

~~TOP SECRET~~

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RECORD OF PROCEEDINGS  
OF A  
COURT OF INQUIRY  
convened at London, England  
by order of  
Commander in Chief  
U. S. Naval Forces Europe  
To inquire into the circumstances  
surrounding an armed attack on  
USS LIBERTY (AGTR-5) which occurred  
at approximately 1230Z, 8 June 1967  
while steaming in the vicinity of  
31°23'N Latitude 33°25'E Longitude  
Ordered on 10 June 1967

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TOP SECRET  
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From: Commander in Chief, U. S. Naval Forces, Europe  
To: Rear Admiral Isaac C. KIDD, Jr., USN, 111843/1100

Subj: Court of Inquiry to inquire into the circumstances surrounding  
the armed attack on USS LIBERTY (AGTR-5) on 8 June 1967

Ref: (a) JAG Manual

1. In accordance with section 0402 of reference (a), a Court of Inquiry hereby appointed to inquire into the circumstances surrounding an armed attack on USS LIBERTY (AGTR-5) which occurred at approximately 1200 on 8 June 1967, while steaming in the vicinity of 31°23' North Latitude, 83°25' East Longitude. The Court will convene at Headquarters, U. S. Forces, Europe, London, England, at 2000 on 10 June 1967, or as soon thereafter as practicable.

2. The Court shall consist of you as president, and Captain Bernard J. LAUFF, USN, 097651/1100, and Captain Bert M. ATKINSON, Jr., USN, 447053/1100, as members. Captain Ward BOSTON, Jr., USN, 418062, a lawyer qualified in the sense of article 27(b) of the Uniform Code of Military Justice, is hereby designated counsel for the Court, and Lieutenant Colonel Allen FEINGERSCH, USN, 812119/1100, is hereby designated assistant counsel for the Court.

3. The Court is directed to inquire into all the pertinent facts and circumstances leading to and connected with the armed attack; damage resulting therefrom; and deaths of and injuries to naval personnel. After deliberation the Court shall submit its findings of fact.

4. The duty of the Court to designate individuals as parties to the inquiry during the proceedings, when appropriate, is set forth in section 0302 of reference (a).

5. The Court is directed to take the testimony of witnesses under oath and to submit a verbatim record of the proceedings. Military witnesses will be warned of their rights in accordance with article 31 of the Uniform Code of Military Justice prior to the taking of their testimony.

6. The Court will conduct its proceedings in closed session.

7. Commander in Chief, U. S. Naval Forces, Europe, will furnish the necessary reporters and other clerical assistance to the Court for the of recording the proceedings and preparing the record of this Court of

JOHN S. McCAIN, Jr

Copy to:

CNO

CINCLANTFLT

COMSIXTHFLT

CAPT Bernard J. LAUFF, USN

CAPT Bert M. ATKINSON, Jr., USN

CAPT Ward BOSTON, USN

LCDR Allen FEINGERSCH, USN

-FIRST DAY-

Let the record show that a Court of Inquiry is in session, convened by Commander in Chief, U. S. Naval Forces, Europe at London, England. The hour is 2314, the date is 10 June 1967.

Present:

Rear Admiral Isaac Kidd, U. S. Navy;

Captain Bernard J. Lauff, U. S. Navy; and

Captain Bert M. Atkinson, Jr., U. S. Navy, members.

Captain Ward Boston, Jr., U. S. Navy, counsel for the court

I will now read the appointing order, original prefixed, marked exhibit A. Commander in Chief, U. S. Naval Forces, Europe, serial 1550/13 of 10 June 1967, from Commander in Chief, U. S. Naval Forces, Europe to Rear Admiral Isaac C. Kidd, U. S. Navy, 111645/1100; Subject: Court of Inquiry to inquire into the circumstances surrounding the armed attack on USS LIBERTY (AGTR-5) on 8 June 1967; Reference (a) JAG Manual. In accordance with section 0402 of reference (a), a Court of Inquiry is hereby appointed to inquire into the circumstances surrounding an armed attack on USS LIBERTY (AGTR-5) which occurred at approximately 1230Z, 8 June 1967, while steaming in the vicinity of 31°23' North Latitude, 33°25' East Longitude. The Court will convene at Headquarters, U. S. Naval Forces, Europe, London, England, at 2000 on 10 June 1967, or as soon thereafter as practicable. The Court shall consist of you as president, and Captain Bernard J. LAUFF, USN, 097651/1100, and Captain Bert M. ATKINSON, Jr., USN, 447058/1100, as members. Captain Ward BOSTON, Jr., USN, 419063/1620, a lawyer qualified in the sense of article 27(b) of the Uniform Code of Military Justice, is hereby designated counsel for the Court, and Lieutenant Commander Allen FEINGERSCH, USN, 612119/1100, is hereby designated assistant counsel for the Court. The Court is directed to inquire into all the pertinent facts and circumstances leading to and connected with the armed attack; damage resulting therefrom; and deaths of and injuries to naval personnel. After deliberation, the Court shall submit its findings of fact. The duty of the Court to designate

individuals as parties to the inquiry during the proceedings, when appropriate, is set forth in section 0302 of reference (a). The Court is directed to take the testimony of witnesses under oath and to submit a verbatim record of the proceedings. Military witnesses will be warned of their rights in accordance with article 31 of the Uniform Code of Military Justice prior to the taking of their testimony. The Court will conduct its proceedings in closed session. Commander in Chief, U. S. Naval Forces, Europe, will furnish the necessary reporters and other clerical assistance to the Court for the purpose of recording the proceedings and preparing the record of this Court of Inquiry. Signed John S. McCain, Jr.

All matters preliminary to the inquiry have been determined and the Court will sit in closed session. Counsel for the Court will now administer the oath to the members and the recorder and the President will administer the oath to the counsel for the court.

The appointed reporter, YNC Joeray Spencer, U. S. Navy, the members of the court and counsel for the court were sworn.

Captain Leonard Raish, U. S. Navy, took the stand as a witness, was duly sworn, advised of his rights under Article 31, Uniform Code of Military Justice and examined as follows:

#### DIRECT EXAMINATION

Questions by counsel for the court:

Q. State your name, grade, organization and present duty station.

A. I am Captain Leonard Robert Raish, I am the Assistant Chief of Staff for Communications, Commander in Chief, U. S. Naval Forces, Europe.

Q. Captain, this Court of Inquiry has been convened to inquire into the circumstances attendant with the armed attack on USS LIBERTY. On 8 June 1967, will you please state your whereabouts?

A. I was on duty in CINCUSNAVEUR Headquarters.

Q. Will you please state to the Court what, if any, knowledge, you have concerning the deployment of USS LIBERTY (AGTR-5) in the Mediterranean on 8 June 1967.

A. Yes, as Assistant Chief of Staff, I have the privilege of participating in the daily operations and intelligence briefings held in the Headquarters. An essential part of these briefings are the movements of ships in the NAVEUR command area. The LIBERTY passed through the Straits of Gibraltar, entered the Mediterranean, and took a generally easterly course, culminating in the position at which she was hit.

Q. What identification is relevant to the AGTR-5?

A. This ship is a commissioned ship of the United States Navy, designated USS LIBERTY. She is a technical research ship commanded by a Line officer.

Q. Do you have in your custody as Assistant Chief of Staff for Communications, any official records from the files of CINCUSNAVEUR concerning the deployment of USS LIBERTY in the Mediterranean?

A. Affirmative, I do. I have with me tonight messages pertaining to communications problems and events prior to and following the time that she was hit.

At this time, Counsel for the Court will request the reporter to mark, as exhibits for the record, these messages which are offered into evidence of the proceedings of this Court of Inquiry. These messages will be marked Exhibits 1,2,3,4,5.

There being no objection, the exhibits were received in evidence.

I now request Captain Raish to read these messages.

Captain Raish: Exhibit 1 is a Joint Chiefs of Staff Secret message 011545Z JUN 67 from JCS to USCINCEUR, info CNO, CINCLANTFLT, CINCUSNAVEUR, COMSIXTHFLT, CTF 64, USS LIBERTY, DIRNSA, NSAEUR, DIRNAVSECGRU, ADIRNAVSECGRU, DIRNAVSECGRULANT, DIRNAVSECGRUEUR, subject USS LIBERTY SKED, reference DIRNSA G/104/311906Z MAY (NOTAL-BOM). 1. When RFS request sail LIBERTY in accordance with the following schedule; A. 2 June depart Rota, B. 2-8 June ENTRROUTE VIA GIBRALTAR STRAIT CPA AS PERMITS, THEN VIA NORTHERN AFRICA COASTAL ROUTE TO POSIT 32-00N 33-00E, CAP MOROCCO MALTA 8 NM CLAIMED DIST 3 NM. CPA SPAIN TUNISIA SARDINIA SICILY CRETE 7 NM CLAIMS EFBDIT 6 NM. CPA ALGERIA LIBYA UAR 13 NM CLAIMED DIST 12 NM, C. 9-30 June CONDUCT OPS SOUTH OF 32-00N AND BETWEEN 33-00E AND 34-00E.

