

Congress of the United States

House of Representatives

Washington, DC 20513

MATTHEW G. MARTINEZ

20th District, California



December 16, 1985

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Mr. Joseph L. Meadors
President
CSS Liberty Veterans Assn.
P.O. Box 749
Woodinville, Washington 98073

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 points 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 Secret of Proceedings of the Court of Inquiry concerning the June 4, 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 sensitive portions of the Court of Inquiry proceedings.

If you would like a copy 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,

Matthew G. Martinez
Member of Congress



STROM THURMOND
SOUTH CAROLINA

The President Pro Tempore
UNITED STATES SENATE

April 17, 1985

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

Dear Mr. Meadors:

Thank you 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. Eames, Jr. Research Papers

United States Agency for International Development



Washington, D.C. 20548

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 785-0873.

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, 1983

Mr. Joseph L. Meadors
President
U.S.S. Liberty Veterans Association
P.O. Box 749
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 judgment on the reasons for the decision by Israeli aircraft and ships to torpedo boats to attack." It was to this finding that I referred in my correspondence. For additional 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

2100 RICHMOND SQUARE

WASHINGTON, D.C. 20513

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2100 RICHMOND SQUARE
WASHINGTON, DC 20513
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Congress of the United States
House of Representatives

December 5, 1955

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DATE 10-17-2011 BY 60322/UC

DATE 10-17-2011 BY 60322/UC

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

Dear Mr. Howze:

Thank you for your letter regarding the USA 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 unwarranted.

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

James M. Ennes, Jr. Research Papers

1550

G. WILLIAM WHITEHURST

20 BENTLEY HOUSE

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STANDARDS OF OFFICIAL CONDUCT

U.S. POLICY TO NORTH ATLANTIC ASSEMBLY

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

December 17, 1985

JOHN F. MURPHY
MEMBER OF THE HOUSE OF REPRESENTATIVES

MEMBERSHIP OFFICE
2100 BENTLEY HOUSE
WASHINGTON, DC 20515
(202) 225-4118

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EILEEN D. MANDI
OFFICE MANAGER

Room 801
One Congress Center
Washington, DC 20540
(202) 225-2100

MORLEY J. HOWLE
OFFICE MANAGER

Mr. Joseph A. Meadors
President
c/o Aranco
P. O. Box 1188
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 to the pity, because I don't believe that the Johnson Administration, nor succeeding ones, have exposed the facts as they occurred.

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

GWM:kd

CARL LEVIN
MICHIGAN

COMMITTEE
ON SMALL BUSINESS
GOVERNMENTAL AFFAIRS
U.S. SENATE

United States Senate

WASHINGTON DC 20540

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

CL/drg

James M. Ennes, Jr. Research Papers

BUDDY MACKAY
Florida
8th District
1000 N. W. 10th Street, Suite 100
Gainesville, FL 32601
1001-275-7144



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**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, 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 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:cdg

IN RESPONSE, PLEASE REPLY TO:
11 207 N. W. 10th Street, Room 208
Gainesville, Florida 32601
1001-275-6377

11 401 SE First Street, Room 314 18
Gainesville, Florida 32601
1001-275-0381

11 108 North State Street
Tallahassee, Florida 32308
1001-226-8085

Dear Jim:

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

Dear Congressman Mac Kay:

Thank you for the courtesy of replying to my letter. ^{at some length}
You cite examples of on-the-scene accidents that could easily be prevented. You imply they are commensurate with the attack on the Liberty.

The attack on the ship lasted 2 hours ^{after} more than 6 hours low-level surveillance. ^{to be on} now, Buddy Mac Kay, let's be a little more vigilant than that! An accident you say?

(The one fool around with Smith indicates me at lightly & says? There be detriment.) The question immediately presents one's mind. How careful is Buddy Mac Kay in arriving at rather important opinions?

A few weeks ago I talked to the young ^{astute} man who replaced with an extra large flag, the flag that was shot to shreds - a fact so common on Liberty in steadily ignored by ^{the} custom-built explanation officially "grounded" therefore unknown to you.

There are not times to be gullible & naive.

However, I thank you for your courtesy.

Sincerely,

P. K. S. Judge

P.O. Box 5052 etc.

Or 11/5

Keep the Faith: You, Jim,
keep company with the world's finest, the
Truth Speakers - guardians of the Throne.

Σ

United States Senate
WASHINGTON, DC 20510

November 1, 1985

Mary J. Barton
P.O. Box 1026
Harrison, 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 Posable incident, which occurred off the coast of North Korea, to see that it could do 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/lgo
Enclosure

James M. Ennes, Jr. Research Papers

United States Senate

WASHINGTON D.C. 20540

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 messages 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

Office of JAG - Room 9025
Dept of War
Coxia St
200 Stovall St
Alexandria 22302-2400

325-9530
Capt Carroll
Lt Robanis - Admin Officer
Huffman Bldg #2

United States Senate
Washington, D.C. 20515

September 9, 1985

Dear Senator

BOSCHWITZ

James Hooper
2419 Grand Ave S
Mpls. Min. 55425

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 had 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 the 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. Emes, Jr.

United States Senate
WASHINGTON, DC 20510

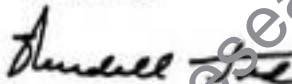
September 20, 1985

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,



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

James M. Ennes, Jr. Research Papers

United States Senate

WASHINGTON, DC 20510

November 9, 1985

Mr. Jack Shaheen
1526 Weber Lane
Edwardsville, Illinois 62025

Dear Mr. Shaheen:

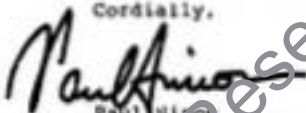
Thank you for your recent letter in response to our previous correspondence.

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/ah



**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

KBMjr:dg

IN RESPONSE, PLEASE REPLY TO:

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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

JLO/10

James M. Ennes, Jr. Research Papers



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

11 JUL 83

ICDR 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 UTTERMAYER
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)

MARILYN LLOYD
MEMBER OF CONGRESS
COMMUNICATIONS
AND SERVICES
CLERK OF THE HOUSE OF REPRESENTATIVES
U.S. HOUSE OF REPRESENTATIVES

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

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COMMUNICATIONS SECTION

November 21, 1985

Mr. and Mrs. Gary L. Barton
Post Office Box #1026
Harrison, 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

MARILYN LLOYD
BY AIRMAIL TRANSMISSION
REGISTERED
COMMUNICATIONS
SECURITY AND TECHNOLOGY
DIVISION

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NOV 21 1985

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

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 respectfully 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 Bell, 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

James M. Emnes, Jr. Research Papers

United States Senate

WASHINGTON, D.C. 20540

December 11, 1985

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


Dear Mr. Ennes:

I have received a response to the inquiry 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.
United States Senator

CM:sm
Enclosure

James M. Ennes, Jr. Research Papers

MARJORIE S. HOLT
2700 S STREET, WASHINGTON, DC 20515

PHONE (202) 633-2222
FAX (202) 633-2222
TELETYPE (202) 633-2222



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

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MEMBER OFFICE
MARJORIE S. HOLT, 2700 S STREET, WASHINGTON, DC 20515
(202) 633-2222

STAFF OFFICE
2700 S STREET, WASHINGTON, DC 20515
(202) 633-2222

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 S. Holt
Member of Congress

MSH/b

J.M.

Holt is a lame duck.

I think I will write her letter stating why she can't pursue the investigation. Maybe you could lend her the punch by giving her the background of previous investigation.

Joe.

James M. Ennes Jr. Research Papers

BUDDY MACKAY
Florida
State Senator

1015 North State Street, Room 2100
Tallahassee, Florida 32304
(904) 488-2144



COMMITTEE
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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

KDM: [unclear]

IN RESPONSE, PLEASE REPLY TO:

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James M. Ennes, Jr. Research Papers



United States Department of State
Washington, D.C. 20520

NOV 22 1967

Copy

Dear Senator Gramm:

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

② Questions about the Israeli attack on the USS Liberty, a communications vessel, 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. Entos, 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 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 \$4,000,000 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 E. Hall, III

William E. Hall, III
Assistant Secretary
Legislative and Intergovernmental Affairs

Enclosures:

Correspondence returned.

James M. Ennis, Jr. Research Papers

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 was often raised NSE DOON that Turner did not identify 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 conducted 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 Force's 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.

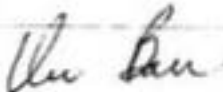
At the time of the incident the Government of Israel apologized immediately, accepted complete responsibility, and offered to provide compensation for the deaths and injuries caused to American personnel by the attack. As you know, Israel stated that the attack was the result of confusion and error by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

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

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. Hall, III
Assistant Secretary
Legislative and Intergovernmental Affairs

Enclosures

Correspondence returned.

James M. Ennes, Jr. Research Papers



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), et seq) 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 desirability of your request as stated. We will write you again when we have this information.

Sincerely,

John M. Wright
Information and Privacy Coordinator

Enclosure



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 communications 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 1990 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. Bell, III
Assistant Secretary
Legislative and Intergovernmental Affairs

The Honorable
Jim Olin,
House of Representatives



United States Department of State

Washington, D.C. 20520

November 26, 1965

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 memos 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 this subject. With regard to your final question on the responsibility of the Department of State Legal Advisor to audit 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



United States Department of State
Washington, D.C. 20520

SEP 24 1966

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

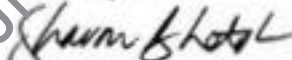
Dear Mr. Meadors:

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, we 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. 20540

November 27, 1985

Mr. James Ennes, Jr.
1900 North Avenue N.E.
Woodinville, Washington 98072

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 baseless 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.

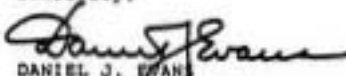
As shown so clearly with the pirating of the Achille Lauro and the TWA hijacking, international terrorism poses a terrible dilemma for the United States. Swift and effective retaliation sounds appealing but may jeopardize innocent bystanders as well as the hostages and military personnel involved. In either case, who would we seek out for our vengeance? The allied, 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 American society.

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.

Mr. James Ennes, Jr.
November 27, 1965
Page 2

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 20380 2000

IN REPLY REFER TO
5720
CNR 09B30P/50313482
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 7, 1985, in which you seek information on the URS [redacted] 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 fulfilled.

Sincerely,

G. H. AITKEN
Hd. VA/POIA Branch
By direction of the
Chief of Naval Operations

Enclosure

James M. Ennes, Jr. Research Papers

U.S.S. LIBERTY



VETERANS ASSOCIATION

Walt White, Chairman
Joseph L. Meadows, President
Robert Ennes, Vice President
P.O. BOX 7465, WASHINGTONVILLE, MD 21156

Gene Lamb, Secretary/Treasurer
Paul H. McCubbin, Legal Advisor
James M. Ennes, Jr., Historian
WASHINGTON 20072

November 2, 1985

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

Dear Secretary Lehman:

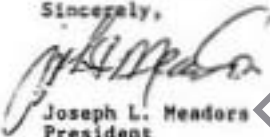
Through the Freedom of Information Act I am requesting you send me a copy of the following reports that pertain to the Israeli attack on the USS LIBERTY on June 8, 1967:

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. Meadows
President

enclosure

cc: James M. Ennes, Jr.

James M. Ennes, Jr. Research Papers

56013407

Preparatory to Army File No. 117

Before: Gen-Maj I. Yermolov

Etc.

DECISION

Copy distributed to
00:05, 6/1, 52

1. On Thursday 8th June, 1957, at approximately 1400 hours, aircraft of the Israeli 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 Israeli 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 regrettable, and after, as transpired, loss of life and material damage had been caused.

2. In order to understand the chain of circumstances which led to this unfortunate incident, a number of the events which preceded it, must be reviewed.

3. The incident occurred 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. 20540

(2)

November 11, 1985

CMJ

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

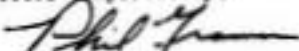
Dear Dr. Thomas:

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/vavr

*Form letter - exact same rec'd by Eric
Department of Dallas - haven't rec'd reply
from Gramm as of 11/18/85.*

Sij

James M. Ennes, Jr. Research Papers

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 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 Basser
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
Director
Office of Israel and
Arab-Israel Affairs

James W. Ennes, Jr. Research Papers

U.S.S. LIBERTY



ASSOCIATION

Man Who Chairman
Joseph L. Meadors President
Robert Casper Vice President
P.O. BOX 790 WOODHULLVILLE

First Estate Secretary Treasurer
Paul R. McToskey Legal Advisor
James M. Fenwick Jr. Treasurer
WASHINGTON D.C. 20072

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 with the signature of Assistant Secretary William L. Ball, III, the United States Department of State informed The Honorable Wendell H. Ford, United States Senator, 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 1982 Israeli version of the attack as contained in the "Jerusalem 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.

Still, of course, reserves 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 Sonny Montgomery (w/enclosure)

AKH 150368

JOHN PAUL HAMMERSCHMIDT

United States Representative

HOME ADDRESS
RUSTON, MISSISSIPPI

WASHINGTON ADDRESS
2701 Rockledge Building
Washington DC 20515
Phone 225-4321

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

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SELECT COMMITTEE ON INVESTIGATIONS

SELECT COMMITTEE ON THE
MIDDLE EAST

October 7, 1985

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

Dear Mr. Needora:

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. Needora; 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/ega

James M. Ennes, Jr. Research Papers

MAIL ROOM
U.S. HOUSE OF REPRESENTATIVES

7 5 11
FOR MR. NICHOLS
WASHINGTON, D.C. 20540
JUN 10 1965

MAIL ROOM
U.S. HOUSE OF REPRESENTATIVES
ROOM 331 CANNON HALL
WASHINGTON, D.C. 20540

U.S. House of Representatives
COMMITTEE ON ARMED SERVICES
INVESTIGATIONS SUBCOMMITTEE

September 6, 1965

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

Dear Mr. *Family*:

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 W. 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 important failures of communication in the history of the Department of Defense".

In view of that examination and the passage of 36 years since the attack, I do not believe that a subcommittee inquiry would be appropriate.


Bill Nichols
Chairman

BN:jlb

James M. Ennes Jr. Research Papers

LARRY J. HOPKINS
By District Number

100-7700
ARMED SERVICES



Congress of the United States
House of Representatives

September 4, 1985

221 Cannon House Office Building
Washington, DC 20515
(202) 225-4700

Tom Carroll
Room 217
223 West 100 Street
Garden City, NY 11530
(516) 764-1111

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

LARRY J. HOPKINS

No. 50001 - 10/1/65

LEGISLATIVE
ADVISORY
SERVICE



Congress of the United States
House of Representatives

September 4, 1965

227 Cannon House Office Building
Washington, DC 20515
202-535-4700
Voice
Year Station
Room 201
227 West Van Ness
Lexington, KY 40507
606-525-2144

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 HOPKINS
Member of Congress

LJH:js
Enclosure

James M. Ennes, Jr. Research Papers

LARRY J. HOPKINS

By District Office

COMMITTEE
AGRICULTURE
ARMED SERVICES



Congress of the United States
House of Representatives

September 17, 1985

201 Cannon House Office Building
Washington, DC 20515
205 225 4700
FAX 205 225 4700
Voice Mail 205 225 4700
201 West Main Street
Cincinnati, OH 45202
202 522 3200

Mr. John A. Taber
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

ENC
Enclosure

BUDDY MACKEY

Florida
State Senator

1000 UNIVERSITY BLVD., S.W.
TALLAHASSEE, FLORIDA 32310
(904) 488-3344



COMMITTEE
BUDGET
FOREIGN AFFAIRS
SUBCOMMITTEE 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

KHH:j:01

IN RESPONSE, PLEASE REPLY TO:

U. S. SENATOR BUDDY MACKEY
1000 UNIVERSITY BLVD., S.W.
TALLAHASSEE, FLORIDA 32310
(904) 488-3344

U. S. HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON AGING
1000 UNIVERSITY BLVD., S.W.
TALLAHASSEE, FLORIDA 32310
(904) 488-3344

U. S. HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON AGING
1000 UNIVERSITY BLVD., S.W.
TALLAHASSEE, FLORIDA 32310
(904) 488-3344

LARRY J. HOPKINS

5th District, California

COMMITTEE ON
ARMED SERVICES



Congress of the United States
House of Representatives

September 4, 1985

221 Cannon House Office Building
Washington, DC 20515
(202) 225-4700

Mail Rooms
Room 307
325 Wood Wood Street
Washington, DC 20547
(202) 225-2872

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 Israelis 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
Enclosure

LARRY J. HOPKINS
The Democrat Kentucky

COMMITTEE
AGRICULTURE
ARMED SERVICES



Congress of the United States
House of Representatives

September 17, 1965

221 Cannon House Office Building
Washington, DC 20515
(202) 225-4100
Voice
Tele. Director
Room 2017
225 West Park Drive
Lexington, KY 40507
(606) 255-5242

Mrs. Shirley Faulette
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:js
Enclosure

James M. Ennes, Jr. Research Papers

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20541

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES
1000 CAPITOL BUILDING
WASHINGTON, D.C. 20541
TELEPHONE (202) 225-4800
FACSIMILE (202) 225-4800

U.S. HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK
1000 CAPITOL BUILDING
WASHINGTON, D.C. 20541
TELEPHONE (202) 225-4800

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20541
202-225-4800

202-225-4800

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 Mr. Hopkins:

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 your 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.


Bill Nichols
Chairman

James M. Ennes, Jr. Research Papers

LARRY J. HOPKINS
The Director, Kentucky

1960-1978
AGRICULTURE
ARMED SERVICES



Congress of the United States
House of Representatives

May 31, 1965

101 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D. C. 20541
(202) 924-6700
MAIL ROOM
101 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D. C. 20541
(202) 924-6800

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

Dear Shirley:

Your recent letter and enclosure revived once again 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 dissuades 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. As bleak 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 contemptible travesty to repeat itself without appropriate American response.

Mrs. Robert Paulette
May 31, 1985
Page 2

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 messages sent 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.

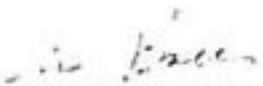
Israel paid full in 1968 and 1969 the U.S. Government claims for \$3,221,000 on behalf of the men who were killed and \$3,452,275 on behalf of the injured members of the Liberty crew. Although monetary compensation for wrongful death or injury is an adequate recompense for the pain and suffering involved, the families and individuals concerned received the full amount of these claims.

The Honorable
Wendell H. Ford,
United States Senate.

Ms. Harris-Paulette also inquired specifically about the ship itself. In 1980 an agreement was concluded between the United States and Israel under which Israel 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 LIAISON
WASHINGTON, D.C. 20380

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 475
National Personnel Records Center
800 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 you contact their shipmates. Again, they should write a letter

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.

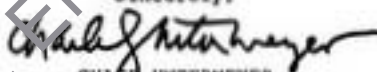
Finally, the Navy Court of Inquiry into the events surrounding the attack on LIBERTY has been available to the public for a number of years. Anyone desiring a copy of this document can request one from the Judge Advocate General of the Navy, at the following address:

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,



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

Enclosure



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20380-1000

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 responsi-
ble 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 recom-
pense 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 you can be of further assistance, please let me know.

Sincerely,

JAMES F. Goodrich
Acting Secretary of the Navy

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

James M. Vennes, Jr. Research Papers

From our foreign Airtel
How attack was the ship really worth it to the country?

STEVE BARTLETT
20 OCTOBER 1985

STAFF OFFICE
GENERAL INVESTIGATIVE
AND RESEARCH DIVISION
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

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

FORM LEGISLATIVE MAILING
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515
5010-108-0001

MAIL ROOM
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515
5010-108-0001

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 E. 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 an not sending mine. Will have should you want.

Jim

James M. Collins, Jr. Research Papers

United States Senate

WASHINGTON, D.C. 20510

October 23, 1985

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

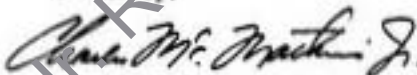
Dear Mr. Henderson:

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



ASSOCIATION

Mark Mohr, Chairman
Joseph L. Mastore, President
Robert Lamb, Vice President
P.O. BOX 760, WASHINGTONVILLE, MARYLAND

John Lamb, Secretary/Treasurer
Paul H. McTuckey, Legal Advisor
James M. Stone, Jr., Chairman
WASHINGTON, D.C. 20012

20 September 1983

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

COPY

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 transcript 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 me in 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 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: VVA reports Adlai Stevenson press conference on the Liberty
Associated Press quotes Admiral Moorer on Liberty

James M. Etnes, Jr. Research Papers

Man White, Chairman
 Joseph L. Strickland, President
 Robert E. Smith, Vice President
 P.O. BOX 7001, WASHINGTONVILLE,



Steve Lamb, Executive Director
 Paul H. McWhorter, Legal Advisor
 James M. Ennes, Jr., Treasurer
 WASHINGTON, D.C. 20515

20 September 1983

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

COPY

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 staff 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. 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,

Encl: UPI transcript of Adlai Stevenson press conference on the Liberty Association. Press quotes Admiral Moorer on Liberty

James M. Ennes, Jr. Research Papers

UNITED STATES SENATE
OFFICE OF THE CLERK
UNITED STATES SENATE
WASHINGTON, D.C. 20540

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20540

October 30, 1985

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

Dear Larry:

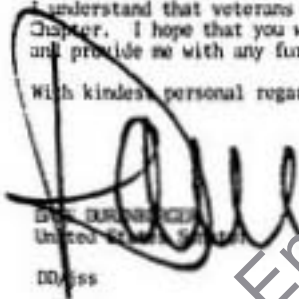
Jon Schroeder of my Minnesota staff has forwarded to me the background information which you have been collecting in support of an investigation of the tragic attack on the U.S.S. Liberty in 1967.

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. I 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,



James M. Ennes, Jr.
United States Senator
D-555

James M. Ennes, Jr. Research Papers

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
SENATOR
WASHINGTON, D.C. 20540
202-224-2100



COMMITTEE
BUDGET
FOREIGN AFFAIRS
SELECT

**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

WJrjdg
Enclosure

JOSEPH R BIDEN JR
MURKIN

United States Senate

WASHINGTON, DC 20510

October 23, 1985

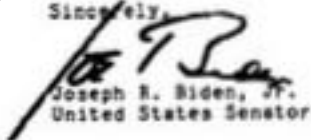
Mr. Joseph L. Meadors
President
U.S.S. Liberty Veterans Association
c/o Aranco
P.O. Box 1168
Dhahran, Saudi Arabia

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

James M. Ennes, Jr. Research Papers

JOHN PAUL HAMMERSCHMIDT
New York, N.Y.

HOME ADDRESS
New York, N.Y.

WASHINGTON ADDRESS
2227 Reservoir Boulevard
Washington, DC 20018
Phone 224-8147

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

COMMITTEES
PUBLIC WORKS AND
TRANSPORTATION
ARMED FORCES
DEFENSE AND
GENERAL INVESTIGATION
AND REFORM
SELECT COMMITTEE ON
ASSASSINATIONS
SELECT COMMITTEE ON
NARCOTICS AND
DRUG ABUSE
SELECT COMMITTEE ON
SOUTH AFRICA
SELECT COMMITTEE ON
SOUTH AFRICA

October 11, 1985

Joseph L. Kardus
President, U.S.S. Liberty
Veterans Association
Post Office Box 784
Woodinville, Washington 98072

Dear Mr. Kardus:

Enclosed to keep you advised of developments is information provided by the Department of Defense to my contact on the concerns you raise 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. Kardus; and as soon as there is anything further to report, I will be back in touch with you promptly.

Very kind regards,

Sincerely yours,

John Paul Hammerschmidt
JOHN PAUL HAMMERSCHMIDT
Member of Congress

JPH/ega

Enclosure

James M. Ennes, Jr. Research Papers

JOHN N. MILLER
of Pennsylvania
COMMITTEE
GOVERNMENT OPERATIONS
NOMINATIONS AND
FINANCE

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

1155-1000000-1000000
MEMORANDUM FOR THE
JAMES M. ENNES, JR.
DATE: 11/1/85
BY: JRM
SUBJECT: TERRORISM

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 on 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 offenders 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 vigilanteism 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



OCT 30 1985

United States Department of State
Washington, D.C. 20520

REF ID: A65812

Dear Mr. Hammerschmidt:

Thank you for your inquiry concerning the 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 crew 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 attack 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 hope 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.

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 \$3,452,274 on behalf of those injured of the Liberty. 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. Neiders
c/o ARMO
P. O. Box 1168
Dhahran, Saudi Arabia

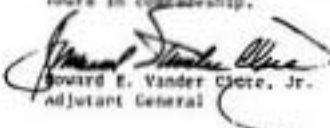
Dear Comrade Neiders:

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 forwarded to Cooper T. Holt, Executive Director of our Washington Office for further reply on this matter.

Enclosed please find the resolution #885 that you requested.

Yours in comradeship,


Howard E. Vander Cote, Jr.
Adjutant General

WVC:dan

Enc:

C. Cooper T. Holt, Executive Director, Washington Office

★ NATIONAL HEADQUARTERS ★

VFW BUILDING • BROADWAY AT 14TH STREET • KANSAS CITY, MISSOURI 64111 • AREA CODE 816-744-3390



DEPARTMENT OF STATE

Washington, D.C. 20520

Dear Mr. Sawyer:

I am writing in response to your inquiry of January 22, 1967, 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.

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 \$1,452,275 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.

Noted:NEA/IAI:ECubbison:df *ee*
11/81:X23672 #016-0226
Cleared:NEA/IAI:DAKorn *N*
NEA:MSterner
H:MGrossman

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 (Nashville, Tenn., 1980) which reports the results of my 17 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 before 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 get 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 show what documentation has been denied to the Select Committee. My principal assistance to you could be to help direct you to evidences and 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 officer of the deck. In the case of the USS Liberty, none of these things were admitted into evidence; instead, the deck log was forged 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 fire 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.

I hope you will have your comitten 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,

James M. Ennes, Jr. Research Papers



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
200 STOVALL STREET
ALEXANDRIA, VA 22304

IN REPLY REFER TO
JAG:21.2:KMI:REW
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 Lane 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.

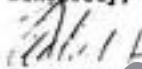
As indicated in her letter, Mrs. Evans is interested in efforts to make public the truth about the incident. The version of the attack that is inferentially attributed to the Court of Inquiry by the USS LIBERTY Veterans Association, as narrated in Mrs. Evans' enclosure, is not the official version as 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 distance. 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 ten 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

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 servicemenbers 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, USN, U. S. Navy
Deputy Assistant Judge Advocate
General (Investigations)

James M. Ennes, Jr. Research Papers

JAMES M. ENNES, JR.
1809 1940 1/2 NW SE
Woodville
Washington 98071

June 15, 1981

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

NO RUMOR

Dear Mr. Ransom:

A citizen in New York, one Elliot 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 of 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 the 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, 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 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 not book, 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 had not been fully probed largely because of political pressures 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 mislead 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. 20540

June 1, 1981

Dear Mr. Sharp:

Thank you for writing about the 1947 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. Elliott Sharp
2 Montague Terrace
Brooklyn, NY 11201



INTERNATIONAL
SECURITY AFFAIRS

ASSISTANT SECRETARY OF DEFENSE

WASHINGTON D.C. 20301

1-08175/81

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 UNIA stands for Dear East South Asia)

James M. Ennes, Jr. Research Papers



INTERNATIONAL
SECURITY AFFAIRS

ASSISTANT SECRETARY OF DEFENSE

WASHINGTON DC 20301

1-00375/81

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 in 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 persistent 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 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.

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,


DAVID M. RANSON
Acting Director
NESA Region

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



INTERNATIONAL
SECURITY AFFAIRS

ASSISTANT SECRETARY OF DEFENSE

WASHINGTON D.C. 20301

1-15211/81

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. Ranson's response to your earlier inquiry (1-08375/81, 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, any of which involve assumptions that would be difficult to prove or disprove conclusively.

Sincerely,


R. V. Sargent
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. 20540

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 assistance in the future.

Sincerely,



Patrick Moynihan

Enclosure

James M. Ennes, Jr. Research Papers

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 TTTT-time effects).

Earlier this year I had the opportunity to talk to several shipmates who survived and we agreed a reunion would be a wonderful thing to have to get together and appreciate each others' contributions 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.

Page (2)

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 Merit Citation (well deserved, but not as a secret) and deserving individuals getting their medals by mail, or in a quiet ceremony and without any fanfare deserved. But most of all, and the biggest shock of all, I saw Captain William L. McGonagle given the Medal of Honor which is 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.)



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20340

15 DEC 1981

MEMO STAN W. White, USN (R-1)
Rural Route 72, Box 37
Vercil, Mo, MO 65069

Dear Master Chief Petty Officer White:

Thank you for your letter postmarked October 15 to President Reagan requesting help in honoring Captain McConally at the upcoming USS LITTLE (SSN595) reunion.

As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the department 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 McConally 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



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 interest 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

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES
UNITED STATES CAPITOL
WASHINGTON, D.C. 20515

HOUSE CLERK
435 POPE IN SQUARE STREET
EAST WY. WASHINGTON, D.C. 20515

HOUSE OFFICE
FLOOR, BUSINESS
EAST WY. WASHINGTON, D.C. 20515
20-22 274-2000

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

MELVIN PRICE
106 ILLINOIS DISTRICT

February 17, 1982

ARMED SERVICES

ARMED SERVICES

ARMED SERVICES

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 I 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:ijn



111

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 Jansill 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. E. 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 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,

A handwritten signature in dark ink, appearing to read "Donald L. Warkle".

DONALD L. WARKLE
Director, Monument Service

Enclosures



UNITED STATES AIR FORCE

FRED J CARTER
SOUTH CAROLINA
1ST LIEUTENANT
FEBRUARY 5 1945

WALDE A GREER
TEXAS
CAPTAIN
MARCH 29 1943

DECEASED IN VIETNAM - NOVEMBER 15 1969

James M. Ennes, Jr. Research Papers



WILLIAM H. ARNOLD
TEXAS
CPL US MARINE CORPS
VIETNAM
JANUARY 20 1948

JOHN H. GILLILAND JR.
CALIFORNIA
SERGEANT US NAVY
VIETNAM
OCTOBER 8 1942

TERRANCE H. LARSON
MINNESOTA
SP4 US ARMY
VIETNAM-800-PM
MARCH 2 1947

JOHN D. SAVILLE JR.
MARYLAND
SP4 US ARMY
VIETNAM-800-PM
JULY 15 1947

CHRISTOPHER BRAYBROOKE
NEW JERSEY
ST. CPO US AIR FORCE
WW II-COASTAL-VIETNAM-SPCW
MARCH 25 1928

FANCISCO HERNANDEZ-GONZALEZ
PUERTO RICO
Sgt US MARINE CORPS
VIETNAM
MARCH 1 1942

ROBERT D. NELSON
KENTUCKY
SP4 US ARMY
VIETNAM-PM
AUGUST 12 1948

WILLIAM L. STEIN JR.
MICHIGAN
SP4 US ARMY
VIETNAM-800-PM
FEBRUARY 19 1945

CLOYCE D. BURRETT
KANSAS
E. 1ST LT US AIR FORCE
VIETNAM
NOVEMBER 8 1940

MELVIN J. JOHNSON
SOUTH CAROLINA
SP4 US NAVY
VIETNAM
JULY 15 1948

TERRY M. BENT
PENNSYLVANIA
SGT US AIR FORCE
VIETNAM
JUNE 15 1945

RONALD A. VILLARD
CALIFORNIA
SP4 US ARMY
VIETNAM-800-PM
AUGUST 8 1948

EDWARD G. FERRUGOIA
NEW JERSEY
2A 1ST ARMY
VIETNAM-800-PM
JUNE 19 1947

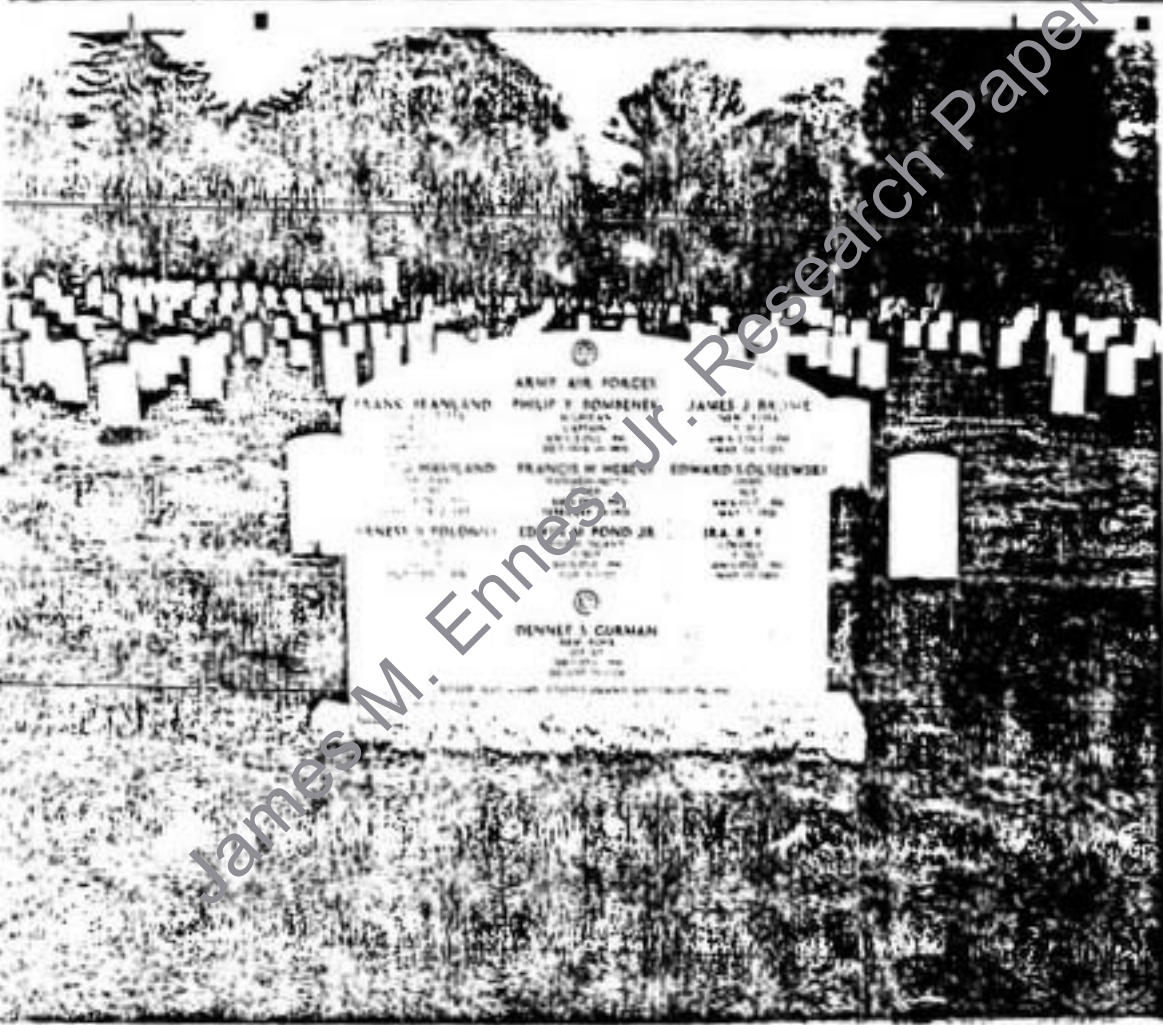
SEANIE C. BRIDGER III
MICHIGAN
E. 1ST LT US MARINE CORPS
VIETNAM
JANUARY 28 1948

JOSEPH P. ROWLEY
MARYLAND
SP4 US ARMY
VIETNAM-800-PM
MARCH 25 1947

DONALD A. WILKINSON
MASSACHUSETTS
SGT US MARINE CORPS
VIETNAM
SEPTEMBER 2 1947

DIED IN VIETNAM OCTOBER 8 1967

James M. Ennes, Jr. Research Papers



James M. Ennes, Jr. Research Papers

ARMY AIR FORCE

FRANK HANLAND MAY 1914 MAY 1914 MAY 1914	PHILIP V. BOMBENEK MAY 1914 MAY 1914 MAY 1914	JAMES J. BRADY MAY 1914 MAY 1914 MAY 1914
HARVEY W. FOLEY MAY 1914 MAY 1914 MAY 1914	FRANCIS W. WEBER MAY 1914 MAY 1914 MAY 1914	EDWARD S. SCHNEIDER MAY 1914 MAY 1914 MAY 1914
EDWARD W. ROND JR. MAY 1914 MAY 1914 MAY 1914	IRA. H. H. MAY 1914 MAY 1914 MAY 1914	

DENNIS J. GURMAN
MAY 1914
MAY 1914
MAY 1914

JAMES M. ENNES, JR.
1800 16th Avenue NE
Woodville
Washington 98172

5 April 1982

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 cost 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 Cheyenne 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 private 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 mass grave 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 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,

THIS LETTER
TUE 11:45 AM '82
7:00 AM '82
"DON'T KNOW" TO
REPLY TO
S. P. WARDLE

COPY

James M. Ennes, Jr. Research Papers

Nt. 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 Press 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.

