

Exhibit 19

1 **DECLARATION OF JAMES PATRICK KAVANAGH**

2 I, JAMES PATRICK KAVANAGH, DO DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING STATE-
3 MENT IS TRUE AND COMPLETE, AND BASED ENTIRELY UPON MY PERSONAL KNOWLEDGE GAINED THROUGH
4 DIRECT OBSERVATON, UNLESS SPECIFICALLY STATED OTHERWISE:

- 5 1. My true, full, and correct name is James Patrick Kavanagh.
- 6 2. I am a resident of Yonkers, New York.
- 7 3. On June 8, 1967, I was a member of the crew of USS Liberty.
- 8 4. My rank at that time was CTSNR.
- 9 5. My assigned duty station on June 8, 1967 was cleaning the TreshCom dish (sitting
10 on top of the dish).
- 11 6. Unless specifically stated otherwise, all of the events described in this Declaration
12 occurred on June 8, 1967.
- 13 7. Between 1000 and 1100 hours, I observed what appeared to be a maritime re-
14 connaissance aircraft at approximately 500 feet, move slowly from starboard to
15 port making a half moon circle from bow to stern. It then moved away toward
16 the shore. This aircraft flew directly over our ship and I observed that it was
17 marked with a Military Star of David. The aircraft flew so close to us that we
18 waved to the pilot as he looked down at us while banking the aircraft.
- 19 8. When the attack began, I was taking a shower just aft of the CT sleeping quar-
20 ters just above the screw. While showering I heard what sounded like marbles
21 thrown into an empty oil drum then the lights dimmed a few times. A few sec-
22 onds later, the apparent second run by attacking aircraft, bullets penetrated the
23 ship and a bullet hit just inches away from me tearing a hole in my hip and send-
24 ing me to the floor of the shower in a pool of blood.
- 25 9. After making it to my emergency station, while I was engaged in destroying clas-
26 sified material, I observed the frustration of several of my shipmates who were try-
27 ing to communicate an emergency ZULU message to the Sixth Fleet, or anyone
28 else within earshot. They all complained about excessive noise (jamming) on all

- 1 the frequencies they tried. They were also frustrated by the missing antennas that
2 had been shot up during the attack.
- 3 10. While at my emergency station in the research spaces, the torpedo hit and
4 shrapnel tore into my legs and feet. I observed seeing daylight a few seconds
5 after the hit from inside the ship three decks below.
- 6 11. Seconds after the torpedo hit, it was pitch black with just a small light from the
7 torpedo hole to guide me towards the ladder and up to the next level. Although
8 there were many who died around us, there was no way to see anything at that
9 time. However, as I made my way along the ceiling pipes and towards the lad-
10 der I could here many screams from shipmates who were in pain and seemed as
11 disoriented as I was. Making it to the hatch I was pulled out by a few shipmates
12 stationed there helping others get out of the small escape hatch. A few made it
13 out behind me and then the water started to gush out of the hatch. I remember
14 a marine going back down to try to rescue others. They called for him, and
15 called for him. The hatch had to be secured in order to save the ship. A minute
16 or two later there were noises coming from inside the hatch. After a brief argu-
17 ment, the hatch remained secured. The noises stopped.
- 18 12. I was helped up and led to a passageway just above the mess decks near the
19 weapons locker. CT2 Spicher was there and receiving CPR. I helped a bit but
20 we soon realized he had expired.
- 21 13. A few minutes later we were told to stand by to repel boarders. We received a
22 few guns and waited patiently for the battle. It never happened. After a few
23 hours I was taken to the mess decks and observed many injured shipmates on
24 tables and on the deck. So many were in terrible shape. Although I was hit sev-
25 eral times, I felt fortunate. Mr. Armstrong died shortly thereafter. All through the
26 night there were sailors asking for help and pain killers. With nothing left to offer,
27 they passed out some liquor many officers purchased in foreign ports. We drank!
28 Surprisingly, I didn't get drunk even with a whole bottle of vodka.

- 1 14. I remember seeing most everyone injured in some way. It was a big bloodbath
2 and there were holes all throughout the ship, as rockets and armor piercing bul-
3 lets penetrated the skin of the ship. The entire time after the attack (22 hours)
4 the ship was listing badly and those trying to get around were half walking on the
5 deck and half on the bottom of a bulkhead.
- 6 15. After two weeks in the hospital aboard the USS America, I was flown to Naples,
7 Italy for another needed operation. After this operation, I was informed that two
8 NSA personnel were going to debrief me. They arrived and were left alone with
9 me at my bedside. They asked me what happened and I told them everything I
10 knew. They told me that I was never to speak of the attack to anyone and not
11 to provide details about the attack to anyone. They also told me that if I com-
12 mitted a breach of this agreement that I would spend many years in Leaven-
13 worth. I was 18 years old and was very intimidated by this visit. I spoke to no one
14 after that. I believe this visit took place during the last week of June 1967.
- 15 16. I neither asked to testify before the Court of Inquiry, nor was I asked to testify.
- 16 17. I spent 4 months in various hospitals and was eventually released back to duty
17 for my last year of duty.

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19 Dated: January 15, 2004 Signed: /S/

20 James P. Kavanagh
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