimum for that purpose. The Court reached no judgment on whether earlier arrival of the messages would have reduced the likelihood of the attack.

In an appendix to its findings, the Court noted that LIBERTY might have been mistaken for the Egyptian supply ship EL QUSEIR. In commenting on this possibility, the Court stated: "While EL QUSEIR bears a highly superficial resemblance to LIBERTY, she more closely resembles the majority of older tramp steamers operating in ocean shipping. EL QUSEIR is less than half the size and lacks the elaborate antenna array and distinctive hull markings of LIBERTY. The location of the superstructure island, a primary recognition feature of merchant type ships, is widely different. By this criteria as a justification for attack, any ship resembling EL QUSEIR was in jeopardy."

The Court also noted reports of rumors that the town of El Arish had been bombarded from the sea, but pointed out that neither LIBERTY, with

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four .50 caliber machine guns, nor EL QUSEIR, which is armed with two 3-pounders, could logically be suspected of having conducted a shore bombardment.

USS LIBERTY arrived at Malta, under her own power, at 6 a.m. (local time) June 14, escorted by the destroyer USS DAVIS and the fleet tug USS PAPAGO. She was drydocked the same day.

The hole in LIBERTY's side is being patched and other repairs are being made to make it possible for her to return to the United States safely under her own power. She is expected to be in Malta until about July 10. Her home port is Norfolk, Va.

Note: Excerpts from verbatim testimony of the Commanding Officer are available. Where discrepancy in times are noted, the Court determined that they were caused by battle damage which caused clocks in various parts of the ship to stop at different times or to behave erratically. All times given are ship's local time 6 hours ahead of Washington time.

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DEPARTMENT OF STATE

THE LEGAL ADVISER

SEP 17, 1980

DEPARTMENT OF STATE A/CDC/MP

REVIEWED BY J.W. Ray DATE Sept. 19, 1980

RDS or XDS EXT. DATE July 11, 1967
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED, RELEASABLE ☑
RELEASE DENIED ☐
FA or FOI EXEMPTIONS

MEMORANDUM FOR THE SECRETARY

THROUGH: S/S

FROM: L - Leonard C. Meeker

SUBJECT: June 8 Attack on U.S.S. Liberty

The United States Navy Court of Inquiry on the attack against the Liberty was convened on June 19, 1967. Following the completion of its proceedings, a summary of them was issued in a Department of Defense press release on June 28. The summary was accompanied by the unclassified transcript of testimony by the Commander of the Liberty. These two documents are attached at TAB A.

An Israeli military investigation of the attack was undertaken in June. Neither a transcript of the proceedings nor a summary of them has been made public or communicated to the United States Government. An Israeli military officer gave some explanations to our naval attaché in Tel Aviv as to how the attack came about through mistake, but these explanations were essentially unrevealing as to what the investigation brought out. It is reported that the Israeli Chief of Staff was dissatisfied with the initial investigation. He thereafter announced that the whole matter had been turned over to a legal officer in the IDF for further examination and to determine whether any court-martial should be held. There has been no indication as to the course of this second Israeli inquiry.

On June 10, 1967 the Israeli Ambassador in Washington delivered a note stating that "The Government of Israel is prepared to make amends for the tragic loss of life

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and material damage". On the same day Under Secretary Rostow handed to Ambassador Harman a United States note concerning the attack on the Liberty. This note contained certain errors in stating the times at which the air and torpedo boat attacks took place and the times of reconnaissance flights during the morning. An amended note, correcting these errors and incorporating minor changes of language proposed by Nick Katzenbach and Walt Rostow, is being given to Ambassador Harman this afternoon. A copy of the corrected note is attached at TAB B.

Following the receipt of our initial note of June 10, the Israeli Embassy gave us a further note on June 12. This is attached at TAB C. Under Secretary Katzenbach has suggested to Ambassador Harman that the Israeli Embassy might wish to withdraw or change this note, and we understand that the Israelis are thinking of doing so after they receive our corrected note.

Since June 10, and as a result of examining carefully the full testimony before the United States Naval Court of Inquiry, we have learned a good deal more than we knew earlier about the reconnaissance flights on the morning of June 8. It now appears that there were at least eight such flights, spread over a period of seven and one-half hours between 0515 and 1245, local time. None of the reconnaissance planes was identified by observers on the Liberty; apparently they were not near enough for the markings to be made out. Analysis of the whole situation, including movements of United States aircraft on the morning of June 8, has led the Navy to conclude that the reconnaissance aircraft could only have been Israeli. Tabulation of the reconnaissance flights is attached at TAB D. The times indicated on this tabulation are being given informally to Ambassador Harman this afternoon.

The air attack commenced shortly after 1400 hours, local time, on June 8. The attacking planes made a number of bombing and strafing runs over the ship. Shortly after

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1430 hours three motor torpedo boats closed on the Liberty. Two of them fired torpedoes; one passed astern of the Liberty; the other hit the ship, opened a large hole in the hull, and killed a large number of communications personnel who were by that time at their general quarters station in the communications compartment. Further details about the attack and the events thereafter are given in the summary of proceedings of the Navy Court of Inquiry and in the testimony of the Liberty's Commander.

There appeared in the Washington Star on July [illegible] an eye witness account of the attacks on June 8 by Micha Limor, a crew member on one of the Israeli torpedo boats. A copy of this story is attached at TAB E.

The Department of State is now assembling data from the Navy and other sources for the presentation of a monetary claim to the Government of Israel. This will include amounts for loss of life, injuries, and damage to the ship and its equipment. The total claim is likely to run into several millions of dollars. It will be presented as soon as we have the necessary information in hand and in shape to go ahead with making the claim.

Attachments:

TAB A - Defense Press Release and Transcript of Testimony by Commander of Liberty.
TAB B - Corrected Note to be Delivered to Ambassador Harman July [illegible], 1967.
TAB C - Israeli Note of June 12, 1967.
TAB D - Tabulation of Reconnaissance Flights.
TAB E - Washington Star Article of June 8, 1967.

L:LCMeeker:jsf

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The Secretary of State presents his compliments to His Excellency the Ambassador of Israel and has the honor to refer to the Ambassador's Note of June 19, 1967 concerning the attacks by Israeli aircraft and torpedo boats on the United States naval vessel U.S.S. Liberty, which were carried out shortly after 1400 and 1430 hours local time, respectively, on June 8, 1967 while the U.S.S. Liberty was engaged in peaceful activities in international waters.

At the time of the attack, the U.S.S. Liberty was flying the American flag, and its identification was clearly indicated in large white letters and numerals on its hull. It was broad daylight and the weather conditions were excellent. Experience demonstrates that both the flag and the identification number of the vessel were readily visible from the air.

Beginning at about 0515 hours local time on June 8, 1967, and at intervals thereafter prior to the first attack, aircraft believed to be Israeli circled the U.S.S. Liberty on a number of occasions.

/Accordingly,

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Accordingly, there is every reason to believe that the U.S.S. Liberty was or should have been identified, or at least her nationality determined, prior to the attack. In these circumstances, the later military attack by Israeli aircraft on the U.S.S. Liberty is quite literally incomprehensible. As a minimum, the attack must be condemned as an act of military irresponsibility reflecting reckless disregard for human life.

The subsequent attack by Israeli torpedo boats, substantially after the vessel was or should have been identified by Israeli military forces, manifests the same reckless disregard for human life. The silhouette and conduct of the U.S.S. Liberty readily distinguished it from any vessel that could have been considered as hostile. The U.S.S. Liberty was peacefully engaged, posed no threat whatsoever to the torpedo boats, and obviously carried no armament affording it a combat capability. It could and should have been scrutinized visually at close range before torpedoes were fired.

While the Ambassador of Israel has informed the Secretary of State that "the Government of Israel is prepared to make amends for the tragic loss of life and material damage," the Secretary of State wishes to make

/clear

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clear that the United States Government expects the Government of Israel also to take the disciplinary measures which international law requires in the event of wrongful conduct by the military personnel of a State. He wishes also to make clear that the United States Government expects the Government of Israel to issue instructions necessary to ensure that United States personnel and property will not again be endangered by the wrongful actions of Israeli military personnel.

The United States Government expects that the Government of Israel will provide compensation in accordance with international law to the extent that it is possible to compensate for the losses sustained in this tragic event. The Department of State will, in the near future, present to the Government of Israel a full commentary statement of its claim.

Department of State

Washington,

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The Embassy of Israel presents its compliments to the Honorable the Secretary of State and has the honor to refer to the Secretary of State's Note of June 10, 1967, concerning the attack by Israeli aircraft and torpedo boats on the United States naval vessel U.S.S. Liberty.

The Government of Israel [illegible] the statement that "there is every reason to believe that the U.S.S. Liberty was identified, or at least her nationality determined, by Israeli aircraft approximately one hour before the attack" [illegible].

Nor can the Government of Israel accept the statement that "the attack must be condemned as an act of military recklessness reflecting wanton disregard for human life."

The Government of Israel is of the view that the drawing of such conclusions before a full investigation has been made is unwarranted.

The Government of Israel has already announced the establishment by the Chief of Staff of the Israel Defense Forces of a Commission of Inquiry to make a full investigation of all the facts and circumstances. The Government of Israel will make available to the Government of the United States the findings of this investigation and, for its part, would hope that the Government of the United States will make available to the Government of Israel the findings of its own investigation.

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EMBASSY OF ISRAEL
WASHINGTON D.C.

The Government of Israel, as soon as this tragic error occurred, immediately informed the Government of the United States of what had taken place. The Government of Israel immediately accepted responsibility for this error and conveyed its apologies and deep regret for what had occurred and for the grievous loss of life.

Subsequently, as mentioned in the Secretary of State's Note of June 10, 1967, the Government of Israel took the initiative to offer to make amends for the tragic loss of life and material damage. Further, all assistance was offered by the personnel of the Israel Defense Forces to the U.S.S. Liberty, but the personnel were informed by the U.S.S. Liberty that help was not needed. The area around the U.S.S. Liberty was immediately searched by Israel Defense Forces personnel, by plane and boat, and subsequently search efforts were renewed.

The Government of Israel has standard instructions of the most stringent nature to all its military personnel that the personnel and property of the United States and of all countries not involved in hostilities, shall not be endangered. These instructions have been renewed.

The Government of Israel regrets that it was not given prior information by the Government of the

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U.S.S. LIBERTY

CHRONOLOGY OF THE INCIDENT OF JUNE 8, 1967

0515 hours -- Double-fuselage twin-engine aircraft circled the LIBERTY three or four times and departed to the direction of Tel Aviv.

0550 hours -- Single jet aircraft passed astern and then circled the U.S.S. LIBERTY.

1030 hours -- Flight of two jet aircraft circled the U.S.S. LIBERTY three times.

1056 hours -- Single aircraft circled the ship at high altitude.

1126 hours -- Single aircraft circled the ship.

1150 hours -- Single aircraft flew over the ship.

1230 hours -- Single twin-engine aircraft circled the ship.

1245 hours -- Single aircraft flew over the ship at an altitude of 5 to 8,000 feet.

1 : Captain McConnel

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EMBASSY OF ISRAEL
WASHINGTON, D.C.

[illegible]

3.

United States of the presence of a United States vessel in an area which the United Arab Republic had warned neutral vessels to avoid, as it was the scene of hostilities. The area was in fact being used by the United Arab Republic for purposes of hostilities against Israel. It would be appreciated if the Government of Israel could be given timely information of the approach by United States vessels to the areas where the Israel Defense Forces are in activity.

The Government of Israel renews its offer to make [illegible] and has instructed the Ambassador of Israel to reiterate its profound regret for the consequences of what was admittedly a tragic error.

The Ambassador of Israel avails himself of this opportunity to renew to the Honorable the Secretary of State the assurances of his highest regard.

Washington, D.C.
June 12, 1967.

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ISRAEL BY WITNESS STORY

The Attack on the USS Liberty

By MICHAEL ESSOR

TEL AVIV

Torpedo boat sweeps by Liberty.

Over the past days the

Planes Open Attack

Two of our planes flew over our heads a few minutes after noon. We saw them circle the ship several times, and then everything was quiet. They had two reasons for the ship, and pieces of mine in it. Perhaps they thought it was a Russian ship and headed away toward the coast.

About 200 yards from the ship, the high masts and the

As fresh recce reports, Golda Meir, was shown one of the torpedo boats that attacked the U.S. Navy communications ship Liberty. More facts in the gripping story

to get to the other torpedo boat, to add explosives.

We expected the explosive force on the torpedo. She was moving at a steady speed of about 10 knots. We could wonder at an incredible confidence at her complete unconcern.

many weird antennas showed that this was a warship. The side of the vessel was painted out by a line and apart from it ran numbers along her side, as can be seen in photo 2.

We could see no flag on the boat, but was able to be seen on the decks and bridge.

For moments, this can mean only that it was the enemy.

We spent several minutes circling the ship and by then we had the answer. It was revealed that she had engaged to withdraw before the second attack.

It was decided to pass by her in battle formation and demand identification by flashing letters for low. Several passed past at a high speed, firing across the ship's bridge and the bow. Then a sailor started firing at us with a machine gun from the deck. We directed cannon fire at him and a moment later he fell. This there was no doubt that we were faced by the enemy. The continued refusal to identify herself, the absence of any flag, the shooting at us, and above all the weird antennas on the ship left us without doubt.

Torpedo Attack Made

We wanted to make the ship surrender without sinking her. Once again we circled, firing again and again. This had no effect. No one appeared. No one reacted. The shells caused little damage to the hull and the ship proceeded on its way.

Nothing can annoy a torpedo boat crew more than being ignored. The order was given to prepare for a torpedo attack. We drew up along the left side of the boat at full battle speed. Just as in dozens of training exercises we reached the right angle and range and let go.

One of the torpedoes hit the boat amidships. There followed an enormous explosion and a huge water spout.

U.S. Flag Appears

A moment later there appeared on the scene the helicopter that was to have picked up prisoners. He circled over the boat and then sailed us.

"They are flying the American flag."

It was crystal clear we had hit friends.

Dozens of shells, rockets and torpedoes were used to drag a sign of identity from them. The showing of the Stars and Stripes at the very first stage would have prevented that happened.

At the same time a number of other ships appeared. It also seemed that the attacked vessel was the American intelligence ship Liberty.

We received orders directly from the officer commanding the navy that all necessary help be given to the Liberty and started help, steaming through a rough sea.

Then an officer appeared for the first time on the bridge and screamed "Get back!"

Realizing they did not need us, we left. And the Liberty returned to its regular operation. It seemed any other ship would have sunk.

It was only later that we learned how many casualties were caused by our torpedoes.

"If this had been our boat," one of our officers said the following day, "we would have done everything to save the wounded and not the boat."

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At the [illegible] ship, the U.S.S. Liberty was flying the American flag, and its [illegible] was clearly indicated by large white letters painted on its hull. It was [illegible] and was conducting [illegible]. It was known that both the flag and the identification [illegible] vessel were readily visible from the air.

Beginning at about 0815 hours Local (1) on June 8, 1967, and at intervals thereafter prior to the first attack, aircraft believed to be Israeli circled the U.S.S. Liberty on a number of occasions.

/Accordingly,

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The Washington Daily News

A SCRIPPS-HOWARD NEWSPAPER
"Give light and the people will find their own way"

Richard Hollander, Editor
Ray F. Mack, Business Manager

FRIDAY, JUNE 30, 1967

1013 13th St. N.W. (20005) DI. 7-7777

In Metropolitan Washington: By Carrier, 30c per week; $1.30 per month. By Mail: 3 months $3.90; 6 months, $7.80; per year, $15.60. Foreign Mail: $3 month, $24 a year. Reg. U. S. Pat. Off.

The USS Liberty Report

THE U. S. Navy report of its inquiry into the Israeli attack on the USS Liberty during the recent Middle East fighting tells an interesting, and tragic, story. But it does not provide an adequate explanation. It still leaves unanswered the question: Need it have happened?

No doubt, as the Navy court said, the Liberty, a lightly armed communications ship, was properly marked and had a "legal right" to cruise in international waters. But with a war booming on the shore within view, was it a smart thing to do? A pedestrian always has the right of way over a car; but if he gets knocked flat exercising his right on a busy highway, his "legal right" is little consolation.

From the testimony, the Joint Chiefs of Staff ordered the Liberty to move father away from the coast. But, astonishingly, the message did not arrive until hours later, after the attack. Some communications system! Can't the Pentagon fish around in its $75 billion budget and come up with communications that will do the job?

The Commander of the Liberty had authority to move away on his own. If his own Admiral and the Joint Chiefs in Washington thought he should have done so, why didn't it occur to him on the scene? As he testified having told his crew before the attack, the black smoke rising on the beach in full view was evidence that they "were in a potentially dangerous location."

The Pentagon's first story after the attack was that the Liberty's mission was "to assist in relaying information concerning the evacuation of American dependents and other American citizens" in Middle East countries. But it turns out this merely was a big lie. The Liberty was there to pick up radio messages of the Egyptians and Israeli forces fighting on shore. If the Pentagon wants to try that again, it had better find a method that will keep our men farther from the fray.

And what about Israel, whose jets and torpedo boats attacked the American ship, killing 34 and wounding 75 more? Israeli officials regretfully have talked about the "similarity" of the Liberty to an Egyptian supply ship, about an American identification signal "resembling" that of the Egyptians, and about the obscuration of the ship by smoke caused by the air attack. But reconnaissance planes three times overflew the ship (as much as five hours before the attack), according to the American skipper. There was "ample opportunity" to identify the Liberty correctly, the Navy court stated.

Was there a break-down in Israeli communications, or were the Israelis just reckless and trigger-happy?

The Israeli government has promised to make amends. Those amends should be substantial. But Israel never can make amends for the lives lost.

Neither can the military bumbling which led to this costly incident.

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The Washington Daily News, Thursday, June 29, 1967

File
USS Liberty

WARNING MESSAGE 'MISROUTED . . . DELAYED'

Liberty Mystery Deepens

By MIKE MILLER
Scripps-Howard Staff Writer

The Navy today left unexplained major elements of the mystery surrounding Israel's attack June 8 on the USS Liberty off the coast of Egypt during the Middle East war.

The Pentagon reported, however, that the Joint Chiefs of Staff messaged the Liberty earlier that day to move farther away from the coastline of the Sinai Peninsula. But the Chiefs' orders were "misrouted, delayed and not received until after the attack," the Defense Department said.

In a summary of the findings of a Navy court of inquiry, the Pentagon said the court "reached no judgment" on whether earlier arrival of the Chiefs' message might have prevented the attack.

34 KILLED

Thirty-four Americans were killed and about 75 wounded in the attack by jet planes and torpedo boats. Israel has apologized and said her forces thought the ship was Egyptian.

The Pentagon said the court could not determine why Israel mounted the attack or whether any of the unidentified planes, presumably Israel's, which passed near the Liberty as much as five hours before the attack had identified it as a U.S. vessel.

But it said there was "ample opportunity" for the planes to identify the Liberty in the "calm, clear weather" by her U.S. Flag and other markings.

"The court affirmed the Liberty's right to be where she was," the Pentagon said. A Neutral nation, the court stated, has a legal right to dispatch a ship into international waters adjacent to an area of hostilities.

"So long as such a neutral ship maintains the impartial attitude of neutrality, the court pointed out, each belligerent has a duty to refrain from attacking her."

The Pentagon made no reference to the Liberty's assigned mission, which it earlier claimed was to assist in communications concerning the evacuation of American citizens.

MONITORING

It was learned later that the Liberty was using her sophisticated electronics and communications gear to monitor messages of the warring countries and provide Washington with intelligence information on progress of the war.

The court said the Liberty was under orders to steam within an area bounded on the south by a line 12 5 miles off Sinai. Egypt claims territorial waters out to 12 miles.

The Liberty never went closer than 13 6 miles and was about 15 miles offshore when attacked, the court said.

The Pentagon said the Joint Chiefs ordered the Liberty to move away from Sinai "even tho such a move would partially degrade her mission." The commanding officer also had the authority to move farther to sea on his own, but the court ruled that he had no reason to believe that the ship was in danger of attack, the Defense Department said.

SURVEILLANCE

The Liberty's skipper, Comdr. William L. McGonagle testified that unidentified planes had the ship under "significant surveillance" three times before the attack.

At about 8 a.m. another flight of jets launched the bombing, strafing and rocket attack which lasted about five or six minutes, Comdr. McGonagle said. About 20 minutes later, he saw three high-speed boats approaching in the formation of a torpedo attack.

Comdr. McGonagle said he ordered a crewman to man one of the Liberty's 50-caliber machine guns and take the boats under fire. He then saw the Israeli flags and realized the previous attack by planes could have been an accident.

The skipper said he yelled to the crewman to hold his fire, but the gunner didn't hear him and fired a short burst. Another of the Liberty's guns then opened fire and struck the center torpedo boat. Crewmen later learned that flames from a burning whaleboat aboard the Liberty trigged the weapon and that it was unmanned when it fired at the Israeli boat.

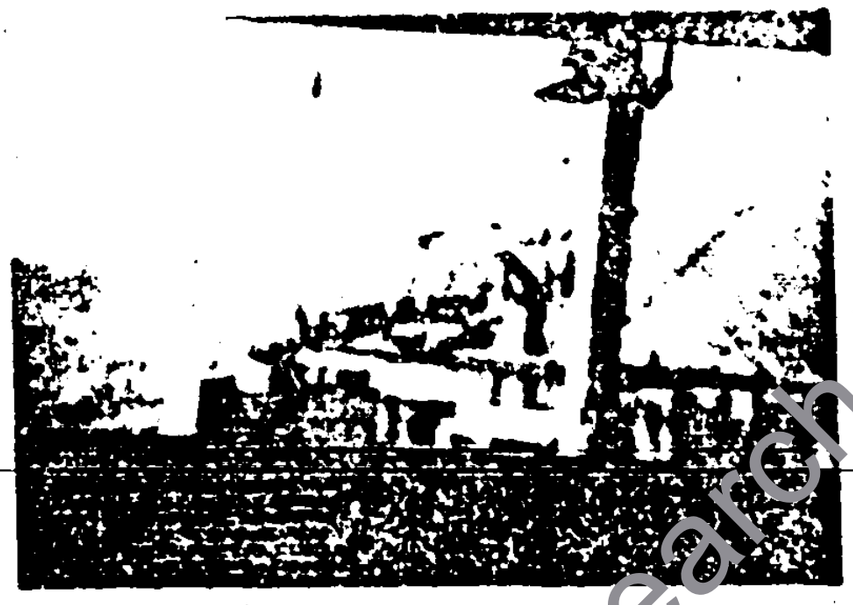
OPENED FIRE

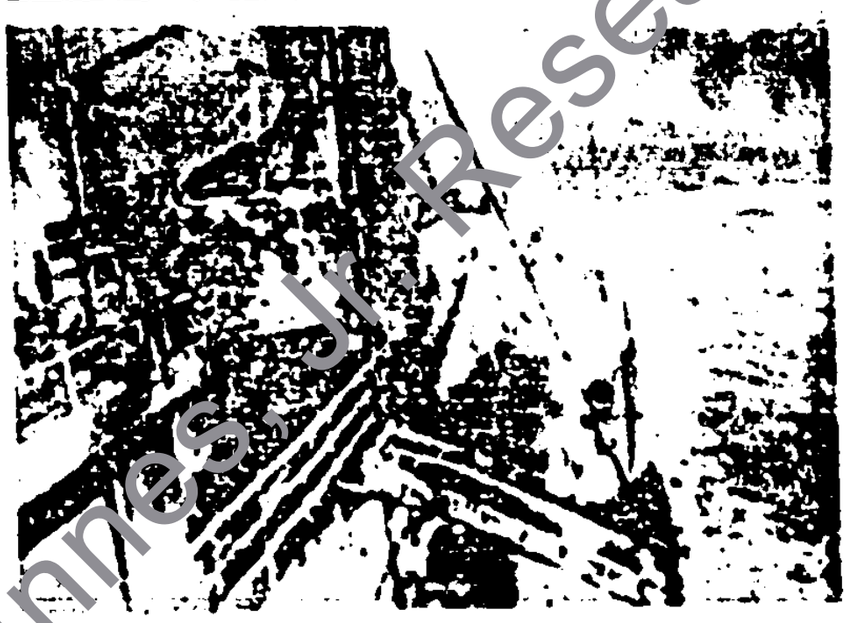
The Israeli boats then opened fire with their guns and two torpedoes, one of which struck the Liberty and tore a 39-foot hole below the waterline. The court said 25 of the dead were killed instantly by the torpedo blast.

