

AUSTRIAN PARTIES REPORTEDLY LOOKING FOR POSSIBLE SUCCESSORS TO WALDHEIM

By Reinhard Engel

VIENNA, Dec. 1 (JTA) -- Leaders of the Socialist Party and the conservative Peoples Party were reported this week to be seriously discussing a possible successor to President Kurt Waldheim should he be forced to resign before his term expires.

The two parties comprise Austria's governing coalition. They are waiting for the report of a six-member international commission of military historians presently investigating charges that Waldheim was implicated in the deportation of Greek Jews and in atrocities against civilians and resistance fighters while serving as a German army intelligence officer in the Balkans during World War II.

The commission, headed by Hans Rudolf Kurz of Switzerland, includes historians from the United States, Britain, West Germany, Belgium and Israel. It is expected to present its findings in mid-January.

As the panel convened here Monday for its third meeting, the local branch of the Socialist Party in the state of Tyrol called, at its annual congress, for Waldheim to resign. The Vienna section of the party demanded his resignation last month.

Waldheim, however, is standing fast. After Kurz announced Sunday that the commission would like to question him as a witness, Waldheim said he would not consider its report binding. The commission is not a court, he said, and for the president to bow to the findings of a foreign, non-judicial body would denigrate Austrian sovereignty and set a dangerous precedent.

Growing Uneasiness

His remarks indicated a growing uneasiness on the part of Waldheim and his supporters over the nature of the commission's report. The body, funded by the Austrian government, was installed by Foreign Minister Alois Mock, who is deputy premier and chairman of the Peoples Party, which sponsored Waldheim's successful presidential race in the summer of 1986.

Mock has sought to limit the commission's mandate to a finding of guilt or innocence of the charges brought against Waldheim. But the panel has shown a high degree of independence. Kurz said here Sunday, "We will not judge. We will just say what happened. The politics and the media will have to act."

Waldheim has responded to calls for his resignation by warning in a newspaper interview that it would touch off a state crisis. He used the word "Dolchstosslegende" (stab in the back), implying strongly that it would be at the hands of the Jews.

He attacked politicians of both coalition parties for developing scenarios about what to do in case the commission recommends that he leave office. He noted that while that office is largely ceremonial, he was elected by a majority of the Austrian people. "It certainly won't work like certain gentlemen think it will," he said.

Nevertheless, names are being mentioned as

possible successors to Waldheim. The Socialists might propose Helmut Zilk, the newly elected mayor of Vienna. But they are apparently willing to consider a conservative candidate to be elected by the National Assembly, the country's legislative body comprised of both houses of parliament.

One possible candidate who appears acceptable to the Socialists is Alfred Maleta, a staunch conservative who as a Catholic anti-Nazi spent the war years in a concentration camp.

Socialists and conservatives seem to agree that the worst possible outcome would be for Waldheim to stay in office under the shadow of guilt, resulting in the further diplomatic and political isolation of Austria.

GORBACHEV ACCUSES SOVIET JEWRY ACTIVISTS OF ORGANIZING 'BRAIN DRAIN'

NEW YORK, Dec. 1 (JTA) -- Soviet leader Mikhail Gorbachev, in an interview with NBC News correspondent Tom Brokaw Monday night, assailed America's interest in the struggle of Soviet Jews.

The extraordinary hour-long interview, broadcast nationally, was arranged in light of next week's summit conference between Gorbachev and President Reagan.

Gorbachev claimed the United States is "organizing a brain drain" by pushing for emigration, and the Soviet response is, therefore, one of self-protection. He added that the Soviets "will never accept a condition when the people are exhorted from outside to leave their country."

Appearing defensive, Gorbachev assured Brokaw that the Soviet Union is considering "all the specific individual cases... in a very attentive and thorough manner," which, he said, Congress and the president know very well.

Assuring Soviet good will, Gorbachev said his government would "continue in a spirit of humanness seek to resolve every individual case, but within the framework of our own laws."

Using an unusual phrase for a declared atheist, he warned the United States not to "go into another man's monastery with your own charter."

Gorbachev admitted that family reunification was a problem, and he said "we shall do our best to have those problems resolved."

