

# ATTACK ON THE USS LIBERTY: A STAB AT THE TRUTH

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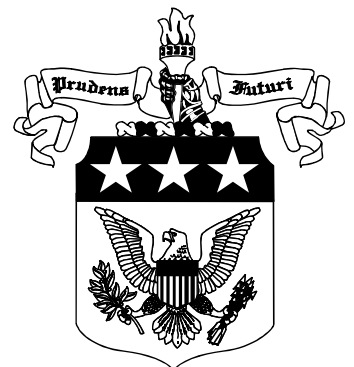
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USAWC STRATEGY RESEARCH PROJECT

**ATTACK ON THE USS LIBERTY: A STAB AT THE TRUTH**

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## **ABSTRACT**

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In June 1967 the USS Liberty, an unarmed Navy technical research ship was attacked by Israeli aircraft and missile patrol boats in international waters off the coast of Egypt. The attack killed 34 and injured 171 Americans. The attack was clearly an event that intersected military operations at the tactical and operational levels and politics at the strategic level. With key declassified messages and the findings of the Navy's official Court of Inquiry attached, along of interviews with naval personnel involved with the event and memoirs of senior government officials, This paper attempts to answer a number of highly debated questions regarding that tragic day in American history.





## ATTACK ON THE USS LIBERTY: A STAB AT THE TRUTH

One of the most tragic and disgraceful “blue–on–blue” engagements among allies occurred with the Israeli attack on the USS Liberty (AGTR-5). On June 8, 1967 Israeli combat aircraft and patrol boats attacked the USS Liberty in international waters, approximately 13 nautical miles off the coast of Egypt, killing 34 men and injuring 171. When one looks back at this event regarding the many political, diplomatic, and military actions that took place before, during, and after the attack, there are several questions that have never been officially addressed let alone answered. This paper will examine and give the best, most likely answers to many of the questions including:

Why did Israel attack the Liberty?

- Was the attack deliberate or accidental, and could the attack have been a case of mistaken identity?
- If deliberate, who within the Israeli leadership ordered the attack, and why?
- Why was this U.S. unarmed and unescorted research ship so close to the shores of ongoing hostilities?
- Why has Israel continued to claim the attack was a case of mistaken identity?
- Why was the official inquiry micromanaged and rushed to an unsatisfactory completion in a mere eight days?
- Why has a full and open official inquiry on the attack never been conducted, and why will there probably never be one?

Finally, why would the White House prevent the rescue of an American ship?

This has been, perhaps, the most disturbing question arising out of Israel's attack. It demands a thorough investigation of the actions taken by the White House and the

Secretary of Defense. Why did they order the recall of the planes that had been sent to rescue the Liberty? Why did Navy leadership order the surviving crew to be silent regarding the attack of the Liberty? <sup>1</sup>

When investigating and reviewing the USS Liberty incident, as with any other serious events in American history, one looks at the known facts, the highly probable truths, and the likely set of circumstances that caused the event and the actions that followed. One must also consider the unknowns -- all the information and questions still unanswered. The attack on the USS Liberty is somewhat different from many other great American tragedies and disasters, military and civilian, because the truth was sequestered and not allowed to be told. This project will take a 42 year look back and review the facts, circumstances, and situations that can confirm or provide a logical explanation on why the attack on the USS Liberty happened, and why the U.S. government has been so reluctant to complete a proper and productive investigation.

### Background

The Middle East had been relatively peaceful from 1956 to 1967. <sup>2</sup> But in early 1967, intelligence reports from the Central Intelligence Agency (CIA) indicted “that a crisis was building in the Middle East, and that a confrontation between Israel” and several Arab countries was likely. <sup>3</sup> In the spring 1967, several Arab states began to take aggressive actions toward Israel. The Arab leadership had formed a joint command among the Arab forces. Arabs also stepped-up their holy war rhetoric against Israel. The Soviets, maneuvering to better their own position in the Arab world, “increased weapon sales to Arab countries, applauded the creation of a united Arab command, and spurred Jordan and Syria into signing defense agreements with Egypt.” <sup>4</sup>

On May 14, Egypt positioned forces along the Sinai. The United Nations, in response to President's Nasser's request, withdrew peacekeeping forces along the Egypt – Israel border. With Egypt now occupying both sides of the Strait of Tiran, Nasser controlled the straits and therefore, the Suez Canal. Nasser then made the decision that ultimately ensures hostilities by preventing Israeli ships from passing through the straits.<sup>5</sup>

On May 26, Israel's ambassador to the United States, Abba Eban, met with President Johnson where President Johnson "urged restraint upon him in the strongest terms. LBJ also told him that Israel would not be alone unless it acted alone."<sup>6</sup> To Israel's dissatisfaction, Johnson was determined to have the U.S. remain neutral in the matter. President Johnson was optimistic for a settlement in the region.<sup>7</sup> Along with "intelligence about Israeli strength, LBJ was reluctant to send warships to the gulf."<sup>8</sup> Richard Helms, the former Director of the CIA stated at a "Tuesday" breakfast in the White House, "President Johnson had discussed the pressure he was under from Israel and the pro-Israel members of the U.S. government to radically reinforce our military and other aid to Israel."<sup>9</sup>

### Reconnaissance of the USS Liberty

Of all that has been written concerning the attack, one of the most cogent reports is that of Lieutenant Commander Walter L. Jacobsen, JA GC, USN, who conducted a legal examination and analysis of the Israeli attack on the USS Liberty that was published in the Naval Law Review in the winter of 1986. His examination included significant and concise details of Israeli air and surface forces activity leading up to and executing the attack and is used extensively below in summarizing the event.

It was the fourth day of the “Six Day War.” In the early morning hours of June 8, 1967 Israel conducted aircraft surveillance on the USS Liberty, a 455-foot, 10,680-ton vessel. The Liberty was painted with the distinctive U.S. Navy painting scheme, white numbering and lettering with a black shadow. The Liberty’s only weapons were defensive in nature: four fifty-caliber machine guns. These guns were mounted for an anti-boarder mission and not for shooting at aircraft.<sup>10</sup> At 7:20 a.m. Lieutenant James Ennes, the deck officer aboard the Liberty, checked the ship’s flag and felt the flag was not big enough for the current situation regarding the nearby conflict. He had a new flag hoisted on the ship’s tripod mainmast that measured five by eight feet. At 9 a.m., when the Liberty was circled by a jet, the American flag was waving in the wind.<sup>11</sup> LT Ennes stated, “I checked the flag. It was standing out in eight knots of relative wind, clearly displayed for anyone who might look.”<sup>12</sup> At 10 a.m., two Mystere jets circled the ship three times, close enough for the Liberty crew members to count the rockets and see the pilots, yet no national identification markings were visible on the planes.<sup>13</sup> The flag was still blowing in a light breeze, clearly visible. LT Ennes continued to observe the planes and the pilots in his binoculars.<sup>14</sup> “I decided that if I could see the pilots in their cockpits, the pilots could certainly see our flag and no doubt our ship’s name and number.”<sup>15</sup> The fighter aircraft conducted three complete orbits of the Liberty before disappearing from view. . At 1245, the last reconnaissance mission on the Liberty was conducted by an Israeli French built Noratlas twin propeller engine aircraft often referred to as the “Flying Box Car.”<sup>16</sup> “A Chief Petty Officer had come to the bridge to tell LT Ennes, ‘No sweat, Lieutenant, we can hear the pilots reporting by radio that we are American.’<sup>17</sup> However, based on the air reconnaissance, Israel had dispatched three