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WHILE CONDUCTING OPS CPA UAR 12.5 NM CPA ISREAL 6.5 NM. 2. REQUEST JCS (JRC) CNO CINCLANT (JRC) CINCLANTFLT BE INCLUDED AS INFO ADDEES ON ALL MOVREPS, DAILY ~~SITREP~~ AND INCIDENT REPORTS. 3. ENROUTE TECH TASKING IAW REF. 4. PROCEDURES FOR DEVELOPING JULY SKED FOLLOW. Exhibit 2 is a Joint Chiefs of Staff message , Confidential 072230Z JUN 67, from JCS to USCINCEUR, info CNO, CINCLANT, CINCLANTFLT, CINCUSNAVEUR, COMSIXTHFLT, CTF 67, USS LIBERTY, HQNASAEUR, NAAEUR OFF GERMANY, DIRNSA, DIRNAVSECGRU, ADIRNAVSECGRU, DIRNAVSECGRULANT, DIRNAVSECGRUEUR, subject USS LIBERTY, reference JCS 6724/011545Z JUN 67. 1. IN VIEW PRESENT SITUATION EAST MED, OPERATING AREA SPECIFIED REF FOR GUIDANCE ONLY AND MAY BE VARIED AS LOCAL CONDITIONS DICTATE. 2. CHANGE CPA UAR TO 20 NM, ISRAEL 15 NM. Exhibit 3 is a Joint Chiefs of Staff Top Secret message 080110Z JUN 67, from JCS to USCINCEUR, info CNO, CINCLANT, CINCLANTFLT, CINCUSNAVEUR, COMSIXTHFLT, CTF 64, USS LIBERTY, HQNSAVEUR, NAAEUR OFF GERMANY, DIRNSA, DIRNAVSECGRU, ADIRNAVSECGRU, DIRNAVSECGRULANT, DIRNAVSECGRUEUR, subject USS LIBERTY, references A. JCS 7337/072230Z JUN 67, B. COMSIXTHFLT 071503Z JUN 67 (NOTAL), 1. CANCEL REF A. 2. REQ LIBERTY COMPLY NEW OP AREAS DEFINED LAST SENTENCE PARA 2 REF B, UNTIL FURTHER NOTICE, I.E., NOT CLOSER THAN 100 NM TO ISRAEL, SYRIA, EGYPT AND 25 NM TO CYPRUS. Exhibit 4 is a COMSIXTHFLT Secret message 080917Z JUN 67, from COMSIXTHFLT to USS LIBERTY, subject USS LIBERTY OPERATIONS, references A. JCS 011545Z JUN 67, B. JCS 080110Z JUN 67, C. COMSIXTHFLT 062349Z JUN 67. 1. PARA 1 REF C is MODIFIED BY REF B. PROCEED IMMED TO OPERATE WITHIN A 25 MILE RADIUS OF POSIT 33-40N/32-30E UNTIL FURTHER NOTICE. DO NOT APPROACH COAST OF UAR, ISRAEL, SYRIA OR LEBANON CLOSER THAN ONE HUNDRED MILES AND CYPRUS CLOSER THAN TWENTY FIVE MILES. 2. NO TASK ORGANIZATION ASSIGNED TO LIBERTY. 3. ACKNOWLEDGE. Exhibit 5 is a COMSIXTHFLT Secret message 101205Z JUN 67, from COMSIXTHFLT to CINCUSNAVEUR, references A. CINCUSNAVEUR 101036Z JUN 67, B. JCS 080110Z JUN 67, 1. REF A TAKEN FOR ACTION, 2. ACCORDING TO CO, USS LIBERTY, REF B AND ALL ASSOCIATED MESSAGES TO PASS CONTENT OF REF F WERE NOT RECEIVED ON BOARD LIBERTY PRIOR TO ATTACK.

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Q. From the information in the exhibits, was USS LIBERTY at the time of the attack, at the position that she was ordered to proceed to?

A. Yes, however, she did not receive two key messages which in effect cancelled the orders under which she was operating.

Q. Which are the two key messages you are referring to?

A. JCS 080110Z and COMSIXTHFLT 080917Z.

Q. Will you please explain to the Court, in a narrative manner, the substance of these messages and the applicability of the messages to USS LIBERTY?

A. LIBERTY was operating pursuant to a JCS message, 011545Z June 67, which directed her to proceed to position 32° North, 33° East. These orders were later modified by JCS 072230Z, which specified that the operating area specified in JCS 011545Z was for guidance only and may be varied as local conditions dictate. This message also indicated "change the CPA to UAR to 20 NM and Israel 15 NM. The next message, JCS 080110Z, a Top Secret message directed USCINCEUR to change the operating area of LIBERTY such that she remained at least 100 miles off the coast of Syria, Israel, and UAR, and at least 25 miles off the coast of Cyprus. This message was also info to several addressees including CINCUSNAVEUR, COMSIXTHFLT, and USS LIBERTY. Action on this message was directed to COMSIXTHFLT.

Q. Is there any information available that LIBERTY received the JCS message 080110Z?

A. The LIBERTY did not receive that message.

Q. On what basis do you form that opinion?

A. I form that opinion on the information received from COMSIXTHFLT, who had queried the Captain of the LIBERTY, COMSIXTHFLT 101205Z.

Q. In other words, it is clear and certain that USS LIBERTY did not receive the message directing it to stay outside of 100 miles of the coast?

A. Yes. Additionally, COMSIXTHFLT, by his 080917Z repeated the substance

of the JCS 080110Z when he directed the LIBERTY to comply with the later message.

Q. What response is indicated from the LIBERTY?

A. The LIBERTY did not receive that message either.

Q. As a communications specialist, will you please advise the Court of your opinion predicated on the exhibits in evidence, why these two messages were not received by LIBERTY?

A. Yes. The analysis reveals that the JCS message, 080110Z, was erroneously routed by the communications center serving the JCS to NAVCOMMSTAPHIL for delivery to USS LIBERTY. At 080449 NAVCOMMSTAPHIL took the correct action and re-routed JCS 080110Z to NAVCOMMSTA MOROCCO for delivery to LIBERTY. Up to the current time this message has not arrived at NAVCOMMSTA MOROCCO, and we are still attempting to trace the reason for non-delivery to NAVCOMMSTA MOROCCO. COMSIXTHFLT's 080917Z which directed LIBERTY to comply with JCS 080110Z and essentially repeated its text as well, was sent from the LITTLE ROCK at 081058. The elapsed time in getting this message off the ship was about one hour and 45 minutes. NAVCOMMSTA MOROCCO routed COMSIXTHFLT's message to Asmara via San Pablo Spain Defense Communication System - USAF major relay. At 081200, COMSIXTHFLT's message was received by the U. S. Army Communications Center at Asmara for further relay to NAVCOMMSTA ASMARA for placing on the broadcast to USS LIBERTY. At 081215Z the U. S. Army Communications Center Asmara relayed the COMSIXTHFLT message erroneously to NAVCOMMSTA GREECE for relay to LIBERTY. At 081506, and there is some question about the preciseness of this time, NAVCOMMSTA GREECE returned the COMSIXTHFLT message back to the U. S. Army Communications Center Asmara. At 081510 U. S. Army Communications Center Asmara then relayed the COMSIXTHFLT message correctly to NAVCOMMSTA Asmara and it was placed on the broadcast at 081525. Clearly, LIBERTY had not received this message as she was hit at least three hours before.

Q. In recapitulation, the official records from CINCUSNAVEUR, which you have read into these proceedings, indicate that at the time USS LIBERTY

was under attack, she had not received either of these two messages, COMSIXTHFLT 080817Z and JCS 080110Z?

A. Yes, that is correct.

Do any members of the Court have questions of the witness?

Captain LAUFF:

Q. Can you give an opinion, based on your experience, as to why these failures to deliver occur in our system?

A. Yes, in my opinion these errors in routing turned out to be human errors on the part of the persons doing the routing in the Communications Center serving the JCS and in the Army Communications Center at Asmara. I would like to further point out that at the time these mis-routes occurred we were several days in a critical situation in the Mid East with a tremendous volume of high precedence traffic being handled and that the undoubtedly young kids who were doing this work were up against traffic volume and probably lack of experience. Communication systems like weapons systems these days are sophisticated but still perform as well as the people who operate them.

Q. Under the conditions such as you have just described, what do you estimate a normal delay time of the precedence of the JCS message 080110Z or the COMSIXTHFLT message 080917Z - what would be the delay time to the ship on average?

A. It would be unrealistic to give you an average because there are so many contingencies. The DCA has established standards which we use for guidance, however, meeting these standards is difficult to achieve particularly under the circumstances that we have been involved over the past week.

Q. Had the errors connected with the routing of the messages in question not occurred, would the messages have been received by LIBERTY in a timely fashion?

A. The answer to that is yes.

Rear Admiral KIDD:

Do you gentlemen have any more questions?

No sir.

Captain, I have two or three questions I would like to ask.

Q. Are all of the terminals in the system related to delivery of the messages in question, to the best of your knowledge, now on-line crypto-equipped?

A. Affirmative.

Q. Has the introduction of the on-line system, in your experience, introduced a situation where we are perhaps becoming increasingly confident and dependent upon automation in general terms, beyond that which existed before the on-line systems were made a part of the communications network?

A. Yes sir. We are both confident and dependent, and in my opinion this is all to the good due to the increased capability of the system and increased speed of handling messages.

Q. Has the incidence rate of identifiable problems typified by these two messages increased, decreased, or remained about the same since the introduction of on-line crypto?

A. I have no way of comparing that sir, this is like saying were there more automobile accidents in the 1947 model automobiles compared to the 1967 automobiles.

Q. I think captain, you have really answered the question indirectly in the affirmative, that there is an increased incidence rate because with the increased capability, has not the volume increased also?

A. It wasn't my intention to give you that impression, sir. Yes, there has been a quantum increase in volume, ergo, the chances for errors would be greater, I grant you that. But on a percentage basis, I doubt it. On the old system, you were dependent on human beings all along the line. Under the new system, of course, you are still dependent on human beings, but in fewer places.

Q. Are the human beings on whom we are depending now of the same or different qualification and experience levels?

A. Depending on the point you make the comparison, but prior to on-line systems we use to have officer coding boards usually made up of junior officers. Now coding boards are generally a thing of the past and enlisted men operating on-line equipment do this work. I would say, quality of personnel in some respects is down, particularly in the communications field, because reenlistments for hard driving communicators is not the best. In my opinion, the Navy is accomplishing with youngsters, that is with strikers and third class petty officers, that which commercial communication companies wouldn't attempt to do unless they had personnel with considerably more experience. Efficiency of personnel is a relative thing as I see it, associated with experience. We are operating a sophisticated communications system with a substantial percentage of first term personnel. On the officer side, we are doing the job with essentially a hard corps of LDO's and the rest are young reserve officers, the great majority of whom are short timers.

Q. When a message of the precedence of the two in question is received in a communications terminal, what if any alarms or other signals are used to alert the individuals at the receiving point that a particularly important message has arrived?

A. The communicators are governed by precedences. They do not have the time nor are they expected to analyze texts of messages in addition to determining importance. Flash messages are associated by either alarm bells or a warning light of some kind. As I recall, neither of these were flashed. Operational immediate messages and the practice in communications centers to shout out "op immediate coming through" or something similar so that personnel concerned have their attention drawn to the fact that an op immediate is being processed.

Q. Now, when you have hundreds of op immediate messages arriving in the same center, then I would imagine that this system collapses of its own weight?

A. I wouldn't say it collapses, but human beings might tend to lose respect for the precedence because of its obviously excessive use.

