



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON NAVY YARD
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WASHINGTON DC 20374-5066

IN REPLY REFER TO

5800
10/325
February 24, 2006

Mr. Moe Shafer
Blazer Associates, Inc.
4994 Roswell Road, Suite 33
Marietta, GA 30068

Dear Mr. Shafer:

Thank you for your letter to Secretary Rumsfeld concerning a Report on War Crimes against USS LIBERTY.

The Department of Defense directive to which you refer concerning investigations into incidents such as that involving LIBERTY is dated 9 December 1998 and is prospective in application. However, as you are aware, a Navy Court of Inquiry investigated the facts and circumstances concerning the attack on LIBERTY soon after it occurred in 1967. In his endorsement of the investigation, Admiral McCain found that LIBERTY suffered an unprovoked attack by Israeli air and naval forces in international waters. The Secretary of State communicated to the Government of Israel, "the attack must be condemned as an act of military irresponsibility reflecting reckless disregard for human life." The Government of Israel formally communicated its sincere expression of deep regret and subsequently paid U.S. claims in full for the deaths, injuries, and damages caused in the attack, thus closing the matter between the two governments.

Further investigation with respect to the Report on War Crimes is not warranted, and there are no plans to do so.

We recognize and honor the sacrifice and uncommon bravery demonstrated by you, the officers, and other crewmembers in LIBERTY on that fateful day.

As always, if I can be of any further assistance, please let me know.

Sincerely,

J. E. BAGGETT
Deputy Assistant Judge Advocate
General (International and
Operational Law)