Israeli motor torpedo boats (MTBs) from the port of Ashdod to intercept the Liberty forty-five minutes earlier.<sup>18</sup>

### Attack on the USS Liberty

At 1:58 p.m., Israel commenced the attack on the Liberty from the air with a first wave of three jets.<sup>19</sup> “The first two planes, which attacked with rockets, had no national markings. Soon, other jets joined the first group. The second group of jets was armed with napalm, and they proceeded to bomb the ship with jellied gasoline and with rockets.”<sup>20</sup> One of the aircraft, “through extraordinary luck or fantastic marksmanship, disabled nearly every radio antenna on the ship,” temporarily causing a complete loss in shipboard communications and preventing any calls for help.<sup>21</sup> The crew had earlier intercepted Israeli communications indicating that the three MTBs were underway to intercept the Liberty. The intercepted conversations identified the Liberty as an “American Ship.”<sup>22</sup>

In a recent phone interview with LCDR James M. Ennes, Jr. (Retired), he described that day when, as a Lieutenant, he was assigned Signal Bridge watch located one level above the Bridge. “I could see the jets flying around in a column and then coming right down the center line of the ship during the initial phases of the attack. After all the antennas were shot up, I remember ET3 James T. Halbardier fixing stringed cable to an antenna 20 to 24 feet above the deck down to the transmitting room.” It took twelve minutes to get the first message off notifying the fleet that the Liberty had been attacked.<sup>23</sup>

Following the 25 to 30 minutes of an intense air attack by at least twelve sorties, Commander (CDR) William Loren McGonagle, the commanding officer of the USS

Liberty “had ordered the holiday size American flag, measuring seven by thirteen feet, hoisted to replace the five by eight foot flag that had been shot down by the jets.”<sup>24</sup> “The Liberty had been hit repeatedly by machine guns, 30 mm cannon and napalm” from Mirage and Mystere fighter bombers.<sup>25</sup> At this point, the Liberty’s crew still had no idea who was behind the attack. As the jets departed, the MTBs were in visual range.<sup>26</sup> The bridge area was so full of smoke, CDR McGonagle was unable to signal the approaching MTBs.<sup>27</sup> However, at another location on the ship, “a ship’s signalman also spotted the signaling by the MTBs and kept signaling back, ‘U.S. Ship,’ until his lamp was shot out, and he was wounded.”<sup>28</sup>

At 1427, the MTB’s commenced strafing the Liberty.<sup>29</sup> “The MTBs fired five torpedoes. Four of the torpedoes completely missed the ship. The fifth hit the ship directly amidships, in the cryptologic spaces, leaving a forty-foot hole, killing twenty-five men, and trapping fifty more in the flooded compartment. After firing the torpedoes, the MTBs circled the ship at close range, machine-gunning anyone who came on deck.”<sup>30</sup> The MTBs final offensive act was to shoot the three remaining undamaged and unmanned rubber rafts. The MTBs departed for homeport at approximately 1515. The MTBs were followed by the Israeli Defense Force Aerospatiale SA321 Super Frelon (Hornet) helicopters that orbited the Liberty and then departed.<sup>31</sup> The SA321’s were designed for heavy assault missions and were loaded with combat troops.<sup>32</sup>

At 1600, a message was sent from the Liberty passing clarifying information on the attack, including identifying the patrol boats as Israeli.<sup>33</sup> At 1632 the MTBs returned and offered assistance to the ship. They were given a negative response by CDR McGonagle, and they departed.<sup>34</sup> The ruthless attack by a U.S. ally was over.

## U.S. Response

The attack on the USS Liberty created a host of problems and concerns at the strategic level for the U.S. leadership. The fear in the White House was that the limited information coming in on the attack might be inaccurate and unreliable.<sup>35</sup> Phil G. Goulding, the Assistant Secretary of Defense for Public Affairs for Secretary of Defense Robert McNamara, wrote, "Our ignorance in Washington was abysmal: We did not know who was attacking her; we did not know why she was being attacked; we did not know whether she had sunk or was soon to sink."<sup>36</sup> McNamara recalled the initial confusion and doubt of the hour: "When the Liberty was attacked, we had a task force in the Mediterranean. We received a flash report here in the Pentagon at the time of attack. We examined the situation. My first reaction – that is the question I immediately posed to the Chiefs and the Joint Staff was: Is it not likely it was attacked by Soviet forces?"<sup>37</sup> "The next obvious answer was it had been attacked by Egyptians. Who else would have done it if it were not the Soviets or the Egyptians? Well, that too proved in error. It took us a while to find that out."<sup>38</sup>

The first decision required was how to protect a U.S. Navy ship in distress. "Authority was given to use any force required to defend the Liberty from further attacks." The option of retaliation was raised, but the administration did not know the identity of the attackers. A second order was issued to Sixth Fleet ships to steam toward the Liberty. The closest U.S. Navy ships were several hundred miles away.<sup>39</sup>

The Liberty attempted to contact Sixth Fleet for assistance, but found the communications frequencies jammed except for the few seconds the rockets were in-flight to the target. A message went out and was received by the USS Saratoga and relayed to the flagship USS Little Rock. Commander of Sixth Fleet, ADM William Martin, ordered both the USS Saratoga and the USS America to immediately launch American aircraft in defense of the USS Liberty.<sup>40</sup>

Ennes stated that on 8 June 1967, ADM Martin initially referred to the Liberty as “SS Liberty.” He did not know who the Liberty was. Captain Tully, the USS Saratoga’s skipper, told Ennes several years after the attack, “I had pilots in the cockpits and steam in the catapults. I had sent help.”<sup>41</sup> The USS America, commanded by Captain Donald D. Engen, had just stood down from General Quarters drill when the Liberty distress message came in. The USS Saratoga was able to respond within minutes, but the USS America was not prepared to launch immediately.<sup>42</sup>