Just prior to the battle with the torpedo boats, Comdr. McGonagle noticed that the Liberty's flag had been shot down by the attacking planes and ordered a new and larger one hoisted.

One Israeli boat also attempted to message the Liberty by flashing lights. But the Liberty's lights had also been knocked out, and Comdr. McGonagle tried without success to communicate with a hand-held lamp.

The court said Comdr. McGonagle, who was painfully wounded in the leg during the air attack and at times had to issue orders while lying down, has been recommended for a citation.





—Defense Dept. Photo Via UPI

The Defense Department just released these photos of "Liberty" under attack. Top, Israeli torpedo boat passes ahead of the Liberty. Bottom, Liberty turns during attack.

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File USS Liberty

(44)

INR/RS/B - Mrs. Mautner

Serial #

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY G. M. Ennes DATE Sept 19, 1966

RDS☐or XDS☐EXT. DATE _____

TS AUTH. _____ REASON(S) _____

ENDORSE EXISTING MARKINGS ☑

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[illegible] LIBERTY [illegible] ONLY THE [illegible] NOT [illegible]
[illegible] EL ARISH.
[illegible] FOR THE MISTAKEN REPORT OF SHELLING
[illegible] THE MISTAKEN REPORT ARE [illegible]
[illegible]

[illegible] MISTAKE, WHICH [illegible] IN ORDER TO FIRST [illegible] IN [illegible] LIBERTY WAS ESTIMATED [illegible] THIS [illegible] TWO SIGNIFICANCE [illegible] MAX SPEED WAS DETERMINED FROM JANES [illegible] OF 13 KNOTS. THEREFORE, EVEN IF THE [illegible] UNIDENTIFIED SHIP [illegible] OF LIBERTY, THE FACT THAT THE [illegible] REPORTED [illegible] 30 KNOTS WOULD HAVE DENIED THE IDENTIFICATION.

[illegible] 4 RUQMVL 0384/1 C O N F I D E N T I A L
[illegible] IN ACCORDANCE WITH IDF NAVY STANDING ORDERS, AN ENEMY SHIP [illegible] WHICH IS ATTACKING ISRAELI SHIPS OR SHELLING [illegible] ISRAELI SHORE MAY BE ATTACKED. IF THERE IS INFO OF ENEMY SHIPS IN THE AREA, ANY SHIP OR SHIPS DISCOVERED BY RADAR WHICH ARE DETERMINED TO BE CRUISING AT A SPEED ABOVE 20 KNOTS MAY BE CONSIDERED AN ENEMY. SINCE THE SPEED OF THE UNIDENTIFIED SHIP WAS FIXED AT 28 TO 30 KNOTS, THE IDF NAVY WAS ENTITLED TO ATTACK WITHOUT FURTHER IDENTIFICATION IN VIEW OF THE BACKGROUND OF INFO ON THE SHELLING OF EL ARISH. IDF NAVAL OPS SECTION HAD ORDERED THE [illegible] WHO REPORTED LIBERTY'S SPEED AS 30 KNOTS TO RECHECK AND ONLY AFTER CONFIRMATION OF THAT SPEED WAS THE INFO CONSIDERED RELIABLE AND AIRCRAFT WERE SENT TO ATTACK. THE QUESTION OF POSSIBLE NEGLIGENCE IN ESTABLISHING THE SPEED AT 28-30 KNOTS WHEN IN FACT LIBERTY'S MAX SPEED IS 18 KNOTS IS DISCUSSED BY THE IDF [illegible] TESTIFIED [illegible] THAT SUCH ESTIMATIONS REQUIRE EXPERIENCE. [illegible] THAT THERE MAY BE GREAT DISCREPANCIES IN FIXING THE SPEED OF A [illegible] MOVING IN FRONT OF IT, ESPECIALLY IF THE ESTIMATE WAS MADE ONLY OVER A SHORT INTERVAL OF TIME. IT IS [illegible] POSSIBLE THAT [illegible] MAY BE [illegible] A MISTAKE EVEN [illegible] TWICE OR MORE [illegible]. AS A RESULT OF THE INCIDENT NAVAL STANDING ORDERS [illegible]

[illegible] RUQMVL 0384/1 C O N F I D E N T I A L
SHOULD BE [illegible] NO CRIMINAL NEGLIGENCE [illegible] FOUND IN THE [illegible]
[illegible]
[illegible] IDENTIFICATION [illegible] AS AN EGYPTIAN SHIP. IT WAS [illegible] BY THE EVIDENCE OF THE C.O. OF [illegible] DIV THAT THE [illegible] THEIR ACCURACY [illegible] AND THIS SHOULD HAVE CAUSED EXTRA CAREFULNESS [illegible] IDENTIFICATION. ON THE OTHER HAND, I (AGAIN COL RAM) MUST [illegible] THE EXTENUATING CIRCUMSTANCES AND DIFFICULTIES OF IDENTIFICATION UNDER THE FOLLOWING CONDITIONS:

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C O N F I D E N T I A L VALLETTA 556

1967 JUN 16 PM 5 22

STATE

USDOCOSOUTH FOR FRESHMAN

SUBJECT: USS LIBERTY

1. LIBERTY REACHED MALTA 0030 JUNE 14 UNDER OWN POWER. TO MINIMIZE IMMEDIATE SCRUTINY IN VIEW PUBLIC INTEREST SHIP INITIALLY BERTHED ROYAL NAVAL BASE WHILE DIVERS EXAMINED UNDERWATER DAMAGE. SHIP MOVED TO DRYDOCK 1430 AND PUMPED DRY BY 1915. SEARCH FOR AND RECOVERY OF MISSING BODIES BEGAN IMMEDIATELY. MEDICAL TEAM REMOVED AND TENTATIVELY IDENTIFIED BODIES ON SPOT AND BAGGED THEM FOR IMMEDIATE SHIPMENT NAPLES. WORK COMPLETE ABOUT 0300 JUNE 15 WITH TOTAL TWENTY

PAGE 2 RUDICR 556 C O N F I D E N T I A L
BODIES DISCOVERED. FIVE MISSING AND PRESUMED LOST AT SEA. MISCELLANEOUS AS YET UNIDENTIFIABLE REMAINS MAY ELIMINATE DOUBTS. MASSIVE CLEANUP AND REPAIR WORK NOW UNDERWAY. LOWER RESEARCH COMPARTMENTS HAVE EQUIPMENT MIXED WITH MASS OF TWISTED WRECKAGE MAKING RECOVERY CLASSIFIED MATTER SLOW PROCESS. REMOTE POSSIBILITY FINAL CLEARANCE OF DEBRIS MAY UNCOVER ADDITIONAL HUMAN REMAINS. MAJOR DAMAGE TO SHIP IS (1) 24 BY 39 FOOT TEARDROP HOLE IN STARBOARD SIDE FROM TORPEDO EXPLOSION (2) 821 SHELL AND FRAGMENT HOLES IN HULL OF WHICH ABOUT 250 CAUSED BY AIRCRAFT CANNON. REPAIR TIME ESTIMATED THREE WEEKS.

2. COMMENT: GOM INITIAL REACTION LIBERTY RESTRAINED. GOM GRANTED DIPLOMATIC CLEARANCE THROUGH NORMAL CHANNELS WHILE DOCKYARD AND NAVY MADE OWN DIRECT ARRANGEMENTS. EMBASSY REQUESTED GOM MINIMIZE PUBLICITY FOR SAKE FAMILIES OF DEAD AND

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Review June 1987

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WOUNDED. NO MENTION SECURITY ASPECT. AT EMBASSY'S REQUEST GOM ALLOWED WHOLE MATTER OF SEARCH, RECOVERY AND REMOVAL OF BODIES AND EQUIPMENT TO BE HANDLED AS INTRA-NAVY AFFAIR.

3. TWO NAVY PAO'S HANDLED NEWSMEN. LOCAL AND INTERNATIONAL

PRESS INTEREST STRONG. PRESS COOPERATIVE AND FACTUAL. ONLY ATTEMPT DISTORTION WAS ON PART PAUL CARACHI (MLP) FORMER EDITOR-MALTA NEWS. CARACHI CALLED ME TO SUGGEST ONLY REASON LIBERTY IN MALTA WAS NO OTHER COUNTRY WOULD HAVE HER. I STRONGLY DENIED STATEMENT AND ASSERTED SHIP CAME AT US GOVERNMENT REQUEST ON ACCOUNT CAPABILITY DRYDOCKS AND FACT GOOD BUSINESS FOR MALTA. PAPER CARRIED MY STATEMENT JUNE 15.

4. NBC, CBS AND AP REPORTERS AND CAMERAMEN HERE FOR ARRIVAL. INITIAL PHOTOGRAPHS ALLOWED ONLY FROM DISTANCE UNTIL VESSEL DRYDOCKED AND CLEARED OF BODIES. TO PREVENT LENDING CREDENCE TO HORTON (AP) "SPY SHIP" STORY, NAVY PAO ARRANGED TOUR OF SHIP JUNE 15. NEWSMEN ALLOWED SEE DAMAGED AREAS AND PHOTOGRAPH FREELY. RESTRICTION ON INTERVIEWS SINCE COURT OF INQUIRY IN SESSION. FORUNATELY VISIT PERMITTED BEFORE NEWSWEEK "PERISCOPE" STORY ON LIBERTY SPY-MISSION REACHED MALTA. SO FAR ONLY MALTA NEWS HAS PICKED UP AND PUBLISHED UNDER HEADLINE "ATTACK ON LIBERTY WAS NO MISTAKE". HOWEVER, NO INQUIRIES RECEIVED HERE ABOUT LIBERTY'S MISSION.
FELDMAN
BT

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CONFIDENTIAL TELEGRAM Department of State

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57-S-02

ACTION: Amembassy TEL AVIV
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INFO: Amembassies London, Paris, Moscow, Tehran
Kuwait, Jidda, Rabat, Tunis, Rmalpindi

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At his request, Ambas. Dr Harman called on Undersecretary Rostow on June 14.

1. Ambassador Harman reported that the Israeli Board of Enquiry investigating the attack on the U.S.S. Liberty would finish its hearings on Friday afternoon. Its findings would be made shortly thereafter, and would be given us then ready. The Ambassador asked when our Board would complete its own study of the matter. Rostow replied that he did not know but would find out. He assured the Ambassador that the findings of our Board would be made available to GOI when they were received. (After consultation with Secretary McNamara, Rostow informed Harman that the U.S. enquiry into the matter would be finished within a few days, and the findings completed shortly thereafter.)

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Drafted by:	Ext.	Cleared with:
M:EBastmanamb 6/15/67	5284	M:EVRostow

S/S - Mr. Thompson

SECRET

FORM DS-322
6-65

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TELEGRAM Department of State

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FM AmEmbassy TEL AVIV
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JUN 10 7 23 PM '67

LIMDIS

Following note was handed this afternoon to Ambassador Harman by Under Secretary Rostow: QTE The Secretary of State presents his compliments to His Excellency the Ambassador of Israel and has the honor to refer to the Ambassador's Note of June 10, 1967 concerning the attack by Israeli aircraft and torpedo boats on the United States naval vessel U.S.S. Liberty, which was carried out at 1605 and 1625 hours local time, respectively, on June 8, 1967 while the U.S.S. Liberty was engaged in peaceful activities in international waters.

At the time of the attack, the U.S.S. Liberty was flying the American flag and its identification was clearly indicated in large white letters and numerals on its hull. It was broad daylight and the weather conditions were excellant. Experience demonstrates that both the flag and the identification number of the vessel were readily visible from the air. At 1450 hours local time on June 8, 1967, two Israeli aircraft circled the

Drafted by: Text approved in White House Clearances	Tel. Ref.	Telegraphic transmission and classification approved by: S/S - Mr. Walsh

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FORM DS-322
8-65

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U.S.S. Liberty three times, with the evident purpose of identifying the vessel. Accordingly there is every reason to believe that the U.S.S. Liberty was identified, or at least her nationality determined, by Israeli aircraft approximately one hour before the attack. In these circumstances, the later military attack by Israeli aircraft on the U.S.S. Liberty is quite literally incomprehensible. As a minimum, the attack must be condemned as an act of military recklessness reflecting wanton disregard for human life.

The subsequent attack by Israeli torpedo boats, substantially after the vessel was or should have been identified by Israeli military forces, manifests the same reckless disregard for human life. The silhouette and conduct of the U.S.S. Liberty readily distinguished it from any vessel that could have been considered as hostile. The U.S.S. Liberty was peacefully engaged, posed no threat whatsoever to the torpedo boats, and obviously carried no armament affording it a combat capability. It could and should have been scrutinized visually at close range before torpedoes were fired.

While the Ambassador of Israel has informed the Secretary of State that "the Government of Israel is prepared to make amends for the tragic loss of life and material damage," the Secretary of State wishes to make clear that the United States Government expects the

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Cover of Israel also to take the disciplinary measures that international law requires in the event of wrongful conduct by the military personnel of a State. He wishes also to make clear that the United States Government expects the Government of Israel to issue instructions necessary to ensure that United States personnel and property will not again be endangered by the wrongful actions of Israeli military personnel.

The United States Government expects that the Government of Israel will provide compensation in accordance with international law to the extent that it is possible to compensate for the losses sustained in this tragic event. The Department of State will, in the near future, present to the Government of Israel a full monetary statement of its claim. END QTE.

End

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Department of State

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STATE 210137

Following is text note received today from Israeli Embassy:

QUOTE: The Ambassador of Israel presents his compliments to the Honorable the Secretary of State and has the honor to inform him that he has been requested by the Government of Israel to convey the sincere expression of deep regret for the tragic accident in which, at the height of hostilities in the area, the USS Liberty was hit by Israeli fire. The Government of Israel deeply regrets this tragic accident.

The Ambassador of Israel has been instructed to inform the Honorable the Secretary of State that the Government of Israel is prepared to make amends for the tragic loss of life and material damage.

The Ambassador of Israel expresses once again in the name of the Government of Israel its deep condolences to the Government of the United States and its sympathy to all the

NEA:IAI:ALAtherton,Jr:fah: 2942 NEA:IAI - Alfred L. Atherton,
6/10/67

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bereaved families.

The Ambassador of Israel avails himself of this opportunity to renew to the Honorable the Secretary of State the expression of his highest consideration. UNQUOTE

Excepts [redacted]

End

RUSK

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(49) Denied

Note No.	Decedent	Rank	Annual Salary
27	Allenbaugh, William Bernard	CT3	$4,015
28	Armstrong, Philip McCutcheon, Jr.	LCDR	$12,363
29	Blanchard, Gary Ray	SN	$2,3[illegible]
30	Blue, Allen Merle	Civilian	$6,664
31	Brown, Francis	QM3	$2,755
32	Campbell, Ronnie Jordon	CT2	$5,746
33	Converse, Jerry Leroy	CT3	$3,216
34	Eisenberg, Robert Burton	CT2	$3,389
35	Goss, Jerry Lee	CT3	$2,892
36	Graves, Curtis Alan	CT1	$3,998
37	Hayden, Lawrence Paul	CTSA	$1,363
38	Hersey, Warren Edward	CT1	$4,142
39	Higgins, Alan	CT3	$2,240
40	Hoar, Carl Lewis	SN	$2,387
41	Keene, Richard Walter, Jr.	CT2	$3,216
42	Lenat[illegible] James Lee	CTSN	$1,631
43	[illegible]inn, Raymond Eugene	CTC	$7,387
44	Lupton, James Mahlon	CT1	$6,830
45	Marggraf, Duane Rowe	[illegible]A/CDC/HR	$2,775
46	Marlborough, David Walter	CTSA	$1,363

DEPARTMENT OF STATE A/CDC/HR
REVIEWED BY [illegible] CTSA DATE [illegible]
XDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☐
RELEASE DENIED☐
FA or FOI EXEMPTIONS _____

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Note No.	Decedent	Rank	Annual Salary
47	Mendle, Anthony Peter	CT2	$3,216
48	Nygren, Carl Christian	CTSN	$1,62[illegible]
49	Pierce, James Cecil	LT	$11,240
50	Raper, Jack Lewis	SGT	$6,458
51	Rehmeyer, Edward Emorey, III	CPL	$4,435
52	Skolak, David	[illegible]CSN	$1,631
53	Smith, John Caleb, Jr.	CT1	$5,680
54	Smith, Melvin Douglas	CTC(PC-1)	$7,278
55	Spicher, John Clarance	PC-2	$5,779
56	Thompson, Alexander Neil, Jr.	GMG3	$3,922
57	Thornton, Thomas Ray	CT3	$2,240
58	Tiedtke, Phillipe Charles	CT3	$2,755
59	Toth, Stephen Spencer	LT	$9,494
60	Walton, Frederick James	CT1	$7,050

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10

(59)

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY L. L. Rdg. DATE 4/19/86
RDS☐or XDS☐EXT. DATE
TS AUTH. REASON(S) July 31, 1969
ENDORSE EXISTING MARKINGS ☐
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RELEASE DENIED☐
ADDITIONAL RESTRICTIONS
b-5

Lt. Commander Robert Reading
Division of Litigation and Claims
Office of the Judge Advocate General
Department of the Navy
Room 2534, Arlington Annex
Washington, D. C. 20370

Dear Commander Reading:

In accordance with your request I am enclosing the following documents:

1. My memorandum of October 9, 1967 to Mr. Salans proposing how the death claims should be calculated. This was accepted, except for a later change which raised the allowance for emotional anguish for the parents from $10,000 to $20,000. We think the latter figure is inappropriate and the Israelis challenged it during the negotiations.

2. Computation sheet, Forms A-D.

3. Present value table and life expectancy table.

4. List of awards.

I should add that we have, for general policy reasons, avoided public discussion of the computation process, and that we regard the sums paid to individual claimants as privileged. The material is accordingly provided to you only for internal use.

If I can be of any help please don't hesitate to call me.

Sincerely yours,

K

Ernest L. Kerley
Assistant Legal Adviser

Enclosures:

As described above.

L:L/C:ELKerley:ams

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11

(51)

#838353

December 3, 1968

Commander Richard C. Smith
Office of the JAG
Litigation & Claims Division
Department of the Navy
Room 2534, Navy Annex
Washington, D. C. 20370

Dear Dick:

In accordance with your request this afternoon on behalf of the US Navy Chaplains Corps, I am enclosing a list of the survivors of the 34 officers and men killed in the attack on the U.S.S. Liberty, along with their last known addresses. The addresses are as of June 1968, when the checks drawn on funds received from the Government of Israel in settlement of the death claims were mailed out. We would have no knowledge of any subsequent change of address.

In view of all the help your office has given us on the claims, I am glad we had this opportunity to reciprocate a little.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

Enclosure:

List of deceased and survivors,
two copies.

L:L/C:ELKerley:ams

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [signature] DATE 11/19/96
XDS☐or XDS☐EXT. DATE
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☐
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

James M. Ennes, Jr. Research Papers

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE Sept 19, 1968
PORTIONS DENIED AS INDICATED

(68)

September 10, 1968

EXCISE

Lt. Cmdr. V.A.S. Swindall
Bureau of Medicine & Surgery
Department of the Navy
Potomac Annex - Building #6
23rd & C Streets, N.W.
Washington, D. C. 22309

Dear Commander Swindall:

In evaluating some of our more serious U.S.S. Liberty personal injury cases, it would be helpful if we had the operation reports. These operations are referred to in medical records we now have, but the operation reports are not included. The operations for which reports would be helpful are indicated below:

Seamen	Operative Facilities	Type of Operation
[redacted]		e-
		al
		ng

James M. Ennes, Jr. Research Papers

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Seaman	Operative Facilities	Type of Operation
[redacted]	[redacted]	[redacted]

Any assistance you can provide in this respect will be greatly appreciated.

Sincerely yours,

K

Ernest L. Kerley
Assistant Legal Adviser

L:L/C:ELKerley:ams

Dated & mailed from L/C

James M. Ennes, Jr. Research Papers

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	Seaman:	Operative Facility:	Type of Operation:
A.	Salvador Payan	U.S.S. America (July 14, 1967)	Craniotomy and debridement - head, chest and extremeties
	" "	Naval Hospital, Naples, Italy (October 9, 1967)	Thoracotomy - removal of shrapnel from lung
	Joseph C. Lentini	Naval Hospital, Naples, Italy (June 18, 1967)	Closure of wounds - head and thigh *

* The records which you permitted us to copy on Lentini include the operation report of June 10, 1967 involving the surgical debridement performed on the U.S.S. America involving the compound, comminuted fractures of the left tibia and fibula.

	Jerry W. Ward	U.S.S. America (I believe)	1. Laparotomy 2. Debridement of compound fractures of left lower leg and metacarsals of foot
	" "	Naval Hospital, Naples, Italy	Closure of multiple wounds of back and lower extremeties
	Eddie D. Cook	U.S. Army General Hospital, Landstuhl, Germany (June 11, 1967)	1. Repair of scler laceration - left eye 2. Removal of intra-ocular metallic foreign body - left eye
	George W. Wilson, Jr.	Naval Hospital, Great Lakes, Illinois (August 10, 1967)	Bone graft to first metacarpal - left hand

James M. Ennes, Jr. Research Papers

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Seaman:	Operative Facilities:	Type of Operation:
Richard L. Weaver	U.S.S. America	Laparotomy and Colostomy
" "	Philadelphia Naval Hospital (August 28, 1967)	Closures of laparotomy and colostomy
Thomas ~~Riley~~ Reilly	U.S.S. America (or query Germany)	Closure of scalp wounds and debridement of body wounds
Rodney C. Concepcion	Naval Hospital, Naples, Italy	Removal of shrapnel-left calf and back
" "	Oakland Naval Hospital, Oakland, California	Skin graft to left calf
Virgil L. Brownfield	U.S.S. America	Debridement of chest and back wounds

We are presently preparing a request for inspection of x-rays which were taken in some of the cases. Although we have arranged for the taking of x-rays in cases where our doctors deem it important, our medical consultants have informed us that comparative radiology readings involving earlier and current x-rays may be of diagnostic significance.

We have encountered a problem in several of these cases and I would appreciate your views on it. Take the case of [redacted] for example. [redacted] had been trained by the Navy to do highly sophisticated communications work. That was his job on the Liberty. However, [redacted] will not discuss with us the particulars of his job and the type of equipment which he worked with. All that he will say is that he did classified communications work. One of the elements of damage in all of the cases is loss of earnings and/or earning capacity. In order for us to effectively present

James M. Ennes, Jr. Research Papers

this, we must know something of the work that was done in the Navy which, in turn, may provide information as to the civilian equivalent. I believe you will agree that as counsel for the various injured seamen, we must be in a position to know the details respecting an individual's skills in order that we may effectively represent him. I would appreciate any suggestions that you might have as to how we may obtain this knowledge.

Following my return from Texas, I will be in touch with you to arrange an appointment so that we may informally review a "pilot case." I know this will be helpful to me and I trust it will be of assistance to you.

