



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
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IN REPLY REFER TO

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Ser 15.151.A1/0198
March 16, 2005

The Honorable Rob Simmons
House of Representatives
Washington, DC 20515

Dear Mr. Simmons:

This responds to your March 8, 2005, letter requesting the Navy's position on the findings of the "Independent Commission of Inquiry into the Israel Attack on the USS LIBERTY, the Recall of Military rescue Support Aircraft While the Ship Was Under Attack, and the Subsequent Cover-Up by the United States Government" as introduced during extension remarks by Representative Conyers in the House of Representatives on October 7, 2004. This letter provides background information about the attack on the USS LIBERTY (AGTR-5) and the Navy's investigation.

The attack on USS LIBERTY took place at approximately 1358 hours on June 8, 1967. It occurred during the height of the Six Day War between Israel and the Arab states of Egypt, Syria, and Jordan. The attack was carried out by Israeli aircraft and torpedo boats, resulting in the deaths of 34 U.S. servicemen and injuries to 171 LIBERTY crewmen. The Government of Israel, which had no prior knowledge of LIBERTY's mission, has consistently maintained that the attack was the result of an error induced in part by a misidentification of LIBERTY as the Egyptian ship "EL QUSEIR."

Admiral John S. McCain, Jr., Commander-in-Chief, U.S. Naval Forces, Europe, ordered a Court of Inquiry to investigate the circumstances surrounding the attack. That investigation focused primarily on U.S. military communications problems prior to the attack and the heroic efforts of LIBERTY's crew in damage control during the aftermath of the attack. The Court of Inquiry, which heard testimony from several officers and enlisted men from LIBERTY, including the commanding officer, produced an exhaustive record of proceedings over 650 pages in length.

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The Court of Inquiry was the only United States Government investigation into the attack. The Navy plans no further investigations into the incident.

The Court of Inquiry's record of proceedings was declassified and is available to the public. A copy may be obtained from the Office of the Judge Advocate General (Code 15), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. The requester is required to pay the reproduction costs.

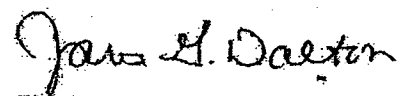
As a result of the incident, the Department of State insisted that Israel take responsibility for the attack. The Government of Israel accepted that responsibility, apologized for the attack, and paid United States Government claims for the deaths and injuries of U.S. personnel, and for damages to the ship.

Servicemen serving on USS LIBERTY during the Israeli attack qualify for the Combat Action Ribbon and the Presidential Unit Citation. Additionally, on August 27, 1991, those members who died as a result of injuries sustained during the attack were officially recognized by the Chief of Naval Personnel as having been "battle casualties."

I assure you that the Navy remembers with gratitude and pride all U.S. Navy personnel, including those of USS LIBERTY, who have so bravely sacrificed their lives in the service of their country.

Please let me know if I can be of further assistance.

Sincerely,



JANE G. DALTON
Captain, JAGC, U.S. Navy
Assistant Judge Advocate General
(Civil Law)