

DEPARTMENT OF THE NAVY  
OFFICE OF THE JUDGE ADVOCATE GENERAL  
200 STOVALL STREET  
ALEXANDRIA, VA 22332-2400

December 17, 1998

The Honorable Charles S. Robb  
(his Norfolk address)

Dear Senator Robb,

I am responding on behalf of the Navy to your correspondence of November 10, 1998, by which you forwarded Mr. David W. Young, Jr.'s electronic mail requesting an investigation by the Congressional Research Service into the 1967 attack on USS LIBERTY (AGTR-5). This letter provides background about the incident and the Navy's investigation.

The attack on USS LIBERTY took place at approximately 1358 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 the U.S. military communications problems prior to the attack and the heroic efforts of LIBERTY's crew in controlling damage during the aftermath of the attack. It does, however, substantiate that shortly after the attack the torpedo boats asked if LIBERTY required any assistance. Additionally, with respect to carrier aircraft support, the inquiry indicates that aircraft from USS SARATOGA and USS AMERICA were launched to defend USS LIBERTY. The record also relates that the aircraft were recalled following the receipt by Commander, Sixth Fleet, of a message from the U.S. Defense Attache in Tel Aviv, Israel, stating that Israeli aircraft and torpedo boats had erroneously attacked a U.S. ship and that rescue operations were underway. The Court of Inquiry, which heard testimony from several officers and enlisted men from LIBERTY, including the commanding officer, produced an exhaustive record of proceeding over 650 pages in length.

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

The 1967 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 35), Washington Navy Yard, Building 33, Washington, D.C. 20374. 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 the 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 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. naval personnel, including those of USS LIBERTY, who have so bravely sacrificed their lives in the service of their country.

I hope this information is helpful to you. Please let me know if I can be of further assistance.

Sincerely,

/s/ J. P. WINTHROP  
Commander  
JAG's Corps, U.S. Navy  
etc.