

STATEMENT OF CAPTAIN M. J. HANLEY, USN

DEPUTY CHIEF OF STAFF, CINCUSNAVEUR

(For the JCS Fact Finding Team and the Court of Inquiry)

Before getting into the details of what happened on the night of 7-8 June, it may be of assistance if I clarify my position on the staff; particularly as regards the movements of ships under CINCUSNAVEUR's operational control or, in the case of the USS LIBERTY, under CINCUSNAVEUR's operational cognizance (my definition).

During the present upheaval in the Middle East, the movements of U. S. Navy ships have assumed a political and diplomatic sensitivity that has naturally resulted in a close screening of all ship moves prior to the time that they are made. During the night no ship moves which have not been previously scheduled and about which CINCEUR has not been informed are made without calling me. It is my responsibility to determine whether the move is of such significance that it should be reported to and approved by either CINCUSNAVEUR or the Deputy CINCUSNAVEUR. Standard practice is to make no moves however insignificant without informing the USCINCEUR duty officer. This is as a result of both written directives from USCINCEUR and informal understandings with their senior officers.

On the night of 7-8 June our battle watch was set in the Operations Control Center and, at a time that I did not notice, I received a phone call from Commander Jorgenson, the Command Center Duty Officer, about a proposed unscheduled movement of the LIBERTY. Commander Jorgenson informed me that a major in the JRC had called him and stated that they wanted the LIBERTY to move out to at least one hundred miles from the coast to conform to the restrictions which CINCUSNAVEUR had originated on ship movements in the Eastern Mediterranean and which COMSIXTHFLT had reported to the JCS as policy restrictions on ship movements. 11274

I asked Commander Jorgenson if, to his knowledge, USCINCEUR knew anything about this direct phone call from the JRC to CINCUSNAVEUR inasmuch as this was not a normal procedure. Generally we are informed of this type of movement by USCINCEUR. He replied in the negative. I did not ask Commander Jorgenson if he had asked for an authentication on the phone call.

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I instructed him to inform the USCINCEUR Duty Officer in the premises of the call. I further instructed him to tell the USCINCEUR Duty Officer that we were ready to carry out any directive on moving ships that USCINCEUR should so order. However, in this case, the movements of the ship were being controlled by the JCS directly and we would like to have the date-time group of the JCS directive to include in our message to the SIXTH Fleet. We were dealing with a ship on a recognizably sensitive mission which was operating under a carefully drawn and very detailed JCS directive which had received a great deal of attention on our staff. He informed me that the messages directing COMSIXTHFLT to comply were already drafted and that he would get the JCS date-time group and release the messages to COMSIXTHFLT.

In this instance, because the LIBERTY was being moved from a recognized high risk area incident to her sensitive mission to an area that was not high risk, I did not consider it necessary to inform my superiors.

I might point out that our staff is particularly sensitive to directives to move ships by phone calls during this critical period without some indication that a written directive is being forwarded. Only the previous day, or perhaps the day before, we had as a result of a phone call sent out a flash message directing the amphibians to sortie from Malta only to cancel this within the hour by another flash message as a result of another phone call. This is but the latest in a series of similar incidents which would indicate that phone calls are sometimes not completely staffed. CINCUSNAVEUR policy is that we request the date-time group of substantiating messages for telephone-directed actions to move ships unless the call is received from a flag or general officer or higher authority. This does not mean that we have to receive the written message but only an indication that it has been staffed and released. In this case I was frankly disturbed that a major was the agent directing the movements of this very sensitive ship.

The LIBERTY represented an unusual ship as far as the normal ship that operates under CINCUSNAVEUR. While COMSIXTHFLT supposedly had her under his opcon, this was a misnomer. Her movements were not being directed by COMSIXTHFLT but by the JCS in view of her recognized high risk mission.

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I have knowledge of one other fact that bears on the LIBERTY incident as regards some of the communication difficulties. It is a matter of record that CINCUSNAVEUR recommended that minimize be instituted in the Mediterranean area. A modified form of minimize was adopted in the European area. Minimize as we intended to assist fleet communications was not adopted.

M. J. Hanley, Jr.
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