Thanking you for your cooperation, I remain

Very truly yours,

Leonard Braman

LB/r

James M. Ennes, Jr. Research Papers

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SEP 9 1968

LAW OFFICES
SURREY, KARASIK, GOULD AND GREENE
WOODWARD BUILDING
WASHINGTON, D. C. 20005

TELEPHONE
AREA CODE 202
737-9150

WALTER STERLING SURREY
MICHAEL GOULD
DEMOND PECK HILL
SAMUEL V. GORENJIAN
LEONARD BRAHAM
NORMAN M. VANDER CLUTE

MONROE KARASIK
FRANCIS T. GREENE
SEYMOUR J. RUBIN
GEORGE L. CHRISTOPHER
ROBERT L. RANDALL
MICHAEL NUSSBAUM

MARGUERITE S. OWEN
ALAN ROY DYNNER
MICHAEL KANE
ALAN J. BERNSLEY
PAUL F. HOY
MARIAN L. WEISS

GILBERT C. MILLER
WARREN O. WICKERSHAM
MICHAEL G. WILSON
JOSEPH J. BRIGATI
DENE A. BLUMENREICH

MONROE OPPENHEIMER
JOSEPH S. FARLAND
LUCIEN NILMER
OF COUNSEL

EUROPEAN OFFICE:
59, AVENUE DES CHAMPS ELYSEES
PARIS 8, FRANCE

CABLE:
SURMON WASHINGTON, D.C.

Ltr T. Szondi
9/10/68
L/C: ELK

September 6, 1968

Ernest L. Kerley, Esquire
Assistant Legal Advisor
for International Claims
Office of the Legal Advisor
Department of State
Washington, D. C. 20520

Re: U.S.S. Liberty Claims

Dear Mr. Kerley:

Since I last spoke with you on Thursday, August 29th, I have been obliged, because of the press of other business, to postpone my trip to see [redacted] which I intended to make on Tuesday, September 3rd. Instead, I am leaving this evening and will be with [redacted] this weekend.

In the meantime, I wish to follow up on our last conversation involving the particular operation reports which we would like to have.

Of course, I am confining this to cases in which we have already lodged a power of attorney. (We expect to lodge other powers shortly.)

In framing this request, the operations referred to are those which I have gleaned from the official medical reports which you kindly permitted us to copy.

Bearing in mind your statement that the operation reports are kept at the facility where the operation was performed, I would appreciate copies of the reports in the following cases:

James M. Ennes, Jr. Research Papers

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY W. Ra DATE Sept. 19, 1984
RDS☐or XDS☐EXT. DATE:
TS AUTH: REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☒
RELEASE DENIED☐
PA or FOI EXEMPTIONS

August 22, 1968

Commander Richard C. Smith, USN
Office of the Judge Advocate General
Litigation & Claims Division
Room 2534
Washington, D. C. 20370

Dear Dick:

Enclosed is a list of the men wounded in the attack on the U.S.S. Liberty on behalf of whom we are going to present claims to the Government of Israel. I would appreciate your indicating for each man either his current Navy address or, where he has been separated, his last known home address.

Thanks again for your help.

Sincerely yours,

K

Ernest L. Kerley
Assistant Legal Adviser

Enclosure:

List of injured personnel.

L:L/C:ELKerley:ams Dated & mailed from L/C

James M. Ennes, Jr. Research Papers

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DEPARTMENT OF STATE A. CDC/MR
REVIEWED BY J.M. Kay DATE OCT 6 1976
PORTIONS DENIED AS INDICATED

(51)

EXCISE

July 18, 1968

Commander Richard C. Smith, USN
Office of the Judge Advocate General
Litigation & Claims Division
Room 2534
Department of the Navy
Washington, D. C. 20350

Dear Dick:

As I mentioned to you yesterday over the telephone, there are 40 U.S.S. Liberty personal injury cases on which we need further medical information to complete our computation of the amount of compensation to be claimed from the Government of Israel. Since we are eager to present the personal injury claims as soon as possible, I would appreciate your doing whatever you can to expedite the obtaining of this information. The attached list indicates the name and serial number of the men, the information needed, and the date of the letter in which we initially requested the information.

I would also appreciate information concerning [redacted] about whom I wrote you last October 31. We still have not received a PI-1 or PI-2 on him. This probably means he isn't interested in our presenting a claim on his behalf, but if this is the case we would feel safer if we had it from him in writing. If he does want to present a claim, please let me know and I will send over a new PI-1 and PI-2 for him.

Thanks again for all your help.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

Enclosure:

List.

L:L/C:ELKerley:ams
:EWDick:DRHenderson

Dated & mailed from L/C

James M. Ennes, Jr. Research Papers

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(5)

PAGE [illegible]

Commander Richard C. Smith, USN
Office of the Judge Advocate General
Litigation & Claims Division
Room 2534
Department of Navy
Washington, D. C. 20350

Dear Dick:

We have now discussed all of the U.S.S. Liberty personal injury cases with officials of the Veterans Administration. They have been willing to evaluate cases on the basis of the VA schedule for rating disability to determine whether permanent impairment exists and, if so, what percent of permanent impairment may be established for use in these cases.

These officials told us that they would need current information in order to determine whether or not the individual involved is permanently impaired and, if so, to what degree. For these evaluations it is desirable to identify any new medical or clinical symptoms, specific muscle groups injured, limitations of use or motion of members body part or any psychological impairment attributable to the injury. Accordingly it would be appreciated if the Department could obtain a current evaluation of the individuals whose names are listed below. We have attempted to describe the type of particular information required by the VA.

[redacted]

James M. Ennes, Jr. Research Papers

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted], James M., Jr. LT, USN 8653 840 Medical exam: determine residual effect, if any, from fracture left distal femur; shrapnel wound left thigh. See Report of Medical Board, Naval Hospital, Portsmouth, Virginia,, dated 21 February 1968, placed on 6 months limited duty

[redacted]

James M. Ennes, Jr. Research Papers

Your continuing assistance and cooperation in this matter are greatly appreciated.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

L:L/C:EKDick:DHenderson:slb
5/21/68

Dated and mailed from L/C.

James M. Ennes, Jr. Research Papers

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(61)

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY C.M. Rasi DATE 4.14.1980
PORTIONS DENIED AS INDICATED

MAR 29 1968

EXCISE

Commander Richard C. Smith, USN
Office of the Judge Advocate General
Litigation & Claims Division
Room 2534
Washington, D. C.

Dear Dick:

The initial review of the U.S.S. Liberty personal injury cases has been completed. As a result of conferences on certain of these cases with Department medical officers it is evident that we need additional information in order to develop fully claims for compensation in the personal injury cases.

Accordingly it will be appreciated if the Department could be furnished current information. The names of the individuals and the type of information required is described below:

(1½ PAGES OF DELETIONS)

We certainly appreciate your continued assistance.

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

L:L/C:DRHenderson:EWDick:slb

James M. Ennes, Jr. Research Papers

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(67)

January 23, 1968

Commander Richard C. Smith, USN,
Office of the Judge Advocate General
Litigation & Claims Division
Room 2534
Washington, D. C.

Dear Dick:

As I mentioned to you over the telephone, we are now preparing the personal injury claims on behalf of the men injured in the attack on the U.S.S. Liberty on June 8, 1967. Because it was prepared early last fall, the medical information on some of the more seriously injured men was of an interim nature, and it is not possible to determine how the men responded to treatment, and how serious the injuries eventually proved to be. In others, we have not received any medical reports. I would accordingly appreciate your obtaining what recent medical information is available on the following men, with regard to treatment of injuries suffered in the attack on the U.S.S. Liberty. In each case, I have indicated the type and date of the most recent medical record we have in the file for that man.

[redacted]

Ennes, James M. Lt 653843/1615 Form 502,
11 September 1967

[redacted]

James M. Ennes, Jr. Research Papers

~~As always, we are grateful for your help.~~

Sincerely yours,

Ernest L. Kerley
Assistant Legal Adviser

L:L/C:ELKerley:ams

Dated & mailed from L/C

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370

IN REPLY REFER TO
Pers-E3y:fs
1 SEP 1967

#68
IS IDENTICAL

From: Chief of Naval Personnel
To: Judge Advocate General (Code 142)

Subj: Claims pertaining to USS LIBERTY (AGTR-5)

Ref: (a) Your ltr JAG:142:esv 7528 of 14 Aug 1967

Encl: (1) List of paid claims
(2) Copy of BuPers ltr Pers-E3y-fs of 31 Aug 67 to CO NAS Quonset Point

1. Enclosure (1) which shows the amounts paid to date for loss of personal property of Navy members is forwarded as requested in reference (a). Claims have not been received as yet from all members or from any of the next of kin of deceased members.

2. The Commanding Officer, USS LIBERTY, was requested by message on 19 July 1967 to assist members in the preparation of their claims for lost personal property and to expedite submission to the Bureau. Twenty-six claims were in the mail to BuPers at the time the message was received aboard the LIBERTY. The remainder of the claims listed on enclosure (1) were forwarded subsequent to receipt of the message.

3. Information has been received verbally from the Executive Officer of the USS LIBERTY that all members who may have suffered losses in the attack have filed claims or have been given adequate notice of their right to file claim. Approximately eighty claims have been filed which have not yet been received in the Bureau. The more seriously injured personnel who never returned to the ship and the next of kin of deceased personnel will not be aware of losses, if any, until their effects which were inventoried and shipped from Malta arrive at destination.

4. Letters have been addressed to the Casualty Assistance Calls Officers requesting their assistance in procuring claims from the next of kin of each of the thirty-one deceased naval personnel at the earliest practicable date. A copy of one of these letters is enclosed for your information.

5. A supplemental list of approved claims will be forwarded on or about 21 September 1967.

J. HENSON
ASSISTANT CHIEF FOR RECORDS

14 SEP 1967

James M. Ennes, Jr. Research Papers

LIST OF PAID CLAIMS FOR LOST PERSONAL PROPERTY INCIDENT TO ATTACK ON USS LIBERTY

NAME	RANK/RATE	SERVICE NO.	AMT. PD.	DATE APPR.
DURZEWSKI, Henry E., Jr.	SH3	546 83 16	$ 75.80	17 Aug 1967
EAKINS, Kenneth B.	CTSN	794 04 69	187.78	28 Aug 1967
GURCHIK, Steven C., Jr.	YN3	697 82 42	25[illegible]	[illegible] Aug 1967
HEANY, Warren D.	SN	918 44 65	241.18	17 Aug 1967
HRANKOWSKI, John M.	FN	B10 43 15	178.68	17 Aug 1967
KELLY, Glen D.	FA	B50 76 86	112.50	17 Aug 1967
KISIEL, David J.	SN	998 70 04	23.48	17 Aug 1967
KRINER, Alan F.	SN	779 57 61	29.95	28 Aug 1967
LEHMAN, Joel W.	SKSN	771 54 02	150.38	17 Aug 1967
LEMOND, Thomas W.	SN	917 49 31	85.95	17 Aug 1967
MARAIO, James A.	FN	916 29 05	370.00	17 Aug 1967
NEWELL, John P.	BT3	776 08 93	36.48	17 Aug 1967
OWENS, Eugene	BT2	549 85 64	87.45	17 Aug 1967
PAGELER, Donald W.	CTSN	B60 58 17	53.99	28 Aug 1967
PATTEN, Dennis A.	[illegible]S3	904 30 77	68.50	17 Aug 1967
PAYNE, Garland W.	CT2	772 94 77	170.86	28 Aug 1967
PIERSON, Gerald W.	SN	794 07 20	50.70	17 Aug 1967
PURCELL, Harvey L.	SN	917 37 39	37.60	17 Aug 1967
RAMMELSBERG, Albert	FN	119 90 38	85.42	28 Jul 1967
RANDALL, John R., Jr.	IC1	517 81 45	56.52	28 Jul 1967
REILLY, Robert B.	SA	B12 40 15	60.59	17 Aug 1967
MC GONAGLE, William L.	CDR	494467	29.56	28 Jul 1967

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BENNETT, Maurice H.	LT	628125	[illegible]	[illegible]
GOLDEN, George H.	LT	574328	638.55	7 Jul 1967
KIEFFER, Richard F.	LT	710197	1169.20	25 Jul 1967
PAINTER, Lloyd C.	LTJG	692274	629.50	17 Aug 1967
O'MALLEY, Mal[illegible] P.	LTJG	703423	76.35	18 Jul 1967
LUCAS, David G.	LT	710515	185.60	23 Jul 1967
ASHWORTH, Joseph W.	FN	699 53 18	201.50	17 Aug 1967
ANDERSON, Richard E.	FA	B51 81 36	100.00	17 Aug 1967
BOCCELLA, Salvatore	CS3	796 37 69	20.07	26 Jul 1967
BOOTH, John E.	FN	998 19 47	15.00	26 Jul 1967
BOTCHER, Don Reuben	FN	779 52 59	48.86	17 Aug 1967
BROOKS, Richard J.	MMC	454 62 63	110.50	17 Aug 1967
BROWN, Frank J.	BT3	796 69 65	123.45	17 Aug 1967
BRUMMETT, Gary W.	FN	696 29 20	122.60	17 Aug 1967
BYRD, Danny R.	MMFA	290 54 86	98.00	17 Aug 1967
CARNAHAN, David N.	SN	B10 42 33	89.98	26 Jul 1967
COLSTON, J. C., Jr.	SN	771 04 56	31.38	26 Jul 1967
SCHNEIDER, Ronald W.	FN	B60 64 72	26.50	26 Jul 1967
SCHULMAN, Samuel L.	HM3	353 96 33	72.25	26 Jul 1967
SHAFER, Maurice R.	CT3	695 94 86	131.02	17 Aug 1967
STOUDT, Joseph D.	BT3	B70 41 42	149.05	17 Aug 1967
THOMPSON, Harold J.	CTC	471 37 37	93.60	17 Aug 1967
THOR, Larry Bruce	MR3	688 22 63	79.15	30 Aug 1967
TOURNEY, Phillip F.	SFP3	773 22 68	124.75	17 Aug 1967

James M. Ennes, Jr. Research Papers

TRIPLETT, Jeffrey L.	FN	354 81 85	$ 15.60	17 Aug 1967
VALDEZ, Donaciano, Jr.	SK3	370 92 58	4.40	17 Aug 1967
VICKERS, Carl J.	SN	775 67 19	54.26	17 Aug 1967
WEDIG, Gorden J.	CS2	428 92 84	176.79	26 Jul 1967
DYE, Robert M.	MM3	999 67 51	236.25	17 Aug 1967
AMEEN, Timothy P.	CT2	774 03 93	133.88	17 Aug 1967
ROSSI, Victor J., Jr.	SN	B40 67 53	8.50	17 Aug 1967
PAGE, David W.	CT2	904 28 51	26.73	26 Aug 1967
MC FARLAND, Terry L.	CT3	795 25 54	118.95	26 Jul 1967
ROSTIC, Calvin	EMFN	795 71 61	79.76	26 Jul 1967
BARTON, Gary L.	CS3	795 88 68	77.77	17 Aug 1967
BUNDY, David W.	RMSN	139 01 82	80.20	17 Aug 1967
AIMETTI, Americo F.	SFP3	913 46 93	116.95	17 Aug 1967
HILDEBRAND, W. L.	CT3	913 42 28	107.01	17 Aug 1967
KIDD, Robert C.	BT3	798 36 89	8.48	17 Aug 1967
JOHNSON, Perry W.	CTSN	331 89 97	92.66	17 Aug 1967
GREEN, Troy L.	SD3	451 50 06	194.07	17 Aug 1967
ELDER, E. G.	SD1	987 14 19	93.33	17 Aug 1967
HANDY, Davis E.	SN	917 37 50	58.00	17 Aug 1967
EASTON, Alan W.	SN	779 28 89	57.59	17 Aug 1967
HALMAN, James V.	RM2	692 26 14	73.25	17 Aug 1967
KIMBLE, Kenneth R.	SH1	996 47 35	97.45	17 Aug 1967
RICHARD, Stephen J.	SN	B10 21 75	96.43	17 Aug 1967
REGER, Richard J.	EM3	697 11 63	528.55	17 Aug 1967

James M. Ennes, Jr. Research Papers

FOWLEDGE, Martin D.	YN2	[illegible]	$ [illegible]	[illegible] Aug 1967
RHODES, Paddy E.	CT3	[illegible]	[illegible].76	[illegible] Aug 1967
MC MAKIN, G. L. D.	CT3	[illegible] 81 92	[illegible]39.35	17 Aug 1967
NEEDHAM, James L.	CT3	915 09 65	295.57	17 Aug 1967
LEWIS, Claude L., Jr.	SK3	[illegible]43 39 65	[illegible].6[illegible]	17 Aug 1967
WATSON, Malcolm M.	LTJG	699039	192.2[illegible]	17 Aug 1967
SCOTT, John D.	ENS	700158	349.30	17 Aug 1967
SMITH, Wayne L.	EMC	[illegible]59 43 24	28.20	[illegible] Aug 1967
BACSKAY, Thomas G.	CTSN	138 04 05	253.33	[illegible] Jul 1967
AISHE, Benjamin G.	FN	915 59 17	111.50	26 Jul 1967
ARFSTEN, Theodore L.	QMSN	B10 66 32	[illegible].64	26 Jul 1967
CRAIG, Juan A.	DK3	598 02 [illegible]	64.74	26 Jul 1967
KERNER, Fred W.	SN	796 40 70	8.90	25 Jul 1967
WHEELER, Tommy W.	SN	793 [illegible] 39	61.79	26 Jul 1967
TRACY, Stephen B.	SN	794 55 25	16.29	26 Jul 1967
RUSSELL, William R.	ETSN	917 37 00	27.88	26 Jul 1967
GALLO, Ernest A.	CT[illegible]	779 23 86	386.34	28 Aug 1967
BRADLEY, Thomas E.	C[illegible]2	794 67 41	256.20	29 Aug 1967
FIRESTONE, Philip G.	LT	655280	20.50	20 Jul 1967

James M. Ennes, Jr. Research Papers

DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370

(67)

IN REPLY REFER TO
Pers-E3y-fs
31 Aug 1967

From: Chief of Naval Personnel

To: Commanding Officer
U.S. Naval Air Station
Quonset Point, R.I. 02819

ATTN: LT W. Routt (CACO)

Subj: GM3 Alexander Neil THOMSON, JR., USN, 770 47 21 (deceased)
Loss of personal property incident to the attack on USS LIBERTY
on 8 June 1967

Ref: (a) CACP Manual, chap. 3, sec. 10
(b) BuPers Manual, art. A-5101

Encl: (1) Copy of Report of Casualty, DD Form 1300
(2) Claim forms (5) NavJag 518 A and B

1. Your assistance is desired in providing aid to the next of kin of the deceased member in the presentation of a claim for any lost or damaged personal property in the subject disaster or in transit of the inventoried property to the residence. Since the cost of these claims are to be included in the demand against the Tripoli government, it would be beneficial to obtain complete cost figures at the earliest practicable date.

2. The inventoried personal effects, if any, shipped from Malta via the Naval Support Activity Naples and Cheatham Annex, Navy Supply Center Norfolk, Williamsburg, Virginia may still be in transit. The next of kin should be contacted, however, to determine whether the shipment has been received, whether any items are known to be missing or damaged either from the attack or from the shipment, and whether the next of kin desires to present a claim at this time. Although expeditious action is advantageous, a two year statute of limitation applies and the claimants are not compelled to file at this time. If no loss of personal property has been encountered or if a claim is not obtained, a brief report is desired.

3. If a claim is received, it is requested that you act as Claims Investigating Officer and complete NavJag Form 518 B before submission of the claim to the Bureau. Your recommendations, particularly with respect to more expensive items, would be of value in this case.

J. HENSON
By direction

Finish Film.

James M. Ennes, Jr. Research Papers

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(70)

US SL 4 US JSK

Department of State

TELEGRAM

LIMITED OFFICIAL USE 357

PAGE 01 TEL AV 03846 241216Z

21
ACTION L 03

INFO NEA 13, CIAE 00, DODE 00, GPM 04, H 02, INR 07, NSAE 00, NSC 10, P 04,

RSC 01, SP 02, SS 20, USIA 12, TRSY 08, RSR 01, SAH 03, /090 W

P 241210Z MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 3509

LIMITED OFFICIAL USE TEL AVIV 3846

SUBJECT: USS LIBERTY DEATH CLAIMS

REF: STATE 169872

1. WITH WEEKEND COMING UP [redacted] DESIRES CONCLUDE FORMALITIES, I.E. EXCHANGE OF NOTES, CHECK, ETC. ON MONDAY, MAY 27, AND REQUESTS THAT PROPOSED PRESS STATEMENT BE HELD FOR CONSIDERATION AT THAT TIME. BARBOUR

DEPARTMENT OF STATE A/CDC/HR
REVIEWED BY J. M. Ray DATE Sept. 1980
RDS☐or XDS☐EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☑ RELEASABLE☑
RELEASE DENIED☐
PA or FOI EXEMPTIONS

(1)

LIMITED OFFICIAL USE

James M. Ennes, Jr. Research Papers

PS 8-4 US-USSR

66

(73)

Department of State TELEGRAM

CONFIDENTIAL

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Ray DATE Sept. 19, 1980
RDS ☐ or XDS ☐ EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ✓
DECLASSIFIED, RELEASABLE ✓
RELEASE DENIED ☐
PA OR FOI EXEMPTIONS

PAGE 01 TEL AVIV 03688 281635Z

21
ACTION EUR-03

INFO OCT-01 ISO-00 EA-10 CIAE-00 DODE-00 [illegible] SP-02 SS-20 USIA-12 SAM-01 [illegible] NSC-05 /042 W

R 281557Z MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 3884

C O N F I D E N T I A L TEL AVIV 3688

SUBJECT: USS LIBERTY CLAIMS

REF: TEL AVIV 3877 AND 3878

1. THE EXCHANGE OF NOTES SETTLING USS LIBERTY DEATH CLAIMS REPORTED TEL AVIV 3877 WAS ACCOMPLISHED MAY 27 ONLY AFTER LAST MINUTE ATTEMPTS BY EMBOFF [redacted] TO OBTAIN COMMITMENT RELATIVE TO PERSONAL INJURY CLAIMS FROM LATTER PRESENTED.

2. ON MAY 23 I HAD OCCASION TO CALL ON [redacted] IN ACCORDANCE HIS REQUEST CONFIRMING ASSURANCES [redacted] ORALLY [redacted] THAT HE WILL NOT CLAIM FOR [illegible] PERSONAL INJURY CLAIMS BY LETTER AS FOLLOWS:

[redacted]

3. UPON THIS WILL BE FIRM JUR COLVERSATION TODAY IN REGARD TO THE DEATH CLAIMS IN CONNECTION WITH THE INCIDENT INVOLVING THE USS LIBERTY. IN WHICH, IN RESPONSE TO YOUR INQUIRY, I STATED THAT I WAS AUTHORIZED TO SAY THAT THE UNITED STATES GOVERNMENT WILL WAIVE CLAIM FOR "EMOTIONAL [illegible]" IN THE PERSONAL INJURY CLAIMS, WHEN THEY ARE PRESENTED.

4. I WOULD IT IS MY UNDERSTANDING THAT IT IS ON THE BASIS OF THIS ASSURANCE THAT YOU WERE ABLE TO INFORM ME THAT THE GOVERNMENT OF ISRAEL IS PREPARED TO PAY IN FULL THE DEATH

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James M. Ennes, Jr. Research Papers

Department of State

TELEGRAM

CONFIDENTIAL

PAGE 2 TEL AV 03550 281533Z

CLAIMS ALREADY SUBMITTED TO IT.