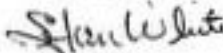
We thank you for taking the time to read this letter and hearing out our case. We also respect your desire to let your people to be able to live in peace and wish you our best in achieving this goal and pray that someday we can all live in peace. We look forward to hearing from you, hopefully with good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

- continued -

Minister of Justice
November 10, 1962
Page 2

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
204 SOUTH FLOWER STREET
LOS ANGELES, CALIFORNIA 90012
(213) 488-8000

BROBECK, PHLEGER & HARRISON
ATTORNEYS AT LAW
SPEAR STREET TOWER
ONE MARKET PLAZA
SAN FRANCISCO, CALIFORNIA 94105
(415) 442-0800
TELEPHONE (415) 442-1010 CABLE BROBECK
TELEX 342228 BPH SFD INTL TELETYPE 278002 BPH UR

PAID INTO OFFICE
100 WALL STREET
SUITE 120
PALM BEACH, CALIFORNIA 94104
(415) 488-8000

July 20, 1983

James M. Ennes, Jr.
[REDACTED]

Dear Jim:

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

The obtaining of IRS tax-free status is not a difficult procedure although it 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 provide 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 N. Ennes, Jr.
July 20, 1963

2.

Coincidentally, 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 any way I can help. I will be glad to try.

Sincerely,


Paul N. McCloskey, Jr.

PNNMcC:cap

PAUL N. McCLOSKEY, JR.
100 Senate Office Building
Washington, D.C. 20540

OFFICE OF
LEGISLATIVE COUNSELORS
AND
LEGISLATIVE ASSISTANTS
100 SENATE OFFICE BUILDING
WASHINGTON, D.C. 20540

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

100 House Office Building
Washington, D.C. 20543
(202) 556-2000
OFFICE OF THE CLERK
100 HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20543
(202) 556-2000

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:and

JAMES M. HENRY
██████████

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 Henry



DEPARTMENT OF STATE

WASHINGTON, D.C. 20520

28 AUG 1990

Copy

Mr. Gip D. Oldham, Jr.
[REDACTED]

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 K. 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 - 8, 1968

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.

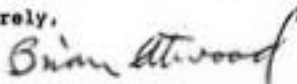
As I mentioned above, the sole remaining claim is for the physical damage caused to the Liberty. The Government of Israel has agreed to negotiate compensation for this claim. The Department is presently completing

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,



J. Brian Atwood
Assistant Secretary
for Congressional Relations

Enclosure:

Correspondence Returned.

James M. Ennes, Jr. Research Papers

United States Senate
WASHINGTON DC 20540

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 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

James M. Ennes, Jr. Research Papers



Congressional Record

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, SECOND SESSION

Vol. 126

WASHINGTON, TUESDAY, JUNE 17, 1980

No. 99

Senate

R 7161 - S 7163

UNITED STATES SENATE
IN SENATE
JUNE 17, 1980

Mr. PRESIDENT, the President has announced additional \$200 million in economic assistance for Israel under the terms of the 1974 U.S. policy and to establish new or expanded relations with the occupied territories.

Mr. President, this bill authorizes \$411,971,600 in security and development assistance in the world. Of that, \$2,184,000, or about 0.5 percent, is authorized for direct military and economic assistance and economic support, \$1,300,000,000, is authorized for Israel for other purposes. Together these two countries, Israel and the West Bank, receive over 50 percent of all U.S. assistance. About 85 percent of all security assistance worldwide is concentrated in the states bordering the Eastern Mediterranean.

World food and fuel resources are declining. Nations are staggering under the burdens of debt and the oil bill. By the hundreds of thousands people are being overtaken and oppressed, some of them to be washed up like human refuse upon our own shores. Violence has broken out from Afghanistan to East Timor. Perilous conditions exist for Romania 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 far-spread and unstable world. It is a policy that could produce stability in the Middle East or enhance Israeli security. It could be justified, but it reflects continued U.S. acquiescence in an Israeli policy which threatens the Middle East inevitably, not only for security 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 remark 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 the 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 resentment, if not acrimony, 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 members of the Security Council. The Secretary of State Cyrus Vance notified on March 20:

U.S. policy toward the establishment of lasting settlements in the occupied territories is unequivocal and consistent. It has been a matter of public policy since 1947, to be contrary to international law and an impediment to the economic and social of the Middle East peace process. We have consistently urged Israel to halt annexes to create new settlements, to cease land to expand existing ones, to impose such restraint as performance of the autonomy negotiations is underway.

The U.S. Government's framework 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 over again. The Begin government, however, sometimes intentionally, ignores it. It encourages, protects and establishes more Israeli settlements in the West Bank. And the United States proposes to go on au-

thorizing these remarkable sums for the Begin government notwithstanding defiance of our policy and our interests.

Every time this subject is raised in the House the week before last, there is a chorus of wailing and gnashing of teeth. It is the policy of Israel's settlement program to use the massive resources available in the midst of a highly developed society which might be spent in doing anything which implies criticism of Israel. The highly delicate peace we find ourselves in is a U.S. election campaign. The Congress is always in that delicate situation. That, I think, is the explanation for the acquiescence shown in this bill for the Begin Government of Israel.

For 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 1978 impeded the efforts of the U.S. Marine Force to achieve peace in that country. This was followed by a succession of retaliatory and provocative bombing attacks against Lebanese territory. These retaliatory operations were carried out with American equipment in apparent violation of the terms upon which it was accepted. When Turkey, being American supported 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. Ennis, Jr. Research Papers

of Israel but those common interests and the special relationship with Israel are not served by the withdrawal policy of the British government. The Government of Israel is of course free to adjust and modify its policies. But it should not be revealed for depriving U.S. interests and that is what the United States has been doing in the construction of Israeli settlements. The United States is supporting a settlement policy which undermines the peace process it authorized. The United States is continuing efforts in Israel that Mr. Begin is right when he insists that existing American "policies" long enough will cause it to go away. It is not suggest pressure on Israel. It simply suggest we signal support for our own interests and leave the rest to the Israelis.

The art of one 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 constituents, constitute territorial aggrandizement, not the dream of peace and justice upon which Israel was founded and for which it has been generally supported.

The settlement policy undertaken in the past decades of the Jewish faith. It undermines the position of President EISENHOWER worldwide and in his own nation. It isolates Israel, threatening to make it an international outcast.

Such unrepresentative policies and their associated defense borders are driving Israel into bankruptcy. Israel already suffers from a 100 percent annual inflation rate. They threaten Israel over time with heavily armed, militant, Palestinian-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 people. Assassination of occupied territories' civilians 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 to decline; and the world risks economic and political upheaval.

Mr. President, the passage of time without movement toward peace strengthens the most intractable elements in the Middle East. A new rising party is campaigning in Israel to join the Camp David peace. Private armies are being set up to protect new settlements in the West Bank. Palestinian terrorism against Israel is followed by Israeli Israeli crackdowns, including deportations, the closing of Arab banks, papers and destruction of Arab crops,

imposition of curfews and Israeli terrorism. The PLO has demanded for the restoration of Israel and Israel never tolerance. Israel is established in a force for modernization in the Middle East and there growing discontent within the Arab impoverished and oppressed nation.

This peace process produces an international "autonomy" of a fractured settlement. It produces growing Israeli influence in the region and great power influence in the United States through the Islamic world. No peace action in the region now can be considered 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 incompatible with the subsequent 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 settlements 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 carry more weight and on substituting, with only whorped disapproval, of such Israeli policies.

On Anxiety a kneel member, cries out:

And to America, I say, don't let the economic in Israel don't let anything government don't let it. It is it will actually stop the thing to give us peace.

According to an Israeli press most Israelis are opposed to continued establishment of West Bank settlements. It seems that most Arabs are opposed to the settlement policy of Mr. Begin. Rabbi Schneur Zalman, president of the Union of American Reform Congregations, says:

The Israeli Government is diverting six-tenths of its settlement funds to the green areas. Of 1,200 new housing units planned in the Judea and Samaria area, only 100 are being built on the Green Line. Spending for the Green Line settlements and nothing at all for the West Bank and the Negev. . . . Treasury Department is an advantage, the more money, the better.

Mr. President, the Congress should not side against the courageous men for progressive Judaism and peace in Israel and abroad. There can bring Israel political 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 origin of certain of his policies. And, surely, we should sympathize with the insecurity and fear which, over the centuries of oppression, have produced positions on all sides in Israel. But, surely, too, the growing support of the American people, beginning with the Truman administration, and the faith of Israel have made our support beyond any doubt. That support continues. But our support is for Israel, not its Government, and of this we are sure.

Our support for Israel is not the best here. Israel's support for the state of Israel and justice which gave it birth are at issue. It is not, for the Israeli Government to recognize upon that Israel's interests are in harmony with our own and, for that to happen, it is one period that we do not understand you as far peace in Israel or justify to like Mr. Begin, who claim U.S. support from the Congress are in the past granted.

It would be more, Mr. President, to reward some American support of settlement of the West Bank, including the status of the West Bank, instead of regarding it as a threat. And, always more aid, to be used to satisfy that the way to peace is through negotiations.

None of us are sympathy for the situation of the Palestinian communities. The United States does not support it. It implies sanctions against the situation which, in progress, we should suggest to such thing for Israel only that the Israeli Government made it understood that it will not side from its defiance of our opinion and the government of our interests—and, I believe, its own. This is a deal and a friendly proposal.

All the agreement 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 reduced with no further action by the Congress.

An agreement between the United States and Israel provides that assistance to 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 if that agreement has been violated. In any event, we have no reason to believe that the administration would reduce the agreement if it were violated. An \$11.5 economic support funds made available to Israel free Israeli accounts for use elsewhere, including the West Bank. There is no way to isolate or isolate the aid so that it does not provide the money and to which in the future.

James W. Emmert Research Papers

at 10:00 AM, 1957

The statement was a 1-1/2 page
summary of the speech of Mr. Rogers
before the United States with the opinion
of most Israelis and Americans, and
indeed, the world. It offers the House an
opportunity to signal to the American
people, as well as to those of Israel and
all nations, that it wishes to support
U.S. interests and to support U.S.
policy in the Middle East. If Israel were
then to reject the search for peace, a
settlement might follow, and all the
world would begin to reassess conditions
in American relations.

Mr. President, I urge the House
to support this

James M. Ennes, Jr. Research Papers



HOUSE OF REPRESENTATIVES
WASHINGTON, D. C. 20515

ROBERT K. DORNAN
JEANNE BARON DORNAN
COURTESY

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:scm

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/am

Enclosure

cc: James Ennes

Dictated but not read.



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 indicate 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, draw 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

BUDDY MACKAY
FLOOR
SENATOR

505 Dirksen Hall, 2051 S. Building
Washington, D.C. 20510
202-224-2144



COMMITTEE
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

KJM:rdg
Enclosure

IN RESPONSE, PLEASE MAIL TO:
© 2017 THE SENATORIAL OFFICE OF SEN. BUD MACKAY
505 DIRKSEN HALL, 2051 S. BUILDING
WASHINGTON, DC 20510
202-224-2144

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BUDDY MACKAY

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20543



U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20543

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 obtained 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
Buddy MacKay

KJHjr:dg

NO RESPONSE PLEASE REPLY TO:

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20543

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20543

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20543

James M. Ennes, Jr. Research Papers

U.S.S. LIBERTY



ASSOCIATION

Ben White, Chairman

Joseph L. Ennes, President

Robert Clark, Vice President

P.O. BOX 788, WOODENVILLE,

John Clark, Secretary/Treasurer

Paul W. McChesney, Legal Advisor

James W. Smith, Jr., Historian

WASHINGTON, D.C. 20078

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 300+ 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, the 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. Thank you for your interest in the USS LIBERTY incident.

Sincerely,

Joseph L. Ennes
President

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

Evelyn K. Judge
Post Office Box 5049
Gainesville, Florida 32604

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:

- o 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
- o 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

U.S.S. LIBERTY



ASSOCIATION

Walter Miller, Chairman
Joseph L. Meadows, President
Robert Connor, Vice President
P.O. BOX 798, WOODBRIDGE, WASHINGTON D.C. 20513

Robert Connor, Secretary-Treasurer
Paul H. McCloskey, Legal Advisor
James M. Brink Jr., Historian
WASHINGTON D.C. 20513

16 October 1985

COPY

Honorable Buddy MacKay
501 Cannon House Office Building
Washington, D.C. 20513

Dear Mr. MacKay:

Your constituent Evelyn Judge has kindly sent me a copy of your October 7 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 details pointing toward a deliberate attack can be found in my report in the file you tell Mrs. Judge you have read. And that plus the available evidence has been sufficient to persuade key leaders 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. 20540

October 21, 1985

Mr. Joseph Meadors
Saramco
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, we 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
United States Senator

JG/dmb

James M. Ennes, Jr. Research Papers

DANIEL P. MOYNIHAN
SEN 1968

United States Senate
WASHINGTON, D.C. 20540

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 Bender Tansill
4431 North Park Avenue, #705
Chevy Chase, MD 20815

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James M. Ennes, Jr. Research Papers

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DOD PRESS
RELEASES FROM
JUNE, 1967

LIBERTY PLANS
OF THE DAY

James M. Ennes, Jr. Research Papers

FOLDER 13

UNCLASSIFIED

File 7-87

NSA ACTIVITY

NAVAL SECURITY GROUP COMMAND
DEDICATES MEMORIAL TO USS LIBERTY CREW

UNCLASSIFIED

Mr. Raymond F. Schmidt
NSG Historian

The Navy honored crewmembers of USS Liberty (AGOS-5) by dedicating a memorial to them on 8 June 1977 at the Rear Admiral Joseph S. 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 deaths 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.

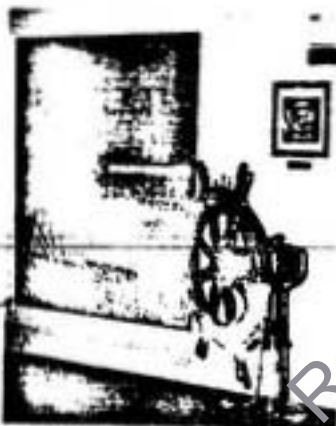
Introductory remarks at the commemoration by RADM G. F. March, USN, took special note of the leadership and teamwork that marked Liberty during the crucial hours of the attack and immediately after. The Liberty crew performed quietly and efficiently under battle conditions, he added, and demonstrated 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. F. 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

UNCLASSIFIED

UNCLASSIFIED

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.



ADM 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 men 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 out under the most trying conditions.

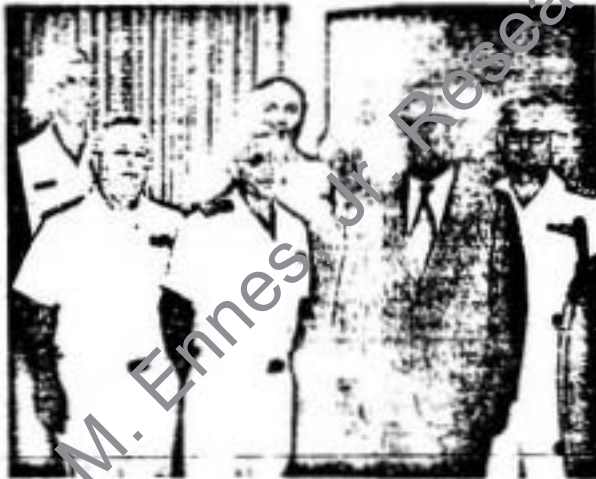
These men and others like them on board gave up their few precious hours of liberty on many occasions to deliver clothing and toys to orphans in the foreign countries that we visited. I've seen them parade in the streets of foreign capitals to the acclaim of citizens of those nations—at a time when to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

UNCLASSIFIED

"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 M. 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 Max-Rittenburg, USN; LCDR James Ennes, USN; CDR M. W. Bennett, USN; CDR Richard Keeper, MC, USN; LCDR George Golden, USN (Ret.); Capt W. L. McGonagle, USN (Ret.); CDR D. E. Lewis, USN.



Crewmen of Liberty Are Remembered

MEMORIAL PLAQUE was presented to the deck of merchant ship Liberty by the family of CTI John C. Smith Jr., who was among 34 killed during Israeli attack June 3, 1967. Lt. Comdr. Donald L. Eames, left, Liberty's commanding officer, accepted the plaque. Present at the Norfolk Naval Shipyard ceremony were Smith's widow, Kay, and Peggy, his widow, Sandra, and his mother and father. Since the Liberty is being decommissioned, the plaque will hang at headquarters of Commandant Eames, Atlantic, in Norfolk.

James M. Eames, Jr. Research Papers

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NEWS RELEASE

OFFICE OF ASSISTANT SECRETARY OF DEFENSE (PUBLIC AFFAIRS)

WASHINGTON, D.C. 20310

PLEASE NOTE DATE

IMMEDIATE RELEASE

June 11, 1967

DC: 34487
Oxford: 34487 (Info.)
Oxford: 34487 (C-101)

USS LIBERTY TO RECEIVE PRESIDENTIAL UNIT CITATION

On behalf of the President, Rear Admiral Ben W. ... , USN, Commander Service Force, U.S. Atlantic Fleet, will present the Presidential Unit Citation to the technical research ship USS LIBERTY (AGOR) 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 12 LIBERTY crewmen at the ceremony.

Persons who wish to attend the ceremony are requested to contact the Public Affairs Office, U.S. Atlantic Fleet headquarters, Norfolk, area code 77, room 444-5.

END

James M. Ennes, Jr. Research Papers

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OFFICE OF THE SECRETARY OF THE NAVY
WASHINGTON, D. C. 20374

NAVY RELEASE

FOR THE PRESS

June 8, 1967

NO. 542-67
OXford 75131 (Info)
OXford 52526 (Copies)

A U. S. Navy technical research ship, the USS LIBERTY (AGOR-40), 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.

END

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

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, 33-29E.

The casualties are now reported as nine dead, forty-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 indicated there was no damage in the hearing 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 (AHT-5)
FTO, NEW YORK 01501

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.

UNIFORMS OF THE DAY

OFFICERS' UNIFORM: TACTICAL "TAN" KNIFE
ENLISTED: CLASH DUNGAREES

WORKING UNIFORM

TACTICAL "TAN" KNIFE
DUNGAREES

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION 15400.1, EXCEPT AS MODIFIED HEREIN:

0730 - All divisions air bedding
1115 - Taps down aired bedding
1300 - Commence Holiday Routine

NOTES

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

01 August 1967 - E-4
03 August 1967 - E-5
08 August 1967 - F-6
10 August 1967 - F-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 CINCANTYFLIB 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 exam.

D. L. Burch
D. L. BURCH, LCDR, USN
Executive Officer

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USS LIBERTY (AGTR 5)
YEO New York 09501

PLAN OF THE DAY

(Friday 30 June 1967)

CO: ENS LUGAS

DUTY OFFICER: ENS O HALLAY

DUTY DEPT

DUTY DEPT

Sunrise 0449

Sunset 1916

REPORT OF THE DAY

OFFICERS & CPD'S

EXLISTED

TROPICAL WASH KWAKI

CLEAR DUNGAREES

LIBERTY UNIFORM

OFFICERS & CPD'S

EXLISTED

TROPICAL WHITE LONG

TROPICAL WHITE LONGS

WORKING UNIFORM

TROPICAL WASH KWAKI

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 P3400.1, EXCEPT AS NOTIFIED HEREIN.

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

1530 LIBERTY CONCLUDES for sections I & III.

NOTES

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 NO 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 Phillip but I accept God's will. This was His plan for Phillip.

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 definite 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/ Westie Armstrong

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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 formulated 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
J. D. SCOTT, USN
Command Duty Officer

James M. Ennes, Jr. Research Papers

23

USS LIBERTY (ACTR-5)
770, NEW YORK, 09501
COO: ENS LUCAS
DUTY OFFICER: ENS O'MALLEY JIC DODDSEY

DUTY DEPT: EN
DUTY SECT: I

PLAN OF THE DAY

MORNING, 14 AUGUST, 1967

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

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

1130 - Master Side Boys
1400 - RADN BULLEY arrives
1615 - Liberty Commences for sections II, III, and IV to expire on board at 0730 Tuesday 15 AUG 67.

H.O.

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 HUNTING, COMSERVON Eight:

1. In battle efficiency competition for fiscal year 1967 USS LIBERTY (ACTR-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 and the competition this year particularly keen and most difficult. Your achievement reflects an outstanding shipboard training program, a high degree of leadership and exceptional professionalism.

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

24

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

DUTY REPORT

PLAN OF THE DAY

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

OFFICERS & CPO's: TROPICAL WASH KHAKI
ENLISTED: CLEAN DUNGAREES

WASHING UNIFORM

TROPICAL WASH KHAKI
DUNGAREES

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION PS400.1, EXCEPT AS MODIFIED HEREIN:

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

NOTES

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

USS LIBERTY (AGOR 4)
NYO, 121 VOYR 09501

PLAN OF THE DAY

FRIDAY, 14 July 1967

CEO: LEAH WATSON

DUTY OFFICER: CVC THOMPSON

DUTY SGT: I

DUTY CPT: NONE

SECTION OF THE DAY

OFFICERS & CREW'S

SELECTED:

TROPICAL WHITE LEAF

CLAY DUFFNESS

LIBERTY REPORT:

OFFICERS & CREW'S

SELECTED:

TROPICAL WHITE LEAF

TROPICAL WHITE LEAF

WORKING REPORT:

TROPICAL WHITE LEAF

DUFFNESS

ALL INFORMATION APPENDED 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

1330(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 checked 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 ERM 9071, Damage Control
Central.

d. "Space Checkers" will remain in their assigned spaces until told to
move, 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 Norfolk at 0700, Sunday, 16 July 1967 for Norfolk
arriving 1000, Saturday, 29 July 1967.

3. The following message was received from WDM 140211, Commander SDCN Fleet:
"As you prepare to depart for CEPAS, I extend to every man who sails in
SDCN Fleet the fact that USS LIBERTY has honored a legend in her own time.
My personal recognition 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 crisis for those who
lost their lives, we remind ourselves that you were classic examples of un-
swerving devotion to duty. For CDR POTTS and men of LIBERTY: WELL DONE.
SDCN Fleet is proud to have claimed you." WDM 140211

D. L. BUCKY, LCDR, USN

USS LIBERTY (AGOR-3)
FPO, New York (9901)

PLAN OF THE DAY

Monday, 10 July 1967

CO: L. C. LORAN

DUTY OFFICER: RIG WYCK

DUTY CHFT: RIG

DUTY SGT: III

UNIFORM OF THE DAY

OFFICERS & CO'S

WELLETED-

TROPICAL WASH KNICK

CLEAN SHIRT/SHORTS

LIBERTY UNIFORM:

OFFICERS & CO'S

WELLETED:

TROPICAL WHITE LIN

TROPICAL WHITE LIN

NONCOM'S UNIFORM:

TROPICAL WASH KNICK

SHORTS

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

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

0715 - Quarter

1530 - LIBERTY CONFERENCES for Sections I & II.

NOTES

1. All personnel in paygrade 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 taken prior to the Ship's Office, Monday, 10 June 1967. Personnel will list their names in the following order:

A - E - 0830 P - J - 0900 K - O - - - 0930 P - R - 1000 U - I - 1030


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

2. The Workload Committee will meet at 1500 today in the Messroom.

3. The following message was received from General James L. DOWNEY, 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 courage 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 all proud to have LIBERTY in the European command. The performance of LIBERTY's crew has been in keeping with the highest traditions of the United States Navy Forces."


D. L. NERVEN, LCDR, USN
Executive Officer

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGOS-1)
FPO, NEW YORK NO. 1

PLAN OF THE DAY
THURSDAY, 10 OCTOBER 1967

COO: BR NWSB REFUSE: 0707 DUTY STCT: II
DUTY WA: 01 NWSB SCHEDULE: 1031 DUTY DEPT: 017

ALL IMPROPER OPERATIONS OF THE PLAN OF THE DAY CONSTITUTE AN OFFICIAL PROSECUTION IN ACCORDANCE WITH USS LIBERTY INSTRUCTIVE 42N.

CARRY OUT THE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTIVE 4400.1 EXCEPT AS OTHERWISE SPECIFIED:

1230 - Continue Ship's Head
1530 - LIBERTY convenes for Sections 088, 089 & 090 to assemble on board
0730, 11 October 1967.

NOTES

1. The following is a letter received from Commander, Naval Oceanographic Office via Commander Service Squadron 1277:

"During the period of 2 May 1967 to 2 June 1967, the USS LIBERTY (AGOS-1) carried a team of NAVOCEANO scientists in a unique application of the Navy Navigation Satellite System to problems of precise positioning in uncharted areas. The mission was cancelled when the ship's itinerary was modified and our people departed at Santa, Spain. The installation of the complex electronic 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. OGDEN and his officers and men for the untiring efforts (conducted) on behalf of our project. Please extend my sympathy to the families of those who were casualties of the unfortunate Mediterranean incident.

W. L. F. OGDEN

2. All hands are reminded that dunnies are designed for personal use only in dirty work. Dunnies are not to be worn outside the bare limits and if worn on base they should be clean and presentable.

3. Under the Uniformed Fire Act of 1966, Daylight Saving Time will revert to Eastern Standard Time effective 29 OCTOBER 1967.

4. Effective 0001, 10 October 1967, hours of the ship's office will be from 0800-1115 for normal business.

D. C. LEE, LIEUTENANT
Command Duty Officer

USS LIBERTY (AGOR 3) 646
FPO New York 09201

PLAN OF THE DAY
Tuesday 27 June 1967

COB 1520 PAIYEE
DUTY OFFICER: J. M. KEMIC

DUTY DEPT SUP
DUTY SGT 11

Seaside 0448
Sunset 1818

UNIFORM OF THE DAY
OFFICERS & CPOs: TROPICAL WASH KHAKI
ENLISTED: CLEAR BONGAZERS

LIBERTY UNIFORM
OFFICERS & CPOs: TROPICAL WHITE L/WH
ENLISTED: TROPICAL WHITE L/WH

OFFICERS UNIFORM
TROPICAL WASH KHAKI
BONGAZERS

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATIONS 412C.

CARRY OUT THE WHOLE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTIONS 14400.1 EXCEPT AS MODIFIED HEREIN.

1530 LIBERTY COMMENCES for sections I & III

NOTES

1. The Royal Navy Band will play for LIBERTY personnel on the 02 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 02 Level for disposal 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 0100 in accordance with SOFA instructions.
4. CO's OJF 23 June 1967: JTM's MILLER; COUNSELL UPN: 217 37 07.
Violation of Article 131 USU: Unlawful appropriation of another man's property.
Awarded: To forfeit 20% of pay per month for two months and to be restricted to the limits of the ship for 14 days.
5. All personnel are required to sign out & in at the quarterdeck when departing on or returning from liberty.

The following letter was sent to the Commanding Officer of the USS LIBERTY from USJ George J. STAYTON (LPO) off the USS WACOUVER (LPO 2).

Dear Sir

Often in light of the conflict in Vietnam, the world's attention is focused on the United States Seventh Fleet. The only mention we hear of the existence of the Sixth Fleet is in connection with reductions made from it for the benefit of Vietnam.

Recently the United States became aware, regrettably in a tragic manner, of the existence of the Sixth Fleet and of the fact that sailors wherever they serve the cause of freedom are "dead" 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 occurrence. 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 crew 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 their good kids. But I wish to record one sailor's attitude who is familiar with the demands of duty life which are made on all men daily and some of those demands which tragically became evident in the attack on the LIBERTY.

It will be recorded, rightfully I think, that the LIBERTY was attacked not on a mission of war as it was on a peaceful errand. It does not serve to either justify the attack or to commend it, but it has shown the world that United States sailors and especially the crew of the LIBERTY personify the motto of the Seventh Fleet: POWER FOR PEACE.

With greatest respect and warmest personal admiration

Sincerely,

George J. STAYTON
USJ


LT C. H. GOLDEN USN
Executive Officer

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR-5)
FPO, NEW YORK 09101

PLAN OF THE DAY

----- WEDNESDAY, 20 SEPTEMBER 1967 -----

COO: ENS LUCAS

DUTY OFFICER: ENS KEXICH

DUTY SECT: 11

DUTY DEPT: OPS

DUTY NAA: S01 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 ditch 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 survivor 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

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (T-155)
FTO, NEW YORK 09501

PLAN OF THE DAY

NEWARK, 18 SEPTEMBER 1947

COO: 10111111
DUTY OFFICER: 10111111

10111111 III
DUTY COPT: 10111111
DUTY W/O: 10111111

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSIDERED AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY DISTRIBUTION 1234.

CARRY OUT THE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY DISTRIBUTION P5-00.1, EXCEPT AS NOTIFIED OTHERWISE.

1530 - LIBERTY DEPARTS FOR SORTIES 445-740 and 800: to arrive at 1500
730, Tuesday 19 SEP 47.

NOTES

1. The following letter of appreciation was received from Commander, Naval Oceanographic Office for "PTC Julio M. Ennos, USN":

An Oceanographic Office owned AN/ES-9 Radio Investigation System is being installed aboard the USS LIBERTY. The first part of the installation required that the antenna and cable assemblies be 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 PTC DEVOE, D. who, after normal duty hours, climbed the mast and made the actual antenna installation. This feat was performed in quiet wind conditions and was a voluntary contribution to our project.

/s/ R. B. BROWN, Jr.
Action

FIRST INDICEMENT was Commanding Officer, USS LIBERTY (T-155)

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. MORGAN

2. LIBERTY C-206. All Departments turn in all Liberty cards, filled out and blank ones, to the ship's office by 0800 today. Joe turn in a list by sections of all books and folders. The Liberty cards will be issued to Department Head 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 Casual, 1400 2 October 1-7. All hands are requested to bring requests for help the Executive Officer advised in order that proper arrangements can be made for sailing.

4. Personal Inspection 1000 Friday, 29 September 1947. Uniform: Full Dress Blue.

5. The wearing of short sleeve shirts is discontinued until next summer.

6. A Summary Court-martial was convened on board the LIBERTY Friday, 3 September 1947 with the following findings:

SA J. C. CLAYTON, JR. USN 771 0' 5'

Charge: Violation of Art. 127B, U. S. Navy Regulations, "knowingly having in his possession dangerous or prohibited drugs."