'State Security' Cited

The Soviet leader cited "state security" reasons when Brokaw asked what Gorbachev thought "man to man" about long delays in the processing of visas for 4,000 Jews, including cancer victims, who wish to be reunited with their families in "their closing days."

Gorbachev claimed there remain "only those who cannot leave because of state security reasons. There are no other reasons, and we will continue to act that way."

In Washington, State Department spokesman Charles Redman disputed this claim at a news conference Tuesday, saying, "There are prospective emigrants who have not done any secret work for 10 or 15 years and they're getting turned down again and again. That's a fact and it's documented."

Rejoining Gorbachev's parry that Soviet rules of behavior shouldn't be fashioned by outsiders, Redman said that the United States is simply asking the Soviets to live up to the human-rights provisions of the Helsinki Accords.

Redman said that "If indeed those are the views, then there are probably going to be some good exchanges" at the summit.

Responding to Gorbachev's "brain drain" comment, Redman said the Soviets shouldn't attempt to use that as a basis for emigration visa denials, because the right to emigrate "belongs to all people, whether they are intellectuals, workers or any sort of person."

'More Of The Same'

In New York, Alan Pesky, chairman of the Coalition to Free Soviet Jews, said that Gorbachev had offered "more of the same -- and less." He reminded that under Gorbachev, emigration is "only a fraction of what it was" under Soviet leader Leonid Brezhnev.

Pesky also cited laws instituted in January "that virtually barred emigration to the vast majority of the tens of thousands of Soviet Jews" who have begun the application process.

Despite Gorbachev's "unique opportunity to make a substantive statement to the American people" about Jewish emigration and human rights, said Pesky, Gorbachev had instead indicated "that his policies are more, not less, restrictive."

Meanwhile, the National Conference on Soviet Jewry announced Tuesday that 910 Soviet Jews emigrated during the month of November. To date, 7,250 Jews have left the Soviet Union this year, compared to a total of 914 for all of 1986, only four short of the November figure.

The figures for May through November reveal a series of ups and downs, with the November tally two less than that for October, and the 912 figure for October contrasting favorably with the 724 Jews who left the Soviet Union in September of this year. In May, 871 Jews emigrated; in June, 796; in July, 819; and in August, 787.

Commenting on November's figure, the NCSJ said, "Jewish emigration has apparently leveled off and in fact fell again for the fourth time this year. This disappointing development indicates that 'glasnost' does not work for the tens of thousands of Soviet Jews who have indicated their desire to leave the USSR."

ARAB WORLD FEARING IMMINENT RETALIATION BY ISRAELI ARMY By Hugh Orgel

TEL AVIV, Dec. 1 (JTA) -- The Arabic media here and abroad continued Tuesday to predict imminent massive retaliation by Israel for the glider-borne terrorist attack that killed six soldiers and wounded seven at an Israel Defense Force base in upper Galilee on the night of Nov. 25.

Such retaliation could lead to a serious clash between the IDF and Syrian forces in Lebanon, according to Arab sources in Beirut quoted by Haaretz Tuesday. The sources said an Israeli armored attack can be expected in southern Lebanon to clean out terrorist bases under Syrian protection.

Yediot Achronot reported from Paris that Arab newspaper editors attending a briefing at the Syrian Embassy there were told that "An

Israeli attack against Syria or Syrian forces in Lebanon... is expected at any moment."

The embassy officials say Syrian forces have been placed on alert in Syria and Lebanon "but no mobilization has been conducted so as not to supply Israel with a pretext for a major operation," Yediot Achronot reported.

The Kuwait newspaper Al-Rai reported Monday that the Romanian ambassador to Israel conveyed a Soviet warning to the Israeli government not to take military action against Syria. The Soviets made clear that Syria does not stand alone, the newspaper reported.

Sources in Beirut claimed that Israeli air attacks are expected against Palestine Liberation Organization bases in Lebanon. Other sources including radio stations and the Kuwaiti news agency reported that Israeli jets conducted simulated attacks Monday over Sidon and PLO camps in southern Lebanon and that Israeli naval vessels are patrolling the southern Lebanon coast.