5. QUOTE SINCERELY YOURS, BALFOUR UNQUOTE.

[redacted]

GP-3 BARBOUR

James M. Ennes, Jr. Research Papers

PS S of US. JSAF

Department of State TELEGRAM

LIMITED OFFICIAL USE 322

PAGE 01 TEL AV 03975 0510262

18
ACTION L 03

INFO NEA 13,CIAE 00,DODE 00,GPM 04,H 02,INR 07,NSAE 00,NSC 10,P 04,
RSC 01,SP 02,SS 20,USIA 12,TRSY 08,RSR 01,/067 W

P 0509152 JUN 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 3969

LIMITED OFFICIAL USE TEL AVIV 3975

USS LIBERTY DEATH CLAIMS

REF: STATE 166684

MINISTRY OF FOREIGN AFFAIRS NOW SAYS IT WANTS TO WITHDRAW ITS NOTE OF MAY 15, PAIN TEXT OF WHICH SUMITTED IN TEL AVIV 3731 AND UNLESS DEPARTMENT HAS OBJECTIONS WE WILL RETURN IT TO THEM JUNE 6.

BARBOUR

Release

(1)

James M. Ennes, Jr. Research Papers

37

PS 8-4 US-USSR

OUTGOING TELEGRAM Department of State

INDICATE CHANGE TO

LIMITED OFFICIAL USE
Classification

1 1 0 5 6 6

B

5 JUN 68 14 10 Z

FOR OCT USE ONLY

Origin

Info

ACTION: Amembassy TEL AVIV

REF: Tel Aviv 3975

SUBJ: U.S.S. Liberty Claims

No RPT no objection return of note.

RUSK

DECLASSIFIED

Drafted by: L:L/C:ELKerley:slb 6/5 | Ext. 5896 | Telegraphic transmission and authentication approved by: L:L/C:ELKerley

Clearances:

NEA/IAI - Mr. Lambrakis (phone)

~~LIMITED OFFICIAL USE~~
Classification

FORM DS-322
8-65

James M. Ennes, Jr. Research Papers

James M. Ennes, Jr. Research Papers

A-3

DEPARTMENT OF STATE

AIRGRAM

Original to be Filed in _____ Decentralized Files.

LIMITED OFFICIAL USE

HANDLING INDICATOR

TO : Amembassy TEL AVIV

FROM : Department of State

SUBJECT : U.S.S. Liberty Claim

REF : Department's A-209, December 19, 1967; Tel Aviv's 1972 and A-[illegible] of March [illegible]

There is transmitted herewith a suggested [illegible] self-explanatory draft note espousing, [illegible] the Government of the United States [illegible] Government of Israel for losses sustained [illegible] result of physical damage inflicted upon the [illegible] "U.S.S. Liberty" when it was attacked [illegible] air and naval units on June 8, 1967.

Unless strong objection is perceived the Embassy is requested to present the note to the Government of Israel without delay, inform the Department of the date of presentation, and furnish the Department with a copy of the note.

[redacted]

Enclosure: Draft note

LIMITED OFFICIAL USE

Drafted by: L:L/C:FAKwiatek:slb | Drafting Date: 6/19/68 | Phone No.: 3874 | Classification: L - Carl F. [illegible]

Clearances:
NEA/IAI - Mr. Lambrakis
U.S. Navy (JAG) - [illegible]
H - Mr. Leahy
P-[illegible] - Mr. Baroch

Form DS-323 10-64

DEPARTMENT OF STATE
FROM: A/CDC/VR
SUBJECT: [illegible]
REF: [illegible]
DATE: Dec 19 1968
REVIEWED BY: [illegible]
RDS TS AUTH: [illegible]
COORDINATING OFFICE: [illegible]
DECLASSIFICATION/RELEASE INSTRUCTIONS: EXISTS
CLASSIFICATION: LIMITED OFFICIAL USE
EXEMPTIONS: [illegible]
DISTRIBUTION: [illegible]
RELEASE OFFICER: [illegible]
PA OR FOI: [illegible]
DATE: [illegible]
REASON(S): [illegible]
MARKINGS: [illegible]
CABLE: [illegible]

POST ROUTING

TO:	Action	Info.	Initials
AMB			
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Action Taken:

Date:

Initials:

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ORIGIN: ACTION		
RMR 1	REP	EP
ARA	EUR	FE
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DEPARTMENT OF STATE

AIRGRAM

PS 8-4 US-ISR

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A-981
NO.

~~XMMPCEXKGKFCXKKXUSEX~~
CONFIDENTIAL

PRIORITY
HANDLING INDICATOR

RECEIVED

JUN 27 3 11 PM '68

TO : Department of State

FROM : AmEmbassy TEL AVIV

DATE: June 25, 1968

SUBJECT : USS Liberty Claim

REF : Department A-437

We have been devoting considerable thought as to what tactics could be most advantageously used with the Israelis in making further claims relating to the USS Liberty now that they have paid the full amount claimed for loss of life. We should think that from our own standpoint the United States Government should next focus on claims involving individuals who were injured rather than on those for damage to the ship itself. In this connection, it was stated in the Department's wire number 136943 of March 29 that it was not possible to estimate the total figure for personal injury claims since the extent of permanent impairment was not yet determined in some serious cases. Now that three months have passed, we suggest that the Department look into the status of the personal injuries claims again before proceeding further with claims for damage to the ship to see whether it would be feasible to put in these claims first.

BARBOUR

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE Sept 19, 1980
RDS ☐ on [illegible] EXT. DATE
TS AUTH REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☑ RELEASABLE ☑
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

~~DECLASSIFY ON: XXXXX30XX9502X~~ GROUP-3 - downgraded at 12-year intervals; not automatically declassified.

FORM DS-323
6-62

~~XMMXEDXOFFICIALXUSEX~~
CONFIDENTIAL

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☑ In ☐ Out

Drafted by: DCM:WNDale/caf/6/25/68
Cleared: JDL POL:JLeonard
Contents and Classification Approved by: DCM:WNDale

James M. Ennes, Jr. Research Papers

Encl. No. 1
A-437 to Tel Aviv

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the State of Israel and refers to the Embassy's Note No. 26 of December 27, 1967, concerning the U.S.S. Liberty. The Embassy has the honor to present in accordance with accepted principles of international law a claim for $7,644,146 on behalf of the Government of the United States for losses resulting from acts of physical damage inflicted upon the U.S.S. Liberty when it was attacked by Israeli air and naval forces on June 8, 1967.

The amount claimed is based upon the amount already expended and estimates of the amount required to restore the U.S.S. Liberty and its equipment to the condition it was in immediately prior to the attack on June 8, 1967.

The Embassy of the United States confidently anticipates on the basis of assurances previously given by the Government of Israel that the Government of Israel will promptly compensate the Government of the United States for the amount claimed.

James M. Ennes, Jr. Research Papers

ORIGIN/ACTION

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NEA	EUR	AF
1		
ARA	EUR	FE
NEA	CU	INR
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AGR	COM	FRB
INT	LAB	TAR
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ARMY	CIA	NAVY
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1968 JUL 8 PM 3 05

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DEPARTMENT OF STATE

AIRGRAM

PS 8-4 US-ISR

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A-1009 NO. LIMITED OFFICIAL USE LL HANDLING INDICATOR

TO : Department of State

RECEIVED
DEPARTMENT OF STATE
JUL 8 1 36 PM 1968

INFO :

FROM : Amembassy TEL AVIV DATE: July 6, 1968

SUBJECT: U.S.S. Liberty Claim

REF : Department's A-437, June 19, 1968; Tel Aviv's A-981, June 25, 1968; and State 193834

PS 8-4 US-ISR

Enclosed herewith is a copy of the Embassy's note to the GOI espousing the claim for losses sustained as a result of physical damage inflicted on the U.S.S. "Liberty" by the IDF. The note was presented to the Ministry of Foreign Affairs July 3, 1968.

BARBOUR

Release

Enclosure: Copy of Embassy note No. 74, July 1, 1968.

Atts Encs

LIMITED OFFICIAL USE

FORM DS-323 4-62

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Drafted by: POL:JDLeonard/do 7/5/68

Contents and Classification Approved by:

Clearances:

James M. Ennes, Jr Research Papers

No. 74

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Israel and refers to the Embassy's note No. 26 of December 27, 1967, concerning the U.S.S. Liberty. The Embassy has the honor to present in accordance with accepted principles of international law a claim for $7,044,146 on behalf of the Government of the United States for losses sustained as a result of physical damage inflicted upon the U.S. S. Liberty when it was attacked by Israeli air and naval units on June 8, 1967.

The amount claimed is based upon the amount already expended and estimates of the amount required to restore the U.S.S. Liberty and its equipment to the condition it was in immediately prior to the attack on June 8, 1967.

The Embassy of the United States confidently anticipates on the basis of assurances previously given by the Government of Israel that the Government of Israel will promptly compensate the Government of the United States for the amount claimed.

Embassy of the United States of America,

Tel Aviv, July 1, 1968

DCM:WmNDale:in

James M. Ennes, Jr. Research Papers

No. 74

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Israel and refers to the Embassy's note No. 26 of December 27, 1967, concerning the U.S.S. Liberty. The Embassy has the honor to present in accordance with accepted principles of international law a claim for $7,044,146 on behalf of the Government of the United States for losses sustained as a result of physical damage inflicted upon the U.S.S. Liberty when it was attacked by Israeli air and naval units on June 8, 1967.

The amount claimed is based upon the amount already expended and estimates of the amount required to restore the U.S.S. Liberty and its equipment to the condition it was in immediately prior to the attack on June 8, 1967.

The Embassy of the United States confidently anticipates on the basis of assurances previously given by the Government of Israel that the Government of Israel will promptly compensate the Government of the United States for the amount claimed.

Embassy of the United States of America,

Tel Aviv, July 1, 1968

DCM:WmNDale:in

James M Ennes, Jr. Research Papers

No. 14

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Israel and refers to the Embassy's note No. 26 of December 27, 1967, concerning the U.S.S. Liberty. The Embassy has the honor to present in accordance with accepted principles of international law a claim for $7,644,146 on behalf of the Government of the United States for losses sustained as a result of physical damage inflicted upon the U.S.S. Liberty when it was attacked by Israeli air and naval units on June 8, 1967.

The amount claimed is based upon the amount already expended and estimates of the amount required to restore the U.S.S. Liberty and its equipment to the condition it was in immediately prior to the attack on June 8, 1967.

The Embassy of the United States confidently anticipates on the basis of assurances previously given by the Government of Israel that the Government of Israel will promptly compensate the Government of the United States for the amount claimed.

Embassy of the United States of America,

Tel Aviv, July 1, 1968

DCM:WmNDale:in

James M. Ennes, Jr. Research Papers

No. 74

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Israel and refers to the Embassy's note No. 26 of December 27, 1967, concerning the U.S.S. Liberty. The Embassy has the honor to present in accordance with accepted principles of international law a claim for $7,644,146 on behalf of the Government of the United States for losses sustained as a result of physical damage inflicted upon the U.S.S. Liberty when it was attacked by Israeli air and naval units on June 8, 1967.

The amount claimed is based upon the amount already expended and estimates of the amount required to restore the U.S.S. Liberty and its equipment to the condition it was in immediately prior to the attack on June 8, 1967.

The Embassy of the United States confidently anticipates on the basis of assurances previously given by the Government of Israel that the Government of Israel will promptly compensate the Government of the United States for the amount claimed.

Embassy of the United States of America,

Tel Aviv, July 1, 1968

DCM:WmNDale:in

James M. Ennes, Jr. Research
Papers

ORIGIN ACTION

DEPARTMENT OF STATE

AIRGRAM

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A-1064

CONFIDENTIAL
(with unclassified enclosure)

TO : Department of State

FROM : AmEmbassy TEL AVIV DATE: July 23, 1968

SUBJECT : U.S.S. Liberty Claim

REF : Embassy A-1006, July 6, 1968

1. We enclose a translation of an article headlined "Israel Hopes U.S. Will Reconsider Matter of Compensation for 'Liberty'" which appeared on the front page of Tel Aviv daily Haaretz on July 23. In substance, the article claims that Israeli Governmental circles expect the U.S. may take into account, in submitting claim for compensation for those wounded and for damage to the U.S.S. Liberty, the communications errors revealed in Congressional testimony which resulted in the ship's not receiving orders to leave the war zone. The article mentions Israel's already having paid approximately $3.25 million in compensation for loss of life in connection with the Israeli attack on the U.S.S. Liberty. There is, however, no indication that the writer was aware of the Embassy's note of July 3 to the Foreign Ministry presenting a claim for $7,644,146 for damage to the U.S.S. Liberty (see airgram under reference).

2. We would not plan to make any public comment on the foregoing or other similar stories. If the matter is raised privately with us by Israeli Government officials or others we will of course point out that whatever communications errors there may have been on the U.S. side in no way affect the Israeli Government's responsibility deriving from the fact that the ship was in international waters when attacked. I made

GROUP 3 - downgraded at 12-yr. intervals; not automatically declassified.

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(with unclassified enclosure)

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Drafted by: D. POLAKORN/caf/7/23/68

Contents and Classification approved by: Ambassador Walworth Barbour

James M. Ennes, Jr. Research Papers

Enclosure to

UNCLASSIFIED TEL AVIV [illegible]

Translation of Article from Haaretz, July 23, 1968, by Dan Vered, Political Correspondent of Haaretz

Israeli Government circles expect that the U.S. will reconsider the claim for further compensation for the casualties inflicted and damage caused to the "Liberty" ship during the war last year, in the light of the revelations in the U.S. Congress of the errors in the transmission of orders to that ship. The "Liberty" was hit opposite the El Arish coast by units of the Israel Navy, after she failed to identify herself to the satisfaction of the Israeli commanders who thought that she was an Egyptian ship. Israel apologized (at the time) and also paid about $ 3.25 million compensation for the more than thirty killed in that incident. The U.S. announced at the time that in due course she would submit her claim for compensation for the wounded casualties and the damage caused to property. The ship - whose purpose was electronic espionage - left from here for repairs in the U.S., but was not put back into service.

In testimonies given to the Commission of Inquiry on behalf of the U.S. Congress, the contents of which were published a few days ago, the Naval Commanders reported that instructions had been sent to the ship to get away from the fighting area. However, due to an error in the signals communication the message did not reach the ship. Therefore she had remained in the region where she was later hit.

It is believed in Jerusalem that the U.S. is likely to take that fact into account when she submits further claims to Israel. It has become clear that the U.S. Naval Command realized that a ship that is virtually in the midst of a battle zone endangers herself and therefore the order was given to the ship to get away. The Israeli assault on her was (due to) an error, but that was preceded by a mistake on the part of the Americans themselves as a result of which the order (to get away) did not reach the ship.

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PS 8-4 US-USR

37

Department of State

TELEGRAM

(80)

CONFIDENTIAL 259

PAGE 01 TEL AV 04798 06 12282

46
ACTION SS 70

INFO CIAE 00/070 W

R 0611252 AUG 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4386

C O N F I D E N T I A L TEL AV 4798

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G. W. Ray DATE 3-17-75
EDS or XDS EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☑ RELEASABLE ☑
RELEASE DENIED ☐
PA/PI/NDI EXCEPTIONS

LIBERTY REPARATIONS

PS 8-4

REF: TEL AVIV A-1009, JULY 6, 1968

FOLLOWING IS TEXT OF NOTE RE LIBERTY REPARATIONS RECEIVED FROM FOREIGN MINISTRY AUGUST 5:

QUOTE: THE MINISTRY FOR FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES AND HAS THE HONOUR TO REFER TO THE EMBASSY'S NOTE NO. 74 DATED 1 JULY 1968, CONCERNING THE U.S.S. LIBERTY. QUOTE IN VIEW OF THE CIRCUMSTANCES OF THE TRAGIC INCIDENT OF 8 JULY (SIC) 1967, WHICH HAVE COME TO LIGHT IN VARIOUS INQUIRIES CARRIED OUT BOTH IN ISRAEL AND IN THE UNITED STATES, THE MINISTRY FOR FOREIGN AFFAIRS CONSIDERS THAT THE GOVERNMENT OF ISRAEL IS NOT LIABLE FOR THE DAMAGE CLAIMED IN THE NOTE MENTIONED ABOVE. QUOTE THE MINISTRY FOR FOREIGN AFFAIRS WOULD, OF COURSE, STUDY CAREFULLY ANY ADDITIONAL EXPLANATIONS AND MATERIAL WHICH THE GOVERNMENT OF THE UNITED STATES MIGHT WISH TO SUBMIT.
QUOTE THE MINISTRY FOR FOREIGN AFFAIRS RECALLS THAT THE GOVERNMENT OF ISRAEL HAS ALREADY PAID THE FULL AMOUNT (THREE MILLION, THREE HUNDRED AND TWENTY-THREE THOUSAND AND FIVE HUNDRED U.S. DOLLARS), CLAIMED BY THE GOVERNMENT OF THE UNITED STATES ON BEHALF OF THOSE SUFFERING LOSS AS A RESULT OF DEATHS OF CERTAIN MEMBERS OF THE CREW OF THE U.S.S. LIBERTY. IN MAKING THIS FULL PAYMENT THE GOVERNMENT OF ISRAEL WAS MOTIVATED BY HUMANITARIAN CONSIDERATIONS RELATING TO THE ECONOMIC HARDSHIP SUFFERED BY THE FAMILIES OF THE DECEASED.

(1)

CONFIDENTIAL

DECONTROLLED BY NR/E

Tel Aviv 4798 8-7-68

James M. Ennes, Jr. Research Papers

PS 8-4 US-ISR

Department of State

TELEGRAM

(51)

CONFIDENTIAL 258

PAGE 01 TEL AV 04799 061253Z

54
ACTION SS 70

INFO CIAE 00/070 W

R 061130Z AUG 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4387

C O N F I D E N T I A L

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Razi DATE Sept 19, 1986
XDS☐ OADR XDS☐ EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☑ RELEASABLE☑
RELEASE DENIED☐
TSA AV FOI EXEMPTIONS

LIBERTY REPARATIONS

REF: TEL AVIV 4798 - PS 8-4 US-Isr

1. GOI NOTE (TEXT SENT REFTEL) IS DISAPPOINTING IN NEGATIVENESS AND OBDURACY, BEARING OUT APPREHENSIONS WHICH PROMPTED OUR TACTICAL SUGGESTIONS IN A-981, JUNE 25.

2. NOTE STATES GOI WOULD, OF COURSE, STUDY CAREFULLY ANY ADDITIONAL EXPLANATIONS AND MATERIAL US MIGHT WISH TO SUBMIT TO OVERCOME ISRAELI CONCLUSION THAT GOI IS NOT LIABLE FOR DAMAGE CLAIMED IN OUR NOTE OF JULY 1. ONLY GROUNDS STATED FOR THIS CONCLUSION, HOWEVER, ARE QUOTE VARIOUS INQUIRIES CARRIED OUT BOTH IN ISRAEL AND THE US UNQUOTE. POSSIBLY AMONG THESE ARE DISCLOSURE IN US THAT COMMUNICATIONS ERROR PREVENTED ORDERS TO CHANGE POSITION FROM REACHING LIBERTY EXPEDITIOUSLY AND INFO CURRENT HERE THAT SHIP WILL NOT BE REPAIRED COMPLETELY BUT WILL BE MOTHBALLED.

3. EMBASSY DOES NOT BELIEVE THAT GOI DENIAL OF LIABILITY CAN BE ALLOWED TO STAND, ESPECIALLY IN VIEW OF COMMITMENT IN ISRAELI AMBASSADOR'S NOTE OF JUNE 10, 1967 IN WHICH GOI ASSURED US IT WAS PREPARED TO QUOTE MAKE AMENDS FOR THE TRAGIC LOSS OF LIFE AND MATERIAL DAMAGE UNQUOTE. EMBASSY SUGGESTS THAT DOCUMENTARY EVIDENCE MENTIONED THIRD PARA DEPT A-981, JUNE 19 BE FORWARDED AS SOON AS POSSIBLE AND THAT IT BE TRANSMITTED TO GOI UNDER COVER OF NOTE REJECTING ISRAELI CONTENTION OF NON-LIABILITY.

4. GOI NOTE ALSO SAYS THAT PAYMENT FOR DEATH CLAIMS ALREADY MADE WAS MOTIVATED BY HUMANITARIAN CONSIDERATIONS. GOI

(1)

CONFIDENTIAL

Research Papers James M. Ennes, Jr.

DEPARTMENT OF STATE A/CDC/MP

REVIEWED BY _____ DATE _____

RDS☐or XDS☐EXT. DATE CONFIDENTIAL

TS AUTH _____ REASON(S) Classification

ENDORSE EXISTING MARKINGS ☐

ACTION/RELEASE LIMITED/NOT RELEASABLE TO _____

FOR NIACT

RELEASE DENIED☐

PA or FOI EXEMPTIONS _____

OUTGOING TELEGRAM Department of State

INDICATE COMCEN CHARGE TO

Origin

Info.

FOR OCT USE ONLY

12 Aug 68 22 50

STATE:

SUBJECT: Liberty claims

REF: Tel Aviv 4798, 4799

A. Department requests Ambassador see/[redacted] senior official Fonoff and orally make following points:

(1) USG finds GOI note of August 5 totally unacceptable. [redacted] We have not made either fact of receipt or contents known to public or to Congress.

(2) If GOI [redacted] necessary, we will [redacted] to respond formally [redacted] in a few days of GOI note [redacted].

(3) USG surprised at position taken by GOI in August 5 note and cannot believe it is final position of GOI. In its notes of June 1967 GOI expressed without qualification its readiness to make amends for damage, including material damage, suffered in attack.

(1)

Drafted by: L:LCMeeker:SLGibson:ams 8/8/68 | Tel. Ext. 4714 | Telegraphic transmission and classification approved by: NEA - Lucius D. Battle

NEA/IAI - Mr. Atherton
* The Secretary of Defense (subs)
* U - Mr. Katzenbach (subs)
L:L/C - Mr. Kerley
NEA - Mr. Rockwell
S/S - RLBrown

* Cleared in substance in conversation with Mr. Katzenbach. LDB.

CONFIDENTIAL
Classification

FORM DS-322 8-65

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(4) GOI note implies that death payments were ex gratia. This is new argument and inconsistent with GOI note of June 12 in which GOI recognized its responsibility for error in attacking LIBERTY and expressed its readiness to make amends.

(5) USG cannot accept implication of August 5 note that GOI not legally liable for death and material damage resulting from attack. USG believes GOI liable under accepted principles of international law for damage to property as well as for personal injury and death caused by attack.

(6) USG fails to see that any circumstances ... terning attack on LIBERTY disclosed by inquiries or in any other way remove responsibility of GOI for attack or its obligation to make amends for resulting death and material damage.

(7) USG view regarding liability of GOI remains unchanged and we continue to expect that GOI will compensate USG for amount claimed. [redacted] We stand ready to make full presentation of details of this claim whenever GOI ready to receive it.

B. Department agrees desirability prompt presentation personal injury claims and has been expediting preparation these claims. However, delay arises from inconclusiveness of medical information in some serious cases because therapy still in process.

RUS

GP-3

END

James M. Ennes, Jr. Research Papers

37

PS 8-4 US-USSR
XR DEF 12-4 US 24 JAN 68
XR DEF 18-8/US-USSR
XR DEF 18-6

OUTGOING TELEGRAM Department of State

INDICATE CHARGE TO

LIMITED OFFICIAL USE
Classification

14 AUG 68 20 45Z

ACTION Amembassy TEL AVIV

INFO.: Amembassy BEIRUT
Amembassy AMMAN
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Amembassy LONDON

Retain

STATE

SUBJECT: Liberty Claim

1. Following summary August 17 UPI item which has not yet appeared in press:

(a) Israel has refused to pay $7 million claim for repairs USS LIBERTY. Israel has offered pay $2 million. USG standing pat on grounds GOI assumed full responsibility for June 1967 attack. Article notes $3.3 million paid for death claims.

(b) Notes this dispute complicates USG-GOI relations at time GOI pressing for decision on Phantoms.

(c) ~~XX~~ Notes USG unhappy over GOI failure sign NPT.

(d) Adds personal injury claims not yet submitted and some U.S. officials now worried about full compensation for wounded.

