

**DAYAN RECOMMENDS U.S. - ISRAEL 'WORKING PAPER' TO THE CABINET**

By Yitzhak Shargil and David Landau

TEL AVIV, Oct. 11 (JTA)--Foreign Minister Moshe Dayan returned from the U.S. at noon today and told reporters he would recommend that the government approve the U.S.-Israel "working paper" on procedures for reconvening the Geneva conference because he thought it was a good beginning. However, he said he would not resign if the Cabinet failed to approve the draft at its special session tonight. He said he did not regard the document, worked out with President Carter and Secretary of State Cyrus Vance, to be his personal creation. The Cabinet is not expected to announce any decision on the "working paper" until later tonight.

Dayan refused to divulge details of its contents. He would say only that the "working paper" contained assurances that the U.S.-Soviet joint declaration of Oct. 1 is not a prerequisite for Middle East peace talks and that Security Council Resolutions 242 and 338 remain the sole basis for reconvening the Geneva conference. Dayan warned, however, against any illusions that the two-power statement will not cast its shadow over Geneva. He said the U.S. and the USSR have taken a mutual stand on the Middle East and, even worse from Israel's viewpoint, follow a joint policy with regard to procedure.

Dayan went directly from the airport to Jerusalem to report to Premier Menachem Begin who was discharged from Ichilov Hospital in Tel Aviv this morning. He was hospitalized 10 days ago for fatigue and a mild heart ailment. His physicians pronounced him fit today but ordered him to rest at home for a few more days. Begin will preside at tonight's Cabinet session. He is expected to support Dayan's recommendation to approve the "working paper."

**Complicating Factor In Cabinet Approval**

Meanwhile, before the crucial Cabinet meeting began, there were reports that Begin's "advisor on overseas information," Shmuel Katz, has been invited by Begin to attend. He is known to oppose the "working paper" and is expected to argue forcefully in favor of rejecting it, although he is not a member of the Cabinet. Katz's opposition to the "working paper" is "complicated" in the view of observers here by his own steadily deteriorating personal and professional relations with Dayan and the Foreign Ministry.

Their discord began at the inception of the Begin administration when Katz was appointed to his post and sought to incorporate the Foreign Ministry's overseas information department in a new information authority he wanted to establish. Dayan and Ephraim Evron, director general of the Foreign Ministry balked at this and Begin sided with them against his long-time friend and comrade in arms Katz.

This smoldering grievance has now come to a head since Katz drafted a four-page "guide for information officials" and sent a copy to the Foreign Ministry, plainly expecting it to be disseminated to all Israeli missions abroad. The "guide" strongly advises against the continued use of such terms as

"West Bank" or "return of territory" or "annexation." Instead, Israeli officials are instructed to always say "Judaea and Samaria," "withdrawal or concession," and "application of Israeli law or incorporation," Katz wrote.

Evron says he is "studying" the paper but apparently the Ministry has no intention of circulating it among Israeli legations around the world. Katz was reported on television to have threatened resignation unless he was permitted "to function as I would wish." He denied saying that today.

**FURTHER GUSH SETTLEMENTS ANNOUNCED**

TEL AVIV, Oct. 11 (JTA)--Deputy Defense Minister Mordechai Zipori announced yesterday further Gush Eumim settlements at military camps on the West Bank and indicated that such settlements will be a continuing feature of government policy. He said the government is not bound by any plans of the previous government or by the so-called Allon plan. It is the intention of the government to establish as many new settlements on the West Bank as possible with the ultimate aim of settling areas in strategic regions and along essential routes, he said.

Zipori said he would have preferred that the settlements were not located in army camps but political considerations forced Israel to act in that way. He said the Defense Ministry would be responsible for the settlements in the Judaea and Samaria regions.

A Gush group will enter a military camp at Sanour in Samaria next week, Zipori said. He added that the Gush groups may remain in the camps even after the army pulls out and would lay the groundwork for permanent settlements to come. According to Zipori, Gush groups will settle in army camps at Givon, Beth Horon, Beth El and a camp in northern Samaria. Meanwhile, it was reported that a Gush group has been persuaded to give up its plans to settle in Jericho and will move instead to Maaleh Edumim on the Jerusalem-Jericho road.