Shortly after the aircraft launched, “Secretary of Defense Robert S. McNamara and President Lyndon B. Johnson directed Commander Sixth Fleet to immediately return the aircraft to base.”<sup>43</sup> It was in this immediate time frame that RADM Lawrence R. Geis, Commander of the Carrier Task Force in the Mediterranean Sea, protested the decision of SECDEF to not allow USS Saratoga aircraft to protect their own U.S. Navy ship and crew. RADM Geis asked to speak with President Johnson, who came to the phone and told Geis to recall the aircraft and “that he didn’t care if the ship sunk, he would not embarrass his allies.”<sup>44</sup> This was corroborated by Chief Petty Officer Hart, who was assigned to a U.S. Navy relay station in Morocco that handled communications between Washington and the 6th Fleet. He remembered listening as McNamara ordered RADM Geis to recall the jets. When Geis protested that the Liberty was under attack and needed help, Hart said that McNamara retorted, “President [Lyndon] Johnson is not going to go to war or embarrass an American ally over a few sailors.”<sup>45</sup> Robert McNamara, now 92, claims that he cannot recall the details of the Liberty attack. Mr. McNamara reiterated to John Crewdson of the Chicago Tribune in 2007 that he had “absolutely no recollection of what I did that day. . . I have a memory



that I didn't know at the time what was going on.”<sup>46</sup> However, a Senate Foreign Relations Committee hearing in 1967, McNamara conceded that the attack was an “inexcusable error in judgment and professional tactics.” He also insisted that it was “an understandable wartime error.”<sup>47</sup>

### Command, Control and Communications

Issues pertaining to chain of command and communications quickly surfaced during the crisis of the Liberty. There were control duties and responsibilities toward the Liberty shared among the Joint Chiefs of Staff, the National Security Agency, and the Navy. One problem was the employment of different communications networks within various lines of command.<sup>48</sup> The Liberty was a Navy ship, with a Navy commanding officer, and a Navy crew. She was on a National Security Agency mission under the control of the Joint Chiefs of Staff. Command and control was vague and certainly not ideal for an emergency.

The flow of information along separate communications nets contributed significantly to the confusion. During naval related problems, navy leaders would often request information from their “own school-tie people, not from a band of interservice, ‘purple-suited’ orphans responsible directly to the Joint Staff and the Secretary of Defense.”<sup>49</sup> As a result, single service critical information was, at times, not shared even at the highest levels of the military and government and “Jointness” was not a term practiced or taken as earnestly as it is today. The senior civilian leadership had a serious lack of confidence in communications management. Clark Clifford, the Foreign Intelligence Advisory Board Chairman, recalled that immediately after the Liberty attack there was immense confusion and a tremendous level of uncertainty regarding the

event. “In our office, the Secretary’s office or the White House, we never knew how much we did not know. Looming behind us always was the credibility specter of information known somewhere in the world, dispatched into some channel, but not yet collated for the highest levels of government.” The Secretary’s office that Clifford was referring was McNamara’s. “All these factors – the different chains of command and communications circuits, the unwitting inaccuracies in instant early reports and the incomprehensible size of the Defense Establishment – combined to produce erroneous or incomplete information for the highest Pentagon officials, even in times of peace and quiet. The problem is magnified in times of crises, war-or-peace crises, violence-and-destruction crises or, not unimportantly an individual career-at-stake crisis.”<sup>50</sup>

#### U.S. Navy Court of Inquiry

On 10 June 1967 Admiral (ADM) John McCain Jr., Commander in Chief, U.S. Naval Forces in Europe, convened a court of inquiry to investigate the attack on the Liberty. ADM McCain selected RADM Isaac Kidd Jr. to preside. ADM McCain required a one week suspense for RADM Kidd’s investigators to complete the investigation.<sup>51</sup> “‘That was a shock,’ recalled retired Navy CAPT Ward Boston, the inquiry’s counsel, who said he and Kidd had thought that a thorough inquiry would take six months. ‘Everyone was kind of stunned that it was handled so quickly and without much hullabaloo,’ said G. Patrick Marsh, then a member of McCain’s staff in London.”<sup>52</sup> Due mostly to time constraints, the investigators were unable to thoroughly interview many of the survivors or speak with any Israelis involved in the event.<sup>53</sup>

However, well before the Court of Inquiry was convened, the Navy was calling the attack an accident as indicated by the 9 June 1967 telegrams sent to next-of-kin of

those killed. No interviews had been conducted by that time.<sup>54</sup> In a Navy Times article written by Bryant Jordan in June 2007, these telegrams were “further evidence that there was undue command influence in the structuring and conduct of the court of inquiry, and that the political decision had been made to cover this up within hours of the attack.”<sup>55</sup>

Lloyd Clyde Painter, a retired Secret Service Agent and former Lieutenant Junior Grade was the only officer to witness the MTBs machine gunning the rafts. He testified for two hours to the board describing his observations that day. None of his testimony was recorded. “The damning information I provided was purposefully omitted by the U.S. Navy’s board of Inquiry.”<sup>56</sup>

Key findings of the rushed inquiry concluded that “Intense fires on the ship coupled with herculean efforts by the engineer department to increase speed both produced heavy black smoke which compounded the recognition problem facing the attacking forces.”<sup>57</sup> This finding neglected to mention the hours of Israeli reconnaissance that took place before the attack.

To quote from the summary of the court findings: The foregoing comments by the convening authority lead to an overall conclusion that the attack was in fact a mistake; that the element of complete surprise without inquiry eliminated any possibility for a timely government to government announcement of the ship’s presence had we been asked; that communications shortfalls resulted in delays in delivery of operational traffic which, had they not occurred, might have resulted in the ship being at a safer distance off shore. The lessons learned in these instances are reminiscent in many respects of those learned after the attack on Pearl Harbor as they apply to the need for complete and free exchange of mission and operational information between responsible authorities and fleet units themselves. In the final analysis, it is this same fleet unit that must enjoy timely advice to be effective. No useful purpose is served by complete knowledge and awareness of decisions at high levels without appropriate concurrent actions stemming therefrom at the lowest echelons in the critical chain.<sup>58</sup>

The final paragraph (17) states “The proceedings and findings of the Court of Inquiry are approved, based upon knowledge available as of 191425Z.” (June 1967) <sup>59</sup>

Then - CAPT Merlin Staring, one of two senior legal officers on ADM McCain’s staff in London, was asked to assess the Kidd report before it was sent to Washington. But Staring said it was taken from him when he began to question some aspects of the report. He describes it now as “a hasty, superficial, incomplete and totally inadequate inquiry.” <sup>60</sup>

In a recent phone interview with RADM Merlin Staring (Ret), he recalled his “glancing contact with the episode.” He stated that CAPT Boston under instruction from ADM McCain “dropped the 650- or so page document on my desk for review.” At the time, Staring’s primary source of knowledge of the event was through message traffic that he had been monitoring. No one had contacted him on the subject. He was not privy to any briefings on the attack. “I swept off my desk and began [reading] in mid-afternoon, 17 June. I worked on it until 0300, went home and slept for two hours. I was back in the office at 0630.” At 0830, CAPT Boston called asking for an update. “I had gotten 200 pages into it and I recalled problems with it.” <sup>61</sup>