Punishment: Confinement at hard labor for a period of 30 days (15) days and forfeiture of \$50.00 per month for a period of one month.

1830 L. J. HUBBARD, USN
Commanding Officer

USS LIBERTY (AGOR-8)
PPO, NEW YORK, 09501

CEO: LT M. R. HENNETT

DUTY DEPT: BRIDGE/DEPT

DUTY OFFICERS: LTJG J. C. O'CONNOR - SMC R. P. TAYLOR

DUTY SECT: I

PLAN OF THE DAY
WEDNESDAY, 25 JANUARY 1967

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4134.

UNIFORM OF THE DAY

OFFICERS & CPO'S:

TROPICAL WHITE LONG

ENLISTED:

TROPICAL WHITE LONG

WORKING UNIFORM

TROPICAL NAVY PINK

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 DOCUMENTATION P3400.1, 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 ENJOYMENT

The Maria Alves Bar at # 230 Rue (de la Fore) is off limits to all Naval personnel. This is a disreputable place, the prices are exorbitant, counterfeit money is prevalent, and civilians & police uniforms extort bribes to release personnel apprehended on false charges.

4. LIBERTY GENERAL REGULATIONS - 4220 - WASTE POLLUTION

No oil of any sort, including oil from bilges, fuel tank, lubr oil tanks, waste oil or oily sludge, 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. O'CONNOR, LT, USN
Command Duty Officer

USS LIBERTY (ACTE-51)
FPO, NEW YORK, 09501

DUTY DEPT: AEMH

----- 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.

UNIFORMS OF THE DAY

OFFICERS & CPO'S:
ENLISTED:

TROPICAL WASH KNACKI
CLEAN DUNGAREES

VIKING UNIFORM

TROPICAL WASH KNACKI
DUNGAREES

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION
PS400.1, 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 Quarter on 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 Chief 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 contact Ensign Smith prior to 1200, Friday 24 MARCH.
8. The ship's store will be closed from 1300 - 04-FEB until Monday Morning 27 FEB for inventory.


P. R. ARMSTRONG
EXECUTIVE OFFICER

THE LIFE OF ...
NO. 115 0715

Friday, 23 June 1967

MEMO FOR THE DIRECTOR
FROM: SAC, NEW YORK

RE: ...

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...
...

...
...
...

...
...
...

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY A NOTICE OF NOFORN DISSEM.

...
...

1. General was held in New York City on 11/5/67.
2. Evaluations for ... in the ... office ...
3. All departments conduct a ... field day in the ... vicinity of the ...
4. ... of ... staff ... secret ... the next week. ... will also ... as 'Supply Officer'.
5. Payday will be held on 30th of ... 1967.
6. ... interests in ... will ...

[Signature]
...
Executive Officer

James M. Eames, Jr. Research Papers

USS LIBERTY (AGTR-3)
FPO, 187 YORK, 09501

CEO: LT HENRY
DUTY OFFICERS: LCD ADAMS/RM BETH

DUTY SECT: III
DUTY DEPT: RESEARCH

PLAN OF THE DAY

TUESDAY, 03 AUGUST 1967

ALL INFORMATION APPROPRIATE TO 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 DISTRIBUTION P5400.1, EXCEPT AS NOTED HEREIN:

1000 - Liberty convenes for sections ONE and TWO to expire on board at 0100
04 August 1967 for section ONE and 0730 07 August 1967 for section TWO

NOTES

1. LIBERTY has won the Battle Efficiency Competition Award for the competitive year 1967. HENRY is runner-up.

2. The following message was received from Admiral DONALD:

a. Today I haul down my flag as Chief of Naval Operations and retire from active duty after 30 years of commissioned service. I depart with great regret, great pride and great honor. Regret — because I am leaving the ranks of the finest men 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 have known on the part of so many — juniors and seniors alike — throughout my career.

b. I know that my successor, Admiral Thomas H. MOORE, will continue to be supported by the same dedicated professionalists 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 admiration 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 who, as you do, man it. Good luck and God speed.

/s/ David L. MC DONALD, Admiral
U. S. Navy

3. The following message was received from Admiral MOORE:

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 country with equal honor, and in this endeavor your loyalty and support will be my greatest source of strength.

/s/ T. H. MOORE, Admiral
U. S. Navy

4. Anyone interested in entering a Sailors' Events in Norfolk on 9 and 10 August see the Executive Officer.

5. Government bus information, including COMMUNIST transportation to beaches and NCB, is posted on the Pass 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 time, the Ticket Landing, the Plans and Scheduling Office, the Central Transportation Room, and the PORTLAND 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.

26/1 = 1001
DPT D. G. LUCAS, USNR
Command Duty Officer

HOW TO BE REMOVED FROM THE SHIP

**** THE LINDSEY (VMS-5) ****
***** THE 125 WY, 0050 *****

PLAN OF THE DAY

----- THURSDAY, 5 SEPTEMBER 1967 -----

CO: 125 WY

DUTY OFFICER: JIM BERRY

TIME: 11:00

DATE: 11

BY: JIM BERRY

ALL SCHEDULES APPLICABLE TO THE PLAN OF THE DAY CONTAINED IN OFFICIAL ORDER IN ADDITION WITH THE LINDSEY INSTRUCTION 4234.

GO OUT THE ROUTE PLAN OF THE DAY IN ACCORDANCE WITH THE LINDSEY INSTRUCTION P5400.1, EXCEPT AS INDICATED HEREIN.

1530 -- LINDSEY -- COMMENCE SCHEDULE FOR FIRST 24 HOURS -- TO BE IN ON BOARD 0730 WEDNESDAY 06 SEPTEMBER 1967.

NOTES

1. CONTINUING OFFICER'S-DUTY SCHEDULE

THE DUTY OFFICER, WILL SIGN 64

WYLA ARTICLE 06, 1001 TO 11, LEAVING PLACE OF DUTY.

WANTED TO BE KEPT TO THE FRONT DIVISION PAY GROUP, SUBMITTED FOR THIS TERM.

2. RESULTS HAVE BEEN REVIEWED ON LINDSEY INSTRUCTION 4234, WED 11 JULY 1967 THESE RESULTS ARE POSTED ON 125 WYLA 1001 BOARD.

3. TELEPHONE ON THE SHIP WILL BE SCHEDULED FROM 0000 7 SEP. UNTIL 1600 8 SEP.

4. CONTINUING DUTY ARE STILL BEING DONE ON THE SHIP. IF THIS PRACTICE DOES NOT CHANGE THEN THE SCHEDULES WILL HAVE TO BE PUT OUT THROUGHOUT THE SHIP.

J.O. SCOTT, DTS, 125 WY
COMMAND DUTY OFFICER

NOT TO BE REMOVED FROM THE SHIP

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

PLAN OF THE DAY

TUESDAY, 26 SEPTEMBER 1967

COO: LT BILLINGTON
DUTY OFFICER: ENS O'MALLEY

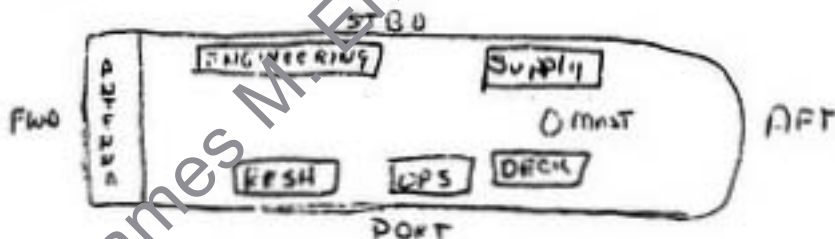
DUTY SECT: II
DUTY DEPT: DECK
DUTY MAA: SDI ELDR

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 PS400, 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
D. G. LUCAS, ENS, USNR
Command Duty Officer

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AGTR-5)
FPO, NEW YORK, 09501
PLAN OF THE DAY
WEDNESDAY, 11 OCTOBER 1967

COO: LT BILLINGTON SUNRISE 0708 DUTY DEPT: DEW
DUTY MA: HGL VAN CLEVE SUNSET 1837 DUTY SECT: IIA

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 REGULATION P5400.1, EXCEPT AS MODIFIED HEREIN.

1230 - Continue Ship's Work
1530 - Liberty commences for Sections ONE, TWO, and FOUR to expire on board 6:30, 12 October 1967.

NOTES

1. LIBERTY has received to date plaques 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, is 50% giving their fair share, with equal success to other departments. Contact your 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 door will open at 7:00 PM.
4. LIBERTY GENERAL REGULATION - 4205 ~~REGS~~ 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. Validated 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, USN
Command Duty Officer

ONE TO ONE SLIMS PARTY

DATE: 10 OCTOBER 1957

WHERE: RESIDENTIAL ROOM, GOLDEN TRIANGLE MOTOR HOTEL,
DOWNTOWN WASHINGTON,

WHAT: LITE TALK, ALL TYPES OF POPULAR MUSIC

WHEN: COCKTAIL HOUR BEGINS AT 7:00 PM, FOLLOWED BY A BUFFET STYLE DINNER
AT 8:00 PM SERVED BY PROFESSIONAL WAITRESSES. SAID STARTS PLAYING AT
8:30 UNTIL MIDNIGHT.

MENU

SEAFOOD CASSEROLE
BROILED STEAKS WITH STEAK TIPS
SPRING BRAISE WITH CROSTINI
CITRUS FRUIT SALAD
DEVILED EGG ON LETTUCE PLATTER
STUFFED SALAD
ASSORTED CREAM TARTS
SLICED HAM-TURKEY-CHICKEN
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 RECOGNIZED
HOWEVER)

PERSONNEL PLANNING TO ATTEND THE SLIMS PARTY ARE REQUESTED
TO SIGN UP WITH MEMBERSHIP, AT THE RESIDENT ROOM PRIOR TO
12:00 PM TODAY. EVERYONE IS INVITED TO BRING AS MANY GUESTS
AS THEY WISH. BE SURE TO SIGN THEIR NAMES WITH MEMBERSHIP.

REMEMBER, THIS IS YOUR SLIMS PARTY, YOUR MONEY IS PAYING
FOR IT. BE SURE TO BE THE BEST PARTY WE'VE EVER HAD.
TALK ABOUT IT, HAVE A GOOD TIME, YOU'VE ALL BAKED IT

NOT TO BE REMOVED FROM THE SHIP

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

PLAN OF THE DAY

Tuesday, 17 October 1967

COO: ENS LUCAS

DUTY MAA: HRI VAN CLEAVE

SUNRISE 0714

SUNSET 1825

DUTY SECT: 1

DUTY DIST: RSH

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 Office quarters.

2. The results of Commanding Officers non-judicial punishment:

Accused of violation of article 121 USM, DURZEWSKI, Henry E.,
SN2.

Found guilty and reduced in rank (suspended for four months).

3. USS LIBERTY INST P5400.1 article 1201, ABUSE OF AUTHORITY.

No person in a position of authority shall oppress or mistreat 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

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (ACM-13)
FPO, NEW YORK, 09501

PLAN OF THE DAY

-Friday, 30 October 1967-

CDR USCG SCOTT/ENS O'NEIL
DUTY '9A: SUI ELDER

DEPT ACT: 11

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 421.

CARRY OUT THE PLAN OF THE DAY WITHIN USS LIBERTY REGULATION P5400.1.
EXCEPT AS MODIFIED HEREIN.

0626 - Observe Sunrise
0800 - Turn to commence ship's work
1530 - Liberty commences for sections I, III & IV to expire on board
31 October 1967.

NOTES

1. Ship's Party tonight. Last Night Hotel - 1900 to 0100.
2. Liberty General Regulations - 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, bins, or urinals, or leave toilets unflushed after use.
3. COMMANDING OFFICER'S ROOM - JUDICIAL PURSUIT.

LT. COTTON, J. E. - Accused of Violation Article 86, UCMJ. - Unauthorized Absence. Found not guilty beyond a reasonable doubt.

D.G. Lucas
D.G. LUCAS, ENS, USNR
COMMAND DUTY OFFICER

NOT TO BE REMOVED FROM THE SHIP

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

PLAN OF THE DAY

----- Friday, 3 November 1967 -----

CDD: LT. BILLINGTON Sunrise - 0629 DUTY SECT: III
DUTY MAA: WMC BROOKS Sunset - 1708

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
0900 - 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 Seaman 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 November: 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 rites of his church. Divine services shall be conducted each day, 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.

5. 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:

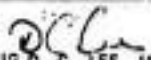
RM2 WARD; Unauthorized Absence for eleven hours--Prepare a Leadership Lecture for all E-5 concerning leadership and behavior.

BM3 QUINTERO; Failed to observe reveille--Military Warrant

E. Ennes
ENS E. ENNES
COMMAND DUTY OFFICER

James M. Ennes, Jr. Research Papers

6. A meeting will be held today in the crew 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, USN
Command Duty Officer

James M. Ennes, Jr. Research Papers

NOT TO BE REMOVED FROM THE SHIP

USS LIBERTY (AT79-5)
PYO, NSI Y09W, 09501

PLAN OF THE DAY

THURSDAY, 16 NOVEMBER 1967

CO: BRS LUCAS
PA: GIL KIDBLE

SUNRISE: 0642
SUNSET: 1700

DUTY SECT: (1)

ALL INFORMATION APPENDING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 4218.

CARRY OUT THE REMAINDER OF THE PLAN OF THE DAY IN ACCORDANCE WITH US NAVY INSTRUCTION P5400.1, EXCEPT AS MODIFIED HEREIN.

0745 - Quarters

0800 - Pay Day

0900 - All Hands assemble on mess decks for aboutment in rate.

NOTES

1. Last Friday a note was run in the CO's email line All Hands of LIBERTY Regulation 4218 concerning removal of government property from the ship or it's regular place of storage. It is evident that government property is being removed from it's regular place of storage 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 anyone 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 thievery and in a very harsh manner. I will also deal harshly with anyone who does not report a thief or any quarterdeck witch who allows property to leave the ship without proper authorization or because the witch did not check pass and luggage.

Nothing is to leave the ship without a property pass. The CO will inspect all baggage taken ashore.

4. LIBERTY GENERAL REGULATION - 4222 - INDENTURES 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 (USN 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. HILLINGTON, LT, USN
Command Duty Officer

* USS LIBERTY (ACT. 3) *
FPO New York 19501

PLAN OF THE DAY

Saturday 01 July 1967

C/O LTJG POLSTER
DUTY OFFICER: L/C BROOKS

DUTY DEPT 210
DUTY SECT 111

Sunrise 0449
Sunset 1914

UNIFORMS OF THE DAY
OFFICERS & CPO'S TROPICAL (W/LS KIDAT)
ENLISTED CLASS SURGAINS

LIBERTY UNIFORMS
OFFICERS & CPO'S TROPICAL (W/LS LONG)
ENLISTED TROPICAL (W/LS LONG)

SHIRT SIZES
TROPICAL (W/LS SHIRT SIZES)

ALL INFORMATION APPEARING IN THIS PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 423.

CARRY OUT THE ROUTINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION #5401 EXCEPT AS MODIFIED HERELIN.

0745 - Quarters

0800 - Turn to

1130 Lock off ships work. LIBERTY CONFERENCES for sections I & II.

NOTES

1. Sunbathing is authorized only from 1130 to 1200 1230 to sunset, and during holiday routine.
2. A softball game is scheduled for 1400 with the JATO team. Transportation will leave the ship at 1300.
3. Passing the word for personnel over the L/C must be reduced. The L/C is to be used for locating personnel only in an emergency.
4. Copies of the summary of the proceedings of the Courts 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 the report.

J. G. LUKAS, USMC
Command Duty Officer

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

DUTY DEPT: DECK

PLAN OF THE DAY

Friday, 28 July 1967

ALL INFORMATION APPEARING IN THE PLAN OF THE DAY CONSTITUTES AN OFFICIAL ORDER IN ACCORDANCE WITH USS LIBERTY REGULATION 423C.

CARR. OUT THE BOWLINE PLAN OF THE DAY IN ACCORDANCE WITH USS LIBERTY INSTRUCTION 15400.1 EXCEPT AS MODIFIED HEREIN:

UNIFORMS OF THE DAY

OFFICERS & CREW'S:
MILITARY

TROPICAL WASH SUAK
CLEAN JACKWEES

WORKING UNIFORM

TROPICAL WASH SUAK
DUNGAREES

YOU ARE LUCKY TO BE ALIVE!
DON'T TREAT FATY, 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 Number Room. We heard on the 01 lower aft. by radio central for the use of all lady visitors. A "LADIES" sign is on the door and this heads off-limits to all others.
3. INTERVIEWS or STATEMENTS to the PRESS. A reminder that we will limit interviews we may give to the press. If someone wants to question you or have an interview, inform them they must submit their request to CINCASRELLY 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 31 August. It will be open again on 10 August.
5. The liquor locker will be open tomorrow from 0800 to 1100 for anyone wishing to take their liquor off the ship on Saturday 29 July. 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
D. L. BURSON, LCDR, USN
Executive Officer

14

James M. Ennes, Jr. Research Papers

ENNES
FREEDOM OF
INFORMATION
CASE

1977-1982

James M. Ennes, Jr. Research Papers

FOLDER 14

FENNEL'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 spirit the Larnell'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. State 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 folders 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 these 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.

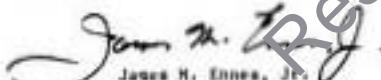
James M. Ennes, Jr. Research Papers

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 Larsell 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 161 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 full 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 his material to the Hoover to be included in this collection.


James H. Ennes, Jr.
26 February 1986

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

17 December 1977

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 Harman on about June 8, 9 and 10, 1967, concerning 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/Harbour 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.

10. Any official American response, reaction or statement concerning the Israel 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 229-0833 (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 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]

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 100 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 inquire 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 denied, 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]

20 August 1981

Mr. Jason Egan
Assistant United States Attorney
U.S. Court House, Room 2804
Washington, D.C. 20001

Dear Mr. Egan:

I am the plaintiff in Civil Action No. 80-115F, James M. Ennes, Jr. Versus the Department of State, a Freedom of Information Complaint.

I have reviewed the declaration of Clayton F. Canaway which was filed 29 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.



~~CONFIDENTIAL~~

3- USDAO TEL AVIV ISRAEL 928, 181030Z JUNE 67 SECTION 11 OF 11

PAGE 3 RUMVL 0928/2 ~~CONFIDENTIAL~~

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 PLAD 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 HQ. ALUSNA
WAS INFORMED THAT THE ISRAELI MILITARY ATTACHE IN WASHINGTON D.C.
WILL DELIVER THE ORIGINAL TO ADM McDONALD.

6. COORDINATED WITH EMBASSY. OP-3

BT

NOTE: PASSED TO USDAO AT 9:31 A.M. 6/18/67

~~CONFIDENTIAL~~

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~~CONFIDENTIAL~~

-3-USDAO TEL AVIV ISRAEL 928, 181030Z JUNE 67 SECTION II OF II

~~CONFIDENTIAL~~
PAGE 3 RUMVL 89-8/2
WHICH COMPLEMENT EACH OTHER AND 190° 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; 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 IDF TO DO SO. ALL THIS (KOL RO) 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 BY THE NAVY AND THUS CONTRIBUTED A DECISIVE CONTRIBUTION TO THE IDENTIFICATION AS AN ENEMY SHIP." END QUOTE.
COMMENTS: 1. ALL ABOVE IS AS DICTATED BY LTC EFRAT WHO WAS TRANSLATING FROM A DOCUMENT WRITTEN IN HEBREW.

~~CONFIDENTIAL~~
PAGE RUMVL 89-8/2
2. LTC EFRAT PAUSED AT ONE POINT IN HIS READING TO POINT OUT THE GDI 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.
3. LTC EFRAT PROBABLY NOTED ALUSNA'S REARANCE OF SURPRISE AND INCREDULITY AS HE READ ONE OF THE ABOVE POINTS. WHEN HE FINISHED HIS READING HE ASKED WHAT ALUSNA THOUGHT OF THE FINDINGS QUOTE OF THE RECORD UNQUOTE. ALUSNA PRETENDED HE HAD NOT HEARD THE QUESTION AND THANKED THE COMBAT FOR HIS TIME. THE BURDEN OF DIPLOMACY BORE HEAVILY ON ALUSNA WHOSE EVALUATIONS ARE:
A. THE IDF NAVY STANDING ORDER TO ATTACK ANY SHIP MOVING AT MORE THAN 20 KNOTS IS COMPREHENSIBLE.
B. TWO OF THE IDF IDENTIFICATIONS 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 LIBERTY. THEN THEY SAY THE SHIP WAS FEASIBLY IDENTIFIED AS EL GUSEIR. EL GUSEIR 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 GUSEIR.

~~CONFIDENTIAL~~

COPY L&J LIBRARY

~~SECRET~~

DEPARTMENT OF DEFENSE
PACIFIC OCEANIC COAST GUARD
MESSAGE CENTER

SEC 1 OF
81708

CALL 53337
FOR NMCC/MC
SERVICE

6 16 04 35Z

~~NOFORN~~

SUBJECT TO CORRECTION

VICZCOAG01
RP RUEPJA
DE RUCMVL #900/1 1461670
ZNY 85455
R 151615Z JUN 67
FM USDAO TEL AVIV ISRAEL
TO RUDLKO/CINCUSNAVFUR
INFO RUEPJA/DIA
BT

~~SECRET~~ NOFORN 09001-1, 67,
SECTION 1 OF 2
RUEPJA (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 0864 JUN 67,
- J. USDAO 0866 JUN 67,
- K. USDAO 0867 JUN 67,

FOR RANK KIDD, PRESIDENT OF COURT OF INQUIRY. FOLLOWING IS
CHRONOLOGY OF EVENTS SURROUNDING USS LIBERTY INCIDENT AS OBSERVED
AND RECORDED BY ALUSNA TEL AVIV COP F.O. CASTLE, USN1F

1. (C) ALUSNA CALLED TO ISRAEL DEFENSE FORCE FOREIGN LIAISON
OFFICE (IDF/FLO) AT APPROX 081400Z. MET THERE BY LT COL M CHAFI
BLOCH, ASSISTANT IDF SPOKESMAN WHO STATED ISRAEL AIRCRAFT AND HELICOPTERS
HAD ERRONEOUSLY ATTACKED AN UNIDENTIFIED U.S. SHIP AT 081300Z
POSIT 3125N 3333E. SAID HELICOPTERS WERE U.S. NAVY. SAID HELICOPTERS
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 A.

2. (C) ALUSNA REPORTED INCIDENT TO U.S. AMBASSADOR WHO HAD JUST
RECEIVED REPORT FROM ISRAELI FOREIGN MINISTRY (FOMIN). AMBASSADOR
SUGGESTED ALUSNA COULD BE FLOWN TO SITE OF INCIDENT TO ATTEMPT

INFO...CJCS-1 D/J-3 SJCS-1 J3-B J5-2 SACS-3 NMCC-1 S/DEF-7
ASD/ISA-2 ASD/PA-1 W/H-4 STATE-1 DIA-15 CSA-1 CIA-4 CNO-2
CSM/CMC-6 SSO5G-1 FILE-1 (74) JAn/JB

1 OF 4

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Authority NLJ-82-178

By [Signature] DATE 3-13-82

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IDENTIFY SHIP AND REQUESTED WELD FLIGHT FROM DIRECTOR OF UNITED STATES DEPARTMENT OF ISRAEL FONMIN.

3. (C) AT APPROX 081530Z DEPUTY DIRECTOR OF U.S. REPT ISRAEL FONMIN CALLED ALUSNA AND SAID IDF WELDOR 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 CALLED ON SAME PHONE AND SAID THE REPORT OF PICKING UP SURVIVORS WAS COMPLETELY INACCURATE AND THAT NO SUCH ACTION HAD TAKEN PLACE. BLOCH THEN MENTIONED SHIP HAD

BEEN IDENTIFIED AS USS LIBERTY AND THAT FLO WAS ARRANGING WELD FLIGHT FOR ALUSNA TO FLY TO SHIP AND COMMUNICATE WITH ELECTRIC MEGAPHONE WITH C.O. OF LIBERTY. UNDAO SENT FLASH MESSAGE, P. 1.

4. (U) AT APPROX 081540Z, FLO CALLED ALUSNA AND SAID TO PROCEED TO PICK UP ESCORT FOR WELD FLIGHT. AXTALUSNA ACCOMPANIED ALUSNA.

5. (C) AT 08160Z (TIME RECORDED BY AXTALUSNA), WELD WAS AIRBORNE FROM 00V HOSS AIRFIELD ON NORTHERN EDGE OF TEL AVIV. WELD PROCEEDED ON DIRECT INTERCEPT TO SHIP. AT 081625Z, WELD PERIOD OVER THREE 107 MTR HUNTING NORTH. AT 081635Z, WELD WAS OVER USS LIBERTY BUT HAD NEITHER ELECTRIC MEGAPHONE OR HAND WELD 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 HAD PREPARATIONS TO RECEIVE ALUSNA ABOARD ON FORECASTLE. SPEED OF SHIP (WHICH IT IS ASSUMED

COULD NOT BE REDUCED FOR DAMAGE CONTROL REASONS) CAUSED WELD PILOT TO SAY HE COULD NOT MAKE TRANSFER. SHIP THEN MADE OFF TRANSFER ATTEMPT. ALUSNA WROTE NOTE INQUIRING AS TO CASUALTIES ON CALLING CARD AND DROPPED IT THROUGH LIBERTY IN IMPROPTU PACKAGE. ALUSNA UNDERSTOOD SHIP TO SIGNAL AFFIRMATIVE CASUALTIES AND THOUGHT THE NUMBER SENT WAFOUR OR FORTY BUT IS UNCERTAIN OF TRANSMISSION FROM HAND WELD LIGHT. WELD HAD TO DEPART BECAUSE OF FALL OF DARKNESS. OFFICER ON BRIDGE GAVE A THUMB UP SIGN. ENTIRE WELD 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. WELD DEPARTED LIBERTY AT 081700Z AND TOUCHED DOWN IN DIV 081725Z.

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6. (C) WHILE ALUSNA ON FLIGHT, DATT RECEIVED TELEPHONE REPORT FROM IDF ARMY SPOKESMAN OF PRESS NOTICE ON INCIDENT WHICH WAS FOR RELEASE AT 081302Z. INTERIM COL TAYLOR OF DIA HELD PHONE CONV WITH DATT. DATT UNDERSTOOD FROM PHONCON THAT LIBERTY NOT SEEKING IDF ASSISTANCE AND THAT SHIP HAD SATISFACTORY RADIO COMM WITH U.S. NAVY. INFO THIS PARA AND OTHER AMPLIFYING REMARKS CONTAINED IN USDAO IMMEDIATE MSG REF D.

7. (C) ON RETURN EMBASSY, ALUSNA INFORMED THAT GENL DUTTY OF NMCC REQUESTED PHONE REPORT WHICH WAS MADE AT APPROX 082100Z, SUBSTANCE OF PHONE CON SAME AS PARA 5 ABOVE.

8. (C) AT APPROX 091200Z, ARMC RECEIVED PHONE CALL FROM GENL CASSIDRY OF NMCC ASKING USDAO TEL AVIV TO DETERMINE IF IDF PLANES OR SHIPS HAD SIGHTED ANY REMAINS OR PICKED UP ANY SURVIVORS. GENL SAID 92 MEN WERE MISSING BUT WERE POSSIBLY ALL IN HOLD OF LIBERTY. DE EMANATED PHONE BELLEFEEBEE AFFIRMAT

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9 (S) AT 091300Z, LT COL BLOTT CALLED ALUSNA. ALUSNA WAS EXLERI

O REPLY TO INQU

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X

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353-5 1010 43-5 911

1005 91 0313,10

,50 9117450348

5049-500, 19,134

,2 18 3496 8,1053,50

5535E WERE:

A. SHIP WAS SLOTTEDA

O WEROD

IZED AS A

AVAIL SHIP 93 MILES

FROM COAST.

B. PRESENCE IN A FIGHTING AREA IS AGAINST INTERNATIONAL CUSTOM,

3 OF 4

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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 SHIP THE EL DUSEIR.
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 FOR LABEL FOR THE STATROEJING IF
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4 OF 4

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REF A NOT IDENTIFIED
REF B IS 63738
REF C IS 65289
REF D IS 65555
REF E IS 67889
REF F IS 66883
REF G IS 68803
REF H IS 70041
REF I IS 75379
REF J IS 76207
REF K IS 80838

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SECTION 2 OF 817DR

CALL 53337
FOR NMCC/MC
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TO RUDLKD/CINCUSNAVBUR
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FINAL SECTION OF TWO
THIS WERE AN OFFICIAL EXPLANATION OF THE INCIDENT. LOCAL BLOC
COULD NOT SUPPLY A PREAMBLE ON HIS OWN AND ALUSNA REQUESTED
CONSULT WITH SOME AUTHORITY WHO COULD. BLOC CALLED BACK AND
GAVE ABOVE NON-COMMITAL HEADING. USDAO SENT IMMEDIATE MESSAGE
DESCRIBING ABOVE EXCHANGE AND COMMENTING ON UNLIKELYHOOD OF A
PROFESSIONAL NAVAL OFFICER CONFUSING LIBERTY AND HUNTER
AND EVALUATING NAVY'S ERRONEOUS ATTACK AS RESULT OF CARELESSNESS
OF IDF NAVY TO OBTAIN SOME PORTION OF GREAT VICTORY WIND WON
BY IDF ARMY AND AIR FORCE.

10. (C) AT APPROX 091400Z, 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 CONNECTIONS WERE POOR. ALUSNA STATED HE UNDERSTOOD
GENERAL OF QUESTIONS AND WOULD ACT ON THAT. RADM MOORE REQUESTED MSG
BACKUP WITH DETAILED QUESTIONS. ON QUESTIONS ALUSNA TOLD RADM MOORE
THAT IN VIEW GENERAL RECENT NON-COOPERATION OF FLO REGARDING USDAO
REQUESTS FOR INFO ON HOSTILITIES, LIKELIHOOD OF REPLY TO QUERY
REGARDING POSSIBLE SURVIVORS, AND THE JUST RECEIVED BUNTE SEVEN
POINTS UNQUOTE THAT U.S. REQUESTS FOR ISRAELI SEARCH ACTION
WOULD PROBABLY GET BETTER RESPONSE AT LEVEL HIGHER THAN USDAO
TO FLO. REQUESTS FOR INFO AND REVENUE SEARCH WERE PASSED TO
FLO IMMEDIATELY.

11. (R) AT 091630Z, LOCAL BLOC TELEPHONE FOLLOWING STATEMENTS
TO ALUSNA:

A: FOLLOWING ATTACK, 71 044-338 , 4 IS OFFERED HELP TO LIBERTY
BUT WERE REFUSED.

B: N
HTR'S CONTROFFENSIVE IN ATTACK AREA UNTIL 081904Z WITH

INFO..C-1 DJS-3 SJCS-1 J3-8 J5-2 SACSA-3 NMCC-1 SECDEF-7
ASD/ISA-3 ASD/PA-1 NSA-2 WH-4 STATE-1 DIA-15 CIA-4 CSA-1
CNO-2 CSAF-1 CMC-6 SSO5G-1 FILE-1 (74) PNC/LE

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NEGATIVE RESULTS EXCEPT FOR RECOVERY OF RUBBER LIFE BOATS AND
OTHER EQUIPMENT,
C. MTR PERSONNEL STATE THEY SAW NO ONE JUMP INTO THE SEA OR
IN SEA.
D. IDF HELICOPTERS WERE OVER LIBERTY 081305Z TO 08131-Z AND
WERE WAIVED OFF. HELOS CONDUCTED SEARCH UNTIL 081504Z
E.

TOOL BLOCH HAD INTERVIEWED ALL PILOTS OF ATTACKING
AIRCRAFT EXCEPT ONE. ALL STATED THEY HAD SEEN NO ONE IN OR
ENTERING WATER.