**SPECIAL TO THE JTA  
IRS DENIES TAX EXEMPTION TO BLACK PRO-ISRAEL GROUP, CITING ITS PURPOSE IS 'ADVOCACY RATHER THAN EDUCATION'**

NEW YORK, Oct. 11 (JTA)--If the Internal Revenue Service (IRS) has its way, BASIC (Black Americans to Support Israel Committee) may be forced to close shop. According to Bayard Rustin, director of BASIC, the IRS on Aug. 26 denied the organization's request for exemption from federal income tax. In a letter sent out to supporters of the two-year-old organization, Rustin included the reason given by the IRS for its denial.

"You clearly advocate," the IRS was quoted as saying, "positions and viewpoints favorable to Israel. The amount of factual background material given in support of your position varies depending upon the particular speech or publication, but in general you do not present fully all facts including those damaging to Israel's position but instead selectively present those facts which are favorable to Israel. Your purpose appears to be advocacy rather than education."

Rustin said BASIC feels the denial of tax exemption is unjust and "we are appealing the ruling."

What the IRS is saying by denying tax exemption "is that our activities attempt to influence the actions of those persons who are anti-Israel," Rustin said. BASIC, he asserted, "will continue to support and defend Israel against the tides of hatred."

#### Group Defends Its Position

Rustin also noted that BASIC plays a pivotal educational role in the Black community regarding the nature of Zionism and Israel. Few Blacks, he said, "are well informed about Israel and the nature of the Middle East conflict. They are subject to the often confusing and inadequate presentation of issues by the media, and pressures from extremists and Black nationalists." BASIC has engaged in educational activities to explain and clarify these issues since it was formed, he said.

A spokesperson for BASIC said that the organization did not have tax exempt status in the past but filed for this status last month. The IRS response followed. The spokesperson said BASIC's appeal is now in the hands of a lawyer. The spokesperson also noted that if the appeal is lost, BASIC's ability to function effectively will be undermined. The spokesperson said a number of alternatives may be possible if the appeal is lost but declined to provide details, noting that Rustin is in Israel and is not due back until next week. No IRS official was available for immediate comment.

Rod Young, a spokesman for the IRS Public Affairs Department in Washington, would not comment directly on the BASIC case. But he cited to the Jewish Telegraphic Agency parts of IRS Code, Section 501 (C) (3) which, he said, could be pertinent. This section defines an educational organization as follows:

"An organization may be educational even though it advocates a point of view so long as it presents a sufficiently full and fair exposition of the pertinent facts as to permit an individual or the public to form an independent opinion or conclusion. On the other hand, an organization is not educational if its principal function is the presentation of unsubstantiated opinion."

#### U.S. OLYMPIC COMMITTEE CHIEF SAYS U.S. GROUP WILL NOT PARTICIPATE IN 1980 OLYMPICS IF ISRAEL IS EXCLUDED

WASHINGTON, Oct. 11 (JTA)—The chairman of the U.S. Olympic Committee (USOC), Robert J. Kane, has pledged that if Israel is excluded from the Olympic Games in Moscow in 1980 the American committee will not participate in them either.

Strongly denying such an attempt by the Soviet Union is underway, Kane has declared that if the exclusion of Israel takes place "I'm certain that the U.S. Olympic Committee—and it would hope, all the free nations in the world—would not take part, and that would be the end of the Olympic Games."

Kane's pledge is in a confidential letter he wrote Aug. 15 to Sen. Richard Stone (D Fla.) who had written him that he had seen American media reports that the Soviets would exclude Israel.

Later, 80 members of the House of Representatives protested in a letter to the USOC that a Moscow-Third World alignment was aiming to oust Israel from the games by suspending or expelling Israel from international federations on technical grounds to a point where Israel would automatically lack the required number of international memberships to be in good standing for the games.

Responding to Rep. Jack F. Kemp (R, NY) who authored the Congressmen's letter, Kane wrote

that Lord Killanin, president of the International Olympic Committee (IOC), on several occasions has reaffirmed pledges from Moscow for the 1980 Olympic Games to observe all principles and regulations of the IOC.

This Kane statement was in a USOC press release issued Sept. 25 that said "specifically, at an IOC executive board meeting with the national Olympic committees in March, Leonid Brezhnev, Soviet leader, reaffirmed the Moscow games would be conducted under all IOC regulations and principles."

The press statement also said Kane in his letter to Kemp quoted Chaim Glovinsky, secretary general of the Israel Olympic Committee, that Israel is a member in good standing in all international sports federations concerned with the Olympic summer games.

