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TO : Files  
FROM : *R* Nathan B. Lenvin

DATE: May 2, 1963

JWY:NBL:rcw

~~149-062-29~~

SUBJECT: AMERICAN ZIONIST COUNCIL  
Conference

Time: 3:35 pm, May 2, 1963  
Place: Office of Mr. Katzenbach  
Present: Mr. Nicholas Katzenbach, Deputy Attorney General  
Mr. J. Walter Yeagley, Assistant Attorney  
General, Internal Security Division  
Mr. Nathan B. Lenvin, Chief, Registration Section

Judge Simon Rifkind, of Paul, Weiss, Rifkind,  
Wharton & Garrison - representing the Council.

Judge Rifkind opened the discussion by explaining to Mr. Katzenbach something of the nature of the composition and activities of the American Zionist Council. He explained that the Council is composed of representatives of the various Zionist organizations in the United States and that it thereby, in effect, represents the vast majority of organized Jewry within this country. He also mentioned the existence of the American Jewish Committee, which is an anti-Zionist organization, and briefly touched on the conflict which exists between the Zionist groups and the American Jewish Committee. He placed particular stress upon the proposition that for the Department to insist upon the registration of the Council would do it incalculable harm without any corresponding benefit to the Government. He touched briefly upon the points raised in the brief previously submitted by his law firm in support of the argument that the Council was not under an obligation to register. He stated that regardless of what technical agency relationship may have resulted as a consequence of the subventions received by the Council from the American Section of the Jewish Agency for Israel, nevertheless, this agency relationship had now been terminated since the Council had arrived at a decision that it would not incur any

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vestige of possible obligation to register by cutting off all funds from the American Section and that it would continue its program through the raising of funds from domestic sources. Judge Rifkind went on to state that even though an agency relationship may have been created by the receipt of funds, the general over-all program of the Council was such that it could come within the purview of the cultural exemption from registration as contained in Section 3(e) of the Foreign Agents Registration Act, and even though the Council did disseminate some publications which conceivably through a broad interpretation of the definition of political propaganda would fall within that category, Judge Rifkind stressed the fact that these activities were a very minor portion of the entire program for which the funds received from the Jewish Agency were utilized. He emphasized that the Council used most of these funds for Hebrew education, youth movements, charitable purposes and other cultural activities relating to the Jewish people.

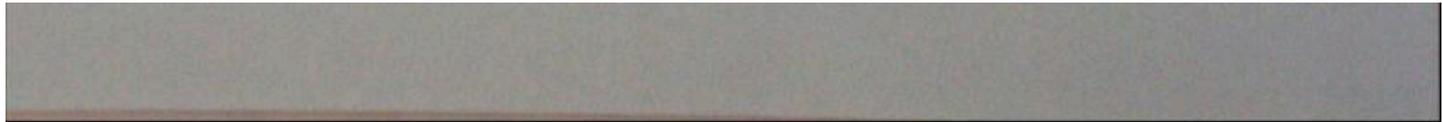
Finally, Judge Rifkind raised the point, after emphasizing the disparity of numbers between the American Jewish Committee and the American Zionist Council, that the vast number of Jews who adhered to the principles of Zionism could not understand how "our Administration" could do such harm to the Zionist movement and impair the effectiveness of the Council by insistence on registration. He appealed to the discretionary power of the Department which he claims it has in all criminal cases by stating that the Department generally makes a judgment as to which cases it will pursue and which it will not, pointing out in this connection that not all traffic violators, for instance, are given tickets, but that other circumstances must be taken into consideration. Mr. Katzenbach replied to this observation by stating that he appreciated the fact that it was a matter of proper administration of justice to use discretion and judgment in the exercise of prosecutive powers, but that he wanted to make the point to Judge Rifkind that the laws of the United States were not only to be enforced against Republicans, but were to be enforced impartially.



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After Judge Rifkind completed his outline of his position -- and in this connection it is noted that he did not go into any detail as to the controlling facts upon which the request for registration was based -- Mr. Lenvin outlined for Mr. Katzenbach's benefit the principal facts upon which the request for registration was predicated. After hearing these facts, Mr. Katzenbach asked Mr. Rifkind whether the receipt of the funds from the American Section of the Jewish Agency was considered to be confidential and the reply was in the negative. Mr. Katzenbach then asked whether information as to how these funds were expended was considered to be of a confidential nature, and again Judge Rifkind replied in the negative. Mr. Katzenbach then noted that if the Council made a full disclosure of the receipt and expenditure of the funds it had received from the Jewish Agency so that such information would then be available for public inspection the purposes and objectives of the Registration Act might well be accomplished and very likely there would be nothing further for the Government to do. Mr. Katzenbach made it clear that he was not at this time committing the Department to accepting this procedure, but that we would examine the material filed by the Council before reaching a decision. In the event this was the eventual solution, it should be understood that the information submitted would be a matter of public record, the same as a registration statement filed under the Act. Judge Rifkind indicated the Council quite likely would submit all of the information to the Department.

*this was seen & approved in draft form by Mr. Jeagly who advised me on 5/20/63 that the draft had also been seen by Mr. Katzenbach.*



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