(e) Remainder article reviews facts attack on USS LIBERTY and subsequent Israeli apology, admission responsibility, and promise compensation.

Drafted by	Ext.	Telegraphic transmission and classification approved by
NEA/IAI:JHBahti:lab 8/17/68	4422	NEA - William J. Handley

Clearances:
L/C - Mr. Herley (substance)
M - Mr. Rostow (press guidance
S/S - Mr. O'Donohue)

(7)

FORM 8-55 DS-322

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Classification

Department

2. If queried/intends respond as follows:

(a) Some time ago Israel accepted responsibility for the attack and for payment of compensation for lives lost, for injuries, and for damage to vessel.

(b) Israel has paid the full compensation of $3.5 million for the families of the men killed.

(c) The question of compensation for damage and for injuries is still under discussion. There is some difference of views, but we expect a satisfactory outcome. We cannot, of course, go into detail about the current discussions.

END

EXEMPT

RUSK

James M. Ennes, Jr. Research Papers

37 (84)

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OUTGOING TELEGRAM Department of State

INDICATE COLLECT CHARGE TO

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FOR OCT USE ONLY

19 Aug 68 17 55z

Origin | ACTION: Amembassy TEL AVIV

Info:

INFO: Amembassy AMMAN
Amembassy BEIRUT
Amembassy LONDON

SUBJECT: LIBERTY CLAIM

REF: STATE 123183

1. According August 17 UPI item Israel has offered pay about dol two million for repairs USS LIBERTY, not dol 29 million as erroneously transmitted para 4 reftel. FYI: Do not know source of alleged dol two million figure. It was not Department. END FYI

2. August 18 Evening Star carried item.

EXEMPT

END

RUSK

Release

(5)

Drafted by: NEA/IAI:JDLeonard:cr:8/19.68 | Ext. 4967 | Telegraphic transmission and classification approved by: NEA/IAI - William J. Handley

Clearances:
L/C - Mr. Kerley (subs)
NEA/IAI - Mr. Parti

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8-65

James M. Ennes, Jr. Research Papers

37

PS 8-4 US-USSR

Department of State

DEPARTMENT OF STATE **TELEGRAM**

REVIEWED BY g.w.Ray DATE Sept 19, 1982

RDS OR XDS EXT. DATE
TS AUTH. REASON(S)
DECLASSIFIED/RELEASABLE
RELEASE DENIED
EXEMPTIONS

CONFIDENTIAL

PAGE 01 TEL AV 04975 191102Z

17
ACTION NEA 15

released as redacted 1982 in 5682-1 case

INFO NSA 02,EUR 15,AF 09,CIAE 00,DODE 00,GPM 04,H 02,INR 07,L 03,
NSC 10,P 04,RSC 01,SP 02,SS 20,USIA 12,ACDA 16,IO 13,RSR 01,
/136 W

P 191100Z AUG 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 4485

C O N F I D E N T I A L TEL AVIV 4975

LIBERTY CLAIMS

REF: STATE 223183

1. [redacted] CALLED DCM SUNDAY MORNING TO SAY THAT UPI REPORTS (ATTRIBUTED IN PRESS HERE TO STATE DEPT OFFICIALS' BACKGROUNDER) HAD QUOTE RAISED EYEBROWS UNQUOTE IN THE FONMIN ESPECIALLY IN VIEW OF OUR COMMENT (STATE 219537, PARA A. 1.) THAT WE HAD NOT MADE EITHER FACT OF RECEIPT OF ISRAELI NOTE OF AUGUST 5 OR ITS CONTENTS KNOWN TO PUBLIC OR TO CONGRESS.

2. ON RECEIPT REFTEL DCM INFORMED [redacted] OF WHAT DEPT'S RESPONSE WOULD BE IF ASKED ABOUT STORY.

3. [redacted] IT IS ALSO IMPORTANT HOWEVER THAT THE FINAL SETTLEMENT OF THE LIBERTY CLAIMS CONTRIBUTE TO POSITIVE US-ISRAELI RELATIONS, NOT DETRACT FROM THEM. THE KIND OF PUBLIC DISCUSSION AROUSED HERE BY THIS PRESS REPORT (WHICH WE WILL REPORT IN SEPTEL) IS UNHELPFUL IN ACHIEVING EITHER OBJECTIVE.

GP-3. BARBOUR

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37. (89)

PS 8-4

US_DSR
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OUTGOING TELEGRAM Department of State

INDICATE: ☐ COLLECT
☐ CHARGE TO

Released in part
under b(1) b(3)
in 2010 77

CONFIDENTIAL
Classification

20 AUG 68 16 05Z

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Origin

Info:

ACTION: Amembassy TEL AVIV PRIORITY

STATE

SUBJECT: USS LIBERTY Claims
Reference: Tel Aviv's 4949

1. In view [redacted] reference to token payment reported para 5 reftel, Embassy requested make MFA aware USG position re ship claim before rpt before transmission official reply referred to by [redacted] para 3 reftel:

a. Claim for damage to ship presented by USG based on international law standards and in light unequivocal Israeli assurances June 1967 We expect GOI live up to pledge fully to [redacted] make amends for losses sustained.

b. Amount of compensation claimed based on thorough analysis of damages to ship and attendant costs paid by USG.

c. USG prepared to join in technical discussions and review of documentation supporting claim to establish that compensation claimed accurately expresses loss to USG.

GP-3

END

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY J.M. Razi DATE Sept. 19 1980

RDS☐ or XDS☐ EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☑
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Telegraphic transmission and classification approved by: M - Eugene V. Rostow

RUSK

Drafted by: L/C - EKerrey:cr:8/19/68

NEA - Mr. Battle
NEA/IAI - Mr. Bahti
L - ME-Salans (draft)
DOD - Mr. Schwartz
S/S - Mr. Brown

(1)

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FORM DS-322 8-65

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PS 8.4 US.JSR

Department of State **TELEGRAM**

CONFIDENTIAL 461

PAGE 01 TEL AV 05069 2609Z2Z

17
ACTION L 03

INFO NEA 13,SS 25,GPM [illegible],NSC 10,H 02,INR 07,CIAE 00,NSAE 00,DODE 00,

~~CSR 01,RSC 01~~/266 W

O 2609~~02~~Z AUG 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASH[illegible] 4534

C O N F I D E N T I A L TEL AVIV 5069

SUBJ: USS LIBERTY

REF: STATE 223893

ELIZUR INFORMED PER REFTEL AUG 22

GP-3. BARBOUR

[illegible]

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PS 8-4 US-USR

Department of State

TELEGRAM

CONFIDENTIAL 118

PAGE 01 TEL AV 05147 3015572

51
ACTION SS 70

INFO CIAE 00/070 W

R 3014072 AUG 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4576

C O N F I D E N T I A L TEL AVIV 5147

LIMDIS

USS LIBERTY CLAIMS

REF: STATE 23/284

1. BEFORE FORWARDING NOTE WOULD APPRECIATE CLARIFICATION ONE POINT. IN FIRST PARA, DEPARTMENT'S NOTE ATTRIBUTES TO MINISTRY'S NOTE STATEMENT QUOTE ISRAEL IS NOT LIABLE FOR DAMAGES RPT DAMAGES UNQUOTE. IN FACT ISRAELI NOTE REFERRED TO QUOTE DAMAGE UNQUOTE IN SINGULAR. THIS POINT IS ONE WE AWAITING FURTHER ORAL EXPLANATION FROM ISRAELIS (PARA 3, TEL AVIV 4949).

2. IT OUR IMPRESSION AS WELL AS MFA'S THAT WE WOULD AWAIT ALSO ORAL RESPONSE TO POINTS STATE'S 223893 BEFORE TRANSMITTING OUR NOTE. ISRAELIS HAVE BEEN DILATORY BUT WE HAVE INDICATION FROM ELIZUR THEY WILL BE READY BY SEPTEMBER 3. WE PROPOSE THAT WE HOLD TRANSMITTAL OF NOTE, AND BE READY REVISE IT IF NEED BE IN LIGHT THESE RESPONSES.

GP-3. BARBOUR

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Ross DATE Sep 19, 1980
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☑ RELEASABLE☑
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PA or FOI EXEMPTIONS _____

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Dept of State
8-30-89
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Department of State **TELEGRAM**

CONFIDENTIAL 931

PAGE 01 TEL AV 05171 ?311552

53
ACTION SS 70

INFO CIAE 00/070 W

R 031130Z SEP 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4590

C O N F I D E N T I A L TEL AVIV 5171

LIMDIS

SUBJ: USS LIBERTY CLAIMS

REF: TEL AVIV 5147

1. ASSISTANT DIRGEN FONMIN BITAN CALLED AMBASSADOR SEPT. 3 AND CONFIRMED STATEMENT PREVIOUSLY GIVEN DCM BY ELIZUR THAT (A) ISRAELI NOTE OF AUG 5 DID NOT CONSTITUTE DEPARTURE FROM POSITION ADOPTED BY GOI IN ITS NOTE OF JUNE 10, 1967 AND (B) AUG 5 NOTE DID NOT CONSTITUTE STATEMENT BY GOI THAT ITS SETTLEMENT OF DEATH CLAIMS HAD BE EX GRATIA.

2. BITAN SAID HE WOULD LIKE MAKE PERSONAL PROPOSAL WHICH HE FELT, IF AGREEABLE TO US, WOULD BE APPROVED GO GOI. UNDER HIS PROPOSAL, WE WOULD RETURN GOI NOTE OF AUG 5 WHICH WOULD THEN BE REPLACED BY NEW NOTE WHICH WOULD ACKNOWLEDGE RECEIPT OUR NOTE OF JULY 1 AND STATE THAT CONSIDERATION OF CLAIM MADE THEREIN WOULD TAKE PLACE AT SAME TIME AS CONSIDERATION OF CLAIMS EXPECTED TO BE MADE FOR PERSONAL INJURIES.

3. IT IS CLEAR GOI MOST RELUCTANT TAKE ANY STEPS TO FINALIZE AGREEMENT ON SUM TO BE PAID OF RDAMAGES TO SHIP UNTIL IT HAS OPPORTUNITY KNOW AND CONSIDER HOW MUCH PERSONAL INJURY CLAIMS WILL BE. EMB BELIEVES PARAMOUNT AMERICAN INTEREST SHOULD BE TO OBTAIN FULL PAYMENT PERSONAL INJURY CLAIMS. WHILE WE DO NOT NECESSARILY PROPOSE SCALING DOWN CLAIMS FOR SHIP, WE BELIEVE IT MOST IMPORTANT NOT TO HAVE OUR DESIRE

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE [illegible]
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TS AUTH. _____ REASON(S) _____
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PA or FOI EXEMPTIONS _____

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Department of State **TELEGRAM**

CONFIDENTIAL

PAGE 02 TEL AV 05171 031155Z

FOR FULL PAYMENT OF SHIP CLAIMS RESULT IN SITUATION WHICH WOULD DETRACT FROM OUR ABILITY TO GET FULL AND PROMPT PAYMENT FOR PERSONAL INJURIES WHEN THOSE CLAIMS ARE MADE.

4. EMBASSY THEREFORE STRONGLY FEELS PROPOSAL SUGGESTED BY BITAN SHOULD BE ACCEPTED. THIS WILL REMOVE FROM RECORD ANY INDICATION GOI DISAVOWAL OF RESPONSIBILITY FOR DAMAGES AND HINT OF EX GRATIA BASIS DEWNH CLAIMS CONTAINED THEIR AUG 5 NOTE. ACTION ON VESSEL DAMAGE CLAIMS WOULD THEN REMAIN IN ABEYANCE UNTIL WE ARE ABLE TO SUBMIT PERSONAL INJURY CLAIMS AND GOI THEN ABLE TO SEE TOTAL MAGNITUDE OF WHAT WE ARE ASKING.

5. REQUEST AUTHORIZE AGREE TO BITAN SUGGESTION.
GP-3 BARBOUR

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37 (91) PS 8-4 US-USSR

2348113

OUTGOING TELEGRAM Department of State

INDICATE: ☐ COLLECT
☐ CHARGE TO

CONFIDENTIAL
Classification

Origin
Info

ACTION: Amembassy TEL AVIV

STATE:

Released as U.S. Govt. Cable in State Cable Collection on 2/10/77

REFERENCE: Tel Aviv 5171; State 219537; State 230284

1. Embassy authorized agree [redacted] proposal reported para 2 first reftel.

2. As indicated para B second reftel Dept is expediting preparation personal injury claims.

3. Note sent Embassy by third reftel should not RPT not be sent GOI. Dept will consider reply new GOI note after study text.

GP-3

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY J.M. Rajs DATE Sept. 19, 1980
RDS ☐ XDS ☐ EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☑ RELEASABLE ☑
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

Drafted by: L:L/C:ELKelley:ams 9/4/68
Tel. Ext. 5896
Telegraphic transmission and classification approved by: NEA - Mr. Battle

Clearances:
L - Mr. Salans
NEA - Rodger P. Davies
NEA/IAI - Mr. Bahti
DOD - Mr. Warnke (draft)

RUSK

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Classification

FORM 8-65 DS-322

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37

PS 8-4 US-USSR

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13 SEP 68 14 28 Z

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OUTGOING TELEGRAM Department of State

INDICATE: ☐ COLLECT
☐ CHARGE TO

(92)

SECRET
Classification

Origin

Info

ACTION: Amembassy TEL AVIV

STATE

During call on Battle September eleven Rabin raised Liberty case, asking if USG would forget GOI note of August five and proceed on basis status quo ante. Battle said this request had already been made by GOI to Embassy Tel Aviv. We had authorized Embassy to return August five note and would not deliver note we had prepared in reply.

GP-3

END

Dent
b-3, ED

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.W. Raji DATE Sept. 19, 1986
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☑ RELEASABLE☑
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____ b-3

Drafted by: NEA/IAI:ALAtherton:mob 9/12/68 | Tel. Ext. 2942 | Telegraphic transmission and classification approved by: NEA - Lucius D. Battle

Clearances: L/C - Mr. Kerley (info)

(1)

SECRET
Classification

FORM 8-65 DS-322

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PS ISR US - ISR

Department of State

TELEGRAM

(93)

SECRET 687

PAGE 01 TEL AV 05345 160951Z

1.
ACTION SS 70

INFO CIAE 00/070 W

R 160925Z SEP 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4681

S E C R E T TEL AVIV 5345

LIMDIS

SUBJ: LIBERTY CLAIMS

REF: STATE 237736

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Raz DATE Sept. 19, 1988
RDS or XDS EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS
DECLASSIFIED RELEASABLE
RELEASE DENIED
PA or FOI EXEMPTIONS

1. DEPT. WILL RECALL BITAN'S PROPOSAL WAS AD REFERENDUM. ON RECEIPT STATE 234813 EMB. INFORMED FONMIN BITAN PROPOSAL AGREEABLE TO US AND FONMIN REPLIED THEY WOULD NOW PROCEED TO HAVE PROPOSAL CLEARED AS OFFICIAL AND WOULD BE IN TOUCH WITH US.

2. ON RECEIPT REFTEL EMB. ASKED FONMIN WHETHER PROPOSAL WOULD SOON BE MADE OFFICIALLY. NOTED AMB. RABIN HAD RAISED SAME PROPOSAL IN WASHINGTON SEPT. 11, APPARENTLY IN IGNORANCE WHAT HAD GONE ON HERE. FONMIN REPLIED PROPOSAL HAS NOW BEEN OFFICIALLY ADOPTED. ISRAELI EMBASSY WASHINGTON HAS BEEN INFORMED AND HAS BEEN PROPOSED TEXT OF NEW ISRAELI NOTE IN ORDER TO MAKE CERTAIN THAT TEXT IS AGREEABLE TO DEPT. BEFORE IT IS OFFICIALLY GIVEN EMB.

3. SINCE MATTER OF NOTES HAS BEEN HANDLED HERE RATHER THAN IN WASHINGTON, EMB. UNAWARE ANY REASON WHY FONMIN SHOULD HAVE DECIDED CLEAR TEXT DIRECT WITH DEPT. RATHER THAN THROUGH US, AND IN FACT DID NOT TELL US UNTIL WE INQUIRED. IF DEPT. HAS RECEIVED TEXT BUT HAS NOT YET COMMENTED, SUGGEST COMMENTS BE MADE THROUGH US RATHER THAN IN WASHINGTON.

GP-3. ZURHELLEN

SECRET

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PS 8-4 US-USSR

Department of State

TELEGRAM

94

CONFIDENTIAL 193

PAGE 01 TEL AV 05539 011242Z

50 S
ACTION L 03

INFO NEA 13,GPM 04,NSC 10,SP 02,SS 25,RSC 01,RSR 01,NSA 02,CIAE 00,
INR 07,DODE 00,/068 W

R 011144Z OCT 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4759

C O N F I D E N T I A L TEL AVIV 5539

USS LIBERTY CLAIMS

REF: STATE'S 239732 AND TEL AVIV'S 5345

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY W. W. Ross DATE 12-19-77
RDS EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED RELEASABLE
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

1. ACCORDING TO BITAN ISRAELI EMBASSY WASHINGTON TOO BUSY WITH OTHER MATTERS LAST TWO WEEKS TO CHECK TEXT NOTE WITH DEPT. DECISION THEREFORE MADE TO TRANSMIT NOTE HERE AND THIS DONE TODAY. WE WILL RETURN ORIGINAL AUGUST 5 NOTE TO FONMIN THURSDAY.

2. TEXT NEW NOTE FOLLOWS: QUOTE THE MINISTRY FOR FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF AMERICA AND HAS THE HONOUR TO ACKNOWLEDGE THE RECEIPT OF THE EMBASSY'S NOTE NO. 74 DATED 1 JULY 1968, RELATING TO A CLAIM FOR PHYSICAL DAMAGE INFLICTED UPON THE U.S.S. LIBERTY.

AS AGREED IN INFORMAL CONTACTS, AND WHILST RESERVING THE LEGAL POSITION OF THE GOVERNMENT OF ISRAEL, THE MINISTRY SUGGESTS THAT, TO FACILITATE A MUTUALLY ACCEPTABLE SETTLEMENT, THE DISCUSSION OF THIS CLAIM, TOGETHER WITH THAT OF OTHERS NOT YET SUBMITTED, BE HELD WHEN ALL REMAINING UNITED STATES CLAIMS RELATING TO THE U.S.S. LIBERTY ARE READY.

THE MINISTRY FOR FOREIGN AFFAIRS AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE EMBASSY OF THE UNITED STATES OF AMERICA THE ASSURANCES OF ITS HIGHEST CONSIDERATION. JERUSALEM, 12 SEPTEMBER 1968. UNQUOTE. ZURHELLEN

(1)

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ORIGIN/ACTION

RMR 1	REP	AF
ARA	EUR	FE
NEA	CU	INR 5
E 4	P 2	IO
L 3	FBO	AID
H	S/S 10	S/P 1
AGR	COM	FRB
INT	LAB	TAR
TR	AMB	AIR
ARMY	CIA 20	NAVY 5
OSD 34	USIA 10	NSA 3

95

DEPARTMENT OF STATE

AIRGRAM

PS 8-4 ISRAEL

FOR RM USE ONLY

A- 1393 NO. UNCLASSIFIED HANDLING INDICATOR - Held

TO : Department of State

DEC 29 ... PM 1 17 ... SCP/FLO-PBR

FROM : Amembassy TEL AVIV DATE: December 24, 1968

SUBJECT : Eban's Remarks on Liberty Claims

REF : Release

On December 17, Foreign Minister Abba EBAN replied in Knesset interpellation to queries from several Members of the Knesset on the subject of the USS Liberty claims and with regard to allegations that the damage to the US vessel on June 8, 1967, had been due to American negligence. Eban's reply, as reported in the official Knesset minutes, was as follows:

"So far, the Government of Israel has paid the US Government an amount of $3,323,500 as compensation for the families of men killed on the American Navy ship 'Liberty' in connection with its being mistakenly damaged by the IDF on June 8, 1967. Israel paid the damages within a few months of the receipt of the claim.

"Israel undertook at the time (of the incident) to indemnify the US for the loss of life and property caused by the disaster.

"Israel paid the damages within a few months after the claim was presented in order to spare the bereaved families financial difficulties. The discussion of the further claim, for damage to the ship, was postponed by agreement between the parties until the US Government would have completed the preparation and presentation of all its claims of all kinds.

UNCLASSIFIED

FORM DS-323 4-62

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Drafted by: POL:JPFreres:do 12/23/68

Contents and Classification Approved by: POL:HHStackhouse

Clearances:

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"The presentation of the claim for damages is held up by the need to clarify medical particulars. The Government of Israel does not intend to raise in any way the possibility of demanding that the amount which has already been paid should be refunded. What has been said on the subject in the (U S) House of Representatives does not affect Israel's moral commitment.

"We know of no version about someone accusing the ship's officers of negligence. Even if there was such a claim, it does not affect the Government of Israel. The total amount to be paid by Israel will be established after further negotiations. ... The Government has no intention of withdrawing from its promise to indemnify the US for the damage to the 'Liberty.' As for the amount of the pending or still to be discussed claims, all questions concerning this will be clarified in due course in negotiations which will be conducted as agreed. I regard the painstaking fulfillment of promises and undertakings as a central principle of Israel's foreign policy."

BARBOUR

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PS 8-4 US-USSR

Department of State **TELEGRAM**

(91)

Cohen to Sharf 8-13-69

CONFIDENTIAL 817

PAGE 01 TEL AV 03095 130902Z

11
ACTION NEA 15

INFO OCT 01,CIAE 00,DODE 00,JPM 04,H 02,INR 07,L 03,NSAE 20,NSC 10,

P 04,RSC 01,PRS 01,SS 20,USIA 12,RSR 01,/081 W
075346

R 130500Z AUG 69
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 6874

C O N F I D E N T I A L TEL AVIV 3095

SUBJ: USS LIBERTY CLAIMS

REF: STATE "34612"

1. EMBASSY UNDERSTANDS LEGALITIES OF SITUATION AS OUTLINED REFTEL, ALTHOUGH MIGHT NOTE PARENTHETICALLY RE PARA 3B REFTEL THAT IF SHIP HAD BEEN EIGHTY MILES OFF COAST IT NOT LIKELY TO BE IDENTIFIED AS HOSTILE ON BASIS IT PROBABLY RESPONSIBLE FOR REPORT--LATER PROVED FALSE--OF NAVAL SHELLING EL ARISH, ETC). PRINCIPAL CONCERN REMAINS, HOWEVER, THAT FINAL SETTLEMENT OF LIBERTY INCIDENT CONTRIBUTE TO OVERALL US OBJECTIVES RE ISRAEL WHILE PROTECTING US LEGAL POSITION AS PRECEDENT. COMPENSATION HAVING BEEN RECEIVED IN FULL TO SATISFY, INSOFAR AS MONEY CAN, HUMANITARIAN ASPECTS OF CALAMITY DOES NOT SEEM CONSISTENT WITH TOTAL AMERICAN POLICY TO PRESS COUNTRY TO WHICH US HAS EXTENDED SUBSTANTIAL MATERIAL AID TO REPAIR DAMAGES TO VESSEL.

2. WITH ABOVE CONSIDERATION IN MIND, SUGGEST NEXT BEST STEP WOULD BE FOR EMBASSY BEGIN NEGOTIATIONS WITH GOI ON BASIS THAT WE AWAIT REPLY TO OUR NOTE TRANSMITTING CLAIM AND HOPE THAT THEY WILL BE IN TOUCH WITH US SOON. BELIEVE APPROACH SHOULD BE ORAL AND FURTHER STEPS CONSIDERED AFTER WE RECEIVE ORAL ISRAELI COMMENTS. GPMS.
BARBOUR

NOTE: WAS RECEIVED.