IDF Units On High Alert

Haaretz reported Tuesday that IDF units on both sides of the Lebanon border have been placed on high alert, and so has the Israel-backed South Lebanon Army.

Apart from warning of an Israeli military strike at targets in Lebanon, Arabic newspapers continue to hail the "daring action" of the lone terrorist who wrought havoc at the IDF encampment near Kiryat Shemona a week ago.

The Egyptian newspaper Al-Ahbar claimed that the blow by the Palestinians against the "rulers of Tel Aviv" proves to Israel that the IDF cannot defend it.

Meanwhile, kibbutzim and moshavim all over Galilee have demanded that the government immediately install cable television and radio facilities in their settlements to serve in emergencies as a source of information for the civilian population and the military. So far, only one kibbutz in the Galilee panhandle has a closed-circuit television system.

The Communications Ministry promised to install cable TV in Kiryat Shemona, which was closest to the area of the glider attack and has long been a target of terrorist rocket attacks and incursions from Lebanon. Now other settlements in the region are demanding the same facilities.

IDF SOLDIER WOUNDED ON EGYPTIAN BORDER By Gil Sedan

JERUSALEM, Dec. 1 (JTA) -- An Israel Defense Force soldier was slightly wounded in a rare but disturbing incident along the normally peaceful Israeli-Egyptian border Monday night.

The incident occurred shortly after midnight, when an IDF patrol investigating a breach in the border fence was attacked by unidentified men who threw two hand grenades and opened fire with light weapons, according to a military spokesman. The soldier wounded by the gunfire was hospitalized.

The patrol later found the footprints of two men leading to the fence and back to Egyptian territory.

Israel formally informed Egypt of the occurrence. A spokesman for the Egyptian Embassy in Tel Aviv dismissed it as of little consequence.

The spokesman told Voice of Israel Radio Tuesday that this was a "routine incident of infiltration which happens sometimes on borders between countries."

COURT TURNS DOWN APPEAL IN CASE ON SILENT PRAYER IN SCHOOLS

By David Friedman

WASHINGTON, Dec. 1 (JTA) -- A U.S. Appeals Court ruling that struck down a New Jersey law requiring a minute of silence in public schools for "private contemplation and introspection" remains in effect, because the Supreme Court decided Tuesday not to deal with the case on technical grounds.

The 8-0 decision on the case of Karcher vs. May, written by Justice Sandra O'Connor, said that Alan Karcher, former speaker of the New Jersey State Assembly, and Carmen Orechio, former president of the state Senate, could not appeal the lower court decision, because they no longer held the leadership posts in the legislature.

Mark Pelavin, Washington representative of the American Jewish Congress, one of several Jewish organizations that filed briefs in support of the lower court ruling, welcomed the court decision.

"We are very pleased by the result in this case, although the opinion dealt only with the technical issues of leaving intact a favorable lower court ruling," Pelavin said.

Last Case Was In 1985

He noted the only time the Supreme Court has ruled on silent prayer was in 1985 when it declared unconstitutional an Alabama law providing for a minute of silence for "meditation and voluntary prayer."

The New Jersey law was adopted in December 1982 when the legislature overrode a veto by Gov. Thomas Kean. Jeffrey May, a school teacher, along with several parents and students, filed a suit the following January challenging the constitutionality of the law.

When neither Kean nor his attorney general would defend the suit, Karcher and Orechio, decided to defend it in their capacities as leaders of the legislature. But when the Court of Appeals handed down its decision, both had lost their leadership jobs, and their successors asked that their names, which had been substituted on the appeal to the Supreme Court, be withdrawn.

Karcher and Orechio then filed an appeal and argued they could do so since they were still members of the legislature.

While silent prayer appears now to be ruled out, the decision may come up before the Supreme Court again because about half of the states have "minute of silence" laws.

SARA LEE DISPUTES BOYCOTT CHARGES THAT COULD LEAD TO \$2 MILLION IN FINES

By Andrew Silow Carroll

NEW YORK, Dec. 1 (JTA) -- The Chicago-based Sara Lee Corporation is calling "misleading and grossly exaggerated" Commerce Department charges that it violated anti-boycott provisions of the Export Administration Act.