FROM 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 COAST
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 #1, RFF 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) 08160730Z, LTCOL BLOCH REPORTED AIR SEARCH WITH
NEGATIVE RESULTS BEGAN AT 100300Z AND THAT SURFACE SEARCH WOULD
BEGIN IN AFTERNOON. ALUSNA RECOMMENDED TO US AUTHORITIES THAT IF NO
RESULTS DEVELOPED BY NIGHTFALL, TERMINATION OF SEARCH BE AUTHORIZED.
INFO THIS PARA SENT AS USDAO FLASH #50, PER R,
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13. (S/NFD) AT APPROX 100100Z, USDAO SOURCE REPORTED SECONDARY
SOURCE GAVE INFO GATHERED BY OVERHEARING IDF AF AIR-TO-GROUND
CONTROL FREQUENCIES. INFO SUGGESTED THAT IDF AIRCRAFT MADE
TWO OR THREE IDENTIFIATION PASSES OVER A SHIP SOMETIME PRIOR
TO ATTACK ON LIBERTY. AIRCRAFT REPORTED SHIP HAD U.S. FLAG

BUT NO PERSONNEL OR DECK INFO THIS PARA FORWARDED TO
LIMITED ADDRESSEES INCLUDING CNO AND DIA IN USDAO 0854 JUN 67.
14. (S) AT APPROX 101915Z, IDF SPOKESMAN REPORTED NEGATIVE
RESULTS FROM BOTH LONG AIR AND SURFACE SEARCH BUT SAID IDF
NAVY STILL OPERATING IN RAFA AND WOULD CONTINUE ALERT WATCH

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FOR SURVIVORS, THIS INFO SENT IN USDAO IMMEDIATE MSG, REF N,
15. (R/NFD) ON QUERY FROM DIA, USDAO TEL VIV IMMED MSG,
REF I, REPORTED INABILITY TO RECHECK STORY OF SECONDARY
SOURCE CITED PARA 13 ABOVE. HOWEVER USDAO WAS ABLE PROVIDE
IN REF I INFO ON MTR ATTACK RECEIVED BY PHRAXSY OFFICER
FROM IDF NAVAL OFFICER WHO SAID HE WAS ABOARD MTR, SAID
MTR'S LAUNCHED TORPEDOES AT LIBERTY WHEN THEY SAW HER UNDER
ATTACK BY AIRCRAFT. MTR CREW SAW U.S. FLAG AFTER TORPEDO LAUNCH,
SAID FLAG HAD BEEN OBSCURED BY SMOKE. IN SAME REF ALUSNA
OFFERED PROBABLY BUT NOT CERTAIN SERIES OF EVENTS AS FOLLOWS:
A. IDF AIRCRAFT REPORTED AND IDENTIFIED LIBERTY AS U.S. SHIP.
B. IDF AF HQ MAY OR MAY NOT HAVE BROADCAST INFO TO ALLIED
UNITS BUT PROBABLY UNINFORMED AIRCRAFT RETURNING FROM STRIKE
IN EGYPT HAD ATTACKED LIBERTY.
C. MTR'S SAW AIRCRAFT ATTACKING LIBERTY AND PROMPTED HER TO
BE EGYPTIAN SHIP. THEY EAGERLY RACED INTO ACTION WITHOUT
WAITING TO IDENTIFY OUR SHIP.
16. (S) AT APPROX 131200Z WHEN ALUSNA VISITED FLO ON OTHER
BUSINESS, LT COL 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 URN AIRCRAFT
HAD ACCIDENTALLY PENETRATED THE ISRAELI AIR CONTROL ZONES, THE
IDF AF CHIEF OF INTELLIGENCE HAD PROMPTLY ALTHOUGH
FACETIOUSLY SUGGESTED THAT NEXT TIME HE MIGHT WANT TO ATTACK
THE PLANES OR SHIP. BLOCH SAID THAT THAT OFFICER TALKED 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 NY RUHQVL 0000/2 ~~SECRET~~ NOFORN
OFFICIAL COMMENTS ON THE SUBJECT OF THE LIBERTY INCIDENT.
17. (S) AT 131254Z, LT COL 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. (C) ON 10 JUNE, ALUSNA WAS ASKED TO MEET IDF NAVY COMMANDER
IN CHIEF, COMMODORE BRILL, AT FLO IN EARLY EVENING. COMMODORE

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BRILL PRESENTED APOLOGIES TO U.S. NAVY ON BEHALF OF IDF NAVY.
BRILL STATED HE DID NOT WANT TO COMMENT ON ELEMENTS OF THE
MISTAKE UNTIL AFTER COURT OF INQUIRY REACHED ITS FINDINGS.
ON QUERY BRILL SAID HE PRESUMED FINDINGS WOULD BE TRANSMITTED
TO USG. THIS INFO AND AMPLIFYING DETAILS SENT IN USDAO
PRIORITY MSG, REF V.

19. COMMENT: A. ABOVE DOES NOT INCLUDE EXCHANGES BETWEEN
U.S. STATE DEPARTMENT AND MOI OF WHICH U.S. MILITARY ATTACHES
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
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, OP-3.

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PAGE 4 OF 4

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RUEKX/DEPT STATE
RUEKCF/COMSIXTHFLT
RUEKPSA/CINCSSTRIKE
RUEKLD/CINCSNAVEUR
RUEKDA/JCS
INFO RUEPJS/DIA
RUEKDT/USN
RUEPFBK/CINCSUR/USCOM
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CONFIDENTIAL 0892 JUN 67.
REF DAL TEL AVIV 0884 JUN 67. SUBJECT LIBERTY INCIDENT.

PAGE 2 RUSMVL 8892 ~~CONFIDENTIAL~~

1. COMMODORE SCHOLOMO ERELL, COMMANDER IN CHIEF IDF NAVY, ASKED ALUSHA 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 USN HE STATED THE COMMODORE SAID HE PRESUMED THEY WOULD BE.

3. AS IN EVERY CASE WHEN ISRAELI OFFICERS MENTION THE INCIDENT COMMODORE ERELL REMARKED ON HOW CLOSE LIBERTY WAS TO SHORE LINE. ALUSHA REPLIED THAT LIBERTY WAS IN INTERNATIONAL WATERS.

4. COMMENT A. COMMODORE ERELL WAS OBVIOUSLY VERY DISCOMFORTED BY NEED FOR AND FACT OF MEETING WITH ALUSHA 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 BY OTHER CHANNELS

PAGE 3 RUSMVL 8892 ~~CONFIDENTIAL~~

THAT ISRAELI COURT OF ENQUIRY WILL PROBABLY COMPLETE ITS ACTIONS ON 16 JUNE.

5. COORDINATED WITH EMBASSY. C. I. 87

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Auth: [redacted] 82-178
By: [redacted] MAR 06 8-13-82

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DIST: CJCS-1 DJS-3 J3-8 JRC-3 SDEF-7 W/H-4
ST-1 DIA-15 CSA-1 CNO-2 CSAF-1 CMC -6
GEN LEHNITZER-1 FILE-1(54)ROD(AIMCC/NEACP/NECPA)

SECURITY CLASSIFICATION			
SECRET			
TYPE	ISSR	MULTI	ENVELOPE
		X	
PRECEDENCE			
ACTION FLASH			
INFO FLASH			

UNCLASSIFIED
Authority: 101 USC 3502, 3605A and (D)
By D&A, NANS, Date 1-18-92

B/C

091640Z JUN 67

FROM: JCS

FLASH

TO: US DAO TEL AVIV

INFO: USCINCEUR
CNO
CINCUSNAVEUR
COMSIXTHFLT
7509

SECRET JCS J-3 SENDS.

Subj: USS LIBERTY Incident

1. Following info urgently required here re personnel unaccounted for following attack on USS LIBERTY.

- SPECIAL INSTRUCTIONS
- Distribution:
- STATE
 - WHITE HOUSE
 - SECDEF
 - DEP SECDEF
 - CJCS
 - DJS
 - J-30
 - J-31
 - J-34
 - CSA
 - CSAF
 - CMC
 - JRC
 - DIA

- 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

DATE	TIME
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MONTH	YEAR
June	1967
PAGE NO	NO OF PAGES
1	2

TYPED NAME AND TITLE

RAYMOND A. MOORE
Rear Admiral, USN
Deputy Director for Operations (AIMCC)

SIGNATURE

John C. Meyer

TYPED NAME AND TITLE

JOHN C. MEYER, Maj General, USAF
Director of Operations

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PRECEDENCE INSTRUCTIONS
GP-4

James M. Ennes, Jr Research Papers

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additional effort by Israelis possibly be instituted
at your level *CA4*

7509

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-2-USDAO TEL AVIV ISRAEL 924 181030Z JUNE 67 SECTION 1 OF 11

PAGE 3 RUCVWL 0924/1 ~~CONFIDENTIAL~~

B. ATTACK ROSE OUT OF A CHAIN OF THREE MISTAKES, EACH OF WHICH BY ITSELF IS UNDERSTANDABLE. FIRST MISTAKE WAS DECISIVE. NAVY AID AF HQ HAD RECEIVED A NUMBER OF URGENT REPORTS STATING EL ARISH WAS BEING SHIELLED FROM THE SEA. THIS 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 EVENING DID NOT CORRECT 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 AID 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 STEERING AT 29 KNOTS. THIS MISTAKE HAS TWO SIGNIFICANCES. A. WHEN LIBERTY WAS IDENTIFIED IN MORNING, HER MAX SPEED WAS DETERMINED FROM OBSERVED FLIGHTING SHIPS TO BE 19 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 DELAID THE IDENTIFICATION.

PAGE 4 RUCVWL 0924/1 ~~CONFIDENTIAL~~

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 WERE 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 29 TO 30 KNOTS, WHEN IDF NAVY WAS ENTITLED TO ATTACK WITHOUT FURTHER IDENTIFICATION IN VIEW OF THE BACKGROUND INFO ON THE SHELLING OF EL ARISH, IDF NAVAL OPS SECTION HAD ORDERED THE PTB'S WHO REPORTED LIBERTY'S SPEED AS 30 KNOTS TO CHECK AND ONLY AFTER CONFIRMATION OF THAT SPEED WAS THE SHIP CONSIDERED RELIABLE AND AIRCRAFT WERE SENT TO ATTACK. THE QUESTION OF POSSIBLY NEGLIGENCE IN ESTABLISHING THE SPEED AT 29-30 KNOTS WHEN IN FACT LIBERTY'S MAX SPEED IS IN KNOWN IS DISCOURTUED BY THE IDF CNO WHO TESTIFIED QUOTE THAT SUCH ESTIMATIONS REQUIRE EXPERIENCE. IN AN HTD THERE MAY BE GREAT DISCREPANCIES IN FINDING 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 PEASISE IT TWICE OR MORE USUALLY. AS A RESULT OF THE INCIDENT MAYBE THE STANDING ORDER

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-3-USDAO TEL AVIV ISRAEL 978, 181030Z JUNE 67 SECTION 1 OF 11

PAGE 5 RUMVL 0528/14-07710 ~~CONFIDENTIAL~~
SHOULD BE RECONSIDERED BUT NO CRIMINAL NEGLIGENCE IS FOUND IN THE
NTP'S FINDING OF LIBERTY'S SPEED.

THIRD MISTAKE CAUSED EXECUTION OF THE SECOND STAGE OF ATTACK
O. LIBERTY, THIS TIME WITH TOPPEROS FROM P1B'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 EKRAI IDENTIFIED PARENTHETICALLY AS COL PAN POK, FORMER
ISRAELI MILITARY ATTACHE TO WASHINGTON, D.C.) MUST STATE BY DOUBTS
WHETHER THE IDENTIFICATION WAS NOT DONE WITH A CERTAIN OVERCONFIDENCE
AS THIS HAPPENED WHEN SERIOUS DOUBTS WERE ALREADY BEGINNING TO
ARISE AS TO THE IDENTIFICATION AS AN EGYPTIAN SHIP. IT HAD
BEEN ESTABLISHED BY THE EVIDENCE OF THE C. Q. OF THE PIR DIV THAT THE
DOUBTS WHICH HAD BEGUN TO ARISE IN THE PIRUS AS TO THEIR ACCURACY
OF IDENTIFICATION DID NOT GET TO THE C. Q. OF THE PIR DIV AT THAT
TIME, BUT HE ALREADY KNEW THAT THE SHIP WAS NOT A DESTROYER BUT
SUPPLY OR MERCHANT SHIP AND THIS SHOULD HAVE CAUSED EXTRA CAREFULNESS
IN IDENTIFICATION. ON THE OTHER HAND, I (AGAIN COL POK) MUST
STATE THE EXTENUATING CIRCUMSTANCES AND DIFFICULTIES OF
IDENTIFICATION UNDER THE FOLLOWING CONDITIONS:
BT

NOTE: PASSED S/S AT 9:07 A.M. 6/18/67

~~CONFIDENTIAL~~

COPY LBJ LIBRARY

INCOMING TELEGRAM *Department of State*

Liberty 6
W 10

~~SECRET~~

Info

CONTROL: 14897
RECD: JUNE 17, 1967, 1:29 P.M.

Y7 RUEHC
DE RUFNCR 20317 1681702
ZNY 88888
R Y71602Z JUN 67
FM AMEMBASSY PARIS
TO SECSTATE WASHDC
STATE GRNC
BT
~~SECRET~~ PARIS 20317

RATUS

MODIS

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 BROFIO 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 HAC OF RESULTS US BOARD OF INQUIRY IF SCHEDULE PERMITS THIS TO BE DONE BEFORE IT GETS INTO NEWSPAPERS.

GP-3. CLEVELAND
BT

DECLASSIFIED

Authority: ALC 83 -177

By: *[Signature]* NARS Date: *3-24-83*

~~SECRET~~

COPY LIB LIBRARY

James M. Ennes, Jr. Research Papers

INCOMING TELEGRAM *Liberty*
w 10
Department of State

~~SECRET~~

CONTROL: 14887
RECD: JUNE 17, 1967, 1129 P.M.

FM RUEHC
DE RUFNCR 28317 168178Z
ZNY 55555
R 171602Z JUN 67
FM AMEMBASSY PARIS
TO SECSTATE WASHDC
STATE GRMC
BT
SECRET PARIS 28317

NATUS

NODIS

FOR UNDERSECRETARY ROSTOV FROM CLEVELAND

SUBJECT: ISRAELI ATTACK ON LIBERTY

REF: STATE 211672 AND PARTICULARLY PARA 5 STATE 212139.

1. QUITE APART FROM NEWSWEEK PERISCOPE ITEM, "SECRETARY" COMMENTS TO BRONIEG AND SEVERAL FOREIGN MINISTERS AT LUXEMBOURG ABOUT ISRAELI FOREIGN POLICY THAT LIBERTY WAS A US SHIP PIQUED A GREAT DEAL OF CURIOSITY AMONG NATO DELEGATIONS. WOULD APPRECIATE GUIDANCE AS TO HOW MUCH OF THIS CURIOUSITY I CAN SATISFY, AND WHEN.

James M. Fines, Jr. Research Papers

2. IN PARTICULAR, PERHAPS I SHOULD INFORM JC OF RESULTS US BOARD OF INQUIRY IF SCHEDULE PERMITS THIS TO BE DONE BEFORE IT GETS INTO NEWSPAPERS.

GP-3. CLEVELAND
BT

Mr. A. [unclear]
Mr. B. [unclear]
Mr. C. [unclear]
Mr. D. [unclear]
Mr. E. [unclear]
Mr. F. [unclear]
Mr. G. [unclear]
Mr. H. [unclear]
Mr. I. [unclear]
Mr. J. [unclear]
Mr. K. [unclear]
Mr. L. [unclear]
Mr. M. [unclear]
Mr. N. [unclear]
Mr. O. [unclear]
Mr. P. [unclear]
Mr. Q. [unclear]
Mr. R. [unclear]
Mr. S. [unclear]
Mr. T. [unclear]
Mr. U. [unclear]
Mr. V. [unclear]
Mr. W. [unclear]
Mr. X. [unclear]
Mr. Y. [unclear]
Mr. Z. [unclear]

W/B 11/73

SECRET

*Jim - please keep this to yourself for the time being. I have not seen it
Steve*

James M. Ennes, Jr. Research Papers

<u>DTG</u>	<u>ORIGIN</u>	<u>ADDRESSEE/TEXT</u>
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 OF 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 ACKNOWLEDGE 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 CHANGE.
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. 071500Z 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. 072000Z JUN	REDACTED	REQUESTED TO CHANGE LIBERTY TO OF AREA 2.

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Watch Log

OFF: Major Breedlove

INFO: Hsgt McNulty

FROM: 07/0730

TO: 07/1930 June 67

TIME	FROM/TO	MESSAGE OR EVENT	ACTION	NOTIFICATION		
				AGY	TIME	INIT
07:00	FM AF CMD POST Lindsay	Cmd post info that an SR-71 has low fuel plus L&R prob. and is landing at McConnell AFB. (Capt Stewart took the call)		JRC	1512	Vineyard
07:05	TO SAC Velle	To see if they are up to snuff on the SR-71 problem plus if they are to see if I could get additional info.	SAC had this info			
07:10	FM AF CMD POST Lindsay	the SR-71 landed at McConnell AFB at 1919Z looks like he is		JRC	1521	Stewart Vineyard
07:15	FM EUCCOM Russell	HAVEUR 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
07:20	TO HAVEUR Calecott	Passed instructions to hold the USS LIBERTY outside 100 NM of Israel, Syria, Egypt and 25 NM of Cyprus, per Capt Rorex-Capt Vineyard's instructions. (see classified tape 3 footage 192/210)				
07:25	TO EUCCOM Russell	passed the above info to ex EUCCOM. Mag is being dispatched.				
07:30	TO EUCCOM Russell	passed info to duty officer (Capt Stewart on 707-102-102)				

James M. Ennes, Jr.

INCOMING TELEGRAM *57* Department of State

ACTION COPY

40 (173)
SS

SECRET

..... ZZ RUEHC RUTPRC
DE RUEIVC 8705B 159155B
ZNY 55555
Z 081545Z JUN 67
FM AMEMBASSY CAIRO
TO RUEHC/SECSTATE WASHDC FLASH
RUTPRC/COMSIXTHFLT
STATE GRHC
BT
S E C R E T CAIRO 8705

7772
1967 JUN 8 PM 12:02

*Release
Ctu 4/8-10
to
to name
CRV...*

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

(2)

James M. Ennes, Jr. Research Papers

1-11-27 (14) 12-21.5

SECRET

DOC #125

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

James M. Ennes, Jr. Research Papers



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

19 OCT 1980

PUBLIC AFFAIRS

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 F. Stabile
Director, Freedom of Information
and Security Review

Enclosure

James M. Ennes, Jr. Research Papers



NAVAL INVESTIGATIVE SERVICE
HOFFMAN BUILDING
348 EISENHOWER AVENUE
ALEXANDRIA, VIRGINIA 22304

REF ID: A61274
NIS-027/dlb
5262 Fb -224
Ser 01445
9 DEC '90

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 3 August 1980 referral of records from the Department of State in connection with your 17 December 1977 request for records about the 1967 attack on the USS LIBERTY.

Sixteen pages of records referred by State are forwarded in enclosure (1). Excisions have been made to remove information in 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), RT52A, 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 in direct response to you. Four additional pages have been referred 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 the 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, 22302, with your reasons for the appeal.

Sincerely,

J. R. SORIANO
Captain, U. S. NAVY
Director,
Naval Investigative Service

Encl:
(1) Records



NAVAL INVESTIGATIVE SERVICE
HOFFMAN BUILDING
2401 GLENNON AVENUE
ALEXANDRIA, VIRGINIA 22301

REF ID: A61110
NIS-02F/d1b
5262 F80-224
Ser 01425

DEC 1980

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-09G1F), a 20 August 1980 referral of records from the Department of State in connection with your 17 December 1977 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.

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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, 22301 with your reasons for the appeal.

Sincerely,

J. R. SORIANO
Captain, U. S. NAVY
Director,
Naval Investigative Service

Enc1:
(1) Records

James M. Ennes, Jr. Research Papers



NAVAL INVESTIGATIVE SERVICE
 FAIRMONT BUILDING
 645 NORTH FAIRFAX DRIVE
 ARLINGTON, VIRGINIA 22203

Liberty file
 IN REPLY REFER TO
 SIC-67/36
 3050
 Ser 0926

12 SEP 1967

FOR OFFICIAL USE ONLY

From: Director, Naval Investigative Service
 To: Department of State (Assistant for International Clases, 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-14 3-404 0923 67
 (2) Copy of NAVINVSERVO New York 1K 3 401 2226 67

1. Enclosures (1) and (2) are provided for information and retention.

W. J. Schupe
 W. J. SCHUPE
 By Direction

James M. Ennes, Jr. Research Papers

EXCL(1)

DEPARTMENT OF DEFENSE INTELLIGENCE INFORMATION REPORT

The recipient should exercise caution in divulging the contents of this report unless the recipient is an authorized person or is authorized to receive the information contained herein. The recipient should be advised of the prohibition against unauthorized disclosure of this information.

FOR OFFICIAL USE ONLY
FOR OFFICIAL USE ONLY

This report contains unprocessed intelligence. Plans and policies should not be evolved or modified solely on the basis of this report.

1. COUNTRY: U.S.A.	7. REPORT NUMBER: 5 404 0528 67
2. SUBJECT: ORGANIZATION FOR BOMBING ACTION; FAULTS AND FRIENDS OF VICTIMS OF THE US LIBERTY	8. DATE OF REPORT: 11 August 1967
3. ISC NUMBER:	9. NO. OF PAGES: Two (2)
4. DATE OF INFORMATION: 11 August 1967	10. REFERENCE:
5. PLACE AND DATE OF ACQ: Pompano Beach, Fla. 4 August 1967	11. ORIGINATOR: INVESTIGATIVE-Charleston
6. EVALUATION: SOURCE <u>1</u> INFORMATION <u>2</u>	12. PREPARED BY: R. H. SLAY 22, USAF
7. SOURCE: INVESTIGATIVE Jacksonville, Fla.	13. APPROVING AUTHORITY: T. A. SMITH CPT, USAF

14. SUMMARY:

A representative, Paul SLOAN, of Subject committee, contacted the wife of U. S. Navy enlisted man convalescing from injuries sustained aboard the US LIBERTY when attacked by Israel in June 1967 for the purpose of seeking medical preparation for the Navy couple from Israel.

1. **USAF**, is currently at USJ Jacksonville, Florida Naval Hospital convalescing from injuries received while serving aboard the US LIBERTY (AGOS-5) when it was recently attacked by Israeli forces. reported the following concerning Subject committee.

2. **wife**, **Street**, advised her husband that 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 ORGANIZATION FOR BOMBING ACTION AND FRIENDS OF THE VICTIMS. **USAF** reported to her husband that SLOAN stated the Committee was desirous to see the Israeli government and that he wanted her

15. Distribution of information:	17. Controlling data:	16. Attachment data: 3 enclosures: Pg page 2
ENCLOSURE (1) TO AGOS-5 22 AUG 67		

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CONTINUATION SHEET

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(Classification and Control Markings)

REPORTING DATE: 0301 67
PAGE 2 of 2 PAGES
ORIGINATOR: DAVIDSON-D-0100-C1000

backing. SLOWI stated that he would be in [redacted] on Sunday the 6th to see Dr. [redacted]. Immediately upon plans to take leave and join his wife to be present during SLOWI's visit, and then he notified SLOWI representative Jacksonville of SLOWI's telephone call to his wife.

THREAT STATE

3. [redacted] returned to Jacksonville 9 August 1967, advising that Paul SLOWI came to his apartment in [redacted] Sunday as scheduled. SLOWI stated that he had been to Orlando, and had contacted others in the Florida area. SLOWI presented the [redacted] a self-addressed envelope which contained a membership card for the COMMITTEE FOR ISRAELI ARABIC FRIENDS AND FRIENDS OF FRIENDS OF THE US LEGACY, 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. KILLEY, care address as the committee who lost a son in the attack on the LINCOLN. Copies of these are enclosures (1) through (5).

4. [redacted] stated that SLOWI at no time tried to solicit any information from him concerning his duties aboard the LINCOLN or of her mission. He made no questions concerning [redacted] injuries and showed no interest in the attack. All he was interested in was getting both of their signatures on copies of enclosure (1). He showed them a "stack" of letters received in response to enclosure (5). However, [redacted] advised that he noticed these were of the general "Thank you for your interest" type variety.

5. SLOWI was described as being approximately thirty years of age. He wore a shirt and tie, but appeared to [redacted] as reminiscent of a "beatnik" with a flat haircut. [redacted] advised that SLOWI told him that he is not a lawyer and that the lawyers who will represent the Committee have not as yet been selected. SLOWI advised that if the desired legal action is undertaken, it will take place in a World Court.

6. [redacted] declined to sign during the visit. He was given the telephone number Area Code 215 - 687-1153 and requested to call it collect to verify SLOWI's association with the Committee.

Enclosures:

- 1. Cy of envelope addressed to Paul SLOWI, 2001 Conestoguen Ave., Duffield House, Falls, 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. KILLEY

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FOR OFFICIAL USE ONLY

Committee for Immediate Action
-Activities & Filings of Victims of the U.S.S. Liberty
252 South 29 Street, Linden, New Jersey

PAUL SLOAN AU
3701 CONSTITUTIONAL
BIRCHWOOD 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
London, New Jersey

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I AM INTERESTED IN JOINING THE COMMITTEE
FOR IMMEDIATE ACTION.

I UNDERSTAND THERE WILL BE NO SOLICITA-
TION 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 Israel or its 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: _____

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 obtaining 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 S. Reilly, 114 Coolidge Street, Linden, New Jersey.

Yours very truly,

James M. Ennes, Jr. Research Papers

SUBJECT: COMMITTEE FOR PROGRESSIVE ACTION - FAMILIES AND FRIENDS OF VICTIMS OF THE RED HUNTS
 212 Coolidge Street, Linden, New Jersey
DATE OF ORGANIZATION: 8 June - 2 August 1967
PLACE AND DATE OF ACQ: Linden, New Jersey - 9 August 1967
EVALUATION SOURCE: (1) F (2) I
SOURCE: (1) A Rank Officer (2) Official Records

REPORT NUMBER: 17 August 1967
CLASSIFICATION: (S) UNCLASSIFIED EXCEPT IN 5-303 (S) UNCLASSIFIED EXCEPT IN 5-303
APPROVAL: [Signature]
DATE: 17 August 1967
BY: [Signature]
TITLE: [Signature]

Object organization was incorporated in Union County, New Jersey, 12 July 1967 to obtain political and legal redress on behalf of the deceased and injured servicemen as a result of actions conducted by the Government of Israel with the USA LIBERTY Officers set forth.

1. References (a) and (b) indicated that individuals living in the Chicago, Virginia and Chicago, Illinois areas have received material from subject organization which is based in Linden, New Jersey. INVESTIGATIVE 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 1 August 1967 indicated that a Certificate of Incorporation for COMMITTEE FOR PROGRESSIVE ACTION - FAMILIES AND FRIENDS OF THE VICTIMS OF THE RED HUNTS was filed on 12 July 1967. This document stated 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. KILLY. The subject of the organization is stated

16 - DISTRIBUTION BY ORIGINATOR:
 INVESTIGATIVE NEW YORK
 INVESTIGATIVE BOSTON
 INVESTIGATIVE CHICAGO
 FBI-WASHINGTON

17 - CONTINUING DATA:

UNCLASSIFIED

18 - APPROVED FOR DATA DISCLOSURE:
 SEE PAGE 2

James M. Ennes, Jr. Research Papers

1. Certificate of Incorporation of COMMITTEE FOR IMMEDIATE ACTION - SA JAMES AND FRIENDS OF THE VICTIMS OF THE LEE LINCOLN dated 6 Jul 1947, 1 cy, 1 pt.
2. Elizabeth (N.J.) DAILY RECORD, newspaper article captioned "Liberty Caller Min Asks \$50 Million," dated 22 Jan 1947, 1 cy, 1 pt.
3. Newark (N.J.) EVENING NEWS newspaper article captioned "Intoxics 'To Hurt'," 1 cy, 1 pt.
4. HAVINGWOOD Herald IN 5 142 454 of dated 23 Jul 1947, 1 cy, 1 pt. (To HAVINGWOOD Chicago and Philadelphia only)
5. HAVINGWOOD Chicago IN 5 142 454 of dated 23 Jul 1947 with attachment, 1 cy, 1 pt. (To HAVINGWOOD Boston and Norfolk, and Philadelphia only)

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UNCLASSIFIED

Filed in the Clerk's Office
of the Court of Chancery, N. J.
on July 10, 1937, at 11:57 AM
and sealed by the Clerk of
Said Court, at the City of
Newark, New Jersey.
Walter S. ...
Walter S. ...

ARTICLES OF INCORPORATION
OF
THE
AMERICAN WESTERN LIBRARY - LIMITED
FOR THE
PROTECTION OF THE LIBRARY OF THE U.S.S.R. LIBRARY

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, 151-1, et.
seq., approved and effective under L. 1936, c. 101, § 1.

FIRST: The name assumed to designate the association
and to be used in its business and dealings is:

AMERICAN WESTERN LIBRARY - LIMITED
FOR THE
PROTECTION OF THE LIBRARY OF THE U.S.S.R. LIBRARY

SECOND: The location of the principal office is New
Jersey is at 212 College Street in the City of Camden, County
of Union, State of New Jersey; and the name of the agent therein
and in charge thereof, one upon whom process against this
association may be served is Lorraine S. ...

THIRD: The objects for which this corporation is
formed are as follows:

1. To obtain political and legal redress on behalf
of the creditors and injured survivors as a result of actions
conducted by the Sovereignty of Lorraine on the eighth day of
June, 1937, upon the U.S.S. Liberty, which was upon international
waters in the Mediterranean Sea approximately twelve miles off
the West Coast, and upon which an unprovoked attack was negligently
incited and carried out by agents of the Sovereignty
of Lorraine.

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 work concerted and unified action against the parties responsible for the incident of June 5, 1957, as set forth above, in order to expose such persons, by uniform and concerted effort, to achieve these objects as set forth above in a more practical and effective manner.

ARTICLE III 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
SCOTTIE B. BAKER	212 Cottage Road, Linden, N. J.
SCOTTIE B. BAKER	212 Cottage Road, Linden, N. J.
RICHARD J. HOBBS	21 Acorn St., Newark, N. J.

THE TRUSTEES HEREBY have hereto set our hands and seals this 5th day of July, 1957, pursuant to Revised Statutes 15:1-1, and the words herein the names of five persons as incorporators of said corporation.

Signed, sealed, and
delivered in the presence of

James M. Ennes, Jr.
Notary Public
New Jersey
My Commission Expires 12/31/57

Scottie B. Baker
SCOTTIE B. BAKER
Richard J. Hobbs
RICHARD J. HOBBS
James M. Ennes, Jr.
JAMES M. ENNES, JR.
James M. Ennes, Jr.
JAMES M. ENNES, JR.

STATE OF NEW JERSEY

COUNTY OF *Essex*

196

BE IT REMEMBERED that on the 5th day of *July* 196*7*, before me, the undersigned authority, personally appeared *SCOTTIE B. HILLIS, WILLIAM HUTTON, ROBERT J. HUTTON, BOONIE, and CLARA HILLIS*, who I am satisfied are the persons mentioned in and who executed the public certificate of Incorporation, and I having first made known to them the contents thereof, they acknowledged that they signed, read and delivered same as their voluntary act and deed. All of which is hereby certified.

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[Signature]
Notary Public in and for the State of New Jersey

Witness my hand and seal this 5th day of *July* 196*7*.
Notary Public in and for the State of New Jersey

James M. Ennes, Jr. Research Papers

James M. Ennes, Jr. Research Papers

ENCLOSURE (2)



DEPARTMENT OF STATE

Washington, DC 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 should 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, 22nd 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

apb B.E.

** 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 hours per hour (11.00 per hr) for this case and the usual 10¢ per page for copied material. Contact Mr. Stearley 682-4620.

James M. Ennes, Jr. Research Papers

23 August 1978

The Honorable Lloyd Needs
House Office Building
Washington, D.C. 20510

Dear Mr. Needs:

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.


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



DEPARTMENT OF STATE

Washington, D.C. 20520

12/30/77

Dear MR. CHENEY:

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,

Ernest Wood
Freedom of Information Staff
Bureau of Public Affairs

Enclosure:
Schedule of Fees

James M. Eames, Jr. Research Papers

LLOYD MEEDS
By District, Washington

COMMITTEE ON
RULERS

SENATE OFFICE
501 FIFTH STREET
205 1000

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

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS

REPRESENTATIVE OFFICE
800 PENTAGON BUILDING
770-4000

BY VOUCHER OFFICE
2101 CONGRESS WAY
205-5007

COMMISSION ON WATER AND
POWER RESOURCES
SUBCOMMITTEE

September 6, 1978

James M. Ennes, Jr.
[REDACTED]

Dear Mr. Ennes:

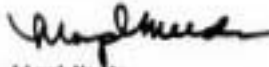
Thank you for your letter detailing the difficulties you were having with the State Department.

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 Palestinians 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

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 Mead 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



DEPARTMENT OF STATE

Washington, DC 20520

FF: 2

Mr. G. D. Oldham
6005 East University Blvd.
Dallas, TX 75205

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 twenty 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

Jin:

My friend, G.D. Oldham, was following through with AIA on the documents of AG. I was denied me. I don't know how or why the liberty came in the correspondence, but thought you might be interested in this. I suspect you have all the information there in about the liberty anyhow, without the foregoing.

Haven't heard anything about you Good Morning show.

Jaldene 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 pills 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.

(Handwritten mark)

NAVY MESSAGE

OFFICIAL FORM 2712 USE PREVIOUS EDITIONS

RECEIVED BY:		RAFTED BY:	PHONE EXT. NO.	CLASS	PAGES
DATE	TIME	ROUTED BY:	CHECKED BY:		
19 JUNE 1967	1622Z				
MESSAGE NO.	DATE-TIME GROUP (DTG)	PRIORITY	CLASS	EXTN	INSTR
	#013004	ROUTING	CLASS		
		ACTION	CLASS		
		INFO	CLASS		

FM: COMSIXTHFLT

TO: USA LIBERTY

BT

UNCLAS

YOUR FLASH TANKING THROUGHT SENDING AIRCRAFT TO COVER YOUR

SURFACE UNITS OF THE NAVY. KEEP SITUATION CONTING.

BT

DISTRIBUTION

(Page One Only)

RU-47

REC-COURIER

UNCLASSIFIED

DATE-TIME GROUP (DTG)

#013004

James M. Ennes, Jr. Research Papers



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20380

FORM NO. 647-10
Pers-14f/980C-06P:2A
1 ED 4 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. TRACINI
Privacy Act/Freedom of Information
Act Coordinator

Copy to:
OP-0981F
State Dept.