“I told Boston the evidence did not support the court’s findings, I knew I had to support the findings.” When asked, Staring could not give an estimate of how long it would take for him to properly complete the review. “But I knew it was impossible to complete the investigation in less than a few months. I could not send this document up with the language changes and spelling errors to the highest echelons in Washington, and of course the evidence failed to support the findings. Also I was concerned with what the JAG of the Navy, RADM Hearn would say: ‘What the hell is

Staring doing out there?” As a legal document of that magnitude, Staring thought “It was a sloppy job, a nothing investigation -- really terrible.” RADM Kidd retrieved the findings from Staring’s London office on 18 June. “I learned later that day RADM Kidd took off to Washington carrying the record with him.”<sup>62</sup>

During the review Staring had taken notes giving his professional legal recommendations and guidance for the inquiry, as he had been charged to do. “I had notes; no one ever asked for my notes.” He never saw or knew what was said on the finished and classified “Top Secret” Court of Inquiry while on active duty. Only after 20 years, and by then retired and in private practice, did RADM Staring become aware of the official findings.<sup>63</sup>

CAPT Boston recalled that, after ADM McCain’s one-week deadline expired, RADM Kidd returned to Washington with the record of the inquiry, and Boston went back to Naples, the 6th Fleet Headquarters.<sup>64</sup> In a 2004 interview Boston said, “Two weeks later, he (Kidd) comes back to Naples and calls me from his office. In that deep voice he said, ‘Ward, they aren’t interested in the facts. It’s a political issue and we have to put a lid on it. We’ve been ordered to shut up.’” CAPT Boston further stated that “the evidence was clear. Both Admiral Kidd and I believe with certainty that this attack, which killed 34 Americans sailors and injured 172 others, was a deliberate effort to sink an American ship and murder its entire crew.”<sup>65</sup>

Slightly more than four pages long, the “Top Secret” inquiry was concluded and endorsed by RADM Kidd on 18 June 1967 and signed by ADM McCain.<sup>66</sup> The inquiry took just eight days to complete.

The process, time requirements, and findings of the inquiry pertaining to the attack on the Liberty were widely criticized. “Rather than investigating how and why a U.S. Navy vessel had been attacked by an ally, the Navy seemed interested in asking as few questions as possible and answering them in record time.”<sup>67</sup>

### Diplomatic Problems

The attack on the Liberty was a military tactical and operational event, but it immediately became a political event at the strategic level. By all accounts, Lyndon Johnson was a very smart and savvy Texas politician who understood foreign and domestic policy. He had to carefully tailor his response to the attack. Having previously angered the Jewish community with his policy on neutrality, LBJ was not about to anger them further.<sup>68</sup> He exercised his political shrewdness by accepting the Israelis’ apology for the attack. But the President demanded the Israelis be more forthcoming than to label the attack a simple mistake.<sup>69</sup>

The administration also had to be mindful of the broad scope of international relations, especially regarding the Soviet Union. President Johnson had to be as unambiguous as possible in making clear that the U.S. was not assisting Israel militarily in its conflict with Egypt and the other Arab states. Chairman Alexey Kosygin (chairman of the Soviet Council of Ministers) acting as the senior government official present in Moscow, sent a threatening message on the “hot line,” the dedicated enciphered teletype device between the Soviet Union and the U.S. The message said that a “‘very crucial moment’ had arrived, and spoke of the possibility of an “independent decision” by Moscow. Kosygin foresaw the risk of a “grave catastrophe.” Unless Israel

unconditionally halted operations within the next few hours, the Soviet Union would take “necessary actions, including military.”<sup>70</sup>

Neither could LBJ dwell on the Liberty attack -- no matter how savage and outrageous it was -- and give the world the impression that U.S. relations with Israel were disintegrating. He felt that he would have a better chance in negotiations with Israel to end the conflict if he did not insist on Israel’s admitting responsibility. Israel was exerting dominance over Egypt, Syria, and Jordan, and claiming territorial gains. Johnson felt that it was more imperative to end the Six-Day War than risk expansion of the conflict to include direct intervention with the two superpowers.<sup>71</sup>

### Israeli Culpability

There is little doubt that the attack on the liberty was deliberate. Richard Helms, the former Director of the Central Intelligence Agency, writes, “There could be no doubt that the Israelis knew exactly what they were doing in attacking the Liberty.”<sup>72</sup> “Two former NSA directors – ADM. Bobby Ray Inman, GEN. William Odom – and two ex-deputy directors GEN. John Morrison and Oliver Kirby – told me that there has never been any question at the agency but that Israel’s attack on the Liberty was deliberate. Kirby, for example, is ‘absolutely certain’ about this.”<sup>73</sup> Dean Rusk, Secretary of State during this time, said, “One thing the Israelis have is good intelligence.”<sup>74</sup> On that clear day they certainly had it via extensive air reconnaissance. “Many stories spoke of the ‘accidental attack.’ There was nothing accidental about it. It was conducted deliberately – by aircraft and by motor torpedo boat, by rocket and bomb and torpedo and gun fire. Whether it was a tragic mistake in identity is a separate question, but it was no accident.”<sup>75</sup>

The attack on the Liberty could not have been a case of mistaken identity. The Israelis claimed the Liberty was similar in appearance to the Egyptian horse carrier/supply ship, El Quseir. How is it possible that well-trained and experienced Israeli operators could confuse the two? The Liberty displaced 11,000 tons; El Quseir, only 2,640 tons. The Liberty was four times larger than El Quseir. The Liberty's length was 455 feet; El Quseir's was 265, making the Liberty nearly twice as long. With a beam of 62 feet to El Quseir's 36 feet, the Liberty was twice as wide. El Quseir was a small transport ship, and looked like one.<sup>76</sup> The Liberty was jam-packed with communications gear and radar devices, and looked exactly like what it was -- a technical research ship. No one could examine photographs of either ship and confuse one with the other.<sup>77</sup>

The Israelis were receiving false reports of shore bombardment from an unidentified source at sea. How could Israeli pilots confuse the Liberty, armed only with 50-caliber machine guns, with a vessel possessing weapons consistent with the mission of naval gunfire support? The U.S. heard that the Israelis had standing orders authorizing an attack against any ship shelling the shore.<sup>78</sup> "The orders further assumed that any ship within a general area of a bombarded shore was the enemy if that ship was moving faster than twenty knots. Through another unbelievable, slovenly and inexcusable calculation, the Liberty was apparently found to be moving at approximately 30 knots – which was just six times faster than she was actually moving and far beyond her maximum top speed. It is impossible to understand how a professional naval officer could believe that any ship looking like the Liberty was capable of such speed."<sup>79</sup> Even more difficult to comprehend is how Israeli pilots could



claim that the Liberty was steaming at 30 knots when in actuality she was steaming at 5 knots.