However, wherever I have been, they say "op immediate coming through";

Sometimes several times a minute - they still say it - they try,

Q. The point I am seeking, Captain, relates to the order in which these messages could expect attention by the individual who would first address himself to it after it left the mechanical and electrical machines in order to first identify, in this case, an error in routing indicator,

A. The basic rule of communicators is "first in, first out by precedence". Thus, if there were twenty op immediates in process and the 21st came in, it would wait its turn and then move along.

Q. Does my recollection serve me correctly, Captain, that during the period of time under consideration, the days preceding, and immediately following, the LIBERTY's attack, the circuits were relatively well choked; or perhaps that is an over-statement with FBIS intercepts and similar traffic transmitted at a very high precedence?

A. We were very busy with traffic of that nature, particularly with FBIS intercepts. All of which were at least op immediate. However, these conditions had little, if anything to do in directly causing the mis-routes.

Q. My point, Captain, is that a mis-routed message arriving - it seems to me would have to wait its turn to find the mis-route and identify it, is that correct?

A. You are correct, sir, it would wait its turn under the first in first out by precedence rule.

Q. My next question, Captain, relates to possible safeguards in the communications system wherein a message originated with a particular precedence and which experienced inordinate delay, what safeguards, if any are available for intermediate stations to raise the precedence where delays have been experienced up to the time of receipt where the delay is identified?

A. Here is where experience counts. An experienced communicator will notice this and do something about it. This is something you can't legislate, sir. A mechanical safeguard is not feasible, but an experienced person can do something about it.

Q. Have you, in your career, had occasion to personally observe instances where precedences have been raised under such circumstances?

A. The assignment of a precedence is the responsibility of the originator, thus the communicators would not raise the precedence per se, however, depending on their experience, they could handle it in a manner as though it had a higher precedence; and this I have seen done often. For example, sir, in many cases there are either direct circuits or the NAVCOMOPNET available and messages can be sent over such circuits and taken out of competition with all other general traffic.

Q. Did Asmara, or does Asmara have such a NAVCOMOPNET?

A. Affirmative.

Q. I would gather then that the two critical messages in question did not enjoy this type of service, is that correct?

A. Certainly, the one message from COMSIXTHFLT was not routed over that circuit, it went over DCS circuits.

Q. Would the situation that we have just been discussing, Captain, come under the heading which you mentioned earlier, of lack of experience being a key to identifying a message that had been delayed, in this particular incident?

A. Possibly, sir, in the case of the COMSIXTHFLT message. This message was mis-routed by the Army's comm center in Asmara and sent to NAVCOMMSTA GREECE. The soldier who did the mis-route may have been inexperienced, or what have you, but then NAVCOMMSTA GREECE apparently was a little slow in getting this message back to Asmara and here experience might have been a factor. On the other hand, we know NAVCOMMSTA GREECE had been handling a lot of FBIS type messages and the delay could have been under the first in first out rule. Also, the NAVCOMMSTA GREECE personnel could have returned this message direct to NAVCOMMSTA ASMARA had the experience factor been present. Mind you, this business is surmised because I do not know the rate and enlistment time of the traffic handlers involved.

Let the record show at this point that Captain Raish has been asked to develop a set of questions for submission to communication officers,

relay stations, and centers involved to ascertain the reason for the delays experienced by the two messages under discussion.

The witness was duly warned and withdrew,

The Court adjourned at 0250 hours, 11 June 1967, to be reconvened at the call of the President.

The President, Counsel to the Court and Reporter proceeded to Souda Bay, Crete and boarded USS LIBERTY at sea enroute to Malta. The Court met aboard LIBERTY at 0630 hours, 12 June 1967, but adjourned until arrival of LIBERTY at Malta to meet with full court.

-SECOND DAY-

At Malta, the hour 0755, the date 13 June 1967. This Court of Inquiry is now in session again. All persons connected with the Court who were present when the Court adjourned in London, England on 11 June 1967 are again present in Court except that the Assistant Counsel for the Court who is now present will be sworn.

The Assistant Counsel for the Court, Lieutenant Commander Allen Feingersch, U. S. Navy, was sworn.

Ensign David G. Lucas, U. S. Naval Reserve, took the stand as a witness, was duly sworn, advised of his rights under Article 31, Uniform Code of Military Justice and examined as follows:

DIRECT EXAMINATION

Questions by counsel for the court:

- Q. Please state your name, rank, organization, and present duty station.
- A. Ensign David G. Lucas, First Lieutenant and Gunnery Officer, USS LIBERTY (AGTR-5).

Let the record show that this witness is being called out of order in order that he may be medically evacuated to a hospital ashore for *Blp* and that he is experiencing considerable physical discomfort at this time.

Q. Mr. Lucas, as you are well aware, this Court of Inquiry has been convened to inquire into the circumstances attendant with the armed

attack on the U. S. Naval vessel, USS LIBERTY, which occurred on 8 June 1967. Will you please describe to the court the circumstances of that incident that you recall?

A. Yes sir. We had a general quarters drill which secured shortly prior to 1400. After securing from the drill I came to the wardroom and was in the presence of Lieutenant Golden and Ensign Scott. Ensign Scott left the wardroom and we heard the word passed over the LMC to stand clear of the motor whaleboat while testing engines. Very shortly after that word was passed we heard what sounded like a very loud thump or crash. Mr. Golden and I half jumped from our seats, we looked at each other, and both thought that the motor whaleboat had fallen from its davit onto the deck. We went to the closest porthole, pulled the curtains, and did see some dust and black smoke rising. It was at this time that the general quarters alarm was sounded, and we knew that we had been attacked. I went into the passageway outside the wardroom via athwartships passageway to the starboard side of the main deck and from there used the ladder to go to the bridge, the 03 level. Upon arriving on the bridge I got my battle helmet and my life jacket from the starboard gear locker and was just getting ready to go to my general quarters station which is on the 04 level, the flying bridge. We were hit by what I assumed to be the second pass of aircraft. Another man was next to me. I think he was a signalman. We both hit the deck just outside the starboard hatch leading to the pilothouse. Three or four shells hit in our area. After that shelling had ceased, I went into the pilothouse, didn't figure it was too safe to go to the 04 level at that time. Another pass was made and everyone in the pilothouse hit the deck. When I did enter the pilothouse, the officer of the deck for general quarters, LT O'CONNOR, had already been injured and had been carried into CIC, which is just aft of the pilothouse. The junior officer of the deck at general quarters, LT ENNIS, was lying in the after portion of the pilothouse and appeared to have a *Ble* I can't recall what other personnel were on the bridge at that time. It consisted

of several phone talkers and a third class quartermaster, BROWN, was at the helm, which was his general quarters station. I left the pilothouse, came to the wardroom to learn the condition of LT O'CONNOR and LT ENNIS. Came down the ladder in the superstructure. When I got to the 02 level, the men were carrying the Executive Officer, LCDR ARMSTRONG, down to the wardroom for medical aid. At the time I saw him, he appeared to be in shock, was very pale, and was not saying anything. Mr. ENNIS had gotten partially down & they were having difficulty carrying him down and he was in the passageway outside his stateroom, waiting for attention to his

*ble* I came into the wardroom and there were at least half a dozen casualties in there being treated. Several of the enlisted men had been in the spaces forward of the superstructure, in the IC shop and the emergency diesel room. These areas had been shelled very heavily on one of the first passes. I found out the emergency diesel did not work and that the gyro was not functioning either. I left the wardroom area. Somehow we received word that there was a fire burning on the 01 level, port side. It was in the vicinity where two 55 gallon drums of P-250 fuel was stored. Some enlisted men in the passageways got a hose and were putting out the fire. The fire had spread aft of the P-250 cans and the four life rafts were burning on the 01 level. I can't remember the exact amount of time that I did spend in the superstructure area. When I was in the passageways, I hear we did receive some more shelling. I returned to the bridge. To the best of my knowledge, when I did return to the bridge, the only people present were the Commanding Officer, one phone talker, who was lying on the deck in the chart room, quartermaster BROWN on the helm and myself. Before I went back to the bridge, we had received word over the phones that were working, we had very little communications as such, the LMC was hit and not functioning. The only communications we had were via sound-powered phones. We had received the word "standby for a torpedo attack". It was very shortly after I returned to the bridge the Commanding Officer hollered in to pass over all circuits, "standby for another torpedo attack, starboard side".

The torpedo hit and it seemed like within a matter of seconds we had a ten degree starboard list. Shortly after that the Commanding Officer called me to the starboard wing, asked me to get some glasses to try to help him identify the patrol craft. He had been using his binoculars and was also taking photographs of the aircraft and of the three patrol craft. I did not actually see any of the aircraft. I was able to read the hull number on one patrol craft as it passed abeam to starboard, going in exactly the opposite direction that we were going, and it was at this time I told the Commanding Officer what the number was. He said, "log it." Which I did, in the quartermasters notebook. At that time, there was no quartermaster available. This was the first entry that I made in the log. I continued to make entries for approximately the next 45 minutes. There were still just the four people on the bridge. This was the Commanding Officer, third class quartermaster BROWN on the helm, and seaman LAMAR on the sound-powered phones, and myself. The Captain warned us to take cover, the shelling started again. Everyone took cover as best we could. There were shells, or fragments of shells, flying in through the starboard hatch, which no one had been able to secure. A quartermaster, when these shells started flying, stepped back from the helm to get as much protection from the corner of the chart room as possible. He still had his hand, one hand on the wheel. I was two paces to his left, and two paces behind him. A fragment hit him, I think from behind. It must have come through the bulkhead in the chart room. He let out a gasp, fell backwards into the chart room, and within say a minute, was dead. I grabbed the helm, noticed that I had no power at all, the gyro repeater was not functioning, the rudder angle indicator was not functioning. None of the instruments there were working. We had been attempting to get away from the area as fast as possible, on an approximate course of 000. The Captain asked what the current heading was. We were turning in a fairly good sized arc at that time. I had no indication of how much rudder I had on. I could not correct it to steer something close to 000 magnetic. We get the phone

