

Exhibit 22

Telegram From the Department of State to the Embassy in Israel

(Source: National Archives and Records Administration, RG 59, Central Files 1967-69, POL 27 ARAB-ISR. Secret; Exdis. Drafted by Lambrakis on August 30; cleared by Bahti, Wehmeyer, and Davies; and approved by Katzenbach.)

Washington, August 31, 1967, 2107Z.
30382. Subj: U.S.S. *Liberty*.

1. Under Secretary called in Charge Evron August 30 to comment on Israeli examining judge's report./2/ Explained it has already been given on confidential basis to a few Congressional committees. Also, quite a few people in the USG had handled it, as it was received through more than one channel from GOI. At least its existence, and perhaps some of its substance, can be expected to leak out. It may then become necessary for US to publish the exchange of notes. We shall inform GOI in advance if that eventuality arises and will do any publishing in low-key. We have no desire to exacerbate the issue. If this procedure causes major problems for GOI now is the time to speak out. Some leakage has occurred already in this week's *Newsweek* magazine.
2. Evron said he would refer matter back to his government. He speculated it might be possible for his government to acquiesce in such publication of the notes, in which case it could be done jointly. He wished to express GOI's deep appreciation of restrained manner in which entire affair was handled by USG.
3. On substance of report, Under Secretary said he personally had been very surprised with the ending. Report was obviously candid since any such confusion could not possibly have been invented. Examining judge laid out point after point confirming negligence on part of various Israeli officials in affair, yet ended up finding no deviation from normal conduct. Surely, Under Secretary said, one cannot believe such conduct was consistent with normal Israeli practice and did not involve culpable negligence on part of officials involved.
4. Evron was subdued in manner and said there was little he could add. He had raised matter with GOI when in Israel in July and had spoken personally with COS Rabin. Rabin had stressed that investigation being entrusted to impartial military judge, and COS would have to abide by judge's findings. Affair had obviously been very damaging for GOI, Evron continued, and everything will be done to avoid repetition of such incident if ever similar circumstances arose, which he devoutly hoped they would not.
5. Under Secretary reiterated his surprise at judge's findings though he assured Evron he did not intend publicly to express these personal conclusions. If GOI should ever decide to publish the report, he added, we would appreciate identification of *Liberty* as US communications ship, in keeping with manner in which it identified in our own public utterances.

6. Evron agreed this manner of identification should present no problem but thought GOI would not publish report at all.

Rusk