



DEPARTMENT OF THE NAVY  
OFFICE OF THE SECRETARY  
WASHINGTON, D. C. 20350

SECNAV  
NDBDM/GJM/pam  
Ser: 1853

24 NOV 1969

Honorable Jacob K. Javits  
United States Senate  
Washington, D. C. 20510

Dear Senator Javits:

This is in response to your inquiry of 29 October 1969, on behalf of Michael B. CIRCUS, which was referred to this office for reply.

Mr. CIRCUS correctly states the essential portion of the law authorizing the President of the United States to award the Medal of Honor. The Department of the Navy construed condition (2) of the law (while engaged in military operations involving conflict with an opposing foreign force) to be broad enough to cover the USS LIBERTY incident. The Secretary of the Navy, therefore, recommended to the Secretary of Defense that the award of the Medal of Honor to Captain MC GONGLE be approved. No special legislation was passed for this award.

Sincerely,

A handwritten signature in black ink, appearing to read "S. R. Brown, Jr.", is written over a horizontal line.

S. R. BROWN, Jr.  
Rear Admiral, USN (Retired)

Senior Member, Navy Department  
Board of Decorations and Medals  
Washington, D. C. 20370

Encl