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✓2.	JCS CONF MSG 072330Z JUNE 1967	3
✓3.	JCS TOP SECRET MSG 080110Z JUNE 1967	3
✓4.	COMSIXTHFLT SECRET MSG 080917Z JUNE 1967	3
✓5.	COMSIXTHFLT SECRET MSG 101205Z JUNE 1967	3
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✓ 31.	MANEUVERING BOARD	133
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✓ 34.	CINCUSNAVEUR MSG 141631Z JUNE QUERY	139
35.	NAVCOMSTA PHIL MSG 150346Z REPLY	139
✓ 36.	CINCUSNAVEUR MSG 141629Z QUERY	139
37.	NAVCOMSTA GREECE MSG 150731Z REPLY	139
✓ 38.	CINCUSNAVEUR MSG 141628Z JUNE REPLY	139
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✓ 41.	USATRACOM ASMURA MSG 150520Z JUNE REPLY	139
✓ 42.	CINCUSNAVEUR MSG 141626Z JUNE QUERY	139
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*Too Big to Copy*

talker to contact after steering and shifted control to after steering. Even after control was shifted, the people back there were having a difficult time. I think to start with, they were steering by hand. There was some firing from the patrol boats. They had periodically fired at us. There was now a lull in the firing. And yet, it sounded as if the men at mount 53, this would be the 03 level starboard side, aft of the pilothouse, it sounded as if they were firing at the patrol craft who at that time were within a thousand yards at an approximate relative bearing of 120. The Commanding Officer was on the starboard wing and had these patrol craft in view. He ordered me to tell the men on mount 53 to cease firing. A fire had started at this time on the starboard side. The hit had occurred somewhere in the vicinity of the bridge. The flames had gone back to the motor whaleboat, and it was burning rapidly at that time. I could not see mount 53 from the starboard side. I went out the port hatch. The first thing I noticed was mount 54 was vacant. The flames from the liferaft and the P-250 fuel had reached mount 54 and chased everyone out of there. I ran back to mount 54, looked over the skylight from the engineering spaces. Had a clear view of mount 53 from, say the waist level up, and there was no one on mount 53. The flames from the motor whaleboat were coming over the lip of the mount. I assume that the bullets that were in the gun, or bullets that were in a ready service ammunition box, very near there, were cooking off and firing. I ran back, reported to the Commanding Officer, that there was no one firing from mount 53, that the flames must be causing the bullets to cook off. Mount 51 and 52 on the forecastle had been long silent by this time. Many of the men, there were three assigned to each mount, many of the men were killed on the first strafing attack. When I first did look forward at the mounts, there was one man cut in half on mount 51, and it looked as if there were at least two men in mount 52 who were severed. After that time, I believe there was just one more shot fired. A seaman, BARKINS, was told to man mount 51, either told or he volunteered to, and he got off one shot; the Commanding Officer hollered for him to cease

fire, which he did. I can recall no further firing from either side after that time. The Commanding Officer hollered "cease fire", and it was approximately at this time the patrol craft were bearing approximately 160 relative. One of them was trying to signal us. The smoke from the motor whaleboat almost completely obscured the patrol craft from us. There was a second class signalman, DAVID, on the starboard wing. None of us were able to determine what the signaling was - the smoke was too intense. Shortly after that, another patrol craft approached us from the starboard side and did manage to get clear of the smoke. The signalman took the message, "Do you need help?". The Commanding Officer told signalman DAVID to give a negative reply. We still did not know the identity of the patrol craft itself other than the fact that we had gotten the hull number earlier. This appeared to be one of the same three boats that had attacked us earlier. The patrol craft then appeared to rendezvous at two to three thousand yards astern of us, a relative bearing of 200. A helicopter was sighted, and then a second helicopter. Signalman DAVID who is very knowledgeable on aircraft and who had also been looking at Janes Aircraft several days prior to the attack, stated, "those aren't ours, they're Russian made, Sikorsky models". One of the helos came close to the port wing, came down to our level, and we tried to communicate with each other, but had no success. I was told to go to the forecandle to see if I could aid in a sling drop. It appeared as if they wanted to lower someone on the ship. We still could not get our signals straight. When I did get on the forecandle, I saw the Commanding Officer waving his arms in a negative sign. We waved the helicopter away from the area of the forecandle. It went back to the port wing again. Eventually, someone in the helo wrapped up a package of some sort and threw it to the people on the bridge. To the best of my recollection the people on the bridge were the Commanding Officer, signalman DAVID and a chief petty officer THOMPSON. The package had a calling card attached to it and it either said, "U. S. Naval Attache, Tel Aviv", or merely, "Naval Attache, Tel Aviv". We did

get the numbers of both helicopters in the quartermasters log. They were either "04 or D4" and "08 or D8". There also appeared to be a "Star of David" on the side of the helo. The helo was waved away shortly after the calling card was thrown over, we saw no more of the helos. Now it was the matter of still trying to get the ship out of the area. We had no idea whether we would be attacked again or not. The list had held steady at approximately ten degrees. After steering was able to keep us on somewhat of a northerly course, although we were weaving anywhere from 30 to 40 degrees either side of our chosen magnetic course of 000. I was getting the rudder angles to steer for awhile called back to after steering and then the Commanding Officer was giving them after that. The Commanding Officer had been injured in his *BU* on what must have been the first aircraft pass. He was bleeding profusely. The Captain had been administered first aid and he had a belt tourniquet around his *BU*. He insisted on being everywhere that he could. He was on both wings, in and out of the pilothouse, taking pictures. I believe at the time I was giving orders to after steering the bleeding had started again on the Captain's *BU*. I'm just theorizing that the shell fragment that was lodged in the *BU* had been discharged by his movement. We called the corpsman, and the Captain was stretched out on the port wing, being administered first aid. He was still calling orders in to me to relay on to after steering. Bleeding did stop and the Commanding Officer once again was, well, this time he was placed in his chair on the port wing. He gave orders there for quite awhile. It was also a matter of identification. We, ourselves, were asking the question, "Who made the attacks?", "And why?". There was a time when I was in the pilot house that I heard the Commanding Officer holler to someone, perhaps signalman DAVID, to get the Ensign, the colors, off the deck. I went out to the starboard wing, and there was an Ensign on the deck. I went out a little bit further and looked up and we were flying our Ensign. I found that later all of the starboard halyards or hoists had been shot down and that signalman DAVID had run up another Ensign.

Things quieted down somewhat at this time. We still had no indication if we were still under attack or not. I know that there were several times later in the afternoon and early evening that we did take cover at the order of the Commanding Officer when some aircraft did approach at a distance. We were still doing the best we could to head due North. We still had considerable deviation from the base course. I can't recall what speed we finally did attain. I think we tried to make turns for 8 knots, and found it too difficult at that speed to hold the course, and dropped back to all ahead 1/3. We had main control make turns for five knots. There were several times when we were almost dead in the water. Believe that just before or just after the torpedo attack we had no turns. Another time that I can recall that lube oil suction was lost. Both boilers were on the line. We had to wait until that situation was corrected. Seems as if there were several other occasions when it was not possible to get power. After the attack from the patrol boats had stopped, and before we had steadied up, or successfully steadied up on an approximate course of 000, I was checking the fathometer, which was the only piece of equipment on the bridge that I know was functioning and it was only functioning on the 100 fathom scale at the time. Our readings started decreasing rapidly. Commanding Officer ordered me to go to the forecandle, get some men and to standby to let go an anchor. We proceeded to the forecandle, had the starboard anchor ready for letting go, the bridge said "make the port anchor ready". We were trying to pick up the chain stopper, but the pelican hook was up almost against the stopper and we could not raise the stopper. I grabbed a bar of some kind, another man grabbed a sledge and we were pounding at the stopper to try to raise it. We received an order from the bridge that was shouted to us from the Commanding Officer to let go the port anchor, and we could not let go the port anchor. We finally pried the stopper up, this was maybe a minute later, the ship was backing down at that time, all back 1/3. The readings were increasing, the fathometer readings. We received an order not to let go the port anchor. After backing down,

getting a sufficient depth under the keel, we then came around to our northerly course again. After we got on our northerly course, the Commanding Officer came in to his chair inside the pilothouse and gave all orders to after steering. Later, this would have been perhaps 1800 or so, steering was shifted from after steering back to the bridge.

Rear Admiral KIDD:

Q. I'd like to interrupt and ask you a question at this point. Was the Commanding Officer on the bridge all this time?

A. The Commanding Officer never left the bridge, was there from the time GQ was sounded. Perhaps he had stayed there since the drill had secured. He did not leave the bridge until, I'd say 0400 the following morning to make a head call. He made two or three head calls in the course of the morning, but he did not leave the bridge until the DAVIS was alongside the following morning at 0700, on the morning of 10 June. We weren't positive that our magnetic compass was responding correctly. Every now and then the Commanding Officer would go out on the wing and would make minor course adjustments by sighting the North Star. Sometime after sunset, a message was delivered to the bridge from radio central and it stated that the attack had in fact been made by Israeli forces and that they had extended their apologies. Prior to this message, we had received word from the Sixth Fleet that help was on the way. I believe, initially, they just said, "help". Later on we learned that two destroyers were coming to rendezvous with us. During the night, as I said previously the Commanding Officer left the bridge only to make a head call and all during the evening, night, and following morning, until the arrival of the DAVIS, there was an officer with him at all times. Either LT BENNETT, LTJG PAINTER, or myself.

Questions by Counsel for the Court:

Q. To your knowledge, was the Commanding Officer requested to leave the bridge by the doctor in order to obtain medical attention?

A. I didn't hear the order, it's quite possible, but it would have taken ten people the doctor's size to even begin to get him off the bridge.

Q. How would you describe his reaction to his injuries?

A. He was in great pain, there were several times when he was still walking around, but it was obvious he was in great pain. He had lost a considerable amount of blood. At several times felt dizzy. He would not leave, but if he started to get dizzy, he would turn to me, or if Mr. BENNETT or Mr. PAINTER were there, he would say this is what course we're on, what speed to make. He would give instructions.

Q. Backtracking to a point during the heat of combat, did you observe the Captain when he was initially wounded.

A. Yes, I did.

Q. And he continued on in this condition without stopping for assistance by medical?

A. That is correct. It was quite awhile before he did slow down enough to have the belt tourniquet put on the *Bl* assisted with that. I used my belt, and after that a corpsman came up just long enough to adjust the tourniquet and take a look at the Commanding Officer. He did not want any further medical attention and he did not receive any more until the bleeding started a second time, when I think the shell fragment was worked loose.

Q. What period of time had elapsed?

A. Over an hour. I can't say for sure, but it had been at least an hour. How he managed to stay up on the bridge and keep on his feet, to keep the cool head the way that he did, is beyond me. He was giving orders to us in the pilothouse, he was taking photographs of the aircraft, the patrol craft, attempting to identify them with his binoculars, giving orders to the gun mounts when they were still manned, was directing the fire fighting parties, seemed like he was everywhere at one time. Also giving commands to get the ship out of the area, away from land as fast as we could.

