

The USS Liberty Incident: Case Closed

by Notra Trulock, III

On June 8, 1967, in the midst of the Arab-Israeli Six Day War, the Israeli military attacked the USS Liberty as it patrolled off the Sinai Peninsula. Before the attackers finally broke off, they had killed thirty three American sailors, one U.S. civilian and wounded 171. The attack stopped short of sinking the Liberty, however; when the Israelis realized they had been targeting a U.S. Navy ship, they offered rescue assistance to the Liberty survivors.

The attack was conducted in two waves about 20 minutes apart. Israeli Air Force fighters conducted two strafing runs and then navy torpedo boats fired a salvo at the ship. The Liberty was badly damaged, but managed to make its way to safety through the heroic efforts of the crew. The Liberty's captain received the Congressional Medal of Honor and other crew members received Silver Stars and Navy Crosses for their heroism.

The USS Liberty provided an intelligence collection platform for the National Security Agency (NSA) and the navy's cryptologic service, the Naval Security Group (NSG). The ship had been ordered into the area to collect signals intelligence (SIGINT) on the combatants with a particular focus on Soviet support to the Egyptians. At the time, the U.S. did not possess the global intelligence capabilities provided by satellites and relied on airborne and naval platforms for collection.

By the time the Liberty arrived on station, the Israelis had already occupied much of the Sinai. At the direction of NSA, the Navy sent repeated messages to the Liberty to pull back out of harm's way, but these were mis-routed and arrived only after the damage had been done. Less than a year later a ship on a similar mission, the USS Pueblo, was captured by North Korea and the ship-borne collection program was subsequently discontinued.

The Liberty incident occurred during America's deepening tragedy in Vietnam; in that week alone, 187 U.S. servicemen were killed in action in Southeast Asia. Moreover, just a few days earlier, U.S. Air Force jets had mistakenly attacked a Soviet merchant ship in a North Vietnamese harbor. As with the Soviet merchant attack, U.S. inquiries quickly determined that the Israeli attack on the Liberty had been a mistake. The case was closed and largely forgotten.

But not by the survivors, the victims' families, and NSG personnel, whose members suffered heavy casualties in the attack. Many believed that the Israeli attack was no accident, that the Israelis knew they were attacking a US Navy warship, and that the U.S. government had colluded with Israel to cover up the incident.

The Liberty veterans organized in 1981; over the years, this association and its affiliates have repeatedly pressed for a full investigation of the attack on the Liberty. They have managed to generate some media attention to the attacks; most notably, British Thames TV aired a story in 1987 and independently-made documentaries have run on the History Channel and elsewhere. But the government's refusal to declassify details about the attack, particularly information

collected by the NSA, has spawned a cottage industry of conspiracy theorists, at least some of whom seem motivated by a strong anti-Israeli animus. One prominent Internet Liberty web site, for example, touts the pro-Palestinian *Washington Report on Middle East Affairs* as a very reliable source of information on the attack. A particular refrain of critics, like former Congresswoman Cynthia McKinney, is that “there has never been an official investigation” of the incident.

But the public record shows that, in fact, there have been at least ten official investigations, including five by congressional oversight committees on foreign relations, the armed services and U.S. intelligence, plus one by the House Appropriations Committee. All concluded that the attack was a tragic mistake or that there was no evidence to the contrary. The most recent was in 1991 by a House Armed Service subcommittee with support from then White House Chief of Staff John Sununu. The subcommittee concluded that the incident had already been thoroughly investigated and that there was nothing left to be done. The survivors’ groups have dismissed all these inquiries as a “sham.”

The Liberty incident took on new life, however, with the recent publication of two books that provide sharply different accounts of what happened on June 8, 1967. The first, *Body of Secrets: Anatomy of the Ultra-Secret National Security Agency* was published in 2001 by investigative reporter James Bamford. This was Bamford’s second book on NSA and was marketed as an expose that “should be read by everyone concerned about the inevitability of Orwell’s Big Brother.” Bamford served as an enlisted man in the NSG, a fact that has been omitted from his biographical materials in *Body of Secrets*. He has not responded to AIM’s request for confirmation of his military affiliation.