The most puzzling and difficult matter to address regarding the attack was exactly who within the Israeli government or military triggered the event. Clark Clifford, the Counsel to the President writes, “Having been for so long a staunch supporter of Israel, I was particularly troubled by this incident: I could not bring myself to believe that such an action could have been authorized by Golda Meir. Yet someone inside the Israeli government, somewhere along the chain of command, something had gone terribly wrong – and then had been covered up.”<sup>80</sup> The attack on the American ship was a result of an “inexcusable failures on the part of the Israeli Defense Forces.”<sup>81</sup> More than one person could have been responsible. Something that could give a hint at this issue is a passage in then Deputy Secretary of Defense Nickolas deB. Katzenbach’s book: “The Israeli attack [on Egypt] was brilliantly conceived and carried out by Defense Minister Moshe Dayan and the Chief of Staff Yitzhak Rabin. Air attacks neutralized the Egyptian air force from day one. With absolute air superiority, Israeli ground forces were punishing the Jordanian, Egyptian, and Syrian armies mercilessly. Thus began the Six-Day War.”<sup>82</sup> Israeli domination over Egypt’s armed forces was calculated and decisive, as was the Israeli attack on the Liberty. It is not inconceivable to conclude that either Dayan or Rabin conceived and ordered the Liberty attack. Many do not believe it was Rabin, who was esteemed as a level-headed, even-tempered leader but rather Dayan.<sup>83</sup>

Why did Israel attack the Liberty? The evidence is overwhelming that Israel deliberately attacked the American ship. The Israelis would refer to the ship in press

releases after the attack as the “U.S. Communications Ship Liberty.” The Liberty was a communications ship with a primary mission of intercepting communications. It had an array of highly visible antennae and numerous translators and operators aboard. The Israelis knew this, and therefore, considered the Liberty a significant threat to Israel’s national security and war interests. They did not want to lose the element of surprise or jeopardize achieving planned military and political objectives of the Six-Day War. <sup>84</sup>

#### Analysis of Message Traffic

The electronic messages below establish a timeline of events and are in chronological order in an effort to determine if the President, SECDEF, JCS, NSA, or anyone else except Israel could have prevented the MTBs from firing the torpedo that caused 26 of the 34 American fatalities that day. The following lines are quoted from the key declassified messages of 08 June 1967. All messages below are referenced in ZULU time. For example, at 1200Z, it is 1400/2:00 p.m. local time on the USS Liberty and 0800/8:00 a.m. local time in Washington D.C. <sup>85</sup>

0006Z/Goulding releases from SECDEF: U.S. GOVERNMENT WISHES TO DO EVERYTHING POSSIBLE TO REFUTE CONCLUSIVELY TO WORLD PUBLIC ARAB CHARGES THAT SIXTH FLEET AIRCRAFT PARTICIPATED IN RAIDS ON THE UNITED ARAB REPUBLIC AND JORDON. IT HAS BEEN SUGGESTED THAT A COMPREHENSIVE BRIEFING IN DEPTH CONDUCTED BY ADMIRAL MARTIN OR ADMIRAL GEIS ABOARD USS AMERICA IN A SETTING TO ENHANCE PRECEDENCE OF PRESENTATION WOULD BE HELPFUL. IT IS SUGGESTED THAT THE BRIEFING INCLUDE A COMPLETE DESCRIPTION OF COURSES OF

CARRIERS AND ALL AIRCRAFT TRACKS AND ALTITUDE DURING THE PERIOD UNDER CONSIDERATION WHICH WILL REFUTE SUCH ALLEGATIONS.

0742Z/FROM: USS LIBERTY. DELTA WING SINGLE ENGINE JET FIGHTER A/C ORBITED USS LIBERTY THREE TIMES AT 31-27N 34-00 AT TIME 08/0650Z. NO IDENT. VISIBLE DUE ALT. EST. 5,000 FT. DISTANCE EST. 2. MILES. NO AMPLIFYING REPORT WILL BE SUBMITTED.

0917Z/FROM: COMSIXFLT. PROCEED INMED TO OPERATE WITHIN 25 MILE RADIUS OF POSIT 33-40N0/32-30E8 UNTIL FURTHER NOTICE. DO NOT APPROACH COAST OF UAR, ISRAEL, SYRIA OR LEBANON CLOSER THAN 100 MILES, AND CYPRUS CLOSER THAN 25 MILES. NO TASK ORGANIZATION ASSIGNED TO LIBERTY. ACKNOWLEDGE.

1250Z/FROM: COMSIXFLT. AMERICA LAUNCH FOUR ARMED A4'S TO PROCEED TO 31-23N 33-25E TO DEFEND USS LIBERTY WHO IS NOW UNDER ATTACK BY GUNBOATS. PROVIDE FIGHTER COVER AND TANKERS. RELIEVE ON STATION. SARATOGA LAUNCH FOUR ARMED A-1'S ASAP SAME MISSION.

1252Z/FLASH FROM: ROCK STAR (USS Liberty) I AM UNDER ATTACK 31.23N – 33.25E HAVE BEEN HIT REQUEST ASSISTANCE

1253Z/FROM: ROCK STAR. WE BEEN HIT BY TORPEDO STARBOARD SIDE. REQUEST ASSISTANCE IMMEDIATELY.

1254Z/FROM: USS SARATOGA. THE FOLLOWING RECEIVED FROM ROCKSTAR. HIT BY TORPEDOES STARBOARD SIDE LISTING BADLY NEED ASSISTANCE IMMEDIATELY

1305Z/FROM: COMSIXFLT. YOUR FLASH TRAFFIC RECEIVED. SENDING AIRCRAFT TO COVER YOU. SURFACE UNITS ON THE WAY. KEEP SITREPS COMING

1316Z/FROM: CTF SIX ZERO. DEFENSE USS LIBERTY. FOR AMERICA: LAUNCH FOUR ARMED A4'S ASAP TO PROCEED TO 31-23N9/33-25E3 TO DEFEND USS LIBERTY WHO IS NOW UNDER ATTACK FROM ACFT, GUNBOATS. PROVIDE TANKERS AND FIGHTER COVER. FOR SARATOGA: LAUNCH 4 ARMED A1'S RELIEVE ON STATION OVER LIBERTY. FOR ALL: PLAN TO RELIEVE ALL ACFT ON STATION OVER USS LIBERTY AS REQUIRED. DEFENSE OF USS LIBERTY MEANS EXACTLY THAT. DESTROY OR DRIVE OFF ANY ATTACKERS WHO ARE CLEARLY MAKING ATTACKS ON LIBERTY. REMAIN OVER INTERNATIONAL WATERS. DEFEND YOURSELF IF ATTACKED.

1322Z/FROM: USS SARATOGA. FOUR ARMED A-1'S DUE LAUNCH 1600B7 (1600 local carrier time), ETA TARGET 1900B0 (1900 local carrier time, which is one hour ahead of Liberty Time).

1339Z/FROM: COMSIXTHFLT. (Sends to aircraft carriers Saratoga and America.) IAW CINCUSNAVEUR INST PO3120.5B FORCES ATTACKING THE LIBERTY ARE DECLARED HOSTILE.