Questions by Captain ATKINSON:

Q. Mr. LUCAS, approximately when did you receive word that the Israelis

had attacked - about how long after the attack?

A. It was right around sunset.

Q. Until that time, you all felt you might be subject to re-attack?

A. That is correct.

Questions by Counsel for the Court:

Q. At this point I would like to interrupt your narrative testimony in order to present this exhibit to the record. I have in my custody as Counsel for the Court, the quartermasters notebook, USS LIBERTY. I show you page 102 dated 8 June and ask you if this is the page you referred to when you testified to making entries in it?

A. That is the page, starting with the entry at the time 1446, and I continued making entries until 1655.

Q. Let the record also show that page 102 is considerably splattered with what appears to be blood.

A. It is.

I request the reporter to mark this exhibit number 6. At this time, the Counsel for the Court offers the quartermasters logbook into evidence, a true copy thereof will be substituted in its place.

Q. Will you please read this first entry?

A. "1446, one gunboat tentatively identified as number 206-17." And this was seen by both the Commanding Officer and myself from the starboard wing. I mentioned earlier, the patrol craft was going exactly the opposite direction that we were. This number was read when it was abeam to starboard at approximately 500 yards.

Counsel for the Court:

It is requested that the Court note page 138 of Janes Fighting Ships for 1966, which has Israeli vessels described on that page 138. I will now ask the witness to identify the patrol craft on page 138, and ask if it is similar to the one he saw?

A. The patrol craft here, THOMAS, appears to be the exact same one that I identified. If I had had a camera and taken a picture of it, I would have gotten the same angle, same presentation, as is present here in this photograph. There is one slight difference, there is no dash between the first three and the last two digits, and what I thought to be 17,

I found out later from Mr. BENNETT, when I examined this book, that it was an Israeli symbol that looks like a 17, but is connected by a horizontal line at the bottom. It's quite possible that, well I know that, it was difficult to read the number, not because of the distance, but because of the bow wake coming over and obscuring the numbers.

Counsel for the Court: I will now ask the court members if they have any questions on the exhibits that have been introduced.

Captain ATKINSON:

Q. You say communications were bad. What communications were you referring to?

A. I don't know much about the communications or research setup at all.

Q. This is not the bridge communications?

A. That is correct. I believe that was outgoing communications from the transmitter room.

Q. Were there voice communications passed to the bridge?

A. Not from radio central. We had communications with main control, damage control central and after steering.

Q. In radio communications, do you know where the hieem net is?

A. We knew nothing of what was going on. All messages, outgoing and incoming were hand carried up to the bridge from the radio central personnel. We had been receiving, monitoring Sixth Fleet communications several days prior to the attack, but during the attack the only way we could get hold of somebody was after transmitter room and everything that was sent out or received came up to the bridge via handed message.

Q. Do you know specifically what circuits were being monitored when you said you were monitoring Sixth Fleet communications before the attack?

A. I don't know the call signs of the ships involved or still on the status board in the pilothouse. I can't recall.

Q. You mentioned that there were fathometer readings decreasing. Where were you getting this information from?

A. The only fathometer that was working was in CIC, just aft of the pilothouse, and at that time it was only working on the 100 fathom scale.

Q. Do you recall the depth?

A. I believe they rapidly approached the middle teens. You see, we had no radar. This was knocked out, evidently, on the first air pass. We had to DR from our last fix to give an approximate 1400B position. We included that position in the message requiring assistance.

Q. Were you in sight of land at about the time of the pass?

A. Yes, we were. After dinner, as is customary on here, we often go to the 01 level forward on deck chairs to soak up some sun.

Q. Excuse me, you mean noonday?

A. Noon. There were six officers on the 01 level forward until turn to at 1300. There was smoke visible from land off the port side and also during the general quarters drill. When I was on the 04 level more smoke was visible and the land itself was barely visible. This was through the telescope or high powered binoculars on the 04 level.

Q. In the first portion of your testimony, you mention shelling, what did you intend to convey by the word "shelling"?

A. The first hit, the first noise that LT GOLDEN and I heard when we were in the wardroom was obviously a heavy hit. I assumed this was aircraft and it sounded to us as if it hit on the starboard side. Like I said, we thought it was the motor whaleboat falling from its davit onto the deck. I mentioned shelling again just as soon as I had put on my battle helmet and life jacket on the bridge. This again, I would say was aircraft cause there was a whistling sound several seconds before the actual burst and noise itself came. After I had gone inside the pilothouse and was on the deck, there was another series of whistling sounds preceding the hits. Here again, I assume it was aircraft. When I had

come down to the wardroom, was lending a hand to getting the hose to fight the fire on the port side, there were more easily discernable whistling sounds, even in the passageways, that were aircraft hits. The two men who were handling the hose were keeping an eye out for aircraft. They would put out the fire until another plane came over and then they ducked back inside.

Q. Did the motor torpedo boats fire on you with ordnance other than torpedoes?

A. Yes, they did. This we could easily hear. I can recall it coming from the starboard side on several occasions. At the time quartermaster BROWN was on the helm, the fragment that caught him came from the starboard side and I can't be sure if it was from the gun boats or from our own shells baking off. I'm pretty sure it was from the gun boats. And there were several other occasions of obvious shelling from the torpedo or motor boats themselves.

Q. Do you have any idea how many aircraft were involved?

A. I did not actually see any of the aircraft. There were definitely three motor boats.

Q. Are you the Gunnery Officer?

A. Yes, I am.

Q. Do the surface lookouts come under your glance at general quarters?

A. There, at general quarters the lookouts are on the 04 level. The actual lookout training was done by the Navigator or another member of the Operations Department. They had received refresher training, this was sometime since we left Rota on the 2nd of June, and had been refreshed on reporting all surface contacts to include relative bearing, approximate range, and target angle. Had also been given refreshers on reporting aircraft properly, on elevation, what angle, other factors pertaining to properly reporting all surface and air contacts to the officer of the deck. This had been stressed heavily in the first week in June, before we did reach our operating area.

Q. Was their method of reporting via sound-powered telephone?

A. When we were normally steaming at our modified condition three, the lookouts were on the port and starboard wings, so it was just a matter of shouting into the officer of the deck directly. We had stationed, or had one man in each of the two forward gun mounts. We had ammunition at the guns, but not actually in the breech. These two men had sound-powered phones on. We could call them from the bridge anytime, but for them to call us on the circuit, they would blow a whistle and we would pick up the phone on the bridge. I can't recall what circuit it was, but at a toot of a whistle they could have someone on the bridge alerted to pick up the phone and talk with them.

Q. During the time that you were on the bridge, did you receive any lookout reports via sound-powered telephone?

A. During the attack?

Q. During the attack.

A. When I got up to the bridge, as I said I did not get to the 04 level which was my general quarters station. During general quarters, the two air lookouts were on the 04 level, but they had not made it up there either. I cannot recall seeing a surface lookout on either side of the bridge when I got there. The shelling from the aircraft had either injured them, or they had taken cover inside the pilothouse.

Q. During, and after the attack, did you have sound-powered communications with your gun mounts?

A. To the best of my knowledge, we never had contact with the gun mounts. Let me explain the connection there. My general quarters station is on the 04 level at gunnery control. To get an order to the gun mount, it was easier for the bridge to call a phone talker stationed on the 04 level. He in turn would convey the message to a second phone talker who had communications with all of the mounts. No direct communications from the mounts themselves to the pilothouse, and since no one was able to be on the 04 level, there was no direct communications. At one time, while the torpedo boats were firing at us, my man in charge of mount 53, seaman QUINTERO, hollered to me, "should I fire back?", and I gave him an

affirmative on that. This was before he and the other men in mount 53 had been chased away by the fire and flames from the motor whaleboat. On the forward mounts, I said we had no communications up there. My third class gunner's mate, THOMPSON, according to several witnesses, and to the members of repair two, which is located directly beneath mount 51, said that petty officer THOMPSON went to mount 51 when GQ sounded. He was below decks. His station is with me on the 04 level. Guess he figured he didn't have time to get up there. He went to the closest gun and from the account given by the people in repair two, it sounded as if he got off half a box of ammo at the aircraft. They somehow missed him on the first strafing attack. Several witnesses said that he had the aircraft under fire while it was circling for the second pass and it was during the second pass that he was cut in half by a rocket, but he had the aircraft under fire and got off at least half a box of 50 caliber ammo.

Q. Do you recall how long the Ensign was down?

A. I cannot recall for sure. From the first air attack, the radar was made inoperative, the antenna on the mainmast was damaged, obviously on the first air pass and the Ensign would be flying just below it and just aft of it. Evidently, the shelling that got the radarscope, well it could have very possibly severed the halyard lines at that time, I do not recall when the Commanding Officer saw the Ensign on the deck and told someone to pick it up, but I do recall going out on the starboard wing, looking up and seeing that there was an Ensign flying.

Q. Do you remember the time frame when you looked and saw the Ensign flying, was it during the surface or the air attack?

A. I can't set an exact time on it. I do believe that I recall that at this time the patrol craft was off our starboard side at an approximate bearing of 120. It seems to me that this might have been around the time when I investigated the firing coming from mount 53 and found it was bullets cooking off as opposed to men being there actually firing.

Q. Did you look and see the Ensign flying before the torpedo hit, or was it after?

A. I cannot honestly recall whether it was before or after.

Q. When did you receive your injuries?

A. As soon as I had gotten to the bridge and put on the battle helmet, I mentioned what I assumed were rockets from the aircraft hit in the immediate vicinity. I hit the deck and picked up several pieces of shrapnel in my *Blc* one of them was bleeding enough that I took out my handkerchief and wrapped it around my *Blc* the piece of fragment that hit me in the *Blc* occurred much later, after I had been to the wardroom, returned to the bridge, and after the quartermaster had been killed on the helm. The commanding Officer came from the port wing into the pilothouse, and he said "standby for another attack". I don't recall if it was surface, air, or torpedo. He said "take cover". I heard some firing, some ricocheting off the starboard side. I assumed it was from the patrol craft. I was in the rear portion of the pilothouse and tried to crawl behind the water fountain as best I could, and I got most of me back when I felt something hit me just to the *Blc* it started bleeding rapidly. I tore off the sleeve of my shirt, put it over the wound and just continued on from there.