(1)

CONFIDENTIAL

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Razi DATE Sept. 19, 1978
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
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RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

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PS 8-4 US-USSR

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Department of State
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18 AUG 69 20 20Z

(98)

DISTRIBUTION

ACTION: Amembassy TEL AVIV

STATE

SUBJ: USS LIBERTY CLAIMS

REF: Tel Aviv 3095 - PS 8-4 US-Isr

Department concurs in course of action outlined para 2 reftel. Please inform us when oral approach made.

GP-3

END

ROGERS

Released w 2.8i in Sept. 1980

Deny b-5 FOI

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Raji DATE Sept. 19, 1980
RDS☐ or ADT☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☑ RELEASABLE☑
RELEASE DENIED☐
FA or FOI EXEMPTIONS _____

DRAFTED BY	DRAFTING DATE	TEL. EXT	APPROVED BY:
NEA/IAI:MCLissfelt:hml	8/15/69	22294	NEA - Rodger P. Davies

CLEARANCES:
L/C - Mr. Kerley
NEA/IAI - Mr. Wahl
H - xxxxxxxxx Miss Folger
Navy - Cdr. R. C. Smith (subs)

(1)

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FORM DS-322
4-68

Papers
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061 89

DEPT. DISTRIBUTION
ORIGIN/ACTION
NEA-10

WR 1	REP	AF	ARA
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INR 5	E	P	IO 5
L 3	FBO	AID	
L/T 1	SCA 1	SCS 2	
AGR	COM	FRB	INT
LAB	TAR	TR	XMB
AIR	ARMY	NAVY 5.	OSD 34
USIA	NSA 3	CIA 10	

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ADM			
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FILE			

Action Taken:

Date:

Initials:

DEPARTMENT OF STATE

AIRGRAM

PS 8-4 US-ISR

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FILE DESIGNATION

99
HANDLING INDICATOR

CONFIDENTIAL

CA-5749

TO : Amembassy TEL AVIV

INFO: Amembassy BEIRUT
USINT CAIRO
USUN NEW YORK

FROM : Department of State

SUBJECT : USS LIBERTY Claim

REF : Tel Aviv 3456

DEPARTMENT OF STATE/AID/DC/MR
REVIEWED BY _____ DATE OCT 22 1 54 PM '69
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFY/RELEASABLE ☑
RELEASE-DENIED ☐
PA or FOI EXEMPTIONS _____

NEA Deputy Assistant Secretary Davies raised the remaining USS LIBERTY claim for damage to the ship with Michael Elizur, Director of the North America Department, Israel Foreign Ministry, during the latter's call at the Department October 10. Mr. Davies indicated that since all other USS LIBERTY claims have been settled, we believe that Israel should now respond to our note presenting the claim for damage to the ship, which dates from July 1968. We had understood that the matter would be discussed during Assistant Director General Moshe Bitan's visit to the United States, but a suitable opportunity did not arise.

Mr. Elizur said it was his government's impression that the two governments had arrived at a tacit understanding that the claim for damage to the ship would be held in abeyance indefinitely. Mr. Davies replied that, on the contrary, United States agencies were still awaiting a reply from the Government of Israel. This expectation remains unchanged even though the USS LIBERTY class ships are being decommissioned by the Navy.

Mr. Elizur suggested that Embassy Tel Aviv pursue the matter directly with Mr. Bitan, since he (Mr. Elizur) will not return to Israel until early November. Mr. Davies replied that early November would be soon enough, and indicated his hope that Mr. Elizur would raise the question in the Foreign Ministry upon his return to Israel.

FORM DS-323 10-64

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Drafted by:	Drafting Date:	Phone No.:	Contents and Classification Approved by:
L/C:ELKerley EK NEA/IAI:TAWahl. TAW	10/15/69	21714	NEA - Mr. Davies

Clearances:
Navy:Cdr. R. C. Smith (subs) RCS (EK)
NEA/IAI:ALAtherton, Jr.

James M. Ennes, Jr. Research
Papers

ACTION REQUESTED:

The Embassy should follow up the Department's approach by raising the claim with Bitan and Elizur after Elizur returns, in order to elicit a reply from the Government of Israel. In keeping with our policy of making all information relevant to the USS LIBERTY claims available to the Government of Israel, the Embassy should indicate that this class of ship is being decommissioned but that no decision has been made regarding scrapping of the vessels.

ROGERS

James M. Ennes, Jr. Research Papers

ORIGIN/ACTION

L-3

RMA 1	REP	AP
ARA	EUR	FE
NEA 9	CU	INR 5
E	P	IO 5
L	PBO	AID
~~SCI~~ 1	~~SCI~~ 1	2
ACDA	COM	FRB
INT	LAB	TAR
TR	XMB	AIR
ARMY	IA 16	NAVY 5
OSD 34	USIA	NSA

DEPARTMENT OF STATE

AIRGRAM

FS 8-4 US-ISR

FOR PURPOSE ONLY

A-630 NO.

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RECEIVED

HANDLING INDICATOR

TO 109 : Department of State

INFO: BEIRUT, CAIRO, USUN

FS-Limited

FROM : AmEmbassy TEL AVIV

DATE: December 3, 1969

SUBJECT : USS LIBERTY Claim

REF : CA 5749 NEA

Released in full 11-78 in sheets case 2/10/77

[redacted] having returned to Israel, Embassy has raised again with [redacted] LIBERTY claim in accordance last para reference CA. Information last sentence thereof also given him. [redacted] was told US Government continues to expect reply from GOI to our Note of July 1968 presenting claim for damage to ship. [redacted] promised to take matter up within Ministry and communicate with Embassy later.

Release deny brackets b-1 ED

BARBOUR

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY: J.M. Razi DATE: Sept. 19, 1980

RDS☐ XDS☐ EXT. DATE

AUTH. REASON(S)

RELEASE EXISTING MARKINGS ☐

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FOI EXEMPTIONS

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DEC 3 PM 12 43 1969

FORM DS-323 4-62

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Drafted by: DCM:JOZurhellen, Jr:caf/12/2/69

Contents and Classification Approved by:

Clearances:

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FORM DS-323
10-64

25

DEPARTMENT OF STATE

AIRGRAM

PS 8-4 215-1SR

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FILE DESIGNATION

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HANDLING INDICATOR

A-18
NO.

TO : Amembassy TEL AVIV

(101)

Released as A-72 in State exc on 2/10/77

FEB 1 11 57 AM '71

FROM : Department of State

DATE:

SUBJECT : USS LIBERTY Claim

REF : Tel Aviv 2555

Telcon Dep't Packet

Deputy Assistant Secretary Atherton raised the remaining LIBERTY ship damage claim with Israeli Embassy Minister Argov January 20, in the course of a general conversation on a variety of subjects.

Atherton reiterated the USG's appreciation for prompt processing and payment by Israel of the death and injury claims. He reminded Argov that the last word the U.S. had from the GOI on the remaining claim was last May when Eytan told Ambassador Barbour that Israel's response to the U.S. diplomatic note concerning the ship damage claim was being cleared within the Israel Government. We were therefore still carrying an outstanding claim against the Israeli Government on our books and thought there had been more than ample time for a reply.

Argov said he would query the Foreign Ministry about the present status of the Israeli response to the U.S. claim.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY ROGERS J.W. Rogers DATE Sept. 19, 1980
RDS[ ] or XDS[ ] EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS [ ]
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FA or FOI EXEMPTIONS _____
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NEA/IAI:MCLissfelt:hml	1/27/71	22294	NEA-A. L. Atherton, Jr.

Clearances:
NEA/IAI:HHStackhouse
L/C:EKerley

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Department of State **TELEGRAM**

CONFIDENTIAL 606

PAGE 01 TEL AV 03945 061306Z

ACTION L-04

INFO OCT-01 NEA-13 CIAE-00 DODE-00 PM-09 H-02 INR-08
NSAE-00 NSC-10 P-03 RSC-01 PRS-01 SS-20 USIA-12 RSR-01
/085 W

015897

R 061047Z JUL 71
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 1844

C O N F I D E N T I A L TEL AVIV 3945

SUBJECT: USS LIBERTY CLAIM

DURING CALLS AT FOREIGN MINISTRY JULY 5 BY DEPARTMENT'S ASSISTANT LEGAL ADVISOR BOYD AND EMBOFF, DIRECTOR NORTH AMERIAN DEPARTMENT ELIZUR SAID GOI STANDS BY ITS PREVIOUS COMMITMENT REGARDING ITS LIABILITY IN LIBERTY CASE. ELIZUR SAID FOREIGN MINISTRY HOPES VERY SOON, POSSIBLY WITHIN FEW DAYS, TO COME FORWARD WITH AN APPROACH TO USG WHICH WILL BRING ABOUT A "MUTUALLY SATISFACTORY SETTLEMENT" OF USG'S CLAIM IN REGARD TO DAMAGE DONE TO VESSEL. ELIZUR SEEMED TO BE HINTING THAT AMOUNT GOI WOULD PROPOSE MAY BE LESS THAN THAT SOUGHT BY USG BUT WHEN ASKED SPECIFICALLY ABOUT THIS BY EMBOFF ELIZUR SAID HE WOULD PREFER NOT TO SAY ANYTHING MORE UNTIL FORMAL GOI PRESENTATION IS READY. ADDED THAT HE HOPED LIBERTY CLAIMS CASE WILL SOON ALL BE BEHIND US." GP-3.
BARBOUR

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Ray DATE Sept 19, 1975
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
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Department of State
TELEGRAM

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ACTION Amembassy TEL AVIV

Peter A.

STATE

SUBJ: USS Liberty Claim

REF: A-100, April 17

Would be helpful to receive latest from GOI on pending claim prior Eban visit May 20.

GP-3

END

[ROGERS]

DRAFTED BY	DRAFTING DATE	TEL EXT	APPROVED BY:
NEA/IAI:MCLissfelt:hml	5/18/70	22294	NEA - Alfred L. Atherton, Jr

CLEARANCES: NEA/IAI:HHStackhouse L/C:~~MKerr~~ FKwiatek (subs)

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CONFIDENTIAL 558

PAGE 21 TEL AV 02555 191129Z

released as NLS 75 in full 2/20/77

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ACTION NEA-15

INFO OCT-01 L-04 CIAE-00 INR-07 NSAE-00 RSC-01 DODE-00
SS-20 PM-05 NSC-10 RSR-01 /064 W

10R154

R 191129Z MAY 70
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 8600

C O N F I D E N T I A L TEL AVIV 2555

REF: STATE 075536

SUBJ: USS LIBERTY CLAIM

PRIOR TO HIS DEPARTURE WITH [redacted] TOLD AMBASSADOR THAT GOI RESPONSE ON LIBERTY WAS BEING CLEARED WITHIN GOI. GP-3.
BARBOUR

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY J. M. Razi DATE Sept 19, 1980
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DEPARTMENT OF STATE

AIRGRAM

PS-4 U.S.-U.K. (DEFENSE) AIRGRAM

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A-685

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HANDLING INDICATOR

TO DEPARTMENT

RECEIVED
DEPARTMENT OF STATE
1968 MAR 21 8 18 AM
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ANALYSIS BRANCH

Release

FROM : Amembassy TEL AVIV DATE: March 18, 1968

SUBJECT : USS LIBERTY CLAIMS: Transmittal of Ministry of Foreign Affairs Note of March 7

REF : Tel Aviv 2912

Enclosed herewith is the original copy of the Ministry for Foreign Affairs Note dated March 7, 1968 relative to the USS Liberty claims.

BARBOUR

Enclosure: Ministry of Foreign Affairs Note of March 7

1968 MAR 21 PM 1 23

COPYFLO-PER

FORM 4-61 DS-323

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Drafted by: POL:JDLeonard/do 3/15/68

Cleared by:

Content and Classification Approved by: POL:HHStackhous

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S E C R E T KUALA LUMPUR 4694

EXCISE

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY J. III Ruzi DATE Sept. 1981
PORTIONS DENIED AS INDICATED

SUBJ: MIDDLE EAST

1. I REVIEWED MIDDLE EAST SITUATION WITH PRIME MINISTER THIS AFTERNOON (SUBSTANCE OF STATE 206179 HAD ALREADY BEEN GIVEN TUN RAZAK IN WRITTEN FORM). I POINTED OUT OUR POLICY WAS TO SUPPORT INDEPENDENCE AND TERRITORIAL INTEGRITY OF ALL COUNTRIES IN MIDDLE EAST. AT MOMENT OUR EFFORTS DIRECTED TOWARD OBTAINING CEASE-FIRE AND THAT WE THEN HOPED PROBLEMS COULD BE SETTLED THROUGH DIPLOMACY AND UNITED NATIONS. I TOLD HIM CAIRO RADIO CHARGE THAT U.S. PLANES HAD BEEN IN ANY WAY INVOLVED IN FIGHTING BETWEEN ISRAEL AND ARAB COUNTRIES WAS A FABRICATION.

[redacted]

B1 E

PAGE 2 RUMJKL 4694 S E C R E T

[redacted]

E

2. I TOLD TUNKU THAT I FELT OUR DENIAL OF INVOLVEMENT AS CHARGED BY CAIRO RADIO HAD NOT RECEIVED EQUAL PLAY IN PRESS OR O[illegible]TV AND RADIO (GOVT OPERATED) WITH PROPAGANDA COMING OUT OF CAIRO. TUNKU IMMEDIATELY STARTED TO DICTATE STATEMENT TO FOREIGN OFFICE OFFICIAL PRESENT. AFTER SOME DISCUSSION HE CAME UP WITH THE FOLLOWING WHICH WAS RELEASED

(1)

SECRET

Not released

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TO PRESS, R DIO AND TV AND WAS CARRIED BY BOTH TV AND RADIO WITHIN AN H UR.

"THE U.S. AMBASSADOR CAME TO SEE THE PRIME MINISTER TO GIVE AN ASSURANCE THAT THE U.S. MAINTAINS STRICT NEUTRALITY OVER THE FIGHTING IN THE MIDDLE EAST. THE AMBASSADOR COULD GIVE NO

PAGE 3 RUMJKL 4694 S E C R E T
REASON FOR THE CHARGES MADE BY CAIRO RADIO THAT AMERICAN PLANES HAD GIVEN COVER TO ISRAEL IN THE FIGHTING. THE AMBASSADOR EXPLAINED THAT THE UNITED STATES GOVERNMENT HAVE OFFERED THE UNITED NATIONS FACILITIES TO SEND OBSERVERS TO BOARD ANY U.S. AIRCRAFT CARRIER NEAR THE AREA TO FIND OUT THE TRUTH FOR THEMSELVES."

GP-3. BELL
BT

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37 (16)

FOL 27 ARAB-ISR
DEF 12 US

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TO SECSTATE WASHDC IMMEDIATE
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BT
C O N F I D E N T I A L TEL AVIV 4178

REF: STATE 211695

NO REQUEST FOR INFO ON U.S. SHIPS OPERATING OFF SINAI WAS MADE UNTIL AFTER LIBERTY INCIDENT. HAD ISRAELIS MADE SUCH AN INQUIRY IT WOULD HAVE BEEN FORWARDED IMMEDIATELY TO THE CHIEF OF NAVAL OPERATIONS AND OTHER HIGH NAVAL COMMANDS AND REPEATED TO DEPT.

GP-3. BARBOUR
BT

ADVANCE COPY PASSED TO S/S-O, 6/16/67, 4:45 P.M.
NOTE: PASSED TO WHITE HOUSE, DOD, CIA, USIA, NSA, COMAC, CINCSTRIKE, USUN, 6/16/67, 4:45 P.M.

Release

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ACTION: Amembassy TEL AVIV ~~XXXXXX~~ IMMEDIATE

JUN 16 12 51 PM '67

Release

STATE 211695

1. Washington Post June 16 carried following story from ~~XXXXXXXXXX~~ correspondent based in Washington: Israeli sources said that when fighting broke out in Middle East June 5, Israeli Govt queried US Naval Attache in Tel Aviv as to whether there were any American ships operating in Mediterranean off Sinai Peninsula. According story Israelis QTE got no response UNQTE.

2. As far we are, first Israeli query along these lines made to American official was that reported in DAO 0825 June 8 which was after attack on USS Liberty.

3. Request urgent confirmation above and any other comments.

GP-3

End

RUSK

Drafted by: NEA:IAI:MSteiner:fah:6/16/67 | Tel Ext: 4523 | Telegraphic transmission and classification approved by: NEA/IAI - Alfred L. Atherton, Jr.

Clearances:
(2)
DOD/ISA - Commander Cone (for info)
NEA/P - Mr. Brown (for info)

FORM 8-65 DS-322

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Department of State

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PAGE 01 TEL AV 02796 070924Z

3
ACTION L 23

INFO NEA 13, GPM 23, DODE 00, CIAE 00, INR 07, NSAE 00, RSC 01, RSR 01, [illegible] 2

R 070843Z MAR 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 3365

LIMITED OFFICIAL USE TEL AVIV 2796

SUBJECT: USS LIBERTY CLAIMS

REF: TEL AVIV 2735 - PS & I US JSC

ELITZUR (US DEPT) CALLED THURSDAY A.M. TO SAY FOREIGN OFFICE SENDING EMBASSY NOTE ON SUBJECT. ACCORDING ELITZUR OPERATIVE SENTENCE OF NOTE WAS TO EFFECT, FOLLOWING INITIAL EXAMINATION OF CLAIMS BY GOI, INSTRUCTIONS WERE BEING SENT TO ISRAEL EMBASSY WASHINGTON TO OPEN TALKS ON THIS MATTER. THESE INSTRUCTIONS WERE ALREADY ON WAY, ELITZUR SAID.

EXEMPT. BARBOUR

DEPARTMENT OF STATE A/CDC/MP
REVIEWED BY J.M. Ray DATE July 19, 1985
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
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HANDLING INDICATOR NO.

TO : Amembassy TEL AVIV

FROM : Department of State DATE: Dec 19 9:35 AM '67

SUBJECT: U.S. Liberty claims

REFERENCE(S):

LISTING MARKINGS:

RELEASABLE TO:

EXCEPTIONS:

Enclosed herewith are the following notes for transmission to the Ministry for Foreign Affairs:

1. A draft note stating the legal basis of the claims which the United States Government will present against the Government of Israel in connection with the attack on the U.S.S. Liberty by Israeli air and naval units on June 8, 1967, and indicating the categories of claims which will be presented (Enclosure No. 1).

2. Thirty-four notes, constituting individual claims in each of the death cases (Enclosure No. 2). Because of the volume of material, these have been typed in final in the Department. They require numbering and dating by the Embassy; numbering should begin immediately following the note transmitted as Enclosure No. 1. The notes have been transmitted to the Embassy in alphabetical order, based on the name of the deceased, and should be numbered in that order.

The Embassy is requested to transmit all notes to the Ministry for Foreign Affairs simultaneously, informing the Department telegraphically when they have been transmitted.

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Drafted by:	Drafting Date:	Phone No.:	Contents and Classification Approved by:
L:L/C:ELKelley:ams 11/22/67		5896	L:Carl F. Salans

Cleared: L:FAKwiatek

NEA/IAI - Mr. Lambrakis

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The Embassy should indicate to the Ministry for Foreign Affairs that the Department will inform interested members of Congress that the death claims have been filed, and will indicate to them the total amount of compensation claimed but not the amounts of compensation in individual claims. The Department does not plan to issue a press release but will, in reply to inquiries, indicate that the claims have been presented and the total amount of compensation claimed.

RUSK

Enclosure:

Draft Note (with attachments)

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UNCLASSIFIED

DRAFT NOTE

Enclosure No. 1
Department's A-_____
to Tel Aviv

The Embassy of the United States of America presents its compliments to the Ministry for Foreign Affairs of Israel and has the honor to refer to the note of the Ambassador of Israel to the Secretary of State, dated June 10, 1967, the note of the Secretary of State to the Ambassador of Israel, dated June 10, 1967, and the note of the Ambassador of Israel to the Secretary of State, dated June 12, 1967, concerning the attack by Israeli air and naval units against the U.S.S. Liberty on June 8, 1967. In his note of June 10, 1967 to the Secretary of State, the Ambassador of Israel, after expressing the regret of his Government, stated, [illegible] instructions that the Government of Israel is prepared to make amends for the tragic loss of life and material damage. In his note of the same date to the Ambassador of Israel, the Secretary of State, in reply, after reviewing the circumstances of the attack, stated the expectation of "the United States Government ... that the Government of Israel will provide compensation in

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accordance with international law." In his reply note, dated June 12, 1967, the Ambassador of Israel recalled that as soon as the Government of Israel became aware of the attack it informed the Government of the United States what had taken place and that "the Government of Israel immediately assumed responsibility for this error." The Ambassador further recalled that the Government of Israel had taken the initiative "to offer to make amends for the tragic loss of life and material damage" and stated further that "the Government of Israel renews its readiness to make amends."

The United States Government has proceeded to compile the information necessary to present to the Government of Israel claims for compensation as a result of the attack on the U.S.S. Liberty to the extent recognized by international law. The claims that the Government of the United States will present fall into the following categories:

1. Claims on behalf of those suffering loss as a result of the deaths of thirty-four members of the crew of the vessel.

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2. Claims on behalf of the approximately one hundred sixty-two member of the crew who suffered personal injuries.

3. The claim of the Government of the United States for physical damage to the U.S.S. Liberty.

4. The claim of the Government of the United States for reimbursement of amounts expended for medical treatment of the injured personnel.

5. The claim of the Government of the United States for the value of lost services of injured personnel.

6. The claim of the Government of the United States for amounts expended in reimbursing the crew for personal property lost or destroyed.

Claims on behalf of those suffering loss as a result of the deaths of thirty-four members of the crew of the U.S.S. Liberty are being submitted today

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to the Government of Israel in a series of separate notes. In view of the substantial economic hardship suffered by these claimants, the United States Government trusts that the Government of Israel will expeditiously process and pay these claims.

The remaining claims will be presented periodically as the evidence establishing the amount of damage in accordance with principles of international law becomes available. Delay may occur in presenting some of the claims, particularly those involving serious personal injuries, since the extent of injury may not be ascertainable until a later date.

Enclosures:

James M. Ennes, Jr. Research Papers

Department of State

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PAGE 01 TEL AV 02912 151346Z

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ACTION L 03

INFO SEA 13 SP-4 03 CI [illegible]

R 151346Z MAR 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 3436

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE Sept. 19, 1986
RDS[ ]or XDS[ ]EXT DATE
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LIMITED OFFICIAL USE TEL AVIV 29

USS LIBERTY CLAIMS

REFTEL TEL AVIV 2796

1. EMBASSY TODAY RECEIVED NOTE DATED MARCH 7 FROM MINFOR AFFAIRS REPLYING TO EMBASSY'S NOTE OF DECEMBER 27, 1967 CONCERNING USS LIBERTY CLAIMS. HEREWITH VERBATIM TEXT OPERATIVE SECTION: QUOTE THE MINISTRY IS PLEASED TO ADVISE THE EMBASSY THAT, FOLLOWING THE INITIAL EXAMINATION OF THE CLAIMS CONTAINED IN THE SERIES OF NOTES FORWARDED SIMULTANEOUSLY

PAGE 2 RUGMVL 2916 C O N F I D E N T I A L LIMITED OFFICIAL USE
WITH THE ABOVE-MENTIONED NOTE, AND WHILST RESERVING FULLY THE GOVERNMENT OF ISRAEL'S LEGAL POSITION, THE EMBASSY OF ISRAEL IN WASHINGTON IS NOW BEING INSTRUCTED TO OPEN TALKS ON THE SUBJECT WITH THE COMPETENT UNITED STATES AUTHORITIES. THE EXAMINATION OF THE CLAIMS SO FAR ENTAILED CONSIDERABLE DIFFICULTIES WHICH WERE DUE TO THE FACT THAT THE INFORMATION SUPPLIED WAS NOT ENTIRELY COMPLETE AND, IN PARTICULAR, BECAUSE ONLY ONE CATEGORY OF CLAIMS WAS SUBMITTED. UNQUOTE

2. NOTE ITSELF FOLLOWS UNDER COVER OF AIRGRAM.

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PAGE 1 TEL AV 02735 041018Z

ACTION L-03

INFO NEA-13 OMB-01 ADS-00 /026 R

R 041042Z MAR 80
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 3369

LIMITED OFFICIAL USE TEL AVIV 2735

SUBJECT: USS LIBERTY CLAIMS

REF: STATE 063355

IN ANSWER TO QUERY REQUESTED REFTEL ELITZUR (HEAD AMERICAN DEPARTMENT, FONOFF) TOLD US THAT DELAY IN RESPONSE TO OUR NOTE CONCERNING USS LIBERTY DEATH CLAIMS WAS DUE TO ABSENCE FINANCE MIN SAPIR, WHO RETURNED FRIDAY MORNING FROM COUNTRY. HE ASSURED US THAT WE COULD EXPECT REPLY LATER THIS WEEK. EXEMPT

BARBOUR

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Razi DATE Sept. 19, 1980
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ACTION: AmEmbassy TEL AVIV

DEPARTMENT OF STATE A/CDC/MR
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REVIEWED BY Glenn Eichhorn Ray DATE Sept. 19, 1996
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STATE

LIMDIS 5

SUBJECT: USS LIBERTY Claims

1. During call March 25, Ambassador Rabin and Embassy lawyers informed Under Secretary that GOI concedes validity of $1.5 million portion death claims which relate to loss of financial support. However, GOI inquiring how remaining portion ($1.78 million) attributable to emotional anguish was calculated. Also concerned lest agreeing to these payments set precedent for similar payments involved in injury claims still to come. Asked to be given indication of general size future claims for property and injuries even if these claims not entirely ready for submission yet.