Bamford devoted just one chapter to the Liberty incident, but its contents made news, mostly by his claim of “proof” that the Israelis knew they were attacking a U.S. Navy ship. Further, he charged that Israel wanted to hide the atrocities that its military forces were committing against the Egyptians and others during the Six Day War. The Israelis feared that the Liberty had collected such information and, therefore, the ship and its crew had to be destroyed to cover up Israel’s “war crimes.” Bamford’s conclusions were warmly embraced by the survivors’ group and their advocates.

Bamford’s account of the Liberty attack was played up most notably in the New York Times and on the Cable News Network. On April 23, 2001, the Times’ James Risen wrote that Bamford had provided “new evidence” that the attack was deliberate. CNN highlighted Bamford’s claim “the Israelis knew they were attacking a U.S. ship.” Similar accounts were carried by the Toronto Sun, the International Herald-Tribune, and the Internet website Salon.Com. One of Bamford’s critics accurately noted that much of the press had given the book “a largely respectful, and frequently credulous, reception.”

The other book was published in 2002 by A. Jay Cristol, a retired naval aviator and a federal bankruptcy judge. Cristol first started working on *The Liberty Incident: The 1967 Israeli Attack on the U.S. Navy Spy Ship* as a graduate thesis in 1986. He spent more than fourteen years investigating the details of the Israeli attack and the inquiries that went on behind the scenes after

that attack. Cristol was thorough and painstaking in his research, unlike Bamford, and seems to have left no stone unturned. He offers reasonable and well-argued explanations for what really happened that day, but his book has been ignored by the national media.

Cristol has encountered fierce criticism from the survivors and their supporters; during a recent appearance at the Washington Navy Yard, for example, one survivor accused him of accepting money from Israel to cover his travel and expenses. Cristol coolly offered to produce his travel receipts to demonstrate that he had paid all his own expenses and willingly accepted an invitation to debate with the survivors.

Both in person and in his book, he is respectful of the survivors and honors their service. But he is skeptical about their “eyewitness accounts” of the incident. (Washington’s recent experience with “eyewitness accounts” of the Beltway sniper seems to justify that skepticism.) And many of the “eyewitness accounts” of the Liberty survivors have become increasingly muddled, contradictory, and distorted over the years.

Over time, for example, the Liberty survivors and their supporters have become ever more insistent that the Israel knew they were striking a US Navy ship that day. And they have been supported by such prominent retired Naval officials as former Chairman of the Joint Chiefs of Staff Admiral Thomas H. Moorer. (Ironically, Moorer endorsed findings to the contrary in the Navy’s inquiry in 1968 when he was Chief of Naval Operations.)

Cristol stipulates that the attack was deliberate – by definition. For him, the real question for is, “Did the attacking Israelis know that their target was a U.S. ship?” Was the attack a “premeditated, malicious act perpetrated by the Israelis against a ship they knew to be an American vessel” or was this “a tragic case of mistaken identity?” That is the central question asked and answered by Cristol in The Liberty Incident.

For example, the survivors assert that the Israelis had repeatedly overflown the Liberty that morning and therefore *must have* identified the Liberty. For example, independent researcher John Borne has written that the Liberty crew observed “eight surveillance’s (sic) of the ship, from 0600 to 1245.” One such flight was of particular interest because, Borne says, “Hebrew-speaking radio operators on the ship heard the plane reporting back to its base that the ship was a U.S. naval ship and in fact was the USS Liberty.”

