



SHIMP FOR PRESIDENT 2028

## PROPOSED EXECUTIVE ORDER

# FULL, INDEPENDENT, AND IMPARTIAL REVIEW OF THE ATTACK ON USS LIBERTY (AGTR-5)

Presidential Day-One Policy Draft

Fogel G. Shimp - Independent Candidate for President - 2028

ACCOUNTABILITY | INTEGRITY | RULE OF LAW

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

### Section 1. Purpose.

On June 8, 1967, during the Six-Day War, USS Liberty (AGTR-5), a United States Navy technical research ship, was attacked by Israeli air and naval forces in international waters. The incident caused American deaths, injuries, and extensive damage to a United States naval vessel. The United States Government conducted inquiries and reviews, and substantial records have since been declassified, including a large National Security Agency historical collection. The continuing public controversy surrounding the incident warrants a comprehensive, evidence-based review of the complete United States Government record.

### Sec. 2. Establishment of the USS Liberty Independent Review.

The Attorney General, Secretary of State, Secretary responsible for the armed forces, Director of National Intelligence, Director of the Central Intelligence Agency, Director of the National Security Agency, Archivist of the United States, and heads of other relevant agencies shall support an independent interagency review of the USS Liberty incident. The review shall examine the historical record without a predetermined conclusion regarding intent, responsibility, motive, governmental knowledge, subsequent decision-making, or the adequacy of prior investigations.

### Sec. 3. Complete Collection of United States Government Records.

Within 30 days, each executive department, military department, intelligence element, White House records office, and other executive agency possessing potentially relevant material shall identify, preserve, and provide to the review all records concerning USS Liberty and the events before, during, and after the June 8, 1967 attack. This requirement includes classified and unclassified material, previously declassified records, cables, memoranda, intelligence reports, signals intelligence, intercepts, audio recordings, transcripts, photographs, imagery, operational orders, ship logs, message traffic, diplomatic communications, casualty reports, damage assessments, investigative files, legal analyses, internal correspondence, witness statements, after-action reports, and records concerning prior reviews.

### Sec. 4. Classified Information.

The review team shall receive lawful access to classified records necessary to perform its work, subject to applicable security procedures, compartmentation requirements, and statutory protections. No record shall be excluded from presidential review merely because it remains classified. The final report delivered to the President shall include a classified annex whenever information cannot lawfully or responsibly be placed in an unclassified report.

### Sec. 5. Declassification Review.

Agency heads shall conduct a line-by-line declassification review of remaining classified USS Liberty records under applicable executive orders and statutes. Records, or reasonably segregable portions of records, shall be declassified and released when continued classification is no longer necessary to protect national security. Information that must remain classified shall be specifically identified, with the legal and national-security basis for continued classification documented for presidential

review.

#### **Sec. 6. Prior Investigations and Decision-Making.**

The review shall examine the Navy Court of Inquiry, Joint Chiefs of Staff fact-finding activities, intelligence-community assessments, diplomatic exchanges, executive-branch deliberations, and all other identifiable United States investigations or reviews. It shall evaluate their scope, evidence considered, evidence omitted or unavailable, time constraints, investigative methodology, conclusions, and subsequent governmental handling of the incident.

## **Sec. 7. Questions the Review Must Address.**

The review shall establish, to the greatest extent the evidence permits: (a) a minute-by-minute chronology of relevant events; (b) the mission, location, markings, communications, and operational status of USS Liberty; (c) what United States and Israeli military and civilian authorities knew and when they knew it; (d) the identification process preceding the attack; (e) the sequence and nature of air and naval attacks; (f) communications and intelligence collected during and immediately after the attack; (g) United States military response decisions; (h) casualty and damage findings; (i) diplomatic communications and explanations following the incident; (j) whether available evidence supports accident, misidentification, deliberate attack, or another explanation; (k) whether relevant evidence was withheld, lost, destroyed, improperly classified, or omitted from prior reviews; and (l) whether any additional governmental action is warranted.

## **Sec. 8. Witnesses and Survivor Testimony.**

The review shall make reasonable efforts to identify and interview surviving USS Liberty crew members, former military personnel, intelligence personnel, diplomats, investigators, and other persons possessing material firsthand information. Prior sworn statements, oral histories, recorded interviews, and contemporaneous accounts shall be compared with documentary and technical evidence. No witness account shall be accepted or rejected solely because it supports or contradicts a prior official conclusion.

## **Sec. 9. Foreign Records and Cooperation.**

The Secretary of State shall request, through appropriate diplomatic channels, relevant records and voluntary cooperation from the Government of Israel and any other government possessing material information. Foreign assertions shall be evaluated against the full evidentiary record and shall not be treated as controlling merely because they were previously accepted or rejected by a United States official.

## **Sec. 10. Forensic and Technical Reassessment.**

Where the historical evidence permits, qualified experts shall reassess navigation data, aircraft and naval capabilities, identification procedures, communications, weapons effects, damage evidence, photographs, recordings, signals intelligence, and other technical material. The report shall distinguish established fact, supported inference, disputed evidence, unresolved question, and allegation.

## **Sec. 11. Preservation Against Destruction or Alteration.**

Effective immediately upon implementation of this order, relevant executive agencies shall suspend routine destruction or disposal of records reasonably related to USS Liberty until the review is complete and applicable records-preservation requirements have been satisfied.

## **Sec. 12. Presidential Report.**

Within 270 days, the review shall deliver directly to the President a comprehensive written report setting forth the complete factual record reasonably obtainable by the executive branch, the evidence supporting and contradicting material conclusions, unresolved conflicts in the record, findings regarding the adequacy of prior United States investigations, and recommendations for declassification, archival preservation, additional investigation, diplomatic action, recognition of service members, or other lawful action. The report shall contain an unclassified volume suitable for public release and, where necessary, one or more classified annexes.

## **Sec. 13. Public Release.**

Within 30 days after receipt of the final report, the executive branch shall release the unclassified report and newly declassified supporting records to the public to the maximum extent permitted by law. Redactions shall be narrowly tailored and shall not be used to conceal embarrassment, error, misconduct, or historical controversy. Classified annexes shall remain available to the President and properly authorized officials and shall be periodically reviewed for further declassification.

## **Sec. 14. No Predetermined Historical Conclusion.**

This order requires a full and truthful examination of the evidence. It does not direct investigators to reach a predetermined conclusion concerning whether the attack was accidental or intentional, nor does it presume criminal, diplomatic, or institutional culpability. Findings shall follow the evidence.

## **Sec. 15. General Provisions.**

This order shall be implemented consistent with applicable law, including statutes governing classified information, intelligence sources and methods, grand-jury information, privacy, records preservation, and the constitutional authorities of the President. Nothing in this order shall be construed to require public disclosure of information whose release is prohibited by statute. Nothing herein creates any right or benefit enforceable at law or in equity against the United States, its departments, agencies, officers, employees, or any other person.

**Fogel G. Shimp**

Independent Candidate for President - 2028

**DRAFT - FOR POLICY DEVELOPMENT**

**Historical basis for the draft:** NSA states that it finalized review of its material relating to the June 8, 1967 attack in 2007 and maintains a substantial public collection of declassified USS Liberty documents, recordings, and transcripts. The proposed order requires a new government-wide review rather than assuming that NSA's collection constitutes every record held across the executive branch.