

Exhibit 10

USS LIBERTY (AGTR-5)

On June 8, 1967, in the Eastern Mediterranean, in International Waters, the Israeli Defense Forces (IDF) attacked the USS Liberty, a plainly marked US Naval Ship, with intent and malice of forethought. The IDF attack consisted of air and naval forces.

0800 – 1200 Hours: I was assigned to my regular duties on board the ship – in spaces below the water line. I overheard crewmembers talking about "over flights" that morning. I went topside to check it out. When I reached the bridge area, I saw a slow moving "flying box car" with the Star of David visible on the plane. I felt secure, as the Israelis were our "allies".

12:00 – 1300 Hours: I was assigned to Bridge Duty as Officer of the Deck (OOD). From the Bridge, I again observed the slow flying Israeli aircraft circle our ship.

1300 – 1350 Hours: The Captain ordered a General Quarter's Drill and my duties took me from the Bridge Area below decks to the Enlisted Mess Decks. I remained there until the drill was over at 1350 Hours.

1350 Hours: I returned to the Bridge and resumed my duties as OOD. Moments after assuming the watch I checked the radarscope and saw three surface (Naval) contacts with a steady bearing decreasing range approaching our ship at a high rate of speed. I notified the Captain. I was on the Bridge when the first wave of Israeli Mystere and Mirage jets attacked our ship.

1400 Hours: The Captain ordered General Quarters (this is not a drill) and I once again left the Bridge Area and returned to my Battle Station on the Mess Decks.

1435 Hours: The ship sustained a direct torpedo hit on the starboard side from one of the three Israeli MTBs (The three naval contacts I had seen on the radar scope earlier).

1450 Hours: I was summoned to the Bridge by one of the Petty Officers of the Watch. When I arrived, I found the Captain severely wounded and in/out of consciousness. In a delirious state, he ordered me to return to my Battle Station. I reluctantly returned below decks to my Battle Station.

1500 Hours: IDF MTBs continue to fire armor piercing projectiles through the skin of the ship in the hopes of killing as many sailors as they could and maybe even hitting our boilers.

1510 Hours: The Captain orders "Prepare to Abandon Ship". I had dozens of wounded sailors in the Mess Deck Area and it was my responsibility to get them all up the ladder and out the hatch to main deck, where we would board our life rafts.

1515 Hours: I climbed the ladder and opened the hatch to the main deck. I wanted to see if it was safe enough to bring the wounded sailors out onto the main deck. What I

saw sent ice running through my veins. The life rafts were either destroyed or had been cut loose and had floated away.

I personally observed an Israeli MTB methodically machine gun one of the Liberty's empty life rafts that had been cut loose and was floating in the water. I knew at that split second that the thrust of the IDF attack was to kill every American sailor on board. There were to be no survivors that day.

I decided to leave all of the wounded sailors below decks for some measure of protection. I did not prepare to abandon ship.

1600 Hours: I was again summoned to the Bridge where I found the Captain on a stretcher, unconscious from loss of blood.

1600 – 0800 hours: I remained on the Bridge until help arrived the next morning. I testified for over two hours at the Court of Inquiry. I testified to the Captain's mental state; the firing of armor piercing projectiles through the skin of the ship; and, to the machine-gunning of our life rafts (I was the only officer to witness the machine gunning of our life rafts). None of this testimony was recorded. The damning information I provided was purposefully omitted by the US Navy's Court of Inquiry.

/signed/

Lloyd C. Painter
US Secret Service (RET)