Q. When did you receive treatment for your wounds?

A. I didn't know that I had any metal in me, as such, the bleeding had stopped on the *Blc* I had no pain. I would guess the first time that I was looked at was on the 10th of June. I went back to sickbay. The night before I had a little bit of swelling, so went back to have the doctor have a look at it. This was just the *Blc* injury. He took an xray and did find that there was a chunk of metal in there. I believe he said it was lodged between a

*Blc*

Q. Do you recall that the patrol boats strafed the ship after the torpedo attack, and if so, how many times?

A. Sir, I cannot honestly answer that,

Q. Let me put the question a little bit differently - earlier in your statement you observed that the patrol boats were attempting to communicate with flashing light?

A. This was definitely after the torpedo attack.

Q. The flashing lights from the boats were after the torpedo attack?

A. Yes, that is correct.

Q. I also understood from you that the ship was unable to respond to the flashing lights from the boats?

A. To the first signalling, that is affirmative, because of the smoke that was between the patrol craft and us.

Q. And I believe, also, the starboard wing 24-inch searchlight had been shot away earlier in the action. Is that not correct?

A. The only signalling light we had available was a small portable light, the face of which was approximately six inches in diameter.

Q. I believe that is called an Altis lamp and the intensity of that light, from personal knowledge, would probably be completely inadequate to penetrate the smoke?

A. Yes sir. All power to all of the other lights was off. Even if it had been on, there was only one operative light on either the 03 or 04 level. The only one that had not been hit.

Q. To the best of your recollection, after the motor torpedo boats signalled, were there any further attacks from them?

A. No, there were not. After this first signalling, I don't believe so. After they signalled "do you need help?", and we answered in the negative, I am positive there were no more attacks after that time.

Q. With regard to the signal from the torpedo boats, when did you first observe the signalling, with respect to the torpedo attack?

A. The first signalling that I observed was the unsuccessful attempts to determine what they were signalling us, and of course, we did not have a chance to answer back to them. This was after the torpedo attacks. The only other signalling that I recall seeing is when we did successfully receive their message and sent a negative answer to it.

Q. Mr. LUCAS, did you bring with you any examples of ordnance or shrapnel recovered aboard USS LIBERTY subsequent to the attack?

A. With the exception of one fragment that was located this morning, the remainder of these fragments and shells were brought up to the pilothouse in the course of the evening and the following morning after the attack. These were turned in by various personnel throughout the ship. Several of these have been turned in since the night of the 8th and the morning of the 9th.

Counsel for the Court: At this time it is requested that these examples be marked exhibit 71, that they be introduced into evidence and copies of photographs be made for record purposes.

President: Let the record also show that these fragments are but a cross-sectional sample of the type of bullets and shrapnel which "holed" the ship.

President:

Q. A question if you please - would you be kind enough to expand on the performance of duty of a young man mentioned earlier in your testimony, named LARKINS?

A. Seaman LARKINS helps man mount 54, 03 level, port side, as his general quarters station. He was on that mount, and stayed on that mount, until the fire coming from the 01 level chased him away. He did recall seeing a plane approaching from the port side and lobbing a cylinder that was attached under the wing. A cylinder five to six feet long, approximately ten inches in diameter. This cylinder approached the 01 level port side in an end over end fashion. After it hit, and the fire started, he climbed over the skylight to mount 53 and helped the gun crew there until the fire from the motor whaleboat drove all people away from that mount. I later personally saw him helping to extinguish the fire on the port side and still later, he, by himself, manned mount 51 and fired one shot before he received a cease fire from the Commanding Officer.

President: No further questions - before you leave to go to the hospital, the Court would like to express itself with a feeling of great pride to

be associated with the service's uniform you wear, young man, and we thank you very much for your cooperation and fine testimony.

Mr. LUCAS: Thank you, Admiral.

The witness was duly warned and withdrew,

The Court recessed at 1045 hours, 14 June 1967 from taking further testimony in order to examine exhibits received by the Board.

The Court opened at 1300 hours, 14 June 1967. All persons connected with the inquiry who were present when the court recessed are again present in court.

Commander William L. McGonagle, U. S. Navy, took the stand as a witness, was duly sworn, advised of his rights under Article 31, Uniform Code of Military Justice and examined as follows:

DIRECT EXAMINATION

Questions by counsel for the court:

Q. Please state your name, rank, organization and present duty station.

A. Commander William L. McGonagle, U. S. Navy, Commanding Officer, USS LIBERTY (AGTR-5).

Let the record show that although the witness is experiencing considerable pain from shrapnel wounds in his *Ble* hat he willingly appeared at this hearing.

Q. Captain McGonagle, as you are well aware, this Court of Inquiry has been convened to inquire into the circumstances attendant with the armed attack on the U. S. Naval vessel which you command, USS LIBERTY, which occurred on 8 June 1967. Will you please describe to the Court the circumstances of that incident as you recall it?

A. At the time of the incident, LIBERTY was performing her mission in accordance with JCS message dtg 011545Z June 1967. At the time of the incident, the ship was operating under the operational control of Commander, U. S. Sixth Fleet. The ship had arrived in its assigned operating area on the morning of 8 June 1967 after having departed from Rota, Spain on 2 June 1967. The ship was steaming in international

waters and was so at all times. A condition of readiness three modified was set. The condition three modified watch consisted of normal steaming watch with the exception that one man was stationed in the forward two 50 caliber machine guns 51 and 52. Lookouts on the bridge were designated to man machine guns 53 and 54 in the event of surprise air or surface attack. Each machine gun had a box of ammunition attached to the machine gun with a round up to but not in the chamber of each mount. During the 0800 to 1200 watch on the morning of 8 June at about 1030, a flight of two unidentified jet aircraft orbited the ship at about 10,000 feet three times at a distance of approximately two miles. It was not possible to identify any insignia on the aircraft and their identity remains unknown. A locating two report was submitted on this sighting. It is not known at this time whether the sighting report was transmitted from the ship or not. Records are not accessible at the time. It was also possible to see on the 8 to 12 watch in the morning the coastline of the Sinai peninsula. Aircraft activity of an apparent propeller patrol type flying at very low altitude and parallel to and over the coast in the vicinity of El Arish was noted. It is estimated that the altitude of this plane was approximately 500 feet. At no time did this plane approach the ship in any fashion. His distance remained approximately 12 to 15 miles. It was possible to visually sight the minaret which is quite conspicuous at El Arish. This was used as a navigational aide in determining the ship's position during the morning and afternoon of 8 June. It became visible at about 0930 and the ship's position was verified, and was within our established operating area. Radar ranges were taken on the nearest land on the same bearing as the minaret. The minaret was also identifiable by radar. There were no other conspicuous or outstanding navigational features in the area. At about 1056 in the morning of 8 June, an aircraft similar to an American flying boxcar crossed astern of the ship at a distance of about three to five miles. The plane circled the ship around the starboard side, proceeded forward of the ship and headed back toward the Sinai peninsula. A locating three

report was submitted. It is not known if this report was transmitted. This aircraft continued to return in a somewhat similar fashion approximately at 30 minute intervals. It was not possible to see any markings on the aircraft and the identity of this aircraft remains unknown. This aircraft did not approach the ship in any provocative manner. It made no attempt to signal the ship. The ship made no attempt to signal the aircraft. At 1039B the Minaret at El Arish was bearing 189<sup>0</sup>T, 17 miles. At the time the ship was on a course of 253 at speed five knots. At 1132, the ship changed course to 283 true, speed five knots and was on this course and this speed at the time of the attack. At about 1310, 8 June, the ship went to general quarters for drill purposes to conduct training for a mandatory non-competitive exercise to exercise the crew in chemical attack procedures. The drill was performed in a satisfactory manner. Nearly all of the top-side personnel were exercised through the chemical decontamination station and were absent from their battle station for varying periods of time while performing this phase of the drill. After top-side personnel that had been designated to proceed through the decontamination station (these personnel were all gun crew personnel and secondary con personnel) returned to their battle stations and the performance of the crew judged to be satisfactory the crew was released from battle drills at about 1350 and condition three modified was again set. At the commencement of the drill it was possible to see a large billowing cloud of black smoke rising from approximately 15 to 20 miles to the west of El Arish on the beach. The exact identity of the cause and the location of this explosion is not positively known, although it was believed to be near the beach in that area. This was noted at about 1300. At about 1330 a smaller cloud of black smoke was noted to the east of El Arish estimated five to six miles and also along the coastline. Before dismissing the crew from general drills, I gave the crew a short talk on the PA system, reminding them of the importance of expeditiously responding to general quarters and the setting of condition Zebra for drills and in the event

of an actual attack. So that they would be impressed I pointed out to the crew at that time that the column of black smoke on the beach should be sufficient evidence that the ship was in a potentially dangerous location. I had no evidence or indication that an attack would actually be made on the ship at the time that statement was made to the crew. The statement was made to encourage them to set condition Zebra in a more expeditious manner than they had done for the drill held that afternoon. As I recall all battle stations were reported manned and ready within three minutes for the afternoon drill, but the report of condition Zebra had not been received on the bridge until about four minutes forty-five seconds after the drill commenced. This I considered to be excessive. After conducting general drills, it is my usual practice to go to the wardroom and have a cup of coffee and critique the drill with the Executive Officer, Lieutenant Commander Armstrong, the Engineering Officer, Lieutenant Golden, and the Damage Control Officer, Ensign Scott, ~~and I~~ have not been particularly satisfied with the drill. If the drill has been satisfactory, usually I contact the officers on an individual basis at some later time during the day and indicate to them that I was satisfied with the drill and point out some of the errors in which improvement could be made and point out also to them the things that I felt had been done properly. With the exception of the length of time that it took to set condition Zebra I was satisfied with the performance of the crew for the afternoon drill and did not assemble the above mentioned officers in the wardroom for a critique. After general quarters was over from the drill, I lingered on the bridge for a few minutes. As I recall, the following officers were present on the bridge: LCDR ARMSTRONG, ~~THE ENNIS~~ ~~THE~~ CONNOR, who is normally officer of the deck during general quarters, LT TOTH, the Operations and Navigator, also Intelligence Officer. LTJG PAINTER came onto the bridge after general quarters to assume the watch as the officer of the deck. As he assumed the officer of the deck watch, he indicated that he was having difficulty in obtaining an accurate ship's fix. At that time, and the