James M. Ennes, Jr. Research Papers



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, D.C. 20333

FORM 10
Ser 09B15D/114551
9 March 1979

From: Chief of Naval Operations
To: LCDR James M. ENNES, Jr., USN, Retired, 19009 194th
Avenue, N. E., Woodinville, WA 98072

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 (AGOR 5),
the USS AMERICA (CVA 66) and the USS SARATOGA (CVA 60)
for 8 Jun 67 and the USS ANDREW JACKSON (SSM 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
B-1 Direction

James M. Ennes, Jr. Research Papers



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20380

FORM 147 (REV. 10-69)
Page 147 (NND-0001)

FEB 20 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. TRACZUK
Privacy Act/Freedom of Information
ACT Coordinator

Copy to:
OP-0981F



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 2 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 K. 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

NUMED-3111
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
In Direction of the Surgeon General

Encl:
(1) Copy of Medical Record

James M. Ennes, Jr. Research Papers

INSTRUCTIONS

1. Instructions for completion and distribution are provided by Articles 38-39, 40-41, and 42-43 of the Manual of the Medical Department.
2. When this report is completed, send the first copy of the report direct to the Naval Medical Regional Data Center.

1. TO: Chief of Naval Personnel

2. FROM: (1) Commanding Officer, Naval Hospital, Pensacola, Fla.
 (2) Chief, Bureau of Medicine and Surgery

88227
 (8-14-68)

Naval Hospital, Pensacola, Florida

1. REPORT AND EVALUATION NO.
 00499A-06

14 August 1968

NMTC, Corey Field, Pensacola, Florida

1. PATIENT NUMBER NO.

880259

THIS BLOCK FOR NMDC USE

2. ACTIVE & INACTIVE

Cadya, Ofms, Myve

RE-EVALUATION: Open Comminuted Fracture, Left Femur Without Artery or Nerve Involvement, Healed

13. DUTY		14. EXCUSED FROM DUTY		15. RETURN TO DUTY	
1. Not on duty	2. Not on duty	1. Excused from duty	2. Excused from duty	3. Return to duty	4. Return to duty
X 1. Not on duty	X 2. Not on duty	X 1. Excused from duty	X 2. Excused from duty	X 3. Return to duty	X 4. Return to duty
16. DISCHARGE		17. UNDESIRABLE DISPOSITION		18. RETURN TO DUTY	
1. Discharge	2. Discharge	1. Return to medical evaluation board	2. Discharge, physical disability	3. Return to duty	4. Return to limited duty
X 1. Discharge	X 2. Discharge	X 1. Return to medical evaluation board	X 2. Discharge, physical disability	X 3. Return to duty	X 4. Return to limited duty
19. THE FOLLOWING SHALL BE COMPLETED BY THE MEDICAL BOARD PRIOR TO SUBMISSION TO THE COMMANDING AUTHORITY					
1. Did the member appear before the medical board in person?				YES	NO
2. Will symptoms of condition to the member relative to his physical condition adversely affect his health?				X	X
3. Has the member been advised of the medical board findings?				X	
4. Has the member been offered an opportunity to submit a written statement in support of the medical board findings (the majority of No. 2 is null)?				X	
5. Have applicable laws and regulations been explained to the member?					
6. Is the member's signed statement of medical board findings and the medical board findings and the medical board findings attached?					
7. Will appropriate copies of medical board findings be distributed to the member's medical and command files?					X

Return to full duty.

SEC. BOARD MEMBER OR CHAIRMAN	DATE	SIGNATURE
NUMBER: F. O. BANGS	DATE: 14 AUG 68	SIGNATURE: [Signature]
NUMBER: L. A. CHAMBERLAIN	DATE: 14 AUG 68	SIGNATURE: [Signature]
NUMBER: D. J. HANER	DATE: 14 AUG 68	SIGNATURE: [Signature]

CPMEL, NAVY HOSPITAL

LT James Marquis ENNES, Jr., USNR, 853840/1615

FIRST ENCOUNTER
 NAME: **ENNES, JAMES M.** GRADE: **LT** SERVICE NUMBER: **0338017912** DATE: **9-14-68**

Chief, Naval Personnel

Chief, Bureau of Medicine and Surgery

Forwarded, indicating disposition of the medical board, to return to full duty.

transferred to duty at **Naval Air Station, Pensacola, Florida**
 transferred to duty at **Naval Air Station, Pensacola, Florida**

BY ENNES transferred this date to NCTC, Corry Field, Pensacola, Florida on duty while awaiting action on his case.

REMARKS TO LEFT CHECK

E. G. MURKIN

ENCOUNTER

FROM: CHIEF, BUREAU OF MEDICINE AND SURGERY DATE: **6 September 1968**

TO: CHIEF OF NAVAL PERSONNEL/COMMANDANT OF THE NAVAL AIR STATION

1. Forwarded, indicating disposition of the medical board, to return to full duty.

2. **RECOMMENDATION: 0338017912**

3. **REMARKS: 0338017912**

4. **REMARKS: 0338017912**

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100. **REMARKS: 0338017912**

James M. Ennes, Jr. Research Papers

W. E. Beckman
 W. E. BECKMAN
 By direction

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 1948 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 the pelvis in the left hip and right arm "but not enough of a problem to have it removed".

The physical examination on 31 July 1948 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 16-1/2", 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; a 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 1948, 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

ECOG, 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 27 Jul 67
(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.
James M. Ennes, Jr., USN
103940/1615

Witnessed: Sam M. Ky Jr

James M. Ennes, Jr. Research Papers

4 MAR 1978

ACTING CHIEF OF NAVAL PERSONNEL
CHIEF, BUREAU OF MEDICINE AND SURGERY

Recommended, indicated disposition of the medical board on

2. D-1 1 MAR 1962 CONFIRME, NORFOLK, VIRGINIA PENDING FINAL
ACTION. *J. H. Holmes*
J. H. HOLMES
BY DIRECTION

ENDORSEMENT

ENDORSEMENT

1 - CHIEF, BUREAU OF MEDICINE AND SURGERY
2 - CHIEF OF NAVAL PERSONNEL/COMMANDANT OF THE MARINE CORPS

Recommended, indicated disposition of the medical board on:

CONFIRMED OR NOT CONFIRMED OR

ENDORSEMENT

10001

10-

FORMER SUPPLY (1-62) MARK

James M. Ennes, Jr. Research Papers

REPORT OF MEDICAL BOARD in case of
LTC, JAMES M., JR. 653040 LT/MAR 1915

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 1957 with a diagnosis of comminuted fracture of the left femur. The patient sustained a fracture of the left distal femur on 8 June 1957 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 full return of hip and knee function and range of motion. He has been noted to have a 1/2 inch shortening of the left leg but good muscle strength.

DIAGNOSIS: OPEN COMMINUTED FRACTURE LEFT FEMUR #8212-8216

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

NAVAL HOSPITAL
FORT MONROE, VIRGINIA, 23108

STATEMENT OF PATIENT
CONCERNING THE FINDING OF A MEDICAL BOARD

I have been informed of the findings of the medical board of _____
(date)

in my case that my present condition is _____
(Board's finding)

and of the recommendation of the Board _____

WITNESSED BY

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. C. [Signature]

James M. Ennes, Jr. Research Papers

U. S. NAVAL SECURITY GROUP ACTIVITY
APO NEW YORK 09514

IN REPLY REFER TO:
10/WCV:rlb
#000
SER 1876
8 NOV 1958

From: Commanding Officer, U. S. Naval Security Group Activity,
Friedrichshaven, Germany
To: Chief, Bureau of Medicine and Surgery (Code 71C)
Subj: Lieutenant James M. ENNES, JR., USNR 053510/1615; medical
information concerning

Ref: (a) Your ltr BUENB:33C:VAD:me of 8 October 1958
(b) My ltr 10/WCV:rlb 6000 ser 1670 of 21 October 1958

Enc: (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. Ennes, Jr.
J. W. ENNES, JR.

James M. Ennes, Jr. Research Papers

CLINICAL RECORD

CONSULTATION SHEET

REQUEST		
TO:	FROM: (Physician and/or patient)	DATE OF REQUEST

Use Report Form Request (515) for clinical records

PROFESSIONAL CREDENTIALS

DOCTOR'S SIGNATURE	APPROVED	PLACE OF CONSULTATION	<input type="checkbox"/> EMERGENCY
		<input type="checkbox"/> IN HOME <input type="checkbox"/> IN OFFICE	<input type="checkbox"/> 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, 1968
 directed examination by a Neurologist or Neurosurgeon to determine
 the residuals, if any, caused by retained shrapnel fragments
 around the left maxillary sinus]

Pt was about the Liberty 8 June 67 when it was attacked
 by Israeli aircraft: states he received 32 wounds,
 left chest, both arms both buttocks, neck, chest, bleeding
from nose and mouth, not from ears.

(Continued on reverse side)

SIGNATURE AND TITLE	IDENTIFICATION NO.	ORGANIZATION
JAMES M. ENNIES	653640	NSGA FID 09514
PATIENT'S IDENTIFICATION (For typed or microreproduced form: Name, sex, age, medical grade, date, hospital or medical facility)	REGISTER NO.	WARD NO.

ENNIES JAMES M.
 LT. USNR

CONSULTATION SHEET
 Standard Form 515
 103-026

Enclosure (1)

James M. Ennies, Jr. Research Papers

As residual pt notes 1/2" shortening of left leg, a resistant
difficult running, head aches, (generalized & right sup vertex,
frontal, and often overlastng 3 weeks) low back pain (non radicular)
and sporadic radiating pain from embilled left buttock
through thigh down left leg. Also occasional stiffness
and jerking of left hand and arms.

Neuro exam normal, shortening of left leg.
Cannot fully flex left knee, can get beyond 90 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 scan

② EEG

③ Echo

④ Scan

⑤ ENT Consult

⑥ Ortho consult

(and pt to ortho
& on broken)

to me. add and
aches and stiffness
broken joints?

N. Keller
at MC
13 Nov 68

15 Nov 68:

EEG, Scan, Echo normal

ENT & ortho consults done.

No definite sequelae noted as far as noted
fragments in hand by x-rays. May get
conalgieas + injuries in future.

N. Keller

James M. James, Jr. Research Papers

2c

CLINICAL RECORD CONSULTATION SHEET

TO: **EC 170** FROM: **Miss 2c** DATE OF REQUEST: **12/14/64**

REASON FOR REQUEST (Condition and history)
**Aboard Liberty when attacked
32 Nov 64**

ADDITIONAL DIAGNOSIS

DOCTOR'S SIGNATURE: *NKellen* APPROVED: PLACE OF CONSULTATION: IN HOME IN OFFICE EMERGENCY ROUTINE

CONSULTATION REPORT

[Empty box for notes]

RT L
LT R
through Echo

NKellen

(Continued on reverse side)

SIGNATURE AND TITLE: *James M Ennes, Jr* IDENTIFICATION NO.: **653EVD** ORGANIZATION: **NSA**

PATIENT'S IDENTIFICATION (Part of and to be filled in office files: Name-Last, First, middle, grade, hospital or medical facility) REGISTER NO. WARD NO.

ENNES, JAMES M
LT USNR

CONSULTATION SHEET
Standard Form 113
7-13-104

James M Ennes, Jr. Research Papers

80

CLINICAL RECORD

CONSULTATION SHEET

REQUEST		DATE OF REQUEST
ENT		
FROM: (Physician and address)		

Reason for request (summarized from):
 Referred by Dept of Army "to determine the residuals,
 if any, caused by retained shrapnel fragments
 in around left maxillary sinus". (Was aboard the

PROFESSIONAL DIAGNOSIS:
 USS Liberty when attacked by Somali jets 8 June 67

DOCTOR'S SIGNATURE <i>ent</i>	APPROVED	PLACE OF CONSULTATION <input type="checkbox"/> HOME <input type="checkbox"/> OTHER	<input type="checkbox"/> EMERGENCY <input type="checkbox"/> ROUTINE
----------------------------------	----------	---	--

CONSULTATION REPORT
 Received 32 Wounds - Exam directed by
 Washington for legal purposes. Can you do audio also?
 Thank you

NOV 1968
 ENT CLINIC
 2ND GEN. HOSP.
 LANDSTUN: 230 0210

Reproductive m-a-vis shrapnel in \oplus maxillary
 area. Isolated septum -
 Audio - w w h.

PHYSICIAN'S NAME James M. Ennes, Jr.	IDENTIFICATION NO. 65390	ORGANIZATION NSGA FPO 0754
PATIENT'S IDENTIFICATION (Last, first or initial, middle initial, and last name, grade, branch or medical facility)	REGISTER NO.	WARD NO.

ENNES, JAMES M.
 LT USR

CONSULTATION SHEET
 Standard Form 113
 103-104

James M. Ennes, Jr. Research Papers

13 D

Brain Scan

U.S. GOVERNMENT PRINTING OFFICE: 1969-0-290-000

CLINICAL RECORD

CONSULTATION SHEET

Patient's Name: Leahy, 13 D | MC 2C | DATE OF REPORT: 13 Nov 68

Aboard USS Liberty when attacked by Israeli jets 19 June 67.
32 wounds - subsequently has had numerous "spams" of
int. arm. Need scan to help exclude sub. dural

(183)

DOCTOR'S SIGNATURE: W. Miller | APPROVED: | PLACE OF CONSULTATION: IN OFFICE ON CALL | EMERGENCY ROUTINE

CONSULTATION REPORT

Radiology Clinic
USAGH-Landstuhl
APO 09180

14 Nov 68, Tc-99m, 9.9 mc

Brain Scan 4 views ^{99m} Tc

Normal study

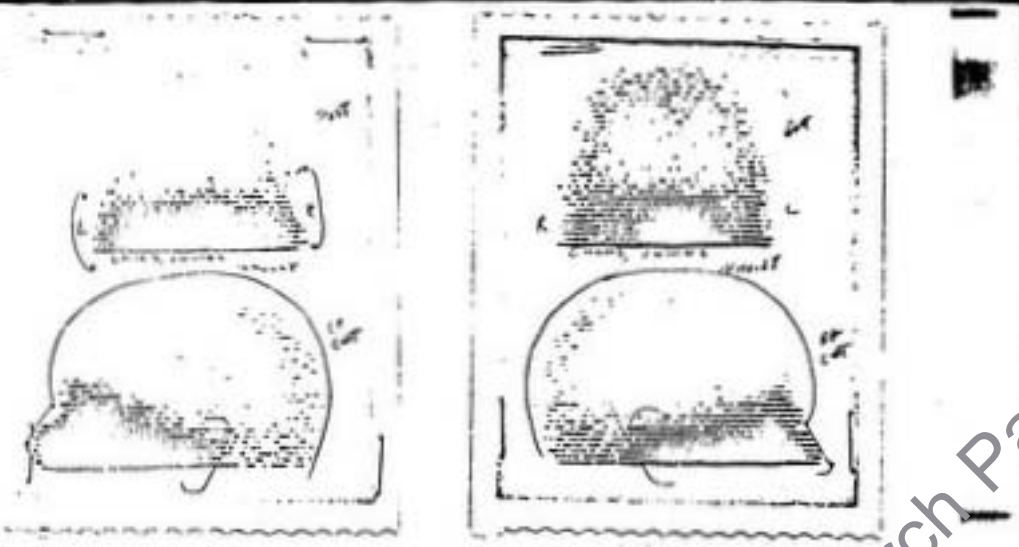
James H. Allen, Jr. MC

(Consultant on other side)
SIGNATURE AND TITLE: NE H. ALLEN CPT MC Chief | DATE: 14 Nov 68 | IDENTIFICATION NO. | ORGANIZATION
PATIENT'S IDENTIFICATION (For typed or written reports: Name, last, first, middle, grade, duty station, and/or number of facility) | REGISTER NO. | WARD NO. 2C 606

CONSULTATION SHEET
Standard Form 100
501-106

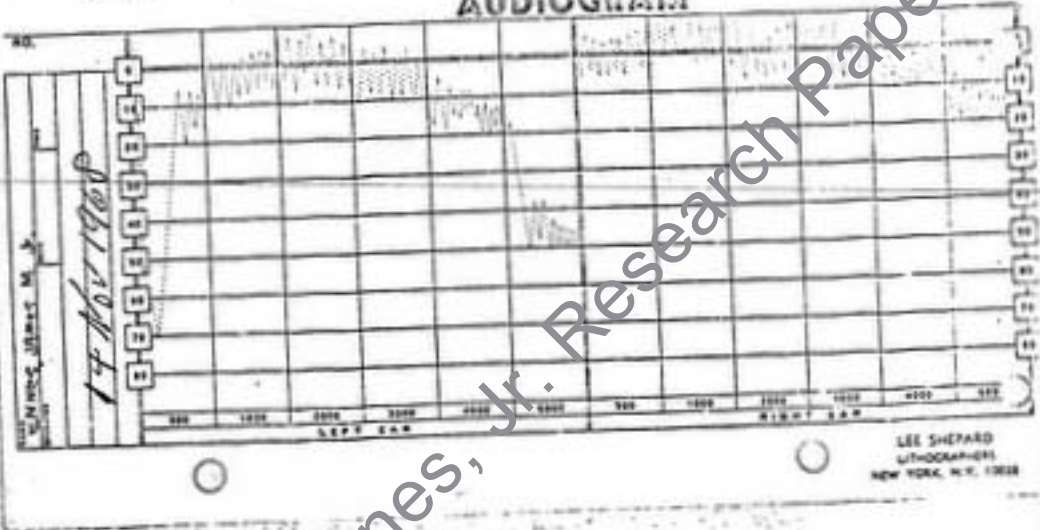
F. J. ... James M.
LT USN.
NAV Sec Gr Act (4567)
APO 09514

James M. Ennes, Jr. Research Papers



James M. Ennes, Jr. Research Papers

AUDIOGRAM



17 Nov 1968

JAMES, JAMES M.

LEE SHEPARD
LITHOGRAPHERS
NEW YORK, N.Y. 10018

James M. Ennes, Jr. Research Papers

13

Form 10-67
CLINICAL RECORD

CLINICAL RECORD

NARRATIVE SUMMARY

DATE OF ADMISSION

DATE OF DISCHARGE

PROPERTY OF NAVAL HOSPITAL

6-24-67

ENTRIN SUMMARY AS OF 9-11-67

ADMISSION: 1001151 DC, 01. OCCURRED FRACTURE LEFT FEMUR

PI: 34 year old LT/USNR was transferred to Portsmouth Naval Hospital on June 6, 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 union. 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 immobilization in balanced suspension. At the end of that time, he is to be given a walking body spica.

APPROVED:

C.S. LADDIN
C.S. LADDIN
CDR MC USN
CHIEF OF ORTHOPEDICS

700

Use additional sheets of this form (Standard Form 802) if more space is required

SIGNATURE OF PHYSICIAN D. L. FONG, LCDR MC USN/ds	DATE	HOSPITALIZATION NO. 653 RAO	ORGANIZATION USNR
PATIENT'S SPECIAL INSTRUCTIONS (Use space on reverse for special instructions, diet, medicine, orders, etc.)		REGISTER NO. 671665	WARD NO. 800-9
ENRES, JAMES TANQUIS JR LT/USNR NAVAL HOSPITAL, PORTSMOUTH, VIRGINIA		NARRATIVE SUMMARY Standard Form 802 001000	

Disc #133

James M. Ennes

United States District Court
For the District of Columbia

Office of the Clerk
333 and Constitution Avenue, N.W.
Washington, D. C. 20001

James F. Davey
Clerk

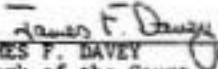
NOTICE OF RIGHT TO CONSENT TO TRIAL
BEFORE A UNITED STATES MAGISTRATE

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
Clerk of the Court

RG-99780



DEFENSE INTELLIGENCE AGENCY
WASHINGTON, D.C. 20301

U-12,092/RTS-2A

01241 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 INSTRUCTION FOR SERVICE OF
PROCESS BY THE U.S. MARSHAL or the holder of the writ
for a copy of this form. Please type or print legibly, making
readability of original document primary consideration.

10

ACQUITT
JAMES E. ENNES, JR.
DEPARTMENT OF STATE

C.A. 80-1120
B & C

SERVE NAME OF INDIVIDUAL COMPANY CORPORATION ETC. TO SERVE ORIGINATOR'S WARRANT TO THE US ORIGINATOR
U.S. Attorney General
ADDRESS (Street or RFD Apartment No., City, State and Zip Code)
U.S. Dept. of Justice
AT **Washington, D.C.**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BEING
James E. Ennes, Jr.
[Redacted]

Number of copies to be
served with this Form 285
Number of copies to be
served with return
Check for service
in USA

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST RELATED TO THIS SERVICE
NONE

DATE RECEIVED TELEPHONE NUMBER DATE
May 5, 1980

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

Each knowledge of the
Manner of service made
to the individual, company, corporation, etc.
to the address indicated below

Method of service: Personal By Mail By Delivery
Signature of Marshal or U.S.M. Deputy or Clerk

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above. (Set remarks below)

Name and title of individual served (if not shown above)
Address (complete only if different than the address above)
Date of Service
Signature of U.S. Marshal or Deputy

Service Fee	Total Marshal Charge (including postage)	Witness Fee	Trial Charges	Adaptor Report	Amount paid to U.S. Marshal	Amount of Return (Check enclosed)
-------------	---	-------------	---------------	----------------	-----------------------------	--------------------------------------

REMARKS

NOTE

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. MARSHALS, on the reverse of this form. Do not file this form. Please type or print in block letters. Do not use a pen or pencil. Do not write on this form.

10

RECEIVED BY: **JAMES E. ENNES, JR.** TELEPHONE NUMBER: **C.A. 80-1126**
 DEPARTMENT OF STATE ATTORNEY: **S & C**

TO SERVE: NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO BE SEIZED OR CLAIMED:
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 REGISTER AT NAME AND ADDRESS BELOW
James M. Ennes, Jr.
 [Redacted Address]

Number of process to be served with this Form 205: _____
 Number of copies to be served in Process: _____
 Check for return: YES NO

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST THE FIELDING SERVICE OFFICE: (See Instructions and Attachments for Form 205, and Estimated Fees Available For Service)

Signature of Plaintiff or of Plaintiff's Attorney: _____ TELEPHONE NUMBER: _____ DATE: **May 5, 1980**
 PLAINTIFF DEFENDANT (DOC) 768-3510

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

Take charge of process for the total number of process included (Sign only first USM 205 if more than one USM 205 is submitted)

Signature of Attorney (USM) (Judge of Court) _____

I hereby certify and claim that: I have personally served, I have legal knowledge, or I have proceeded as directed. 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 invited below.

I hereby certify and claim that I am unable to locate the individual, company, corporation, etc. named above. (See Remarks Below)

Name and title of individual named if not shown above: _____
 Address (complete only if it differs from shown above): _____
 Signature and Title of Marshal or Deputy: _____

Service Fee	Extra Message Charges (including embossing)	Registration Fee	Total Charges	Advance Deposit	Amount of Fee of Marshal	Amount of Return (Check enclosed)

REMARKS: _____

NOTE

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. MARSHALS, on the reverse of this form. Sections of this form (Numbered 1 through 12) require mandatory completion. Do not make any alterations.

12

PLAINTIFF: **JAMES B. ENNES, JR.** TELEPHONE NUMBER: **C.A. 80-1126**
 DEFENDANT: **DEPARTMENT OF STATE** TELEPHONE NUMBER: **S & C**

SERVE AT NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO WHICH SERVICE IS MADE: **Department of State**
 ADDRESS (Street or RFD, apartment No., City, State and ZIP Code): **3201 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 Address]

Number of processes to be served with this Form 285: _____
 Number of pages to be served in this case: _____
 Check for service on USA: _____

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include court rules and alternative dispute resolution numbers and estimated times available for service):

Signature of Attorney or other Original requesting service on behalf of: _____ TELEPHONE NUMBER: _____ DATE: **May 5, 1980**
 PLAINTIFF
 DEFENDANT

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

Enclosure(s) received for the total number of processes indicated (Sign only first USM 285 if more than one USM 285 is submitted):
 Total Fees: _____ (Initial of Clerk) _____ (Initial of Clerk) _____
 Signature of U.S. Marshal or Deputy U.S. Marshal: _____

I hereby certify and warrant that: I have personally served, I have legal authority to serve, I have executed as shown in Remarks the process described on the individual company (corporation, etc.) of the person shown above or on the individual company (corporation, etc.) shown in the address named below.

I hereby certify and warrant 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.
 Date of Service: _____ Time: _____ am/pm
 Signature of U.S. Marshal or Deputy: _____

Service Fee	Total Message Charges (including enclosures)	Administrative Fee	Total Charges	Advance Deposit	Amount paid to U.S. Marshal	Amount of Refund (Check enclosure)
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REMARKS:

NOTE

James M. Ennes, Jr. research Papers

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 7, 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. Kerloy
Assistant Legal Adviser

cc: Lt. Cdr. V.A.S. Swindall, Dept of the Navy

L:L/C:DRM:Anderson:ams

Dated & mailed from L/C

2 October 1968

OCT 7 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

Handwritten: 10/11/68
WLC: DZK

Watermark: James M. Kinnes, Jr. Research Papers

knee, and running (except at a slow, leping 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 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 has been 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 busily advancing 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 fall 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

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 55 40

James M. Ennes, Jr. Research Papers



DEPARTMENT OF STATE
WASHINGTON, D.C. 20520

Richard

829115

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
Assistant Legal Adviser

Enclosure:

Treasury check # 16,823,525

James M. Ennes, Jr. Research Papers

Velesni

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 ~~damages~~ on behalf of Jones 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

LIL/C:ELI:Gey:ama 2/13/69

James M. Ennes, Jr. Research Papers



DEPARTMENT OF STATE

Washington, D.C. 20520

February 17, 1969 *learn*

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 Advisor

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 \$ ~~██████████~~ 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 14th day of December, 1968.

James Marquis Ennes, Jr.
(Signature)

James M. Ennes, Jr. Research Papers



DEPARTMENT OF STATE

Washington, D.C. 20520

140

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. Kelley
Assistant Legal Adviser

Enclosures:

- 1. Release
- 2. Addressed envelope

JK

James M. Ennes, Jr. Research Papers

RELEASE

I, James Marquis Ennes, Jr., serial number 65 38 40, hereby agree to accept the sum of \$ 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)

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,

Robert L. Kerley
Assistant Legal Adviser

L:L/C:Renderson:ams

Dated & mailed from L/C

DRH

4 C

1968

11/21/68

17 October 1968

LIC: DRH
U.S. DEPARTMENT OF STATE

Forest W. Verley
Assistant Naval Adviser
Department of State
Washington, D.C. 20520

Dear Dr. Verley:

In response to your letter of October 11, 1968, and Department of the Navy, Bureau of Medicine and Surgery letter of 9 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
JAMES M. ENNES, JR.
U.S. NAVY, 65 35 40

James M. Ennes, Jr. Research Papers

002 11 275

Department of State, U.S.A. (11/7/71)
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 ~~HEATH~~ on June 4, 1967.

On June 4 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 ~~HEATH~~ have been offered settlement figures via the Department of State. As far as 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.
U S NAVY/SECURITY, B'K 53
PPS NEW YORK 01514

James M. Ennes, Jr. Research Papers



DEPARTMENT OF STATE

8-11-68 12-11-68

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.

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 present 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

2ek
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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 \$ ~~5000.00~~ 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 renise, 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)

(14)

Release

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 5413 Cochrane Drive, Norfolk, Virginia

Naval Security Group Activity Box 8 Ft. Belvoir, Va.

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? [] Yes [] No

7. If so, how was United States citizenship acquired?
[] Born 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 11, 1967 Excellent

9. Was claimant aboard the U.S.S. Liberty when it was attacked by naval and air forces on June 8, 1967? Yes No

10. Approximate location of claimant on ship at time of attack and duties being performed, if any. Just relieved as JODD from securing from general quarters, and was observing low-flying aircraft from flying bridge (deck 15) at the 06 level.

11. Brief description of event causing injury to claimant, as personally observed by claimant. I saw two aircraft, and had the long glass train on one to starboard and the other "not there, he's dead ahead". I looked away from my scope dead ahead to see the ship being strafed which strafing resulted in my injuries. This strafing 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 buttock; 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 leave this stateroom as rockets entered the room, forcing me to leave. I finally received medical attention

13. Description of pain and suffering caused by injury. this stateroom as rockets entered the room, forcing me to leave. I finally received medical attention
Pain: Severe, and excruciating. due to injuries.
Suffering: two hour fear of imminent death, occupied 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 hospital.

Since receiving medical treatment, the general inconvenience and discomfort of hospitalization under 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 seeing the survivors, and her general inconvenience suffered as a result of my being hospitalized.

14. Education of claimant:

High School

Number of Years 12

Diploma Yes No

College

Number of Years 4

Degree 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 Air Force School; Amphibious Warfare School.

16. Salary, allowances and other compensation per month of claimant as of June 8, 1967:

Salary	\$700.50	BSG
	130.05	BAQ
Allowances \$	17.58	Subs
	30.00	Separation allow.
Other \$	_____	
Total \$	<u>908.13</u>	

17. Career preference of claimant prior to June 8, 1967:

naval service 20 years, at least.

civilian. What kind? _____

18. 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 enhance prospects for promotion
at the same time by contemporaries are considered for promotion.

19. Employment before entering service?

Name of employer Retail Credit Co, Inc. (of Atlanta, Georgia)
425 Cypress St.
Address of employer San Francisco, California
and attended San Francisco State College, nights.

Amount earned per month \$ 8600.00/mo.

Kind of work performed Supervised background investigations in
life insurance applications.

NOTE: MILITARY SERVICE: ^{Res} 1951 - Jan 1951. Enlisted, USMC
Jan 1951 - 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
James M. Ennes, Jr.
(Date)

James M. Ennes, Jr.
(Signature of claimant)

Robert M. Blackson the undersigned
officer do hereby certify that the foregoing instrument
was subscribed and sworn to before me this 28 28th
day of August 1967 by Ennes, James Marquis
653860 and who is known to me to be a
(Service number)

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. Blackman
 (Signature of Officer)

Robert M. Blackman
 (Name of Officer)

40314 1625 LT USNR
 (Service 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)

Review

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

10

Release

DEPARTMENT OF STATE
OFFICE OF THE
ASSISTANT LEGAL ADVISER
FOR
INTERNATIONAL CLAIMS

Pers-224-JA-494
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 []

(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 1953 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) WAD (Officers) Indefinite **ETC.**

V. Marital status: [] Married [] Single [] Divorced

(17)

EXCISE

May 27, 1969 *Very*

Mr. Leonard Braman
Surrey, Karasik, Gould and Green
1156 - 15th Street, N.W.
Washington, D.C. 20005

DEPARTMENT OF STATE A/CODING
REVIEWED BY G. W. R. G. DATE 5/27/69
PORTIONS DENIED AS INDICATED

Dear Leonard:

Thanks much for your letter of May 23, enclosing copies of the acknowledgments in the [redacted]

[redacted] He 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/CODING
REVIEWED BY _____ DATE _____
PORTIONS DENIED AS INDICATED

James M. Emmes, Jr. Research Papers

L:L/C:ELKerley:ams

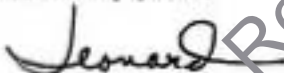
SUNSHY, KARANIK, GOULD AND GREENE

Mr. Ernest L. Kerley
May 23, 1969
Page Two

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 Braman

LB/pdm
ENCL5

James M. Ennes, Jr. Research Papers



File

13
13

LAW OFFICE
SCHEPP, KAHANE, GILIB AND GREENE
NORTHWARD BUILDING
WASHINGTON, D. C. 20004

THE HONORABLE SENATOR
JAMES EASTLAND
U.S. SENATE
WASHINGTON, D. C.

MR. JAMES EASTLAND
U.S. SENATE
WASHINGTON, D. C.

RECEIVED
SENATE CLERK'S OFFICE
SEP 10 1968

STANDARD OFFICE
JAMES A. EASTLAND
U.S. SENATE
WASHINGTON, D. C.

MR. JAMES EASTLAND
U.S. SENATE
WASHINGTON, D. C.

MR. JAMES EASTLAND
U.S. SENATE
WASHINGTON, D. C.

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 2 of my letter of September 6, 1968 is hereby withdrawn.

With best wishes, I remain

Cordially yours,

Leonard Branan

LB/r

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE
The Great Seal

August 26, 1968

EXHIBIT
EXHIBIT

CONFIDENTIAL

TO : L - Mr. Salans

FROM : L/C - Ernest L. Kerley

SUBJECT: Remaining US Government claims agal st 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.



CONFIDENTIAL

James M. Ennes, Jr. Research Papers

December 18, 1967

TO : P - Mr. Dixon Donnelley

FROM : L - Leonard G. 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. I 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 disseminate the information in the attached paper.

Attachment:

As stated.

L:L/C:ELKerley:ams

L - Mr. Salans (in draft)

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.

December 18, 1967

TO : H - Mr. William S. Macomber, Jr.
FROM : L - Leonard C. Mesker
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,
Carlston Linn, and Garner Shriver.

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:ELK:1-1-1955

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

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James M. Ennes Jr. Research Papers

EXCISE

December 11, 1967

TO : L - Mr. Meeker
FROM : L/C - Ernest L. Kerley
SUBJECT: Allowance for loss of future support
in the [redacted] case

Not relevant
b6

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;

James A. Files
Research Papers

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 U.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.

James M. E. [unclear]

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CENSORED?

James M. Ennes, Jr. Research Papers

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), *rev. den.* 82 S.W. 1025 (1904). Judgment for the parents was reversed where the court found that ~~the~~ 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:

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 one 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:

Wint v. I. & G. N. 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.

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. S. Co., v. Vester, 93 N.E. 1039 (1911). The mother of the adult decedent had been receiving \$150 a 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 decedent 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."

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.

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 Hajligetly, 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 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. Ry. 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, nor would have supported them had she lived.

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."

James M. Ennes, Jr. Research Papers

L:L/C:ELKerley:ans

(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

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.