The problem with that account, according to Cristol, is that there were no Hebrew linguists on board the USS Liberty that day. The Liberty had taken on Russian and Arabic linguists at Rota, Spain, before it departed for its patrol area, but a former NSG Hebrew linguist told Cristol that no Hebrew linguists were aboard the Liberty during that mission. Via email, this linguist told Cristol that he had been ordered to board the Liberty in Rota, but had begged off because he was to be discharged from the Navy that June. NSA approved his request and permitted the Liberty to depart Rota without a Hebrew linguist on board.

The absence of Hebrew linguists on the Liberty that day was confirmed to Cristol by former NSG Communications Technician First Class Joseph Lentini, who was wounded in the Israeli torpedo

attack. Cristol also cites an account by then Navy Lieutenant Maurice H. Bennett, a cryptographic officer on the Liberty who received a Silver Star for his actions that day. Bennett told Cristol that the NSA technicians aboard the Liberty thought they were being attacked by the Egyptians and that it was only “those on the bridge [who] had made the identification as Israeli and knew who was attacking.”

Cristol raises questions about the crew’s “eyewitness accounts” of the reconnaissance flights that day. At that time, the Israeli Navy lacked its own reconnaissance aircraft, so the air force flew two missions a day on the Navy’s behalf - one at sunup and another at sundown. Cristol can document one flight, at around 0600 that morning, that identified a ship subsequently determined by Israeli air controllers to be the Liberty. The 0600 sighting was entered on a plotting board in the naval command center. The Israelis acknowledged that several combat-related air missions reported the presence of a ship near El Arish that morning, but there is no record that these reports identified the ship as the Liberty. In the absence of further updates, the navy removed the Liberty plot from its board later that morning.

But there were NAVSECGRU Hebrew linguists in the vicinity that day, monitoring the Liberty attack. James Bamford revealed that these linguists had monitored the attack from on board a NSG-manned Navy EC-121M Super Constellation, also dispatched to the region to monitor the conflict. The existence of tape recordings of the Israeli attack was revealed to Bamford in a 2000 email from Marvin Nowicki, a retired NAVSECGRU Hebrew linguist. Nowicki wrote that he had been the chief Hebrew linguist on board the Navy EC-121M on June 8, 1967, that his team had monitored the attack in “real time” and recorded it for later transcription. Nowicki explained that the tapes were then shipped back to Ft. Meade, the home of NSA, where the transcripts were reviewed for accuracy, filed and largely forgotten. NSA has refused to make the tapes or transcripts available in response to freedom of information requests.

In his email, Nowicki describes the EC-121M’s mission on June 8, 1967, which was to “conduct SIGINT operations off the coast of Israel.” Nowicki recalled that about two hours into the June 8 flight, he was alerted to an Israeli air attack “on some object.” Another NSG Hebrew linguist heard a reference to “an American flag.” The activity subsided, then resumed again “after some time passed.” This time Nowicki listened in and concluded the attackers were “surface units” (later determined to be Israeli motor torpedo boats). Nowicki recalled that he too heard “a couple of references to the flag during the apparent attack.”

After they landed, the tapes were transcribed and Nowicki and his colleagues realized they had overheard Israeli aircraft and MTBs attacking the USS Liberty. He wrote Bamford that, “Although the attackers never gave a name or a hull number, the ship was identified as flying an American flag.”

Based on this, Bamford concluded that the Israelis did see the flag and the attack was cold-blooded murder, just like, he says, the hundreds of earlier murders committed by Israelis that day at El Arish. The existence of these tapes, he asserted, were “among NSA’s deepest secrets.” But Nowicki challenged Bamford’s account of the email after Body of Secrets was published in 2001.

In a May Wall Street Journal review of Body of Secrets, Timothy Naftali wrote that Bamford revealed NSA evidence that proved “the Israelis knew they were hitting an American ship.” That provoked Nowicki to write the Journal’s editors disputing Bamford’s treatment of this “new evidence.” Published on May 16, 2001, Nowicki wrote that he and his colleagues “both heard and recorded the references to the U.S. flag made by the [Israeli] pilots and captains of the motor torpedo boats. My personal recollection remains after 34 years that the aircraft and MTBs prosecuted the Liberty until their operators had an opportunity to get close-in and see the flag, hence the references to the flag.” He concluded with his belief that the June 8, 1967 attack was a “gross error.”