2. Under Secretary, assisted by Department legal officers, agreed to provide basis of calculation emotional anguish and what information presently available as to general direction property and personal injury claims. Working level meeting with lawyers set for March 27. Under Secretary pointed out some degree of arbitrariness inevitable in such calculations and juries in such cases similarly arbitrary. Also remarked that payment of death claims would not set exact precedent for injury claims since latter claims do not involve emotional anguish of relatives but quite different factor of pain and

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Drafted by: NEA/IAI: GBLambrakis:cr:3/26/68 | Tel. Ext. 4967 | Telegraphic transmission and classification approved by: The Under Secretary

Clearances: L/C: Mr. Kerley

NEA/IAI - Mr. Atherton
NEA - Mr. Handley
L - Mr. Salans (SIC)
S/S - Mr. Meehan
H - Miss Folger

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suffering victim. He noted financial hardship being suffered by some claimants, as well as strong Congressional interest, and urged death claims be paid promptly.

3. In closing, Under Secretary threw out thought that immediate payment of $1.5 million portion death claims to families most in need because of loss financial support might be helpful. Israelis agreed this would be good idea.

4. Following meeting, Rabin told Deptoff he intended recommend payment $1.5 million as first tranche while rest being worked out. Seemed unimpressed by political risks involved. Department unable predict with certainty what effect such payment would h but there is good chance at least some of claimants (either among the minority who would thus receive partial payment or among the majority who would receive no payment at this time) would redouble efforts through Congressional and other channels to insure their claims not being sidetracked. This could seriously agitate issue of LIBERTY attack at time when it has generally subsided. Partial payment might also relieve pressure on GOI to make other payments and reduce our bargaining leverage. We hope that by explaining to lawyers here basis for remaining portion death claims, GOI will be prepared quickly to resolve entire death claim before full presentation property and injuries claims. If Embassy is consulted by Foreign Ministry on subject, it should therefore take position that, while advance payment $1.5 million might be useful humanitarian gesture, would also be risky in political terms -- particularly if not followed almost immediately by payment of remainder. Safest and surest course for GOI remains payment of entire amount of death claim right now, while other claims being worked out.

END

GP-3

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Department of State TELEGRAM

LIMITED OFFICIAL USE 110

PAGE 01 TEL AV 03397 181543Z

47
ACTION L 03

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INFO NEA 13,SS 20,NSC 10,GPM 03,CIAE 00,INR 07,NSAE 00,RSC 01,DJUE...
H 02,RSR 01,/060 W

R 181445Z APR 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 3692

LIMITED OFFICIAL USE TEL AVIV 3397

USS LIBERTY CLAIMS

REF: STATE'S 148286

1. EMBOFF SAID WE CONCERNED WE HAD NOT HEARD IN ALMOST THREE WEEKS FROM GOI ON SUBJECT. WE HAD HAD REASON TO BELIEVE FROM EARLIER CONVERSATIONS WITH MINISTRY OFFICIALS THAT GOI DISPOSITION WAS TO PROCEED EXPEDITIOUSLY WITH MATTER.

2. ELIZUR SAID OUR UNDERSTANDING WAS CORRECT: GOI WANTED SETTLE MATTER QUOTE QUICKLY AND SMOOTHLY UNQUOTE. WORKING PARTY COMPRISING REPS MINISTRY OF FINANCE, DEFENSE AND FOREIGN AFFAIRS HAD BEEN ESTABLISHED IN GOI AND WAS AWAITING CERTAIN INFORMATION FROM ISRAELI ECONOMIC COUNSELOR IN WASHINGTON WHICH THEY EXPECTED WOULD ARRIVE APRIL 21. ELIZUR SAID WORKING PARTY WOULD MEET EARLY NEXT WEEK AND HE HOPED RESPONSE WOULD BE FORTHCOMING SHORTLY AFTER THAT.

EXEMPT
BARBOUR

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Ray DATE Sept. 19, 1980
RDS☐ or XDS☐ EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
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FA or FOI EXEMPTIONS
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(1)

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PS 8-4 US USSR

Department of State

TELEGRAM

DEPARTMENT OF STATE A/CDC/MJ
REVIEWED BY C.J. III. Razi DATE Nov 19, 1980
RDS☐or XDS☐EXT. DATE
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☑ RELEASABLE☑
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PA or FOI EXEMPTIONS _____

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PAGE 01 TEL AV 03322 031232Z

43
ACTION L 03

INFO NEA 13,33 20,NSC 10,GPM 04,CIAE 00,INR 07,NSAE 00,RSC 01,DODE 00,
H 02,RSR 01,/061 W

R 031100Z MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 3772

LIMITED OFFICIAL USE TEL AVIV 3559

SUBJ: USS LIBERTY CLAIMS

REF: TEL AVIV 3397 AND STATE 148286

1. I RAISED THE MATTER OF USS LIBERTY CLAIMS WITH FONMIN EBAN MAY 2. HE APPEARED UNINFORMED OF STATUS OF MATTER AND I ACCORDINGLY EXPLAINED THAT WE HAD SUBMITTED CLAIMS IN RELATION TO THE DEATHS SOME TIME AGO. ISRAELI REACTION WAS THAT THEY WOULD GIVE IMMEDIATE ATTENTION TO PROBLEM BUT SO FAR NOTHING HAS TRANSPIRED. ISRAELI LAWYERS CONSULTED THE DEPARTMENT AND SEEMED SATISFIED THAT CLAIMS WERE NOT EXORBITANT.

I URGED THAT THE CLAIMS BE SETTLED EXPECITIOUSLY ON HUMANITARIAN GROUNDS AS CLAIMANTS WERE IN SOME CASES HARD UP AND IN ANY EVENT A NUMBER WERE APPEALING THROUGH THE DEPARTMENT, THROUGH CONGRESS AND OTHERWISE FOR SOME ACTION.

2. BITAN, WHO WAS ALSO PRESENT, CONFIRMED MY SUMMARY OF THE SITUATION, ADDING THAT THE ISRAELI LAWYERS BOTH IN WASHINGTON AND IN JERUSALEM RECOMMEND PAYMENT BUT THERE HAD BEEN SOME FEELING THAT THE GOI WHOULD HAVE AN ASSURANCE THAT THE CALCULATIONS OF COMPENSATION FOR "MENTAL ANGUISH" ARE IN LINE WITH SOME ACCEPTED AMERICAN SCALE AND DEPARTMENT HAD SO FAR BEEN UNABLE GIVE SUCH ASSURANCE. I ARGUED THAT IT MIGHT BE THAT SUCH ASSURANCE WOULD BE MEANINGLESS.

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(116) Hand

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY M. Raji DATE Sep. 19, 1980
RDS☐or XDS☐EXT. DATE ~~Dec. 5, 1968~~
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☑
~~RELEASABLE~~ DENIED☐
PA or FOI EXEMPTIONS _____

Mr. Arthur W. Farmer
Chief Benefits Director
Department of Veterans
Veterans Administration
810 Vermont Avenue, N.W.
Washington, D. C. 20420

Dear Mr. Farmer:

The Department of State is now in the process of computing the amounts of compensation to be claimed from the Government of Israel on behalf of the crew members of the U.S.S. Liberty who suffered personal injuries in the Israeli attack on that ship on June 8, 1967. On the basis of information now available to us, which in some cases is incomplete because medical treatment has not yet been concluded, it appears that a limited number of cases - at least six but probably not as many as thirty - involve permanent impairment of earning capacity. The purpose of this letter is to solicit the advice of the Veterans Administration as to the percentage of permanent impairment which we should use in our legal formula for computing loss of earnings in this limited number of cases.

Use of the Veterans Administration schedule for rating disabilities in computing the compensation to be claimed from the Government of Israel would have obvious advantages. In view of the authoritative nature of the schedule, its use would result in the most accurate possible evaluation of the losses incurred by the claimants. Moreover, its use would avoid the feelings on the part of the claimants that they had been unfairly treated, which would arise if the Department were to rate the claimants' disabilities at a significantly different percentage than that used by the Veterans Administration in connection with present or future benefits.

(2) L:L/K:E C Kerley
5-2-68

13-8-41 US ISC
NF POL 27 ARAB-ISR

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Informal discussions between Dr. Meilenberg, Mr. Bailey, and Mr. Macomber of the Veterans Administration and members of the Department's Legal Adviser's Office suggest that an informal procedure for consultation on this matter might well be feasible. I hope you would be agreeable to such a procedure.

Sincerely yours,

Leonard C. Meeker
The Legal Adviser

L:L/C:ELKerley:ams 5/2/68

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PS 84 US JSK

27

(117)

Department of State TELEGRAM

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declassified/released in full in February 1977

PAGE 01 TEL AV 03731 161035Z

14
ACTION L 03

INFO NEA 13,SS 20,NSC 10,GPM 04,CIAE 00,INR 07,NSAE 00,RSC 01,DODE 00,
H 02,RSR 01,/061 W

R 160815Z MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 3853

LIMITED OFFICIAL USE TEL AVIV 3731

LIBERTY CLAIMS

REF: TEL AVIV'S 3559

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY J. W. Ruzi DATE 6/19/95
RDS☐or XDS☐EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
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1. FOLLOWING NOTE GIVEN US BY FONMIN MAY 15. BOTH ELIZUR (NORTH AMERICAN AFFAIRS) AND RAVIV (POLITICAL SECRETARY OF FOREIGN MINISTER) HAVE ASSURED US GOI WANTS SETTLE MATTER AS EXPEDITIOUSLY AS POSSIBLE.

2. QUOTE THE MINISTRY FOR FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF AMERICA AND HAS THE HONOUR TO STATE THE FOLLOWING:
A. ON 7 MARCH 1968 THE MINISTRY ADVISED THE EMBASSY THAT THE INITIAL EXAMINATION OF THE CLAIMS SUBMITTED BY THE UNITED STATES GOVERNMENT ON BEHALF OF THOSE SUFFERING LOSS AS A RESULT OF THE DEATH OF THIRTY-FOUR MEMBERS OF THE CREW OF THE U.S.S. LIBERTY HAD BEEN COMPLETED AND THAT THE EMBASSY OF ISRAEL IN WASHINGTON WAS BEING INSTRUCTED TO OPEN TALKS ON THE SUBJECT WITH THE COMPETENT U.S. AUTHORITIES. INITIAL CONTACTS WERE SINCE MADE IN WASHINGTML.
B. THE GOVERNMENT OF ISRAEL HOLDS THAT COMPENSATION RELATING TO THE ABOVE MENTIONED CLAIMS SHOULD BE CALCULATED ON THE BASIS OF THE BENEFITS AND OTHER PAYMENTS PAYABLE BY THE UNITED STATES GOVERNMENT TO THE FAMILIES OF DECEASED SERVICE MEN WHO ARE KILLED IN COMBAT OR OTHERWISE WHILE IN ACTIVE SERVICE. THE GOVERNMENT OF ISRAEL PROPOSES THEREFORE TO INDEMNIFY THE GOVERNMENT OF THE U.S.A. FOR THE CAPITALIZED SUM OF SUCH BENIFITS AND

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PS 3. J. US JSK

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in Sharyl case
in Feb. 10, 1997

PAGE 1. TEL AVIV 03743

19
ACTION L-03

INFO NEA 15-00 EUR-00 H-02 CIAE-00 INR-07 NSAE-00 RSC-01 CODE-02

NSC-10 RSR-01 /021 W

R 161100Z MAY 82
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 6005

LIMITED OFFICIAL USE TEL AVIV 3743

LIBERTY CLAIMS

REF: TEL AVIV 3731

1. IN CONVERSATION WITH [ASST DIR GEN ITAN] MORNING MAY 16 I EXPRESSED DISPLEASURE AT ISRAELI RESPONSE AND SAID THAT WHILE I NOT EXPERT SUCH MATTERS IT STRUCK ME THAT RELATION CLAIMS TO USG PRACTICES IN COMPENSATING FOR COMBAT CLAIMS NOT PERTINENT. OUR SHIP WAS ON HIGH SEAS AND VICTIM OF UNUSUAL HAZARD OF WAR IN WHICH WE NOT PARTICIPANT.

2. [ITAN] INDICATED WOULD FOR FACT NOTE NOT MORE FORTHCOMING LATER WITH THE REASONS. [ITAN] SAID HE HOPED WE WOULD FOCUS IN OUR REACTION TO NOTE ON PROPOSAL GOI SEND REPRESENTATIVE TO WASHINGTON. MINISTER CONSIDERED THIS ESSENTIAL POINT OF NOTE AND MOST IMPORTANT PART.

3. EXEMPT BARBOUR

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M. Rezi DATE Sept 19, 1996
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TS AUTH. _____ REASON(S) _____
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PA or FOI EXEMPTIONS

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PAGE 01 TEL AV 3811 221127Z

12
ACTION L 03

INFO NEA 13,G-M 24,NSC 10,SP 02,SS 20,RSC 01,H 02,CIAE 00,INR 07,
NSAE 00,DODE 00,RSR 01,/063 W

P 221105Z MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 3894

LIMITED OFFICIAL USE TEL AVIV 3811

SUBJECT: USS LIBERTY CLAIMS

REF: STATE 168101 AND 167498; TEL AVIV 3743

1. LAST EVENING PRIOR TO RECEIPT STATE 168101 I HAD OPPORTUNITY TO DISCUSS WITH DEPUTY MIN FINANCE DINSTEIN QUESTION LIBERTY CLAIMS, STATING THAT I FOUND ISRAELI POSITION AS PROPOSED IN NOTE CONTAINED TEL AVIV 3731 (#) HUMANITARIAN, POLITICAL CHARACTER TO URGE THAT ISRAELIS BE MORE FORTHCOMING.

2. DINSTEIN TOOK LINE THAT GOI PREPARED TO PAY BUT CONCERNED AT SOME OF THE FACTORS, ESPECIALLY "EMOTIONAL ANGUISH" USED BY DEPARTMENT (#)

POSITION ON SUCH POINTS NOT SPECIFICALLY CLARIFIED, PRECEDENT OF ISRAELI ACQUIESCENCE IN LEGAL PRINCIPLES MIGHT BE ESTABLISHED WHICH WOULD CAUSE TROUBLE WHEN SUBSEQUENT CLAIMS FOR PERSONAL INJURY TO ONE HUNDRED SIXTY INDIVIDUALS SUBMITTED. FOR THESE REASONS GOI HAD SUGGESTED THAT REPRESENTATIVE PROCEED WASHINGTON TO DISCUSS ALL ASPECTS MATTER AND REACH SOLUTION.

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PAGE 03 TEL AV 3811 221127Z

NOTE: (M) OMISSION. CORRECTION TO FOLLOW.

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TELEGRAM

same as 72

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PAGE 01 TEL AV 03846 241216Z

21
ACTION L 03

INFO NEA 13,CIAE 00,DODE 00,GPM 04,H 02,INR 07,NSAE 00,NSC 10,P 00,
NSC 01,SP 02,SS 20,USIA 12,TRSY 08,RSR 01,SAH 03/090 W

P 241610Z MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 3609

LIMITED OFFICIAL USE TEL AVIV 3846

SUBJECT: USS LIBERTY DEATH CLAIMS

REF: STATE 169872

1. WITH WEEKEND COMING UP [redacted] DESIRES CONCLUDE FORMALITIES, I.E. EXCHANGE OF NOTES, CHECK, ETC. ON MONDAY, MAY 27, AND REQUESTS THAT PROPOSED PRESS STATEMENT BE HELD FOR CONSIDERATION AT THAT TIME. BARBOUR

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY J. M. Raj DATE Sept. 19, 1980
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
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PS 8-4 US-USSR

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(121)

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G. M. RAE DATE Dec. 19, 1980
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TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
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RELEASE DENIED☐
PA or FOI EXEMPTIONS

UNITED STATES

PAGE 01 TEL AV 03829 231124Z

12
ACTION L 03

INFO NEA 13,CIAE 01,DODE 00,GPM 04,H 02,INR 07,SAE 00,SSO 00,

NSC 01,SP 02,SS 20,USIA 12,RSR 01

P 231115Z MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 3903

R w/o 47 in sheet

LIMITED OFFICIAL USE TEL AVIV 3829

SUBJECT: USS LIBERTY DEATH CLAIMS

REF: STATE 166684

1. ACCORDANCE AUTHORIZATION CONTAINED REFTEL. INFORMED DINSTEIN (DEPMIN FINANCE) THAT USG WILL NOT ACCEPT GOI CLAIM FOR "EMOTIONAL ANGUISH IN PERSONAL INJURY CLAIMS". LATTER ACCEPTED THIS ASSURANCE AND INFORMED FONOFF. LATTER, BITAN, HAS JUST CALLED AND, AFTER MY REITERATION THIS PROMISE, HAS GIVEN ME OFFICIAL GOI AGREEMENT TO PAY DEATH CLAIMS IN FULL.

2. BITAN ASKED WHERE WE WISHED THE MONEY TRANSMITTED.

3. INCIDENTALLY, TOTAL FIGURE WHICH ISRAELIS PAYING IS SOMETHING IN EXCESS OF $3,102,000.00. EMBASSY ADDITION CLAIMS, WHICH NOT REVEALED TO GOI, ONLY $[illegible]. DEPARTMENT'S VERIFICATION CORRECT FIGURE WILL BE APPRECIATED.

4. NO REPEAT NO DISCUSSION TOOK PLACE AS TO POSSIBLE PUBLICITY. PRESUMABLY DEPARTMENT WILL WISH MAKE THIS ACTION PUBLIC IN SOME MANNER. IF SO, STRONGLY URGE ANY RELEASE OR OTHER PUBLIC COMMENT BE COORDINATED WITH GOI IN ADVANCE.

BARBOUR

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(3)

INCOMING TELEGRAM *Department of State*

POL 27 ARAB-ISR
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DEFENSE DEPT.

4L Action (12)

NEA-7
Info
SS-25
GPM-3
AF-6
EUR-8
IO-3
INR-7
OPR-2
RSE-1
62

2222
ZNY CCCCC
ZZH 0315232 JUN 67
FM USDAO TEL AVIV ISRAEL (DIA)
TO RUEPWW/WHITE HOUSE
RUEPJS/OSD
RUEPNA/CNO
RUKUC/DEPT STATE
RUQKCF/COMSIXTHFLT
RUEDPS/CINCSTRIKE
RUDLKD/CINCLANTFLT
RUEKDA/JCS
INFO RUEPJS/DIA
RUEHOT/USUN
RUFPBK/CINCEUR-USEUCOM
RUTPRN/CTG S ZETO PT TWO
RUFPBW/USAFE
RKSPAG/CINCUSAREUR
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1967 JUN 8 PM 12 01

MICROFILMED BY RH/R

0821. JUN 67.
REF MY 0823. FLD REPORTS SHIP IDENTIFIED U.S.S. LIBERTY

PAGE 2 RUQMVL 0321 C O N F I D E N T I A L
(1354-5). PRESENTLY UNDERWAY COURSE NORTHWEST AT 18 KNOTS. ISRAELI
MTBS OFFERED ASSISTANCE WHICH SHIP REFUSED. NO INFO CASUALTIES.
ISRAELIS ARRANGING HELLICOPTER FOR NAVUSNA TO OVERFLY SHIP AND
ATTEMPT COMMUNICATE.
COORDINATED WITH EMBASSY.

BT

NOTE: PASSED S/S-O AT 12.50 P.M. 6/8/67

(2)

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1967 JUN 8 PM 12 57

DEFENSE DEPT.

Action

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FM USDAO TEL AVIV ISRAEL
TO RUEPWW/WHITE HOUSE
RUEPJS/OSD
RUEPNAA/CNO
RAKUC/DEPT STATE
RUQKCF/COMSIXTHFLT
RUEDPSA/CINCSTRIKE
RUDLKD/CINCNAVEUR
RUUEKDA/JCS
INFO RUEPJS/DIA
RUEHDT/USUN
RUFPBK/CINCEUR-USEUCOM
RUTPRN/CTG SIX ZETO PT TWO
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RKAPAG/CINCUSAREUR
RUTKRE/CTG SIX ZETO
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0827//LENE 67.

REF MY 0825. FLO REPORTS SHIP IDENTIFIED U.S.S. LIBERTY

PAGE 2 RUQMVL 0827
TR-5). PRESENTLY UNDERWAY COURSE NORTHWEST AT 10 KNOTS. ISRAELI VTBS OFFERED ASSISTANCE WHICH SHIP REFUSED. NO INFO CASUALTIES. ISRAELIS ARRANGING HELLICOPTER FOR ALUSNA TO OVERFLY SHIP AND ATTEMPT COMMUNICATE.
COORDINATED WITH EMBASSY.

BT

NOTE: ADVANCE COPY TO S/S-O AT 1:05 P.M., 6/8/67.

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15-8-57

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Review June 1987

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POL 27 ARAB-ISR

AR DEF 12 US

DEFENSE DEPT.

1967 JUN 8 PM 6 18 008076

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19-67

Action (124)
NIA-7
Info
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USIA-12
INR-7
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FM USDAO TEL AVIV ISRAEL (DIA
TO RUEPJS/DIA
RUEHC/DEPT STATE
RUEPJS/OSD
RUQMKC/USDAO AMMAN
RUEHDT/USUN
INFO RUEDPSA/CINCSTRIKE
RUQMJR/AMCONGEN JERUSALEM
RUFPBK/USCINCEUR-USEUCOM
RUDLKD/CINCUSNAVEUR
RUTPRN/CTG SIX ZERO PT TWO
RUFPEM/CINCUSAFE
RUFPAG/CINCUSAREUR
RUQKCF/COMSIXTHFLT
RUEKDA/JCS
RUDLKD/USDAO LONDON
RUTKRE/CTG SIX ZERO
RUQVRA/AMEMBASSY JEDDA
ET

PAGE 2 RUQMVL 0834

0834 JUN 67.

SUBJECT: ISRAELI ACCIDENTAL ATTACK ON U.S.S. LIBDATY, 8 JUNE.