The 10-year-old act prohibits American firms from cooperating with foreign boycotts that are directed at countries friendly to the United States. Most Arab countries boycott Israeli goods and services and maintain a blacklist of countries and persons doing business with Israel.

Sara Lee has not been charged with boycotting Israel or Israeli firms. However, the Commerce Department "believes that in providing information about its business ties, Sara Lee was

furthering the Arab boycott of Israel in a manner prohibited by Congress," according to Donald Creed, a Commerce Department spokesman.

According to a charging letter issued Nov. 19, the Commerce Department's Office of Anti-boycott Compliance (OAC) alleges that Sara Lee provided 235 items of boycott-related information in connection with a 1982 application to register the corporation's L'eggs trademark in Kuwait and other Arab countries.

The department also alleges that the company provided information about its subsidiaries' relationships with Israel, or with companies blacklisted because of their relationship with Israel.

Fines Could Total \$2.35 Million

Sanctions of up to \$10,000 per violation -- a potential penalty of up to \$2.35 million -- could be assessed against Sara Lee and its export privileges could be denied if the company is found to have breached the law.

The largest penalty in the history of the Export Administration Act was \$381,000, imposed in August against NCR Corporation for 266 alleged violations.

But fines totaling \$4 million are pending against the Oakland-based Safeway supermarket chain, which was charged in July with 449 violations of the anti-boycott law, in connection with its operation of supermarket chains in Saudi Arabia and Kuwait. That case is currently before a Commerce Department administrative law judge.

According to Gordon Newman, Sara Lee senior vice president and general counsel, Sara Lee is charged with violating "complex and highly technical" anti-boycott regulations when it transmitted four documents to the Kuwaiti and other Arab officials.

Of the 235 alleged violations, said Newman, 229 are based on only two documents in which Sara Lee listed the names and nationalities of 39 corporate officers or board members and the names of its 190 subsidiaries.

The information, said Newman, is a matter of public record and is supplied routinely in the company's annual reports and other filings.

OAC Calculation 'Outrageous'

"The OAC's method of calculating the number of violations is outrageous," said Newman.

Sara Lee, which manufactures and markets food and consumer products internationally, was founded in 1939 by the late Nathan Cummings, who was Jewish and after whom a planned addition to the Israel Museum in Jerusalem will be named, according to information provided by Sara Lee.

The corporation has a longstanding agreement with an Israeli firm to manufacture knitwear products for sale in the United States. As a result, Sara Lee has been banned by the Arab League from any business dealings in the Arab countries, according to Newman.

In May, Sara Lee was notified by telephone that the OAC had uncovered violations from 1982, said Newman. According to Creed, a charging letter was issued when attempts to reach a settlement "came to a standstill."

The company has until Dec. 20 to respond to the charges, when the case will be referred to a Commerce Department administrative law judge.

Newman called "not realistic" any attempt on Sara Lee's part to have the charges completely dismissed. Instead, said Newman, the company will

ask for a substantial reduction of the charges and the size of the penalty.

Between 1980 and 1986, the OAC investigated 1,839 cases of alleged anti-boycott violations, 265 of which resulted in settlements. Charging letters were issued against 25 companies.

According to Will Maslow, general counsel of the American Jewish Congress and editor of its Boycott Report, charges against Sara Lee and other companies in recent months indicate that the OAC is "going after serious violations."

"These are not technicalities," said Mallow, who had not yet seen a copy of the charging letter against Sara Lee. "They show the office is serious about the law and enforcing it to the hilt."

ENVOY SAYS U.S. HAS NOT SHUT DOOR ON INTERNATIONAL PEACE CONFERENCE

By Hugh Orgel

TEL AVIV, Dec. 1 (JTA) -- The Reagan administration leans toward an international conference to open direct peace talks between Israel and Jordan and other Arab states, United States Ambassador Thomas Pickering indicated Monday night.

Addressing a Labor Party forum in Haifa, the American envoy seemed to support the views of Foreign Minister Shimon Peres over Premier Yitzhak Shamir, who recently claimed that the administration agreed with him that the conference scenario is dead.