L:L/C:ELMerley: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 notes

DEPARTMENT OF STATE A/CDC/MR	
REVIEWED BY <u>G. M. Katz</u>	DATE <u>Sept 21, 1967</u>
RDC/Or EDG/RY. DATE _____	
TS AUTH. _____	REASON(S) _____
EXPOSED EXISTING MARKINGS <input type="checkbox"/>	
DECLASSIFIED/RELEASABLE <input checked="" type="checkbox"/>	
RELEASE CONTROL _____	
PA or FOI EXEMPTIONS _____	

L:L/C:ELKerley;PAKviatek:dvs

James M. Ennes Jr. Research Papers

DRAFT ALBUM

TAB 4

OFFICIAL USE ONLY

TO : Embassy 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 arranged to the Embassy in alphabetical order, based on the name of the decedent, 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.

OFFICIAL USE ONLY

Page 2

The Lobbyist 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 facts of the notes.

L/L/6) ELKerley/06s Carl F. Salans
Clearances: NSA/LAI - Mr. L. Frank

OFFICIAL USE ONLY

DRAFT NOTE

TAB 3

OFFICIAL USE ONLY

Enclosure No. 1
Dist'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 11, 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 11, 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." He 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 damage caused by the attack on the U.S.S. Liberty to the extent recoverable 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.

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 *USS 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.

UNCLASSIFIED

UNCLASSIFIED

TAN 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. _____. These claims are as follows:

<u>Note No.</u>	<u>Deceased</u>	<u>Residence</u>
-----------------	-----------------	------------------

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

MEMORANDUM

Enclosure 10, 1
10-4-5

representatives of the Government of Israel at the earliest possible date.

James M. Ennes, Jr. Research Papers

Release

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:dc
cc: NEA/IAI
L/NEA - Mr. Wehmeyer

Clearance: L/NEA - Mr. Wehmeyer

James W. Ennes - Research Papers

DEPARTMENT OF STATE A/CDC/WR
REVIEWED BY L. H. DeG. DATE 10/18/67
PORTIONS DENIED AS INDICATED
CONFIDENTIAL

25
Mr. Call - Mr. Brewster
P - Mr. Raicht

September 21, 1967

HEA/LAI - Alfred L. Atherton, Jr.

EXCISE

LAI Contribution to Reply to Letter from Mr. [REDACTED] (Control #16349)

LAI'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 1000 forms to be sent to the various naval headquarters within the United States and 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 insuring 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, 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. Earl

HEA/LAI:GHL:ra:10:09/23/67

James M. Emery, Jr. Research Papers

5

14-11-67

When Will Israel Pay?

News
9-11-67

It was June 8 when Israeli bombers and torpedo boats attacked the USS Liberty, an American Navy communications ship, stranding off the Egyptian coast. The Israeli government

apologized for the attack and offered to "make amends" for the damage and the deaths of US sailors and the injuries to 18 others. The Israeli have gone by: When will Israel pay?

James M. Ennes, Jr. Research Papers

17-70
(31)

Part of Prof's file
for Butte, 18 Oct 67
ERK

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 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 cases, 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 claims will be presented separately when the evidence becomes available.

DEPARTMENT OF STATE A/CDC/NER	
REMOVED BY <u>C. M. Ray</u>	DATE <u>18 Oct 67</u>
REMOVED BY _____	DATE _____
REMOVED BY _____	DATE _____
REMOVED BY _____	DATE _____
REMOVED BY _____	DATE _____

James M. E. No. 3, Jr. Research Papers

July 28, 1967

TO : FBR - Mr. Perlmutter
FROM : L/C - Ernest L. Kerley
SUBJECT: Effectiveness of FBR

I want to place on record our appreciation for the cooperative and effective work of FBR 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. FBR has responded to our requests cooperatively, and has completed the work in advance of the deadlines set.

My dealings have been with Mr. Dogen 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/...	
REVIEWED BY <u>G. M. Day</u>	DATE <u>7/28/67</u>
BOOKED INDEXED. DATE _____	
TS AUTH. _____	REASON(S) _____
ENCLOSURE EXISTING MARKINGS <input type="checkbox"/>	
ENCLOSURE(S) RELEASED <input checked="" type="checkbox"/>	
RELEASE DEFERRED <input type="checkbox"/>	
PA OR FOI EXEMPTIONS _____	

L:L/C:ELKerley:ams

EXCISE

DEPARTMENT OF STATE A/CDC/HR July 28, 1967

REVIEWED BY G. W. Roy DATE 4-10-68
PORTIONS DENIED AS INDICATED

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:ms

Dated & mailed from L/C

James M. Ennes, Jr. Research Papers

Let's see...
h-6

(97)
7/28/67

EXCISE

DEPARTMENT OF STATE A/CDC (R) July 24, 1967
REVIEWED BY [redacted] DATE [redacted]
PORTIONS DENIED AS INDICATED

Mr. Paul Brady
Office of the General Counsel
National Security Agency
Fort George G. Meade, Maryland 20755

had 1 copy
b-0

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

James M. Ennes, Jr. Research Papers

Clearances:

IAI - Mr. Atherton
NSA -
L/C - Mr. Kerley (subs)
DOD/Navv - Captain Edden (subs)

Drafted by: NSA/IAI:OSLambert:ref:7/11/67

James M. Ennes, Jr. Research Papers

44 Minutes
WASP circling
in direction of ship
1967

4/c
Raker
Hankerton
FAK
file

U.S.S. LIBERTY

CHRONOLOGY OF THE MORNING OF JUNE 9, 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 1,000 feet.

NOTE:
IMPORTANT!
THIS CONFIRMS MY
DESCRIPTION IN BOOK
AND REFUTES BOTH
ISRAELI AND AMERICAN
AMERICAN CLAIMS

DEPARTMENT OF STATE A/CDC/NE

REVIEWED BY J. In Raki DATE Sept. 19, 1980

FOR OR IDENT. DATE _____

TS AUTH. REASON(S) _____

EXCLUDE EXISTING MARKINGS

DECLASSIFIED/RELEASABLE

RELEASE SERIES _____

FA or FOI EXEMPTIONS _____

James M. Ennes Jr. Research Papers

D-1
6/5

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 1700 and 1400 hours local time, respectively, 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 numbers on its hull. It was under daylight and the weather conditions were excellent. Experience demonstrates that both the flag and the identification number of the vessel were clearly visible from the air.

Accordingly, at about 0115 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,

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 inexcusable. As a result, the attack must be considered as an act of military recklessness reflecting wanton disregard for human life.

The subsequent attack by Israeli torpedo boats on the U.S.S. Liberty after the vessel was or should have been identified by Israeli military forces, involving the same reckless disregard for human life, further illustrates the reckless and conduct of the U.S.S. Liberty which 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 sea 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. It 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 appropriate with international law to the extent that it is possible to calculate 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 necessary statement of its claims.

Department of State
Washington,

Drafted 7/2/67

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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 a jet's landing 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 numbers 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 in the air. At 0200 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 1120 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.

/s/

In a similar manner, the Israeli military aircraft
liberally attacked the USS Liberty, but may be literally
irreprehensible. As a military, the attack was to
be considered as an act of military provocation, reflecting
warfare designed for human life.

The subsequent attack by Israeli troops' boats
intentionally enter the vessel was or should have been
identified by Israeli military forces, and it is the
unreasonable disregard for human life. The attack
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 anchored,
posed no threat whatsoever to the Israeli boats, and
obviously avoided so eminent attacking it a combat
capability. It could not and should have been recognized
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 take account 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 mea-
sures which international law requires in the event of

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through contact by the military personnel of a State.
It wishes also to make clear that the United States
Government expects the Government of Israel to issue
instructions necessary to assure 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 cooperation 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 preliminary
statement of its claims.

Department of State
Washington,

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37
T E S
July 11, 1967
RECEIVED
JUL 11 1967

July 11, 1967

TO : L - Mr. Salans
FROM : L/C - Ernest L. Korley
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 these 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:ELKorley:ams

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DEPARTMENT OF STATE A/CDC/MS

REVIEWED BY C. W. RAY DATE July 10, 1967

RDS or IDS EXT. DATE _____

TS AUTH. REASON(S) _____

ENDORSE EXISTING MARKINGS

DECLASSIFIED RELEASEABLE July 10, 1967

RELEASE DENIED

PA or FOI EXEMPTIONS _____

Mr. Solana

TO : L

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 claim before the Mixed Claims Commission. Consolidated Edition of Decisions and Opinions 1923-1926, Mixed Claims Commission, United States/Germany 103 (1927). It is

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, on the most part inconclusive and unsatisfactory. But it is believed that the contention 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

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 was to 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 be 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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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 a loss has resulted from the death, but simply because they have bound themselves by contract to make such payments upon the occurrence of that death. Such losses as the insured 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

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 F.2d 277 (1940), cert. denied 312 U.S. 702 (1940)).

L:L/C:EL:Kerley

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NEA/T...

Narrative Based on the Report of the Court of Inquiry on the Armed Attack on the USS LIBERTY

1/2/82

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 Mediterranean.

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 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 L. 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

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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 45 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 the 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 31 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, 1967, 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 forecabin 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 (255° 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 (261° 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 "manned 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, USNH, 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 Ncom (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 ship, 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 small 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, unknown to himself, had a piece of shrapnel lodged in his forehead) ran aft on the 03 (bridge) level passside. "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 space. (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 D3 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 tip 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 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 65. These frames support water-tight bulkheads, and mark the location of what was "number 1-0 hold" when LIBERTY was a merchant cargo ship before her conversion for Navy use. LIBERTY used the space for store room 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 McConagle, 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 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 McConagle'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 con 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 con the ship, sometimes 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 26 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 display 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 records 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 only minutes before the attack took place."

Early on the 15th 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 no 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: "EL QUSEIR bears a highly superficial resemblance to LIBERTY, but 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

SECRET

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, 5 hours ahead of Washington time.

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Research Papers

DEPARTMENT OF STATE
The Legal Attache

DEPARTMENT OF STATE THE LEGAL ATTACHE DATE: July 11, 1967 TO: SAC, NEW YORK FROM: LEGAL ATTACHE, WASHINGTON SUBJECT: JUNE 8 ATTACK ON U.S.S. LIBERTY RE: [unclear]	[Handwritten initials and notes]
--	----------------------------------

MEMORANDUM FOR THE SECRETARY

THROUGH: S/S

FROM: L - Leonard C. Hecker

SUBJECT: June 8 Attack on U.S.S. Liberty

declassified
release notes
TOP SECRET

The United States Navy Court of Inquiry on the attack against the Liberty was convened on June 10, 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

James M. F. Jones

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

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 6 an eye witness account of the attack 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 9.

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 11, 1967.
- TAB C - Israeli Note of June 12, 1967.
- TAB D - Tabulation of Reconnaissance Rights.
- TAB E - Washington Star Article of June 8, 1967.

L:LCMeeker:jaf

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 1, 1967 concerning the attacks by Israeli aircraft and torpedo boats on the United States naval vessels U.S.S. Liberty, which were carried out shortly after 1400 and 1530 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 ascertained, prior to the attack. In these circumstances, the later military attack by Israeli aircraft on the U.S.S. Liberty is quite literally inexcusable. As a nation, the attack must be considered as an act of military irresponsibility reflecting reckless disregard for human life.

The subsequent attack by Israeli torpede boats, substantially after the vessel was or should have been identified as a U.S. military force, manifests the same reckless disregard for human life. The identification and conduct of the U.S.S. Liberty readily distinguished it from any vessel that could have been considered hostile. The U.S.S. Liberty was peacefully engaged, posed no threat whatsoever to the torpedo boats, and obviously carried no armament affording 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. It 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 and satisfactory statement of its claim.

Department of State
Washington

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The following is a list of the names of the persons who have been appointed to the various positions in the Department of the Interior, and who have taken the oath of office and qualification, and who are now acting in the various positions in the Department of the Interior.

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MEMORANDUM FOR THE RECORD

DATE: 1944

Subject: [Illegible]

[Illegible text]

[Illegible text]

[Illegible text]

1944
June 12, 1944

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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: How did it have happened?

No doubt, as the Navy report 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 looming on the shore within view, was it a smart thing to do? A protestant 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 farther away from the coast. But, unfortunately, the message did not arrive until hours later, after the attack. Some communications systems? Can't the Pentagon talk around its \$71 billion budget and come up with technical assets 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 left his crew before the attack, the ship's radio was on the air. In full view was evidence of a "very dangerous location."

The Pentagon's first story should have been that was

that the Liberty's mission was "to avoid releasing information about the operations of American dependents in other American interests" in Middle East. 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 war.

And what about Israel, whose jet fighters were attacking the American ship? It was wounded. Is there? Israeli officials reportedly have talked about the "shooting" of the Liberty as an Egyptian vessel. But an American identification signal "showing" that of the Egyptians, and about observation of the ship by vessels caused by the attack. But reconnaissance planes flew above the ship too much as the ship was under the attack, according to the Atlantic City paper. There was "simple opportunity" to identify the Liberty correctly, the Navy report stated.

Was there a break-down in Israeli command? Were the Israelis just reckless and stupid - happy?

The Israeli government has promised to make a full investigation of the attack. But Israel never was able to do so.

Neither can the military hunting which led to this costly incident.

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File
USS Liberty

Liberty Mystery Deepens

By NINE MILLER

The Navy today left unexplained major elements of the mystery surrounding Israeli attack Sept. 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 encouraged the Liberty earlier that day to move farther away from the coastline of the Sinai Peninsula. But the Chief's orders were "misread, 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" as whether earlier arrival of the Chief's message might have prevented the attack.

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 misread the attack or whether any of the unidentified planes, presumably Israeli'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 as the "rain, 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 designate a ship as international waters even in an area of hostilities.

"So long as such a ship maintains the proper attitude of neutrality, the most 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 aid in communication concerning the evacuation of American citizens.

MONITORING

It was learned later that the Liberty was using her sophisticated electronic 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 17 1/2 miles off Sinai. Egypt claims territorial waters out to 22 miles.

The Liberty never went closer than 13 1/2 miles and was about 21 miles offshore when attacked, the court said.

The Pentagon said the Joint Chiefs ordered the Liberty to "get away from Sinai" even though 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.

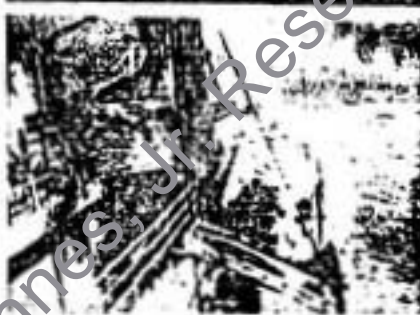
SURVEILLANCE

The Liberty's skipper, Capt. William L. McGonagle testified that unidentified planes had a ship under "constant surveillance" three times before the attack.

At about 8:30 a.m. on the night of Sept. 8, McGonagle testified, a bombing, strafing and rocket attack which lasted about 15 or 20 minutes. Capt. McGonagle said. About 20 minutes later, he saw three unidentified boats approaching in the formation of a torpedo attack.

Capt. McGonagle said he ordered a crewman to man one of the Liberty's 10-caliber machine guns and take the boats under fire. He then saw the Israeli flag and realized the previous attack by planes could have been an accident.

The skipper said he yelled to the crewman to hold his fire,



The Defense Department just released these photos of "Liberty" under attack. Top, Israeli torpedo boat ploys ahead of the Liberty. Bottom, Liberty torn during attack.

but the gunner didn't hear him and fired a short burst. Another of the Liberty's guns then opened fire and struck the other torpedo boat. Crewmen later learned that flames from a burning whalerboat aboard the Liberty litged the weapon and that it was sabotaged 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 20-foot hole below the waterline. The court said 21 of the dead were killed instantly by the torpedo blast.

Just prior to the battle with the torpedo boats, Capt. Mc-

Gonagle ordered 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 Capt. McGonagle tried without success to communicate with a hand-held lamp.

The court said Capt. 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.

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CONFIDENTIAL VALLETTA 556

USDOCOSOUTH FOR FRESHMAN

SUBJECT: USS LIBERTY

1. LIBERTY REACHED MALTA 6430 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 6300 JUNE WITH TOTAL TWENTY

PAGE 2 RUDICA 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 MANY CLASSIFIED MATTER SLOW PROCESS. REMOTE POSSIBILITY OF INITIAL CLEARANCE OF DEBRIS MAY UNCOVER ADDITIONAL HUMAN REMAINS. MAJOR DAMAGE TO SHIP IS (1) 24 BY 30 FOOT TEAR IN HULL IN STARBOARD SIDE FROM TORPEDO EXPLOSION (2) 10 HULL AND FRAGMENT HOLES IN HULL OF WHICH ABOUT 250 CAUSED BY AIRCRAFT CANNON. REPAIR TIME ESTIMATED THREE WEEKS.

2. COMMENT: GUM INITIAL REACTION LIBERTY RESTRAINED. GUM GRANTED DIPLOMATIC CLEARANCE THROUGH NORMAL CHANNELS WHILE DOCKYARD AND NAVY MADE OWN DIRECT ARRANGEMENTS. EMBASSY REQUESTED GUM MINIMIZE PUBLICITY FOR SAKE FAMILIES OF DEAD AND

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REVIEW JUNE 1987

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-2-VALLETTA 556 JUNE 16, 1967

WOUNDED. NO MENTION SECURITY ASPECT. AT EMBASSY'S REQUEST
GOM ALLOWED WHOLE MATTER OF SEARCH, RECOVERY AND REMOVAL OF
BOODIES AND EQUIPMENT TO BE HANDLED AS INTRA-NAVY AFFAIR.

3. TWO NAVY PAO'S HANDLED NEWSMEN. LOCAL AND INTERNATIONAL

PAGE 3 RUDICR 556 C O N F I D E N T I A L
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
STRENGTHLY DENIED STATEMENT AND ASSERTED SHIP CAME AT US GOVERN-
MENT 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 WERE FOR ARRIVAL.
INITIAL PHOTOGRAPHS ALLOWED ONLY FROM DISTANCE UNLESS VESSEL
DROCKED AND CLEARED OF BOODIES. TO PREVENT LANDING CREWENCE
IG MURTON (AP) "SPY SHIP" STORY, NAVY PAU ARRANGED TOUR OF
SHIP JUNE 15. NEWSMEN ALLOWED SEE DAMAGED AREA AND PHOTO-
GRAPH FREELY. RESTRICTION ON INTERVIEWS SINCE COUNT OF IN-
QUIRY IN SESSION. FORTUNATELY VISIT PERMITTED BEFORE NEWS-
WEEK "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 MISSION.
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JUL 10 1967

Following note was handed this afternoon to Ambassador Harkin
 by Under Secretary Easton: 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 1825 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 1450 hours
 local time on June 8, 1967, two Israeli aircraft circled the

Text approved in White House	Telegraphic transmission and distribution approved by	S/S - Mr. Walsh
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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 those 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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Page of telegram to TEL AVIV

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Gov. of Israel also to take the disciplinary ~~XXXX~~ measures. 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 Department ~~XXXXXX~~ of State will, in the near future, present to the Government of Israel a full Secretary statement of its claim. END CTE.

LJ

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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 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

NEA:IAI:ALAtherton, Jr:feh: 2942 6/10/67 NEA:IAI - Alfred L. Atherton.

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Page 3 of telegram to

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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

~~Enclosure~~

End

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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	\$2,324
30	Blue, Allen Merle	Civilian	\$6,864
31	Brown, Francis	QM3	\$2,755
32	Campbell, Ronnie Jordan	CT2	\$5,746
33	Converse, Jerry Leroy	CT2	\$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	Lentz, James Lee	CTSN	\$1,631
43	Lee, Raymond Eugene	CTC	\$7,387
44	Lupton, James Mahlon	CT1	\$6,830
45	Marggraf, Duane Rowe	CTSA	\$2,775
46	Marlborough, David Walter	CTSA	\$4,363

James M. Ennes, Jr. Research Papers

DEPARTMENT OF STATE/CDC/NSA	\$2,775
REVIEWED BY <u>W. R. J.</u>	DATE <u>4/11/1987</u>
REASON(S)	
EXEMPTED EXISTING MARKINGS <input type="checkbox"/>	
DECLASSIFYING MARKINGS	
RELEASE PERIOD <input type="checkbox"/>	
FOIA or FOI EXEMPTIONS	

9

Page 2

Note No.	Decedent	Rank	Annual Salary
47	Mendle, Anthony Peter	CT2	\$3,216
48	Nygren, Carl Christian	CTSN	\$1,631
49	Pierce, James Cecil	LT	\$11,240
50	Roper, Jack Lewis	SGT	\$6,458
51	Rehmer, Edward Emory, III	CPI	\$4,435
52	Skolak, David	SGN	\$1,631
53	Smith, John Caleb, Jr.	CT1	\$5,680
54	Smith, Melvin Douglas	CTC(PC-1)	\$7,278
55	Spicher, John Clarence	PC-2	\$5,779
56	Thompson, Alexander Neil, Jr.	GMG3	\$3,922
57	Thornton, Thomas Ray	CT3	\$2,240
58	Tiedtke, Phillip Charles	CT3	\$2,755
59	Toth, Stephen Spencer	LT	\$9,494
60	Walton, Frederick James	CT1	\$7,050

James M. Ennes, Jr. Research Papers

10

(59)

DEPARTMENT OF STATE A/CDC/WR

REVIEWED BY L. L. Kerley DATE July 19, 1969

NO. OF EDITS DATE _____
75 AUTH. REASON(S) _____
EXCESSIVE RETIRED RANKINGS July 31, 1969
DECLASSIFIED RELEASEABLE
RELEASE DENIED

Lt. Commander ~~Robert J. Salans~~
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, 1968 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 sheets 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

(51)
838363

December 3, 1968

Commander Richard G. Smith
Office of the JAG
Litigation & Claims Division
Department of the Navy
Room 2534, Navy Annex
Washington, D. C. 20370

James M. Ernest, Jr. Research Papers

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:am

DEPARTMENT OF STATE A/COC/AS	
REVIEWED BY <u>G. W. Ray</u>	DATE <u>24/11/68</u>
FOR USE OF IDENT. DATA & copied from TE AUTO. <u>EX-103(3)</u>	
ENDORSE EXISTING MARKINGS <input type="checkbox"/>	
DECLASSIFIED <input type="checkbox"/> RELEASABLE <input type="checkbox"/>	
RELEASE DENIED <input type="checkbox"/>	
PA or FOI EXEMPTIONS _____	

L/C

12

(52)

DEPARTMENT OF STATE A/CDC/WH
RECEIVED BY 61 IN 242 DATE SEP 10 1968
PORTIONS DELETED AS INDICATED

September 10, 1968

EXCISE

Lt. Cndr. 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:

Seaman Operative Facilities Type of Operation

1

al
ng

James M. Ennes, Jr. Research Papers

<u>Seaman</u>	<u>Operative Facilities</u>	<u>Type of Operation</u>
[REDACTED]	[REDACTED]	[REDACTED]

Any assistance you can provide in this respect will be greatly appreciated.

Sincerely yours,

K

Ernest L. Kerley
Assistant Legal Adviser

James M. Ennes, Jr. Research Papers

SHERIDY, RAHANE, GOULD AND GREENE

Ernest L. Kerley, Esquire
September 6, 1968
Page two

<u>Seaman</u>	<u>Operative Facility</u>	<u>Type of Operation</u>
a. Salvador Payan	U.S.S. America (July 14, 1967)	Craniotomy and debridement - head, chest and extremities
" "	Naval Hospital, Naples, Italy (October 9, 1967)	Thoracotomy - removal of shrapnel from lung
b. Joseph C. Lentini	Naval Hospital, Naples, Italy (June 18, 1967)	Closure of wounds - head and thigh *
<p>[* The records which you permitted us to copy on Lentini include the operation report of June 18, 1967 involving the surgical debridement performed on the U.S.S. America involving the compound, comminuted fractures of the left tibia and fibula.]</p>		
c. Jerry W. Ward	U.S.S. America (believe)	1. Laparotomy 2. Debridement of compound fractures of left lower leg and metatarsals of foot
" "	Naval Hospital, Naples, Italy	Closure of multiple wounds of back and lower extremities
d. Eddie Book	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
e. 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

SEWNEY, KAHANIK, GOULD AND GREENE

Ernest L. Kerley, Esquire
September 6, 1960
Page three

<u>Seaman:</u>	<u>Operative Facilities:</u>	<u>Type of Operation:</u>
Richard L. Weaver	U.S.S. America	Laparotomy and Colectomy
" "	Philadelphia Naval Hospital (August 28, 1967)	Closures of laparotomy and colectomy
Thomas Sidney Kelly	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

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SMITH, KARASIK, GOULD AND GREENE

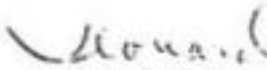
Ernest L. Kerley, Esquire
September 6, 1968
Page four

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

17

REV. 6-17-58

LAW OFFICES
SUNNEY, KARASIK, GOULD AND GREENE
WOODWARD BUILDING
WASHINGTON, D. C. 20005

TELEPHONE
AREA CODE 202
737-9000

ALICE WITTINGTON WARD
ALICE WITTINGTON WARD
OF WASHINGTON, D.C.
1215 14TH STREET, N.W.
WASHINGTON, D.C. 20004

WALTER W. WARD
WALTER W. WARD
OF WASHINGTON, D.C.
1215 14TH STREET, N.W.
WASHINGTON, D.C. 20004

BARBARA W. WARD
BARBARA W. WARD
OF WASHINGTON, D.C.
1215 14TH STREET, N.W.
WASHINGTON, D.C. 20004

WALTER W. WARD
WALTER W. WARD
OF WASHINGTON, D.C.
1215 14TH STREET, N.W.
WASHINGTON, D.C. 20004

WALTER W. WARD
WALTER W. WARD
OF WASHINGTON, D.C.
1215 14TH STREET, N.W.
WASHINGTON, D.C. 20004

WALTER W. WARD
WALTER W. WARD
OF WASHINGTON, D.C.
1215 14TH STREET, N.W.
WASHINGTON, D.C. 20004

WALTER W. WARD
WALTER W. WARD
OF WASHINGTON, D.C.
1215 14TH STREET, N.W.
WASHINGTON, D.C. 20004

*Let's to Hamilton
9/10/68
-K- 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 W. Ennes, Jr. Research Papers

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DEPARTMENT OF STATE A/CDC/AR

REVIEWED BY L. Kerley DATE 8/22/68

REASON FOR IDENTITY DATE August 22, 1968

TO AUTH. REASON(S)

ENDORSE EXISTING MARKINGS

DECLASSIFIED REEVALUATION

RELEASE DENIED

FAIR OR FOI EXEMPTIONS

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

19

DEPARTMENT OF THE ARMY & NAVY
REVIEWED BY J. M. [unclear] DATE 207 9 11 68
PORTIONS DENIED AS INDICATED

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 personnel 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 indicated the name and serial number of the men, the information needed, and the date of the letter in which I 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:oms
:ENDick:DRHenderson

Dated & mailed from L/C

62

FORM 100

Commander Richard G. Smith, USN
Office of the Judge Advocate General
Litigation & Claims Division
Room 3326
Department of Navy
Washington, D. C. 20334

Dear Sirs:

We have now discerned all of the US, liberty permanent injury cases with official medical statements on file. They have been willing to examine cases on the basis of the VA criteria for rating disability to determine if they permanent impairment or not, and, if so, what percent of permanent impairment they established for me in these cases.

These officials advise that they would need current information in order to determine whether or not the individual involved is permanently disabled, if so, to what degree. For these evaluations it is desirable to identify any new medical or clinical symptoms, specific areas of the body injured, limitations of use or motion of member or 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.

James M. Ennes, Jr Research Papers

[Faint, mostly illegible form or stamp at the bottom of the page]

James M. Ennes, Jr. Research Papers

LT, USN 0533 049 Medical board
No definite residual effect, if any, from fracture left
distal tibia; shrapnel wound left thigh. See Report
of Medical Board, Naval Hospital, Portsmouth, Virginia,
dated 21 February 1963, placed on 3 months limited duty

James M. Ennes, Jr. Research Papers

Your continuing assistance and cooperation in this matter are greatly appreciated.

Sincerely yours,

K

Ernest L. Herley
Assistant Legal Advisor

JAC
5/21/68
5/21/68

Dated and called from L/O.

23

(61)

DEPARTMENT OF STATE A/DC/MS
 REVIEWED BY G. W. Ray DATE 3/21/58
 PORTIONS DELETED AS INDICATED

MAR 29 1958

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. 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:

(1/2 PAGES OF DELETIONS)

We certainly appreciate your continued assistance.

Sincerely yours,

K
 Ernest L. Kerley
 Assistant Legal Advisor

ERT *Quo*
 L:L/C:DRHenderson:EWDick:slb

James M. Ennes, Jr. Research Papers

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James M. Ennes, Jr. Research Papers

January 23, 1968

Colonel Richard C. Smith, USA,
Office of the Judge Advocate General
Military & Claims Division
Room 232
Washington, D. C.

Dear Dick:

As I mentioned to you over the telephone, we are now preparing the post-injury claim on behalf of the man 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 one of the more seriously injured men was of an inconclusive nature, and it is not possible to determine how it was responded to treatment, and how serious the injury was 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 of that man.

Ennes, James M.

Lt 653045/1615 Form 502,
11 September 1967

[Faded and mostly illegible text, possibly a signature or administrative stamp]

James M. Ennes, Jr. Research Papers

As always we are grateful for your help.

Sincerely yours,

Edward L. Corley
Assistant Legal Advisor

LtL/C:ELK:elc/ams

Dated & mailed from L/C



66
WGS
16
1967

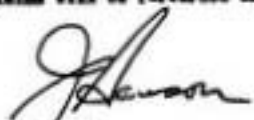
DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20380

Perz-Ely:fa
1 SEP 1967

66-1-76

From: Chief of Naval Personnel
To: Judge Advocate General (Code 142)
Subj: Claims pertaining to USS LIBERTY (AOTR-5)
Ref: (a) Your ltr JAG:142:esv 752B of 14 Aug 1967
Encl: (1) List of paid claims
(2) Copy of BuPers ltr Perz-Ely:fa of 31 Aug 67 to CGAS
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 29 September 1967.