(Paragraph 2) YOU ARE AUTHORIZED TO USE FORCE INCLUDING DESTRUCTION AS NECESSARY TO CONTROL THE SITUATION. DO NOT USE MORE FORCE THAN REQUIRED. DO NOT PURSUE ANY UNIT TOWARDS LAND FOR REPRISAL PURPOSES. PURPOSE OF COUNTERATTACK IS TO PROTECT LIBERTY ONLY. BRIEF ALL PILOTS CONTENTS THIS MSG. IN ADDITION BRIEF

PILOTS THAT EGYPTIAN TERRITORIAL LIMIT ONLY 12 MILES AND LIBERTY RIGHT ON EDGE. DO NOT FLY BETWEEN LIBERTY AND SHORELINE EXCEPT AS REQUIRED TO CARRY OUT PROVISIONS PARA 2 ABOVE. BRIEF FIGHTER COVER THAT ANY HOSTILE ACT AND PARA TWO ABOVE APPLIES.

1349Z/FROM: COMSIXTHFLT. (Sends exact above message to CNO and appropriate parties).

1414Z/FROM: USDAO TEL AVIV ISRAEL. ALUSNA CALLED TO FLC TO RECEIVE REPORT. ISRAEL AIRCRAFT AND MTB'S ERRONEOUSLY ATTACKED U.S. SHIP AT 08/1200Z, POSITION 3125N 33-33E. MAYBE NAVY SHIP. IDF HELICOPTERS IN RESCUE OPERATIONS. NO OTHER INFO. ISRAELIS SEND SUBJECT APOLOGIES (sic) AND REQUEST INFO OF OTHER U.S. SHIPS NEAR WAR ZONE COASTS.

1416Z/FROM: JCS. YOU ARE AUTHORIZED TO USE WHATEVER FORCE REQUIRED TO DEFEND USS LIBERTY FROM FURTHER ATTACKS.

1428Z/FROM: NAVCOMMSTA MOROCCO. RECEIVED OVER VOICE HICOM FROM USS LIBERTY. USS LIBERTY UNABLE TO IDENTIFY ATTACKING CRAFT. AFTER ATTACK A HELO CIRCLED THE SHIP BELIEVED TO BE ISRAELIAN.

1440Z/FROM: COMSIXFLT (message to aircraft carriers). RECALL ALL STRIKES REPEAT RECALL ALL STRIKES.

1455Z/FROM: COMSIXFLT. FOLLOWING MESSAGE RECEIVED FROM USDAO TEL AVIV. (Repeats the 1440Z message to the highest levels of U.S. leadership.)

1502Z/FROM: COMSIXFLT. ALL SIXFLT AIRCRAFT RECALLED. LIBERTY 081405Z POSIT 31-35.5N7 23-29E7 UNDERWAY ON CVS 340M7 SP 8 KT 8. HAVE DIRECTED TWO DDS TO PROCEED AHEAD AT MAX SUSTAINED SPEED TO PROVIDE ASSISTANCE INCLUDING MEDICAL. NAMES TO FOLLOW WHEN DESIGNATED. WILL PROVIDE AIR COVER WHEN DDS APPROACH EGYPTIAN COAST WITHIN 100 MILES.

1508Z/FROM: COMSIXFLT. DIRECT DD TO ESCORT LIBERTY TO SUDA BAY.

1513Z/FROM: AMEMBASSY TEL AVIV. ATTACK BY ISRAELI NAVAL AND AIR UNITS ON AN ALLEGED US FLAG VESSEL REPORTED BY REFTEL. ISRAELIS OBVIOUSLY SHOCKED BY ERROR AND TENDER SINCERE APOLOGIES. INVESTIGATION NOW UNDER WAY TO OBTAIN MORE INFO ABOUT VESSEL. ISRAELIS DO NOT INTEND GIVE ANY PUBLICITY TO INCIDENT. URGE STRONGLY THAT WE TOO AVOID PUBLICITY. IF IT IS US FLAG VESSEL ITS PROXIMITY TO SCENE CONFLICT COULD FEED ARAB SUSPICIONS OF US-ISRAEL COLLUSION.

2248Z/FROM: SECDEF. FOR PUBLIC AFFAIRS OFFICERS. MR. PHIL G. GOULDING ASD (PA) TODAY MADE AVAILABLE TO NEWSMEN THE FOLLOWING INFORMATION RECEIVED FROM THE USS LIBERTY. THE LATEST CASUALTY REPORTS FROM THE SHIP ARE 10 KILLED AND ABOUT 100 WOUNDED, OF WHOM 20 ARE BELIEVED SERIOUS. THE SHIP WAS ATTACKED AT 8:05A.M. (EDT) WHILE AT POSITION OF 31 DEGREES 35.5 MINUTES NORTH AND 33 DEGREES 29 MINUTES EAST BY JET FIGHTERS WHICH MADE APPROXIMATELY

SIX STRAFING RUNS. APPROXIMATELY 20 MINUTES LATER, THREE TORPEDO BOATS APPROACHED THE LIBERTY ON ITS STARBOARD QUARTER. AT LEAST TWO TORPEDOES WERE FIRED BY THE TORPEDO BOATS. THE LIBERTY FIRED AT ONE TORPEDO WITH ITS 50. CALIBER MACHINE GUNS. ONE TORPEDO PASSED APPROXIMATELY 25 YARDS ASTERN AND ABOUT ONE MINUTE LATER THE SHIP SUSTAINED A TORPEDO HIT ON THE STARBOARD SIDE. AT LEAST ONE TORPEDO BOAT DIRECTED A STRAFING ATTACK AGAINST THE LIBERTY. THE LIBERTY SUFFERED EXTENSIVE SUPERFICIAL DAMAGE TOPSIDE. THE SHIP WILL REQUIRE DRYDOCK AND EXTENSIVE REFITTING. SOME LOWER DECK SPACES FORWARD WERE DESTROYED. IMMEDIATELY AFTER FIRST WORD THAT SHIP HAD BEEN TAKEN UNDER ATTACK THE TWO AIRCRAFT CARRIERS IN THE SIXTH FLEET -- AMERICA AND SARATOGA -- BOTH LAUNCHED AIRCRAFT TO HEAD TOWARD THE SCENE. THE AMERICA LAUNCHED 4 A-4S AND THE SARATOGA 4 A-1S, WITH FIGHTER COVER. WHILE THEY WERE PROCEEDING TOWARD THE LIBERTY A MESSAGE WAS RECEIVED FROM TEL AVIV APOLOGIZING FOR THE ATTACK. IT WAS THEN CLEAR THAT THE ASSISTANCE OF THE FIGHTERS WERE NOT REQUIRED. THEY WERE DIRECTED TO RETURN TO THEIR CARRIERS. THEY DID NOT REACH THE LIBERTY BUT RATHER TURNED BACK TO THEIR CARRIERS.<sup>86</sup>