Subsequently, Nowicki provided the full text of his email along with four enclosures he had sent Bamford to Cristol, who then published these on his own website. In Nowicki’s email, he clearly stated that “**the intercepts, never before made public showed the attack to be an accident on the part of the Israelis.**” (Emphasis in original) Nowicki said he confirmed this by reviewing the transcripts of that day’s intercepts over a year later at Ft. Meade. Bamford omitted these details from Body of Secrets and selected those portions of Nowicki’s email that supported his charge that the Israelis knew they were attacking a US ship.

While NSA has thus far refused to release its tapes, Cristol provides a full account of Nowicki’s correspondence. He cross checked Nowicki’s recollections with tapes and transcripts made by the Israeli Air Force of its own communications during the attack. These were made public in 1987 and Cristol had reviewed them after they were released to Thames TV and then again in September 2001. Each time, he was assisted by trained Israeli- and American-born Hebrew linguists. The Liberty Incident includes verbatim copies of the transcripts of communications between Israeli pilots and their ground-based controllers and discussions among the Israeli Air Force controllers about the naval action.

The Israeli transcripts confirm Nowicki’s interpretation of the timing of the flag references that day and show that the Israelis broke off the attack after the flag was spotted. Bamford disputed Nowicki, writing that “Mr. Nowicki’s conclusion is just that - his conclusion.” He claimed that one of the other Hebrew linguists on the plane that day confirmed hearing “the attacking Israelis talk about the American flag.” Unlike Nowicki, Bamford claims that this linguist believed the attack was deliberate, but provided no further details about that individual and no additional proof of his assertions.

The bottom line seems to be that the Israelis did indeed see the American flag on the Liberty that day – but not until too late. The Israeli transcripts show that once the flag was observed, the attack was broken off and the Israelis offered assistance to the Liberty. A question that Bamford doesn’t address is why didn’t the Israelis finish off the Liberty that day? The MTBs were not out of torpedoes or more Israeli aircraft could have been vectored to the target. In fact, there was a flight of Mirage IIICJs outfitted with five-hundred pound bombs on a mission in the vicinity that could have been diverted to finish off the Liberty.

Beyond the question of what the NSA Hebrew linguists heard and when they heard it, Cristol also argues that the “fog of war” made seeing the U.S. flag during the attack very difficult. The

Liberty's flag was shot away during one of the first aircraft strafing runs. Through reference to a "formula for visual acuity," Cristol calculated that the closest the flag could have been observed was 1,323 feet. During their attack runs, the Israeli aircraft were approaching at about 1,000 feet per second and would have pulled out of the attack at about 2500 feet from the target. Under optimal conditions, he concluded that the pilots would have had less than 2-3 seconds to make an identification.

Shortly before the MTBs began their attack, the Liberty ran up a larger 7-by-13 foot "holiday ensign." The MTBs had pulled up about a mile away from the Liberty and their visual identification was impaired by billowing smoke from fires touched off by the strafing runs. There was a confused period of signaling and attempted communication that was broken off when the Liberty opened fire on the torpedo boats. That action seemed to close off further questions about the identification of the ship.

So why did the Israelis go after the Liberty that day? Earlier that morning, Israeli military forces had mistakenly reported an Egyptian destroyer had been shelling Israeli positions near El Arish on the occupied Sinai. They requested naval support to drive off the supposed destroyer; when the Navy was unable to respond quickly enough, Israeli air support was requested. The IAF transcripts depict a flight of Mirage IIICJs being vectored into the area and told, "If it's a warship, blast it." According to Cristol, it was all a tragic mistake. Cristol's book deserves much wider attention, because it should bring closure to a tragic episode in U.S.-Israeli relations.