time was approximately 1400, I personally sighted the Minaret at El Arish to be on a bearing of 142 from the ship and the range as I recall from the radar was approximately 25.5 miles. I do not know that this radar range can be verified from the records available at this time. I had also earlier in the day established a danger bearing on the Minaret at El Arish to be 119 degrees true from the ship. The danger bearing was established to insure that the ship remained clear of shoal areas to the south of the southwesternmost edge of our operating area. It was not known if the Minaret would still be visible when we approached the southwest corner of our operating area or not, but the danger bearing was established to be used if the Minaret was visible when the ship arrived at that location. At this point in the preparation of my statement, I referred to the quartermaster's notebook. 12-1600 watch, Thursday, 8 June 1967. I referred to this log for the purpose of refreshing my memory as to the initial moments of the unexpected attack. The log shows that at 1355, LTJG PAINTER relieved LT O'CONNOR as officer of the deck. The log also shows that at 1355, ENS O'MALLEY, as junior officer of the deck under instruction assumed the con. The 12-1600 watch on Thursday, 8 June 1967 has no entry from the time frame 1356 until 1446. I shall relate in my own words and to the best of my knowledge and belief all events of which I have personal knowledge which occurred during that time frame. About 1400 the lookouts, who were stationed on the 04 level, immediately above the bridge, reported that jet aircraft were sighted in the vicinity of the ship. At that time, I went to the starboard wing of the bridge with my binoculars and there observed one aircraft of similar characteristics, if not identical to the two aircraft which were sighted earlier in the day and upon which a sighting report had been submitted. The relative bearing of this plane was about 135. Its position angle about 45 to 50 degrees. Its elevation approximately 7,000 feet, and it was approximately five to six miles from the ship. It appeared to be on a parallel course traveling in the same direction as the ship. While I observed this

aircraft, I did not see it approach the ship directly in a hostile attitude. Within a couple of minutes, a loud explosion was heard that appeared to me to come from the port side of the ship. I immediately ordered the general alarm to be sounded, and this was done. I went from the starboard wing of the bridge to the port wing to see the area of damage. I immediately noticed that the two 55-gallon gasoline drums stowed on the 01 level, portside amidships, were burning furiously. It was evident that it would not be possible to reach the quick release lever by proceeding down the outside port ladders of the ship. I ordered the Executive Officer to go to the starboard side of the ship and proceed down to the 01 level, cross over to the port side, and there release the gasoline cans. Lieutenant O'CONNOR was still on the bridge and he joined the Executive Officer and both proceeded to the starboard wing of the bridge, 03 level. Approximately the time they reached the top of the ladder to proceed down the ship received an apparent bomb hit in the vicinity of the whaleboat stowed on the 02 level starboard side, immediately aft of the bridge. Mr. ARMSTRONG, Mr. O'CONNOR and others in the bridge area were thrown back into the bridge and other personnel in the pilothouse were blown from their feet. At this time, I grabbed the engine order annunciator and rang up all ahead flank. Up to this time, the ship had one boiler on the line steaming at speed five knots. The other boiler was not on the line but pressure was being maintained in order to be able to respond to speeds in excess of that which is capable with one boiler, approximately 11 knots, should it be necessary. Earlier in the day, the Engineering Officer had requested permission to let number two boiler cool so that he could replace a steamline gasket. This permission had been granted and the boiler had started to cool from about 1200 on 8 June. I do not know whether the engine room acknowledged by the engine order telegraph the flank bell or not, but smoke immediately commenced coming out of the stack and I assumed that they did. It seemed to me that shortly thereafter the ship increased speed. At this time I ordered a person, who

I believe to have been LT BENNETT, to report to CNO via the highcom that LIBERTY was under attack by unidentified jet aircraft and that immediate assistance was required. I do not recall whether I ordered any course changes to have the ship zig-zag or not, One helmsman was seriously injured in the starboard bridge bomb blast, and he was replaced by Quartermaster Third BROWN. I do not recall who had the helm at the time of the initial attack. The response of the crew to general quarters was very expeditious. I do not recall whether all of the bridge personnel ever arrived on station or not, but the public address system, the 21MC, and most sound powered phone circuits were severed or destroyed during the initial first or second of the total number of six to eight strafing attacks that occurred, It seemed to me that the attacks were made in a crisscross fashion over the ship, with each attack coming at approximately forty-five second to one minute intervals. After the starboard bridge bomb hit, I ordered personnel to be organized for a fire fighting party to put out the fire in the vicinity of the whaleboat. The whaleboat was burning furiously. It is estimated that the total air attack was completed in approximately five to six minutes. About midway during the attack, Ensign LUCAS was noted on the bridge and at that time he became my assistant and assisted me in every way possible. Runners were used to relay my orders to the repair parties, to main control and other vital stations. Sometime after the starboard bridge bomb hit while on the starboard side of the pilothouse, another attack from the starboard quarter proceeding forward was made and I was hit with flying shrapnel. I was not knocked off my feet, I was only shaken up and it made me dance around a little bit, but my injuries did not appear to me to be of any consequence, I noticed slight burns on my *B4* and I noticed blood oozing on my trousers *B6*. Since I could walk and there was no apparent pain, I gave no further consideration to these minor injuries, Shortly after this I opened the bridge safe and took out a camera which was maintained on the

bridge to take pictures of foreign ships and aircraft. I immediately took the camera to the port wing of the bridge and there was able to take several pictures of the planes as they had passed over the ship after their attack. In an effort to obtain documentary evidence to establish the identity of the aircraft, I retained this camera in my possession throughout the remainder of the attack. Later I took pictures of the torpedo boats before and after the torpedo attack, also the helicopters which approached the ship after the attack was over. This film has been turned over to the USS AMERICA for development and further disposition. On what appeared to be the last air attack on the ship, I observed a cylindrical object dropped from one of the aircraft as it was passing from port to starboard ahead of the ship. This object landed in the water an estimated 75 to 100 yards directly ahead of the ship. There was no explosion from this object, but it shattered into several pieces. It appeared to me that it might have been an empty wing tank but I am not certain of this. In the latter moments of the air attack, it was noted that three high speed boats were approaching the ship from the northeast on a relative bearing of approximately 135 at a distance of about 15 miles. The ship at the time was still on course 283 true, speed unknown, but believed to be in excess of five knots. At no time did the ship stop during the air attack. It is believed that the time of initial sighting of the torpedo boats, the time was about 1420. The boats appeared to be in a wedge type formation with the center boat the lead point of the wedge. Estimated speed of the boats was about 27 to 30 knots. They appeared to be about 150 to 200 yards apart. It appeared that they were approaching the ship in a torpedo launch attitude, and since I did not have direct communication with gun control or the gun mounts, I told a man from the bridge, whose identity I do not recall, to proceed to mount 51 and take the boats under fire. The boats continued to approach the ship at high speed and on a constant bearing with decreasing range. About this time I noticed that our Ensign had been shot away during the air attack and orderd DAVID, signalman, to hoist a second

Ensign from the yardarm. During the air attack, our normal Ensign was flying. Before the torpedo attack, a holiday size Ensign was hoisted. I alerted the crew as best I could to standby for torpedo attack from starboard. I did not have an accurate ship's position at this time, but I knew that to the left of the ship's course at that time lie shoal waters and by turning to the left I would be approaching land closer than had been given me in directives which I held in that instant in time. I realized that if I attempted to turn to starboard, I would expose a larger target to the torpedo boats. I elected to maintain a heading of 283 at maximum speed. When the boats reached an approximate range of 2,000 yards, the center boat of the formation was signalling to us. Also, at this range, it appeared that they were flying an Israeli flag. This was later verified. It was not possible to read the signals from the center torpedo boat because of the intermittent blocking of view by smoke and flames. At this time, I yelled to machine gun 51 to tell him to hold fire. I realized that there was a possibility of the aircraft having been Israeli and the attack had been conducted in error. I wanted to hold fire to see if we could read the signal from the torpedo boat and perhaps avoid additional damage and personnel injuries. The man on machine gun 51 fired a short burst at the boats before he was able to understand what I was attempting to have him do. Instantly, on machine gun 51 opening fire machine gun 53 began firing at the center boat. From the starboard wing of the bridge, 03 level, I observed that the fire from machine gun 53 was extremely effective and blanketed the area and the center torpedo boat. It was not possible to get to mount 53 from the starboard wing of the bridge. I sent Mr. LUCAS around the port side of the bridge, around to the skylights, to see if he could tell QUINTERO, whom I believed to be the gunner on machine gun 53, to hold fire until we were able to clarify the situation. He reported back in a few minutes in effect that he saw no one at mount 53. As far as the torpedo boats are concerned, I am sure that they felt that they

were under fire from USS LIBERTY. At this time, they opened fire with their gun mounts and in a matter of seconds, one torpedo was noted crossing astern of the ship at about 25 yards. The time that this torpedo crossed the stern is believed to be about 1426. About 1427, without advance warning, the ship sustained a torpedo hit starboard side forward, immediately below the waterline in the vicinity of the coordination center. The ship immediately took a 9 degree list to starboard. Oil and debris were noted coming from the starboard side following the explosion. There was no major resultant fire from this explosion. The explosion caused the ship to come dead in the water. Steering control was lost. All power was lost. Immediately, I determined that the ship was in no danger of sinking and did not order the destruction of classified material and did not order any preparations to be made to abandon ship. It was my intention to ground the ship on shoal areas to the left of the ship's track to prevent its sinking, if necessary. I believed that, if the ship was in a sinking condition, we would not be able to reach sufficiently deep water to avoid recovery of classified material on board. Immediately after the ship was struck by the torpedo, the torpedo boats stopped dead in the water and milled around astern of the ship at a range of approximately 500 to 800 yards. One of the boats signalled by flashing light, in English, "Do you require assistance"? We had no means to communicate with the boat by light but hoisted code lima india. The signal intended to convey the fact that the ship was maneuvering with difficulty and that they should keep clear. Reports received from damage control central indicated the location of the torpedo hit and that flooding boundaries had been established and that the flooding was under control. During the strafing by the torpedo boats and immediately prior to being hit by the torpedo, quartermaster third BROWN, who was acting as helmsman at the time, was felled at his station. The mess decks were designated casualty collection station and casualties were taken to the collection station by repair party personnel and other members of the