It is generally agreed upon that the Israeli attack commenced at 1158Z/1:58 p.m. and lasted approximately 77 minutes. Even though there is no message above from the Liberty reflecting the first message sent out describing the commencement of the attack, the ship's log aboard Saratoga acknowledges receipt of Liberty's initial message. This

was the May-Day message about 12 minutes into the attack at approximately 1210Z/2:10 p.m. The torpedo that killed 26 crew members hit the Liberty at 1235Z/2:35 p.m. That would have left 25 minutes for the communication process to work, for the leadership to make decisions, and for the respective commands to act to prevent the torpedo from hitting its target. The attack was over at 1315/3:15p.m. The two aircraft carriers were approximately 500 miles away. Referring to the deadly torpedo attack, Ennes, who was standing one level above the Liberty's bridge, emphasizes, "There is no way in hell Tully's planes or anyone else could have gotten there in time." <sup>87</sup> Furthermore, LBJ had not been "informed of the attack until two hours after it had taken place," <sup>88</sup>

#### U.S./Israeli Cover-up

The timeline demonstrates that neither LBJ nor McNamara could have done anything to prevent the attack. However, the hastily ordered and executed Navy Court of Inquiry effectively generated a cover-up. The Court of Inquiry "was not a supranational court, nor did it have the authority to look into non-Navy matters." <sup>89</sup> Thus the inquiry acted as a cover-up. With the time and witness restrictions levied on the court, the perception is that the inquiry was never designed to reveal the truth. "Never before in the History of the United States Navy has a Navy Board of Inquiry ignored the testimony of American eyewitnesses and taken, on faith, the word of their attacker." <sup>90</sup>

The Israelis stonewalled any attempt to elicit information concerning the attack. "The Israeli government had not offered us its logs or copies of its messages; it had volunteered no witnesses nor affidavits." <sup>91</sup> There was simply an "uncontrollable absence of information within our government about what went on within the Israeli



government or the Israeli armed forces. We could not then and cannot now answer the 'why' and 'who' questions. Israel was not cooperative.”<sup>92</sup>

### Assessment

The USS Liberty was a Navy ship operated by a Navy crew. She was under JCS control and on loan to NSA. The members of these organizations failed the USS Liberty and her crew. However, once the attack started, no one except Israel could have stopped the attack. Following the attack, the U. S. Government and the Navy mismanaged their response to the attack.

The USS Liberty was an easily identifiable and defenseless American naval vessel. With the advantage of hind sight, she should not have been in such dangerous waters unescorted. By ordering the Liberty so close to the shores of conflict, the Chain-of-command inadvertently set the stage and created the opportunity for the attack. With that said, it should also be pointed out that no one ever considered that an ally would brazenly attack a U.S. Navy ship.

Overhead systems, communication capabilities and other intelligence assets were not nearly as capable then as they are today. The Liberty mission that day was to contribute to America's vision into the conflict. She was there to provide intelligence. President Johnson did not want to give the perception the United States was assisting Israel in military operations. That is why no warships were in the region including submarines. In fact, there were unconfirmed reports of a U.S. Navy submarine in the area. However, a source who wishes to remain anonymous stated that there was never a U.S. submarine in the vicinity of the attack on 8 June 1967. There was a Navy submarine that had been conducting operations in the eastern Mediterranean, 100

miles off the coast of Alexandria, Egypt until about 48 hours before the attack. This submarine, under sole Navy command and control, was ordered to depart the area to more open and less threatening waters.<sup>93</sup> It was nowhere near the location of the Liberty attack two days later.

Israel was in the throes of war in June 1967. More importantly, Israel had a secret plan to mislead the world. Israel's "Prime Minister Levi Eshkol on the first day of the war went on Israeli radio and said that Israel had no territorial ambitions." After the sixth day of the "Six Day War," Israel occupied and retained the West Bank, Gaza Strip, Golan Heights, and the Sinai.<sup>94</sup>

Israel had warned all maritime traffic to remain well beyond the 12-nautical-mile internationally recognized offshore limit even though she had no right under international law to do so. "The real issue could not have been simpler: a United States ship was operating in international waters; it was identified, as are United States ships anywhere in the world, with the American flag, distinguishing letters and number, and name; it was attacked without provocation."<sup>95</sup>

### Recommendation

There has been and will continue to be a unique relationship between the United States and Israel. It has been strongly suggested on several occasions that Congress take another look at the Liberty incident. That is very unlikely to happen. It is suspected that there are numerous key individuals and special interest groups, including the Israeli government and their powerful lobby here in the U.S., which will do everything possible to prevent Congress and the Navy from re-investigating the Liberty attack. There exists an important and potentially difficult legal problem for Israel if an

investigation were ever allowed since the attack violated international law, and the machine-gunning of the Liberty's life rafts constituted a war crime. There is no statute of limitations for murder or war crimes.<sup>96</sup>

A more likely scenario would involve an apology. At the very least Congress could and should issue a well crafted and sincere apology to the USS Liberty crew and to the families of both the survivors and the deceased. It is disgraceful that our country has not yet done so.

### Endnotes

<sup>1</sup> "Findings of the Independent Commission of Inquiry into the Israel Attack on the USS Liberty, the Recall of Military Rescue Support Aircraft While the Ship was Under Attack, and the Subsequent Cover-up by the United States Government," *Congressional Record* 150, no. 130 (October 11, 2004), 3.

<sup>2</sup> Dean Rusk, *As I Saw It* (New York, NY: W. W. Norton & Company, 1990), 378.

<sup>3</sup> Richard Helms, *A Look Over My Shoulder: A Life in the Central Intelligence Agency* (New York: Random House, 2003), 298.

<sup>4</sup> Rusk, *As I Saw It*, 384.

<sup>5</sup> Helms, *A Look Over My Shoulder*, 386.

<sup>6</sup> Rusk, *As I Saw It*, 378.

<sup>7</sup> Nicholas deB Katzenbach, *Some of It Was Fun: Working with RFK and LBJ* (New York, NY: W. W. Norton & Company, 2008), 250.

<sup>8</sup> *Ibid*, 250.

<sup>9</sup> Helm, *A Look Over My Shoulder*, 298. "Tuesday Morning Lunch Club" describes weekly meetings in Washington, D.C. of senior administration officials - military personnel were excluded.

<sup>10</sup> USS Liberty Court of Inquiry.com , "Summary of Significant Undisputed Facts," <http://www.uslibertyinquiry.com/evidence/undisputedfacts.html> (accessed August 10, 2004).

<sup>11</sup> LCDR Commander Walter L. Jacobsen, JA GC, USN. "A Judicial Examination of the Israeli Attack on the USS Liberty," *Naval Law Review* 36 (Winter 1986): 79-80.

<sup>12</sup> James M. Ennes, Jr., *Assault on the Liberty: The True Story of the Israeli Attack on an American Intelligence Ship* (United States: Reintree Press, 1979), 52.

<sup>13</sup> Jacobsen, "A Judicial Examination of the Israeli Attack on the USS Liberty," 80.

<sup>14</sup> Ennes, *Assault on the Liberty*, 53.