#### MORE SOVIET JEWS REACHING ISRAEL

JERUSALEM, Oct. 11 (JTA)—More Soviet Jews reached Israel last month than in September, 1976 but the dropout rate reached 55 percent in September, 1977 compared to 51 percent in August, Uzi Narkiss, director of the World Zionist Organization's immigration and absorption department reported at the weekly meeting of the WZO Executive yesterday.

Narkiss said that 763 immigrants from the Soviet Union arrived last month compared to 495 in the same month last year. He attributed the increase to attempts by the Soviet authorities to improve their image while the conference on compliance with the Helsinki Agreement human rights clauses meets in Belgrade.

But the total number of immigrants arriving in September increased only slightly from one year ago. The figures were 1852 against 1746, Narkiss reported. With respect to the dropout problem, he said most dropouts came from the larger Soviet cities, as they have in the past. He said that of 336 Jews who left Odessa in September, only three came to Israel.

#### MIDEAST ECONOMIC COMMUNITY PROPOSED

UNITED NATIONS, Oct. 11 (JTA)—Israel proposed today the creation of a Middle Eastern Economic Community to "serve as a common market for our Arab neighbors and ourselves" once peace is established in the region. Addressing the United Nations Economic and Financial Committee, Gad Yaacobi, a member of the Knesset and of Israel's Mission to the UN said "Israel is willing to share its knowledge in various areas such as agriculture, water resources, including the desalination of sea water and innovations in irrigation techniques and solar energy."

Yaacobi, who served as Minister of Transport in the former Labor-led government, referred to conditions on the West Bank and in the Gaza Strip to illustrate how the sharing of know-how and regional cooperation can contribute to the economic growth and the welfare of the populace.

"During the years 1968-76, the Gross National Product (GNP) in the West Bank has risen by an annual average of 18 percent in real terms," he noted. "Income per capita has increased by 80 percent in the West Bank and 120 percent in the Gaza Strip. Agricultural produce has increased by 20 percent per annum by contrast to the unrealized target of FAO (Food and Agricultural Organization) which is an annual increase of only four percent in world agricultural produce."

Yaacobi said that a regional economic community in the Middle East could pursue the common

development of energy, water resources, irrigation techniques and tourism once borders were opened. "All this and more is possible if peace is established in our region," he said.

#### POLITICAL ACTION AND PUBLIC EDUCATION PROGRAM TO SERVE MIDEAST CAUSE OUTLINED

NEW YORK, Oct. 11 (JTA)—A four-point program for "political action and public education" to serve American interests and the cause of Middle East peace was outlined today by Rabbi Alexander M. Schindler, chairman of the Conference of Presidents of Major American Jewish Organizations. In a letter to the presidents of the Conference's 32 national constituent organizations, Schindler declared:

"The swiftly-changing Middle East scene is moving into a new and crucial period, one that demands vigorous and informed action by an alert and vigilant Jewish community. How clearly these events are understood by the American people and the makers of public policy is likely to determine both the future of the Jewish State and the chances of peace in the Middle East.

"(1) Through political action and public education we must make clear that there can be no peace if the murderous band of terrorists who call themselves the Palestine Liberation Organization are permitted to take part in the Geneva peace talks. By word and deed--by its charter and by its frightful acts of violence--the PLO has disqualified itself from any table at which the peaceful settlement of disputes is discussed.

"(2) Through political action and public education we must make clear that there can be no peace in the Middle East, no security for America's ally Israel and no protection for American interests in the creation of a so-called Palestinian state. By its very existence, such a state would offer a base for terrorist incursion and Soviet political intrusion of the Middle East, thus exploding whatever settlement is reached by Israel and the Arab states.

"(3) Through political action and public education we must make clear that there can be no peace unless it is a negotiated peace, agreed to in treaties signed by the parties, and that neither the United States nor the Soviet Union--separately or acting in concert--can set the terms of the negotiations or determine their outcome.

"(4) Through political action and public education we must make clear that there can be no peace if it is based on the joint U.S.-Soviet declaration of October 1, 1977. Productive negotiations at Geneva can be based only on UN Resolution 242, which calls for a 'just settlement of the refugee problem' and which affirms the 'sovereignty, territorial integrity and political independence of every state in the area' living within 'secure and recognized boundaries.'

"In interpreting these vital issues to our fellow Americans, we will be serving the interests of our country and the cause of Middle East peace--and thus the security and dignity of our fellow Jews abroad."

