

Findings of the Independent Commission of Inquiry into the Israeli Attack on USS Liberty, the Recall of Military Rescue Support Aircraft while the Ship was Under Attack, and the Subsequent Cover-up by the United States Government

Capitol Hill, Washington, D.C.

October 22, 2003

Admiral Thomas H. Moorer, United States Navy, (Ret.)
Former Chairman, Joint Chiefs of Staff

General Raymond G. Davis, United States Marine Corps, (MOH)*
Former Assistant Commandant of The Marine Corps

Rear Admiral Merlin Staring, United States Navy, (Ret.)
Former Judge Advocate General Of The Navy

Ambassador James Akins, (Ret.)
Former United States Ambassador to Saudi Arabia

We, the undersigned, having undertaken an independent investigation of Israel's attack on USS Liberty, including eyewitness testimony from surviving crewmembers, a review of naval and other official records, an examination of official statements by the Israeli and American governments, a study of the conclusions of all previous official inquiries, and a consideration of important new evidence and recent statements from individuals having direct knowledge of the attack or the cover up, hereby find the following: **

1. That on June 8, 1967, after eight hours of aerial surveillance, Israel launched a two-hour air and naval attack against USS Liberty, the world's most sophisticated intelligence ship, inflicting 34 dead and 173 wounded American servicemen (a casualty rate of seventy percent, in a crew of 294);
2. That the Israeli air attack lasted approximately 25 minutes, during which time unmarked Israeli aircraft dropped napalm canisters on USS Liberty's bridge, and fired 30mm cannons and rockets into our ship, causing 821 holes, more than 100 of which were rocket-size; survivors estimate 30 or more sorties were flown over the ship by a minimum of 12 attacking Israeli planes which were jamming all five American emergency radio channels;
3. That the torpedo boat attack involved not only the firing of torpedoes, but the machine-gunning of Liberty's firefighters and stretcher-bearers as they struggled to save their ship and crew; the Israeli torpedo boats later returned to machine-gun at close range three of the Liberty's life rafts that had been lowered into the water by survivors to rescue the most seriously wounded;
4. That there is compelling evidence that Israel's attack was a deliberate attempt to destroy an American ship and kill her entire crew; evidence of such intent is supported by statements from Secretary of State Dean Rusk, Undersecretary of State George Ball, former CIA director Richard Helms, former NSA directors Lieutenant General William Odom, USA (Ret.), Admiral Bobby Ray Inman, USN (Ret.), and Marshal Carter; former NSA deputy directors Oliver Kirby

and Major General John Morrison, USAF (Ret.); and former Ambassador Dwight Porter, U.S. Ambassador to Lebanon in 1967;

5. That in attacking USS Liberty, Israel committed acts of murder against American servicemen and an act of war against the United States;

6. That fearing conflict with Israel, the White House deliberately prevented the U.S. Navy from coming to the defense of USS Liberty by recalling Sixth Fleet military rescue support while the ship was under attack; evidence of the recall of rescue aircraft is supported by statements of Captain Joe Tully, Commanding Officer of the aircraft carrier USS Saratoga, and Rear Admiral Lawrence Geis, the Sixth Fleet carrier division commander, at the time of the attack; never before in American naval history has a rescue mission been cancelled when an American ship was under attack;

7. That although Liberty was saved from almost certain destruction through the heroic efforts of the ship's Captain, William L. McGonagle (MOH), and his brave crew, surviving crewmembers were later threatened with "court-martial, imprisonment or worse" if they exposed the truth; and were abandoned by their own government;

8. That due to the influence of Israel's powerful supporters in the United States, the White House deliberately covered up the facts of this attack from the American people;

9. That due to continuing pressure by the pro-Israel lobby in the United States, this attack remains the only serious naval incident that has never been thoroughly investigated by Congress; to this day, no surviving crewmember has been permitted to officially and publicly testify about the attack;

10. That there has been an official cover-up without precedent in American naval history; the existence of such a cover-up is now supported by statements of Rear Admiral Merlin Staring, USN (Ret.), former Judge Advocate General of the Navy; and Captain Ward Boston, USN, (Ret.), the chief counsel to the Navy's 1967 Court of Inquiry of Liberty attack;

11. That the truth about Israel's attack and subsequent White House cover-up continues to be officially concealed from the American people to the present day and is a national disgrace;

12. That a danger to our national security exists whenever our elected officials are willing to subordinate American interests to those of any foreign nation, and specifically are unwilling to challenge Israel's interests when they conflict with American interests; this policy, evidenced by the failure to defend USS Liberty and the subsequent official cover-up of the Israeli attack, endangers the safety of Americans and the security of the United States.

