

The Israel Lobby Archive

The Institute for Research: Middle Eastern Policy

[home](#) | [about](#) | [news](#) | [search](#) | [donate](#) | [IRmep](#)

TO : Files

DATE: February 8, 1963

FROM : Nathan B. Lenvin

JWY:NBL:rcw

~~11-2-20~~

SUBJECT: AMERICAN ZIONIST COUNCIL
Conference

Time: January 23, 1963, 11 a.m.

Place: Room 240 HOLC Bldg.

Present: Judge Rifkind)
Mr. DeWind) For the Council
Messrs. Bick and)
Rothenberg)

Nathan B. Lenvin)
Thomas K. Hall) For the Department

Judge Rifkind opened the discussion in regard to the possible obligation of the above subject to register under the Foreign Agents Registration Act by stating that he had conducted a careful examination of the activities of the subject in the light of its receipt of certain funds from the Jewish Agency for Israel and while he was not certain that any obligation to register had arisen, he was of the opinion at least that there was some colorable basis for the Department's request for the registration of the subject. In this connection he was at pains to point out that the subject's activities were not different from those which it had conducted prior to its ever having accepted any funds from the Jewish Agency; nor were they any different now since the subject had ceased taking any funds. In regard to this latter point, Judge Rifkind pointed out that rather than incur any possible obligation to register, the subject had arrived at a decision that it would no longer accept any funds from the Jewish Agency and that it would attempt to continue its activities by raising its own funds within the United States, which would be a task of considerable difficulty.

In this connection Mr. Lenvin pointed out the provisions of Section 2 of the PARA, which states in substance that the obligation of an agent of a foreign

2/1/63

With ref to Mr Hall's statement on pg 3 - as we going to get a detailed argument as to why the Am. 21st & 22nd Sec. should not be required to register? If so I would like to see it. - JBL

146-1-51-14032

FILE-NAI

INTERNAL SECURITY DIV.

-2-

principal to register shall continue from day to day and that discontinuance of the activity which required registration shall not relieve an agent from his obligation to file a registration statement for the period during which he acted within the United States as an agent of a foreign principal. Judge Rifkind attempted to differentiate between terminating the agency's relationship by a decision to no longer accept funds and the cessation of activity, his contention being that the requirements of Section 2 were applicable only to cessation of activity and not to termination of agency.

In essence Judge Rifkind's argument was that no advantage would accrue to the Government by insistence on the registration of the subject whereas considerable harm would befall the subject if it were required to register since it would become publicly known as a "foreign agent" and would thereby lose considerable stature in the eyes of the American public concerned with Zionist activity. He particularly stressed the domestic character of the Zionist movement and in connection therewith indicated that it would be disastrous to the organization or to the Zionist movement were it to file a registration statement. He even went so far as to say that opponents of the movement have offered a half million dollars to obtain information that the Zionist group was a "foreign agent." In reply Mr. Lenvin stated that registration would not disclose anything more than what the subject has already admitted, to-wit, that it received funds and while we realize that the filing and labeling provisions of the statute could not be complied with, since dissemination of the material which was financed by the Jewish Agency had already been accomplished, nevertheless, we felt there was a duty on the part of the Government to obtain whatever compliance with the disclosure requirements of the FARA we could through the filing of a statement by the subject which would disclose for the benefit of the American public the relationships and activities during the 18-month period that the subject did receive funds from the Jewish Agency.

*Why didn't
this end
in December?*

In response to a question from Mr. Hall, Judge Rifkind stated that no funds were received after January 18, 1963, and that the subject did not intend ever to take funds again from the Jewish Agency primarily because it wished to avoid any possible obligation under the FARA. Also in response to a question from Mr. Hall, it was stated that the activities of the subject did not materially increase, that is, its propaganda activities did not materially increase.

-3-

from that which it had undertaken prior to the receipt of funds nor did they expect they would diminish after the cut-off of funds since they would seek funds from other sources which would not create any agency relationship.

Mr. Hall pointed out specifically that Mr. Lenvin had accurately stated our official interpretation of the Act insofar as the acceptance of funds and the activities of the American Zionist Council are concerned and that their discontinuance of the receipt of such funds thus terminating the agency relationship did not absolve the Council of its obligation to register for the period during which such funds were received. Mr. Hall emphasized that a contrary conclusion could not of course be reached during the course of this meeting and suggested that the subject submit a detailed argument as to why it was of the opinion it should not be required to register and that due consideration would be given to this statement by the officials of the Department.

Mr. DeWind pitched his argument on the basis that regardless of the agency relationship that may have been created by virtue of the receipt of funds, the subject was exempt under the provisions of Section 3(e) of the Act as an organization engaging only in activities in furtherance of the bona fide academic pursuits. In reply it was pointed out that it was believed that at least some of the material which the subject had disseminated within the United States would fall within the definition of the term "political propaganda" and the provisions of Rule 303 were read, which states in substance that the so-called cultural or academic exemption is not available if the agent engages in any political activity as defined by Rule 100, and Rule 100 includes within the definition of political activity the dissemination of political propaganda material. Mr. DeWind raised the point whether any of this material could fall within the definition of political propaganda, but since neither Mr. Hall nor I had had an opportunity to examine these pamphlets, no reply in this regard was made. It should be noted in this respect that the request for the registration of the subject was based upon the information contained in the supplemental registration statements filed by the Jewish Agency, which listed some of the titles of the pamphlets disseminated by the subject and financed by the Jewish Agency, and from these titles a tentative conclusion was reached that they did come within the definition of political propaganda as contained in Section 1(j) of the Act.

[back to DOJ orders the AZC to Register as a Foreign Agent](#)

[home](#) | [about](#) | [news](#) | [search](#) | [donate](#)

Contents of this website Copyright 2008-2017 Institute for Research: Middle Eastern Policy, Inc. All rights reserved.
[Terms and Conditions for use of materials found on this website.](#)