#### JURIST SAYS GOVERNMENT HAS NO LEGAL CLAIMS TO THE WEST BANK

By Gil Sedan

JERUSALEM, Oct. 11 (JTA)—An eminent Israeli jurist says that the government of Premier Menachem Begin has no legal basis to back its claims to the West Bank. Prof. Nathan Feinberg, Professor Emeritus of International Law and Relations at the Hebrew University, presented a point-by-point refutation of Begin's arguments in an article in

Haaretz.

Begin contends that the West Bank is not occupied territory but a "liberated" part of Eretz Israel (Land of Israel). According to the Premier, the legality of that claim rests on a law passed by the Knesset in 1967 to allow for the reunification of Jerusalem. It authorized the government to "impose Israeli law, legislation and administration on each part of Eretz Israel as shall be stated in an ordinance." This, according to Begin, excluded all parts of Eretz Israel from the category of "occupied territories."

Feinberg observed that Begin's argument is a contradiction of the basic principle of international law, namely that international law is superior to internal law. "Otherwise, all countries would be free at any time to do as they please and the basis of international law would be destroyed," Feinberg wrote.

He also rejected the frequent argument that Jordan has no better claim than Israel on the West Bank since she herself annexed that territory in 1950. The Likud argument notes that only two countries have recognized that annexation. But "how many countries have recognized Israel's sovereignty in West Jerusalem?" Feinberg asked.

#### Role Of International Law

The lawyer questioned the Likud government's claim that a war of defense allows the victorious power to retain the territories it seized. He said that under international law a country is allowed to cross borders only to halt an attack on it. Israel's claim that the Soviet Union also holds territories it captured in a defensive war are not valid, Feinberg said. Moreover, he asked, "Can Israel afford to behave as one of the superpowers while its retention of territories is opposed by all countries, including its friends?"

Feinberg said that Israel has no legal documents to support Begin's statement in the Knesset that "Eretz Israel belongs to the Jewish people by right." He noted that while Foreign Minister Moshe Dayan is careful to speak of "Jewish ties" to the Judea and Samaria regions, Begin speaks of a general right that is even more significant than the talk of an "historic right." The latter phrase is contained in the guidelines drafted for Israeli diplomatic missions abroad by Begin's information advisor, Shmuel Katz.

#### OPEN FENCE MAY BE CLOSED

JERUSALEM, Oct. 11 (JTA)—Political sources said here that the open fence on the Lebanese border may be closed as part of the stabilization process in southern Lebanon. They said that while Israel would like to keep the fence open, it could hardly object if the Lebanese government is able to re-establish its authority in the south and wants to shut the fence down.

Lebanese Foreign Minister Fuad Boutros has said that the fence will be closed when the Lebanese army enters the area. The recent cease-fire agreement called for warring Palestinians and Christians to withdraw from strategic locations to be replaced by Lebanese army regulars. Implementation of that agreement could be delayed by a renewal of fighting. Moslems and Christians exchanged light artillery fire over the weekend indicating that the cease-fire was shaky.

The open fence has given southern Lebanese free access to Israel for over a year to seek medical treatment, to trade and to find work in Israel. Israel regards the fence as means of maintaining normal relations with Lebanese farmers and villagers.

## CONFERENCE EXPLORES NEED TO TEACH ABOUT GENOCIDE AND THE HOLOCAUST

NEW YORK, Oct. 11 (JTA)—"Morally deranged historians are trying to prove that the Holocaust never happened," a survivor of the concentration camps charged in a poignant address to some 200 educators from the U.S. and abroad attending the three-day conference on teaching about genocide and the Holocaust.

Elie Wiesel, noted author and professor of humanities at Boston University, wondered why American soldiers who liberated the camps have not spoken up to refute those who claim "that the camps never existed, that six million were never killed, that the ovens were bakeries."

Teachers, he declared, "must teach how society could lose its mind." Understanding the Nazi years "is a matter of survival, not just for Jews, but for all people," he declared. "No subject is more linked with injustice or has more lessons for today. Anyone who doesn't engage actively today in keeping the truth of the Holocaust alive is an accomplice of the killers."

Wiesel told the conference, sponsored by the Anti-Defamation League of B'nai B'rith and the National Council for Social Studies held at the Sheraton Hotel at La Guardia Airport, that "never has the teaching of any subject been more urgent... With so few survivors in our midst—and their number is decreasing daily—this is the last chance for our generation to study and communicate, to explore and analyze an event that will forever remain a challenge in history and perhaps to history."