crew able to assist. Following the torpedo hit, those personnel from the research area who were able to do so, left their stations. One of the torpedo boats was identified by a hull number of 204-17. Pictures were taken of the torpedo boats prior to and subsequent to the attack. About 1515, two helicopters approached the ship and circled around and around the ship at a distance of about 100 yards. The ensignia the Star of David was clearly visible. Hull number on one of the helicopters was O4 or D4. The other had a hull number of O8 or D8. It was not known whether these helicopters intended to strafe the ship or not. However, they did not approach the ship in a hostile manner, but kept pointed parallel to the ship as they continued around and never made a direct approach as such. They were not taken under fire by Liberty, nor did they fire at us. The torpedo boats left the general area of the ship at about 1515. About 1537, after they had departed the ship and gone to a range of about five miles, they again headed toward the ship at high speed. Their intentions were unknown. At about this same time two unidentified jet aircraft were also noted approaching the ship from our starboard side, in similar fashion to that which preceded the initial attack. All hands were again alerted to the possibility of repeated attacks. No attacks occurred however, and the jets disappeared from the scene. To further assist in identification of the ship, at 1611 I ordered the ship's international call sign hoisted. Both boilers had been put back on the line at approximately 1520, but at 1523 lube oil suction was lost to the main engines and the ship again became dead in the water. The heading of the ship at this time is not known. About 1555, communications were restored, and at 1600 a message was sent providing additional information concerning the attack by unidentified aircraft and the fact that the torpedo boats had been identified as Israeli. Preliminary estimate of the number of dead and casualties, as well as the condition of the ship, was also provided. At the time this message was being dictated to Lieutenant Bennett on the port wing of the bridge, I was laying on the deck with a

out. It was not known what the azimuth of the setting sun was, but this was used as a rough guide and it appeared that the magnetic compass had not been unduly affected. The ship's fathometer in combat was working following the attacks. At about 1650, the fathometer sounding reported approximately 26 fathoms under the keel. I realized at this point that the ship might be south of its track and could be approaching the shoal areas outside of our operating area. Since I was not positive of the ship's position, I ordered Mr. Lucas to round up as many personnel as he could, and proceed to the forecandle and standby to anchor. My intention was to anchor until it became night so that I could visually sight the North Star to see whether the magnetic compass had been unduly affected or not. Once I was able to sight the North Star, then I would know in which direction the ship was actually proceeding. Mr. Lucas and personnel did go to the forecandle, and at one point I did order the port anchor to let go. But before the port anchor could be let go, I reversed my decision and backed all engines two-thirds to see if I could back clear of the apparent shoal area. I commenced backing the ship at about 1704 and continued backing until 1722, at which time the fathometer reading was approximately 48 fathoms under the keel. With the ship going ahead two-thirds and right full rudder we quickly came to a magnetic heading of about 350 magnetic and continued on to a heading of 025 magnetic about 1729. The ship was at this time making a speed of about 8 knots. At 1730, the ship lost lube oil to the main engines, and all engines were stopped. At 1731, the ship was on a heading of 022 magnetic with 50 fathoms of water under the keel. Lube oil pressure was regained to the main engines within a very short period of time, and the ship continued right to a magnetic heading of 040 at 1737, at which time 72 fathoms was indicated under the keel. At 1743, the ship's heading was 068 magnetic and 82 fathoms of water under the keel. At this time I considered the ship to have stood clear of the immediate danger of grounding and at 1748 increased speed to ten knots on a magnetic heading of 050. The ship remained at general

quarters, and reports from damage control central were to the effect that all watertight boundary bulkheads were holding satisfactory. Dr. KEEFER, and the two corpsmen, were doing outstanding work in assisting injured crew members. They advised me from time to time of the number of casualties, the extent of injuries, and efforts being made. At 1750, a message was received from COMSIXTHFLT to the effect that escorts were on the way and that the ship was to proceed on a course of 340 magnetic at maximum speed until 100 miles from present position, then turn 270 magnetic. The ship attempted to carry out this directive. At 1757, COMSIXTHFLT advised that escorts were proceeding to rendezvous with us at maximum speed of destroyers. At 1841, an Israeli helicopter approached the ship and hovered at bridge level approximately 30 feet from the ship. They made various attempts to indicate by visual means that they wished to land a man on board. At one point, I considered granting the request, but considering the obstructions in the area of the forecastle, signalled a waveoff to them. Lettering on the tail of the helicopter was SA32K. On the fuselage were the numerals 06 or D6. At 1857, the helicopter dropped a message on the forecastle. The message was written on the back of a calling card, identified as Commander Ernest Carl Castle, Naval Attache for Air Embassy, USA. The message on the back read as follows: "Have you casualties". We attempted to advise them by flashing light with an Aldis lamp that, "affirmative", we did have casualties. It was evident that they were unable to understand what we were saying. After some ten to fifteen minutes of unsuccessful efforts to communicate between the helicopter and the ship, the helicopter departed from the area, at a time unknown, but as dusk was approaching the ship. Three musters were taken during the night to identify the dead, the seriously injured, and to determine those who were missing. It was believed that those initially reported as missing are entrapped in compartments in the forward part of the ship as a result of the torpedo explosion and resultant flooding. As of 1900,

11 June, two of the persons previously reported missing, have been recovered. One by removing him directly from the space on board ship. The other was recovered by the PAPAGO, a Fleet tug steaming approximately six miles astern of the ship on the morning of 11 June. It is not known at this time whether any of the other individuals reported missing have drifted free of the space through the torpedo hole and vanished from the area. It will not be possible to determine until the ship has been drydocked and the compartment dewatered and remains recovered. Preparation of casualty messages were completed as expeditiously as possible upon the completion of the musters, and necessary message notifications sent.

The ship rendezvoused with the two destroyers on the morning of 9 June. Commander Destroyer Squadron Twelve reported on board to inspect damage and confer with the Commanding Officer. Personnel from the USS DAVIS immediately boarded the ship to render assistance with damage control and treatment of injured personnel. I have no complaint to lodge against any officer or man on board USS LIBERTY for any acts of commission or omission during the attack and post attack phase. I have nothing but the greatest admiration for their courage, their devotion to duty, and their efforts to save the ship. As the result of my personal knowledge of the manner in which the following personnel performed their duties during the attack and post attack phase, I intend to commend Ensign LUCAS; Signalman DAVIS; Quartermaster Third BROWN; Lieutenant George GOLDEN, Engineering Officer; and Ensign SCOTT, Damage Control Assistant. I have requested the officers and the petty officers of the ship to advise me of any other individuals, who, to their personal knowledge, performed in such a manner as to warrant special recognition. I also intend to address a letter of appreciation to Lieutenant Commander Bill PETTYJOHN, Chief Staff Officer, COMDESRON TWELVE, for the outstanding manner in which he has assumed the responsibilities of assisting the Commanding Officer in sailing the ship from point of rendezvous to destination of Malta. A message of condolence from the ship has been sent to BUPERS with the request that it

be delivered to the next of kin at the funeral or memorial services conducted for the deceased and those missing in action. A personal letter from the Commanding Officer to the next of kin will be prepared and sent at the earliest possible time. Dr. KEEFER, and the two pharmacist mates will also be awarded letters of commendation from the Commanding Officer. It is not known at this time the extent of probable compromise of classified material. Destruction of superceded RPS-distributed material was conducted immediately prior to the attack. Lieutenant PIERCE; Communications Officer and RPS-Custodian discussed the matter with the Commanding Officer on the morning of 8 June, and it was decided at that time that we would make the June burn before the scheduled 15 June date, in view of the location of the ship, and we intended to burn superceded key cards on a daily basis as they were superceded. A report to this effect was released by the Commanding Officer. It is not known, however, whether this message was transmitted or not.

The court recessed at 1620 hours, 14 June 1967

The court opened at 1645 hours, 14 June 1967. All persons connected with the inquiry who were present when the court recessed are again present in court. Commander William McGeagle, U.S. Navy, resumed his position on the stand as a witness.

#### DIRECT EXAMINATION

Questions by counsel for the court:

Q. Captain, will you please continue with your description of the incident.

A. I would like to relate some additional information which may be of some help to the court. USS LIBERTY departed Norfolk, Virginia 2 May 1967 in accordance with COMSERVRON EIGHT message dtg 281502Z April 1967. This was to be the fifth deployment of the LIBERTY to foreign station since its conversion and commissioning as a technical research ship in Seattle,

Washington 30 December 1964. The deployment initially commenced under the operational control of COMSERVRON EIGHT. The first port of call was Abidjan, Ivory Coast with a scheduled arrival of 22 May 1967. LIBERTY arrived at Abidjan, Ivory Coast on the scheduled date. LIBERTY was scheduled to spend four days in Abidjan, Ivory Coast to depart on 26 May 1967. The operation order was similar to that under which the LIBERTY had deployed on four previous occasions. On the morning of 24 May, approximately 0345Z, a message was received from COMSERVRON EIGHT with a dtg of 240020Z, May 67 in effect directing that LIBERTY get underway immediately and proceed to Rota, Spain for further operations in the Eastern Mediterranean. Immediately upon receipt of this message, LIBERTY commenced preparations for getting underway. It was not possible to get underway, however, until about 0730 on the morning of 24 May 1967. The delay was due to awaiting for pilot, tug, and proper tide conditions for transit of the Vridi Canal. USS LIBERTY cleared the Vridi Canal approximately 0745, 24 May 1967, and set course via coastal route direct to Rota, Spain at best speed. An average of about 15 knots was maintained during the transit. During the transit from Abidjan, Ivory Coast to Rota, Spain, operational control of LIBERTY was changed from COMSERVRON EIGHT to USCINCEUR. The reference for this operational control change is COMSERVRON EIGHT 300202Z May 1967. This reference is not immediately available to me. Operational control of LIBERTY was again shifted from USCINCEUR to CINCUSNAVEUR in accordance with USCINCEUR 300932Z May 1967. This change of operational control occurred as LIBERTY arrived at the sea buoy off the port of Rota, Spain at about 0930 local time, 1 June 1967. After completion of fueling, loading provisions, and accomplishing repairs to the special communications relay system (TRSSCOMM) the ship was RFS at about 1330, 2 June, and at that time got underway in accordance with CINCUSNAVEUR move order 7-67, dtg of this move order was CINCUSNAVEUR dtg 311750Z May 67 modified by CINCUSNAVEUR dtg 011305Z June 1967. JCS message dtg 011545Z June 1967 is considered pertinent in LIBERTY's schedule from the period 02 June until the time of the incident. This message gives departure date from Rota, route to