J. H. JONES
ASSISTANT CHIEF FOR RECORDS

14 SEP 1967

LIST OF PAID CLAIMS FOR LOST PERSONAL FREEDOM INCIDENT TO ATTACK ON VSO LIBERTY

NAME	RANK	RATE	SERVICE NO.	AMT. PD.	DATE AIDED
DURCHACKI, Henry E., Jr.	SK3		546 83 16	\$ 71.80	17 Aug 1967
EAKINS, Kenneth B.	OTSM		794 04 69	187.78	28 Aug 1967
GURCHNIK, Steven G., Jr.	YN3		697 82 42	25.27	17 Jul 1967
HEANT, Warren D.	SN		918 44 65	241.28	17 Aug 1967
HRANKOWSKI, John W.	FN		810 43 15	178.68	17 Aug 1967
KELLY, Glen D.	FA		850 76 86	112.40	17 Aug 1967
KISIEL, David J.	SN		998 70 04	23.25	17 Aug 1967
KRINER, Alan F.	SN		779 57 61	28.95	28 Aug 1967
LEDMAN, Joel W.	SKSN		771 54 02	250.38	17 Aug 1967
LEMOND, Thomas W.	SN		917 49 17	85.95	17 Aug 1967
MARATO, James A.	FN		916 29 05	370.00	17 Aug 1967
NEVELL, John P.	BT3		770 08 93	36.48	17 Aug 1967
ONDIS, Eugene	BT2		549 85 64	87.45	17 Aug 1967
PAGELEN, Donald W.	OTSM		860 58 17	53.99	27 Aug 1967
PATTEN, Dennis A.	SN		904 30 77	68.50	17 Aug 1967
PAYNE, Garland W.	OT2		772 94 77	170.86	28 Aug 1967
PIERSON, Gerald L.	SN		794 07 20	50.70	17 Aug 1967
PURCELL, Harold	SN		917 37 39	37.60	17 Aug 1967
RAMMELSHEN, Albert	FN		119 90 38	85.42	28 Jul 1967
RANDALL, John R., Jr.	IC1		517 81 45	56.52	28 Jul 1967
RENNI, Robert W.	SA		812 40 15	60.99	17 Aug 1967
MC GORAGLE, William L.	CDR		494467	29.56	28 Jul 1967

James M. Ennes, Jr. Research Papers

ROBERT, Maurice H.	LT	42815	217.75	17 Jul 1967
ROSEN, George H.	LT	472328	138.44	17 Jul 1967
RISBY, Robert F.	LT	77117	1169.40	17 Jul 1967
ROBERTS, Lloyd G.	LTJG	77117	69.40	17 Aug 1967
ROBERTS, Melvin P.	LTJG	70323	76.35	18 Jul 1967
ROSE, David L.	LT	710515	185.60	17 Jul 1967
ROSNORTH, Joseph W.	FN	699 53 18	201.40	17 Aug 1967
ROBERTSON, Richard E.	FA	851 81 36	100.00	17 Aug 1967
ROCCIA, Salvatore	CS	796 37 69	20.00	26 Jul 1967
ROTH, John E.	FN	998 19 47	100.00	26 Jul 1967
ROTCHE, Don Reuben	FN	779 52 59	148.86	17 Aug 1967
BROOKS, Richard J.	MHC	454 62 68	110.50	17 Aug 1967
BROWN, Frank J.	BTJ	796 69 85	123.45	17 Aug 1967
BRUMMETT, Gary W.	FN	52 29 20	122.60	17 Aug 1967
BYRD, Denny R.	MGA	290 54 86	98.00	17 Aug 1967
CALAHAN, David N.	SN	810 42 33	49.98	26 Jul 1967
COLTON, J. C., Jr.	LT	771 04 56	31.38	26 Jul 1967
SCHNEIDER, Ronald W.	FN	860 64 72	26.50	26 Jul 1967
SCHULMAN, Samuel L.	MOB	353 96 33	72.25	26 Jul 1967
SHAFER, William J.	CS	695 94 86	131.02	17 Aug 1967
SIGGOT, Joseph D.	BTJ	870 41 42	149.05	17 Aug 1967
THOMAS, Harold J.	OTC	471 37 37	53.60	17 Aug 1967
SIGN, Larry Bruce	MRI	688 22 63	79.15	30 Aug 1967
STURKEY, Phillip F.	SFP3	773 22 68	124.75	17 Aug 1967

James M. Ennes, Jr. Research Papers

TRIPLETT, Jeffrey L.	FN	314 01 05	111.60	17 Aug 1967
VALDEZ, Donatiano, Jr.	SK7	370 42 58	11.00	17 Aug 1967
VIXENS, Carl J.	DN	074 67 19	11.26	17 Aug 1967
WEDIG, Gordon J.	CT2	428 92 71	176.75	26 Jul 1967
WYK, Robert W.	MO3	149 67 51	236.25	17 Aug 1967
AMKEN, Timothy P.	CT2	774 03 93	133.88	17 Aug 1967
ROSSI, Victor J., Jr.	SN	840 67 53	8.50	17 Aug 1967
PAGE, David W.	CT2	904 28 51	26.73	17 Aug 1967
MC FARLAND, Terry L.	CT3	795 25 51	118.95	26 Jul 1967
BUSTIC, Calvin	EDFN	795 71 61	71.00	26 Jul 1967
BARTON, Gary L.	CS3	795 88 68	19.77	17 Aug 1967
BUNDY, David W.	RMGN	139 01 42	80.20	17 Aug 1967
ADMETTI, Americo P.	SFP2	013 16 93	116.95	17 Aug 1967
HILDEBRAND, W. L.	CT3	911 42 28	107.01	17 Aug 1967
KIDD, Robert C.	BT3	798 36 89	8.48	17 Aug 1967
JOHNSON, Perry W.	CTSN	771 89 97	92.66	17 Aug 1967
GREEN, Troy L.	SD1	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	SN	779 28 89	57.59	17 Aug 1967
HALMAN, James V.	RNG	692 26 14	73.25	17 Aug 1967
KIMBLE, Kenneth R.	SD1	996 47 35	97.45	17 Aug 1967
RICHARD, Stephen J.	SN	810 21 75	96.43	17 Aug 1967
WILSON, Richard J.	DO	697 11 63	528.55	17 Aug 1967

JANLENIE, Martin G.	YMC	771 74 26	8 27.49	17 Aug 1967
JONES, Fatty E.	CTJ	741 41 41	22.76	17 Aug 1967
MC KEIV, G. L. D.	CTJ	741 41 90	29.35	17 Aug 1967
NEEDHAM, James L.	CTJ	741 49 45	29.97	17 Aug 1967
LEWIS, Claude L., Jr.	OKJ	743 39 65	111.61	17 Aug 1967
WATSON, Malcolm N.	LTIG	679/39	150.12	17 Aug 1967
SCOTT, John D.	FIS	700158	349.30	17 Aug 1967
SPIN, Wayne L.	BMC	119 43 24	28.20	17 Aug 1967
BACKEY, Thomas G.	CTSN	138 04 05	253.33	26 Jul 1967
AIDHE, Benjamin G.	FN	915 99 17	111.85	26 Jul 1967
ARFSTEN, Theodore L.	QGN	810 66 32	27.64	26 Jul 1967
CRAIG, Juan A.	OKJ	598 02 5	64.74	26 Jul 1967
KESNER, Fred W.	SN	796 40 70	8.90	25 Jul 1967
WHEELER, Tony W.	SN	793 74 39	61.79	26 Jul 1967
TRACY, Stephen B.	SN	794 55 25	16.29	26 Jul 1967
KISTEL, William R.	KYSN	917 37 00	27.88	26 Jul 1967
GALLO, Ernest A.	CTJ	779 23 86	386.34	28 Aug 1967
BRADLEY, Thomas E.	CTJ	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. 20380

FORM NO. 10
Pers-337-78
31 Aug 1967

From: Chief of Naval Personnel

To: Commanding Officer
U.S. Naval Air Station
Quonset Point, R.I. 02819

ATTN: LT W. Routh (CACO)

Subj: CWO3 Alexander Neil THORNTON, JR., USN, 770 87 21 (deceased)
LOSS of personal property incident to the attack on the 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 Israeli 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 Pines 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 extensive items, would be of value in this case.

J. HEDSON
By direction

Field File

37



PS 8-4 U.S. J.S.R.
Department of State TELEGRAM

LIMITED OFFICIAL USE 357

PAGE 01 TEL AV 3846 247192

ZI
ACTION L 03

INFO YEA [3]C1AE 0700DL 0200M 0404 02104 0705AE 0800SC 120P 04

ROC 010SP 0205 0200IA [2]T45Y 0800R 0100 030000 4

R 041102 MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 309

LIMITED OFFICIAL USE TEL AVIV 3846

SUBJECT: USG LIBERTY DEATH CLAIM

RCVA STATE 169872

1. WITH WEEKEND COMING [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. SANDOUR

DEPARTMENT OF STATE A/CID/IR

REVIEWED BY J. M. Ray DATE 6/28

EDM FOR SECURITY DATE _____

TS AUTH. REASON(S) _____

ENDORSE EXISTING MARKINGS

DECLASSIFIED/RELEASABLE

RELEASE DENIED

FOI or FOJ EXEMPTIONS _____

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PS 8-415-TSR



Department of State

TELEGRAM

(75)

RECEIVED
STATE DEPT
MAY 22 1972

TEL NO. TEL. NO. (AREA) NO. 21 NO. OF LINES INT. IN. 13-014E 7-10-00P 000 0148P 02-55 24-055A	CONFIDENTIAL DEPARTMENT OF STATE AGENCY REVIEWED BY <u>G.W. Ray</u> DATE <u>5/11/72</u> ROOM, NO. ADDRESS, DATE TO AUTH. REASON(S) EXISTING MARKINGS DECLASSIFIED BY <u>SP-4 JAC/ML</u> RELEASE DATED <u>11/19/01</u> 74
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TO: DIRECTOR, FBI
FROM: AMEMB, TEL AVIV (1077 AND 1476)

RE: USR LIBERTY CLAIM

RE: TEL AVIV 1077 AND 1476

RE: TEL AVIV 1077 AND 1476

1. THE EXCHANGE OF NOTES BETWEEN USR LIBERTY CLAIMS RE: TEL AVIV 1077 AND 1476 AND ACCOMPANIED MAY 22 1972 AFTER LAST MINUTE ATTEMPT BY PROFFER [REDACTED] TO OBTAIN CONFIDENTIAL RELATIONSHIP PERSONAL LIBERTY CLAIMS WITH LETTER PRESENTED.

2. [REDACTED] REQUEST CONFIRMING ASSURANCES THAT HE WOULD NOT CLAIM FOR [REDACTED] IN THE "LIBERTY CLAIMS" BY LETTER.

3. [REDACTED] CONVERSATION TODAY IN [REDACTED] CONNECTION WITH THE INCIDENT IN [REDACTED] IN RESPONSE TO YOUR INQUIRY. I [REDACTED] TO SAY THAT THE "LIBERTY CLAIMS" WILL NOT CLAIM FOR "EMOTIONAL" IN THE "LIBERTY CLAIMS" WHEN THEY ARE [REDACTED].

4. [REDACTED] 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 [REDACTED].

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CONFIDENTIAL

25

PS S. of US. JUNE



Department of State TELEGRAM

LIMITED OFFICIAL USE 372

PAGE 01 TEL AV 23775 751076Z

18
ACTION L 03

INFO NEA 13/CIAE R6VDDDE P6VOPM 04JH P2,1HR 07/10/68 08:45C 10,P 24

REC 01,5P P2,55 28,05TA 12,TRBY P6VOPM 07/10/68

P 080915Z JUN 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 3969

LIMITED OFFICIAL USE TEL AVIV 377

JSS LIBERTY DEATH CLAIMS
REF: STATE 16468

MINISTRY OF FOREIGN AFFAIRS NOW SAYS IT WANTS TO
WITHDRAW ITS NOTE OF PROTEST, PAIN TEXT OF WHICH
SUBMITTED IN TEL AVIV 0701 AND UNLESS DEPARTMENT
HAS OBJECTIONS WILL RETURN IT TO THEM JUNE 6
BARBOUR

LIMITED OFFICIAL USE

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Release

6-4-68

(1)

37

PS 8-4 US-25A

110566

OUTGOING TELEGRAM Department of State

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Classification

INDICATE TO WHOM TO BE SENT

ACTION: Amembassy TEL AVIV
REF: Tel Aviv 3975
SUBJ: U.S.S. Liberty Claims

5 JUN 1956

No RPT no objection return of note.

1165766

RUSK

James M. Ennes, Jr. Research Papers

Prepared by: L:L/C:HLKerley:slb 6/5 5896
Reviewed by: L:L/C:HLKerley

NEA/IAI - Mr. Lambakis (phone)

①

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FORM 05-322
5-55

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DEPARTMENT OF STATE
AIRGRAM

PS 5-4 US-
 ISR
 FOR RM USE ONLY

A-181
 CONFIDENTIAL

PRIORITY

TO : Department of State

77
 JUN 27 1968

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.

100-100-100

DEPARTMENT OF STATE A/CDC/NS

REVIEWED BY: [Signature] DATE: 6/1/68

NO COMMENTS. DATE: _____

REASON(S): _____

EXISTING MARKINGS:

CLASSIFICATION RELEASABLE:

EXEMPTIONS: _____

Bark
 BARBOUR
 DENY
 5-1-68

GROUP-3 - downgraded at 12-year intervals; not automatically declassified.

CONFIDENTIAL

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DCM:WNDal/csf/6/25/68
 POL:JLeonard

Encl. No. 1

2-37 to Tel Aviv

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 October 27, 1967, concerning the U.S.S. Liberty. The Liberty is the only ship to present in accordance with accepted principles of international law a claim for \$7,644,140 on behalf of the Government of the United States for losses and expenses as a result of physical damage inflicted upon the 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 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 that 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

INDICATOR		
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DEPARTMENT OF STATE
AIRGRAM

As 8-7 US-ISR
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A-1009 LIMITED OFFICIAL USE

TO : Department of State

RECEIVED
JUL 10 1 30 PM '68

INFO :

FROM : Amembassy TEL AVIV

DATE: July 6, 1968

SUBJECT: U. S. S. Liberty Claim

REF : Department's A-437, June 19, 1968; Aviv's A-981, June 25, 1968; and State 193834

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 1, 1968.

Barbour
BARBOUR

Enclosure: Copy of Embassy note No. 74, July 1, 1968.

SEC JBL 8 F.I. 3 05
COPY TO: PER

FORM 01-123 LIMITED OFFICIAL USE

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Prepared by: POL-POLeard/do 7/5/68

Checked and Classifications Approved by:

Circulation:

James M. Eanes, 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, 1957, concerning the U.S.S. Liberty. The Embassy has the honor to present in accordance with accepted principles of international law a claim for \$1,544,146 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

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 \$2,544,166 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

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 \$1,444,146 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:rn

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. 74 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 \$17,444,146 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:dm

<p>Log 3 0</p>	<p>DEPARTMENT OF STATE AIRGRAM M 54 US 23R 16 JUL 27 1968</p>
<p>TO: 3 2 1</p>	<p>Classified <u>CONFIDENTIAL</u> (with unclassified enclosure) TO: Department of State FROM: (11) AmEmbassy TEL AVIV DATE: July 23, 1968</p>
<p>24 5 24 10 3</p>	<p>SUBJECT: U.S.S. Liberty Claim REF: Embassy A-1005, July 6, 1968</p>
	<p>1. We enclose a translation of an article headlined "Israel Tells U.S. Will Reconsider Matter of Compensation for 'Liberty'" which appears on the front page of Tel Aviv daily Haaretz on July 23. In substance, the article claims that Israeli Government officials expect the U.S. may take into account, in calculating 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 \$7,644,466 for damage to the U.S.S. Liberty (see airtel under reference).</p> <p>2. We would not plan to make any public comment to the foreign press 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. Inside</p> <p style="text-align: center;">GROUP 3 - downgraded at 12-yr. intervals; not automatically declassified.</p> <p style="text-align: center;">CONFIDENTIAL</p> <p>01-223 (with unclassified enclosure) POL/KORN/ea(7/23/68) Ambassador Walter Dill Reuther</p>

James M. Ennes, Jr. Research Papers

UNCLASSIFIED

Enclosure
TEL AVIV

Translation of Article from Haaretz, July 23, 1968, by Eon Voss, 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 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 a force of the Israeli 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 Commander 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 cannot withdraw 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.



PS 8-4 US-ISR
Department of State **TELEGRAM**

37
(80)

CONFIDENTIAL 259

PAGE 01 TEL AV 04798 061888Z

*6
ACTION SS 70
INFO CIAE 00/070 W

R 061125Z AUG 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4386

C O N F I D E N T I A L

DEPARTMENT OF STATE A/CDC/M	
REVIEWED BY	G. H. RAY
DATE	8-11-68
CLASS. OF INFORMATION	SECRET
EXEMPT FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION	<input type="checkbox"/>
RELEASE RESTRICTIONS	2

TEL AVIV 8-6-68
4798

LIBERTY REPARATIONS

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 7 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 WIDOWSHIP SUFFERED BY THE FAMILIES OF THE DECEASED.

(1)

CONFIDENTIAL

CLASSIFIED BY 604

James M. Emery, Jr. Research Papers



PS 8-4 US-ISR

Department of State

TELEGRAM

81

CONFIDENTIAL 288

PAGE 01 TEL AV 04799 0612532

5.
ACTION 55 70
INFO CIAE 08./070 W
R 061130Z AUG 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4387
CONFIDENTIAL

DEPARTMENT OF STATE A/CCG/WR	
REVIEWED BY <u>G. M. Ray</u>	DATE <u>200 14 76</u>
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TO AUTH.	REASON(S)
ENDORSE EXISTING MARKINGS <input type="checkbox"/>	
DECLASSIFIED <input checked="" type="checkbox"/> RELEASABLE <input checked="" type="checkbox"/>	
RELEASE DEFERRED <input type="checkbox"/>	
TYPE OF FBI DESCRIPTION	

7/11/68
6-68
4-194

LIBERTY REPARATIONS

REFR TEL AVIV 4798 - 8-3-68

1. GOI NOTE (TEXT SENT REFTEL) IS DISAPPOINTING IN NEGATIVENESS AND OBDURACY, BEARING OUT APPREHENSIONS WHICH PROMPTED OUR TACTICAL SUGGESTIONS IN A-981, JULY 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 UNQUOTE, POSSIBLY AMONG THESE ARE DISCLOSURE IN THAT COMMUNICATIONS ERROR PREVENTED ORDERS TO CHANGE POSITION FROM REACHING LIBERTY EXPEDITIOUSLY AND INFO CURRENT HERE THAT S-IP WILL NOT BE REPAIRED COMPLETELY BUT WILL BE NOTHALLUD.

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 18, 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 PARAGRAPH OF 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.

GOI NOTE ALSO SAYS THAT PAYMENT FOR DEATH CLAIMS ALREADY MADE WAS MOTIVATED BY HUMANITARIAN CONSIDERATIONS. GOI

James M. Ennes, Jr. Research Papers

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FORM 11 12/67

37
OUTGOING TELEGRAM

DEPARTMENT OF STATE A/COR 8/4 US 552 185 375

Department of State

NO. OF DEPT. DATE CONFIDENTIAL
 TO ADM. REASON(S) *Classified*

EXISTING MARKINGS

ACTUAL MARKINGS RELEASE DENIED

STATE OF FOI EXEMPTIONS

12 AUG 22 50

James M. Ennes, Jr. Research Papers

SUBJECT: Liberty claims

REF: Tel Aviv 4798, 4799

senior official Fonoff

A. Department requests Ambassador see/Man and orally make following points:

(1) USC finds GOI note of August 5 totally unacceptable. We prepared to make a statement if GOI wishes to withdraw. We have not made either fact of receipt or contents known to public or to Congress.

(2) If GOI ~~is~~ necessary, we will ~~respond~~ respond formally ~~in a few days~~ in a few days on GOI note ~~and~~ Congress.

(3) USC 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

L:LCMeeker:SLGibson:ams*8/8/68 4714

NEA - Lucius D. Battle

NEA/IAI - Mr. Atherton

L:L/C - Mr. Kerley

* The Secretary of Defense (sub)

Mr. - Mr. Rockwell

* U - Mr. Katzenbach (subs)

CONFIDENTIAL

Cleared in substance in conversation with Mr. Katzenbach. LDB.

8-11 05-333

1001493

CONFIDENTIAL
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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 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 arising from 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. We would be glad to receive details of claims and to discuss them if necessary. 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 cases because therapy still in process.

RUS

END

CONFIDENTIAL
Classification

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PS 8-4 US-35R
XR DEF 12-4 US 2431018
XR DEF 17-8 US 35R
XR DEF 18-16

OUTGOING TELEGRAM Department of State

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Classification

ACTION: Embassy Tel AVIV

11/23/68 452

INFO: Embassy BEIRUT
Embassy AMMAN
XXXXXXXXXXXX
Embassy LONDON

Rec'd

STATE

SUBJECT: Liberty Claim

1. Following summary August 17 UOI 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 out on grounds UOI accused full responsibility for June 1967 attack. Article notes \$3.3 million paid for death claims.

(b) Notes this dispute complicates USG-JOI relations at time UOI pressing for decision on Phantoms.

(c) AR Notes US unhappy over JOI failure sign NPT.

(d) Adds personal injury claims not yet submitted and some U.S. officials worried about full compensation for wounded.

(e) Remainder article reviews facts attack on USS LIBERTY and subsequent Israeli apology, admission responsibility, and proposed compensation.

C. 815-24

NEA - William J. Handley

L/C - Mr. Verley (substance)

Mr. Rostow (press guidance)
S/S - Mr. O'Donoghue

7

LIMITED OFFICIAL USE
Classification

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Classification

Department
2. If queried/interview respond as follows:

(a) How time are Israel accepted responsibility for attack and for payment of compensation for lives lost, for injuries, and for damage to vessels.

(b) Israel has paid the full compensation of 19.5 million for the families of the men killed.

(c) The question of compensation for severely injured is still under discussion. There is some difference of views, but we expect a satisfactory outcome. Do expect, of course, to hear more about the current discussions.

END

EXEMPT

RUSK

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OUTGOING TELEGRAM Department of State

JEF 12-4/15

INDICATE PAGES
PAGE NO

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Classification

ACTION Embassy TEL 2114

1952 17 55z

INFO: Embassy BETH
Embassy BEIRUT
Embassy LONDON

Re: ena

SUBJECT: LIBERTY CLAIM

REF: STATE 22183

1. According August 17 UPI item Israel has offered \$2 million for repairs USS LIBERTY, not \$1 million as erroneously transmitted para 5 refel. FYI: [unclear] source of alleged \$2 million figure. It was [unclear] Department. SHD FYI

2. August 18 Evening Star carried item

EXENPT SHD

RUSK

(5)

Approved: J. J. [unclear] 8/19/68 4957

Special instructions and
other data attached to

NEA/IAI -

William J. Handley
[unclear]

- Mr. Kerley (subs)

NEA/IAI - Mr. [unclear]

LIMITED OFFICIAL USE

Classification

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PS 8-4 US 25R



Department of State TELEGRAM

RECEIVED BY G. H. Ray DATE 8/10/68

CONFIDENTIAL - SECURITY INFORMATION
EXCLUDED FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION

PAGE 01 TEL AV 04975

17 ACTION NEA IS

INFC NSA 02:EUR 15:AF 09:CEAE 00:DODE 00:OPM 04:IN 02:IN 02:IN 02:IN

NDC 10:P 04:RSC 01:SP 02:SS 20:USIA 12:ACDA 16:10 13:RDR 01: /136 W

P. 191100Z AUG 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 4485

CONFIDENTIAL TEL AVIV 4975

LIBERTY CLAIMS

REF: STATE 223163

1. [REDACTED] CALLED ON SUNDAY MORNING TO SAY THAT
UPI REPORTS (ATTRIBUTED IN PRESS HERE TO STATE DEPT OFFICIALS'
BACKGROUNDERS) HAD QUOTE RAISED CYEBROWNS UNQUOTE IN THE FORNIN
ESPECIALLY IN VIEW OF OUR COMMENT (STATE 219537, PARA A. 1-1
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 REPTER ONM INFORMED [REDACTED] OF WHAT DEPT'S
RESPONSE WOULD BE 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 SEPTTEL) IS UNHELPFUL IN ACHIEVING EITHER OBJECTIVE.

GR BARBOUR

CONFIDENTIAL

James M. Ennes, Jr. Research Papers

8-10-68
4:15 PM
5:15 PM
5:30 PM



Department of State

CONFIDENTIAL

MEMORANDUM FOR THE SECRETARY OF STATE

DATE: 10/15/54

FROM: [Illegible]

SUBJECT: [Illegible]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

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CONFIDENTIAL

James M. Ennes, Jr. Research Papers

37 (80)

PS 8-4 US-ISR
223893

OUTGOING TELEGRAM Department of State

INDICATE CIPHER
CLASSIFICATION

~~CONFIDENTIAL~~
Classification

Received at
in 2/10/77
200008 16 05z

ACTION: Embassy TEL AVIV URGENCY

STATE

SUBJECT: USS LIBERTY Claims
Reference: Tel Aviv's 4949

1. In view of reference to token payment requested para 5 ref tel, Embassy requested make HFA aware USC position re ship claim before rpt before transmission officials reply referred to by [redacted] para 3 ref tel:
 - a. Claim for damage to ship presented to USC based on international law standards and in light unequivocal Israeli assurances June 1967 We expect GOI live up to pledge to make amends for losses sustained.
 - b. Amount of compensation claimed based on thorough analysis of damages to ship and attendant costs paid by USC.
 - c. USC prepared to join in technical discussions and review of documentation supporting claim to establish that compensation claimed accurately expresses loss to USC.

GP-3

DEPARTMENT OF STATE A/CDD/END

REVIEWED BY *J.M. Razi* DATE *2/10/77*

RUSK

REASON FOR EXEMPTION, DATE
TS AUTH. REASON(S)
EXEMPT EXISTING MARKINGS (S)
DECLASSIFIED/RELEASABLE

① - EK [redacted] 1/1978
 NEA - Mr. Sellen
 NEA/IAJ - Mr. Baht
 L - ME [redacted] (draft)
 DUD - Mr. Schwartz
 S/B - Mr. Brown

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Classification

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PS 8-4 US-ISR



Department of State

TELEGRAM

CONFIDENTIAL 118

PAGE 01 TEL AV 40147 321557Z

SI
ACTION 08 7M

INFO CIAE OR/7878 W

R 321527Z 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

LINDIS

USS LINDSEY CLAIMS

REF: STATE 251264

1. BEFORE FORWARDING NOTE WOULD APPRECIATE CLARIFICATION ONE POINT. IN FIRST PARA, DEPARTMENT'S NOTE ATTRIBUTED TO MINISTRY'S NOTE STATEMENT QUOTE ISRAEL IS NOT LIABLE FOR DAMAGES WRT 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 WFA'S THAT WE WOULD AWAIT ALSO ORAL RESPONSE TO POINTS STATE'S 223993 BEFORE TRANSMITTING OUR NOTE. ISRAELIS HAVE BEEN DILATORY BUT WE HAVE INDICATION FROM ELIZON WE WILL BE READY BY SEPTEMBER 3. WE PROPOSE THAT WE HOLD TRANSMITTAL OF NOTE, AND BE READY REVISE IT IF NEEDED BE IN LIGHT THESE RESPONSES.

JP-34 WASHDC

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY G. M. Roy DATE Apr 14, 1980

EXCISE FOR EXCISE. DATE _____
TS AUTH. REASON(S) _____
ENDORSE EXISTING MARKINGS _____
DECLASSIFIED/RELEASABLE _____
RELEASE DENIED _____
PA or FOI EXEMPTIONS _____

UNCLASSIFIED BY 6/8

CONFIDENTIAL

James M. Eames, Jr. Research Papers
T. Amos 5147
8-30-68



Department of State TELEGRAM

CONFIDENTIAL 931

PAGE 01 TEL AV 05171 031155Z

53
ACTION 55 70

INFO CIAE 04/7070 4

R 031155Z SEP 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4590

CONFIDENTIAL TEL AVIV 5171

LHM015

SUBJ: USS LIBERTY CLAIMS

REF: TEL AVIV 5147

DEPARTMENT OF STATE A/CDC/WR	
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TS DATE	REASON(S)
<input type="checkbox"/> NO EXISTING MARKINGS	
<input type="checkbox"/> UNCLASSIFIED	<input type="checkbox"/> RELEASABLE
<input type="checkbox"/> RELEASE DURING	
<input type="checkbox"/> PA OF FOI EXEMPTIONS	

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, AGREEABLE TO US, WOULD BE APPROVED GO GOI. UNDER HIS PROPOSAL, WE WOULD RETURN GOI NOTE OF JUN 10 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.

IT IS CLEAR GOI MOST RELUCTANT TAKE ANY STEPS TO FINALIZE AGREEMENT ON SUM TO BE PAID OF DAMAGES 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 **TELEGRAM**

CONFIDENTIAL

PAGE 02 TEL AV 05171 P31155Z

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 OF DISAVOWAL OF RESPONSIBILITY FOR DAMAGES AND HINT OF EX GRATIA BASIS DENYING CLAIMS CONTAINED THEIR AUG 5 NOTE. ACTION ON THESE DAMAGE CLAIMS WOULD THEN REMAIN IN ABEYANCE UNTIL WE ARE ABLE TO SUBMIT PERSONAL INJURY CLAIMS AND WILL THEN BE ABLE TO SEE TOTAL MAGNITUDE OF DAMAGES ARE ASKING.

5. REQUEST AUTHORITY AGREE TO BITAN SUGGESTION.
GP-3 BARBOUR

CONFIDENTIAL

37

PS 8-4 US-ISR

237736

OUTGOING TELEGRAM Department of State

INDICATE BY CHECKING IN THESE SPACES

(92)

SECRET

Classification

ACTION: Ambassador 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

Deny based

DEPARTMENT OF STATE A/CDC/MR	
REVIEWED BY <u>G. M. Ray</u>	DATE <u>Sept 19, 1968</u>
REMOVE FROM FILE	DATE
TO AUTO.	REASON(S)
REMOVE EXISTING MARKINGS	<input type="checkbox"/>
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FOI EXEMPTIONS	

NEA/IAT:ALatherton:mob 9/12/68 2942 NEA - Lucius D. Battle
L/G - Mr. Kerley (info)

(1)

SECRET

Classification

James M. Ennes, Jr. Research Papers

F-231/156



Department of State

TELEGRAM

PS 5-4 11-1-78

(93)

SECRET 487

PAGE 3 TEL AV 05345 160951Z

1. ACTION: SS 70

2. D DATE 00/1978

3. 160951Z SEP 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4681

Z C C H E T TEL AVIV 05345

LIRDIS

SUBJ: LIBERTY CLAIMS

REF: STATE 237736

DEPARTMENT OF STATE A/CDC/NO	
REVIEWED BY	G. W. RABIN DATE 10/1/68
FORWARDED BY	DATE
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ENDORSE EXISTING MARKINGS	<input type="checkbox"/>
DECLASSIFIED/RELEASABILITY	
RELEASE DENIED	<input type="checkbox"/>
FOI EXEMPTIONS	

1. DEPT. WILL RECALL BITAN'S PROPOSAL WAS AN REFERENCE ON RECEIPT STATE 234877 BUT INFORMED FONHIN BITAN PROPOSAL AGREEABLE TO US AND FONHIN REPLIED THEY WOULD NOW PROCEED TO HAVE PROPOSAL CLEARLY OFFICIAL AND WOULD BE IN TOUCH WITH US.

2. ON RECEIPT FROM EMB, ASKED FONHIN WHETHER PROPOSAL WOULD NOW BE MADE OFFICIALLY. NOTED AHB, RABIN HAD RAISED SAME PROPOSAL IN WASHINGTON SEP 11, APPARENTLY IN IGNORANCE WHAT HAD COME ON HERE. FONHIN 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 UNWARE ANY REASON WHY FONHIN 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.

OP-D. ZURHELLEN

SECRET

James M. Ennes, Jr. Research Papers

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PS 8-4 US-ISR
Department of State TELEGRAM

CONFIDENTIAL 193

PAGE 01 TEL AV 05579 071242Z

SB S
ACTION L 03

INFO NEA 13:0PM 04:NSC 10:SP 02:SS 25:RDC 01:RDR 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 0539

USS LIBERTY CLAIMS

REF: STATE'S 239732 AND TEL AVIV'S 0539

DEPARTMENT OF STATE A/CDC/ND	
REVIEWED BY	DATE
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EXISTING MARKINGS	<input type="checkbox"/>
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RELEASE DENIED	<input type="checkbox"/>
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 FOHN;N THURSDAY.

2. TEXT NEW NOTE FOR US 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. 7A 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 MINIST FOR FO-EIGN AFFAIRS AVAILS ITSELF OF THIS OPP RTUNITY TO RENEM TO THE EMBASSY OF THE UNITED STATES OF AM-ICA THE ASSURANCES OF ITS HIGHEST CONSIDERATION. JERUSALEM, 12 SEPTEMBER 1968. UNQUOTE. ZURHELLEN

James M. Ennes Jr. Research Papers

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CONFIDENTIAL

REF ID: A66123

DATE/TIME: 10/11/68

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DEPARTMENT OF STATE

AIRGRAM

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A-1191 UNCLASSIFIED

TO : Department of State

DEC 17

DATE: December 17, 1968

FROM : Amembassy TEL AVIV

SUBJECT: Eban's Remarks on Liberty Claims

REF :

DEC 29 PM 117

SCOTTLO-FUR

On December 17, Foreign Minister Abba EBAN replied in Knesset interpellation to queries from several Members of the Knesset on the subject of the US 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, is as follows:

"So far, the Government of Israel has paid the US Government an amount of \$5,323,500 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.

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Tel Aviv A-181

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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 case, 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."

DARBOUR 

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PS 8-4 US-LSR

Department of State

TELEGRAM

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PAGE 71 TEL AV 33295 379912

11
ACTION NEA 15

INFO OCT 31 12:45 PM '69

F 04:55C 01:45S 01:55 00:00:12 12:45R 21:01:12 075346

R 130802Z AUG 69
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4874

CONFIDENTIAL TEL AVIV 33295

SUBJ: URB LIBERTY CLAIMS

REF: STATE #246128

1. EMBASSY UNDERSTANDS THE NATURE OF SITUATION AS OUTLINED
REFTEL. ALTHOUGH MIGHT BE PARENTETICALLY RE PARA 35 REFTEL
THAT IF SHIP HAD BEEN TWENTY MILES OFF COAST IT NOT LIKELY TO BE
IDENTIFIED AS HOSTILE ON BASIS IT PROBABLY RESPONSIBLE FOR
REPORTED LATER PROBABLY FALSE REPORT OF NAVAL SHELLING IN 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 IS FULL TO SATISFY, INsofar
AS HONORARY HUMANITARIAN APPROX OF CALAMITY DOES NOT
SEEM CONFLICT WITH TOTAL AMERICAN POLICY TO PRESS COUNTRY
TO WHICH HAS EXTENDED SUBSTANTIAL MATERIAL AID TO REPAIR
DAMAGE TO VESSEL.

2. WITH ABOVE CONSIDERATION IN MIND, SUGGEST NEXT BEST
STEP WOULD BE FOR EMBASSY BEGIN NEGOTIATIONS WITH GRI ON
BASIS THAT WE WANT REPAIR TO OUR NOTE TRANSMITTING CLAIM
AND HOPE THAT THEY WILL BE IN TOUCH WITH US TO DISCUSS
APPROACH SHOULD BE ORAL AND FURTHER STEPS CONSIDERED AFTER
WE RECEIVE ORAL ISRAELI COMMENTS.
BARDOLR

NOTE: HAS RECEIVED.

James M. Ferris, Jr. Research Papers

Chen
8-13-69
Tel Aviv 33295

DEPARTMENT OF STATE 8/100/102	
REVIEWED BY <u>G. M. Razi</u>	DATE <u>Sept. 1969</u>
REC'D or IDENT. DATE _____ TO AUTH. REASON(S) _____ ENDORSE EXISTING MARKINGS <input type="checkbox"/> DECLASSIFIED/RELEASABLE <input type="checkbox"/> RELEASE DENIED <input type="checkbox"/> PA or FOI EXCEPTIONS _____	

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CONFIDENTIAL

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CONFIDENTIAL

Department of State PS 8-4 US-DSR
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18 AUG 69

INDICATE
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DISTRIBUTION

ACTION: Amembassy TEL AVIV

STATE

SUBJ: USS LIBERTY CLAIMS

REF: Tel Aviv 3095-401-401 Jan

Department concurs in course of action outlined para 2
reftel. Please inform us when our approach made.