### Goal Of The Conference

At the opening session Sunday, Burton M. Joseph, ADL's national chairman, said that the goal of the conference is to make study of the Holocaust an integral part of secondary school curricula in this country and abroad. The workshop sessions and addresses dealt with resource units available and methods of extracting and teaching the full meaning of genocide and the Holocaust.

Other speakers included Dr. Anna Ochoa, president-elect, National Council for Social Studies; Min W. Koblitz, New York director of the National Education Association; Benjamin R. Epstein; ADL's national director, and Theodore Freedman, director of the agency's program division.

Ms. Ochoa said that students must be made aware of the tragedy of the Holocaust and the capacity of human beings to be violent and destructive. "If they explore and take ethical positions on this issue," she declared, "they will be more mindful of their moral obligations to all people everywhere whose destiny and lives are jeopardized."

Ms. Koblitz, noting that the NEA is deeply committed to the elimination of racial and religious discrimination in all its forms, said that she and other NEA observers at the conference would bring back recommendations for "updating our vigilance."

Epstein, who was an American student in Germany in the 1930s and saw what he called "the ugliest side of man's nature dim the lights of liberty and civilization," said "the lessons to be learned from the Nazi era are a challenge to humanity."

Freedman said that if young people are to become effective adults, "it must be through an understanding of human nature, including an honest, if sometimes painful, examination of motives and behavior as reflected in political and social events... the Holocaust is a compelling case—it reveals

the human potential for extremes of both good and evil."

### Inadequate References To Holocaust

According to Nat Kameny, chairman of ADL's national program committee, an ADL study of 45 of the most widely used American junior high and high school textbooks on social studies and world history has revealed that nearly one-third make no reference to the Holocaust and only four texts give adequate treatment of the subject. He said studies of European textbooks show a strikingly similar picture.

The conference, which ends today, showcased special films, graphics, publications and resource units on the Holocaust which can be integrated into courses in history, literature, social studies, humanities and the arts.

Among the foreign educators attending were Dr. Siegfried Bachmann, managing director of the Georg Eckert Institute for International Textbook Research in Brunswick, Federal Republic of Germany, who represented his government; Dr. Giuliamme Limite of the Italian Ministry of Education in Rome; Dr. Zbigniew Bako, First Secretary of the Embassy of the Polish People's Republic, Washington, D.C.; Sister Frederick Mary Rice of the Society of the Holy Child, Nigeria; and Dr. Arye Carmon, associate professor of education, Ben Gurion University, Beersheba, Israel.

### EL AL ANNOUNCES NO-FRILL FLIGHTS TO AND FROM U.S. BEGINNING NEXT MONTH

JERUSALEM, Oct. 11 (JTA)—El Al announced today that it will operate cheap, no-frills flights to and from the U.S. beginning next month and will inaugurate lower cost group fares next spring. Mordechai Ben-Ari, director general of the airline, told reporters at a news conference here that a round-trip winter seven-day group flight will cost \$500 under the new policy compared to \$630 for regular winter group flights.

Free meals will not be served on these flights, a practice started recently by Britain's Laker Airline with whom El Al competes on the New York-London route. Ben-Ari said his company is working out another low rate group fare to go into effect in April between Israel and Europe. The London-Tel Aviv round trip fare will be \$500 compared to the regular high season fare of \$791 and only \$350 for groups of 40 or more persons.

### 5-DAY MOBILIZATION FOR UJA-FEDERATION

NEW YORK, Oct. 11 (JTA)—Miracle Mobilization '77, a massive five-day philanthropic collaboration between dozens of stars and celebrities on television and thousands of volunteers using telephones, begins Saturday evening, Oct. 15, at 9 p.m. when host Alan King introduces "A Night for Miracles," the New York area's yearly United Jewish Appeal-Federation of Jewish Philanthropies Joint Campaign TV special on WPIX (Channel 11).

For at least four hours, King and others prominent in the worlds of entertainment and the arts will conduct a television appeal on behalf of the UJA-Federation. For the following four days, through Oct. 19, an anticipated 6000 volunteers, working in regional telephone centers in New York City, Westchester and Long Island, will buttress that appeal with tens of thousands of "neighbor-to-neighbor" phone calls. The Mobilization is headed by banker and philanthropist Stephen Shalom as chairman. Co-chairmen are Mrs. Jeanne Ende and Abner Levine.