<sup>15</sup> Ibid.

<sup>16</sup> Jacobsen, "A Judicial Examination of the Israeli Attack on the USS Liberty," 80.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> James M. Ennis, Jr. (Retired), telephone interview by author, March 24, 2009. James M. Ennis is a survivor of the USS Liberty attack and author of *Assault on the Liberty: The True Story of the Israeli Attack on an American Intelligence Ship*.

<sup>20</sup> Jacobsen, "A Judicial Examination of the Israeli Attack on the USS Liberty", 80.

<sup>21</sup> Ennes, *Assault on the Liberty*, 67.

<sup>22</sup> Jacobsen, "A Judicial Examination of the Israeli Attack on the USS Liberty", 80-81.

<sup>23</sup> Ennis, telephone interview, March 24, 2009. James T. Halbardier has recently been nominated for the Silver Star.

<sup>24</sup> Jacobsen, "A Judicial Examination of the Israeli Attack on the USS Liberty", 81.

<sup>25</sup> John Crewdson, "New Revelations in Attack on American Spy Ship," *Chicago Tribune*, October 2, 2007, 14.

<sup>26</sup> Jacobsen, "A Judicial Examination of the Israeli Attack on the USS Liberty", 81.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Crewdson, "New Revelations in Attack on American Spy Ship", 15.

<sup>30</sup> Jacobsen, "A Judicial Examination of the Israeli Attack on the USS Liberty", 82.

<sup>31</sup> Crewdson, "New Revelations in Attack on American Spy Ship", 15.

<sup>32</sup> Ennes, *Assault on the Liberty*, 96.

<sup>33</sup> Goulding, *Confirm or Deny: Informing the People on National Security* (New York, NY: Harper & Row, 1970), 110.

<sup>34</sup> Jacobsen, "A Judicial Examination of the Israeli Attack on the USS Liberty", 83.

<sup>35</sup> Goulding, *Confirm or Deny*, 97.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid, 116.

<sup>39</sup> Ibid, 97-98.

<sup>40</sup> Colonel Peyton Smith, *Assault on the Liberty: Deliberate Action or Tragic Accident?*, Strategy Research Project (Carlisle Barracks, PA: U.S. Army War College, March 30, 2007), 4.

<sup>41</sup> Ennis, telephone interview, March 24, 2009.

<sup>42</sup> Ibid.

<sup>43</sup> Colonel Peyton Smith, *Assault on the Liberty*, 9.

<sup>44</sup> Ibid, 21.

<sup>45</sup> Crewdson, "New Revelations in Attack on American Spy Ship", 14.

<sup>46</sup> Ibid.

<sup>47</sup> Ennes, *Assault on the Liberty*, prologue 4-5.

<sup>48</sup> Goulding, *Confirm or Deny*, 115.

<sup>49</sup> Ibid, 116.

<sup>50</sup> Ibid, 119.

<sup>51</sup> Crewdson, "New Revelations in Attack on American Spy Ship", 15.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> Bryant Jordan, "Telegrams cast doubt on Liberty report," *Navy Times*, June 4, 2007, 12.

<sup>55</sup> Ibid.

<sup>56</sup> Lloyd C. Painter, personal letter from Mr. Painter to Mr. Gary Brummett both surviving members of the attack on the USS Liberty; provided to author on 20 March 2007. The original signed letter was dated 18 April 2005.

<sup>57</sup> Admiral John S, McCain, Commander in Chief, U.S. Naval Forces, Europe, First Endorsement, "Court of Inquiry to inquire into the circumstances surrounding the armed attack on USS Liberty (AGTR-5)" to Judge Advocate General, 8 June 1967.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Crewdson, "New Revelations in Attack on American Spy Ship", 15.

<sup>61</sup> RADM (Ret) Merlin Staring, Former Judge Advocate General of the Navy, telephone interview by author, 18 March 2009.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> CAPT (Ret) Ward Boston, JAGC, USN, "Declaration," January 8, 2004, 1. CAPT Boston was the Senior Counsel to the USS Liberty Court of Inquiry.

<sup>65</sup> Ibid.

<sup>66</sup> Admiral John S, McCain, Commander in Chief, U.S. Naval Forces, Europe, First Endorsement, "Court of Inquiry to inquire into the circumstances surrounding the armed attack on USS Liberty (AGTR-5)" to Judge Advocate General, 8 June 1967.

<sup>67</sup> Crewdson, "New Revelations in Attack on American Spy Ship", 15.

<sup>68</sup> Katzenbach, *Some of It Was Fun*, 251-252.

<sup>69</sup> Ibid, 251.

<sup>70</sup> Helms, *A Look Over My Shoulder*, 302.

<sup>71</sup> Ibid, 301.

<sup>72</sup> David C. Walsh, "Attack on the Liberty, Lifting the Fog of War," *San Diego Union Tribune*, March 28, 2004, G6.

<sup>73</sup> Rusk, *As I Saw It*, 385.

<sup>74</sup> Goulding, *Confirm or Deny*, 128.

<sup>75</sup> Ibid, 136.

<sup>76</sup> Ibid.

<sup>77</sup> An interview with a person who prefers to remain anonymous. "Actually, El Quseir was in port in Egypt for the duration of the Six-Day War."

<sup>78</sup> Goulding, *Confirm or Deny*, 135.

<sup>79</sup> Ibid, 135.

<sup>80</sup> Clark Clifford, *Counsel to the President: A Memoir* (New York, NY: Random House, 1991), 447.

<sup>81</sup> *Ibid.*, 446.

<sup>82</sup> Katzenbach, *Some of It Was Fun*, 251.

<sup>83</sup> An interview with a person who prefers to remain anonymous. All interviews were conducted in confidentiality, and the name of the interviewee is withheld by mutual agreement.

<sup>84</sup> *Ibid.*

<sup>85</sup> *Ibid.*

<sup>86</sup> An interview with a person who also sent U.S. government declassified electronic messages of June 8, 1967 to author. This person wishes to remain anonymous. All interviews were conducted in confidentiality, and the name of the interviewee is withheld by mutual agreement.

<sup>87</sup> Ennis, telephone interview, March 24, 2009.

<sup>88</sup> Clifford, *Counsel to the President*, 445.

<sup>89</sup> Goulding, *Confirm or Deny*, 138.

<sup>90</sup> Walsh, "Attack on the Liberty, Lifting the Fog of War", G6

<sup>91</sup> Goulding, *Confirm or Deny*, 133-134.

<sup>92</sup> *Ibid.*, 138.

<sup>93</sup> An interview with a person who prefers to remain anonymous. All interviews were conducted in confidentiality, and the name of the interviewee is withheld by mutual agreement.

<sup>94</sup> Rusk, *As I Saw It*, 388.

<sup>95</sup> Goulding, *Confirm or Deny*, 123.

<sup>96</sup> Walsh, "Attack on the Liberty, Lifting the Fog of War", G6