GP-3

END

Released
as 11-81
in Slay case

138 190

DEPARTMENT OF STATE & CDC/NE	
REVIEWED BY: <u>L. M. Ray</u>	DATE: <u>Sept 11, 1969</u>
REASON FOR EXEMPTION, DATE	
TO AUTHORITY, REASON(S)	
REASON FOR EXISTING MARKINGS <input type="checkbox"/>	
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EXEMPTION DENIED <input type="checkbox"/>	
FOI EXEMPTIONS	

ROGERS

James M. Ennes, Jr. Research Papers

CLASSIFIED BY: NEA/IAI:MC/ISS/elt:hml
EXPIRES DATE: 8/15/69
TEL. EXT: 22294
APPROVED BY: NEA - Rodger V. Davies

CLEARANCE: L/C - Mr. Keefley
NEA/IAI - Mr. Wahl
H - MEMPHIS Miss Folger
Navy - Cdr. R. C. Smith (subs)

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DEPARTMENT OF STATE
AIRGRAM

PS 8-4 US-15R

Original to be Filed in _____ Decentralized Files.

FILE DESIGNATION

99

CONFIDENTIAL

CA-5749

TO : Embassy TEL AVIV

INFO: Embassy BEIRUT
 USINT CAIRO
 USUN NEW YORK

FROM : Department of State

SUBJECT: USS LIBERTY Class

REF : Tel Aviv 3456

DEPARTMENT OF STATE

REVIEWED BY _____ DATE 10/22/69

REASON(S)

ENDORSE RELEASING MARKINGS

DECLASSIFY ON _____

REL. AUTHORITY _____

PA _____

SUGGESTED DISTRIBUTION

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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.

ROUTING

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FORM 10-66 05-323

CONFIDENTIAL

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Classified by: I/C:ELKerloy
 NEA/IAI:TAMM

Declassify on: Navy: Cdr. R. C. Smith (subs)
 RS(EK)

Writing Date: 10/15/69

Phone No.: 21714

Content and Classification Approved by: NEA/IAI:ALAtherton, Jr.

NEA Mr. Davies

CONFIDENTIAL

2

ACTION REQUESTED:

The Embassy should follow up the Department's approach by raising the claim with Bitan and Elizur after Elzur 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.

ROGER

James M. Ennes, Jr. Research Papers

CONFIDENTIAL

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DEPARTMENT OF STATE
AIRGRAM

15 8-4 US-55R
FOR OFFICIAL USE

CONFIDENTIAL
TO: Department of State
INFO: BEIRUT, CAIRO, USUM
15-10-1

FROM: AmEmbassy TEL AVIV
DATE: December 3, 1969
SUBJECT: URS LIBERTY Claim
REF: CA 5749

having returned to Israel, Embassy has raised again with 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.

James M. Ennes Jr. Research Papers

Release date: 12/18 in class case 2/10/77
BARBOUR *ED*

DEPARTMENT OF STATE A/CDC/WR
REVISED BY: *G.M. Ray* DATE: *4/19/90*
FORM OF SECRET. DATE _____
CLASSIFIED BY: _____
EXEMPTIONS: _____
GROUP 3 - Downgraded at 12-yr intervals; not automatically declassified.

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DCM:JOC:arhelle/r:ca/12/2/69

REF: NEA-10

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Original to be FD-3 in _____ Declassified Files. FILE DESIGNATION

CONFIDENTIAL

A-18

TO : Amembassy TEL AVIV

FROM : Department of State

SUBJECT : USS LIBERTY Claim

REF : Tel Aviv 2555

FEB 1 11 57 AM '71

DATE:
Zelen
Denny
...

Deputy Assistant Secretary Atherton raised the remain- ing LIBERTY ship damage claim with Israeli Embassy ~~on January 20~~ on 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 claim. He reminded ~~Algov~~ that the last word the U.S. had from the GOI on the remaining claim was last May when ~~Algov~~ 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 all books and thought there had been more than ample time for a reply.

~~Algov~~ said he would query the Foreign Ministry about the present status of the Israel response to the U.S. claim.

DEPARTMENT OF STATE A/CDC/NE
 ROGERS
 REVIEWED BY _____ DATE 1/10/71
 NO. OF ED. INT. DATE _____
 TO AUTH. _____
 INDEXED EXISTING WORKING _____
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 GROUP 1
 Excluded from automatic
 downgrading and
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GROUP 1
Downgraded at 17-~~0000~~ intervals;
not automatically declassified
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Classified by: NEA/IAI:MCLissfelt:ihl 1/27/71 22294 NEA-A. Atherton, Jr.

Classified by: NEA/IAI:RHStackhouse L/C:EKerley

James A. Arnesen Papers



Department of State TELEGRAM

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CONFIDENTIAL 878

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ACT 104 4-24

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***** 015697

Z 20147Z JUL 75
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 1944

Z 20147Z JUL 75 TEL AVIV 33945

SUBJECT: USG LIBERTY CLAIM

DURING CALLS AT FOREIGN MINISTRY JULY 5 BY DEPARTMENT'S ASSISTANT LEGAL ADVISOR BOYD AND EMBASSY ATTACHE FOR NORTH AFRICAN DEPARTMENT ELIZUR SAID OUR GOVERNMENT HAS 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 SARAGH JONE TO VESSEL. ELIZUR SEEMS TO BE HINTING THAT AMOUNT OUR GOVERNMENT MAY BE LESS THAN THAT SOUGHT BY USG. WHEN ASKED SPECIFICALLY ABOUT THIS BY EMBASSY ATTACHE BOYD PRESENTATION IS ALREADY ADDED THAT HE HOPES LIBERTY CLAIMS CASE WILL BE SOON ALL BEHIND US. OP-3. 844224

DEPARTMENT OF STATE A/CDC/NE

REVIEWED BY G. H. Rey DATE 8/1/75

EDUCATION. DATE _____

TO DATE. REASON(S) _____

ENDORSE EXISTING MARKINGS

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RELEASE DENIED

PA or FOI EXEMPTIONS _____

CONFIDENTIAL

James M. Ennes Jr. Research Papers

Handwritten notes: 7:14, 8:00, 11:15

Handwritten notes: 10/19/75, 10/19/75

CONFIDENTIAL

PS 8-4 US JSR
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Department of State
TELEGRAM

INDICATE
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DISTRIBUTION

ACTION Amembassy TEL AVIV

STATE

SUBJ: USS Liberty Claim

REF: A-100, April 17

Would be helpful to receive latest from GOI on pending claim prior to ~~Embassy~~ visit May 20.

Refer to

75536

GP-3

END

ROGERS

INITIALS	DATE	TEL. NO.	APPROVED BY
NEA/IAI:HLissfelt:hml	5/18/70	22294	NEA - Alfred L. Atherton, Jr
NEA/IAI:HHStackhouse			L/C:MMZ:zwyx FRviat-k (subs)

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Classification

James M. Ennes, Jr. Research Papers

37



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Department of State TELEGRAM

CONFIDENTIAL 554

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TO ACTION NEA-15

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N 191129Z MAY 70
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC F008

C O N F I D E N T I A L TEL AVIV 2555

REF: STATE 075534

SUBJ: US LIBERTY CLAIM

PRIOR TO HIS DEPARTURE WITH [REDACTED] TO THE AMBASSADOR
THAT OCI RESPONSE ON LIBERTY WAS BEING CLARED WITHIN
GOI* GP*3*
EARTOUR

DEPARTMENT OF STATE A/CDC/IN

REVIEWED BY J. H. Roy DATE 6/19/70

REASON FOR REQUEST, DATE

REASON(S)

EXISTING RESTRICTIONS (S)

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RELEASE DETERMINED

BY OR FOR EXEMPTIONS

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TO DEPARTMENT

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U.S. DEPARTMENT OF STATE
RECEIVING INSTRUCTIONS

Release

FROM : Embassy 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 of Foreign Affairs Note dated March 7, 1968 relative to the USS Liberty claims.

1968 MAR 21 PM 1 03

COPY 16-PR

Enclosure: Ministry of Foreign Affairs Note of March 7

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POL: JHStackhouse

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INCOMING TELEGRAM Department of State

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Kuala Lumpur 4694
Not relevant

SECRET KUALA LUMPUR 4694

EXCISE
DEPARTMENT OF STATE A/CDC/78
REVIEWED BY *J. M. Ennes* DATE *5/24/68*
PORTIONS DENIED AS INDICATED

1. I REVIEWED MIDDLE EAST SITUATION WITH PRIME MINISTER THIS AFTERNOON (SUBSTANCE OF STATE 286179 HAD ALREADY BEEN GIVEN TO RAZAK IN WRITTEN FORM). I POINTED OUT OUR POLICY 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 IN CAIRO RADIO CHARGE THAT U.S. PLANES HAD BEEN IN ANY WAY INVOLVED IN FIGHTING BETWEEN ISRAEL AND ARAB COUNTRIES WAS A FABRICATION.

[REDACTED SECTION]

PAGE 2 RUMJL 4694 SECRET

[REDACTED SECTION]

2. I TOLD TUNJU THAT I FELT OUR DENIAL OF INVOLVEMENT AS CHARGED IN CAIRO RADIO HAD NOT RECEIVED EQUAL PLAY IN PRESS OR ON TV AND RADIO (BOTH OPERATED) WITH PROPAGANDA COMING OUT OF CAIRO. TUNJU IMMEDIATELY STARTED TO DICTATE STATEMENT TO FOREIGN OFFICE OFFICIAL PRESENT. AFTER SOME QUESTION HE CAME UP WITH THE FOLLOWING WHICH WAS RELEASED

SECRET

E

James M. Ennes, Jr.

Not handled in any way

SECRET

-2- KUALA LUMPUR 4694, JUNE 8

TO PRESS, P DIO AND TV AND WAS CARRIED BY BOTH TV AND RADIO WITHIN AN HOUR.

"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 RUMJL 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."

④-J. HELL

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INCOMING TELEGRAM Department of State

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TO SECSTATE WASHDC IMMEDIATE
STATE OF ISRAEL

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C O N F I D E N T I A L TEL AVIV 4178

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1607 JUN 16 1967

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
BEEN FORWARDED IMMEDIATELY TO THE CHIEF OF
NAVAL OPERATIONS AND OTHER HIGH NAVAL COMMANDERS
AND REPEATED TO DEPT.

OP-3, HARBOUR
BT

(RSC)
RSC

ADVANCE COPY PASSED TO S/S-O, 6/16/67, 4:45 P.M.
NOTE: PASSED TO WHITE HOUSE, DOD, CIA, NSIA, NSA,
COMAC, CINCPAC, USUN, 6/16/67, 4:45 P.M.

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OUTGOING TELEGRAM Department of State

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ACTION Amerbassy TEL AVIV ~~XXXXXXXX~~ IMMEDIATE

DATE 10 10 1967

STATE 211695

Released

Ch 9/1/67

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 got no response UNQTE.
 2. As far we know, 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.
- CP-3

End

RUSK

NEA/IAI:MS: [unclear] :fah:6/16/67 4523 NEA/IAI - Alfred L. Atherton, Jr.

DD/ISA - Commander Cone (for info)
NEA/P - Mr. Brown (for info)

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FORM 8-65 09-322

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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.

RUCK

Enclosure:

Draft Note (with attachments)

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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 [redacted] ~~INTRODUCTION WITH THE UNITED STATES GOVERNMENT TO THE LIBERTY OPERATIONS~~ ~~FOR MAKE-GOODS FOR THE DAMAGE TO THE LIBERTY 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 a result of the Government of Israel became aware of the attack it informed the Government of the United States that 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 renounces 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.

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:

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Department of State

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USG LIBERTY CLAIMS

REF: TEL AVIV 0796

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1. EMBASSY TODAY RECEIVED NOT DATED MARCH 7 FROM
MINFOR AFFAIRS REPLYING TO AMEMB'S NOTE OF
DECEMBER 27, 1967 CONCERNING US LIBERTY CLAIMS.
HEREWITH VERBATIM TEXT OPERATIVE SECTION:
QUOTE THE MINISTRY IS PLEASED TO ADVISE THE U.S.S.R.
THAT, FOLLOWING THE INITIAL EXAMINATION OF THE CLAIMS
CONTAINED IN THE SERIES OF NOTES FORWARDED (SIMULTANEOUSLY

PAGE 2 RUDPHL... LIMITED OFFICIAL USE
WITH THE ABOVE MENTIONED NOTE, AND WHILE RESERVING
FULLY THE GOVERNMENT OF ISRAEL'S LEGAL POSITION, THE
EMBASSY OF ISRAEL IN WASHINGTON IS NOW BEING INSTRUCTED
TO COOPERATE ON THE SUBJECT WITH THE COMPETENT UNITED
STATE AUTHORITIES. THE EXAMINATION OF THE CLAIMS SO
FAR HAS CALLED 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 AIRMAIL.

BARBOJR

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OUTGOING TELEGRAM Department of State

INDICATE
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DEPARTMENT OF STATE A/CUC/NE	
REVIEWED BY <u>Gabriel Ray</u>	DATE <u>Mar 19 1968</u>
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DECLASSIFIED/RELEASABLE	<input type="checkbox"/>
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PA or FOI EXEMPTION	

ACTION: Embassy TEL

STATE

LIMDIS 3

SUBJECT: USS LIBERTY Claims

1. During call March 25, Ambassador Rabin and Embassy lawyers informed Under Secretary that COI concedes validity of \$1.5 million portion death claims which relate to loss of financial support. However, COI 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, advised 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 jurist 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

James M. Ennes, Jr. Research Papers

6-46961

HEA/IAI: G. Labrakis; cr: 3/26/68 4967 The Under Secretary

HEA/IAI - Mr. Atherton
 HEA - Mr. Handley

L - Mr. Salans (POM)
 S/S - Mr. Meehan
 H - Miss Folger

CONFIDENTIAL

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Classification

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 uncomfortable by political risks involved. Department unable predict with certainty what effect such payment would have 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 as 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

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DEPARTMENT OF STATE	
REVIEWED BY <u>W. R. K.</u>	DATE <u>6/19/68</u>
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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.

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 5-2-68

Informal discussions between Dr. Hillenberg, 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. Becker
The Legal Adviser

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L:L/C:K:Harley:ams 5/2/68

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Department of State TELEGRAM

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LIMITED OFFICIAL USE TEL AVIV 3731

LIBERTY CLAIMS

REF: TEL AVIV'S 3859

1. FOLLOWING NOTE GIVEN US BY FONMIN MAY 15. 800612UR (NORTH AMERICAN AFFAIRS) AND RAVIV (POLITICAL SECRETARY OF FOREIGN MINISTER) HAVE ASSURED US 001 MAY 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 HAS 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 WASHINGTON.
 - 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. IN THE CAPITALIZED SUM OF SUCH BENEFITS AND

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Received by
12:00 in State
in Building

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Department of State

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Released on 8/20/00
in 6649 224
- Feb. 10, 1997

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TO DIRECTOR

FROM AMEMB WASHDC

INFO NEW YORK

NDC WASHDC

RE WASHDC MAY 16
FM AMEMB WASHDC
TO SECSTATE WASHDC

LIMITED OFFICIAL USE

LIBERTY CLAIMS

REF: TEL WASHDC 5/16/68

IN CONVERSATION WITH [REDACTED] DIR GEN [REDACTED] HONORARY MAY 16
EXPRESSED DISPLEASURE AT ISRAELI REDUCTION SAID THAT WHILE
NOT EXPERT SUCH MATTERS IT STRUCK HE THAT ALLEGATION CLAIMS TO
VIO PRACTICES IN COMPENSATING FOR COMBAT THE NOT PERTINENT
OUR SHIP WAS ON HIGH SEAS AND VICTIMS OF USUAL HAZARD OF
WAR IN WHICH WE NOT PARTICIPANT.

[REDACTED] INDICATED THAT FACT NOTE NOT MORE FORTHCOMING
STATE WITH THE [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] IN NEW YORK TO NOTE ON PROPOSAL [REDACTED] SEND
[REDACTED] REPRESENTATIVE TO WASHINGTON. MINISTERS CONSIDERED THIS
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

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REVIEWED BY <u>G. W. Rags</u>	DATE <u>Apr 19, 1968</u>
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PA or FOI EXEMPTIONS	



Department of State

TELEGRAM
22

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PAGE 03 TEL AV 3811 221127Z

NOTE: (R) OMISSION: CORRECTION TO FOLLOW.

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120
S.M.C. #3
72

Department of State

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37

PS 8.4 U.S. JSR



Department of State TELEGRAM

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PAGE 01 TEL AV 23446 242166

21 ACTION L 03

INFO REA 13/01/68 07:00DL 08:00M 08:00M 08:00M 07:55AE 20:00C 17:00

ADC 41:5P 02:54 20:00IA 12:45Y 08:00P 01:50M 03:00R

P 01:10Z MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC PRIORITY 3009

LIMITED OFFICIAL USE TEL AVIV 3646

SUBJECT: USA LICHTY DEATH CLAIMS
REF: STATE 160872

1. WITH HEADING COMING UP FROM AMEMBASSY, 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. URGENT.

DEPARTMENT OF STATE A/CDC/OS

REVIEWED BY J. M. Ray DATE 4/14/68

DATE OF ACQUISITION DATE _____

TO AUTH. _____

EXEMPT EXISTING MARKINGS

DECLASSIFIED/RELEASABLE

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Department of State **TELEGRAM**

P5 8-4 US-J 42

DEPARTMENT OF STATE A/CDC/HR
REVIEWED BY <i>J. R. [unclear]</i> DATE <i>11/1/68</i>
ADDRESS <input type="checkbox"/> SUBJECT <input type="checkbox"/> DATE
TO AUTH. <input type="checkbox"/> REASON(S) <input type="checkbox"/>
RECORDS EXISTING MARKINGS <input type="checkbox"/>
DECLASSIFIED/RECLASSIFIED <input type="checkbox"/>
RELEASE DENIED <input type="checkbox"/>
PA or FOI EXEMPTIONS <input type="checkbox"/>

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PAGE 01 TEL AV 22429 231124

12
ACTIO- L 43

INFO IER 13:01AE 04:00DL 08:0PM 04AM 02:1... 07:00L 04:00L 11:00P 04

NSC 4147P 42458 28001A 12476P 01/27/68

P 2311 52 MAY 68
FM AMEMBASSY TEL AVIV
TO SECSTATE 4ASROC PRIORITY 3523

R as to 47 in State

LIMITED OFFICIAL USE TEL AVIV 3623

SUBJECTS JBS LIBERTY DEATH CLAIMS

REFI STATE 18668

1. ACCORDANCE AUTHORIZATION CONTAINED REFTEL...
DI STEIN IDEPHIN FINANCE THAT USG WILL NOT REPEAT "OT"
CLAIM FOR "EMOTIONAL ANGUISH IN PERSONAL DEATH CLAIMS"
LATTER ACCEPTED THIS ASSURANCE AND IN...
FO:OFF. LATTER, BITAN, HAS JUST CALLED...
REITERATION THIS PHUNISE, HAS GIVEN NO OFFICIAL JOI
AGREEMENT TO PAY DEATH CLAIMS IN FULL.

2. BITAN ASKED WHERE HE WISHED THE MONEY SPAN...
TELE...

3. INCIDENTALS/DOTAL FIGURE WHICH ISRAELI PAYING IS
SO LITTLE IN EXCESS OF \$30,000,000. EXACTLY JUSTIFY
CLAIMS WHICH NOT REVEAL TO DOJ, ONLY AS...
DEPARTMENT'S VERIFICATION CORRECT FIGURE WILL BE
APPRECIATED.

4. NO REPEAT NO DISCUSSION TOOK PLACE AS TO PUBLICITY.
PRESUMABLY DEPARTMENT WILL WITH TAKE THIS ACTION PUBLIC
IN SOME MANNER. IT IS STRONGLY URGED ANY AT...
OTHER PUBLIC COMMENT BE COORDINATED WITH DOJ IN ADVANCE.

8420JR

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11-23-68
NYC*

3
INCOMING TELEGRAM Department of State
POL 27 ARA3-ISR
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41 (27)

NEA-7
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FM USDAO TEL AVIV 127411 4014
TO RUEPRA/STATE NOYSL
RUEPJS/DIA
RUEPRA/CDR
RANOC/DEPT STATE
RUEKCF/COMSINTRFLT
RUELOPS/CINCPACFLT
RUELOV/CINCPACFLT
RUEKND/JCS
INFO RUEPJS/DIA
RUEHOT/USM
RUEPRA/CDR
RUEPRA/CTG 5 ZETO PT TAU
RUEPBR/USAFE
RUEKIP/CINCPACFLT
RUEKRE/CTG SIX ZETO

7773
1967 JUN 8 12 01

DEFENSE DEPT. 6-2-67

BY 0321 JUN 67
REF MY 0825. FLD REPORTS SHIP IDENTIFIED U.S.S. LIBERTY

PAGE 2 RUDRFL 022 CONFIDENTIAL
(104-5). PRESENTLY UNDERWAY COURSE NOT KNOWN AT 10 KNOTS. ISRAELI
MERS OFFERED ASSISTANCE WHICH SHIP REFUSED. NO INFO CASUALTIES.
ISRAELIS HARASSING HELICOPTER FOR USM. TO OVEFLY SHIP AND
ATTEMPT COMMUNICATE.
COORDINATED WITH LHMSSY.

BT
NOTE: PASSED S/S-O AT 12:50 P.M. 6/6/67

2

Review June 1987

James M. Ennes, Jr. Research Papers

3
INCOMING TELEGRAM Department of State POL 27 ARAB-ISR
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DEFENSE DEPT.
6-8-67

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123

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DE RUMVU 0827 1301929
ZNY CCCCC
Z O 081500Z JUN 67
FM USDAO TEL AVIV ISRAEL (DIA)
TO RUEPWA/WHITE HOUSE
RUEPJA/OSD
RUEPDA/CSO
RAKUC/DEPT STATE
RUEKCF/COMSIXTHFLT
RUEPDA/CINCSTRIKE
RUDLKD/CINCHAVEU
RUEKDA/JCS
INFO RUEPJA/DIA
RUEHDT/USUN
RUFFDK/CINCEUR-USEUCOM
RUTPH/CTO SIX ZETO PT TWO
RUFFBW/USAF
RKAPOG/CINCUSAREUR
RUTKRE/CTO SIX ZETO
BT

0827//LENE 67.
REF NY 0825. FLO REPORTS SHIP IDENTIFIED U.S. LIBERTY

PAGE 2 RUMVU 0827
TR-5). PRESENTLY UNDERWAY COURSE NORTHWEST AT 10 KNOTS. ISRAELI
VTBS OFFERED ASSISTANCE WHICH SHIP REFUSED. NO INFO CASUALTIES.
ISRAELIS ARRANGING HELICOPTER 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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Review June 1987

AR DEF 12 US

DEFENSE DEPT. 6-3-67

137 (124)

Action: HQZCZCQIA19KXTEBENX
 OD RUEHC RUEIDT
 DE RUCVIL 0834 159Z107
 ZNY CCCC
 O 05-1000 JUN 67
 FM USDAO TEL AVIV ISRAEL ZDIA
 TO RUEPJS/DIA
 RUEHC/DEPT STATE
 RUEPJS / OGD
 RUEHC/USDAO AMMAN
 RUEKOT/USDM
 INFO RUEDPSM/CINCSTRIKE
 RUENJ/AMC/OICEN JERUSALYM
 RUFPSM/USCINCEUR-USEUCOM
 RUDLKD/CINCSUPAVEUR
 RUTPRM/CTO SIX ZERO FT TWO
 RUPPBJ/CINCSAFE
 RUPPAQ/CINCSAREUR
 RUQKCF/CINCSIXT HFLT
 RUEKDM/JCS
 RUDLID/USDAO LONDON
 RUTKRE/CIG SIX ZERO
 RUCMRA/AMEMBASSY J, 70A
 BT

067 JUN 8 PM 6 10 008076

RECORDED BY ENIN

PAGE 4 RUCVIL 0834

0834 JUN 67.

SUBJECT: ISRAELI ACCIDENTAL ATTACK ON U.S. LIDDATY, 8 JUNE.

1. FLO HAS PASSED IDF ARMY SPOESMAI 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 STEER. THE VESSEL BELONGS TO THE U.S. NAVY AND THE ISRAELI AUTHORITIES APOLOGIZED. THE VESSEL WAS 18 MILES OFF THE CO 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 WOULD FEEL ANY ACCIDENTAL ATTACK WILL BE TREATED BY USS.

4. EGYPTIAN SHALING ATTACK FROM SEA IN GAZA AREA REPORTED BY IDF YESTERDAY. SEE DAO 0812.

2

James M. Ennes, Jr. Research Papers

Review June 1987

-2- USDAO TELAVIV 0834 JUN 67

5. ASSISTANCE AFTER ACCIDENT OFFERED BY IDF NAVY MTS WHICH WE HAVE BEEN TOLD USS LIBERTY WAIVED OFF.
6. REF PHONE CONVERSATION (COL TAYLOR DIA AND COL PERNA DAO,

PAGE 3 RUCIVL 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 DET.

7. ALUSNA OVERFLIGHT IN IDF HELICOPTER FOR INSPECTION AND ATTEMPTED CONTACT: NON PRODUCTIVE, EXCEPT TO OBSERVE SHIP UNDER WAY AT APPROX 8 KNORR NORTHWELY, COURSE 68 NM WEST OF ASHELON AT 1900Z. LIBERTY LISTING APPROX 10 DEGREES STARBARD 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 WASH AGENCY.

9. IDF REQUESTS THAT IF ANY OTHER US SHIPS (OR AIRCRAFT) ARE IN OR CONTEMPLATE ENTRANCE TO COMBATANT AREAS, WE PROMPTLY APPROPRIATE NOTICE BY

NOTE: ADVANCE COPY DELIVERED TO S/S-O 5/3/67 6:26 PM

James M. Ennes, Jr Research Papers

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2/27/27

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ISF CCM NY NYK

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037 JUN 8 PM 3 30

ISRAEL GOVT TELTEK PD NEWYORK JUNE 8 NY

ETAT/ISRAEL

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. ISRAEL'S 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

NOV 1967

3

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Israeli Foreign Minister

*Liberty. 855
DEF 27 June 67
Release
Minister
per State*

*James M. Ennes II Research Papers
JUNE 8 1967
ISF CCM NY NYK
DEF 12 05*

21
EMBASSY OF ISRAEL
WASHINGTON, D.C.

S/S # 10040

June 8
1967

Release
Clerk
Minister
New York

Dear Mr. Secretary:

May I convey to you this expression
of condolences and grief on the tragedy that
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 grief 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
Avraham Harman
Ambassador

The Honorable
Dean Rusk,
Secretary of State,
Department of State,
Washington, D.C.

FD-620031

9
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BY SSI OMS

(HANDLE AS EXDHS)

ALSO FILMED FOR RELOCATION SITES 1 & 2

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Secretary
POL 27 Ennes - ISR R DE F 124

DOC #131

STATE 207253

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IN FULL ACCORDING TO SPECIFIC SECTIONS
OF THE FREEDOM OF INFORMATION ACT.
FOR FURTHER INFORMATION REFER TO
FADRC MICROFILMS OF FOI CASES.

SEE FOI CASE NO. 620039

THEY SAY IT IS DENIED -
BUT THEY SENT IT!

James M. Ennes Jr. Research Papers

37

POL 27 ARAB JSE

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OUTGOING TELEGRAM Department of State

INDICATE TO WHOM TO

(131)

~~CONFIDENTIAL~~ SECRET
Classification

ACTION:	Ambassy TEL AVIV	FLASH	
INFO:	CINCSTRIKE	FLASH	USCINCEUR FLASH
	Ambassy AMMAN	FLASH	CINCUSNAVEUR FLASH
	Ambassy BEIRUT	FLASH	
	Ambassy CAIRO	FLASH	
	USUN	FLASH	
STATE:	Ambassy DOBCOV	FLASH	

Release

RECEIVED BY

201253

- Secretary called in Israeli Ambassador Herman ~~...~~ just spoken with President and was instructed express ~~...~~ 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 Herman 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.
- 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.
- Herman promised inform his government immediately. Noted he had no information yet from GOI on this occurrence but had learned of it within the hour during call on Assistant Secretary Battle to whom he had expressed his great sorrow.

RUSK
WB

NEA/SAI/MD/OL/ispas:6/5/67 4422 NEA - Lucius D. Battle
~~CONFIDENTIAL~~

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~~XXXXXXXXXXXX~~
S/S - Mr. Kelly *MC*

3 - ~~XXXXXXXX~~
Mr. Shlaudeman

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37
INCOM:IG TELEGRAM *Department of State* POL 27 AFAB-ISR

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FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC
STATE ORHC
BT
CONFIDENTIAL TEL AVIV 4828
LINDIS

008497
1967 JUN 9

*Tolson
6-9-67
4078*

PRIME MINISTER ASKS THAT USO 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

DEPARTMENT OF STATE A/CDC/ML
REVIEWED BY G. M. Razi DATE 4/18/80
REASON FOR ELEVATION DATE _____
TS AUTH. REASON(S) _____
ENDORSE EXISTING MARKINGS _____
DECLASSIFIED RELEASABLE _____
RELEASE REVIEWED _____
PA OR FOI EXEMPTION _____

5/2/76
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James M. Ennes, Jr. Research Papers

CONFIDENTIAL

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POL 29 ARAB-ISR

OUTGOING TELEGRAM Department of State

12 DEF 12 45

Classification

Release

ACTION: Embassy State Dept Priority

STATE 209626

REF: State Dept 609

Subject: Middle East Crisis

- 1. Dept message transmitted 5/12/76 proposed refuted request you say Liberty in to JORN combat capability UNQUOTE. Over that JORN 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.

OP - 3

5/12/76
 NCA
 FBI
 FBI

RUSK

EA/DC: [Signature] 6/9/87
 EA/P - Mr. Killian (subs) [Signature]
 EA - William P. Bundy
 SEA/IAI - Mr. Matter (subs) [Signature]

~~RESTRICTED~~
 Classification

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INCOMING TELEGRAM

Department of State

POL 27 ARAB-ISR

NR DEF 12 US

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CONFIDENTIAL

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Info

P 090333Z JUN 67
FM AMEMBASSY KUALA LUMPUR
TO SECSTATE WASHDC PRIORITY
STATE GRNC

DEPARTMENT OF STATE A/CDC/ND

REVIEWED BY G. W. Roy DATE 2-1-68

REASON(S)

ENDORSE EXISTING MARKINGS

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RELEASE DENIED

PA of FOI EXEMPTIONS

67

GP:

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SP

CONFIDENTIAL KUALA LUMPUR 4697

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REF: KL 4694

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SUBJ: MIDDLE EAST

REA

IO

1. UNLESS DEPT HAS OBJECTION, I PROPOSE SEND FOLLOWING
SELF-EXPLANATORY NOTE TO PRIME MINISTER. REQUEST
CONCURRENCE URGENTLY.

P

USIA

NSC

"DEAR TURKU,

INR

CIA

NSA

DOD

ACDA

OPR

RSR

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 STUDENTS 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-1 HELL

BT

EXCERPTED
BY Burg
FADRG FOI 6-2-67

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(3)

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Kenneth J. ... 4697

Doc # 137

S-210139

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FOR FURTHER INFORMATION REFER TO
FADRC MICROFILM OF FOI CASES.

SEE FOI CASE NO. 620039

BUT IT WAS sent!

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OUTGOING TELEGRAM Department of State

21

137
STATE 210139
LINDIS

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Classification

XR DE 7 12 US

ACTION Ambassador TEL AVIV IMMEDIATE

Release

Following note was handed this afternoon to Ambassador Harman by Under Secretary Rostow: CTE The Secretary of State ~~XXXXX~~ 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 ~~IN~~ 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 ~~USA~~ 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

Text approved in White House S/S - Mr. Walsh

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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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Government of Israel also to take the disciplinary ~~XXXX~~ 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 ~~IXXX~~ 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 ~~XXXXX~~ 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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7
OUTGOING TELEGRAM Department of State

POL 27 ARAB. USA

YK 21

JEL 12

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Classification

ACTION: Embassy TEL AVIV
INFO: USUN

PRIORITY

Releas
War Israel
with history
NEA/IAI

RECEIVED BY MAIL

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

NEA:IAI:ALAT:NYTON, is:fab:

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NEA:IAI - Alfred L. Acherton, J

6/10/67

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JABDC FOR CONTROL: 62 EDJ

James M. Ennes, Jr. Research Papers

Page 2 of telegram to

TEL AVIV

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betrieved 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. USQW IE

Except ~~the following information~~

End

RUSK

37 (139)

POL 27 ARAB-RISK
210130

OUTGOING TELEGRAM Department of State

FORM NO. 10
MAY 1962 EDITION

SECRET
Classification

RELEASSED BY: <u>G. M. Rusk</u>	DATE: <u>6/10/67</u>
REASON(S):	
EXEMPT FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION	
EXEMPT FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION	
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EXEMPT FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION	
EXEMPT FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION	

ACTION: Ambassador TEL AVIV PRIORITY

STATE 210130

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 concerning in writing GOI willingness compensate and apologize for incident for which they expressed great regret. We plan give firm note protest and expressing view incident grew out of gross negligence and indicating our ~~xxx~~ 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 informed great U.S. concern over incident for which we can find no ~~xxxxxx~~ satisfactory explanation and ~~xxxxxxxxxxxx~~ our intention submit firm note as indicated above.
4. In conversations in Tel Aviv, suggest you take consistent line ~~xxxxxxxxxxxx~~ inform them in your discretion that note will be ~~xxxxxx~~ forthcoming through GOI Embassy Washington.
5. Text both notes will be sent separately.

CP-3

END RUSK

NEA:LCBattle	6/10/67	4263	Under Secretary
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WHITE HOUSE - Mr. Brouley Smith S/S - Mr. Walsh

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(2)
FORM NO. 10
MAY 1962 EDITION

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