

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

December 16, 1997

The Honorable Strom Thurmond
United States Senator
Washington, D.C. 20510-4001

Dear Senator Thurmond:

I am responding on behalf of the Navy to your letter of December 3, by which you forwarded Master Chief Jon A. Henke's correspondence expressing concern over the 1967 attack on USS LIBERTY (AGTR-5).

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. 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.

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 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.

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), 200 Stovall St., Alexandria, Virginia 22332-2400. The Navy is not considering any

further investigation of the attack.

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

Judge Advocate General's Corps, U.S. Navy

Head, National Security Law Branch

International and Operational Law Division