WHEREUPON, we, the undersigned, in order to fulfill our duty to the brave crew of USS Liberty and to all Americans who are asked to serve in our Armed Forces, hereby call upon the Department of the Navy, the Congress of the United States and the American people to immediately take the following actions:

FIRST: That a new Court of Inquiry be convened by the Department of the Navy, operating with Congressional oversight, to take public testimony from surviving crewmembers; and to thoroughly investigate the circumstances of the attack on the USS Liberty, with full cooperation from the National Security Agency, the Central Intelligence Agency and the military intelligence services, and to determine Israel's possible motive in launching said attack on a U.S. naval

vessel;

SECOND: That every appropriate committee of the Congress of the United States investigate the actions of the White House and Defense Department that prevented the rescue of the USS Liberty, thereafter threatened her surviving officers and men if they exposed the truth, and covered up the true circumstances of the attack from the American people; and

THIRD: That the eighth day of June of every year be proclaimed to be hereafter known as USS LIBERTY REMEMBRANCE DAY, in order to commemorate USS Liberty's heroic crew; and to educate the American people of the danger to our national security inherent in any passionate attachment of our elected officials for any foreign nation.

We, the undersigned, hereby affix our hands and seals, this 22nd day of October, 2003.

Thomas H. Moorer
Former Chairman, Joint Chiefs of Staff

General of Marines Raymond G. Davis, USMC, MOH*>

Merlin Staring
Rear Admiral Merlin Staring, USN, Ret.,
Former Judge Advocate General of the Navy

James Akins
Ambassador James Akins, Ret.,
Former United States Ambassador to Saudi Arabia

*IN MEMORIAM: General of Marines Raymond G. Davis, one of America's most decorated military heroes (including the Congressional Medal of Honor), Vice Chairman of this panel and one of the principal members of this Independent Commission of Inquiry, passed away in Conyers, Georgia, on September 3, 2003.>

** [1] Captain Ward Boston, USN, JAGC, Ret, the chief Navy attorney for the 1967 U.S. Navy Court of Inquiry into the Israeli attack, has recently come forward to repudiate the Court's conclusion that the attack was "a case of mistaken identity". Captain Boston has revealed that all available evidence, in fact, pointed in exactly the opposite direction - that it was a deliberate attack on a clearly identified American ship. In his affidavit dated October 9, 2003, Captain Boston states, "Admiral Kidd and I believed with certainty that this attack, which killed 34 American sailors and injured 173 others, was a deliberate effort to sink an American ship and murder its entire crew. I am certain that the Israeli pilots that undertook the attack, as well as their superiors who had ordered the attack, were aware that the ship was American." [See Exhibit attached]. Captain Boston stated that he has personal knowledge that Admiral Kidd found the attack to be "a case of mistaken identity" in 1967 only because he was under direct orders to do so by Defense Secretary McNamara and President Johnson.

[2] Lieutenant Commander David E. Lewis, USS Liberty's chief intelligence officer (who was severely wounded in the attack) has reported a conversation with Admiral Lawrence R. Geis, the Sixth Fleet carrier division commander, who visited Lewis after he had been medically evacuated by helicopter to the aircraft carrier USS America. According to Lewis, "He (Admiral Geis) said that he wanted somebody to know that we weren't forgotten" attempts HAD been made to come to our assistance. He said that he had launched a flight of aircraft to come to

our assistance, and he had then called Washington. Secretary McNamara came on the line and ordered the recall of the aircraft, which he did. Concurrently he said that since he suspected that they were afraid that there might have been nuclear weapons on board, he reconfigured another flight of aircraft - strictly conventional weaponry - and re-launched it. After the second launch, he again called Washington to let them know what was going on. Again, Secretary McNamara ordered the aircraft recalled. Not understanding why, he requested confirmation of the order; and the next higher in command came on to confirm that "President Johnson...with the instructions that the aircraft were to be returned, that he would not have his allies embarrassed, he didn't care who was killed or what was done to the ship "words" to that effect. With that, Admiral Geis swore me to secrecy for his lifetime. I had been silent up until I found out from Admiral Moorer that Admiral Geis had passed away" [transcript from NBC's Liberty Story, aired on national television 1/27/92]. This statement by Commander Lewis has recently been corroborated by Tony Hart, a Navy communications technician stationed at the U.S. Navy Base in Morocco in June, 1967. Mr. Hart connected the telephone conversation between Secretary McNamara and Admiral Geis and stayed on the line to keep them connected. Hart has been recorded as saying that he overheard Admiral Geis refusing McNamara's order to recall the Sixth Fleet rescue aircraft while the ship was under attack. Mr. Hart reported that McNamara responded, "we are not going to war over a bunch of dead sailors."

[3] New evidence of intercepted radio communications between attacking Israeli pilots and the Israeli War Room, recorded by a U.S. Navy EC-121 spy plane, in which the Israeli pilots report seeing Liberty's American flag flying, has been collected by investigative author James Bamford - for 9 years the Washington Investigative Producer for ABC's World News Tonight with Peter Jennings (and author of Body of Secrets, which includes a chapter entitled Blood about the attack on USS Liberty). A similar radio message was intercepted by the EC-121 from the Israeli motor torpedo boats. This corroborates statements by surviving crewmembers, by Ambassador Dwight Porter, and by senior National Security Agency officials concerning NSA intercepts of Israeli pilot communications identifying the ship as American.