Shamir based his belief on remarks attributed to U.S. Defense Secretary Frank Carlucci at a meeting with the Conference of Presidents of Major American Jewish Organizations in Washington on Nov. 11. Peres, for his part, quoted Secretary of State George Shultz as saying an international conference remains a valid option.

Pickering said that both Carlucci and Shultz "are persuaded that Jordan needs an international mechanism to get talks with Israel started." He said Shultz told Shamir only last week that "We don't rule out an international conference."

Pickering's flat statement seemed to bear out Peres' reading of the American position on the issue. The foreign minister was asked by reporters Sunday to comment on Carlucci's remarks as cited by Shamir.

Peres' reply was that obituaries for the international conference scenario were premature -- "wishful thinking" on the part of those opposed to the idea. He made the remark after attending memorial services marking the 14th anniversary of the death of David Ben-Gurion, Israel's first prime minister, at Sde Boker in the Negev.

'No Deadline' For Peace Process

In his remarks the following day, Pickering also said that the United States "had no deadline for the peace process" and denied that it would be suspended because of the American presidential elections next year. "We must move the process ahead," he declared.

He implied criticism of Israel's policies in the administered territories, saying it must do more to improve the quality of life and human rights for the Palestinians under Israeli rule.

"Deportations, administrative detention and home detention, without due process of law, do not meet the standards our two countries share regarding human rights," Pickering said.

He pledged that the American administration

will do all it can to honor its commitments of economic aid to Israel and Egypt during the coming year, despite fiscal problems. Concern has been expressed in Israel that the United States may reduce economic and military aid in the process of cutting its huge federal budget deficit.

Pickering was questioned about American intervention to block the deportation of Mubarak Awad, a Jerusalem-born, naturalized American citizen who advocates peaceful resistance to Israel's administration of the territories.

Awad was to have been expelled on Nov. 20, but the order was not carried out, apparently because of complaints from Washington. Pickering said he was "in touch with the (Israeli) government, and our effort is very clear."

JEWS IN ARGENTINA DEMONSTRATE TO PROTEST RISING ANTI-SEMITISM

BUENOS AIRES, Dec. 1 (JTA) -- Tens of thousands of Jewish demonstrators massed in downtown Buenos Aires last week to protest what they see as a rising tide of anti-Semitism in Argentina.

The Jewish community of 250,000 here, by far the largest of any country in Latin America, has been badly shaken by a series of anti-Semitic attacks, including a synagogue bombing and the desecration of cemeteries.

The incidents followed on the heels of the arrest Nov. 13 of fugitive Nazi war criminal Josef Schwammberger, wanted for the mass murder of Jews in Poland during World War II. He was tracked down by Argentine authorities to a hide-out in the northern province of Cordoba.

Adding to the alarm and anguish felt by the Jewish community was the recent discovery of the remains of two Jewish businessmen lying side-by-side in a grove outside Buenos Aires. The victims were Osvaldo Sivak and Benjamin Neuman, kidnapped in 1982. A former police inspector has admitted murdering Neuman.

The discovery was a grim reminder of the atrocities committed against Jews and others during the reign of the military junta in Argentina. Now, more recent outrages indicate that anti-Semitism lives on in Argentina, even though the country is now governed by a democratic regime friendly to Jews.

Protest Draws 30,000

The demonstration against the recent upsurge of anti-Semitism drew some 30,000 Jewish demonstrators to the Plaza Houssay in downtown Buenos Aires last Thursday.

The protestors, some waving Israeli flags, carried signs reading "Violence is the voice of ignorance" and "Let's get rid of anti-Semitism." The demonstration was the largest by Jews here in 25 years.

"The Jewish community is meeting here to put a stop to the anti-Semitic violence which has given all Argentines a quotient of disquiet and anguish," declared David Goldberg, president of the DAIA, the representative body of Argentine Jewry.

He referred to the bombing of a synagogue in the Once neighborhood on Nov. 14, a Saturday, the day after Schwammberger was apprehended. No one was injured in the blast, which damaged the synagogue entrance and shattered windows in the area.

Several days later, gravestones were overturned and defiled in a Jewish cemetery.