1. FLO HAS PASSED IDF ARMY SPOKESMAN STATEMENT RELEASED TO PRESS AT 1930Z. QUOTE: AN UNIDENTIFIED VESSEL APPROACHED THE EL ARISH (3107N-3348E) AREA AT NOON TODAY. FIRE WAS OPENED ON THE VESSEL. AFTER IT WAS VERIFIED THAT THE VESSEL WAS NOT AN ENEMY VESSEL, ASSISTANCE WAS OFFERED BUT THE VESSEL CONTINUED UNDER OWN STEAM. THE VESSEL BELONGS TO THE U.S. NAVY AND THE ISRAELI AUTHORITIES APOLOGIZED. THE VESSEL WAS 18 MILES OFF THE CC UNQUOTE.

2. LOCAL APOLOGIES FROM IDF PASSED TO ALUSNA EARLIER. SEE DAO 0825.

3. DAO HAS MADE NO COMMENT TO IDF, WHO ARE APPARENTLY VERY CONCERNED AND WORRIED HOW ACCIDENTAL ATTACK WILL BE TREATED BY USG.

4. EGYPTIAN SHELLING ATTACK FROM SEA IN GAZA AREA REPORTED BY IDF YESTERDAY. SEE DAO 0812.

(2)

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REVIEW JUNE 1987

5. ASSISTANCE AFTER ACCIDENT OFFERED BY IDF NAVY MTB WHICH WE HAVE BEEN TOLD USS LIBERTY WAVED OFF.
6. REF PHONE CONVERSATION (COL TAYLOR DIA AND COL PERNA DAO,

PAGE 3 RUGIVL 0834 C O N F I D E N T I A L
TEL AVIV) ISRAELI HELICOPTERS NOT USED OR PRESENTLY CONTEMPLATED FOR RESCUE. WE UNDERSTAND FROM PHONE CONF. USS LIBERTY DOES NOT PRESENTLY SEEK ISRAELI ASSISTANCE, AND HAS SATISFACTORY RADIO CONTACT WITH USN NET.
7. ALUSNA OVERFLIGHT IN IDF HELICOPTER FOR INSPECTION AND ATTEMPTED CONTACT NON PRODUCTIVE, EXCEPT TO OBSERVE SHIP UNDER WAY AT APPROX 8 KNOTS NORTHERLY, COURSE 60 NM WEST OF ASKELON AT 1930Z. LIBERTY LISTING APPROX 10 DEGREES STARBOARD AND MAY BE HAVING SOME STEERING DIFFICULTY.
8. IDF WILL RESPOND IN RESCUE IF ASKED, HOWEVER WE SHALL INITIATE NO REQUEST REPEAT NO REQUEST UNLESS ADVISED BY NMCC OR OTHER WASH AGENCY.
9. IDF REQUESTS THAT IF ANY OTHER US SHIPS (OR AIRCRAFT) ARE IN OR CONTEMPLATE ENTRANCE TO COMBATANT AREAS, WE PROVIDE APPROPRIATE NOTICE COORDINATED WITH EMBASSY.
BT

NOTE: ADVANCE COPY DELIVERED TO S/S-O 6/8/67 6:26 PM

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Action 45 (129)

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ZNY SSSSS

O 081302Z JUN 67

FM AMEMBASSY TEL AVIV

TO RUEHC/SECSTATE WASHDC IMMEDIATE

INFO RUFTCA/CINCSTRIKE IMMEDIATE

RUHLGRD

BT

S E C R E T TEL AVIV 4911

EXDIS

REF: CONF. 0809

ATTACK BY ISRAELI NAVAL AND AIR UNITS ON ALLEGED US
FLAG VESSEL REPORTED BY REFTEL. ISRAELIS OBVIOUSLY
SHOCKED BY ERROR AND TENDER SINCERE APOLOGIES.
INVESTIGATION NOW UNDER WAY TO OBTAIN MORE INFO
AGENT ISRAEL. ISRAELIS DO NOT INTEND GIVE ANY PUBLICITY
TO INCIDENT. WISH STRONGLY THAT WE TOO AVOID PUBLICITY.

GP-3. BARBOUR
BT

NOTE: PASSED S/S-O 6/8/67 1:35 PM

NOTE: PASSED WHITE HOUSE 6/8/67 1:50 PM

SECRET

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(29) 21

WUC

CLASSIFICATION "C"
Classified
By 5/5 Date 2/22/24

WUF068 B WU TELTEX WSH071(1434)

ISF CON NY NYK

1967 JUN 8 PM 5 30

ISRAELGOVT TELTEX PD NEWYORK JUNE 8 NY

ETAT/ISRGOVT

THE HONORABLE DEAN RUSK

DEPARTMENT OF STATE

WASHINGTON D.C.

DEAR MR. SECRETARY

AS YOU KNOW MY GOVERNMENT HAS EXPRESSED DEEP REGRETS AT THE TRAGIC AND ACCIDENTAL ERROR WHICH COST THE LIVES OF FOUR AMERICANS AND INJURY TO MANY MORE IN MIDDLE EASTERN WATERS. ISRAELS SINCERE REGRET IS ACCOMPANIED BY DEEP AND RESPECTFUL CONDOLENCES TO THE FAMILIES OF THE DEAD AND INJURED WHO HAVE BECOME INNOCENT VICTIMS OF THE TRAGIC TURMOIL OF WAR.

YOURS SINCERELY

ABBA EBAN

Israeli Foreign Minister

CAL CKD

MICROFILMED
BY S/S: CMS

(DOUBLE EXPOSED)
FILE FILMED FOR RELOCATION SITES 1 & 2

DECLASSIFIED
E.O. 12356, Sec. 3.4
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6/8/67

Israel

Foreign Minister Eban

Release (per Dept. of State Memo to NSC 10/17/97)

DEF 12 MS

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EMBASSY OF ISRAEL
WASHINGTON, D.C

S/S # 10040

June 8
1967

Released
(per Israeli
Minister
NEA

Dear Mr. Secreta ,

May I convey to you this expression of condolences and grief on the tragedy which occurred to the USS Liberty, and my heartfelt condolences to the families of those who were killed.

Both officially and personally it is the source of the deepest sorrow to me that my countrymen were responsible for this tragic accident which has cost so many lives of men serving under a flag which is for us the symbol of honor and friendship. I pray that the wounded may speedily recover.

Sincerely yours,

Avraham Harman
Ambassador

The Honorable
Dean Rusk,
Secretary of State,
Department of State,
Washington, D.C.

F01-620039

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(HANDLE AS EXDIS)
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OF THE FREEDOM OF INFORMATION ACT.
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FADRC MICROFILM OF FOI CASES.

SEE FOI CASE NO. 620039

THEY SAY IT IS DENIED —
BUT THEY SENT IT!

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POL 27 ARAB-ISR
XR
DEF 12 US

OUTGOING TELEGRAM Department of State

INDICATE: ☐ COLLECT ☐ CHARGE TO

131

XXXXXXXXXX SECRET
Classification

Origin

Info

ACTION: Amembassy TEL AVIV FLASH

INFO: CINCSTRIKE FLASH
Amembassy AMMAN FLASH
Amembassy BEIRUT FLASH
Amembassy CAIRO FLASH
USUN FLASH
Amembassy MOSCOW FLASH

USCINCEUR FLASH
CINCUSNAVEUR FLASH

Release

STATE: 209253

June 8.

1. Secretary called in Israeli Ambassador Harman noon/XXX 8. Said he had just spoken with President and was instructed express in very strong terms USG dismay at today's attack on US naval vessel by Israeli naval unit. Said 4 are dead, 53 are injured at latest report. Ship badly listing. Requested Harman convey at once to Prime Minister our real dismay at this very serious matter. Said we consider it amazing that GOI motor torpedo commander could be unable to identify a U.S. naval vessel. We want GOI to issue very explicit instructions in this regard to Israeli naval commanders for we cannot accept attacks on our vessels on high seas.

2. Secretary said we appreciate speed with which GOI informed us this action had been done by one of its craft. This speed of notification in itself may have avoided very serious consequences in many respects.

3. Harman promised inform his government immediately. Noted he had no information yet from GOI on this occurence but had learned of it within the hour during call on Assistant Secretary Battle to whom he had expressed his great sorrow.

RUSK
DLB

Drafted by:	Tel Ext	Telegraphic transmission and classification approved by:	NEA - Lucius D. Battle
NEA/IAI:WDWolle:pas:6/8/67	4422		XXXXXXXXXXXXXXXX

Clearances:
XXXXXXXXXXXXXXXX
S/S - Mr. Kelly

S - XXXXXXXX
Mr. Shlaudeman

8

XXXXXXXXXX SECRET
Classification

FORM 8-65 DS-322

MICROFILMED 6/24/6

JUN 6

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209253

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INCOMING TELEGRAM *Department of State*

POL 27 ARAB-ISR

Action 132

NEA 7 NNNNV
Info IVLA2EBCOMA156
SS25 OO RUEHC RUEHDT
DE RUQMVL 0832 1591901
EPM3 ZNY CCCCC
FOR 8 O 081900Z JUN 67
FM USDAO TEL AVIV ISRAEL < DIA
IO 3 TO RUEPJS/DIA
RUEHC/DEPT STATE
AF 6 RUEPJS/OSD
RUQMKG/USDAO AMMAN
VAR 7 RUEHDT/USUN
INFO RUEDPSA/CINCSTRIKE
RUSMJR/AMCONGEN JERUSALEM
RUFPBK/USCINCEUR-USEUCOM
RUDLKD/CINCUSNAVEUR
RUTPRN/CTG SIX ZETO PT TWO
RUFPBW/CINCUSAFE
RUFPAG/CINCUSAREUR
RUQKCF/COMSIXTHFLT
RUEKDA/JCS
RUDLKD/USDAO LONDON
RUTKRE/CTG SIX ZETO
RUQVRA/AMEMBASSY JIDDA
BT

Need CK required

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1967 JUN 8 PM 3 38

DEFENSE DEPT

MICROFILMED BY NARA 19-3-9

PAGE 2 RUQMVL 0832

0832 JUN 67

1. ARMA OBSERVED HAWK BATTERY AT 1600Z IN PLACE 2 KM NORTH TEL AVIV NEAR SEA COAST.
2. FLO ADVISED BLACKOUT CONTINUES IN TEL AVIV, AND THROUGHOUT COUNTRY TONIGHT, 8 JUN.
3. SYRIANS CONTINUE SHELLING BORDER SETTLEMENTS IN NORTH GALILEE AT 1800Z.
4. DATT FORECASTS STRONG IDF ATTEMPT TONIGHT TO SILENCE SYRIAN POSITIONS CONTINUING TO FIRE.
5. ALUSNA IN PHONE CONTACT WITH NMCC ON ACCIDENTAL IDF NAVY ATTACK THIS AFTERNOON ON USS LIBERTY. MESSAGE WILL FOLLOW.
6. FLO REPORTS WEST BANK QUIET WITH "NORMAL 1ST DAY PROBLEMS." COORDINATED WITH EMBASSY.

NOTE: ADVANCE COPY DELIVERED TO S/S-O JUN 8 3:39 PM

Review June 1987

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37

POL 27 AFAB-ISR

INCOMING TELEGRAM *Department of State*

CONFIDENTIAL

51
Action
133
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Info

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CZCGMA331
RR RUEHC
DE RUQMVL 4028 1601145
ZNY CCCCC
R 091115Z JUN 67
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC
STATE GRNC
BT
C O N F I D E N-T I A L TEL AVIV 4028

Dept

008497
1967 JUN 9 A1 8 32

LIMDIS

PRIME MINISTER ASKS THAT USG BE INFORMED THAT GOI WILLING TO MAKE RETRIBUTION TO THE FAMILIES OF THE VICTIMS OF THE LIBERTY NAVAL INCIDENT AND TO INQUIRE WHETHER SUCH RETRIBUTION WOULD BE ACCEPTABLE. PLEASE ADVISE. BARBOUR
BT

Tel Aviv 4028 to Dept 6-9-67

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY J. In Razi DATE Apr 19, 98
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☐
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

D... 5/7/76
PER Berry NEA
FADRO FOI CASE NO. 62D39

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POL 27 ARAB-ISR

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XR DEF 12 US

OUTGOING TELEGRAM Department of State

INDICATE ☐ COLLECT
☐ CHARGE TO

CONFIDENTIAL
Classification

Release

JUN 8 OUT 67

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Origin

Info.

ACTION: Amembassy KUALA LUMPUR PRIORITY

STATE 209626

REF: Kuala Lumpur 467

Subject: Middle East Crisis

1. Dept concurs transmittal note proposed reftel. Suggest you say Liberty has no QUOTE combat capability UNQUOTE rather than QUOTE offensive capability UNQUOTE. At your discretion, you may issue similar statement to press.

2. USG public statements have already been made concerning attack on U.S.S. Liberty.

GP - 3

END

DECLASSIFIED 5/2/76
PER Quy NEA
FADRC FOI CASE NO. 62 ED 32

RUSK

(3)

Drafted by: EA/MS:MDBeaty:sm 6/9/67 | Tel. Ext. 2770 | Telegraphic transmission and classification approved by: EA - William P. Bundy

Clearances:
EA/P - Mr. Killion (subs)
NEA/IAI - Mr. Matter (subs)

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POL 27 ARAB-ISR
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INCOMING TELEGRAM Department of State

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1967 JUN 9 AM 2 39

Kuala Lumpur 4697

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FM AMEMBASSY KUALA LUMPUR
TO SECSTATE WASHDC PRIORITY
STATE GRNC
BT
C O N F I D E N T I A L KUALA LUMPUR 4697

REF: KL 4694

SUBJ: MIDDLE EAST

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY G.M.Rogers DATE 5-14-76
RDS☐or XDS☐EXT. DATE
REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☑
RELEASE DENIED☐
PA or FOI EXEMPTIONS (b)(1)

1. UNLESS DEPT HAS OBJECTION, I PROPOSE SEND FOLLOWING SELF-EXPLANATORY NOTE TO PRIME MINISTER. REQUEST CONCURRENCE URGENTLY.

"'DEAR TUNKU,

DURING OUR DISCUSSION YESTERDAY AFTERNOON I TOLD YOU THAT AIRCRAFT CARRIERS OF THE U.S. SIXTH FLEET WERE SEVERAL HUNDRED MILES FROM THE AREA OF THE FIGHTING BETWEEN ISRAEL AND SOME ARAB STATES. THE PRESS THIS MORNING REPORTS AN ATTACK ON A UNITED STATES NAVY RESEARCH VESSEL 15 MILES OFF THE COAST OF THE SINAI PENINSULA. THIS VESSEL THE U.S.S. LIBERTY, IS A CONVERTED CARGO SHIP AND HAS NO OFFENSIVE CAPABILITY. IT WAS IN THE EASTERN MEDITERRANEAN TO ASSURE COMMUNICATIONS BETWEEN U.S. GOVERNMENT POSTS IN THE MIDDLE EAST AND TO ASSIST IN RELAYING INFORMATION CONCERNING THE EVACUATION OF AMERICAN DEPENDENTS AND OTHER AMERICAN CITIZENS IN THE COUNTRIES OF THE MIDDLE EAST."

2. SUGGEST SIMILAR STATEMENT BY DEPT SPOKESMAN, IF NOT ALREADY MADE, WOULD BE USEFUL.

GP-3. BELL
BT

DECLASSIFIED 5/7/96
PER Burg NLC
FADRC FOI CASE NO. 62 CD 37

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(3)

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POL 27 ARAB-ISR
XR DEF 12 US

INCOMING TELEGRAM *Department of State*

45
Action

NLN 6
Info
SS-2
G/PM
INR
RSR

JCF 080
****ZZ RUEHCR
DE RUEPJS 555 1610957
ZNY SSSSS ZEH2
RUEKC/JMMCC
RUEKFJ/USCINCP
RULRC/USCINCPAC
Z 0 1109Z JUN 67
FM USDAO TEL AVIV
TO RUEPWZ/WHITE HOUSE
RUEPJS/DIA
RUEHDA/CNO
RUEHC/DEPT STATE
RUCKCF/COMSIXTHFLT
RUEDPSA/CINCSTRIKE
RUDLKD/CINCNAVEUR
RUFPBW/CINCEUR/USEUCOM
RUEKDA/JCS
INFO RUEPJS/DIA
RUEHDT/USUN
RUTPRN/CTG SIX ZERO PT TWO
RUFPBW/USAFE
RUFPAG/CINCUSAREUR
RUTKRE/CTG SIX ZERO
BT

9402

1967 JUN 10 AM 7:3[illegible]

DEPT. 6-10-67

0852 JUN 67.
REF: JCS (J-3) 754[illegible] WPOWOPTZ JUN 67.

PAGE 2 RUQIVA 0852
1. AT 10/[illegible]Z LTCOL BLOCH REPORTED IDF BEGAN AIR SEARCH AT 10/0300Z. NAVAL OBSERVER ABOARD AIRCRAFT. SEARCHED AREA OF ATTACK AND WATERS SEAWARD FROM EL-ARISH TO RAFAH. MTB'S ARE PROCEEDING TO AREA TO MAKE SURFACE SEARCH THIS AFTERNOON ALONG WITH CONTINUED AIR SEARCH. NEGATIVE RESULTS SO FAR. IDF WILL CONTINUE SEARCH AS LONG AS WE REQUEST.
2. IF NEGATIVE RESULTS BY NIGHTFALL SUGGEST TERMINATION OF SEARCH BE AUTHORIZED.

BT

NOTE: PASSED S/S-O, AT 7:35 A.M. 6/10/67

Review June 1987

James M. Ennes, Jr. Research Papers

Doc # 137

S-210139

FREEDOM OF INFORMATION

THIS DOCUMENT HAS BEEN DENIED
IN FULL ACCORDING TO SPECIFIC SECTIONS
OF THE FREEDOM OF INFORMATION ACT.
FOR FURTHER INFORMATION REFER TO
FADRC MICROFILM OF FOI CASES.

SEE FOI CASE NO. 620039

BUT IT WAS SENT!

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59 POL 27- ARAB-ISR

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OUTGOING TELEGRAM Department of State

INDICATE: ☐ COLLECT
☐ CHARGE TO

137

CONFIDENTIAL
Classification

XR DEF 12 US

Origin

Info

ACTION: AmEmbassy TEL AVIV IMMEDIATE
STATE 210139
LIMDIS

Release

FOR OCT USE ONLY

Following note was handed this afternoon to Ambassador Harmon by Under Secretary Rostow: QTE The Secretary of State XXXXXX presents his compliments to His Excellency the Ambassador of Israel and has the honor to refer to the Ambassador's Note of June 10, 1967 concerning the attack by Israeli XXXX aircraft and torpedo boats on the United States naval vessel U.S.S. Liberty, which was carried out at 1605 and XX 1625 hours local time, respectively, on June 8, 1967 while the U.S.S. Liberty was engaged in peaceful activities in international waters.

At the time of the attack, the U.S.S. Liberty was flying the XXX American flag and its identification was clearly indicated in large white letters and numerals on its hull. It was broad daylight and the weather conditions were excellent. Experience demonstrates that both the flag and the identification number of the vessel were readily visible from the air. At 1450 hours local time on June 8, 1967, two Israeli aircraft circled the

3

Drafted by: Text approved in White House | Initials: | Telegraphic transmission and classification approved by: S/S - Mr. Walsh John P. Walsh

Clearances:

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FORM DS-322 8-65

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U.S.S. Liberty three times, with the evident purpose of identifying the vessel. Accordingly there is every reason to believe that the U.S.S. Liberty was identified, or at least her nationality determined, by Israeli aircraft approximately one hour before the attack. In these circumstances, the later military attack by Israeli aircraft on the U.S.S. Liberty is quite literally incomprehensible. As a minimum, the attack must be condemned as an act of military recklessness reflecting wanton disregard for human life.

The subsequent attack by Israeli torpedo boats, substantially after the vessel was or should have been identified by Israeli military forces, manifests the same reckless disregard for human life. The silhouette and conduct of the U.S.S. Liberty readily distinguished it XXX from any vessel that could have been XXXXX considered as hostile. The U.S.S. Liberty was peacefully engaged, posed no threat XXXXXX whatsoever to the torpedo boats, and obviously carried no armament affording it a combat capability. It could and should have been scrutinized visually at close range before torpedoes were fired.

While the Ambassador of Israel has informed the Secretary of State that "the Government of Israel is prepared to make amends for the tragic loss of life and material damage," the Secretary of State wishes to make clear that the United States Government expects the

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Government of Israel also to take the disciplinary XXXXX measures which international law requires in the event of wrongful conduct by the military personnel of a State. He wishes also to make clear that the United States Government expects the Government of Israel to issue instructions necessary to ensure that United States personnel and property will not again be endangered by the wrongful actions of XXXX Israeli military personnel.

The United States Government expects that the Government of Israel will provide compensation in accordance with international law to the extent that it is possible to compensate for the losses sustained in this tragic event. The DepartmentXXXXX of State will, in the near future, present to the Government of Israel a full monetary statement of its claim. END QTE.

END

RUSK

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POL 27 ARAB-ISR

XR

OUTGOING TELEGRAM Department of State

INDICATE CHARGE TO — COLLECT

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Classification

ACTION: Amembassy TEL AVIV — PRIORITY
INFO: USUN

Release per Israeli Minister

NEA/IAI

STATE 210137

Following is text note received today from Israeli Embassy:

QUOTE: The Ambassador of Israel presents his compliments to the Honorable the Secretary of State and has the honor to inform him that he has been requested by the Government of Israel to renew its sincere expression of deep regret for the tragic accident in which, at the height of hostilities in the area, the USS Liberty was hit by Israeli fire. The Government of Israel deeply regrets this tragic accident.

The Ambassador of Israel has been instructed to inform the Honorable the Secretary of State that the Government of Israel is prepared to make amends for the tragic loss of life and material damage.

The Ambassador of Israel expresses once again in the name of the Government of Israel its deep condolences to the Government of the United States and its sympathy to all the

Drafted by: NEA:IAI:ALAtherton,Jr:fah: 6/10/67 | Tel Ext 2942 | Telegraphic transmission and classification approved by: NEA:IAI - Alfred L. Atherton,J

Clearances: (4)

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DECLASSIFICATION DATE 5/2/76
PER Gury NEA
FADRC FOI CASE NO. 82 CD 3

FORM DS-322 8-65

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bereaved families.

The Ambassador of Israel avails himself of this opportunity to renew to the Honorable the Secretary of State the expression of his highest consideration. UNQUOTE

Exempt [redacted]

End

RUSK

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37 (139)

POL 27 ARAB-ISR

21

OUTGOING TELEGRAM Department of State

INDICATE ☐ COLLECT
☐ CHARGE TO

SECRET
Classification

Origin

ACTION: Amembassy TEL AVIV PRIORITY

STATE 210130

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE Aug 19, 1980
RDS☐ or XDS☐ EXT. DATE
BE AUTH. _____ REASON IS _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☒ RELEASABLE☐
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

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1. Congressional and public opinion incensed over Israeli attack on USS LIBERTY and resultant loss of life.

2. Ambassador Harman handed us note this morning confirming in writing GOI willingness compensate and apologize for accident for which they expressed great regret. We plan give firm note protest and expressing view incident grew out of gross negligence and indicating our expectation disciplinary action will be taken by GOI as well as preventive action taken assure no repetition such incident.

3. In conversation with Under Secretary this morning, Ambassador Harman was informed great U.S. concern over incident for which we can find no satisfactory explanation and our intention submit firm note as indicated above.

4. In conversations in Tel Aviv, suggest you take consistent line informing them in your discretion that note will be forthcoming through GOI Embassy Washington.

5. Text both notes will be sent separately.

GP-3

END RUSK

Drafted by:	Tel Ext	Telegraphic transmission and classification approved by:
NEA:LDBattle:ab 6/10/67	4263	The Under Secretary

Clearances:

WHITE HOUSE - Mr. Bromley Smith S/S - Mr. Walsh

SECRET
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FORM 6-65 DS-322

(2)

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